

# Architectural Standards

*The Handbook of  
Bell Canyon Association  
Architectural Committee*





Foggy View from Dapplegray, 2007

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*Take nothing for granted as beautiful  
or ugly, but take every building to  
pieces, and challenge every feature.  
Learn to distinguish the curious from  
the beautiful...*

--FRANK LLOYD WRIGHT



## SECTION I. Introduction

### 1.1 Source of Standards

These are the rules and regulations adopted by the Architectural Committee of the Bell Canyon Association pursuant to Section 4 of Clause IV of the Declaration of Covenants, Conditions, Restrictions and Reservations (cc&r's) dated February 26, 1969 and recorded with the Ventura County Recorder on March 11, 1969.

### 1.2 The Function of the Architectural Committee

The function of the Architectural Committee and the purpose of these Standards and regulations is, generally, to assure that all property subject to control by the Committee is developed and maintained in conformance to the cc&r's and the general plan of development of the community. All members of the Association, and all professionals engaged by members in connection with the development or maintenance of their property, should become familiar with the cc&r's and these Standards and regulations before submitting plans for approval to the Architectural Committee.

### 1.3 No Respon- sibility for Work

It is important to emphasize that the Architectural Committee has no responsibility regarding whether any proposed work is economical or that any proposed work will be conducted in a safe and workmanlike manner or that any property will, after completion of proposed work, be safe and free from defects. As indicated at Paragraph F of Section 21 of Clause III of the cc&r's, neither the Association nor the Committee is responsible for any defect in any structure or any defect in any grading. The Committee's function is primarily an aesthetic one, and it should be recognized that the Committee does not have the authority or the expertise to make determinations of a technical nature concerning the feasibility or

the safety of a proposed work. This means, among other things, that each property owner should assure himself or herself that he or she has obtained adequate professional help in connection with the development and maintenance of his or her own property, and should be aware of the development and maintenance of other property in the Canyon.

## SECTION 2. Required Approval

**2.1**  
**No Structure or Grading will be Permitted without Approval**

Property owners should be aware that the land in the Bell Canyon community is subject to architectural controls. This means, among other things, that no grading may be done, and no building or structure of any kind may be erected, altered or maintained in Bell Canyon, unless complete and descriptive plans have been approved by the Architectural Committee. Plans must be submitted and approved in advance for all grading and the construction of all structures. The word “structure” includes, but is not limited to, houses, accessory buildings, stables, corrals, garages, fences, walls, mailboxes, bridges, retaining walls, sewage disposal systems, sidewalks, driveways, steps, awnings, poles, swimming pools, tennis courts, patios, trellis, storage sheds, gazebos, batting cages, sports courts, dog houses, tree houses, landscaping, water features and the like. The Committee retains the right to define structure as it pertains to Bell Canyon community, the CC&R’s and the Architectural Committee Standards.

**2.2**  
**In Keeping With Approved Plans.**

The CC&RS enumerate specific restrictions which must be complied with and provide the charter under which the Architectural Committee exercises its plan review and approval functions. In addition to providing specific restrictions, the CC&R’s authorize the Architectural Committee to withhold approval of any plan if, in the Committee’s reasonable judgment, any aspect of the plan would render the proposed structure inharmonious or out of keeping with the general plan of improvement or harmony of the Canyon. Architectural controls are not limited to original construction and subsequent improvements, but also extend to the maintenance of all land (landscaping and erosion control) and structures in their original approved condition.

**2.3**  
**Obtaining Approval to Deviate from the CC&Rs**

The CC&R’s authorize the Architectural Committee to approve deviations from the CC&R’s where necessary to carry out the general purposes of the CC&R’s. An approval of any such deviation must be written and is not approval for any similar deviation on any other property in the Canyon. Note that approval or conditional approval of an application will not, for any purpose, be deemed approval of a deviation unless the lot owner has specifically, in writing, described the deviation and established the necessity therefor to the Committee and requested its approval.

**2.4**  
**Strict Compliance or Nullification of Approval**

The CC&R’s require that all structures be erected in strict conformance with the plans approved by the Committee. Any deviation from such plans nullifies the Committee’s approval and subjects the lot owner to all of the remedies available to the Association and to all the remedies available to the Association’s members when the CC&R’s have been violated. These remedies include, but are not limited to, denying entry through the front gate of construction traffic and the possibility of fines. All members should be familiar with the Association’s rules for use of the roads (see for example Section 3.6) and the Committee’s Fine Schedule. If the need for a change in plans develops after approval by the Committee has been given, the lot owner should make application to the Committee for approval of such changes immediately.

**2.5**  
**Preliminary Studies.**

Property owners may submit preliminary studies and concept sketches for Committee comments. It may be advantageous that your design concept (e.g., theme of house, in elevation form) and grading concept be submitted and preliminarily approved before completed plans are drawn. While the Committee does not approve plans other than complete detailed plans, preliminary approval of incomplete plans may give the lot owner assurance that the specific elements shown by the incomplete plans will not, by themselves, result in disapproval of later complete detailed plans which appropriately incorporate these elements. In no event shall the submission and preliminary approval of preliminary studies be deemed satisfaction of or a waiver of the lot owner’s duty to submit and to obtain approval of complete detailed plans and specifications before any grading or any construction is commenced.

### SECTION 3. The Architectural Committee

- 3.1 Committee Membership** The members of the Architectural Committee are appointed by the Board of Directors of the Association; see Section 2 of Clause IV of the CC&R's. By resolution of the Board, the Committee consists of three Voting Members and one Alternate Voting Member appointed by the Board. The Board may appoint additional Associate Members of the Committee. Attendance at Committee meetings is essential. Failure to attend meetings regularly is cause for dismissal. The Architectural Committee has ability to retain consultants to assist in the administrative functions of the Architectural Committee, site inspections, and professional opinions relating to compliance with approved plans, the CC&R's and the Architectural Standards. The consultants' authority is limited to an advisory capacity and all approvals or denials shall be in writing from the Architectural Committee.
- 3.2 Committee Decisions on Submittals** A majority vote of the Voting Members of the Committee done or made at a meeting duly held at which a quorum is present is the act of the Committee. No individual is authorized to act for the Committee to approve a submittal or to waive the need for submittal. A Committee decision regarding approval or disapproval of a lot owner's submittal for approval of plans, or the imposition of such conditions and requirements as the Committee may impose in connection with its conditional approval of such submittal, shall be based upon the plans and other documents submitted by or on behalf of the lot owner in connection with his or her submission, the report of an onsite inspection which shall be conducted by the Committee, and upon such comments thereto as may be presented by the lot owner or by any member of the Association who may be affected by the lot owner's submission. To be considered, comments by Association members must be made in writing to the Committee, or at a duly held meeting of the Committee.
- 3.3 Location of Committee** The Committee is located in the offices of the Association, at 30 Hackamore Lane, Bell Canyon, CA 91307. All applications for approval of plans and related documents, and all written comments thereon, must be filed and all required fees must be paid at this location. Except under special circumstances, all meetings of the Committee take place at this location.

- 3.4 Regular Committee Meetings** Meetings of the Committee are scheduled for the second (2nd) and fourth (4th) Tuesdays of each month. Regular meetings are scheduled to start at 7 pm and are divided into three sections: 7 PM to 7:30 PM – *Open Forum*, during which members of the Association may participate; 7:30 PM to 9:00 PM – *Scheduled Appointments* are reserved for members of the Association and their advisors who have an appointment; the remainder of the meeting is open to all members of the Association on a “*non participatory basis*”. Appointments to meet with the Committee are scheduled on a first come first served basis and must be made in advance through the Association offices. Any plans to be submitted to the Committee must be delivered to the Association offices by noon on the Friday preceding the Tuesday meeting.
- 3.5 Notice of Plan Submittal** Property owners will be notified by certified letter of any plans submitted for grading, new home construction, and remodeling on an adjacent lot.
- 3.6 Use of Roads, Approved Construction List, and Concrete Trucks** Pursuant to Standards and regulations adopted by resolution of the Board of Directors, Association members may not use the roads for purposes relating to the grading of, or the installation of structures on, any property in the Canyon unless plans for such grading and/or structures have been approved by the Committee. The Association maintains an Approved Construction List, and entry through the guard gate of grading and/or construction equipment and personnel is prohibited except for lots on this List. Generally, approval by the Committee of submitted plans results in a lot being placed on the Approved Construction List. Note, however, that irrespective of Committee action in connection with submitted plans, a lot will not be placed or maintained on the Approved Construction List if there are any delinquent fees with respect to the current plan submittal and/or any assessments are delinquent with respect to the lot. Note also that a lot may be removed from the Approved Construction List, and entry through the front gate for construction traffic to the lot denied, if any of the following conditions exist: (A) the time period of the Association's permit to use the roads for construction traffic lapses, (B) there is any deviation from plans approved by the Committee (See Section 2.4 above), and (C) assessments become delinquent during the course of the project. NOTE: Concrete trucks

will not be allowed entry through the gate for the pouring of concrete foundations or monolithic slabs, even if the lot is on the approved Construction List, until not less than three (3) working days after the notice required by Section 5.1 is given by the property owner and until approved by an Architectural Committee member or Architectural Committee consultant. When the Association Office is called to schedule an inspection it is important that the foundation forms are set. Should another inspection be necessary due to premature scheduling, the costs incurred by the Association will be passed on to the property owner. The Association Office must be notified at least two (2) working days prior to scheduling pouring of concrete for retaining walls. Approval for entry of concrete trucks for this purpose will be for a very limited time only (one or two days entry).

