

PORTOLA SPRINGS COMMUNITY ASSOCIATION



DESIGN GUIDELINES

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EXHIBITS

NOTE: Exhibits are still in the Guidelines but have been eliminated from the Table of Contents should Exhibits be changed in the future.

Section I: Introduction

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A. Master Association Responsibilities: The Portola Springs Community Association (the "Master Association") is charged with the preservation of the architectural character and enhancement of the landscape setting of the Community. The Master Association is granted the power to administer and enforce architectural controls within the Community by Article V of the Master Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Portola Springs (the "Master Declaration"). The Master Association is responsible for preparing these Design Guidelines (the "Guidelines"). No other party may revise this document.

The Master Association's Design Review Committee (DRC) reviews plans and specifications for all proposed Improvements (as defined in the Master Declaration) to verify the Improvement's compliance with the provisions of these Guidelines.

Neighborhoods may also be subject to restrictions on installation of landscaping and other Dwelling Improvements contained in either the Master Declaration or in a Supplemental Declaration Establishing Solar Shading Covenants, Conditions and Restrictions recorded by the Merchant Builder or Master Developer for Portola Springs (collectively, the "**Solar Restrictions**"). The Solar Restrictions limit planting of landscaping and construction of Improvements (such as room additions) on Dwellings in the neighborhood subject to the Solar Restrictions to ensure that any proposed landscaping or Improvements do not cast a shadow greater than ten percent (10%) of the solar collector absorption area of a neighboring owner's solar energy system. The Solar Restrictions apply only to landscaping or Improvements installed AFTER the neighboring owner's solar energy system has been installed. The Solar Restrictions do not limit the installation of landscaping or

Improvements prior to the existence of a solar energy system on the neighboring property, nor do they limit any replacement of any such previously installed landscaping. For purposes of these Guidelines, a "**solar energy system**" means a device or structure used primarily to transform solar energy into thermal, chemical or electrical energy for heating, cooling or power generation.

B. Purpose of Guidelines: The purpose of these Guidelines is (1) to preserve the aesthetic character of the Community as established by the initial development, (2) to assure compatibility among Improvements, and (3) to preserve a high quality of appearance. The Guidelines are intended to give both specific design criteria to Owners and their consultants in preparing drawings for architectural, landscape architectural, and other Improvements (both for initial Improvements and for subsequent landscape and architectural Improvements 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 the 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 and obtain all required permits and inspections. Any items or issues not addressed in the governing instruments for this Community are matters left to the discretionary judgment of the DRC or its appointed design review consultant.

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

D. Amendments to Guidelines: The Board of Directors may, at its discretion, amend these Guidelines from time to time as it deems

necessary or desirable, in accordance with the California Civil Code.

E. Model Complexes: The construction features and landscaping provided by the Merchant 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 on an individual Owner's Lot.

Section II: Review and Approval Process

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A. EXTENT OF DESIGN REVIEW COMMITTEE REVIEW

1. The DRC approval of plans and specifications is required for all architectural modifications and landscape Improvements and/or modifications. The DRC may condition its approval on such changes it deems appropriate and may require submission of additional plans and specifications or other information or materials prior to approving or disapproving plans and specifications. In the event of a conflict between these Guidelines and the Master Declaration, the Master 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: Shall be returned to the Owner.

Approved Plans: Two (2) approved plans shall be placed in the Master Association or Sub-Association (herein referred to collectively as “Association”) files and one (1) approved plan shall be returned to the Owner.

Denied Plans: A copy of disapproved plans or those requiring clarification or additional information or conditional approval (requiring certain items to be corrected and re-submitted for approval) shall be returned to the Owner. A copy of such disapproved plans must be included with subsequent resubmissions.

3. Review and approval of completed Improvements will be made by the appropriate DRC or its designated representatives once the Owner has notified the DRC by filling out and submitting a “DRC Notice of Completion Form” (see Exhibit D). Color photographs (4” x 6” minimum size) from all angles indicating the installation of all front, side and rear yard landscape Improvements, including equipment locations, drain inlets, structures and plant materials are required as a part of NOC submittal. All Improvements must

be photographed in their **entirety** and include photos of the existing architecture. Photographs that are inadequate, incomplete or that do not accurately represent the existing conditions, will be denied and returned to the Owner. If a proposed Improvement results in a setback issue, a photograph of the setback issue clearly showing the measurement from the Improvement to the property line or setback is required with the submission. The Notice of Completion shall be submitted promptly after the Improvement’s completion. Upon receipt of the completed NOC package, the DRC’s representative may conduct an on-site field inspection of the Improvements to verify their compliance with the approved plans.

If it is determined that the Improvements were not installed in compliance with the plans approved by the DRC, the DRC shall notify the Owner in writing of such noncompliance within forty-five (45) days after the DRC’s review. **The Owner is required to remedy the noncompliance within thirty (30) days of Owner’s receipt of the DRC’s notice.**

4. The DRC’s review of plans and specifications only extends to confirming that the plans and specifications adhere to the Master Declaration and these Guidelines. By approving plans and specifications, the DRC, any members thereof, the Association, the Members, the Board of Directors, the designated representatives and agents of the Association, Irvine Community Development Company LLC, Irvine Company LLC and the Merchant Builder do not assume any liability or responsibility therefore, including without limitation, architectural or engineering design, for any defect in any Improvements constructed based upon such plans and specifications.

Additionally, these Guidelines include and refer to requirements regarding setbacks, heights, etc. as excerpted from the City of Irvine’s Zoning Ordinance. The DRC, its Board of Directors, its

designated representatives nor Declarant assume liability or responsibility with regards to these ordinances as they may be amended or updated from time-to-time. It is the Owner's responsibility to verify the latest most current City regulations as they apply to their Improvements.

B. LOCAL PERMITS / CONSTRUCTION ACCESS

1. Local Permits: After the DRC has approved the Owner's plans for aesthetic purposes, the Owner must contact local regulatory agencies and verify 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. In the event modifications to the plans previously approved by the DRC are required to comply with a government regulation, the Owner shall submit to the DRC all modifications to the plans. The DRC shall have the right to review and impose further conditions on such modifications which are not inconsistent with the requirements imposed by the City or other government agency.
2. Construction Access: 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 Association Property for construction access is not permitted, unless authorized by the Association and the applying Owner signs an indemnification for damage and posts a construction deposit for repairs of damage to Association Property. Any authorization for construction access by the Association must be in writing and must include a specific description of the access area.

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 nine (9) months from close of escrow. Installation must be complete within three hundred sixty-five (365) calendar days from close of escrow.

Other than initial landscape Improvements, Owner shall substantially commence all other construction or other modifications within forty-five (45) days from the date of approval by the DRC. Owner shall complete such Improvements within one hundred and eighty (180) days of the date of approval by the DRC, unless otherwise extended in writing by the DRC.

Failure to substantially commence or complete construction or other modifications within the timeframe required shall render the DRC's approval null and void, and will require Owner to resubmit architectural plans and obtain approval prior to recommencement of construction.

2. No plan reviews shall be conducted until escrow has closed. The DRC has established (a) a non-refundable design review fee to review submittals and (b) a security deposit, to be refunded (subject to offset as provided below) after the Notice of Completion is approved by the DRC. Refer to the Architectural Application Checklist for applicable fees.

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 Association is reimbursed for any damage to the Association Property associated with an Owner's construction. Funds may be withheld from the security deposit for either or both of the following reasons: 1) to repair Association Property damaged during an Owner's construction; or 2) to pay fines assessed against an Owner's account levied in response to a violation of the Master Declaration.

If a home is within an area governed by a Sub-Association, then the photos, plans, specifications and forms shall be

submitted to the Sub-Association's property management company.

If a home is not within a Sub-Association, then the photos, plans, specifications and forms should be sent to the Master Association's property management company.

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 applying Owner 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 submittal will be deemed approved. The DRC may deny a complete submittal for reasons set forth in the Master Declaration.
4. 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.
5. 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 Master Association or Sub-Association for construction access is not permitted, unless authorized by the responsible Association and the applying Owner signs an indemnification for damage and posts a construction deposit for repairs of damage to property owned and/or maintained by the applicable Association. Any

authorization for construction access by the Master Association or Sub-Association must be in writing and must include a specific description of the access area.

6. Approval of Improvements by the DRC is for aesthetic purposes only. It is the applying Owner's responsibility to see that all federal, state and local ordinances and building codes are followed. It is the applying Owner's sole responsibility to obtain all permits and inspections that may be required by a public agency before commencing construction.
7. 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. In addition, if the plans are for landscaping or other Improvements on a Lot or Condominium that is subject to Solar Restrictions, the plans must be accompanied by photographs of any neighboring property rooftops, a written statement from the adjoining landowner, or other evidence satisfactory to the DRC to confirm whether there are any solar energy systems that currently exist on any neighboring property. Such evidence will not be reviewed by the DRC for its content or compliance with the Solar Shade Control Act and claims no responsibility for its accuracy or said compliance. The responsibility falls on the Owner to comply with all regulatory requirements.

8. All packages submitted to the DRC must be submitted by a Member of the Association and must contain the following items:
 - a. Property Improvement Application.
 - b. Submittal Application Checklist.
 - c. Three (3) complete sets of proposed Improvement plans. Owners must specifically depict all easements, all utilities, and any Improvements that vary from these Guidelines. Approval of plans by the DRC does not mean approval of any Improvements not in compliance with these Guidelines unless specifically noted in the approval.
 - d. Appropriate fees and deposits see Exhibits B-1 or B-2.
 - e. Photographs (hard copies 4x6 min.) of areas to be improved and of the front and rear elevations of the Dwelling.
 - f. Signature of plan preparer that he/she has read and understands these Guidelines.
 - g. Two (2) signed copies of the Water Quality Management – Best Management Practice Guidelines (refer to Section VII).
 - h. Executed copy of Form E.

The property management company for the applicable Association reviews the package for completeness. Plans must meet the submission standards as indicated in this Section. The DRC recommends that each homeowner retain the services of professional design consultants to prepare all Improvement drawings. Complete packages are forwarded to the DRC. Incomplete submissions will be returned to the applying Owner 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.

9. Resubmittal Fees:

After the initial submission and one (1) revision to the initial plan submitted, (for landscape Improvements), and initial submission and one (1) revision to the initial plan submitted (for room additions or remodels), subsequent plan submissions for additional review will require payments of an additional non-refundable design review fee payable to the Association. The DRC may also require an additional fee for any submission (whether for initial or subsequent approval) if changes are made to approved plans, or if the Owner changes their design consultant.

D. **STEP-BY-STEP PROCESS / SUBMITTAL REQUIREMENTS**

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

Step 1a

The applying Owner carefully reviews these Guidelines to understand the opportunities and constraints associated with their proposed Improvements. The Owner should consult and contract with a design professional who has successfully prepared plans for Irvine Village projects. Contracting with a professional architect, landscape architect, building designer or landscape designer should enable the project to proceed quickly with beneficial results for both the Owner and the community. The Owners consultant shall prepare three (3) complete sets of plans and specifications including the proposed new Improvements showing:

1. Owner's name, date, address, tract and lot number of Dwelling, north arrow, scale of plans (1/8" = 1'-0" or 1/4" = 1'-0"), notes in English.
2. Architect's, Landscape Architect's, or Designer/contractor's name, address, and phone number, email address and California License number.

3. Architect's, Landscape Architect's, or Designer/contractor's signature confirming that he/she/they have read these Guidelines and understand the requirements set forth herein.
4. Required Photographs:
 - a. For Architecture and Landscape Submittals: Photographs of the front, rear and side elevations of the Dwelling, and front yard, rear yard, and each side yard are required. In addition, photographs of any solar energy systems currently existing on adjacent property.
 - b. For Paint Submittals: Photographs of residences across the street from and adjacent to the Dwelling.
 - c. For Solar Submittals: Photographs of the roof, front, rear, and side elevations of the Dwelling.

Step 1b (Applies to Detached Condominium & Single Family Detached Homes only)

For major Improvements to Detached Condominiums or Single Family Detached Homes, such as, but not limited to, room additions/extensions, a Conceptual Design Submittal is required including; preliminary plans, specifications and existing photography to be submitted prior to preparation of construction documents.

Refer to Exhibit B-2 for fee requirements regarding Conceptual Design Submittal/Review.

The timing of DRC approval is based, in part, on the completeness of information that the applying Owner provides on the plans and specifications. Inadequate information will cause the DRC to deny the application.

Step 2

The applying Owner completes the Property Improvement Application and Architectural Application Checklist.

Step 3

1. The applying Owner submits all required forms, fees, plans

and photos to the property management company for delivery to the DRC or its designated review consultant.

