

MAGEE RANCH

SITE DEVELOPMENT AND ARCHITECTURAL GUIDELINES

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INTRODUCTION

PURPOSE AND INTENT

The Site Development and Architectural Guidelines for Magee Ranch were developed to provide specific architectural design criteria for establishing individual identity, in combination with the overall composition of the community. These guidelines have been compiled as a tool for residents, architects, designers and builders, and include recommendations for site usage, architectural style and materials of construction and landscape, as well as a mechanism for plan review and interpretation of design intent.

All architectural designs and landscape improvements for each Magee Ranch home will be reviewed either by the Master Developer of Magee Ranch, pursuant to covenants in the agreement of purchase and sale between the Master Developer and the buyer or by the Design Review Committee, as established in the recorded Declaration of Covenants, Conditions and Restrictions for Magee Ranch. The Master Developer will be responsible for review in all cases where the lot is being purchased by a builder who will construct a home for resale in the ordinary course of its business. The Design Review Committee will be responsible for review in connection with changes or additions to completed homes which occur after the home has been sold by the builder to an owner occupant or investor. Under the regulations of the California Department of Real Estate, the Master Developer will be entitled to control the Design Review Committee until 90 percent of all lots in the project have been sold or the fifth anniversary of the date of issuance of the original public report for the project, whichever first occurs.

In addition, plans proposed for construction within Magee Ranch must comply with appropriate City, State and Federal planning, zoning and building codes and requirements.

ARCHITECTURAL GUIDELINES

PURPOSE AND INTENT

The intent of these Architectural Guidelines is to insure individual variety while achieving harmonious forms, materials and colors, and to allow diversity in design while insuring the architectural integrity of the community as a whole. All designs must be submitted to and approved by Diablo Ranch Development Company, the Master Developer ("MD") or the Design Review Committee ("DRC") of the Magee Ranch Homeowners Association, whichever has jurisdiction.

ARCHITECTURAL DESIGN

Magee Ranch is open to designs employing any historical background, so long as adaptations to contemporary requirements are done in the true spirit of the style, accurately detailed and properly and adequately carried out in materials, scale and overall appearance. All designs should be honest and forthright, understated, yet elegant. They should be adapted to the Danville climate, and should reduce dominance of the garage in the design. Elevations should be designed with animation, through the use of varied massing, added building elements and textures, while retaining the aura of timelessness and quality. As it is expected that gracious porches will become a hallmark of Magee Ranch design, their generous use is encouraged.

CONCEPTS AND FORMS

Height Limits

The maximum height of single-family structures shall not exceed thirty-five feet (35') and two and one half stories as established by the Town of Danville zoning ordinance.

Requested variances will be denied if justification is insufficient to gain the MD's or DRC's approval. The MD or DRC also reserves the right to set limits less than stated above during preliminary submittal, as it may find reasonable.

Exterior Walls

All exterior elevations should be designed with equal care and 2X trim material should be used throughout. Long uninterrupted exterior walls should be avoided on all structures. All structural walls should have relief to allow interplay of landscaping shadows. Integration of varied textures, relief and design accents on building walls can soften the design and assist in achieving a balance of statement between structure and terrain.

Roofs

Preferred roof forms are the common hip, gable and shed types. Minimum roof pitch shall be 6/12, except where a roof garden or deck is called for. No roof pitch shall exceed 12/12. Flat roofs will not normally be acceptable, but for very specific design solutions, special approval may be requested.

Accent or secondary roof areas may utilize roof slopes less than 6/12 or greater than 12/12 if necessary for a particular architectural style, however, all such treatments must be approved by the MD or DRC.

Doors and Windows

Recessed door, window and other wall openings are encouraged, as well as projections and projected windows to add texture to wall surfaces.

Clerestory windows, bay windows and other accent windows are encouraged. Second story windows along rear and side yards that would violate the privacy of the private open space of adjacent structures are discouraged.

Doors should be wood or steel paneled or glass paned. Entrances should be provided with weather protection as an extension of the main roof or by recessing into the structure.

It is recommended that metal windows, screens and sliding glass doors, as well as frames for fixed glass, have a white or opaque color finish. All finishes must be approved by the MD or DRC.