**3.7  
Committee  
Forms**

In order to assist the members in complying with the restrictions imposed by the cc&r's, and to enable the Committee to do its work, the Committee has developed certain forms. These forms are attached hereto for convenience, as follows: Appendix A contains copies of forms intended to be for general information. Appendix B contains copies of forms, which must accompany plans submitted to the Committee for approval; note that not all forms must accompany every submittal. Appendix C lists various fees and deposits, which must be paid in connection with submittals. In accordance with Part 4.1 of these Standards, no submittal to the Committee is deemed complete for purposes of the thirty (30) days requirement of Paragraph B of Section 21 of Clause III of the cc&r's unless the required plans are accompanied by duly executed copies of all required forms and payment of all required fees and deposits. The Committee reserves the right to amend such forms and to add new forms as may be appropriate.

#### SECTION 4. Requirements for and Duration of Approval

**4.1  
CC&Rs Time  
Requirement**

The cc&r's provide, at Paragraph A of Section 21 of Clause III, that a lot owner must submit to the Committee complete and detailed plans and specifications for all structures to be erected on property in the Canyon. Pursuant to Paragraph B of Section 21 of Clause III,

the Committee has thirty (30) days from the date of presentation of the plans required to be submitted within which to disapprove of the plans. **NOTE:** The thirty (30) days provision of cc&r's Clause III (21)(B) does not apply to requests for approval of a deviation under cc&r's Clause III (25). For purposes of this thirty (30) days requirement, no plan is deemed submitted for approval or presented to the Committee until submission and presentation of all of the documents and payment of all of the fees required by these Standards in connection with applications for approval of plans.

**4.2  
Types of  
Committee  
Action**

The Committee may act in any of the following ways to plans submitted to it for approval: (a) The Committee may approve a plan, as submitted; (b) the Committee may withhold approval or deny a plan; (c) in lieu of withholding approval of an entire plan, the Committee may, at the specific request of the lot owner, approve selected elements of a plan and withhold approval as to other elements; and (d) the Committee may conditionally approve a plan or, at the specific request of the lot owner, selected elements of a plan and require that conditions and requirements not incorporated in the plans as submitted be performed by the lot owner.

**4.3  
Submittals for  
Approval of  
Plans**

Submittals to the Committee for approval of plans shall not be deemed complete, within the meaning of Paragraph A of Section 21 of Clause III of the cc&r's, unless the submittal includes and conforms to the following: see Section 5, beginning below.

#### SECTION 5. Process and Procedures

**5.1  
Introduction**

All improvements and modifications to the exterior of your home or property require architectural committee approval. This includes actions such as major landscaping, earth movement or grading, tree removal, perimeter fence construction or replacement, home expansion or alteration, change of paint scheme, and new home or outbuilding construction among others.

Before starting any planning for projects and prior to submittal of any preliminary or final plans, homeowners, agents, architects and other applicants should review the *Bell Canyon Site Design Guidelines* and *Architectural Standards*. This will help avoid expensive alteration to submitted plans, which are inconsistent with the community's standards and reduce the number and duration of Committee review and hearings to which one's plans may be subjected.

**5.2**  
**Conceptual or**  
**Pre-Submittal**  
**Review**

The following section details guidelines for plan submittals. The Bell Canyon Association office will NOT accept incomplete submissions.

The conceptual or pre submittal review process can involve both informal and formal consultations with both Committee staff and members. The Community desires that the architectural review process be as an efficient and collaborative process as possible. As such, prospective applicants are urged to approach the review process in a collaborative manner seeking input from the committee and its staff at the earliest possible instance. Whether just a phone call for simple projects or a formal consultation for more complex proposals, early and complete consultation is essential to assist in providing a smoothly functioning review process. The Committee will not review any plans until staff deems the plan as complete and concludes its preliminary review. The homeowner will be notified within 30 days as to the status of the plans.

Submittal requirements for conceptual or pre-application review include the following:

- »→ Preliminary site plan
- »→ Building schematics
- »→ Conceptual elevations
- »→ Conceptual landscape plan
- »→ Preliminary grading plan (if applicable)

**5.3**  
**Preliminary**  
**Review**

The preliminary review process involves both staff review and one or more initial Committee hearings on the project. This process permits Committee staff to review preliminary plans for adherence to submittal requirements, to perform a preliminary assessment of potential consistency issues with adopted Site design and Architectural Standards and to provide feedback within 30 days to the applicant on these issues. If the plan meets basic submittal requirements, it is then forwarded to the Committee for review, along with any staff comments on issues relating to consistency with Community's *Architectural Standards*. If the plans do not meet basic consistency submittal requirements, then the applicant must correct these deficiencies prior to the staff placing the project on the Committee's agenda. If the staff notes consistency issues with *Architectural Standards*, the applicant has the option of addressing these matters prior to proceeding on to a Committee hearing, in order to minimize delay and possible redesign during Committee review.

**5.4**

The Process is as follows:

**Application**  
**Submittal**  
**Procedures**

- .1) Pre-application meeting with the Architectural Committee consultant/ staff.
- .2) Two sets of plans may be submitted to the Architectural Committee Monday through Friday during posted business hours. There is an application to fill out as well as an application fee to pay. Please see fee schedule in the Architectural Standards. Please call 818 346-9879 for hours of operation.
- .3) To be considered for the agenda, plans must be submitted, by 12:00 noon, a minimum of twelve working days before a scheduled meeting. .
- .4) Consent items may be submitted, by 12:00 noon, the Friday before a meeting. Consent items include; re-roofing; painting; driveway replacement; etc.
- .5) The Committee meets the second and forth Tuesdays of every month.



.6) Submitted plans will be reviewed within 10 working days and review sheets can be picked up at the BCA Office or faxed, if a fax number is included on the application.

.7) All corrections must be addressed in accordance with the architectural standards, prior to the project being placed on the agenda.

.8) Late submittals will not be scheduled for the agenda.

Agendas are set by 5:00 p.m. the Thursday before a meeting and cannot be added to.

**5.5** Preliminary plans are to be submitted in duplicate and must include  
**Application** the following:

**Submittal**  
**Requirements**

.1) Submitted plans must be professionally prepared and must be drawn to scale, accurate and legible. Plans must be submitted by the property owner or agent authorized in writing by the owner.

.2) Plot plan showing property lines, all dimensions, size and location of all existing and proposed improvements including buildings, edge of roads, driveways, walks, patios, terraces, pools, sport courts, walls, fences, service yards, heating and cooling equipment etc. Natural features including all mature trees labeled by species, creeks or drainages, major rock outcroppings and boulders. Include all easements, setbacks, horse trails, and other recorded land use restrictions. Provide topography, existing and finished grades and heights of all structures.

.3) Elevations showing all exterior design details. 4-sided design is required. Provide exterior architectural details such as; eave details, door and window head, jamb and sill details, decorative rails and/or balustrade details and any other details, which might apply.

.4) Provide a conceptual landscape plan.

.5) A color board with samples of all materials and paint colors including manufacturer and color codes.

.6) Provide a project breakdown including the square footage's of living space, garage, decks and patios. Include new, existing and areas to be remodeled.

.7) Preliminary grading plan, if applicable; include a calculation of the amount of dirt to be moved, whether it is balanced on site, and an estimate of the net amount of dirt to be exported or imported while grading, if any.

.8) Plan Submittal Acknowledgment Form.

.9) Amended Plan Submittal Acknowledgment Form for all additions, remodels, revisions and as built.

.10) Plan submittal fee (*see attached fee schedule*).

If for some reason you feel that you are unable to comply with the requirements of the *Site Design Guidelines* (see Section 6) and *Architectural Standards*, a variance and/or temporary interference with easement application will be required. In order to get these types of applications approved the applicant must demonstrate that there are no reasonable alternatives. See *Application for Deviation* for more information.

