

**TOURNAMENT HILLS  
COMMUNITY  
ASSOCIATION**

**DESIGN GUIDELINES**

## Section I: Introduction.

Tournament Hills is a residential community that, if developed as currently planned, could contain Two hundred and sixty-eight homes (“**Community**”). Because community living relies on the mutual cooperation of all to be successful, Tournament Hills Community Association (“**Association**”) created these design guidelines (“**Design Guidelines**”). The goal of these Design Guidelines is to maintain the aesthetic beauty of the Community.

Prior to making any Improvements to your Lot, you must submit a complete application for design approval to the Design Review Committee. After receiving written approval from the Association Board (or Design Review Committee, if formed) and complying with applicable requirements of the City of Beaumont (“**City**”) and other Governmental Entities, you may install your Improvements or undertake your approved action. Please review these Design Guidelines prior to completing your application form to ensure your submittal is complete.

These Design Guidelines are subject to the Declaration of Covenants, Conditions and Restrictions and Establishment of Easements of Tournament Hills Community Association (“**CC&Rs**”) and the Bylaws of Tournament Hills Community Association (“**Bylaws**”). The Association has the power to revise the rules, regulations, guidelines, policies and procedures set forth in these Design Guidelines from time to time. If you would like to contribute suggestions for these Design Guidelines, please submit them to the Management Company for consideration by the Association. In the event of any conflict between these Design Guidelines and the Declaration or the Bylaws, the provisions of the Declaration or the Bylaws (whichever applies) shall prevail.

It is recommended that you refer to the Declaration in conjunction with these Design Guidelines to ensure a complete understanding of the submittal and review process to the Association. If you have questions regarding the review process, please contact your Management Company.

Except as otherwise defined in these Design Guidelines and as the context otherwise requires, those capitalized terms have the same meanings given them in the Declaration. For the purpose of these Rules and Regulations, all Separate Interests, as defined by the Declaration, will be referred to as “Residential Lot”. For the purpose of these Rules and Regulations, reference to the “Board” will refer to the Association Board.

If any of the provisions of these Design Guidelines are held to be invalid, the remainder of the provisions shall remain in full force and effect.

### **A. Purpose; Application.**

These Design Guidelines are intended to assure and preserve the value, desirability, attractiveness, and architectural integrity of the Community. The purposes of these Design Guidelines are (1) to preserve the aesthetic character of the Community as established by the initial development, (2) to assure compatibility among Improvements, and (3) to preserve a high quality of appearance. The Design Guidelines are intended to both give specific design criteria to Owners, their consultants, or contractors in preparing drawings for architectural, landscape, and other Improvements and to give the DRC a basis upon which to review the drawings submitted by Owners for compliance with the requirements of the Design Guidelines. The DRC reviews proposed Improvements for aesthetic purposes only. It is the Owner’s responsibility to follow all applicable federal, state and local building codes. Any items or issues not addressed in the Governing Documents for this Community are matters left to the discretionary judgment of the DRC or its appointed design review consultant acting in good faith on behalf of the best interests of the Community as a whole.

These Design Guidelines do not apply to any Improvements installed by Declarant, and neither the Board nor the DRC shall have any rights of review or approval with respect thereto.

### **B. Amendments to Design Guidelines.**

The Board of the Association may, at its discretion, amend these Design Guidelines from time to time as it deems necessary or desirable.

**C. Model Complexes.**

The construction features and landscaping provided by the Declarant at the model complexes should not be considered as an example of what may be constructed consistent with and under these Design Guidelines. The construction features and landscape materials located at the model complexes were provided for sales and marketing purposes only. Some of the landscape and construction features at the model complexes may not comply with these Design Guidelines and therefore may not be approved by the DRC when so submitted to the DRC in the context of a submittal of an application for DRC review (“**Application,**” which also may be referred to herein and in other forms regarding the Community’s design review as the “**Design Review Request Form**”) to the DRC.

**D. Design Review Committee.**

If formed, the Design Review Committee (DRC) will consist of a minimum of 3 members and a maximum of 5 members. Additionally, 1 alternate member may be designated by the Association Board to act as a substitute on the Design Review Committee in the event of absence or disability of any member. If no Design Review Committee is formed by the Association Board, then the Association Board will conduct all design review. There will be references throughout this document to the Design Review Committee. If no Design Review Committee is formed, then such references will be deemed to refer to the Association Board or appointed consultant.

**E. Design Review Consultant.**

The Association Board or the Design Review Committee (if formed) shall have the right to utilize a qualified consultant (“Design Review Consultant”) and empower the Design Review Consultant to act on behalf of the Association Board or Association Design Review Committee in approving, conditionally approving or disapproving Plans and Specifications; provided, however, any decision of an Design Review Consultant may be appealed by the applicant to the Association Board by the applicant delivering written notice of appeal to the Association Board within sixty (60) days after the Design Review Consultant’s written decision is delivered to the applicant. The Design Review Consultant shall review the Plans and Specifications in accordance with the requirements set forth herein and in accordance with the requirements set forth in the Association Design Guidelines.

**F. Design Review Decisions.**

The decision of the Design Review Committee on any proposed improvement shall be made in good faith and may not be unreasonable, arbitrary or capricious. Such decisions shall be in writing and shall be consistent with Applicable Laws including, without limitation, Civil Code Section 4765. If a proposed change is disapproved, the written decision shall include both an explanation of why the proposed change is disapproved and a description of the procedure for reconsideration of the decision by the Association Board if the Design Review Committee disapproved the application.

**G. Initial Rear Yard Installation Requirements.**

Each Owner of a Residential Lot must complete their rear and side yard landscaping, and submit a notice of completion with photos, by the date which is no later than twelve (12) months after the conveyance of the Residential Lot by Declarant to an Owner. Should the yard not be completed by the first (original) owner, subsequent owners shall be held to the same timelines outlined above, to complete the initial rear and side yard installations. Submittal of such plan shall occur within six (6) months after the conveyance of the Residential Lot by the Declarant to an Owner. If such plan is disapproved, a revised plan(s) must be submitted not more than 15 days after such disapproval, until a plan has been approved in accordance with the provisions of Article 8 of the Declaration. Owners are not permitted to install any landscaping which interferes with the established drainage pattern over the Community. Prior to installing any landscaping on an Owner's Separate Interest, the Owner shall be responsible for ensuring that there is no runoff from the Owner's Separate Interest and the Owner shall be required to take such action as may be reasonably necessary to prevent any runoff, including, if necessary, installing landscaping, upon approval, in advance of such twelve (12) month date.

## Section II: Design Review Classifications

Prior to the commencement of any addition, alteration, construction work or other Improvements of any type on any Residential Lot, you must first submit an application to the DRC for approval of such work. Unless specifically exempted under these Design Guidelines, you should submit an application for approval of all Improvements in accordance with the procedures set forth below. The following is intended to describe some of the Improvements that require approval by the DRC. Even though a proposed Improvement may not be listed below, you are required to submit an application for your proposed Improvement, unless the particular Improvement is explicitly exempt from design review by the Declaration or these Design Guidelines.

### A. Exemptions: Improvements Not Requiring DRC Approval.

Certain design elements within the Community generally do not require design review. However, if the DRC determines that a proposed Improvement exceeds the scope of the relevant exemption, the DRC may require an application for approval of the Improvement to be submitted. The elements that generally do not require design review include:

1. Potted plants in decorative pots in rear yards (not visible from common area) or enclosed courtyards; must be in natural earth tones and match the color of the home.
2. Potted plants in decorative pots in the front area of home, limit of two and they must be on the patios or porches, not in the front yard landscape areas; must be in natural earth tones and match the color of the home.
3. Seasonal flower planting, in private yards only, not permitted in common area.
4. U.S. flag and decorative flags, subject to the discretion of the DRC as described in the Declaration and these Design Guidelines (see flag guidelines).
5. Satellite dishes (must follow the specific location requirements within these Design Guidelines and Applicable Laws)
6. Retractable screen doors (must match the color of adjacent trim).
7. Interior window coverings including draperies, blinds, shades, interior shutters, etc.
8. Rain gutters and Downspouts as described in these Design Guidelines (see Rain Gutters and Downspouts section)
9. Any Improvements installed by Declarant.
10. Painting of Residence exterior, if repainted the same color as the original color.
11. Standard size security cameras in front and back of the unit. The color of camera to blend into trim of unit and any cables/wiring, if applicable, need to be painted to match the color of the building that it is affixed to. The camera line of site must not intrude on neighbor's privacy and if requested by the HOA, the owner must provide screen shots of the view angles to confirm that only one's private property and the immediate common area is being monitored. The HOA reserves the right to ask for the cameras to be removed, replaced or relocated if the size, location, installation is not aesthetically in conformance with the HOA standards or if the area the cameras is filming is found to be a violation of privacy.
12. **REAR YARD PRE-APPROVED INSTALLATIONS:** Rear yard plans which will only be comprised of cement flat work, living turf, artificial turf, sprinklers, shrubs and trees that will not reach a height of more than five (5) feet at maturity are preapproved without an application submitted, provided:
  - a. The plans do not in any way alter the grade or drainage of the lot, and
  - b. Any path, planter or shrub with lighting may not exceed 80 watts.
  - c. All fence line trees must have a root barrier and be planted with a five-foot setback from property lines, walls, fences, and dwellings and spaced no less than ten (10) feet apart from each other.
  - The above guidelines exclude any work that is above grade including but not limited to patio covers, patio decks, raised lighting (i.e., pole lights), raised planters, play equipment, any trees and any brick or cement work that is above grade (i.e., barbecues, fire pits or fountains).
  - The above guidelines exclude any pool, spa or like equipment, which must be approved by the Committee prior to installation.

- Homeowners with plans that may be pre-approved must still submit a notice of completion with photographs following installation and construction.
- Any changes to plans or any installations that do not meet the pre-approved guidelines outlined above require architectural submittal and are not approved until they are reviewed by the Committee.
- The Board of Directors reserves the right to enforce the CC&R's, Rules and Regulations, and Design Guidelines on any installations that do not meet the parameters outlined above. Failure to comply can result in the removal of your installation(s).

13. **FRONT YARD PRE-APPROVED INSTALLATIONS:**

Front/side yard concrete walkways connecting the rear yard gate to the driveway and/or sidewalk, if and only if the following conditions are met:

- a) In a standard single-family lot with standard side yards, the concrete walkway must run from the builder installed rear yard gate (always located on the garage side of the home) to the top of the driveway in an "L" shaped design. The width of the walkway may not exceed 4 feet, must match the builder installed driveway concrete color and there must be at least a 1.5-foot landscaped buffer between the walkway and the adjoining property line of the neighboring lot (note, if both homes add this walkway that would mean there is at least 3 feet between the two walkways). The concrete walkway should not extend down the driveway more than 6 feet from the garage, if leaving space for a two feet planter area between the walkway and the home (or it may extend down the driveway only 4 feet if no planter space is left). No trees are to be removed when installing the walkway.

**Please note these are standard conditions for pre-approval without submitting and if a home does not meet these conditions or you are looking to install something outside of these parameters, please submit to the DRC for review and approval.**

**B. Landscape Theme / Plant Palette.**

The landscape theme plays a significant role in defining and supporting the Community character. Consequently, a prohibited plant list and approved tree list may be adopted and approved for use by all Residents and all Residents must comply with such restrictions.

**C. Failure to Obtain Approval.**

Failure to obtain approval by the DRC regarding any Improvement may constitute a violation of the Declaration and may require modification or removal of unauthorized works of Improvement at your expense. In addition, a building or other permit may be required by the City Building Department, or other Governmental Entities prior to the commencement of any work. Neither the Board, nor the DRC, nor the Association assumes any responsibility for failure to obtain such permits. Also, obtaining such permits does not waive the obligation to obtain any required approval from the DRC.

**D. Submittal Fees.**

The submittal review fee is \$150 per application, which includes up to 3 re-reviews of plans. The submittal fee should be made payable to Tournament Hills Community Association. The submittal fees are non-refundable.

## Section III: Review and Approval Process

**A. Extent of DRC Review.**

1. The DRC approval of Plans and Specifications is required for all architectural modifications and Improvements, including without limitation landscape improvements and/or modifications. The DRC may condition its approval on such changes it deems appropriate and may require submission of additional Plans and Specifications or other information or materials prior to approving or disapproving Plans and Specifications. In the event of a conflict between these Design Guidelines and the Declaration, the Declaration shall control.

2. Upon approval, disapproval, or in the event the DRC requests clarification or additional information, all submissions shall be distributed as follows:
  - a. **Incomplete Plans and Specifications:** Shall be denied and returned to the Owner.
  - b. **Approved Plans and Specifications:** Approved Plans and Specifications shall be placed in the Association files. Owners are responsible for retaining a copy of their submitted plans. A letter of approval will be sent to the Owner.
  - c. **Denied Plans:** A copy of disapproved Plans and Specifications or those requiring clarification or additional information or conditional approval (requiring certain items to be corrected and re-submitted for approval) shall be returned to the Owner.
3. Review and approval of completed Improvements will be made by the DRC or its designated representatives once the Owner has notified the DRC of the completion of such Improvements by filling out and submitting a Notice of Completion Form (Form D) ("**Notice of Completion**"), the form of which is attached to these Design Guidelines. Photographs indicating the installation of all Improvements are required as a part of each submittal of a Notice of Completion. If the subject Improvement results in a setback issue, a photograph of the setback issue clearly showing the measurement from the Improvement to the property line or setback is required to be included with the submission. The Owner shall provide the DRC with the Notice of Completion and all required materials promptly after the Improvement's completion, but in no event later than 30 days following completion.
 

