



Rules and Regulations

The Los Paseos Association is a planned development in South San Jose that consists of 279 single family homes.

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2025 Board of Directors

Robert Lombardi-President

Richard Doucette-Vice President

Jackie Rose-Treasurer

Gregory Cook-Secretary

Andres Alfaro-Member at Large

Board Meetings are held the second Wednesday of the month at 7pm in the clubhouse.

Clubhouse Manager: Adrienne Burke

The rules and regulations contained herein have been adopted and will be periodically revised by your Board of Directors. Please be advised these rules are in addition to the Covenants, Conditions and Restrictions (CC&Rs) of the Los Paseos Association.

Table of Contents

Home Improvement Guidelines.....	Page 2-3
Architectural Rules.....	Page 3-5
Residential Rules.....	Page 5-6
Pool Rules.....	Page 6-8
Pool Party Rules.....	Page 8
Clubhouse Rules.....	Page 8-9

Home Improvement Guidelines

Once your completed Architectural Improvement form, drawings, and sample materials (if required) are returned to the Association office, the Architectural Committee will review your paperwork and provide you an answer at their next regular monthly meeting.

What needs approval: Any property changes that can be seen from the street or neighbor's property must have board approval, such as: house paint color, windows, siding, walkways, outdoor lighting, garage doors, front yard landscaping, tree trimming, fencing, and gates. **Tree trimming must be approved and compliant with city regulations.**

Permits: No work shall be done without the appropriate permit from the City of San Jose, when applicable. All permits obtained from the city must be submitted to the Association.

Who needs to sign: The Architectural Improvement form must be signed by an owner of the property. Tenants are not allowed to submit a form. Homeowners should submit forms to the office or bring to the monthly meeting. Form submission approval may take up to 60 days.

When to submit: In many cases, the city will require approval by the HOA before you receive your permit. It is recommended that the project be brought to the board prior to contacting the city.

Plans and Drawings: When submitting the Architectural Improvement Form, please add plans, drawings, or examples to aid the committee in the decision process.

•**House Paint or Stains:** Colors should be muted earth tones. Paint samples/swatches must be attached to your Architectural Improvement Form.

•**Front Yard Landscaping:** Submit a drawing of what changes will be made including materials, colors, etc. The City of San Jose limits paved areas to less than 50% of the front yard. The City also requires a weed block fabric under any decorative rock or bark. Landscaping must not encroach on the sidewalks or on your neighbor's property. Drought resistant plants and turf replacement are encouraged.

•**Fences & Gates:** The preferred material is wood or wood substitute. Plastic, wrought iron, or chain link is not allowed. Fence height should be no less than the existing fence with a maximum of 8 feet. Fences require City of San Jose permits. Under no circumstance should your backyard be visible from the street. Fences and gates cannot be attached directly to your neighbor's home. If you intend to paint or stain your fence, you must seek approval from the Board. Homeowners are solely responsible for maintaining their fences and gates to HOA standards.

•**Replacement Roofs:** Every roof replacement needs to be permitted and approved by the City of San Jose. A copy of the approved permit must be provided to the Association. An Architectural Improvement Form must be submitted noting color and style of roofing material.

•**Backyard Construction:** No structure (storage building, etc) may be built which will be visible from any other Association member's lot with prior approval and a city permit, when applicable. No temporary structure (garage canopies, etc.) may be installed in the front or rear yard.

•**Exterior Remodeling, Add-ons, or Additions:** An Architectural Improvement Form must be filled out if any change to the front facade of the house, elevation, or size of home is planned. (Article 7 of the CC&Rs has additional information.)

•**Second Story Additions:** To stay in compliance with the original plans for the community, second story windows may not overlook the backyard of the neighboring properties unless they comply with fire code and the windows are translucent or frosted glass. A copy of the approved permit must be provided to the Association.

•**Solar Panels:** Every solar installation must be approved by the HOA. An Architectural Improvement Form needs to be completed with the installation proposal attached, including the city permit application. Upon approval, a copy of the approved permit must be provided to the association.

Architectural Rules

Owners must complete the architectural improvement form BEFORE making any changes that are visible from the street.

Alley: The alley is a fire lane and must be kept free of any items (parked cars, garbage, and debris) that would impede access of emergency vehicles. Cars can be kept in the driveways. The alley needs to be kept free of weeds and large items.

Front Yards: All homes must have landscaping. Yards need to be kept well maintained: trimmed bushes, mowed and watered lawns, free of leaves and weeds. In times of drought, it is acceptable for lawns to be brown, but they need to be trimmed and free of weeds. Parking strips and curb areas also must be maintained by the homeowner. Hardscaping must follow City of San Jose regulations.

Garbage and Recycling Bins: All garbage and recycling bins need to be stored out of sight, except for the night before and the day of collection.

Holiday Lights & Decorations: All lights and decorations must be removed within two weeks after the end of the holiday.

Parking Rules: Automobiles must be parked in the driveway and not on the landscaping. No trailers, recreational vehicles or vehicles larger than a standard pickup truck shall be allowed on the property for more than 72 hours. Vehicles not in operating condition or with expired registration cannot be stored on the driveway or the street.

