

# **THE RIVIERA ESTATES ASSOCIATION**

## **Guidelines for Submittal and Review of Application for Architectural Approval of Construction Projects**

### **I) Guideline Intent, Application and Checklist**

- A.** The intent of these guidelines is to provide a clear description of both the process that an applicant for architectural approval of a construction project goes through to obtain that approval, as well as the guidelines used by the reviewing authority viewing the proposed project for approval or denial.
- B.** These guidelines are provided to clarify and supplement the Amended Declaration of Conditions, Covenants and Charges Affecting the Real Property Known as The Riviera, dated December 5, 2022.
- C.** Approval of plans by the REA is not a warranty or opinion as to the soundness or quality of the design of the project. REA takes no responsibility and accepts no liability regarding any construction risk or psychological distress that occurs to any party as a result of the project or the process of review by REA.
- D.** If a municipal or state building code has any specific requirements or parameters that are more restrictive than those contained in these guidelines, the more restrictive requirements or parameters will apply.
- E.** Application and Checklist provided below on page 2 and 3.

# THE RIVIERA ESTATES ASSOCIATION

Mail: 30765 Pacific Coast Highway, #141, Malibu CA 90265

Application and Plan Drop Off: TBD post Palisades Fires

Phone: (310) 459-3346; Email: reahoa@gmail.com

## APPLICATION FOR ARCHITECTURAL APPROVAL OF CONSTRUCTION PROJECTS

Property Owner: \_\_\_\_\_

Property Owner's Address/Phone: \_\_\_\_\_

Property Owner's email address: \_\_\_\_\_

Construction Site Address: \_\_\_\_\_

Lot/Block/Tract No: \_\_\_\_\_

Type of Structure: \_\_\_\_\_

Brief Description of Proposed Construction: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Proposed date for Commencement of Construction: \_\_\_\_\_

Proposed Completion Date: \_\_\_\_\_

Name/Address/Phone/email of Person Submitting Plans: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

If obtained, approval date and attach a copy of LA Building Permit \_\_\_\_\_

Application Fee: \_\_\_\_\_ Security Deposit: \_\_\_\_\_ Date of Submission: \_\_\_\_\_

Received by: \_\_\_\_\_

Name and Signature of Person Submitting Plans:\* \_\_\_\_\_

\*Note: Approval of plans by REA is not a warranty or opinion as to the soundness or quality of the design of the project. REA takes no responsibility and accepts no liability regarding any construction risk or psychological distress that occurs to any party as a result of the project or the process of review by REA.

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## APPLICATION CHECK LIST

**\*\* Incomplete applications will not be processed, so double-check \*\***

### DOES YOUR SUBMISSION CONTAIN:

- ☐ 2 x Full Size complete set of printed drawings
- ☐ 2 x 8-1/2 x 11 complete set of printed drawings
- ☐ PDF version of complete set of drawings
- ☐ Copy of LADBS approved building permit (if obtained, usually permits pulled after HOA approval)
- ☐ Separate checks for appropriate submission fee and security deposit

### VERIFY YOUR DRAWINGS CONTAIN:

- ☐ 1. If demolition of an existing structure or change in grade is planned, a topographical map and survey showing the existing grade before demolition or grade changes must be submitted before any demolition or grading begins. This datum will be used to establish existing grade.
- ☐ 2. Site plan dimensioned to show all existing and proposed construction locations, topography, and wall and fence heights.
- ☐ 3. The grading plan and topographical map showing existing grade if not already submitted under #1 above.
- ☐ 4. Exterior Elevations dimensioned to show all heights above natural unmodified grades.
- ☐ 5. Exterior Elevations shall show and have called out all finished materials, color, texture (where appropriate) and all other descriptive finished appearance information pertinent to review the project.
- ☐ 6. Floor Plans showing all new construction differentiated from existing construction.
- ☐ 7. All Drawings and Specifications submitted for review shall have individual sheet numbers assigned to each separate sheet submitted. Each sheet shall have the date of the sheet clearly placed on it. Each subsequent revised submittal shall consist of a complete set of Drawings and Specifications with a new "Revision Date" placed on each sheet of the re-submitted set.
- ☐ 8. All submissions must include a valid phone number, address and email address for owner(s) and Architect on the plans.

