

SEAL BEACH MUTUAL NO. FIVE**PHYSICAL PROPERTY****Porch and Patio Regulations****Definition of Terms**

This policy has been developed to enhance the enjoyment of the Mutual Five living style by setting and enforcing standards for open and enclosed PORCHES and to provide guidelines for the building, maintenance, and use of PATIOS and PAVED SEATING AREAS that are user friendly, maintain the property value of the Mutual's property, and improve the aesthetics of the shareholder's units and of Mutual Five. It is the responsibility of the Mutual and its shareholders to manage the appearance, safety, and health conditions of Porches, Patios, and Paved Seating Areas by respecting approved standards.

- a. **A Porch** is an open or covered area that is located at the entrance to the Unit within the original building footprint and is attached to the outside of the building outside wall.
- b. **A Patio** is an improved area outside of the original building footprint which is enclosed by a wall.
- b. **A Paved Seating Area** is a paved area smaller in size and location to a patio, but without a wall.
- c. **A Porch and Patio** can be built and maintained as a continuous structure, but only the portion inside the original building footprint will be considered and maintained as a Porch pursuant to this policy.

1. Section 1 – Porch Use and Maintenance

Maintenance of porches is the responsibility of the shareholder.

- 1.1. **Emergency Egress: Windows and Walkways.** (i) All Porch window spaces must be kept clear to facilitate emergency exit and entrance. (ii) A clear path of at least 36 inches must be maintained from the entrance of the Porch to the entry door of the unit. (iii) Walkway must have a clean 36-inch pathway. No obstructions allowed including but not limited to potted plants.
- 1.2. **Emergency Egress: Doors.** (i) No Porch addition may have a door that locks. Only doors with direct entry into the unit may have locks, i.e., front door or sliding glass door leading directly into the unit from the Porch. (ii) A door outside in the Porch without direct access into the unit is not considered an entry door. To clarify, there can be no door locked before arriving to the front door of the unit. (iii) Any lock on a Porch door (except for those Porch doors which also serve as front doors pursuant to section (i) above) must be removed or the Mutual will remove it at the

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38 shareholder's expense. (iv) Any object kept on a Porch which in the sole discretion
 39 of the Board contributes to uncleanliness or impedes passage for emergency
 40 personnel and equipment and may lead to unhealthy or dangerous conditions to
 41 shareholders, must be corrected by the shareholder. If such items are not removed,
 42 the Mutual will do so at the shareholder's expense.
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44 **1.3. Inspection.** Porches will be periodically inspected by a Building Inspector assigned
 45 by the Physical Property Department or authorized Mutual Five Board Member.
 46 Shareholders will receive a letter listing any violations and may be asked to attend
 47 a disciplinary hearing regarding violations.
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49 **1.4. Storage – Open and Enclosed Porches.** After the initial 30-day move-in period,
 50 the following items MAY NOT be stored or placed on Porches: (i) Any type of food,
 51 including birdseed, dog or cat food (ii) Cardboard boxes (iii) Charcoal or highly
 52 flammable items, old newspaper, magazines, etc. (unless stored in approved
 53 containers). (iv) Gasoline-operated equipment or gas cans, flammable chemicals.
 54 (v) Laundry hung for airing or drying (vi) Non-working refrigerators or freezers (vii)
 55 On ungated Porches: Unattended pets or pets in permanent outdoor kennels or
 56 cages (including birds). (viii) Indoor upholstered furniture.
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58 **1.5. Porch Décor.** (i) Screens, panels, or drapes to block the sun must be of outdoor
 59 fire-retardant fabric and must be maintained. (ii) Obscene or offensive objects
 60 hanging or stationary are prohibited. (iii) Industrial-grade shelving is prohibited. (iv)
 61 Shelving and plant displays must be of a decorative nature. (v) Porch décor must
 62 be neat, clean, and aesthetically pleasing. (vi) Cleaning products, garden sprays,
 63 fertilizer containers, tools, brooms, shovels, and other non-decorative items must
 64 not be visible from the outside of the unit.
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66 **1.6. Prohibited Activities.** Any activity causing excessive and unreasonable noise,
 67 odor, unsightliness, and/or unhealthy conditions is prohibited. The "occasional
 68 hobby-oriented" activity which causes only brief noise on a limited basis is probably
 69 not a prohibited nuisance, while noise, odor, and the like related to an ongoing
 70 business or any persistent and annoying activity considered to be a nuisance to
 71 neighbors are prohibited nuisances.
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73 **1.7. Porch Size.** Mutual building permits are required for any alteration to Porches.
 74 Porches may be reduced in size by: (i) Construction of Porch closets (require a
 75 Mutual building permit); (ii) Adding pre-assembled cabinets/sheds; (iii) By
 76 expanding the interior rooms of the unit outward into the Porch space (require a

