

Laguna Audubon II

Master Association

Dear Homeowner:

We are excited to provide you with the updated and revised *Community Design Guidelines* for the Laguna Audubon II Master Association! These *Community Design Guidelines* are designed with the goal of maintaining the aesthetic beauty of our Community, while incorporating new standards. An Addendum has been formulated which incorporates recommendations and examples to guide you in planning your improvements, additions or alterations. The new Guidelines provide clearer submittal requirements and procedures to assist you in preparing plans for review by the Architectural Committee.

Remember that all exterior improvements to your lot must be approved by the Community's Architectural Committee prior to you beginning any construction activity. Homeowners may not make any alteration, removal, relocation, repainting, demolition, addition, installation, modification, decoration, redecoration, or reconstruction of any improvements, including landscaping and lighting on their property until the plans and specifications showing of the proposed improvement have been submitted to and approved in writing by the Architectural Committee.

Please review these *Community Design Guidelines* prior to completing your application form to ensure your submittal is complete. If at any time you have any questions regarding the review process, please contact your management representative at 949-672-9051

Some frequently asked questions are briefly answered in this letter, however more detailed information regarding architectural and landscape guidelines as well as submittal requirements and procedures are contained within the attached document

Frequently Asked Questions:

What types of improvements require an application?

An application is required for any architectural improvement involving **any** changes to the exterior of the original house or attached or detached structures, or additions, including changes, to the exterior material and/or colors. For example, paint, landscape, lighting and hardscape changes require approval by the Architectural Committee. Interior changes which do not affect the exterior appearance of the home do not require an application. If you are in doubt about whether an application is required or not, it is best to get verification from the property management company. An application is also required for all constructed landscape improvements and new plant material, excepting annual planting and ongoing landscape maintenance. Any proposed tree or shrub that is expected to reach a height of six (6') feet at maturity requires approval from the Committee, even if the proposed tree is within the rear yard area.

When should I submit an application?

The Covenants, Conditions and Restrictions (CC&Rs) require the Architectural Committee respond to all written requests within thirty **(30) days** of their receipt. We recommend that you

submit your application more than forty-five **(45) days** before your planned start of construction to allow the Architectural Committee ample time to complete its review. Be aware that incomplete applications or inaccurate plans may cause the Committee to request a re-submittal which may delay the final approval of the proposed improvements.

Do we also need to submit plans to the City?

If any proposed improvements require building permits or any approvals from the City, the homeowner is responsible for obtaining them from the City and/or other agencies after obtaining the written approval from the Architectural Committee.

What Should My Plans Include?

The thing to remember is that the Architectural Committee reviews homeowner's plans from an aesthetic perspective. That means the plans that are submitted need to clearly convey what the proposed improvements will look like. The more information provided the better! The Committee will review the plans to determine if the proposed improvements will be compatible with the character of the Community and consistent with the Guidelines.

Please refer to the Submittal Requirements section of the Community Guidelines for a detailed description of the requirements.

What if I want to re-paint my house?

Homeowners who wish to repaint their home the existing color, which may be the original builder color, are required to submit an application indicating the intended location for each color along with the proposed (existing) color paint chips from the paint store so that the Committee may determine that the proposed colors are indeed the existing colors or follow the criteria outlined in the Guidelines.

Homeowners who wish to change the color of their home to one of the color schemes from the currently approved palette need to submit an application indicating the proposed scheme and intended location for each color. Submittal criteria are outlined in the *Guidelines*.

What do I do after my improvements are completed?

Homeowners are required to submit a Notice of Completion (Exhibit C) along with photos clearly depicting the completed improvements within thirty (30) days after construction is completed. The committee will determine whether the construction was completed according to the approved plans and consistent with the Guidelines. ***Failure to submit the Notice of Completion constitutes a violation of the CC&Rs.***

We believe that you will find the new Laguna Audubon II Community Guidelines to be a valuable tool to you when you are contemplating making improvements to your home and property. The Guidelines should be read and fully understood by whoever is preparing the applications and plans for submittal to the Committee. If you are using a design professional, consultant, or contractor to assist you in designing your improvements, you should have them read the Guidelines.

Sincerely,

**Board of Directors
Laguna Audubon II Master Association**

Laguna Audubon II



*Community
Design
Guidelines*

April 2020

Master Association

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INTRODUCTION

The Laguna Audubon II Community

Laguna Audubon II is a master planned community within a hillside setting in the City of Aliso Viejo, although it was originally developed under the jurisdiction of the County of Orange. As a planned community, the physical character of the Community, the distribution of common open space and amenities, and a maintenance plan of all common areas were established. The Laguna Audubon II Master Association manages the common area properties and common improvements within the Community and has other responsibilities as outlined in the Declaration of Covenants, Conditions and Restrictions (“CC&Rs”).

Responsibility of the Laguna Audubon II Master Association

One of the responsibilities of the Laguna Audubon II Master Association is the management of the physical character of the Community to enhance the desirability and attractiveness of the area. The Association is charged with the administration and enforcement of architectural control within the Community by the authority given to it in the CC&Rs. The CC&Rs also authorize the Association to establish, and amend as necessary, architectural rules such as these *Community Design Guidelines* to be administered by an appointed Architectural Committee (Committee).

The CC&Rs provide the authority to establish procedural rules appropriate to the type and nature of the proposed “Improvement” for which drawings have been submitted. The Guidelines may include, without limitation, procedural rules for submitting plans and specifications to the Committee, time frames for completing improvements as defined in the CC&Rs, a schedule of fees for submission of plans and specifications, and bonds to ensure proper completion and clean-up of the work.

Purpose of the Community Design Guidelines

The purpose of these *Laguna Audubon II Community Design Guidelines* is to continue to enhance the physical character as established by the initial development. They are intended to guide property homeowners and consultants in preparing plans and specifications for architectural, landscape, and other improvements; and to direct the Committee in reviewing these plans and specifications for conformance with the stated objectives.

The Committee reviews proposed improvements for aesthetic purposes only. It is the property homeowner’s responsibility to follow all applicable federal, state, and local requirements; and to comply with the provisions of the CC&Rs. In the event of a conflict between the provisions of the CC&Rs and these Guidelines, the CC&Rs shall control.

NOTE: Failure to obtain plan approval from the Committee, or failure to complete an Improvement in accordance with approved plans, constitutes a violation of the CC&Rs and may require the removal or modification of the Improvement at the expense of the homeowner.

I. ARCHITECTURAL GUIDELINES

A. ARCHITECTURAL CHARACTER

The architectural character of the Community was established by the initial developers. Architectural styles within the community of Laguna Audubon II include interpretations of California Ranch, Italianate, Spanish, Craftsman and Traditional styles.

Although none of these styles have been interpreted in an authentic period style, many architectural elements, materials and details that support each individual style have been incorporated into the exterior design of the homes within the Community.

All future improvements must be compatible with the architectural character of the Community and must match the style, materials and details of the original design of the house. Architectural changes, including but not limited to additions, exterior alterations, exterior material or color changes that create an unreasonable decrease in the enjoyment of neighbors or a potential reduction in property values within the Community will not be supported by the Committee.

The aesthetics of proposed improvements may be required or encouraged to be softened or screened from streets and sidewalks, adjacent homes along the same street AND from accessible common open space areas. Accessible open space includes parks, seating areas, parkways, greenbelts, walking trails and other areas maintained by the Association that are intended for the gathering of people or that provide pedestrian facilities within the Community.

The following are guidelines for building materials, plant materials, colors, and forms which are expressive of the Community's architectural character; and which will be used to guide the Committee in reviewing plans and specifications for compatibility with the original design.

Homeowner self-compliance with the 'Community Design Guidelines' shall not be accepted in lieu of Committee approval. All proposed improvements must be submitted to the Committee for review. Compliance with the 'Community Design Guidelines' shall be determined by the Committee as part of the process. In its review of a submitted Application, or the inspection of related construction, the Committee may become aware of non-conforming architectural instances and may include their correction or maintenance as a condition of final approval of the Application.

Easements: The Committee does not determine the location of easements on a homeowner's lot. This is the sole responsibility of the homeowner. Homeowners shall obtain approval from the easement holder for the installation of a proposed improvement over a public or private easement within their lot. The Committee's approval of an improvement in an easement area is approval of the improvement for aesthetic purposes only and does not grant approval of the improvement's location. Any improvements proposed over an easement held in favor of the Association require Board approval and a recordable agreement between the homeowner and Association prior to installation. The homeowner will be required to pay for the cost of preparation of the agreement. An improvement that is installed within an easement area and is removed or damaged as a result of the exercising of easement rights shall be the burden of the homeowner.

For further details refer to Article XI "Architectural Control" in the CC&Rs

B. STRUCTURAL ADDITIONS & CHANGES

A room addition or expansion—defined as any Improvement which alters the exterior of the house—shall not exceed the existing height of the house measured from the original finish grade to the top of the highest point on the proposed addition (excluding fireplace chimneys).

The design of any proposed addition is encouraged to take into consideration the privacy and visual impact on the adjacent neighbors. This provision does not ensure any view protection for adjacent homes within the Community.

Enclosed detached structures and accessory buildings, such as but not limited to casitas, living spaces, storage buildings or sheds, greenhouses/garden rooms, artist studios or home offices are not permitted. Solariums, Sunrooms, and Garden Greenhouses, defined as glassed or screened-in rooms or structures, are not permitted.