If it is determined that the Improvements were not installed in compliance with the Plans and Specifications approved by the DRC, the DRC shall notify the Owner in writing of such noncompliance within 30 days of the DRC's receipt of the Notice of Completion and all materials required to be submitted therewith. The Owner is required to remedy any such noncompliance within 30 days of Owner's receipt of the DRC's notice of noncompliance.
4. The DRC's review of Plans and Specifications only extends to confirming that the Plans and Specifications adhere to the Declaration and these Design Guidelines. By approving Plans and Specifications, neither the DRC, the Board, their designated representatives, agents or members, nor the Declarant, assume any liability or responsibility therefore, including without limitation for the architectural or engineering design of, or any defect in, any Improvement or structure constructed based upon the Owner's Plans and Specifications, irrespective of whether such Plans and Specifications include any modification suggested or required by the DRC or the Association.

#### **B. Inspection and Correction of Work.**

1. **Right of Inspection During Course of Construction.** The Design Review Committee or its duly authorized representative may enter onto any Residential Lot during the course of construction or installation of any Improvements for the purpose of inspecting such construction and/or installation to determine whether it was performed in substantial compliance with the approved Plans and Specifications, the contractor's guidelines and applicable governmental rules and regulations. If the Design Review Committee determines that such construction and/or installation is not being done in substantial compliance with the approved Plans and Specifications, it shall notify the Owner of such non-compliance. If the Design Review Committee determines that such construction and/or installation is not being done in substantial compliance with the approved Plans and Specifications, the contractor's guidelines or applicable governmental rules and regulations, work may be stopped by the Design Review Committee and/or the City until the work complies with the applicable standards. Copies of inspection sign-off(s) by the City shall be provided to the Management Company and/or the Design Review Committee within 48 hours of the request for entry.
2. **Notice of Completion.** Upon the completion of any construction or reconstruction or the alteration or refinishing of any Improvements, or upon the completion of any other work for which approved Plans and Specifications are required, the Owner shall give written notice of completion, complete with photos, to the DRC using the Notice of Completion Form (Form D) attached to these Design Guidelines and incorporated herein.
3. **Inspection.** Within 30 days of its receipt of the Notice of Completion, the Design Review Committee, or its duly authorized representative, shall have the right to enter into the Residential Lot to inspect such Improvement to determine whether it was constructed, reconstructed, altered or refinished to substantial compliance with the approved Plans and Specifications. If the Design Review Committee finds that such

construction, reconstruction, alteration or refinishing was not done in substantial compliance with the approved Plans and Specifications, it shall notify the Owner in writing of such non-compliance within 30 days after the inspection, specifying particulars of non-compliance, and shall require the Owner to remedy such non-compliance.

4. **Non-Compliance.** If the Owner fails to remedy such non-compliance within 30 days from the date of such notification, the Association Board, after affording such Owner Notice and Hearing, shall determine whether there is a non-compliance, and if so, the nature thereof and the estimated cost of correcting or removing the same. If non-compliance exists, the Association Board shall require the Owner to remedy or remove the same within a period of not more than 30 days from the date of the Association Board ruling. If the Owner does not comply with the Association Board ruling within such period or within any extension of such period as the Association Board, in its discretion, may grant, the Association, at its option, may either remove the non-complying Improvement or remedy the non-compliance, and the Owner shall reimburse the Association for all costs and expenses incurred in connection therewith, including attorneys' fees and costs, upon demand and release the Association from any claims arising from such work. If such expenses are not promptly repaid by the Owner to the Association, the Association Board shall, after Notice and Hearing, levy a Compliance Assessment against such Owner for reimbursement.
5. **Review Oversight.** Any design review approval involving an oversight of the Declaration or design review policy does not constitute a waiver of that rule and therefore, must be corrected upon notice by the Association Board.
6. **Review Only Applicable to Specific Submittal.** Any approval by the DRC or Board of any Plans and Specifications shall only apply to such specific Improvements set forth in such approved Plans and Specifications and shall not act as an estoppel, waiver or any other limitation on the DRC or Board regarding any future review of a proposed Improvement, irrespective of the asserted similarity of such Improvement to an Improvement for which the DRC or Board previously approved Plans and Specifications.
7. **Variance Process.** The Board may authorize variances from compliance with any of the design provisions set forth herein, including, without limitation, restrictions upon height, size, floor area or placement of Improvements or other similar restrictions, when circumstances such as topography, natural obstructions, aesthetic or environmental considerations may require. Such variances must be evidenced in writing, must be signed by at least 2 members of the Board, be approved at a duly called regular meeting of the Association and shall become effective upon such execution. If such variances are granted, no violation of the requirements set forth herein or in the Declaration shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such a variance shall not operate to waive any of the terms and provisions set forth herein for any purpose except as to the particular Residential Lot and particular provision hereof covered by the variance, nor shall it affect in anyway the Owner's obligation to comply with all governmental laws and regulations affecting its use of the Residential Lot, including, without limitation, zoning ordinances and lot setback lines or requirements imposed by the City or any other Governmental Authority. The fact that Improvements are already installed, without DRC approval or in deviation from approved Plans and Specifications, is not an appropriate basis for a request for variance and will not be a basis for approval. In such situations, the review process associated with such Improvements will be conducted as if the Improvements had not been installed.

#### C. **Review and Approval Process.**

Construction of any Improvement, including landscaping, may not begin until the DRC has approved Plans and Specifications depicting the proposed Improvement. Initial landscape Improvement plan submittals, for the completion of the rear and side yards, must be submitted within six (6) months from close of escrow and completed within twelve (12) months from close of escrow.

1. Owner shall substantially commence all other construction or other modifications within 3 months from the date of approval by the DRC and such construction or other modifications shall be completed within 3 months of the start of construction.
2. In accordance with the Declaration, in the event of a failure to commence construction or other modifications within 12 months of issuance of the DRC's approval and thereafter diligently pursue the same to completion, the approval shall be automatically revoked, and a new approval must be obtained under the process set forth in these Design Guidelines before work can commence.

3. The DRC shall not review Plans and Specifications for any Improvements on a Residential Lot until escrow has closed on such Residential Lot. The DRC has established a non-refundable architectural review fee, which is outlined on the Submittal Application Checklist.
4. The Design Review Committee will review the Submittal Package and will provide written notification of approval, approval with conditions, or disapproval of the proposed modifications to the Management Company. The Management Company will then provide to the Owner submitting the application for design review a written notice of the actions taken by the Design Review Committee within 60 days from the date of receipt of the Submittal Package appropriately marked with the Design Review Committee's action. If an Owner does not receive notice of the action by the Design Review Committee within such 60-day period, then the Owner shall have the right to deliver a reminder notice to the Design Review Committee and Management Company. If the Owner does not receive a response within 30 days after delivery of the Owner's reminder notice to the Design Review Committee and the Management Company, the Submittal Package will be deemed approved provided that any Improvements conform to all conditions and restrictions contained in these Design Guidelines and the Declaration and are in harmony with similar structures erected within the Community. Such approval does not negate the need for any jurisdictional permits or requirements.
5. After obtaining written approval of a Submittal Package from the Design Review Committee, the Owner shall thereafter submit plans and specifications to the City or other Governmental Agencies to confirm if the proposed Improvements require the issuance of a building permit or other City required approval and meet all building and zoning regulations. In the event of a discrepancy between this document and City requirements, the most restrictive standard shall prevail. The Association will not be responsible for actions taken by Governmental Entities. In the event that the City requires modifications to the plans and specifications previously approved by the Design Review Committee, the Owner shall submit to the Design Review Committee all modifications to the plans and specifications. The Design Review Committee shall have the right to review and impose further conditions on such modifications which are not inconsistent with the requirements imposed by the City. The Design Review Committee shall have the right to impose conditions to its approval of proposed Improvements that are more restrictive than conditions as may be imposed by the City.
6. When construction is completed, a "Notice of Completion" and photographs of the completed Improvements must be delivered to the DRC for its use in determining if the Improvements were constructed according to the DRC-approved Plans and Specifications. A representative of the DRC may also inspect the Improvements. An appointment will be made at a mutually convenient time for any such inspection of the completed Improvements, as provided above in Section III.C. (Inspection and Correction of Work).
7. Construction of Improvements must not unreasonably disturb neighbors. The use of a neighbor's yard for construction access is not permitted unless such neighbor has given written consent of such access that must include a description of the access area. The use of Association Property for construction access is not permitted, unless authorized by the Association and the applying Owner enters into a written agreement in form and substance satisfactory to the Association indemnifying the Association for damage, claims and losses associated therewith and posts a construction deposit may be required for repairs of any damage to Association Property. Any authorization for construction access by the Association must be in writing, signed by an authorized representative of the Association and must include a specific description of the access area.
8. Approval of Improvements and the associated Application and Plans and Specifications by the DRC is for aesthetic purposes only. It is the applying Owner's responsibility to see that all Applicable Laws, including without limitation, building codes, are followed. It is the applying Owner's sole responsibility to obtain all permits and inspections that may be required by a Governmental Agency before commencing construction.
9. The DRC's review of Plans and Specifications only extends to confirming that the Plans and Specifications adhere to the Declaration and these Design Guidelines. By approving Plans and Specifications, neither the DRC, the Board of Directors, their designated representatives, agents or members, nor the Declarant, assume any liability or responsibility therefore, including without limitation for the architectural or engineering design of, or any defect in, any Improvement or structure constructed based upon the Owner's Plans and Specifications, irrespective of whether such Plans and Specifications include any modification

- suggested or required by the DRC or the Association.
10. Proposed Improvement Plans and Specifications must be clear, complete and prepared in accordance with applicable building codes and these Design Guidelines. All plans for Improvements, including without limitation, all exterior hardscape and landscape Improvements, must be submitted to the DRC for review and approval, as provided for in these Design Guidelines.
  11. All Applications and packages submitted to the DRC must be submitted by an Owner to the Management Company and must contain the following items, the forms of which are attached to these Design Guidelines:
    - a. Design Review Application Checklist (Form B)
    - b. Design Review Request Form (Form C)
    - c. One complete sets of proposed Improvement Plans and Specifications either mailed or emailed. Owners must specifically depict all property lines, easements, all utilities, and any Improvements, including noting any Improvements that vary from these Design Guidelines. Improvements not depicted on Plans and Specifications submitted to the DRC are not approved, regardless of any approval by the DRC of Plans and Specifications submitted by such Owner. Improvements located on property other than Owner's Lot, including without limitation Association Property or another Owner's Lot, are not approved, regardless of whether such Improvements are indicated or included on the Plans and Specifications approved by the DRC. Erroneous information and/or depictions included in an application may render any approval thereof null and void. Approval of Plans and Specifications by the DRC does not mean approval of any Improvements indicated or included therein that are not in compliance with these Design Guidelines, unless specifically noted in the approval of the DRC.
    - d. Water Quality Management Best Practice Guidelines, signed (Form E)
    - e. Applicable fees.
    - f. **Photographs, showing all areas of the front, back and side yards indicating the current configuration of the property.**
    - g. Any other materials required by the Association or the DRC in accordance with these Design Guidelines including evidence satisfactory to the Board that the proposed Improvements are acceptable under the terms of the Declaration and these Design Guidelines, and comply with all Applicable Laws and, as applicable, building code requirements.

**NO REVIEW WILL OCCUR unless all required plans, forms, fees and information for the proposed Improvement(s) are included in the Submittal Package. Incomplete applications will be denied.**
  12. The Management Company shall, on behalf of the Design Review Committee, review the Submittal Package to ensure that it contains all of the information and fees required. If the Submittal Package is complete, the Management Company will forward the Submittal Package to the Design Review Committee. The Management Company may determine and notify the Owner that, based upon the proposed Improvements or the complexity of the proposed Improvements, review fees will be required. The Submittal Package will not be submitted to the Design Review Committee unless the Submittal Package is completed and until such fees are paid. Failure to submit a complete Submittal Package and include the applicable fees with the Submittal Package will constitute an incomplete application, and the application will be returned to the Owner for completion prior to review by the Design Review Committee. The Submittal Package shall be deemed complete 10 days after delivery to the Management Company unless the Owner is informed otherwise by the Management Company before expiration of the 10-day period.
  13. **Resubmittal:** If an Owner's proposal is not approved, or returned as incomplete, a revised Submittal Package may be submitted. Provided the re-submittal is prompt, and does not constitute a substantially revised proposal, the Design Review Committee will attempt to review the re-submitted application within the initial 45-day period. If the re-submittal is not prompt or includes substantially revised Plans and Specifications, an additional 45 days may be required to complete the Design Review Committee's review.
  14. **Appeal:** If a Design Review Committee is appointed, or a consultant is used, and it disapproves any application or disapproves any design review request, the Owner making such design review request may submit a written request for reconsideration to the Association Board. The Association Board must receive the written request for reconsideration not more than 30 days following the disapproval decision of the Design Review Committee. Within 30 days following receipt of the written request for reconsideration,

the Association Board shall render its written decision in accordance with California Civil Code Section 4765. The decision of the Association Board shall be binding and final. Reconsideration by the Association Board is not required if the Association Board is acting as the Design Review Committee.

