

**FLORA VISTA SUBASSOCIATION
ARCHITECTURAL GUIDELINES AND STANDARDS**

I. AUTHORITY

The Declaration of Restrictions for the Flora Vista Subassociation, recorded on November 28, 1989, in the office of the Orange County Recorder, Document Number 89-646299 and specifically Article V of the Declaration, authorizes the formation of an Architectural Committee which shall have the duty to consider and act upon such proposals or plans submitted to it and to carry out all other duties imposed upon it by the Declaration.

II. PURPOSE

In order to maintain the architectural character and aesthetics of Flora Vista, it is necessary that modifications of structures, materials and colors be compatible with the original architectural design.

The Board of Directors set the standards and the Flora Vista Subassociation and the Architectural Committee applies those standards on all exterior alterations. This process assures the continuity of character that helps preserve or improve the appearance and enhances the overall value of every property.

The Flora Vista Subassociation Architectural Committee shall hereafter be referred to as the "Architectural Committee."

Review of Plans and Specifications. Except as otherwise stated in this Declaration, no building, addition, hardscape, landscape, irrigation system, swimming pool, spa, fence, wall or similar improvement (any of which is referred to as an "Improvement"), including any exterior changes or alterations in any existing Improvement, shall be commenced, erected or maintained upon the Properties until the plans and specifications therefore showing the nature, kind, shape, height, width, color, materials and location of the same shall have been submitted to and approved in writing by the Architectural Committee. The Board from time to time shall have the right but not the obligation to - adopt and promulgate architectural standards ("Architectural Standards1").

III. GUIDELINES

A. Submittal Procedure and Requirements

Approval of any project by the Architectural Committee **does not waive** the necessity of obtaining the required city and county permits. In turn, obtaining city or county permits **does not waive** the need for approval by the Architectural Committee prior to construction.

1. Submittals

- a. All applications are to be submitted to the Flora Vista Subassociation and the Rancho Del Rio Master Association the attention of the Architectural Committees.
- b. All requests for architectural approval must be made on the standard Architectural Committee Application.
- c. Three (3) complete sets of plans are required for submittal.

2. Construction Drawings: All plans must be prepared in accordance with applicable building codes, and with clarity and completeness. It is recommended that work involving major additions, or work requiring variances, be submitted at the **preliminary drawing stage** for review by both the Architectural Committee and the City of San Clemente, Building Department. **FINAL DRAWINGS SHOULD NOT BE PREPARED UNTIL PRELIMINARY PLANS HAVE BEEN REVIEWED.**
3. Neighbor Awareness: The neighbor's approval is not a condition to plans being approved by the Architectural Committee. The intent is to advise neighbors who own property adjacent to the lot of the proposed improvement by requiring their signature on the Application as to awareness only. Additionally, unless good cause is shown, the applying Homeowner shall have the initials of the neighbors' awareness on the plans submitted for review by the Architectural Committee. No application will be considered complete until there is evidence the neighbor has been made aware of the application.
4. Right of Entry: If construction work requires the use of common area property for purposes of transporting labor and materials, or for the temporary storage of materials for the work, the applicant shall obtain written permission from the Flora Vista Subassociation and/or the Rancho Del Rio Master Association for "Right of Entry" during the course of construction. A copy of this letter granting permission shall be filed with the Architectural Committee prior to commencement of construction. A security deposit or bond, as deemed necessary by the Architectural Committee, may be required from the contractor. Deposits will be refunded only after satisfactory completion of work.

B. Setback Requirements

1. For Single-Family Detached Homes: in general, the minimum setback requirement from the property line/property right limits to support posts is five (5) feet. The minimum setback requirement from the property line/property right limits to patio overhang is two (2) feet.
2. Setback Requirement Guidelines for Units located in Tracts 13914 and 12895:
 - a. Setback Requirements for Back-to-Back Lots:
 - (1) Single-story additions shall extend no nearer than ten (10) feet from the rear property line for *NO MORE* than half the width of the house.
 - (2) Two-story additions shall extend no nearer than fifteen (15) feet from the rear property line for *NO MORE* than half the width of the house.
 - (3) A minimum five (5)-foot side yard shall be maintained from the property lines, not from the adjacent home.
 - b. Setback Requirements for Lots Backing Up to Open Areas:
 - (1) Single-story additions shall extend no nearer than ten (10) feet from the rear property line.

- (2) Two-story additions shall extend no nearer than fifteen (15) feet from the rear property line.
- (3) A minimum five (5)-foot side yard shall be maintained from the property lines, not from the adjacent home.

