

**LAGUNA AUDUBON II** ~~The following 10-year old “letter” is replaced by a sub-page on the web site which incorporates the Q & As along with the links to the Forms—~~

~~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 completing the application, the review process, or interpretation of a specific guideline, please contact your management representative the Community Design Specialist at 949-448-6122—~~

~~Some frequently asked questions are briefly answered below—~~

~~**FAQs:—**~~

~~**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, 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 are required to submit the **Exterior Color Change** specific an application indicating the a color scheme chosen from the approved palette of schemes which is available on this site. 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. You may request, subject to approval, a variance on a specific color within the Scheme by enclosing a chip of the desired color.

If you wish to retain the existing color, which may be the original builder color, please indicate on the application the colors to be repainted and include color chips from the paint store.

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**

# COMMUNITY DESIGN GUIDELINES

Revision Approved by the Board of Directors

February 9, 2022

- DRAFT FOR REVIEW and COMMENT by MEMBERS -

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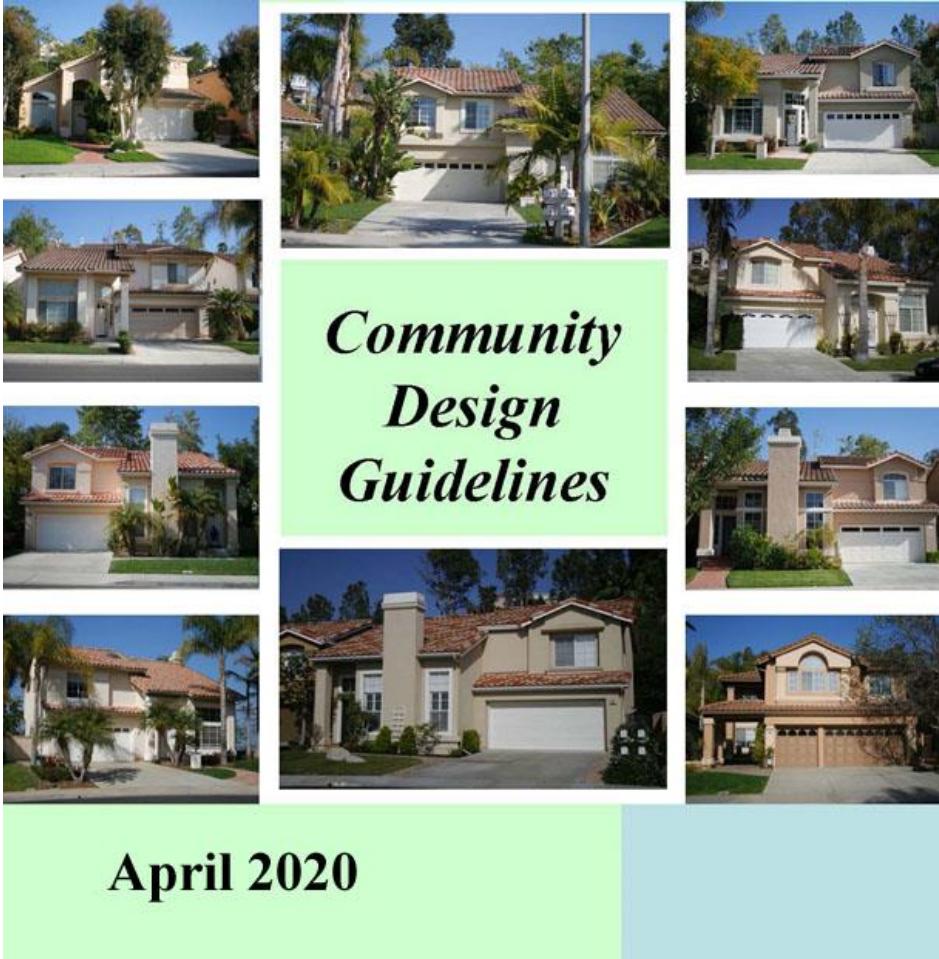
Note: Final formatting and reconciliation of Table of Contents will be made prior to final approval

## Laguna Audubon II



**Master Association-**

# ~~Laguna Audubon II~~



~~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~~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, 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~~Improvements; and to direct the Committee in reviewing these plans and specifications for conformance with the stated objectives.—

The Committee reviews proposed ~~improvements~~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.~~

~~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 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.~~

~~The following are guidelines for building materials, plant materials, colors, and forms which are expressive of the Community's architectural character; 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 Building Code compliance or 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 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 because of the exercising of easement rights shall be the burden of the homeowner. 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.

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The current *Community Design Guidelines* and the *CC&Rs* are the sole standards by which applications will be judged. Prior approval of any applications or plans by the Architectural Committee or the Board of Directors, or the existence of any non-conforming architecture or landscape modifications will not be a factor in the Committee's review and ruling. A Building Permit issued by the City of Aliso Viejo or any other agency is not an "approval" that supersedes any requirements herein. It is adjunct to, and often requires prior HOA approval before issuance (see III, B, 9 below for additional details).

**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 Developer and initial builders. The community is designed with wide and open streetscapes, generous yards and Common Area landscape between homes. Proposed Improvements must be compatible with that architectural character and must match or be similar and complementary in style, materials, and details of the original design of the home. Architectural and landscape changes, including but not limited to additions, exterior alterations, exterior material or color changes which deviate significantly from the established architecture, and order of the community, and 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 proposed Improvements may be required to be landscape screened from streets and sidewalks, adjacent homes along the same street and from accessible Common Area open space. Accessible Common Area open space includes parks, seating areas, parkways, greenbelts, walking trails and other areas maintained by the Association.

The following are guidelines for building materials, plant materials, styles, colors, and forms which are expressive of the Community's architectural character. These *Community Design Guidelines* will be used to guide the Committee in reviewing plans and specifications for compatibility with the original design of the home and community character. The *Community Design Guidelines* outline objective criteria used by the Association in an attempt to better define harmony of external design and location in relation to surrounding structures and topography. Due to the number of design variations, a Homeowner/Applicant can produce from the objective criteria outlined in the *Community Design Guidelines* and specific Lot considerations, the Committee must also apply a subjective opinion in the evaluation of the proposed Improvement. The harmonious nature of the Improvement may be contested by an Applicant but it is a subjective opinion that the Architectural Committee is empowered to express. The Committee's decisions may not be unreasonable, arbitrary, or capricious.

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.

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

**AB. STRUCTURAL ADDITIONS &AND 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 however ensure any view protection for adjacent homes within the Community.

Enclosed, detached structures and accessory buildings, such as, but not limited to 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.—

An Accessory Dwelling Unit (ADU) must conform to the guidelines established by the Civil Code. It shall compliment the architectural style of the adjacent or attached house. It may not extend forward of the front of the house and must comply with the design requirements herein.

**1. Maximum Heights**

New additions or expansions shall not extend above the upper roofline of the house (excluding the chimney) as originally constructed by the Builder. Tower elements and entries shall not be permitted to exceed the ridge height of the original house.

**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.—

**—23. 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 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.

— Walls, particularly two-story in height, visible from the street or accessible common area should

provide architectural enhancement to avoid blank or unarticulated wall areas.

~~Expansion~~Forward expansion of the exterior walls of the house shall not be permitted ~~forward more than half of the original distance to the front plane of the home-garage. Second floor expansions on the front and side of the house must be at least 48" set-back from the leading edge of the first story roof line.~~ Expansion to the side or rear of the home will be permitted as long as it ~~4)~~ maintains the original architectural design and character of the house, and 2) does not encroach on any easements, rights-of-way 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. Their locations must be pre-approved

~~-3~~

#### 4. Columns

New columns shall be integral with the house design.

~~a. Exposed pipe columns are not permitted. -Minimum design shall be 4" x 4" wood posts with applied trim to appear more substantial.~~

~~b. Decorative columns that are consistent in size and proportion with existing columns, and with architectural style of the home are permitted. This would include masonry columns~~

~~and precast concrete columns that reinforce the architectural character of the house.~~

#### ~~4~~ 5. Exterior Doors and Windows

The size, location, material, and color of new exterior windows and doors shall be compatible with the existing exterior windows and doors of the ~~existing house-house. All new windows shall match existing on the same side of the house~~ Get Committee approval before ordering a door style that varies from the original. ~~(See the Addendum for guidance on door styles that are acceptable and unacceptable)~~

~~-~~  
~~a. Front entry doors and all doors facing the street shall~~shall be raised panel, solid core

~~• wood, fiberglass, or metal doors.~~

~~• b. French doors are not permitted as main entry doors.~~

~~• Shall~~c. Doors shall be finished to match home's color scheme or with an approved stain.

~~d. 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, or other themed doors~~

~~e. Postmodernism / Mid-century Modern features, such as multiple glass panels (other than in the upper quadrant) and mixed woods or glass block, are not permitted.~~

~~f. An alternative color to that in a pre-approved paint scheme may be approved by the Committee-- upon application.~~

~~-~~

#### ~~56~~ 56. Front Entry Door - Glass Openings



~~Must be opaque unless the sill height is above 4½ feet.~~      a. Glass openings in the door(s) shall not extend any lower than 30" from the bottom

     of the door. ~~Side-lites~~Sidelites may extend the entire height of the door,  
b. Entry door glazing may be clear leaded glass, beveled, or regular glass. ~~For purposes of privacy and security, it is recommended that any glass extending below 66" from the bottom, be opaque or obscured.~~

c. No colored glass, symbolic or elaborate abstract designs (such as birds, cars, people, family crests, etc.) will be allowed.

d. Reflective glass or reflective glazing is not permitted.

e. Materials or products not specifically intended for use as a window covering are not permitted.

#### ~~67.~~ **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.~~ Existent screen doors must be properly maintained, and their replacement is not automatically approved.