After inspection of the property and review of your preliminary submittal the committee may require additional information including but not limited to, surveys, storypoles, site inspections, etc. All issues shall be resolved at this phase of review, prior to proceeding with final plans.

No plans will be reviewed if at the time set for review there remain outstanding any delinquent assessments, violations, charges or penalties against the property. If there are any existing violations of the *Architectural Standards* or the CC&R's at the time of submission of plans, said plans must set forth the steps to be taken to correct the pre-existing violation.

.11) Inspections

The architectural consultant shall inspect all properties for which plans have been submitted for architectural committee approval.

The consultant will give twenty-four (24) hours notice to the owner before going onto the property.

The consultant will inspect for the following:

- »→ Accuracy of plans submitted.
- »→ 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.
- »→ Compatibility of the proposed improvements with the neighborhood and/or lot.
- »→ General condition of the property and existing structures.
- »→ Prior to the refund of construction deposits, a final inspection and approval will be conducted to insure that projects conform to the approved plans, the architectural standards and the community's CC&R's.

**5.6 Final Review** For consent/Like for Like 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.

**5.7** The Process for Final Review is as follows:

**Application  
Submittal  
Procedures**

- .1) Two sets of final working drawings may be submitted to the Architectural Committee staff Monday through Friday during working hours. Plans to be submitted in electronic format.
- .2) If the Architectural Committee consultant determines that the plan meets the letter and intent of Committee direction, then no further Committee review will be required.
- .3) If the plans require final Committee review, to be considered for the agenda, plans must be submitted a minimum of ten working days before a scheduled meeting.

.4) Staff to review plans to determine if all submittal requirements and committee direction has been met.

.5) The Committee meets the second and forth Tuesdays of every month.

.6) Items subject to a final Committee hearing will still require final administrative review by staff to ensure compliance with all applicable standards.

.7) Final review of plans by the Architectural Committee consultant/ staff can require up to 30 days.

.8) Where a hearing is required, late submittals will not be scheduled for the agenda.

.9) Agendas are set by 5:00 p.m. the Thursday preceding a meeting.

**5.8**

**Application  
Submittal  
Requirements**

Final Review requires the following:

- .1) Two sets of complete working drawings including all of the preliminary submittal requirements. Projects that include structural changes and/or county permits will typically require a licensed Architect and/or registered civil engineer must sign each sheet of plans.
- .2) County approved building permit plans
- .3) County approved grading plan.
- .4) Storm Water Pollution Control Plan (SWPCCP).
- .5) Professionally prepared landscaping plan, which includes plant list, and irrigation plan.
- .6) Completed Plan Form.
- .7) Grading Form.
- .8) Statement from Civil Engineer relative to the total cut, total fill, and quantities of any import or export.

.9) Standard Architectural Committee Requirements must be added to cover sheet of plans.

**5.9**  
**Prior to**  
**Starting**  
**Construction**

Before grading or construction can begin you need to be placed on the Approved Construction List by the Architectural Committee which requires the following:

- .1) A letter of final approval from the committee.
- .2) Completion of all appropriate permit forms.
- .3) Payment of all applicable fees and deposits.
- .4) All assessments current (your lot may be removed from the Approved Construction List, and entry through the front gate of construction traffic to your lot denied, if your assessments become delinquent during the project).

## SECTION 6. Site Design Guidelines

These site design standards are intended to provide clear direction on site grading and preparation, development of dwellings, accessory structures and other ancillary uses as detailed below. The purpose and intent of these site design guidelines is to ensure that all site improvements are conducted in a manner that protects and enhances the Community's semi rural harmony including respect for important natural amenities. In order to be approved, all projects must be consistent with both the general standards in Section 6 below as well as the specific measures detailed in Sections 7. For definition of terms, see also Section 10.

**6.1**  
**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.

**6.2**  
**Barns and**  
**Stables**

.1) Barns, stables and open corrals shall be used exclusively for the keeping of permitted domestic animals. Roofing shall comply with Section 5.9 for roof material and roof pitch shall be compatible in material and color with the main building. Notwithstanding the above, Class "A" materials must be used for the roof.

.2) Haylofts 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.

.3) All stables or shelters for housing of animals shall be located no less than forty (40) 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 forty (40) feet from any habitable area. All new corrals and stables should be adequately setback from the top of the bank of Bell Canyon Creek and designed to protect significant native trees and the Creek, an important natural amenity.

.4) Vehicular access to stable areas shall be provided for delivery of feed and removal of waste. Such access shall be in accordance with the following standards:

- ➡ Width shall be ten feet minimum.
- ➡ Road grade shall be 20% maximum.
- ➡ Surfacing - Less than 10 % grade; decomposed granite or other soft surface treatment (pavement) is permitted (recommended).
- ➡ Surfacing- 10% - 20% grade: pavement required; minimum of 3 inches of asphalt or concrete.
- ➡ Such access must be wholly within the subject property and not from a trail.

.5) 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.

Where such front yard rings are proposed, appropriate low growing landscaping and shade trees kept well trimmed should be included along the site perimeter to minimize dust and partially screen the riding ring.

.6) 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.

.7) Proper provision must be made for conveying drainage off of paddocks and corrals to ensure that run-off associated with animal waste does not become an issue. Where such facilities are located adjacent to Bell Canyon Creek, drainage and water quality protection measures must be consistent with County standards.

### 6.3

#### Batting Cages

Requirements are as follows:

.1) 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.

.2) Exterior batting cage lighting should be hooded and directed downward, is subject to appropriate limitations on wattage and all batting cages must be well landscaped to minimize light intrusion into surrounding areas.

.3) All Lighting proposals for batting cages are subject to noticing of all surrounding properties within 500 feet. The Committee reserves the right to address any and all issues arising from such lighting proposals.

.4) Batting cage fencing shall not extend more than ten (10) feet in height. Batting cage fencing may require landscape screening, as determined by the Committee.

.5) 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.

.6) Each batting cage must have a minimum three- (3) foot wide clearance on all sides for the maintenance and planting of landscaping.

### 6.4

#### Driveways

#### & Walkways

Requirements are as follows:

.1) 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 of muted or earth tone colors, with porous pavers permitted on slopes of under 10%. Existing asphalt may be replaced with asphalt only if within the same location. Driveways and pavement across parkways which may be used as riding trails shall be concrete with the surface very heavily broomed in a circular pattern or pavers without waterproofing or glaze to create a rough surface which will provide traction for horses. No waterproofing or glazes may be placed on driveways where they cross the unimproved roadway.

.2) 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 the roadway or to cause such storm or flood water to be diverted to the owner's property or any other property.

.3) 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 in order to promote safe circulation for both vehicular traffic on community roads and equestrians, walkers and other users of the road shoulder trail system.

.4) Driveway approaches should not be constructed that will cause removal of or damage to existing parkway trees. If damage to or removal of parkway trees is unavoidable, appropriate protection

measures must be employed or parkway trees must be replaced or relocated as determined by the Committee. Driveways should be designed to avoid removal of native oaks, including using driveway realignment, tree wells, retaining walls or other measures.

- .5) 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.
- .6) Driveway or walkway curbs in the parkway are prohibited.
- .7) Driveways on corner lots shall not be constructed to allow ingress or egress in the vicinity of the intersection. The distance from the centerline of the driveway to the property line shall be no less than sixty-five (65) feet.
- .8) Motor Courts and large exterior parking areas are permitted on level, gently sloping or less constrained lots, but where construction would lead to excessive grading, use of multiple retaining walls, tree removal or damage to other key natural amenities, the Architectural Committee may deny such use.

#### 6.5 Easements

The Declarations of Covenants, Conditions 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 (Clause III, Section 23) thereof. In addition, there are some properties over which the Association holds special easements for horse trails, utility, sanitary sewer, storm drain, and/or road purposes.

- .1) No improvement whatsoever except plant material with a mature trunk diameter of less than 6 inches, may be placed in any easement unless the Trails Committee and Board of Directors have granted a Temporary Interference with Easement (TIWE).
- .2) 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.

- .3) Where an existing horse trail is located outside the easement, the current owner shall be requested to grant the Association a special easement for the actual location of the trail. The costs of surveying the actual location and recording the easement shall be borne by the Association.