**D. Improvements / Submittal Documents and Plans and Specifications.**

Plans and Specifications: Must graphically illustrate all building/architectural/Landscape existing and proposed Improvements to Residences within the Community, to include, but not limited to, the following:

1. Include appropriate site plan, floor plan(s) and/or roof plan.
2. Site Photographs: Include site photos of the front and rear elevations of the Residence and Residential Lot; of the rear yard and each side yard; and of all surrounding conditions adjacent to the location of the proposed Improvements, including neighboring Residential Lots and Association Property. Photos must be in color and may be generated from a computer.
3. Shows all lot lines accurately. Locates and identifies all existing and proposed buildings, structures, fences, walls, pilasters, gates, sidewalks and other Improvements. Indicate all required setbacks, easements, streets, or rights of way and top and toe of slopes.
4. Shows all dimensions of work to be considered; shows distances between existing and proposed work and privacy wall, perimeter wall or property lines, setback lines and slopes.
5. Drawings shall include specifications of materials, sizes, color and finishes. For alterations or additions, note if finish and color is to match existing finish and color. Provide samples of all proposed materials, finishes and colors.
6. The plan must graphically illustrate all hardscape and other Improvements including but not limited to; fences, walls, pilasters, gates, trellises, arbors, patio covers, spas, barbecues, fireplaces, fire pits, fountains, garden art, statuary, mechanical equipment and storage enclosures.
7. Design details/elevations of all vertical hardscape Improvements in the side and rear yard. Include specifications of materials, sizes, heights, color and finishes.
8. List all hardscape materials, colors and finishes.
9. Clearly indicate proposed setbacks from the perimeter walls and adjoining Residences.
10. Locate and identify all existing and new drain inlets. Note on the plan that all new inlets shall be connected to the existing system provided by the Declarant.
11. Provide a complete written description of the proposed irrigation system on the plan or provide a separate irrigation plan, including location of new drains and drainpipe routing.
12. Locate and identify all trees, shrubs, groundcovers, and their proposed installed plant container size. A separate planting plan is encouraged but not required.
13. Locate and identify all proposed light fixtures.

**E. Construction Drawings & Specifications.**

Construction drawings and specifications shall be required per local agency requirements. DRC review and approval of design development shall not be considered to act in lieu of required construction/building permit drawings. Any revisions required by any Governmental Agencies that conflict with these Design Guidelines shall be resubmitted to the DRC for review and approval. Owner is not required to submit working drawings to the DRC; however, it is the Owner's responsibility that construction drawings and final implementation of Improvements are in conformance with DRC-approved design development plans. Construction drawings shall be resubmitted to the DRC if they deviate from the DRC-approved preliminary plans.

**F. Conditions of Approval.**

Each Owner must comply with the "General Conditions of Approval" contained in these Design Guidelines in connection with the construction and maintenance of all Improvements approved by the DRC for such Owner's Residential Lot. A copy of the executed request form and an approval report or a copy of the plans signed by the Design Review Committee will be returned to the applicant. The plans will contain Design Review Committee changes or stipulations that shall become a part of the plans and shall represent the terms and conditions of approval to be satisfied by the applicant. All use restrictions contained in the Declaration shall be in full force and effect and shall control the construction activities of the Owner.

## Section IV: Design Guidelines

### A. Architecture, Building or Structural Improvements.

All architectural Improvements must be compatible with the original architecture of the Community. Below are guidelines for building alterations, building materials, colors, and forms which are expressive of the Community's architectural character, and which will be used by the DRC in reviewing Plans and Specifications for compatibility with the original design of the Community and enforcing these Design Guidelines.

**COMPLIANCE WITH THESE DESIGN GUIDELINES SHALL NOT BE IN LIEU OF DRC APPROVAL. RATHER, THESE DESIGN GUIDELINES ARE INTENDED TO ASSIST THE OWNER IN THE PREPARATION OF PLANS THAT ARE MORE LIKELY TO BE APPROVED. ULTIMATELY, COMPLIANCE WITH THESE DESIGN GUIDELINES SHALL BE DETERMINED BY THE DRC AS PART OF THE REVIEW AND APPROVAL PROCESS. THESE DESIGN GUIDELINES MAY BE MODIFIED FROM TIME TO TIME AS SET FORTH IN THE DECLARATION.**

**OWNER IS RESPONSIBLE TO MAKE SURE THE CURRENT ADOPTED DESIGN GUIDELINES ARE USED IN PREPARING PLANS AND SPECIFICATIONS.**

1. **Garages and Garage Doors.**
  - a. Additional garages may not be added.
  - b. Replacements or changes to garage doors must match the design, materials, finish and color of the existing garage door or painted or stained a color that is compatible with the exterior color scheme of the Residence.
  - c. Treatments that draw attention to the garage door, such as mirrored glass or ornate decoration on or around the garage door, are not permitted.
  - d. Garages at all times shall be maintained in such a manner to be capable of accommodating full sized automobiles to the capacity to which it was intended.
  
2. **Casita Units (Guest Housing, Free Standing Room)**
  - a. Casitas or constructing of any type of guest housing, pool house or other free-standing room is prohibited.
  
3. **Windows and Doors.**
  - a. The size, location, material, and color of new or replacement windows and doors shall be compatible with the windows and doors of the existing Residence, with regard to style, frame, glazing color, divided lights, and other structural and design components.
  - b. Glass tinting or shading must be compatible with the existing treatment. Mirrored glass, reflective glass film and plastic roll-up shades are not permitted.
  - c. New accent windows and doors, such as greenhouse windows or French doors, must be compatible with the color and design of the existing Residence.
  - d. Decorative front doors must be compatible with the color and design of the existing Residence.
  
4. **Skylights.**
  - a. Skylights must be designed as an integral part of the roof. The form, location and color must be compatible with and relate to the Residence.
  - b. Owners must use bronze-color glass (white or clear glass are not permitted).
  - c. Bubble skylights are not permitted.
  
5. **Screen Doors.**
  - a. All screen doors must be approved by the DRC prior to installation, with the exception of a retractable screen door (frame must match trim color of the Residence). All screen doors must be compatible with the trim color of the Residence. All Screen doors must be installed within the existing door jam and painted to match the door color. Screen doors must be of high-quality construction. Wire mesh screen doors and overly ornamental designs are prohibited. Owner shall

include a color photograph and the screen door specifications in the Application package.

6. **Rain gutters and Downspouts.**

Gutters and downspouts need not be submitted for DRC approval provided that they conform to the following guidelines.

- a. Gutters and downspouts must be primed and painted to match existing adjacent surface color.
- b. Run off from gutters and downspouts must not drain onto the common area landscaping or another lot and must be directed toward the street.
- c. Gutter exits must be tight lined into drainage system.

7. **Walls, Fences and Gates.**

No fences, gates, or walls of any nature shall be erected, modified, altered, or replaced on or around any portion of any structure, lot or elsewhere within the Property unless such alteration has been approved by the DRC. All replacement walls must match the dimensions, material, color, etc. as was originally installed by the Declarant or neighborhood builder.

- a. Fence style, materials, and finished color must be compatible with the original design of the Community.
- b. Structural framing or an unfinished side or a fence varying from existing fence standards shall not be exposed to any public street, Private Street, shared motor court, sidewalk, walkway or neighboring lot. Material for side yard fencing will be given special consideration depending on its exposure to the neighborhood.
- c. Stepped fencing is permissible where the grade slopes.
- d. Fences are required to surround pool and spa areas. Minimum height requirements are established by Applicable Laws and government codes.
- e. All side yard gates leading to the rear yard shall be vinyl or match the material/design of the originally installed gate type by the builder for that particular tract. The color shall match the color of the stucco, or the house trim or color installed by the original home builder. No wrought iron gate material is permitted unless originally installed by the Declarant or neighborhood builder. No opaque materials are permitted. Side yard gate widening or adding of a second gate on the opposite side of the driveway is not typically allowed and will be reviewed on a case-by-case basis. Under no circumstances shall a gate be widened to larger than five (5) feet.
- f. Fencing in of area of the front yard is not permitted, this includes but is not limited to split rail fencing, vinyl fencing, and wood fencing of any various heights.
- g. Specific fence requirements
  - i. Vinyl Fencing
    - Must have a finish consistent with the Declarant's installation
    - Maximum Height is 6 feet
  - ii. Wrought Iron/Tubular Steel Fence:
    - Must have a finish consistent with the Declarant's installation.
    - Metal mesh may be applied to the interior side of a fence to restrain small pets and children and painted to match fence color.
  - iii. Solid Wood Fence – Privacy fence:
    - Maximum height is 6 feet, but never higher than the existing fencing.
    - Must be painted to match the Residence trim or stained in an acceptable color.
    - Consideration should be given to shadowing of adjacent property when utilizing a solid fence.
  - iv. Acceptable material for fencing and walls:
    - Wood
    - Wrought Iron/Tubular Steel
    - Masonry or stucco if materials conform to the quality, color and character of masonry or stucco used elsewhere in the respective neighborhoods.
    - The above acceptable materials are not all-inclusive.

- v. Unacceptable fencing materials:
    - Aluminum or sheet metal
    - Chain Link
    - Chicken wire or wire mesh
    - Galvanized or plastic chain link
    - Plastic webbing, reed or straw-like materials and bamboo
    - Corrugated or flat plastic or fiberglass sheets or panels
    - Rope or other fibrous strand elements
    - Miniature type fencing
    - The above unacceptable materials are not all-inclusive.
  - h. Under no circumstances shall any Owner remove or alter in any way walls and fences that have been erected by the Declarant without the prior written consent of the DRC.
  - i. At no time shall an Owner attach to, affix, or hang any item on or over any such fences or walls without DRC approval.
  - j. Existing masonry pilasters, walls and gates shall not be removed, reconstructed or modified as to structure, finish or color, without prior DRC approval.
  - k. Retaining walls are subject to the approval of the DRC. Such approval shall be based on the aesthetic appearance of the wall only and shall not be deemed to warrant or approve in any manner the engineering or structural design of the wall. The maximum permitted height of retaining walls is 3 feet and retaining walls are not permitted to be located adjacent to the existing Residence.
  - l. At raised planter wall (retaining wall) conditions, soil level may not be raised against existing perimeter walls without the addition of a 4-inch-wide retaining flash wall, as the perimeter walls are not structurally designed for retaining conditions. A retaining wall must be 18 inches clear of existing perimeter walls and not exceed 3 feet in height.
  - m. All walls and pilasters located in the front yard area shall be set back 3 feet minimum from the back of sidewalk and accented with plant material.
  - n. Exterior veneer materials used on front yard site walls or pilasters must match the architectural exterior elevation materials of the Residence.
  - o. Homes with wrought iron rear yard fencing are not permitted to install alternative fencing along the wrought iron, either permanent or temporary, as a means of privacy or other uses. Approved plant material should be used to create any necessary privacy screening. Only non-opaque options are allowed if necessary to keep animals in/out of yard. Such option must be approved by the Association prior to install.
8. **Window Coverings and Treatments.**
- a. Window coverings may consist of curtains, draperies, blinds, shades or shutters. Aluminum foils or other reflective materials, bed sheets, papers, and the like may not be applied to windows, at any time.
  - b. Exterior wrought iron or metal bars are prohibited.
  - c. Drapes, curtains, shutters, blinds and other window materials must be kept in good condition. The Association can compel an Owner to replace shabby and torn materials visible from the exterior of the Residence.
  - d. Windows may be tinted provided that no reflective materials are used to create a mirror effect from the outside.
9. **Awnings and Shades.**
- a. Awnings and exterior shades may be approved if they reinforce the architectural style and design of the existing Residence. Actual material samples are required for DRC review (reviewed on a case-by-case basis by the DRC).
  - b. The size, location, and form of awnings and exterior shades must be in scale with the window and should not dominate the architecture of the Residence.
  - c. Awnings proposed on front elevations or on side elevations at corner Residential Lots will be

considered relative to their compatibility with the architecture of the Residence and the Community.

- d. Awnings are not considered appropriate on certain elevation styles and on certain accent windows.
- e. Temporary sunshades attached to the vertical face of the Residence, patio cover, or gazebo, such as rolls of bamboo, fiberglass, or reed, are not permitted.

10. **Exterior Colors, Finishes and Painting.**

- a. Exterior colors of buildings shall match those applied by the original Declarant and/or comply with the color palette approved by the Board and available from the Association. Deviation from colors found within the home's tract are not typically allowed.
- b. For any proposed modification of exterior material and any proposed modification of exterior color of the Residence, the following must be included:
  - i. Color sample chips clearly noting where colors are to be used (trim, stucco, door).
  - ii. All samples must be identified with manufacturer's name, color and/or number.
  - iii. Color photographs of the Residence and the properties located on each adjoining side of the Residence with the proposed color change.
- c. Changes and/or modifications to a Residence's exterior wall and veneer finishes, materials and colors must be approved.
- d. Repair and maintenance to a Residence's exterior walls must match existing exterior walls.

11. **Reflective Finishes.**

No highly reflective finishes shall be used on exterior surfaces (other than surfaces of hardware fixtures), including the exterior surfaces of any of the following: roofs, all projections above roofs, doors, trim, pipes, solar panels, or equipment.