2. All submissions for DRC consideration shall include the items as outlined in the Architectural Application Checklist.
3. Each submittal for architecture or landscape Improvements must be submitted separately with its own submittal application, documents and associated fees.
4. No reviews shall be conducted until escrow has closed for the applying Owner's Dwelling.

The timing of DRC approval is based, in part, on the completeness of information that the applying Owner provides on the plans and specifications. Inadequate information or noncompliance with Design Guideline requirements will cause the DRC to deny the application.

Step 4

1. DRC reviews the required forms, plans and specifications for completeness and consistency with the Guidelines. Incomplete submittals will not be reviewed and will be returned to the Owner. Submittals without fees or deposits will be returned to the Owner without review.
2. The DRC approves or denies the submittal. Approval may be given with conditions.

Step 5

The applying Owner reviews the DRC's comments and notations on the Review Print and revises the plan(s) as necessary to comply. Revised plans are resubmitted to the DRC for final review and approval.

Step 6

If the DRC has granted final approval or approval with conditions and the applying Owner understands the DRC's comments, the applying Owner submits the approved plans and specifications to the City for approval, if required, and obtains any necessary permits. Owner must re-submit to the DRC all plans and

associated documents and description of the City required revisions.

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 prior to construction of any Improvement.

Step 8

Within thirty (30) days after construction is completed, the applying Owner submits a "DRC Notice of Completion Form" (Exhibit D) and hard copy photographs (4x6 minimum) of the completed Improvements to the DRC confirming installation conformance with the approved plans.

Step 9

The DRC reviews the photographs provided by the applying Owner with the Notice of Completion and determines if the Improvements were constructed according to the approved plans and specifications. The construction deposit, minus any costs to repair Association Property that was damaged during the construction, will be refunded to the Owner within approximately thirty (30) days of approval of the Notice of Completion. Construction of any Improvement prior to receipt of DRC approval is a violation of the Master Declaration and, in such event, the Owner may be required to remove the unauthorized Improvement at Owner's sole cost and expense.

E. ARCHITECTURAL IMPROVEMENTS SUBMITTAL REQUIREMENTS (for Detached Condominium & Single Family Detached Homes only):

1. Site Photos:

- a. Include site photos (hard copies 4x6 min.) 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 lots and Association Property.

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

- a. Show the Lot (property) lines accurately. Locate and identify all existing and proposed buildings, structures, fences, walls, pilasters, gates, sidewalks and other Improvements. Indicate all required setbacks, easements, streets, or rights of way and top or toe of slopes.
- b. Show all dimensions of 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. Note on the plan that all proposed roofs shall match the existing roof in product, color, and method of installation.
- 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 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 the elevation(s).
- 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 on the plan that all finish materials, colors and textures of proposed work shall match the existing architectural Dwelling finish.

F. LANDSCAPE SITE IMPROVEMENTS SUBMITTAL REQUIREMENTS

1. Site Photos:

- a. Include accurate site photographs (hard copy 4x6 min.) of the front, side and rear architectural elevations of the of the Dwelling: front yard, rear yard, and each side yard; and of all surrounding conditions adjacent to the location of the proposed Improvements including neighboring Lots, Condominiums and Association Property (including, for Dwellings in neighborhoods subject to a Solar Declaration, photographs of any neighboring property rooftops to confirm whether there are any solar energy systems that currently exist on any neighboring property).

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

- a. The plan must graphically illustrate and identify all hardscape and other Improvements including but not limited to: paving, walls, pilasters, trellises, arbors, patio covers, pools/spas, barbecues, fireplaces, fire pits, fountains, garden art, statuary, mechanical equipment and storage enclosures.
- b. Design details / elevations of all vertical hardscape Improvements in the private enclosed yard areas, must be provided for vertical landscape Improvements that exceed five (5) feet above original pad grade, in the rear and side yard. Include specifications of materials, sizes, heights, color and finishes.
- c. Design details / elevations of all vertical hardscape Improvements in the front yard (walls and pilasters) must be provided for review. Include specifications of materials, sizes, heights, color and finishes.
- d. Note: Architectural 3-D renderings do not qualify as elevations or details. 3-D renderings however can supplement the submittal for additional illustration only.
- e. List all hardscape materials, colors and finishes on the plan. Provide color photographs of all proposed front yard paving and wall veneer/fascia materials if it differs from the existing materials of the Dwelling.
- f. Indicate the height for all hardscape features in relation to the adjacent ground elevations (original pad grade), and the finish floor elevation.
- g. Clearly indicate proposed setbacks (by dimension) from the perimeter walls or property line and adjoining Dwellings for all hardscape elements.
- h. Locate and identify all existing and new drain inlets.

- i. Provide a complete written description of the proposed irrigation system on the plan or provide a separate irrigation plan.
- j. Locate and identify by botanical and common name all trees, shrubs, groundcovers and their proposed installed plant container size. A separate planting plan is encouraged but not required. The location and future height of the proposed tree or shrub may be limited if a solar energy system exists on a neighboring property.
- k. Locate and identify all proposed light fixtures. Provide the specification sheet with photo of light fixtures proposed for front yard pilasters.

G. GENERAL NOTES:

The following Community Standard General Notes are required on all plans submitted to the DRC:

PORTOLA SPRINGS COMMUNITY STANDARD GENERAL NOTES

1. Once approved, these drawings constitute an agreement between the Owner and the Portola Springs Community Association. Any changes to the design or specifications within these drawings must be submitted and approved by the DRC prior to any form of work or construction.
2. All existing Association Property landscape shall be protected in place during all phases of construction.
3. The grade adjacent to the property lines must remain at existing grade (original pad) for three (3') feet clear.
4. All new drain inlets shall be connected to the existing system provided by the Builder. Additional curb cores are not permitted.
5. Trees shall be located a minimum of three (3) feet clear of the property line wall or fence. All trees planted within five (5) feet of the property line wall, fences or Association paving or

structures must include a linear root barrier device.

6. No exterior landscape lighting shall be placed or maintained upon any lot so as to cause an unreasonable glare or illumination upon property outside of the Owner's Lot.

H. CONSTRUCTION DRAWINGS & SPECIFICATIONS:

Construction drawings and specifications shall be required per local agency requirements. DRC review and approval of design development shall not be considered to 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 applying Owner is not required to submit working drawings to the DRC; however, it is the applying Owner'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.

I. CONDITIONS OF APPROVAL

Each Owner must comply with the "General Conditions of Approval" contained in Section VI of these Guidelines in connection with the construction and maintenance of all Improvements approved by the DRC for such Owner's Lot or Condominium.

J. RELATIONSHIP TO DESIGN GUIDELINES FOR A SUB-ASSOCIATION

In case of a conflict between these Guidelines adopted by the Master Association and any supplemental design guidelines adopted by a Sub-Association, the more restrictive standards will be enforced.

Section III: Attached Condominium Homes Design Guidelines

Section III: Attached Condominium Homes – Design Guidelines

A. ARCHITECTURE

NOTE: Attached Condominium Home Neighborhoods do not permit any architectural or landscape Improvements by Owners. Only porch, patio and balcony furniture and portable gas barbecues in the Owners exclusive use yard area are permitted.

The exception to this rule, with regards to landscape Improvements, is the Ironwood, Paloma, Agave, The Vine and Indigo Neighborhoods. Landscape Improvements are permitted within the exclusive use (private yard) area of these Neighborhoods as described herein.

1. Exterior Improvements – None permitted

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

- a. Room additions, California Rooms, conservatories, sunrooms,
- b. Balconies, decks, or porches,
- c. Attached shade / trellis structures (not installed by the Merchant Builder),
- d. New or replacement doors, windows, and garage doors, Exception: French doors may replace glass sliding or access doors at the exclusive use area,
- e. Exterior stairways,
- f. Awnings,
- g. Wrought iron, window grilles or doors,
- h. Roof modifications,
- i. Skylights,
- j. Solar equipment,
- k. Exterior building lights (Not originally installed by the Merchant Builder),

- l. Exterior color changes,
- m. Accessory buildings.

2. Exterior Amenities - Permitted

- a. Appropriately scaled outdoor furniture is permitted.
- b. Portable propane fueled barbecues are permitted.
- c. Drapes at balconies, California Rooms and shade structures installed by the Merchant Builder can be installed 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. Vertical exterior shades are permitted at first floors not visible from the street. The shade must be a commercial grade PVC solar shade, include a valence, and must be compatible with the color of the home. Provide a color photo or material sample, specification sheet, and the architectural elevation with the proposed windows / glass doors identified.
- e. 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 is compatible with the color of the Dwelling and edges shall be straight. Patterns such as scallops are not permitted. Provide a color photo or material sample, specification sheet, and the architectural elevation.
- f. Appropriately scaled container/potted plant material with

drainage saucers are permitted per the Master Declaration.

3. Screen Doors

- a. Screen doors for front entry doors are not permitted. Retractable screen doors are permitted on patio doors. Frames shall match the existing color scheme. Submit the specification with a photograph for DRC consideration.

4. Communication Equipment at Attached Condominiums

- a. All exterior communication equipment, such as; satellite dishes, radio antennae, television antennae, satellite dishes and other transmitting or receiving devices, must comply with the Master Declaration (Note: Attached Condominium buildings are maintained by the applicable Association). Any permitted equipment must be approved by the DRC as to location and size, prior to installation.
- b. Communications equipment should be located in less visible areas and 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 of the units via tripods.
- d. All cables should be installed within the Dwelling wall where possible. If placed outside, cables must be painted to match the adjacent surface where visible on the exterior of the Dwelling. Penetrating the building exterior wall or roof is not permitted.

5. Interior Party Wall Requirements at Attached Condominiums

- a. Owners are not permitted to penetrate/disturb the existing condition of any party (common) walls of an Attached Condominium Home.
- b. Audio equipment is not permitted to be mounted or installed on or in a party wall 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, 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 Declaration of Annexation 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 Merchant Builder in their Condominium must comply with such requirements and obtain DRC approval of same prior to installation.

B. LANDSCAPE

The landscape design and development plays a significant role in extending the living area of the home, providing neighbor to neighbor privacy, and enhancing the value of the property.

Refer to Exhibit H for an example of an Attached Condominium Sample Landscape Plan that illustrates the design opportunities for a small space.

1. Landscape Improvement Summary:

- a. No modifications are permitted to any landscape or hardscape maintained by the Association. All building perimeter areas are maintained by the Association. Modifications or new construction to the Merchant Builder-installed landscape and hardscape are not permitted.
- b. Improvements are permitted in "exclusive use patio/yard areas" only as specified in the appropriate "Improvement Summary Requirement Table" by project type. **(See Exhibits for applicable Neighborhood Summary Table. Items listed in this section are general in nature. Each Neighborhood has specific requirements as further described in the Summary Table Exhibits.)**

- c. Any existing gates, external wall faces, pilasters, fences, privacy walls, garden walls or retaining walls must remain as constructed by the Merchant Builder and are the maintenance/repair responsibility of the Association. Internal privacy wall faces and enhanced paving are to be maintained by the Condominium Owner. The Condominium Owner may paint the interior wall face, below the privacy wall cap, to match the Dwelling.
- d. The attachment of items such as, stone, brick, lattice, wire grids, plants, trellises, tree stakes, fountains, walls, raised planters and barbecues, to the Merchant Builder-installed features such as, fence, 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 Dwelling.
- g. For Neighborhood specific landscape requirements, refer to the Improvement Summary Requirement Tables in Exhibits. Requirements may vary for the Neighborhoods in Portola Springs.

2. Grading and Drainage:

a. Grading:

- 1) No grade change is permitted.
- 2) The 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 the exclusive use area / yard must be maintained. No drainage will be permitted onto Association Property, or adjoining exclusive use areas.
- 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.
- 4) All surface drainage shall be directed away from Dwelling walls and privacy walls.
- 5) All exclusive use areas must surface drain to area drains, which must, in turn, tie into the Merchant Builder-installed drain system.
- 6) The existing main line drain can not 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 Association Property exterior driveways, walkways and stepping pads must remain as constructed by the Merchant 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 must not exceed a height of six (6) inches above original pad grade. Submit color photos and manufacturer specifications for DRC review.

Please note that wood decking is permitted as a paving material as approved by the DRC. Maximum height shall be eight (8) inches above finish grade.

- 3) At exclusive use areas where the depth is ten (10) feet or greater from the center of the privacy wall to the Dwelling, the paving material shall be set back a minimum of two (2) feet from the existing privacy wall to accommodate

planting.