1. Maximum Heights

New improvements shall not extend above the upper roofline of the house as originally constructed by the builder (excluding the chimney). Tower elements and entries shall not be permitted to exceed the ridge height of the original house. The height restrictions for some commonly proposed improvements are as follows:

2. Minimum Setbacks

The minimum building setbacks of all new construction shall be consistent with the City of Aliso Viejo and Orange County regulations. Additional setbacks to some improvements may be required by the Community Design Guidelines and/or the Committee for the purpose of aesthetic compatibility with the character of the Community and/or to allow space for landscape screening. In the cases where the Guideline's setbacks are more restrictive, the most restrictive setback requirement shall apply.

3. Exterior House Walls

The material, color, and texture of new exterior walls shall be compatible with the existing house walls. Enhanced wall finishes, such as brick and stone, must be designed to wrap corners, to appear to be integral to the house design, rather than as applied decoration. Prefabricated walls intended as a substitute for conventional framed and stucco walls are not permitted.

Blank two-story high walls should not face common open space or streets. Walls visible from the street or accessible common area should provide architectural enhancement to avoid blank or unarticulated wall areas. Second-story additions should consider the building massing and scale adjacent to common open space and streets.

Expansion of the exterior walls of the house shall not be permitted forward of the original front plane of the home. Expansion to the side or rear of the home will be permitted as long as it 1) maintains the original architectural design and character of the house, 2) does not encroach on any easements, right-of-ways or setbacks, and 3) does not impair the airspace, sightline or sunlight of neighboring properties.

New building features--such as porches, balconies, planters, pot shelves, pilasters and decorative pots or urns--must be compatible with the materials, color and design of the existing home.

4. Columns

New columns shall be integral with the house design. Exposed pipe columns are not permitted. Minimum design shall be 4" x 4" wood posts with applied trim to appear more substantial. Decorative columns that are consistent with architectural style are permitted. This would include masonry columns and precast concrete columns that reinforce the architectural character of the house

5. Exterior Doors and Windows

The size, location, material, and color of new exterior windows and doors shall be compatible with the exterior windows and doors of the existing house.

Front entry doors and all doors facing the street

- Shall be solid wood or solid core metal paneled doors.
- Flush door faces and French doors are not permitted on main entry doors.
- Shall be finished to match the original home's color scheme or stained to match.
- Thematic doors that appear to represent an architectural period not consistent with the appropriate architectural interpretation of the homes in the community are not allowed. Examples include carved or overly ornate doors, antique doors, castle doors, and/or themes.
- An alternative color may be approved by the Committee.

6. Front Entry Door - Glass Openings

- Must be opaque unless the sill height is above 4½ feet high. Entry door glazing may be clear leaded glass, beveled or regular glass. No colored glass, symbolic or elaborate abstract designs (such as birds, cars, people, family crests, etc.) will be allowed.
- Postmodern features, such as large areas of glass block, are not permitted.
- Reflective glass or reflective glazing is not permitted.
- Materials or products not specifically intended for use as a window covering are not permitted.
- Postmodern features, such as large areas of glass block, are not permitted.

7. Decorative or "Security" Wrought Iron Grills

Not to be placed over any windows or doors. Wrought iron gates may be approved as a front porch enclosure if the homeowner can present factual based allegations that its property has heightened security risks. Said enclosure must be in character with other fencing, and not extend forward of the front edge of the front door /porch entry. Metal perforated screen of any sort will not be allowed.

8. Screen Doors

Metal or wood framed screen doors are not permitted. "Disappearing" screen doors may be approved if they are of consistent with the appearance of the house. Refer to the Association website for recommended disappearing screen door products. All disappearing screen doors require Committee approval prior to installation. See *Addendum* for examples)

9. Balcony

A balcony is defined as an open outdoor terrace at the second-story floor level.

- if covered (roofed), it shall not exceed the original building height
- No roof balconies are permitted.
- Must be painted to match the existing (or applied for) color scheme.

10. Awnings

- Permitted as window accent features on the rear elevation of the house only.
- Must be compatible with the color and design of the existing house and should reinforce the architecture of the house and not a dominant feature.
- Their size, location, and form must be in scale with the windows of the house. Some elevation styles within Laguna Audubon II and some windows (such as large windows, recessed windows and/or windows designed as accent features themselves) are not suitable for awnings. Awnings that cover more than one individual window are not permitted on the second level of the house.
- Cloth or canvas awnings must be simple in design with no stripes or patterns.
- Corrugated metal awnings are not permitted.
- Temporary sunshades attached to the vertical face of the house, patio cover, or gazebo--such as rolls of bamboo, plastic, fiberglass, or reed--are only permitted where not visible to the common area. They must be of a single, neutral color.
- All awning proposals are subject to review and approval by the Committee. Awnings must be properly maintained and frayed, split, torn and/or faded. Awnings must be promptly removed at the request of the Association.

11. Garage Doors

Changes to existing garage doors must be compatible with the design and color of the original garage door. Only roll-up garage doors with a “raised panel” design are permitted.

- No adornments, details or treatments will be permitted on or around the garage door.
- Garage door windows should reinforce the architectural character of the house.
 - Glass panels are permitted only in the top door panel and must extend across the entire width. (see *Addendum* for examples)
 - Reflective, leaded or colored glass is not permitted.
 - Windows may be tinted using a professional “film type” product in dark grey.
 - Spray-on tinting, frosting, painting, and applied window coverings, such as paper or cloth (sheets) are not acceptable methods of obscuring windows.
 - No adornments, decals, details or treatments will be permitted on the glass.

12. Roofs

The form (hip, gable, shed, etc.), slope, material, color, texture and application of any new roof shall be identical to the remaining existing roof. Proposed new roofs replacing the existing roof material on the entire house are subject to review and approval by the Architectural Committee.

Acceptable roof materials include concrete tile or clay tiles that reinforce the character of the Community and architectural style of the original house. Wood shingle, wood shake, metal and asphalt roofing materials are not permitted.

Any new fascia must match any existing fascia. Mansard and flat roof forms are not permitted. New roof features, such as chimneys, weathervanes etc., must be compatible with similar existing features on the house and/or must be compatible with the architecture of the original home. The color of new roof flashing, diverters, vent stacks, and similar features must match the existing roof color.

13. Gutters and Downspouts

The color of new downspouts must match the adjacent wall color unless otherwise approved by the Committee. Decorative gutters and downspouts will be reviewed on a case by case basis and approval will be based on the determination that the decorative features or materials positively reinforce the original character and style of the home.

14. Skylights and Solar Equipment

Skylights and solar equipment must be designed to be integral parts of the roof. Their form, location, and color must be compatible with the existing roof.

- Solar panels shall be located on roof surfaces to minimize their visibility from streets and common areas.
- Profiles must be minimized. All supports and piping for solar collectors must be enclosed and/or screened from view. The color of skylights and solar collector frames must be compatible with the roof color. Silver aluminum frames are not permitted.
- As many of the panels and converters as possible should be mounted behind the side gate
- All conduit and metal panels (with the exception of the labels) are to be painted to match the wall to which they are mounted.

15. Patio Cover

A patio cover is defined as a structure, open on two or more sides, either attached to, or detached from, the house, with an open wood roof on a horizontal plane. For the purposes of aesthetic review, all structures including but not limited to shade structures, garden structures, pergolas, and shade trellises that meet this definition, shall be considered patio covers,

- Patio covers with flat roofs must have at least 50% of the sides of all attached patio covers, and 75% of the sides of freestanding patio covers open (not enclosed). They may be a maximum of ten and a half (10 ½) feet high measured from the original finish
- They must be located a minimum of three (3) feet clear from existing walls or fences at the edge of private yards.

16. Gazebo

A gazebo is defined as a freestanding structure with a pitched roof that is not enclosed and not attached to a house. For the purposes of aesthetic review, all freestanding structures, whether designed with an open or covered pitched roof will be considered gazebos including but not limited to shade pavilions, arbors, belvederes, pergolas, etc.

- The appearance of structure must be consistent with the architectural style of the house. The color must match the house trim unless otherwise approved by the Committee based on the compatibility of the color with the overall architectural and landscape character of the Community. White is also an acceptable color.
- Shall not exceed a maximum height of thirteen (13) feet from the original finish grade to the top of the highest point on the gazebo.
- Shall be located a minimum of three (3) feet clear from existing wall or fences at the edge of private yards.
- At least 75% of the side of the freestanding structure shall be open.
- The square footage of patio covers and gazebos will be reviewed in relation with the square footage of the yard. The intent is to retain an attractive Community appearance with a balance of structure and open space

- Decorative features may be incorporated into the design of the patio cover, gazebo, sundeck arbor or trellis, but the features must be consistent with the character of the Community. Elaborate ornamentation is not permitted.

17. Walls and Fences

The design and color of perimeter walls and fences (including view fencing) is an important design feature within the Community, providing a unifying element that reinforces the overall landscape character. Included are fences/walls between a residence and the Association's Common Area (which in nearly all instances are within the homeowner's property), and fences/walls between residences which are jointly owned by the separated residences.

- No modification or replacement of a jointly owned fence will be permitted without the signed approval of both homeowners affected.
- Fences are not required, however any modification to, or removal of fences installed by the builder/developer must be approved by the Architectural Committee upon proper application. The same would apply to changes previously approved by the Committee for current or prior homeowners.
- Fences may be placed wholly on the property to be fenced, but "double fencing" is not permitted. Double fencing is defined as a fence or wall constructed parallel to, and with less than 3 feet of separation from an existing property line fence.
- Lateral fencing that connects the common side yard walls/fences to the house should match the original fencing in the Community unless otherwise approved by the Committee. Acceptable materials include decorative block, painted wood or fencing with a design detail consistent with the original wood fence.