#### 6.6 Fences, Pillars, Arches and Enclosures

Perimeter treatment of properties is a key element of the Community's approach to preserving its open and semi rural atmosphere. The community prides itself on maintaining this open atmosphere, particularly within front yard areas by avoiding walled compounds, excessive gates, dense high hedges and similar features which can separate neighbors and wall off homes from neighborhood streets and horse trails. The relative openness of parcels and exclusive use of white rail fencing along site boundaries are key aesthetic features, which contribute to the semi-rural atmosphere within Bell Canyon. In order to preserve this uniqueness and its contribution to community's character, the Committee shall enforce the following standards:

- .1) White rail fencing is required at the front property line for all new homes, substantial exterior remodels and where new or replacement front property line fencing is constructed and is the only approvable fencing within the easements or on the property lines, except under a limited set of exceptions which may be approved by the committee as detailed below.
- .2) The fence at the front of the property shall be a two-rail white fence using 36" high posts, unless the front fence is intended to retain livestock, in which case a three-rail white fence is required (see item 3 below).
- .3) All fences must be constructed using 4" x 4" posts placed 8' on center and 2' x 6' rails (stringers). The top of the lowest rail must be 18" from the ground with similar spacing for the other rails. For durability, pressure treated Douglas fir posts set in well-tamped dirt

or other equally durable construction are required. Pre-manufactured rail fencing having similar appearance may be substituted for wood. Posts should be located inside of the fence unless an exception is granted by the committee.

**.4)** Welded wire mesh (1" x 2") or chain link (see chain link standards below) fencing is generally permitted to be affixed only to the inside (see pool safety exception) of any white-rail fence for the containment of animals, but such fencing shall not exceed the height of the white rail fence.

**.5)** The Architectural Committee may grant approval to use wrought iron fencing under the following limited conditions detailed in Parts **.8**, **.9**, **.10** and **.11** below. In no case shall such fencing be used on front yard property boundaries.

**.6)** The use of wrought iron fencing is discouraged, is confined to limited uses within rear and side areas (see also Part **.8** below) and is prohibited under the following circumstances:

- As a replacement for white rail fencing.
- On the property line
- Within the easements except as noted in Part **.9** below.
- As perimeter fencing (around the property)
- Between the house and the street.

**.8)** Within the limited circumstances permitted by the standards above, wrought iron may be used within the property and may connect to white rail fencing through the easement in a perpendicular fashion.

**.9)** The use of chain link fencing is confined to limited circumstances and is approvable only under the following conditions:

- Chain link must be installed on the inside of white rail fencing except when combined with rail pool safety fencing.

➤ The chain link may not be free standing and must be attached to the white rail fencing.

➤ The height of the chain link fencing may be no greater than the height of the rail fencing and must be an approvable color.

**.10)** 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) feet in height. Pool fences may be combined with wood three-rail fences when installed. Pool fencing shall have a self-closing, automatically latching gate, with the latch a minimum of five (5) feet above ground. Pool safety fencing may be placed on the outside of a 3-rail fence provided the following conditions apply:

- The 3-rail fence height is increased to five (5) feet
- The chain link pool safety fence is held to a minimum of 1" below the top rail of the 3-rail fence.
- The chain link is attached with corrosion resistant fasteners with no sharp edges, hardware, brackets or bolts facing a trail.
- The chain link shall be galvanized.

**NOTE:** *All structures located within an easement require a Temporary Interference With Easements.*

**.11)** Cross Fencing:

➤ Front yard cross fencing requires Architectural approval and shall not have the appearance of being solid.

➤ 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.

➤ Chain link, wrought iron, 3-rail and/or metal pipe fences for rear yard interior areas and corrals are permitted with architectural approval.

**.12)** Barbed wire is not permitted on any fence.

**.13)** Entry pillars or pilasters located on each side of the driveway entrance shall be constructed of brick, stone, plaster, or other materials as may be approved by the Architectural Committee. The height of entry pillars may exceed the white rail front fence height, but shall not exceed fifty-four (54) inches in total height. Pillars shall not be more than thirty (30) inches square. Pillar top decorations and/or lights must be simple and in keeping with the community rural look. Overall height shall not exceed 72" Lighting fixtures shall not exceed an illumination level of two (2) foot-candles, measured within the property line (e.g. low voltage with a maximum of 3-25 watt candelabra type bulbs).

**6.7  
Fire Hazards**

Bell Canyon is situated in a high fire hazard area. Some of the community's valuable natural amenities, such as hillsides, native oaks and chaparral, contribute to fire hazards. The community wishes to implement reasonable fire protection measures while minimizing the disturbance of native vegetation and adverse visual changes that can occur from the excessive clearance of such vegetation for fire protection. The community's goal is to protect homes by creating defensible space to slow or halt wildfires, but to do so in a manner that protects significant native vegetation and community aesthetics.

⇒ Clearing native hillside vegetation (e.g.: chaparral) should be minimized or avoided outside of 100 foot defensible space setbacks around structures. Within such defensible space, scattered larger native shrubs and trees should be left in place to soften the visual appearance of cleared areas and/ or new fire resistant plantings installed. The community encourages retaining the native vegetation outside of required defensible space.

⇒ Clusters of fire resistant skyline and screen trees should be installed in cleared areas to break up views of hilltop, hill side or ridgeline homes, including hardscape such as patios, terraces, pools and sport courts.

**6.8  
Grading and  
Retaining  
Walls**

The Association's members pride themselves on the community's semi rural beauty and protecting the natural amenities that are the basis for this beauty. When considering site design, grading and any retaining walls needed for site development, property owners, architects and builders are urged to keep disruption of a site's topography and natural amenities to the minimum needed to facilitate high quality harmonious development.

**.1)** No grading or excavation shall be undertaken without the approval of the Committee. Conformance with the natural grade as much as feasible is the community's goal and failure to strive to meet this standard may lead to project denial. Excessive grading, including an unusually high amount of unbalanced cut and fill and the use of multiple large retaining walls for construction of the Main or Accessory Buildings is prohibited. When grading is required for construction, cut and fill shall be balanced as much as possible. Import or export of soil is discouraged. If not balanced, proposed amount of cut and fill and import and export of soil must be stated on the plans.

**.2)** The use of excessive fill slopes is strongly discouraged and the use of large fill slopes is prohibited in instances where it would unduly impact important public or private views or would disrupt other key natural amenities such as streams or water courses, oak trees, etc

**.3)** Grading or change of elevation within 15 feet of the property lines may be permitted with approval of the Trails Committee. However, changes in elevation of greater than 3 feet or use of retaining walls higher than 3 feet adjacent to established trails are discouraged. Any fill slopes or retaining walls adjacent to trails must be landscaped with a plant palate suitable to maintain and enhance the trail's semi rural character.

**.4)** All walls, whether structural, retaining or decorative, require Committee Approval.

**.5)** Retaining walls to extend a building pad shall not exceed six (6) feet in height. . Stepping of walls on a downhill slope is strongly discouraged, and only two retaining walls of a maximum height of 6 feet each can be used on the top or bottom of any fill slope.

.6) Retaining walls to retain an uphill slope shall not exceed ten (10) feet.

.7) All retaining walls shall be finished in a manner as determined appropriate by the committee and landscaped with shrubs, vines and trees to provide complete screening of such walls and maintained in perpetuity.

.8) Pre-grading, pre-filling and stockpiling are prohibited. Approval for grading and filling will be issued only after complete County approved grading plans have been submitted and these plans have been approved by the committee or staff.

.9) Crib Walls shall be of open design and shall be planted immediately after erection with manufacturer recommended plant material and are subject to the same restrictions as other retaining walls.

.10) Grading applications, which are intended to correct height violations, will not be considered.

**6.9  
Guest Houses**

One single story guesthouse 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. While the CC&R's state that guesthouses must be a minimum of 1,000 square feet, the Architectural Committee will consider allowing smaller guesthouses in attempt to be consistent with the Ventura County Zoning Ordinances.

**6.10  
Hardscape  
Coverage**

The community requires the retention of as much of a site as possible in natural undeveloped or landscaped open space. While attractive driveways, patios and other "hard" features are a needed and welcome component of any high quality development, the excessive use of hardscape, especially in front yard areas or on rear slopes or other areas of high public visibility is strongly discouraged.

.1) In front yard areas, the total area of hardscape, including driveways, walkways, patios etc should not exceed 25% of the total front yard area.

.2) In rear yard areas, patios, decks, pools and other exterior hardscape that are located within public view areas must be accompanied by landscaping designed to soften and breakup community views of such features. Such landscaping should include perimeter shrubs, vines and trees.

**6.11  
Landscaping**

The community requires landscaping which respects and enhances the Canyon's semi rural character and that facilitates new development blending in with the surrounding environment, but allows and encourages diverse approaches to meet this goal.