12. **Antennae and Satellite Dishes.**

These Design Guidelines are not intended in any way to impair the installation, maintenance or use of Covered Antenna (as defined below). These guidelines regarding Covered Antennas and satellite dishes are a part of a pre-approval submittal process as described in the Declaration; however, the DRC has the right to ensure that any Covered Antenna installed by an Owner is installed in accordance with the following guidelines.

a. **Location.**

- i. Covered Antennas and Satellite Dishes shall not encroach upon, or overhang into, any Association Property or any other Residential Lot.
- ii. **Must be installed behind the fence line on the side of the home so as to minimize the visibility from the front of the home. If the home is a corner lot, please place on non-street side.**
- iii. Covered Antennas and Satellite Dishes shall be located in a place shielded from view from other Residences, from streets, or from outside the Community to the maximum extent possible. If Covered Antennas and Satellite Dishes can receive acceptable-quality signals from more than one location, then Covered Antennas and Satellite Dishes must be located in the least visible preferred location and follow item ii above.
- iv. If an installation cannot comply with the foregoing provisions because the installation would cause unreasonably delay, unreasonably increase the cost, or preclude reception of acceptable-quality signals, the Owner installing the Covered Antenna and Satellite Dish must ensure that the installation location is as close to a conforming location as possible. The Association may request an explanation of why the nonconforming location is necessary.

b. **Definitions.**

- i. **"Antenna and Satellite Dish"** - any device used for the transmission and receipt of video or audio services, including direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS), including antennas and satellite dishes that have limited transmission capability which are designed to aid the user in selecting or using video programming. A mast, cabling, supports, guy wires, conduits, wiring, fasteners, or other

- accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.
- ii. **“Covered Antenna and Satellite Dish”** - an Antenna and Satellite Dish covered by the FCC’s Over-the-Air Reception Devices (OTARD) Rule.
- c. **Antenna and Satellite Dish Size and Type:** Owners may install the following Covered Antennas and Satellite Dishes in accordance with the design review process set forth in the Declaration and these Design Guidelines, provided that such rules do not unreasonably delay Covered Antenna and Satellite Dish installation, maintenance, or use; unreasonably increase the cost of Covered Antenna and Satellite Dish installation, maintenance, or use; or preclude reception of acceptable-quality signals from Covered Antennas and Satellite Dishes. Any deviations from the pre-approved guidelines, an Architectural application must be submitted.
- i. Antenna and Satellite Dishes designed to receive Direct Broadcast Satellite (DBS) service that are 39.4 inches (1 meter) or less in diameter.
  - ii. Antenna and Satellite Dishes designed to receive Multipoint Distribution Service (MDS) that are 39.4 inches (1 meter) or less in diameter.
  - iii. Antennas and Satellite Dishes designed to receive television broadcast signals, regardless of size.
- d. **Installation and Removal.**
- iv. Must be installed at the highest level of industry standard quality (no loose wires may exist, and commercial grade brackets and hardware must be used)
  - v. Covered Antenna and Satellite Dish Camouflaging
    - Provided that paint will not degrade the signal, Covered Antennas and Satellite Dishes shall be neutral in color or painted to match the color of the structure (wall, railing) near where they are installed.
    - Covered Antennas and Satellite Dishes installed on the ground and visible from the street or other Owners’ Residences must be camouflaged, provided that such camouflage will not degrade the signal. A Covered Antenna and Satellite Dish preferably should be camouflaged by existing landscaping. If existing landscaping will not adequately camouflage the Covered Antenna and Satellite Dish, then the Association may require additional camouflage. If the camouflaging will cause an unreasonable cost increase, then the Association has the option to pay for additional camouflaging and require its installation.
    - Exterior Covered Antenna and Satellite Dish wiring shall be installed so as to be minimally visible and be painted to blend into the material to which it is attached.
- e. **Safety.** Because the Association has a legitimate safety interest in preventing personal injury or property damage occurring due to improper or unsafe Covered Antenna and Satellite Dish installation, Owners must follow the following safety guidelines:
- i. Covered Antennas and Satellite Dishes shall be installed and secured in a manner that complies with all Applicable Laws, including applicable codes, safety ordinances, City and state laws and regulations, and manufacturer’s instructions.
  - ii. Unless the above-cited Applicable Laws, codes, safety ordinances, laws, and regulations require a greater separation, Covered Antennas and Satellite Dishes shall not be placed within 5 feet of electrical power lines (above-ground or buried) and in no event shall Covered Antennas and Satellite Dishes be placed where they may come into contact with electrical power lines.
  - iii. Covered Antennas and Satellite Dishes shall not obstruct access to or exit from any doorway or window of a Residence, walkway, ingress or egress, electrical service equipment, water shut-off valves, or any other areas necessary for the safe operation of the Community. The purpose of this requirement is to ensure the safe ingress and egress of Owners, Invitees, guests and Management Company personnel.
  - iv. To prevent electrical and fire damage, Covered Antennas and Satellite Dishes shall be permanently and effectively grounded.
  - v. To prevent detachment during a storm, Covered Antennas and Satellite Dishes shall be

installed to withstand wind speeds of at least 70 mph.

13. **Solar Panels and Mechanical Devices.**

Replacement or expansion of Solar Energy Systems installed by Declarant, if any, or if Declarant has not installed a Solar Energy System on a Residence, the installation of a new Solar Energy System by Owner, may be installed within the Community subject to prior written approval from the DRC. In addition to the below requirements, please review the Declaration regarding the approval and installation Solar Energy Systems.

- a. **Submittal Requirements.** All Applications including Solar Energy Systems shall indicate within the applicable Plans and Specifications the location of any Solar Energy System panels on the roof of the Residence. As part of its review, the DRC will evaluate the appearance of the proposed Solar Energy System to ensure that said equipment and its proposed installation comply with the following:
  - ii. Integrated into the roof design of the building and flush with the existing roof slope and hidden from view when possible.
  - iii. Solar panels located on top of roofs must conform with all Governmental Agency and fire authority regulations. In addition, to maintain the aesthetics and integrity of the roof, the panels must be setback a minimum of 2 feet from the outside perimeter of the roof.
  - iv. Solar collectors must be non-reflective in nature and frames must be colored to complement the roof, such as black or dark bronze in color.
  - v. Natural aluminum frames are prohibited.
  - vi. Support solar equipment shall be enclosed and not visible from the street.
  - vii. All mechanical equipment exposed to the exterior shall be located in a manner that minimizes visual impact.
- b. **Liability.** Neither the DRC nor the Board shall be liable to the Owner of a Solar Energy System for any approval or disapproval by the DRC or Board of any other Owner's Application for the installation of particular trees or shrubs on a Residential Lot adjacent to a Solar Energy System. The DRC and the Board shall not be responsible for any damage, loss or prejudice suffered or claimed on account of the approval or disapproval of the planting of any tree or shrub on another Residential Lot that blocks, interferes with, adversely impacts, damages, or otherwise renders a Solar Energy System less efficient than if the tree or shrub had not been approved by the Board or DRC. Owners who plant trees or shrubs on their Residential Lots that are adjacent to a residence with a Solar Energy System shall be responsible for compliance with all Applicable Laws, including without limitation the Solar Shade Control Act (California Public Resources Code Section 25982).

**B. Landscape and Yard Improvements.**

The landscape plays a significant role in establishing the overall Community character and value. The landscape objective for the Community is to create a cohesive community framework. The desire is to ensure that the landscape and hardscape improvements (i) are of the same high quality as the Residences and Association Property, and (ii) aesthetically and horticulturally compatible to the design of the Community. A prohibited plant list and approved tree list may be adopted and approved for use by all Residents and all Residents must comply with such restrictions.

With respect to any landscaping to be installed by an Owner on a Residence, the following provisions shall apply:

1. **Landscape Requirements.**
  - a. Plans for side and rear yard landscaping must be submitted to the DRC at the same time for initial landscaping review.
  - b. Plants must not encroach on walkways or Community Streets or Shared Motor courts. Handicap access features at sidewalks and driveways shall not be modified or removed.
  - c. Agricultural crops and/or plants (ex. vegetable gardens, corn stalk, grape vines, etc.) are not permitted in front yard.
  - d. Irrigation lines must be subterranean unless they are "drip" systems. The irrigation system shall be designed and installed to irrigate different landscape zones (e.g., sun, shade, lawn and shrubs).

- e. Appropriate drainage shall be installed so as to be directed to the street, and to prevent run-off onto adjacent Residential Lots, Association Property or other areas. There should be a slope / drainage of 2% away from the building, and water should be collected in a landscape drainage system.
- f. Sprinklers must be adjusted so as to spray landscaped areas only. Spray irrigation heads shall not spray on walls of Residences, block walls or fences. Irrigation controllers shall be set to apply the correct amount of irrigation and avoid runoff to adjacent lots, including Residential Lots and Association Property.
- g. One hundred percent (100%) of the ground plane is to be covered by plant material and/or shredded rock or bark mulch. The ground cover around the plantings for a front yard may not be made up of entirely shredded rock. Rock should be used in select areas and the remainder a combination of mulch or other approvable ground cover (ex: grass or artificial turf).
- h. Marble chips, tile chips, pea gravel, plastic sheeting, white rock, blue rock, black lava rock, red or other brightly colored mulch and other like materials are prohibited in the front yard but may be considered for use in the rear yard only.
- i. No large bare areas of earth, mulch or other non-living area are acceptable (with the exception of artificial turf). Areas are to be planted at least every three feet on center with approved plant material.
- j. Front yard hardscaping may not exceed 33%, or the city requirement, whichever is less, of the total front yard area, excluding the area of developer installed driveways, entrance walks and porches.
- k. Applications for landscape must include:
  - i. Listing of plant material and size, including height of trees at maturity. Trees should be kept at least 5 feet from property lines and have non-invasive and non-surface root systems.
  - ii. Site plan showing house (plot plan) and location of the proposed landscaping (plant materials) shall be included in the Application.
  - iii. Non-retaining planters and walls shall not exceed 3 feet in height.
  - iv. Hardscape, such as concrete walkways, pavers and patios, decks, patio covers with elevations (side views) and construction detail. Colors of decorative concrete, brick, stone, or block must be specified. Earth tone, neutral colors are required. No vivid colors are allowed (ex: white rock and red mulch are not permitted).
  - v. Drainage plan, including location of drain inlets, water flow direction, and outlets must be identified. All water shall be directed away from the Residence.

## 2. **Landscape Maintenance and Standards.**

- a. Each owner of a lot must keep all shrubs, trees, grass, slopes and plantings of every kind on his lot neatly trimmed, properly cultivated, irrigated and free of trash, weeds and other unsightly materials. Owners will provide an irrigation design for their landscaping to provide adequate water. The association shall have the right, but not the obligation, to require any owner to remove, replace, trim, top or prune any bush, tree, shrub or plant that in the reasonable belief of the Board detracts from the appearance of the Community.
- b. Each Owner shall only plant trees and other plant materials with growth characteristics that do not have the potential to create root, branch or other intrusion problems. Plants and trees shall only be planted in locations that are a sufficient distance from structures, hardscape and other improvements to minimize possible branch intrusion, root intrusion and associated damage.
- c. Each Owner shall keep, maintain, water, plant and replant all slopes located on such Owner's Separate Interest, so as to prevent erosion and to create an attractive appearance. It shall be the duty of all Owners to conduct all construction and installation of improvements on such slopes in accordance with any guidelines or rules adopted by the Association Board for maintenance of such slopes. No structure, planting or other material shall be placed or permitted to remain, or other activities undertaken on such slopes that may damage or interfere with established slope ratios, create erosion or sliding problems, or that may change the direction of flow of drainage channels or obstruct or retard the flow of water through drainage channels.
- d. Agricultural crops and/or plants (ex. vegetable gardens, corn stalk, grape vines, etc.) are not permitted in front yards.

3. **Trees.**

- a. All tree installations require architectural approval prior to installation, unless planted in the rear yard and they will not reach a height of more than five (5) feet at maturity (see rear yard pre-approved items list- Item A of Guidelines).
- b. Add root barriers to all fence line trees.
- c. Trees must maintain a five (5) foot setback from your neighbor's fence and planted at least ten (10) feet apart from one another. Homeowner must state growth height and width of tree(s) to be planted.
- d. Trees/palms must be maintained so as not to encroach onto your neighbor's property.
- e. Street trees/Front yard tree: No owner may remove or alter any trees or other landscaping installed by the Declarant or a Neighborhood Builder in the front yard, a parkway or common area without the prior written consent of the Board and the DRC. Each home is required to keep at least one builder installed tree in their front yard. Should the tree die, it must be replaced. The type of tree shall conform to those that were original to the design of the tract. A palm tree is not an acceptable replacement for a builder installed tree and will not satisfy the one tree requirement.
- f. Trees that will at maturity grow over public sidewalks must be of a species that do not drop berries or other fruits that will stain or hamper access on the sidewalk.
- g. Owner assumes all liability and responsibility for any root damage from trees planted in their yards (including but not limited to damage to walls, structures, utility lines, drainage and adjacent neighbor Improvements).
- h. Owner agrees to provide routine maintenance for all trees including, but not limited to, annual pruning and lacing. If the DRC deems any trees a nuisance, the Owner shall bear the expense of tree removal.
- i. See section on Street Trees for additional requires for front yard and parkway trees.

4. **Landscape Features/Decorations.**

- a. Landscape, yard or porch/deck features and decorations with overly distinctive colors, forms, or materials that establish an independent theme that detracts from the overall street scene, such as glass block, mirror balls, pink or colored flamingos, rock gardens, gravel yards, boulders in turf areas, waterfalls, fountains, concrete statues, railroad ties, sundials, chimes, and split rail fencing are not permitted in areas visible from the Streets or Association Property. The Design Review Committee has the right to limit the size, number and location of yard decorations.