Height:

The height of all new walls and fences shall be consistent with the original/existing wall height. The maximum height of any exterior wall (excluding retaining walls) shall not exceed 6 feet, measured from the original pad grade. The visible side of any wall shall not exceed 6 feet in height. The height of these common walls may not be increased.

Attachments. No improvements that may be visible from the street and/or accessible common areas may be attached to common side yard fences/walls, including but not limited to light fixtures, electrical conduits, vine trellises, bird houses, lattice work, mesh screening, etc. Any homeowner who causes damage to a common wall by the attachment of an improvement or plant material or by filling against the wall shall be responsible for the repair and/or replacement of the damaged wall.

Soil shall not be retained against any existing wall/fence. Sub-walls must be provided between raised planter areas and existing walls/fences.

Materials

Masonry and Block Walls

Wall block type: "Tan" split face both sides 8" high x 6" wide x 16" long by ORCO.

Wall cap: "Nu-Fawn" pre-cast concrete cap with top chamfer both sides 4" high x 8" wide x 16" long by ORCO. Specify cap as to match per Laguna Audubon II.

Pilaster block: "Tan" 16" square split face 8" height by ORCO. Stone veneer on pilasters shall match the original stone veneer installed by the developer/builder.

Pilaster cap: "Antique Beige" polymer concrete pre-cast cap, 16" square x 8" high, with top chamfer, by Applied Polytech system. Specify cap to match per Laguna Audubon II.

Pilaster cap shall be set so that the relationship between the top of the pilaster and the top of the wall is consistent with the original common wall detail within the Community.

Pilaster shall be located at corners and ends of walls, and at all points where stepping of the top of the wall is required to keep wall height within specified parameters, due to change in grade.

Stucco Walls: All stucco walls require prior Committee approval.

Must be painted to blend with existing color schemes.

The texture must be approved by the Architectural Review Committee.]]]]

Wood Fences

The replacement of an existing wood fence requires Committee approval to ensure that the materials are the same as the existing type and quality.

- o No dog-eared tops.
- o Will be required to be one color, in a clear, smooth wood with no knots.
- o Must be painted to be compatible with the existing structure in a tan color.
- o The only streets at this time, allowed to have stained, clear wood fencing are Blackbird and Solitaire because of the original builder's specifications.
- o No lattice inserts permitted
- o No lattice topped fencing is permitted

Wrought Iron

New metal or wrought iron fencing should match the original builder installed fence and be simple in design, without decoration. No pointed "spears" are allowed at the top of the pickets.

Alternative materials (like aluminum) that reflect the appearance of the original fencing are permitted subject to approval by the Committee. The location of all new walls is subject to Committee approval.

Must be painted to match existing builder color, or black.

Vinyl

Homeowners may replace wood fences on the property line between houses.

It shall be tan in color and of a quality approved by the Committee.

Must be of high quality and installed professionally.

The material visible from the common area or street must have matte texture or wood grain as to imitate real wood.

Must be a single color.

18. SPECIAL FENCING

Wrought Iron with Block base- The builder installed, on some properties several courses of block (as delineated above) with a wrought iron on top totaling 5'. Replication of this style needs Committee approval

Rabbit Fencing – Wire fencing or netting, not to exceed 3 feet in height, may be attached to the inside of the perimeter wrought iron fencing for the purpose of rabbit control. The color

of the rabbit control fencing should be inconspicuous (green will not be approved).

Homeowners are responsible for the proper maintenance of rabbit control fencing.

Rusted, torn, detached or otherwise unsightly fencing is a violation of the CC&Rs

Unacceptable materials – Following materials may not be used for or attached to fencing:

- Aluminum or sheet metal
- Chicken wire
- Metal or plastic chain link
- Plastic webbing, reed or straw-like materials
- Wood grape stake
- Glass block
- Wooden or plastic lattice material

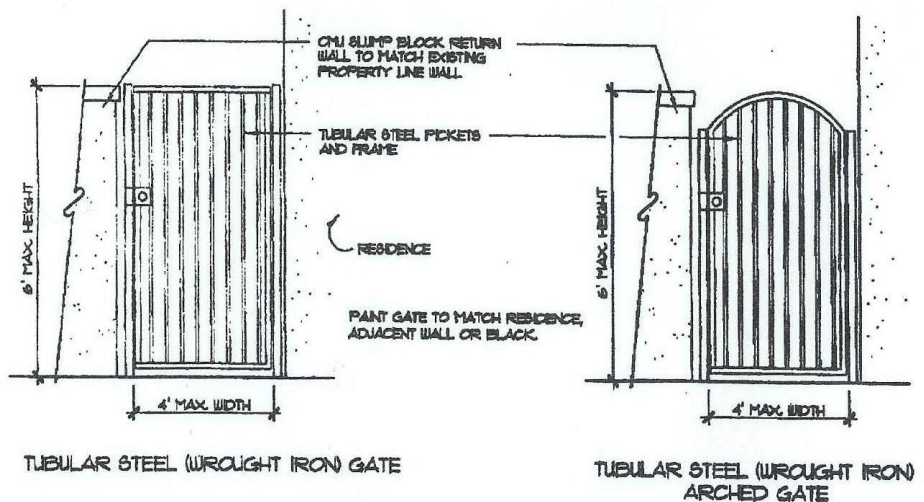
Glass- Allowed if installed on a base of 3 courses split- faced block as specified under “Masonry & Block Walls” above. It is to be a safety glass approved by the Building Code. Glass Block will not be approved.

Other -No other materials are permitted or will be approved by the Architectural Review Committee.

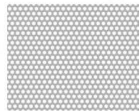
19. Gates

All proposed gates require Committee approval. Gates should be simple in design and compatible with the style of the house. Solid or opaque gates are required along the utility side of the house in order to screen trash cans and/or other stored items.

Wrought Iron Gates: Wrought iron gates should be simple designs with an emphasis on vertical pickets. Overly ornate gates are not allowed. No pointed “spears” are allowed at the top of the pickets. A perforated metal will be required to screen items stored behind the gates. They will be required to be one color.



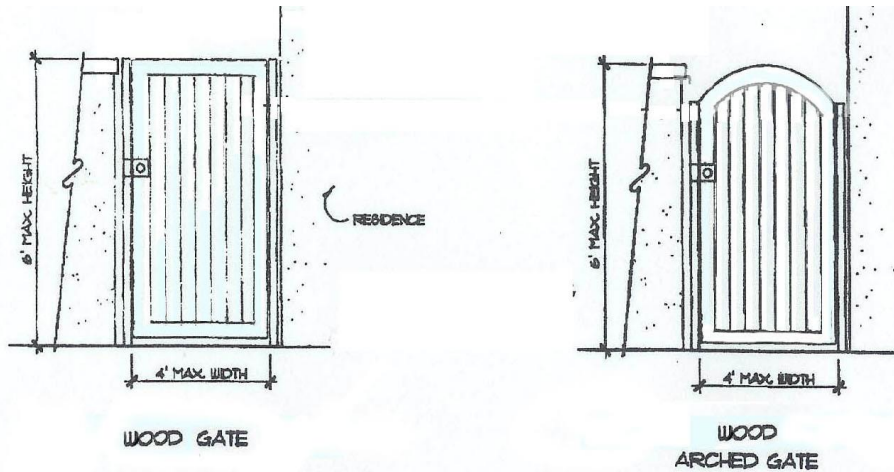
APPROVED TUBULAR STEEL GATES



EXAMPLE OF PIERCED METAL BACKING FOR GATE

Wood Gates:

- Will be required to be one color, in a clear, smooth wood with no knots. Are required to be painted to be compatible with the existing structure in a tan color.
- No dog eared gates
- No lattice inserts will be allowed.



APPROVED WOOD GATES

Vinyl Gates:

- Must be of high quality and installed professionally.
- The material visible from the common area or street must have matte texture or wood grain as to imitate real wood.
- A sample must be provided.
- A tan color is required.
- Must be of a single color.
- Must be of the same approved shapes/design as the WOOD gates (see exhibit above)

20. EXTERIOR LIGHTING

New exterior light fixtures--such as decorative wall fixtures, lanterns on short columns, Malibu lights, up-lights, and light posts must be compatible and complementary with the design and color of the existing light fixtures on the front of the house. They must be simple in design and should reinforce the architecture of the house. Indirect, down lighting, backlighting, and hidden up lights are encouraged.

Not permitted

- Industrial type light fixtures.
- Overly ornate light fixtures (such as Victorian globes).
- Light bollards.
- Lighting attached to the top or outward facing surface of the rear property line metal fencing or above or on top of side and front yard fencing.
- General flood lighting with un-shielded light sources.
- Colored lights, high intensity or flashing lights, exposed bulbs and string lights.

Rope lighting, if concealed, is allowed subject to review and approval by the Committee. The source of all exterior lighting should be obscured or screened from accessible common areas unless the light fixture is residential in style and compatible with the architecture of the house.

Light fixtures and security devices operated by motion detectors are permitted if approved by the Committee and if the fixture design is compatible with the architecture. Motion detectors must be set or positioned so that they only activate as a result of activity on the homeowner's lot and must not be activated by movement along the street or sidewalk. The light should turn off five (5) minutes after triggering activity has ceased.