#### ~~9.~~ **Balcony**

~~A balcony is defined as an open outdoor terrace at the second-story floor level on the back side of the home.~~

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

     d. The impact of the size and placement of a balcony on the adjacent neighbors will be evaluated by the Committee. Some balconies may require a reduction in size and alternate placement

#### ~~10.~~ **Awnings**

- a. Permitted as window accent features on the rear elevation of the house only.
- b. Must be compatible with the color and design of the existing house, ~~should~~ reinforce the architecture of the house and not be a dominant feature.

- c. 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.
  - d. Cloth or canvas awnings must be simple in design with no stripes or patterns.
  - e. 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.~~
- f. All awning proposals are subject to review and approval by the Committee. ~~Awnings must~~
  - be properly maintained and not be frayed, split, torn and/or faded. ~~Awnings must be promptly removed at the request of the Association.~~
- g. ~~Sunshades--such as rolls of bamboo, plastic, fiberglass, or reed attached to the rear vertical face of the house, the patio cover, or a gazebo, are permitted but they must be of a single, neutral color.~~

## 11. Garage Doors

       Changes to existing garage doors must be compatible with the design and color of the original garage door.

- a. Only roll-up metal garage doors with wood-grained texture and a “raised panel” design        are permitted.
- b. No adornments, details or treatments will be permitted on or around the garage door.
- c. Garage door windows ~~should~~ are to reinforce the architectural character of the house.
  - ~~Doors which resemble carriage or barn doors are not permitted~~
  - d. Glass panels are permitted only in the top door panel and must extend across the entire        width. If there are two doors, the design doors must match. ~~(see Addendum for examples)~~
  - e. Reflective, leaded, or colored glass is not permitted. Neither is glass incorporating
  - an “etched” or applique design.
  - f. Windows may be tinted using a professional “film type” product in dark grey.
  - g. Spray-on tinting, frosting, painting, and applied window coverings, such as paper, foil,
  - or cloth (sheets) are not acceptable methods of obscuring windows. Neither shall        curtains ~~or~~ nor drapes be visible behind the windows. Stored items should not be visible through the windows from the outside.
  - h. No adornments, decals, details or treatments will be permitted on the glass.



12.        Garage Door Styles

       Examples of Approvable Window Styles

## **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.

- a. Acceptable roof materials include concrete tile or clay tiles that reinforce the character of the Community and the architectural style of the original house. ~~Wood-~~
- b. Unacceptable roof materials include wood shingle, wood shake, metal, and asphalt roofing materials are not permitted.
- c. Any new fascia and eave detail must match ~~anythe~~ existing fascia ~~— and eave detail.~~
- d. Mansard and flat roof forms are not permitted. ~~—~~
- e. 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~~
- f. New roof flashing, diverters, vent stacks, and similar features must be painted to match ~~the existing roof color. —~~  
the roof color

## **13. Gutters and Downspouts**

The color of new gutters and 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 Power and Thermal Systems.**

- a. ~~Skylights~~Solar energy systems shall be reviewed consistent with the authority and solar equipment limitations granted by current Civil Code.
- b. Scale Drawings- Detailed scale drawings must be ~~designed~~submitted to ~~be integral parts of the roof. Their form, the Architectural~~ Committee along with the Application for Approval that includes the location, ~~and color~~ must be compatible with the existing roof. ~~—~~ of all panel arrays and any associated electrical elements including batteries that are part of the solar power system.
- c. ~~Solar panels shall be located on~~must be installed to the following minimum standards:
  - i. Panels shall be placed at locations that take into consideration the aesthetic balance of the house and the overall appearance of the community.
  - ii. Panels shall be placed parallel to the roof plane.
  - iii. Panels shall be placed in a location that minimizes glare to surrounding houses.
  - iv. Panels shall be set at least two courses of tile back from the roof eave to avoid roof surfaces to minimize their visibility from streets and common
    - areas without concrete or clay tile roofing.
- ~~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.—~~
  - v. Solar panels shall be installed in an aesthetically correct manner with gaps minimized and panel edges shrouded as required.

- vi. Solar panels shall not exceed an overall height of eight (8) inches above the roof surface when being used for electric generation and not more than four (4) inches when used for water heating.
- vii. Frames of the solar array are to be black or a dark bronze.

- viii. All new panels, switches and converters are to be mounted behind the side gate.

- ix. All exposed conduit and metal switch boxes and metal panels (with the exception of the excepting for 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 x. When placed on two or more sides, either attached or~~

~~detached from grade, the house, and extending over a patio. Roof structures may be open slats, solid, (possibly supporting an upper deck), or pitched (if attached to house).~~

~~Detached covers/panels shall have 75% be screened from adjacent lots.~~

d. Other Equipment, including water storage tanks, barrels and battery banks

- located outside of the sides open, and attached covers will have at least 50% of the sides open.

- They may be a maximum of ten and a half (10 ½) feet high measured from the original finish

- They garage must be set back 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, solid roof and open sides (except for minimal lattice screening). It is not attached to the house. Related outdoor structures: pergolas, arbors, and trellises, are found behind the gate and below in the Landscape section: fence top. Pipes

- The appearance of structure must be consistent with the architectural style of the house. The color must match the house trim, or if natural wood, be stained an approved color by the Committee. 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 and conduit should not be exposed to public view, however if any equipment is visible.

it shall be painted to match the color of that part of the house or other structure to which it is affixed.

e. Roofing – Roofing damages as part of installation shall be repaired to match existing roof.

#### **15. Patio Structures, California Rooms, Pavilions and Gazebos.**

All unenclosed Accessory Structures shall be set back designed to the following standards:

a. Enclosure - To be considered "unenclosed", the side elevations of such structures shall not be enclosed, except in a case where a wall or walls of a dwelling form a natural enclosure to some or all of a side elevation. Fireplaces, entertainment walls and countertops may partially enclose an additional wall. In no event, shall any more than two (2) walls or sides of an attached accessory structure be fully enclosed.

Detached accessory structures may have no more than one (1) wall or side fully enclosed.

b. Adornments - No objects such as speakers, televisions, etc., shall be placed on top of any such Accessory Structure. All such objects shall be located under, around, or suspended within the Accessory Structure. Televisions shall be placed and screened to minimize the visual and audible impact to the adjacent neighbor.

c. Roof Pitch - Solid roofed structures shall be designed with pitched roofs to match the primary dwelling. Open spaced roof structures (lattice or open beam) structures may be flat or horizontal.

d. Placement - Patio structures, pavilions and gazebos may not be placed in front or side yards open to the street or Common Area. Accessory structures must be setback a minimum of ~~three (3)~~ feet (including overhang) clear from ~~existing wall~~ rear and side property line walls and fences at the edge and comply with minimum City setback standards if greater

e. Design - The design, materials and detailing of ~~private yards~~ accessory structures are to match At least 75% the home. Accessory structure height and size are to seamlessly integrate with the

architecture of the side of the freestanding home. An attached accessory structure shall be open, may have a balcony The square footage of gazebos above it. Detached accessory structures are not permitted to have a roof top deck

or balcony. Accessory structures will be reviewed in relation with the square footage overall size of the yard. The intent is to retain an attractive Community appearance with a balance of structure and

open space.  
Decorative features. f. Height - Patio covers and California Rooms may be incorporated into the design no higher than 10'-6"

when a flat trellis type roof is proposed and no higher than 13'-0" when a sloped roof is proposed.

g. Acceptable Materials.

i. The framework of but the features must such structures, including any overhead portions, may

be made of wood, manufactured wood (aesthetically consistent with the character of the Community. Elaborate ornamentation is-

proportions of wood), embossed steel, aluminum or plastic to simulate

wood. Posts shall be a minimum six (6) inch x six (6) inch dimension or

larger. Post spacing, height and size shall be designed in proportion to

the size of the structure. If the exterior walls and posts of a California

Room are clad, any stucco or other coatings must match the attached

home's exterior. Roofing materials shall match the roof materials of the

primary dwelling.

ii. All horizontal (flat) roofs must be equally distributed lattice type / open

beam design with at least fifty (50) percent open space using a minimum

two (2) inch x three (3) inch lattice / beam material and a minimum of two (2)

inch gaps between the lattice / beam materials. Adjustable louver patio covers

are acceptable.

h. Unacceptable Materials

i. Structures and framework of exposed metal and prefabricated structures

- that do not permitted simulate the dimension, proportion, texture and framing systems of wood.

17.ii. Roofing materials which do not match the materials and architecture of the home or community (e.g. thatch, reed, shade cloth, fiberglass, asphalt shingle, glass, plastic, standing seam metal).

iii. Solid flat paneled (insulated) metal/aluminum patio roofs and adjustable louver systems are acceptable.

**16. Property Line Walls and Fences**

a. Design and Location - The design and color of ~~perimeter~~property line walls and fences (including view fencing) and the walls/fences/gates that separate the front and rear yards 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~~Common Area (which in nearly all instances are entirely within the homeowner's property), and fences/walls between residences which are jointly owned by the separate residences. -

- ~~No modification or replacement of a jointly owned fence will be permitted without the signed approval of both homeowners affected (may submit Aliso Viejo Building Dept. "Common Property Line Wall Agreement" with the application to satisfy this requirement).~~

- Fences are not required; however any new fences or 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.~~

b. Joint Permission No modification or replacement of a jointly owned fence will be permitted without the signed approval of both homeowners affected (may submit Aliso Viejo Building Dept. "Common Property Line Wall Agreement" with the application to satisfy this requirement).

c. Double Fences - 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.

d. Lateral fencingconnecting Fences - Fencing that connects the common side yard walls/fences to the house ~~should is to~~ match the original fencing in the Community unless changes are otherwise approved by the Committee. Acceptable replacement materials include decorative block, painted wood, or vinyl fencing with a design detail consistent 

- with the original wood fence.

e. 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 existing common walls may not be increased.

f. Attachments: - No ~~improvements~~Improvements that may be visible from the street and/or accessible common areas, may be attached to ~~common side yard fences/walls~~a property line wall or fence, 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~~property line wall or fence by the attachment of an improvement~~er,~~ plant material, or by filling soil against the wall shall be responsible for the repair and/or replacement of the damaged wall.  
g. Backfill - Soil shall not be retained against any existing wall/fence. Sub-walls or flash walls must be provided between raised planter areas and existing walls/fences.