## **II) Submittal and Review Procedures**

- A.** The Applicant *shall make an appointment* to submit a completed application for Architectural Approval of Construction Projects by contacting:

**The Riviera Estates Association  
30765 Pacific Coast Highway, #141, Malibu CA 90265  
Attention: Jeaneen Fabbro, Administrative Coordinator  
Phone: (310) 459-3346; Email: [reahoa@gmail.com](mailto:reahoa@gmail.com)**

**B. The submitted drawings shall contain the following information, clearly shown:**

1. If demolition of an existing structure or change in grade is planned, a topographical map and survey showing the existing grade before demolition or grade changes must be submitted before any demolition or grading begins. This datum will be used to establish existing grade.
2. Site plan dimensioned to show all existing and proposed construction locations, topography and wall and fence heights.
3. The grading plan and topographical map showing existing grade if not already submitted under II) B.1 above.
4. Exterior Elevations dimensioned to show all heights above natural unmodified grades.
5. Exterior Elevations shall show and have called out all finished materials, color, texture where appropriate) and all other descriptive finished appearance information pertinent to review the project
6. Floor Plans showing all new construction differentiated from existing construction.
7. All Drawings and Specifications submitted for review shall have individual sheet numbers assigned to each separate sheet submitted. Each sheet shall have the date of the sheet clearly placed on it. Each subsequent revised submittal shall consist of a complete set of Drawings and Specifications with a new "Revision Date" placed on each sheet of the re-submitted set.
8. All submissions *must* include a valid phone number, street address and email address for owner(s) *and* Architect on the plans.

C. An **application fee**, per schedule below, shall accompany the submittal.

**Application Fee Schedule (subject to change)\***

	<b>Prior to Commencement</b>	<b>Commencement before submittal &amp; approval</b>
Projects adding or altering 1-999 sq ft	\$1,500.00	\$3,000.00
Projects adding or altering 1000-4999 sq ft	\$5,000.00	\$10,000.00
Projects adding or altering 5000 or greater sq ft	\$10,000.00	\$20,000.00
Pool, court, solar, fences, gates, driveways, etc.	\$750.00	\$1,500.00

Resubmittal Fee (per submittal)... one-half (1/2) of the original submittal fee\*

\*May be reduced or waived by REA Board in its sole discretion depending on specific circumstances

**D. Security Deposit:** Each project will now be required to submit a security deposit to the REA. This deposit is used to pay for any fees or penalties incurred by the property owner during their construction, **including damage to the common areas and medians**. The security deposit is in addition to the plan submission fee. Any balance of the security deposit will be refunded to the property owner when construction is completed, a final REA inspection is performed, and the project is closed by the REA. The association's Administrative Coordinator shall verify and collect the security deposit and place it into an account separate from that of the HOA finances. A security deposit balance can be obtained upon request to the Administrative Coordinator. If a security deposit is fully utilized mid project, the REA can request an additional \$5,000.00 to replenish as needed until project completion.

The Security Deposit, per schedule below, shall accompany the submittal.

**Security Deposit Fee Schedule (subject to change)\***

	<b>Prior to Commencement</b>	<b>Commencement before submittal &amp; approval</b>
Projects adding or altering 1-999 sq ft	\$5,000.00	\$10,000.00
Projects adding or altering 1000-4999 sq ft	\$10,000.00	\$20,000.00
Projects adding or altering 5000 or greater sq ft	\$15,000.00	\$30,000.00
Pool, court, solar, fences, gates, driveways, etc.	\$3,000.00	\$6,000.00

- E. Submittal of the Application and Plans:** Submit to REA, as shown above. The Association's Administrative Coordinator shall verify that the submittal is complete in accordance with the submittal requirements above, collect the fee & security deposit, and forward the submittal to the Reviewing Architect appointed by the Association. The Reviewing Architect shall submit his or her findings, in writing, to the Association's Building Committee for a decision which shall then be rendered to the Applicant.
- F. If the project is disapproved** and the reason(s) for disapproval are not made clear in the letter to the applicant from the Building Committee, the applicant may contact the Building Committee Chairman to determine modifications to the project that would qualify it for approval. If the applicant cannot reach an agreement with the Building Committee Chairman, Applicant may appeal the decision of the Building Committee to the Association's Board of Directors by filing a written request of appeal, filed with the REA's Administrative Coordinator.
- G. If the appeal of an applicant of a disapproved project** requires the Reviewing Architect to attend a meeting outside of his office with members of the Building Committee, Board of Directors, or Applicant, Applicant may be billed for the time of the Reviewing Architect at his hourly rate at the discretion of the Board.
- H. If the project is approved:** One set of plans marked "Approved by the REA" will be returned to the Applicant along with a letter of approval. The Approved Plans must be kept on the building site and be available to any member of the REA who wishes to see them. REA will keep the other set of plans. An Approval is valid for one year. If the Applicant has not begun work on the project within a year of approval, the Approval will expire, and Applicant will be required to repeat the submittal process and the project will be treated as a brand-new submittal. For a new house, the beginning of work means the first placement of permanent construction of a structure on a site, such as the pouring of the foundation or footings, the installation of piles, the construction of columns, or any similar work beyond the stage of excavation.
- I. Violation of Guidelines:** Members who are found in violation of these Guidelines and/or the Submittal and Review Process, including grading, building, remodeling and/or constructing walls or fences without approval of the REA, may be subject to a fine of up to \$500 per day or more, as well as the requirement to bring their property into compliance with the Guidelines. See the REA's Enforcement Policy and Schedule of Fines. Fines will be used to cover the costs of enforcement, legal fees, and future enforcement.