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77 Mutual building permit).

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80 **1.8. Porch Floor.** Outdoor carpeting is permitted. Any permanent resurfacing of the
 81 Porch floor requires a Mutual building permit. Tile, pebble tech and other flooring
 82 materials must meet the co-efficiency rating (DCOS). Flooring installed without a
 83 permit may be removed by the Mutual at the shareholder's expense.

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85 **1.9. Acceptable Items.** Acceptable items for Porch décor must be in good taste,
 86 properly maintained, and kept clean. Items placed without prior approval may be
 87 removed by the Mutual at the shareholder's expense.

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89 **1.10. Enclosed Porches.** (i) A permit from the Physical Property Department is required
 90 for any construction to a Porch. (ii) An enclosed Porch may NOT function as a
 91 bedroom, kitchen, or storage closet. (iii) Any items not appropriate to a Porch must
 92 be removed by the shareholder or they will be removed by the Mutual at the
 93 shareholder's expense.

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95 **1.11. Enclosed Porch Acceptable Items.** (i) Refrigerator or freezer in working condition
 96 plugged directly into wall socket only. (ii) Washer and/or dryer may be installed
 97 inside a Porch storage cabinet. (iii) A permit must be obtained for the installation of
 98 these appliances, and all codes relating to electrical and, if applicable, plumbing
 99 and ventilation must be adhered to.

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101 **1.12. Open Porch Wall Railings.** (i) Unlike the rule for Patio walls (no objects of any kind
 102 on Patio walls, Policy 05-7415-1, 2.8.6.) a limited number of potted plants and
 103 ornaments are allowed on Porch railings. If the number of objects is determined to
 104 be excessive or hazardous, which determination shall be made at the Board's sole
 105 discretion, the Mutual will inform the shareholder that they must be removed. (ii)
 106 Tempered glass panels are allowed on Open Porch Wall Railings ONLY. They are
 107 NOT allowed on Patio walls.

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109 **2. Section 2 – Patios and Paved Seating Areas**

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111 Shareholders must be aware that Patios and Paved Seating Areas are placed on Mutual
 112 Trust property for NON-EXCLUSIVE use by an individual shareholder. The Mutual shall
 113 have sole discretion in granting the shareholder the NON-EXCLUSIVE use of this common
 114 property, including the size and position of the Patio/Paved Seating Area. Patios/Paved

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115 Seating Areas will be unique and will be approved on a site-specific basis, taking into
 116 consideration all the factors listed. Shareholders are also advised that Patios/Paved
 117 Seating Areas are visible to surrounding shareholders, therefore, they must be
 118 aesthetically pleasing, architecturally appealing, uncluttered, and well maintained. All
 119 requests must be submitted to the Golden Rain Foundation (GRF) Physical Property
 120 Department.
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2.1. Patio and Paved Seating Area Approval Process