Glazing shall be clear untinted, solar bronze or gray tinted only. No reflective glazing will be permitted.

Garages

Only enclosed garages are allowed. Garage doors should be wood or metal and must blend unobtrusively with the facade. It is recommended that front loaded garages be avoided whenever possible.

Chimneys

Chimneys shall be simple in design to insure consistency of character and style. All chimneys shall be clad with masonry or wood. Fireplace chimneys provide excellent facade texture, and are encouraged. The height and width of the chimney shall be proportionate to the size and form of the adjacent wall plane. Metal cap fireplace flues are permitted when approved by the MD or DRC.

Balconies

It is recommended that balconies be recessed within the building form so as not to violate the privacy of the private open space of adjacent structures. Balconies should be integrated to break up large wall masses, offset floor setbacks and add human scale to the building. Second floor balconies shall not diminish required minimum clear rear and side yard areas.

Exterior Stairs

Simple, clean, bold projections of stairways are encouraged to complement the architectural form of the structure.

Trash and Meter Enclosures

All trash containers shall be stored out of view in an enclosed area, screened from view of both the street and neighbors.

Gas and electric meters must also be concealed from street view.

ACCESSORIES AND MATERIALS

Antennas

All antennas are restricted to the attic or interior of the residence. All homes are to be pre-wired to accommodate cable reception. Satellite "dish" antennas are prohibited if visible from the street or an adjacent lot.

Skylights and Solar Collectors

The location and design of all skylights and solar collectors shall be approved by the MD or DRC. They shall be designed as an integral part of the roof and shall be clear, solar bronze or gray glazing only. Framing material shall be bronze anodized or colored to match adjacent roof. Solar collectors shall not be installed on the house in a fashion that is visible from the street or creates a glare to adjacent homes.

Roof Treatments

Magee Ranch requires Class A or B roofs. Preferred materials are wood shakes or slate, however clay, concrete or asphalt/fibreglass (minimum 300 lbs.) may be considered, but only if architecturally appropriate. A sample of roofing material must be submitted for approval by the MD or DRC.

All exposed metal roof accessories -- stack vents, roof flashings, attic ventilators, skylight curbs, solar collector frames, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plane.

Gutters and Downspouts

Exposed gutters used as an architectural feature shall be colored to match the surface to which they are attached, except for copper.

Exterior Lighting Fixtures

Exterior lighting should attempt to illuminate the architectural wall planes and columns to obtain as much of the desired illumination from reflected light as possible, and should be compatible with surrounding architecture. Lighting should be indirect and shielded to prevent spillover onto adjacent lots and streets. All lighting fixtures visible from any street must be approved by the MD or DRC.

Mechanical Equipment

All air conditioning, heating equipment, soft water tanks, pool equipment, etc. shall be completely screened from view from initial installation. Screening may consist of building or planting elements approved by the MD or DRC. Air conditioning units mounted on roofs are discouraged, and if used must be completely screened from street view with materials approved by the MD or DRC. Noise control is paramount.

Exterior Signs Other Than House Numbers

Exterior signs other than house numbers are prohibited, except for temporary real estate signs in strict compliance with the overall Magee Ranch sign program.

Mailboxes

Mailboxes shall be standard U.S. Postal Service box units, located to meet standards of the United States Postal Service. Decorative enclosures shall be in keeping with the architectural/landscape theme and subject to approval by the MD or DRC.

Fences and Walls

All fences and walls must conform to the Magee Ranch design and must be approved by the MD or DRC before installation. Type, height and location must be submitted in plan and elevation for approval. Maximum cap height shall be six (6') feet except within frontyard setbacks where only three (3') feet shall be allowed per zoning regulations. Privacy walls shall be masonry or wood construction and complement the architecture.

- grapestake fence in front & side yard
- open wire fence in areas open to common areas

Gates

All gates shall be solid wood door-type or wrought iron consistent with the approved architectural style. Any gates or doors that open onto common areas such as paths or walkways shall open inward only.

Accessory Structures

Garages, patio structures, trellises, sun shades, gazebos and any other building improvements shall be compatible in color, texture and form to the architecture of the main structure.

Private pools, hot tubs and game courts shall be designed to avoid disturbing adjacent properties. Pool heaters and pumps must be screened from view.