### III) Architectural Guidelines

*(All references shown in parentheses are from Amended Declaration of Conditions, Covenants and Charges Affecting the Real Property Known As The Riviera dated October 18 1994, and amended by votes of the members on December 4, 2000, and between August 3, 2001 and September 30, 2001.)*

#### A. General Architectural Character *(See 6.2)*

1. The Building Committee shall take into consideration the compatibility of the proposed architectural design with the overall architectural character of the immediate neighborhood in which the design is proposed. Compatibility shall be determined by considering, among other things, architectural style, materials of construction, color, building mass, sensitivity to the lot's topography, sensitivity to the overall topography of the immediate neighborhood, and quality of design.
2. Neighborhood noncommercial signage, including address signs, must not be made of lights, roofing, siding, and paving materials, flora or balloons or any other similar building, landscaping or decorative component, or include the painting of architectural surfaces. Further, noncommercial signs or posters of more than nine (9) sq. ft. are prohibited.

#### B. Setbacks

1. All **setback measurements** shall be taken from the appropriate boundary lines.  
*(see 2.5, 2.6)*
2. **Building Setbacks:** *(see 6.5)*
  - a. All Streets: 20'0"
  - b. Side Boundary line: 10'0"
  - c. Rear boundary line: 10'0"
3. These setbacks apply to all building lines including chimney structures, balcony overhangs or other architectural features that are deemed by the Building Committee to be massive enough to constitute a building line.
4. An uncovered porch or stoop may extend into the setback 10'-0" on any street boundary line and 5'-0" on any side boundary line, provided the sides or balustrades do not exceed more than three (3) feet above the level of the first floor of the building.
5. No building shall be built within 20 feet of any street boundary line.
6. The street boundary line is the legal property line of the particular lot, not the curb. The applicant must determine and include in the plans the property lines in relation to the buildings and physical edge of the streets.

**C. Building Heights:** (*see 6.4.1*)

1. Maximum building wall height at any building yard setback line: 22'-0".
2. An additional foot of wall height may be added for each 2'0" the wall structure is removed from the setback up to a maximum wall height for that wall of 26'0" for each side (i.e., 4'0" of additional height). However, additional setback footage maynot be "traded" from one side of a structure to another to increase the latter's wall height.
3. Maximum building height: 34'-0" (measured from each point of the establishedgrade per III) C.1 or III) C.3).
4. Chimneys, and all structures related to a chimney, may extend a maximum of 2'-0" above the highest point of the roof.
5. No structure shall be over two stories. Habitable attics above the second story are prohibited. Habitability shall be judged by stair access (versus pull-down or wall mounted ladder access), weather tight enclosure (versus ventilated to exterior) andany other physical characteristics that the Building Committee deems indicative ofhabitability.

**D. Roofs:** (*see 6.4.1 and 6.4.2*)

1. Maximum roof pitch of 6:12 (26.57 degrees) per 6.4.1 applies only to a roof that joins the front building wall of the structure if that front building wall is on the frontyard setback line.
2. Allowed roof pitch will be based on the appropriateness of that slope to thearchitectoral character of the structure.
3. In no event shall a roof be allowed to extend above 34'-0" per III) C.3 above.
4. Roofing material shall meet Class A fire retardant requirements.
5. Roofing material may be synthetic shake or shingle, concrete or clay tile, slate, 280pound or greater fiberglass shingle, or other architecturally compatible material, asjudged by the Building Committee. Light weight asphalt shingles shall not be permitted. Flat roofs shall be finished with gravel of a color compatible to the structure's architecture as judged by the Building Committee.
6. Roof overhangs shall not extend into any yard setbacks (front, side, rear) more than3'-0".

**E. Fence & Wall Heights and Setbacks:** (*see Clause No. 5, "Conditions as to Fences"*)

1. All heights shown below refer to maximum heights above lowest finished adjacentgrade on either side of the fence or wall.
2. As to **front yards:**
  - a. 4'-0" maximum height at street boundary line.
  - b. 5'-0" maximum height at 4'-0" back from street boundary line.
  - c. 6'-0" maximum height at 8'-0" to 20'-0" back from street boundary line.
  - d. 8'-0" maximum height at 20'-0" or beyond, back from the street boundary line.
3. As to **side yards and rear yards:**
  - a. Tight walls or fences: 6'-0" maximum height at side or rear property line to 10'-0" back from side or rear property line. 8'-0" maximum height at 10'-0" or beyond from side or rear property line. (Note: a "tight wall or fence" is one in which there is no air or space, such as a solid brick wall, stucco wall



or a solid wooden fence.

