



SILVERWOOD COMMUNITY ASSOCIATION

DESIGN GUIDELINES

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EXHIBITS

- Exhibit A Property Improvement Application
- Exhibit B Architectural Application Checklist
- Exhibit C DRC Approval Form
- Exhibit D DRC Notice of Completion Form
- Exhibit E Variance Request

Section I: Introduction

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A. Community Association Responsibilities: The Silverwood Community Association ("**Community Association**") is charged with the preservation of the architectural character and enhancement of the landscape setting of the Silverwood community ("**Community**"). The Community Association is granted the power to administer and enforce architectural controls within the Community by Article 8 of the Community Declaration of Covenants, Conditions and Restrictions and Establishment of Easements of Silverwood ("**Community Declaration**"). The Community Association is responsible for preparing these Community Design Guidelines ("**Guidelines**"). No party other than the Community Board, in compliance with applicable laws, may revise this document. These Guidelines do not apply to any Improvements installed by Declarant or any Neighborhood Builder, including without limitation any landscaping or improvements located on a Separate Interest, Community Association Property or Community Association Maintenance or any solar equipment, and neither the Community Board nor the Community Design Review Committee or any Neighborhood DRC shall have any rights of review or approval with respect thereto.

If a home is subject to a Neighborhood Declaration, unless the Community Association has not delegated its design review rights under the Community Declaration, or has rescinded such delegation, then the Neighborhood Association design review or similar committee shall review plans and specifications for all proposed Improvements to verify the Improvement's compliance with the provisions of the Neighborhood

Association design guidelines, these Guidelines, the Community Declaration and the Neighborhood Declaration (defined below); provided, however, that the Community Design Review Committee shall review any Improvements which are designated as Community Association Property or Community Association Maintenance Areas in the Community Declaration or a Community Supplementary Declaration. Refer to the declaration of covenants, conditions and restrictions which affects solely a Neighborhood ("**Neighborhood Declaration**") under the control of a Neighborhood Association within the Community for further provisions, restrictions and requirements applicable to such Neighborhood.

If a home is not subject to a Neighborhood Declaration, then the Community Design Review Committee reviews plans and specifications for all proposed Improvements to verify the Improvement's compliance with the provisions of these Guidelines and the Community Declaration.

Regardless of which association (Community Association and/or Neighborhood Association) is the responsible reviewing entity, all future references to the Design Review Committee ("**DRC**") in these Guidelines shall refer to the applicable DRC (that is, the Neighborhood Association's DRC reviewing plans for Improvements in Neighborhoods governed by a Neighborhood Association (but excluding any Community Association Property or Community Association Maintenance Areas, which shall be reviewed by the Community Association's DRC), and

the Community Association's DRC (referred to as the Community Design Review Committee in the Community Declaration) for Improvements in Neighborhoods with no Neighborhood Association, or for such Neighborhoods in which the Community Association has otherwise elected not to delegate its rights to review).

All neighborhoods within the Community are subject to restrictions on installation of landscaping and other Improvements contained in (a) the Community Declaration and/or a Community Supplementary Declaration, and (b) if applicable, a Neighborhood Declaration or an annexation document to the Neighborhood Declaration encumbering such neighborhood and any rules that may be adopted by an applicable Neighborhood Association. Section 2.22 of the Community Declaration states the Community Association is not obligated to enforce the Shading Act, instead owners of Solar Energy Systems that qualify as "solar collectors" have the right to enforce the shading act.

In addition to restrictions set forth in these Guidelines, the Community Declaration and any applicable Neighborhood Declaration and any rules and regulations that may be adopted thereunder, each Owner shall comply with the Fuel Modification Plan, including without limitation any planting or maintenance obligations set forth in the Fuel Modification Plan, as applicable to such Owner's Separate Interest.

B. Purpose of Guidelines: The purposes of these Guidelines are (1) to preserve the aesthetic character of the

Community as established by the initial development, (2) to assure compatibility among Improvements, and (3) to preserve a high quality of appearance. These Guidelines are intended to both give specific design criteria to Owners and their consultants in preparing drawings for architectural, landscape architectural, and other Improvements to be installed after completion of initial residential construction, and to give the DRC a basis upon which to review the drawings submitted by Owners for compliance with the requirements of these Guidelines. The DRC reviews proposed Improvements for aesthetic purposes only. It is the Owner's responsibility to follow all applicable federal, state and local building codes.

C. Definitions: Various capitalized words and phrases used herein are defined in the Community Declaration and, unless otherwise indicated, shall have the same meaning herein as is ascribed to them in the Community Declaration.

D. Amendments to Guidelines: These Guidelines, along with the provisions set forth in the Community Declaration, form the basis for evaluation of plans and specifications for proposed Improvements submitted by individual Owners to the DRC for review and approval. Any items or issues not addressed in the governing instruments for this Community and/or any Neighborhood are matters left to the discretionary judgment of the DRC acting in good faith on behalf of the best interests of the Community Association as a whole. The Board of Directors of the Silverwood Community Association may, at its discretion, amend these Guidelines from time to time as it deems necessary or desirable, in accordance with applicable laws.

E. **Model Complexes**: The construction features and landscaping provided by the Neighborhood Builders at the model complexes should not be considered as an example of what may be constructed consistent with these Guidelines. The construction features and landscape materials located at the model complexes

were provided for sales and marketing purposes only. Some of the landscape and construction features at the models may not comply with these Guidelines and therefore may not be approved by the DRC for an individual Owner's Residence or Separate Interest.

Section II:

Review and Approval Process

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A. EXTENT OF DESIGN REVIEW COMMITTEE REVIEW

1. The prior approval by the DRC of plans and specifications is required for all architectural modifications and landscape improvements. The DRC may condition its approval on such changes it deems appropriate and may require submission of additional plans and specifications or other information or materials prior to approving or disapproving plans and specifications. In the event of a conflict between these Guidelines and the Community Declaration, the Community Declaration shall control.
2. Upon approval, disapproval or in the event the DRC requests clarification or additional information, all submissions shall be distributed as follows:

Incomplete Plans: Incomplete plans shall be returned to the applying Owner ("**Applicant**").

Approved Plans: One (1) approved plan shall be placed in the files of the Community Association or Neighborhood Association (as applicable), One (1) approved plan will go to the Water District and one (1) approved plan shall be returned to the Applicant.

Denied Plans: A copy of disapproved plans or those requiring clarification or additional information shall be returned to the Applicant. A copy of such disapproved plans must be included with subsequent resubmissions.

3. The DRC or its designated representatives shall have the right, but not the obligation, to (a) inspect the Improvement work at any time, (b) demand proof of compliance by the Applicant's contractor with the provisions of these Guidelines to ensure there is no potential for damage or other adverse impacts to

adjoining Residences or Separate Interests, the Community Association Property and/or Community Association Maintenance Areas and (c) require the Applicant's contractor to cease all Improvement work immediately if the contractor has failed to comply with these Guidelines. In addition, the Applicant shall notify the DRC once the Improvements have been completed by filling out and submitting a Notice of Completion in the form shown in Exhibit D attached hereto, along with photographs indicating the installation of all front, side and rear yard Improvements. If an Improvement results in a setback issue, a photo of the setback issue clearly showing the measurement from the Improvement to the property line or setback is required with the submission. This notification shall be made promptly after the Improvement's completion.

If it is determined that the Improvements were not installed in compliance with the plans approved by the DRC, the DRC shall notify the Applicant in writing of such noncompliance within thirty (30) days after receiving the Notice of Completion. The Applicant is required to remedy the noncompliance within in accordance with the time periods set forth in Section 8.8.4 of the Community Declaration.

4. The DRC's review of plans and specifications only extends to confirming that the plans and specifications adhere to the Community Declaration and these Guidelines. By approving plans and specifications, neither the DRC, the Board of Directors of the homeowners association (either the Community Association or a Neighborhood Association) under which it is organized, or its designated representatives,

nor Declarant or any Neighborhood Builder assumes liability or responsibility for the architectural or engineering design or any defect in any Improvement constructed based upon the Applicant's plans and specifications.

B. ADDITIONAL REQUIREMENTS

If construction activity requires the use of any portion of the Community Association Property or Community Association Maintenance Areas for purposes of transporting labor and materials, or for the temporary storage of materials, the Applicant shall obtain written permission from the Community Association for "Right of Entry" during the course of construction, prior to the use of any such areas. A copy of the Community Association's Right of Entry letter granting permission shall be filed with the DRC prior to the commencement of construction.

After the DRC has approved the Applicant's plans for aesthetic purposes, the Applicant must contact local regulatory agencies to be sure that he or she is in compliance with all building and zoning regulations currently in force. In the event of a conflict between the provisions of these Guidelines and any other ordinance or regulation, the more restrictive requirements shall prevail.

Subject to the Community Declaration, the Community Association's DRC may authorize variances from compliance with these Guidelines, including, without limitation, restrictions upon height, size, floor area or placement of structures, or similar restrictions, when circumstances such as topography, natural

obstructions, hardship, aesthetic or environmental considerations may require such variances. A variance submittal fee will be required for each variance submittal. All variances must be in writing and must be approved by the Community Association, and signed by at least two (2) members of the Community Design Review Committee certifying such Community Association DRC approval.

C. REVIEW AND APPROVAL PROCESS

1. Construction of any Improvement, including landscaping, may not begin until the DRC has approved plans and specifications depicting the proposed Improvement. **Initial landscape Improvement plan submittals must be submitted within 180 days from close of escrow. Yards that were not landscaped by Declarant or a Neighborhood Builder (with may include rear and side yards) must be completely landscaped within one year from close of escrow. No plan reviews shall be conducted until escrow has closed.**

2. The DRC has established (a) a non-refundable design review fee to review submittals and (b) a security deposit, to be refunded after the Notice of Completion is approved by the DRC. Without limiting the generality of the foregoing, if the Applicant fails to complete construction of the Improvement within the time specified by the Community Association, the Community Association shall impose fines as specified in the Violation Enforcement Policy. Refer to Exhibit B or contact the Community Association for deposit and fee amounts.

The security deposit must accompany every

submittal. The purpose of the deposit is to ensure the timely completion of the proposed Improvements and to guarantee that the Community Association is reimbursed for any damage to the Community Association Property and/or Community Association Maintenance Areas associated with an Applicant's construction. Funds may be withheld from deposits for any of the following reasons: (a) to repair the Community Association Property and/or Community Association Maintenance Areas damaged during an Applicant's construction; or (b) to pay fines assessed against an Applicant's account levied in response to a violation of the Community Declaration.

3. The DRC has forty-five (45) days from the receipt of the submittal of a **"complete"** (as determined by the DRC) submittal package to approve or deny the submittal. The Applicant must obtain a dated written receipt for all plans and specifications submitted. Incomplete submittals will be denied. If the DRC fails to transmit its decision within forty-five (45) days after receipt of a **complete** submittal package, then the Owner must submit a written notice advising the Community Association of its failure to act. If the DRC fails to approve or disapprove within fifteen (15) days after receipt of said notice from such applicant, submittal will be deemed approved, provided that any Improvements conform to all conditions and restrictions contained in Article 8 of the Community Declaration and are aesthetically harmonious with similar structures erected within the Community. The DRC may deny a complete submittal for reasons set forth in the Community Declaration or these

Guidelines.

4. After DRC review, the design may need to be approved by the City of Hesperia ("**City**"). If the City requires the DRC-approved design to be changed, then the change needs to be approved by the DRC prior to the commencement of construction.
5. Prior to the commencement of construction, the Applicant and the Applicant's contractor shall agree in writing (in a form acceptable to the Community Association) to indemnify the Community Association from and against any and all claims, damages and other liability arising out of the construction of the Improvement.
6. When construction is completed, a Notice of Completion and photographs of the completed Improvements must be delivered to the DRC for its use in determining if the Improvements were constructed according to the approved plans and specifications and for refunding any deposit required by the DRC. A representative of the DRC may also inspect the Improvement. An appointment will be made at a mutually convenient time for any such inspection of the completed Improvements.
7. Construction must be performed by a properly licensed and insured contractor (if your Separate Interest has recycled water, the contractor must complete the recycled water training and provide a certificate certifying completion of the recycled water training, and any installation of a recycled water irrigation system must comply with the provisions of the Community Declaration, including without limitation Section 2.17.1 and Section 2.23)

and appropriately supervised employees of the contractor who are covered by the contractor's worker compensation insurance policy. The contractor may not use any independent contractor or worker who is not covered by the contractor's workers compensation insurance policy. Unless the Applicant is a properly licensed and insured contractor, the Applicant may not construct the Improvement. Each submittal package must include the contractor's active California license number, a copy of the contractor's license to do business in the City and all applicable bonding and insurance certificates and endorsements. At a minimum, each contractor must maintain and have in effect throughout the duration of its performance of the Improvement work the following insurance: (a) workers compensation insurance in the amounts required by California law; (b) commercial automobile insurance with limits of \$1,000,000.00 in the aggregate; and (c) commercial general liability insurance with limits of \$1,000,000.00 in the aggregate. Depending on the Improvement work to be done, the Community Association may require additional insurance coverage or increased insurance limits. The form of the insurance policies must be acceptable in all respects to the Community Association, and the commercial general liability insurance policy must name the Applicant and the Community Association as additional insureds.

8. Construction must not unreasonably disturb neighbors. The use of a neighbor's yard for construction access is not permitted unless the

neighbor has given written consent that must include a description of the access area. The use of property owned and/or maintained by the Community Association for construction access is not permitted, unless authorized by the Community Association and the Applicant signs an indemnification for damage and posts a construction deposit for repairs of damage to property owned and/or maintained by the Community Association. Any authorization for construction access by the Community Association must be in writing and must include a specific description of the access area.

9. Approval of Improvements by the DRC is for aesthetic purposes only. It is the Applicant's sole responsibility to ensure that all federal, state and local ordinances and building codes are followed and to obtain all permits and inspections that may be required by a public agency before commencing construction.
10. The DRC's approval of plans and specifications refers to conformance with the Community Declaration and these Guidelines. By approving the plans and specifications, the DRC, any members thereof, the Community Association, the Members, the Board of Directors of the Community Association or any Neighborhood Association, the designated representatives and agents of the Community Association and any Neighborhood Association and Declarant do not assume any liability or responsibility therefor, including without limitation architectural or engineering design, for any defect in any structure constructed from such plans and specifications.

11. Proposed Improvement plans must be clear, complete and prepared in accordance with applicable building codes and these Guidelines. All plans must be submitted to the DRC for architectural remodels and additions, and all exterior hardscape and landscape Improvements for review and approval.
12. All packages submitted to the DRC must be submitted by a Member of the Community Association and must contain the following items:
 - a. Property Improvement Application (Exhibit A).
 - b. Architectural Application Checklist (Exhibit B).
 - c. Three (3) complete sets of proposed Improvement plans. Applicants must specifically depict all easements and all utilities, as well as any Improvements that vary from these Guidelines. Approval of plans by the DRC does not include any Improvements otherwise not in compliance with these Guidelines unless specifically noted in the approval.
 - d. Photos of areas to be improved.
 - e. Two (2) signed copies of the Water Quality Management – Best Management Practice Guidelines (refer to Section VII) and the Recycled Water Training Certificate of Completion (if your Separate Interest has recycled water).

The Community Manager and/or the DRC will review the package for completeness. Plans must meet the submission standards as indicated in this Section. The DRC recommends that each Owner retain the services of professional design consultants

to prepare all Improvement drawings. Complete packages are forwarded to the DRC. The DRC will not review incomplete submissions. Incomplete submissions will be returned to the Applicant along with a copy of a checklist noting the areas of deficiency. The forty-five (45) day review period for proposed Improvements will not commence until the DRC has acknowledged receipt of a complete submittal.

13. **Resubmittal Fees:** After the initial submission and two (2) revisions, subsequent plan submissions for additional review will require an additional non-refundable fee payable to the DRC. The DRC may request an additional fee for any submission whether for initial or subsequent approval if changes are made to approved plans.

