

CONNEMARA-BY-THE-SEA

SAN JUAN CAPISTRANO, CALIFORNIA

Architectural Regulations & Guidelines

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These criteria were compiled, revised and edited by Keisker & Wiggle Architects, Inc. This edition of the Connemara I Architectural Regulations and Guidelines was approved by the Connemara Property Owners Association Architectural Committee and the Board of Directors in December, 2003.

1.0 INTRODUCTION AND DESIGN PHILISOPHY

1.1 Introduction

Connemara by the Sea, located on a ridge overlooking the harbor of Dana Point, offers unique opportunities and challenges for homebuilders and residents. While the steep topography offers dramatic homes and spectacular vistas, its visibility necessitates the utmost care in siting and design to minimize visual impact from the homes below and to assure sophisticated and harmonious community development. It is to this end that these guidelines are directed.

1.1.1 The goal is to maintain Connemara as one of the finest custom home communities in Southern California. A key element to this goal is to achieve a level of distinction through the planning, design and construction of the highest quality residences. This includes a comprehensive set of Architectural Guidelines for the community. These criteria have as objectives:

- A. The establishment of a consistently high standard of design quality for all residences within Connemara;
- B. The preservation of the community’s architectural design into the foreseeable future; and
- C. To provide assurance to the residents of Connemara that proper standards of development and maintenance are established for everyone’s benefit.

1.1.2 It is therefore important for each Owner to understand that they are part of the overall composition that creates the Connemara image. Every Owner should be sensitive to the reasonable expectations of other Connemara Owners when designing and construction improvements to their Lot. It is the objective of the Architectural Committee (AC), in concert with the Owner, to create and maintain a residence reflecting the image and envisioned tradition of Connemara.

1.2 Design Philosophy

1.2.1 The Character of Connemara-by-the-Sea requires special design consideration, especially with regard to how building elements and their surrounding landscaping harmonize.

1.2.2 It is the responsibility of the Owners and the AC to enforce the integrity of the Connemara community through the careful development of the Residences. The following are some key elements which reflect the design direction adopted by the AC:

- A. Simple, elegant, award winning architecture and landscaping statements;

- B. Viewed from all angles, design harmony between the home, the site and the surrounding development;
- C. Continuity of architectural forms, scale, proportion, materials, textures and execution; and
- D. A home reflective of the architectural styles sought for Connemara.

1.2.3 To realize these key elements the following considerations should be embraced;

- A. All Owners acknowledge and agree that the Regulations are understood, are reasonable and benefit the community.
- B. A spirit of cooperation and resolution should exist between the AC, the Owner and the architect and landscape architect.
- C. The Regulations cannot be all – encompassing and are meant to encourage creativity while allowing the AC a wide latitude of approval authority.

1.3 Views

Views from individual homes are a major amenity to be protected for all homeowners. Great care must be taken to comply with the Custom Lot Declaration to minimize intrusion into views from adjacent homes and homesites. In general, views are considered the vista over the area between an extension of the side property lines. Unless so described within these Architectural Guidelines, the Architectural Committee will not be responsible for establishing criteria for views across adjacent lots.

1.3.1 The Architectural Committee shall determine in their review process the potential view impacts of each design. At the committee’s determination the Owner may be required to erect story poles or balloons to accurately spot the exact ridgelines of the proposed improvements on the site for the AC to observe.

2.0 PURPOSE AND AUTHORITY

2.1 Purpose

2.1.1 The long term success of Connemara is linked to the quality of the residences constructed within the community. Key factors influencing the value and the aesthetic appearance of the community are the quality of architectural and landscape design, and the continuing maintenance of individual properties. To guide and control the design, construction and maintenance of the residences, these Architectural Guidelines and a system of plan reviews has been created. The

purpose of these Regulations is to establish a procedure and provide guidelines for assisting Owners in obtaining approval of construction, landscaping, additions, alterations or changes to their Lot and the improvements thereon. These guidelines and standards shall form the basis for evaluation of plans and specifications submitted for review and approval to the Connemara I Property Owners Association Architectural Committee.

2.1.2 These guidelines are not intended to limit or inhibit the creative design process of individual Lot Owners and their consultants, but to establish the bounds within which design will be acceptable to the community at large. The design standards are established to ensure that certain criteria and design disciplines will be in effect which will cause the community to continue to grow in as integrated and compatible manner as is possible. These criteria have been developed to act as reasonable guidelines, and are not intended to be the absolute limits to design concepts or the custom solution for each and every residence. Implementing the architectural control program requires the cooperation and understanding of the individual Lot Owner, from conception of the design plans to completion of the Residence.

2.2 Authority

2.2.1 The attainment of these objectives is the responsibility of every homeowner in the community. The Declaration of Covenants, Conditions, and Restrictions (C,C,&R's) recorded for this community require that an AC be appointed by the Board of Directors to direct and administer guidelines and standards adopted by the Board of Directors of the Association and fairly and consistently enforce these guidelines and standards, along with all other design and use related provisions of the C,C,&R's and Architectural Guidelines.

2.2.2 Per the C.C.&R's, every new home built within the community as well as any and all additions and/or modifications to homes previously approved and constructed within Connemara are subject to the terms and condition of these Architectural Guidelines.

2.2.3 These Regulations have been adopted by the Board of Directors. Any condition, material or procedure not defined within the C.C.&R's and these guidelines shall become a matter of judgment on the part of the AC. The C.C.&R's should be reviewed carefully. In addition, particular attention must be given to the Custom Lot Declaration, which defines building pad area, building and landscape restrictions, building height limitations, landscape height limitations and set back areas.

2.2.4 Approval and conformity of plans and general use restrictions are specified in C.C.&R's and the Custom Lot Declaration shall prevail and must be adhered to. In the event of a conflict between these standards and the C.C.&R's and Custom Lot Declaration, the C.C.&R's and Custom Lot Declaration will prevail. Any condition or material not defined within these guidelines or the C.C.&R's and Custom Lot Declaration shall become a matter of judgment on the part of the AC. Special attention should be paid to Article, 1, Sections 1, 2, 13, 18, 19, 30; Article 5, Sections 1 thru 23; Article 6, Sections 1 thru 3 of the C.C.&R's. Complying with these requirements does not guarantee architectural approval.

2.2.5 Modifications and Updates

The Architectural Committee is responsible for developing in writing Architectural Guidelines consistent with the provisions of the C.C.&R's and the Custom Lot Declaration for proceeding with and facilitating the review and approval of plans and specifications for proposed Improvement and landscaping, dealing with an Owner's failure to complete such Improvements or landscaping for inspecting completed improvements and landscaping and for all other matters failing within the authority of the Architectural Committee. The guidelines, standards and submission requirements are subject to periodic update and modification. At such time as the AC shall determine that any portion of the standards should be revised, the AC shall send a written form of a proposed amendment outlining the changes and the reason(s) for the changes to the Board of Directors of Connemara Property Owners Association. The Board of Directors will vote to either approve or disapprove the proposed amendments.

2.3 Approvals

2.3.1 Any and all approvals given by the Architectural Committee are both Owner specific and site specific. The approval goes with the Owner, not with the property. For purposes of this document, tenants shall be subject to the same requirements as homeowners.

2.3.2 No approval, including the approval of a variance, is precedent setting. All requests are reviewed and approved on their own merits.

2.3.3 Waiver by Approval

Approval of any plans or specifications shall not be deemed a waiver by the Architectural Committee of its right to object to a similar feature or element embodied in subsequent plans or specifications submitted for approval on the same or on another Lot.

2.3.4 Waiver by Failure Act

Failure of the Architectural Committee to require an Owner to correct a violation of this Declaration upon first discovery by the Architectural Committee shall not be deemed a waiver of the Architectural Committee's rights to require the correction of such violation at a later time or to make corrections of all existing violations as a precondition to the Architectural Committee's approval of any other matters requested by the Owner.

2.4 Projects Requiring a Submittal and Approval

2.4.1 No Improvement or exterior addition to or change, or alteration thereof (including painting), nor any landscaping shall be commenced, constructed, erected, placed, altered, installed, maintained or permitted to remain on any Lot or the Common Area until plans and specifications as described in these guidelines have been submitted to and approved in writing by the Architectural Committee.

2.4.2 By way of illustration, but without limitation, submission to the Architectural Committee for approval shall be required for the following:

- A. New construction, installations or modifications/revisions including dwellings, accessory buildings, garages, fences, gates, retaining walls, steps, sub-surface drainage or sewer lines, awnings, canopies, poles, trellises, patio overheads, decks, gazebos, sun decks, wind screens, swimming pools, fountains, spas, hot tubs, recreational apparatus, play equipment, sports apparatus, antennas, satellite dishes exceeding 18” in diameter, exterior lighting, sound or solar energy systems.
- B. Installation or revision of landscaping, hardscaping or surface improvements including ground covers, trees, shrubs, plants, irrigation or drainage systems, recreation areas or courts, new paving, and surface drainage revisions.
- C. Reconstruction, exterior additions, changes, or alterations on any building, structure, fence, wall or other improvement including changes of color, material or exterior surface.
- D. All common area improvements.
- E. Repainting the exterior in the same colors does not need to be submitted for approval.

2.5 Other Approvals

Approval of any project by the Architectural Committee does not waive the necessity of obtaining the required City or other jurisdictional permits. Obtaining a City or other jurisdictional permit does not waive the need for Committee approval. All owners, builders and/or developers must secure the proper governmental approvals as well as the Architectural Committee approval.

2.6 No Liability

In reviewing any plans submitted to them, the AC and/or the Consulting Architect are not rendering and cannot render any opinion as to whether such plans meet and/or comply with any applicable rules or requirements of any appropriate governmental agencies such as the City of San Juan Capistrano. The giving of approval to any particular plan is strictly limited to a statement as to conformity with the rules and regulations set forth herein, with variances permitted if appropriate. Absolutely no responsibility or liability whatsoever, expressed, implied, or imputed, is intended or to be inferred or construed as to the project itself. It is the applicant’s responsibility to research and comply with all governing agency regulations.

2.7 Relaxation and Addition of Covenants (Variances)

2.7.1 Where circumstances such as:

- A. Topography;
- B. Location of setback lines;

- C. Location of landscaping;
- D. Preservation of natural views where deemed reasonably possible and feasible;

or other matters require, the Board of Directors, via recommendation by the AC, shall have the right and privilege to permit any Owner (without the consent of other Owners) to deviate from any or all of the building and/or landscaping standards set forth in the C.C.&R's, Custom Lot Declaration and/or in these guidelines, on such terms and conditions as it shall require; provided, however, that all such variances shall be in keeping with the general plan for the improvement and development of Connemara. Such variances shall not waive the right of the Architectural Committee to require strict adherence to the C.C.&R's, Custom Lot Declaration or these guidelines in all other circumstances nor shall any such variances be binding on the Architectural Committee under any other circumstances on the subject Lot or any other Lot.

2.7.2 Should a variance be recommended for approval to the Board by the AC, this in no way guarantees that the variance will be granted.

2.7.3 Should a variance be granted by the Board, this in no way guarantees a similar variance by the City of San Juan Capistrano, should it be required, will be granted.

2.7.4 The granting of such a variance shall not operate to waive any of the terms and provisions of the Association Governing Documents for any purpose except as to the particular Lot and particular provision of this Article covered by the variance, nor shall it affect in any way the Owner's obligation to comply with all government laws and regulations affecting his use of his Lot including, but not limited to, zoning ordinances and lot setback lines or requirements imposed by any governmental or municipal authority.

3.0 THE APPLICANT AND THE AC

3.1 The Applicant

3.1.1 The Applicant must be the Owner of the lot for which the submittal is being made. Applications for lots in escrow will not get approval until the close of escrow.

3.1.2 The Owner must sign the Application and Agreement form. If an agent of the Owners signs the Application, the Owner still remains as the ultimate responsible party as if signed by the Owner. If the Applicant is concerned about processing plans rapidly, make sure the design team has a current copy of the Application and Agreement Form, the Submittal Checklist and these Architectural Guidelines. It is the Owners responsibility to get the current and proper information to the design team.

3.2 Architectural Committee (AC)

3.2.1 Formation

The Board shall have the sole right to appoint three (3) but not more than five (5) persons to constitute the Architectural Committee. All members of the Architectural Committee shall be Owners within Connemara. Members shall serve a term of two years, staggered, so that at all times a minimum of two members have served at least one year.

3.2.2 Majority Action

Action shall be taken by the Architectural Committee by majority vote of its members. Any action taken by a majority of the members of the Architectural Committee shall be deemed action by the entire Architectural Committee.

3.2.3 Appointments

In the event of the death, inability to act, or resignation of any member of the Architectural Committee, the Board shall make an appointment to the Architectural Committee for the balance of the former member's term if the membership then falls before the minimum of three (3) persons.

3.2.4 The address of the AC shall be the principal office of the Association as designated by the Board pursuant to the Bylaws. Such address shall be the place for the submittal of plans and specs and the place where the current Architectural Guidelines shall be kept.

3.2.5 The AC has the responsibility to review plans submitted for construction of buildings, landscaping, and modifications to any and all structures within the community. The AC will establish a preset monthly meeting date and publish to the membership the yearly meeting schedule and the submittal cutoff date, typically 14 days prior to the meeting date. A quorum of the Architectural Committee shall meet to review all complete plan submittals for consideration by the cutoff day. The homeowner is to submit 3 sets of plans for review.

3.2.6 Written Approvals

Architectural Committee approval or disapproval when required shall be in writing; provided, however in the event the Architectural Committee fails to act within sixty (60) days after all required final plans and specifications have been received by the Architectural Committee, such plans and specifications shall be deemed disapproved.

3.2.7 Appeals

Any appeal of a decision of the Architectural Committee shall be made to the Board of Directors in writing not later than thirty (30) days after the date of such decision. Each owner making an appeal shall be provided a Notice and Hearing before the Board in accordance with such Rules as may be established by the Board. Only the Owner can appeal a decision by the Architectural Committee. The Board cannot call up an AC decision for review without the appeal of the Owner.

3.2.8 The AC will also serve to help identify and control violations of these Architectural and the C.C.&R's including compliance of completed construction with approved plans and specifications submitted to the Committee.

3.3 Consulting Architect

3.3.1 The AC may elect to retain the services of a Consulting Architect for submittal review and recommendation prior to approval/disapproval by the AC. The Consulting Architect is not a member of the AC and will not be allowed to make any decision of approval or denial without the direct authority of the AC.

3.3.2 If the AC elects to hire a Consulting Architect, the following shall apply:

- A. The Consulting Architect shall be a professional and California Registered Architect, employed by the Association, who is not a resident of Connemara.
- B. At the discretion of the AC, the Consulting Architect shall review all submittals required by these Regulations as to their concurrence with the C.C.&R's, Custom Lot Declaration and the Architectural Guidelines, applicability and impact on the Community and other such information as requested by the AC.
- C. The Consulting Architect shall advise the AC as to whether the Architectural Guidelines are met in full. The Consulting Architect, at the specific request of the AC, shall present to the AC any and all submittals which require a variance for determination of recommendation by the AC. The Consulting Architect, at the specific request of the Board, shall present to the Board any and all submittals which require a variance for determination of action by the Board.

3.4 No Liability

Neither Declarant, the Association, the Architectural Committee, the Board nor any authorized agent, representative or employee of any of the above shall be liable for damages or otherwise: (1) to any Person or Owner submitting plans or specifications for approval; (ii) to any Person for any damages, loss or prejudice suffered or claimed by reason of mistake in judgment negligence or nonfeasance arising out of or in connection with such approval or disapproval of our failure to act on any such plans to specifications; or (iii) to any Person by reason of the construction of any improvement or installation of landscaping whether or not pursuant to approved plans or specifications. Every Person who submits plans or specifications to the Architectural Committee for approval and every Owner agrees that he will not bring any action or suit hereunder against the Association, the Architectural Committee, the Board nor any authorized agent, employee or representative of the above. Approval of any plans pursuant to this Article does not imply, nor shall be construed to imply, the suitability or feasibility of such plans for actual construction or use.

4.0 DESIGN REVIEW & THE APPROVAL PROCESS

4.1 Required Submittals

Prior to undertaking any of the acts which require approval by the Architectural Committee as described in these guidelines, the Owner of the Lot shall submit to the Architectural Committee complete plans and specifications as required, including, but not limited to such structural and building plans, plot plans, elevations, grading plans, landscape plans, materials and color details and such other materials as may be required by the Architectural Committee, the C.C.&R's, the Custom Lot Declaration and these guidelines. All such plans and specifications shall be submitted in writing over the signature of the Owner of the Lot. Approval by the Architectural Committee shall be based, among other things, upon compliance with the Custom Lot Declaration; the adequacy of site dimensions, design, materials, conformity and harmony of the proposed external design with neighboring structures, effect of location and use of improvements on neighboring Lots, proper facing of main elevations with respect to nearby streets, preservation of natural views and aesthetic beauty, and conformity of the plans and specifications to the purpose, general plan and intent of the C.C.&R's, Custom Lot Declaration and these guidelines.

4.1.1 The review process in Connemara is set up to allow the AC to review proposed projects during the Design Phase. A rather complete Preliminary Design Submittal is required so that the Committee can adequately review the project before Construction Documents have been done. This can save the Owner time and the possible extra expense of change to complete working drawings. If the Owner wants to submit more detailed drawings than are required, that is done at the Owner's sole risk and expense.

4.1.2 Submittals for Application Types 1 and 2 must be prepared by a California Registered Architect. Landscape Submittals for Application Types 1 and 2, and Type 4 that contain a pool and/or spa shall be prepared by a California Registered Landscape Architect. All submittals shall be stamped and signed by the Registered professional that prepared them.

4.1.3 In order to expedite the processing of the submittals, the Owner shall make sure that the design team has a copy of the current Application and Agreement Form, the Submittal Checklist and the Architectural Guidelines.