5. **Drainage.**

- a. There shall be no interference with the established drainage patterns, level, or grade over any Residential Lot, or Association Property unless an adequate alternative provision is made for proper drainage and written approval is obtained from the DRC.
- b. Failure to make adequate provisions for proper drainage in the event it is necessary to change the established drainage over Owner's Residential Lot could cause major problems and result in imminent danger to person(s) or property, including other residences.
- c. If drainage is altered, or if Improvements are installed in such a way as to alter the drainage, the Owner, will be solely responsible for any resulting consequences, claims, losses or damages in any way related to drainage.
- d. The drainage pattern established with the original grading of the Residential Lot must be maintained. No drainage will be permitted onto Association Property slopes, landscaping, or adjacent lots.
- e. All Residential Lots' construction/hardscape surfaces shall have positive surface drainage of one percent (1%) minimum.
- f. All landscape areas shall have positive surface drainage of two percent (2%) minimum.
- g. All surface drainage shall be directed away from building walls, top of slopes and perimeter walls.
- h. All on Residential Lot drainage features and systems must adhere to all applicable codes.

6. **Flatwork.**

Enhancement of front yard hardscape is subject to the approval of the DRC (ex: concrete, pavers etc.,).

- a. All paving materials must be compatible with the Residence architectural style and exterior elevation materials.
- b. All exterior paved areas visible from the street shall be of materials and colors consistent with existing treatments and approved by the DRC.
- c. Applicant will be responsible for replacing all common area improvements damaged during the installation of such enhancements.
- d. The paving in the front yard shall not exceed one third (1/3) or thirty-three percent (33%) of the total front yard area less the builder installed driveway. The front yard area is calculated from the back of sidewalk to the side property lines to the front of the house and back to the side yard return fences, walls and/or gates.
- e. Do not pour concrete against existing fence, must end at least two (2) inches away from any perimeter fencing or walls.

7. **Driveway Extensions.**

Driveway Extensions must be submitted for and approved PRIOR to installation even if meeting the below guidelines. Any driveway extension that does not meet the below guidelines will be required to be removed at the Owner's expense.

- a. Expansions of **NO MORE** than three feet on **ONE** side of the existing driveway will be considered.
- b. Expansions must be **at least three feet away** from the property line and the area between the driveway extension and the property line shall be adequately landscaped.
- c. Expansions must be placed on the side of the driveway that is opposite from the front door.
- d. Extensions shall be solid concrete only and added concrete shall be consistent with the color and texture of the builder installed driveway design. Pavers and stepping stones will not be permitted to act as a driveway extension.
- e. Not every residential lot will accommodate or be permitted to install a driveway extension based on the size, shape and design of the lot and ability to meet the guidelines stated above.
- f. Extensions shall not be used for additional parking beyond what the original driveway capacity was designed for.
- g. Parking shall not be permitted in the rear yard or side yard of any home, nor shall driveway extensions be added to allow for a vehicle to be placed in the rear or side yard of the home.

8. **Patio Structures, Decks, Pergola, Sunshades and Gazebos.**

- a. Materials shall be harmonious with applicant's Residence.
- b. In designing the deck or patio, a minimum of intrusion upon neighbors' privacy should be given every possible consideration.
- c. Adequate drainage must be installed to prevent standing water and run-off onto adjacent properties. Drainage must be directed to the street.
- d. Wooden decks are to be stained and/or sealed to preserve natural color or painted to match existing Residence trim.
- e. Railings are acceptable.
- f. Application for a patio or deck must include the following information:
  - i. Site plans indicating location of patio or deck in relation to existing house.
  - ii. Listing of materials colors and finishes.
  - iii. Drainage provisions and flow or run-off
  - iv. Dimensions
  - v. Elevation drawings
- g. Patio covers should not exceed 10 feet in height for a flat type structure, or 12 feet in height for a sloped pitched structure.
- h. For purposes of this section only, a patio cover works as an extension of your home. The roof of the structure is a lattice or solid panel of aluminum fiberglass or PVC with posts supporting the end away from the wall of the house. A pergola does not have a roof. Instead, it defines the outdoor

- space with an overhead frame of open rafters (or joists).
- i. Covered or unenclosed patios covers, and trellises attached to the main structure may be located no closer than 3 feet to a side yard, 5 feet from the rear property line and 7 feet from the rear property line when adjacent to a street when the structure is in the rear yard.
  - j. The patio or trellis shall not cover more than 60% of the rear yard.
  - k. If a roofing material is used on a patio cover, shingles/tiles must be used to match the residence. Composition roof materials are not allowed.
  - l. Metal patio covers must look like a wood product (Alumawood type) and are subject to the approval of the DRC, which must be obtained prior to installation.
  - m. Unacceptable construction materials for structures in this section shall include the following:
    - i. Corrugated plastic
    - ii. Corrugated fiberglass
    - iii. Plastic webbing, split bamboo, reed or straw-like materials (ex: palapas are not permitted)
    - iv. Asphalt
    - v. Metal support posts for patio covers.
    - vi. The above unacceptable materials are not all inclusive.
  - n. Application for patio covers must include:
    - i. Location of cover in relation to house
    - ii. Materials and color
    - iii. Dimensions
    - iv. Elevation drawings
    - v. Open wood beam structures shall be painted a color that is compatible with the Residence color.
    - vi. All vertical support structures or columns, fascia, lattice, trim, beams, etc. must be setback a minimum of 3 feet from side yard, 5 feet from the rear property line and 7 feet from the rear property line when adjacent to a street. All measurements are calculated at the outermost part of the structure, including the overhang, to perimeter walls / property lines.
    - vii. Columns may be masonry or wood. Wood columns must appear to be substantial, 6 inches x 6 inches minimum.
    - viii. Generally, the square footage of patio covers will be reviewed in relation with the square footage of the yard of the Residential Lot. The intent is to retain an attractive Community appearance with a balance of buildings and open space. Some yards are not conducive to patio cover construction and will be considered accordingly. All structures will be reviewed on a case-by-case basis by the DRC. The following conditions may be considered:
      - Visibility of the structure from the neighboring lot and Association Property.
      - The balance of hardscape to softscape.
      - The size of structure in relation to the size of the yard.
9. **Pools and Spas.**
- a. All accessory equipment shall be located, screened, or recessed in such a manner so as not be visible from any Residential Lot or street.
  - b. All equipment installations shall be located, sound controlled and maintained in such a manner so as not to unreasonably disturb residents of other lots. The Design Review Committee shall have the right, but not the obligation, to require any Owner to repair or restore any installation to quiet operation or restrict its use or operation if in the reasonable opinion of the Design Review Committee continued use or operation disturbs residents of other lots.
  - c. Pools shall be designed by a licensed engineer and licensed geotechnical consultant in compliance with all applicable codes of the City.
  - d. Swimming pools, spas, and jacuzzies must be at least 3 feet from the side or rear property line. Exception: the edge of swimming pools, spas, and Jacuzzis may be constructed closer to the rear property line where the rear yard abuts a landscaped open space area.
  - e. Any walls or fencing taken down in the construction of the pool and rear yard features must be returned back to pre-construction status at the end of the project.

**10. Freestanding Vine Trellises.**

- a. Freestanding vine trellises shall have the height, length, width and location approved prior to installation.
- b. Vine trellises placed adjacent to existing fencing shall not stand taller than the fence/wall.
- c. Prefabricated vine trellises will be considered. The Application should include a catalog cut or photograph of such trellises.
- d. Vine trellises shall be ornamental iron or wood construction. Agricultural crops and/or plants (ex. vegetable gardens, corn stalk, grape vines, etc.) are not permitted in front yard.

**11. Fountains / Garden Art / Statuary.**

- a. Fountains that are consistent with the overall Community theme should be considered as an accent feature to the main Residence. Where those elements are visible from the street and/or Association Property, their size and scale should be consistent with other proposed hardscape elements. Statuary and sculpture elements associated with fountains shall not exceed the height of adjacent privacy walls and fences and should be softened with plant materials.
- b. The subject matter of statuary and sculpture elements associated with fountains shall be appropriate for their residential context. Elements that could reasonably be considered to be offensive are not permitted.
- c. The color of fountains should complement the primary Residence structure. Bright colors and reflective surfaces are not permitted
- d. The quality, size and quantity of fountains, statuary and sculpture elements are subject to review and approval of the DRC.
- e. Fountains located in the rear yard of a Residential Lot shall not exceed the adjacent fence or wall height, must not block a view and must be set back a minimum of 5 feet from the back of the sidewalk and/or side property lines. Fountains located in the front yard of a Residential Lot shall not exceed 4 feet in height and must be set back a minimum of 3 feet from the back of the sidewalk and/or side property lines. Fountains are more appropriately located in the rear yard and close to the primary Residence and are not permitted to be placed in a location where they detract from the overall appearance of the street. The architectural style of the fountain should match that of the home.
- f. Built-in water features and Freestanding (self-contained units) shall be set back a minimum of 5 feet from perimeter walls or the adjacent Residence wall.

**12. Fireplaces, Firepits, Exterior Fires.**

- a. Freestanding outdoor fireplace chimneys shall not exceed the minimum building codes and zoning codes, or 7 feet in height over original pad grade, whichever is less. The fireplace must be set back 5 feet from perimeter walls to provide a planting area for screening.
- b. Fireplace chimneys attached to patio covers are not permitted.
- c. Exterior fire pits, barbecues and fireplaces shall be limited to gas burning type with an electronic starter. Fireplaces must be designed to use natural gas. Wood burning fireplaces are not permitted.
- d. Fire pits shall be setback 5 feet from perimeter walls and must be natural gas.
- e. The structures shall be adequately screened from view with landscaping.
- f. The fireplace must match the architectural style of the Residence.
- g. The back of the fireplace structure must match the Residence.
- h. Owner shall obtain any permits required by the City or other Governmental Agency for any fire pits, barbecues and fireplaces.
- i. No fire pits, barbecues, fireplaces, barbecue islands, permanent barbecue structures or outdoor kitchens shall be located in the front yard of a Residential Lot.

**13. Ponds.**

- a. Ponds in the front yard of a residence are prohibited.
- b. Applications for proposed decorative ponds must be submitted with the location, dimensions, and a

picture or diagram including the intended appearance, material and color. A piping diagram of the re-circulation system and drainage method must be included. Ponds shall not be constructed on a property line or attached to any common wall or fence.

14. **Barbecue Islands and Outdoor Kitchens.**

- a. Barbecue islands and other types of permanent barbecue structures and outdoor kitchens shall maintain a minimum setback of 5 feet between the burning element and the property line, provided the structure is not visible above the adjacent wall or fence.
- b. Owner shall obtain any permits required by the City or other Governmental Agency for any barbecue islands and outdoor kitchens.
- c. No fire pits, barbecues, fireplaces, barbecue islands, permanent barbecue structures or outdoor kitchens shall be located in the front yard of a Residential Lot.
- d. All barbecues shall be limited to gas burning type with an electronic starter.
- e. All materials shall be consistent with the Residence architecture and in scale with the size of the yard of the Residential Lot.

15. **Play Equipment.**

Design and location of all proposed playground equipment that extends above the fence line of the rear or side yards must be reviewed and approved by the Design Review Committee.

- a. Items should be located in the yard in an area that will have the least visibility from the street and neighboring yards.
- b. If the play equipment exceeds this fence line it shall be screened by means of landscaping on the homeowner's lot as approved by the DRC.
- c. Play equipment shall be painted a color or built of materials that are consistent with the architectural style and color scheme of the existing home.
- d. In no way shall the play equipment exceed twelve (12) feet in height.
- e. Design of all proposed play equipment shall be subject to height limit requirements and must be reviewed and approved by the Design Committee.

16. **Basketball Hoops.**

- a. Portable hoops may not be left upon or block the sidewalk or street. Portable basketball hoops are to be placed behind a closed rear yard gate, fence or out of common area view of the street when not in use. The preference is for the basketball hoops to be stored out of public view as much as possible.
- b. Portable hoops may not be used in such a manner that infringes upon neighboring lots or damages their landscaping. Owners using portable hoops assume responsibility for any damage such use causes to the property of others or the Association.
- c. Owners who use portable hoops shall not permit their use to create a nuisance. Hours of use must be reasonable and confined to between 8:00 AM and 9:00 PM; 10:00 PM on Friday and Saturday nights.
- d. Should the Board of Directors determine that use of a portable basketball hoop is creating a nuisance or not in compliance with these rules it may prohibit continued use of the hoop, fine the owner or take such action as the Board deems appropriate.
- e. Hoops may not be permanently installed on any structure or pole in the front yard or front of the home. Permanent basketball hoops in the rear yard only are to be reviewed/approved by the Design Committee prior to placement.

17. **Synthetic Turf.**

Synthetic turf grass is acceptable in private yards, in accordance with the following guidelines:

- f. A specification sheet with warranty shall be submitted for consideration.
- g. Must have a combined weight of a minimum of 75 oz.
- h. Must be installed at the highest level of industry standard quality.
- i. Must have a border for property line edges and planter bed installations.

- j. Synthetic turf must be replaced when it no longer looks like natural turf due to wear, damage, or discoloration.

18. **Drought Tolerant.**

Owners wishing to revise their landscaping to a drought tolerant condition must apply to and receive written approval from the Committee before revising their landscaping. Architectural applications for installation of artificial turf, decorative rocks, boulders or other forms of drought tolerant landscaping will be evaluated on an individual basis for aesthetic acceptability. The application needs to include a yard plan showing the location, size (i.e., 1 gallon or 5 gallon) and type of proposed plants and ground cover. As a general matter, bare dirt is not an acceptable form of ground cover and true cactus type plants are prohibited in the front yard. When evaluating a proposed landscaping plan, the Committee will consider the mix of proposed plants, soft scape and hardscape and make a decision based on aesthetics and harmony and conformance with all other listed guidelines including the requirement that all areas are to be planted at least every three feet on center with approved plant material. Owners are encouraged to consult with a landscape architect for assistance in preparing a drought tolerant landscaping proposal. Artificial plants are prohibited in the front yard, with the exception of artificial turf.

