

CORONADO SHORES CONDOMINIUM ASSOCIATION NO. 9

REMODELING RULES & REGULATIONS

**THE ASSOCIATION RESERVES THE RIGHT TO LIMIT THE NUMBER OF
REMODELS ~~to six (6) at any one time.~~ AT ANY TIME**

I. Definitions

1. **Remodeling:** The term “remodel” or “remodeling” or “remodeled” is defined as follows: Any structural modifications to the interior of a unit which requires a California building permit. These modifications include but are not limited to movement, relocation, construction, or removal of windows, interior electrical, plumbing, unit walls, doors, bathrooms, bathroom facilities, kitchen, kitchen facilities, balconies, balcony enclosures or any other room or fixture other than wall coverings, window coverings or carpeting. Please contact the building manager if you have any questions regarding the need for a remodeling request.
2. **Remodeling plan authorization:** It is a violation of the rules and regulations to remodel a unit without the written approval of the Board of Directors. In order to obtain written approval of the Board of Directors an owner must submit a signed application to the Board of Directors prior to beginning any remodeling work.
3. **Contractor:** Is an entity you contract with to perform work which also encompasses subcontractors, work person(s), trades person(s), and other persons hired by contractor(s). California licensed contractors are required.
4. **Architectural Committee:** The role of the Architectural Committee is to make recommendations to the Board of Directors regarding remodeling applications. The Architectural Committee is comprised of at least three members. One of the members of the Architectural Committee is a member of the Board of Directors. The other members of the Architectural Committee are unit owners.
5. **Combination of Adjoining Units:** The owner of two adjoining units may apply to remodel the units to create a single living area.
6. **Board Approval Required:** Full and Partial Remodel changes that include, but not limited to, demolition, removal, relocation, and/or structural modification to internal walls; bathrooms/ bathroom fixtures; kitchen/kitchen fixtures and appliances; windows; balconies; balcony enclosures; replacement, installation of new or pushed out windows; and, installation or re-surfacing of hard surface flooring, among others. Altering concrete walls, ceilings, and flooring is not permitted.

Owners and their Contractors are warned that Asbestos Containing Materials have been reported. Owners and Contractors should have testing done on any in-unit materials that are planned to be repaired or replaced. Asbestos Containing Materials presents a health risk when fibers become airborne and are inhaled. You, the Owner, and your Contractor are responsible for the safety of occupants, employees, and workers that may disturb Asbestos Containing Materials.

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7. **Board Approval Not Required:** Updating wallpaper, paint, furniture, carpet installation/ replacement, individual appliances, individual bathroom or kitchen fixtures, individual window coverings or minor repairs. [Installation schedule must be provided to the General Manager in advance].

II. Procedure

1. **Application:** An application to remodel a unit requires the following:
 - a. **Architectural Improvement Request Form:** Prior to beginning remodel work on a unit, the owner must sign an architectural improvement request form and initial each of the pages of the Remodeling Rules and Regulations.
 - b. **Plan Requirements:** Submit a set of plans drawn to scale with the application. The plans must meet the City of Coronado Department of Community Development requirements for plan submittals for “Coronado Shores Tenant Improvements”.
 - c. **Coronado Approval:** The Board of Directors requires review and approval of the plans prior to being submitted to the City of Coronado. The building permit must be provided to the Board of Directors prior to the commencement of any work on the remodel.
 - d. **Fee & Deposit: Along with the application, the amount of ~~\$1,000~~ \$3,000 must be submitted, of which ~~\$500~~ \$2,000 is non-refundable.** The remaining ~~\$500~~ \$1,000 will be held by the Association to secure any costs for cleaning or repairs of the common areas made necessary by the remodel.
 - e. **Oral or Non-Written Applications:** Oral or non-written approvals made by the Association Manager, an individual member of the Board of Directors, or the Board of Directors at a regularly scheduled meeting of the Board of Directors does not constitute an application for permission for remodeling. A response to oral or non-written applications, for permission to remodel a unit will not be accepted by the Board of Directors as an approval to remodel a unit.
2. **Approval factors:** The Architectural Committee and the Association Board of Directors may consider the following factors when determining whether to approve an application to remodel a unit:
 - a. **Adverse effects:** the possible adverse effects to other units that may occur because of the remodel or construction associated with the proposed remodel during or after construction.
 - b. **Common Area:** The possible over-utilization of common areas or increase in common area maintenance expense during and after construction.
 - c. **Legality:** Whether the proposed remodel violates the applicable Association Uniform Building Code or any other applicable State or Federal law or ordinance. The Association relies heavily upon the City of Coronado’s permit process regarding current codes and ordinances.