NOTE: Nothing contained in these setback requirements shall supersede any requirement from the Declaration of Restrictions, which may pertain to the Tract in question, nor shall these requirements apply to any original improvement installed by a Developer prior to the conveyance of the lot or unit to a public purchaser.

C. Construction

1. Time Period: Work shall be completed within 120 days from the date of Architectural Committee approval. If the scope of the job warrants more time, or for other reasons deemed necessary by the Architectural Committee, the owner may be granted an extension of the construction period as necessary; however, if the start of construction of said plans are to be deferred for a period of more than 90 days, a new Application must be submitted. Requests for time extensions must be made in writing, and written approval for such extension received from the Architectural Committee.
2. Approval Application: The Flora Vista Subassociation and the Rancho Del Rio Master Association Architectural Approval Application shall be displayed throughout the construction period in a location that can be seen from the front of the home.
3. Inspection: Upon completion of the outside work, as indicated on the "Approved" copy of the drawing and per its specifications, the applicant shall notify the Architectural Committee to obtain final inspection and approval. If the Committee chooses to inspect the job for conformance to the plans as submitted and approved, inspection and certification will be completed within thirty (30) days after the homeowner has notified the Committee of completion and request inspection.

D. General

1. Appeals: In the event plans and specifications submitted to the Architectural Committee are disapproved, the party or parties making such submission may appeal, in writing, to the Flora Vista Subassociation and the Rancho Del Rio Master Association Boards of Directors. The written request must be received by the Board no later than thirty (30) days following the final decision of the Architectural Committee.
2. **Enforcement: Failure to obtain the necessary approvals prior to construction may: (1) constitute a violation of the Flora Vista Declaration of Restrictions; (2) require payment of a fine, and; (3) require modification or removal of unauthorized work at the expense of the homeowner. In addition, a permit may be required from the City of Ban Clements Building Department or other governmental agencies prior to starting construction.**
3. Stop Work Orders: owners of property in Flora Vista, pursuant to the Declaration of Restrictions have agreed that the Architectural Committee of the Flora Vista Subassociation and/or the Rancho Del Rio Master Association may adopt reasonable architectural standards and rules and regulations concerning, among other things, that requirement to submit plans and specifications for approval to the Architectural Committee prior to commencing any work of improvement on the residence.

Accordingly, the owners have hereby agreed to be bound by these architectural guidelines and standards. The commencement of construction prior to the approval of the proposed work by Architectural Committee, or the non-adherence to approved plans shall be a violation of these rules and the Association's Architectural Committee is empowered to issue a Stop Work Order to the Owner.

Continuing work beyond the point of issuance of the Stop Work order shall subject the owner to fines listed in Article IV below and all other legal remedies that the Association may have pursuant to the Declaration of Restrictions and the laws of the State of California. The Stop work order issued by the Committee will be signified by the delivering or posting a Notice at the job site and mailing a copy to the Owner.

E. Exterior Painting

1. Existing Color: requires prior approval from the ARC. any homeowner who elects to repaint with the existing colors must first submit an application and obtain approval. This only exception is minor "touch-up" painting. In addition, **any change in the location of the existing colors also requires a submittal of an Application to the Flora Vista Subassociation.**
2. Review Procedures: any proposal to change the existing colors of a home will be reviewed by the Architectural Committee on a case-by-case basis. The homeowner must submit a, Application with color chips attached to a sample plan. No approval will be given unless the Architectural Committee determines that the request for exterior painting and color choices are consistent with the Architectural Guidelines and Standards. **All color choices are reviewed for compatibility.**

The Architectural Committee may not allow adjacent homes or homes directly across the street to be painted the same colors. The Architectural Committee requires at least a two (2) house separation between houses painted with colors in the "Color Palette Groupings."

STUCCO WILL NOT BE PERMITTED TO BE PAINTED A DARK COLOR.

- a. General Color Palette: any homeowner who proposes exterior painting with colors from the "General Color Palette" must submit an Application to the Flora Vista Subassociation.
- b. Color Palette Groupings: a limited number of colors have been selected by the Architectural Committee as an addition to the General Color Palette. Any homeowner who proposes exterior painting with colors from this palette must submit an Application to the Flora Vista Subassociation with the selected grouping.

Each of the Color Palette Groupings has been preselected by the Architectural Committee and MAY NOT BE MIXED OR INTERCHANGED IN ANY MANNER.

- c. Other Paint Color Combinations: a homeowner may submit for Architectural Committee review an Application for exterior painting with color combinations other than named above.