- 4) Exclusive use area flatwork Improvements may not cover the weep screed on the Dwelling and must not impede the ability of the stucco screed to weep water or moisture unless a building code approved alternate drain devise is utilized.

b. Walls, Fences and Gates:

- 1) Existing masonry pilasters, walls, fences and gates shall not be removed, reconstructed or modified as to structure, finish or color with the following exception: The interior of the privacy wall, below the cap, may be painted to match the color of the Dwelling by the Owner. Internal privacy wall faces and caps are to be maintained by the Owner. Should there be any damage to the existing walls and pilasters, the HOA shall make the repairs. The Owner is responsible for the repair costs.
- 2) Raised planter (retaining) walls are not permitted. Soil may not be retained against adjoining Dwellings or privacy walls.
- 3) Freestanding walls setback three (3) feet from existing Dwelling walls or privacy walls are permitted. The freestanding wall shall not exceed the height of the privacy wall or five (5) feet, whichever is more restrictive.
- 4) Fences and gates not installed by the Merchant Builder are not permitted.
- 5) All proposed features, equipment, garden art, walls, trellises, or other structures installed adjacent to any tubular steel/aluminum perimeter fences shall be subject to DRC approval. Provide a photo or specification sheet for all proposed features with dimensions if visible from the Association Property.

c. Freestanding Vine Trellises:

- 1) Freestanding vine trellises shall not exceed eight (8) feet in height and shall have a twelve (12) inch setback from the privacy wall and/or adjoining Dwellings to the outer member of the structure. The length and width shall be reviewed on a case-by-case basis.
- 2) Vine trellises shall be ornamental iron or light wood construction.
- 3) The construction detail and elevation at 1/4"=1'-0" minimum scale is required for review. Note on the detail that the wood members must be stained / painted to match the Dwelling or the architectural eaves of the Dwelling. Iron members shall be black or antique bronze.
- 4) Prefabricated vine trellises will be considered. Provide a catalog cut or photo with dimensions for DRC review.

d. Vine Espaliers:

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

e. Fountains / Garden Art / Statuary:

- 1) Fountains / Garden Art / Statuary are permitted within exclusive use areas with the following requirements:
 - a) Must be set back a minimum of one (1) foot clear of adjoining Dwellings and privacy walls and shall not be visible from Association Property and screened with plant material.
 - b) Shall not exceed the height of the existing privacy wall or four (4) feet above existing pad grade, whichever is more restrictive.
 - c) Statuary shall not be visible from Association Property and is approved in the exclusive use area on a case-

by-case basis. Provide photographs, catalog cuts and specifications for DRC review.

- d) All associated equipment must be screened from Association Property views.
- e) Waterfalls are not permitted.
- f) No fountain or water feature shall be placed or maintained upon any Condominium in excess of permitted City noise standards resulting from the pumping equipment or splashing water upon property outside of the Owners Condominium.

f. Barbecues:

- 1) Only kettle and freestanding portable propane fueled barbecues are permitted at balconies. Barbecues located at balconies or where visible to Association Property must be screened with the appropriate fitted manufactured cover when not in use.
- 2) Built-in barbecues are permitted in the exclusive use areas behind a five (5) foot minimum height solid privacy wall only and shall not exceed the height of the privacy wall. The barbecue must be set back a minimum of two (2) feet from the solid privacy wall.
- 3) All materials shall be compatible with the Dwelling and in scale with the size of the yard.

g. Fireplaces and Fire Pits:

- 1) Freestanding outdoor fireplace chimneys in the exclusive use area are permitted within rear and side yards of areas greater than five (5) feet in width. The height shall not exceed five (5) feet.
- 2) The fireplace shall be setback three (3) feet from the privacy wall to provide a planting area.
- 3) All fireplaces or fire pits must be gas. Wood burning is not permitted.

h. Play Equipment:

- 1) Play equipment that exceeds the height of the privacy wall/fence is not permitted.
- 2) Basketball backboards are not permitted.

i. Patio Structures:

- 1) Patio structures not installed by the Merchant Builder are not permitted.

j. Swimming Pools / Spas:

- 1) Swimming pools are not permitted.
- 2) In ground and/or prefabricated spas are permitted within the exclusive use area if the area can meet the setback requirements and the County of Orange Health Code requirements:
 - a) Spas must be setback a minimum of three (3) feet clear of adjoining Dwellings and privacy walls.
 - b) Rock formation features associated with a spa are not permitted.
 - c) Any associated trellis / overhead is not permitted.
 - d) Must be screened / sound attenuated with fifteen (15) gallon minimum container size tall vertical evergreen screen hedge adjacent to the privacy or adjacent Dwelling wall. Refer to Exhibit F, the Landscape Palette.

k. Spa Equipment:

- 1) Spa equipment shall be located a minimum of two (2) feet clear of privacy walls and five (5) feet clear of adjoining Dwellings.
- 2) All spa equipment must be screened in such a manner so as not to be visible from Association Property. Sound attenuation shall conform to the standards and details of the City or applicable jurisdictions. Typical screening methods include a fifteen (15) gallon minimum container size tall vertical evergreen screen hedge adjacent to the

privacy or adjacent Dwelling wall or an overhead trellis, not exceeding the height of the privacy wall, foliated with evergreen vines. Refer to Exhibit F, the Landscape Palette.

4. Irrigation:

- a. All landscape areas are to be irrigated.
- 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 should be designed and maintained to avoid overspray onto adjacent Dwellings or privacy walls.
- d. Owner irrigation shall not tie into the Association Property irrigation mains.

5. Planting:

The planting concept for the Community is a traditional California Mediterranean climate landscape.

a. Planting:

- 1) The Association Property trees, shrubs, groundcover and turf provided by the Merchant Builder shall be protected in-place during any construction and replaced in kind and size by the Association at the Owner's expense if damaged by the Owner or his contractor.
- 2) The Association maintains the parkway, front yard, alley, and some side yard landscaping.
- 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. The plans must indicate whether any solar energy systems exist on any properties that border the Owner's Lot. 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 Restrictions and/or the requirements of the California Solar Shade Control Act, Public Resources Code Section 25980 *et seq.* (the "**Solar Shade Control Act**"). The planting plan is required to be submitted with the hardscape plan.

- 4) In locations where the exclusive use area is less than fifteen (15) feet deep, trees only from the small rear yard tree palette are permitted. Refer to Exhibit F – Small Rear Yard Tree List.
- 5) Exclusive use areas with a depth of ten (10) feet or greater from the center of the privacy wall to the Dwelling, shall include a two (2) foot planting area adjacent to the privacy wall.
- 6) 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.
- 7) 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. Trees, shrubs, ground cover, and turf are shown on the attached Exhibit F (select trees from the small rear yard tree list). Others may be used upon approval by the DRC.
- 8) Trees with invasive root systems and deciduous / flowering / fruiting trees that drop excessive litter are not permitted adjacent to Association Property or adjoining Dwellings exclusive use areas.
- 9) All trees planted within five (5) feet of walls, fences, and/or adjoining Dwellings must include a linear root barrier device. Note on the plan accordingly.

- 10) Owner assumes all liability and responsibility for any root damage from trees planted in Owner's exclusive use area (including, but not limited to, fencing, walls and structures, utility lines, drainage and adjacent neighbor improvements).
- 11) Trees shall not overhang into adjacent private or Association Property Lots more than forty percent (40%). Trees that overhang the privacy wall must be evergreen.
- 12) 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 bear the expense of tree removal.
- 13) Trees, shrubs and vines are encouraged to be planted to screen or visually enhance blank wall areas.
- 14) 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 lights shall cast the light downward.
- d. The DRC and the Association reserves the right to require that fixtures be disconnected if they cause unreasonable glare or illumination upon property outside the Owner's property.
- e. Area or post lighting is not permitted.
- f. The use of 'Tivoli' string lights are permitted for limited use only and shall not be illuminated for extended periods of time.

7. Miscellaneous:

- a. Speakers: Loudspeakers are not permitted.
- b. Exterior Colors: Changes to exterior colors of fences, walls and structures as originally applied by the Merchant Builder are not permitted.
- . Flags:
 - 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 Dwelling.
 - 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 (6) feet in length.
 - e) Flagpoles must be removed when a flag is not displayed.
 - 2) Freestanding flagpoles are not permitted.

d. 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 Association Property.
- 2) Prefabricated storage shed structures and green houses are permitted provided they do not exceed the height of the privacy wall.

e. Landscape Accessories:

- 1) Thematic landscape accessories on front porches or within the Association Property (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 Association Property walkways.
- 3) Appropriately scaled outdoor furniture and pottery is acceptable in exclusive use areas or private patios.

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 neighborhood in which the Dwelling is located.

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 Association's DRC in reviewing plans and specifications for compatibility with the original design and enforcing these Guidelines.

In case of a conflict between these Guidelines adopted by the Master Association and any design guidelines adopted by a Sub-Association, the more restrictive standards will be enforced.

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 MASTER DECLARATION.

1. Exterior Improvements to Detached Condominium Homes

Improvements to Detached Condominium Homes, including, but not limited to, any of the following, **are not permitted**:

- a. Decks or porches,
- b. Roof modifications,
- c. Accessory buildings - such as, but not limited to, pool houses.

2. Room Additions, California Rooms & Conservatories

- a. All architectural Improvements must be designed to be compatible with the existing Dwelling's form, scale, proportions, massing, architectural style, finish materials and detailing.

- b. The material, color and texture of new exterior walls shall match the existing Dwelling walls as installed by the Merchant Builder.
- c. Open air (not enclosed) California Rooms or Conservatories provided by the Merchant Builder, that are permitted to be enclosed with the use of windows, doors and limited solid surface materials, are subject to DRC review and approval. Materials and colors must match the existing architecture. Drapery must be compatible with the existing exterior color scheme and must be a solid color (no pattern drapery permitted).
- d. One story room additions, California Rooms, conservatories, and first story sunrooms are permitted and must be setback a minimum of ten (10) feet from the rear perimeter wall, five (5) feet from the side perimeter wall and fifteen (15) feet from a local street.
- e. Maximum site coverage is limited to fifty percent (50%).
- f. In no instance may any structure be located within the "Zero Lot Line" easement area (verify with property management if your Dwelling has a "Zero Lot Line Easement").
- g. Second story balconies are permitted at Lots with a rear yard setback of thirteen (13) feet from the rear perimeter wall and five (5) feet from the side perimeter wall. Exterior stairs to this balcony are not permitted.
- h. Patio structures installed by the Merchant Builder may be replaced with California Rooms, conservatories, or sunrooms by the Owner with the following conditions:
 - 1) The footprint must be consistent with the original footprint of the patio cover.
 - 2) All plans, details, and elevations shall be submitted to the DRC for approval consistent with the Architectural

Improvements requirements.

3) The design must be compatible with the existing Dwelling architecture.

i. If the Lot is located within a neighborhood subject to a Solar Declaration, the proposed structure or Improvement must conform to the requirements of the Solar Declaration.

3. Minimum Landscape Screening Requirements:

a. To minimize the visual impact of all architectural Improvements from offsite views the following landscape screening is required:

- Twenty-four (24) inch box evergreen trees are required in the front or rear yard, or
- A continuous tall evergreen vertical hedge at fifteen (15) gallon minimum size at forty-two inches (42") on-center in the side yard, or
- A combination of twenty-four (24) inch box trees and a vertical evergreen hedge.

4. Garages and Garage Doors

- a. Additional garages may not be added.
- b. Garage doors replacements must match the existing garage door installed by the Merchant Builder.
- c. Treatments that draw attention to the garage door, such as mirrored glass or ornate decoration on or around the garage door, are not permitted.
- d. Garages shall at all times be maintained in such a manner so as to be capable of accommodating at least two (2) full-sized automobiles and shall not be used as habitable space, except as approved by the City.

5. Exterior Building Wall Materials

- a. Veneer materials and accents shall match the original architecture as constructed by the Merchant Builder.

6. Skylights

- a. Skylights must be designed as an integral part of the roof. Their form, location, and color must be compatible with and relate to the Dwelling.
- b. Owners must use bronze-colored glass (white or clear are not permitted).
- c. Bubble skylights are not permitted.
- d. Skylights are not permitted on single story roofs.

7. Windows and Doors

- a. The size, location, material, and color of new or replacement windows and doors (including the front doors) for Detached Condominium Homes shall be compatible with the existing Dwelling as installed by the Merchant Builder. Exception: French doors may replace glass sliding or access doors at the private use area.
- b. Window openings within exterior wall surfaces shall be located in a manner consistent with the existing treatment and design.
- c. Glass tinting or shading must be compatible with the existing treatment. Mirrored glass, reflective glass film and plastic roll-up shades are not permitted.
- d. Post-modern features, such as glass block, are not permitted.
- e. Front doors must match the style and design of the Merchant Builder installed door or the model home. Glass inserts may be permitted as reviewed by the DRC.