**17. Property Line Wall and Fence Types and Materials**

Wall and fences shall be constructed to the following standards:

a. Masonry and Block Walls

- i. Wall Block type: "Tan" split face both sides 8" high x 6" wide x 16" long by ORCO.
- ii. Wall Cap: "~~Nu-Fawn~~Tan" 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.

b. Pilasters

- i. 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.
- ii. Pilaster Cap: "Antique Beige" polymer concrete pre-cast cap, 16" square x 8" high, with top chamfer, cap style to match those existing in 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 property line wall detail within the Community.
- iii. Pilasters 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.

c. Stucco Walls: All stucco coated walls require prior Committee approval. Must Walls must be painted to blend with painted to match the existing color schemes. The of the home. Stucco texture must be approved by the Architectural match Committee.

the stucco texture of the home.

d. Wood Fences

- The replacement of that replace an existing wood fence requiresrequire Committee approval to ensure that the materials are the same as the existing type and quality.
- i. No dog-eared tops. ~~→~~
  - ii. Required to be one color, in a clear, smooth wood without knots.
  - iii. Must be painted to be compatible with the existing structure in a tan color.

- iv. The only streets at this time, allowed to have stained, clear wood fencing are
  - ⊖ Blackbird and Solitaire because of the original builder's specifications.
  - ⊖ v. No lattice inserts permitted
  - ⊖ vi. No lattice topped fencing is permitted

e. Wrought Iron

- New metal or wrought iron fencing should match the original builder installed fence and
- be simple in design, without decoration. Extension of the pickets above the top rail is
- not permitted. 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 fences is subject to Committee approval.~~ The metal must be painted tan or black, as described in the LA II Paint Palette.

f. Vinyl

- Homeowners may replace wood fences on the property line between houses and across
- across the yard front connecting houses with vinyl fencing under the following conditions:
  - ⊖ i. It shall be tan in color and of a quality approved by the Committee.
  - ⊖ ii. Must be of high quality.
  - iii. The material visible from the common area or street must have matte texture or wood grain
  - ⊖ woodgrain as to imitate real wood.
  - ⊖ iv. Must be a single color.
  - ⊖ v. A sample of the material must be provided with the application.
- g. Glass: Allowed if installed on a base of 3 courses of split- faced block as specified under "Masonry and Block Walls" above. It is to be a code compliant safety glass approved by the City Building Department. Height shall match contiguous fencing. Glass Block will not be

**18. Special Fencing**

approved

h. Wrought Iron with Block base ~~The builder installed, on some properties several~~ - Several courses of block (as delineated above) with a wrought iron on top totaling 5 ~~a maximum~~ 6 feet in height. ~~Replication~~ Installation of this style, in other locations, needs Committee approval

i. 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

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

- i. Aluminum or sheet metal
- ii. Chicken wire



- iii. Metal or plastic chain link
- iv. Plastic webbing, reed or straw-like materials
- v. Wood grape stake
- vi. Glass block
- vii. 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 vii. Light poles

~~viii.~~ ~~Class Block will not be approved.~~

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

### ~~18. 19.~~ Gates

All proposed gates require Committee approval. Gates ~~should~~ are to be simple in design and ~~compatible~~ with the style of the house. Gates opening to side yards may not exceed 6 feet and the height of the adjacent wall or fence, whichever is less. Solid or opaque gates are required along the utility side of the house in order to screen trash cans and ~~for~~ other stored items.

a. Wrought Iron Gates: ~~Wrought iron gates should~~ are to be simple designs with an emphasis ~~on~~ vertical pickets.

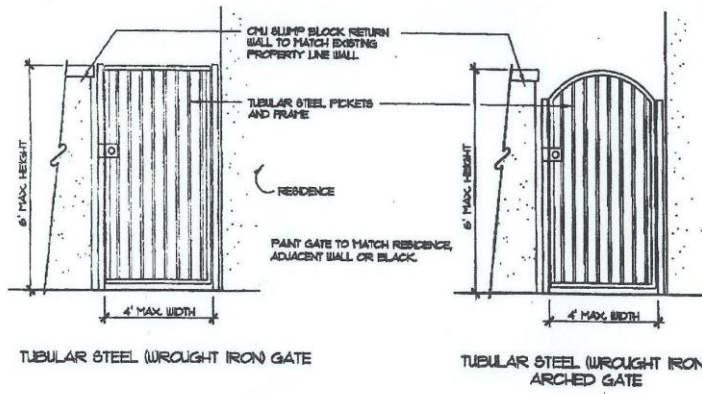
i. Overly ornate gates are not ~~allowed~~ permitted.

ii. No extensions, finials, or pickets are ~~allowed~~ permitted to project ~~above~~ the top rail. ~~They~~

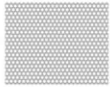
iii Gate will be required to be one color, either tan or black per the LA II Approved Paint Palette.

iv. A perforated metal ~~will be required~~

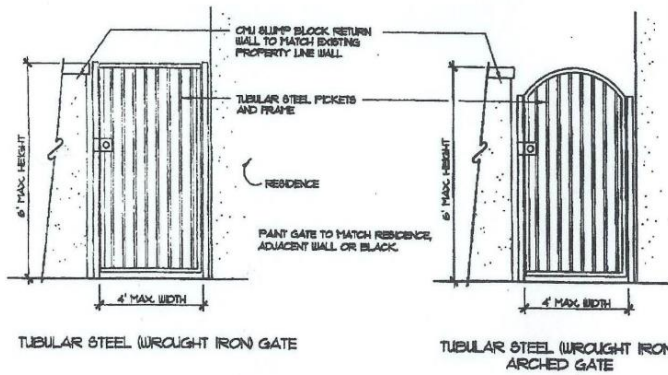
~~to~~ screen attached to the inside of the gate will be required to screen items stored behind the side-yard gates.



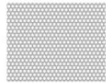
APPROVED TUBULAR STEEL GATES



EXAMPLE OF PIERCED METAL BACKING FOR GATE



APPROVED TUBULAR STEEL GATES

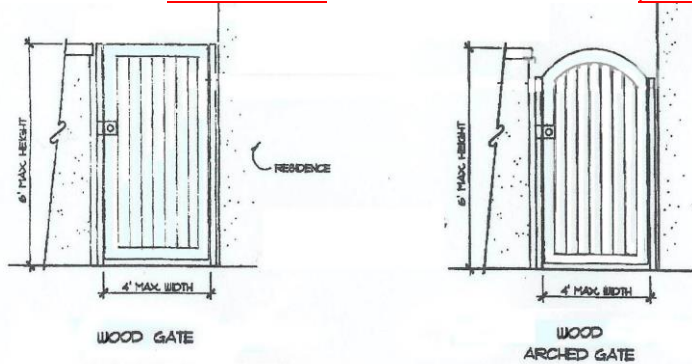


EXAMPLE OF PIERCED METAL BACKING FOR GATE

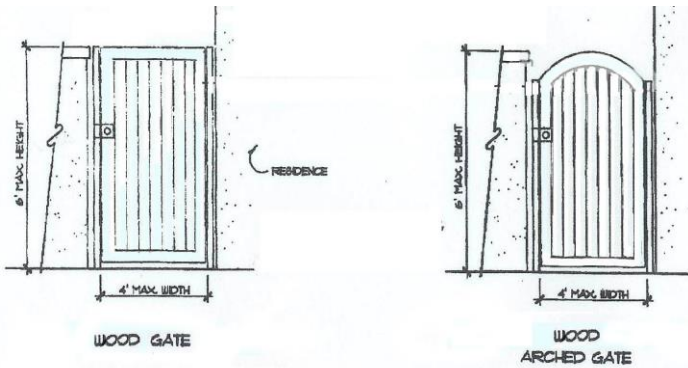
**b.** Wood Gates:

- i.** Will be required to be one color, on a clear, smooth wood with no knots. They are to be painted to be compatible with the existing structure, in a tan color, or an

- approved stain.
- ~~No ii. Gates with “dog-eared gates” material are not permitted.~~
- ~~No iii. Gate with lattice inserts will be allowed permitted.~~



APPROVED WOOD GATES



APPROVED WOOD GATES

c. Vinyl Gates:-

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

19. Exterior Lighting

~~The Laguna Audubon II Master Association promotes a “Dark Sky” approach to lighting, meaning uncontrolled or excessive lighting is prohibited. Exterior lights (light bulbs) must be screened from~~

~~direct view from streets and adjacent dwellings and pointed downward to illuminate the immediate ground and wall area around the light fixture. Lighting is to be integrated into the landscape and architecture of the home. Obtrusively bright lighting, exposed fluorescent lamps, mercury vapor, flashing lights, colored lights, excessive garden lights exposed and aligned like an airport runway, flood lights, unshielded lights (visible light bulbs) placed on top of garden columns or pilasters, glass block bollards, unshielded~~

## **20. EXTERIOR LIGHTING**

~~New exterior light fixtures and lights strung along fence tops or festooned over a yard or patio which result in unreasonable glare and light intrusion into neighboring homes are prohibited~~

- ~~a. Fixtures - Lighting fixtures such as decorative wall fixtures, lanterns placed on short columns, Malibu lights, up-lights, and light posts homes, must be compatible and complementary with the architecture of the home and intended by their design and size for residential use. Light fixtures are to be placed in a manner to prevent stray or excessively bright light extending beyond the property lines causing "light trespass".~~
- ~~b. Light Strength - Exterior Garden lighting is to be 300 lumens or less per fixture with a 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 temperature of 2800 Kelvin or less. House lighting is limited to 500 lumens or less per fixture, and a color temperature of 3000 Kelvin or less.~~

### **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.~~

~~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, which shall otherwise must comply with specific Association rules.~~