3. Flora Vista Subassociation has adopted the Flora Vista exterior colors and materials for use in Tracts 13914 and 12895.
4. Wood Fences

Approved paint color is Frazee White Shadow #181 or an approved equal.

F. Approval

1. Approval: Approved plans will receive a stamp indicating Architectural approval. The Application and one (1) set of plans will be retained in the applicant's homeowner file at the Flora Vista Subassociation and the Rancho Del Rio Mast Association office for future reference.

IV. ARCHITECTURAL STANDARDS

A. Fences

1. Fencing shall conform to the design, material and colors established within the respective tracts unless otherwise approved by the Architectural Committee.
2. Fencing shall not be constructed beyond the furthestmost forward portion of the dwelling.
3. Fence heights shall NOT exceed six (6) feet above the highest adjacent grade level.
4. The following types of material are **not acceptable** for fencing: **(This material list is not all inclusive)**.
 - a. Aluminum, sheet metal, or aluminum look-a-like wood shake shingles.
 - b. Chicken wire or chicken mesh.
 - c. Metal or plastic chain link.
 - d. Plastic webbing, reeded or strawlike materials.
 - e. Corrugated or flat plastic or fiberglass sheets or panels.
 - f. Rope or other fibrous strand elements.
 - g. Glass block.
 - h. Miniature-type fencing.

5. Wood Fences

See Section III, E.4 for wood fence paint color.

6. **Painting upon Replacement**

a. When a wood fences are replaced, leaving the color to be the natural wood is no longer an option. New fence must be painted Frazee White Shadow #181 or an approved equal.

B. GateInstallation

1. NO gates shall be installed along Flora Vista Subassociation and Rancho Del Rio Master Association's maintained property line theme walls or fencing.

C. Room Additions, Patio Covers, Eaves, Balconies, and Fascias

Structural or material additions or alterations of the exterior of any building shall conform to materials, colors, character and detailing as established on the existing dwelling. The Board of Directors has established the following standards regarding applications to construct balconies and room additions to homes within Flora Vista. When, in the opinion of the Architectural Committee, there is excess adverse impact on the privacy of adjacent units, the approval of an application for this type of construction will not be given.

1. Patio Cover, Sunshade, Arbor, Trellis, and Gazebo Structures
 - a. Structures in this section shall conform to the original architectural character of the existing dwelling.
 - b. Patio, sunshade, arbor, trellis and gazebo structural members shall be of wood construction only, with the exception of vertical supports that may be of stucco or masonry.
 - c. Structures under this section shall be stained or painted to match a color on the home. Other colors will be subject to approval by the Architectural Committee. If Grade I natural redwood is used, it is allowed to remain in its natural state.
 - d. Unacceptable materials for structures in this section shall be:
 - (1) Metal or prefabricated structures of metal, unless completely cased in wood or masonry.
 - (2) Flat or corrugated plastic/plastic panels.
 - (3) Flat or corrugated fiberglass.
 - (4) Plastic webbing, split bamboo, reeded or straw-like materials.
 - (5) Crushed rock, asphalt shingles.
2. All non-wood tilt or roll-up type garage doors must be submitted to the Architectural Committee for approval and must be accompanied by a sample of the door material and color to be used.
3. The following materials are the only acceptable roofing, surface materials:
 - a. Concrete Tile
 - b. Clay Tile

D. Awnings

1. General: individual window awnings are usually NOT acceptable, unless they are of a Declarant design.
2. Awnings not covered under Item I (above) may be approved under the following conditions:
 - a. Review on an individual basis.

- b. Awnings shall not be visible from the street, parks, common areas, etc., unless they are concealed within a wood structural system.
 - c. Awning material must match or blend with the existing architectural character and color scheme of the dwelling in open and/or retracted position.
 - d. Awning material must always be maintained in an aesthetic and unfaded condition.
3. Canvas is acceptable for awning material, if it meets the above standards.

E. Landscaping and Other Related Improvements

All front and side yards of homes must be landscaped within one hundred and eighty (180) days from the ORIGINAL close of escrow. The landscaping installed must, in general, present an attractive appearance for the property and include a reasonable combination (see recommended percentages as shown in Item F-2) of lawn and/or ground cover, shrubs and trees, depending on the property. Any landscaping that does not meet the above standards is subject to approval and/or modification to the standards described in F-2, by the Architectural Committee.