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d. **Aesthetics:** The aesthetic impact the architectural or visual integrity of the El Mirador Tower and adjoining properties as reasonably determined by the Association Board of Directors.

3. **Application Composition and Fees:** Any written application for permission to remodel a unit must include the following:

- a. Completed Remodel Approval Request Form providing a detailed written description of the intended remodeling, including the nature of the work to be performed, the extent of any construction that might adversely impact other unit owners or residents, and the specific time and days during which demolition or heavy construction might occur.
- b. Applicable Attachments to Remodel Approval Request Form.
- c. Architectural Plans, Construction Documents, Diagrams, and/or Drawings, materials list, and product specification data sheet.
- d. Timeline Schedule: Start Date and Completion Date.
- e. Signed El Mirador Rules & Regulations for Remodeling Verification/ Acknowledgement Form.
- f. City of Coronado Building Permits (may be provided at the Pre-Remodeling Conference); or if the City requires an approval letter to produce permits, that letter will be conditional. The permits are to be provided to the GM prior to any work done requiring a permit. Required permits include, but are not limited to, a Type M miscellaneous permit for demolition, a Type B building permits for remodel, a Type M miscellaneous permit for window replacement, and a Type F permit for sprinkler addition or relocation.
- g. Copy of contractor(s) business license (remodeling shall be accomplished only by a licensed California contractor).
- h. Copy of contractor(s) General Liability Insurance Certificate and Endorsement page.
- i. Copy of contractor(s) Workers Comp Insurance Certificate and Endorsement page.
- j. Copy of contractor(s) Automobile liability and Property Damage Certificate and Endorsement page.
- k. Copy of Product Liability and Property Damage Certificate and Endorsement page.
- l. Full Remodels - \$3,000 deposit (Partials \$1,000) held by Association to cover cleaning and minor repairs of Common Areas made necessary by the remodel, which may be refunded following the submission and approval of a Notice of Completion if there is no damage to the building. If damage to the building occurs in excess of deposit, the owner will be billed for the additional expenses incurred by the Association to remedy the damage but not necessarily limiting liability to that amount.

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4. **Approval:** The Association Board of Directors will review the recommendations of the Architectural Committee and make a decision whether or not to approve the application. The Association Board of Directors will provide a written decision shall describe the specific reasons for the denial and/or qualification. The Association Board reserves the right to postpone its consideration of a proposal in order to conduct additional studies or to seek advice of outside consultants. The Board of Directors must render a decision within thirty (30) days of receipt of a completed application.
5. **Appeal:** The applicant may appeal an Association Board of Directors denial of a unit remodel application by submitting it in writing to the Board of Directors within thirty (30) days after the Association Board of Directors shall consider the appeal within (60) days after the receipt of the written appeal. The applicant shall be notified (no less than a week before) of the date, time and place of any meeting being held to consider the applicant's appeal.
6. **Pre-Remodeling Conference:** After an application has been approved by the Board of Directors and prior to any work and/or staging of tools, equipment, or materials of any kind in a unit, a Pre-Remodeling Conference will occur in the General Manager's office attended by the General Manager, building engineer, prime Contractor, and the owner to enhance expectations and understanding of responsibility prior to starting the Remodel. Responsibilities will be discussed and a physical walk-through of the respective portions of the building's hall shall take place, including the floor where the remodel will occur for all parties to review the existing condition of the building before any Remodel activities commence. An owner may not delegate his/her attendance requirement to a contractor. At this conference, the prime contractor will be required to sign and provide to the General Manager a copy of the contractor's Remodeling Rules and Information Sheets.*