### **Motion Sensor Security Lighting —**

- ~~c. Light fixtures and security devices operated by String Lighting - String lighting is prohibited in the front yard, including wrapped tree trunks and, in or around the foliage of trees and bushes, except during the Holiday Period ( see "e." below)  
String lighting in rear yards may not be used continuously as the sole source of rear yard lighting. Lighting must be secured to cables and sturdy (and vertically plumb) poles placed in an orderly pattern. String lighting strung on property lines walls and fences visible from Common~~

Area and streets, will be considered Holiday Lighting and will fall under those guidelines and rules.

d. Security lighting must comply with the following standards:

i. The lighting must be activated by a motion detectors ~~are permitted if approved by the Committee and if the fixture design is compatible with the architecture. Motion detectors sensor. Motion sensors~~ 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. The light~~

#### 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~~ must turn off within five (5) minutes after the triggering activity has ceased.
    - ii. The light fixture must be compatible with architectural style of the home and intended for residential use.
    - iii. The light fixture is to be carefully designed placed in a manner to not allow prevent stray or excessively bright light extending beyond the property lines causing "light trespass".
  - iv. Soffit lighting, under the garage soffit or eaves, is encouraged as an additional 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 ~~This method of~~ illumination must be approved by the Architectural Committee.
    - v. Rope lighting, in landscape features such as steps and wall and column caps, and under garage eaves, will be considered by the Committee, if properly shielded and limited in use. It may also be used as a passive security feature under eaves.

e. Holiday Lighting - During the period beginning on the Saturday following Thanksgiving, and

ending on the second Saturday of January, the Association will waive many of the restrictions relating to outdoor lighting and other decorative objects. During that time it is permissible to decorate yards, roofs, windows, trees, bushes, and fences (with agreement of co-owning neighbor).with appropriate, holiday themed lights and other items. Please be considerate of neighbors relevant to intrusive light and noise pollution. All lights and décor items shall be removed by the end date.

## 20. Exterior Equipment

- a. Machinery and Meters - All water softeners, water heaters, gas meters, electrical meter panels, air conditioning equipment, pool equipment or other similar equipment not originally installed by the builder, shall be completely concealed from public view and shall be installed in a place and manner that minimizes any negative impact on neighboring properties. Any electrical meter panel shall be recessed into a wall and shall be painted to match the color of that wall. Placement of each of these, as well as the type of equipment, is subject to Architectural Committee review.
- b. Audio Equipment - Exterior equipment which is used for home-hobby or entertainment purposes (televisions and stereo speakers) may be used on a Lot provided such machinery or equipment meets the following standards:
  - i. Is obscured from view of other Lots by a fence or appropriate screen, and such fence or screen is approved by the Architectural Committee.
  - ii. Does not constitute a nuisance.
  - iii. It is not used between the hours of 10:00 PM. and 7:00 AM.
  - iv. No horns, whistles, bells or other sound devices, except those exclusively for security purposes, shall be used or placed on a Lot.

## 21. 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. They 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.

## 24. 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 where there is an expectation of privacy (windows and fenced areas), without permission.

### Security Systems/Alarms must Video Cameras

Security cameras and systems may be used on any Lot. They need not be pre-approved by the Committee, however if they fail to comply with the following standards, their installation may be required to be modified or that they be removed

- i. Meets City, County, and State regulations.
- ii. Does not project above the roof line and is discretely placed.
- iii. Arm or bracket securing camera to wall shall not exceed 3" in length..
- iv. Does not have a camera tilt feature or adjustable lens

v. Does not have the ability to look into neighbors' fenced yards or homes.

vi. Audible alarms that can be heard outside of the structure shall have a time-out feature to automatically turn off silence or reset after five (5) 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 to select from these pre-approved schemes. The choices are subject to review and approval by the Committee as homes may not be painted the same colors as the adjacent homes or the home directly across the street.

the street.

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

## **23. COMMUNICATION EQUIPMENT**

Installation of satellite

### **23. Communication Equipment**

Satellite dishes and antennae will not be reviewed by the Architectural Committee when they are designed to (A) receive direct broadcast satellite service or video programming services via multi-point distribution services, or (B) receive or transmit fixed wireless signals via satellite or other exterior mounted reception devices should be submitted to the Committee for review than via satellite. The FCC has issued Regulations concerning antenna shall be installed in an area under the Owner's exclusive use or control comply and comply with the following standards:

- One meter or less in diameter.
- Installed in the least visually obtrusive portion of an Owner's property where an acceptable quality signal can be received, so long as such installation of the devices. While the Association may not prohibit such devices, it may regulate their placement location within certain bounds (as stated below). It is advisable that an Homeowner complete and submit an architectural application for review not unreasonably expensive.
- Cabling is to be installed in straight lines under eaves or parallel with fascia and approval by the Committee prior to rain gutters. Cable installation of such device in order to minimize the possibility that the placement of in the middle of stucco walls is to be avoided. Cable, which is unsupported, draped or installed with efficiency rather than aesthetic care must be removed and reinstalled correctly.
- Cable and clip colors are to be similar in color to the adjacent surface of the structure.
- An acceptable signal cannot be received via an indoor antenna (e.g., an antenna mounted in an attic, "rabbit ears," etc.);
- After installing an outdoor antenna or satellite dish is deemed not to be in compliance. If a Homeowner is required to relocate an outdoor antenna pursuant to the standards set forth above, the Owner must complete and submit a "Notification of Communication Equipment Installation". The Association will inspect the antenna or satellite dish, without having received approval, the Homeowner shall bear the cost to determine compliance with the above requirements.
- Antennas used for AM/FM radio, amateur ("ham") radio, CB radio, digital audio radio services or antennas used as part of such relocation a hub to relay signals among multiple locations are not permitted.

- ~~No video or television antenna or satellite dish having a diameter or diagonal measurement of more than thirty-six (36) inches is permitted. The height of the receiver shall be no more than is adequate to receive the broadcast signal.~~
- ~~All satellite dish cables and external antennae and related brackets, cables, wiring, electrical boxes (excepting the antenna or satellite dish itself) shall be hidden from view or painted to match the adjacent exterior.~~
- ~~No exterior radio antenna, CB antenna, ham radio antenna, or similar radio transmitting or receiving devices shall be permitted.~~
- ~~The installation of permanent exterior audio or music speakers, which disrupt the quiet enjoyment of adjacent neighbors, is specifically prohibited.~~

- No more than one satellite dish, active or dormant, may be on a roof at one time, absent "special circumstances".

#### 24. FLAG POLES ~~Flag Poles~~ and ~~FLAGS~~ Flags

a. Freestanding ~~flagpoles~~ Flag Poles 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~~ the flagpole is subject to review and approval by the ~~Committee.~~

Committee.

b. Brackets for ~~flags attached~~ attaching a flag and flagpole to the front of the house are permitted if the ~~flagpole brackets~~ bracket and the pole are compatible ~~with~~ to the color and scale of the house.

~~One decorative.~~ Decorative flag - One is permitted per lot on an attached bracket. It must have no ~~commercial content or disrespectful/contentious 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. ~~—~~

d. Flat Mounted Flags, otherwise conforming to the "Sign Rules", that are not attached to flag poles may only be displayed, affixed to the eaves or on the garage door, on a holiday or during a sports event, generally limited to the "day of."

e. Size - Flags may not exceed three (3) feet in width and five (5) feet in length.

~~(see LA II's "Sign Rules" for additional guidance).~~

~~to prohibit or dissuade anyone from their right to "display the flag of the United States of America", as defined in Civil~~

Display of US Flag - 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~~ 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 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), fire places and fire pits, pools and/or spas (both permanent and pre-fabricated), fountains and other water features, decorative features, structures ~~that are both~~ permanent or "temporary" (such as a tent or "easy-up" shade) intended to be maintained in place for periods longer than ~~one day (such as a temporary tent or "easy-up" shade), and three days.~~ Also included are 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, per recorded Maintenance Easements, 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); Lot 83, Tract 13614 (2 Chickadee)~~  
Tract 13783 (2 Macaw); Lot 60, Tract 13783 (19 Dove); Lot 61, Tract 13783 (24 Larkspur); Lot 83,  
Tract 13614 (2 Chickadee)

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. Unless otherwise designed, the homeowner shall be responsible for the proper irrigation  
of the maintained portions.

### ~~A.~~ Landscaping — Design & Hardscape

## **B. 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.~~

At least eighty percent (80%) of the unpaved ground plane visible to the street should be covered with, natural or artificial turf, or plant material. Large areas of bare earth without plant material (turf, groundcover or shrubs) are not permitted. Area not covered by vegetation shall be covered by acceptable natural materials.

~~Decorative rock, pebbles, Landscaping components can be defined as (1) hardscape: walkways, patios, driveways, planters, fences, garden walls, pilasters, columns, fireplaces, fire pits, barbecues, light poles, fountains, rock waterfalls, pools, spas, water slides, etc., (2) softscape: grass, lawn, flowers, trees, shrubs, groundcover, etc., and (3) temporary fixtures: play/exercise equipment, playhouses, etc. Landscaping can be effectively used to accentuate entryways, define space, create "soft" privacy screens and reduce the visual impact of fences, approved storage sheds and structures. Since landscaping is a design element, the same considerations should be given to their relationship with the house and with adjacent houses as they apply to other design elements. The Architectural Committee must approve all Landscape and Hardscape, as defined above, except replacement/maintenance of existing plants with the same species, or the installation of annual "color" plantings. The Architectural Committee will consider the visibility of landscaping to Common Areas and neighbors as a factor in approval of these Improvements. Each property owner is responsible for maintaining the hardscape and landscape in a maintained, neat and trimmed condition including limiting the height and width of all shrubs and trees. Installed hardscape and landscape must present an attractive appearance for the property and must include an attractive combination of grass lawn and/or ground covers, shrubs and trees, walkways, etc. Homeowners contemplating significant tree pruning or other major landscape renovation are encouraged to review the plans with impacted neighbors prior to the maintenance or improvement activity.~~

~~e. — 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 wood 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, wood abatement and water retention.~~

~~Water valves, hose bibs, irrigation valves, backflow preventers, 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. Hardscape in Entry Courtyards, Side Yards, and Rear Yards**

Except for patio covers, gazebos, pergolas, and arbors, the top of all landscape features--such as statues, sculptures, waterfalls, fountains, barbeques and fireplaces (excluding chimneys) 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~~ Paved areas shall be minimized in the front yard and side yards visible to the street are to be minimized to maintain a planted landscape and attractive streetscape.

a. General Conditions - Hardscape, including walkways and patios may not exceed more than twenty-five (25) percent of the front yard, exclusive of the driveway and front walkway as originally installed.

b. Paved Areas - All exterior paved areas exposed to streets and Common Area may be one of the following materials in colors and patterns compatible with the existing house masonry accents and architecture of the home:

- i. Masonry - stone, brick, concrete pavers
- ii. Plain concrete - acid washed, integral color
- iii. Textured concrete
- iv. Exposed aggregate concrete
- v. Combinations of the above
- vi. In no case shall asphalt, polished or high gloss stone/tile be acceptable.

c. Driveways and Walkways - Original driveways and front yard walks may be replaced with upgraded paving materials. Permitted paving materials include including concrete, brick, stone, and pavers in approved materials, patterns and colors compatible with existing house masonry accents.