D. PROCESS / SUBMITTAL REQUIREMENTS

The following is a step-by-step process of the DRC review and submission procedure:

Step 1a

The Applicant reviews these Guidelines and prepares plans and specifications including the proposed new Improvements which includes:

1. Applicant's name, date, address and unit number of Residence (if applicable), north arrow, scale of plans, and notes in English, along with the Recycled Water training certificate if you have a Separate Interest with recycled water.
2. Designer/contractor's name, address, and phone numbers along with the Recycled Water training certificate if you have a Separate Interest with recycled water.

3. Designer/contractor's signature confirming that he/she/they have read these Guidelines and understand the requirements set forth herein.
4. Photographs and dimensioned details as needed to describe the Improvements.
5. Photographs of front and rear elevations of the Residence (architectural elevations) and front yard, rear yard, and each side yard and photographs of Residences across the street and adjacent, if the existing Residence color is proposed to be changed.
6. A proposal from the Applicant's contractor outlining the scope of work to be performed and the method of installation, including without limitation: (a) triple layer plaster and paper protection of floor and wall (up to 4' high) surfaces from elevator and/or stairs; (b) professional cleaning and polishing of any affected Community Association Property and/or Community Association Maintenance Areas where necessary (e.g., elevator cabin) upon completion of construction; (c) use of protection blankets on floor and wall of elevator cabin; (d) disposal of all work-related debris in contractor's own trash container (container shall be placed in a location to be determined by either the Community Association or the Community Manager) and removal of such trash container within seven (7) days following completion of construction; (e) clearing of affected Community Association Property and/or Community Association Maintenance Areas daily; and (f) full disclosure by contractor of any materials used for construction that would be considered toxic or hazardous based on Proposition 65 or other applicable state and federal laws and regulations.

Step 1b

For major Improvements, such as, but not limited to, room additions/extensions, a "**Conceptual Design Submittal**" is required; preliminary plans, specifications and existing photography shall be submitted prior to preparation of construction documents. Refer to Exhibit B for fee requirements regarding Conceptual Design Submittal/Review.

The speed of DRC approval is based on the amount of information that the Applicant provides on the plans and specifications. Inadequate information will cause the DRC to deny the application.

Step 2

The Applicant completes the Property Improvement Application (Exhibit A) and Architectural Application Checklist (Exhibit B).

Step 3

1. The Applicant submits all required forms, plans and photos to the DRC via the Community Manager.
2. All submissions for DRC consideration shall include the items as outlined in the Architectural Application Checklist (Exhibit B).
3. Each submittal for architecture or landscape Improvements must be submitted separately with its own submittal application, documents and associated fee.
4. No reviews shall be conducted until escrow has closed for the Applicant's Residence.

Step 4

1. The DRC and the Water District (if your Separate Interest has recycled water) reviews the required forms, plans and specifications for completeness

and consistency with these Guidelines. Incomplete submittals are rejected. Submittals without fees or deposits are rejected.

2. The DRC approves or denies the submittal. Approval may be given with conditions.

Step 5

The Applicant reviews the DRC's comments and notifies the DRC if there are any questions.

Step 6

If the DRC has granted final approval and the Applicant understands the DRC's comments, the Applicant submits the approved plans and specifications to the City for approval, if required, and obtains any necessary permits.

Step 7

All construction must be consistent with the approved plans and specifications. All deviations must be reviewed and approved in writing by the DRC.

Step 8

Within sixty (60) days after construction is completed, the Applicant submits a Notice of Completion and photographs of the completed Improvements to the DRC (Exhibit D).

Step 9

The DRC reviews the photos provided by the Applicant with the Notice of Completion and determines if the Improvements were constructed according to the approved plans and specifications and then refunds the construction deposit, minus any costs to repair property owned and/or maintained by the Community Association that was damaged during the construction. Construction of any Improvement prior to receipt of

DRC approval is a violation of the Community Declaration and, in such event, the Applicant may be required to remove the unauthorized Improvement at the Applicant's sole cost and expense.

E. ARCHITECTURAL IMPROVEMENTS SUBMITTAL REQUIREMENTS:

1. Site Photos:

- a. Include site photos of the front and rear elevations; of the front yard, rear yard, and each side yard and of all surrounding conditions adjacent to the location of the proposed Improvements including neighboring residences and Community Association Property and/or Community Association Maintenance Areas.

2. Plot Plan (at not less than 1/8" = 1' - 0"):

- a. Show boundary lines accurately. Show all existing and proposed buildings, structures, fences, walls, sidewalks and other Improvements. Indicate all required setbacks, easements, streets, or rights of way and top or toe of slopes.
- b. Show all dimensions on work to be considered; show distances between existing and proposed work and property lines, setback lines and slopes.
- c. Show by spot elevations, all existing vertical gradients.

3. Roof Plan (at not less than 1/8" = 1' - 0"):

- a. Show all existing and proposed roofs noting slopes, pitches and overhangs.
- b. Designate existing and proposed roofing

material.

- c. Indicate any unusual conditions and details involved in or resulting from the work.

4. Floor Plan (at not less than 1/4" = 1'- 0"):

- a. Indicate all walls, columns, openings and any condition or feature that will affect the exterior design or appearance of the structure. Clearly indicate what is existing and what is proposed to work.
- b. Show dimensions of proposed work and related existing work. Indicate the relationships.
- c. Delineate all parts of the exterior that cannot be shown on elevation.
- d. Indicate square footage of proposed and existing work.
- e. Clearly illustrate the existing structure versus the new proposed structure.

5. Architectural Elevations (at not less than 1/4"=1'- 0"):

- a. Provide exterior elevations of all proposed structures and how they relate to the existing structure.
- b. Delineate all height limits in relation to proposed work.
- c. Note all finish materials, colors and textures of proposed work. For alterations or additions, note if finish is to match existing finish.

F. LANDSCAPE SITE IMPROVEMENTS SUBMITTAL REQUIREMENTS

1. Site Photos:

- a. Include site photos of the front and rear elevations of the front yard, rear yard, and each side yard and of all surrounding conditions adjacent to the location of the proposed Improvements including neighboring residences and Community Association Property and/or Community Association Maintenance Areas.

2. Landscape Construction Plan and Details (at not less than 1/8" = 1'- 0") and Design Details: (at not less than 1/2" = 1'- 0"):

- a. The plan must graphically illustrate all hardscape Improvements including: fences, walls, pilasters, gates, trellises, arbors, patio covers, game courts, pools/spas, barbecues, fireplaces, fountains, garden art, mechanical equipment and storage enclosures.
- b. Construction details/elevations of all vertical hardscape Improvements that exceed three feet (3') above existing grade, in the rear and side yard and all front yard vertical hardscape.
- c. Drawings shall include specifications of materials, sizes, color and height. For alterations or additions, note if finish is to match existing finish.
- d. Heights should be shown in relation to adjacent ground elevations (existing grade), and the finish floor elevation.
- e. Any situations requiring retaining of earth shall be clearly shown along with the height of retaining walls. Structural calculations will be required by the City.
- f. List materials, colors and finishes together with method of installation or application.

- g. Clearly indicate proposed setbacks from the property line and perimeter fencing and walls for all hardscape elements.

3. Planting/Drainage/Irrigation Plan:

- a. Identify all trees, shrubs, groundcovers, and their proposed installed plant container size including location, type, quantity, and spacing.
- b. Show proposed irrigation plan noting basic Water District requirements, drain inlets, drain lines and outlets. Please indicate on the plan if the drainage is existing or proposed. If your Separate Interest has recycled water, the Recycled Water Training Certificate must be included and your plans will be reviewed by the Water District. All irrigation systems utilizing recycled water must comply with the provisions of the Community Declaration, including without limitation Section 2.17.1 and Section 2.23.

4. Exterior Lighting Plan:

- a. The lighting information may be shown on the planting plan or construction plan.
- b. Include cut sheets of all proposed fixtures and indicate dimensions and height. Include the following note on the plan:

“No exterior lighting shall be placed or maintained upon any Residence so as to cause an unreasonable glare or illumination upon property outside the Owner’s Residence.”

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

G. CONSTRUCTION DRAWINGS AND SPECIFICATIONS:

Section III:

Single Family Design Guidelines

Section III: Single Family Design Guidelines

A. ARCHITECTURE

All architectural Improvements must be compatible with the original architecture of the Community.

Below are guidelines for building alterations, building materials, colors, and forms which are expressive of the Community's architectural character and which will be used by the DRC in reviewing plans and specifications for compatibility with the original design and enforcing these Guidelines.

COMPLIANCE WITH THESE GUIDELINES SHALL NOT BE IN LIEU OF DRC APPROVAL. COMPLIANCE WITH THESE GUIDELINES SHALL BE DETERMINED BY THE DRC AS PART OF THE APPROVAL PROCESS. THESE GUIDELINES MAY BE MODIFIED FROM TIME TO TIME AS SET FORTH IN THE COMMUNITY DECLARATION.

1. Room Additions and Extensions

- a. Additions and extensions must be designed to be compatible with the existing Residence's form, scale, proportions, massing, architectural style, finish materials and detailing.
- b. The material, color, and texture of new exterior walls of room additions shall be compatible with the existing Residence walls.
- c. Any new fascia must match any existing fascia. Enhanced wall finishes, such as brick and stone, must be designed to wrap corners, and appear to be integral to the design of the Residence, rather than as applied decoration.
- d. The roof pitch, detailing, and fenestration must match the existing Residence.

- e. New building features—such as planters and pot shelves—must be compatible with the color and design of the existing Residence.
- f. Blank two-story high walls shall not face parks, streets, or other public viewing areas. All new walls must be softened with trees to minimize the visual impact.

2. Building Heights

- a. Maximum height of any Residence shall not exceed the maximum ridge line height of the Residence as constructed by Declarant or a Neighborhood Builder.

3. Setbacks and Buildable Zone

- a. For minimum setbacks, please refer to the City requirements and the Specific Plan.
- b. Special setbacks may be adopted by the Community Board and enforced by the DRC.

4. Accessory Buildings

- a. All permissible accessory buildings and uses must be approved by the DRC and must be compatible in design with the architecture of the Residence and the Community. All such permissible accessory buildings must be screened from adjacent residences and Community Association Property and/or Community Association Maintenance Areas by shrubs and trees. Storage units may be approved if they do not exceed the height of the property line wall and if they are properly screened from off-site views by shrubs and trees. (Refer to the Landscape Section for specific requirements.)

5. Roofs

- a. The slope, material, and color and texture of any new roof shall be identical to the existing roof.
- b. New roof features—such as skylights, chimneys, or solar equipment—must be compatible with the design of the existing Residence.
- c. Roof-mounted equipment must be completely screened.
- d. The color of new roof flashing, diverters, vent stacks, and similar features must match the existing roof color.

6. Garages and Garage Doors

- a. Garages shall at all times be maintained in such a manner so as to be capable of accommodating the number of Authorized Vehicles for which it was originally constructed by Declarant or Neighborhood Builder. The addition of shelving, cabinets, etc. shall not impede parking of vehicles in the garage.
- b. Replacements or changes to garage doors must be compatible with the design and color of the existing garage door; or painted or stained a color that is compatible with the exterior color scheme of the Residence.

7. Exterior Building Wall Materials

- a. Exterior veneer materials used on the building walls shall be consistent on all elevations of a Residence in order to achieve a uniform appearance.
- b. Predominant veneer materials and accents shall match the original architecture.
- c. Applied materials must wrap to inside corners, wrap

back a minimum of 36 inches (36") on outside corners or return to a logical termination point.

8. Windows and Doors

- a. The size, location, material, and color of new or replacement windows and doors shall be compatible with the windows and doors of the existing Residence.
- b. Window openings within exterior wall surfaces shall be located in a manner consistent with the existing treatment and design.
- c. New accent windows and doors—such as greenhouse windows or French doors—must be compatible with the color and design of the existing Residence.
- d. Post-modern features, such as large areas of glass block, are not permitted.
- e. Decorative front doors must be compatible with the color and design of the existing Residence.
- f. All exposed window coverings shall be white or off white in color unless otherwise approved by the DRC. Temporary white or off white paper window coverings shall be permitted for a period not to exceed thirty (30) days following the close of escrow. Window bars are prohibited.

9. Screen Doors/Storm Doors

- a. All screen/storm doors for front entry doors, with the exception of retractable screens or clear glass storm doors, must be approved by the DRC. Retractable screen door or clear storm door frames shall match the existing color scheme of the existing Residence. The Applicant shall submit the specification with a photo for DRC consideration. Security doors are prohibited.

10. Chimneys (attached to Residence)

- a. Heights: No chimney may extend higher than the minimum height as permitted by the building code of the City.
- b. Exterior Dimensions: The exterior dimensions of chimneys should be minimized.
- c. Flashing: All chimney flashing should be colored to match the integral or applied color of the chimney.
- d. Chimney caps must match the existing chimneys.

11. Awnings and Shades

- a. Awnings and exterior shades may be approved if they reinforce the architectural style and design of the existing Residence. Actual material samples are required for DRC review.
- b. The size, location, and form must be in scale with the window and should not dominate the architecture.
- c. Awnings proposed on front elevations or on side elevations at corner Residences will be considered relative to their compatibility with the architecture.
- d. Awnings are not appropriate on certain elevation styles and on certain accent windows.
- e. Temporary sun shades attached to the vertical face of the Residence, patio cover, or gazebo, such as rolls of bamboo, fiberglass, or reed, are not permitted.

12. Exterior Colors and Finishes

- a. Color is intended to act as a primary theme-conveying element and reflects of the architectural styles of the Community.

- b. Exterior colors of buildings shall match those applied by Declarant or a Neighborhood Builder and/or comply with the color palette approved by the Board of Directors and available from the Community Manager.
- c. For any proposed modification of exterior material and any proposed modification of exterior color, the following must be included:
 - 1) A color sample board and an elevation sheet with color chips attached clearly noting where colors are to be used.
 - 2) All samples must be identified with manufacturer's name, color and/or number.
 - 3) Samples of masonry and finish roofing material. Descriptions are acceptable for common materials such as concrete roofing tile.

13. Reflective Finishes

- a. No highly reflective finishes (other than glass, which may not be mirrored) shall be used on exterior surfaces (other than surfaces of hardware fixtures), including the exterior surfaces of any of the following: roofs, all projections above roofs, doors, trim, pipes, solar panels, or equipment.

14. Diverters/Downspouts/Gutters

- a. Diverters, downspouts, and gutters shall match those originally installed by Declarant or a Neighborhood Builder.
- b. All downspouts shall be connected to the Residence drainage system.

15. Solar Panels/Mechanical Devices

- a. Solar panels/mechanical devices may be installed within the Community subject to prior written approval from the DRC and compliance with the Community Declaration, including without limitation the solar shading restrictions set forth in Section 2.22 of the Community Declaration. As part of said approval, the DRC will evaluate the appearance of the proposed solar panel/mechanical device to ensure that said device is:
 - 1) Integrated into the roof design of the Residence and flush with the existing roof slope.
 - 2) Not located on the front roofs or located on rear or side roofs that are visible from adjacent streets or any portion of the Community Association Property and/or Community Association Maintenance Areas and must comply with all applicable zoning regulations.
 - 3) Frames must be colored to complement the roof.
 - 4) Natural aluminum frames are prohibited.
 - 5) Support solar equipment shall be enclosed and screened from view.
 - 6) All mechanical equipment exposed to the exterior shall be located in a manner that minimizes visual impact.
- b. Notwithstanding anything herein to the contrary, the DRC shall comply with applicable laws, including without limitation California Civil Code Section 714 et seq., in the review and approval of any solar energy system.

16. Antenna and Satellite Dishes

- a. All exterior radio antennae, television antennae, satellite dishes and other transmitting or receiving devices must

comply with the Community Declaration.

- b. Communications equipment should be located in less visible areas and not exceed the ridgeline of any roof.
- c. When available, satellite dishes should be installed on Neighborhood Builder designated satellite dish installation pad.
- d. All cables should be installed within the Residence wall and be painted to match the adjacent surface where visible on the exterior of the Residence.

17. Columns

- a. New columns should be integral with the design of the Residence, with a substantial scale (e.g., stout columns and deep recesses).
- b. Pipe columns are not permitted.

