

# ***Architectural Design Guidelines***

***For Carmel Valley Neighborhood 10 North  
Homeowner Association***

***June 14, 2011***

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I.  
WHAT HOMEOWNERS NEED TO KNOW

**A. Purpose Of These Guidelines**

Under the Covenants, Covenants and Restrictions (“CC&Rs”) put in place by Pardee Construction Company, the developer of Carmel Valley 10 North (“Developer”), and the Rules and Regulations (“Rules”) adopted according to the CC&Rs, owners of homes subject to the Carmel Valley Neighborhood 10 North Homeowner Association (“CVN10N HOA”) must seek approval of the HOA Board’s Architectural Review Committee (“ARC”) before making certain improvements to their landscaping or the exterior of their properties. Other improvements may be made without advance approval, but must follow certain guidelines (and, in some cases, must be reported to the ARC).

These Architectural Design Guidelines (“Guidelines”) were designed to help implement these requirements under CC&Rs and Rules in a number of ways:

- to set out the standards governing proposed improvements and illustrate basic design principles homeowners should follow to maintain aesthetic harmony with the immediate neighborhood and the community as a whole;
- to help homeowners determine when they are required to get permission from the ARC before making changes to the exterior of their properties and when they may simply give notice of improvements (either before or after the fact);
- to help homeowners prepare applications to the ARC; and
- to help the ARC apply the standards set out in the CC&Rs and Rules of CVN10N HOA consistently as they review such applications.

The HOA Board prepared these Guidelines to aid its work, and the work of the ARC, in preserving the integrity of the Community Plan and to inform CVN10N homeowners of their rights and responsibilities in connection with the Plan. The Board hopes these Guidelines will help us, as neighbors, to appropriately balance individuality and creativity, on the one hand, and continuity of design, on the other, and thereby help preserve and improve the appearance (and property values) of our community.

**B. When Advance Approval Of The Architectural Committee Is Required**

Subject to the exceptions set out in the next section, ARC approval is required for *any* modification that may result in a change to the exterior appearance of a property, including:

- addition, removal or alternation of any exterior structure; and
- installation or modification of any landscaping (front, side and rear yards), including fences and walls.

The requirement to get ARC approval is not limited to major alterations such as adding a room or deck to a house; plans to change the color or materials on the exterior of the home (or any visible feature of the exterior, including doors, windows, exterior window treatments, shingles, etc.) must also be reviewed and approved, in advance, by the ARC. Approval is also required when an existing feature is to be removed from a home. Moreover, once a plan is approved, any material modifications to the plan require separate ARC approval.

Other than those noted in the next section, there are no “automatic” approvals. For example, a homeowner who wishes to construct a deck identical to the deck of a neighbor already approved by the ARC must submit his or her own application. Applications are reviewed individually, with due regard to specific implications of location and impact on surroundings. What may be an acceptable design of an exterior in one instance may not be acceptable in another.

Homeowners needing advance approval of the ARC must complete and submit a *CVN10N ARC Home And Landscape Improvement Application* (“ARC Application”) and then await ARC approval before starting work.

### ***C. When Only “Notice” Is Required***

As detailed in Section VI, below, homeowners do not need advance approval of the ARC for certain sorts of improvements (including certain changes to rear and side yard landscaping, refreshing existing paint in a color from the ARC-approved color palette, replacing an existing garage door with a duplicate model, or adding or replacing gutters and downspouts to match the colors of the house). Homeowners making such changes, however, must submit a Notice in the form of Exhibit C (Pre-Approved Improvement Notice) when the improvement is complete.

As detailed in Section VII, below, homeowners do not need advance approval to install certain sorts of satellite dish antennae, but must submit, in advance, a Notice in the form of Exhibit D (which must be sent 5 business days before installation if by e-mail; 7 business days before installation if by U.S. Mail).

### ***D. Architectural Committee Criteria***

In evaluating a particular design proposal, the ARC considers the characteristics of the housing type and the individual site. Proposed improvements must be compatible with the architectural characteristics of the applicant’s house, adjoining houses, and the neighborhood setting. “Compatible” means “similar in architectural style, quality of workmanship, materials, color and construction details.” The ARC may also consider the impact of proposed improvements on views, access, sunlight, ventilation, and privacy of adjoining houses and the neighborhood.

### ***E. Neighborhood Notification***

The ARC Application includes a section on neighborhood notification, the purpose of which is to insure that potentially affected neighbors are given reasonable notice of a proposed improvement (and an opportunity to have input into the ARC’s proceedings concerning the proposed improvement). The “potentially affected neighbors” for any given improvement include the owners of properties on either side, to the back of, and directly facing the property where the improvements are proposed, as well as any other neighbor that might reasonably be expected to be impacted by the improvement. ***Before an ARC Application will be considered complete, it must include evidence that all potentially affected neighbors have been properly notified.*** Notice is given by providing the neighbor with an e-mail or paper copy of the ARC Application and getting him or her to sign the Neighborhood Notification section of that form.

Potentially affected neighbors do not have the absolute right to veto proposed improvements, but they may seek input to the ARC’s proceedings, and the ARC will give due consideration to reasonable concerns raised by potentially affected neighbors.

II.  
THE ARC APPLICATION PROCESS

**A. Application by E-Mail**

The ARC prefers to receive improvement applications by e-mail. Following are the steps in the e-mail application process:

1. The homeowner applying to make improvements (“Applicant”) should complete a *CVN10N ARC Home And Landscape Improvement Application* in PDF format. (A form CVN10N ARC Home And Landscape Improvement Application is attached to these Guidelines as Exhibit A. It can be printed out, completed, and scanned into PDF format. A fillable PDF form is available on the HOA website at [www.cvn10hoa.com](http://www.cvn10hoa.com).)

2. The ARC Application includes a section on neighborhood notification. Potentially affected neighbors must be given an opportunity to review the Application and any attachments and sign the form.

3. The Applicant should e-mail the ARC Application (with all necessary attachments, including project plans) to [arc@cvn10hoa.com](mailto:arc@cvn10hoa.com), with a copy to [christian.raymundo@fsresidential.com](mailto:christian.raymundo@fsresidential.com). If the application includes samples, bulky items or items that cannot conveniently be scanned, or the Applicant does not have convenient access to e-mail, materials may be mailed to:

CVN10N HOA ARC  
c/o FirstService Residential  
5473 Kearny Villa Rd., Suite 200  
San Diego, CA 92123

4. Within 3 business days of receiving the application, the management company will review it and respond to the Applicant (by e-mail, if provided) either (i) confirming that the application is complete or (ii) describing the documentation or materials needed to complete the application. If the application is not yet complete, the Applicant will need to submit the missing items before the application can be considered.

5. In the case of e-mail applications, the management company will print out, initial, and retain for its records copies of the above communications.