- b. Open fences: 8'0" maximum height at any distance from side or rear property line. (Note: an "open fence" is one through which there is air, such as a cyclonefence or a spaced picket fence.)

**F. Lot Coverage and Floor Area:** *(see 2.2, 6.4.3 and 6.4.5)*

1. Maximum lot coverage by all structures combined shall not exceed 27% of the "Buildable Lot Area" (total lot area less all portions of the lot whose slope is equal to or greater than 2:1 or 26.57 degrees) for lots larger than 12,500 square feet. This includes all accessory buildings together with the residence.
2. Maximum lot coverage by the structures shall not exceed 30% of "Buildable Lot Area" for lots 12,500 square feet or smaller. This includes all accessory buildings together with the residence.
3. Maximum floor area shall be 42% of the "Buildable Lot Area" for lots larger than 12,500 square feet. This includes all accessory buildings.
4. Maximum floor area shall be 46% of the "Buildable Lot Area" for lots 12,500 square feet or smaller. This includes all accessory buildings.
5. **Floor area shall be determined by measuring to the outside building line on all floors.** Without limitation, floor area shall include all open areas, such as stairwells and any open space extending more than 15 feet above any floor.
6. Basements shall not be included in floor area calculation. An area is calculated as basement area when the elevation of the upper surface of the floor or roof above the **basement area** does not exceed three feet in height at any point above the finished or natural grade, whichever is lower. Thus, there can be portions of a single room which include basement area and non-basement area. Non-basement area that extends beyond the 1st floor footprint will be counted as area for lot coverage and all non-basement area will be counted as part of the total area. If the city definition of a basement area is more restrictive than this, then the city definition will prevail.
7. Non-habitable attics shall not be included in floor area calculation. Should a second story attic be judged as habitable by the Building Committee, its floor area shall be included in the total floor area of the structure.
8. Covered porches shall be included in both the Lot Coverage and Floor Area calculations.

**G. Accessory Buildings:** *(see 6.4.5)*

1. Accessory buildings are for uses customarily incidental, appropriate and subordinate to the use of the residence.
2. These buildings shall comply, in all respects, to the requirements for the residence, including use, height and setbacks.
3. They shall be architecturally compatible with the main structure.
4. They shall contain no food preparation equipment, except as allowed by law for permitted ADU structures.
5. No accessory building shall be constructed on a lot until construction of the main residence has begun, and no accessory building shall be used unless the residence on the lot is also being used.

## **H. Construction Envelope Diagram:**

All of the above Guidelines referring to dimensional limitations are supplemented by the drawings titled "Building Envelope Diagram" and "Fence & Wall Envelope Diagram," which graphically portray these limitations.

## **I. Satellite Dishes and/or Rooftop Appliances:**

Except for standard size television antennae and mini-satellite dishes no more than 20-inches in diameter, no towers, antennae, aerials, or satellite dishes for the reception and/or transmission of radio, television broadcasting, telephone service, computer data or other means of communication shall be visible from any street or right-of-way, or shall be in any way obtrusive to neighbors.

## **J. Solar Panels:**

### **1. Visibility and Location**

- a. Solar Units must not be visible from the streets. Solar Units not on the roof must be in compliance with the established REA setbacks and be concealed from the neighboring view; a fence, wall or hedge of sufficient height to accomplish that may be required.
- b. Solar Units on a roof must be within the wall line of the structure and must be in or below the plane of roofing material.
- c. All plumbing lines must be concealed and the method of installation shown and detailed.
- d. Photographs must be submitted showing the location of the proposed solar units and their visibility from neighboring structures, street or streets. A sample of the proposed solar unit should be submitted with application.
- e. Professionally drawn construction details that apply to specific installations must be provided. They must be drawn to scale and must clearly show all elevations, assembly, the attachment to the roof structure and proposed location on the lot or building, and the number and/or area of panels planned.

### **2. Materials**

- a. Panel material must be dark in color.
- b. Cover plate must be transparent and glazing must be either transparent or white to reduce the reflectance of light.
- c. Cover material, if flammable, should be rated as self-extinguishing. Owner shall be responsible for compliance with this rule; the Association assumes no responsibility for the determination of the flammability of the materials or installation.
- d. Owner shall use all reasonable means available to reduce reflectance so as to minimize impact on neighbors.