Decomposed granite is not permitted in expansion of the front yard and/or areas visible driveway, to accommodate a walk space, shall extend no further than 18" outward from the street for pathways original driveway It shall match or for "mulching or ground cover" under plants.

Driveway expansions are permitted, for a maximum of one (1) foot wide bands on each side.

- Walkways that parallel the public sidewalk or front compliment the adjacent driveway and shall not be designed to create a parking pad. The area between the outer edge of the driveway and the adjacent property line shall be setback a minimum of three (3) feet (neighbor or Common Area) shall be covered with landscaping. 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.

d. Walkways 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".

Comment [DN1]: Driveway expansion VS, parallel walk to edge of driveway

4.

i. Walkways to front doors may not exceed four (4) feet in width over a majority of the length.

ii. Walkways to front doors must be separated from driveways a minimum two (2) foot wide landscape feature containing plants/trees (not synthetic turf).

#### 4. Front Yard Garden Walls and, Gates and Hedges

Low garden walls, pilasters, hedges, gates and other hardscape features in front yards and entry courtyards visible from accessible common areas must be compatible with the color, materials and architecture of the existing house, and comply with the following standards:

a. Setback - Garden walls and gates located in the front yard must be set back a minimum of three (3) feet from the back of the community sidewalk to allow landscape screening and

access to City's utility easement.

- ~~b. Height - Walls proposed, fences, and hedges located between the sidewalk front setback line and the front of the house/garage shall not exceed thirty-six (36) inches in height and the maximum height for adjoining pilasters, including cap, and gates is forty-two (42) inches. (30") inches in height measured from~~ c. Screening - Landscape screening shall be provided between the original grade of wall / pilaster, and the property and set back a minimum of three (3') feet from the front property line or community sidewalk.

- ~~Plants used 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 screening shall be located behind the adjacent front plane of the a minimum of 12" tall.~~

~~house. Proposed wall extensions and~~

#### **5. Entry courtyard walls that connect and hedges.**

~~If located between the street or community sidewalk and the front of the house or garage and enclosing a paved surface leading to existing walls are the front door, shall not exceed sixty-six (66) inches in height and the maximum height for adjoining pilasters, including cap, and gates is seventy-two (72) inches.~~

~~allowed to exceed the height of the wall to which they are to be connected. All gates~~

- a. ~~Gates shall be designed to be compatible with the architectural style of the home and may not exceed the height of the garden wall, hedge or pilaster.~~

~~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.~~

- b. ~~Enclosure of the entire front yard with walls, gates and hedges is not permitted. The maximum extension of the enclosure from the front of the house toward the street shall not be greater than 25% of the total distance.~~

- c. ~~Driveway gates are not permitted.~~

- d. ~~Wall Surfaces - Walls and pilasters are to be stucco coated masonry, stone veneer or block to match or complement existing house masonry accents. Walls facing the street, Common Area and adjacent homes be finished on all sides.~~

- e. ~~Stack Walls (mortar-less stacked concrete block), broken concrete walls and cast-in-place concrete walls are prohibited.~~

#### **6. Vine Trellises / Pergolas / Arbors**

Trellises are defined as vertical frameworks to support vine or climbing shrub plantings. Similar to a trellis, but usually more robust, is a Pergola – an open, outdoor garden feature forming a shaded walkway or seating area. It is constructed of vertical poles or pillars, horizontal cross-beams, and open lattice. It often supports vine-like vegetation.

An Arbor is free-standing or part of a fence, and usually simple with curved arches over a walkway or gate.

These structures:

- ~~Shall shall~~ be set back a minimum of three (3) feet from wrought iron, glass or other "view fencing"

~~—(exception for an Arbor which is part of the fence)—~~

- ~~Shall and shall~~ not exceed the maximum height of eight (8) feet from the original finish grade to the top of the highest point.

### **67. 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 and accessible common open space areas.~~ freestanding cabinet (not on permanent foundations) designed to store gardening and play items outside of the primary residence or garage.

a. Storage Unit/Shed - For 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.

- i. The top of all sheds and/or storage units must be below the top of the existing walls or screened with approved landscaping so as not to be if visible from the street or accessible common area.
- ii. The maximum height for storage sheds and/or storage units, even when screened per the preceding point, is seven (7) feet measured from original pad grade.
- iii. The size of the storage unit may not exceed thirty-two (32) square feet in area.
- iv. 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.

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

### **78. 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 features 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.

### **89. 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.

a. 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 or water features installed  
\_\_\_\_\_ by homeowners are required to tie to existing drains, downspouts and to curb cores at the street.  
— Water shall not drain to the street across the sidewalk.

b. 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.~~

### 10. Statuary and Thematic Features

a. Thematic landscape features (such as 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.

b. Statues and/or sculptures that establish an independent design theme are not permitted.  
— The subject matter shall be appropriate for residential context. Elements that could reasonably  
\_\_\_\_\_ be considered offensive are not permitted. Such subject matter includes, but is not limited to,  
\_\_\_\_\_ religious forms, symbols or objects, political subjects or satirical items, nude forms, gnomes,  
\_\_\_\_\_ human and animal figures, and sculpture and statues that contain written material, verses  
\_\_\_\_\_ and advertisements.

~~10.~~

### 11. Fountains

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

i. 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/courtyard setting.~~

ii. 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.

#### **4112. Fireplaces**

Outdoor fireplaces are subject to review and approval by the Committee. All fireplace improvements are subject to applicable County Fire codes and must comply with County Fire and Building Codes and the Guidelines 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. 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.~~

#### **4213. 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 unless 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.

#### **4314. Miscellaneous Exterior Improvements**

- a. 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.~~

b. Clothes Lines: Clotheslines are permitted in enclosed yards only. Clotheslines are limited to the ground level and may not exceed seven (7) feet in height. They are not to be attached to the residence. Clotheslines must be set back from the property line a minimum of five (5) feet to

allow landscape screening.

• c. 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 a local hardware store. The design shall approximate be the same as closely as possible the previously approved box being replaced. ~~The design must be approved by and bear the approval of the USPO, and. It~~ is subject to approval by the Committee by submission of the "Locking Mailbox" application form. All neighbors sharing the same pedestal are encouraged to change at the same time if there is a variance in style or size.

• d. 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.

#### **4415. 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, 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.

### **B. Plant Material**

#### **– 1. General Guidelines for Selecting Plant Material**

Plant types should be selected that respect soil conditions and water use, and that contribute to the overall appearance of the Community. It is recommended that professional advice ~~shall be sought when selecting plants~~ be sought when selecting plants. Homeowners are encouraged to use drought-tolerant or "California Native" plants as 'ground cover'. The website CALSCAPE.org will provide a specific list of native plants and trees appropriate for Aliso Viejo.

~~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 within property boundaries, 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 invasive root growth, and the required maintenance of trees (including flowering and fruit trees)~~ should be considered when selecting ~~trees~~ the type. 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, or~~ that are characterized by large or invasive roots, shall ~~also~~ utilize a root barrier device. 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.~~

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 by the pruning.

### 3. ~~Shrubs and~~ Groundcover and Decorative Boulders

~~a. Shrubs~~ The unpaved ground plane visible to the street must be covered with enough plant material as to provide eighty (80) percent coverage (adequate coverage is subject to six-month review following completion of the landscape project). Mulch may be mixed with top soil but may not be the dominant ground cover. Large areas of turf, bare earth, wood chips, bark, mulch or rocks are to be planted not permitted. Visible front and side yards shall include an attractive combination of ground cover, grass lawn, plants, flowers, shrubs, trees, etc.

~~b. A minimum eighteen (18) inch wide planter area with shrubs is to be placed~~ at the base of the house wall, any garden wall, porches and any fence visible to the street. At corner lots, (if maintained by homeowner) the area in the side yard between the street and the side yard fence must be planted with groundcover and shrubs or vines). Care should be given that plants which will obstruct traffic sight ~~lines are not used.~~

~~c. Decorative rock, pebbles, decomposed granite 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 exiting shrubs, for reasons of décor, weed abatement and water retention.~~

~~Visible open planting areas are required to be planted with living groundcover. Individual groundcover plants shall have a maximum spacing of twelve (12) inches on center when planted~~

~~Live turf areas are required to have automatic sprinklers.~~

### ~~4. Artificial Turf~~

~~Artificial turf may be installed in place of, or in lieu of, natural turf subject to prior~~

~~d. Committee~~ 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, nor are short plastic or metal fences.

e. Decorative rocks and boulders may not be the dominant or primary feature in the front and side yard areas visible to the street and Common Area. These materials may be acceptable when installed as an accent. Boulders shall be limited to twenty-four (24) inches in height above ground level, set back from community walks and streets a minimum of twelve (12) inches and shall be softened with plant materials. A minimum of one third (1/3) of the boulder must be buried to present a natural appearance. Boulders shall not be a dominant design feature in the front yard and may not be placed in a field of turf.

f. All landscape areas are to be designed and equipped with an automatic irrigation system. Water valves, hose bibs, coiled hoses and hose reels, irrigation valves, backflow preventers and electrical panels are to be discreetly placed in vaults, behind plants or walls and fences, or otherwise screened from the public accessible area.