6. Within 2 business days of receiving a completed application, the management company will e-mail the completed application to the ARC for review, identifying the date on which the completed application was received and the date (60 calendar days later) by which it must be acted upon. If the Applicant has provided an e-mail address, the management company will inform the Applicant by e-mail that the application has been forwarded to the ARC (with a reminder that this does not yet constitute approval of the proposed improvement). According to the CC&Rs, if the Applicant has not received an approval within 60 calendar days, the application is deemed disapproved.

7. Not more than forty business days from when it receives the application, the ARC will meet to review the application.

8. The ARC may meet by telephone to discuss applications as to which neither an Applicant nor a potentially affected neighbor has asked to provide input. With respect to applications as to which an Applicant or one or more potentially affected neighbor wants to provide input, the ARC must meet in person, giving all interested parties at least 5 business days’ notice of the time and place of the meeting. (Applicants and potentially affected neighbors are entitled to be heard during the public portion of the ARC’s meetings, but are not entitled to attend or participate in any non-public executive session.)

9. If necessary, the ARC may schedule additional meetings to further deliberate about an application. Such meetings must be set soon enough following receipt of a completed application from the management company to allow action on the application to be completed within the 60 calendar days from the original receipt by the management company of the completed application (as provided in the CC&Rs). According to the CC&Rs, however, if the Applicant has not received an approval within 60 calendar days, the application is deemed disapproved.

10. As soon as reasonably practicable after reaching a final determination, the ARC should complete the disposition portion for each pending application and forward it to the management company.

11. The management company will promptly prepare a disposition letter based on the ARC's action for signature by a member of the ARC on behalf of the ARC, to be sent to the Applicant and the affected neighbors within 5 business days of ARC's disposition. The disposition letter may be sent by e-mail to any recipient whose e-mail is known, with a hard copy by U.S. Mail to the Applicant (and any recipient whose e-mail is not known). *If the action is not an unqualified approval*, the management company should also (a) e-mail a copy of the disposition to the Board of Directors and (b) arrange for the hard copy to the Applicant to be sent by certified or registered mail, return receipt requested.

12. Work pursuant to an approved application must be started within 120 calendar days from the date of the disposition letter. If work has not been started within 120 calendar days, the approval is automatically rescinded and a new application must be submitted.

13. Work pursuant to an approved application must be completed within 4 months of the date of approval. If the scope of the job warrants more time, the ARC may extend the construction period as necessary based on an Applicant's construction phasing plan and a schedule indicating why a longer construction period is needed.

14. As soon as reasonably possible after the completion of any work done pursuant to an approved application, but in any event within four months of the date of approval (or by the extended construction deadline if an extension is granted), the Applicant should complete and e-mail (or mail) to the management company a Notice of Completion of the form attached as Exhibit B (also available in fillable PDF on the HOA website).

15. Within twenty-five business days of receiving the Notice of Completion, the management company will perform a review and conformance report and provide it to the ARC.

**PLEASE NOTE:** *Applicants may not start construction on projects requiring ARC approval before getting a response from the ARC approving of the application. For such projects, there are no automatic approvals. The Applicant may contact the management company at any time to inquire about the progress of an application.*

### ***B. Application by U.S. Mail***

Applicants who do not have access to e-mail may submit an ARC Application by U.S. Mail or overnight delivery. The application may be sent to the ARC at the address given in step 3, above. The management company will scan it and forward it to the ARC. Five business days will be added to the period in step 4 and to the sixty-day processing period provided for in the CC&Rs for all applications not sent by e-mail. The Applicant will not receive interim notifications of the progress of the application, and final notice need be provided by U.S. Mail only.

III.  
LEGAL MATTERS

**A. *Covenants, Conditions And Restrictions (CC&Rs) and Rules and Regulations (“Rules”) Control***

Article X, Section 18 of the CC&Rs provides (in part):

Except as to construction of Improvements by [the Developer] in any phase of the Project, no building, fence, wall, or other structure shall be commenced, erected, or maintained on the Real Property; nor shall any Improvement be made which affects the natural or established drainage from the Subdivision Interest nor shall any exterior addition or change or alteration in any such Improvements on the Real Property, including the following by way of illustration but not limitation, solar or heating systems; pools, spas, ponds, fountains; landscaping, stonework, or concrete work; related mechanical, plumbing, or electrical facilities; awnings or patio covers, be made, until the plans and specifications showing the nature, kind, shape, materials, location and proposed construction schedule of the same have been submitted to and approved in writing by the Architectural Review Committee provided in Article X, Section 20. ... In the event the Architectural Review Committee or its designated representatives fails to approve or disapprove such design and location within sixty (60) days after the plans and specifications have been submitted to it, such plans and specifications shall be deemed disapproved.

Article I, Section 15, defines “Improvement” to mean “all structures, construction, and landscaping improvements of every type and kind, whether above or below the land surface, including but not limited to buildings, outbuildings, recreational facilities, carports, signs, roads, driveways, fences, screening walls, retaining walls, hedges, windbreaks, plantings, planted trees, grass and shrubs, sprinkler and irrigation systems, poles and signs.”

In other words, once the Developer has made improvements to CVN10 HOA properties, any subsequent improvements, or any changes to existing improvements, are subject to advance approval by the ARC. As Section 1.5 of the Rules provides:

No change shall be made to the exterior design of any structure without written approval from the Board of Directors. This includes fences, ornamental screens, awnings, screen doors, patio covers, sunshades, porches, decks, solar collectors, satellite dishes, covered parking conversions, walls, outbuildings, roof coverings, chimneys, in ground spas, pools and gazebos and other modifications which would affect appearance, safety, access of the Common Area or Subdivision Interests. Any proposed change must be submitted in writing to the Property Manager, who will forward it to a member of the Board of Directors. Fencing provided by the Developer may not be considered pool safe by the County Health Department. Therefore, any proposed pool or spa addition may require modification to existing fencing if approved by the Board of Directors.

The CC&Rs are binding on all homeowners, and homeowners are responsible for knowing their contents. To the extent these Guidelines are inconsistent with the CC&Rs, the CC&Rs control.

**B. *Management Company***

The Board has retained FirstService to assist with discharging some of its duties, including the processing of ARC Applications:

address: 5473 Kearny Villa Rd., Suite 200  
San Diego, CA 92123  
telephone: (858) 457-0200



fax: (858) 535-3838  
contact: Christian Raymundo  
e-mail: christian.raymundo@fsresidential.com  
management company website: [www.fsresidential.com](http://www.fsresidential.com)

There is someone available 24 hours a day for emergency service related to common area property and during regular business hours for non-emergency service.

### ***C. Construction Permits And Other Owner Responsibilities***

Approval by the ARC for an improvement does not affect the homeowner's obligation to get any necessary city or county permits, and vice versa. Homeowners must get ARC approval before starting construction. ARC approval is granted on purely aesthetic grounds. Design, method of construction, installation and physical operation of any improvement (including landscaping, irrigation, drainage and the like) are the sole responsibility of the owner and/or the owner's contractor.