* Written application along with any plans or drawings may be reviewed by a consulting architect and retained by the Board of Directors for this purpose. The architect will make a written review to the Board of Directors; and be available for inspections of the unit during remodeling, and at the conclusion of the remodel. The owner or applicant shall be responsible for all fees incurred by this service.

7. **Inspection During Remodeling:** The Association Board of Directors or their agent shall have the right to inspect a unit being remodeled at any time and at the time of completion of the remodel to ensure compliance with all applicable rules and regulations.
8. **Unauthorized Remodeling:** A unit owner or unit resident who remodels a unit without written approval from the Board of Directors, including remodeling differently than what is approved or not seeking approval, and/or makes any modification not in compliance with the Association rules, conditions

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imposed by the Board of Directors, federal, state, or local law, and/or City of Coronado permit, must immediately remove or be financially responsible for the removal of said remodeling.

9. **Remodeling Not Eligible for Approval:** The following remodeling is not eligible for approval and is a violation of these rules and regulations:
- a. **Additional Bedrooms:** No structural modification or alterations are allowed that will result in the creation of an additional bedroom or sleeping space to a single Unit in addition to the Record of San Diego County as Document No. 78-007400.
 - b. **Relocation of Cable Television Lines:** Relocation or detouring of existing cable television and/or telephone lines in a unit or common area is not permitted.
 - c. **Unit Enlargement:** No enlargement of a unit is permitted except the enclosure of the balcony.
 - d. **Hard Surface Flooring:** Any hard surface flooring in a unit must rest upon an approved flooring sub-system (minimum ½” cork or better such as “Cerazorb”) that complies with the Uniform Building Code. **Floor underlay must meet the minimum FIIC rating 55.** In addition to hard surface flooring, other permissible floor coverings in a unit include carpeting over an approved pad or cushion-backed vinyl flooring. It should be noted that certain flooring, such as tile and other hard surfaces may transfer noise to the units below and cause a major nuisance. Every precaution and consideration should be taken to decrease noise transfer, including area rugs and felt pads placed under chair legs, table legs, etc.

III. Specific Requirements

1. **Indemnity:** The remodel applicant agrees to indemnify and hold harmless the Association, Association Board of Directors, Association Building Manager, and Management Company for any liability caused by a discharge of any material or substance, including hazardous material, in violation of California or Federal laws. Unit smoke detectors must be protected from airborne contaminants during any approved remodeling.
2. **Asbestos Containing Material Survey:** Any unit undergoing removal of potential asbestos-containing material which is 100 sq. ft. in area or greater must provide a copy of an asbestos test conducted by a Certified Asbestos Consultant. Any material containing greater than 1% asbestos must be handled in accordance with Cal OSHA/EPA guidelines and abated by a licensed abatement contractor.
3. **Legal Expenses:** In the event that the Association is required to challenge any unauthorized modification or non-conforming modification, the Association shall be entitled to recover its reasonable costs and attorney fees.
4. **Allowed Aesthetics:** The following aesthetics are allowed as part of the unit remodeling:

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- a. **Screens:** If screens are to be installed, they shall be constructed of gray fiberglass screening with clear anodized 1” aluminum frames.
- b. **Blinds:** Only blinds, drapes, shutters, or curtains shall be used as window coverings. That portion of the window covering that faces the exterior of the building shall be white or off-white.
- c. **Window Tinting:** If the windows are to be tinted, the shade of tint shall be light grey medium.
- d. **Window Glass Replacement:** Owner must comply with vertical lines for all glass in the building. With proper engineering (supplied for architectural review), it is possible to install; one (1) piece of glass; two (2) sections with sliding glass on top, and/or a combination of sliding glass doors and one piece glass, accompanied by appropriate glass railings.
- e. Windows may not be pushed out beyond being flush with the inside edge of the column.
- f. Also refer to #16, “Balcony Enclosures”, if applicable.