Satellite Dishes/Antenna: In general, only small outdoor satellite dishes and antennas, which by law cannot be prohibited by the Association, can be installed. Consult CC&R section 4.12 for more information.

Signs: In general, no advertising or commercial signs are allowed on the front yard. If the Association member chooses to place a temporary non-commercial sign, it must be removed within two weeks of the event it references. Further allowances and restrictions may be found in CC&Rs section 4.15.

Storage on Lot: Nothing should be stored on a homeowner's lot that can be seen over the fence. No items are allowed in the front yard or the side yard if visible from the street.

Trees: Trimming and care of all trees is the responsibility of the homeowner and should follow city tree pruning requirements. Trees should not be topped or trimmed by more than 25% . City regulations must be followed for removal or planting of trees. Ordinance-sized trees (with a trunk circumference 56 inches or greater) require a city permit for trimming or removal. An Architectural Improvement Form must be filled out when any tree is going to be removed.

Window Coverings: No foil, reflective material, newspaper, cardboard, blankets, or sheets shall be considered window covering. Drapes, blinds, or shutters visible from the street should be kept in good condition and be consistent with approved exterior paint colors.

Violation Process: The Architectural Committee reviews the neighborhood and reports any violations to the manager. The manager will send letters out in the following order:

First Notice- Reminder that the property is in violation

Second Notice- Official violation notice

Third Notice- \$50 fine for non-compliance

Fourth Notice-\$100/month fine until violation is corrected

Hearing/Appeals Process: Should a homeowner disagree with a violation, a written request for a hearing must be made to the Association, signed by the owner, within ten (10) days after the date of the violation letter. Homeowners have the right to attend the hearing with or without legal counsel, present oral, photos, and written evidence on your behalf, call witnesses, examine documents, question witnesses, and have a record prepared of the proceedings.

The decision made by the Board of Directors is final; there is no appeal.

Disciplinary Rules: Should a homeowner fail to remedy the violation or if a hearing is not requested, the Association has a right to implement a First Violation fee of \$50. Should subsequent notices be necessary due to the homeowner's failure to remedy the problem, fines will increase to \$100 per month until resolved. Should legal action be necessary, the homeowner will also be liable for the Association's legal fees and costs to resolve the problem. Failure to remedy the situation will also result in loss of pool and clubhouse privileges.

Residential Rules

Dues: Paying your homeowner's association dues is a legally binding obligation tied to the purchase of the property. Dues are payable annually by January 15th with a 30 day grace period after which a 10% late fee will apply. Association members more than 90 days delinquent will be sent to collections.

Entertaining: Homeowners need to abide by the rules governing loud music, live bands, and amplified sound systems (see CC&R 4.5).

Dumping: No dumping on the common area property or in the Association dumpsters without prior permission.

Lease/Rentals: Owners shall be responsible for tenants/occupants's actions or misconduct and adherence to the Rules and Regulations of the Association. Each owner shall be responsible for providing tenants with a current copy of the Association Rules and Regulations.

Any homeowner choosing to rent his/her home must complete an Application for Permission to Rent to the Board of Directors for approval, along with a copy of the rental agreement within 5 days after the lease becomes effective. Additional requirements may be found in the CC&Rs section 5.1.

In order for tenants to have pool privileges, there is a \$250 deposit that will be returned when the tenant no longer rents the home.

Pets: Pets must be kept at a reasonable number according to the City of San Jose's regulations. Pets should be under owner control at all times (except for outdoor cats). Dogs must always be on leash and pets must be picked up after. Pet owners need to be courteous about and prevent excessive barking. Further restrictions may be found in the CC&Rs section 4.13.

Zero Lot Lines: Access must be allowed for maintenance and upkeep of areas associated with zero lot lines, *i.e.* Party Wall or Party Fences. Further restrictions may be found in the CC&Rs section 3.11.

Pool Rules

Private Pool for Members & Guests Only

EVERYONE MUST CHECK-IN WITH THE GATE ATTENDANT AT EACH ADMITTANCE AND PROVIDE THEIR NAME AND ADDRESS

ADMITTANCE TO THE POOL

- All association member names and addresses are on file- noting all household members. Family members NOT living in the home will be required to pay a guest fee.
- Any household not in good standing may not use the property's amenities
- A parent/guardian must accompany children under the age of 10 at all times
- All guests must be accompanied by an association member at all times and must pay gate fees
- Members age 13-17 may bring one (1) guest
- Members may bring up to 10 guests; over 10 guests requires a pool party form and fee. Maximum number of guests is 75.
- Guest fees: \$5 per person (all ages)

MEMBER RESPONSIBILITY

- Members are responsible for the behavior of their children and guests, and will be held financially responsible for any damage they may cause.
- Members are urged to lend their support to the Lifeguards and Gate Attendants who are ultimately in charge of the facilities and enforcing the rules.
- The Lifeguards have the authority of the Board to expel or exclude any person from the facility for violating the rules and to take any action necessary, in their judgment, to preserve and protect the health, safety, and enjoyment of the members using the facility.
 - A first offense by a youth will result in being asked to leave for the remainder of the day.