4. Natural and Synthetic Turf must be approved, prior to installation, by the Architectural Committee. For synthetic turf, a minimum 6" x 6" sample must be provided with each Application for Committee review and approval and meeting. Turf must meet the following minimum standards: listed

- ~~• Pile height to be at least 1½"~~
- ~~• Be green in color~~
- ~~• Lead free~~
- ~~• Fabric weight of at least 60 oz. per square yard.~~  
[Applicants are required to provide a labeled sample of the proposed artificial turf product with the submittal request.]
- ~~• Include UV Protection.~~
- ~~• Not be installed over existing dirt, greenery or hardscape.~~

Artificial turf below:

a. Location -

i. A minimum two (2) foot wide planting buffer or minimum three (3) inch wide concrete, brick or paver mow strip shall separate the turf from an adjacent property unless the installation is contiguous and identical in material. In no case shall synthetic turf abut natural turf without a divider strip.

ii. Turf may not be installed placed directly against the wallside of the house, garden walls or fences. A minimum eighteen (18") inch planted area should must 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, border board or other edging treatment consistent with the Guidelines in order to minimize the exposed edge of the artificial turf.~~

Artificial turf iii. Turf is not permitted on slopes with a steeper slope ratio than 4:1 (4 horizontal units for every 1 vertical unit).

iv. Turf, which is located within driveways, is to be protected from wheel traffic to abut landscaped common areas or areas maintained by avoid compressing the turf.

v. Turf must be placed over a proper substrate designed to accommodate

the turf and facilitate drainage. Synthetic turf may not be placed over existing natural turf, dirt or hardscape. The "slant" of the turf's blades should be toward the Association street.

~~Top~~ **b. Synthetic Material**

- i. The turf must be a recognized quality product and must be of the proper color, texture, and density to simulate natural turf. Turf shall have a minimum of three (3) tones: dark green blade to simulate mature growth, lime green to simulate new shoot/growth and tan thatch to simulate dead grass blade clippings. Samples of the proposed turf shall be submitted for review.
- ii. The turf is to be uniform and defect free with no visible seams and patches.
- iii. The turf located in the front yard is to have a minimum sixty (60) ounce pile / face weight.
- iv. The turf located in the front yard is to have a minimum pile length of 1 5/8 inches with a slight crown.
- v. Turf must have UV protection, no felt backing or rubber infill and be lead free.
- vi. General maintenance of the turf material will be required, including the removal of leaves and animal waste.
  - vii. The top of the turf's nap shall extend above adjacent walks or driveways.

~~• It is recommended that the turf be installed with the blades slanted toward the street, so as to minimize reflection and appear more natural.~~

~~Homeowners are responsible for the proper maintenance and sweeping or vacuuming of all artificial turf areas, driveways to create the appearance of natural turf.~~

## 5. General Conditions Relating to Plants

- a. Dangerous Plants - No plants with thorns, spines or sharp edges may be planted within (3) ~~•~~ three feet of public sidewalks or roadways.
- b. Maintenance - Landscaping should be neat and attractive in appearance. Dormant growth ~~•~~ should be cut back during winter months. Homeowners must maintain their plantings after installation.
- c. Mulches - Only organic mulch such as natural colored 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.
- d. Invasive Plants - 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 SUBMITALS 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 architectural and hardscape features with like materials ~~as long as if~~ no changes are made to the size, design, 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 by US mail or email to the Association addressed:

*Laguna Audubon II Master Association*

~~*c/o First Service Residential  
15241 Laguna Canyon Road, Irvine 92618  
c/o Seabreeze Management Company  
26840 Aliso Viejo Parkway, Suite 100  
Aliso Viejo, CA 92656*~~

or

~~designreview.ca@fsresidential.com (put LAll and owner's name in the subject line)~~

~~**With the exception of the specific applications for Exterior Painting, Solar Energy Installation, Locking Mailboxes, and Communications Antennas, the**  
LA2Arch@seabreezemgmt.com~~

**The application package must include the following:**

- ~~Two (2) copies of the **Property Architectural/Landscape** Improvement Application (Exhibit A) completed;~~
- ~~Two (2) copies of the **Neighbor Awareness Form** (Exhibit B) completed; (unless exempt; see~~

below)

- Two (2) complete sets of the proposed **Plans** ~~for specific to the~~ improvements.
- **Photographs** of all elevation sides of residence/building and neighboring properties if applicable.
- A copy of completed **Submittal Checklist**.
- Materials **samples** as required

— [Fold each application package to 8-1/2" x 11" format]

Following are detailed descriptions of the items that may be required to be included in the **Application Package**. See the **Application Checklist** for specific requirements. Additional questions should be directed to the Community Design Specialist for Laguna Audubon II at ~~First Service Residential/Seabreeze Management Co.~~

**General Plot Plan Detail:** (See EXAMPLE below)

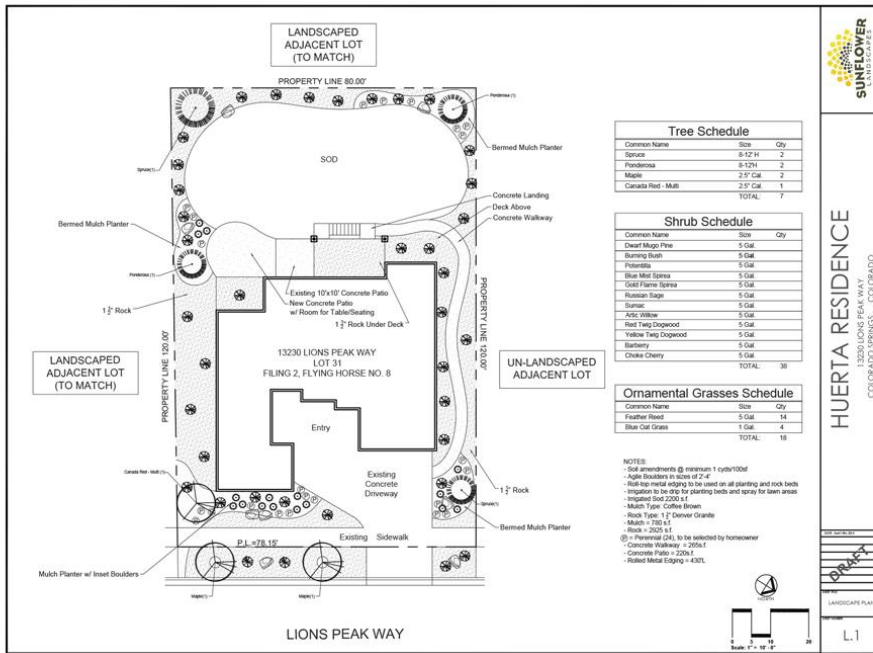
- Indicate homeowner's name, date, ~~address~~, and ~~lot number~~ address of the residence (~~if different~~), north arrow, scale of plans (1/8" = 1'-0" or greater), notes in English.
- Indicate designer/contractor's name, address, and phone numbers – if applicable. provide signature of the designer/plan-preparer, 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 indicating their
- review.
- 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 the 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 does 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.

---

**Example of Plans**



**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/Blueprints)**

- **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). Provide elevations, cross-sections, and a sketch or photo of all proposed structures except for the replacement of windows and doors of the same size and style in same location.
- **Exterior Finish** Indicate 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 vendor brochure, product sample or photographs of the product installed at other identified locations within the Community.

#### Exterior Paint

- Applications need only be submitted on the specific form 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 a change is applied for. 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 improvement and register their concern regarding possible negative impact. 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 potentially impacted neighbors, adjacent, behind, and facing your property (across the street) are required. except for applications for like-for-like replacements (including artificial turf), locking mailboxes, exterior painting, and solar energy systems. No application will be considered complete until the Neighboring Property Owner Awareness ~~condition~~ procedure 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

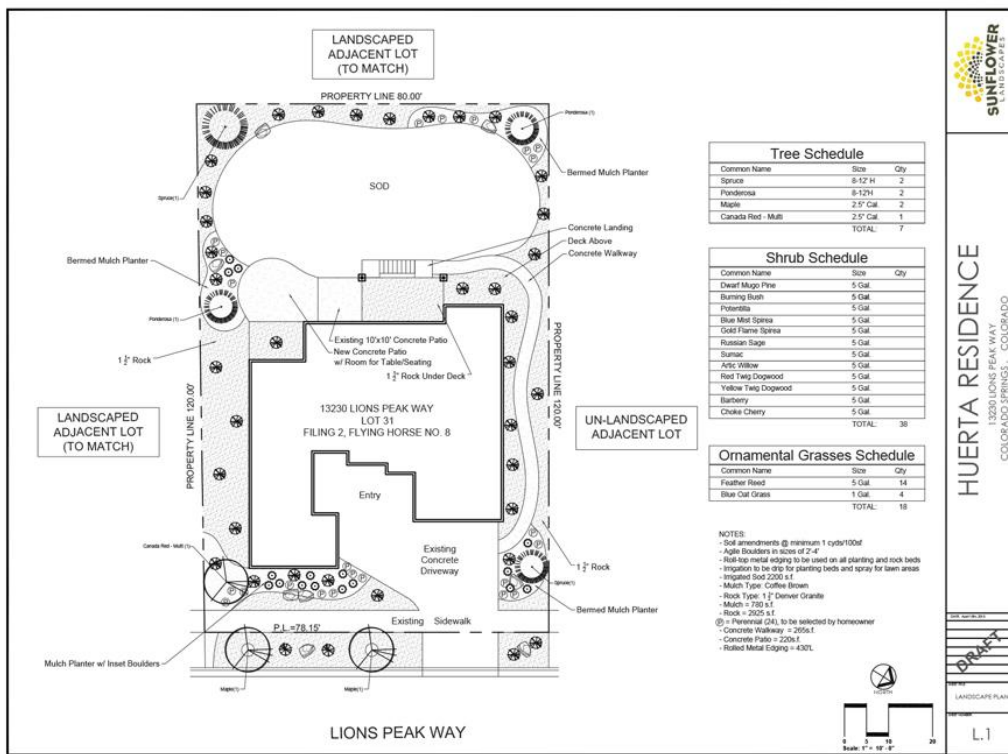
**Can't get your neighbor to sign?** If for any reason you are unable to personally



contact the impacted neighbor and obtain a signature, send a copy of the ~~Architectural~~ **Architectural** Review Application, Neighboring Property Awareness Form, and your contact information, via first-class, Certified Mail to the neighbor or utilize a service such as DocuSign® to complete the process. 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

### 3. 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 the event ~~that~~ the Committee fails to respond within the prescribed thirty (30) days, the plans shall be deemed approved.