4.1.4 Care must also be taken to observe the submittal cutoff dates or the submittal can be delayed by up to one month. Plans submitted less than 14 days prior to a regular scheduled meeting will not be considered until the following meeting.

4.1.5 All submittals must be made through the Management Company. Submitting directly to the Consulting Architect, an AC member or at an AC meeting will delay the approval process.

4.1.6 Time allotments for review begin when the Management Company logs in a complete submittal. A complete submittal is when the Lot Owner has submitted all plans, specifications, color and materials board, neighbor awareness forms, applications and fees as outline in these regulations and in the Submittal Checklist and Application and Agreement. The various time segments are outlined within these regulations. Upon approval or disapproval of each submittal, the time line stops. The time allotment is per submittal. The AC has 60 days with which to act on

each complete submittal. The timeline is based solely on the date of the AC action, not the date of the notification (letter from Management) to the applicant.

4.1.7 Two plan approvals are required:

- A. Preliminary Plan Approval
The preliminary drawings are meant to be a design level submittal, however all information requested must be on the drawings.
- B. Final Plan Approval
The final drawings shall be the completed working drawings that will be submitted to the City of San Juan Capistrano for plan check, complete landscape, hardscape and irrigation plans and grading plans. Any plan check changes that affect the exterior of the building shall be resubmitted to the AC for approval.

At the discretion of the Architectural Committee, additional data and information may be required prior to taking action on the application.

4.1.8 A reasonable fee, in an amount to be established by the Board of Directors, shall be paid concurrently with the submission of all plans. The fee paid by the Applicant is based upon a specified number of plan reviews as outlined in the Application. If further reviews are required, additional fees will also be required. Incomplete submittals are returned unchecked and count as one of the included reviews.

4.1.9 An application for the 1. New Home Construction and 2. Additions and Major Remodel categories requires a full Landscape/Hardscape submittal. The basic review fee of the building application covers the total project.

4.1.10 Once an application has received Final Plan Approval, all subsequent submittals will require a new application and additional submittal fees.

4.1.11 All submittal drawings shall be clearly labeled with the name, address and phone number of the person who prepared the documents. Each sheet shall be labeled with the current date, and the date shall be changed with all subsequent revisions.

4.2 Submittal Document Reference Chart

Following is a chart that outlines the minimum submittal documents that are required for each application type. Refer to the Application & Agreement for the Type and the Submittal Checklist for the Plan Requirements. To use the chart, read across from the appropriate application type and determine which of the submittal documents will be required. Then refer to the Submittal Checklist for the required contents of each document. The AC may require additional submittal materials at their discretion.

APPLICATION TYPES	APPLICATION	NEIGHBOR AWARENESS FORM	SURVEY/TOPO	SITE PLAN	FLOOR PLAN	SECTION	ROOF PLAN	EXTERIOR ELEVATIONS	COLOR MATERIALS BOARD	DETAILS	HARDSCAPE PLAN	PLANTING PLAN	PHOTOGRAPHS
	R=REQUIRED	A=AS APPLICABLE	E=EXISTING APPROVED PLANS IF NO CHANGES ARE PROPOSED										
1. NEW HOME CONSTRUCTION	R	R	R	R	R	R	R	R	R	R	R	R	A
2. ADDITIONS AND MAJOR REMODELS	R	R	A	R	R	R	R	R	A	R	E	E	R
3. MINOR REMODEL	R	R		R	R	A	A	R		R	A		R
4. LANDSCAPE/HARDSCAPE	R	R	R	R	A	A	A	A	R	R	R	R	A
5. GARDEN WALLS & FENCES	R	R	R	R				R	R	R	E	E	A
6. EXTERIOR MATERIAL CHANGE	R	R		A	A	A		R	R	A			R
7. EXTERIOR COLOR CHANGE	R	R		A	A	A		R	R	A			R
8. VARIANCE REQUEST	R	R	A	A	A	A	A	A	A	A	A	A	A

4.3 The Submittal Checklist

The Submittal Checklist has been prepared as an aid to the Owner, architect and the landscape architect in preparing the Preliminary Plan and Final Plan Submittals. The checklist is not a substitute for the full Architectural Guidelines and therefore both should be used in the assembly of the submittal package. All items shown with a in the appropriate color must be submitted. The following is a brief outline of the requirements outlined in the Submittal Checklist.

4.3.1 Survey and Topographic Map

Every survey and topographic map must be prepared and signed by a licensed land surveyor or Civil Engineer. The map should show sufficient topographical information to show abrupt changes of grades, slope banks and natural flow lines. Refer to the Submittal Checklist for the specific requirements. No assumed datum points will be accepted. The grades shown shall be based on a USGS benchmark so that each topographic map can be compared with that of adjoining lots. A survey by a licensed surveyor or civil engineer is mandatory for all new homes and any development of the rear yard that involves construction over the top of slope as described in these Guidelines.

4.3.2 Site Plan

All building and landscape submittals require an accurate site plan. The site plan shall clearly show the dimensioned locations of all the components of the project. The scale and grade information must match the Survey and Topographic Map and the Grading Plan. All grading plans shall be prepared by a Civil Engineer or Architect licensed in the State of California. Refer to the Submittal Checklist for the specific requirements.

4.3.3 Floor Plans

Every plan submittal of building plans shall include floor plans of all structures. Specific requirements are listed in the Submittal Checklist.

4.3.4 Roof Plan

All building plan submittals shall include a roof plan. Clearly indicate all materials, pitches and colors. Actual samples will be required for the Color/Materials Board. Refer to the Submittal Checklist for specific requirements.

4.3.5 Building Sections

All building plan submittals shall include at least one section, drawn at the same scale as the floor plans. At least one section must be taken through the highest portion of the structure. The site must be accurately depicted on every section. Refer to the Submittal Checklist for specific requirements.

4.3.6 Exterior Elevations

Every plan submittal except 5. Garden Walls/Fences and 6. & 7. Landscape/Hardscape shall include exterior elevations. All building walls visible from the exterior of the structure must be shown. The maximum allowable height should be shown on the exterior elevations. For a color change only, photographs of the exterior walls may be substituted for drawings. However, it is necessary to clearly indicate where each color will be used. Again, actual samples will be required for the Color/Materials Board. Refer to the Submittal Checklist for specific requirements. The “Materials and Colors Legend for Building and Hardscape” from the Submittal Checklist should be included within the drawings and keyed appropriately to the elevations. All materials shall be clearly indicated.

4.3.7 Colors, Finishes and Materials

The submittal shall be 8 ½” x 11”, rigid mounted (foam core, double weight illustration board) with actual material and color samples. No printed stucco or wood samples are acceptable. The sample for the main stucco colors shall be a minimum of 8” x 8” each. All other samples shall be minimum 1” x 2”, clearly labeled with manufacturer color name and color number, and where used on the building. All exterior materials must be represented on the board (or boards). For large materials such as roof tiles and bricks, only submit a small sample piece, not the full size sample. Submittals shall be clearly labeled with lot number, address and Owner’s name.

Oversized Color and Material boards will be returned to the applicant unchecked so that they can be made the proper size. This will count as one of the submittals.

4.3.8 Building Details

The details as required by the Submittal Checklist shall be included within the submittal and keyed to the appropriate plans and elevations.

4.3.9 Hardscape Plan

All heights and materials shall be clearly indicated. Separate plans for all structures (including but not limited to pools, spas, spools, waterfalls, fountains and any other construction above or below the surface) are required. All plans should include soils reports, surveys, civil engineering reports or other licensed experts to addressing soil stability, top of slope, toe of slope and side yard setback requirements. Refer to Submittal Checklist for additional details. All drawing must clearly show all slopes, important spot grades and location of top and toe of slope on plans supported be surveys and/or civil engineering reports.

4.3.10 Planting Plan

In general, a plan showing the total design concept, clearly labeling plant materials and sizes is required. Plant palettes are not acceptable. This plan must address the whole lot. Sketches or larger scale drawings indicating proposed planting features where necessary to communicate the concept may be submitted.

4.3.11 Irrigation Plan (Final Plans only)

The irrigation plan shall indicate the general method proposed to irrigate planted areas. The topographical condition of all planted areas shall be identified.

4.3.12 Variance Information

If a variance is being requested, additional submittal materials are required. The time for processing a variance application is longer than that of a standard submittal. Refer to Paragraph 4.5.

4.3.13 Application and Agreement Form

The Owner is required to submit one signed copy of the current, completed Application and Agreement along with the appropriate fee. The Owner's signature (not an agent) must be on the application form.

4.3.14 Architectural Review Fee

An Architectural Review Fee is required for all AC required approvals. Plans will not be accepted for review unless accompanied with the appropriate fee. The Architectural Review Fee will be used to cover all incurred by the AC related to the project. The unused portion will be refunded when the project has been completed and approved and additional fees may be required

to cover expensed in excess of the initial fee. Refer to the Application and Agreement for the current fee and deposit schedule.

4.3.15 Photographs

Color photographs (hard copies, not digital format) of all sides of existing building exteriors are required for addition and remodel applications for both building and landscape submittals. The photos should include any existing landscape, hardscape, walls and fences. For Variance submittals additional photographs may be required. Only one copy of each photograph is required.

4.3.16 Perspective, Isometric, Rendering or Model

Not specifically required, however, this can help the Committee to understand the proposal more easily. The AC reserves the right to request a rendering or model at their discretion on any application.

4.3.17 Soils Report, Pool Plans

As appropriate or required. It is mandatory that the services of a Soils Engineer be retained to review pool plans and specifications prior to plan submission. A letter from the engineer must accompany all submittals for pools indicating that the review has been completed and the design follows the recommendations within the reports. The AC simply files this letter in the Homeowner file without review or comment on any technical aspects of the reports or letter.

4.4 Preliminary Plan Approval

4.4.1 The applicant submits to the Management Company an Application & Agreement Form, the appropriate number of sets of Preliminary Design Documents and the required fee. The Management Company will forward one set of the submittal to the Consulting Architect for review and response.

4.4.2 The Consulting Architect will review these plans for conformance to the Connemara Property Owners Association Architectural Guidelines including any adopted amendments, and issue a written response with a recommendation of denial (see paragraph 4.4.3) or AC review (see paragraph 4.4.4) based upon the contents of the plans.

4.4.3 If the plans are recommended for denial, the Applicant must resubmit, addressing each of the concerns raised in the initial review. The resubmittal must be the required number of complete sets submitted again to the Management Company. The Consulting Architect then reviews the resubmittal and issues another letter with a recommendation of AC review or denial. This process continues until a recommendation of AC review can be made.

4.4.4 If the plans are recommended for AC review, the plans are presented to the AC at their next scheduled meeting for review and formal action. The AC reviews the Consulting Architect's recommendations and votes on the content and the aesthetics of the proposed project.

4.5 Variances

4.5.1 A variance request could add as much as 90 days to the processing time of an application. No action will be taken by the AC on the base application until the Board of Directors has made their determination on the Variance request. By submitting the request for a variance, the applicant agrees to waive the usual standard submittal review time.

4.5.2 When an Owner submits an application for a Variance to the AC, in addition, to the required documents for Preliminary Plan Submittal, the applicant must also submit a formal request for the variance. The AC will review the request and make a recommendation to the Board of Directors of approval or denial. The Board then reviews the submittal at their normally scheduled Board Meeting and votes for either an approval or denial of the variance request. The Board may, at their discretion, request additional information prior to rendering a decision. This may require a delay of up to 60 additional days.

4.5.3 For all variance submittals, a Letter of Justification outlining the hardship that the Lot has, the particular rule or guideline that will be the subject of the variance, and the reasons, in the opinion of the applicant, that the approval of a variance is necessary for the good of the Project and the Community. Photographs or other additional information in support of the request may also be required.

4.5.4 The filing of a variance requires additional fees. The initial Variance Deposit Fee will be credited to the additional review fee and the Consulting Architect's costs for presenting the request to the Board. The applicant is responsible for paying the actual additional costs, if any, whether or not the request is approved. Refer to the Application and Agreement form for the Variance Deposit Fee and the additional hourly rates. If the board requires a legal opinion to act on a variance, the costs of the attorney will be the responsibility of the Applicant.

4.5.5 The Consulting Architect will review the variance request for conformance to the Connemara Property Owners Association Architectural Guidelines including any adopted amendments, and issue a written analysis to the AC for their consideration and recommendation to the Board. The variance issue will be reviewed at the same time as the Preliminary Plan Submittal.

4.5.6 Written evidence of the Board decision on the variance must be delivered to the Owner and a copy of the resolution of the Board approving or denying such variance must be retained in the permanent records of the Association. Upon notification of the Board decision, the AC will make their determination on the base submittal at their next regularly scheduled meeting.

4.5.7 If at any time an Owner is found to have constructed or installed any element that is not allowed within the Design Guidelines without having previously applied for and receiving a variance from the AC and Board, the Owner will be required to follow the Variance Procedure after the fact. All of the standard fees and submittal requirements must be followed. Any additional costs required by the Association during the review process, such as special inspections or Attorney consultation will also be the responsibility of the Owner. If the “As-Is” Variance is not approved, the Owner will be compelled to modify or remove all unapproved elements at the sole cost of the Owner.

4.6 Final Plan Approval

4.6.1 From the approved Preliminary Plans, the Applicant prepares complete Construction Documents for the project. Final Landscape Plans shall be submitted concurrently with Final Building Plans. Final Plan Approval will only be granted to plans that include both the Building and Landscape Submittal. Both sets of plans shall conform to the requirements of the Submittal Checklist. The applicant then submits to the Management Company the required number of sets of drawings that are identical in content to those submitted to the City for plan check. The Consulting Architect checks these against the published submittal requirements, the approved Preliminary Plans and comments, conditions and directions previously given from the AC. A written response is then given recommending the plans for denial (see paragraph 4.6.2) or final approval (see paragraph 4.6.3). If changes have been made to the plans since the Preliminary Approval, the submittal will be scheduled for re-review and new action by the AC.

4.6.2 If the plans are recommended for denial, the applicant must resubmit addressing each of the concerns raised in the review. The resubmittal must be the required number of complete sets submitted again to the Management Company. The Consulting Architect then reviews the resubmittal and issues another letter with a recommendation of approval or denial. This process continues until a recommendation of approval can be made.

4.6.3 If the plans are recommended for Final Approval, the Consulting Architect issues a letter to the Association with the recommendation. Upon formal approval of the plans by the AC, the management Company can stamp the plans approved and notify the owner. Prior to final stamped plans for new construction being released a Construction and Completion deposit will be collected by the Management Company, a list of subcontractors shall be submitted, and a

certificate of insurance per Connemara's requirements will be submitted. The Construction and Completion deposit will be held until the Final Construction Inspection is approved. The Management Company will return the deposit and any unused fees to the owner no later than 14 days after the final inspection and approval of the project by the AC.

4.7 City Approval

When Final Plan Approval has been secured, it is the further responsibility of the Owner or his agent to secure a Building Permit, along with any other necessary legal filings or notices. Approval by the AC shall not be deemed to be approval by the City, and likewise. City approval shall not be deemed as approval by the Association. Any changes required or requested by the City which have not been approved by the AC must be returned to the AC for review and Final Approval prior to issuance of a Building Permit or the start of construction.

4.8 Construction

4.8.1 After the issuance of any building permit the Owner shall deliver to the Property Management Company a copy of the building permit. The Owner shall also supply the Management Company with the name of the General Contractor and subcontractors to be used on the project. At this time the homeowner will be required to sign a compliance agreement and will then be issued an access authorization. Upon completion of all requirements for Final Approval, the Management Company will notify the guard house to allow construction workers and equipment to enter Connemara property.

4.8.2 Under no circumstances will an Owner be allowed to begin construction without fulfilling all of the requirements of the Association.

4.9 Construction Inspections

4.9.1 Right to Enter

Any duly authorized agent of the Architectural Committee may at any reasonable time enter and inspect any Lot and any Improvements or landscaping covered by these guidelines if the Architectural Committee reasonably believes that a violation of any part of this Declaration is occurring or has occurred.

4.9.2 At key points during construction, the Association will inspect the construction for conformance to the Approved Final Plans. The Owner agrees to notify the Management

Company for an inspection by an association representative at the following points during construction:

- A. Verification of setbacks after foundation/slab forms are set and before concrete is poured
- B. Lath Inspection – After the framing is complete, all wood and foam trim pieces have been installed, but prior to the stucco scratch coat
- C. Final Inspection at the completion of the project, including the building, hardscape and landscaping. After the Association Inspector has recommended approval and release of the Deposit, the AC will review the recommendation at their regularly scheduled meeting. Upon the approval of the AC, the management company will be notified to process the refund of the Deposit.

4.9.3 All approved Improvements and landscaping shall be constructed, erected, placed, installed and maintained in strict conformity with such plans and specifications as approved by the Architectural Committee. Deviations from the Approved Final Plans (the building and its details; the windows, doors and garage door(s); materials and colors; the landscaping and the hardscape) cannot be approved by the Inspector. If a change during construction is required, please resubmit to the AC for approval prior to the work being done. If you fail an inspection because the work does not conform to the Approved Final Plans, another submittal will be required at that time, which will delay the process and jeopardize the release of the Construction Damage and Completion Deposit.

4.9.4 Inspections will be held no less than 2 business days and no more than 5 business days following receipt by the inspector (Consulting Architect) of a written request for the inspection from the management company. Requests received after 10:00 AM will be deemed to be received the following business day. The inspections will only be performed Monday through Friday between the hours of 8:00 AM and 4:00 PM. No appointments will be made unless agreed to by the Inspection at the time of request. The Owner shall include with the written request the Inspection fee set forth in the Application and Agreement.

4.9.5 Any work done without the approval of the Association Inspector is done at the sole risk of the Owner. Proper notification is mandatory and the total responsibility of the Owner. If special arrangements need to be made, please notify the Management Company of the request in writing in order to receive verification that the request can be accommodated. If an inspection is requested and the work to be inspected is not complete when the inspector is at the site, an additional inspection fee will be charged. It is the Owner's responsibility to notify the Contractor of these requirements.