8. Screen Doors

- a. All screen doors for front entry doors, with the exception of retractable screens, must be approved by the DRC. Retractable screen door frames shall match existing color scheme. Submit the specification with a photo for DRC consideration.

9. Awnings and Shades

- a. Awnings and exterior shades may be approved if they reinforce the architectural style and design of the existing Dwelling. 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 Lots 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. Awning color should be neutral or compatible with The Dwelling color. Striped or pattern awnings are not permitted.
- f. Classical designs are required. Scalloped edges or fringes are not permitted.
- g. Temporary sun shades attached to the vertical face of the Dwelling, shade structure or California Room—such as rolls of bamboo, fiberglass, or reed—are not permitted.

Exception: Vertical exterior shades are permitted at first floors not visible from the street. The shade must be a commercial grade PVC solar shade, include a valence, and must match the color of the Dwelling. Provide a color photo or material sample, specification sheet, and the architectural elevation with the proposed windows / glass doors identified.

10. Exterior Colors and Finishes

- a. Exterior colors of Dwellings and structures shall match those applied by the original Merchant Builder or as approved by the HOA.

11. Reflective Finishes

- a. No highly reflective finishes shall be used on exterior surfaces (other than surfaces of hardware fixtures), including the exterior surfaces of any of the following: roofs, all projections

above roofs, doors, trim, pipes, solar panels, or equipment.

12. Diverters/Downspouts/Gutters

- a. Diverters, downspouts, and gutters shall match those originally installed by the Merchant Builder.
- b. All downspouts shall be connected to the Lot drainage system.

13. Solar Equipment

- a. Notwithstanding any provision or restriction contained in the Master Declaration or any applicable 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. As part of said approval, the DRC will evaluate the appearance of the proposed solar equipment to ensure that said solar equipment is:

- 1) Integrated into the roof design of the Dwelling 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 must be setback a minimum of three (3) feet from the ridge and one (1) foot from the outside perimeter of the roof at the front elevation, rear elevation and any side elevation that faces a street or common area.
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, natural aluminum, 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.
8. Electric panels shall be painted the match the adjacent building surface or located behind a side yard gate or in the garage.

14. Antennae and Satellite Dishes

- a. All exterior radio antennae, television antennae, satellite dishes and other transmitting or receiving devices must comply with the Master Declaration.
- b. Communications equipment should be located in less visible areas and not exceed the ridgeline of any roof.
- c. All cables should be installed within the Dwelling wall and be painted to match the adjacent surface where visible on the exterior of the Dwelling.

15. Exterior Lighting

- a. New exterior light fixtures, such as decorative wall fixtures, must be compatible with the design of the Dwelling. They must 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 lighting must be directed away from adjacent streets and properties to prevent off-site glare.
- c. For specific landscape lighting requirements refer to the Landscape section B.5.

B. LANDSCAPE

The Merchant Builder may have installed the front yard landscaping and the Association is responsible for the maintenance thereof. The front yard landscaping may not be modified or removed by the Owner without the approval of the DRC.

The landscape design and development plays a significant role in extending the living area of the home, providing neighbor to neighbor privacy, and enhancing the value of the property.

Refer to Exhibit I for an example of an Detached Condominium Sample Landscape Plan that illustrates the design opportunities for a small space.

1. Grading and Drainage

a. Grading:

- 1) No grade change is permitted. (See raised planter wall exception.)
- 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 the Lot must be maintained. No drainage will be permitted onto Association Property or adjoining Lots.
- 2) All on-lot 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. Locate drain inlets at all planting areas.

- 4) All surface drainage shall be directed away from Dwelling walls, top of slopes, perimeter walls and adjoining property lines.
- 5) All rear yard and side yard areas must surface drain to area drains/catch basins which must in-turn tie into the Merchant Builder-installed drain line.
- 6) The roof gutters at the downspouts must connect to the Merchant Builder-installed drain line or inlets.
- 7) All on-lot drainage features and systems must adhere to all applicable codes.

2. Hardscape and Landscape Structures

a. Flatwork:

- 1) No modifications to the Merchant Builder-installed entry walks, steps, landing, side yard access steppers or driveways are permitted. The landscape is maintained by the Association and shall be protected in place. Modifications by the Owner are not permitted without the approval of the DRC. Any damage to the front yard hardscape shall be replaced by the Association at the Owner's expense.
- 2) All paving materials and colors 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. Submit color photographs and manufacturer specifications for review.
- 3) At rear yards with a depth of ten (10) feet or greater from the center of the perimeter wall to the Dwelling, paving material shall be set back a minimum of two (2) feet from existing rear and perimeter walls to accommodate planting.
- 4) Where the depth of the private yard is less than ten (10) feet from the face of the Dwelling to the center of the

perimeter wall, the paving may extend from the Dwelling wall to the perimeter wall. However, the DRC recommends that vine pockets are installed adjacent to the perimeter wall across from interior windows to provide planting to soften the view of the wall.

- 5) Private flatwork Improvements may not cover the weep screed on the Dwelling and must not impede the ability of the stucco screed to weep water or moisture unless a building code approved alternate drainage device is utilized.
- 6) Wood Decks are permitted at a maximum height of eight (8) inches above existing grade.

b. Walls, Fences and Gates:

- 1) Existing masonry pilasters, walls, fences and gates shall not be removed, reconstructed, extended or modified as to structure, finish, alignment or color without approval from the DRC.
- 2) Internal perimeter wall faces are to be maintained by the Owner. The internal side of the perimeter walls in the private yard area below the wall cap may be painted to match the Dwelling as approved by the DRC.
- 3) Living walls shall not exceed the height of the existing perimeter wall and shall be setback twelve (12) inches from the perimeter wall.
- 4) Raised planter (retaining) walls are permitted subject to DRC review. Planter walls may not exceed a height of twenty-four (24) inches. Soil level may not be raised against existing perimeter walls without the addition of a retaining flash wall, as they are not structurally designed for retaining conditions.
- 5) Freestanding walls must be setback three (3) from existing perimeter walls and shall not exceed five (5) feet.

- 6) All proposed features, equipment, garden art, trellises, or other structures installed adjacent to any tubular steel/aluminum rear or side perimeter yard panels visible from Community view shall be subject to DRC approval. Provide a photo or specification sheet for all proposed features with dimensions.
 - 7) Glass block is not permitted in the design of walls or pilasters.
- c. Patio Structures:
- 1) Patio structures or California Rooms that are not installed by the Merchant Builder are only permitted at Lots with a rear or side yard setback from the Dwelling to the center of the perimeter wall of twenty (20) feet or greater. All structures will be reviewed on a case-by-case basis by the DRC. The proposed structure must be consistent with the design of the Dwelling.
 - 2) All patio structures must adhere to the following requirements:
 - a) The maximum size permitted is one hundred fifty square feet (150 SF) of covered space. Only one (1) additional structure (not installed by the Merchant Builder) is permitted.
 - b) The patio cover must be setback a minimum of five (5) feet from the rear perimeter wall and five (5) feet from the side perimeter wall to the face of the post. The overhang shall not exceed eighteen (18) inches.
 - c) Flat-roofed structures shall be open beam (or material which simulates the appearance of wood) or wrought iron and shall not exceed eleven (11) feet in height measured from original pad grade to the top of the upper-most construction member. The roof must be fifty percent (50%) open. Elaborate ornamentation is not permitted.
 - d) Open wood beam structures shall be painted to match the Dwelling color or the architectural eaves. White structures are not permitted.
 - e) Pitched-roof structures shall be limited to twelve (12) feet in height measured from original pad grade to the top of the upper-most construction member. The pitch of the sloping roof and the roofing material must match the existing architecture in product, color, and method of installation. Open wood beam pitched structures are not permitted.
 - f) Columns may be masonry, pre-cast or wood. Wood columns must appear to be substantial, six inch by six inch (6 "x 6 ") minimum.
 - g) All structures are required to be screened / softened from offsite views with twenty-four (24) inch box minimum size evergreen trees or a continuous vertical evergreen screen hedge, fifteen (15) gallon minimum size.
 - h) Construction details and elevations at ¼"=1'-0" scale are required for DRC review. Identify all materials, sizes and finishes. Note the finish color on the detail.
 - 3) Prefabricated gazebos and patio covers must adhere to all of the above requirements and may be approved as determined by the DRC on a case by case basis. Color photographs and the catalog specification sheets are required with the submittal.
 - 4) Drapery attached to a patio structure must be a solid color natural fabric that is consistent with the colors of the Dwelling.
 - 5) Structures in the front yard are not permitted.
- d. Freestanding Vine Trellises & Arbors:
- 1) Freestanding vine trellises and arbors shall not exceed eight (8) feet in height and shall have a one (1) foot planting area between the overhang and the perimeter

walls / fence for vine planting. The length and width shall be reviewed on a case-by-case basis.

- 2) Vine trellises shall be ornamental iron or light wood construction and designed as a light garden feature, foliated with evergreen vines.
- 3) The construction detail and elevation at ¼" = 1'-0" scale is required for review. Note on the detail that the wood members must be stained / painted to match the Dwelling or the architectural eaves of the Dwelling.
- 4) Prefabricated vine trellises will be considered. Provide a catalog cut or photo.

e. Vine Espaliers:

- 1) Vine espaliers are permitted, provided that they do not exceed the height of perimeter walls.
- 2) Espaliers can be attached directly to any existing perimeter wall using methods without the use of drilling into the wall. Espaliers are not permitted to be attached to adjacent Dwellings / Condominiums.

f. Swimming Pools / Spas:

- 1) Swimming pools/spas (in-ground or above-ground) are permitted within private yards. All pools/spas are subject to the Orange County Health Code and must be set back a minimum of three (3) feet clear of the rear and side perimeter walls to provide a planting area for screening.
- 2) Pools / spas require vertical landscape screening from neighboring and Community views and shall be screened/sound attenuated with a fifteen (15) gallon minimum container size tall vertical evergreen screen hedge adjacent to the perimeter or adjoining Dwelling wall. Refer to Exhibit F, the Landscape Palette.

g. Pool / Spa Equipment:

- 1) Pool / spa equipment shall be located a minimum of two

(2) feet clear of the rear and side perimeter wall per City codes.

- 2) All pool equipment must be screened in such a manner so as not to be visible from Association Property. Sound attenuation shall conform to the standards and details of the City or applicable jurisdictions. Typical screening methods include dense tree / shrub planting or an overhead trellis that does not exceed the height of the perimeter wall foliated with evergreen vines.

h. Water Features:

- 1) Water features such as reflecting pools, ponds, and fountains are permitted within the private yard with the following requirements:
 - a) Water features shall be set back a minimum of two (2) feet clear of the perimeter wall to provide a planting area.
 - b) Fountains shall not exceed four (4) feet in height.
 - c) All associated equipment must be screened from Community view and must be sound-attenuated.
 - d) Waterfalls are not permitted.
 - e) No fountain or water feature shall be placed or maintained upon any Condominium in excess of permitted City noise standards resulting from the pumping equipment or splashing water upon property outside of the Owners Condominium.

i. Barbecues and Outdoor Kitchens:

- 1) Built-in barbecues and outdoor kitchens shall be located a minimum of two (2) feet clear of the rear or side yard perimeter wall to provide a planting area. Vertical plant material is required between the barbecue and wall.
- 2) Built-in barbecues and outdoor kitchens shall not exceed the height of the perimeter wall / fence.

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

j. Fireplaces / Fire Pits:

- 1) Freestanding outdoor fireplace chimneys shall not exceed eight (8) foot maximum height above original pad grade. The fireplace must be set back two (2) feet from adjoining Dwellings and the rear and side perimeter wall / fence to provide a planting area for screening. The back of the structure must be finished to match the Dwelling.
- 2) The fireplace must be compatible with the architectural style of the Dwelling.
- 3) The height limit of fireplace chimneys attached to patio covers shall not exceed minimum building codes. Fireplaces in excess of eight (8) feet and adjacent to a patio structure shall have a setback of ten (10) feet minimum to any perimeter wall. In no case shall the fireplace exceed fourteen (14) feet in height.
- 4) Fireplaces are not permitted in the front yard.
- 5) Wood-burning fireplaces are not permitted.
- 6) Gas fireplaces and fire pits are permitted.

k. Play Equipment:

- 1) Portable play equipment is permitted in private yard areas.
- 2) Play equipment shall not exceed the height of the perimeter walls.
- 3) All play equipment that exceeds the height of the perimeter wall / fence requires DRC approval prior to installation.
- 4) Basketball backboards are not permitted.
- 5) Play equipment is not permitted in the front yard.

l. Garden Art / Statuary:

- 1) Garden art/statuary shall be located in the private yard exclusive use area and shall not exceed a height of five (5) feet or above the height of the Merchant Builder-installed perimeter walls, whichever is most restrictive.
- 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 private use area/patio Lots within the Community:

- a. All landscape areas are to be irrigated.
- 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 should be designed and maintained to avoid overspray onto adjacent residences or existing walls.
- d. Owner irrigation may not tie into the Association Property irrigation mains.
- e. The irrigation point of connection is at the hose bib in the side yard.