.1) Landscaping in front yard areas should have an open aspect

.2) All cut or fill slopes shall be planted with a combination of plant materials designed to fully revegetate the slope. Where the slope is part of a view corridor consideration shall be given to the use of native, Mediterranean or other plant materials with muted tones that maintain and enhance the semi rural attributes of that view corridor.

.3) The use of appropriate native plant materials is required, especially around site perimeters or within and adjacent to key natural amenities such as Bell Canyon Creek, oak woodlands, etc.

.4) The planting of skyline and screen trees is required to break up views of hill top or hillside homes, accessory structures and hardscape that are highly visible from community roads, trails or large numbers of residences. Plantings of vines and shrubs must also be included to soften the appearance of exterior hardscape areas from the surrounding community.



.5) The community requires well maintained perimeter screen plantings, but only where they maintain the open aspect of the community's front yards or where they do not intrude into horse or primitive trails:

⇒ Screen planting in excess of 6 feet shall not be placed in the front yard setback.

⇒ Screen planting shall be kept trimmed so as to not spill over into the road easements, horse trails or any other designated use imposed by the CC&R's or easements.

.6) Professionally prepared landscape plans are required for all new homes and projects, which require substantial modifications to the site.

Landscaping must be completed within six months after obtaining final approval for occupancy or prior to the expiration of Architectural Approval.

.7) Landscape plans shall include complete site plans as required with all projects which include all existing and proposed improvements, easements, property lines, hardscape, hardscape calculations, plant material and drainage.

.8) No part of proposed landscaping plans shall be implemented until approved by the Architectural Committee.

.9) There cannot be any refund of deposits until a project is deemed complete. This includes the installation of plantings, walls, drainage devices and 3-rail fencing in accordance with the approved landscape plan, and irrigation to provide adequate maintenance of the planting.

.10) Landscaping shall be installed within the designated time period and maintained properly.

**6.12****Unpaved  
Roadways**

Unpaved roadway 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 unpaved roadway.

**6.13****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. All 2 or 3 rail 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 and adjoining properties and roadways. 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 filing of a Certificate of Violation.

**6.14****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 there from 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.

**6.15****Satellite  
Dishes**

Satellite dishes shall be sited to minimize visibility from surrounding roads, homes and trails, consistent with FCC direction to not substantially impede function. Landscaping shall be installed around satellite dishes as needed to ensure that dishes are screened from surrounding uses.

**6.16**  
**Trash Yards** All residences must have an enclosed trash yard 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 and landscape appropriately. Such yards must be inconspicuous to neighbors, located conveniently for trash storage and collection and located outside setbacks. Access to service yards must be wholly within the subject property, and not from the horse trials.

**6.17**  
**Setbacks** .1) Residences shall be located on the lot, including flag lots, or building site as approved by the Committee and be a minimum of twenty five (25) feet to front property line. The minimum setback for side yards shall be ten (10) feet to the lot line for both main residence and accessory buildings. The minimum setback from the rear property line shall be fifteen (15) feet for all structures. Unattached accessory buildings shall have a minimum separation from the residence of ten (10) feet as measured between roof overhangs or projections, except that a barn or stable shall be separated from any habitable space by a distance of forty (40) feet. No accessory building may be located in a front yard setback.

.2) When the side yard abuts a road, the setback shall be ten (10) feet from the property 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.

.3) On ridge lots, lots with a pronounced down slope or where an artificial fill slope is constructed, the setback of a building from the top of a slope shall be equal to the height of the vertical wall of the building.

.4) When a lot has frontage on two streets, the Architectural Committee at their discretion may determine that the front yard setback may be on the street that is not the legal frontage.

.5) Sculptures may be installed within required setbacks provided they are sized appropriately for the yard and approved by the Architectural Committee.

**6.18**  
**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 converted, bridged, confined or reconstructed, or a new channel constructed provided said new channel, diverted, bridged or reconstructed channel, is professionally engineered to be 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. Development next to natural streams and watercourses should be sited and designed to enhance these natural amenities and minimize or avoid the placing such drainages into hardened channels or culverts.

**6.19**  
**Swimming Pools** Swimming pools should be sited and designed to respect the community's semi rural character and important natural amenities and must adhere to the following:

.1) Pools should be located on more level areas of a site and grading and the use of tall or multiple retaining walls for pool construction must be minimized.

.2) Pools on slopes must be sited and designed to avoid contributing to the appearance of constituting 3rd or 4th story to the home from neighboring areas and distant views, particularly where combined with other exterior terraces or patios.

.3) Pools and adjacent hardscape shall be screened by surrounding landscaping.

.4) Exterior lighting around pools must be hooded and directed downward and well landscaped to minimize light intrusion into surrounding areas.

.5) Aboveground pools are not allowed.

.6) Pool Fences: (*see fencing policy, part 6.6.10*)

**6.20**  
**Tennis and**  
**Sports Courts**

Tennis and other sport courts must be sited and designed in a manner that is harmonious with the community's semi rural character and which protects important natural amenities. Sport court design must adhere to the following:

- .1) Sport courts must be located on more level areas of a site and grading and the use of tall or multiple retaining walls for construction must be minimized.
- .2) Sport Courts on slopes must be sited and designed to avoid the appearance of constituting a 3rd or 4th story to the home, particularly where combined with other exterior terraces or patios.
- .3) Sport courts and associated hardscape must be screened by surrounding landscaping.
- .4) Exterior sport court lighting should be hooded and directed downward, is subject to appropriate limitations on wattage and such courts must be well landscaped to minimize light intrusion into surrounding areas. Tennis court lights should be off at 10 pm.
- .5) 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.
- .6) All Lighting proposals for sport courts are subject to noticing of all surrounding properties within 500 feet. The Committee reserves the right to address any and all issues arising from such lighting proposals.
- .7) All court windscreens shall be of open mesh type and must be approved by the Architectural Committee and be properly maintained.
- .8) Court fencing shall not extend more than ten (10) feet in height. Court fencing may require landscaping, as determined by the Committee.
- .9) Courts may not be located on steep slopes, sides or bottoms of canyons.

.10) 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.

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

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

.13) 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.

**6.21**  
**Trails**

An attractive system of parkway and rustic trails was part of the original founder's intent for the community and is an integral part of the community's semi rural identity. The community requires that new development be sited and designed to protect and enhance the trails system. This includes providing access to needed easements, protecting existing trail routes, securing new trails where needed or appropriate and addressing any trail aesthetic issues, which may arise with adjacent development.

.1) Any improvements in any easement require approval by the Architectural Committee and the Trails Committee, and a temporary interference with easement 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 Trails Committee elects to utilize the easement.

.2) Use of an established trail by vehicles, dumpsters or construction equipment at any time is strictly prohibited without a Trail Access Permit from the Architectural Committee.

.3) When use of a parkway or horse trail is permitted, the parkway or horse trail shall be repaired to an acceptable condition at the

completion of the job as determined by the Architectural, Trails or Maintenance Committees. A deposit will be retained by the Association for any use of the horse trails to ensure this work is completed to the satisfaction of the BCA.

.5) There shall be no open drainage ditches or surface drainage pipes across any road or horse trail easement. Any drainage system that crosses a road or horse trail easement must be so designed that it is below surface.

.6) The dumping of manure or any other material on horse trails is prohibited by the Association and the Ventura County Fire Department.

**6.22**  
**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.

**6.23**  
**Utilities**

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

**6.24**  
**Vehicular**  
**Storage**

No long term storage (i.e.: greater than 72 hours) of motorized vehicles (automobiles, recreational vehicles, tractors, etc.), trailers (travel, horse, vehicle, boat, etc.), or boats (power, sail, or manual) is permitted in plain view of the street or surrounding properties.

## SECTION 7. Architectural Standards for Buildings

The goal of the following architectural standards is to provide clear direction to owners, builders and designers on what the community's standards are for creating new homes and outbuildings, buildings that are of the highest quality, and which are harmonious with the community. Issues such as building massing, materials, color, elevation, architectural details and four sided design are all central to achieving high quality design.

These Guidelines include standards for design character and elements envisioned as desirable for the Community of Bell Canyon. The use of a variety of forms and materials is encouraged. These are intended to guide design ideas and elements and to stimulate the creative talents of designers and architects. Innovation is expected and alternative design solutions are encouraged.

Fundamental to the community philosophy is a resolute determination to preserve and enhance the feeling of openness and semi rural atmosphere with canyon and distant views, deep setbacks, wide side yards and dwellings pleasantly compatible with canyon, ridgelines and horizon.