19. **Irrigation.**

The following irrigation standards apply to all Residences within the Community:

- a. All landscape areas are to be irrigated.
- b. Irrigation systems shall be tailored to the specific site and landscape situation. Important considerations of the design are environmental conditions such as sun and shade, soils, terrain, percolation rates, erosion control, and wind
- c. Irrigation systems shall be designed to apply water in an efficient manner and provide adequate coverage without excessive run-off into storm drains or over sidewalks or adjacent property.
- d. Irrigation systems should be designed and maintained to avoid overspray onto adjacent Residences or property.
- e. Sprinklers must be adjusted so as to spray landscaped areas only. Spray irrigation heads shall not spray on walls of Residences, block walls or fences. Irrigation controllers shall be set to apply the correct amount of irrigation and avoid runoff to adjacent lots, including Residential Lots and Association Property.
- f. Irrigation lines must be subterranean unless they are “drip” systems. The irrigation system shall be designed and installed to irrigate different landscape zones (e.g., sun, shade, lawn and shrubs).

20. **Sheds and Freestanding Structures**

- a. Tool sheds and/or freestanding structures, temporary or permanent, must be submitted for Architectural Review Committee approval prior to being constructed or erected.
- b. Tool sheds shall not exceed the fence line, which in no case shall exceed 5 feet unless approved by the Design Review Committee. If a location in the yard would allow for a shed higher than 5 feet, that will not be seen from the street or common area in any way or negatively impact the view from neighboring lots, the Owner may submit sufficient evidence to request a variance from the five-foot rule.
- c. Tool sheds shall not be visible from the street under any circumstances.
- d. The color of the shed shall match as closely as possible the color of the home.
- e. Prefabricated metal sheds are prohibited; however, wood or aluminum wood look-alike materials will be allowed for sheds and other structures.
- f. Sheds are limited to one per lot and must not be larger than 120 square feet and are not permitted to exceed the fence height or be seen from the street in any way.
- g. No structure may be erected, constructed, or maintained whether permanent or temporary within any building restricted easement without proper approval from the City.

**C. Exterior Lighting.**

- 1. New exterior light fixtures, such as decorative wall fixtures, must be compatible with the design of the Residence. They must be simple in design and color and should be compatible with the existing light

- fixtures.
2. All lights installed on the exterior of a residence or on a lot, including motion sensor lighting, shall be adequately and properly shielded from other dwellings and the common area, such that direct rays from the light source are directed downward and do not cross property lines. They must not cause visual impairments to passing motorists or be a nuisance to neighboring dwellings.
  3. Landscape lighting shall be low voltage only.
  4. All lights must be compatible with the house design color.
  5. The up lighting of trees and shrubs is encouraged to provide illumination to the outdoor garden space. No exposed wires or cables are permitted.
  6. Mercury vapor lamps or lamps that emit light of a similar character, exposed fluorescent lamps, flashing lights, color lights, unshielded exterior lights, and lights which result in excessive glare are not permitted.
  7. Path lighting should be minimized. Path lights shall cast the light downward.
  8. Area lighting, post lights, security lights and/or flood lights that project light on to neighboring properties are not permitted.
  9. The DRC and the Association reserve the right to require that the fixtures be disconnected if they cause an unreasonable glare or illumination upon property outside of the Owner's Residential Lot.
  10. See Holiday Lighting for additional information on holiday lights.
  11. String lights- This style of lighting describes overhead lighting installed in the rear yard only, as a means of subtle illumination and may not be used for area lighting or general illumination. It is important to keep this lighting subtle, as it can otherwise overwhelm nearby homes and common areas. String lighting must receive DRC approval **prior** to installation. This style of lighting does not include temporary holiday lighting and décor in the front yard.
    - a. String lights are permitted on/in the rear of the home only. Front yard string lighting is prohibited.
    - b. String lights are permitted around or under a patio cover or gazebo given the strings are attached to the interior side, fully enclosed under the structure and, secured tightly so they do not hang down.
    - c. Freestanding/Pole secured string lights may be approvable provided that the pole supporting the lighting is located no closer than 3 feet to a side yard, 5 feet from the rear property line and 7 feet from the rear property line when adjacent to a street. Poles may not be taller than 9 feet and must be finished in a color that coordinates with the home.
    - d. String lighting may be installed on open view fencing at the top of the fence panel, pointed downward in a straight line following the fence line.
    - e. String lighting may be installed along the interior of solid fencing, below the fence line only.
    - f. All fencing string lights should be attached in such a way that it does not pierce or damage the fence or wall. Removable hooks are recommended.
    - g. String lights are prohibited from being hung on or from a second story roof line.
    - h. Minimum spacing of bulbs is 12".
    - i. String lights must be warm white, with bulbs no longer than four (4) inches, with a total illumination level of 40 lumens per bulb or less (or the equivalent). Colored lights are not permitted.
    - j. The lighting must not be allowed to fall into disrepair.
    - k. String lights must be turned off by 10:00pm Sunday through Thursday and 11pm on Friday and Saturday.
    - l. Any lighting installation determined by the Board of Directors to be a nuisance or otherwise in violation of the above standards must be removed.
    - m. It is the Owner's sole responsible to ensure all local ordinance are met and any applicable permits are obtained pertaining to the lighting.

#### **D. Miscellaneous.**

1. **Signs.**
  - a. **Submittal Requirements:** Noncommercial signs and posters that are more than 9 square feet in size and noncommercial flags or banners that are more than 15 square feet in size must be submitted to the DRC in accordance with the procedures set forth in the Declaration and these Design Guidelines.
  - b. **Guidelines:** Each Owner may install a noncommercial sign, poster, flag or banner on the Owner's Residential Lot that complies with the following requirements:
    - i. a noncommercial sign or poster may not be more than nine (9) square feet in size and a



- i. Owners may display a flag of the United States made of fabric, cloth or paper displayed from a house-attached flagpole within a Residential Lot. Flags must be maintained continually in good repair.
  - ii. Owners may not display a depiction or emblem of the United States flag made of lights, paint, roofing, siding, paving materials, flora or balloons or any other similar building, landscaping or decorative component.
  - iii. All other flags must be submitted to the DRC in accordance with the procedures set forth in the Declaration and these Design Guidelines.
- b. Non-commercial flags are permitted with the following requirements:
  - i. The flag brackets shall be compatible with the color and scale of the Residence.
  - ii. Flags may not exceed 15 square feet in size.
  - iii. Flags must be maintained continually in good repair.
  - iv. House-attached flagpoles shall be no longer than 6 feet in length.
  - v. Flagpoles must be removed when a flag is not displayed.
- c. Freestanding flagpoles are not permitted in the front yard and may only be placed in the rear yard with approval of the location and size.
  - i. Flags must be maintained continually in good repair.
  - ii. Height cannot be more than 15 feet when measured from the original grade.
  - iii. The flagpole must be at least three (3) feet from all shared fences, walls, structures. If not placed near a shared fence, wall or structure and flag does not extend into a neighboring Residential Lot, flagpole may be placed 1 foot from fence, wall or structure.
  - iv. Permanent flag poles must be of aluminum, stainless steel, or fiberglass and must withstand strong winds and be securely imbedded in a pipe cemented into the ground.
  - v. The lanyard shall be made of material other than metal to mitigate noise.
  - vi. The finish material or color of the flagpole shall be cohesive to the residence. No bright colors.
  - vii. The flagpole diameter shall be no greater than the maximum needed to hold the flag
  - viii. Lighting shall be for the purpose of illuminating the flag and shall not be so bright as to incumber neighbors.
  - ix. The flagpole shall have a reinforced footing.

6. **Doghouses.**

- a. Doghouses and other pet enclosures are only allowed in rear yard of the Residential Lot and must not be taller than the fence line.

7. **Clotheslines.**

- a. No exterior clothesline shall be erected or maintained or hung within any Residential lot (excluding inside the Residence), except that backyards may be used for clotheslines or drying racks provided that such laundering apparatuses are not visible over the fence line or from common area. There shall be no exterior drying or laundering of clothes, towels or any other items on Association Property or Association Maintenance Areas.

9. **Special Notes.**

- a. It is important that Improvements such as concrete slabs, decks, planters and walls be designed by qualified soils and structural engineers to compensate for expansive soil conditions and slope creep. Owners are solely responsible for Residential Lot irrigation, landscape maintenance and control of burrowing animals on all landscaped areas on their Residential Lot.
- b. Air conditioning units are not to be moved without DRC approval.
- c. Window A/C units are prohibited.
- d. Ground mounted air conditioners, swimming pool pumps, heaters, filters, and fans may be located in a required side or rear yard provided that such structures or equipment do not exceed a height of 54 inches measured from the base of the unit. Such equipment shall not be visible from adjacent property or street.

## Section V: General Conditions of Approval

The following shall be conditions of any DRC approval and shall be deemed incorporated by reference into all Plans and Specifications and DRC approval. It shall be the responsibility of the applying Owner to ensure that these conditions are enforced upon all persons or firms used, engaged or employed in carrying out any operation or trade in conjunction with the Improvement. The DRC may condition its approval of Plans and Specifications with such changes it deems appropriate and may require submission of additional Plans and Specifications or other information or materials prior to approving or disapproving an application or Plans and Specifications.

### A. Occupational Safety and Health Act (“OSHA”) Compliance.

All applicable OSHA regulations and guidelines and all other Applicable Laws must be strictly observed at all times.

### B. Working Hours.

Working hours for any Improvements are limited to Monday through Saturday, 7:00 a.m. to 6:00 p.m. or such hours as are permitted by the city, whichever are more restrictive. No work is allowed on Sundays or on Federal or State holidays. Workers may access the Community thirty minutes before the applicable “Working Hours,” but may not make any disruptive noise until “Working Hours” begin. Painting that does not disrupt others and work that does not create disturbing noise, vibrations or odors is not subject to the “Working Hours” limitation.

### C. Temporary Structure.

No structure of a temporary character will be permitted to remain on any Residential Lot without the written approval of the DRC.

### D. Sanitary Facilities.

Each Owner shall be responsible for providing adequate sanitary facilities for their construction workers. Portable toilets or similar temporary toilet facilities shall be located only on the Residential Lot itself, setback 5 feet from the side yard property line, or in a location approved by the DRC. A 7-day maximum is allowed for portable toilets to be on an owner’s property unless otherwise approved by the association.

### E. Debris Removal.

The Residential Lot is to be cleaned at least once a day during construction. Debris must be removed from the site or placed in a debris bin. Refer to Water Quality Management Best Practice Guidelines, (Form E), attached to these Design Guidelines. Trash Dumpsters are allowed for up to a 7-day period and should be placed in the driveway of the residence when possible

### F. Unightly Items.

All rubbish and unsightly material or objects of any kind shall be regularly removed from the Residential Lot and will not be allowed to accumulate thereon. Removal shall be done on a regular basis and rubbish will not be allowed to accumulate on streets or Association Property. The Owner will be responsible for the cost of any trash cleanup work performed by the Association due to Owner’s failure to adhere to these requirements. Owners are prohibited from dumping, burying, or burning trash anywhere within the Community. Concrete trucks washing out their spill pans before leaving the construction site shall do so only on the Residential Lot and with adherence Refer to Water Quality Management Best Management Practice Guidelines, (Form E)

### G. Streets and Sidewalks.

No construction debris or material is permitted to remain on the Community’s streets or walkways. All items of such nature must be stored on the Residential Lot. In the event that any materials are delivered or deposited on the streets, walkways or in Association Property, the Owner will be held responsible for the costs involved in cleaning and/or restoring the affected Association Property, streets and walkways to their original condition.

**H. Street Trees and Parkway Improvements.**

Street trees shall be protected in place in a healthy condition during all phases of construction. All parkway irrigation and planting improvements shall likewise be protected in place in a functional and healthy condition during all phases of construction.

Pursuant to the requirements of the city, Declarant has installed City required trees within the boundaries of certain Residential Lots (“City Required Trees”). Owner shall not remove, alter or replace any City Required Tree installed by Declarant without first obtaining (i) the City’s consent and/or the proper permit from the City, (ii) the approval of Declarant so long as Declarant owns any portion of the Property or Annexable Property, and (iii) the Association the Design Review approval process.

Each Owner shall be responsible to maintain, irrigate, prune and replace the City Required Tree and to maintain the City Required Tree irrigation, in accordance with City standards. To the extent a City Required Tree dies or needs to be replaced, the Owner shall replace the tree with a City approved tree, and such replacement shall require all approvals set forth in the section above. The type of tree shall conform to those that were original to the design of the tract. A palm tree is not an acceptable replacement for a street tree.

**I. Building Permits.**

Building permits may be required for certain Improvements or changes. The applicant shall obtain DRC approval of any Improvements requiring a building permit prior to requesting such permit from the City or other Governmental Agency.

**J. Damage.**

An Owner shall be responsible for any damage to the Association Property or Association Maintenance Areas caused by an Owner or such Owner’s Invitees, including without limitation any person or entity performing work on the Owner’s Improvements, or any other persons deriving their right to use or access the Association Property or Association Maintenance Areas from the Owner or such Owner’s family, tenants or guests, as set forth in the Declaration.