Games and Play Structures

All basketball backboards and any other fixed games and play structures shall be located at the rear of the dwelling, or behind side fences of corner lots within the setback lines. No platform, playhouse, dog house or structure of a similar kind or nature shall be constructed on any part of a lot visible from the street, and any such structure must have prior approval of the MD or DRC.

Exterior Wall Materials

Wood is the recommended finish for exterior walls, with accents and trim of brick or stone. Pressboard materials or equivalents are not allowed. Placement of exterior wall materials should have a logical relationship to changes in the form of the house, and not be dictated by simple economy.

Siding shall be horizontal lap or shingle. Diagonal or vertical siding, as well as grooved plywood such as T-111, shall not be used except by special consent of the MD or DRC. Any proposed use of stucco shall be subject to particular scrutiny by the MD or DRC as it must be completely appropriate to the proposed design as well as exceptionally well detailed.

Brick and stone color range and texture must be submitted to the MD or DRC for approval. Mortar joints shall be raked. Mortar mix and color to be approved by the MD or DRC. No manufactured stone will be allowed.

Exterior Color Scheme

All exterior paint and stain colors must be approved by the MD or DRC. The palette of exterior paints and stains for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their "natural" state, such as brick, stone, copper, etc. As deemed appropriate by the MD or DRC, exterior colors selected for a residence may be modified or changed in order to respond to existing color palettes of adjacent residences.

Window Coverings

Drapes, window shades, or other window coverings visible from the exterior must be of neutral colors.

Masonry Accents

All masonry work including trim, caps, corbels, headers, keystones, quoins and other similar masonry accents shall be natural cut or cast stone.

Paving

Driveways and other flat paved areas may be concrete, exposed aggregate concrete, stamped concrete, or brick.

JOB SITE MAINTENANCE

Course of Construction Maintenance

All dirt or mud deposited on streets must be removed as soon as possible.

All construction materials must be delivered to the driveway and not be deposited on the street.

No loose debris (paper, cardboard, loose boards, etc) which can be easily blown about by wind may be left on the site.

If any regrading is done, care must be exercised to assure that neighboring property is not disturbed.

After each major phase of construction (foundation, framing, roof, sheetrock, etc) the construction site must be picked up. Upon completion all remaining debris must be removed immediately.

Any dirt removed for pool, landscaping, or foundation must be left on the lot or removed completely from Magee Ranch. Depository dirt and/or building materials of any kind on neighboring property or common area is not permitted.

No vehicle of any type may cross the "V" drainage ditches at any time and no dirt or other debris may be deposited in or above any ditches.

SITE DEVELOPMENT GUIDELINES

PURPOSE AND INTENT

The intent of the Site Development Guidelines is to define the necessary components in the creation of a distinguished residential community in order to assure uniform application of these components, so Magee Ranch can become a show place of fine homes, set on quiet tree lined streets. The desired landscape character is one of simplicity; emphasizing tree placement, lawns, and layers of shrubs at the building foundation. The landscape and site elements should be understated, creating a setting for the houses, rather than competing with the architecture for visual attention. Additionally, the landscape design should complement that of neighboring properties so as to lessen the visual delineation of boundary lines.

COMMUNITY STANDARDS

SITE ELEMENTS

Driveways

Driveways shall be constructed to comply with the Town of Danville codes and regulations. Where curbs are required to be broken for driveway entrance, the curb shall be repaired in a neat and orderly fashion acceptable to both the MD or DRC and the Town of Danville.

House Numbers

House numbers shall be consistent throughout Magee Ranch and shall be illuminated to be visible from the street at all times. Materials and design must be approved by the MD or DRC.

Walls and Fences

Walls and fences are an extension of the building architecture, and must convey the same sense of quality and permanence. Design should be compatible with the character of Magee Ranch. All walls and fences must be approved by the MD or DRC.

Accent Lighting

Accent lighting should be integrated with the building and architectural elements. Excessive accent lighting is discouraged.

Signage

The sign designs shall follow the theme of the community and applicable City Ordinances. All proposed signage must be approved by the MD or DRC. Temporary marketing and advertising signs may be located, as approved by the MD or DRC. The Model Home Directory signs are designed to market the homes of individual builders within the community.