18. Balconies

- a. The location, material, and color of new exterior balconies shall be compatible with the existing Residence.
- b. Balcony railings must be designed to match the materials, color, and design of any existing railing in the Residence.
- c. Horizontal pipe railings are not permitted.
- d. Landscape planting enhancements may be required to provide privacy screening on behalf of adjacent Residences.

19. Exterior Stairs

- a. The location, material, and color of new exterior stairs shall be compatible with the existing Residence.

- b. Stair supports must be designed as integral parts of the Residence.
- c. Pipe columns are not permitted.
- d. Generic or commercial-looking prefabricated metal stairs are not permitted.
- e. Spiral stairs may be permitted if they are compatible with the architecture of the Residence.

20. Exterior Lighting

- a. New exterior light fixtures, such as decorative wall fixtures, must be compatible with the design of the Residence and be simple in design and color and should be compatible with the existing light fixtures.
- b. Only full cut-off down-lights or recessed lights are permitted in front yards. All light fixtures must be directed away from adjacent streets and properties to prevent off-site glare.

21. Permanent Holiday Lighting

- a. Homeowners desiring to install permanent holiday lights on the exterior of the home must submit and application to, and obtain approval from, the Design Review Committee prior to installation. The application must include the following information:
 - 1) Type of lights (LED, incandescent, etc.)
 - 2) Color scheme
 - 3) Location and method of installation (e.g., securing to the building)
 - 4) Electrical load specifications
 - 5) The name, contact information, and license

number of the installing vendor

- b. If approved, permanent holiday lighting must be installed by a licensed and insured contractor. Such installation must be compliant with all state and local electrical and building codes.
- c. Lighting should complement the existing architecture and color scheme of the home. Approved colors include neutral white, soft white, or single-color schemes (e.g., all red, all blue, all white, etc.). Multi-colored lights, if approved by the Design Review Committee, must be harmonious and not excessively bright (lights should be more akin to traditional Christmas lights rather than lighting that would illuminate the whole home or appear overly commercial). Flashing, strobing, or rapidly changing color lights are not permitted unless specifically approved for certain holiday periods (e.g., Christmas or New Year's Eve).
- d. Permanent holiday lighting may be installed in the following locations:
 - 1) Roofline: either on the inside (house facing) portion of the fascia board or the underside of the soffit (if exists)
 - 2) Trees, shrubs, or landscaping within the Owner's Lot.
- e. All lighting must adhere to the National Electric Code (NEC) and any applicable state and local regulations. Lights must be connected to a safe, outdoor-rated power supply with ground-fault circuit interrupter (GFCI) protection. Extension cords and power strips must be rated for outdoor use and properly secured and screened from view.
- f. Owners are required to maintain the lights consistent
- g. Lights must be turned off by 10:00 p.m. on weekdays and

11:00 p.m. on weekends, except on the night of the holiday itself, when the lights may remain on until midnight. Notwithstanding the foregoing, the Association may require that the lights be turned off at an earlier time if same becomes a nuisance to neighboring homeowners.

B. LANDSCAPE

The landscape plays a significant role in establishing the overall Community character and value. The landscape objective for the Community is to create a cohesive community framework, while allowing for neighborhood diversity and home variety. The desire is to ensure that the landscape and hardscape improvements are of the same high quality as the Residences and Community facilities and that they are aesthetically and horticulturally compatible.

If the front yard landscaping is installed by the Neighborhood Builder and maintained by the Community Association as a Community Association Maintenance Area, modifications to such landscaping by the Owner are not permitted. Any damage to the front yard landscape that is part of a

Community Association Maintenance Area shall be replaced by the Community Association at the Owner's expense.

1. Grading and Drainage

a. Grading:

- 1) The grade adjacent to the property line walls must remain at existing grade for three (3) feet clear of the property line wall.
- 2) The grade may not be lowered or raised in excess of twelve (12") inches within the Lot.

b. Drainage:

- 1) The drainage pattern established with the original grading of the Lot must be maintained. No drainage will be permitted onto Community Association Property and/or Community Association Maintenance Area slopes, landscaping, or adjacent Separate Interest.
- 2) All on-property construction/hardscape surfaces shall have positive surface drainage of one percent (1%) minimum.
- 3) All landscape areas shall have positive surface drainage of two percent (2%) minimum.
- 4) All surface drainage shall be directed away from building walls, top of slopes and adjoining property lines.
- 5) Unobstructed front yard areas may surface drain to the sidewalk. Curb corning is prohibited.
- 6) All rear yard, side yard and obstructed front yard areas must surface drain to area drains/catch basins

which must, in turn, outlet by tying into the drain line installed by Declarant or a Neighborhood Builder. The roof gutters at the downspouts must connect to the drain line or inlets installed by Declarant or a Neighborhood Builder.

- 7) All on-property drainage features and systems must adhere to all applicable codes.

2. Hardscape and Landscape Structures

a. Flatwork:

- 1) Flatwork shall be balanced with landscaping in areas that are visible to the street and/or Community Association Property and/or Community Association Maintenance Areas and shall not exceed 40% of the front yard.
- 2) An eighteen inch (18") maximum expansion of enhanced paving is permitted on each side of the driveway or a three foot (3') expansion on the interior side only. The paving material must accent the driveway and shall not appear as a concrete add-on.
- 3) A balance of landscaping and hardscape is required in all areas visible from the street and/or Community Association Property and/or Community Association Maintenance Areas. Excessive hardscape is not permitted.
- 4) A 24 inch (24") planting area is required between the driveway and the pedestrian entry walk.
- 5) All exterior paved surfaces exposed to streets and /or the Community Association Property and/or Community Association Maintenance Areas must be

compatible with the architectural style and exterior elevation materials.

b. Walls, Fences and Gates:

- 1) Existing steel, pilasters, walls, and fences shall not be removed, reconstructed or modified as to structure, finish or color.
- 2) Walls, fences and gates that were installed by Declarant or a Neighborhood Builder may not be altered or removed without the prior approval of the DRC, provided that walls, fences and gates located in Community Association Property or Community Association Maintenance Areas that were installed by a Declarant or Neighborhood Builder may not be altered or removed.
- 3) Fences and walls that will abut any existing wall or fence shall not exceed the height of the existing wall unless otherwise required by building codes for protection of swimming pools or spas and approved by the DRC.
- 4) Retaining walls are subject to the approval of the DRC. Such approval shall be based on the aesthetic appearance of the wall only and shall not be deemed to warrant or approve in any manner the engineering or structural design of the wall. Retaining walls shall be located three feet (3') clear of existing property line walls or fences.
- 5) Front yard walls and raised hardscape shall not exceed forty-two inches (42") in height. Front yard pilasters shall not exceed forty-eight inches (48") in height. All new walls and pilasters located in the front yard area shall be set back three feet (3')

minimum from the back of walk.

- 6) Rear and side yard walls shall not exceed 6 feet (6') maximum height, from the low side.
- 7) Soil level may not be raised against existing perimeter and side yard walls without the addition of a retaining flash wall as they are not structurally designed for retaining conditions.
- 8) Exterior veneer materials used on the site walls must be compatible with or match the architectural exterior elevation materials. Glass block, railroad tie, or loffel walls are not permitted in the front yard. All sides of walls and fences must be finished. Structural framing and/or unfinished sides of fences or walls shall not be permitted.
- 9) All proposed features, equipment, garden art, walls, fences, gates, trellises, or other structures installed adjacent to any tubular steel/aluminum, glass rear perimeter or side yard panels shall be subject to DRC approval. Provide a photo or specification sheet for all proposed features with dimensions.

h. Fencing and Gates:

- 1) All steel and tubular steel is to be zinc metalized, galvanized or bonderized prior to applying finish color, due to exposure. All steel and tubular steel adjacent to the Community Association Property and/or Community Association Maintenance Areas shall match the Community color (Joshua Green). Aluminum may be used in lieu of tubular steel but it must match the Community color.

i. Patio Structures:

- 1) Patio structures may be freestanding or attached to the Residence and shall be designed to reinforce the existing architectural style and overall garden design concept. Materials, finishes, colors and design detail shall be consistent with the existing architecture. Structures shall comply with all governing agency ordinances and requirements.
- 2) Flat roofed structures shall be open beam or wrought iron and the size, location and form must be in scale with the exterior of the Residence.
- 3) Pitched-roof structures shall be in scale with the exterior Residence. The pitch of the sloping roof and the roofing material must match the existing architecture. Open wood beam pitched structures are not permitted.
 - a) All setbacks must adhere to City of Hesperia and Specific Plan restrictions.
 - b) Structures in the front yard are not permitted.
 - c) All structures will be reviewed on a case-by-case basis by the DRC. The following conditions may be considered:
 1. Visibility of the structures from streets, Community Association Property and areas outside of the Separate Interest.
 2. Screening/softening of the structure with plant material.
 3. The balance of hardscape to softscape.
 4. The size and number of structures in relation to the size of the yard.

d) Construction details and elevations are required for review. Identify all materials, sizes and finishes. Note that the wood members must be stained/painted to match the architectural palette of the Residence.

e) To provide additional shade, slide on wire canvas canopies are permitted within the joists of the patio cover. The color of the canopy shall be compatible with the colors of the Residence. Prefabricated systems are available from infinitycanopy.com. Easy Ups are for temporary use only, not to exceed 12 hours.

f) Prefabricated gazebos and patio covers must adhere to all of the above requirements. A photograph and catalog specifications sheet is required with the submittal.

j. Freestanding Vine Trellises:

- 1) Freestanding vine trellises shall not exceed five feet (5') in height and shall have a one foot (1') setback from the rear or side property line as measured to the outer most construction member. The length shall be reviewed on a case-by-case basis.
- 2) Freestanding vine trellises shall not exceed the height of the property wall.
- 3) Vine trellises shall be ornamental iron or wood construction.
- 4) The construction detail and elevation is required for review.
- 5) Prefabricated vine trellises will be considered.

Provide a catalog cut sheet or photograph.

k. Swimming Pools/Spas:

- 1) Swimming pools/spas are permitted within the rear yard. Lots that have recycled water for irrigation have set back requirements for pools from irrigation. All pools/spas are subject to the San Bernardino County Health Code and the following requirements:

- a) Swimming pools/spas shall adhere to the City of Hesperia restrictions, including setback requirements. Pools and spas are high activity areas and shall be screened from Community view with substantial landscaping.
- b) Rock formation features associated with pools and spas shall not exceed the perimeter wall/fence height including any associated safety railing. The structure must be screened from Community views with substantial landscaping. All rock formation pools are approved on a case-by-case basis. Material samples and photographs are required for all submittals.
- c) Prefabricated spas are permitted. They shall meet all built-in swimming pools/spas requirements and any associated trellis/overhead shall be in accordance with the patio structure requirements.

l. Pool/Spa Equipment:

- 1) Pool/spa equipment shall adhere to City of Hesperia restrictions, including setback requirements.
- 2) All pool equipment must be screened from

Community view. Typical screening methods include dense tree/shrub planting or an overhead trellis foliated with evergreen vines.

- 3) Solar collector panels including racks and distribution components shall be subject to approval of the DRC as to materials and methods of installation and the color must be compatible with the Residence. All supports and piping must be enclosed. Solar collector panels shall be located in a manner that minimizes visual impacts.

m. Fountains/Ponds:

- 1) Water features such as reflecting pools, ponds, and fountains located in the front yard are reviewed by the DRC on a case-by-case basis. They must be strongly related to the architectural style of the Residence.
- 2) Water features are permitted within the rear and side yards with the following requirements:
 - a) Fountains shall not exceed the height of the existing property line wall/fence.
 - b) If located adjacent to a view fence, it must be softened with plant material.
 - c) Wall fountains shall not be attached directly to any property line wall.
- 3) All equipment must be screened from Community view.
- 4) Provide photographs or catalog cut sheets with the submittal.

n. Barbecues and Outdoor Kitchens:

- 1) Built-in barbecues and outdoor kitchens shall not exceed the height of the property line wall/fence.
- 2) All materials shall be consistent with the residential architecture and in scale with the size of the yard.
- 3) All structures shall be setback per City of Hesperia restrictions.
- 4) Lots that have recycled water for irrigation have set back requirements for BBQ's from irrigation.

o. Fireplaces:

- 1) Freestanding outdoor fireplace chimneys shall adhere to City of Hesperia restrictions. Wood burning fireplaces are prohibited.
- 2) The fireplace must match the architectural style of the Residence.
- 3) The height limit of fireplace chimneys attached to patio covers shall not exceed minimum building codes.
- 4) Fireplaces are not permitted in the front yard.

p. Play Equipment:

- 1) All play equipment that exceeds the height of the property line wall/fence requires DRC approval prior to installation.

q. Garden Art/Statuary:

- 1) Garden art/statuary shall be located in the private yard and shall not exceed four feet (4') above existing grade.
- 2) All garden art/statuary are reviewed and approved by the DRC on an individual case basis. Provide

photos, catalog cuts and specifications for DRC review.

3. Irrigation:

The following irrigation standards apply to all Residences within the Community (Lots with recycled water must include the certificate of safety training and all irrigation systems utilizing recycled water must comply with the provisions of the Community Declaration, including without limitation Section 2.17.1 and Section 2.23):

- a. All landscape areas are to be irrigated by a permanent system with automatic controllers.
- b. Irrigation systems shall be tailored to the specific site and landscape situation. Important considerations of the design are environmental conditions such as sun and shade, soils, terrain, percolation rates, erosion control, and wind.
- c. All above-ground controllers shall be completely screened from Community Association Property and/or Community Association Maintenance Area views.
- d. Irrigation systems shall be designed to apply water in an efficient manner and provide adequate coverage without run-off into storm drains or over sidewalks.

4. Planting:

a. Planting:

- 1) Where Community Association Property and/or Community Association Maintenance Area street trees, shrubs, groundcover, and turf have been provided by Declarant or a Neighborhood Builder, they are to be protected in-place during any construction and replaced in kind and size within the

adjacent parkway by the Community Association at the Applicant's expense if damaged. Notes and location provided on the plan shall reflect the in-place parkway trees on all landscape submittals. Street trees and their parkways located in Community Association Property or Community Association Maintenance Areas are maintained by the Community Association.

- 2) If the front yard landscaping is installed by the Neighborhood Builder and maintained by the Community Association as a Community Association Maintenance Area, modifications to such area by the Owner are not permitted. Any damage to the front yard landscape that is part of a Community Association Maintenance Area shall be replaced by the Community Association at the Owner's expense.
- 3) No trees, shrubs, or other plants shall be installed until plans and specifications have been approved by the DRC. The plans must show the proposed locations and installed sizes.
- 4) The DRC shall have the right, but not the obligation, to require an Owner to remove, trim, or prune any tree, shrub, or plant which in the reasonable belief of the DRC unreasonably impedes the passage of light or air of any Residence and to shape and thin trees for wind resiliency and appearance.
- 5) In addition to selecting landscape plants based upon aesthetic characteristics, consideration must be given to relative drought tolerance, solar aspect, and soil type within the Community.
- 6) All trees planted within two feet (2') of Community

Association Property and/or Community Association Maintenance Area hardscape (sidewalk, driveways, etc.) shall have a root barrier device installed adjacent to hardscape areas. Trees with invasive root systems and deciduous/flowering/fruiting trees that drop excessive litter should not be located adjacent to any Community Association Property, Community Association Maintenance Areas or another Residence. All types of Palm trees are prohibited.

- 7) Many tree varieties grow to proportions that are not compatible with the size of individual Separate Interests within the Community or may have specific inherent problems such as invasive roots and will be considered on a case-by-case basis. Such trees may require a three foot (3') setback from the property line and a root barrier will be required.
- 8) Each Owner assumes all liability and responsibility for any root damage from trees planted in their yards (including, but not limited to, fencing, walls and structures, utility lines, drainage and adjacent neighbor Improvements).

b. Front Yard Tree Requirements:

- 1) Front yard area shall be considered to be the area from the back of the parkway sidewalk to the side yard enclosure fence, wall or gate.
- 2) A minimum of two (2) 24 inch 24" box size tree shall be planted in each front yard. Vertical accents such as Italian Cypress trees or fruit/citrus trees do not satisfy requirement.
- 3) Foundation shrub planting is required at the

Residence walls and at the property line walls. Turf is not permitted to extend to the face of the wall.