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- 123 **2.1.1.** The shareholder will submit a hand-drawn (or professionally prepared) plot
 124 plan showing all details of the requested location to the GRF Physical
 125 Property Inspector, drawn to scale, that can be easily understood with
 126 dimensions in feet and inches. Plans must include any proposed walls, wall
 127 materials, columns, wall caps, fences, and gates. All Patios must have a
 128 gated or ungated opening to meet safety standards.
- 129 **2.1.2.** The GRF Physical Property Inspector will submit the plans for approval to
 130 the Physical Property Committee and the Committee will review the plot
 131 plan, followed by a site visit. The Committee will inform the shareholder of
 132 any necessary changes before preliminary approval.
- 133 **2.1.3.** Preliminary approval of a Patio proposal must be completed 3 weeks prior
 134 to a monthly board meeting to be on the agenda for a vote of the Board of
 135 Directors.
- 136 **2.1.4.** Upon preliminary approval by the Physical Property Committee a request
 137 will be sent to the Mutual Five Board of Directors for final approval at a
 138 regular board meeting.
- 139 **2.1.5.** Once approved by the Board of Directors the Physical Property Inspector
 140 will inform the shareholder and a permit must be obtained through a
 141 contractor vetted by the Golden Rain Foundation.
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- 143 **2.2. Patio and Paved Seating Area Requirements.** (i) All requests will be considered
 144 by the Physical Property Committee on a site-specific basis, taking into
 145 consideration, but not limited to the following: (a) Aesthetic/financial value to the
 146 Mutual (b) Functionality for the shareholder (c) Utility boxes (d) Electrical
 147 enclosures/panels (e) Sprinkler systems (f) Sprinkler valves/plumbing (g)
 148 Telephone pull boxes/equipment (h) Sidewalks (i) Laundry rooms (j) Landscaping.
 149 (ii) Patios/Paved Seating Areas must: (a) Slope away from the building. (b) Include
 150 a 6" mow strip. (c) There must be a minimum 18" setback from the sidewalk to the
 151 edge of the mow strip. (d) Setback may be waived by the Board on a site-specific
 152 basis. Patio surface material must be non-skid. (e) Natural grass may not be
 153 planted within the Patio/Paved Seating Area. (f) Minor exceptions to the
 154 specifications may be granted by the Board of Directors on a site-specific basis.
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2.3. Stipulations for Existing Patios and Paved Seating Areas

- 2.3.1.** All current Patios/Paved Seating Areas must comply with the requirements of this Policy.
- 2.3.2.** Maintenance, repair, and insurance for Patios and Paved Seating Areas are the responsibility of the shareholder.
- 2.3.3.** At the time of transfer of stock ownership, the buyer must agree to manage, maintain, repair, and insure the Patio/Paved Seating Area. All existing Patios/Paved Seating Areas must be brought into compliance at the sale or transfer of a unit at seller's expense.
- 2.3.4.** Remodels of existing Patios/Paved Seating Areas must comply with this policy in its entirety and require a permit.

- 2.4. Patio Walls.** (i) All Patios must be enclosed by a wall that is no higher than 26 "high on the inside. (ii) Patio wall exterior with cap must be no higher than 35" high. (iii) Gates must not be higher than 36" and must NOT be locked at any time. (iv) All walls must be equipped with adequate weep holes in walls for draining. (v) Any changes or deviations from the approved plans must be submitted to the Physical Property Department for a change order prior to implementation.

- 2.5. Paved Seating Area Size and Specifications.** (i) Must be no larger than 7' X 7', or 49 square feet if rectangular, as measured from the building wall, and can be adjacent to the unit walkway. (ii) When adjacent to a walkway the Paved Seating Area and the walkway must be made with the same surface material in most cases. (iii) The size, shape and surface material will be approved on a site-specific basis. (iv) The Paved Seating Area must be surrounded by a mow strip.

- 2.6. Patio Size and Shape.** (i) Patio width and depth will be approved on a sitespecific basis. (ii) The size and shape of a Patio must be in proportion to the proposed location, taking into consideration the location of unit's windows and doors, the size of the green belt, location of utilities and trees, existing landscaping, irrigation system, and other factors of this nature. (iii) The exact size and shape will be determined by the Board of Directors.