4.9.6 Verification of Heights

In addition to the above inspections, the Owner agrees to have a California Licensed Civil Engineer or Licensed Land Surveyor verify the height of the building structure from the Approved Pad Elevation. The Owner shall submit two copies of the report indicating the finished pad elevations, the height of the highest point of the structure (not including chimneys) and Compliance with the topographic plan as included in the Approved Final Plans. Skylights (top of lens) must be installed within the height limit. Both reports shall be stamped and wet signed by the Engineer. The reports shall be received by the Management Company prior to the scheduling of the Final Inspection.

4.9.7 Special Instructions

At the request of the AC or the Board of Directors, the Association Inspector may conduct special inspections to verify conformance to the Approved Final Plans, or to ascertain the reasons for ongoing delays in the construction. The cost of these inspections will be the responsibility of the Owner.

4.10 Construction Damage and Completion Deposit

4.10.1 A Construction Damage and Completion Deposit is collected prior to the beginning of the construction period. The purpose of this deposit is to develop a reserve that will assure an expeditious completion of the project, to have funds to pay for any damage that may be caused to Association property during the course of construction and to be used for any legal or professional costs that may be incurred by the Association should action need to be taken to compel compliance with the Association governing Documents. Deposits are required per the amounts on the current Application and Agreement. Any unused portion of a Construction Damage and Completion Deposit will be returned after all construction activity, including clean up, has been completed, and the AC has approved the Final Inspection Report.

4.10.2 If this reserve is reduced at any time during the course of construction to pay for any damage that may have occurred, it must immediately be restored to the original amount. The full amount must be on deposit before the Architectural Committee will perform their inspection for the purpose of approving the project for a Certificate of Occupancy.

4.10.3 The Construction Damage and Completion Deposit shall be used to cover the cost of restoring or repairing any Association property that is damaged or destroyed as a result of the construction activity of any Owner or an Owner's contractors, subcontractors, suppliers, or any employees of any of the foregoing.

4.10.4 At the end of the 4 month period after occupancy or at the end of the extension period (if one had been granted), if the project were still incomplete, the homeowner will begin forfeiting their Completion Deposit at the rate of 20% per month until either the project were completed or all funds were expended. Any funds forfeited through this procedure will be used for the benefit of the community.

4.11 Time Limits

4.11.1 Completion of Approved Improvements

All approved Improvements and landscaping shall be completed with due diligence and shall be commenced and completed within such time limitations as may be established by the Architectural Committee.

4.11.2 Approval or disapproval by the AC of any submitted plans or materials shall be in writing and shall be mailed or delivered to the Owner or his representative within 30 days after the meeting at which the action was taken.

4.11.3 The Preliminary Plan Approval is valid for one year. Completed working drawings must be submitted for Final Plan Approval within that time period. If the final drawings are not received, the approval shall be automatically terminated. After expiration any renewal request or resubmittal shall be treated as a new application and subject to the then current Design Guidelines, fees and regulations in force.

4.11.4 A request for a time extension of the approval must be received at least 30 days prior to the expiration date to be considered by the Committee. A Letter of Justification requesting the extension shall be submitted to the Committee. Time extensions will only be granted for a maximum of one year from the original expiration date, and to the original Owner. The granting of an extension allows the Architectural committee to place additional conditions of approval on the submittal, including, but not limited to the conformance to updated Guidelines, fees and Deposit amounts.

4.11.5 Final Approval will expire if construction is not started within six months from the issuance of a building permit by the City of San Juan Capistrano, or within twelve months from the date of the Final Approval, whichever is later. If the Owner has not started construction within this time, all of the approvals (Preliminary Approval, any variance approval and Final Approval) shall be automatically terminated. After expiration, any resubmittal shall be as a new application subject to the current Regulations and fees in force at that time.

4.11.6 A request for up to one year extension of the Final Approval must be received at least 30 days prior to the expiration date to be considered by the Committee. A letter of justification requesting the extension shall be submitted to the Committee. Time extensions will only be granted for a maximum of one year from the original expiration date, and to the original Owner. The granting of an extension allows the Architectural Committee to place additional conditions of approval on the submittal, including, but not limited to the conformance to update Guidelines, fees and Deposit amounts.

4.11.7 Except upon written permission from the AC, construction shall proceed continuously and expeditiously in accordance with the permitted construction hours. The total construction period from the date construction commences until construction is complete may not exceed the following times without written approval from the AC:

- A. New Home – 18 months
- B. Major Remodel – 12 months
- C. Minor Remodel – 6 months
- D. Landscape/Hardscape including pools – 4 months
- E. In any event, all construction (building and landscape) must be completed within three months of occupancy of the residence.

If construction is not completed within these timelines and the Owner has not received a time extension from the AC, the Owner shall forfeit any Construction Damage and Completion Deposit with the Association. In the event of any such forfeiture, Owner understands that Association shall retain any and all rights and causes of action it may have in law or equity to proceed against the Owner or any of the Owner’s agents, for any violation of the approved plans or any representations made to the Association, or as a result of a violation of the covenants, conditions and restrictions and architectural design criteria of the Association, as amended from time to time.

4.11.8 If after 2 months of receiving a “Certificate of Occupancy” or the house being occupied, whichever occurs first, a project is not nearing completion the homeowner will be sent a letter reminding them of the four (4) month completion period and stating that if there are any extenuating circumstances why they will not be able to comply, that they request an extension in writing from the AC.

4.11.9 If a construction phase time extension is required, a written request must be submitted to the Architectural Control Committee 30 days prior to the expiration date. A letter outlining a new time line should accompany the request. The AC has the right at this time to adjust the Construction Damage and Completion Deposit amount.

4.12 Insurance

All owners/contractors shall comply with securing “additional insured” coverage. Please refer to the Construction Standards for specifics.

4.13 Resale Disclosure

The Management Company must notify the Board and AC immediately upon determining that a property is being offered for resale. At that time the Management Company should inform the Board and AC of all unresolved violations and fines related to that property. The Management Company should arrange for a visit to the property with a member of the AC to review the property for compliance. The inspector and Management Company will document items that are out of compliance with the current Architectural Regulations and Guidelines that should be disclosed in escrow and will inform the owner Board and AC. The review is for aesthetics only. The scope of the review is not exhaustive, does not include any opinion of structural integrity, soils and geological issues or compliance with any building or city codes. No guarantee or warranty is made or implied as to the completeness of the list. The Owner (seller) will be notified of the corrective actions that will be required to be completed prior to the close of escrow. It is advised that the buyer requires the seller to set aside monies within the escrow to complete any of the items on the list that are not completed by the close of escrow. The Buyer (new owner) will be responsible for any non-compliant items remaining after the close of escrow. The new owner may incur charges by the Association Attorney and/or Consulting Architect while seeking compliance.

5.0 SITE DESIGN CRITERIA

5.1 Custom Lot Declaration

5.1.1 A Site Plan has been created for each lot within Connemara. The plan indicates the Approved Pad Elevations, the Building Setbacks, the Building Height Limitation, the Landscape Height Limitation and the Building Pad Area. The recorded document is referred to as Exhibit A, and the custom Lot declaration contains one per Lot.

5.1.2 All Lots have been graded to a certified elevation that has been approved by the City. This Approved Pad Elevation is the datum point for all vertical control to measure the finished height of each house. Internally, floor levels may vary and basements may be included to create greater interest. However, the external building envelope is fixed to the Approved Pad Elevation. Additionally, any development over the top of slope is tied to the Pad elevations as noted on Exhibit A.

5.2 Setbacks

5.2.1 Setbacks of Improvements

The construction of all improvements shall conform to the setback requirements in the Custom Lot Declaration and all other building or land use codes or ordinances established by the City. In the absence of established setbacks lines by the City or the Association Governing Documents, the Architectural Committee may establish reasonable setback lines for all improvements in the Architectural Guidelines.

5.2.2 The building(s) constructed by an Owner on his Lot shall be located solely within the Building Area shown for said Lot on the Custom Lot Declaration, except that some architectural projections are allowed by the City and AC, e.g. chimneys, roof overhangs, window seats, etc. Architectural projections, the roof or eaves of a building may overhang or otherwise encroach upon the Setback Area and/or Rear Yard no more than 40% of the required setback or 3 feet maximum. Window seat projections may not contain habitable floor space. These items will be reviewed on an individual basis. Entertainment centers are not allowable encroachments even when attached to a chimney.

5.2.3 No development, with the exception of limited patio extensions as outlined within these guidelines is allowed beyond the top of slope as defined on Exhibit A. All pools, spas, spools, fishing ponds, fountains, bodies of water eighteen (18) inches or deeper or any other construction that involves the 5' Top of Slope of slope setback must include drawings that clearly identify the Top of Slope and 5' setback. The Top of Slope designation must be supported by a report from a licensed professional surveyor designating the Top of Slope and 5' setback requirement has been satisfied.

5.2.4 Approval of a setback different than the setbacks prescribed on the Custom Lot Declaration by the AC does not in any way guarantee that the City of San Juan Capistrano will also approve the different setback. Conversely, approval by the City of a setback different than those prescribed in the Building Line Plan in no way guarantees that the AC will also approve the deviation.

5.2.5 No roofed or trellised structure can be constructed within a front yard setback area. All construction within the front yard setback is limited to a maximum of 42” in vertical height from the low side of the improvement.

5.2.6 No structure over 6 feet in height (including any required vent or stack), such as archways, trellises, fireplaces and other exterior cooking appliances may be built within any sideyard setback. Such structures are allowed within the rear yard setback area provided that they are located no closer than 5’ to the top of the slope and that the design of such structures conforms or coordinates with the design of the residence. Please note that the sideyard setbacks extend to the rear property line.

5.2.7 The water in all pools and spas shall be a minimum of five (5) feet from the rear top of slope. Special fencing is required by the City for pool and spa enclosures.

5.3 Minimum Size and Openspace

5.3.1 The minimum habitable floor space requirements for a home shall be 3,000 square feet within Connemara. Habitable floor space excludes garage, gazebos, patios, atriums, basements, cabanas, decks, balconies, porches, etc.

5.3.2 The City of San Juan has minimum open space requirements in the City Municipal Code. The applicant is responsible for verifying the requirements and conforming to them.

5.4 Mechanical Equipment

All ground mounted mechanical equipment, such as air conditioner compressors and pool and spa equipment, shall be permanently screened from view from the street, Association common area or neighboring properties with a wall or solid gate. Mechanical equipment is not allowed within any front setback. Air conditioner compressors and pool/spa/fountain pumps shall be located to minimize noise infiltration to neighboring lots and sound attenuated to meet or exceed all City standards. All equipment must be shown on the site plan and installed per the approved plan. If equipment is installed without AC approval, the Association can compel the Owner to provide the required screening and/or relocate it.

5.5 Utilities

Each Residence is served with underground electricity, TV cable, telephone, sewer, gas line and water line. The location of these utilities shall be confirmed in the field by the Owner. It is the responsibility of the Owner to protect all utilities in place during construction. Refer to 6.10.

5.6 Garages and Off-street Parking

5.6.1 Every home in Connemara is required to have a minimum of a two-car garage and any home having four or more bedrooms or potential bedrooms is required to have as a minimum adequate garage space for at least three cars. The garages are to be used for the parking of vehicles within not storage of items if it prohibits a vehicle from being able to be parked within.

5.6.2 Garage spaces may not be modified into habitable space at any time unless replaced by another legal conforming garage space.

5.6.3 If home storage of any recreational vehicle is anticipated, adequate height clearance should be considered in garage door design. The CC&R's prohibit storage of recreational vehicles, on the street or on any lot, except within a garage.

5.7 Grading Guidelines

5.7.1 All properties shall have a grading plan in conformance with the local jurisdiction. Grading design shall be prepared by a Registered Civil Engineer or a California licensed Architect, as allowed by state law. This plan shall be submitted to the AC with Construction and Landscape document. The signature and expiration date of the registered engineer or architect shall be on the Plans.

5.7.2 All topographic change must occur within the Lot boundaries and meet adjacent lots at existing grade. The existing top of slope at the rear may not be changed in any way (raised or lowered or extended in any direction) with the exception of removing the earthen berm created during the original rough grading. Please refer to the Top of Slope diagrams in these guidelines. In the event of a slope failure, the slope shall be restored to the original contours and the slope and all improvements such as walls, shall replaced in its' previously approved and constructed location.

5.7.3 Grading Plan

The plan shall include the following information: Existing contour intervals, proposed contour intervals, finish pad elevations, changes in slopes with elevations, top and toe of slope locations, method of surface and/or subterranean drainage provisions (existing and proposed), flow line elevations, lines of grading limit and site obstructions such as buildings, raised planters, curbs and walls, exposed utilities, etc.

5.7.4 Please note that all drainage shall be taken back to the street of address through the curb face. It is strongly recommended to have duplicate drainage systems with more than a single outlet to the street to help prevent any back up during heavy rains. Refer to Paragraph 5.9.2.

5.7.5 All slopes shall be preserved at a maximum slope of 2 horizontal to 1 vertical, or to the City standards, whichever is closer to horizontal.

5.8 Site Preparation

5.8.1 All demolition, cleaning, grubbing, stripping and stockpiling of soil, excavation, compaction and grading shall be performed within the pre-approved grading limit of the lot area. No site work may take place without Final Plan Approval of the association and a valid building permit.

5.8.2 Site grubbing, through use of chemical treatment of existing vegetation, if necessary, shall be accomplished through recommendations by a State Licensed Pest Control Advisor and work performed by a State Licensed Qualified Applicator (QAL).

5.8.3 Existing plant materials, that are to be retained at the site, shall be protected during grading operations by boxing the plant material or through the use of fencing or other protective barriers.

5.8.4 Adequate provisions shall be made to prevent any surface water related damages to private or public property from excavations, cutting, filling and earth berming. Any resulting damage shall be the responsibility of the Owner to restore.

5.9 Site Drainage

5.9.1 Surface sheet drainage of paved areas shall be a minimum of one percent of slope, except swimming pool deck areas which shall be two percent and directed to deck drains and

underground drainage provisions. Surface sheet drainage of soil areas shall be minimum of one and a half percent except “swale” or drainage of large turf areas which shall be two percent.

5.9.2 Sub-surface Site Drainage

All sites without the ability to produce these minimum drainage rates shall be provided with the following minimum standards through the use of catch basins and/or French-drains in conjunction with underground drain tiles which transport drainage water to acceptable dispersion locations at the street of address. Drainage water spill will not be permitted to sheet flow on to or over any slope areas.

5.9.3 All subterranean drainage provisions shall contain approved collection and underground transporting facilities. “Dry well” drainage facilities are not acceptable. Redundant pipes are encouraged for systems that are handling large areas. Two curb outlets per lot are required per lot and multiple curb outlets are encouraged to allow for heavy drain flow during rain storms. No drain lines shall be permitted to spill out onto a slope or into a concrete v-ditch on a slope.

5.9.4 Catch basins shall be completely encased concrete cistern with a cast iron or other appropriate grate or one place PVC basins with PVC grates.

5.10 Mailboxes

Mailboxes are subject to review by the AC. It is the Owner’s responsibility to verify that the mailbox conforms to the requirements of the United States Post Office.

5.11 Sports and Play Equipment

5.11.1 Basketball Backboards, Nets, and all other Sports and Play Equipment

Temporary basketball backboards will be allowed on any lot, for use during daylight hours only. These temporary structures must be stored out of view from the rest of the community when not in use, Violations to this policy will be enforced. Permanent installation of any sports equipment requires approval of the AC. Impact on adjacent neighbors and view from the streets will be considered when reviewing such applications.

5.11.2 Playground Equipment

Swing sets, climbing structures, tree houses, etc. are subject to review and approval by the AC. In general, they should be located to be out of view from the street and neighbors’ homes. Such equipment will not be allowed within the front yard, or within 5 feet of the top of the slope at the rear. Canopies on play equipment should be color coordinated with the home. The use of the roof color is preferred. Wood or metal structure should be painted to coordinate with the color of the house.

6.0 ARCHITECTURAL DESIGN CRITERIA

6.1 Building Design Philosophy

Homes in Connemara shall be designed as “whole buildings”. Designs that are simply decorate a front elevation wrapping the decoration just a new feet around the sides are unacceptable. All elevations shall be designed carefully, relating the same attention to detail and consistency of design on all sides of the house. Additionally, the roof shall incorporate on all sides, the type of design and style that is intended for the front of the house. The natural varied topography of Connemara exposes to view many different sides of each building, making this concept of a complete architectural design statement, a fundamental concept in the aesthetic appearance of the community.

6.2 Height Restrictions

6.2.1 The height limit for Residences built in Connemara is measured vertically from the Average Pad Elevation. Whenever in these guidelines it is provided that a structure, other improvement or landscaping shall not exceed the Height Limit, such structure, other improvement or landscaping shall not be permitted to penetrate the plane which forms the Height Limit for the Lot in question. The Average Pad Elevation is the average of the four pad elevations called out on the corners of the lot as shown on the Custom Lot Declaration Exhibit A.

6.2.2 If the as-built finish grades of your pad differ from those called out on the Custom Lot Declaration, the required survey of the lot shall be submitted to the AC indicating the actual pad elevations. With approval, these revised numbers will become the basis for all height measurements on the Lot.

6.2.3 Note that the top of the plywood sheathing on the roof is not the ultimate point of measurement for the height of the building. Roofing materials such as mission tile may increase the height of the building by as much as eight (8) inches. This must be taken into consideration in the final design of your home.

6.3 Roofs

6.3.1 Sloping roofs are preferred and simple roofs are encouraged. Flat roof areas shall be minimized, and careful consideration shall be given to the parapet details. Roof mounted mechanical equipment, except solar panels, is unacceptable.