### **3. Aesthetics**

The Building Committee may require revisions for aesthetic considerations.

### **4. General**

These rules and their application are subject to any legal requirements.

**K. Devices mandated by the city or utilities in setbacks:**

**1. Transformers, Water Tanks, Septic Tanks and devices mandated by the city or utility companies**

No transformers, water tanks, devices mandated by the city or utility companies, or the like, shall be located in the front of a house or in a setback unless they are in an underground vault. When above ground, such devices shall not be visible from the street.

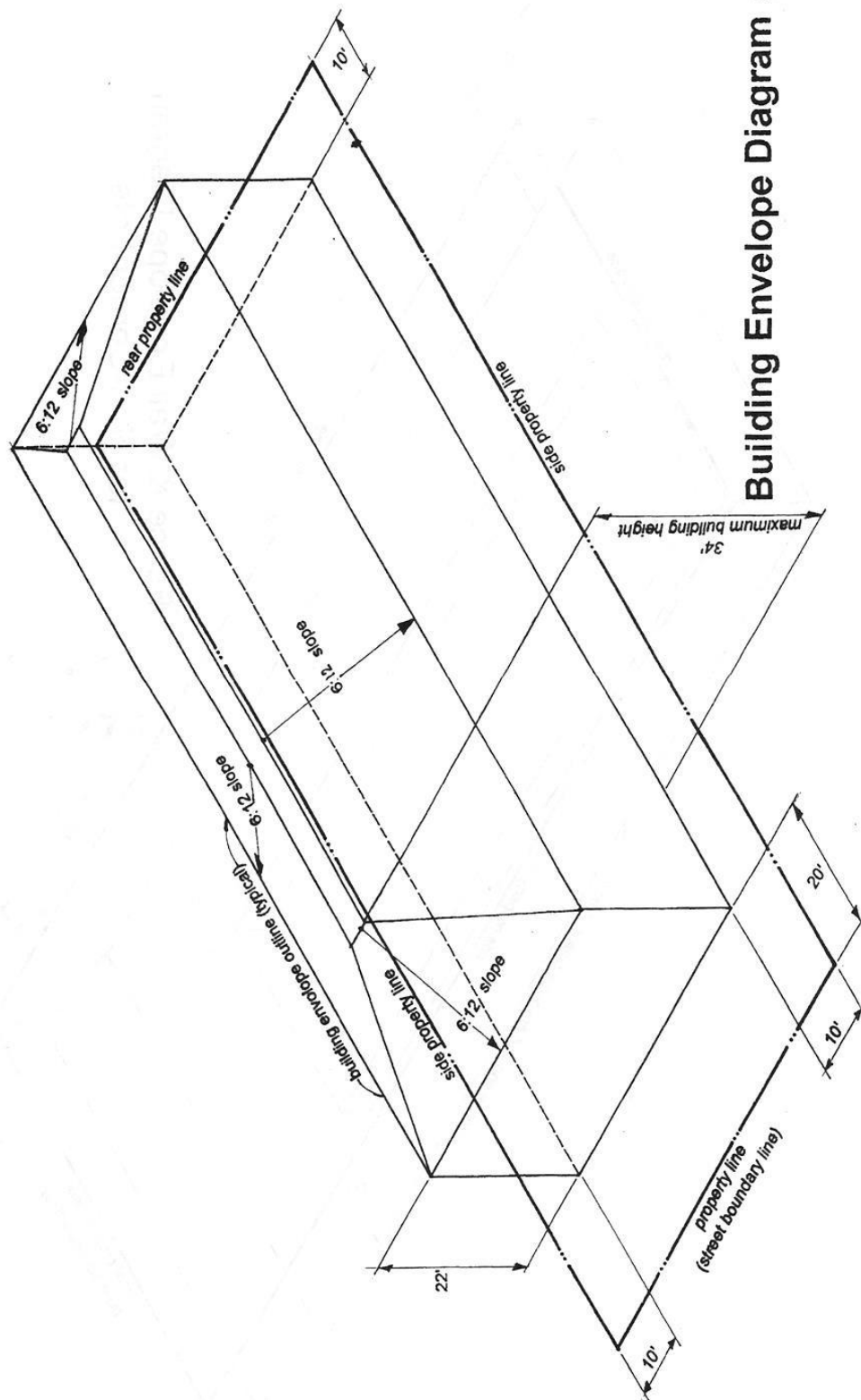
**L. HVAC (heating and air conditioning) Units and Pool Equipment:**