4. Planting:

The planting concept for the Community is a traditional California Mediterranean climate landscape. The planting design can extend the outdoor living area of the home by providing or softening the outdoor walls, provide neighbor to neighbor privacy, and enhance the outdoor experience and the value of the property.

Refer to Exhibit I for an example of an Detached Condominium Sample Landscape Plan that illustrates the design opportunities for a small space.

a. Planting:

- 1) The Association Property and front yard trees, shrubs,

- groundcover and turf provided by the Merchant Builders are to be protected in-place during any construction and replaced in kind and size by the Association at the Owner's expense if damaged by the Owner or his contractor. **Include the "Portola Springs Community Standard General Notes" on all plan submittals (see Section II, G for required notes).**
- 2) The parkway and Merchant Builder-installed front yard landscaping is maintained by the Association.
 - 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 with botanical and common names, locations and installed sizes. The plans must indicate whether any solar energy systems exist on any properties that border the Owner's Lot. 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 Restrictions and/or the requirements of the Solar Shade Control Act. (Refer to plan submittal requirements.)
 - 4) 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 Lot and to shape and thin trees for wind resiliency and appearance.
 - 5) Private yards with a depth of ten (10) feet or greater from the center of the perimeter wall to the Dwelling, shall include a two (2) foot planting area adjacent to the rear and side perimeter walls.
 - 6) In addition to selecting landscape plants based upon aesthetic characteristics, consideration shall be given to relative drought tolerance, solar aspect, and soil type within the Community. Trees, shrubs, ground cover, and turf are shown on the attached Exhibit F. Select trees from the "Small Rear Yard Tree List". Others may be used upon approval by the DRC.
 - 7) Trees with invasive root systems and deciduous / fruiting trees that drop excessive litter are not permitted adjacent to Association or private property. Deciduous trees must be located six (6) feet from the perimeter wall.
 - 8) All trees planted within five (5) feet of walls, fences, and/or adjoining Dwellings must utilize a linear root barrier device.
 - 9) Owner assumes all liability and responsibility for any root damage from trees planted in Owner's yard (including but not limited to fencing, walls and structures, utility lines, drainage and adjacent neighbor Improvements.
 - 10) Trees shall not overhang into adjacent private or Association Property Lots more than forty percent (40%). Trees that overhang the property line must be evergreen.
 - 11) Owner agrees to provide routine maintenance for all trees including, but not limited to, annual pruning and lacing. If the DRC deems any trees a nuisance, the Owner shall bear the expense of tree removal.
 - 12) Trees, shrubs and vines are encouraged to be planted to screen or visually enhance blank wall areas.

13) Synthetic turf grass is acceptable in private yards. Refer to Exhibit f, in the Landscape Palette for pre-approved products.

14) Due to the small size of many of the private yards, the DRC recommends tall vertical evergreen hedges that can be planted in two (2) foot wide planting areas. Alternative species will be reviewed on a case-by-case basis.

- Bamboo sp. (Clumping Dwarf Bamboo)
- Cypress s. 'Tiny Tower' (Italian Cypress)
- Ficus microcarpa 'nitida' (Nitida Fig) 'Columnar' Must include linear root barrier
- Juniperus sp. (Juniper) 'Columnar'
- Ligustrum sp. (Privet)
- Photinia fraseri (Fraser's Photinia)
- Podocarpus sp. (Fern Pine/Yew Pine)
Low Branching
- Prunus caroliniana (Carolina Laurel Cherry) 'Columnar'
- Strelitzia nicolai (Giant Bird of Paradise)

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. All path lights shall cast the light downward. Up lighting of landscape is permitted.
- d. The DRC and the Association reserves the right to require that fixtures be disconnected if they cause unreasonable glare or illumination upon property outside the Owner's Lot.

- e. Area lighting is not permitted.
- f. Post lights are not permitted.
- g. The use of 'Tivoli' string lights are permitted for limited use only and shall not be illuminated for extended periods of time.
- h. Security lights on motion detectors for security illumination are strongly discouraged but may be allowed subject to specific approval. 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 existing 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 these lights occur, the DRC and the Association reserve the right to require that the fixtures be disconnected. These lights may not be used for general illumination.

6. Miscellaneous:

- a. Speakers: Exterior speakers are not permitted.
- b. Exterior Colors: Exterior colors of fences, walls and structures as originally applied by the Merchant Builder 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 Dwelling.
 - b) Flags may not exceed fifteen (15) square feet in size.
 - c) Must be maintained continually in good repair.
 - d) House-attached flagpole's shall be no longer than six (6) feet in length.

- e) Flagpoles must be removed when a flag is not displayed.
- 2) Freestanding flagpoles are not permitted.
- d. 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 Association Property.
 - 2) Storage sheds and green houses are only permitted in rear and side yards enclosed by high masonry walls. The top of the structure must be below the top of the wall and

screened with landscaping approved by the DRC.

- e. Landscape Accessories:
 - 1) Thematic landscape accessories on front porches or within the Association Property (e.g., sundials, statuettes, chimes, etc.) are not permitted.
 - 2) Appropriately scaled outdoor furniture and pottery are acceptable.
 - 3) Umbrellas are permitted and encouraged in the rear yard.
 - 4) Neutral color shade sails may be permitted as approved by the DRC on a case-by-case basis.

Section V:
Single Family Detached Homes
Design Guidelines

Section V: Single Family Detached Homes – Design Guidelines

A. ARCHITECTURE

All architectural Improvements must be compatible with the original architecture of the neighborhood in which the Dwelling is located.

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 Association's 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 MASTER DECLARATION.

1. Room Additions, Extensions, California Rooms & Conservatories

- a. All architectural Improvements Additions and extensions must be designed to be compatible with the existing Dwelling'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 match the existing Dwelling walls as installed by the Merchant Builder.
- c. Room additions are permitted and must be setback a minimum of ten (10) feet from the rear property line and five (5) feet from the side property line.
- d. Maximum site coverage is limited to fifty percent (50%) of the Lot.

- e. 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 Dwelling design, rather than as applied decoration.
- f. The roof pitch, detailing, and fenestration must match the existing Dwelling.
- g. New building features—such as planters and pot shelves—must be compatible with the color and design of the existing Dwelling.
- h. Blank two-story high walls at room additions are not permitted.
- i. If the Lot is located within a neighborhood subject to Solar Restrictions, the proposed structure or Improvement must conform to the requirements of the Solar Restrictions.

Additional requirements are further described herein.

2. Conservatories

- a. Conservatories are permitted and must be setback a minimum of ten (10) feet from the rear property line and five (5) feet from the side property line.
- b. Conservatories must be designed so that their form and color are compatible with the existing architecture of the Dwelling; and must be accented / screened with landscaping.
- c. Roofing must match the existing architecture, with the roof pitch compatible with the existing roof pitch. Metal or glass roofs are not permitted.
- d. Prefabricated, curved-roof conservatories are prohibited.

3. California Rooms

- a. California Rooms installed by the Merchant Builder may be enclosed with windows and glass doors to match the existing Dwelling or drapery. The drapery must be a solid color natural fabric that is consistent with the colors of the Dwelling. Material samples are required for DRC review.
- b. New California Rooms are permitted and must be setback a minimum of ten (10) feet from the rear property line and five (5) feet from the side property line. Their design must be compatible with the architectural style, detail, materials and finishes of the existing Dwelling.

4. Minimum Landscape Screening Requirements:

- a. To minimize the visual impact of all architectural Improvements (new structures and additions) from offsite views and to mitigate the loss of open space, the following landscape screening is required:
 - Twenty-four (24) inch box evergreen trees are required in the front or rear yard, or
 - A continuous tall evergreen vertical hedge fifteen (15) gallon minimum size at forty-two (42") inches on-center in the side yard, or
 - A combination of twenty-four (24") inch box trees and a vertical evergreen hedge.

5. Building Heights

- a. Dwellings: Maximum height of any Dwelling shall not exceed the maximum ridge line height of the Dwelling as constructed by the Merchant Builder as set forth in the Master Declaration.

6. 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 Dwelling. All such permissible accessory buildings must be screened from adjacent Lots and

Association Property by evergreen shrubs and trees. Additionally:

- 1) All such permissible accessory buildings must be screened.
- 2) Permitted only in the rear yard.
- 3) Limited to a maximum of two hundred and fifty (250) square feet.
- 4) A maximum fifty percent (50%) of a required setback area may be covered by accessory structures.
- 5) Maximum height of twelve (12) feet or one-story, whichever is less.
- 6) Accessory building footprint area shall be included in the maximum site coverage calculation of fifty percent (50%).

7. Roofs

- a. The slope, material, color and texture of any new roof at Single Family Detached Homes shall be identical to the existing roof.
- b. Mansard and flat roofs are not permitted.
- c. New roof features—such as skylights, chimneys, or solar equipment—must be compatible with the design of the existing Dwelling.
- d. With the exception of solar panels, roof-mounted equipment must be completely screened.
- e. The color of new roof flashing, diverters, vent stacks, and similar features must match the existing roof color.

8. Garages and Garage Doors

- a. Garages shall at all times be maintained in such a manner so as to be capable of accommodating at least two (2) full-sized automobiles and shall not be used as habitable space except as approved by the City.
- 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 Dwelling.

- c. Features to soften the dominance of the garage door on the street scene are encouraged—such as a horizontal trellis above the garage door, trees in the driveway, or vine pockets between garage doors.
- d. Treatments that draw attention to the garage door, such as mirrored glass or ornate decoration on or around the garage door, are not permitted.
- e. Standard white metal garage doors are not permitted.

9. Exterior Building Wall Materials

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

10. Skylights

- a. Skylights must be designed as an integral part of the roof. Their form, location, and color must be compatible with and relate to the building.
- b. Owners must use bronze-colored glass (white or clear are not permitted).
- c. Bubble skylights are not permitted.
- d. Skylights at 1-story roofs that are visible to community views are not permitted.

11. 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 Dwelling.

- b. Window openings within exterior wall surfaces shall be located in a manner consistent with the existing treatment and design.
- c. Glass tinting or shading must be compatible with the existing treatment. Mirrored glass, reflective glass film and plastic roll-up shades are not permitted.
- d. Recessed window and door openings are encouraged.
- e. New accent windows and doors—such as greenhouse windows or French doors—must be compatible with the color and design of the existing Dwelling.
- f. Post-modern features are not permitted.
- g. Decorative front doors must be compatible with the color and design of the existing Dwelling.
- h. Glass block is not permitted on buildings or landscape features.
- i. Front doors must match the style and design of the Merchant Builder installed door or the model home. Glass inserts may be permitted as reviewed by the DRC.

12. Screen Doors

- a. All screen doors for front entry doors, with the exception of retractable screens, must be approved by the DRC. Retractable screen door frames shall match the existing color scheme. Submit the specification with a photo for DRC consideration.

13. Chimneys (attached to Dwelling)

- 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.

14. Overhangs and Other Projections

- a. Cornices, eaves, rakes and windows projecting above the perimeter footing of the Dwelling may not project more than two and one-half (2-1/2) feet into any front, side or rear yard setback or must match existing conditions.

15. Awnings and Shades

- a. Awnings and exterior shades may be approved if they reinforce the architectural style and design of the existing Dwelling. 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 Lots 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. Awning color shall be neutral or compatible with house color. Striped or patterned awnings are not permitted.
- f. Classical designs are required. Scalloped edges or fringe are not permitted.
- g. Expandable awnings at first floor rear or side elevations are permitted if they meet the aesthetic requirements noted

above.

- h. Temporary sun shades attached to the vertical face of the Dwelling, trellis, California Room, patio cover, or gazebo, such as rolls of bamboo, fiberglass, or reed, are not permitted.

Exception: Vertical exterior shades are permitted at first floors not visible from the street. The shade must be a commercial grade PVC solar shade, include a valence, and must match the color of the Dwelling. Provide a color photo or material sample, specification sheet, and the architectural elevation with the proposed windows/glass doors identified.

16. Exterior Colors and Finishes

- a. Color is intended to act as a primary theme-conveying element, and reflective of the architectural styles.
- b. 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 number.
 - 3) Samples of masonry and finish roofing material.

17. 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.