5. Construction Regulations:

- a. **Contractor’s Insurance:** The applicant must supply to the Association Manager proof of Contractor’s license and liability and Worker’s Comp. Insurance.
- b. **Permits:** A copy of all required building permits and fire marshal approvals shall be provided to the Association.
- c. **Work Hours:** Work in units is only permitted from 9:00 AM to 5:00 PM Monday through Friday (except holidays). No work is permitted on Saturday and Sunday!
- d. **Summer Work:** No work is permitted during summer (June 15th-through Labor Day) without prior permission from the Board.
- e. **Existing Concrete:** Channeling, coring, or cutting of concrete floors, concrete ceilings, concrete columns, or concrete sheer-walls is not permitted.
- f. **Construction Debris:** It is not permitted to place debris in building trash dumpsters or building trash chutes. Debris must be bagged while within the unit being remodeled, removed from the building using the lower garage level, and disposed of offsite. Additional dumpsters are NOT allowed on the Coronado Shores property. The Disposal/Dumpster Company will NOT pick up any dumpster with construction debris in it. A standing \$500 fine will be levied on the owner of a unit being remodeled for each instance of a respective contractor(s) placing construction debris in the building trash chutes and/or dumpsters.
- g. **Dumping Debris in Drains or Toilets:** DO NOT put anything (other than clear water) down kitchen, bathroom, and/or wet bar drains or toilets in a unit or the building. A standing \$1,000 fine will be levied on the owner of a unit being remodeled for each instance of a respective

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contractor(s) placing construction debris in drains or toilets. Additionally, the owner is liable for the cost of clearing drains or toilets clogged by debris as well as remedying any back-up that occurs in any other unit due to such action by the contractor.

- h. **Association Carts:** The Association grocery carts and luggage carts are not to be used to carry construction materials to the unit of construction debris from the unit. Contractor will use pads in elevators when transporting material to or from the unit and use lower lobby entrance.
 - i. **Smoke Detectors:** Units should never be without smoke detectors protection. Smoke detectors require protection from airborne contaminants. Sprinkler heads must not be painted or disturbed in any way.
 - j. **Common Area Damage:** Unit owners are responsible for any damage to common areas or required clean up in common areas caused by construction. Common areas may not be used for storage.
 - k. **Storage in the Parking Structure:** In a limited number or areas, the construction of a storage box in the garage, adjacent to your parking space may be permitted. Please see the Manager for specific rules and regulations regarding this matter.
 - l. **Use of Loading Area:** Contractor may load and unload supplies, tools, and material in loading areas and then promptly remove vehicle to a designated parking area.
 - m. **Laterals:** Throughout the years the building has made improvements to some of the infrastructure. However, not all items within the units may have been addressed. Therefore, the Association recommends that during a remodel, this may be a time to look at the integrity of plumbing pipes and/or any resources that may not have been previously addressed by the Association.
6. **Balcony Enclosures:** The living room is an area with no real roof. The floor of the open balcony above each unit has no roofing material and was not made to be waterproof. The Association will not be responsible for water leaks through the ceiling of enclosed balcony areas. The Board of Directors may approve balcony enclosure plans which comply with the following rules.
- a. **Glass Material:** All new materials shall conform to Coronado City building codes.
 - b. **Balcony Leveling:** The leveling of any balcony floor shall be accomplished by the use of fire retardant treated wood or equivalent. Terrace units are exempt from this rule.
 - c. **Lightweight Concrete:** The use of lightweight concrete in conjunction with any element of a balcony enclosure is expressly prohibited. Terrace units may use lightweight concrete to level the floor.