**1. HVAC Units and Pool Equipment**

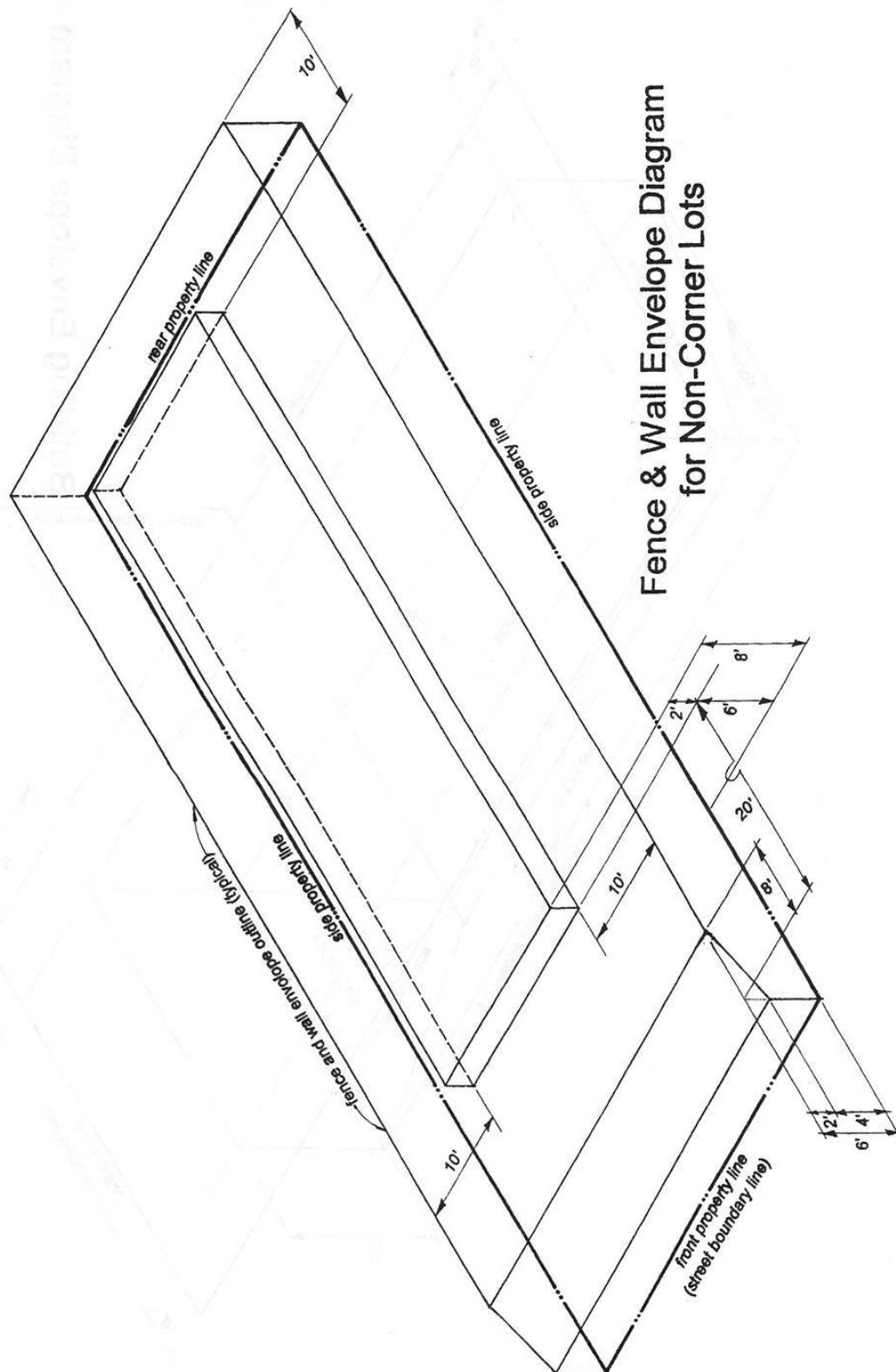
To minimize noise to neighbors, HVAC Units and Pool Equipment shall not be located in a setback. For pool equipment, an exception can be made at the discretion of the Architectural Committee if the equipment is located at the rear of the property and is at least 20 feet from any neighboring house, and the neighbor does not object. HVAC units and Pool Equipment shall not be visible from the street, and be screened from view. Rooftop HVAC Units must be screened or recessed, and screening must be in keeping with the style of the house so as not to be an eyesore.