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

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.

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

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

The decision of the Board of Directors as to the Appeal, either by ruling or default, shall be final.

## 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 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 without submitting an application, and the improvement does not comply with the CC&Rs or the Community Guidelines, or b) wishes to petition for approval of a variance (architectural exception) in relation to a proposed application, it will be necessary to submit such a request by complying with the same rules listed above. The applicant should fully explain the reason for the requested exception, and include supportive data.

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

~~Laguna Audubon II Master Association  
c/o First Service Residential  
15241 Laguna Canyon Road, Irvine 92618~~

~~or~~

~~designreview.ca@fsresidential.com (put LAll and owner's name in the subject line)~~

Requests for architectural exceptions are not subject to a thirty (30) day review period. Exceptions are effective when ~~evidenced in writing, signed~~ approved by a majority of the Board ~~and upon~~ Exceptions to the CC&Rs may require recordation with the Orange County Recorder's Office ~~when necessary.~~ 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), [LA II Sign Rules](#) 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 deems 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.
- Dumpsters/trash bins 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~~
- ~~time frame 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.~~  
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. Violations

An oversight of a CC&R or Committee policy relating to an unapproved modification does not constitute waiver of that rule and ~~therefore~~ must be corrected upon notice.

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*.

## 9. City and/or County Approval – Building Permits

~~Committee approval does not constitute waiver of any requirements by applicable governmental agencies (City, County or State). 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. It is generally required by the City of Aliso Viejo that any structural changes, including projects involving electricity, gas, water, fences, walls, pools, patio covers, etc., be the subject of a Building Permit applied for by the homeowner or the contractor doing the work. The permit is intended to ensure the finished project will be~~

safe and conform to requisite building and safety codes. The process involves a review of the plans by the City Planning Department followed by one or more inspections as the work is completed.

The Architectural Committee review is concerned with aesthetics, not engineering, technical or construction techniques, and as a result is not concerned with permits per se. To the contrary, the City's planners may require HOA approval before issuing the permit. Approval of any improvement by the City and/or County of Orange shall not constitute approval in lieu of application to, and approval by the Committee or Board, rather it is notice of the project's code compliance, and has no bearing on the HOA review process.

CC&Rs and *Design Guidelines* may in some situations be more restrictive than Codes [example: the Code might call for a minimum set-back of 3', but the HOA may require 5' in the same location]. In such a case, the HOA rule will be precedent over that of the Code.

## **10. 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.

## **11. 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.

Committee approval of modifications under prior Guidelines, or due to oversight ~~may~~will not necessarily be approved on future applications.

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.

## **12. Enforcement Policy and Fine Schedule**

Non-compliance with the above described procedures, which include installing architectural or landscape modifications without receiving prior approval, deviation from approved plans, not submitting a timely Notice of Completion, or failing to comply with the rules during construction, constitutes a violation of the CC&Rs, and may result in subjection to the following enforcement policy.

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

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 ~~the~~ matter. Following that ~~the~~ hearing the Board will determine the action it deems is most appropriate to achieve the correction of the violation.

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

If the violation continues past the hearing and first fine stage, additional hearings will be scheduled with the Homeowner. –

Subsequent fines may be imposed following those additional hearings:

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.

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

**G. \_\_\_\_\_ APPLICATION RELATED DOCUMENTS**

[Following Pages]

**LAGUNA AUDUBON II MASTER ASSOCIATION**

**ARCHITECTURAL / LANDSCAPE –MODIFICATION APPLICATION**

(Homeowner to Complete)

Please complete this request form, the Neighboring Property Owner Awareness form, the Submittal Checklist, and attach two (2) copies of your proposed Improvement plans. **Incomplete applications will not be considered and will be returned without review by the Committee.** To assure prompt consideration, review all submittal materials for completeness before sending them to the Architectural Committee.

**LAGUNA AUDUBON II MASTER ASSOCIATION**

c/o FirstService Residential

15241 Laguna Canyon Road, Irvine, CA 92618



or email to: designview.ca@fsresidentail.com including "LA II" and homeowner's last name in the Subject line.

c/o Seabreeze Management Company  
26840 Aliso Viejo Parkway, Suite 100  
Aliso Viejo CA 92656  
or email to: LA2Arch@seabreezemgmt.com

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

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

\_\_\_\_\_  
Mailing Address (if different) City Zip  
( ) \_\_\_\_\_  
Phone Number Email Address

Architect, Engineer, Contractor or Homeowner's Representative (if applicable):

Name: \_\_\_\_\_  
\_\_\_\_\_  
Address City Zip  
( ) \_\_\_\_\_  
Business Phone Number

**Work to be Completed (circle one or more)**

Room Addition Front Yard Fence/Wall Pool/Spa Landscaping  
Patio Cover or Gazebo Rear Yard Lighting BBQ/Fireplace  
Other: \_\_\_\_\_

Briefly explain intended improvements (attach additional sheet if necessary): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**I UNDERSTAND AND AGREE THAT:**

No work on this request shall commence until written approval of the Committee has been received. I acknowledge that any/all encroachments into utility or other easements are clearly indicated on the submittal plans.

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

(Ex. A)

~~LAGUNA AUDUBON~~ MASTER ASSOCIATION

~~—ARCHITECTURAL MODIFICATION APPLICATION~~

Management Use Only

Homeowner: \_\_\_\_\_ Date of submittal: \_\_\_\_\_

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

Original Application  Re-submittal

All documents, complete per Check List, received on: \_\_\_\_\_  Initial \_\_\_\_\_

Architectural Committee Use Only

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

Action

Returned for additional information:  
\_\_\_\_\_  
\_\_\_\_\_

Approved

Approved with Conditions:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Denied: (indicate CC&Rs and/or Community Architectural Guidelines in conflict)  
\_\_\_\_\_  
\_\_\_\_\_

Other Action: \_\_\_\_\_

**Committee Members:**

\_\_\_\_\_  
\_\_\_\_\_

**LAGUNA AUDUBON II MASTER ASSOCIATION**

**NEIGHBORING PROPERTY OWNER AWARENESS FORM**

Homeowner \_\_\_\_\_ Property Address \_\_\_\_\_

**NEIGHBORING PROPERTY OWNER AWARENESS** – The intent is to advise your neighbors who own property adjacent to and in the immediate vicinity of, your lot (property) line or unit, of your improvement plans. Neighbors must sign this form and may add their comments in the space provided below. Each neighbor must also initial each set of plans. Advise your neighbor that he/she may independently submit comments to the management company. A neighbor's objection to the plans will not necessarily cause Committee denial of the plans if the plans comply with the Community Design Guidelines. Final decision is made by the Committee.

Signing this form does not denote approval of the plans. It only indicates you are aware of planned improvements.

**REAR NEIGHBOR**

Address \_\_\_\_\_  
 Name \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature: \_\_\_\_\_

**REAR NEIGHBOR**

Address \_\_\_\_\_  
 Name \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature: \_\_\_\_\_

**REAR NEIGHBOR**

Address \_\_\_\_\_  
 Name \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature: \_\_\_\_\_

**NEXT DOOR NEIGHBOR**

Address \_\_\_\_\_  
 Name \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature: \_\_\_\_\_



**YOUR HOUSE**

Address \_\_\_\_\_

**NEXT DOOR NEIGHBOR**

Address \_\_\_\_\_  
 Name \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature: \_\_\_\_\_

**STREET**

**FACING NEIGHBOR**

Address \_\_\_\_\_  
 Name \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature: \_\_\_\_\_

**FACING NEIGHBOR**

Address \_\_\_\_\_  
 Name \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature: \_\_\_\_\_

**FACING NEIGHBOR**

Address \_\_\_\_\_  
 Name \_\_\_\_\_  
 Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 Signature: \_\_\_\_\_

Circulated by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Homeowner

(Ex. B)

**LAGUNA AUDUBON II MASTER ASSOCIATION**

**NOTICE OF COMPLETION**

[DO NOT return with Application. To be submitted separately within 30 days of completion of work]

Property Owner's Name: \_\_\_\_\_

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

Mailing Address: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

**Work Completed** (please circle one or more)

Room Addition	Front Yard	Fence/Wall	Pool/Spa
Patio Cover or Gazebo	Rear Yard	Lighting	BBQ/Fireplace
Landscaping	Painting	Other: _____	

**Notice is hereby given that the undersigned is the homeowner of the property where the work took place and that the work was completed according to approved plans on the date specified below:**

Date Work Completed: \_\_\_\_\_ Today's Date: \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_

**Please attach photographs that clearly show all work as completed. Additional photos may be requested.**

~~Return~~ Hand deliver or mail to: ~~\_\_\_\_\_ Laguna Audubon~~ **LAGUNA AUDUBON II**  
**Master Association** **MASTER ASSOCIATION**  
**c/o FirstService Residential**  
 \_\_\_\_\_ 15241 Laguna Canyon Road, Irvine, CA 92618