6.3.2 Where appropriate homes in Connemara are required to have “Bird Stops” or “Mortar” incorporated into the roof tiles to prevent the nesting of birds into the roofs. Since San Juan

Capistrano is a Bird Sanctuary, it is against the law to remove nests once established, and therefore this preventative action is required.

6.3.3 Penetration of sloping roofs by plumbing vents, flues, etc. should be confined to hidden sides of the roof, and whenever possible set low enough on the roof so as to not penetrate the silhouette of the roof form. All roof vents shall be colored to match the adjacent roof material.

6.4 Gutters and Downspouts:

6.4.1 All gutters shall be concealed unless designed as a continuous architectural design feature. Exposed gutters used as an architectural feature shall be colored to match or contrast with the surface to which attached.

6.4.2 Downspouts may be exposed or concealed. Exposed downspouts shall be colored to match surface to which attached unless copper is used. Downspouts shall be carefully placed on the elevation and considered as a detail similar to any fenestration or trim.

6.4.3 Any through wall scuppers shall have decorative collection boxes and must have a downspout.

6.5 Skylights

6.5.1 Skylights are acceptable, but not to exceed 10% maximum of entire roof area. The frame of the skylight shall be colored to coordinate with the adjacent roofing material.

6.5.2 White skylight lenses on a dark roof and vice versa, will not be allowed. Clear, solar gray or solar bronze lenses are required. NO reflective glazing is allowed.

6.5.3 Bubble or domed lenses are not allowed on sloping roofs. Flat lenses are required. The use of glass lenses is strongly encouraged due to the long-term durability.

6.5.4 Skylights are to be installed within the overall allowable height of the building. The highest point of the lens or frame will be the point of measurement for skylights.

6.6 Solar Energy Equipment – Architectural Policy Regarding Installation of Solar Energy Systems

1. Prior to the installation of a Solar Energy System (“SES”), as defined below, the Owner must (i) submit to the Association an architectural application and plans and specifications in compliance with the Association’s architectural regulations, and (ii) receive prior written approval of the Association’s Architectural Committee.
2. Subject to the limitations below, the SES must comply with the material standards and specifications set forth below:
 - (a) Solar panels installed on a roof shall, to the extent feasible, be integrated into the roof design, flush with the existing roof slope, and panels and frames must be colored to match or compliment the roof.
 - (b) Natural aluminum and silver frames are not permitted.
 - (c) To the extent possible, solar panels are to be out of view from the street and neighboring properties.
 - (d) To the extent possible, mounting brackets and support apparatus for solar equipment is to be out of view from the street and neighboring properties.
 - (e) All mechanical equipment exposed to the exterior shall be located in a manner which best minimizes visual impact and shall be painted to match the color of the adjacent surface.
 - (f) Wiring shall be housed in conduit painted to match the adjacent surface.
3. This Solar Energy Policy shall be applied consistent with California law, including the provisions of Civil Code sections 714 and 714.1, regarding installation of Solar Energy Systems in Common Interest Developments.
4. Solar Energy System-Defined. For purposes of this Solar Energy Policy, a “Solar Energy System” means either of the following:
 - (a) Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.

- (b) A structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling or for water heating.
- 5. System Requirements. Each Owner or applicant seeking to install a SES must provide, concurrently with submission of the architectural application, proof of compliance with the following standards:
 - (a) A SES shall meet or exceed all applicable health and safety standards and requirements imposed by state and local permitting authorities.
 - (b) A SES for heating water shall be certified by the Solar Rating Certifications Corporation (SRCC) or other nationally recognized certification agencies. SRCC is a non-profit third party supported by the United States Department of Energy. The Certification shall be for the entire Solar Energy System and installation.
 - (c) A SES for producing electricity shall also meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability. *See California Civil Code section 714 (c).*
- 6. The Association may impose conditions and/or restrictions upon the installation or use of an SES, provided that they do not “significantly” increase the cost of the system or “significantly” decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.
 - (a) For solar domestic water heating systems or solar swimming pool heating systems that comply with State and Federal law, “significantly” means an amount exceeding 10% of the cost of the system (up to a maximum of \$1000.00) or decreasing the efficiency of the SES by an amount exceeding 10%, as originally specified and proposed.
 - (b) For photovoltaic systems that comply with State and Federal law, “significantly” means an amount not to exceed one thousand dollars (\$1,000.00) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding 10% as originally specified and proposed. *See California Civil Code section 714 (d).*
- 7. If any part or portion of the SES, including electrical or plumbing connections, is/are proposed to be installed on Association owned and/or maintained property (including, but not limited to Association Common Areas), the Association, in its sole discretion may:

- (a) Deny the installation upon such Association owned/maintained property and/or require alternative locations, equipment or systems on such owned/maintained property;
 - (b) Require the homeowner to enter into an agreement with the Association whereby the homeowner will, among other things, be obligated to a) maintain, repair, or replace, or (in the sole discretion of the Association), be financially responsible for such maintenance, repair or replacement of any portion of the Association Common Area (or other areas maintained by the Association) damaged, altered or affected by the installation, use or maintenance of the SES and/or b) indemnify and defend the Association from any losses, claims or other detriment relating in any way to the installation, existence or use of the SES, or elements thereof, within the referenced Association Common Area and/or Association maintained property. The Association may also require that this agreement be binding upon successors-in-interest to the Owners Association property and that the agreement be recorded in the chain of title for Owners Association property (*See California Civil Code* section 714.1), and;
 - (c) Require the installer of the SES to indemnify and/or reimburse the Association, or its members for any loss or damage caused by installation, maintenance or use of the SES. *See California Civil Code* section 714.1.
8. Installation Without AC Approval. Any Owner who commences physical work to install an SES without a) the prior written approval of the Association and its Architectural committee and/or b) prior to complying with any pre-installation conditions properly imposed by the Association, shall be responsible for all costs, expenses or other detriment incurred by the Association as a result thereof (including, but not limited to any attorney's fees, court and other costs). In such circumstances Owner may also be required by the Association to remove, relocate or modify the SES at homeowners cost, and Owner will be subject to disciplinary fines in accordance with the Association's adopted Fine Policy.

6.7 Fenestration

The design of each elevation shall carefully study the location and relationship of all fenestration. Well organized, simple walls are encouraged. The design shall incorporate similar details, organization and scale on all sides of the building.

6.7.1 Head heights of openings shall be consistent and shall produce an ordered arrangement and composition within the total wall surface of an elevation. Again, this applies to all elevations.

6.7.2 Window and Door Openings

Openings are to be consistently designed on all elevations. While front elevation openings may have additional details, the following details are required on all-sides of the building on all window and door openings. Window openings for windows within stucco wall surfaces and all door openings shall be treated in one of the following ways and consistently applied on all elevations.

- A. Trim surrounds on all sides
- B. Windows recessed into a thickened wall
- C. The factory applied stucco mold is an acceptable surround detail if the windows, French doors or sliding doors are recessed within the wall. While further detail is encouraged, it is not required.
- D. Alternate design treatments which achieves scale, order, proportion and depth of opening will be considered on a case by case basis.

6.7.3 Windows

- A. High quality wood sash or vinyl sash windows are required for all residences within Connemara. Vinyl sash windows shall match the profiles of high quality wood sash windows. Aluminum or metal sash windows are not permitted, although, aluminum clad wood sash windows are allowed.
- B. If divided lite windows are required, they shall be true divided lites with integral muntins between each pane. Imitation divided lites with applied or snap-on surface muntins are not allowed. Three piece applied muntins that include continuous dividers between the surface muntin sections will be allowed. This type of muntin is typically found on vinyl sash windows. If divided lite windows are used, they should be uniformly used on all elevations.

6.7.4 Window Replacements and Upgrades

Remodels and additions to existing homes shall use windows that match the existing windows. If the windows will not match, or they will be upgraded, all windows shall be replaced at once to maintain the consistency of design.

6.7.5 Corner glazing options such as curved glass or mitered corner glass must have the same details as the balance of the sash. The AC will consider these glazing options if the proposed corner treatment is in keeping with the base style of the house.

6.7.6 Greenhouse Windows

The use of greenhouse windows is allowed if they are an integral part of the building design. The structure of the greenhouse shall be of the same high quality wood window system as the other windows, and the details of its attachment to adjacent materials will be reviewed. Added on greenhouse structures for room additions are generally unacceptable.

6.7.7 No reflective glazing, reflective film or reflective window coverings are allowed.

6.7.8 Garage Windows

A common design feature of many homes is to have windows in the garage that can be viewed from the street. When the windows have clear glass panes it often presents a problem in that unsightly objects are often in view from the street as well as allowing others to see what is inside your garage which could possibly lead to burglary or theft. The preferred solution to this problem would be the use of an uncolored obscure decorative glass, i.e. "Glue Chip". This would not only solve the problem but it would also enhance the beauty of the property. Other acceptable solutions would be to add an attractive window coverings, i.e. blinds or shutters to assure that unsightly objects are not visible to the outside. If any of these latter solutions are incorporated the homeowners should take precautions to assure that the blinds or shutters are always closed and that they are maintained in such a way that they do not become unsightly themselves.

6.7.9 Garage Doors

- A. Overhead rolling garage doors are required in Connemara. Single piece garage doors are not allowed. The submittal drawings shall clearly show the design, materials and finish of the garage door. The door shall be installed per the approved design. If metal doors are proposed, they shall be a heavy gauge, twin wall construction to minimize potential denting from inside the garage. Wood doors are preferred.
- B. All garage doors shall be equipped with automatic garage door openers. If a conflict in garage door opener frequencies exists, the person having the most recent Certificate of Occupancy date shall be required to have his frequency changed. It shall be the responsibility of the Owners involved along with their garage door opener representatives to resolve any problems relative to this item.

6.8 Tall Walls

Wide wall sections that are two story and greater stucco surfaces shall be treated in one or more of the following ways in order to “break up” the flat appearance of the wall plane. Care should be taken to avoid scaffold lines on large, tall stucco walls. At the discretion of the AC, all walls that are more vertical in proportion and are an integral part of the exterior design of the building may be allowed without any additional treatment.

- A. Horizontal trim member or belly band detail at a height that will tie in with other horizontal lines on the building.
- B. Change of plant between first and second story.
- C. Balcony, window seat or other projection.

6.9 Balconies and Sundecks

The architectural style of Connemara leads itself to the use of balconies and sundecks as an integral part of the architecture.

6.9.1 Definitions

For purposes of these criteria, a balcony is a platform on a building directly accessible from a space in the living unit on the same level as the balcony. A balcony is sometimes supported from below, sometimes cantilevered, and enclosed with a railing or balustrade. A sundeck is a balcony that is built over a living space directly accessible from a space in the living unit on the same level as the sundeck.

6.9.2 Balcony Design

The design shall be an extension of the architecture of the house. It is encouraged to use balconies to break up the flat appearance of the rear of a house. To that end, balconies that are the full width of the building with no horizontal offset are discouraged. The use of tile as a paving material is encouraged. If an elastomeric material is proposed, a color sample must be submitted for approval. Drainage from a balcony must be conveyed via a drain system or gutter system. A detail of the balcony edge showing the finish Material with an integral curb and drains or gutter will be required. Balconies built that sheet flow over the edge without a curb without a curb or gutter will be required to be modified to include the detail. The railings shall be in a style that compliments the style of the house.

6.9.3 Sundeck Design

In addition to the balcony design requirements, no sundecks are permitted on or over any portion of a two-story roof and heights will be limited to the lowest adjacent fascia line of dwelling. All

sundecks shall be directly accessible from a room at the same floor level as the sundeck. No objects such as urns, pots, planters, etc., shall be placed on top of structures in this section. All such “adornment” shall be located under and around the structure. Railing height will be subject to the overall building heights of the lot. It is encouraged to use a paving material that is harmonious in color to the roofing material. A sample of the proposed paving will be required.

6.10 Utilities and Utility Meters

6.10.1 Electric Meters

All exterior electric meter panels shall be recessed in a manner acceptable to the local utility company. Meter enclosure closets are recommended. Contact the utility company for the enclosure requirements. No meters shall be on the street elevation of the building. All exterior meters or enclosures shall be painted to match the wall color of the wall into which they are recessed.

6.10.2 Gas Meters

All gas meters shall be installed in a manner acceptable to the local utility company. Contact the utility company for the enclosure requirements. No meters shall be on the street elevation of the building. All exterior meters or enclosures shall be painted to match the wall color of the wall into which they are recessed. Gas meters shall be screened with walls and landscaping.

6.10.3 Water Valves and Hose Bibbs

No water shut off valves (SOV), pressure reduction valves, or hose bibbs shall be on the street elevation of the building. All exposed piping shall be painted to match the wall color of the wall into which they adjoin. Hoses shall not be stored in a location visible from the street.

6.10.4 Antennas

All television and/or radio antennas shall be restricted to the attic of the residence. Connemara has been prepared for cable television services. It is recommended that all homes be prewired to connect to this service.

6.10.5 Satellite Dishes

Satellite dishes larger than 18” in diameter must be approved by the AC. Any dish, even those under 18”, should not be visible from the street. The dish must be placed in the most inconspicuous location possible with consideration given to impact on adjacent neighbors.

6.11 Additions and Remodels

6.11.1 Additions and remodels to existing homes in Connemara shall be designed to be an integral part of the existing structure. The design and style as well as the materials and colors from the host structure shall be continued in the new work.

6.11.2 The details and roofs shall be designed with the same level of attention and continuity as the original project. If an addition or remodel lacks the continuity and design quality of the original structure, the AC may deny the application.

6.11.3 All remodels and additions shall conform to the latest edition of the Design Guidelines.

6.11.4 Please note that if an additional bedroom is proposed, the AC may also require an additional garage space as a condition of approval. Refer to Paragraph 5.6.

6.11.5 If Final Inspection reveals non-compliant construction, the Owner will be compelled to modify any construction, such as windows, that do not match the original construction in detail or finish.

7.0 EXTERIOR MATERIALS AND FINISHES

The following criteria indicate and define the generally accepted materials and finishes for the homes in Connemara. Refer to Section 8.0 for allowable hardscape materials. Exterior colors and finishes of building, fences, walls, structures, and patio covers as first approved by the AC for new construction, additions and/or alterations, shall not be changed or altered without subsequent approval of the committee.

The style of Connemara homes dictates a simple palette of materials and colors. All submittals should include the Color and Materials Legend from the Submittal Checklist within the drawings and keyed to all of the appropriate plans and elevations. Submittals may be denied if this information is not provided.

7.1 Exterior Walls

Stucco and plaster are the major wall materials allowed within Connemara. The limited use of stone, brick, precast concrete and appropriately shaded wood are all compatible materials, and when integrally designed in conformity with the style specified, these materials would be acceptable.

Materials allowed for the exterior of building walls shall be:

7.1.1 Stucco

Either machine applied or hand troweled stucco is acceptable. Color may be integral or applied (painted). Texture should be uniform and as smooth as possible. Heavy troweled finishes are

discouraged. Large uninterrupted expanses of stucco shall be broken up with some sort of detail, such as screeds or banding.

7.1.2 Colors

Stucco colors shall coordinate with the colors of the other finish materials, such as roof tile. When choosing colors, look at the other existing colors in the immediate neighborhood. The proposed color shall not be the same as the adjacent houses. Colors shall be muted and field and accent colors shall coordinate with limited contrast between them.

7.1.3 Accent Materials

- A. **Wood**
Wood may be used as an accent material such as window surrounds, fascias, etc. Clear redwood or vertical grain fir should be used. The finish shall be painted or stained.

- B. **Unit Masonry**
Brick, slump block or split face concrete block is acceptable in limited quantities as accent materials. Slump or split face block shall be finished with integral or applied color. All masonry should be used as a design element that is consistently applied on all elevations. Two dimensional, token applications are unacceptable. Exposed standard smooth-faced concrete block is unacceptable in all applications.

- C. **Stone**
Natural stone when used properly can enhance the design of a home. The application of the stone should reflect the look of the product. As an example, large pieces of flagstone have a very rich look when used as a paving material, but look very two-dimensional when applied to a wall in the same manner. All stone should be used as a design element that is consistently applied on all elevations. Two-dimensional, token applications are unacceptable. The use of manufactured stone products is strongly discouraged.

- D. **Precast concrete**
The style of homes in Connemara is very compatible with precast concrete accent trim. Typical uses are door and window surrounds, sills, columns, balustrades and railings or fountain elements. The finish can be integral color or painted.

- E. **Metal fencing**
Gates, balustrades and railings of decorative metal fencing are acceptable. It is suggested that the material, galvanized or treated with epoxy based paint systems

in an effort to minimize rusting. The design of the metal fencing must be specifically approved by the AC.

- F. Combinations of the above
Materials shall be combined in a way that compliments all materials. The use of more than two major materials is discouraged, as well as too any small areas of an accent material. Penalization of alternating materials is unacceptable. Again, all materials shall be consistently applied to all elevations.

7.1.4 Unacceptable Materials

Plywood siding, exposed plywood, vinyl siding, aluminum siding, sheet metal, ceramic tile, plastic or fiberglass panels are generally unacceptable exterior materials. Ceramic tile and sheet metal may be used as accent materials with the specific approval of the AC. Patios utilizing plastic, aluminum or most other metal structures or covers are unacceptable. Metal fencing may be used in limited quantities with specific AC approval.

7.2 Glass and Glazing

7.2.1 All non-decorative glass and glazing material shall be clear, solar gray or solar bronze. Obscure glass is allowed where needed, but a decorative obscure glass is strongly encouraged. No reflective glass or reflective tinting is allowed in any window. Consideration should be given to the style and exposure of the opening. Glass with color tints (green, blue) will be reviewed on a case by case basis.

7.2.2 Glass block in limited quantities is acceptable. Glass block openings shall be detailed consistent with other window and door openings. All glass block shall be non-colored.