The community signs will be designed and installed by the MD and maintained by the Magee Ranch Homeowners Association. These signs will set the design theme for the overall signage program.

Model Home Directories will be designed and installed by the MD at strategic locations throughout the community, to serve as orientation signs for prospective buyers. No other promotional signs shall be installed along the collector or perimeter streets.

PLANTING

General

The following information is intended as a guide in preparing the landscape for visual and functional use. Landscape plant materials are strong visual unifying elements and should reflect the physical, functional and aesthetic qualities found throughout the community.

Planting Standards

Planting should be designed to create, in time, a unified exterior environment to complement the Magee Ranch character. Thus plant material should relate to the scale and character of the land improvements.

It is recommended that the number of plant types be held to a minimum, with trees, lawn, and shrubs providing the principal visual effect, with herbaceous and quick growing plants contributing to a lesser degree.

Shrubs and ground covers should be spaced so they completely cover the soil when mature.

Attention should be given to the use of plants to create a livable environment. Some uses for plants are to provide screening, define space, to control erosion, glare, noise, dust and climate, to accentuate land forms and define circulation patterns.

Planting design should be tailored to the type of irrigation system and operation proposed by the designer. Combined arrangements of plants with different moisture requirements should be avoided.

Installation of plant materials should be accomplished in a manner that reduces potential maintenance problems.

Vines should be permanently secured to vertical building surfaces except at major trellis structures designed as an integral part of the architecture.

IRRIGATION

General

The following information is intended to guide the Owners and Landscape Architects in plan submittal and the structuring of the irrigation system for functional and maintenance efficiency in order to conserve water.

Irrigation Standards

It is highly recommended that all irrigation systems be professionally designed by a Landscape Architect or irrigation consultant to insure efficient water management and control for plant material.

When selecting sprinkler heads, spacing, valving and the programming controller, designs should consider varying environmental conditions or orientation such as: sun and shade, soils, terrain, percolation rates, moisture sensitivity, erosion control and wind.

All landscaped areas must have an irrigation system. Systems should utilize state of the art equipment by brand name manufacturers. The use of automatic sprinkler controls is required.

The construction drawings should indicate, by graphic representation, the method of installing each type of sprinkler equipment and material used.

Irrigation system design should provide for the equipment manufacturer's guarantee of achieving a uniform precipitation rate.

Included in the landscape plan shall be a drainage plan showing the proposal for the carrying of all concentrated surface drainage including roof drains by means of field inlets and enclosed pipe through the curb to the street or to a drainage structure. In no event shall water be allowed to pond on a lot or to flow to an adjoining property.

SUBMITTAL AND REVIEW PROCESS

PURPOSE AND INTENT

It is the intent of the MD or DRC, whichever is responsible, through the review of submittals for all new construction within Magee Ranch to meet the objectives set forth in these guidelines. Improvements must be submitted for approval, and may not be made without the written consent of the MD or DRC.

MAGEE RANCH ARCHITECTURAL REVIEW BOARD

The MD or DRC shall review and approve, approve with conditions, or disapprove all Plans and Specifications submitted to it for any proposed improvement, construction, alteration or addition solely on the basis of aesthetic considerations and the overall benefit or detriment which would result to the surrounding area of Magee Ranch. The MD and DRC shall take into consideration the aesthetic aspects of architectural designs, placement of buildings, landscaping, color schemes, exterior finishes and materials and similar features, but its approval of any Plans or Specifications shall not be deemed approval from the standpoint of structural engineering and safety, mechanical, electrical and plumbing engineering or conformance with building or other codes, laws, statutes or regulations. Each Owner shall rely solely on its own determination and verification that any information supplied to it by the MD, DRC, or any members or representatives thereof, is both sufficient and accurate for its purposes.

Neither the MD, DRC, nor the members or designated representatives thereof shall be liable for damages to anyone submitting plans or specifications to them for approval, or to any Owner or occupant of a Lot by reason of mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any such plans or specifications, or for any defect, whether in design or construction in any structure constructed from such plans and specifications or effects of drainage, or lack thereof, of any lot upon which such structure is situated. Neither the MD, DRC, nor any member or representative thereof shall be responsible for reviewing or approving any plans with respect to the adequacy of engineering design in any respect whatsoever. Every person who submits plans or specifications to the MD or DRC for approval agrees, by submission of such plans and specifications, that it (they) will not bring any action, suit or claim against the MD or DRC or any of the members or designated representatives thereof with respect to any matters for which such persons or entities are relieved of liability pursuant to this section.