**M. GRANDFATHER PROVISIONS**

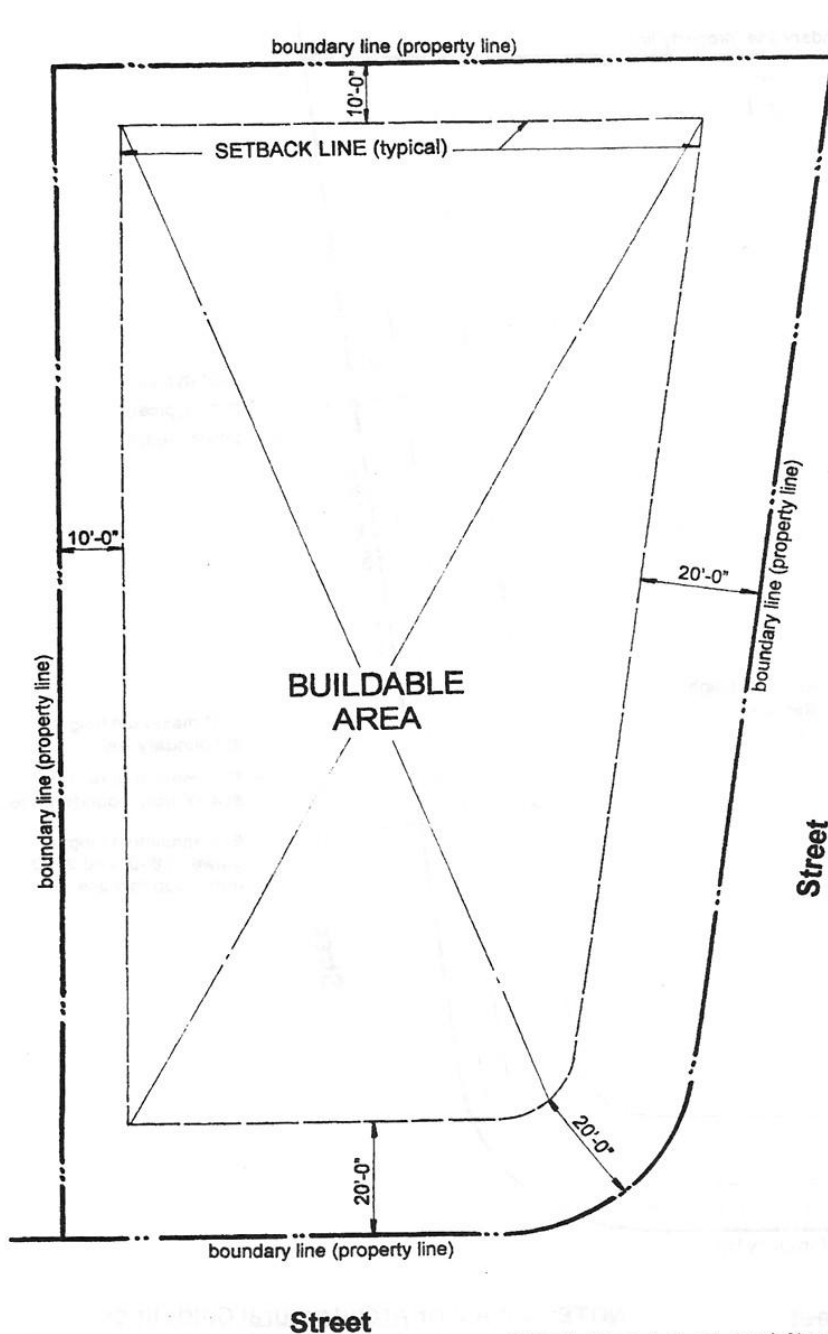
1. Notwithstanding any other provision of these Architectural Guidelines, existing buildings that are in compliance with a previous version of the guidelines or the CC&Rs but do not comply with a revised or updated version (for whatever reason), shall be "grandfathered" and shall not be required to conform to the requirements of the Revised Architectural Guidelines. However, except as provided below, existing buildings that are not in compliance with the previous Architectural Guidelines and do not comply with these Revised Architectural Guidelines shall not be "grandfathered" and may be required to conform to the requirements of these Architectural Guidelines.
2. Notwithstanding any other provision of the current CC&Rs or current Architectural Guidelines, existing buildings that do not, as of the date of the adoption of these current Architectural Guidelines, conform to the minimum square footage and/or setback requirements established herein shall be "grandfathered" and shall not be required to conform to the requirements of the revised Architectural Guidelines.
3. Further, in the event that any structure "grandfathered" under this section is later destroyed or damaged, it may be restored in accordance with its original plans notwithstanding the fact that said plans do not conform to the minimum square footage and/or setback requirements established herein. However, prior to the commencement of construction, the owner shall submit the plans to the Building Committee. The Building Committee's function in this regard will be to certify that the plans are in fact the plans of the destroyed or damaged structure and that no modifications have been made thereto.
4. Any building in compliance with these Architectural Guidelines before an amendment or revision to the CC&Rs or Architectural Guidelines shall be "grandfathered" with respect to such portion of the building existing at the time of the amendment.