18. Diverters/Downspouts/Gutters

- a. Diverters, downspouts, and gutters shall match those originally installed by the Merchant Builder.
- b. All downspouts shall be connected to the Lot drainage

system.

19. Solar Equipment

- a. Notwithstanding any provision or restriction contained in the Master Declaration or any applicable 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. As part of said approval, the DRC will evaluate the appearance of the proposed solar equipment to ensure that said device:
 - 1) Is integrated into the roof design of the Dwelling 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 must be setback a minimum of three (3) feet from the ridge and one (1) foot from the outside perimeter of the roof at the front elevation, rear elevation and side elevation that faces a street or common area.
 - 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, natural aluminum, 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 including conduits and electrical panels shall be located in a manner that minimizes visual impact and shall be painted to match the adjacent building surface or located behind the side yard gate.

20. Antenna and Satellite Dishes

- a. All exterior radio antennae, television antennae, satellite dishes and other transmitting or receiving devices must comply with the Master Declaration.
- b. Communications equipment should be located in less visible areas and not exceed the ridgeline of any roof.
- c. All cables should be installed within the Dwelling wall and be painted to match the adjacent surface where visible on the exterior of the Dwelling.

21. Columns

- a. New columns at Single Family Detached Homes should be integral with the Dwelling design, with a substantial scale (e.g. stout columns and deep recesses).
- b. Pipe columns are not permitted.

22. Balconies

- a. The location, material, and color of new exterior balconies at Single Family Detached Homes shall be compatible with the existing Dwelling.
- b. Balcony railings must be designed to match the materials, color, and design of any existing railing on the Dwelling.
- c. Horizontal pipe railings are not permitted.
- d. Landscape planting enhancements may be required to provide privacy screening on behalf of adjacent Lots.
- e. Second story balconies are permitted at Lots with a rear yard setback of twenty (20) feet or greater. The balcony must be setback a minimum of thirteen (13) feet from the rear property line and seven and one-half (7-1/2) feet from the side property line. Exterior stairs to this balcony are not permitted. The balcony must be screened from adjoining Dwellings and Association property with twenty-four (24) inch box vertical evergreen screen trees.

23. Exterior Stairs

- a. The location, material, and color of new exterior stairs at Single Family Detached Homes shall be compatible with the existing Dwelling.
- b. Stair supports must be designed as integral parts of the Dwelling.
- 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 Dwelling architecture.

24. Exterior Lighting

- a. New exterior light fixtures, such as decorative wall fixtures must be compatible with the design of the Dwelling. They must 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.
- c. For specific landscape lighting requirements refer to the Landscape Section B.5.

B. LANDSCAPE

The landscape design and development plays a significant role in extending the living area of the home, providing neighbor to neighbor privacy, and enhancing the value of the property.

Refer to Exhibit J for an example of a Single Family Detached Home Sample Landscape Plan that illustrates submittal requirements and landscape design creating outdoor living rooms and gardens.

1. Grading and Drainage

- a. Grading:
 - 1) The grade adjacent to the property line walls must remain at original pad grade for three (3) feet clear of the wall

unless an approved planter wall is proposed.

- 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 Association Property or adjacent Lots.
- 2) All on-lot 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. Drain inlets are required in all planting areas.
- 4) All surface drainage shall be directed away from property line walls, Dwelling walls and adjoining property lines.
- 5) Unobstructed front yard areas may surface drain to the sidewalk.
- 6) All rear yard, side yard and obstructed front yard areas must surface drain to area drains/catch basins which must, in turn, tie into the Merchant Builder-installed drain line. The roof gutters at the downspouts must connect to the Merchant Builder-installed drain line or inlets. Additional curb cores are not permitted.
- 7) Locate and identify all new and existing drain inlets on the plans.
- 8) All on-lot 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 Association Property.

Excessive hardscape is not permitted.

2) Flatwork in the **Front Yard** shall adhere to the following:

- a. Pedestrian Entry Walk from the sidewalk to the front door is limited to six (6) feet maximum width.
- b. Side Yard Access Walk is limited to three (3) feet maximum in width.
- c. All exterior paved surfaces exposed to streets or Association Property must be compatible with the architectural style and exterior elevation materials. Color photographs of proposed materials are required with each submittal.
- d. A twenty-four (24) inch minimum planting area is required between the driveway and the pedestrian entry walk where the architectural elevation allows. Exception: When the existing pedestrian entry walk is located closer than twenty-four (24) inches to the driveway, the planter width will be dictated by the dimension between the pedestrian entry walk and the driveway.
- e. If the distance between the existing driveway and the entry walkway is six (6) feet or greater, an eighteen (18) inch maximum expansion of enhanced paving is permitted on each side of the driveway. The paving material must accent the driveway and shall not appear as a concrete addition to the driveway. Photographs of the existing driveway and the proposed expansion material are required for DRC review and approval. If the distance between the existing driveway and walkway is less than six (6) feet, the driveway expansion is permitted at twelve (12) inches maximum.

Exception: At driveway conditions where an expansion is not permitted, the following design

concept may be employed at the opposite side of the driveway from the pedestrian walk as approved on a case by case basis by the DRC. This will allow for additional paving to step on to when entering or exiting automobiles, and will be visually appealing from the Community view.

- Eighteen inch by eighteen inch (18" x 18") maximum poured in place concrete stepping pads located six (6) inches from the edge of the driveway paving and six (6) inches apart from each other to provide a planting area for ground cover.
 - The finished stepping pad material shall match the adjoining driveway paving.
 - Low growing groundcover shall be planted in the six (6) inch planting areas.
- f. The Merchant Builder provided pedestrian entry walk may be replaced with an enhanced paving material that is compatible with the Dwelling architecture. The maximum permitted width of the walk is six (6) feet.
 - g. A new three (3) foot wide walk connecting the driveway to the pedestrian entry walk is permitted with the condition that the walk is setback two (2) feet from the face of the Dwelling to provide a foundation planting area.
 - h. With the exception of the driveway and pedestrian entry walk, the setback for paving is two (2) feet minimum from the foundation of the architecture to provide a shrub planting area at the foundation of the architectural elevation exposed to the street.
- 3) Flatwork in the **Rear and Side Yards** shall adhere to the following:
- a. Where the depth of the rear yard is ten (10) feet or greater from the center of the property line wall to the

Dwelling, flatwork must be setback a minimum of two (2) feet from the rear and side property line walls to provide a planting area between the patios and the property line wall. The DRC recommends that a larger paving setback (four foot by four foot (4' x 4')) be provided at the rear corners to provide an evergreen canopy tree planting area.

- b. Where the depth of the rear yard is less than ten (10) feet from the face of the house to the center of the property line wall, the paving may extend from the Dwelling wall to the property line wall. However, the DRC recommends that vine pockets are installed adjacent to the property line wall across from interior windows/glass doors to provide planting to soften the view of the wall.
 - c. Where the depth of the side yard exceeds six (6) feet, flatwork must be setback a minimum of two (2) feet from the side property line wall to provide a planting area between paved areas and the property line wall. Homes with a side yard depth of less than six (6) feet, may pave the entire area. However, the DRC recommends that vine pockets are installed adjacent to the property line wall across from interior windows to provide planting to soften the view of the wall.
- 4) Private flatwork Improvements may not cover the weep screed on the Dwelling and must not impede the ability of the stucco screed to weep water or moisture unless a building code approved alternate drainage device is utilized.
 - 5) Wood Decks are permitted with a height limit of eight (8) inches maximum above existing grade.
- b. Walls, Fences and Gates:
- 1) Existing walls, fences and associated pilasters

surrounding the perimeter of the Community consist of the following:

- a) Exhibit K - Community Standard Fence Detail
 - b) Exhibit L – Integral Color CMU Block Community Wall Detail
 - c) Exhibit M - Community Standard Fence on Wall Detail
- 2) Existing masonry pilasters, walls, gates and fences shall not be removed, reconstructed, extended or modified as to structure, finish, alignment or color without DRC approval. Should there be damage to the existing walls and pilasters refer to exhibits regarding - Materials Specifications for Community Perimeter & Interior Neighborhood Walls.

Exception 1: The interior of the property line wall, below the wall cap, and within the private yard, may be painted / stuccoed to match the architecture or trim color.

Exception 2: Requests to install a secondary side yard gate shall be considered by the DRC on a case by case basis. Generally, the side yard must be ten (10) feet or greater, the gate shall not exceed three (3) feet in width, and the walk to the gate shall be screened with landscape.
 - 3) Extending the property line wall in the front or side yard is permitted with the following conditions:
 - a. The adjoining neighbor must agree to the wall extension and the Front Yard Property Line Wall Extension Application, Exhibit N, must be executed and included with the landscape submittal.
 - b. The property line wall extension shall match the existing property line wall design and materials.
 - c. In the side yard, the height of the wall extension shall not exceed the existing height of the property line wall

- and must be setback thirty (30) inches from the face of the house.
- d. In the front yard, the height of the wall extension shall not exceed twenty-four (24) inches and must be setback three (3) feet from the back of the sidewalk.
 - e. A four (4) inch wide concrete mow strip is acceptable centered on the side yard property lines in the front yard.
- 4) Walls, fences and gates located in the Owner-maintained front yard area that were installed by the Merchant Builder may be altered or removed with prior approval by the DRC.
 - 5) Fences and walls that will abut any existing wall or fence shall not exceed the height of the existing wall or fence unless otherwise required by building codes for protection of swimming pools or spas and approved by the DRC.
 - 6) Retaining planter walls are subject to the approval of the DRC. Such approval shall be based on the aesthetic appearance of the wall only; DRC approval shall not be deemed to warrant or approve in any manner the engineering or structural design of the wall. The maximum permitted height of retaining planter walls is three (3) feet. Retaining walls shall be located a minimum of three (3) feet clear of existing property line walls or fences.
 - 7) Front yard walls / planter walls and raised hardscape shall not exceed twenty-four (24) inches in height. Front yard pilasters shall not exceed thirty (30) inches in height and shall be twenty-two (22) inch square. All new walls and pilasters located in the front yard area shall be set back three (3) feet minimum from the back of walk and three (3) feet from the side property line. The wall must be screened with full size shrubs, five (5) gallon minimum container size at twenty-four (24) inches on center. Turf shall not extend to the face of the wall.
- 8) **Front Yard Estate Walls and Pilasters:** Several Dwellings in Portola Springs are located on Lots in such a manner that an estate wall may be appropriate as determined by the DRC. Estate walls shall adhere to the following requirements:
 - a) Estate walls/pilasters shall be of masonry construction. Wood fences are not permitted.
 - b) Walls shall not exceed five feet six inches (5'-6") in height: Pilasters shall not exceed six (6) feet.
 - c) Exterior veneer materials used on the wall / pilasters shall match the architectural exterior elevation materials. An enhanced wall cap may be required.
 - d) The wall shall be setback a minimum of ten (10) feet from the back of the sidewalk.
 - e) Combination walls may be permitted if consistent with the style of the architecture.
 - f) The landscape design directly in front of the estate wall shall include the following: A five (5) foot planting area that includes the following layers of shrubs and trees:
 - Substantial foundation shrubs, five (5) gallon minimum size at thirty (30) inches on center.
 - One (1) gallon border shrubs at eighteen (18) inches on-center.
 - Twenty-four (24) inch box accent trees at ten (10) feet on-center.
 - 9) Freestanding rear and side yard walls shall not exceed five (5) feet maximum height.
 - 10) Soil level may not be raised against existing property line walls without the addition of a retaining flash wall as they are not structurally designed for retaining conditions.