### ***D. Disruption Of Community Common Area And Adjacent Property***

16. ARC approval is not a license to disrupt community common area or other adjacent property. Homeowners must get authorization for work impacting community common area or other adjacent property. Any improvement plan requiring placement of electrical lines, sewer lines or gas lines over or under the common area of CVN10N must fully detail the exact location of such lines in relation to owner's lot or unit. Common area that is damaged or disrupted during construction of an improvement must be restored to its original state. Materials for construction should be stored in the least conspicuous area. Excess debris and material should be removed from the site daily.

### ***E. Right of Entry***

If construction work requires the use of common area, or access from property not owned by the Applicant for purposes of transporting labor and materials, or for the temporary storage of materials for the work, the Applicant shall obtain written permission from the CVN10N HOA and the owner for the right to enter during construction. A copy of the letter granting permission shall be submitted to the ARC prior to commencement of construction. A bond, as deemed necessary by the ARC, may be required from the owner.

### ***F. Amendments To These Guidelines***

The Board may revise these Guidelines from time to time to reflect evolving aesthetic standards, to accommodate changed conditions or technology, or to conform to changes in the law. The ARC will conduct an annual evaluation of the Guidelines to determine if amendments are required.

### ***G. Enforcement***

A homeowner who makes improvements of the sort subject to these Guidelines without the ARC approval has violated the CC&Rs and may be required to modify or remove the work (at his or her own expense). If the Board deems it necessary to take legal action to enforce these Guidelines, it will ask the court for an award of legal fees as well as other appropriate remedies.

## ***H. Violations***

Homeowners may bring violations of these Guidelines to the ARC's attention by contacting the management company.

### ***I. No Waiver of Future Approvals***

The ARC's approval, conditional approval, or disapproval of any proposals, plans, specifications or drawings will not bind the ARC to approve or disapprove the same or similar improvement or matter in the future. The ARC specifically reserves the right to reject the same or similar plans, specifications, or proposals subsequently submitted by the same or any other person.

### ***J. Appeals***

Applicants may appeal negative determinations of the ARC to the full Board.

## **IV.**

### **LANDSCAPE GUIDELINES**

#### ***A. Approval Of Landscape, Hardscape & Irrigation Plans And Changes***

1. The owner of any newly constructed house must install landscaping on all unpaved yard areas of the lot within four months of close of escrow (or within four months of completion of construction, if later).

2. In the case of the front yard, the homeowner must seek approval from the ARC for his or her landscaping plan before work on the landscaping is started. ("Front yard" refers to the portion of the yard in front of an entryway fence or gate or side yard fence or gate that is visible from a public street.)

3. In the case of the side and back yards, and in the case of changes to previously installed front yard landscaping, the homeowner need not submit plans for approval if the changes comply with the landscaping guidelines below, and the homeowner submits a Pre-Approved Improvement Notice (*see* Exhibit C) as soon as reasonably possible following completion.

4. Homeowners wishing to install side or back yards or make changes to any landscaping that do not comply with the guidelines listed below must seek approval from the ARC.

5. Applications for approval of landscape plans must include:

- Listing of plant material and size (the CVN10N's suggested plant list is attached as Exhibit E; the CVN10N's restricted plant list is attached as Exhibit F)
- Site plan showing
  - house (plot plan)
  - location of the proposed landscaping (identifying plant materials)
  - location of proposed planters and retaining walls (with dimensions, materials, color/finish)
  - proposed hardscape, such as concrete, walk and patios, deck, patio covers

(with elevations (side views) and construction detail)

- Drainage plan (including location of drain inlets and water flow direction)

### ***B. Specific Landscape, Hardscape & Irrigation Guidelines***

1. Landscaping must be designed so that, at maturity, the root system of ground cover, bushes and trees will not encroach on any neighbor's yard or disturb foundations, walls, or sidewalks.

2. Homeowners may not modify the street trees and turf parkways adjacent to sidewalks. Homeowners are responsible for properly maintaining the original turf and street tree(s) in the parkways adjacent to their homes. Proper maintenance includes, but is not limited to, adequate watering, fertilizing, trimming, mowing and pruning to maintain a healthy and attractive appearance at all times. It is a requirement of the City of San Diego that the trees be planted to create tree-lined streets.

3. Vines may not be attached to common walls and fences.

4. Decorative gravel, rock or mulch may not cover more than 10% of the total front yard area (excluding the driveway) and should only be used as an accent to plantings.

5. Homeowners may hardscape no more than 50% of the rear yard and no more than 80% of any side yard. A homeowner wishing to hardscape any greater percentage of any yard must seek advance approval from the ARC.

6. Irrigation lines must be subterranean except "drip" systems, which must be substantially covered. The irrigation system shall be designed and installed to operate different landscape zones (i.e. sun, shade, lawn and shrubs).

7. All surface water must have positive drainage of 2% away from the building and be collected in a landscape drainage system. Drain inlets must be located throughout landscape areas including side yards. The drainage system shall be directed to the street to prevent run-off onto adjacent or common area properties.

8. Sprinklers must be adjusted so as to spray landscaped areas only.

9. Synthetic grass or other synthetic plant material may not be used in the front yard without prior approval from the ARC. The ARC shall maintain, and make available on the HOA website, a list of pre-approved synthetic grasses, which may be used in back and side yards without seeking advance approval. A homeowner seeking to install a synthetic grass other than one on the pre-approved list must seek advance approval from the ARC.

10. Additional hardscaping is limited to a 4-foot strip on one side of the driveway. Standard gray concrete with standard finish treatments such as broom finish, salt finish and exposed aggregate are acceptable. Colored concrete, painted concrete and stampcrete, brick, rock and tile finishes are prohibited unless they are of a natural warm color or subtle gray color that match the dwelling unit color.

11. No figures or sculptures shall be permitted in the front yard without ARC approval.

12. Precast planter blocks are prohibited.

### ***C. Suggested Planting List***

Exhibit E is a list of plants that will be considered favorably if planted in acceptable locations and

properly scaled space. The list includes many plants recommended by the County of San Diego for water-saving landscapes.

#### ***D. Forbidden Planting List***

Exhibit F is a list of plants may not be used in some or all landscaping. It includes plants that are forbidden on all lots, plants that are forbidden on lots adjacent to natural open space areas, and plants forbidden on lots adjacent to fuel management zones.

### **V.** **ARCHITECTURAL GUIDELINES**

#### ***A. Walls and Fences***

1. Fence style, materials and finished color are to be compatible with the neighborhood. Chain link is not permissible as fence material except in accordance with the portion of section VI, below, concerning dog runs. Barbed wire is not permissible as fence material.

