

## **Section 2.6.4 & 2.6.5, Interior Yard Expansion**

**Adopted: 8-01-08**

**(Applies to Hacienda Sur, Posada, and Custom Homesites)**

### **2.6 Interior Yard Expansion**

**2.6.1** The Interior Yard area may be expanded into the Perimeter Yard when the size and conditions of the lot will allow for expansion, subject to approval by the Aesthetics Council.\* The perimeter of this area will become the new Interior Yard line for building setbacks. A portion of a house may project into an Interior Yard expansion subject to City setback and approval by the Aesthetics Council. A 5 foot minimum building setback dimension is required whenever an Interior Yard expansion creates a new Interior Yard line. Interior Yard expansions must meet the following requirements:

- The Interior Yard expansion will not negatively impact prominent or visual slopes.
- The Interior Yard expansion will not interrupt the consistency of the streetscape design in the immediate area.
- Contour grading design will be used to adjust the existing grading as much as possible.
- The Interior Yard expansion is consistent with the overall design intent of the Design Book.
- Additional landscaping will be required to mitigate the effects of the expansion.

**2.6.2** This expansion may require the use of retaining walls. It is recommended that a soil engineer review any proposed expansion of the interior yard area.

- Maximum height of retaining wall: 6-7 feet. See Stepped Wall Exhibit, Page 5-12.
- Maximum length of a single retaining wall segment: 60 feet.
- Minimum offset between retaining wall segments: 6 feet.

Open railings up to 3 feet are not included in the height of retaining wall.

**2.6.3** Fencing may be located outside of the Interior Yard area under the following conditions:

- The location of the fence improves the visual effect to the community.
- The area between the fence and the Interior Yard is considered Perimeter Yard area and is landscaped accordingly.

\*Note: if proposed expansion affects SMA or Santaluz Club areas, a separate encroachment application and approval will be required according to the following Section 2.6.2.

**2.6.4** Temporary encroachments for the purpose of construction and minor grading onto the Santaluz Club property or onto the Santaluz Maintenance Association property will be considered on a case-by-case basis by the Aesthetics Council.

The Design Review Office will coordinate the approval process with all parties. The conditions for granting an encroachment are as follows:

- The approved finished grading will become permanent.
- The encroachment shall be limited to a maximum of 10 feet beyond the Homesite property line.
- The encroachment shall be consistent with the overall design intent of the Design Book.
- The Owner is responsible for the cost of landscape modifications or restoring landscape to a satisfactory condition on Santaluz Club or Santaluz Maintenance Association property.
- The Owner will mark the proposed encroachment area on the site for review by the Aesthetics Council and the Santaluz Maintenance Association and/or the Santaluz Club. The marking must be stakes and chalk on the ground.

- The Aesthetics Council will review the proposed encroachment. If the proposed encroachment is acceptable, the final approval for encroachment requires the authorization of the Santaluz Club or the Santaluz Maintenance Association.
- The Owner will complete all paperwork required to request the encroachment, pay the encroachment fee, provide a security deposit and provide liability insurance for the construction.

**2.6.5** Permanent Easement Vacation for the purpose of encroaching into a Santaluz Club easement or into a Santaluz Maintenance Association easement will be considered on a case-by-case basis by the Aesthetics Council.

The Design Review Office will coordinate the approval process with all parties. The conditions for granting a vacation are as follows:

- The encroachment requires a 5 foot minimum setback from the property line.
- The encroachment shall be consistent with the overall design intent of the Design Book.

- The Owner is responsible for the cost of landscape modifications or restoring landscape to a satisfactory condition on Santaluz Club or Santaluz Maintenance Association easement.
- The Owner will mark the proposed encroachment area on the site for review by the Aesthetics Council and the Santaluz Maintenance Association and/or the Santaluz Club. The marking must be stakes and chalk on the ground.
- The Aesthetics Council will review the proposed encroachment. If the proposed encroachment is acceptable, the final approval for encroachment requires the authorization of the Santaluz Club or the Santaluz Maintenance Association.
- The Owner will complete all paperwork required to request the easement vacation and pay the vacation fees.