All exterior lighting in private yards, side yards, and rear yards shall be shielded or installed below the fence line to prevent spillover onto adjacent lots, vehicle drivers, and pedestrians. The Committee must approve all exterior lighting, excluding holiday lighting and lighting for special events must comply with specific Association rules.

Light Output

- Unshielded Fixtures (Carriage lamps, frosted globes, porch lights, pilaster lights, etc.) shall have a maximum of 800 lumens [60 watts (incandescent), 43 watts (Halogen), or 8-12 watts (CFL or LED)] total.
- Shielded Fixtures May be a maximum of 1600 lumens [100 watts (incandescent), 70 watts (Halogen), or 16-20 watts (CFL or LED)] total.
- Lights bulbs shall not exceed 3500 kelvins (warm white) in light brightness

Additional Lighting: [Refer to LANDSCAPE LIGHTING in the *Appendix* to this document for examples]

- Porch Lighting requests must include wattage/lumens data. This is the only light fixture permitted where the light source is normally visible to the passerby.
- Building Mounted Lighting shall be carefully designed to not allow stray or excessively bright light beyond the property lines causing "light trespass".
- Application must include lamp or bulb type wattage/lumens data and exact location on the home.
- Bullet type spotlights are not generally allowed. They will need specific approval of the HOA for exact installation location. They will be required to be mounted out of sight in the front of the home (as far up and under the eaves as possible) and a maximum of two bulbs, either singularly or as a pair with a maxim combined output of 2000 lumens are permitted on the front of the garage/house. These fixtures can be used on the side and back of the home if the light source is shielded from the common area, neighbors and the street/sidewalk. If approved, they shall be painted to match the structure to which it is mounted.
- Soffit lighting, under the garage soffit or eaves, is encouraged as an additional way to illuminate the driveway for safety, security and aesthetics. This method of illumination must be approved by the Architectural Review Committee.
- Bistro Lights
Also called as string lighting, festoon lighting, or cafe lighting, consists of an individual strand with bare lightbulbs dangling down at even intervals. Can be strung in the backyard only if they do not shine into neighboring homes. If these are strung on property lines at the back of the property, or are visible from common areas and streets on fences or walls, they will be considered Holiday Lighting and will fall under those guidelines.

Homeowners may not modify or connect to common area fixtures or electrical improvements.

21. SECURITY SYSTEMS / VIDEO CAMERAS

- Cameras visible from the public areas shall be of the small “home style” mounted to be as unobtrusive as possible, preferably under the eaves. Colors should be white or painted to match background. Cameras should be placed so they do not record activity on a neighbor’s property without permission.
- Security Systems/Alarms must comply with City/County/State regulations. Audible alarms that can be heard outside of the structure shall have a time-out feature to automatically turn off or reset after five minutes.

22. EXTERIOR COLOR CHANGES

The Laguna Audubon II Community has a pre-approved master exterior color palette. All homeowners proposing exterior color changes (repainting) are encouraged to be selected from the pre-approved Community Color Palette (see *Appendix*). The choices are subject to review and approval by the Committee. Homes may not be painted the same colors as the adjacent homes or the home directly across the street.

Homeowners who wish to repaint their home the existing color, which may be the original builder color are required to submit an application indicating the intended location for each color along with the proposed (existing) color paint chips (or colors from the paint store) so that the Committee may determine that the proposed colors are indeed the existing colors and are compatible with the surrounding homes.

23. COMMUNICATION EQUIPMENT

- Satellite dishes and other exterior mounted reception devices must be submitted to the Committee for review. The FCC has issued Regulations concerning the installation of the devices. While the Association may not prohibit such devices, it may regulate their place location within certain bounds. It is advisable that a Homeowner complete and submit an architectural application for review and approval by the Committee prior to installation of such device in order to minimize the possibility that the placement of an outdoor antenna or satellite dish is deemed not to be in compliance. If a Homeowner is required to relocate an outdoor antenna or satellite dish, without having received approval, the Homeowner shall bear the cost of such relocation.
- No exterior radio antenna, CB antenna, ham radio antenna, or similar radio transmitting or receiving devices shall be permitted.
- No video or television antenna or satellite dish having a diameter or diagonal measurement of more than thirty six (36) inches is permitted and its design must comply with the provisions of California Civil Code 1376.
- All satellite dish cables and external antennae and related brackets, cables, wiring, electrical boxes (excepting the satellite dish itself) shall be hidden from view or painted to match the adjacent exterior.
- Put as many of the extra panels/converters behind the fence at the side of the home as possible.
- The installation of permanent exterior audio or music speakers, which disrupt the quiet enjoyment of adjacent neighbors, is specifically prohibited.

24. FLAG POLES and FLAGS

Freestanding flagpoles are not permitted in front yard areas. The maximum height for freestanding flag poles in the rear yard is 13 feet in height and shall be a minimum of three feet from the side property line. The location of freestanding flagpoles is subject to review and approval by the Committee.

Freestanding flagpoles are intended for the flag of the United States of America only. Brackets for flags attached to the house are permitted if the flagpole brackets are compatible with the color and scale of the house. One decorative flag is permitted per lot on an attached bracket. It must have no commercial content or disrespectful message; and must be maintained continually in good repair. The flagpole holding the decorative flag must be no longer than six (6) feet in length. The pole must be removed when a flag is not displayed. Flags may not exceed three (3) feet in width and five (5) feet in length.

Restrictions regarding flagpoles and flags are not intended to prohibit or dissuade anyone from their right to “display the flag of the United States of America”, as defined in *Civil Code Section 1353.5*. Adherence to the *US Flag Code* is strongly encouraged.

25. BASKETBALL BACKBOARDS

Permanent basketball backboards--freestanding or attached to the house--are not permitted. Portable freestanding basketball backboards are permitted, and not subject to any submittal/approval by the Committee, provided that they are removed from city property on a daily basis at dusk, and when not in use, situated in a safe manner as much out of sight as possible.

II. LANDSCAPE GUIDELINES

A. Landscape Character

The landscape character of the Community, established by the initial development, reinforces the architectural theme of Laguna Audubon II. The Community landscaping treatment provides a unifying element within the Community and blends with the surrounding vegetation. Landscaping treatment on individual lots provides an opportunity to further the Community character and respond to the unique surrounding conditions.

The following are general guidelines which are expressive of the Community's landscape character, and which will be used by the Committee in reviewing plans and specifications for compatibility with the original design.

Landscape improvements that require approval from the Committee include hardscape (decks, patios, paths and walkways), pools and/or spas (both permanent and pre-fabricated), fountains and other water features, decorative features, structures that are permanent or intended to be maintained in place for periods longer than one day (such as a temporary tent or “easy-up” shade), and all trees and any plant material that will likely be taller than the perimeter walls at maturity and any plant material that is visible from streets and/or accessible common areas.

The Association is responsible for landscape maintenance of the following homeowner owned slopes and landscaped areas within the community:

Lot 1, Tract 13784 (20 Osprey); Lot 2, Tract 13366 (27 Surfbird); Lot 11, Tract 13366 (11 Golden Eagle); Lot 14, Tract 13784 (7 Osprey); Lot 15, Tract 13784 (19 Surfbird); Lot 42, Tract 13783 (3 Skylark); Lot 43, Tract 13783 (2 Macaw); Lot 60, Tract 13783 (19 Dove); Lot 61, Tract 13783 (24 Larkspur).

The homeowners of these lots shall not construct any improvements or make any alterations to the plant material or irrigation system within Association owned or maintained common areas without Committee approval. The homeowner shall be responsible for the proper irrigation of the maintained portions.

B. General Guidelines for Landscaping – Design & Hardscape

1. Areas Visible from Streets and/or Accessible Common Open Space

The primary purpose of landscaping review and approval in private yards visible to streets, sidewalks and accessible common open space areas such as parks, seating areas, parkways, greenbelts, and walking trails within the Community is to ensure an attractive street scene that enhances the architecture of the house and is conducive to the overall appearance of the Community.

An overall objective is that at least eighty percent (80%) of the unpaved ground plane visible to the street should be covered with plant material. Large areas of bare earth without plant material (turf, groundcover or shrubs) are not permitted.

Water valves, hose bibs, irrigation valves and backflow preventers, solar electrical panels and conduit must be painted to match the adjacent wall surface. Put as many of the extra panels/converters behind the fence at the side of the home as possible.

2. Landscaping in Entry Courtyards, Side Yards, and Rear Yards

Except for patio covers, gazebos, and arbors, the top of all landscape features--such as statues, sculptures, waterfalls, fountains, barbeques and fireplaces--must be below the height of the perimeter wall/fence and/or properly screened from surrounding streets and neighboring homes on the same street.

3. Paved Areas

Large paved areas shall be minimized in yards visible to streets.

- Original driveways and front yard walks may be replaced with upgraded paving materials. Permitted paving materials include concrete, brick, stone, and pavers in materials and colors compatible with existing house masonry accents.
- Decomposed granite is not permitted in the front yard and/or areas visible from the street for pathways or for “mulching or ground cover” under plants.
- Driveway expansions are not permitted, except for a maximum of one (1) foot wide bands on each side.
- Walkways that parallel the sidewalk or front property line shall be setback a minimum of three (3) feet. Walkways to front doors and front yard hardscape improvements must not exceed twenty-five percent (25%) of the main portion of the front yard area. The main

portion of the front yard is defined as the area in front of the house exclusive of the driveway.