7.2.3 Decorative, Colored and Stained Glass

The use of decorative, colored and stained glass that is visible on the outside of the building will require approval by the AC. If a colored glass is to be used, the colors of the building will need to be harmonious with the colors of the glass. Submittals for decorative glass shall include the locations, design, colors and patterns clearly labeled, and samples of each type or color of glass proposed. Decorative glass used in doors has the same requirements. Any decorative glass installed without AC approval may be required to be altered or removed at the discretion of the AC.

7.3 Sash and Doors

Exterior doors shall accentuate the entry and be of an architectural grade or higher. The use of high quality paneled wood doors for both entry and garage doors is encouraged. Any painted metal doors and frames shall be galvanized or approved resistant coating. Wrought iron and glass front doors will be reviewed on a case by case basis.

7.4 Fascias

Fascias shall be wood, stucco or copper. If wood fascias are used, they shall be clear redwood or vertical grain fir. Wood fascias must be stained or painted.

7.5 Louvers and Vents

Exposed louvers and vents shall be constructed of copper, stainless steel, or galvanized sheet metal. Unless used as a design element, all louvers and vents shall be painted out to match the adjacent surface. All air vents or other metallic items that are mounted on the house roof must be painted to blend in with the roof tile color. Vents should be carefully located to harmonize with the overall design and fenestration of the building.

7.6 Flashing and Sheet Metal

In general, exposed flashings are discouraged. Care should be taken in the design to conceal the flashings within details whenever possible. Exposed flashing shall be copper, stainless steel, galvanized sheet metal or bonderized or prefinished sheet metal. Exposed galvanized sheet metal shall be painted to match the color of the surrounding material. Carefully locate seams and splices to minimize future unsightly conditions such as dirt and mildew.

7.7 Roofs

High quality roofing materials such as Mission (barrel or “S”) clay tile, flat clay tile, concrete tile, wood shakes/shingles, copper, or slate are required. Flat roof areas shall be finished with a corresponding color of the sloping roofs. Matching crushed roof tile is a recommended material for flat roofs. Asphalt shingles, mineral surfaces, corrugated surfaces, and high gloss materials are not allowed on sloping roofs.

7.8 Roof Accessories

Roof vents and exhausts shall be kept to an absolute minimum. Whenever possible, all vents shall be taken through the least exposed roof areas. All roof accessories shall be painted out to match the adjacent surface. Refer to paragraph 6.5 for the requirements for skylights.

7.9 Painting

7.9.1 Painting shall be uniform and consistent with complete coverage of all design elements as approved by the AC and in accordance with the submittal documents and the colors and materials board.

7.9.2 The use of muted colors is suggested for trim, with trim and field colors having a subtle contrast.

7.9.3 All painted and/or stained surfaces shall be properly prepared for the type of finish to be applied. The owner shall endeavor to use materials of the highest quality, applied by skilled technicians.

7.9.4 Repainting in the exact same colors does not require the approval of the AC Committee. If repainting in different colors, the Owner shall submit the application and agreement form, any required fees, photograph of all sides of the existing house, a colors and materials board and the completed colors and material legend from the submittal checklist. Refer to the submittal checklist for the requirements of the color board. Note that the field color samples shall be an actual paint sample of at least 2" x 2" or typical paint chip.

7.10 Awnings

Awnings must be approved by the AC. Colors shall be harmonious with the building colors. Once installed, the owner shall maintain the awnings in a like new condition. Damaged and/or worn awnings must be replaced or removed. When more than one awning is used on a single building, all of the awnings must be of the same fabric, color and design. A house design that is dependent upon awnings as a major design element is discouraged. Any color change of existing awnings requires approval by the AC.

7.11 Maintenance

- A. All improvements in Connemara shall be kept in a like new condition. All surfaces shall be kept clean. Painted and stained surfaces shall be well maintained. Surfaces should be repainted prior to the total deterioration of the finish. Due to the coastal proximity of Connemara, rust on exterior metal can

become a problem. Care should be taken in the preparation, finishing and maintaining of all metal surfaces.

- B. Over time, stains on the stucco finishes can become unsightly. Many of these stains are due to poorly designed details that allow water to leak into the structure and mildew the finishes. Stains shall be removed promptly, and the Owner is encouraged to correct the detail deficiency to minimize the chances of future stains.

8.0 HARDSCAPE DESIGN CRITERIA

Hardscape includes all exterior paved areas such as porches, walkways, steps and stairs, driveways, patios, decks, and improvements such as fountains, pools, spas, sports equipment, flagpoles, miscellaneous site structures, fences and walls. The design of the hardscape should complement the building design. Excessive hardscape is discouraged, as this takes away from available landscape area.

8.1 Paving

8.1.1 The quality of the homes in Connemara is in part due to the high quality paving materials used on many of the homes. Asphaltic concrete (AC) driveways are not permitted. In general, all driveways and paving that is exposed to the street shall be the minimum of one of the following:

- A. Integral color concrete
- B. Masonry or tile units
- C. Textured or exposed aggregate concrete
- D. Natural stone paving
- E. Combination of the above

8.1.2 Large expanses of concrete such as driveways shall utilize bands or changes in materials and/or textures in order to break down the scale. Score lines shall be tooled and laid out in a manner that will minimize potential cracking and enhance the design of the hardscape. The layout of score lines, banding, etc. should relate to the layout of the building, and the hardscape materials should be complimentary to the building materials.

8.1.3 Gravel

No gravel will be allowed as groundcover, except in sideyard areas or to accent tree and shrub plantings around the residence. Decomposed granite (DG), crushed rock and pea gravel are all considered as gravel in these regulations.

8.2 Steps and Stairs

The design of the steps should reflect the design of the hardscape. Steps in the front yard should utilize cantilevered concrete treads, brick bull nose treads, stone details, or some other enhanced design to blend with the other hardscape. No steps, stairs or any vertical hardscape is allowed beyond the front yard property line.

8.3 Patios and Decks

A patio is an on-grade paved outdoor space adjacent to or adjoining the building. A deck is a similar space that is built generally above grade. Neither is required to have access directly from a space in the living unit on the same level.

8.3.1 Patios are allowed to be built anywhere on the lot except on the slopes. A patio may be allowed in a sideyard setback with the specific approval of the AC. No deck can be built in any setback area.

8.3.2 For patios, the use of the paving materials suggested in paragraph 8.1 is encouraged.

8.3.3 Decks that are not a part of the building structure will be reviewed carefully for their location on the site and privacy issues as they relate to all adjacent properties. If any portion of the deck is high enough out of finish grade to require a guardrail, the combined height of the deck and the guardrail will be measured to verify the maximum height. Decks with uninhabitable space below them shall have a skirting to the ground that is an integral part of the deck design. The handrails should also be a harmonious design element. Exposed framing for columns and/or walking surfaces is not allowed. Columns should be framed out and stucco to match the residence. If the underside of the deck is exposed, it should be finished with stucco.

8.3.4 Drainage from a deck or patio must be conveyed via a drain system or gutter system. A detail of the deck edge showing an integral curb or gutter will be required. Decks or patios built that sheet flow over the edge without a curb, gutter or controlled drainage system will be required to be modified to include the detail.

8.4 Patio and Deck Extensions

8.4.1 Limited patio extensions beyond the top of slope are allowed only per the following guidelines and the attached Slope Development Diagrams. Refer to Appendix A. Based upon site conditions such as height of rear slope and privacy issues with neighbors, the deck extension may not be approved to the maximum dimensions shown on the diagrams, or may be denied.

8.4.2 The reference “Top of Slope” for deck extensions is the original location as shown on the “Exhibit A” Site Plan from the Custom Lot Declaration.

8.4.3 A wet signed topographic survey by a California Licensed Civil Engineer or Surveyor is required to be submitted if any construction over the top of the original top of slope is proposed. The survey shall be USGS based, not an assumed datum point. The survey shall show the topography onto the adjoining lots a minimum of 10 horizontal feet on each side.

8.4.4 The use of multiple stepped walls to support a deck extension is not allowed. Only a single wall, with the vertical and horizontal restrictions as shown on the Slope Development Diagrams will be considered.

8.5 Retaining Walls and Skirt Walls

8.5.1 Retaining walls within the sideyard setback areas are limited in height to a maximum exposed face of 6 feet. If retaining greater than 6 feet is required, additional walls, each limited to a vertical height of 6 feet, with a horizontal offset of at least three feet clear between the walls is required. If the retaining wall has a solid garden wall between lots at the top, the height calculation will include both the retaining portions of the wall and the garden wall portion.

8.5.2 Skirt walls are the enclosures from grade to the underside of the deck above. The Slope Development Diagrams (refer to Appendix A) show a maximum exposed height of skirt wall of 5’-6” (Five feet six inches). If the skirt wall has a guardrail on top, the height calculation includes both the guardrail portion and the skirt wall portion. The skirt wall may also be a retaining wall, but the restrictions on the wall are per the skirt wall limitations.

8.6 Fences and Garden Walls

The dramatic elevation changes which make Connemara distinctive require that special attention be paid to walls and fencing. The sideyard property line walls and fences and the rear wall or fence at the top of slope shall conform to the Connemara Standard Details within these guidelines without exception. Refer to Appendix B and C. Other walls, fences and gates should be compatible with the standard walls and the design of the residence. Owners can individualize

their Residence with a wide variety of low garden walls, fountains, hardscape, trellises, etc. within the allowed buildable area.

8.6.1 Fencing Design Standards

Open Fencing – Wrought Iron (Refer to Appendix C)

Required Location:

Rear of lots at top of slope and side of lots facing street

Front yard to adjacent lots

Side yard property line where view from adjacent lot is required.

Optional Location:

Side yard property line where view is not a requirement.

Determination on view requirement will be made by AC during plan review.

Maximum Height: 5’- 6”

Picket Spacing: Opening not to exceed 4”.

Finish: To match existing project wrought iron fencing.

8.6.2 Garden Wall Design Standards

Required Location:

Side yards where view from adjacent lot is not a requirement.

Determination on view requirement will be made by AC during plan review.

Maximum Height: 5’- 6”

Finish: Plaster or stucco finish, color to match architecture of residence.

Masonry veneer to match architecture of residence.

8.6.3 Pilasters Design Standards

Recommended Location:

At intersection of wrought iron fence and masonry wall

At the intersection of two masonry walls

Finish:

Plaster or stucco finish to match architecture of residence.
Masonry veneer to match architecture.

8.6.4 Pool Barrier Standards

The Owner is responsible for coordinating any diverse requirements and for conforming to all required state and local laws governing pool/spa safety. The submittal drawings shall show a fence that is compatible with these laws for aesthetic approval by the AC. The Connemara Property Owners Association, its officers and agents are in no way responsible for or liable for the actual safety of any safety barrier or water element within Connemara.

8.6.5 Unacceptable Materials

The following materials will not be allowed in the construction of walls and fences in Connemara.

- | | |
|--|--|
| A. Chain link, poultry wire or other types of woven wire, including plastic coated wire, and expanded metal. | E. Plastic or fiberglass materials other than clear, not patterned, tempered glass or sheet Plexiglas. |
| B. Corrugated or sheet metal. | F. Reed or straw like materials. |
| C. Rope or other fibrous strand elements. | G. Precision concrete block, plain or painted. |
| D. Glass block. | H. Wood fences. |

Slumpblock, concrete block, wood, chain link or wire mesh may be permitted by variance if it is not visible from any other lot or street within Connemara I.

8.7 Gates

Gates to sideyards that have any ground mounted mechanical equipment, such as air conditioner compressors, pool equipment or will be used as trash receptacle storage shall be shielded from view from the street and from neighboring lots. Wherever this condition exists the homeowners should add additional hardscape features such as walls, to block the view of these items. If that is not possible a solid style gate may be necessary.

8.7.1 Wood gates shall be compatible with the design of the residence, and finished to match other finishes on the residence. The recommended style for a wood gate is to match the garage door design, materials and finishes. All wood gates shall have a painted finish.

8.7.2 Many homes in Connemara have been designed with “Open Style” ornamental wrought iron side yard gates. Although these gates are usually quite attractive in themselves, they do offer the possibility of having the unsightly objects, i.e. air conditioning units, garbage cans, and

other equipment or items visible. It is recommended that a perforated metal panel (greater than 75% opaque) mounted to the backside of a wrought iron gate be installed. The finish of the panel shall match the wrought iron.

8.7.3 Gates shall comply with City codes for water safety, if required.

8.7.4 Gates across driveways that swing away from the street are to be located a minimum of eighteen feet (18') from the curb such that a full size car can pull fully off of the street while the gate is in a closed position. If the gate swings toward the street, the gate shall be located a minimum of eighteen feet (18') clear measured to the extension of the swing of the gate. If a gate is within the front yard setback, the maximum height of any portion of the gate and pilasters is 42". In no case shall the fence or surrounding pilasters exceed 6 feet. Excessive ornamentation in the gate design is strongly discouraged. Colors shall be muted and compatible with the color scheme of the residence.

8.8 Shade Structures, Arbors and Gazebos

8.8.1 Definitions

A shade structure is defined as an overhead structure of open grating or latticework and beams, constructed of wood, supported by columns and/or by attachment to the building. A shade structure has no side enclosure. An arbor is a free standing structure, typically metal that allows climbing plants to cover the exterior. A gazebo is a freestanding shade structure that has partial enclosure on the sides.

8.8.2 Shade structure and gazebo construction shall be permitted only within the allowable building area and the rear setback as detailed in section 5.2.5. They shall be designed to continue and/or complement architectural features of the dwelling. Heights may be varied subject to the criteria and approval of the AC, but may not exceed the maximum allowable height for the lot.

8.8.3 A single arbor that does not exceed seven feet (7') in height and three feet (3') in depth is allowed within the ten-foot (10') sideyard only. All other arbors must be within the buildable area of the lot or in the rear yard, no closer than 5 feet from the top of slope or rear wall.

8.8.4 Materials

- A. Structure or framework, including any overhead portions shall be of wood construction only, with the exception of vertical support members which may be metal, but must be completely encased by wood or AC approved accent materials. Roofing materials shall be of open wood construction or, if covered, match the

roof material of the dwelling. Non-reflective flat glass panels are also allowed with specific approval of the AC. Any other roofing materials are unacceptable.

- B. Structures and frameworks of metal, except as noted above, will require specific review and approval by the AC.

8.8.5 No object such as urns, pots, planters, etc., shall be placed on top of the structures discussed in this section. All such “adjournment” shall be located under, around or suspended within the structure.

8.9 Storage Sheds

No sheds, equipment or storage spaces shall be visible from streets or present an objectionable view to neighbors. All sheds and storage spaces shall be within the buildable area as described on the Custom Lot Declaration, and submitted to and approved by the AC.

8.10 Trash Containers and Enclosures

Trash containers are to be kept within enclosures and must be completely screened from the streets and adjacent properties. The screening must be permanent, such as walls and solid gates.

8.11 Flagpoles

All Flagpoles are to be placed within the buildable area as described on the Custom Lot Declaration. No more than one flagpole is allowed per lot. The height of the pole shall not exceed the highest point of the residential structure on the same property. All flagpoles require specific approval of the AC.

8.12 Swimming Pools, Spas, Spools, Waterfalls, Fish Pond and Body of Water which contains Eighteen (18) inches or deeper:

8.12.1 All pool and/or spa construction including equipment, fences and gates must be per government standards and these guidelines. All pool drains must be per applicable government standards and cannot be drained over the slopes.

8.12.2 Any swimming pool, spa, fish pond or other body of water which contains water eighteen (18) inches or more in depth shall be located at least five (5) feet from any side or rear property line or top of slope. A report and survey from a professional licensed surveyor will be

required to establish the Top of Slope per the original grading plan and included on the Custom Lot Declaration for that property. No such body of water shall be permitted in any required yard space when the enclosing fence required by this section cannot be erected as permitted.

8.12.3 Filters heating systems, or pumps, installed to serve such body of water, shall be located not closer than ten feet (10') to any dwelling, other than the Owner's. All installations shall be sound attenuated to meet or exceed the City of San Juan Capistrano requirements.

8.12.4 All pool equipment shall be permanently screened from the view of adjacent property and any public right-of-way. All swimming pool heaters shall be of the stackless type. All pool equipment shall at a minimum be installed to comply with the requirements of the City of San Juan Capistrano.

8.13 Tennis Courts and Sport Courts

Location and construction of tennis courts and other sports must meet requirements of the City of San Juan Capistrano as well as be approved by the Architectural Committee. Night lighting of such facilities must minimize impact on neighboring properties.

8.14 Fountains

All fountains shall be submitted to the AC for review and approval. The design of the fountain should compliment the style of the residence. Fountains installed in the front yard setbacks are subject to the same height restrictions as fences and walls. All pumps shall be quiet operating submergible type. Lighting shall not impact any neighboring property.

8.15 Outdoor Lighting

8.15.1 All lighting must meet the City standards including maximum foot-candles.

8.15.2 Above-grade floodlights for lighting of trees and plantings shall be concealed by shrubs or low walls to prevent daytime visibility. These fixtures are not allowed in grass areas. Any fixtures in grass areas shall be flush mount type. An attempt to conceal the source of light is recommended.

8.15.3 Walk lights placed in grass areas or adjacent to walkways in shrub or groundcover areas may use above grade junction boxes provided they will be hidden from view by shrubbery to minimize the daytime visibility of the hardware.

8.15.4 Building mounted lighting shall be carefully designed to not allow stray light beyond the property lines. Bullet type spotlights are not generally allowed, and will need specific approval of the AC for installation. Care must be taken to not shine lights down on neighbor's houses.

8.15.5 Any light controlled by motion detector shall be installed and adjusted in such a manner as not to be set off by any offsite action or by the movement of adjacent landscaping.

8.15.6 Flashing, glaring or revolving lights shall not be used.

8.15.7 Holiday lighting in season is permitted. Removal from structures and landscape is required between January 15 and November 15.