- 4) Vertical shrubs should be utilized against blank wall elevations.
- 5) Vertical accents should be used at the front corners of the Residence at two-story elevations.

c. Rear Yard Architectural Elevations:

- 1) Trees shall be located to create privacy between neighbors and screen high activity areas such as pools, spas, barbeque entertainment areas.
- 2) Trees adjacent to adjoining residences shall be evergreen.
- 3) Trees shall be planted with a root barrier. Note: Some trees may require a setback as determined by the DRC.
- 4) Rear yard areas not displaced by hardscape shall be planted with a combination of shrubs, ground covers and turf.
- 5) Where practical, trees or shrubs shall be utilized to screen equipment, dog houses, storages, etc, from view of Community Association Property or adjoining Separate Interests.

d. Minimum Functional Shrub and Tree Planting Requirements:

- 1) A combination of shrubs and trees shall be planted to screen all utilities, air conditioner condensers, pool/spa equipment, dog runs, trash storage, play equipment, etc. from all Community Association Property, Community Association Maintenance

Areas, street scenes, and adjacent Residences.

- 2) The minimum acceptable size of screen trees is 24 inch (24") box size.
- 3) Shrubs and vines shall be planted to screen or visually modulate walls.

e. Ground Plane Planting Requirements:

- 1) All planting areas visible from the streets, Community Association Property and/or Community Association Maintenance Areas that are not completely covered with shrubs shall receive turf or groundcover.
- 2) Groundcover and/or annual color in planting areas shall be installed twelve inch (12") on center.
- 3) Mulch, gravel, decorative rock, and decomposed granite shall be used as an accent only and must be earth tones. No white rock or red mulch.

f. Synthetic Turf Grass:

- 1) Synthetic turf is permissible in front, side, and rear yards in accordance with all setback requirements for natural turf herein.

A minimum twelve inch by twelve inch (12" x 12") sample and specification sheet with warranty shall be submitted for consideration, unless pre-approved product is specified. Note: Synthetic turf must be replaced when it no longer looks like natural turf due to wear, damage, or discoloration.

5. Exterior Lighting

- a. Landscape lighting shall be low-voltage only.
- b. Mercury vapor lamps or lamps that emit light of a similar

character, exposed fluorescent lamps, flashing lights, color lights, unshielded exterior lights, and lights which result in excessive glare are not permitted.

- c. Lights on top of pilasters in the front yard are approved on a case-by-case basis.
- d. Path lights shall be minimal and cast the light downward.
- e. Area lighting and game court lighting is not permitted.
- f. Post lights are not permitted.
- g. Security lights on motion detectors for security illumination are strongly discouraged but may be allowed subject to DRC approval.
- h. The use of 'Tivoli'/festoon lighting (overhead string lights) are permitted on a case-by-case basis as approved by the DRC. Freestanding or open garden/yard string lights shall be attached from the Residence or patio cover to a metal arbor that is foliated with vines or to large trees. Freestanding decorative metal or iron posts, that are compatible with the architecture, may be permitted. A specification sheet or detail to scale is required for DRC review. Freestanding wood posts are not permitted.

6. Miscellaneous:

- a. Speakers: Loudspeakers shall not be mounted higher than four feet (4') above grade.
- b. Exterior Colors: Exterior colors of fences, walls and structures as originally applied and exterior colors pre-approved by the DRC for new construction, additions, or alterations shall not be changed or altered without DRC approval.
- c. Flags:

- 1) Non-commercial flags are permitted with the following requirements:
 - a) The flag brackets shall be compatible with the color and scale of the Residence.
 - b) Flags may not exceed fifteen (15) square feet in size.
 - c) Must be maintained continually in good repair.
 - d) House-attached flagpole shall be no longer than six feet (6') in length.
 - e) Flagpoles must be removed when a flag is not displayed.
- 2) Freestanding flagpoles are not permitted.

e. Outdoor Storage:

- 1) All items stored outside such as trash cans, recycling bins, compost containers, yard equipment, doghouses, etc. must be completely screened from Community views, other than such times as the containers are placed outside for collection, in compliance with the Community Rules.
- 2) Storage sheds and green houses are only permitted with DRC approval in rear and side yards screened from view of the street. The top of the structure must be below the top of the wall and screened with landscaping approved by the DRC.

f. Landscape Accessories:

- 1) Thematic landscape accessories on front porches or within the Community Association Property (e.g., sundials, statuettes, chimes, etc.) are not permitted.

Section IV:

Detached Condominium Homes

Design Guidelines

Section IV: Detached Condominium Homes – Design Guidelines

A. ARCHITECTURE

All architectural Improvements must be compatible with the original architecture of the Community.

Below are guidelines for building alterations, building materials, colors, and forms which are expressive of the Community's architectural character and which will be used by the DRC in reviewing plans and specifications for compatibility with the original design and enforcing these Guidelines.

COMPLIANCE WITH THESE GUIDELINES SHALL NOT BE IN LIEU OF DRC APPROVAL. COMPLIANCE WITH THESE GUIDELINES SHALL BE DETERMINED BY THE DRC AS PART OF THE APPROVAL PROCESS. THESE GUIDELINES MAY BE MODIFIED FROM TIME TO TIME AS SET FORTH IN THE COMMUNITY DECLARATION.

1. Room Additions and Extensions

- a. Additions and extensions must be designed to be compatible with the existing Residence's form, scale, proportions, massing, architectural style, finish materials and detailing.
- b. The material, color, and texture of new exterior walls of room additions shall be compatible with the existing Residence walls.
- c. Any new fascia must match any existing fascia. Enhanced wall finishes, such as brick and stone, must be designed to wrap corners, and appear to be integral to the design of the Residence, rather

than as applied decoration.

- d. The roof pitch, detailing, and fenestration must match the existing Residence.
- e. New building features—such as planters and pot shelves—must be compatible with the color and design of the existing Residence.
- f. Blank two-story high walls shall not face parks, streets, or other public viewing areas. All new walls must be softened with trees to minimize the visual impact.

2. Building Heights

- a. Maximum height of any Residence shall not exceed the maximum ridge line height of the Residence as constructed by Declarant or a Neighborhood Builder.

3. Setbacks and Buildable Zone

- a. For minimum setbacks, please refer to the City requirements and the Specific Plan.
- b. Special setbacks may be adopted by the Community Board and enforced by the DRC.

4. Accessory Buildings

- a. All permissible accessory buildings and uses must be approved by the DRC and must be compatible in design with the architecture of the Residence and the Community. All such permissible accessory buildings must be screened from adjacent

residences and Community Association Property and/or Community Association Maintenance Areas by shrubs and trees. Storage units may be approved if they do not exceed the height of the property line wall and if they are properly screened from off-site views by shrubs and trees. (Refer to the Landscape Section for specific requirements.)

5. Roofs

- a. The slope, material, and color and texture of any new roof shall be identical to the existing roof.
- b. New roof features—such as skylights, chimneys, or solar equipment—must be compatible with the design of the existing Residence.
- c. Roof-mounted equipment must be completely screened.
- d. The color of new roof flashing, diverters, vent stacks, and similar features must match the existing roof color.

6. Garages and Garage Doors

- a. Garages shall at all times be maintained in such a manner so as to be capable of accommodating the number of Authorized Vehicles for which it was originally constructed by Declarant or Neighborhood Builder. The addition of shelving, cabinets, etc. shall not impede parking of vehicles in the garage.
- b. Replacements or changes to garage doors must be compatible with the design and color of the existing garage door; or painted or stained a color that is compatible with the exterior color scheme of the

Residence.

7. Exterior Building Wall Materials

- a. Exterior veneer materials used on the building walls shall be consistent on all elevations of a Residence in order to achieve a uniform appearance.
- b. Predominant veneer materials and accents shall match the original architecture.
- c. Applied materials must wrap to inside corners, wrap back a minimum of 36 inches (36") on outside corners or return to a logical termination point.

8. Windows and Doors

- a. The size, location, material, and color of new or replacement windows and doors shall be compatible with the windows and doors of the existing Residence.
- b. Window openings within exterior wall surfaces shall be located in a manner consistent with the existing treatment and design.
- c. New accent windows and doors—such as greenhouse windows or French doors—must be compatible with the color and design of the existing Residence.
- d. Post-modern features, such as large areas of glass block, are not permitted.
- e. Decorative front doors must be compatible with the color and design of the existing Residence.
- f. All exposed window coverings shall be white or off white in color unless otherwise approved by the DRC. Temporary white or off white paper window

coverings shall be permitted for a period not to exceed thirty (30) days following the close of escrow. Window bars are prohibited.

9. Screen Doors/Storm Doors

- a. All screen/storm doors for front entry doors, with the exception of retractable screens or clear glass storm doors, must be approved by the DRC. Retractable screen door or clear storm door frames shall match the existing color scheme of the existing Residence. The Applicant shall submit the specification with a photo for DRC consideration. Security doors are prohibited.

10. Chimneys (attached to Residence)

- a. Heights: No chimney may extend higher than the minimum height as permitted by the building code of the City.
- b. Exterior Dimensions: The exterior dimensions of chimneys should be minimized.
- c. Flashing: All chimney flashing should be colored to match the integral or applied color of the chimney.
- d. Chimney caps must match the existing chimneys.

11. Awnings and Shades

- a. Awnings and exterior shades may be approved if they reinforce the architectural style and design of the existing Residence. Actual material samples are required for DRC review.
- b. The size, location, and form must be in scale with the window and should not dominate the architecture.
- c. Awnings proposed on front elevations or on side

elevations at corner Residences will be considered relative to their compatibility with the architecture.

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

12. Exterior Colors and Finishes

- a. Color is intended to act as a primary theme-conveying element and reflects of the architectural styles of the Community.
- b. Exterior colors of buildings shall match those applied by Declarant or a Neighborhood Builder and/or comply with the color palette approved by the Board of Directors and available from the Community Manager.
- c. For any proposed modification of exterior material and any proposed modification of exterior color, the following must be included:
 - 1) A color sample board and an elevation sheet with color chips attached clearly noting where colors are to be used.
 - 2) All samples must be identified with manufacturer's name, color and/or number.
 - 3) Samples of masonry and finish roofing material. Descriptions are acceptable for common materials such as concrete roofing tile.

13. Reflective Finishes

- a. No highly reflective finishes (other than glass, which may not be mirrored) shall be used on exterior surfaces (other than surfaces of hardware fixtures), including the exterior surfaces of any of the following: roofs, all projections above roofs, doors, trim, pipes, solar panels, or equipment.

14. Diverters/Downspouts/Gutters

- a. Diverters, downspouts, and gutters shall match those originally installed by Declarant or a Neighborhood Builder.
- b. All downspouts shall be connected to the Residence drainage system.

15. Solar Panels/Mechanical Devices

- a. Solar panels/mechanical devices may be installed within the Community subject to prior written approval from the DRC and compliance with the Community Declaration, including without limitation the solar shading restrictions set forth in Section 2.22 of the Community Declaration. As part of said approval, the DRC will evaluate the appearance of the proposed solar panel/mechanical device to ensure that said device is:
 - 1) Integrated into the roof design of the Residence and flush with the existing roof slope.
 - 2) Not located on the front roofs or located on rear or side roofs that are visible from adjacent streets or any portion of the Community Association Property and/or Community Association Maintenance Areas and must comply with all applicable zoning regulations.

- 3) Frames must be colored to complement the roof.
 - 4) Natural aluminum frames are prohibited.
 - 5) Support solar equipment shall be enclosed and screened from view.
 - 6) All mechanical equipment exposed to the exterior shall be located in a manner that minimizes visual impact.
- b. Notwithstanding anything herein to the contrary, the DRC shall comply with applicable laws, including without limitation California Civil Code Section 714 et seq., in the review and approval of any solar energy system.

16. Antenna and Satellite Dishes

- a. All exterior radio antennae, television antennae, satellite dishes and other transmitting or receiving devices must comply with the Community Declaration.
- b. Communications equipment should be located in less visible areas and not exceed the ridgeline of any roof.
- c. When available, satellite dishes should be installed on Neighborhood Builder designated satellite dish installation pad.
- d. All cables should be installed within the Residence wall and be painted to match the adjacent surface where visible on the exterior of the Residence.

17. Columns

- a. New columns should be integral with the design of

the Residence, with a substantial scale (e.g., stout columns and deep recesses).

- b. Pipe columns are not permitted.

18. Balconies

- a. The location, material, and color of new exterior balconies shall be compatible with the existing Residence.
- b. Balcony railings must be designed to match the materials, color, and design of any existing railing in the Residence.
- c. Horizontal pipe railings are not permitted.
- d. Landscape planting enhancements may be required to provide privacy screening on behalf of adjacent Residences.

19. Exterior Stairs

- a. The location, material, and color of new exterior stairs shall be compatible with the existing Residence.
- b. Stair supports must be designed as integral parts of the Residence.
- c. Pipe columns are not permitted.
- d. Generic or commercial-looking prefabricated metal stairs are not permitted.
- e. Spiral stairs may be permitted if they are compatible with the architecture of the Residence.

20. Exterior Lighting

- a. New exterior light fixtures, such as decorative wall

fixtures, must be compatible with the design of the Residence and be simple in design and color and should be compatible with the existing light fixtures.

- b. Only full cut-off down-lights or recessed lights are permitted in front yards. All light fixtures must be directed away from adjacent streets and properties to prevent off-site glare.

B. LANDSCAPE

The landscape plays a significant role in establishing the overall Community character and value. The landscape objective for the Community is to create a cohesive community framework, while allowing for neighborhood diversity and home variety. The desire is to ensure that the landscape and hardscape Improvements are of the same high quality as the Residences and Community facilities and that they are aesthetically and horticulturally compatible.

If the front yard landscaping is installed by the Neighborhood Builder and maintained by the Community Association as a Community Association Maintenance Area, modifications to such landscaping by the Owner are not permitted. Any damage to the front yard landscape that is part of a Community Association Maintenance Area shall be replaced by the Community Association at the Owner's expense.

1. Grading and Drainage

- a. Grading:

- 1) The grade adjacent to the property line walls must remain at existing grade for three (3) feet clear of the property line wall.

- 2) The grade may not be lowered or raised in excess of twelve (12") inches within the Condominium Unit.

b. Drainage:

- 1) The drainage pattern established with the original grading of the Condominium Unit must be maintained. No drainage will be permitted onto Community Association Property and/or Community Association Maintenance Area slopes, landscaping, or adjacent Separate Interest.
- 2) All on-property construction/hardscape surfaces shall have positive surface drainage of one percent (1%) minimum.
- 3) All landscape areas shall have positive surface drainage of two percent (2%) minimum.
- 4) All surface drainage shall be directed away from building walls, top of slopes and adjoining property lines.
- 5) Unobstructed front yard areas may surface drain to the sidewalk. Curb corning is prohibited.
- 6) All rear yard, side yard and obstructed front yard areas must surface drain to area drains/catch basins which must, in turn, outlet by tying into the drain line installed by Declarant or a Neighborhood Builder. The roof gutters at the downspouts must connect to the drain line or inlets installed by Declarant or a Neighborhood Builder.
- 7) All on-property drainage features and systems must adhere to all applicable codes.

2. **Hardscape and Landscape Structures**

a. Flatwork:

- 1) Flatwork shall be balanced with landscaping in areas that are visible to the street and/or Community Association Property and/or Community Association Maintenance Areas and shall not exceed 40% of the front yard.
- 2) An eighteen inch (18") maximum expansion of enhanced paving is permitted on each side of the driveway or a three foot (3') expansion on the interior side only. The paving material must accent the driveway and shall not appear as a concrete add-on.
- 3) A balance of landscaping and hardscape is required in all areas visible from the street and/or Community Association Property and/or Community Association Maintenance Areas. Excessive hardscape is not permitted.
- 4) A 24 inch (24") planting area is required between the driveway and the pedestrian entry walk.
- 5) All exterior paved surfaces exposed to streets and /or the Community Association Property and/or Community Association Maintenance Areas must be compatible with the architectural style and exterior elevation materials.

b. Walls, Fences and Gates:

- 1) Existing steel, pilasters, walls, and fences shall not be removed, reconstructed or modified as to structure, finish or color.