- Boulders in visible yard areas must be softened with plant material. Freestanding boulders are not permitted in visible front yard turf areas. The maximum height of boulders visible from the street and accessible common area is eighteen (18) inches.
- Garden edging of all types (concrete, plastic, composite, wood) must be set to be flush with the ground plane so as not to be a visible landscape feature. Scalloped concrete borders, vertical wooden “post-like edging and other decorative planter borders that do not reinforce the design character of the Community are not permitted.
- No “stack block” features permitted in the front yard or area visible from the common area as raised planter or planter bed “edging”.

4. Garden Walls and Gates

Low walls, pilasters, gates and other hardscape features in front yards and courtyards visible from accessible common areas must be compatible with the color, materials and architecture of the existing house.

- Walls proposed between the sidewalk and the front of the house shall not exceed thirty (30”) inches in height measured from the original grade of the property and set back a minimum of three (3’) feet from the front property line or sidewalk.
- Pilasters proposed to be a maximum height of thirty-six (36”) inches and set back a minimum of three (3’) feet from the front property line or sidewalk.
- Vines, hedges and/or shrubs are required in front of garden walls to soften their appearance.
- The maximum height for open fences and gates, such as wrought iron gates, shall not exceed forty-two (42”) measured from the original grade of the property.
- Full height walls are only permitted to be located behind the adjacent front plane of the house. Proposed wall extensions and walls that connect to existing walls are not allowed to exceed the height of the wall to which they are to be connected. All gates shall be designed to be compatible with the architectural style of the home and should not exceed the appropriate wall height based on the gate’s proposed location.
- Gates are limited to side yard access and approved front yard fencing. Gates across driveways or accessing Association common area property through side or rear fences are not permitted.

5. Vine Trellises/Pergolas

Vine trellises defined as vertical framework to support vine or climbing shrub plantings.

- Shall be set back a minimum of three (3) feet from wrought iron, glass or other “view fencing”
- Shall not exceed the maximum height of eight (8) feet from the original finish grade to the top of the highest point.
- Walk-through arbors, archways, and overhead entry structures shall be considered to be gazebos for the purposes of these guidelines and will be subject to the setback requirements if they exceed eight (8) feet in height.

6. Outdoor Storage

All items stored outside--such as garden hoses, yard equipment, dog houses, trash cans, recycling bins, and compost containers--must be completely screened from view of streets, accessible common open space areas, and adjacent homes along the same street with approved fencing and/or landscaping. For the purpose of this policy, a "Storage Unit" is defined to be a fully enclosed freestanding cabinet (not on permanent foundations) designed to store gardening and play items outside of the primary residence or garage.

- The top of all sheds and/or storage units must be below the top of the existing walls or screened with approved landscaping.
- The maximum height for storage sheds and/or storage units is seven (7) feet measured from original pad grade.
- The size of the storage unit may not exceed thirty-two (32) square feet in area.
- Must not exceed the height of the adjacent fence, such that it is not visible from the street, accessible common area or adjacent homes along the same street.
- The exterior finishes and color of a storage unit must be neutral, thereby blending with the finishes and color palette of the home and adjacent fencing.

Recreational vehicles and watercraft, including but not limited to motor homes, trailers, boats, jet skis, recreation equipment and/or their trailers, are not permitted to be parked or stored where visible from streets, common areas or adjacent properties.

7. Swimming Pools/Spas/ Water Features

Swimming pools and similar water features (pools, spas, reflecting pools, koi ponds, waterfalls and fountains) may be permitted in rear and side yards, subject to minimum setback and screening requirements. Fountains may also be permitted in front yards and entry courtyards, subject to minimum setback requirements. Fountains or other water feature must not damage existing walls, fences, or adjoining slopes or impede drainage of adjoining slopes or adjacent lots.

All equipment shall be completely screened from the street and accessible common areas. Equipment noise shall be controlled/mitigated to eliminate impact on neighbors.

8. Drainage

Each lot was initially graded in accordance with the requirements of Orange County for the purpose of directing the flow and drainage of surface water. Area drains and grading as installed by the Developer must be maintained in private yards for adequate drainage until an alteration plan is approved by the Committee. (Please refer to Article III, Section 13 of the CC&Rs). No alteration to the grading or drainage system is permitted without Committee approval. Improper alteration of the grading or yard drain system may result in significant damage to the foundation of the residential structure on the lot, adjacent slopes or to the property of others.

Area drains must be installed in private yards for adequate drainage of on-site irrigation as well as storm water and water naturally flowing from higher elevations. Improvement plans for private yards should include adequate drainage provisions designed by a qualified professional. It is recommended that a licensed civil engineer be consulted when making any alterations to the existing grading. Additional area drains installed by homeowners are required to tie to existing drains, downspouts and to curb cores at the street.

All surface areas shall be sloped at a minimum of 2% or as required by the local grading ordinance whichever is greater. No drainage will be permitted onto accessible common area slopes, landscaping or adjacent lots.

9. Individual Thematic Features

Thematic landscape features (such as statues, yard ornaments, fountains, glass block, “faux” turf, rock gardens, gravel yards, cactus, pink flamingos, railroad ties, large or excessive number of pots, window boxes, split rail fencing, “Tiki” torches, picket fencing, etc.) and features with overly distinctive colors, forms, or materials that establish an independent theme detracting from the overall street scene are not permitted in front yards or private yards that are visible to streets or accessible common areas without Committee approval.

10. Fountains and Statuary

Fountains shall be consistent with the overall design theme of Laguna Audubon II. Where those elements are visible from the street and/or accessible common areas, their size and scale should be consistent with other proposed hardscape elements.

- Fountains in the front yards shall not exceed forty-eight (48”) inches in height and shall be softened from view with plant material and shall be setback a minimum of five (5’) feet from the back of sidewalk and/or side property lines. They are more appropriately located close to the primary residence. They are not permitted to be placed in a location where they detract from the overall appearance of the street.
- The color of fountains should complement the primary residential structure. Bright colors and reflective surfaces are not permitted. The design, quality and quantity of fountains, statuary and sculpture elements are subject to review and approval of the Committee.

Statues and/or sculptures that establish an independent design theme are not permitted.

- The subject matter shall be appropriate for their residential context. Elements that could reasonably be considered offensive are not permitted. Such subject matter generally includes, but is not limited to, religious forms, symbols or objects, political subjects or satirical items, nude forms, gnomes, human and animal figures, freeform and other types of sculpture and statues that contain written material, verses and advertisements. These elements are not permitted in areas that are visible from the street and or accessible common areas.

11. Fireplaces

Outdoor fireplaces are subject to review and approval by the Committee. All fireplace improvements are subject to applicable County Fire codes. It is the homeowner’s responsibility to comply with County Fire and Building Codes *and* the Guideline setback and height criteria. In cases where codes are more lenient than the Guidelines, compliance with the Guidelines is still required.

- Outdoor fireplaces shall be restricted to private rear yards and enclosed courtyards screened from the street and/or accessible common areas.
- Fireplaces that exceed the height of perimeter solid walls/fences or are visible from streets or accessible common areas shall be designed to be compatible with the main residence. Stucco fireplaces shall match the color and finish of the house. Un-articulated or plain precision block is not permitted.
- They shall be designed to use natural gas only; no wood burning allowed. If any

nuisance results from the use of a fireplace, such as smoke, odor, etc., it shall be the responsibility of the homeowner to resolve said nuisance.

- Setbacks:
 - From property lines or perimeter walls/fences, a three (3) foot minimum setback for fireplaces six (6') feet or less in height and fireplaces that do not exceed the height of the perimeter walls.
 - A five (5) foot setback is required for fireplaces up to eight (8') feet in height to allow for landscape screening between the fireplace and the adjacent perimeter wall.
 - Any outdoor fireplace that exceeds eight (8) feet in height shall have a minimum 10-foot setback and be screened with landscaping.
 - All setbacks shall be measured from property line or perimeter wall, whichever is most restrictive.

 - Outdoor fireplaces that are attached to, or integral to, a patio cover or a detached accessory structure can be constructed to a maximum height of twelve and one half (12½') feet to meet building codes. This height restriction may prohibit or affect the design of patio cover to utilize a sloping solid roof.

12. Play Structures

Play structures are only permitted in rear yards or in side yard areas behind the adjacent front face of the residence.

- They shall not exceed the height of the perimeter wall or fence or shall be screened with landscaping. A five (5) foot minimum setback is required for all play structures that exceed the height of the solid perimeter wall.
- Earth tone color or colors compatible with the house are strongly encouraged. Bright colored elements, including primary colors, must be screened or softened with landscaping if they are visible from, streets and/or accessible common areas.
- The Committee may determine that some play structures may require additional measures in order to mitigate aesthetic and/or privacy concerns.

13. Miscellaneous Exterior Improvements

- Address Numerals: The existing address numerals within the Community are lighted for public and fire safety purposes and must be maintained as originally installed. Secondary address numerals and/or name signs may be permitted with approval from the Committee.
- Clothes Lines: No clotheslines are permitted on the exterior of any structure or in any yard areas if visible from the Common Areas.
- Mailboxes: Mailboxes may be replaced or painted only if these changes conform to the standard of that block. Locking mailboxes are permitted subject to Committee approval and can be purchased online or at the local hardware store. The design shall approximate as closely as possible the box being replaced. Its design must be approved by the USPO, and it subject to approval by the Committee. All neighbors sharing the same pedestal are encouraged to change at the same time if there is a variance in style or size.
- Artificial Plants/Silk Plants: No artificial silk, plastic, or other faux plant material is permitted to be used as part of the front yard landscaping, or in window boxes visible from the street and/or accessible common areas.