8.16 Outdoor Furniture and Accessories

The installation of sculpture, statues, pots, benches, etc. that are visible from the street are subject to the review and approval of the AC. Care should be taken to compliment the style of the house with any accessory items. Accessory items shall be scaled to the house and the specific area where they are installed or placed. Any item placed without the approval of the AC shall be removed at the request of the AC at the sole cost of the owner.

8.17 Barbeques and Pizza Ovens

The committee encourages the design of barbeque units and/or pizza ovens that are integral with the design of the Residence. All such units should be designed to conform or coordinate with the design and scale of the residence. Freestanding or attached units should not be located within five feet of the top of slope. If a stack is required, locate the unit so that the stack is not excessive in height. Care should be taken in the location of the oven to not require excessively tall chimneys or to cause smoke to enter the adjoining yards. Any pizza oven stack that exceeds six feet (6') in height is not allowed within a sideyard setback area.

8.18 Exterior Fireplaces

Exterior fireplaces are allowed in the rear yard only. The fireplace should not be located within five feet of the top of slope or within the sideyard setback. All such units should be designed to conform or coordinate with the design and scale of the residence, and integrated into other patio structures such as trellises where possible. Care should be taken in the location of the fireplace to not require excessively tall chimneys or to cause smoke to enter the adjoining yards.

8.19 Signs

No signs shall be displayed on any residence (other than a sign advertising the property for sale or lease as permitted by C.C.&R.'s). This includes tradesmen, contractor or installer signs of any type.

9.0 LANDSCAPE DESIGN CRITERIA

The following information is intended to guide the homeowner and/or Landscape Architect in the landscape plan submittal and structuring of the landscape for visual and functional use. Landscape plant materials are to be considered as strong, visual unifying elements and should reflect the physical, functional and aesthetic qualities of the site and Connemara. *Sunset Western Garden Book*, latest edition, and *Beirock's Guide to Landscape Palms* are the books used as a reference guides for the review and comment on landscape materials in Connemara.

9.1 Planting Design Objectives

The landscape at Connemara has evolved to a sensitive marriage of formal and informal arrangements of landscaping materials. Landscape architects should be sensitive to the overall concept of landscaping as is evident in the exterior parkways, Association common properties, and other residences. They should be especially sensitive to existing or approved landscaping on adjacent property and to the landscape character of the immediate neighborhood. The Connemara AC expects, and the homeowner should strive for the creation, in time, if a cohesive, unified exterior environment within the homeowner's individual lot and throughout the development. Plant materials are major elements one may use, along with the architectural elements, to create a pleasant experience for those people living within and passing through Connemara. Plant material must, therefore relate to the scale and character of the land.

The following criteria will be used in reviewing the designer's planting plan:

- A. Relationship of the mature plant form to the scale and character of the home and adjacent residences.
- B. A simple pallet of plant materials will serve to enhance an area and is encouraged. Creating a horticultural menagerie is not encouraged.

- C. Long lived shrub-type and vining ground covers must be sought and spaced to form complete covering of the soil when mature. Quantity of plants in the areas to be landscaped will be reviewed. Installed size and spacing of plants shall reflect their relative anticipated growth size.
- D. The use of long lived plants to form the major planted space will be sought. Trees and shrubs must form the permanent visual enhancement with herbaceous and quick growing plants forming only a small quantity of the plant palette. The use of trees to break up large expanses of flat wall is strongly encouraged. Proper choice of species can result in a tree that is an effective screen while not impairing the view of the homeowner or neighbors.
- E. Short lived or herbaceous plant materials are acceptable only in those areas used in a temporary manner or as specially placed accents in landscape. Short lived shrubs and trees, may serve to quickly attain a mature form shall be interplanted with similar functioning, but long lived slow growing plant material, and is recommended for a more permanent effect.
- F. Close attention must be given to the use of plants in order to create a livable environment for people. The potential use of plants to perform screening, define three dimensional spaces, control erosion, glare, noise, dust, climate control such as wind, temperature, aesthetic, accentuating land forms are but a few of the uses of plant materials considered for review.

9.2 Landscape Standards

9.2.1 The entire yard area shall be landscaped. The Architectural Committee review of landscape plans shall include plant material and size, wall or fence material, grading and paving concepts, outdoor lighting and patio overhead. Refer to Section 8.0 for Hardscape requirements.

9.2.2 The Architectural Committee shall endeavor to insure that all landscaping materials are in harmony with other building elements of the lot and that the design, intent, theme and integrity of the community is maintained.

9.2.3 When specifying species of trees, consideration shall be given to the restrictions on landscaping height set forth in the Custom Lot Declarations. In general, trees that will exceed the maximum allowable height of the lot at maturity without continuous pruning, will not be approved. Landscaping installed on a Lot shall not be permitted to grow to a height which exceeds the Height Limit for such Lot.

9.2.4 No palm trees will be approved except Pygmy date palms (*Phoenix roebelenii*). Sago Palms (*Cycas revoluta*) although not technically a palm, are allowed.

9.2.5 Plant Sizes

Plant composition should employ a variety of sizes of plants when planting rather than one size. Plant material shall conform to the following minimum container sizes at the time of planting:

- A. Front Yard trees: Minimum size tree shall be 24" box. One specimen tree of 36" box size per front yard is required
- B. Rear Yard trees: Minimum size tree shall be 15 gal. One 24" box tree is required for every five 15 gal. trees.
- C. Side Yard trees: Minimum size tree shall be 15 gallon.
- D. Front Yard shrubs, all lots 5 gallon
- E. All other shrubs 1 gallon

9.2.6 Sideyard trees (vertical) must not mature to more than fifteen feet (15') in diameter, so as to provide airspace, and reduce potential intrusion into adjacent sideyard.

9.2.7 To maintain sight lines along street corridors, shrub heights within 7 feet of the street should not exceed three feet (3') in vertical height.

9.2.8 The following trees and shrubs are considered not consistent with the overall theme of the community and are not acceptable. The lists may be revised, but presently includes:

- A. Any species of tree that can eventually mature to a height greater than 35' may not be used anywhere in the landscape plans.
- B. All varieties of large bamboo
- C. Trees planted within the side yard setback areas that have an ultimate spread greater than fifteen feet (15').
- D. All palm trees with the exception of *Phoenix roebelenii*. Refer to 9.2.4.

9.2.9 Plant materials must be able to mature within the environment in which they are placed. Material compatible with the local soil condition saves time and expense. The quality of plant materials must be of the highest order to ensure a normal growth pattern. Root bound, weak

branched, diseased and malformed plants should not be planted and/or must be removed and replaced. Installation of the plant materials should be accomplished in such a manner that potential maintenance problems are minimized and/or eliminated.

9.2.10 Artificial Plants and Grass

The use of artificial, imitation, or plastic plants including artificial turf and silk plants must be approved by the AC. All applications for approval of the AC must include samples of the materials to be used and where such material will be placed on the owner's property.

9.2.11 The inclusion of topiary work in a garden is allowed when it is not visible from the street. Topiary work in other areas are subject to the review and approval of the AC.

9.2.12 The AC reserves the right to reject any plant materials deemed unsuitable by them or their consultants.

9.2.13 Vines must be initially secured to vertical surfaces in a permanent fashion without trellises. All stucco surfaces will be required to have such secured plantings.

9.2.14 Drains shall be installed in all planters against the building or surrounded by hardscape. Refer to Paragraph 5.7.4.

9.3 Hedges

9.3.1 A hedge shall be defined as a closely grown row of any kind of shrubbery.

9.3.2 Heights

The height of all hedges shall be measured vertically from the finished grade at the base of the hedge on the lowest adjacent grade. Hedges are subject to the following conditions:

- A. Hedges shall not exceed six (6) feet in height within all rear and side property lines on interior lots, and on or to the rear of all front yard setback lines.
- B. No hedge over three feet six inches (3'-6") in height shall be placed in any front yard setback area, or in the side yard on the street side of either a corner lot.

9.4 Finish Grading

Drainage patterns with at least minimum gradients required by the City Grading Guidelines should be established.

9.5 Slopes

All slopes shall be stabilized with approved varieties, and quantities of ground covers and other plant materials in such a manner as to afford complete slope coverage within a year after installation. Those slopes up to five feet of vertical height require ground cover and shrub planting. Slopes five feet and over in vertical height require ground cover, shrub and tree planting coverage and shall meet or exceed city requirements.

9.6 Irrigation Guidelines

9.6.1 An automatic irrigation system is required for all landscape areas. Valves shall be concealed from view from the streets. A complete irrigation plan is required for Final Landscape Plan approval.

9.6.2 Any existing association irrigation systems disturbed during the course of new construction shall be adjusted and/or repaired to meet the standards of the original system designed. Modifications to the association systems shall be made by the Association Landscape Maintenance contractor at the sole cost of the Owner.

9.7 Maintenance

The landscape shall be maintained in a first class condition. Maintenance shall include:

- A. Mowing and edging of turfgrass.
- B. Watering as required for proper plant growth.
- C. Fertilizing.
- D. Controlling weeds.
- E. Trimming of trees and shrubs.

10.0 DEFINITIONS

The following terms used in these Regulations and Guidelines shall have the meanings indicated:

- 10.1** “Approved Pad Elevation” shall mean the certified elevation that has been approved by the City pursuant to the approved Connemara rough grading plan.
- 10.2** “AC” shall mean the Architectural Committee of the Association.
- 10.3** “Architectural Review Fee” shall mean the fee assessed by the AC in connection with the review of plans and specifications.
- 10.4** “Association” shall mean Connemara I Property Owners Association.
- 10.5** “Board” shall mean the Board of Directors elected pursuant to the Bylaws of the Association.
- 10.6** “Building Permit” shall mean a permit issued by the City necessary for the construction of any improvements on a Lot.
- 10.7** “C.C.&R.’s” shall mean the Declarations of Covenants, Conditions and Restrictions for Connemara, recorded on May 19, 1982, as Instrument No. 82-172356 of the Official Records of the County of Orange, California, and any amendments thereto.
- 10.8** “City” shall mean and refer to the City of San Juan Capistrano, State of California.
- 10.9** “Construction Deposit” shall mean Construction Damage and Completion Deposit.
- 10.10** “Custom Lot Declaration” shall mean the Recitals and Exhibit A Site Plans for Connemara, recorded on May 19, 1982, and October 5, 1982 as Instrument No. 82-172357 and 82-349807 of the Official Records of the County of Orange, California, and any amendments thereto.
- 10.11** “Design Guidelines” shall mean these Architectural Regulations and Guidelines.
- 10.12** “Lot” shall mean the Lot owned by an Owner.
- 10.13** “Owner” shall mean the persons or entities that own a Lot.
- 10.14** “Regulations” shall mean these Architectural Regulations and Guidelines for Design and Construction Standards. The Regulations are the Architectural Rules and Architectural Standards that are defined in the CC&R’s which have been adopted by the Board in accordance with Article IV of the CC&R’s.

10.15 “Top of Slope” is to be interpreted as the Top of Slope established in the original grading plan for the community and as shown on the Custom Lot Declaration for each property and must be included on drawing for all applications involving Top of Slope limitations supported by a survey conducted by a licensed professional surveyor.

10.16 “Pools” include all bodies of water which contain water eighteen (18) inches or deeper.

11.0 CONSTRUCTION RULES AND REGULATIONS

The following standards shall be applied by the Owner, general contractor, subcontractors and workers on all construction within Connemara. The Owner is the ultimate responsible party, and it is therefore the Owner’s responsibility to make sure that all parties employed on their project are aware of these standards. Some of this information is covered in other sections of the Architectural Regulations and Guidelines.

11.1 Construction Start Up Procedure

11.1.1 Access Permit

When an Owner has secured all required approvals from the AC and the City and upon receipt of the required Construction Damage and Completion Deposit and any outstanding Architectural Review Fees the Owner will be issued an Access Permit for his Lot for normal work hours. The Owner or contractor will be required to have the Access Permit in hand when registering at the security access gate prior to beginning any construction. Copies of the Access Permit and “Contractor Registration” document forms are available from the Management Company. The Owner and/or his general contractor or superintendent are responsible for hiring a licensed subcontractors for all work, and identifying them on the Contractor Registration form.

11.1.2 Each Owner is responsible for hiring a general contractor licensed in California to construct his home or addition. The Owner and his general contractor are required to construct the Residence and surrounding improvements according to the plans’ specifications and revisions approved in writing by the AC and the City.

11.1.3 The Owner and his general contractor or superintendent are responsible for familiarizing themselves and complying with all portions of the C.C.&R.’s which affect construction. Each general contractor or superintendent is responsible for familiarizing his employees, subcontractors and suppliers with all relevant construction requirements and provisions in the Construction Standards. Any contractor not complying with these policies, and continually breaking the rules, will be prohibited from entering the community.

11.1.4 Lot Owners are responsible for the actions of their contractors and workers. The Owner is held financially responsible for any damages that are caused by any contractor or worker.

11.2 Construction Damage and Completion Deposit

11.2.1 As the community of Connemara develops and many homes have now been completed it has become obvious that the potential for damage to existing properties and common area caused by ongoing construction has been greatly increased. It is therefore necessary to collect a construction damage and completion deposit. Please refer to a current Application for the required deposit amount.

11.2.2 A deposit is collected at the beginning of the construction period. The purpose of this deposit is to develop a reserve that will assure an expeditious completion of the project and to have funds to pay for any damage that may be caused to personal or Association property during the course of construction. If this reserve is reduced at any time during the course of construction to pay for any damage that may have occurred, it must immediately be restored to the original amount. The full amount must be on deposit before the Architectural Committee will perform their inspection for the purpose of approving the project for a certificate of occupancy.

11.3 Time Requirements

Except upon written permission from the AC, construction shall proceed continuously and expeditiously in accordance with the permitted construction hours. The total construction period from the time the building permit is issued until construction is complete may not exceed the time limits set forth in Paragraph 4.10 without written approval from the AC.

11.4 Insurance

Each Owner shall cause his contractor, as a condition to obtaining an Access Permit to enter upon the Association Property to provide to the Association a copy of its liability policy designating the Association as an additional insured in an amount not less than One-Million Dollars (\$1,000,000.00) to protect the Association against any loss, damage or injury which may occur as the result of entry and activity by such contractor or its agent.

11.5 Restricted Access

11.5.1 All vehicles must stop and identify themselves before entering the community. This includes showing the gate officer a valid construction pass. The gate officer has every right to challenge entries to Connemara, and will check the passes to ensure they are not expired. It is the responsibility of the Owner to provide security with an updated list of contractors. It is the responsibility of the Owner to make sure their contractors have Construction Passes.

11.5.2 All Access Permits will be identified by Lot and permit numbers and all construction personnel will be restricted to the Lot or Lots on which they are employed. This also will apply to their delivery drivers and those with whom they have appointments. Access will be permitted only during normal working hours. Access will not be allowed after hours or on weekends when no work is being done. No one shall be permitted to bring with them children, friends, guests, relatives or anyone else who has not been cleared through security. If a contractor is denied access to one job, he may be denied access to the community at the discretion of the Association and gate officer. No solicitation of other sites or existing residences is allowed.

11.5.3 The Owner, his general contractor or superintendent is required to employ a full-time, on-site construction foreman with the authority to receive deliveries and direct suppliers and subcontractors.

11.5.4 If a party at the gate has not been called in to the gate officer, access will be denied.

11.5.5 The speed limit within Connemara are posted. All contractors shall respect the limit, or access to the community can be denied.

11.5.6 No construction worker is permitted to bring dogs, cats, pets, etc. into Connemara. Access will be denied if workers fail to comply.

11.5.7 All owners are allowed to assign one person to have a twenty-four hour access pass in case of emergency or immediate repairs are required.

11.6 Site Conduct and Safety Precautions

11.6.1 No drugs, alcohol, or controlled substances are permitted.

11.6.2 No loud or excessive music is permitted.

11.6.3 Precautions shall be taken to not damage or disturb the work of others.

11.6.4 No construction vehicles shall be parked within ten feet (10') of any driveway of an existing residence.

11.6.5 Construction vehicles, including trailers, are not allowed to remain on the streets after hours. If any vehicle is left on the street, it is subject to be towed away at the Owner's expense.

11.6.6 The general contractor, job superintendent, employees, subcontractors and suppliers shall take all necessary precautions for the safety of all persons, materials and equipment on or adjacent to the site; furnish, erect and maintain approved barriers, lights, signs and other safeguards to give adequate warning to everyone on or near the site of dangerous conditions during the work. There will be no exceptions to any of the above conditions and all Owners will inform their architects, contractors, job superintendents, subcontractors, suppliers and delivery truck drivers of these Design Guidelines, Rules and Regulations.

11.7 Construction Hours

The following hours apply to both workers and owners. No work of any kind shall be performed outside these set hours. All construction operations shall be limited to:

Monday through Friday	7:30 a.m. to 5:30 p.m.
Saturday	8:30 a.m. to 4:30 p.m.
Note: Earthmoving equipment on Saturdays shall be limited to 8:30 a.m. to 12:30 p.m.	
Sunday and Holidays	NO WORK

All contractors, subcontractors, suppliers and employees must be off the job site prior to 6 p.m. *NO EXCEPTIONS.*

For purposes of these guidelines, holidays are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.

11.8 Temporary Construction Facilities

11.8.1 The following temporary construction facilities shall be placed on the Owner's Lot before construction commences:

- A. Temporary Water: A temporary water riser together with a 150' (minimum) of 1" heavy duty rubber water hose, irrigation facilities for dust control and a hose stand shall be provided and installed.
- B. Temporary Electric: A metered power outlet shall be provided and installed in accordance with the requirements of San Diego Gas and Electric (SDG&E) and the City.
- C. Temporary Toilet: A temporary fiberglass toilet in good condition shall be required with a biweekly chemical maintenance program. These units shall be maintained in a clean, sanitary and odorless condition.
- D. Dumpster: A minimum (12) yard steel roll-off dumpster shall be maintained on the Lot during the duration of the construction. A regular dumping service shall be maintained so that overflow and unpleasant odors do not occur.
- E. Temporary Construction Trailer: Trailers shall be no smaller than 8' x 16' (box size), of recent construction and in good repair. No construction "shacks" will be permitted. All signs must be removed from trailers.
- F. Storage Bins: Storage bins for on-site material storage shall be steel and in good repair.