2. Placement of the fence and support structures may not interfere with adjacent HOA sprinkler systems, nor shall fences be constructed over irrigation lines.

3. Structural framing or an unfinished side or a fence varying from existing fence standards shall not be exposed to any public street, sidewalk, walkway, park, recreation area or neighboring lot.

4. Material for side yard fencing will be given special consideration depending on its exposure to the neighborhood.

5. Stepped fencing is permissible where the grade slopes.

6. Fences are required to surround pool and spa area (with at least the minimum height required by County codes).

7. Specific fence requirements:

- wrought iron must have painted finish consistent with the ARC-approved color palette;
- welded wire mesh may be applied to the interior side of a fence to restrain small pets and children if painted to match fence color. Supplemental landscape must be used to soften the appearance.
- in the case of a solid wood privacy fence:
  - the maximum height is 6 feet;
  - the fence must have a painted or stained finish consistent with the ARC-approved color palette;
  - consideration should be given to shadowing or view obstruction of adjacent property.

8. Examples of acceptable material for fencing and walls:

- wood
  - wrought iron
  - masonry or stucco, if materials conform to type, quality, color and character of masonry or stucco used elsewhere in the respective neighborhoods
  - 1/4” thick tempered glass with painted metal supports
9. Generally unacceptable fencing materials:
- aluminum or sheet metal
  - chicken wire or wire mesh
  - galvanized or plastic chain link
  - plastic webbing, reeded or straw-like materials and bamboo
  - corrugated or flat plastic or fiberglass sheets or panels
  - rope or other fibrous strand elements
  - miniature type fencing
  - plastic

10. Homeowners may not remove or alter walls or fences erected by the Developer, or attach to, affix, or hang any item on or over any such walls or fences, without the prior written consent of the ARC.

***B. Air Conditioners***

1. Air conditioning units extending from windows are not permissible.
2. Compressors and equipment shall be screened from public view by fencing or landscaping.
3. If air conditioning was offered as an option and was not installed by the Developer at the time of purchase, equipment must be located in the same area the optional unit would have been installed, unless otherwise approved by the ARC.
4. All roof appurtenances including air conditioners shall be architecturally integrated and concealed from view.
5. The sound of any air conditioner must be buffered from adjacent properties and streets to the satisfaction of the County’s Director of Planning and Building.

***C. Clotheslines***

Clotheslines must be retractable (and retracted when not in use) or positioned so as not to be visible from front sidewalks and streets.

***D. Doghouses and Dog Runs***

1. Doghouses are to be located in rear or side yards only.
2. Doghouses are to be located out of sight or screened from surrounding property.

***E. Barbecues - Permanent***

1. Permanent barbecues are to be located in the rear or side yards only.
2. An application or notice to the ARC pertaining to a permanent barbecue should include the following information:
  - dimensions
  - material and color
  - elevation drawings
  - location of barbecue in relation to the house and property lines

***F. Fireplaces, Chimneys, Flues & Roofs***

The exterior appearance of a fireplace, chimney, flue or roof must match the existing or new structure.

***G. Flagpoles***

1. Homeowners must receive ARC approval before installing a flagpole.
2. Flags may be directly lighted only at reasonable hours, in compliance with San Diego's light pollution code, and in a manner that does not infringe on the rights of neighbors.

***H. Gutters and Downspouts***

1. Gutters and downspouts must be painted to match existing trim or stucco.
2. Run-off from gutters shall not affect adjacent property, and should be directed to the street.

***I. Lighting - Exterior Walkway and Security Lighting***

1. Lights are to be directed onto Applicant's property and screened to prevent light onto adjacent property.
2. Fixtures should be compatible with Applicant's house in style and scale.
3. Applications to the ARC relating to lighting should indicate the proposed location of lights, the area they will illuminate, and the type and wattage of the proposed lights.

***J. Patios, Decks and Balconies***

1. Materials shall be harmonious with Applicant's house, and may not include glass, plastic, fiberglass or plexiglass.

2. In designing the deck or patio, a minimum of intrusion upon neighbors' privacy should be given every possible consideration.

3. Adequate drainage must be installed to prevent standing water and run-off onto adjacent properties. Drainage must be directed to the street.

4. Wooden decks are to be stained and/or sealed to preserve natural color, or painted to match existing trim.

5. An application or notice to the ARC relating to a patio or deck should include the following:

- site plan indicating location of patio or deck in relation to existing house
- dimensions
- elevation drawings
- listing of materials, colors and finishes
- drainage provisions and expected direction of flow or run-off

#### ***K. Patio Covers***

1. Patio covers may be freestanding or attached to existing structure.

2. Obstruction of view from adjacent properties is to be considered when constructing a patio cover.

3. Unacceptable construction materials for patio covers include the following (but are not limited to):

- corrugated plastic
- corrugated fiberglass
- plastic webbing, split bamboo, reed- or straw-like materials
- asphalt
- glass

4. An application or notice to the ARC relating to patio covers must include:

- location of cover in relation to house
- dimensions
- elevation drawings
- materials and color

#### ***L. Room Additions***

1. Room additions must be compatible in scale, materials and color with the Applicant's

existing structure.

2. Location of the addition should not unreasonably impair view, sunlight, privacy or natural ventilation to adjacent properties.

3. Pitched roofs must match or be complementary to the existing structure in slope and form.

4. No improvement (unless second story improvement or chimneys) shall exceed the roof heights of the existing structure.

5. New windows and doors are to be compatible with existing exterior openings.

6. Provisions must be made to prevent run-off to adjacent properties. An application to the ARC must indicate any anticipated changes in grade that will affect drainage.

7. Major features of the existing house such as the vertical and horizontal lines, projections and trim details, are to be reflected in the design of the proposed addition.

#### ***M. Windows and Doors***

1. Homeowners must seek advance approval from the ARC before adding or changing (including, without limitation, by the installation of screens, decorative wrought iron, or security measures) any window or door visible from the street or otherwise readily visible to a neighbor. Plans and specifications for new or modified windows and doors must be submitted to the ARC for approval.

2. All screen doors must be installed within the existing doorjamb in a style or color that matches the existing dwelling unit.

3. No reflective materials may be used to create a mirror effect from the outside. No materials such as sheets, paper, or foil will be permitted.

#### ***N. Security and Realty Signs***

1. Security signs shall be no larger than 12" X 12" (one foot square). A maximum of one sign shall be permitted in the front yard without advance approval of the ARC. Additional signs may be approved upon written request. Signs shall be freestanding and not attached to the house or the garage.

2. No commercial signs are allowed that can be seen outside any unit or home with the exception of a single "FOR SALE" sign or "FOR RENT" sign of customary and reasonable dimensions, not to exceed 18" x 30", and of a professional quality on weather resistant material. "SOLD" signs may not be displayed for more than 30 calendar days after the sale of a lot or unit.