14. Front Yard Furniture

Furniture left in a visible front yard area on a permanent basis (more than weekend or special

event) shall be of substantial construction (excluding such types as folding chairs and tables, beach chairs, plastic “party furniture”). Colors of the furniture, including any fabrics, shall be neutral (brown, green, tan or white, or wood tone). The furniture must be regularly maintained. Quantity should be restricted to what is normally utilized and in scope with the area where it is situated.

C. Plant Material

1. General Guidelines for Selecting Plant Material

Plant types shall be selected that respect soil conditions and water use, and that contribute to the overall appearance of the Community. Individual yards have unique characteristics, such as the amount of sunlight they receive. Therefore, professional advice shall be sought when selecting plants.

Considering reoccurring water shortages and drought conditions, the Association supports residents considering the installation of “drought tolerant” landscaping. Drought tolerant is not synonymous with desert landscape or xeriscape but refers to vegetation that uses less water while still maintaining the aesthetic qualities of the community. Plants must still be watered, and dead vegetation removed. Ground coverage and hardscape rules still apply. A comprehensive guide to Drought Tolerant landscaping is included in the Appendix

2. Trees

Trees installed by the original builder must remain, unless the removal or replacement of the tree is approved in writing by the Board of Directors. Trees planted within accessible common areas or areas maintained by the Association may not be removed, trimmed, pruned or otherwise modified without written approval from the Board. Requested changes to trees within Association owned property must be submitted to the Board for review, and are subject to the requirements outlined in the Tree Removal Policy.

Trees, like other plant materials, shall be installed in such a manner as to reflect and complement the proportions and scale of the house. The characteristics of a tree, such as the spread of the overhanging branches, the size of the tree at maturity, the effect of the shade created, the maintenance of trees (including flowering and fruit trees) should be considered when selecting trees. Trees can be beneficial and useful; providing shade, privacy, oxygen, and a softening of architectural massing. Trees that will grow significantly higher than the structure will be excluded from the approved list. If such trees are planted, removal may be required if they grow exceedingly high.

Trees planted within five feet of the property line, perimeter walls or sidewalk shall utilize a root barrier device. Trees that are characterized by large or invasive roots shall also utilize a root barrier. This should be noted on the planting plan. All trees that overhang the right-of-way will be required to be trimmed or pruned by the homeowner. The right-of-way includes both the sidewalk and streets and applies to all plant materials.

Fruit trees are not permitted in front yards. Trees that drop flowers or seed pods that create a messy ground surface should be planted at least seven feet from the sidewalk and/or accessible common areas. Bear in mind that a property owner may legally trim a bush or tree that extends into its yard, over or through a fence, so long as the tree is not damaged.

3. Shrubs and Groundcover

Shrubs are encouraged to be planted at the base of the house wall, any garden wall, porches and any fence visible to the street. At corner lots, the area in the side yard between the street and the side yard fence must be planted with groundcover and shrubs or vines (if maintained by homeowner).

Visible open planting areas are required to be planted with living groundcover. Decorative rock, pebbles, and gravel are permitted only in limited areas as part of an approved design feature. Mulch, such as natural colored bark or wood chips, is allowed as a method of weed abatement or top dressing until groundcover and/or shrub planting reasonably fills in the planting area. Natural colored mulch or top-dressing is encouraged on a continuing basis around existing shrubs, for reasons of décor, weed abatement and water retention. It is not to be used in lieu of a permanent ground cover. Individual groundcover shall be planted with a maximum spacing of twelve (12) inches on center.

Live turf areas are required to have automatic sprinklers.

4. Artificial Turf

Artificial turf may be approved by the Committee on a case by case basis. Limited use of artificial turf that is natural in appearance may be allowed in front yard and visible yard areas subject to Committee review and approval. Applicants are required to provide a sample of the proposed artificial turf product with the submittal request. The following are some general guidelines for the installation of artificial turf products. Homeowners are responsible for the proper maintenance and sweeping of all artificial turf areas.

All artificial turf proposed must meet the following standards:

- Pile height to be at least 1½"
- Lead free
- Fabric weight of at least 60 oz. per square yard
- Include UV Protection and cannot be installed over existing dirt, greenery or hardscape.
- Artificial turf should not be installed directly against the wall of the house. A minimum 18" planted area should be provided to allow for the installation of shrubs, hedges or other suitable plant material consistent with the Guidelines.
- Artificial turf areas should be contained by a mow strip, bender board or other edging treatment consistent with the Guidelines in order to minimize the exposed edge of the artificial turf.
- Artificial turf is not permitted to abut landscaped common areas or areas maintained by the Association.

5. General Conditions Relating to Plants

- No plants with thorns, spines or sharp edges may be planted within (3) three feet of public sidewalks or roadways.
- Perennials and ornamental grass, which die back or go dormant in winter, should be cut back by early spring so they regrow for the summer.

- Landscaping should be neat and attractive in appearance. Homeowners must maintain their plantings after installation.
- Planting must be 80% of the planting plan that is not covered by approved hardscape or turf.
- Only organic mulch such as wood chips will be approved.
- Inorganic mulches like gravel, decomposed granite (DG) and river rock will only be permitted, following approval, when incidental to small themed areas.
- Plant materials NOT permitted include but are not limited to:
 - Stipa (Mexican feather grass)
 - Morning Glory
 - Mexican Fan Palm

[see Appendix for complete listing of approved and disapproved plants]

6. Landscape Lighting

The illumination of gardens and landscapes provides improved safety, nighttime aesthetics, accessibility and security. It must be directed onto vegetation, a prominent site feature or upon the building. This includes professionally installed fixtures as well as owner installed low voltage “Malibu type” fixtures. All landscape lighting must conform to rules regarding **Exterior Lighting** (above)

III. GENERAL GUIDELINES – APPLICATION SUBMITTALS and CONSTRUCTION RULES

A. PLAN SUBMITTAL REQUIREMENTS

[Inadequate information will cause the Committee to deny the application or return for re-submittal]

WHAT DOES NOT NEED TO HAVE AN APPLICATION?

Applications (or approvals) are not required for the following:

- Repair and/or replacement of existing hardscape with like materials as long as no changes are made to the size, location or color.
- Rear yard vegetation that is not visible above the perimeter wall/fence as long as the plant material does not exceed the height of the wall at maturity.
- Front and/or rear yard landscaping such as planting annual color, shrub or groundcover replacement/additions that do not alter the character of the original approved plan.

WHAT CAN I EXPECT TO HAPPEN?

Upon receipt of your application, the Association's manager will review your plan for completeness. Incomplete applications will be returned to the applicant with a description of the additional information and/or details required prior to submittal to the Committee.

The thirty (30) day review period will not commence until a complete submittal has been logged by the Association.

NO WORK SHALL COMMENCE UNTIL WRITTEN APPROVAL OF THE ARCHITECTURAL COMMITTEE HAS BEEN RECEIVED BY THE HOMEOWNER. IF WORK IS DONE, THE HOMEOWNER MAY BE REQUIRED TO TAKE OUT UNAPPROVED WORK AT THE HOMEOWNER'S EXPENSE

1. APPLICATION PACKAGE

All applications are to be hand delivered or sent to the Association addressed:

Laguna Audubon II Master Association
C/O Seabreeze Mangement Company
26840 Aliso Viejo Parkway, Ste 100
Aliso Viejo, Ca 92656

The application package must include the following:

- Two (2) copies of the **Property Improvement Application** (Exhibit A) completed;
- Two (2) copies of the **Neighbor Awareness Form** (Exhibit B) completed;
- Two (2) complete sets of the proposed **Plans** for improvements.
- Photographs of all elevation sides of residence/building and neighboring properties if applicable.
- A copy of completed Submittal Checklist (Exhibit E).
- Materials samples as required

Fold each application package to 8-1/2" x 11" format.

Following are detailed descriptions of the items in the **Application Package**. Additional questions should be directed to the Community Manager for Laguna Audubon II at Seabreeze Management Company Customer Care (800) 232-7517.

General Plot Plan Detail: (See EXAMPLE below)

- Indicate homeowner's name, date, address, and lot number of the residence, north arrow, scale of plans (1/8" = 1'-0" or greater), notes in English.
- Indicate designer/contractor's name, address, and phone numbers – if applicable. Provide signature of the designer/plan-preparer, confirming that he/she has read and understands the Laguna Audubon II Community Design Guidelines.
- Include signature block, on the proposed plan, with neighbor's signatures.
- All applications must show setbacks, drainage, easement lines, property lines, common area, and any walls existing or proposed to be built. The materials, color and height of all improvements must also be indicated in the application.

Landscape Plan: (See EXAMPLE below)

- Show lot lines accurately as to length, angles, and amount of curve. indicate all required setbacks, property lines, easements, grade elevations, drainage, location of rain gutter down spouts and top or toe of slopes.
- Show all existing and proposed buildings, structures, fences, gates, walls, sidewalks, and other improvements. Drawings shall note materials, color and heights. Heights shall be noted in relation to the immediate ground elevations.
- When proposed improvements involve changing existing grades by more than 1'-0" or changing existing drainage; show contours or spot elevations, flow lines, finish grades, and proposed drainage systems.
 - Approval of plans that do not indicate proposed grade modifications do not constitute approval of any grading changes.
 - It is recommended that drawings for proposed improvements changing existing drainage shall be prepared by a registered civil engineer or licensed landscape architect.
- Include proposed and existing walkways and other hardscape, planting areas and plant names, decks, fences and walls, gates, stairs, patio covers, trellises, arbors, gazebos, pools/spas, ponds, fountains, statues, waterfalls, ornamental rocks, barbecues, play equipment, apparatus and yard lighting.