- 11) 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.
 - 12) 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.
 - 13) "Living Walls" shall not exceed the height of the property line wall and shall be setback twelve (12) inches from the wall.
 - 14) All tubular steel is to be zinc metalized, galvanized or bonderized prior to applying finish color, due to exposure. All tubular steel adjacent to Association Property shall match the Community colors. Aluminum may be used in lieu of tubular steel but it must match the Community color. The Community color shall match Vista 'Carbon Copy' No 8293 or as manufactured by Ameron Paint Co. (877) 800-8283 or its Protech powdercoat equivalent PS411M34.
 - a) Side-yard gates that enclose or screen trash, equipment or utility areas must be of solid, opaque construction of metal or wood. Open tubular steel will not be approved where screening function is required.
 - b) Custom driveway vehicular access gates are subject to review and approval of the DRC on a case-by-case basis and permitted only at Dwellings with a covered porte-cochere.
- c. Patio Structures:
- 1) Patio structures or California Rooms that are not installed by the Merchant Builder may be freestanding or attached to the Dwelling and shall be designed to reinforce the existing architectural style and overall garden design concept. Only one (1) additional structure is permitted. 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 material which simulates the appearance of wood) or wrought iron and shall not exceed eleven (11) feet in height measured from original pad grade to the top of the upper-most construction member. The roof must be fifty percent (50%) open. Elaborate ornamentation is not permitted.
 - 3) Open wood beam structures shall be painted to match the Dwelling color or architectural eaves. Structures painted white are not permitted.
 - 4) Pitched-roof structures shall be limited to twelve (12) feet in height measured from original pad grade to the top of the upper-most construction member. The pitch of the sloping roof and the roofing material must match the existing architecture in product, color, and method of installation. Open wood beam pitched structures are not permitted.
 - 5) One (1) side of the structure may be enclosed. The wall must be finished to match the architecture and screened with twenty-four (24) inch box evergreen trees.
 - 6) All structures shall adhere to the following requirements:
 - a) All structures shall be set back from the side and rear property line five (5) feet as measured to the face of the post / column and three (3) feet from the outermost trellis member overhang.
 - b) Columns may be masonry, pre-cast or wood. Wood columns must appear to be substantial, six inch by six

- inch (6 "x 6 ") minimum.
- c) Structures in the front yard are not permitted.
 - d) Generally, the size of the structure is limited to a maximum of two hundred twenty-five (225) square feet of covered space measured from centerline of post to centerline of post. All structures will be reviewed on a case-by-case basis by the DRC. The following conditions may be considered:
 - 1. Visibility of the structure from the Association Property.
 - 2. Screening/softening of the structure with plant material.
 - 3. The balance of hardscape to softscape.
 - 4. Only one (1) additional structure is permitted.
 - e) All structures are required to be screened / softened from offsite views with twenty-four (24) inch box minimum size evergreen trees or a continuous vertical evergreen screen hedge, fifteen (15) gallon minimum size.
 - f) Construction details and elevations at one-quarter inch equals one foot (1/4" = 1'-0") scale are required for DRC review. Identify all materials, sizes and finishes. Note that the wood members must be stained/painted to match the Dwelling or architectural eaves of the Dwelling.
- 7) Prefabricated gazebos and patio covers must adhere to all of the above requirements. A color photograph and catalog specifications sheet is required with the submittal.
 - 8) Drapery attached to a patio structure must be a solid color natural fabric that is compatible with the colors of the Dwelling.
- 9) Structures shall comply with all governing agency requirements.
- d. Freestanding Vine Trellises & Arbors:
 - 1) Freestanding vine trellises shall not exceed eight (8) feet in height and shall have a one (1) foot planting area between the structure and the property line walls or fence, as measured to the outer most construction member, for vine planting. The length shall be reviewed on a case-by-case basis.
 - 2) Vine trellises shall be ornamental iron or light wood construction and foliated with vines at each post.
 - 3) The construction detail and elevation is required for review. Note: Wood members must be stained or painted to match the Dwelling or the architectural eaves of the Dwelling.
 - 4) Prefabricated vine trellises will be considered. Provide a catalog cut sheet or photograph.
 - 5) Espaliers adjacent to property line walls shall not exceed the height of the property line wall.
- e. Swimming Pools/Spas:
 - 1) Swimming pools/spas (in-ground or above-ground) are permitted within the rear yard, except for pie-shaped Lots, where they must be located within the side yard. All pools/spas are subject to the Orange County Health Code and the following requirements:
 - a) Swimming pools/spas must be set back a minimum of three (3) feet clear of the rear and side property line. Pools and spas are high activity areas and shall be screened from Community and neighboring views with substantial landscaping that includes twenty-four (24) inch box evergreen screen trees and/or fifteen (15) gallon minimum container size tall vertical evergreen

screen hedge adjacent to the property line wall. Refer to Exhibit F, the Landscape Palette.

- b) Rock formation features associated with pools and spas shall not exceed the property line 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. The rock formation must be set back a minimum of five (5) feet from the rear / side yard property line wall or fence and screened from Community and neighboring views with substantial landscaping that includes twenty-four (24) inch box evergreen screen trees and/or fifteen (15) gallon minimum container size tall vertical evergreen screen hedge adjacent to the property line wall. Refer to Exhibit F, the Landscape Palette.
- 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.

f. Pool/Spa Equipment:

- 1) Pool/spa equipment shall be located a minimum of two (2) feet clear of the rear and side property line per City codes.
- 2) All pool equipment must be screened in such a manner so as not to be visible from Association Property. Sound attenuation shall conform to the standards and details of the City or applicable jurisdictions. 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 DRC approval as to

materials and methods of installation and the color must be compatible with the Dwelling. All supports and piping must be enclosed. Solar collector panels shall be located in a manner that minimizes visual impacts.

g. Fountains/Ponds:

- 1) 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 Dwelling.
- 2) Water features such as reflecting pools and ponds 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 Dwelling.
- 3) Water features such as reflecting pools and ponds 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.
 - d) Water features shall be set back a minimum of two (2) feet clear of property line walls and shall be softened with plant material.
- 4) All associated equipment must be screened from Community view and must be sound attenuated.
- 5) Provide photographs or catalog cut sheets with the submittal.
- 6) Water features must be compatible with the existing architecture.
- 7) Any associated statuary shall be approved by the DRC on

a case-by-case basis. Submit photos or catalog cuts with the submittal. Statuary is not permitted in the front yard.

- 8) No fountain or water feature shall be placed or maintained upon any Lot in excess of permitted City noise standards resulting from the pumping equipment or splashing water upon property outside of the Owner's Lot.

h. Barbecues and Outdoor Kitchens:

- 1) Built-in barbecues shall be located a minimum of two (2) feet clear of the rear and side yard perimeter walls only and screened with vertical plant material. Built-in barbecues are not permitted adjacent to tubular steel property line walls and fences.
- 2) Outdoor Kitchens shall be located a minimum of three (3) feet clear of the rear and side yard property line walls only and screened with vertical plant material. Not permitted adjacent to tubular steel perimeter fences.
- 3) Built-in barbecues and outdoor kitchens shall not exceed the height of the property line wall / fence.
- 4) All materials shall be compatible with the residential architecture and in scale with the size of the yard.

i. Fireplaces:

- 1) Freestanding outdoor fireplace chimneys shall not exceed eight (8) foot maximum height above original pad grade. The fireplace must be set back a minimum of three (3) feet from the rear and side property line to provide a planting area for screening. The back of the structure must be finished to match the Dwelling and screened from Community and adjoining Dwelling's views with twenty-four (24) inch minimum size evergreen trees or a continuous fifteen (15) gallon tall vertical evergreen hedge.
- 2) The fireplace must match the architectural style of the Dwelling.

- 3) The height limit of fireplace chimneys attached to patio covers shall not exceed minimum building codes or fourteen (14) feet. Fireplaces in excess of eight (8) feet and adjacent to a covered patio shall have a setback of ten (10) feet minimum to any side or rear property line or property line wall. The maximum permitted height of a fireplace chimney attached to a patio cover is fourteen (14) feet.
- 4) Fireplaces are not permitted in the front yard.
- 5) Wood-burning fireplaces are not permitted.
- 6) Gas fireplaces and fire pits are permitted rear or private yards.

j. Play Equipment:

- 1) All play equipment that exceeds the height of the property line wall / fence requires DRC approval prior to installation.
- 2) Basketball backboards: Clear basketball backboards are permitted attached to the Dwelling or in the ground as approved by the DRC. Include a photo or specification sheet of the proposed equipment. Portable backboards are not permitted on the streets. Portable backboards may be located in the front yard but they must be removed and stored out of sight at sunset.
- 3) All recreation play equipment shall not exceed ten (10) feet above original pad grade and shall be set back five (5) feet clear of the side and rear property line to provide a planting area for screen trees. Play equipment that extends above the perimeter wall height must be painted to match the Dwelling or trim color and if proposed, only solid canvas roof elements that are compatible with the color and materials of the Dwelling will be permitted. Submit catalogue cuts or photographs with dimensions and colors provided. Mature evergreen landscape screening is required upon installation of the equipment. Prefabricated colored play equipment that does not exceed the height of the property line wall is permitted.
- 4) Except as permitted in J-2 above, play equipment is not permitted in the front yard.

k. Garden Art/Statuary:

- 1) Garden art/statuary shall be located in the private yard and shall not exceed the height of the property line walls or five (5) feet above original pad grade, whichever is the most restrictive.
- 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 Lots within the Community:

- 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 Association Property 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:

The planting concept for the Community is a traditional California Mediterranean climate landscape. The planting design can extend the outdoor living area of the home by providing or softening the outdoor walls, provide neighbor to neighbor privacy, and enhance the outdoor experience and the value of the property.

Refer to Exhibit J for an example of a Single Family Detached Home Sample Landscape Plan that illustrates the design opportunities to extend the outdoor living space with planting.

a. Planting:

- 1) The common area parkway with street trees and common setback areas with trees, shrubs, ground cover, and turf shall be protected in place. Any damage to said areas resulting from Owner's construction shall be replaced in kind and size by the Association at the Owner's expense.

The following note shall be placed on all landscape improvement plans: **Include the "Portola Springs**

- Community Standard General Notes” on all plan submittals (see Section II, G for required notes).**
- 2) No landscape work shall be installed until plans and specifications have been approved by the DRC. The plans must identify the proposed species by botanical and common name, locations and installed sizes. The plans must indicate whether any solar energy systems exist on any properties that border the Owner's Lot. 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 Restrictions and/or the requirements of the Solar Shade Control Act. (Refer to Plan Submittal Requirements.)
 - 3) The plans must indicate whether any solar energy systems exist on any properties that border the Owner's Lot. 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. (Refer to Section II – Review and Approval Process.)
 - 4) 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 belief of the DRC unreasonably impedes the passage of light or air of any Lot 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. Trees, shrubs, ground cover, and turf are shown in the Exhibit F. Others may be used upon approval by the DRC.
 - 6) Trees with invasive root systems and deciduous / flowering / fruiting trees that drop excessive litter are not permitted adjacent to Association Property or adjoining Dwellings or private yards.
 - 7) All trees planted within five (5) feet of Association Property hardscape (sidewalk, driveways, etc.), walls, or adjoining Dwellings must include a linear root barrier device.
 - 8) Many tree varieties grow to proportions that are not compatible with the size of individual Lots 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 fifteen (15) foot setback from the property line and a root barrier will be required.
 - 9) Owner assumes all liability and responsibility for any root damage from trees planted in Owner's yard (including, but not limited to, fencing, walls and structures, utility lines, drainage and adjacent neighbor Improvements).
 - 10) 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 bear the expense of tree removal.
 - 11) Trees must not overhang onto adjacent private or Association Property lots more than forty percent (40%). Trees that overhang the property line into private or Association Property must be evergreen.
 - 12) Synthetic Turf: Is permissible in front, side and rear yards in accordance with all setback requirements for natural turf. A minimum twelve inch by twelve inch (12"x12") sample and specification sheet with warranty shall be submitted for consideration, unless a pre-approved product is selected. Refer to Exhibit F for a list of pre-approved products.

b. Planting Requirements - Front Yard:

- 1) The 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), twenty-four (24) inch box size trees shall be planted in each front yard. The trees shall be planted a minimum of five (5) feet from adjoining property lines. Vertical accents such as palms, Italian Cypress or citrus trees do not satisfy the requirement. Deciduous trees are permitted in the front yard.
- 3) All front yard areas not displaced by driveways, entry walks, or landings shall be planted with a combination of (i) the two (2) required trees, and (ii) any one or more of shrubs, ground covers, and turf.
- 4) Turf is not allowed to extend to the Dwelling wall, side yard return wall or walk, but can be employed as a foreground component only. A twenty-four (24) inch shrub planting area is required at the foundation of the front elevation. Substantial foundation shrub planting five (5) gallon minimum container size at thirty-six (36) on-center spacing is required at the base of the architecture.
- 5) Ground covers and shrubs must be organized in a layered composition in either formal drifts or formal layers. Refer to Exhibit J for an example of an approved landscape design and plan.
- 6) Identical ground covers or shrubs (or both) should be utilized on both sides of the driveway or entry walk.
- 7) Vertical shrubs should be utilized against blank wall elevations.
- 8) Vertical accents should be used at the front corners of the Dwelling and at either side of the garage.
- 9) Extensive species and random plant material organization is not permitted in the front yard.
- 10) Gravel, decorative rock and decomposed granite that are compatible with the Dwelling are permitted in front yards as a border.
- 11) Colored mulch is not permitted.

c. Planting Requirements - Rear Yard:

- 1) Trees are encouraged as a means of creating privacy and screening neighbor-to-neighbor views.
 - a) Trees shall be carefully selected based on ultimate size.
 - b) Trees, including Italian Cypress and Palm trees, shall be planted three (3) feet minimum from property line walls with a linear root barrier. Note: Some trees may require a greater setback as determined by the DRC.
 - c) Rows of Italian Cypress at the property line wall must be interrupted with an evergreen canopy tree after every third (3rd) Italian Cypress tree.
- 2) Rear yards with a depth of ten (10) feet or greater from the center of the property line wall to the Dwelling, shall include a two (2) foot planting area adjacent to the rear and side property line walls. All rear yard areas not displaced by hardscape shall be planted with a combination of trees, shrubs, ground covers and turf.
- 3) At room additions, conservatories, California rooms, decks/balconies, and accessory buildings, the following landscape screening is required:
 - Two (2) twenty-four (24) inch box vertical evergreen trees are required, or
 - A continuous tall evergreen vertical hedge fifteen (15) gallon minimum size at forty-two (42") inches on-center, or
 - A combination of twenty-four (24") inch box trees and a vertical evergreen hedge.
- 4) Trees or tall shrubs shall be utilized to screen equipment, dog houses, storage, play equipment etc. from view of Association Property and adjoining Dwellings.
- 5) Vertical evergreen shrubs/hedges are encouraged against property line walls to soften the walls and provide neighbor to neighbor privacy. The following plants are permitted in the two (2) foot wide planting area.