#### ***O. Solar Energy Equipment***

1. Plans for solar equipment must be submitted to the ARC for approval.

2. Plans shall include location of roof panels and must conform to the following guidelines:

- Solar collectors are to be placed flush with and in the same plane as the roof slope. If panels cannot be flush mounted, then supports must be solid and painted to match the house.



- All plumbing lines from collectors to tank must be concealed.
- Collectors must be non-reflective in nature.

***P. Swimming Pools, Spas and Fountains***

1. Permanent aboveground pools or spas exceeding a total area of 100 sq ft are prohibited.
2. Pool, spa and fountain equipment must be placed so as not to disturb adjacent properties.
3. Spa or pool equipment shall be enclosed by fencing at least 5' in height and screened from view (i.e. by plants, fence or wall).
4. Plumbing lines to spa, pool or fountain must be subterranean or concealed.
5. An application to install a spa, pool or fountain must include the following information:
  - location of the spa or pool in relation to the existing structure
  - dimensions of the pool or spa
  - drainage detail
  - material for decking
  - location of equipment and screen (noise and view) detail
  - detail on fencing to surround pool or spa
  - means of access to the proposed construction

***Q. Basketball Hoops***

1. Portable basketball structures must be kept in good repair if visible from the street. They need not be stored out of sight from public view between every use, but should be stored out of sight when unlikely to be used for extended periods.
2. Plans for a permanent basketball hoop or court must be submitted to the ARC for approval.

***R. Views***

Throughout these Guidelines, there are provisions that state that one of the criteria to be considered is the effect of the proposed improvement on views. Please note that this is only one of several criteria to be considered. Nothing in these Guidelines is intended to create, expressly or by implication, a right or guarantee to an unobstructed view. In order to preserve the character of the neighborhood, view preservation will be a consideration but cannot be guaranteed.

VI.  
PRE-APPROVED IMPROVEMENT LIST

The following improvements may be made to a homeowner's property without obtaining prior architectural approval from the ARC. As soon as reasonably possible following completion, however, a Pre-Approved Improvement Notice (see Exhibit C) must be submitted to the Management Company notifying the Association of the completed 'Pre-Approved' improvements.

***A. Changes To Previously Installed Front Yard Landscaping***

1. Changes to previously installed front yard landscaping, if the changes comply with the landscaping guidelines.

***B. Certain Rear and Side Yard Landscaping***

1. Rear yard landscape below the height level of fencing installed by the Developer completely encasing rear and side yards. (If the property does not have fencing installed by the Developer upon the first conveyance of the property, both the proposed fencing and rear yard landscape design requires prior approval by the ARC.)

2. Rear yard hardscape, such as concrete walkways and patio slabs, below the height level of the fence.

3. Doghouses and dog runs in the rear yard below the height level of the fence.

4. Synthetic turf, installed to replace existing turf, so long as the synthetic turf is chose from the list of approved brands/models maintained and updated from time to time by the ARC. (Information on approved varieties is available on the HOA's website.)

***C. Refreshing Existing Paint or Garage Door***

1. Repainting the house exterior the original color scheme or a scheme from the pre-approved palette. (The pre-approved color palettes for each home model is available on the HOA's website at [www.cvn10hoa.com](http://www.cvn10hoa.com).)

2. Replacing Garage doors to match the original door installed by the Developer.

***D. Gutters and Downspouts***

1. Adding or replacing gutters and downspouts painted to match the colors of the house.

VII.  
SPECIAL PROVISIONS FOR SATELLITE DISH ANTENNAS

1. Satellite dishes, one meter or less in diameter, are permitted under the following conditions:

- The homeowner must submit written notice in the form attached as Exhibit D to the ARC (five business days prior to the installation of the antenna if by e-mail; seven business days if by U.S. Mail).
- The notice shall include the location, size, and description of the antenna and any accompanying wiring.

- The notice shall include a photo or photos showing the proposed location of the dish from the street and from the perspective of any neighbors to whom the dish may be visible.
2. No more than two dishes are permitted on any single home.
  3. When dishes are moved or removed, all unused parts (i.e. brackets and wiring) must be removed and any visible damaged patched.

Exhibit A

**HOME AND LANDSCAPE IMPROVEMENT APPLICATION**

Carmel Valley Neighborhood 10 North Homeowner Association

# HOME AND LANDSCAPE IMPROVEMENT APPLICATION

Carmel Valley Neighborhood 10 North Homeowner Association

1

**BASIC APPLICATION INFORMATION** (Please complete the form below, attaching any supplemental information as indicated on the next page.)

Name:	Date:
Address:	
Daytime Phone:	Evening Phone:
Check one:	<input type="checkbox"/> New application <input type="checkbox"/> Modification to existing application
Proposed Starting Date:	Proposed Completion Date:

Description and location of improvement(s) (Please provide details of all applicable information requested on the second page of this application):

2

**NEIGHBOR NOTIFICATION**

Applicants must inform all potentially affected neighbors (i.e., the residents and owners of properties on either side, to the back, and facing properties who might be impacted by the proposed improvements) of their proposed improvements. The Architectural Review Committee (ARC) will convene to evaluate proposed improvements, notifying any neighbor who wishes to be heard.

Have each potentially affected neighbor sign this form and indicate whether her or she wants notice of the hearing. (Attach another sheet with additional names if necessary.)

	Name	Address	Day Phone	e-mail	owner or renter?	attending hearing?*
1.						
2.						
3.						

4.						
5.						
6.						
7.						
8.						

\* Potentially affected neighbors wishing to attend the ARC's hearing on the proposed improvement should write "yes," to indicate that they want notice of, and plan to attend the hearing.

**3** OTHER REQUIRED INFORMATION

Along with your completed ARC Application, please include the following information, if applicable:

- Location of residence on lot and the dimensions from lot lines
- Complete dimensions of proposed improvement and a dimensioned plot plan (scale: one inch equals ten feet, or more detailed as necessary to adequately depict the proposed improvement)
- Description of all materials, fixtures, and color scheme (indicating color of stain or paint by manufacturer’s number)
- Color samples (if they are not on ARC-approved color palette) and samples of any materials to be used in their natural finish
- Renderings of affected elevations
- Plant inventory (type, size and location)
- Photographs of the existing property (from all potentially relevant angles)
- Detail of all slopes on property
- A copy of any drawings/plans (2 copies if submission is other than by e-mail)

**4** SUBMIT THE ARC APPLICATION

As provided in the Architectural Design Guidelines, please submit your completed ARC Application (with any attachments) to [arc@cvn10hoa.com](mailto:arc@cvn10hoa.com), copying [christian.raymundo@fsresidential.com](mailto:christian.raymundo@fsresidential.com) and all potentially affected neighbors.

**NOTE:** Work may not start before you get the approval of the ARC.

The ARC will attempt to respond to your request within 30 days from when the management company receives a completed application and fee. If you do not hear back within 30 days, please notify the management company.