**K. Effect of Approval.**

Approval of Plans and Specifications is not authorization to proceed with Improvements on any property other than the Residential Lot owned by the applicant.

**L. Building Code Requirements.**

It shall be the responsibility of the Owner to ensure that proposed modifications are consistent with applicable building code requirements and other Applicable Laws.

**M. Requirements for Contractors, Subcontractors and any Other Workers.****1. Insurance and Contractors License.**

Each Owner shall ensure that all contractors, subcontractors, or any other person or entity who/which performs work on or within the Community, including without limitation the interior of any Residence or any Residential Lot, have proper proof of insurance, proof of valid workers’ compensation insurance, a California State Contractors License (if applicable) and a Business License (if applicable).

**2. Owner Responsibility.**

Each Owner is responsible for any violations by such Owner’s contractor or subcontractors of the Design Guidelines, the Association Rules and the Declaration.

**3. Damage.**

Any damage caused by contractors or sub-contractors to any Association Property, Association Maintenance Areas, or another Owner’s Residential Lot is the Owner’s responsibility. Any damage must be reported immediately to the Management Company. The Owner will be held liable for the actions of his/her contractors, subcontractors and/or workers and the Owner will be responsible for any costs of repair incurred by the Association in accordance with the Declaration.

**4. Parking of Vehicles.**

Contractors must park vehicles in accordance with the Association Rules and any other requirements established by the Association.

**5. Conduct by Workers.**

Workers are not allowed to bring their pets within the Community. Workers are prohibited from creating nuisance noise unrelated to the construction work. All workers must wear shoes, pants or shorts and shirts at all times. No workers may use the power from the Association Property or Association Maintenance Areas.

**6. Stopping Work.**

The Association has the right to stop any work that is in violation of these regulations, creates a fire or safety hazard, or interferes with activities in the Association Property or Association Maintenance Areas.

**7. Equipment.**

Workers are prohibited from leaving their equipment on the Association Property or Community streets. The Association is not responsible for the disappearance or theft of any tools, equipment or materials left in the Association Property.

**8. Construction Materials.**

All construction materials must be stored within an Owner's Residential Lot. Any construction materials that are delivered and deposited on the Community Streets or Shared motor court must be relocated to the Owner's Residential Lot. The Owner who is making the Improvements shall be responsible for removing all debris and maintaining all portions of the Association Property affected by the applicant's construction activities, including any Community Street, Shared motor courts and walkways, in a clean and attractive condition. The Board has the right to levy Compliance Assessments against the Owner who is making the Improvements to recover the cost of cleaning or restoring any Association Property to the condition that existed prior to the commencement of such Improvements pursuant to the Declaration and the Bylaws.

**9. Construction Equipment.**

The Owner who is making Improvements shall be responsible for ensuring that construction equipment such as trucks, concrete mixers, trailers, trash bins, and compressors shall not be parked or placed on the streets for an unreasonable amount of time. Any damage to the Community Street, Shared motor courts, curbs, landscaped areas, fences, walls or other Association Property improvement shall be repaired at the Owner's expense. If such expenses are not promptly repaid by the Owner's to the Association, the Board shall, after Notice and Hearing, levy a Compliance Assessment against such Owner for reimbursement.

**10. Violation of Rules.**

The Board has the right to levy against the Owner who is making such Improvements, Compliance Assessments as a disciplinary measure for a violation of the rules and regulations set forth herein and for reimbursement of any costs incurred by the Association in the repair of damage for which such Owner, or such Owner's agents or contractors was allegedly responsible, as set forth in the Declaration and the Association Rules and Regulations.

**N. Dust and Noise.**

The Owner shall be responsible for controlling dust and noise from any construction on his or her Residential Lot.

**O. Excavation.**

Excess excavation materials must be hauled away in a legal manner and must be properly protected with plastic and sandbags so that loose soils will not wash down into the Community's storm drains.

**P. Restoration or Repair of Other Property Damaged.**

Damage to other property, including without limitation, other Residential Lots, Association Property, or other Improvements shall be repaired or restored promptly at the expense of the Owner of the Lot where the construction activity is taking place. Upon completion of construction, the Owner shall clean the construction site and repair or restore all damaged property, including without limitation, restoring grades, and repairing streets, curbs, driveways, sidewalks, drains, culverts, ditches, signs, lighting, fencing, irrigation and planting.

**Q. Maintenance of Improvements.**

The repair and maintenance of any work or Improvements will be the responsibility of the installing Owner and subsequent Owners of the Residential Lot.

**R. Drainage.**

There shall be no interference with the originally installed rain gutters, downspouts, subterranean drain line(s), or other drainage systems (whether surface or subterranean) or any other interference with the established drainage pattern over any of the Residential Lot or Association Property. All on Residential Lot drainage systems shall be connected to the existing drain line from the in-street storm drain to one or several roof gutter down spouts. The Owner shall protect all such existing drain lines in place.

**S. Workmanship.**

The quality of new Improvements shall match the quality of the existing structures. Any work deemed by the DRC to be of inferior quality shall be reworked or removed and the building restored by the Owner to its original condition prior to commencement of the work by the Owner. If the Owner refuses to rework or remove and restore as called for above, the DRC shall request the Board of Directors to cause such rework, removal or restoration and the cost thereof shall be a Compliance Assessment against the Owner as provided in the Declaration.

**T. Enforcement, Failure to Comply with Required Procedures.**

If any design change is made without the approval of the Design Review Committee or any violation of the Design Guidelines occurs, the Association Board may deliver written notice of the violation to the Owner. The violation notice shall specify a time period for removal of the non-conforming Improvement that has reasonably been determined is necessary to remove. The Owner shall, upon receipt of the violation notice, remove the non-conforming Improvement within the time period specified in the violation notice. If an Owner fails to remove the non-conforming Improvement within the time period specified in the violation notice, the Association Board shall then provide the Owner with Notice and Hearing to consider the Owner's continuing violation. At the Hearing, if the Association Board finds that there is no valid reason for the continuing violation, the Association Board may levy a fine in accordance with the fine schedule set forth in the Rules and Regulations and/or may determine the estimated costs of correcting the violation. The Association Board may require the Owner to remedy or correct the violation within a period of not more than 45 days from the date of the Association Board's determination. If the Owner does not comply with the Association Board's decision within such period or within any extension of such period as the Association Board, in its discretion, may grant, the Association Board may either remove the non-complying Improvement or remedy the violation. The cost of correcting the violation plus attorneys' fees and costs incurred by the Association shall be assessed against the Owner as a Compliance Assessment. The decision of the Association Board shall be final.

**U. Violations.**

All Owners have the right and the responsibility to bring to the attention of the DRC any violations of the Declaration and these Design Guidelines.

**V. Amendments.**

These Design Guidelines, along with the provisions set forth in the Declaration for the Community, form the basis and criteria for evaluation of Applications, including Plans and Specifications, submitted for review and approval by the DRC. The Design Guidelines may be amended or supplemented from time to time as provided for in the Declaration.

**W. Conditions Not Covered.**

With respect to any proposed Improvement or other condition not specifically addressed in these Design Guidelines, the DRC shall apply these Design Guidelines in the manner that is most consistent with the original

architectural and landscaping character established by the Declarant for the Community where the Owner proposes to construct the Improvements, so as to preserve aesthetic harmony between the proposed Improvements and the existing Improvements within the Community.

**X. Inapplicability to Declarant.**

In accordance with the Declaration, nothing in these Design Guidelines shall apply to any Improvements installed or repaired by Declarant or limit the rights of the Declarant to construct Improvements on any Residential Lot or Association Property.

**Y. Contractor BMPs.**

See Water Quality Management Best Management Practice Guidelines, (Form E)

# Forms

**TOURNAMENT HILLS COMMUNITY ASSOCIATION  
DESIGN GUIDELINES – FORMS**

**FORM A: NEW OWNER TIMELINE FORM**

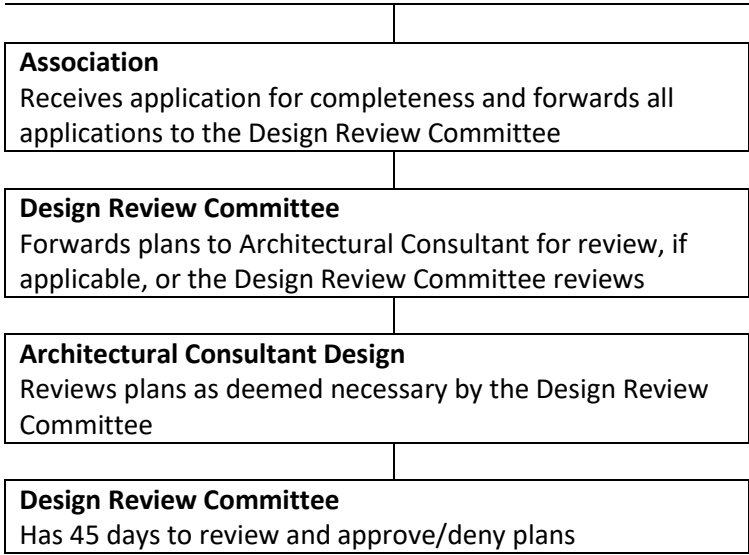
This timeline will assist you in determining the dates you should be aware of for the first-time installation of landscape improvements.

Deadline Date	Requirement
Deadline is six (6) months from close of escrow	Submit plans for rear yard landscape improvements.
Deadline is twelve (12) months from close of escrow	Complete rear yard landscape improvements and submit notice of completion.

**Application Submittal / Review Process**

**Owner Completes and Forwards:**

1. Design Review Application (1 copy)
2. Color Photos of Area
3. Review Fees
4. 1 Sets of Plans and Specifications



**Approve Plans**

**Returned to Owner**

1. Approved stamped copy of the Design Review Application
2. DRC Approved Plan Letter noting any conditions that must be followed

**Denied Plans**

**Returned to Owner**

1. Stamped copy of the Design Review Application
2. DRC Letter listing why specific items are not approved and what should be changed to comply.

## TOURNAMENT HILLS COMMUNITY ASSOCIATION DESIGN GUIDELINES – FORMS

### FORM B: DESIGN REVIEW APPLICATION CHECKLIST

This checklist shall be completed by the Owner and be attached to the Design Review Request Form. Failure to complete and include this checklist will cause the submittal application to be deemed an incomplete submittal. All incomplete submittals will be returned without review by the Design Review Committee.

**SUBMITTAL FEES:** as outlined in Section II of the Design Guidelines: “Design Review Classifications” Collected at the time of plan submission. A check made payable to the “**Tournament Hills Community Association**” is required in either of the following amounts:

- \$150.00 Review Fee, Non-Refundable. No submittal fee for pre-approved improvements or minor review. (includes initial submittal and two re-submittal of the same plan and a NOC review)

A description of what must be included on each of the forms required below may be found in the Design Guidelines. **Please check all that apply:**

**PART I - ALL IMPROVEMENTS:** This part lists the submittal requirements for **ALL IMPROVEMENTS** and must be included with **ANY AND ALL** submittal requests.

- Completed Design Review Application Checklist (Form B)
- Completed Design Review Request Form (Form C)
- Plot Plan; drawn to scale
- Completed, signed copy of the Water Quality Management Best Management Practice Guidelines (Form E)
- Color Photos of the yard and home, front, side and rear, prior to changes
- Plans and specifications showing the location, nature, kind, shape, height and materials, including the color and any other requirements set forth herein (“**Plans and Specifications**”), clearly indicating all proposed modifications
- Description of materials and colors and material samples

**PART II –IMPROVEMENTS:** Include any of these items are the related to the improvements requested:

- Landscape Construction Plan and Details
- Grading and Drainage Plan
- Irrigation Plan
- Planting Plan
- Landscape Lighting Plan
- Exterior Elevations/Building Sections
- Floor Plan (must be included on a Plot Plan)
- Roof Plan
- Finish and Materials Schedule
- Permits and licenses, if applicable

**TOURNAMENT HILLS COMMUNITY ASSOCIATION  
DESIGN GUIDELINES – FORMS**

**FORM B: DESIGN REVIEW APPLICATION CHECKLIST (Continued)**

I (WE) UNDERSTAND AND AGREE THAT:

**No work on any improvement described on my Design Review Request Form shall commence until written approval of the Design Review Committee has been received.** Proposed improvements may require a permit from the City Building Department or other government agencies and Owner will obtain all required permits before commencing any work. No work will change the existing drainage patterns. Any changes in the existing drainage pattern may result in substantial damage to adjacent properties, for which Owner will be held responsible. The conditions and restrictions noted in the Design Guidelines and Declaration shall apply to any approval.

I (We) assumes the responsibility for any work, including conformity of completed improvements to the Plans and Specifications as approved by the Board or the Design Review Committee and the satisfaction of any time limitations for their completion as may be specified in conjunction with such approval under the above proposed modifications/improvements.

Further, I (We) assumes full responsibility for any work and that any contractor accomplishes which may, in the future, adversely affect adjacent properties and/or Association Property. I (We) will assume responsibility for all future maintenance of the modifications and/or improvements. I (We) shall complete all improvements within six (6) months of approval, other than the initial landscaping for the entire rear lot, which must be completed within twelve (12) months of Close of Escrow.