Planting Plan:

- Provide a dimensioned planting plan showing new and existing plants accurately described as to plant type, container size of the plants to be planted, and location. Refer to the "Plant Palette," Exhibit –included in the *Appendix* (Community Design Guidelines) for the selection of trees, shrubs, vines, and ground cover, which may be used in the landscaping of your residence.

Lighting Plan

- Detailed outdoor lighting plan is required if applicable Landscape lighting plans must include a photo or tear sheet of the fixture, intended location, light source, wattage/lumens data and consideration to contain lighting within property. Check the *Appendix* for examples.

Room Additions (Blue Prints)

- **Floor Plan** Dimensioned floor plans for room additions indicating all exterior walls, columns, doors, windows, etc. and any conditions or feature that will affect the exterior appearance of the structure. Also, identify the neighboring lots exterior walls when defining your yard area. Dimensioned elevations for room additions showing new and existing walls accurately described as to materials, colors, doors, windows, and other features that impact the exterior of the house.
- **Roof Plan** (Required for room additions or roof modifications only)
Show all existing and proposed roofs with slope pitches and overhangs noted;
Designate existing and proposed roofing material;
Indicate any unusual conditions and details involved or resulting from the work;
Show location of rain gutter down spouts.
- **Elevations** (Required for patio covers, room additions, pilasters, light posts and exterior modifications only) provide all exterior elevations, cross-sections, sketch or photo of all proposed structures.
- Note all finish materials, colors, and textures of proposed work. For all alterations or additions, note if finish is to match existing finish. All applications with proposed exterior material changes shall include a vender brochure, product sample or photographs of the product installed at other identified locations within the Community.

Exterior Paint

- Applications need only be submitted on Exhibit G and completed accordingly.
- Painting projects must be accompanied by photographs of adjacent properties.
- If requesting a deviation from an established color scheme, include paint chips of ALL included colors, obtained from the paint supplier.

Photographs:

- Provide photographs of front and rear elevations of house depicting the existing condition . If submitting for color changes, photos of the two adjacent houses and the house across the street are also required. Photos will also be required for landscape remodels as well..

Materials Samples

All Applications which include changes or addition of the following shall be accompanied by product samples obtained from the vendor (they will be returned with the Application)

- Artificial Turf
- Vinyl Fencing
- Roof tiles
- Other unique or unconventional materials.

2. Neighboring Property Owner Awareness

The intent of the Neighboring Property Owner Awareness Form is to advise your neighbors of your proposed work. **A neighbor's signature only acknowledges that your neighbors had an opportunity to review the proposed architectural plans and does not constitute approval of the proposed plans.** Signatures of your neighbors, adjacent, behind and facing your property (across the street) are required. No application will be considered complete until the neighboring property owner awareness condition has been satisfied (see Exhibit B).

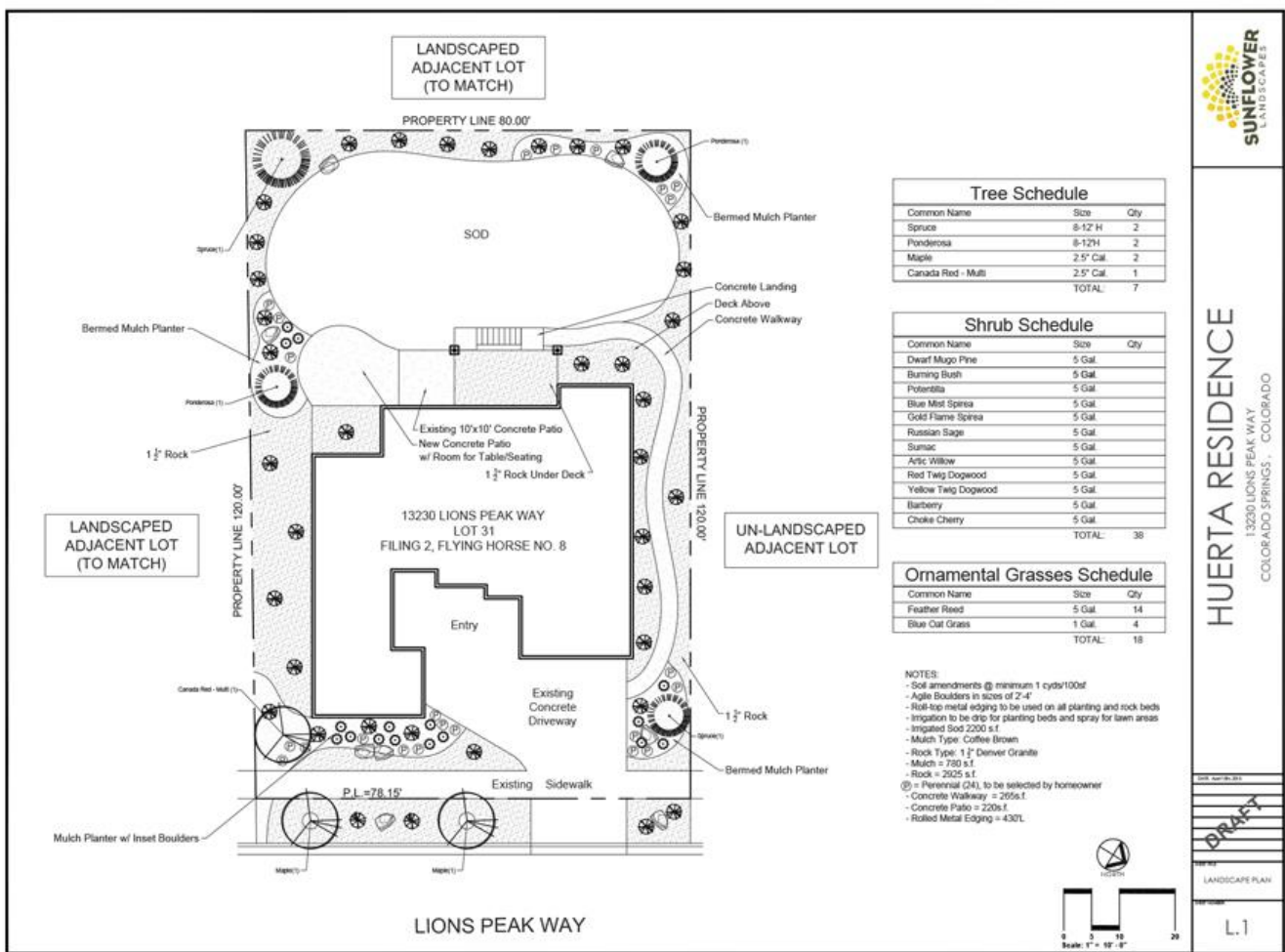
The PLANS themselves must be signed by the neighbor to show they've seen the plans.

Resubmitted plans that propose substantially different proposed improvements, such as, but not limited to revised locations, increase in the height or size, change in design, materials or colors should be re-presented to the neighbors/adjacent property owners and new signed forms shall accompany the resubmittal application

Can't get your neighbor to sign? If for any reason you are unable to personally contact the impacted neighbor and obtain a signature, send a copy of the Architectural Review Application, Neighboring Property Awareness Form, and your contact information, via first-class, Certified Mail to the neighbor. A copy of the receipt of mailing can be attached to the Awareness form in lieu of the signature. A copy of a letter from the applicant requesting the neighbors' review of the plan should also be attached.

Presenting fraudulent neighbor signatures may void any approvals based thereon and could result in removal of improvements, at homeowner's expense.

The Association has the option to inform neighbors that have not responded.



Example of Plans

Architectural Committee Actions

Within thirty (30) days after receipt of a completed Application package and all required documentation, the Committee shall review the Application and transmit its decision to the applicant.

The Association will respond to the homeowner in writing with the Committee's decision. The applicant will receive one of the following:

1. Notice of Approval
2. Notice of Approval (or Partial Approval) Subject to Conditions and Revisions
3. Notice of Disapproval and Request for Additional/Revised Information.

In situations where an impacted neighbor has objected, in writing, to the application, the neighbor shall be notified by mail, concurrent with the notification to the applicant, of the Committee's decision. The letter will include a statement regarding his right to appeal to the Board of Directors within 10 days. If an appeal is properly filed within the allotted time period, the homeowner will be notified to cease and desist work pending the outcome of the appeal. In the event that the Committee fails to respond within the prescribed thirty (30) days, the plans shall be deemed approved.

If the notice of approval is subject to conditions and/or revisions, the homeowner shall meet the conditions and/or submit revisions.

The homeowner of each lot shall complete the installation of all improvements on their lot in accordance with the plan approved by the Committee within six (6) months after receiving approval from the Committee or submit an extension request in writing to the Committee.

All approvals shall become null and void if the homeowner has not commenced meaningful and continuous construction within 60 days of the Committee's approval date unless a written extension is granted by the Association. If an extension is granted, resubmission of plans may be required.

4. Appeal

If an application is denied, the applicant homeowner may appeal in writing to the Board. Such appeal must be received by the Board no later than thirty (30) days after final decision by the Committee. If the Board fails to make a written decision regarding an appeal within forty-five (45) days following receipt of the request for appeal, the decision of the Board shall be deemed a decision in favor of the applicant homeowner's appeal.

If an application is approved, such decision shall be final unless the decision is appealed to the Board by a party other than the applicant/homeowner within ten (10) days of the decision by the Committee. If the Board fails to make a written decision regarding an appeal within forty-five (45) days following receipt of the request for appeal, the decision of the Board shall be deemed a decision in favor of the decision by the Committee.