- Alternative species will be reviewed on a case-by-case basis.
- Bamboo sp. (Clumping Dwarf Bamboo)
 - Cypress s. 'Tiny Tower' (Italian Cypress)
 - Ficus microcarpa 'nitida' (Nitida Fig) 'Columnar' Must include linear root barrier
 - Juniperus sp. (Juniper) 'Columnar'
 - Ligustrum sp. (Privet)
 - Photinia fraseri (Fraser's Photinia)
 - Podocarpus sp. (Fern Pine/Yew Pine)
Low Branching
 - Prunus caroliniana (Carolina Laurel Cherry) 'Columnar'
 - Strelitzia nicolai (Giant Bird of Paradise)
- 6) Ground covers and shrubs should be organized in layered composition. The DRC recommends that a vine pockets be installed adjacent to the property line wall across from windows to soften the view of the wall.
 - 7) Vertical accents or columnar shrubs are encouraged against blank wall elevations and corners.
 - 8) Espaliers and vines are permissible against property line walls installed with non-penetrating attachment devices.

d. Planting Requirements – Side Yards:

- 1) Where the depth of the side yard exceeds six (6) feet from the property line to the Dwelling, a two (2) foot planting area is required adjacent to the property line wall.
- 2) Vertical evergreen trees and shrubs are encouraged as a means of creating privacy and screening neighbor-to-neighbor views.
- 3) Espaliers on trellises are encouraged. Maximum height of the trellis may not exceed the height of the property line wall.
- 4) Espaliers and vines are encouraged against side yard property line walls installed with non-penetrating attachment devices.
- 5) Gravel, decomposed granite or synthetic turf are acceptable.
- 6) Narrow, restricted side yard areas (AC condenser pad location situations) may be paved.

e. Palm Requirements:

- 1) Refer to Exhibit F, the Landscape Palette, for acceptable Palm species.

f. Ground Plane Planting Requirements:

- 1) All planting areas visible from the streets and /or Association Property that are not completely covered with shrubs shall receive turf or groundcover.
- 2) Groundcover and/or annual color in planting areas shall be installed at a minimum of twelve (12) inches on center in the front yard.
- 3) Gravel, decorative rock, and decomposed granite compatible with the Dwelling may be used as a boarder.

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. If approved, only two (2) pilaster fixtures are permitted in the front yard. Include a detail of the pilaster at 1/2" = 1'-0" with the fixture blocked out to scale and the specification sheet for the proposed fixture.
- d. Path lighting should be minimized. Path lights shall 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 specific approval. 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 existing 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 these lights occur, the DRC and the Association reserve the right to require that the fixtures be disconnected. These lights may not be used for general illumination.
- h. The use of 'Tivoli' string lights are permitted for limited use only and shall not be illuminated for extended periods of time. They shall be setback three (3) feet from the property line wall and screened with a vertical evergreen hedge.

6. Miscellaneous:

- a. Speakers: Exterior speakers shall not be mounted higher than six (6) feet above original pad grade.
- b. Thematic landscape features: Thematic landscape features with overly distinctive colors, forms, or materials that establish an independent theme that detracts from the overall street scene, such as glass block, mirror balls, pink flamingos, rock gardens, gravel yards, boulders in turf areas, cactus, waterfalls, fountains or concrete statues, railroad ties, and split rail fencing are not permitted in areas visible from Community views.
- c. Exterior Colors: Exterior colors of fences, walls and structures as originally applied by the Merchant Builder shall not be changed or altered without DRC approval.
- d. 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 Dwelling.
 - 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 (6) feet 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, personal items, toys, etc. must be completely screened from Community views.
 - 2) Storage sheds and green houses are only permitted in rear and side yards enclosed by high masonry walls. 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 Association Property (e.g., sundials, statuettes, chimes, etc.) are not permitted.
- 2) Appropriately scaled outdoor furniture and pottery are acceptable.
- 3) Umbrellas are permitted and encouraged in the rear yard.
- 4) Neutral colored shade sails may be permitted as approved by the DRC on a case-by-case basis.

Section VI: General Conditions of Approval

Section VI: General Conditions of Approval

The following shall be conditions of any architectural approval and shall be deemed incorporated by reference into all plans and DRC letters of approval. It shall be the responsibility of the applying Owner to ensure that these conditions are enforced upon all persons or firms used, engaged or employed in carrying out any planning, design or construction of the Improvement. The DRC may condition its approval of plans and specifications with such changes it deems appropriate and may require submission of additional plans and specifications or other information or materials prior to approving or disapproving 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 Lot or Condominium other than a sign advertising the property for sale as permitted by the Master Declaration. (Refer to the Association’s Rules and Regulations for specific requirements.) This limitation applies to tradesmen’s, contractors’ and installers’ signs of any type, including the signs identifying the Lot or Condominium as the site of their activities or operations.
- C. **Hours of Operations:** All operations shall be carried on between the hours of 7:00 a.m. and 6:00 p.m. (or dusk) on Monday through Friday and 9:00 a.m. and 4:00 p.m. on Saturday. In the event City ordinances are more restrictive, the City ordinances shall prevail. No construction shall be permitted on Sundays or Federal holidays.
- D. **Temporary Structure:** No structure of a temporary character will be permitted to remain on any Lot or Condominium without the written approval of the DRC.

- E. **Sanitary Facilities:** Each Owner and Merchant Builder shall be responsible for providing adequate sanitary facilities for their construction workers. Portable toilets or similar temporary toilet facilities shall be located only on the Lot or Condominium itself, set back five (5) feet from the side yard property line, or in a location approved by the DRC.
- F. **Debris Removal:** Property shall be cleaned at least once a day during construction. Debris must be removed from the site or placed in a debris bin. Refer to Section VII, Water Quality Management – Best Management Practice Guidelines.
- G. **Unightly Items:** All rubbish and unsightly material or objects of any kind shall be regularly removed from the Lot or Condominium and will not be allowed to accumulate thereon. Removal shall be made weekly, preferably on Friday, and rubbish will not be allowed to accumulate on streets or Association Property. The Owner will be responsible for the cost of any trash cleanup work performed by the Association. Owners are prohibited from dumping, burying, or burning trash anywhere within the Community. Concrete trucks washing out their spill pans before leaving the construction site shall do so only on Owner’s Lot or Condominium and in compliance with Section VII, Water Quality Management – Best Management Practice Guidelines.
- 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 on the Owner’s Lot or Condominium. In the event that any materials are delivered or deposited on the streets or on Association Property, the Owner will be held responsible for the costs involved in cleaning and restoring the affected Association Property, streets and sidewalks to their original condition.
- 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 DRC designated areas. The Owner shall be financially responsible for any equipment removal or necessary repairs required by the DRC.
- K. Dust and Noise:** The Owner shall be responsible for controlling dust and noise from any construction on his Lot or Condominium.
- 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 Lots or Condominiums, Association Property, or other Improvements shall be repaired or restored promptly at the expense of the person causing the damage or the Owner of the Lot or Condominium where the construction activity is taking place. 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 Owners of the Lot or Condominium.
- 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-lot drainage systems shall be connected to the existing drain line from the in-street storm drain to one or several roof gutter down spouts. Owner and its contractors shall protect all such existing drain lines in place.
- P. Workmanship:** The quality of new Improvements shall match the quality of the existing structures. Any work deemed by the DRC to be of inferior quality shall be reworked or removed and the Dwelling restored by the Owner to its original condition prior to commencement of the work by the Owner. If the Owner refuses to rework or remove and restore as called for above, the DRC shall request the Board of Directors to cause such rework, removal or restoration and the cost thereof shall be a Special Assessment against the Owner as provided in the Master Declaration.
- Q. Landscape Deadlines:** Side and rear yard landscape Improvements must be submitted to the DRC within nine (9) months of close of escrow and shall be installed within three hundred sixty-five (365) days following close of escrow.
- R. Enforcement:** Failure to obtain the necessary prior approval from the DRC prior to installation of any Improvement constitutes a violation of the Master Declaration and these Guidelines and may require modifications or removal of work at the expense of the Owner.
- S. Violations:** All Owners have the right and the responsibility to bring to the attention of the DRC any violations of the Master Declaration and these Guidelines.

- T. **Amendments:** These Guidelines, along with the provisions set forth in the Master Declaration for the Community and, if applicable, the Neighborhood Declaration, form the basis and criteria for evaluation of plans and specifications submitted for review and approval by the DRC. The Guidelines may be amended or supplemented from time to time as provided for in the Master Declaration.
- U. **Conditions Not Covered:** With respect to any proposed Improvement or other condition not specifically addressed in these Guidelines, the DRC shall apply these Guidelines in the manner that is most consistent with the original architectural and landscaping character established by the Merchant Builder for the neighborhood where the Owner proposes to construct the Improvements, so as to preserve aesthetic harmony between the proposed Improvements and the existing Improvements within the neighborhood.
- V. **Inapplicability to Declarant:** In accordance with the Master Declaration, nothing in these Guidelines shall limit the right of the Declarant to construct Improvements on any Lot or Condominium, Association Property or Maintenance Area.
- W. **Contractor BMPs:** See 'Water Quality Management – Best Management Practice Guidelines' in Section VII.
- X. **Solar Shade Control Act – Shading Certification:** Notwithstanding any provision or restriction contained in these Guidelines to the contrary, all Improvements shall be subject to the California Solar Shade Control Act. Owner is responsible for notifying the DRC if any neighboring Lots have a solar energy system installed. If so, Owner must submit to the DRC a certification from a licensed landscape architect (as to trees and shrubs) or from a licensed architect (as to any structural Improvements) certifying that Owner's proposed Improvements will not violate the Act ("**Shading Certification**"). The DRC's review of the proposed Improvements' conformance with the Act shall be limited solely to requiring the submittal of a Shading Certification.

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 has set strict guidelines for Portola Springs' residents regarding the effects of runoff and storm water pollution.

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

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

The following requirements are not meant to be all-inclusive of Regional Water Quality Control Board requirements or of any other agency. It should be understood that any applicable agency's rules and requirements will be applied and may supersede these Guidelines. All resulting fines imposed on the Association or the Owner as a result of Owner's breach of any agency's requirements will be the responsibility of the Owner.

1. No construction materials, chemicals or substances may be disposed of or poured into the area drains, streets or gutters.
2. Area drains should be shielded or covered to ensure that construction by-products and chemicals are not washed into them.
3. No tools or equipment may be rinsed off on the property in a manner that causes the water to reach the area drains, streets or gutters.
4. No unprotected stockpiling of sand, gravel, dirt or other materials in the street is permitted.
5. Any sand, gravel, dirt or other materials piled/stored on the driveway or Owner's Lot or Condominium must be effectively covered to prevent rain or irrigation water runoff from carrying material residue into the area drains, streets or gutters.
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 or storm drains.
7. Hoses and irrigation water should not be allowed to run in a manner that causes water or any substance to wash into the area drains, streets or gutters.

VII. WATER QUALITY MANAGEMENT BEST MANAGEMENT PRACTICE GUIDELINES

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

THE BASIC GOAL IS TWO-FOLD:

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

I am the Owner 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 Association, I will be held personally responsible for any fines and fees levied against me or the Association as a result of any infractions caused by me, my contractors and my consultants in connection with the construction, maintenance or activities on my Lot or Condominium.

Signature

Date

Name

Project Name & Merchant Builder

Address

Lot # / Tract #