- 1. The following landscaping materials are NOT permitted within front yards, and/or visible side yards, WITHOUT PRIOR APPROVAL of the Architectural Committee:
 - a. Decorative rock, sand, gravel, bricks as paving material or any other artificial rock substance.
 - b. Hedge-type plants adjacent to the sidewalks where such planting exceeds eighteen (1811) inches in heights.
 - c. Shrubs with thorns planted adjacent to the sidewalks that may be considered, a hazard; i.e., roses, cactus.
- 2. Root Control. No shrubs or trees shall be planted adjacent to the sidewalk that may cause the roots to lift, heave or damage the walk in the future.
- 3. For recommended watering schedule and Salt & Boron tolerant plant lists, please refer to Charts I and 3 in your Centex Homeowners Manual.
- 4. The following minimum landscaping requirements are required.
 - a. Eighty percent (80%)* of the front and side yards planted in ground cover or lawn, or a combination of both.
 - b. Twenty percent (20-%)* of the front yard planted with shrubs as follows:
 - (1) One (1) one-gallon shrub for every ten (101) square feet. *
 - (2) One (1) five-gallon shrub for every fifty (501) square feet. *
 - c. One (1) fifteen-gallon tree planted.
 - d. A manual sprinkler system installed.

e. Paved Areas: All exterior paved areas will be made of one of the following materials.

- (1) Wood decking (rear yards only).
- (2) Masonry units - such as brick or stone, indicate type. Type must harmonize with existing material' used on house.
- (3) Concrete, textured concrete - indicate color and pattern.
- (4) Exposed aggregate: A special concrete finish in which attractive aggregate at the surface are exposed to create interesting and beautiful effects.
- (5) Combinations of the above.

* % is computed on the available yard area not covered by the originally designed driveway and walk.

If the Association must enter upon a lot to install landscaping on the front and/or side yard property, the above minimum requirements will be met.

F. Mechanical Equipment

1. Installation of mechanical equipment, including but not limited to air conditioners, swimming pool, spa equipment, water softeners, waterfall pumps, etc., shall require approval by the Architectural Committee.
2. All equipment shall be located as far as possible from neighboring properties and/or all pumps and blowers must be enclosed or buried to mitigate the noise factor.
3. Plan Drawings must indicate the location of the equipment and, if exposed to view, the method of screening.
4. Pool equipment will be required to conform to all city building codes and health ordinances.

G. Drainage, Fill and Grading

1. The original course of surface water flow shall not be disturbed or altered as to adversely affect neighboring property or his own.
2. Gutters and downspouts or scuppers shall be primed and painted to match adjacent surface colors.
3. If any grading is undertaken, all excess dirt must be disposed of in a lawful manner and cannot be dumped on any property without the owner's written permission, a copy of which shall be attached to all homeowner plan submittals. No material may be dumped on any side or rear yard slope.

H. Antennas: Antenna of any description installed outside of dwelling or garage are **prohibited**.

I. Flagpoles: Flagpole installation requires prior approval by the Architectural Committee.

- J. Weathervanes: Weathervane installation requires prior approval by the Architectural Committee.
- K. Window Tinting: Affixing of reflective materials which creates a mirror effect on windows from the outside requires prior approval by the Architectural Committee.
- L. Storage Sheds: Sheds that protrude over adjacent fence heights or are exposed to view require prior approval by the Architectural Committee.
- M. No sign, poster billboard, advertising device or other display of any kind, shall be displayed so as to be visible from outside any parcel without the approval of the Architectural Committee. Any "for sale" or "for lease" signs which are (1) not attached to the exterior walls of a residence and (2) not more than six (6) square feet in size, shall not require Architectural Committee approval. No signs may be placed off an owner's property without written permission from the Architectural Committee. All signs are prohibited in rear and side yards.
- N. Basketball Backboards: Basketball backboards will not be permitted in the front or side yards.
- O. Additional Doors/Windows: Exterior doors and/or window bars/grills are not permitted.
- P. Screen Doors: Screen doors must be approved by the Architectural Committee.
- Q. Skylights and Solar Energy Equipment.
 - 1. Rooftop solar energy equipment or skylights require prior approval by the Architectural Committee. Approval is based, to a great extent, on the homeowner's ability to design and accommodate the installation with the least amount of exposure to adjacent units. However, installation must be consistent with the requirements of state laws concerning efficient placement of collector units.
 - 2. Solar energy equipment includes: all panels; collectors; piping; attachments; bracing; flashing; mechanical hardware; supporting structure; and any other related elements.
 - 3. Equipment Guidelines:
 - a. A profile as low as functionally practical and efficient should be maintained.
 - b. When possible, piping should go through the roof rather than on the face of the roof or dwelling.
 - c. Long runs of piping should be condensed and concealed as much as possible.
 - d. Equipment, or equipment enclosures, should be painted or stained to match adjacent surface color.
- R. Playhouses/Structures
 - 1. Playhouses/structures will be approved on a case-by-case basis with respect to architectural considerations that the Committee, in its discretion, may deem appropriate and should meet the following guidelines:

- a. Playhouses/structures shall be constructed, located and screened to minimize the impact on the adjacent neighbors' privacy and any existing structure or common areas.
- b. Playhouses/structures should blend with the architectural characteristics of the dwelling and neighborhood in both colors and materials.
- c. No playhouse, at its highest point, should exceed eighteen (18) inches above the nearest adjacent fence.
- d. Screening: The playhouse/structure shall be screened from view from the adjacent streets, public sidewalks trails, walkways, greenbelts, parks and surrounding ' properties by the use of fences, hedges, or other appropriate plant materials. Such visual mitigation shall be designed so the playhouse/structure is screened from view upon installation.
- e. Structure Openings: All playhouses/structures must be designed in such a manner that any openings (windows, doorways, etc.) that face all neighboring dwellings shall be no higher than the adjacent fence. Any openings above the fence shall be installed facing the dwelling that is proposing- the playhouse/structure.

S. Playground Equipment

Children's swing sets, "jungle-gyms," or similar playground equipment which exceeds fence height requires committee approval.

T. Outdoor Lighting

- 1. Low voltage landscape lighting bearing UL approval is encouraged. Attempt to conceal source of light is recommended.
- 2. Flashing, glaring or revolving lights will not be permitted.

U. Structures for Animals: No structure for the care, housing or confinement of any animal shall be maintained so as to be visible from neighboring property unless approved by the Architectural Committee.

V. Clothes Drying Facilities: No outside clotheslines or other outside clothes drying or airing facilities will be maintained on any lot unless such facilities are determined to be adequately concealed so as not to be seen from any adjacent properties.

W. Vehicles:

- 1. Garages are to be used specifically for storage of operational and licensed motor vehicles. Use of garages forcing the parking of vehicles outside is prohibited.
- 2. No trailer, motor home, commercial truck, camper or boat shall be kept or maintained anywhere on the Property in such a manner as to be visible unless expressly approved by the Association. No vehicle or boat shall be constructed or repaired upon any property in such a manner as to be visible from any neighboring property. No inoperable vehicle shall be stored or allowed to remain on any property in such manner as to be visible from any property. Notwithstanding the foregoing, in no event shall

these restrictions be construed in such a manner as to permit any activity contrary to any ordinance of the City of San Clemente.

- X. Commercial Use: No part of any residence shall be used or caused to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending, or any nonresidential purposes.
- Y. Other: Other exterior improvements and modifications not specifically described in the Architectural Committee Standards may nevertheless be subject to review and approval by the Architectural Committee.
- Z. Conditions Not Defined: Any condition or material not defined within the Guideline shall become a matter of judgment on the part of the Architectural Committee, with the concurrence of a majority of the Board of Directors.
- AA. These regulations are not intended to supersede or modify the Declaration of Restrictions. These regulations are subject to modification, addition, or deletions as the need may arise. Any changes in these regulations will be effective thirty (30) days from their publication date.
- BB. Responsibility of the Owner
 - 1. After receiving written notification of approval from VI Flora Vista Subassociation, it is the owner's responsibility:
 - a. to obtain necessary building permits required by the City of San Clemente and to submit a copy of same to ACTION PROPERTY MANAGEMENT, INC., 2603 MAIN STREET, SUITE 500, IRVINE, CA 92614, (949) 450 - 0202, prior to beginning construction.
 - b. to return to the Architectural Control Committee for review and approval in accordance with these Guidelines, all changes in plans required by the City of San Clemente.
 - c. to see that the work progresses in an orderly fashion with minimum disruption or inconvenience to the neighborhood.
 - d. to see that the work performed is in strict compliance with the approved plans, specifications and drawings.
 - e. to restore any damaged common property (e.g., streets, driveways, turf, sprinklers, etc.) to their former condition, as agreed to in the application.
 - 2. Actual physical work on the improvements and/or alteration may begin only when all the foregoing procedures have been satisfactorily completed.
- CC. **Neither the Association nor the Architectural Committee assumes any liability relative to the design or quality of the improvements.**

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