**Building Envelope Diagram**



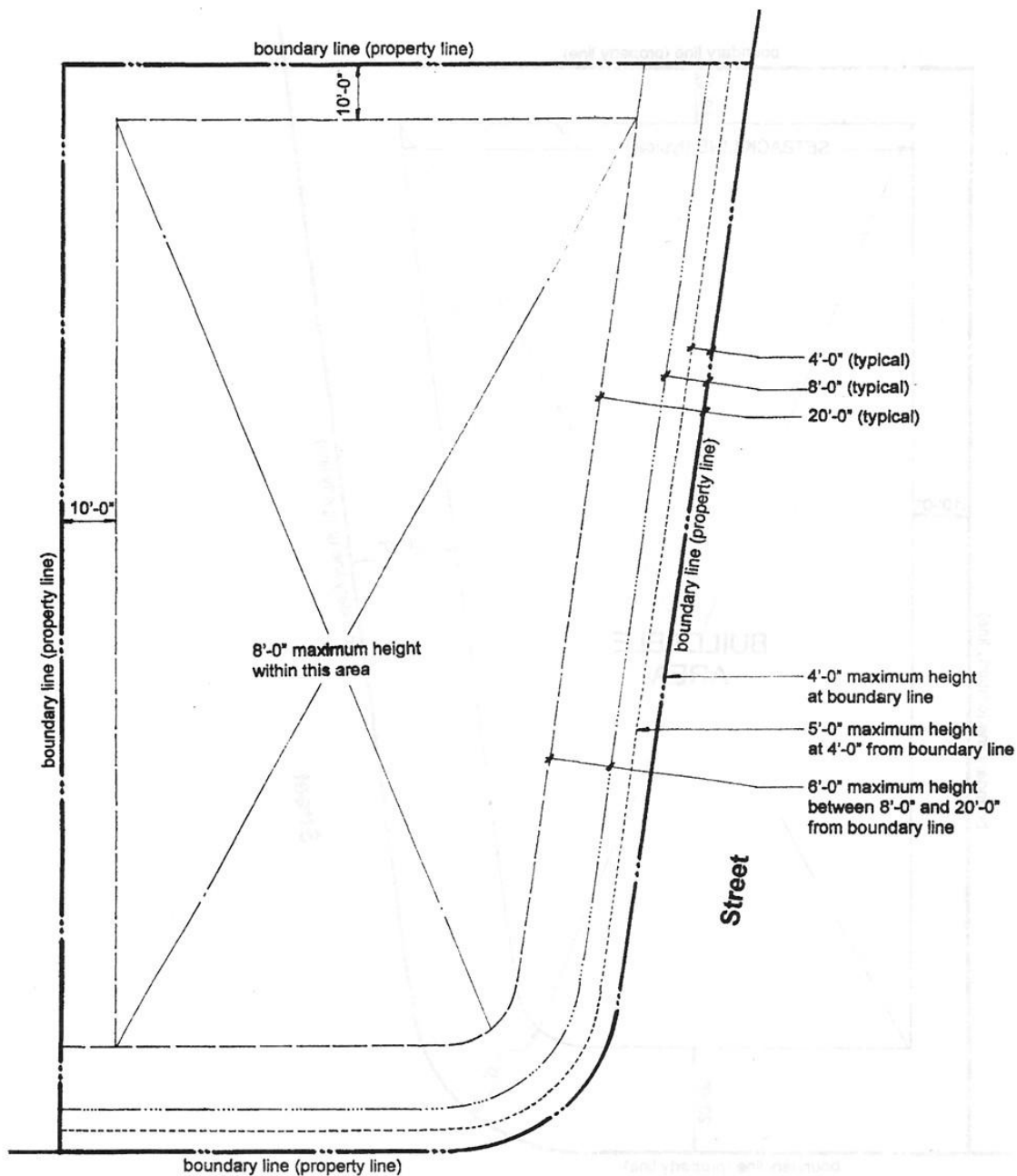
Fence & Wall Envelope Diagram  
for Non-Corner Lots



**NOTE:** See A.6 of Architectural Guidelines

A.6 - "The street boundary line is a legal property line of the particular lot, not the curb. The applicant must determine and include in the plans the property lines in relation to the buildings and the physical edge of the streets."

## Corner Lot Setbacks



**Street**

**NOTE:** See A.6 of Architectural Guidelines

A.6- "The street boundary line is a legal property line of the particular lot, not the curb. The applicant must determine and include in the plans the property lines in relation to the buildings and the physical edge of the streets."

## Fence and Wall Heights - Corner Lots