It is the intent of the Committee, to assure that any new or modified structure does not unreasonably impact on adjacent property owners and the compatibility of structures in the neighborhood. 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 in harmony with the equestrian rural style of Bell Canyon. It is not the intent to unreasonably restrict or regulate the right of an individual property owner to determine the type of structure or addition he may wish to place or modify on his property. As each property in Bell Canyon is unique, each new residence, remodel or addition will be addressed individually. The granting of a temporary interference with easement agreement and Variances for new construction is strictly discouraged.

**7.1**  
**Accessory**  
**Buildings**

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.

**7.2**  
**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.

**7.3**  
**Basements**

Basements shall be designed to avoid the appearance of constituting a third story from surrounding properties and from important

public viewing corridors. Where basements are highly visible and appear to constitute a third story, particularly in combination with exterior hardscape, the committee may find such development to be inharmonious. Where a component of a two story home, basements shall not be finished or used as interior living space and may not have windows or exterior doors similar to the stories above. Above ground basement exteriors must be finished with the same high quality materials employed on other portions of the home and include architectural detailing to meet the four sided design standards. Above ground exterior basement walls must be screened by adjacent foundation shrubs, trees and vines which shall be maintained to avoid the appearance of large blank walls from both near and distant community views.

**7.4  
Building  
Heights**

Well designed, expansive, airy two story homes are a welcome addition to the community where they can be accommodated with minimal disruption of important views. The following height standards are maximums and may be adjusted downward by the committee in instances where new homes or remodels would unduly intrude upon the privacy and views of neighbors or intrude significantly into important view corridors.

No building exceeding two stories or a height of 28 feet from the reference grade shall be erected. Architectural Committee's definition of building height: The two-story restriction means that no building may be constructed with more than two living areas located one on top of the other, regardless of the height of the house. The height of a building is determined by measurement from the average finish grade to the highest of the following:

- The top side of the ceiling beams in the case of a flat roof.
- The deck line in the case of a mansard roof.
- The average level of the topside of the highest rafters between the eaves and the ridge in the case of a gable, hip or gambrel roof.

For construction on a sloping terrain, the average finish grade is defined to be an average of the highest and the lowest finish grade elevations at the perimeter of the footings. The definition of

“average finish grade” is intended as a guide; in the case of extreme slopes or other special circumstances, building height will be defined by the Committee.

**7.5  
Building  
Massing and  
Second Stories**

Well designed 2 story homes that fit a site are a welcome improvement to the community. However, boxy 2 story homes with extended uninterrupted vertical planes are not consistent with the community's goals for design and construction of a visually pleasing built environment. The community's goal for two story structures is that they contain substantial architectural detail and features to help relieve and break up building massing and avoid tall extensive uninterrupted vertical planes.

**7.6  
Decks**

Decks shall be designed to minimize visibility from surrounding areas. Where decks have extensive above grade areas, landscaping and possibly lattices are required to screen supporting structures and under story areas

**7.7  
Demolition**

Demolition of any structure requires Committee approval. The Architectural Committee may permit demolishing the main buildings while accessory buildings remain provided the following apply.

- Safety fencing must be erected during the demolition and must remain until the site is graded.
- The demolition must proceed in a diligent and continuous manner until completed.
- 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.
- Existing homes shall be completely demolished prior to the commencement of construction of the new home.
- Demolition of an existing home requires an approved landscape plan restoring the lot to original condition unless a plan for new home construction is submitted immediately.

**7.8 Elevations** Building elevations for new residences or additions to an existing residence shall be designed to minimize the second floor visual impacts (massing) 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 rooflines, 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 Bell Canyon.

**7.9 Four Sided Design** The community expects high quality design and the use of comparable quality materials and features for remodels and new buildings. Whatever design theory, element, or building materials compose the front of the structure must be carried through on all sides of the home. This may be accomplished by use of materials, shapes, architectural details colors etc. In other words, the side and rear elevations must have a design and color theme, as well as the front elevation. The purpose of this rule is to make certain that the home will be aesthetically pleasing from any view. The terrain of Bell Canyon is so unique and varied that one sees at least several sides of a majority of homes. To accomplish this goal, particular attention should be paid to the following:

⇒ Architectural details and materials for all views of the home are important, but the sometimes overlooked exterior of basements, garages, outbuildings and the rear elevation of homes where visible from near and distant public and private views deserve additional consideration. Plans should note where rear or side elevations are highly visible from adjacent properties and/ or the surrounding community and contain specific references as to how home design, in conjunction with exterior hardscapes and landscaping, address this issue.

⇒ Consideration should be given to how front, rear and side yard exterior improvements such as motor courts, patios, terraces, pools and sport courts and outbuildings combine with overall home design to create the home's visual impression from nearby properties and distant community views, especially where such improvement combine to create the impression of additional stories of structure.

Well designed and where needed, densely planted landscapes should be included to break up building and the massing of associated exterior improvements and softens the overall visual effect of such improvements and their effect on the community.

**7.10 Garages** Each residence shall have a fully enclosed garage, with a minimum capacity of three (3) vehicles with minimum dimensions of 20 feet deep. No garage shall be closer to the front lot line than the legal established front setback. Garages shall be sited to provide a minimum of twenty-five feet of back up space to any easement. Basement garages are allowed provided that the floor shall be a minimum of six (6) feet below the adjacent finish grade and where they meet the criteria set forth for basements above.

**7.11 Maximum and Minimum Square Footage** Plans for all new residences shall provide minimum dwelling area, exclusive of garage, porches and terraces, as detailed below. Plans shall also identify the total structural development onsite, including that of garages, outbuildings and exterior patios, terraces, walkways and other hardscape.

⇒ New residences must be designed to fit the lot, protect key natural amenities and blend in with the community's semi rural atmosphere. Homes must be harmonious and compatible in appearance and minimize the need for excessive site alteration. The design of larger homes must be sensitive to the appearance of excessive elevation associated with the combination of multiple stories, a basement and exterior hardscapes.

⇒ Main dwellings shall contain a minimum dwelling area of one thousand eight hundred (1800) square feet.

⇒ The dwelling area of Guesthouses shall not be more than 1200 square feet.

**7.12 Porte Cocheres** Porte Cocheres shall not be used for the permanent storage of vehicles.

**7.13**  
**Roof Material** Roof materials should complement the goal of the community to maintain its semi rural atmosphere and assist in blending a structure into the community and natural environment.

Roofing material shall have a heavy coarse texture, similar to the appearance of heavy shakes. Color is limited to natural tones of gray or brown or a blend of these. Spanish tile or slate is permitted and may be either natural clay tones or flash burn in color. Staggered coursing is encouraged. Spanish tile roofs shall be fire stopped at the eaves to preclude the entry of flames or embers. All new roofing material shall have a Class “A” fire rating, including re-roofing. Homeowners desiring to re-roof a structure using a Class “A” material other than what previously existed must obtain Architectural Committee approval. Replacement of wood shakes with Class “A” material also requires Architectural Committee approval.

**7.14**  
**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.

**7.15**  
**Terraces and Patios** Well designed terraces and patios complement high quality home design and the community’s orientation toward an outdoor lifestyle.

Consistent with the community’s desire to maintain natural areas, the extent and location of terraces and patios should be sited to blend in with existing topography by minimizing excessive grading and respecting natural amenities such as oak trees. The location and design of terraces and patios should also take into account views from the surrounding community and adjacent residence.

**7.16**  
**Nameplates, Signs, Antennas, and Mailboxes** Section 16 of Clause III of the cc&r’s provides that one nameplate is permitted for each lot and provides specifications for nameplates. In addition, Section 16 provides that antennas (including satellite dishes, etc.) and laundry drying equipment are subject to Committee approval. Section 19 of Clause III of the cc&r’s prohibits signs unless approved in writing in advance by the Committee. The Committee has available for members’ review additional materials regarding nameplates and signs which have been approved in the past. See Appendix D for sign specifications.

**7.17**  
**Signs/ Mailboxes & Lighting** Mailbox specifications are included in Appendix D. Colors are to be white, brown or the color of the house, but not the trim. (rev. 16 APRIL 96).

**.1)** 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.

**.2)** One inconspicuous twelve- (12) volt light for the sole purpose of illuminating the address sign is permitted provided this lighting meet the following Standards:

- ⇒ It is mounted at the bottom of the sign.
- ⇒ Wiring leading to the light is buried underground.
- ⇒ The wattage of the light shall not exceed fifteen (15) watts.
- ⇒ Only clear non-colored bulbs are permitted.

**7.18**  
**Site & Building Lighting Limitations** The use of lighting should be integrally designed as part of the built environment and should reflect a balance for the light needs with the ambient light level and surrounding nighttime characteristics of the community. Lighting should be designed to minimize glare, light trespass, energy conservation and to maintain dark skies. Landscape lighting if proposed should only be utilized to accent landscaping.