- 2) Walls, fences and gates that were installed by Declarant or a Neighborhood Builder may not be altered or removed without the prior approval of the DRC, provided that walls, fences and gates located in Community Association Property or Community Association Maintenance Areas that were installed by a Declarant or Neighborhood Builder may not be altered or removed.
- 3) Fences and walls that will abut any existing wall or fence shall not exceed the height of the existing wall unless otherwise required by building codes for protection of swimming pools or spas and approved by the DRC.
- 4) Retaining walls are subject to the approval of the DRC. Such approval shall be based on the aesthetic appearance of the wall only and shall not be deemed to warrant or approve in any manner the engineering or structural design of the wall. Retaining walls shall be located three feet (3') clear of existing property line walls or fences.
- 5) Front yard walls and raised hardscape shall not exceed forty-two inches (42") in height. Front yard pilasters shall not exceed forty-eight inches (48") in height. All new walls and pilasters located in the front yard area shall be set back three feet (3') minimum from the back of walk.
- 6) Rear and side yard walls shall not exceed 6 feet (6') maximum height, from the low side.
- 7) Soil level may not be raised against existing

perimeter and side yard walls without the addition of a retaining flash wall as they are not structurally designed for retaining conditions.

- 8) Exterior veneer materials used on the site walls must be compatible with or match the architectural exterior elevation materials. Glass block, railroad tie, or loffel walls are not permitted in the front yard. All sides of walls and fences must be finished. Structural framing and/or unfinished sides of fences or walls shall not be permitted.
 - 9) All proposed features, equipment, garden art, walls, fences, gates, trellises, or other structures installed adjacent to any tubular steel/aluminum, glass rear perimeter or side yard panels shall be subject to DRC approval. Provide a photo or specification sheet for all proposed features with dimensions.
- c. Fencing and Gates:
- 1) All steel and tubular steel is to be zinc metalized, galvanized or bonderized prior to applying finish color, due to exposure. All steel and tubular steel adjacent to the Community Association Property and/or Community Association Maintenance Areas shall match the Community color (Joshua Green). Aluminum may be used in lieu of tubular steel but it must match the Community color.
- d. Patio Structures:
- 1) Patio structures may be freestanding or attached to the Residence and shall be

designed to reinforce the existing architectural style and overall garden design concept. Materials, finishes, colors and design detail shall be consistent with the existing architecture. Structures shall comply with all governing agency ordinances and requirements.

- 2) Flat roofed structures shall be open beam or wrought iron and the size, location and form must be in scale with the exterior of the Residence.
- 3) Pitched-roof structures shall be in scale with the exterior Residence. The pitch of the sloping roof and the roofing material must match the existing architecture. Open wood beam pitched structures are not permitted.
 - a) All setbacks must adhere to City of Hesperia and Specific Plan restrictions.
 - b) Structures in the front yard are not permitted.
 - c) All structures will be reviewed on a case-by-case basis by the DRC. The following conditions may be considered:
 1. Visibility of the structures from streets, Community Association Property and areas outside of the Separate Interest.
 2. Screening/softening of the structure with plant material.
 3. The balance of hardscape to softscape.
 4. The size and number of structures in relation to the size of the yard.

d) Construction details and elevations are required for review. Identify all materials, sizes and finishes. Note that the wood members must be stained/painted to match the architectural palette of the Residence.

e) To provide additional shade, slide on wire canvas canopies are permitted within the joists of the patio cover. The color of the canopy shall be compatible with the colors of the Residence. Prefabricated systems are available from infinitycanopy.com. Easy Ups are for temporary use only, not to exceed 12 hours.

f) Prefabricated gazebos and patio covers must adhere to all of the above requirements. A photograph and catalog specifications sheet is required with the submittal.

e. Freestanding Vine Trellises:

- 1) Freestanding vine trellises shall not exceed five feet (5') in height and shall have a one foot (1') setback from the rear or side property line as measured to the outer most construction member. The length shall be reviewed on a case-by-case basis.
- 2) Freestanding vine trellises shall not exceed the height of the property wall.
- 3) Vine trellises shall be ornamental iron or wood construction.
- 4) The construction detail and elevation is required for review.
- 5) Prefabricated vine trellises will be considered.

Provide a catalog cut sheet or photograph.

f. Swimming Pools/Spas:

- 1) Swimming pools/spas are permitted within the rear yard. Condominium Units that have recycled water for irrigation have set back requirements for pools from irrigation. All pools/spas are subject to the San Bernardino County Health Code and the following requirements:
 - a) Swimming pools/spas shall adhere to the City of Hesperia restrictions, including setback requirements. Pools and spas are high activity areas and shall be screened from Community view with substantial landscaping.
 - b) Rock formation features associated with pools and spas shall not exceed the perimeter wall/fence height including any associated safety railing. The structure must be screened from Community views with substantial landscaping. All rock formation pools are approved on a case-by-case basis. Material samples and photographs are required for all submittals.
 - c) Prefabricated spas are permitted. They shall meet all built-in swimming pools/spas requirements and any associated trellis/overhead shall be in accordance with the patio structure requirements.

g. Pool/Spa Equipment:

- 1) Pool/spa equipment shall adhere to City of Hesperia restrictions, including setback requirements.
- 2) All pool equipment must be screened from Community view. Typical screening methods include dense tree/shrub planting or an overhead trellis foliated with evergreen vines.
- 3) Solar collector panels including racks and distribution components shall be subject to approval of the DRC as to materials and methods of installation and the color must be compatible with the Residence. All supports and piping must be enclosed. Solar collector panels shall be located in a manner that minimizes visual impacts.

h. Fountains/Ponds:

- 1) Water features such as reflecting pools, ponds, and fountains located in the front yard are reviewed by the DRC on a case-by-case basis. They must be strongly related to the architectural style of the Residence.
- 2) Water features are permitted within the rear and side yards with the following requirements:
 - a) Fountains shall not exceed the height of the existing property line wall/fence.
 - b) If located adjacent to a view fence, it must be softened with plant material.
 - c) Wall fountains shall not be attached directly to any property line wall.

3) All equipment must be screened from Community view.

4) Provide photographs or catalog cut sheets with the submittal.

i. Barbecues and Outdoor Kitchens:

1) Built-in barbecues and outdoor kitchens shall not exceed the height of the property line wall/fence.

2) All materials shall be consistent with the residential architecture and in scale with the size of the yard.

3) All structures shall be setback per City of Hesperia restrictions.

4) Condominium Units that have recycled water for irrigation have set back requirements for BBQ's from irrigation.

j. Fireplaces:

1) Freestanding outdoor fireplace chimneys shall adhere to City of Hesperia restrictions. Wood burning fireplaces are prohibited.

2) The fireplace must match the architectural style of the Residence.

3) The height limit of fireplace chimneys attached to patio covers shall not exceed minimum building codes.

4) Fireplaces are not permitted in the front yard.

k. Play Equipment:

1) All play equipment that exceeds the height of

the property line wall/fence requires DRC approval prior to installation.

l. Garden Art/Statuary:

1) Garden art/statuary shall be located in the private yard and shall not exceed four feet (4') above existing grade.

2) All garden art/statuary are reviewed and approved by the DRC on an individual case basis. Provide photos, catalog cuts and specifications for DRC review.

3. Irrigation:

The following irrigation standards apply to all Residences within the Community (Condominium Units with recycled water must include the certificate of safety training and all irrigation systems utilizing recycled water must comply with the provisions of the Community Declaration, including without limitation Section 2.17.1 and Section 2.23):

a. All landscape areas are to be irrigated by a permanent system with automatic controllers.

b. Irrigation systems shall be tailored to the specific site and landscape situation. Important considerations of the design are environmental conditions such as sun and shade, soils, terrain, percolation rates, erosion control, and wind.

c. All above-ground controllers shall be completely screened from Community Association Property and/or Community Association Maintenance Area views.

- d. Irrigation systems shall be designed to apply water in an efficient manner and provide adequate coverage without run-off into storm drains or over sidewalks.

4. Planting:

a. Planting:

- 1) Where Community Association Property and/or Community Association Maintenance Area street trees, shrubs, groundcover, and turf have been provided by Declarant or a Neighborhood Builder, they are to be protected in-place during any construction and replaced in kind and size within the adjacent parkway by the Community Association at the Applicant's expense if damaged. Notes and location provided on the plan shall reflect the in-place parkway trees on all landscape submittals. Street trees and their parkways located in Community Association Property or Community Association Maintenance Areas are maintained by the Community Association.
- 2) If the front yard landscaping is installed by the Neighborhood Builder and maintained by the Community Association as a Community Association Maintenance Area, modifications to such area by the Owner are not permitted. Any damage to the front yard landscape that is part of a Community Association Maintenance Area shall be replaced by the Community Association at the Owner's expense.
- 3) No trees, shrubs, or other plants shall be installed

until plans and specifications have been approved by the DRC. The plans must show the proposed locations and installed sizes.

- 4) The DRC shall have the right, but not the obligation, to require an Owner to remove, trim, or prune any tree, shrub, or plant which in the reasonable belief of the DRC unreasonably impedes the passage of light or air of any Residence and to shape and thin trees for wind resiliency and appearance.
- 5) In addition to selecting landscape plants based upon aesthetic characteristics, consideration must be given to relative drought tolerance, solar aspect, and soil type within the Community.
- 6) All trees planted within two feet (2') of Community Association Property and/or Community Association Maintenance Area hardscape (sidewalk, driveways, etc.) shall have a root barrier device installed adjacent to hardscape areas. Trees with invasive root systems and deciduous/flowering/fruiting trees that drop excessive litter should not be located adjacent to any Community Association Property, Community Association Maintenance Areas or another Residence. All types of Palm trees are prohibited.
- 7) Many tree varieties grow to proportions that are not compatible with the size of individual Separate Interests within the Community or may have specific inherent problems such as invasive roots and will be considered on a case-by-case

basis. Such trees may require a three foot (3') setback from the property line and a root barrier will be required.

- 8) Each Owner assumes all liability and responsibility for any root damage from trees planted in their yards (including, but not limited to, fencing, walls and structures, utility lines, drainage and adjacent neighbor Improvements).

b. Front Yard Tree Requirements:

- 1) Front yard area shall be considered to be the area from the back of the parkway sidewalk to the side yard enclosure fence, wall or gate.
- 2) A minimum of two (2) 24 inch 24" box size tree shall be planted in each front yard. Vertical accents such as Italian Cypress trees or fruit/citrus trees do not satisfy requirement.
- 3) Foundation shrub planting is required at the Residence walls and at the property line walls. Turf is not permitted to extend to the face of the wall.
- 4) Vertical shrubs should be utilized against blank wall elevations.
- 5) Vertical accents should be used at the front corners of the Residence at two-story elevations.

c. Rear Yard Architectural Elevations:

- 1) Trees shall be located to create privacy between neighbors and screen high activity areas such as pools, spas, barbeque entertainment areas.

- 2) Trees adjacent to adjoining residences shall be evergreen.
- 3) Trees shall be planted with a root barrier. Note: Some trees may require a setback as determined by the DRC.
- 4) Rear yard areas not displaced by hardscape shall be planted with a combination of shrubs, ground covers and turf.
- 5) Where practical, trees or shrubs shall be utilized to screen equipment, dog houses, storages, etc, from view of Community Association Property or adjoining Separate Interests.

d. Minimum Functional Shrub and Tree Planting Requirements:

- 1) A combination of shrubs and trees shall be planted to screen all utilities, air conditioner condensers, pool/spa equipment, dog runs, trash storage, play equipment, etc. from all Community Association Property, Community Association Maintenance Areas, street scenes, and adjacent Residences.
- 2) The minimum acceptable size of screen trees is 24 inch (24") box size.
- 3) Shrubs and vines shall be planted to screen or visually modulate walls.

e. Ground Plane Planting Requirements:

- 1) All planting areas visible from the streets, Community Association Property and/or Community Association Maintenance Areas that

are not completely covered with shrubs shall receive turf or groundcover.

- 2) Groundcover and/or annual color in planting areas shall be installed twelve inch (12") on center.
- 3) Mulch, gravel, decorative rock, and decomposed granite shall be used as an accent only and must be earth tones. No white rock or red mulch.

f. Synthetic Turf Grass:

- 2) Synthetic turf is permissible in front, side, and rear yards in accordance with all setback requirements for natural turf herein.

A minimum twelve inch by twelve inch (12" x 12") sample and specification sheet with warranty shall be submitted for consideration, unless pre-approved product is specified. Note: Synthetic turf must be replaced when it no longer looks like natural turf due to wear, damage, or discoloration.

5. Exterior Lighting

- a. Landscape lighting shall be low-voltage only.
- b. Mercury vapor lamps or lamps that emit light of a similar character, exposed fluorescent lamps, flashing lights, color lights, unshielded exterior lights, and lights which result in excessive glare are not permitted.
- c. Lights on top of pilasters in the front yard are

approved on a case-by-case basis.

- d. Path lights shall be minimal and cast the light downward.
- e. Area lighting and game court lighting is not permitted.
- f. Post lights are not permitted.
- g. Security lights on motion detectors for security illumination are strongly discouraged but may be allowed subject to DRC approval.
- h. The use of 'Tivoli'/festoon lighting (overhead string lights) are permitted on a case-by-case basis as approved by the DRC. Freestanding or open garden/yard string lights shall be attached from the Residence or patio cover to a metal arbor that is foliated with vines or to large trees. Freestanding decorative metal or iron posts, that are compatible with the architecture, may be permitted. A specification sheet or detail to scale is required for DRC review. Freestanding wood posts are not permitted.

6. Miscellaneous:

- a. Speakers: Loudspeakers shall not be mounted higher than four feet (4') above grade.
- b. Exterior Colors: Exterior colors of fences, walls and structures as originally applied and exterior colors pre-approved by the DRC for new construction, additions, or alterations shall not be changed or altered without DRC approval.
- c. Flags:

- 1) Non-commercial flags are permitted with the following requirements:
 - a) The flag brackets shall be compatible with the color and scale of the Residence.
 - b) Flags may not exceed fifteen (15) square feet in size.
 - c) Must be maintained continually in good repair.
 - d) House-attached flagpole shall be no longer than six feet (6') in length.
 - e) Flagpoles must be removed when a flag is not displayed.
- 2) Freestanding flagpoles are not permitted.

e. Outdoor Storage:

- 1) All items stored outside such as trash cans, recycling bins, compost containers, yard equipment, doghouses, etc. must be completely screened from Community views, other than such times as the containers are placed outside for collection, in compliance with the Community Rules.
- 2) Storage sheds and green houses are only permitted with DRC approval in rear and side yards screened from view of the street. The top of the structure must be below the top of the wall and screened with landscaping approved by the DRC.

f. Landscape Accessories:

- 1) Thematic landscape accessories on front porches or within the Community Association

Property (e.g., sundials, statuettes, chimes, etc.) are not permitted.

Section V:

Attached Condominium Homes

Design Guidelines

Section V: Attached Condominium Homes – Design Guidelines

A. ARCHITECTURE

NOTE: Owners in Neighborhoods consisting of attached Condominium Units that do not include ground level exclusive use easement areas (private yards, courtyards or similar areas) are not permitted to install any landscape Improvements. Only porch, patio and balcony furniture and portable gas barbecues are permitted within any portions of the Condominium Unit or appurtenant exclusive use easement areas (“Exclusive Use Areas”).

Neighborhoods consisting of attached Condominium Units that include ground level Exclusive Use Areas (private yards, courtyards or similar areas) that are not otherwise landscaped by Declarant or any Neighborhood Builder require landscape Improvements by Owners as described herein (see Landscape Section).

Owner are not permitted to make any architectural additions or modifications in any Neighborhood consisting of attached Condominium Units.