2.7. Disclosure Agreement

2.7.1. The Physical Property Department will provide a disclosure to all new shareholders stating that their Patios/Paved Seating Areas might have been built over sewer, water, electrical, or other types of utilities and that there is the potential to require access or relocation and that this could require removal of all or a portion of the patio at the owner's expense. (See Form 05-7415-4)

2.7.2. Shareholders are responsible for all costs of the Patio/Paved Seating

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197 Area including but not limited to maintenance, corrections to the elevation of
 198 the green belt around the patio/paved seating area, sprinkler relocation,
 199 grass replacement, tree replacement, and flower bed repairs.

200 **2.7.3.** All grass, landscape, and irrigation relocation must be done by the Mutual 5
 201 landscaper. The landscaper must be contacted before construction begins.
 202 The grass must be restored with sod.

203 **2.7.4.** The disclosure must be signed by the selling shareholder and it will be
 204 provided to the purchasing shareholder.
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2.8. Patio and Paved Seating Area Use: Rules and Maintenance Requirements

206 **2.8.1. Emergency Egress: Windows, Gates and Walkways.** (i) All window spaces
 207 must be kept clear to facilitate emergency exit and entrance. (ii) A clear path
 208 of at least 36 inches must be maintained on the entrance walkway of the
 209 patio and paved seating area to the entry door from the unit. (iii) Walkway
 210 must have a clean 36-inch pathway. No obstructions allowed including
 211 potted plants.
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213 **2.8.2. Furniture and Other Items:** (i) All items must be appropriate for outdoor
 214 use on Patios/Paved Seating Areas. (ii) The only items allowed on
 215 Patios/Paved Seating Areas are a table, a reasonable number of chairs, a
 216 reasonable number of small side tables, one coffee table, one patio umbrella
 217 and one barbeque unit. ALL other items, including but not limited to potted
 218 plants and storage chests, must be approved in advance by the Mutual. (iii)
 219 It is preferable to leave patio furniture uncovered for the sake of the
 220 surrounding shareholders, however, if furniture covers are used on
 221 patio/paved seating area furniture the covers must be contoured covers that
 222 fit snugly over each individual piece of furniture and must be in good
 223 condition. Towels, sheets, tarps, or other non-contoured covers are not to
 224 be used.
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226 **2.8.3. Obstruction of the Greenbelt View:** (i)The area around the inside
 227 perimeter of Patio walls must be kept free at all times of a solid row of plants,
 228 trellises, or other objects that obstruct the view of the length of the greenbelt.
 229 (ii) Nothing can be placed around the edges of Paved Seating Areas,
 230 including but limited to plants, pottery, ornaments and similar items. (iii)
 231 Nothing is allowed around the outside of Patio walls on the grass, on the
 232 footing or on the mow strip, including but not limited to lights, plants,
 233 ornaments or any other item.

234 **2.8.4.** Excessive clutter or inappropriate items are not allowed on Patios /Paved
 235 Seating Areas.

236 **2.8.5.** On Paved Seating Areas barbeques must be stored along the building and
 237 must be used according to the barbeque policy (Policy 05-7427-1).

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- 2.8.6. Nothing can be placed on, or attached to, Patio walls. This includes but is not limited to plants and ornaments, glass panels, wind sails, pergolas, awnings, poles, and permanent umbrellas.
- 2.8.7. Patio/Paved Seating Area umbrellas must be closed when not in use. When shareholders leave for extended periods of time the umbrellas must be placed on the floor in case of high winds during their absence.
- 2.8.8. The Mutual Board has sole discretion about the appropriateness of Patio/Paved Seating Area items.
- 2.8.9. Any item in, on, built into or onto a Patio/Paved Seating Area in conflict with this policy must be removed by the shareholder within 10 days of written notification. If the item is not removed after the 10-day period, the Mutual will have the right to remove the item at the shareholder’s expense after a noticed hearing, if necessary.

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