~~Or email to~~ ~~designreview.ca@fsresidential.co~~ with LAI and homeowner's last name in Subject line  
~~c/o Seabreeze Management 26840 Aliso Viejo Pkwy, Suite 100 Aliso Viejo, CA 92656~~  
 or email the forms and photos to: [LA2Arch@Seabreezemgmt.com](mailto:LA2Arch@Seabreezemgmt.com)

**ARCHITECTURAL COMMITTEE USE**

Work has been completed according to approved plans:

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature

(Ex. C)

### LAGUNA AUDUBON II MASTER ASSOCIATION

## REQUEST FOR ARCHITECTURAL EXCEPTION

(Homeowner to Complete)

Please complete this request form, the submittal checklist form, and attach two (2) copies of your proposed plans highlighting the improvement(s) for which you are requesting an architectural exception. ~~Mail or deliver to:~~

~~Hand deliver or mail to: LAGUNA AUDUBON II MASTER ASSOCIATION  
c/o **FirstService Residential**  
45241 Laguna Canyon Road, Irvine Seabreeze Management 26840 Aliso Viejo Pkwy, Suite 100 Aliso Viejo, CA 92618~~

~~Or 92656 If no material samples needed, email to  
designreview.ca@fsresidential.com including "LA II" the forms and homeowner's last name in the  
Subject line photos to: LA2Arch@Seabreezgmt.com~~

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

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

Mailing Address (if different): \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone Number: \_\_\_\_\_ Business or Cell Phone Number: \_\_\_\_\_

Email address \_\_\_\_\_

Architect, Engineer or Homeowner's Representative (if applicable):

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

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Business Phone Number: \_\_\_\_\_

Description of improvements exception desired – give full details of type and extent of improvements, material, colors, and location on the lot. Include all plans, elevations, photos or other items per checklist. Explain why an exception should be allowed (attach additional sheet if necessary). \_\_\_\_\_

I UNDERSTAND AND AGREE THAT:

No work on this request shall commence until written approval of the Committee has been received.

I FURTHER UNDERSTAND AND AGREE THAT:

Architectural exceptions are only effective when evidenced in writing, signed by a majority of the Committee, and upon recordation with the Orange County Recorder's Office if required. The requesting homeowner shall be responsible for **any and** all fees incurred by the Association for preparation of the appropriate documents to ~~effect~~**affect** an architectural exception.

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Ex. D)

LAGUNA AUDUBON II MASTER ASSOCIATION  
ARCHITECTURAL REVIEW APPLICATION

**SUBMITTAL CHECKLIST**  
(Homeowner to Complete)

This checklist must be completed by Homeowner by initialing the applicable item, and attached to the Architectural ~~application~~**Application**. Failure to complete and include this checklist constitutes an incomplete submittal. All incomplete submittals will be returned without review by the Committee. A description of what must be included on each of the drawings required below may be found in the Community Design Guidelines

**Part I – All Improvements**

Submittal requirements for all improvements, ~~except Exterior Painting and~~ Solar Energy Installation, Mail Box, Satellite/Antenna Notice (separate applications)

- Completed *Architectural Modification Application* OR Completed *Request for Architectural Exception*
  - Signed *Neighbor Awareness Form*
  - Plot Plan
  - Photographs
- (as applicable or requested)

**Part II – Landscape Improvements**

This part must be completed by all applicants for improvements involving all landscaping in any yard (i.e., plant material, hardscape, decks, patio, spa or pool, fences and walls).

- Landscape Plan including drainage, groundcover, sidewalks, curbs, large shrubs, and trees (may be included as part of Plot Plan)

**Part III – Exterior Improvements/Additions**

This part must be completed for exterior alterations including room additions, patio covers, trellises and sunshades, gazebos, balcony, window and door treatment, and exterior material changes.

- Exterior Elevations to include dimensions, material and color
- Floor Plans (in the case of detached structures, such as gazebos, floor plans may be included in the Plot Plan)
- Roof Plan (if applicable)

**Part IV – Special Items**

- Artificial **GrassTurf** – plot plan showing location, a brochure from vendor and a sample of turf
- Fencing – plot plan and an elevation of fence including material and color of fence and gates. For vinyl fence, include sample. Neighbor/co-owners of fence must co-sign the application if not submitting separately

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

Email address \_\_\_\_\_ Daytime Phone \_\_\_\_\_

(Ex. E)

**LAGUNA AUDUBON II MASTER ASSOCIATION**  
**EXTERIOR COLOR CHANGE APPLICATION**

(Homeowner to Complete; Please refer to the preapproved Community Color Palette)-

**Homeowner:** \_\_\_\_\_

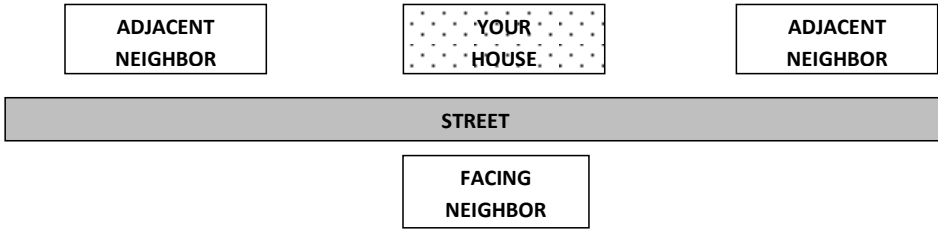
**Property Address:** \_\_\_\_\_

**Exterior Paint Colors**      Scheme # \_\_\_\_\_

(Please indicate paint manufacturer, color name & number. If there is a deviation from the palette colors, so indicate and include color swatches).

Main Stucco / Siding \_\_\_\_\_  
Accent Stucco \_\_\_\_\_  
Fascia \_\_\_\_\_  
Wood Trim \_\_\_\_\_  
Front Door \_\_\_\_\_  
Garage Door \_\_\_\_\_

Please attach photographs of the overall front of the home and photographs of neighboring homes on each side and across the street.



Additional information regarding paint selection: \_\_\_\_\_

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**FOR COMMITTEE USE ONLY**

Approved       Approved with Conditions       Denied

Conditions: \_\_\_\_\_

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

\_\_\_\_\_  
(Ex. F)

**LAGUNA AUDUBON II MASTER ASSOCIATION**

**SOLAR ENERGY INSTALLATION APPLICATION**

Homeowner: \_\_\_\_\_



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

Manufacturer

\_\_\_\_\_  
\_\_\_\_\_

Installer \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_ Zip Code \_\_\_\_

Include with the Application, a Plot Plan indicating location of roof panels and related new or replacement exterior apparatus (power panels, inverters, switches, batteries, etc.). Do not include engineering specs.

The follow guidelines (in addition to others in the Guidelines) are to be followed in regard to the installation:

- Solar panels shall be positioned on roof surfaces to minimize their visibility from streets and common areas while still being able to capture maximum solar energy.
- Profiles must be minimized. All supports and piping for solar collectors must be enclosed and/or screened from view. Silver aluminum frames are not permitted. Panel to lie on and be parallel to roof and no more than 8" above roof surface.
- PanelsAll new panels, switches, and inverters are to 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.
- All batteries or power panels are to be located behind gate and below fence line.

Homeowner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Hand deliver or mail to:

**LAGUNA AUDUBON II MASTER ASSOCIATION**

c/o Seabreeze Management 26840 Aliso Viejo Pkwy, Suite 100 Aliso Viejo, CA 92656

or email the forms and plans to: LA2Arch@Seabreezemgmt.com

**FOR COMMITTEE USE ONLY-**

Approved

Approved with Conditions

Denied

Conditions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

(Ex. G)

**LAGUNA AUDUBON II MASTER ASSOCIATION**

**NOTIFICATION OF SATELLITE DISH OR ANTENNA INSTALLATION**

Satellite dish or antenna installations must comply with the Laguna Audubon II Master Association Satellite Dish and Antenna Policy. Please read the Policy carefully to make sure your intended installation fulfills all requirements. This form must be submitted to the Association within seven (7) days of installation of a satellite dish or antenna.

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

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

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

Type/Model of satellite dish or antenna: \_\_\_\_\_

Dish Diameter: \_\_\_\_\_ Antenna Dimensions (h x w x l) \_\_\_\_\_ Mast Height \_\_\_\_\_

Location of satellite dish or antenna: (sketch a simple roof / plot plan) –

:

Is satellite dish or antenna screened? Yes \_\_\_\_\_ No \_\_\_\_\_

Is satellite dish or antenna and conduit painted to match the building surface? Yes \_\_\_\_\_ No \_\_\_\_\_

Date of installation: \_\_\_\_\_

Homeowner's signature \_\_\_\_\_ Date \_\_\_\_\_

Please send your completed form to:

: **LAGUNA AUDUBON II MASTER ASSOCIATION**  
c/o Seabreeze Management 26840 Aliso Viejo Pkwy, Suite 100, Aliso Viejo, CA 92656  
or email the forms and photos to: LA2Arch@Seabreezemgmt.com

**COMMITTEE USE:**

Date Received \_\_\_\_\_ Action: \_\_\_\_\_

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

\_\_\_\_ (Ex. H)

LAGUNA AUDUBON II MASTER ASSOCIATION  
**MAILBOX UPGRADE (LOCKING)**

Homeowner \_\_\_\_\_

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

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

Daytime Phone \_\_\_\_\_ Email Address \_\_\_\_\_

Mailbox:

Color: \_\_\_\_\_ (circle below or attach photo or web clip)



Total number of boxes on the post \_\_\_\_\_ Does the box bear USPO Approval imprint? Y N

Date mailbox installed \_\_\_\_\_

I have read the *Community Design Guidelines* regarding Mailboxes (Art. II, Sec. A, § 13), and feel my postal mailbox is in conformance. Unless formally notified by the Association within 30 days following submission of this application, it will be assumed the replacement is approved.

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

**FOR COMMITTEE USE ONLY:**

Approved  Denied

Comments: \_\_\_\_\_

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

\_\_\_\_\_(Ex. I)