I (We) understands that prior to commencing any work Owner must provide a fee to the Association as set forth in the Design Guidelines.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Do not write below this line (For Board/Design Review Committee use only)**

- Form B Fees Received
- Form B Part I Received
- Form B Part II Received
- Form B Signed
- Form C Completed

Check Number: \_\_\_\_\_

Check Number: \_\_\_\_\_

Accepted as a Complete Package Date: \_\_\_\_\_

Accepted by Association Staff Name: \_\_\_\_\_

**TOURNAMENT HILLS COMMUNITY ASSOCIATION  
DESIGN GUIDELINES – FORMS**

**FORM C: DESIGN REVIEW REQUEST FORM**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Property Address: \_\_\_\_\_

Mailing Address (if different from above): \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Type of Work:  
(Please Check one or more)

- Architectural  Landscape  Hardscape  Water Feature  Patio Cover  Lighting
- Solar Equipment  Other  \_\_\_\_\_

**Mail or deliver to:**

**Tournament Hills Community Association**  
 c/o Action Property Management  
 1250 Corona Pointe Court, Suite 404  
 Corona, CA 92879  
 Phone: (800) 400-2284  
 Website: www.actionlife.com

Do not write below this line (For Board/Design Review Committee use only)

Design Review Committee’s response is subject to notes on plan and Design Review Committee approval letter.

- APPROVAL
- APPROVED WITH CONDITIONS NOTED ON CHECKLIST
- DISAPPROVED WITH COMMENTS NOTED ON CHECKLIST
- RESUBMIT ITEMS LISTED:

---



---



---



---

- RESUBMIT WITH INCOMPLETE ITEMS LISTED:

---



---



---



---

**TOURNAMENT HILLS COMMUNITY ASSOCIATION  
DESIGN GUIDELINES – FORMS**

**FORM D: NOTICE OF COMPLETION WITH PHOTOS**

**Owner shall complete the following:**

*I hereby certify that all work has been completed and done in substantial compliance with the approved Plans and Specifications and the Design Guidelines.*

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Property Address: \_\_\_\_\_ Mailing Address (if different): \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Owner Signature: \_\_\_\_\_

Type of Work:

(Please Check one or more)

Architectural  Landscape  Hardscape  Water Feature  Patio Cover  Lighting

Solar Equipment  Other  \_\_\_\_\_

**Submit color photographs of all installed improvements in both front and back yard including retaining wall systems, drain inlets, walkways, light fixtures, equipment areas, pools, patio covers, backs of fireplaces, equipment areas and trees/plantings.**

**Do not write below this line (For Board/Design Review Committee use only)**

**The Design Review Committee conducted the Final Inspection by:**

Reviewing the Owner submitted photographs  Conducting a site visit

**The Design Review Committee recommends the following:**

- APPROVED: Final inspection is complete, and the Improvements are in substantial conformance with the approved plans and the Design Guidelines.
- DISAPPROVED: The Improvements are **not** in substantial conformance with the approved plans, specifications and/or Design Guidelines. The Applicant must complete/modify/remove the items noted below. After all items have been corrected, re-submit to the DRC for final approval.

\_\_\_\_\_ **DRC Authorized Representative Signature**

\_\_\_\_\_ **Date**

**Improvements to be removed or modified by Owner:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**If no Improvements must be removed or modified, insert "None."**

## TOURNAMENT HILLS COMMUNITY ASSOCIATION DESIGN GUIDELINES – FORMS

### FORM E: WATER QUALITY MANAGEMENT BEST PRACTICE GUIDELINES

In order to mitigate the potential water pollution concerns associated with human habitation, the California Water Quality Management Board has set strict guidelines for the Community regarding the effects of runoff and storm water pollution.

One of the most sensitive and carefully monitored phases of the Community is the construction period. The requirements are not merely restricted to the development and construction managed by the Community's builder – construction by Owners will also be scrutinized and subject to very severe fines.

To be certain that you understand and accept responsibility for any violations associated with your proposed Improvements; each Owner is required to review this section. It must be signed and returned by you as a required part of your application submitted to the DRC. You must also make a copy for and provide this document to any contractors or consultants whom you employ to ensure their compliance with these requirements, and you should make them responsible for any fines which you may incur as a result of their violation of same. The Association will monitor construction activities as well as check on Best Management Practices; however, the Owner will be solely responsible for any fines incurred by the Association as a result of infractions initiated at Owner's Residence. The Association will take whatever legal action is necessary to ensure compliance and collect for infractions charged to the Association as a result of Owner's, or Owner's contractor's or consultant's, acts or negligence or failure to comply with these requirements.

The following requirements are not meant to be all-inclusive of Regional Water Quality Control Board requirements or of any other agency. It should be understood that any applicable agency's rules and requirements may/will be applied to the activities of any Owner and may supersede these Guidelines. All resulting fines imposed on the Association, or the Owner as a result of any violation of Applicable Laws will be the responsibility of the Owner and the Owner shall indemnify, defend and hold harmless the Association from any such fines or penalties incurred as a result of any violation by Applicable Laws, including without limitation any guidelines or restrictions provided by the California Water Quality Management Board.

1. No construction materials, chemicals or substances may be disposed of or poured into the area drains, street and/or gutter.
2. Area drains should be shielded and/or covered to ensure that construction by-products and/or chemicals are not washed into them.
3. No tools or equipment may be rinsed off on the property in a manner that causes the water to reach the area drains, street and/or gutter.
4. No unprotected stockpiling of sand, gravel, dirt or other materials in the street is permitted.
5. Any sand, gravel, dirt or other materials piled/stored on the driveway or Owner's Residential Lot must be effectively covered to prevent rain or irrigation water runoff from carrying material residue into the area drains, street and/or gutter.
6. In the event of a runoff event or spill, sandbags must be strategically placed to ensure that no substance makes its way into the area drains and/or storm drains.
7. Hoses and/or irrigation should not be allowed to run in a manner that causes water or any substance to wash into the area drains, street and/or gutter.
8. Containers for hazardous materials such as paint, concrete, chemicals, etc. must be in good condition and not allowed to spill or leak onto the ground or be washed into the area drains, street and/or gutters.
9. No products or chemicals should be buried for disposal.
10. Trash and debris should be properly contained and disposed of off-site.
11. No vehicles or equipment should be allowed to leak oil anywhere.
12. No portable restroom facility may be allowed in the street and those stored on the Owner's Residential Lot must be in proper working order so that no waste leaks.

- 13. Pesticides and/or fertilizers must be monitored and properly used and stored.
- 14. No irrigation runoff should reach the street and/or gutter, as such runoff may carry chemicals from pesticides, fertilizers, etc., into the storm drain.
- 15. Pesticides and/or fertilizers must be monitored and properly used and stored.
- 16. No irrigation runoff should reach the street and/or gutter, as such runoff may carry chemicals from pesticides, fertilizers, etc., into the storm drain.

THE BASIC GOAL IS TWO-FOLD:

- 1. No materials, other than rainwater, should be allowed to flow into the area drains and/or storm drains.
- 2. No chemicals or products should be allowed to contaminate the groundwater supply.

In addition to the foregoing, you have previously been provided with a set of educational materials attached to the Association Rules regarding best practices associated with water quality and associated issues. You should carefully review these materials and provide them to any contractors or consultants who will be performing work on your Residential Lot or who will be entering the Community at your request. As referenced above, you are responsible for any violations of Applicable Laws by such individuals or entities.

ACCEPTANCE AND ACKNOWLEDGMENT

I am the homeowner of record for the residence noted below. I have read and understand the Water Quality Management Best Management Practice Guidelines and agree to inform my contractors and consultants of same and to diligently pursue their compliance with such guidelines. I also understand my liability in the event of an infraction resulting in a fine against me and/or the Association. I understand that I will be held personally responsible for any fines and/or fees levied against me and/or the Association as a result of any infractions caused by me, my contractors or my consultants in connection with the construction, maintenance, or any other activities on my Residential Lot.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

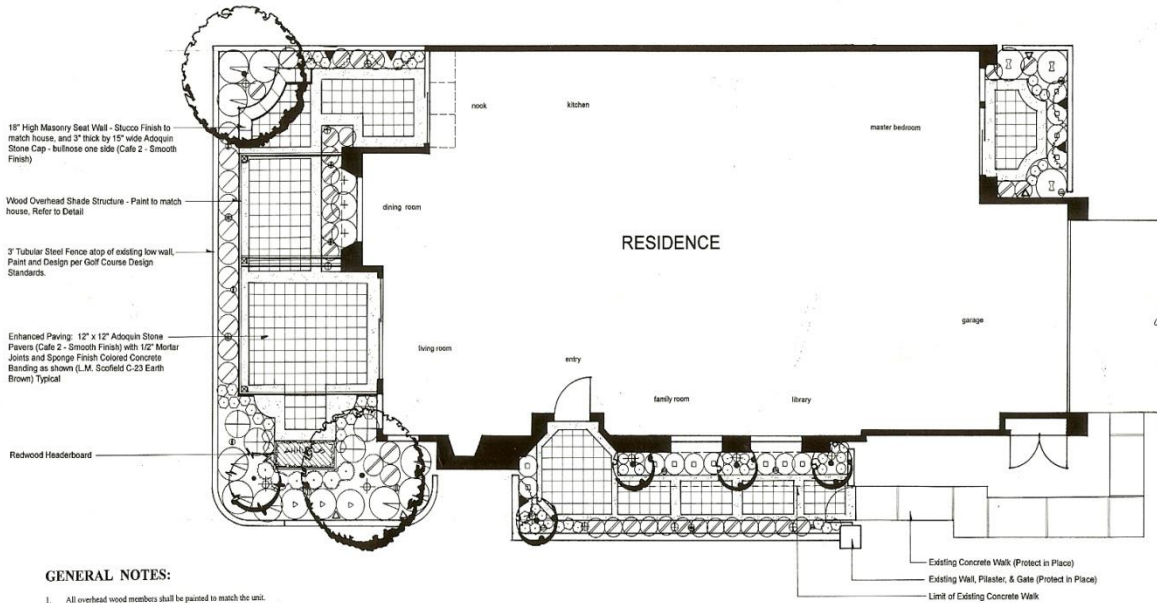
## Exhibit A: Sample Landscape Plan Submittal Document

### FINISH GRADING and DRAINAGE NOTE:

1. All planting areas shall have positive surface drainage of 2% minimum.
2. All finish grade work shall be maintained away from building walls.
3. All paved surfaces shall have positive surface drainage at 1% minimum to planting areas which in turn shall drain to the street in front of the house by means of sheet flow to established flow lines and/or to landscape area drains connected to the existing drainage system of PVC or ABS drain lines, as acceptable to the governing agency.

### IRRIGATION NOTE:

The project landscape planting areas shall receive the following irrigation system. Low precipitation flat shock and turf spray system automatically programmed with an electric controller. System components will include a gate valve at the point of connection, back flow device, electrically operated remote control valves, and flat spray irrigation nozzles on 12" pop-up bodies in shrub beds supplied by PVC schedule 40 mainline and lateral lines sized according to hydraulic calculations. Cuts shall be determined by solar orientation and planting area. 100% head to head coverage shall be achieved throughout the system.



### GENERAL NOTES:

1. All overhead wood members shall be painted to match the unit.
2. Additional area drains shall be provided at all roof drain down spout locations.
3. Owner shall approve location of irrigation controller and valves.
4. Owner shall approve lighting fixtures and location of lighting timer.
5. Owner shall approve concrete finish and color.
6. Contractor shall review all existing site conditions prior to submitting bid and prior to commencing installation. Any discrepancies shall be brought to the immediate attention of the Owner.
7. Contractor shall verify location of all utilities prior to construction and shall be held liable for all damages incurred.
8. 12\"/>

### PRELIMINARY PLAN LIMITATIONS

1. This document is a preliminary plan and is not intended to be used for construction purposes. It is intended to illustrate the design concept and to provide information for the owner's review and approval.
2. The owner shall verify the accuracy of all information provided herein and shall be held liable for any errors or omissions.
3. The contractor shall verify the location of all utilities prior to construction and shall be held liable for all damages incurred.
4. The contractor shall verify the location of all existing site conditions prior to submitting bid and prior to commencing installation.

LEGEND		
<b>TREES</b>	<b>VINES</b>	<b>SUB SHRUBS</b>
Pyrus Kawabami - (2) 24\"/>	Clematis armandi - (4) 5 Gal.	Sunlover Supertunia - (25) 1 Gal.
Magnolia liliiflora 'Nigra' - 1 24\"/>	Clematis armandi - (4) 5 Gal.	Hamamelis hybrida - (5) 1 Gal.
Lily Magnolia	<b>SHRUBS</b>	Agapanthus a. 'Peter Pan' - (25) 1 Gal.
<b>PATIO TREE</b>	Azalea 'Redwing' - (13) 5 Gal.	Iris sempervirens - (25) 1 Gal.
Abutilon h. 'Rosaeus' - (4) 15 Gal.	Camellia s. 'Jean May' - (3) 5 Gal.	<b>GROUNDCOVERS</b>
Flowering Maple	Camellia j. 'Jordans Pride' - (3) 15 Gal.	Master Bedroom & Entry: Habrobo salsicola (Baby Tears)
<b>ESPALIER</b>	Diates vegata - (9) 5 Gal.	Backyard: Polygonum capitatum (Pink Clover)
Camellia s. 'Hana Jimai' - (5) 15 Gal.	Escallonia s. 'Newport Dwarf' - (12) 5 Gal.	<b>SITE UTILITIES</b>
	Hebe 'Laker' - (3) 5 Gal.	Low Voltage Up-Light
	Rosa hybrid Tea - (4) 5 Gal.	Low Voltage 'Tulip' Walk Light
	Owner to Select	



Scale: 1/4"=1'-0"

Note: This exhibit is intended to illustrate graphic and information requirements only. Plan does not reflect a product in the Community.