## SECTION 8. Maintenance

**8.1**  
**Structures** The cc&r’s require that structures and land be maintained as follows:

Section 21 of Clause III of the cc&r’s provides that, among other things, no structure may be maintained on any lot except in accordance with plans approved by the Committee. This means that

the exterior of all structures must be maintained in accordance with the approved plans. Examples include:

» White rail fencing must be maintained so that any damaged posts and rails are replaced within a reasonable time and so that such fencing is painted as needed.

» The color scheme of a dwelling as approved may not be changed without Committee approval and painted surfaces must

be repainted and damaged roofing replaced so that the exterior of the dwelling reasonably presents the appearance as approved by the Committee.

**8.2 Improved Land** Section 14 of Clause III of the CC&R's requires that all lots must be maintained in a neat, clean and attractive condition and in good order. All lawns and gardens, as shown on approved landscaping plans, must be adequately mowed or cultivated and watered. Proper maintenance of slopes is especially important.

**8.3 Outside Storage** Section 9 of Clause III of the CC&R's prohibits outside storage in the Canyon. Except as provided at part 5.9 above of these rules, Lot owners shall not use, and shall not permit the use of, any portion of their property for the outside storage of any building materials, vehicles (including but not limited to horse trailers, recreational vehicles of all types and boats), implements, tools, furniture, landscaping materials or equipment, irrigation pipes or apparatus, junk, trash or any things whatsoever. For these purposes, the word "outside" means storage on any portion of a lot that is in plain view from the street or any nearby property, and

"Storage" means the continuous placement of an item for a time period greater than seventy-two (72) hours. When, in the judgment of the Committee, a stored item is not adequately shielded from view, the Committee shall give notice of its determination. When such a notice is given, the owner shall submit to the Committee, within one month of such notice, a written plan for compliance and, if such plan is approved by the Committee, the owner shall implement such plan, together with any conditions and requirements

as the Committee may impose, within a reasonable time, which shall not exceed one month from the date of the Committee's approval.

**8.4 Outside Storage During Construction** It is the lot owner's responsibility to assure that all debris, junk, and trash is controlled and regularly removed so that the lot is maintained in as clean and neat a condition as is, in the judgment of the Committee, reasonably possible during the course of construction. The outside storage of building and landscaping materials, tools, equipment and trash bins is permitted as necessary for construction pursuant to plans approved by the Committee for the period of the duration of approval, as it may be extended. Erection of a construction shed or a construction trailer shall, if possible, be located so that it cannot be viewed from the street and shall be removed when major construction has been completed.

## SECTION 9. Scope of & Amendments or Additions to Rules

**9.1 Scope of Rules** These rules are intended to give guidance in connection with some of the areas of responsibility given to the Architectural Committee by the CC&R's. Not all areas of responsibility are mentioned in these rules. The absence of any mention in these rules of any area of Committee responsibility is not intended to indicate and shall not be construed as a waiver of or any limitation upon the Committee's rights and powers under the CC&R's.

**9.2 Amendments or Additions to Rules** The Architectural Committee expressly reserves the power, under Section 4 of Clause IV of the CC&R's, to change the rules from time to time, by deleting rules or by making changes to rules or by adding new rules.

**9.3 Severability** If any provision of these rules, or the application thereof to any person or circumstance, is held to be unenforceable or improper by any Court of competent jurisdiction, the remainder of these rules and the application of such provision to other persons or circumstances shall not be affected thereby.



## SECTION 10. Glossary of Terms

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

### 10.1 Definitions

- .1) ABUT:** To physically touch or border upon; or to share a common property line.
- .2) 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. Such buildings or structures shall not contain kitchen or cooking facilities and shall not be used as guesthouses, artist studios or pool houses/ cabanas, unless specifically permitted for such uses. Except for guest houses and such buildings or structures shall not be used for overnight accommodations.
- .3) ANTENNA:** A horizontal or vertical element, panel, or dish that may be attached to a pole, tower, building or other support structure for the purposes of transmitting and/or receiving communication signals (e.g., radio, microwave, television).
- .4) APPROVED CONSTRUCTION LIST:** The list maintained by the Association of the lots with respect to which use of the roads for construction traffic is permitted.
- .5) ARTIST STUDIO:** A building or structure, or portion of a building or structure, used as a place of work by an artist or photographer, but shall not include commercial sales or transactions on the property. An artist studio may include a restroom. However, it shall specifically exclude cooking facilities, or any other use that would allow the building or structure to be used as a separate dwelling unit.
- .6) ATTACHED BUILDING:** A building having at least five lineal feet of wall serving as a common wall with the building to which it is attached.

**.7) ATTACHED SECOND RESIDENTIAL UNIT:** An attached dwelling unit on a permanent foundation that provides complete, independent living facilities for one or more persons in addition to a principal one-family dwelling. An attached residential second unit shall not be sold or financed separately from the principal structure. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation, and shall be located entirely on the same lot, which contains the principal dwelling.

**.8) APPROVALS AND CONSENTS:** Approval, consent, authorization or permission shall mean an approval, consent, authorization or permission in writing.

**.9) ARCHITECTURAL COMMITTEE:** The Architectural Review Committee of the Bell Canyon 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."

**.10) ASSOCIATION:** The Bell Canyon Association sometimes referred to in these *Standards* as the "Association".

**.11) ATTIC:** The unoccupied area below the roof rafters and above the ceiling joists.

**.12) 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.

**.13) BASEMENT:** That part of the main or accessory building, which lies entirely below the principal structure, and below grade. Consider: A story partly or wholly underground. A basement shall be counted as a story if more than ½ of its height is above the average level of the adjoining ground (does the community want to do more in controlling the contribution of basements to excessive building height?) This could include a standard for maximum basement height in any above ground area or some other options to prevent the 15-foot high blank wall effect.

- .14) BASEMENT GARAGE:** A garage beneath the main or accessory building and below grade.
- .15) BENCH:** A relatively level step excavated into earth materials on which fill may be placed. Usually a mid-slope drainage device.
- .16) BERM:** An earthen mound used to direct the flow of runoff.
- .17) BREEZEWAY:** A roof, which connects the main building with a garage or accessory building.
- .18) BUILDING:** A structure having a roof supported by columns or walls including underground basements.
- .19) 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 (*including ridge cap but excluding chimneys*).
- .20) 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*).
- .21) BUILDING HEIGHT:** The vertical distance from the average finished grade of the lot covered by the building to the highest points of the coping of a flat roof or to the mean height of the highest gable of a pitch or hip roof
- .22) 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.
- .23) BUILDING PERMIT:** The permit to build, construct, alter, repair or demolish a structure or structures. The Department of Building and Safety of the County of Ventura issue the building permit.
- .24) BUILDING SITE:** A “building site” shall be a portion of land embraced within the property covered by the Declaration of Protective Restrictions.

- .25) CABANA:** A building, the use of which is incidental and accessory to the use of the beach, a pool, or a sports court (e.g., tennis, basketball, handball, and other similar facility) that may include bathrooms, but excludes sleeping quarters and cooking facilities.
- .26) 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.
- .27) CELLAR:** See basement.
- .28) 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 herein and in the Declarations of Protective Restrictions.
- .29) 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.
- .30) 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.
- .31) CRIB WALL:** Also known as Crib Lock Wall, a retaining system consisting of prefabricated concrete stretchers and runners to contain compacted earth.
- .32) CROSS FENCING** Any and all interior fencing such as corral fencing, pool fencing, and/or yard fencing.
- .33) CULVERT:** A covered channel or a large-diameter pipe that directs water flow below the ground level.

**.34) CUT:** (a) An excavation; (b) the difference between a point on the original ground and a designated point of lower elevation on the final grade; (c) the material removed in excavation.

**.35) DECK:** A flat surface mainly used for recreational purposes, constructed of wood, concrete or other durable material and raised above the surrounding finish grade.

**.36) DRIVEWAY:** A private right of way which affords vehicular access from a public or private street as defined herein to abutting or adjacent property which is not, and under existing subdivision and zoning regulations cannot be divided into more than four (4) separate lots or parcels.

**.37) DWELLING AREA:** See habitable area.

**.38) 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, horse trails, parkways, park area, and for any public or quasi-public utility service or function beneath or above the surface of the ground.

**.39) EAVES:** The part of the roof, which projects beyond the building line.

**.40) FILL:** (a) A deposit of earth, sand, gravel, rock or any other suitable materials placed by artificial means; any act by which earth, sand, gravel, rock or any other suitable material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting there from. (b) The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade, as measured in a vertical plane.