Each Owner, in addition to satisfying the requirements set forth in this Submittal and Review Process shall determine and satisfy all requirements imposed by the Town of Danville. Approval by the MD or DRC does not constitute a representation that the proposed construction will be approved by the Town of Danville or that it conforms to the zoning or building requirements thereof.

The MD and DRC reserve the right to revise and amend provisions of these guidelines for Magee Ranch. If there shall be a conflict between these guidelines and the Declaration of Covenants, Conditions and Restrictions for Magee Ranch, the Declaration shall govern.

Plot Plan: Min. Scale: 1/8" = 1'-0"

- indicate lot lines including bearings and lengths
- indicate all building envelope setbacks
- indicate all buildings, structures, fences, walls, sidewalks, driveways indicate proposed finish grades and site drainage
- indicate all dimensions on work to be considered

Roof Plan: Min. Scale: 1/8" = 1'-0"

- may be shown on Plot Plan

Floor Plan(s): Min. Scale: 1/8" = 1'-0"

- indicate all walls, columns, openings and any conditions or features that will affect the exterior design of the building
- label all items of the exterior that cannot be clearly noted on elevations

Exterior Elevations: Min. Scale: 1/8" = 1'-0"

- indicate roof pitches and ridge heights above garage slab
- indicate all exterior materials and lighting

Exterior Colors and Finishes (one set for MD or DRC only) :

- a material color sample board or an elevation sheet with color chips attached and a clear indication to which surface the color relates
- a sample of finish roofing material must be provided
- submit actual samples of exterior masonry

Fences and Wall Plans:

- drawings must include location, materials, color and height

Only complete Preliminary Submittals will be reviewed by the MD or DRC. Approval of any preliminary design should be taken as approval to proceed with design work based upon the Preliminary Submittal itself. However, approval or conditional approval of a preliminary design does not constitute automatic approval of the final submittal.

By emphasizing the preliminary design review, the MD and DRC intend that all design issues for each residence will be resolved before final drawings are submitted for review.

When the MD or DRC has determined that all requirements for Preliminary Submittal have been met, the MD or DRC will, within thirty (30) calendar days, meet and either approve, approve with conditions, or disapprove the proposed improvements. The MD or DRC will provide written notice to the Owner of its action. If approving with conditions the MD or DRC may require resubmittal and approval of all or portions of the plans as needed to adequately reflect the required modifications.

Final Submittal and Approval

Final working drawings must be prepared to scale and are to include all approved drawings from Preliminary Submittal with any revisions required by the MD or DRC. Submit two sets of plans to the MD/DRC with an informational set to the Town of Danville.

Other information required is as follows:

- Complete front yard Landscape Plan
- Proposed construction schedule

Final approval will be a written notice to the Owner after reviewing the final submittal. Review of this submittal will be in accordance with the procedures and time period used for the review of the Preliminary Submittal.

Any proposed changes or deviations from the approved plans occurring during construction must be submitted to the MD or DRC for approval, prior to the execution of such changes.

The MD or DRC, upon written request, will consider and may grant a variance to the above stated guidelines. Such requests, however, are discouraged. To be granted, the variance request must demonstrate that the improvements proposed are consistent with the preferred architectural style, design of the community and are in harmony with the site and adjacent structures. Requests for variances shall be considered denied if not approved within thirty (30) days of submission. If any variance granted is in conflict with the published regulations of the Town of Danville, the Town regulations shall govern.

If construction of an approved project has not begun six (6) months after approval, it must be resubmitted unless a renewal is granted by the MD or DRC. If the work is not completed within eighteen (18) months after the approval, the approval given shall be deemed revoked.

Front and all side yard landscaping visible from the street shall be commenced according to the approved Landscape Plan within thirty (30) days after final inspection of the residence by the Town of Danville for a Certificate of Occupancy, and shall be completed no more later than four (4) months after final inspection.