FOR ARC USE ONLY:

Approved by ARC     Approved by ARC subject to the following conditions:

Denied for the reason(s) listed below:

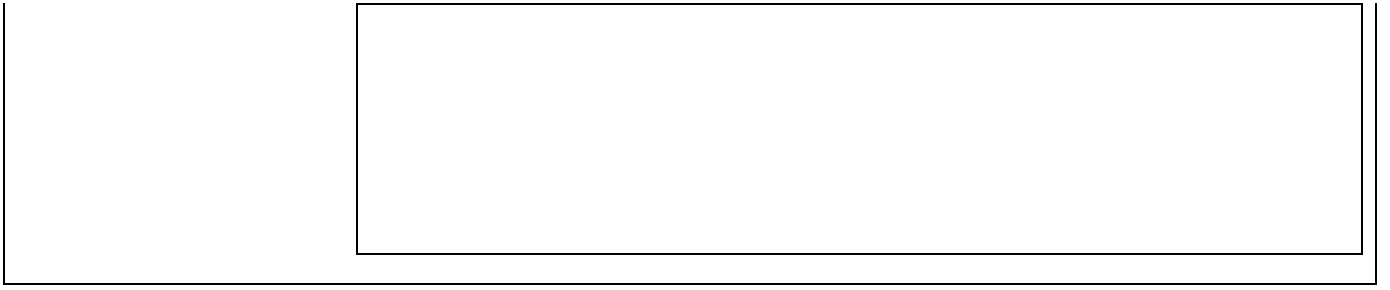




Exhibit B

**NOTICE OF COMPLETION**

Carmel Valley Neighborhood 10 North Homeowner Association

# NOTICE OF COMPLETION

Carmel Valley Neighborhood 10 North Homeowner Association

When your ARC-approved improvements have been completed, please fill out this form and e-mail it to [arc@cvn10hoa.com](mailto:arc@cvn10hoa.com), copying [christian.raymundo@fsresidential.com](mailto:christian.raymundo@fsresidential.com) to give formal notice that the proposed improvement on the described property was COMPLETED in accordance with the Architectural Review Committee's written approval pursuant to the homeowner's plans and submitted package.

Name:	Date:
-------	-------

Address:

Daytime Phone:	Completion Date:
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Owner's Signature:**	Date Signed:
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\*\* If this form is completed and sent by e-mail, signature may be typed instead of hand written.

If you do not have access to e-mail, please sign and mail this Notice of Completion to:

CVN10N HOA ARC  
c/o FirstService Residential  
5473 Kearny Villa Rd., Ste 200  
San Diego, CA 92123

**FOR OFFICE USE ONLY:**

Inspection Approved

Inspection Approved subject to the following conditions:

Inspection NOT approved, due to the following:

--

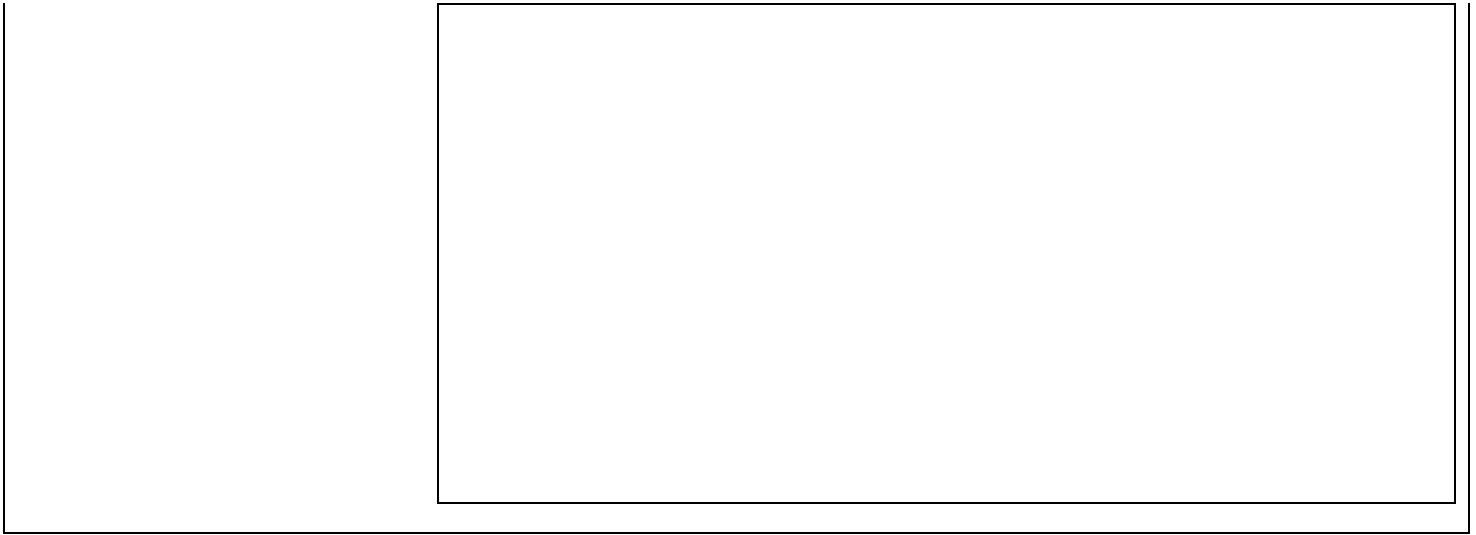


Exhibit C

**PRE-APPROVED IMPROVEMENT NOTICE**

Carmel Valley Neighborhood 10 North Homeowner Association

# PRE-APPROVED PAINT IMPROVEMENT NOTICE

Carmel Valley Neighborhood 10 Homeowner Association

Upon Completion of any of the pre-approved improvements, please complete the form below, attaching any necessary supplemental information.

## **1** PROJECT INFORMATION

Name:	Date:
Address:	
Daytime Phone:	Evening Phone:
Completion Date:	

**2** OWNER'S CERTIFICATION AND ACKNOWLEDGMENT I certify that all improvements listed above are included as Pre-Approved Improvements in the Architectural Design Guidelines in effect on this date, and that no other improvements to my lot are planned or will be started that require prior written approval by the ARC unless I have first obtained ARC approval. I acknowledge that the Association may require me to modify or remove any non-approved improvement to my lot not in compliance with the Association's Architectural Design Guidelines for Pre-Approved Improvements and that I may be charged all Association costs of enforcement (including but not limited to attorney's fees and costs) of the Architectural Design Guidelines and any supplementary guidelines or instructions.

Owner's Signature:**	Date Signed:
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\*\* If this form is completed and sent by e-mail, signature may be typed instead of hand written.