11.8.2 All storage bins, building equipment, building materials and temporary toilets used in connection with new construction or remodeling must be placed on the owner's property behind the curb and off the street. If this is not possible, written permission must be obtained from the AC prior to placing any of the above items on the paved street area. Storage bins or dumpsters, if approved to be placed in street, must have a 3/4" plywood plate under each foot, or other adequate protection to prevent damage to the street.

11.9 Use of Adjacent Property

The use of property adjacent to Lots under construction for vehicular access purposes, parking or equipment and material storage will not be permitted without the written permission of the adjacent property Owner. A copy of this written permission shall be forwarded to the Management Company.

11.10 Site Maintenance

The general contractor, job superintendent, employees, subcontractors, and suppliers shall comply with the following rules established for the daily maintenance and cleanliness of the site.

11.10.1 Maintain the site daily in a neat and clean condition, neatly stockpiling all materials delivered for or generated by the work and immediately removing any waste material or debris generated by the work to a dumpster or off-site.

11.10.2 All debris generated by employees, i.e. paper, cans, bottles and litter shall be removed and properly disposed of from the job site on a daily basis.

11.10.3 Remove all equipment, materials, supplies and temporary structure when any phase of the work is complete, leaving the area neat and clean. Equipment not in daily use must be removed from the job site.

11.10.4 Keep the streets, gutters and adjacent property clean and free of dirt, trash, debris or other material related to or caused by the work. Streets and gutters shall be broom clean each day and hosed clean at a minimum each Friday.

11.10.5 Maintain continuous dust control on the Lot during construction operations.

11.11 Site Spoils

All spoils generated from the site grading must be placed on the Owner's Lot. No material may be placed on the street or common area. Storage of spoils on adjacent property will not be permitted. All excess spoils shall be removed promptly and disposed in accordance with City and County rules and regulations at controlled dumpsites.

11.12 Inspections

Representatives of the AC will visit the site at various stages of construction.

11.13 Compliance

The AC and the Board reserve the right to stop construction and deny site access to any general contractor, job superintendent, subcontractor, supplier or their employees who are in violation of these Regulations and any other relevant provision hereof. Connemara Security may cancel

security clearances for construction personnel who are in violation of the C.C.&R's and/or Regulations.

12.0 Index

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SUBMITTAL CHECKLIST - ARCHITECTURAL AND LANDSCAPE SUBMITTALS

MANAGING AGENT: AMMCOR

910 Calle Negocio, Suite 200, San Clemente, CA 92630

PH: 949-661-7767

FAX: 949-661-5696

Following is a Submittal Checklist to help you decide what may be required depending upon the nature of the Application. For a new home or a major remodel, all of this information will be required. Minor architectural or landscape changes will of course require less detail.

Owners must submit Preliminary Plans to obtain preliminary conceptual approval from the neighbors and the AC. Final Plans must be submitted for final approval and should include all required information as called for by the checklist.

Final Plans shall be the exact same submittal that will go to the City of San Juan Capistrano for Plan Check including the required Landscape Plans. Final Plans will be checked for substantial conformance to the Approved Preliminary Plans. No construction can begin without Final Plan Approval.

SUBMITTAL INSTRUCTIONS & REQUIREMENTS

The C.C.&R.'s of the Association require that architectural changes and significant landscaping modifications be approved by the Architectural Committee (AC) before work on this improvement can begin. The role of the AC is to see that the proposed changes conform to the Architectural and Landscaping Standards published by the Association.

Naturally, there are many types of changes that require approval by the AC. The AC can review minor changes with minimum information from the Owner. New home construction and major remodels however requires complete detailed drawings and specifications per the submittal Checklist.

HOW TO USE THE SUBMITTAL CHECKLIST

Review the chart in the Architectural Regulations and Guidelines to see what documents you need to submit. Within the Submittal Checklist are the entries listing the required contents of each document.

- For a **Preliminary Plan Submittal**, any entry with a checkbox in the **left** column (as this section has) will be required to be submitted, if applicable to the submittal type.
- For a **Final Plan Submittal**, any entry with a checkbox in the **right** column (as this section has) will be required to be submitted, if applicable to the submittal type.

A COMPLETE SUBMITTAL REQUIRES THE FOLLOWING:

- Purpose of Submittal Form, available at the management company
- Required number of complete sets of drawings, with all of the information required by the Submittal Checklist for the application type
- Completed Architecture & Landscape Application and Agreement Form
- Neighbor Awareness Form completed
- Submittal Fee
- Construction and Completion Deposit (if required)
- Correct number of complete Submittal Sets of Drawings and Exhibits

A copy of the Submittal Checklist is not required to be returned with your submittal.

Use it as an aid in preparing your submittal.

SITE PLAN

Scale same as survey/topo

- Property Line dimensions and bearings, easement locations and widths
- Legal description, property address, name and address of Owner
- Dimensioned footprint of all structures with finish floor elevations of each level
- Dimensioned building setbacks:
 - Front Yard, Side Yards, Rear Yard
 - Eaves, Overhangs, Window seats, Balconies, and Architectural Projections
 - Chimneys and Columns
 - Patio Covers, Gazebos, Shade structures, Exterior Fireplaces
- Mechanical Equipment: AC compressors, pool/spa/fountain equipment
- Finish and natural grade elevations at building corners
- Specific flow and manner of surface/underground drainage
- Property line walls and garden walls: Locations, Top and Bottom of Wall Heights
- Proposed Hardscape Areas: Walks, driveways, patios, pool, spa
- Proposed landscape areas
- Sports equipment locations (basketball backboards, play structures, etc.)
- Vicinity map, scale, north arrow, date prepared

FLOOR PLANS

Scale: 1/4" = 1' -0" minimum

- Existing and proposed structures with overall dimensions. Include all walls, columns, architectural projections, openings and any feature that will affect the exterior design of the building.
- Room functions
- Gross living areas, existing and proposed
- Finish floor elevations at all floor levels
- All exterior light fixtures and fixture catalog cuts
- All utility meter locations
- Foundation plan and details
- Scale, date prepared or amended

ROOF PLAN

1/8" = 1' -0" minimum scale

- Roof tile manufacturer, color name, color number and style
- Roof pitch
- Callout of all roof features: Hips, valleys, ridges, chimneys, birdstop detail, etc.
- Gutters, downspouts locations and diverters
- Skylights: Location, size, frame finish, lens type and color
- Solar panels: Location, style and recess detail
- Scale, date prepared or amended

BUILDING SECTIONS

Scale: ¼" = 1'-0" minimum

- Section taken through the highest portion of the structure. Indicate all floor heights and dimension the ridge/peak heights from the Pad Elevation
- Foundation section, wall section and eave/overhang section shown on building section
- Scale and date prepared or amended

EXTERIOR ELEVATIONS

Scale: ¼" = 1'-0" minimum

- Show all walls visible from the exterior of the building
- Window and door locations
- Roof pitch and dimensioned ridge/peak heights from Approved Pad Elevation
- Exterior light fixture locations, types and heights
- All utility meters
- All exterior materials, finishes and colors clearly noted and keyed to the legend. The Materials and Colors Legend from this checklist should be on the plans.
- Scale and date prepared or amended

COLOR, FINISHES AND MATERIALS

Only one complete submittal is required.

- 8 ½" x 11" maximum size rigid board (foam core or illustration board only) with actual samples of all materials and their colors. Each sample is to be labeled with manufacturer, color name, color number and where it is to be used. If it is necessary, more than one 8 ½" x 11" board may be submitted to accommodate the required samples. Please clearly indicate the Name, Address and Lot Number on each board.
- Roof material sample(s) – If using a tile blend, submit a sample of each color
- Stucco sample – an actual sample 8" x 8" of finish and color. No paper samples will be accepted.
- Paint and/or stain samples – Color chip for all painted or stained surfaces: eaves, trim, window sash, doors, garage doors, gutter, downspouts, wrought iron, etc. Field color sample to be 8" x 8"
- Hardscape materials – Samples of tile, brick, stone, colored concrete, etc. that are proposed for the project

BUILDING DETAILS

- Typical exterior openings: Head, jamb and sill details
- Eave and overhand details
- Any details necessary to explain exterior design features and junctions of dissimilar materials
- Exterior railing details showing curbs and drains or gutter system
- All garden walls and fences
- Patio covers, trellis and other exterior structure details

HARDSCAPE PLAN

Scale: 1/8" = 1'-0", 1" = 10' minimum

- Identify all paving types, steps, patterns, textures, materials and colors
- All site walls including wall heights from both sides of the wall, detail references and colors
- Dimensioned locations of pools, spas, fountains. Include the location of all mechanical equipment and the screening and sound baffling of the equipment
- Patio covers, arbors, gazebos and other shade structures:
 - Dimensioned location in relation to the building and the setbacks
 - All necessary details to show the design materials and type of construction
 - Elevations of all sides indicating the height in relation to the nearest wall and the Residence
- Bar-b-que and exterior fireplace location, details and vertical dimensions
- Drainage and grade elevations
- Indicate all landscape light fixtures, types, model numbers and catalog cuts
- Structural details for all structural elements such as retaining walls and shade structures
- Scale, north arrow, date prepared or amended

PLANTING PLAN

Scale: Same as Hardscape Plan

- Identify all plants by botanical and common names, and indicate container sizes
- Show shrub locations and indicate diameter and height to scale at 5 years growth
- Show tree locations and indicate diameter and height to scale at 5 years growth
- Identify height and materials for raised planter borders
- Identify ground cover by name
 - Grass seed and turf blend specifications
 - Complete irrigation plan and details
- Scale, north arrow, date prepared or amended

VARIANCE SUBMITTAL

- Letter of justification
- For remodels, additions and landscape/hardscape requests, submit photographs of the existing conditions.
- Additional submittal materials as may be required by the ARC to fully understand the request. This may include renderings and/or models.

**MATERIALS AND COLORS LEGEND FOR
BUILDING AND HARDSCAPE**

NO.	ITEM	MATERIAL	MFR.	COLOR NAME	COLOR NUMBER	COMMENTS
1	ROOF					
2	WALLS – FIELD					
3	WALLS – ACCENT					
4	FASCIA TRIM					
5	WOOD TRIM					
6	WINDOWS					
7	GARAGE DOOR					
8	ENTRY DOOR					
9	EXTERIOR DOORS					
10	GUTTERS					
11	WROUGHT IRON					
12	GARDEN WALLS					
13	GATES					
14						
15						
16						
17						
18						

FULL APPLICATION & AGREEMENT - ARCHITECTURAL AND LANDSCAPE

MANAGING AGENT: AMMCOR

910 Calle Negocio, Suite 200, San Clemente, CA 92630

PH: 949-661-7767

FAX: 949-661-5696

I hereby apply to the Connemara I Property Owners Association Architectural Committee (AC) for the review and approval of the plans, exhibits and specifications submitted herewith.

Lot _____ Project _____ Submittal
No. _____ Address _____ Number _____

APPLICANT INFORMATION

OWNER'S NAME _____

MAILING ADDRESS _____

DAYTIME PHONE _____ HOME PHONE _____

PROJECT INFORMATION

Please check the appropriate box for the type of application being requested. Refer to the Application Types on Page 2.

1 2 3 4 5 6 7 8 9 10

Please fully describe the project being requested on this application: _____

Is a variance required for this project, to the best of your knowledge? YES NO

Are you applying to alter or add to an existing structure? YES NO

DESIGN TEAM INFORMATION

BUILDING

ARCHITECT _____

ADDRESS _____

PHONE _____ CONTACT _____

LANDSCAPE

ARCHITECT _____

ADDRESS _____

PHONE _____ CONTACT _____

APPLICATION TYPES

NO.	TYPE OF APPLICATION	INSPECTION REQUIRED	DEPOSIT AMOUNT
1.	NEW HOME CONSTRUCTION* – Includes new residences and residences rebuilt after demolition.	4	\$12,000.00*
2.	ADDITIONS AND MAJOR REMODELS* – Includes all new construction with any new exterior walls, roof or roof/wall penetrations.	4	\$6,500.00*
3.	MINOR REMODEL* – Includes all new construction without any new exterior walls. (Example Installation of new entry doors or garage door without changing the size of the opening.)	2	\$2,250.00*
4.	LANDSCAPE/HARDSCAPE* – Additions and alterations with structures and/or a pool or a spa.	2	\$2,250.00*
5.	GARDEN WALLS & FENCES	1	\$1,650.00*
6.	EXTERIOR MATERIAL CHANGE – Reviewed by the ACC only		\$250.00
7.	EXTERIOR COLOR CHANGE – Reviewed by the ACC only		\$25.00
8.	VARIANCE REQUEST – This fee is in addition to the underlying application fee		\$25.00
9.	SOLAR PANELS		\$1,500.00
10.	ARTIFICIAL TURF *NO CHARGE		NONE

*For all landscape applications that effect Association maintained easements/slopes, an additional deposit of \$2,000.00 will be required.

Note: If additional submittals and/or inspections are needed, there may be additional costs. ALL SUBMISSIONS INCUR A \$25.00 APPLICATION COST. HOMEONWER ONLY PAYS FOR ACTUAL COSTS ASSOCIATED WITH SUBMISSION, ALL OTHER MONEY IS REFUNDED AFTER THE PROJECT IS COMPLETE AND COMPLETION FORM IS SUBMITTED TO MANAGEMENT.

AGREEMENT

I, the Owner, agree to submit plans that conform with and abide by the Connemara I Property Owners Association Architectural and Height Guidelines, CC&R’s, and Custom Lot Declaration and agree to pay all of the applicable fees and deposits. All submittals are to be made to the management company. I further agree to receive written approval from the Architectural Committee (AC) prior to applying for any permits or approvals from any Orange County governing agencies or the City of San Juan Capistrano.

Upon receiving written approval from the AC, I agree to conform with all of the Construction Rules and Regulations including but not limited to completing the project per the AC approved plans; the inspection requirements; the traffic regulations; the insurance requirements; the construction signage requirements; the requirements for a clean building site; and the dumpster requirements. I acknowledge that it is the Owner’s responsibility to notify the Contractor of all of the Rules, Regulations and Standards that will govern the construction project in Connemara I and it is the Owner who takes responsibility for the actions of the contractor and subcontractors and their conformance to the same.

My signature below, or that of my agent, signifies my understanding of all of the above information.

OWNER’S SIGNATURE DATE

MANAGING AGENT: AMMCOR

910 Calle Negocio, Suite 200, San Clemente, CA 92630

PH: 949-661-7767

FAX: 949-661-5696

SUBMITTAL INFORMATION

Please complete the following information:

Owner's Name _____

Lot Number _____

Project Address _____

Submittal Date _____

Submittal Number _____

THE PURPOSE OF THIS SUBMITTAL IS:

- New application for Preliminary Design Approval.
- Resubmittal for Preliminary Design Approval in response to a previous review.
- Request for revisions to the Preliminary Design Approval. The revisions are as follows:

- Request for Final Approval with no modifications to the Preliminary Design Approval.
- Request for Final Approval with revisions to the Preliminary Design Approval as follows:

- Request approval of proposed field modifications. The modifications are as follows:

- Response to a failed inspection.
- Other. Please describe:

NEIGHBOR AWARENESS FORM (cont'd)

MANAGING AGENT: AMMCOR

910 Calle Negocio, Suite 200, San Clemente, CA 92630

PH: 949-661-7767

FAX: 949-661-5696

The Connemara I Property Owners Association Architectural Committee (AC) as part of the review process, would like the benefit of neighbor's comments when reviewing the plans for proposed improvements. Please take time to review the proposed plans for improvements on your neighbor's property. Then, please return this form to the management company after reviewing the plans and completing the requested information.

All responses will be kept confidential. Please note that this is not a "Neighbor Approval" form, but rather another tool used by the AC in their review of submittals. The AC will consider all comments in their decision, but objections by a neighbor will not mandate a denial by the AC. If no comment is received by the AC from a neighbor, it will be deemed as no comment.

On _____, I reviewed the architectural landscape plans proposed for the residence located at _____.

I have no comments on the plans for construction of the improvements as proposed.

I have the following comments on the plans for construction of the improvements:

I am the adjacent impacted facing homeowner

Name: _____

Signature: _____ Date: _____

Address: _____

Phone number: _____

PLEASE SUBMIT THIS FORM ONCE WORK HAS BEEN APPROVED AND COMPLETED

CONNEMARA PROPERTY OWNERS - NOTICE OF COMPLETION

Please Complete the Following	
OWNER:	DATE:
MAILING ADDRESS:	
HOME PHONE #:	WORK PHONE #:
PROPERTY ADDRESS:	
WORK COMPLETED <input type="checkbox"/> Painting <input type="checkbox"/> Remodel <input type="checkbox"/> Wall/Fence <input type="checkbox"/> Roof <input type="checkbox"/> Landscaping <input type="checkbox"/> Pool/Spa <input type="checkbox"/> Garage Door <input type="checkbox"/> _____	

NOTICE IS HEREBY GIVEN THAT THE UNDERSIGNED IS THE OWNER OF THE PROPERTY WHERE THE WORK TOOK PLACE, THAT PHOTOGRAPHS OF THE COMPLETED WORK ARE ATTACHED AND THAT THE WORK WAS COMPLETED ON THE DATE SPECIFIED BELOW.