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- d. **Ledge Edge:** Balconies shall not be enclosed so that the glass will be placed on the edge of the ledge. They will be recessed from the ledge and in-line with the existing windows.
 - e. **Existing Railing:** The existing balcony railings shall remain in their original positions.
 - f. **Corner Units:** On corner units (02; 04; 07 & 09), vertical corner posts and in-line with the existing windows.
 - g. **Concrete Spalling:** With the knowledge that concrete spalling occurs on the exposed portions of the building, unit owners requesting approval to enclose a balcony must understand and accept that any costs involved in fixing the balcony, including the replacement of interior flooring, will be borne by the unit owner.
7. **Balcony and Railing Maintenance:** To help protect the balcony railings, flooring surfaces, and preserve warranties, owners must obtain approval prior to making any modifications to the surfaces. Obtain guidelines and specifications reference from Manager.
 8. **Licensed Contractors:** A California state licensed contractor(s) shall perform all remodels, including but not limited to, framing, electrical, plumbing, mechanical systems, flooring, and windows. The following specific licenses are required for any work being performed in those specific trades: Electrical (C10), Fire Protection (C16), Glazing (C17, window installation), HVAC (C20), and Plumbing (C36). All other work which falls under California's specialty contractor licensing requirements may be performed by a Class B contractor as limited by California's state licensing board. Owner takes full responsibility of all work done in unit. Some contractors may not be allowed to do perform work in the building, please review your remodeling plan with the building's General Manager prior to engaging a general contractor or specific trade contractor.
 9. **Lobby Entrance:** No work person is allowed through the front lobby entrance except to obtain a key to a unit and must sign out a key [as approved in writing by the owner or contractor(s)]. All other persons performing work or delivering materials/supplies must enter through the north lower garage pedestrian door.
 10. **Elevator (#2):** Elevator #2 is the only elevator that may be used by contractor(s) for any purpose. Association staff will install/remove pads and floor mats daily when there is a remodel underway in the building. The elevator shall be used efficiently so the number of elevator trips used for any remodeling is minimized. No more than 1,000 lbs. of material will be allowed in the elevator at one time and must be scheduled at least 24 hours in advance with the General Manager.
 11. **Minimizing Noise:** Exceptionally noisy tools and work days shall be identified and outlined in the Construction Schedule so that surrounding owners may be notified in advance. No jackhammers

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(powered demolition hammers) are allowed. Approval for noisy work outside of the submitted Construction Schedule may be provided by the General Manager with a minimum 48-hour advanced notice provided to residents.

12. **Flooring Underlayment:** The floor system must result in a minimum Field Impact Insulation Class (FIIC) rating of 55 and must be ½” thick. Underlayment is to continue up side walls, at least 4”, to reduce sound transference.
13. **Materials Shipped to Building:** Contractor(s) shall not ship items to the building unless contractor(s) is available for immediate receipt and removal of items from the lobby, garage, driveways, and property surrounding garage entrance. Association staff cannot sign for or accept remodeling materials or supplies. If staff allows delivery and items are not picked up immediately by contractor(s), a daily storage fee will be charged of \$100 per calendar day. Items may be discarded if not picked up within 24 hours after oral or written notice is given to contractor(s) or any employee/agent. Staff is not liable for items delivered to building that get damaged, discarded, lost, or otherwise.
14. **Contractor Housing Forbidden:** A unit under remodel and not occupied by owner cannot be used as housing for contractor(s) or any other persons.
15. **Whirlpool Bathtubs Not Allowed:** Jacuzzi™ type whirlpool bathtubs are not allowed due to noise transmission and vibration.
16. **Trash Compactors:** No trash compactors are permitted within any unit.
17. **Parking (L&R Rule) –:** For information – “Home Improvement Contractors working in a unit will be allowed to park one vehicle on site. A temporary parking permit will be issued, [by L&R]. All other contractor vehicles for that unit will be directed to park outside of the community, or may be allowed to park inside the building garage if arrangements are made with the unit owner and building manager. No parking permit will be issued by the Gate Officer for a vehicle to be parked inside the building garage.” Additional parking available in public parking lots and on Silver Strand Boulevard.
18. **Behavior & Work Habits:** Owners are responsible for the behavior and work habits of contractor(s) [including sub-contractor(s), work persons, trade persons, and anyone involved in remodel].