**.41) FINISH GRADE:** The level of the finished surface of the ground at the completion of all grading as designated in the final project grading plans.

**.42) FIRE BUFFERS AND CLEARANCE:** The area within a minimum of 100 feet of existing structures where County ordinance requires vegetation modification, thinning or removal to reduce the risk of wild land fire hazards to homes and structures.

**.43) FLOOR AREA, GROSS:** The total area of all floors of a building as measured to the surfaces of interior walls and including corridors, stairways, elevator shafts, attached garages, porches, balconies, basements, and offices. For attached or detached residential second units, this term includes only the second unit and its directly accessible appurtenant interior spaces, and shall not be considered to include any existing floor area not contained within the second unit, nor shall it include the floor area of storage or other accessory structures or spaces not directly accessible from the living area of the second unit.

**.44) FLOOR AREA, NET:** The gross floor area excluding vents, shafts, stairs, corridors, attics, and unenclosed porches and balconies.

**.45) FOOTPRINT:** The area of a house or accessory building determined by its outer perimeter including all projections, covered patios and attached garages.

**.46) FOUNTAIN:** A freestanding decorative structure as an integral part of the landscape design, which uses water as a design element.

**.47) GARAGE:** A complete structure, housing not less than three (3) motor vehicles, attached or detached to the main building, guesthouse, or accessory building.

**.48) GUEST HOUSE:** A complete structure detached from the main dwelling for the sole purpose of housing temporary guests.

**.49) GRADING:** Any activity which involves the physical movement of earth material, including any excavating, filling, stockpiling, movement of material, compaction of soil, creation of borrow pits

**.50) GUEST HOUSE:** Detached living quarters of a permanent type of construction without kitchen or cooking facilities of any kind, intended and used primarily for temporary guests of the occupants of the main building on the lot on which such guest house is located, and not rented or otherwise used as a separate dwelling.

**.51) 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.

**.52) HARDSCAPE:** Artificial surfaces placed on a lot such as concrete, asphalt-concrete brick or stone, driveways, walks, steps, sports courts, decks (wood or concrete), pool decks or any other coverage not classified as a structure. Surfaces constructed of sand, gravel or decomposed granite (D.G.) shall not be classified as hardscape.

**.53) IMPROVEMENT:** Any object affixed to or growing in the ground including a building or structure.

**.54) 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.

**.55) LOT, CORNER:** A lot bounded by streets on two or more adjacent sides.

**.56) LOT, FLAG:** See “Lot, Interior.”

**.57) LOT, INTERIOR:** A lot, which has, access by a private easement and has no street frontage or by a portion of the lot having a width of less than forty (40) feet.

**.58) LOT, KEY:** A lot, the sideline of which abuts the rear line of one or more adjoining lots.

**.59) LOT AREA, GROSS:** The area included within the boundaries of the lot as described in the latest recorded deed to said lot or as shown on the recorded parcel or subdivision map creating said lot,

including any portion so described or mapped lying within a public or private street.

**.60) LOT AREA, NET:** The gross lot area minus any area lying within a public street which is defined as a permanently reserved right of way which has been dedicated to the Association.

**.61) LOT DEPTH:** The average distance between the front or street line and the rear lot lines, or between the front lot line and the intersection of the two side lot lines if there is no rear lot line.

**.62) LOT FRONTAGE:** The length of the front line measured at the street right of way line.

**.63) LOT WIDTH:** The average distance between the side lot lines measured at right angles to the lot depth.

**.64) LOT LINES:** The boundary lines of lots or parcels.

**.65) LOT LINE, FRONT:** 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.

**.66) LOT LINE, REAR:** 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.

**.67) LOT LINE, SIDE:** 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.

**.68) 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.

**.69) MANSARD:** A roof with two different slopes.

**.70) MANSARD, FALSE:** A flat roof surrounded by a parapet wall whose outer surface is sloped.

**.71) NATIVE OAK TREE REMOVAL:** Causing an oak tree to die, be uprooted and/or removed from the ground by any means, including, but not limited to, cutting, uprooting, poisoning, or burning (unrelated to controlled burns). Excessive pruning or topping, or severing an oak tree's roots enough to lead to the death of the tree, would also be considered oak tree removal. Death by natural causes (e.g. sudden oak death syndrome) or removals required due to disease, regulatory requirements or trees removed that pose an immediate threat to safety shall not be considered a removal.

**.72) NATURAL AMENITY:** Any natural resource or feature in the community defined by the Architectural Review Committee as having exceptional value in contributing to the community's character and quality of life including, but not limited to, Bell Canyon Creek and its major vegetated tributaries and associated flora and fauna, native California oak trees, major rock outcroppings and boulders and significant public and private views and view corridors.

**.73) 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.

**.74) 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).

**.75) NET LOT COVERAGE:** Coverage of the building site with structures, patios, hardscape, pools or any other artificial surface material.

**.76) NON CONFORMING LOT:** A lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of the Article, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the applicable zoning district.

**.77) NON CONFORMING STRUCTURE:** A building or structure, the setbacks, height, or location of which was lawful prior to the adoption of this Article or any amendments hereto, or previously adopted County Zoning Ordinances and which does not conform to the present regulations of the zoning district in which it is situated.

**.78) PARKING SPACE:** A space designed and reserved for the parking of motor vehicles, including all necessary maneuvering space,

**.79) PARKWAY:** The area between the paved surface of the road and the front property line. see unimproved roadway.

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

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

**.82) PORTE COCHERES:** A large porch outside the entrance of a residence, under which vehicles may be driven.

**.83) 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.

**.84) PRELIMINARY PLANS:** The plans of a building or structure, showing the design concept only without the construction or structural details.

**.85) REFLECTING POOL:** See Pond.

- .86) RETAINING WALL:** A structure to retain earth.
- .87) RIGHT OF WAY LINE:** The recorded boundary of a public or private street.
- .88) 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.
- .89) SCHEMATIC PLANS:** Plans drawn in sketch form. May be drawn freehand, showing the rough concept.
- .90) SECOND FLOOR AREA:** The area of the second floor determined by its perimeter and all projections including covered balconies.
- .91) SETBACK:** The minimum required distance that a building or structure must be located from any property line, street centerline, or right-of-way line.
- .92) 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.
- .93) SHED ROOF:** A roof, which has only one slope.
- .94) SINGLE FAMILY DWELLING:** A private residence for one family containing but one (1) kitchen and, if desired, servants' quarters.
- .95) SLOPE:** An inclined ground surface. The inclination of which is expressed as a ratio of horizontal distance to vertical distance, as in two to one (2:1), meaning a horizontal distance of two feet to one foot vertical.
- .96) SPORT COURT:** Can be any area of the property or existing tennis court intended as a recreational area for a wide variety of outdoor activities.

- .97) STORY:** That portion of a building or structure included between the surface of any floor and the finished ceiling or roof above it.
- .98) STORY POLES/SILHOUETTES:** Silhouettes involve the construction of a model of a proposed structure, usually consisting of a wooden frame, with plastic flags. Silhouettes provide a clear, accurate representation of the proposed structure "envelope" and location to greatly assist in the review of a proposed project.
- .99) STREET:** A permanently reserved, public or private right-of-way, which affords the public, a principal means of vehicular access to abutting or adjacent property, not including alleys or driveways as defined herein.
- .100) STRUCTURES:** Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. A trailer shall not constitute a structure within the meaning of this Article. As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.
- ⇒ **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.
- ⇒ **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.
- ⇒ **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 cabanas.

⇒ *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, sport courts, swimming pools, and all metal, wood, or plastic structures, such as the prefabricated.

**.101) SURVEY:** Documents showing the boundary lines of a parcel, all-applicable easements and existing structures, which are certified by a licensed surveyor.

**.102) TEMPORARY INTERFERENCE WITH EASEMENT:** 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 pre-existing, previously approved improvements located in the easements. This agreement may be revoked by the Bell Canyon Association.

**.103) 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.

**.104) WETBAR:** An area of a room in detached structures that may include the following features:

- ⇒ A counter area with a maximum total length of seven (7) feet.
- ⇒ The counter area may include a bar sink and under-counter refrigerator.
- ⇒ The counter area may include an overhead cupboard area not to exceed 7 feet in length.
- ⇒ The counter area shall be located against a wall or, if removed from the wall, it shall not create a space between the counter and the wall of more than four (4) feet in depth. The seven (7) foot counter

shall be in one unit. The intent of this provision is to avoid the creation of a kitchen room.

⇒ No cooking facilities shall be included in the wet bar area.

**.105) 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:

⇒ *Front Yard-* 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.

⇒ *Rear Yard-* 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.

⇒ *Side Yard-* 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.



**Notes:**

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