1. Prohibited Exterior Improvements

Exterior alterations, modifications or additions to attached Condominium Units, including, but not limited to any of the following, **are not permitted:**

- a. Room additions or extensions, California Rooms, or conservatories.
- b. Balconies, decks, or porches,
- c. New or replacement doors, windows, and garage doors,
- d. Exterior stairways,

- e. Awnings at 2nd story windows or windows visible to the street.
- f. Wrought iron window grilles or doors,
- g. Roof modifications,
- h. Skylights,
- i. Exterior building lights (not originally installed by the Neighborhood Builder),
- j. Exterior color changes,
- k. Accessory buildings,
- l. Swimming pool/spas,
- m. Attached or detached patio covers/structures (not originally installed by the Neighborhood Builder).

2. Permissible Exterior Improvements

- a. Appropriately scaled outdoor furniture and container/potted plant materials with drainage saucers are permitted.
- b. Portable propane fueled barbecues are permitted, subject to any restrictions that may be imposed by a Neighborhood Association or in compliance with Applicable Laws.
- c. Exterior drapes may be installed as approved by the DRC on a case-by-case basis at structures, porches or patios with the following requirements:
 - 1) Hardware shall be neutral or concealed.
 - 2) Fabric shall match or be compatible with the adjoining building color. No bright, primary colored, striped, or patterned fabric. Fabric shall be exterior commercial grade material.

- 3) Applicant shall submit a minimum six inch by six inch (6"x6") sample of proposed drape/curtain material to the DRC for approval prior to installation.
- d. Overhead and/or extendable horizontal canvas fabric or commercial grade PVC solar shade material awnings are permitted at first floors not visible from the street. The material must be a solid color that matches the color of the Condominium Unit and the edge shall be straight. Patterns such as scallops are not permitted. Provide a color photo or material sample, the specification sheet, and a color photo of the architectural elevation.
- e. Solar panels and solar energy systems, subject to the requirements set forth in these Guidelines, or any applicable Neighborhood Declaration or rules that may be adopted by any Neighborhood Association, as set forth herein.

3. Screen Doors/Storm Doors

- a. All screen/storm doors for front entry doors, with the exception of retractable screens or clear glass storm doors, must be approved by the DRC. Retractable screen door or clear storm door frames shall match the existing color scheme of the Residence. The Applicant shall submit the specification with a photo for DRC consideration. Security doors are prohibited.

4. Communication Equipment at Attached Condominiums

- a. All exterior communication equipment, such as; satellite dishes, radio antennae and other transmitting or receiving devices must comply with the Community Declaration. Any permitted

equipment must be approved by the DRC as to location and size prior to installation, subject to compliance with Applicable Laws.

- b. Communications equipment should be located in less visible areas shall not exceed the ridgeline of any roof and may not be attached to building walls or roof.
- c. Satellite dishes are only permitted in the Exclusive Use Areas or on decks of the units via tripods.
- d. When available, satellite dishes should be installed on Neighborhood Builder designated satellite dish installation pad.
- e. All cables must be painted to match the adjacent surface where visible on the exterior of the Condominium Unit. **Penetrating the building exterior wall or roof is not permitted.**

5. Interior Party Wall and/or Atrium Requirements for Attached Condominiums

- a. Owners are not permitted to penetrate/disturb the existing condition of any party (common) walls of an attached Condominium Unit.
- b. Audio equipment is not permitted to be mounted or installed on or in a party wall or on or in the ceiling within ten (10'-0") feet of a party wall.

6. Flooring Requirements for Attached Condominiums

- a. Due to the proximity of other Condominium Units below or adjacent to each Owner's Condominium Unit, Owners are required to minimize noise transmission from their Condominiums. The Owner must comply with the requirements of the

Neighborhood Declaration and the Sound Transmission Restrictions contained in the applicable Community Supplementary Declaration or any rules or regulations adopted by the Neighborhood Association for their Condominium. Owners who desire to change any flooring features (including without limitation carpet, carpet pads, stone, wood, tile and vinyl) installed by the Neighborhood Builder in their Condominium must comply with such requirements and obtain DRC approval of same prior to installation.

7. Solar Energy Systems

- a. Notwithstanding any provision or restriction contained in the Community Declaration or any applicable declaration imposing restrictions or requirements with regard to solar energy systems ("**Solar Declaration**") to the contrary, solar panels/mechanical devices associated with solar energy systems (collectively, "solar equipment") may be installed within the Community subject to prior written approval from the DRC. Installation on common area or association property components is limited to the roof of the building in which the Owner applicant resides, or a garage or carport adjacent to the building that has been assigned to the Owner for exclusive use.
- b. As part of said approval, the DRC will evaluate the appearance of the proposed solar equipment to ensure that said equipment and its proposed installation comply with the following:

- 1) Integrated into the roof design of the Condominium building and mounted parallel with the roof angle at the minimum vertical clearance from roofing material.
 - 2) Solar panels located on top of roofs must conform to all Fire Authority regulations. In addition, to maintain the aesthetics and integrity of the roof, the panels should be setback a minimum of three (3) feet from the ridge and one (1) foot from the outside perimeter and bottom of the roof.
 - 3) Solar panels are required to be placed and configured in a rectangular array.
 - 4) Frames must be colored to complement the roof, such as, bronze or black. White, silver, aluminum frames, etc. are not permitted.
 - 5) Support and ancillary solar equipment shall be enclosed and screened from view.
 - 6) All solar equipment exposed to the exterior shall be located in a manner that minimizes visual impact.
 - 7) Exposed elements including conduits shall be painted to match the adjacent building surface.
- c. In addition to providing the aesthetic specifications of solar equipment, an application must be accompanied with the following, provided however, that to the extent the Neighborhood Declaration or any rules or regulations adopted pursuant thereto that are applicable to a Condominium Unit address the preparation of a solar site survey or any other requirements in connection with the installation of solar equipment

on the roof or other portion of the condominium building or property owned by a Neighborhood Association, such provisions shall apply to the exclusion of the terms set forth in this Section V.A.7.c:

- 1) A copy of Owner's contract with the contractor who will install the solar equipment, which contract shall include provisions requiring the contractor to be licensed and insured, and provides a minimum ten (10) year installation warranty.
- 2) A solar site survey showing the placement of the solar energy system prepared by a licensed contractor or the contractor's registered salesperson knowledgeable in the installation of solar energy systems to determine usable solar roof area. The solar site survey shall also include a determination of an equitable allocation of the usable solar roof area among all Owners sharing the same roof, garage, or carport and written certification or other written confirmation from a structural engineer licensed in California that the roof of the condominium building, garage or carport on which the solar equipment will be installed is capable of bearing the weight of the solar equipment (if installed in accordance with the Plans) without any adverse effect on the structure.

The survey shall ensure a fair allocation of usable solar space among multiple Owners of Separate Interests because the roof space that is usable for a solar energy system, or multiple systems, will vary from building to building, depending on location and environmental factors. In this regard, an Owner applicant's equitable usable

share of the roof, garage, or carport shall be limited to the percentage his/her Condominium Unit represents among all other Condominium Units in building (e.g. if there are 6 units in one building, each Owner is allocated no more than 1/6 of the usable space of the building roof, garage or carport).

- 3) Proof of written notification to each Owner of a Condominium in the building on which the installation will be located shall be included in the application to install a solar energy system. The written notification shall be made by certified mail, mailed to the Owner's mailing address(es) on record with the Community Association, and include a copy of the design and location of the solar energy system and a copy of the solar site survey of the equitable allocation of the usable solar roof area among all Owners sharing the same roof, garage, or carport. The written notification shall include the following statement in bold: **"Space and location for solar energy systems on the roof, garage or carport shared by owners of this building is limited and my proposed solar energy system may restrict availability of space and location for future solar energy systems."** Proof of written notification must be made by providing the Community Association and applicable Neighborhood Association with (i) a copy of the written notification provided to the Owners and (ii) copies of the certified mail receipts.
- 4) Failure to provide a solar site survey or failure to comply with the written notification requirement shall result in a denial of the application. In the event an Owner presents an

inaccurate or fraudulent site survey, or fails to provide written notification to each Owner in the building, an approval by the DRC may be nullified.

- d. If Owner's solar energy system is approved, the following is required, provided however, that to the extent the Neighborhood Declaration or any rules or regulations adopted pursuant thereto that are applicable to a Condominium Unit include applicable covenants and restrictions regarding the installation, operation, repair, maintenance and removal of solar equipment on the roof or other portion of the condominium building or property owned by a Neighborhood Association, such provisions shall apply to the exclusion of the terms set forth in this Section V.A.7.d, subject to the requirements of Section V.A.7.f:

- 1) The Owner must sign a covenant agreement, to be recorded against the Owner's Condominium, which requires, among other things, that the Owner and all subsequent Owners (i) are responsible for all costs for damage to the common area or other Separate Interests, including, but are not limited to, damage, destruction, or wear and tear to the roof arising from the installation, maintenance, repair, removal, or existence of the solar equipment; (ii) are responsible for all costs for the maintenance, repair and replacement of the solar equipment itself, and for restoration of the common area or any Separate Interest after its removal; (iii) must disclose to prospective buyers the existence of any solar energy system of the Owner and the related responsibilities of the Owner under the covenant agreement; (iv) must

maintain a homeowner liability coverage policy of not less than One Million Dollars (\$1,000,000.00) at all times naming the Community Association as an additional insured and provide the Community Association with the corresponding certificate of insurance within 14 days of approval of the application and annually thereafter; and (v) must indemnify the Community Association for claims resulting from or arising in connection with the solar energy system.

Owner shall pay for legal fees of preparing and costs of recording the foregoing agreement.

- 2) The Owner's installer must sign a license agreement which requires, among other things, the installer to (i) reimburse the Community Association for all costs for damage to the common area or other Separate Interests resulting from the installation, maintenance or other work related to the solar equipment, (ii) maintain general liability insurance in an amount of at least One Million Dollars (\$1,000,000.00) naming the Community Association as an additional insured; (iii) maintain workers' compensation insurance, including employer's liability at a minimum limit of One Million Dollars (\$1,000,000) for all persons whom it employs, in strict conformance with the requirements of the most current and applicable Workers' Compensation Laws in effect during the performance of any work related to the solar equipment.
- e. Upon completion of installation, along with the Notice of Completion, Owner shall provide

Community Association with a duly licensed contractor's written certification that construction and installation of the solar equipment did not adversely affect either the structural integrity or weather barrier of the roof, garage or carport.

- f. Notwithstanding anything to the contrary in these Guidelines, the allocation of usable solar space among Owners, applicable covenants and rights, restrictions and other requirements of Owners with respect to solar equipment may be set forth in an applicable Neighborhood Declaration or in rules and regulations that may be adopted by the applicable Neighborhood Association, and in the event such allocation of usable solar space and other covenants, rights, restrictions and requirements are set forth therein, such terms and conditions shall control in the event of a conflict with the provisions set forth in these Guidelines, including without limitation the substitution of covenants, restrictions and requirements contained in any Neighborhood Declaration or rules and regulations adopted thereunder for the entry into and recordation of a covenant agreement as provided in Section V.A.7.d(1) of these Guidelines, provided however, that the obligation to include the Community Association as an additional insured under the terms of these Guidelines shall remain in full force and effect.

B. LANDSCAPE

The landscape plays a significant role in establishing the overall Community character and value. The landscape objective for the Community is to create a cohesive community framework, while allowing for neighborhood diversity and home variety. The desire is to ensure that the

landscape and hardscape Improvements are of the same high quality as the Residences and Community facilities and that they are aesthetically and horticulturally compatible.

If the front yard landscaping that is part of any Condominium Unit or Exclusive Use Area is installed by the Neighborhood Builder and maintained by the Community Association as Community Association Maintenance Area or maintained by the Neighborhood Association, modifications to such landscaping by the Owner are not permitted. Any damage to the front yard landscape that is part of a Community Association Maintenance Area or that is maintained by the Neighborhood Association shall be replaced by the Community Association or Neighborhood Association at the Owner's expense.

1. Landscape Improvement Summary:

- a. No modifications are permitted to any landscape or hardscape maintained by the Community Association or Neighborhood Association. All building perimeter areas are maintained by the Community Association or Neighborhood Association. Modifications or new construction to the Neighborhood Builder-installed landscape and hardscape is not permitted.
- b. Improvements are permitted in Exclusive Use Areas.
- c. Any existing pilasters, gates, external wall faces, fences, privacy walls, garden walls, and retaining walls must remain as constructed by the Neighborhood Builder and are the maintenance/repair responsibility of the applicable association. Internal privacy wall faces adjoining a

Condominium Unit or Exclusive Use Area are to be maintained by the Condominium Owner, unless otherwise provided for in the applicable Neighborhood Declaration. Owner may paint the interior of the privacy wall, below the cap, to match the Owner's Condominium Unit, unless otherwise provided for in the applicable Neighborhood Declaration.

- d. The attachment of items such as stone, brick, lattice, wire grids, plants, tree stakes, fountains, walls, raised planters and barbecues, to the Neighborhood Builder-installed features such as walls and gates are not permitted.
- e. Vines attached to a freestanding privacy wall with non-penetrating devices are permitted.
- f. No Improvements of any kind shall be attached to an adjoining Condominium Unit.

2. Grading and Drainage:

a. Grading:

- 1) No grade change is permitted.
- 2) Owner is responsible for disposing of any excess soil spoils due to landscape construction.

b. Drainage:

- 1) The drainage pattern established with the original grading of any Condominium Unit or Exclusive Use Area must be maintained. No drainage will be permitted onto property owned by the Neighborhood Association or Community Association or adjoining Exclusive Use Areas or Separate Interests.

- 2) All construction/hardscape surfaces shall have positive surface drainage of one percent (1%) minimum.
- 3) All landscape areas shall have positive surface drainage of two percent (2%) minimum and include area drains.
- 4) All surface drainage shall be directed away from Condominium Unit walls and privacy walls.
- 5) All Exclusive Use Areas must surface drain to area drains, which must, in turn, tie into the Neighborhood Builder-installed drain system.
- 6) The existing main line drain cannot be disturbed or modified.
- 7) All Exclusive Use Area drainage features and systems must adhere to all applicable codes.

3. Hardscape and Landscape Structures

a. Flatwork:

- 1) The existing property owned by the Neighborhood Association or Community Association, which may include exterior driveways, walkways, and stepping pads must remain as constructed by the Neighborhood Builder. No change to the paving is permitted.
- 2) All paving materials and colors proposed for the Exclusive Use Area must be compatible with the architectural style and exterior elevation materials and shall not exceed a height of six (6) inches above original pad grade. Provide color photographs for DRC review. Please note that wood decking is permitted as a paving material as approved by the DRC. Maximum height to

the top of the wood decking shall be twelve (12) inches above original pad grade.

- 3) Exclusive Use Area flatwork Improvements shall not cover the weep screed on the building and shall not impede the ability of the stucco screed to weep water or moisture unless a building code approved alternate drain device is utilized.
- 4) The DRC recommends installing planter areas adjacent to the privacy walls to soften the view of the wall and to provide neighbor to neighbor privacy.

b. Walls, Fences and Gates:

- 1) Neighborhood Builder-installed privacy walls, pilasters, gates and fences shall not be removed, reconstructed, extended or modified as to structure, finish, alignment or color, with the following exception: The interior of the privacy wall below the cap, may be painted to match the color of the Condominium Unit by the Owner, unless otherwise provided for in the applicable Neighborhood Declaration. Internal privacy wall faces and caps are to be maintained by the Owner. Should there be damage to the existing walls and pilasters, refer to the Exhibits regarding, Materials Specifications for Community Perimeter & Interior Neighborhood Walls.
- 2) Raised planter (retaining) walls are not permitted. Soil may not be retained against adjoining Condominium Units or privacy walls.
- 3) Freestanding accent walls, 'Living' (green) walls,

and seat walls are permitted at Condominium Units with Exclusive Use Areas. The wall shall not exceed the height of the privacy wall, or five (5) feet, whichever is most restrictive, and must be set back a minimum of two (2) feet from any Condominium Unit or Neighborhood Builder-installed privacy wall to provide a planting area for screen planting.

c. Patio Structures:

- 1) Patio structures and Easy Ups are not permitted.
- 2) Drapery attached to an existing patio structure or porch must be a solid color natural fabric that is consistent with the colors of the Condominium Unit.

d. Freestanding Vine Arbors:

- 1) Freestanding vine arbors shall not exceed eight (8) feet in height and shall have a two (2) foot setback from the privacy wall and/or adjoining Condominium Units to the outer member of the structure. The length and width shall be reviewed on a case-by-case basis.
- 2) Vine arbors shall be ornamental iron or light wood construction.
- 3) Vine arbors shall be foliated with an evergreen vine located at each post.
- 4) The construction detail and elevation at 1/2" = 1'-0" scale is required for review. Note on the detail that the wood members must be stained/painted to match the Condominium Unit.