## **3** SUBMIT NOTICE (with any attachments)

if by e-mail five business days in advance, to:

[arc@cvn10hoa.com](mailto:arc@cvn10hoa.com), with a copy to  
[christian.raymundo@fsresidential.com](mailto:christian.raymundo@fsresidential.com)

if by U.S. Mail, seven business days in advance, to:

CVN10N HOA ARC  
c/o FirstService Residential  
5473 Kearny Villa Rd., Ste 200  
San Diego, CA 92123

Exhibit D

**SATELLITE DISH ANTENNA NOTIFICATION**

Carmel Valley Neighborhood 10 North Homeowner Association

# SATELLITE DISH ANTENNA NOTIFICATION

Carmel Valley Neighborhood 10 North Homeowner Association

**1**

## BASIC NOTIFICATION INFORMATION

Please complete this form, attaching any necessary supplemental information, and submit it *at least five business days BEFORE installation of any satellite dish antenna (seven business days if form is submitted by mail).*

Name:	Date:
Address:	
Daytime Phone:	Evening Phone:
Installation Date:	

Location, size, and description of the antenna and any accompanying wiring\*:

---

\*Please attach photo(s) showing proposed location of antenna from the street and from the perspective of any neighbors to whom the dish may be visible.

**2**

## OWNER'S CERTIFICATION AND ACKNOWLEDGMENT

I certify that the proposed antenna(s) is/are one meter or less in diameter and are to be installed in accordance with the information stated above. I acknowledge that no more than two dishes are permitted on any single home. I agree that if I move or remove any dish, I will remove all unused parts (i.e. brackets and wiring) and patch any visible damage. I acknowledge that the Association may require me to modify or remove any non-approved improvement to my lot not in compliance with the Association's Special Provisions For Satellite Dish Antennas and that I may be charged all Association costs of enforcement (including but not limited to attorney's fees and costs) of the Architectural Design Guidelines and any supplementary guidelines or instructions.

Owner's Signature:**	Date Signed:
----------------------	--------------



---

\*\* If this form is completed and sent by e-mail, signature may be typed instead of hand written.

3

SUBMIT NOTICE (with any attachments)

if by e-mail five business days in advance, to:

arc@cvn10hoa.com,

with a copy to

christian.raymundo@fsresidential.com

if by U.S. Mail, seven business days in advance, to:

CVN10N HOA ARC

c/o FirstService Residential

5473 Kearny Villa Rd., Ste 200

San Diego, CA 92123

Exhibit E

**APPROVED PLANT LISTING**

Carmel Valley Neighborhood 10 North Homeowner Association

Exhibit F

**FORBIDDEN PLANT LISTING**

Carmel Valley Neighborhood 10 North Homeowner Association



	scientific name	common name	
<b>grasses</b>	Cordyline australis	New Zealand Cabbage	*
	Muhlenbergia capillaris	Pink Muhly Grass	*
	Pennisetum setaceum 'Rubrum'	Red Fountain Grass	*
	Phormium tenax and some hybrids	New Zealand Flax	*
<b>ground- covers</b>	Ceanothus griseus horizontalis species and hybrids	Carmel Creeper	*
	Dymondia margaretae	Silver Carpet	*
	Gazania varieties	Gazania	
	Hedera helix varieties	Ivy	
	Lantana montevidensis	Trailing Lantana	*
	Lonicere j. hallana	Hall's honeysuckle	
	Lysimachia nummularia	Moneywort	
	Myoporum 'pacificum'	Pacific myoporum	
	Myoporum species	Prostrate myoporum	
	Rosemarinus officinalis 'Irene'	Irene's prostrate rosemary	
	Rosmarinus officinalis 'Huntington Carpet'	Huntington Carpet Rosemary	*
	Rosmarinus officinalis 'Lockwood de Forest'	Lockwood de Forest Rosemary	*
	Rosmarinus officinalis 'Prostrata'	Prostrate Rosemary	*
	Sedum species and hybrids	Stonecrop	*
	Soleirolia soleirolli	Baby's tears	
	Sollya heterophylla	Australian bluebell	
	Thymus pseudolanuginosus	Woolly Thyme	*
	Trachelospermum jasminoides	Star jasmine	
	Turf lawns	Lawn	
	<b>shrubs</b>	Acacia redolens	
Agapanthus africanus		Lily of the Nile	

**shrubs**

(continued)

	scientific name	common name	
	Anigozanthos species and hybrids	Kangaroo Paws	*
	Arbutus unedo	Strawberry Tree	
	Arctostaphylos species & hybrids	Manzanita	*
	Azalea	Azalea	
	Begonia richmondensis	Richmond Begonia	
	Calliandra inaequilatera	Pink Powder Puff	
	Ceanothus species and hybrids	California Lilac	
	Cercis occidentalis	Western Redbud	*
	Chamelaucium uncinatum	Geraldton Waxflower	*
	Cistus purpureus	Orchid Rockrose	
	Cistus salvifolius	Sageleaf Rockrose	
	Cistus species	Rockrose	*
	Echium fastuosum	Pride of Madeira	
	Encelia californica	California Sunflower	*
	Escallonia fradesii	Pink Escallonia	
	Grevillea noellii	Noelli's Grevillea	
	Grevillea species and hybrids	Grevillea	
	Hemerocallis hybrida	Daylily	
	Heteromeles arbutifolia	Toyon	
	Ilex species	Holly	
	Impatiens wallerana	Busy Lizzie	
	Lantana species and hybrids	Lantana	
	Lavandula species and hybrids	Lavender	*
	Leptosporam scoparium varieties	New Zealand Tea Tree varieties	
	Leucophyllum species	Texas Ranger	*
	Limonium perezli	Sea Lavendar	
	Mahonia aquifolium	Oregon Grape	*
	Mimulus, Native species and hybrids	Monkey flower	*
	Myrtus communis	Common Myrtle	*
	Nerium oleander	Oleander	

	scientific name	common name		
<b>shrubs</b> (continued)	Pelargonium peltatum	Ivy Geranium		
	Penstemon heterophyllus	Foothill Penstemon	*	
	Penstemon parryi	Parry's Beardtongue	*	
	Penstemon spectabilis	Showy Penstemon	*	
	Photinia fraseri	Fraser's Photinia		
	Rhus integrifolia	Lemonadeberry		
	Rhus ovata	Sugar bush		
	Rose hybrids	Rose bush		
	Rosmarinus officinalis	Rosemary	*	
	Rumohra adiantiformis	Leatherleaf fern		
	Salvia Africana lutea	Dune Sage	*	
	Salvia chamaedryoides	Gernander Sage	*	
	Salvia clevelandii	Cleveland Sage	*	
	Salvia greggii	Autumn Sage	*	
	Salvia leucantha	Mexican Bush Sage	*	
	Tagetes lemmonii	Copper Canyon Daisy	*	
	Tagetes lucida	Mexican Tarragon	*	
	Tecomaria eapensis	Cape Honeysuckle		
	Trachelospennum jasminioides	Star Jasmine		
<b>succulents</b>	Verbena peruviana	Peruvian Verbena	*	
	Westringia fruticosa	Coast Rosemary	*	
	Aeonium species	Aeonium	*	
	Agave species and hybrids	Agave	*	
	Aloe species and hybrids	Aloe	*	
	Calandrinia grandiflora	Rock Purslane	*	
	Dudleya species and hybrids	Live Forever	*	
	Echeveria species and hybrids	Hens-and-Chickens	*	
	<b>trees</b>	Arbutus 'Marina'	Strawberry Tree	*
		Betula	Birch	
Butia capitata		Pindo Palm	*	
Callistemon viminalis		Bottlebrush		
Cassia leptophylla		Gold Medallion tree		