If an appeal is filed within the allowed time period, the applicant may be notified to cease and desist any work, pending the outcome of the appeal. If the services of an engineer or architect are required to review the plans on an appeal, the homeowner appealing the Committee

decision shall be responsible to pay all reasonable costs. Such costs shall be paid prior to consideration of the appeal by the Board.

5. Notice of Completion

Within thirty (30) days after construction is completed, a Notice of Completion and photographs of the completed improvements must be sent to the Committee for its use in determining if the improvements were constructed according to the approved drawings. The Notice of Completion

is included in the Appendices of the Design Guidelines. Failure to submit the Notice of Completion to the Committee and to comply with the submittal process constitutes a violation of the CC&Rs and may result in fines by the Association.

The Committee may visit the site within sixty (60) days after receiving the Notice of Completion to determine if the improvements were constructed according to the approved drawings. If the Committee determines the improvements were not constructed in compliance with the Guidelines, it will notify the homeowner in writing of the non-compliance.

6. Architectural Exceptions

In cases where a homeowner has a) constructed an improvement that does not comply with the CC&Rs or the Community Guidelines, or b) wishes to petition for approval of a variance (architectural exception) on a proposed application, it will be necessary to submit such a request by complying with the same rules listed above.

All requests for consideration of an architectural exception are to be hand delivered to the Association addressed:

Laguna Audubon II Master Association
C/O Seabreeze Management Company
26840 Aliso Viejo Parkway, Suite 100
Aliso Viejo, Ca 92656

Requests for architectural exceptions are not subject to a thirty (30) day review period. Exceptions are effective when evidenced in writing, signed by a majority of the Board and upon recordation with the Orange County Recorder's Office. The requesting homeowner shall be responsible for any and all fees incurred by the Association for preparation of the appropriate documents to effect an exception.

All other requirements and provisions contained herein shall apply to an application requesting an architectural exception.

B. RULES DURING CONSTRUCTION

I. Right of Entry

If construction activity requires the use of Association maintained landscape areas, streets (other than for vehicle circulation), accessible common areas, or Association property for purposes of transporting labor and materials, or the temporary storage of materials for the work, the homeowner shall obtain written permission from the Association for "Right of Entry" during the course of construction and shall be required to post a deposit of \$300. Said deposit will be refunded upon approval of Notice of Completion, less any damages. If damages exceed the deposit amount, it shall be applied against total cost of repairs for which the homeowner is responsible, and may be required to provide a waiver of damage/liability or other documentation requested by the Association

2. Signs

No signs shall be displayed on any residence other than permitted by the Declaration of Covenants, Conditions, & Restrictions (CC&Rs) or California law. Tradesmen's, contractors', and installers' signs of any type, including the signs identifying the residence as the site of their activities or operations are prohibited. Unless otherwise provided, signs in the Common Area are prohibited and will be removed.

3. Construction Equipment

The parking of trucks, concrete mixers, trailer, trash bins, compressors, and other types of construction equipment on streets, or Common Areas for a period greater than twenty-four (24) hours is prohibited, unless approval is given in writing by the Committee. The homeowner shall be financially responsible for any equipment removal or necessary repairs caused by the equipment which the Association or the Committee deem necessary. Trucks are not allowed to park overnight.

4. Hours of Operation

Construction is only permitted between the following hours:

Monday – Friday: 7:00 a.m. and 5:00 p.m.
Saturday: 8:00 a.m. and 5:00 p.m.
Sunday & Federal Holidays: No work permitted

Federal Holidays include New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve Day and Christmas Day. If current City and/or County of Orange regulations are more restrictive, they shall prevail.

5. Dumpsters and Trash

- Dumpsters must be placed on the homeowner's lot.
 - No dumpsters or material storage is permitted on the street and/or accessible common areas without prior written approval from the Association and/or the City of Aliso Viejo. Dumpster/trash bins must be:
 - Must be placed on wood pads to prevent damage to pavement.
 - They are not to block sidewalks or protrude into street for safety reasons.
 - They must be removed from the Laguna Audubon II Community before 4:00 pm each Friday and before 4:00 pm on the day before the following holidays, unless written approval for extended timeframe is provided by the Association.
- All rubbish, debris, and unsightly material or objects of any kind shall be removed on a daily basis and will not be allowed to accumulate on the street rights-of-way or accessible common areas.
- No construction debris or materials, such as sand or bricks, may be permitted to remain on the streets, walkways and/or accessible common areas. All items of such nature must be stored on the homeowner's lot and screened from view from the streets. In the event of any damage, the homeowner will be financially responsible for cleaning and/or restoring the common areas, streets, and walkways, which the Association deems necessary.

6. General Construction

- During the daytime, construction vehicles are not to be parked in any manner to impede auto/pedestrian traffic.
- No loud radios or stereos are allowed to be played at any time. Conversation volume should consider that adjacent homes are occupied. Common courtesy shall be observed.
- All construction crews must eat on the private property, (not on the common area) and all litter must be disposed of in a proper manner.
- Portable toilets shall be kept off of streets and sidewalks.
- Any construction work that pollutes the area such as spray painting, sand blasting, etc.,

must have this work area protectively draped so as to eliminate the pollutants from escaping and impacting neighboring properties.

7. Workmanship

All works of improvement shall be performed in a manner consistent with the existing building architecture and applicable Guidelines/Rules. Any work deemed by the Committee as inconsistent with the Guidelines/Rules shall be reworked and/or rebuilt to comply with the Guidelines or shall be removed and the original building or improvement area restored to their condition prior to commencement of the work by the homeowner. If the homeowner refuses to rebuild, rework, remove, and/or restore as called for above, the Committee may request the Association to cause such rework, removal, and/or restoration and the cost thereof shall be assessed against the homeowner as provided in the CC&Rs.

8. Enforcement

Failure to obtain the necessary prior approval from the Committee constitutes a violation of the CC&Rs, and may require modifications or removal of work at the expense of the homeowner. An oversight of a CC&R or Committee's policy does not constitute waiver of that rule and therefore must be corrected upon notice.

9. Violations

All homeowners have the right and responsibility to bring to the attention of the Association and/or the Committee any violations of the CC&Rs or these Guidelines.

10. City and/or County Approval

The Committee approval does not constitute waiver of any requirements by applicable governmental agencies. Approval of any Improvement by the Committee or Board shall not constitute approval by or compliance with ordinances, regulations and policies of the City and/or County of Orange. Similarly, approval of any Improvement by the City and/or County of Orange shall not constitute approval of such Improvement by the Committee or Board. Approval of plans does not constitute acceptance of any technical, structural or engineering specifications, and the Committee assumes no liability or responsibility for such. It is the homeowner's responsibility to ensure all federal, state, and local ordinances and codes are followed and to secure any required permits prior to starting a project.

Permits may be required by the City and/or County of Orange, or other public agencies depending on the type of construction. The homeowner shall obtain and provide permits and approvals to the Committee upon request.

11. Non-Liability

The Committee's approval of plans refers only to conforming to the CC&Rs and these Guidelines. By approving the drawings neither the Committee, any members thereof, the Laguna Audubon II Master Community Association, the Members, the Board of Directors, designated representatives nor its agents assumes liability or responsibility for the engineering or landscape design, or for any defect in any structure constructed from such drawings.

12. Disclaimers

Only improvements depicted on the plans can be reviewed by the Committee. The

homeowner is responsible to ensure all improvements are depicted on the plans submitted. Any improvements not depicted on the plans are not approved.

Any modification to the Common Area is strictly prohibited. Only improvements on the homeowner's Lot may be approved, regardless of depictions by the homeowner of improvements on locations other than the homeowner's lot.

If the Committee mistakenly or inadvertently approves improvements other than those located on homeowner's Lot, the Committee may require or cause the removal of such improvements at homeowner's expense.

If the City, County or Aliso Viejo Community Association requires modifications to the plans and specifications previously approved by the Committee, the homeowner shall submit to the Committee all modifications to the plans. The Committee shall have the right to review and impose further conditions of approval on such modifications which are more restrictive than and not inconsistent with the requirements imposed by the City, County or Aliso Viejo Community Association.

13. Enforcement Policy and Fine Schedule

Step One: A letter outlining the particular violation will be sent requesting correction of the violation or noncompliance.

Step Two: If no action is taken and the violation or noncompliance is not corrected, a second letter will be sent to the offending homeowner. The letter will invite the homeowner to a hearing about the matter. A hearing will be held at which time the Board will determine the action it deems is most appropriate to achieve the correction of the violation.

Each individual violation of the CC&Rs Rules and Regulations, Design Guidelines or architectural noncompliance may result in an initial monetary penalty of **\$100** for each violation.

If the violation of the CC&Rs, Rules and Regulations, Design Guidelines or architectural noncompliance continues past the hearing and first fine stage, additional hearings will be scheduled with the Homeowner. Continuing fines will be as follows:

Second penalty - **\$300.00** for each violation.

Third penalty - **\$1,000.00** for each violation and continuing every thirty (30) days thereafter until compliance is met.

In addition to the foregoing, a monetary penalty of \$1000.00 may be levied against a homeowner, after Notice and Hearing, where improvements requiring prior Committee approval are commenced without obtaining Committee approval. Such monetary penalty may be applied for each thirty (30) day period the noncompliance continues.

Note: Imposition of monetary penalties does not limit and is in addition to any and all other appropriate remedies and assessments.