- 5) Prefabricated vine arbors will be considered. Provide a catalog cut or photo with all dimensions and colors identified.

e. Vine Espaliers/Trellises:

- 1) Vine espaliers/trellises are permitted, provided that they do not exceed the height of privacy walls.
- 2) Espaliers/trellises can be attached directly to any existing privacy wall using methods without the use of drilling into the wall.
- 3) Espaliers/trellises shall not be attached to any Condominium Unit wall.

f. Swimming Pools / Spas:

- 1) Swimming pools/spas are not permitted.

g. Barbecues:

- 1) Only kettle and freestanding portable propane-fueled barbecues are permitted at balconies or porches. Barbecues located at balconies or where visible to Community Association Property must be screened with the appropriate fitted manufactured cover when not in use. Notwithstanding the foregoing, all barbecues and similar devices must be placed and used in accordance with Applicable Laws and any additional restrictions that may be contained in any applicable Neighborhood Declaration and any rules and regulations that may be adopted thereunder.

h. Wood burning Fireplaces and Fire Pits are not permitted.

i. Play Equipment:

- 1) Play equipment shall be freestanding and shall not exceed the height of the privacy wall.
- 2) Basketball backboards are not permitted.

4. Irrigation:

- a. All landscape areas are to be permanently irrigated. If controlled off recycled water, Owner must submit the Recycled Water Training certificate. All irrigation systems utilizing recycled water must comply with the provisions of the Community Declaration, including without limitation Section 2.17.1 and Section 2.23.
- b. Irrigation systems shall be designed to apply water in an efficient manner and provide adequate coverage without excessive run-off into storm drains.
- c. Irrigation systems shall be designed and maintained to avoid overspray onto adjacent Condominium Units or privacy walls.
- d. Owner irrigation shall not tie into the Community Association Property irrigation mains.

5. Planting:

a. Planting:

- 1) Trees, shrubs, groundcover and turf provided by the Neighborhood Builder and located in property owned by the Neighborhood Association or Community Association shall be protected in-place during any construction and replaced in kind and size by the applicable Neighborhood Association or Community Association at the Owner's expense if damaged

by the Owner or his contractor.

- 2) The applicable Neighborhood Association or Community Association may maintain the parkway, front yard, alley, and some side yard landscaping, as may be provided in the Community Declaration and Neighborhood Declaration.
- 3) No trees, shrubs, or other plants shall be installed until plans and specifications have been approved by the DRC. The plans must show the proposed species, locations and installed container sizes.
- 4) The plans must indicate whether any solar energy systems exist on any properties that border the Owner's Condominium. If any such solar energy system exists on an adjoining property, the location, type and future height of any proposed tree or shrub may be subject to limitations consistent with the Solar Declaration and/or the requirements of the Solar Shade Control Act.
- 5) The DRC shall have the right, but not the obligation, to require the Owner to remove, trim, or prune any tree, shrub, or plant which, in the reasonable opinion of the DRC, unreasonably impedes the passage of light or air of any Condominium and to shape and thin trees for wind resiliency and appearance.
- 6) Only trees, as approved by the DRC, are permitted. All types of Palm trees are prohibited.
- 7) It is recommended that Exclusive Use Areas with a depth of ten (10) feet or greater from the

privacy wall to the Condominium Unit, include planting areas adjacent to the privacy wall and Condominium Unit to soften the wall and to provide neighbor to neighbor privacy.

- 8) In addition to selecting landscape plants based upon aesthetic characteristics, consideration must be given relative to drought-tolerance, solar aspect, and soil type within the Community.
- 9) Trees with invasive root systems are not permitted adjacent to adjoining Condominium Units or Exclusive Use Areas.
- 10) All trees planted within five (5) feet of walls, fences, or adjoining Condominium Units must include a linear root barrier device. Trees, including Italian Cypress, should be planted a minimum of three (3) feet from privacy or Condominium Unit walls. Dwarf Citrus trees are considered shrubs by the DRC and are exempt from the foregoing setback requirements.
- 11) Trees must not overhang into adjacent Exclusive Use Areas or property owned by the Neighborhood Association or Community Association more than forty percent (40%). Trees that overhang the privacy wall must be evergreen.
- 12) Owner assumes all liability and responsibility for any root damage from trees planted in Owner's Exclusive Use Area (including, but not limited to, walls and structures, utility lines, drainage and adjacent neighbor Improvements).
- 13) Owner agrees to provide routine maintenance for all trees including, but not limited to, annual

pruning and lacing. If the DRC deems trees a nuisance, the Owner shall remove the tree and bear the expense of tree removal.

14) Trees, shrubs and vines are encouraged to be planted to screen or visually enhance blank wall areas.

15) Synthetic turf grass is acceptable in Exclusive Use Areas.

6. Exterior Lighting:

- a. Landscape lighting shall be low-voltage only.
- b. Mercury vapor lamps or lamps that emit light of a similar character, exposed fluorescent lamps, flashing lights, color lights, unshielded exterior lights, and lights which result in excessive glare are not permitted.
- c. All landscape path lights shall cast the light downward.
- d. Spot lights are permitted to accent vertical plant material and vertical landscape accent features only. They may not be used for area lighting or general illumination.
- e. Area or post lighting is not permitted.
- f. The use of 'Tivoli'/festoon lighting (overhead string lights) are permitted on a case-by-case basis as approved by the DRC.
- g. The DRC and the Community Association and/or Neighborhood Association reserve the right to require that fixtures be disconnected if they cause unreasonable glare or illumination upon property outside the Owner's Exclusive Use Area.

- h. Security lights on motion detectors for security illumination are strongly discouraged but may be allowed on a case-by-case basis. If allowed, these lights shall not be visible from any neighbor's window and will only be allowed to operate on a motion detector and stay lit for maximum of twenty (20) continuous minutes. The lights shall not be installed higher than ten (10) feet above original pad grade. Security lights must still meet the requirement of shielding of the light sources, and the light source shall not be visible from neighboring property. If problems with security lights occur, the DRC and the applicable Neighborhood Association or Community Association reserve the right to require that the fixtures be disconnected. Security lights may not be used for general illumination.

7. Miscellaneous:

- a. Exterior Colors: With the exception of the interior of the privacy wall below the cap, changes to exterior colors of structures, fences and walls as originally applied by the Neighborhood Builder are not permitted.
- b. Flags: Are permitted in Exclusive Use Areas or within a Condominium Unit only.
 - 1) Non-commercial yard flags are permitted with the following requirements:
 - a) The flag brackets shall be compatible with the color and scale of the Condominium Unit.
 - b) Flags may not exceed fifteen (15) square feet in size.
 - c) Flags must be maintained continually in good repair.

- d) No flagpole may be attached to the exterior wall of a condominium building.
- e) Flagpoles must be removed when a flag is not displayed.
- 2) Freestanding flagpoles are not permitted.
- c. Outdoor Storage:
 - 1) All items stored outside such as trash cans, recycling bins, compost containers, yard equipment, doghouses, personal items, toys, etc. are not permitted where visible from Community Association Property, other than such times as the containers are placed outside for collection, in compliance with the Community Rules.
 - 2) Prefabricated storage shed structures and greenhouses are permitted provided they do not exceed the height of the privacy wall.

- d. Landscape Accessories:
 - 1) Thematic landscape accessories on front porches, balconies, or within the property owned by the Neighborhood Association or Community Association (e.g. sundials, statuettes, chimes, etc.) are not permitted.
 - 2) Potted plant materials, benches and other landscape accessories are not permitted to be placed on walkways located on property owned by the Neighborhood Association or Community Association.
 - 3) Appropriately scaled outdoor furniture and pottery is acceptable in a Condominium Unit or Exclusive Use Areas.
- e. Speakers: Loudspeakers are not permitted.

Section VI:

General Conditions of Approval

Section VI: General Conditions of Approval

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

A. Occupational Safety and Health Act ("OSHA")

Compliance: All applicable OSHA regulations and guidelines must be strictly observed at all times.

B. Signs: No signs shall be displayed on any Residence other than those signs permitted under the Community Governing Documents.

C. Hours of Operations:

Construction is only permitted between the following hours:

- Monday through Saturday – Between 7:00 am and 7:00 pm.
- Sunday and Federal Holidays – No work permitted.

D. Temporary Structures: No structure of a temporary character will be permitted to remain on any Separate Interest without the written approval of the

DRC.

E. Unsightly Items:

- a. Rubbish, debris and unsightly material or objects shall not be stored or permitted to accumulate on streets, sidewalks, or on any portion of the Community Association Property and/or Community Association Maintenance Areas (including, but not limited to, any private street or alley).
- b. Each week, the Applicant shall remove all rubbish, debris and unsightly material in the Applicant's property.
- c. The Applicant is financially responsible for any trash cleanup work the Community Association deems necessary to comply with this restriction.

F. Building Materials:

- a. Building materials, including sand, shall not be stored on streets, sidewalks or any other portion of the Community Association Property and/or Community Association Maintenance Areas. All building materials must be stored on the Applicant's property.
- b. The Applicant is financially responsible for any cleanup and repair work the Community Association deems needed to comply with this restriction.

- G. Water Run-off During Construction:** The Applicant and his agents shall comply with all regulations regarding water quality.
- H. Streets and Sidewalks:** No construction debris or material is permitted to remain on the streets or walks. All items of such nature must be stored in the Applicant's property. In the event that any materials are delivered or deposited on the streets or on the Community Association Property and/or Community Association Maintenance Areas, the Applicant will be held responsible for the costs involved in cleaning and/or restoring the affected Community Association Property and/or Community Association Maintenance Areas, streets and sidewalks.
- I. Street Trees and Parkway Improvements:** Street trees shall be protected in place in a healthy condition during all phases of construction. All parkway irrigation and planting Improvements shall, likewise, be protected in place in a functional and healthy condition during all phases of construction.
- J. Construction Equipment:** Trucks, concrete mixers, trailers, trash bins, compressors, and other types of construction equipment, as well as private vehicles of construction crew members, shall be parked only in designated areas. The Applicant shall be financially responsible for any equipment removal or necessary repairs required by the DRC.
- K. Dust and Noise:** The Applicant shall be responsible for controlling dust and noise from any construction on the Applicant's property.
- L. Excavation:** Excess excavation materials must be hauled away in a legal manner and must be properly protected with plastic and sand bags so that loose soils will not wash down into the storm drains.
- M. Restoration or Repair of Other Property Damaged:** Damage to other property, including without limitation, other Separate Interests, Community Association Property and/or Community Association Maintenance Areas, or other Improvements shall be repaired or restored promptly at the expense of the person causing the damage or the Applicant. Upon completion of construction, the Applicant shall clean the construction site and repair or restore all damaged property, including without limitation, restoring grades, and repairing streets, curbs, driveways, sidewalks, drains, culverts, ditches, signs, lighting, fencing, irrigation and planting.
- N. Maintenance of Improvements:** The repair and maintenance of any work or Improvements will be the responsibility of the installing Owner and subsequent Owner.
- O. Drainage:** There shall be no interference with the originally installed rain gutters, downspouts, subterranean drain line(s), or other drainage systems (whether surface or subterranean) or any other interference with the established drainage pattern over any of the property. All on-property drainage systems shall be connected to the existing drain line from the in-street storm drain to one or several roof gutter down spouts. Protect all such existing drain lines in place.

- P. Workmanship:** All Improvements shall be performed in a manner consistent with the existing structures. Any work deemed by the DRC to be of inferior quality shall be reworked or removed and the building restored to its original condition prior to commencement of the work by the Applicant. If the Applicant refuses to rework or remove and restore as called for above, the DRC shall request the Community Board to cause such rework, removal or restoration and the cost thereof shall be a Compliance Assessment against the Applicant as provided in the Community Declaration.
- Q. Enforcement:** Failure to obtain the necessary prior approval from the DRC prior to installation of any Improvement constitutes a violation of the Community Declaration and may require modifications or removal of work at the expense of the Applicant.
- R. Violations:** All Owners have the right to bring to the attention of the DRC any violations of the Community Declaration and/or these Guidelines.
- S. Amendments:** These Guidelines, along with the

provisions set forth in the Community Declaration for the Community, form the basis and criteria for evaluation of plans and specifications submitted for review and approval by the DRC. These Guidelines may be amended or supplemented from time to time as provided in the Community Declaration.

- T. Conditions Not Covered:** Any condition or material not defined in the restrictions shall become a matter of discretionary judgment on the part of the DRC acting in good faith on behalf of the best interest of the Community Association as a whole.
- U. Inapplicability to Declarant:** In accordance with the Community Declaration, nothing in these Guidelines shall limit the right of Declarant or a Neighborhood Builder to construct Improvements on any portion of the Property, including without limitation any Community Association Property and/or Community Association Maintenance Areas.
- V. Contractor BMPs:** See 'Water Quality Management – Best Management Practice Guidelines' in Section VII.

SECTION VII:
WATER QUALITY MANAGEMENT
BEST MANAGEMENT PRACTICE
GUIDELINES

VII: WATER QUALITY MANAGEMENT BEST MANAGEMENT PRACTICE GUIDELINES

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

One of the most sensitive and carefully monitored phases is the construction period. To be certain that you understand and accept responsibility for any violations associated with your proposed Improvements, each Applicant is required to make a copy of this section. It must be signed and returned by you as a required part of your architectural submittal. It is recommended that you make a copy for any contractors or consultants which you employ to ensure their compliance and that you make them responsible for any fines which you may incur as a result of their violation. The Community Association will monitor construction activities as well as check on Best Management Practices; however, the Applicant will be solely responsible for any fines incurred by the Community Association as a result of infractions initiated at the Applicant's property. The Community Association will take whatever legal action is necessary to ensure compliance and collect for infractions charged to the Community Association as a result of the acts of the Applicant or the Applicant's contractor or consultant.

The following requirements are not meant to be all-inclusive of Regional Water Quality Control Board requirements or of any other agency. It should be understood that any applicable agencies rules and requirements may/will be applied and may supersede these Guidelines. All resulting fines to the Community Association or the Applicant will be the responsibility of the Applicant.

1. No construction materials, chemicals or substances may reach the area drains, street and/or gutter.
2. Area drains should be shielded and/or covered to ensure that construction by-products and/or chemicals are not washed into them.
3. No tools or equipment may be rinsed off on the property causing the water to reach the area drains, street and/or gutter.
4. No unprotected stockpiling of sand, gravel, dirt or other materials in the street is permitted.
5. Any sand, gravel, dirt or other materials piled/stored on the driveway or property must be effectively covered to prevent rain or irrigation water runoff from carrying material residue into the area drains, street and/or gutter.
6. In the event of a runoff event or spill, sandbags must be strategically placed to ensure that no substance makes its way into the area drains and/or storm drains.
7. Hoses and/or irrigation should not be allowed to run causing water or any substance to wash into the area drains, street

and/or gutter.

8. Containers for hazardous materials such as paint, concrete, chemicals, etc. should be in good condition and not be allowed to spill or leak onto the ground or be washed into the area drains, street and/or gutters.
9. No products or chemicals should be buried for disposal.
10. Trash and debris should be properly contained and disposed of off site.
11. No vehicles or equipment should be allowed to leak oil anywhere.
12. No portable restroom facility may be allowed in the street and those stored on the Applicant's property must be in proper working order so that no waste leaks.
13. Pesticides and/or fertilizers must be monitored and properly used and stored.
14. No irrigation runoff should reach the street and/or gutter due to the fact that it carries chemicals from pesticides, fertilizers, etc., into the storm drain.