	scientific name	common name	
<b>trees</b> (continued)	Chitalpa tashkentensis	Chitalpa	*
	Citrus species	Citrus species	
	Cupania anacardioides	Carrotwood tree	
	Geijera parviflora	Australian Willow	*
	Jacaranda mimosifolia	Jacaranda	
	Koeireuteria	Goldenrain tree	
	Lagerstroemia	Crape Myrtle (Indian tribe named varieties only for mildew resistance)	*
	Laurus nobilis	Sweet Bay	
	Liquidambar styraciflua	American sweet gum	
	Melaleuca nesphila	Pink Melaleuca	
	Melaleuca quinquenervia	Cajeput tree	
	Myoporum laetum	Ngaio or Mousehole tree	
	Olea europaea 'Swan Hill'	Fruitless Olive	*
	Parkinsonia (Cercidium) x 'Desert Museum'	Desert Museum Palo Verde	*
	Pistacia chinensis	Chinese Pistache	*
	Pittosporum undulatum	Victorian Box	
	Podocarpus gracillior	Fern pine	
	Populus italica	Lombardy Poplar	
	Prunus	Flowering Plum	
	Pyrus callerana 'Aristocrat'	Aristocrat ornamental pear variety	
<b>vines</b>	Quercus agrifolia	Coast Live Oak	*
	Bougainvillea	Bougainvillea	*
	Ficus repens	Creeping fig vine	
	Gelsemium sempervirens	Carolina jessamine	
	Mascagnia macroptera	Yellow Orchid Vine	*
	Rosa varieties (climbing)	Climbing rose vine	
	Solanum jasminoides	Potato vine	
	Vitis californica	California Wild Grape	*
	Wisteria species	Wisteria	

***Plants Forbidden On All Lots***

<b>scientific name</b>	<b>common name</b>
Acacia baileyana	Bailey Acacia
Coprosma species	Coprosma
Cortaderia selloana	Pampas grass
Cynodon dactylon	Common burmuda grass
Eriogonum species	Buckwheat
Eucalyptus species	Gum tree
Gravillea robusta	Silk oak
Hedera canariensis	Algerian ivy
Hibiscus species	Hibiscus (white fly)
Ice plants	Ice plants
Ihuja species	Arborvitae
Pennisetum species	Fountain Grass
Pinus species	Pine tree
Sequoia sempervirens	Coast Redwood

***Plants Forbidden On Lots Adjacent to Fuel Management Zones***

<b>scientific name</b>	<b>common name</b>
Adenostoma fasciculatum	Chamise
Adenostoma sparsifolium	Red Shanks
Anthemix cotula	Mayweed
Artemisia californica	California Sagebrush
Arundo donax	Giant Cane
Brassica rapa	Wild Turnip, Yellow Mustard
Brassica nigra	Black Mustard
Cardaria draba	Hoary Cress, Perennial Peppergrass
Cirsium vulgare	Wild Artichoke
Conyza canadensis	Horseweed
Cortaderia selloana	Pampas Grass
Cytisus species	Scotch Broom, French Broom, etc.
Driogonum fasciculatum	Common Buckwheat
Eucalyptus	Most species of Eucalyptus
Heterotheca grandiflora	Telegraph plant
Lactuca serriola	Prickly Lettuce
Nicotiana bigelovii	Indian Tobacco
Nicotiana glauca	Tree Tobacco
Salsola australis	Russian Thistle or Tumbleweed
Salvia mellifera	Black Sage
Silybum marianum	Milk Thistle
Tamarix species	Tamarisk
Urtica urens	Burning Nettle

**Plants Forbidden On Lots Adjacent to Natural Open Space Areas**

<b>scientific name</b>	<b>common name</b>
Acacia species	Acacia
Acanthus mollis	Bear's breech
Aegilops ovata	ovate goatgrass
Ailanthus altissima	Tree of Heaven
Aptenia cordifolia	Red Apple
Arctotheca calendula	capeweed
Arundo donax	Giant reed
Atriplex semibaccata	Australian saltbrush
Bamboo species (all)	Bamboo
Carpobrotus species	Hottentot fig
Chorispura tenella	purple mustard
Cistus species	Rockrose
Convolvulus species	Morning glory
Cortaderia species	Pampas grass
Cotoneaster species	Cotoneaster
Crataegus monogyna	Hawthorn
Cynara cardunculus	Artichoke Thistle
Cynodon species	Bermuda grass
Cyperus species	nutsedge
Cytisus species	Broom
Delairea ordata	Cape Ivy
Dimorphotheca species	African daisy
Drosanthemum species	Ice plant
Eucalyptus species	NCN
Euphorbia species	Geraldton carnation spurge
Ficus species	Fig
Gazania 'Splendens' species	Gazania
Genista species	Broom
Hedera species	Ivy
Hypericum species	Klamath weed

<b>scientific name</b>	<b>common name</b>
Iris species	Iris
Iva species	poverty weed
Limnobium spongia	North American spongeplant
Limnobium laevigatum	South American spongeplant
Limnophila indica	Ambulia
Limonium species	Sea lavender
Linaria genistifolia ssp. dalmatica	Dalmatian toadflax
Linaria vulgaris	yellow toadflax
Lupinus species	Lupine
Myoporum laetum	Myoporum
Myoporum parvifolium	Myoporum
Muhlenbergia schreberi	nimblewill
Osteospermum species	African daisy
Panicum antidotale	blue panic grass
Panicum capillare	witch grass
Pennisetum species	fountain grass
Phoenix canadensis	Date palm
Polygonum species	Knotweed
Robinia pseudoacacia	Black Locust
Salvia species	Sage
Salvinia auriculata	salvinia
Schinus species	Pepper tree
Scolymus hispanicus	golden thistle
Senecio species	NCN
Solanum species	Nightshade
Spartium species	Spanish broom
Sytisus scoparius	Scotch broom
Tagetes species	marigold
Tamarix species	tamarisk
Ulex europaea	Gorse
Vinca species	Periwinkle
Washingtonia species	fan palm