-A second offense by a youth will result in being barred from the facility for one (1) week and parents will be informed.

-The third time a youth is asked to leave, they will be required to have their parents meet with the manager and two (2) Board Members. The Board will be informed about any action taken.

POOL SAFETY RULES

- No running or rough play anywhere near the pool, deck, or cement areas.
- No backward diving, backward jumping or cartwheels off the side of the pool or diving board.
- Only one person is permitted on the diving board at a time. No hanging on the board. Divers must immediately swim to the side of the pool.
- Inner tubes and floatation devices are allowed in the pool at the discretion of the lifeguard and occupancy of the pool.
- No gum allowed in the pool.
- Children wearing flotation devices must be accompanied by an adult WITH ARM'S REACH AT ALL TIMES.
- Children must know how to swim or be able to stand up in the shallow end to be without an adult in the pool.
- Parents are responsible for their children at all times.
- Wading Pool Rules: No one over the age of 5 is allowed, no pool noodles are allowed, parents must be at pool side with their child, all children under 3 or those not potty trained MUST wear swim diapers.
- Members are responsible for cleaning costs associated with an AFR (accidental fecal release).
- Appropriate swimwear is required-NO EXCEPTIONS. No street clothes, t-shirts, cut-offs, thongs, etc. Rash guards may be worn over a bathing suit for sunburn protection.

GENERAL POOL RULES

- Adult swim times: 2:30pm to 3:00 pm; 5:30pm to 6:00pm
- Members must remain at the pool with their guests at all times.
- Inappropriate displays of affection are not permitted in the pool or on the premise.
- Abusive or profane language will not be permitted.
- The pool or common area of the Association may not be used for profit.
- Balloons are permitted in the party areas only.
- Music in the party areas may not interfere with the loudspeaker, lifeguards, or other guests.
- Tables and chairs must be returned to their original location.

- Only employees are allowed in the clubhouse, office, or pool house.
- All trash must be picked up and placed in the bins.
- NO glass allowed in or around the pool; this includes ALL party areas.
- No smoking/vaping is allowed on the premises.
- Bicycles, scooters, etc must be parked and locked in the bike rack and off the walkways.
- No rollerblades, skateboards, or pets allowed inside the pool area.
- The pool is subject to closure due to inclement weather, low attendance over a period of time, chemical issues, or at the discretion of the lifeguard.

POOL PARTY RULES

- Parties may be held between the hours of 12 pm and 6 pm; Note: on home swim meet days, the pool will not be open until 2 pm.
- A member may hold a pool party for members of their own household.
- A member may sponsor a pool party for a family member or friend for a special fee of \$500. If a member falsifies a pool party form, pool privileges will be revoked.
- Party attendance may not exceed 75 people.
- The BBQ grills are available on a first come-first serve basis.
- Set up for pool parties can begin thirty minutes prior to opening (except on home swim meet days)
- No glass containers are allowed inside the facility.
- Pool party reservations do not include access to the freezer or refrigerator.
- Staff is not responsible for the set up or clean up of the party area. All trash and recycling must be taken out to the dumpsters in the parking lot.
- **A fine will be applied to any party that leaves trash or exceeds occupation of their allotted time.**
- All guests must leave at 6pm; they may not stay on the premises.

POOL RULES ARE SUBJECT TO CHANGE AT ANYTIME

CLUBHOUSE RENTAL RULES

Note: If any rules or guidelines listed below are violated in any way, the security deposit will be partially or totally forfeited, and additional charge may occur. Please see the contract for additional information.

- The rental period is from 8am to 10 pm including set up and tear down time. Additional time will be charged at \$100 per hour. All persons must be off the premises by 12:30 AM.

- No live bands are allowed. If any music is played, all doors and windows must remain shut. Music must not be played outside and must be set at a reasonable volume so as not to disturb the neighborhood or interfere with safety. **ALL MUSIC MUST BE OFF BY 10PM.**
- The rental area is restricted to the clubhouse, upper deck area, and restrooms. Guests are not allowed to access the lower deck, sports court, or office; congregation is not allowed in front of the building or in the parking lot.
- The renter is responsible for the behavior and safety of all guests.
- Disrespect to neighboring homes with excessive noise and/or inappropriate behavior will result in the closure of the party and/or rejection of future use.
- The clubhouse must be cleaned, secured, and the keys returned to the drop box at the conclusion of the party.
- BBQ grills are available for use, but must be shared by all members and guests.
- The clubhouse occupancy is 120.
- All tables and chairs must be cleaned, stacked, and placed on racks inside the clubhouse at the conclusion of the event.
- Tape may not be used on walls, posts, or windows.
 - Cleaning fees will be charged for removal or repair of tape application.
- The clubhouse is a smoke-free facility.
- No overflow parking in the church lot.
- Table linens are available for use, but must be returned cleaned and folded no more than 5 days after the event; the security deposit will be held until the linens are returned cleaned; if linens are not cleaned, the deposit will be kept.