THE BASIC GOAL IS TWO FOLD:

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

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

Signature

Date

Name

Address

Lot #/Unit # / Tract #

Forms

FORM A PROPERTY IMPROVEMENT APPLICATION

Page 1 of 4

Owner shall complete and provide the following for proposed Improvements:

1. Property Improvement Application – Form A
2. Architectural Application Checklist – Form B
3. Three (3) complete copies of Owner's proposed Improvement plans
4. Deposit & Fees

Incomplete applications will not be considered and will be returned. To assure prompt consideration, review all submittal materials for completeness before sending them to the Design Review Committee. Each submittal for architecture or landscape improvement must be submitted separately with its own submittal application, documents and associated fee.

Mail or deliver to:

Silverwood Community Association
Attn: Design Review Committee
1 Kennedy Meadows, Hesperia, CA 92345

Submittal #1: ☐ **Architectural Improvements**

☐ **Landscape Improvements**

☐ **Deposit Received**

☐ **Submittal #1 Fee Received**

(Fee covers initial submittal and two (2) revisions, within one year, of the not approved plan)

Revision #1: ☐ **Architectural Improvements**

☐ **Landscape Improvements**

Revision #2: ☐ **Architectural Improvements**

☐ **Landscape Improvements**

Today's Date: _____

Lot/Unit #: _____ Tract # _____

FORM A
PROPERTY IMPROVEMENT APPLICATION

Page 2 of 4

Owner's Name: _____

Neighborhood Name:_____

Property Address:_____

Tract / Lot/Unit No.: _____

Mailing Address: _____

Builder: _____

Home Phone #: _____

Business Phone #:_____

Additional Requested Revision Submittals:

Revision #3:

☐ Architectural Improvements

☐ Landscape Improvements

☐ Submittal Fee Received

Revision #4:

☐ Architectural Improvements

☐ Landscape Improvements

☐ Submittal Fee Received

FORM A PROPERTY IMPROVEMENT APPLICATION

Page 3 of 4

Owner shall complete the following:

Architect or Owner's Representative (if applicable):

_____	_____	_____
NAME	COMPANY	PHONE

_____	_____	_____
MAILING ADDRESS	CITY	ZIP

IMPROVEMENT PLANS BEING SUBMITTED: (Please check appropriate items)

Each submittal for architecture or landscape improvements must be submitted separately with its own submittal application, documents, deposit and submittal fee.

☐ ARCHITECTURAL	☐ LANDSCAPE	☐ EQUIPMENT
☐ BALCONIES	☐ GRADING & DRAINAGE	☐ PLAY EQUIPMENT
☐ ROOM ADDITION OR EXTENSION	☐ HARDSCAPE & LANDSCAPE STRUCTURES	☐ POOL & EQUIPMENT
☐ WINDOW / DOOR REPLACEMENT	☐ IRRIGATION	☐ SPA & EQUIPMENT
☐ PAINTING	☐ PLANTINGS	☐ FIREPLACE
☐ CALIFORNIA ROOM CONVERSION	☐ EXTERIOR LIGHTING	☐ BARBEQUE
☐ SOLAR EQUIPMENT		☐ PATIO COVER
☐ SKYLIGHT		☐ FOUNTAIN / WATER WALL

OTHER (PLEASE SPECIFY):

☐ AWNINGS / SHADES

FORM A
PROPERTY IMPROVEMENT APPLICATION

Page 4 of 4

Do Not Write Below Line. (To Be Completed By Design Review Committee Only)

Design Review Committee's response subject to notes on plan and Design Review Committee approval checklist.

- () APPROVED
- () APPROVED WITH CONDITIONS NOTED ON CHECKLIST _____
- _____
- () DISAPPROVED WITH COMMENTS NOTED ON CHECKLIST & PLAN _____
- () RESUBMIT ITEMS LISTED _____
- _____
- () INCOMPLETE ITEMS LISTED _____
- _____

The Design Review Committee has reviewed the proposed Improvements to determine whether they are aesthetically compatible with the architectural scheme of the Community and consistent with the Community Declaration and the Community Association's Design Guidelines. These plans have not been reviewed for constructability, safety, function, views, plant material survivability, privacy, or any and all engineering requirements including, but not limited to, soils, geotechnical, drainage, structural, mechanical or electrical. The Owner is required to comply with the Community Association's Design Guidelines and the Community Declaration. The Design Review Committee has not considered whether, and its approval does not indicate, that the proposed improvements are in compliance with applicable laws and ordinances. The Owner must obtain all necessary building permits for all Improvements from the City of Hesperia. By approving such plans and specifications, the Design Review Committee, the members thereof, the Community Association, the Neighborhood Association, the Board of Directors of the Community Association, Declarant, and all agents, employees, attorneys or consultants of any of the foregoing, do not assume liability or responsibility therefor, or for any defect in any Improvements constructed from such plans and specifications or for any obstruction or impairment of view caused or created as the result of any Improvements approved by the Design Review Committee, or for any violation of any law, ordinance or regulation of any federal, state or local government agency.

DESIGN REVIEW COMMITTEE SIGNATURE

_____ Date: _____

NOTE: It is recommended that the Owner withhold retention their contractor through approval of Notice of completion.

FORM B SUBMITTAL APPLICATION CHECKLIST

Page 1 of 3

This checklist shall be completed by the Owner and attached to the Design Review Committee Property Improvement Application. Failure to complete and include this checklist and other applicable Deposit and Submittal Fees will cause the submittal application to be deemed an incomplete submittal. All incomplete submittals will be returned without review by the Design Review Committee.

DEPOSITS Collected at the time of plan submission. A check made payable to the **“Silverwood Community Association”** is required.

_____ \$500.00 – Improvement Security Deposit (covers non-compliance or damages incurred)

SUBMITTAL FEES Collected at the time of plan submission. A check made payable to the **“Silverwood Community Association”** is required.

_____ \$175.00 - Attached Condominiums Exclusive Use area or Detached Condominiums & Single Family Homes REAR ONLY - Landscape/General Resubmittal Review Fee (Includes initial review and two (2) resubmittals of not approved plan, initial NOC review and one (1) NOC resubmittal, all within one calendar year review of the initial submittal)*

Each Additional Resubmittal Beyond 3rd Review will require payment of an additional \$150.00

_____ \$225.00 - Detached Condominiums & Single Family Homes REAR & FRONT - Landscape/General Resubmittal Review Fee (Includes initial review and two (2) resubmittals of not approved plan, initial NOC review and one (1) NOC resubmittal, all within one calendar year review of the initial submittal)*

Each Additional Resubmittal Beyond 3rd Review will require payment of an additional \$150.00

_____ \$550.00 - Detached Condominiums & Single Family Detached Homes Architectural - Room Addition/Remodel Review Fee (Includes initial review and one (1) resubmittal of not approved plan, initial NOC review and one (1) NOC resubmittal)*

_____ \$50.00 – Each Variance Application / Appeal Application (see Form “E”)

_____ \$50.00 Minor reviews, Garage Door Replacement, Balcony Drapery, Satellite or Paint Color Change ONLY

_____ \$150.00 – Solar Replacement

_____ \$150.00 – Window / Door Replacement, Awnings / Shades, Skylights Review Fee

***If designers are changed after original submittal, new submittal fees will be required.**

If 'resubmittal' plans significantly change from initial plan set, a new review fee will be charged as it is no longer considered a resubmittal review of denied items. This goes for any type of review stated above. A resubmittal is defined as a set of plans being submitted again to obtain approval by address previously denied items only.

A description of what must be included on each of the drawings required herein may be found in the Community Design Guidelines.

Note: Deposits and Fees are subject to change from time to time as deemed necessary by the Community Association

OWNER'S SIGNATURE REGARDING DESIGN REVIEW COMMITTEE APPROVAL

FORM B
ARCHITECTURAL APPLICATION CHECKLIST

Page 2 of 3

I UNDERSTAND AND AGREE THAT:

No work any Improvement described on my Property Improvement Application request shall commence until written approval of the Design Review Committee has been received. The conditions and restrictions noted in the Community Design Guidelines and Community Declaration shall apply to any approval. Installation of all approved Improvements shall be at no cost whatsoever to the Community Association. Any maintenance approved Improvements shall be the responsibility of the applying Owner, his or her heirs, successors and assigns. The Owner of any Separate Interest shall comply with the Community Declaration and Community Design Guidelines in connection with completion of all property Improvements, landscaping and alterations. Owner shall complete all landscape Improvements within three hundred sixty-five (365) days of close of escrow for the Owner's Separate Interest.

SIGNATURE: _____
OWNER DATE

PROPERTY ADDRESS: _____

FORM B

ARCHITECTURAL APPLICATION CHECKLIST

Page 3 of 3

PART I - ALL IMPROVEMENTS

This part lists the submittal requirements of ALL IMPROVEMENTS, which must be included with any and all submittal requests.

- ☐ Completed Design Review Committee Application – Form A
- ☐ DRC Architectural Application Checklist – Form B
- ☐ Site Plan; drawn to scale at 1/8" = 1'-0" or 1/4" = 1'-0"
- ☐ Deposit and Submittal Fees

PART II - LANDSCAPE IMPROVEMENTS

This part must be completed by each applying Owner for Improvements involving any landscaping on his/her Separate Interest (grading, drainage, hardscape, irrigation, planting and lighting).

- ☐ Landscape Plan and Details
- ☐ Grading and Drainage Plan
- ☐ Irrigation Plan or Notes
- ☐ Planting Plan
- ☐ Landscape Lighting Plan
- ☐ Material Photos

PART III - ARCHITECTURAL IMPROVEMENTS

This part must be completed by each applying Owner for Improvements involving any architectural Improvements on Owner's Separate Interest (e.g., room additions).

- ☐ Site Photos
- ☐ Exterior Elevations/Building Sections
- ☐ Floor Plan (must be included on a Plot Plan)
- ☐ Roof Plan
- ☐ Finish and Materials Schedule

FORM B - 3
FRONT YARD PROPERTY LINE WALL EXTENSION APPLICATION

Property Address of Party Initiating this Improvement: _____

("Party A" – Property owner)

Lot/Unit Number and Home Builder: _____

Property Address of Participating Neighbor: _____

("Party B" – Property owner)

Lot/Unit Number and Home Builder: _____

PARTY WALL EXTENSION AGREEMENT

Party A and Party B (henceforth referred to collectively as "The Parties") listed above hereby attest and agree to extend their front yard Party Wall per the plans submitted for DRC approval by Part A. The Parties acknowledge that this "Party Wall" (as defined in the Declaration) is a maintenance obligation shared between both Parties and any future Property Owner(s) of the Separate Interests in question, in perpetuity. In signing below, both Parties agree to share in the associated maintenance costs of the extended Party Wall, and agree to hold Silverwood Community Association harmless from negligence and all claims of any nature that may arise as a result of the DRC's approval of this Party Wall extension.

AGREED TO AND ACCEPTED:

Party A: _____

Date: _____

Name (print): _____

Party B: _____

Date: _____

Name (print): _____

If "Party B" does not agree to enter into this agreement, "Party A", or the individual who wishes to extend the front yard wall, must submit plans to the DRC which would extend the front yard wall on the area of the Separate Interest or exclusive use area of his/her own Separate Interest only (**not** on the property line).

FORM C DRC APPROVAL FORM

To be completed by the Homeowner:

Date: _____ Lot and Tract # _____ Unit # _____

Name: _____ Project Name: _____

Mailing Address: _____ Builder: _____

Property Address: _____

Phone: _____ Email: _____

To be completed by Design Review Committee:

The Design Review Committee has reviewed the proposed Improvements to determine whether they are aesthetically compatible with the architectural scheme of the Community and consistent with the Community Declaration and the Community Association's Design Guidelines. These plans have not been reviewed for construction, safety, function, views, plant material survivability, privacy, or any and all engineering requirements including, but not limited to, soils, geotechnical, drainage, structural, mechanical or electrical. The Owner understands that he/she must comply with the Community Association's Design Guidelines and the Community Declaration. The Design Review Committee has not considered whether, and its approval does not indicate that, the proposed Improvements are in compliance with applicable laws, ordinances, regulations and codes. The Owner must obtain all necessary building permits for all structures and other Improvements from the applicable public agency. Please be advised that the plans and specifications are not approved for (a) engineering design, (b) compliance with zoning and building codes, and other applicable statutes, ordinances or governmental rules or regulations, (c) compliance with the requirements of any public utility, (d) consistency with easements or other matters of record, or (e) preservation of any view. By approving such plans and specifications, the Design Review Committee, the members thereof, the Community Association, the Neighborhood Association, the Board of Directors of the Community Association, Declarant, the Neighborhood Builder and their respective agents, employees and consultants do not assume any liability or responsibility relating thereto (including, without limitation, any defect in any Improvements constructed from such plans and specifications, or for any obstruction or impairment of view caused or created as the result of any Improvements approved by the Design Review Committee).

Design Review Committee_____
DRC Authorized Representative Signature_____
Date

FORM D
DRC NOTICE OF COMPLETION FORM

Page 1 of 2

SUB NO. 1 ____

SUB NO. 2 ____

Owner shall complete the following:***I hereby certify that all work has been completed and done in substantial compliance with the approved plans and specifications and the Community Design Guidelines.***

Date: _____ Lot / Unit / Tract # _____

Name: _____ Neighborhood Name: _____

Mailing Address: _____ Builder: _____

Property Address: _____

Signature: _____

Type of Work: ☐ Architecture ☐ Landscape ☐ Hardscape ☐ Pool/Spa/Water Feature
(Please check one or more) ☐ Patio Cover ☐ Lighting ☐ Solar Equipment ☐ Other

SUBMIT COLOR PHOTOGRAPHS (4" X 6" MINIMUM SIZE) OF ALL INSTALLED IMPROVEMENTS INCLUDING: VIEWS OF THE OVERALL YARD, DIAGONALLY FROM EACH CORNER, CLOSE-UP VIEWS OF ALL VERTICAL IMPROVEMENTS, DRAIN INLETS, FLASH WALLS, LIGHT FIXTURES, EQUIPMENT AREAS AND TREES/PLANTINGS. COLOR PHOTOCOPIES ARE NOT ACCEPTABLE.

(DO NOT WRITE BELOW THIS LINE)

The Design Review Committee conducted the Final Inspection by:

_____ Reviewing the Owner-submitted photographs _____ Conducting a site visit

The Design Review Committee recommends the following:

_____ APPROVED: Final inspection is complete and the Improvements are in substantial conformance with the approved plans and the Community Design Guidelines.

_____ DISAPPROVED: The Improvements are **not** in substantial conformance with the approved plans, specifications and/or Community Design Guidelines. The Owner must complete/modify/remove the items noted on page 2 attached. After all items have been corrected, Owner must submit to the Community Manager photographs of revised construction.

Design Review Committee

DRC Authorized Representative Signature

Date

Page 2 of 2

Improvements to be removed or modified by Owner:

[illegible]

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

FORM E
VARIANCE REQUEST FOR COMMUNITY DESIGN REVIEW COMMITTEE-APPROVED DESIGN GUIDELINES
EXCEPTION

Owner shall complete the following:

Date: _____ Lot / Unit / Tract # _____
Owner: _____ Neighborhood Name: _____
Separate Interest Address: _____
Home Phone: _____ Work Phone: _____ Fax: _____ Email: _____
Signature: _____

Note: Include with the submittal of the Variance Request Form the Variance Fee pursuant the Application Checklist (Form B-1 or B-2).

Description of Request (Please include drawings, photographs and a description of the requested variance and your special circumstance unique Separate Interest condition in support of the variance for the Community Design Review Committee review):

DO NOT WRITE BELOW THIS LINE

☐ Disapproved as presented ☐ Approved as presented ☐ Approved as revised

Signature of member of Community Design Review Committee _____ Date _____

Signature of member of Community Design Review Committee _____ Date _____

Please allow sixty (60) days for review. You will be notified in writing of the Community Design Review Committee's decision.