IV. Fines

1. **Standing Fines:** Owners will be fined for Rules and Regulations for Remodeling violations for each event/incident. Fines are subject to change in the Association’s Fine Schedule and are not limited to those examples stated below.
 - a. Contractors are required to pay \$3,000 deposit prior to starting the work for which an agreement has been created. \$1,000 will be returned at the conclusion of the project, less any fines levied.

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- b. Daily fee for storage of remodel materials in common are: \$200.00 a day.
- c. Water Shut-down: \$25.00 per shutdown.
- d. Common Area cleaning: \$50.00 per hour (minimum one hour).
- e. Failure to cover common area hallways or remove covering at end of workweek: \$200.00 plus any related cleaning cost.
- f. Usage of non-contractor(s) Elevator (Elevator #1): \$200.00.
- g. Violation of the rules regarding loading and unloading elevators: \$200.00
- h. Use of grocery or luggage carts for moving construction materials: \$200.00.
- i. Working before or after hours: \$200.00.
- j. Failure to return unit key by 4:30 p.m.: \$50.00
- k. Loss of key: \$200.00 plus all related costs
- l. Disposal of contractor(s) materials in Association dumpsters: \$500.
- m. Dumping debris in drains or toilets: \$1,000.
- n. Tampering with or failure to protect smoke detectors: \$200.00 plus the cost to replace damaged smoke detectors.
- o. Failure to uncover smoke detector at end of workday: \$50.00
- p. Failure to protect, or disturbing, sprinkler heads: \$500 per head plus all related costs.
- q. Contractors not signing in through Front Desk, disobeying the Front Desk staff instructions, or verbally abusing staff: \$200 per first occurrence with \$200 thereafter.

Owner agrees to have these charges or fines added to their account, once they have been notified in writing.

The Owner may request a hearing to have these charges or fines reconsidered by the Board of Directors.

2. **Fines are subject to Rule Change Procedures:** Rules and standing fines may be amended from time to time by the Board of Directors following all notice and approval procedures outlined in Civil Code Section 4360. The Unit Owner shall be notified of the fine which shall then be charged to their remodeling account for record keeping. Following final completion of remodel, all fines and assessments will be submitted to owner for payment. Any Owner wishing to contest an issued fine may do so by requesting a hearing with the Board of Directors.
3. **Violation of Rules and Regulations:** If contractor(s) violates any Rules and Regulations, the General Manager, building engineer, or any other person acting on behalf of Association will give oral or written notice to owner or contractor(s). The complaint will be documented and the unit Owner notified. Any

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continuing or recurring violation may result in issuance of a standing fine, hearing before the Board of Directors, and/or barring of Contractor from performing work in the building. Failure to take action under this paragraph with respect to any violation or violations shall not constitute a waiver of or limitation on the right to thereafter take action under this paragraph.

V. Liability

Owner and Owner's contractor(s) agree to indemnify and hold harmless the Association (including the Board of Directors, General Manager, building engineer, and all Association employees) for any loss, cost, or other consequences of damage resulting from a remodel; payment of any fee, deposit, or other sum; approval of the remodel; any provision in Rules and Regulations or the implementation thereof; actions taken or not taken by, or on behalf of Association, in connection with the remodel; or liability caused by the remodel including damage to the Common Area including, but not limited to, a discharge of any material or substance such as hazardous material, in violation of California or federal law.