Date work was completed: _____

Printed Name

Owner's Signature

Please submit the notice of completion along with photographs of the completed project to:

Connemara Property Owners
c/o AMMCOR
910 Calle Negocio, Suite 200
San Clemente, CA 92673

ARCHITECT USE:

Date checked: _____

Improvements completed according to plans: Yes: _____ No: _____

Notes: _____

Architect Signature: _____ Date: _____

Management Company Signature: _____ Date: _____

Deposit Return Date: _____ Amount: _____

MANAGING AGENT: AMMCOR

910 Calle Negocio, Suite 200, San Clemente, CA 92630

PH: 949-661-7767

FAX: 949-661-5696

I hereby apply to the Connemara I Property Owners Association Architectural Committee (AC) for the review and approval of the plans, exhibits and specifications submitted herewith.

Lot _____ Project _____ Submittal _____
No. _____ Address _____ Number _____

APPLICANT INFORMATION

DATE _____

OWNER'S NAME _____

MAILING ADDRESS _____

PHONE _____ CELL _____ EMAIL _____

PROPOSED START _____ PROPOSED FINISH _____

BRIEF DESCRIPTION OF PROJECT: _____

INSTRUCTIONS - FILL OUT ALL AREAS AND CIRCLE THE RELEVANT SUBJECT . RETURN TWO COPIES ALONG WITH ALL NEEDED MATERIALS, COLOR CHIPS AND NEIGHBOR RESPONSE FORM TO AMMCOR. ALSO MAKE SURE TO ENCLOSE THE APPROPRIATE FEE. WHEN THE PROJECT IS COMPLETE, SEND IN THE NOTICE OF COMPLETION FORM TO AMMCOR.

EXTERIOR PAINTING SAME COLORS: SUBMIT PHOTOS OF FRONT AND BACK OF RESIDENCE ALONG WITH COLOR CHIPS OF PAINT TO BE APPLIED. NO NEIGHBOR RESPONSE FORM NEEDED. **FEE: \$25.00**

EXTERIOR PAINTING WITH NEW COLORS: SUBMIT PHOTOS OF FRONT AND BACK OF RESIDENCE ALONG WITH COLOR CHIPS OF BASE COLOR, TRIM COLOR, STAIN COLORS. NEIGHBOR AWARENESS FORM IS NEEDED. **FEE: \$25.00**

EXTERIOR PAINTING FENCES: SUBMIT PHOTO SHOWING EXISTING FENCE AND COLOR CHIP SHOWING PROPOSED COLOR. NEIGHBOR AWARENESS FORM NEEDED IF CHANGING COLOR. **FEE: \$25.00**

NEW ROOFING MATERIAL: SUBMIT PHOTOS OF HOME SHOWING CURRENT ROOF COLOR AND MATERIALS. SUBMIT SAMPLES OF NEW ROOFING MATERIAL AND COLOR WITH APPLICATION. NEIGHBOR AWARENESS FORM IS NEEDED. **FEE: \$25.00**

MINOR LANDSCAPING CHANGES INCLUDING ARTIFICIAL SOD: SUBMIT PHOTOS OF CURRENT LANDSCAPING ALONG WITH DIAGRAM SHOWING WHERE NEW PLANTS OR TURF IS BEING INSTALLED. BOTANICAL AND COMMON NAME OF ANY NEW PLANT MATERIAL MUST BE PROVIDED. IF INSTALLING ARTIFICIAL SOD A 12X12 SAMPLE MUST BE INCLUDED. NEIGHBOR AWARENESS FORM NEEDED. **FEE: NO CHARGE**

EXTERIOR LIGHTING CHANGES: SUBMIT PHOTOS OF EXISTING LIGHTS ALONG WITH PHOTOS OR CATALOG PICTURES OF NEW LIGHTING. NEIGHBOR AWARENESS FORM NEEDED. **FEE: \$25.00**

GARAGE DOOR REPLACEMENT: SUBMIT PHOTOS OF EXISTING DOORS AND CATALOG RENDERING SHOWING THE NEW DOORS . RENDERING MUST SHOW TEXTURE AND COLOR OF DOORS. NEIGHBOR AWARENESS FORM NEEDED. **DEPOSIT: \$2,250.00**

SOLAR INSTALATIONS: INCLUDE PHOTOS OF HOME SHOWING ALL AREAS WHICH WILL BE IMPACTED BY THE INSTALATION. DRAWINGS AND RENDERINGS MUST BE INCLUDED SHOWING THE SPECIFIC PANELS TO BE INSTALLED AND HOW THEY WILL APPEAR ON THE ROOF INCLUDING THE RACKING AND BALLAST SYSTEM. ALL PLANS MUST ADHERE TO THE REGULATIONS CONTAINED IN SECTION 6.6 OF THE ARCHITECTUAL GUIDELINES. NEIGHBOR AWARENESS FORM NEEDED. **DEPOSIT: \$1,500.00**

SHADE STRUCTURES-GAZEBOS, ARBORS AND AWNINGS: INCLUDE PHOTOS OF EXISTING STRUCTURE IF PRESENT AND OR PROPOSED LOCATION FOR NEW INSTALLATION. COLOR RENDERINGS AND CATALOG PHOTOS MUST BE SUBMITTED. SEE SECTION 8.8 OF THE ARCHITECTUAL GUIDELINES. NEIGHBOR AWARENESS FORM IS NEEDED. **DEPOSIT: \$2,250.00**

FEES: ALL SUBMISSIONS, EXCEPT FOR TURF, INCUR A \$25.00 APPLICATION COST. HOMEOWNER ONLY PAYS FOR ACTUAL COSTS ASSOCIATED WITH SUBMISSION, ALL OTHER MONEY IS REFUNDED AFTER THE PROJECT IS COMPLETE AND COMPLETION FORM IS SUBMITTED TO MANAGEMENT.

AGREEMENT

I, THE OWNER, AGREE TO SUBMITT PLANS AS REQUIRED BY THE AC GUIDELINES TO THE MANAGEMENT COMPANY FOR APPROVAL OF THE AC BEFORE COMMENCING ANY PORTION OF THIS PROJECT. IF ANY WORK IS CONDUCTED PRIOR TO SUCH APPROVAL THE PROPERTY OWNER MAY HAVE TO REMOVE IT AT THEIR EXPENSE INCLUDIND LEGAL FEES INCURED BY THE HOA TO ENFORCE REMOVAL. THE ARCHITECTURAL COMMITTEE HAS UP TO 60 DAYS TO PROCESS THIS FORM.

PROPERTY OWNER _____ **DATE** _____

FEES SUBMITTED \$ _____ **RECEIVED BY** _____

APPROVED BY AC COMMITTEE _____ **DATE** _____

NEIGHBOR AWARENESS FORM

MANAGING AGENT: AMMCOR

910 Calle Negocio, Suite 200, San Clemente, CA 92630

PH: 949-661-7767

FAX: 949-661-5696

All improvements require notifications of all neighbors visually affected or impacted by the requested improvement. Such notification shall be by sign-off below. The neighbor’s approval is not a condition for the approval of plans by the Architectural Review committee. Further, the committee is not required to deny a set of plans based upon the disapproval of affected neighbors. Neighbors who disagree with the proposed improvement are invited to submit their concerns in writing to the Architectural Review Committee care of the Association’s property management company. A Neighbor Awareness form is available for this purpose.

Neighbor Address	Name	Date	Signature

NEIGHBOR AWARENESS FORM (cont'd)

MANAGING AGENT: AMMCOR

910 Calle Negocio, Suite 200, San Clemente, CA 92630

PH: 949-661-7767

FAX: 949-661-5696

The Connemara I Property Owners Association Architectural Committee (AC) as part of the review process, would like the benefit of neighbor's comments when reviewing the plans for proposed improvements. Please take time to review the proposed plans for improvements on your neighbor's property. Then, please return this form to the management company after reviewing the plans and completing the requested information.

All responses will be kept confidential. Please note that this is not a "Neighbor Approval" form, but rather another tool used by the AC in their review of submittals. The AC will consider all comments in their decision, but objections by a neighbor will not mandate a denial by the AC. If no comment is received by the AC from a neighbor, it will be deemed as no comment.

On _____, I reviewed the architectural landscape plans proposed for the residence located at _____.

I have no comments on the plans for construction of the improvements as proposed.

I have the following comments on the plans for construction of the improvements:

I am the adjacent impacted facing homeowner

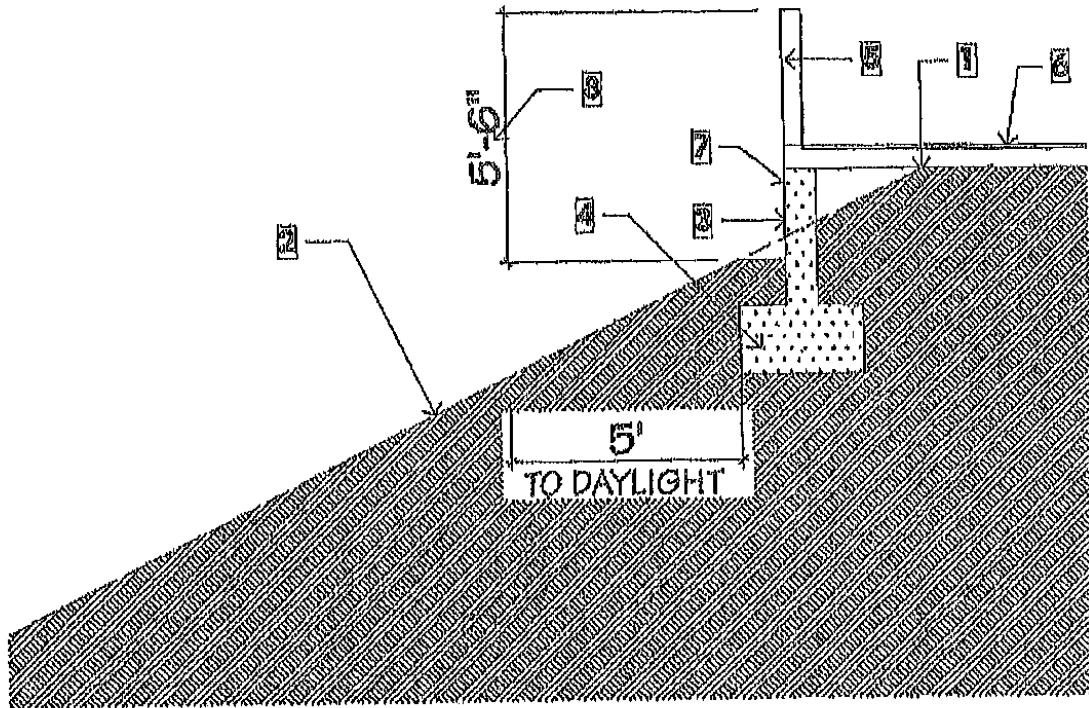
Name: _____

Signature: _____ Date: _____

Address: _____

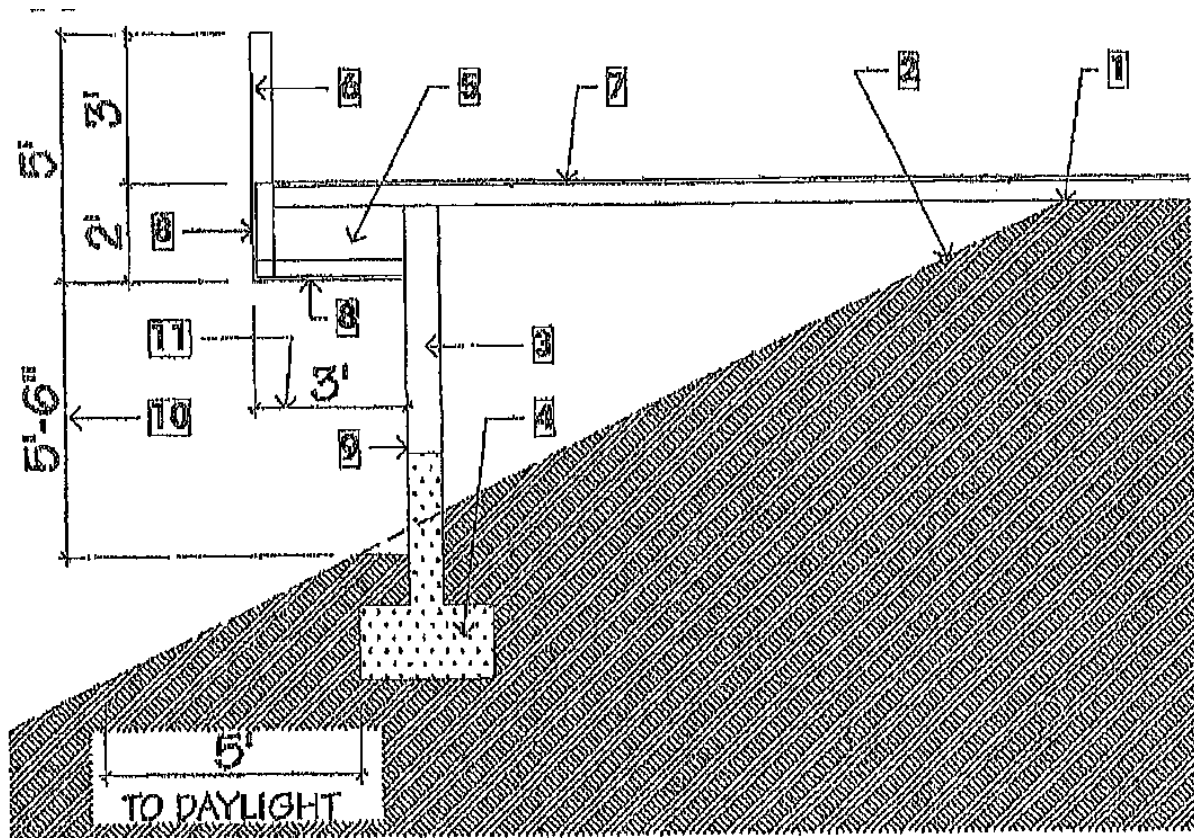
Phone number: _____

Appendix A-1 – SLOPE DEVELOPMENT DIAGRAM 1



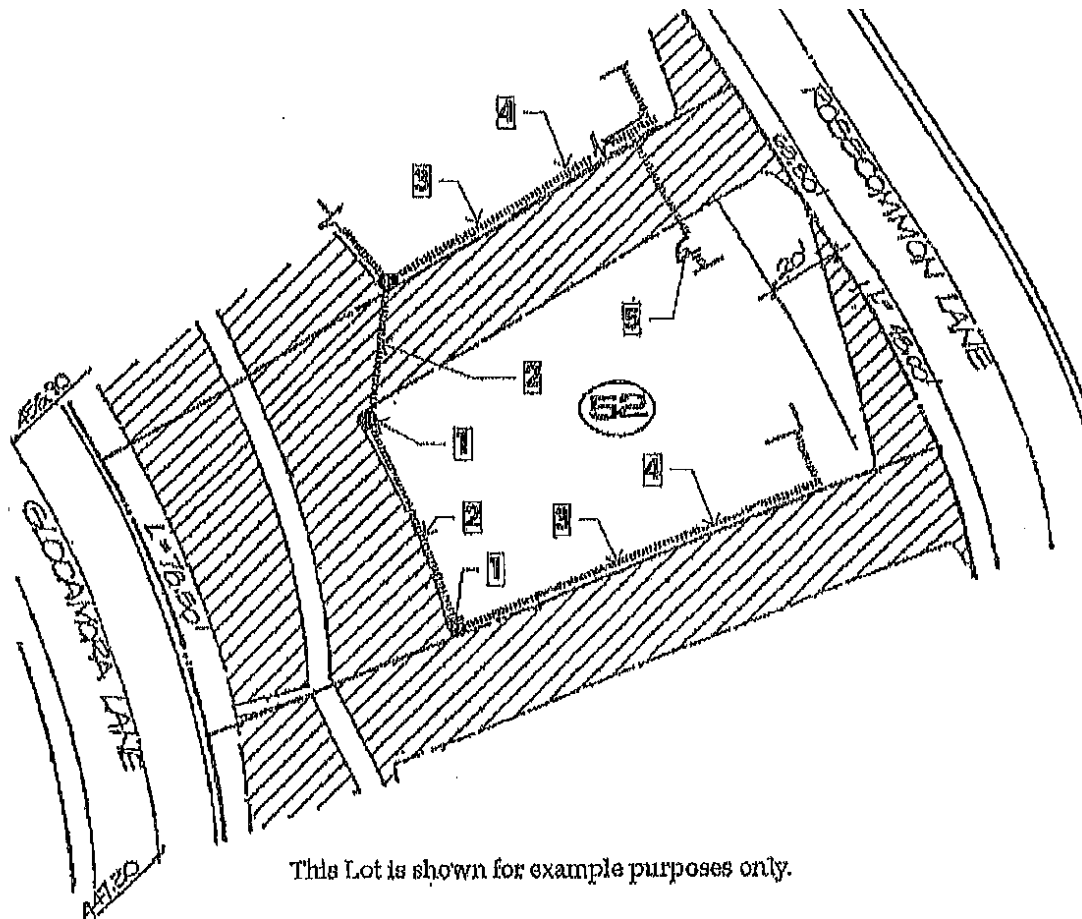
1. TOP OF ORIGINAL SLOPE AS DEFINED ON THE "EXHIBIT A" SITE PLAN.
2. ORIGINAL 2:1 SLOPE BANK
3. SKIRT WALL
4. SKIRT WALL FOOTING/RETAINING AS DESIGNED BY A STRUCTURAL ENGINEER.
5. 36" HIGH GUARDRAIL
6. FINISH SURFACE OF PATIO/DECK.
7. FACE OF SKIRT WALL PAINTED TO MATCH HOUSE OR WITH ALTERNATIVE MATERIAL (STONE)
8. MAXIMUM ALLOWABLE DIMENSION OF EXPOSED SKIRT WALL + GUARDRAIL. (NOTE: IF THE EXPOSED SKIRT WALL + GUARDRAIL HEIGHT EXCEEDS THE 5' - 6" MAXIMUM, THEN THE CANTILEVERED DETAIL MUST BE USED.)

Appendix A-2 – SLOPE DEVELOPMENT DIAGRAM 2



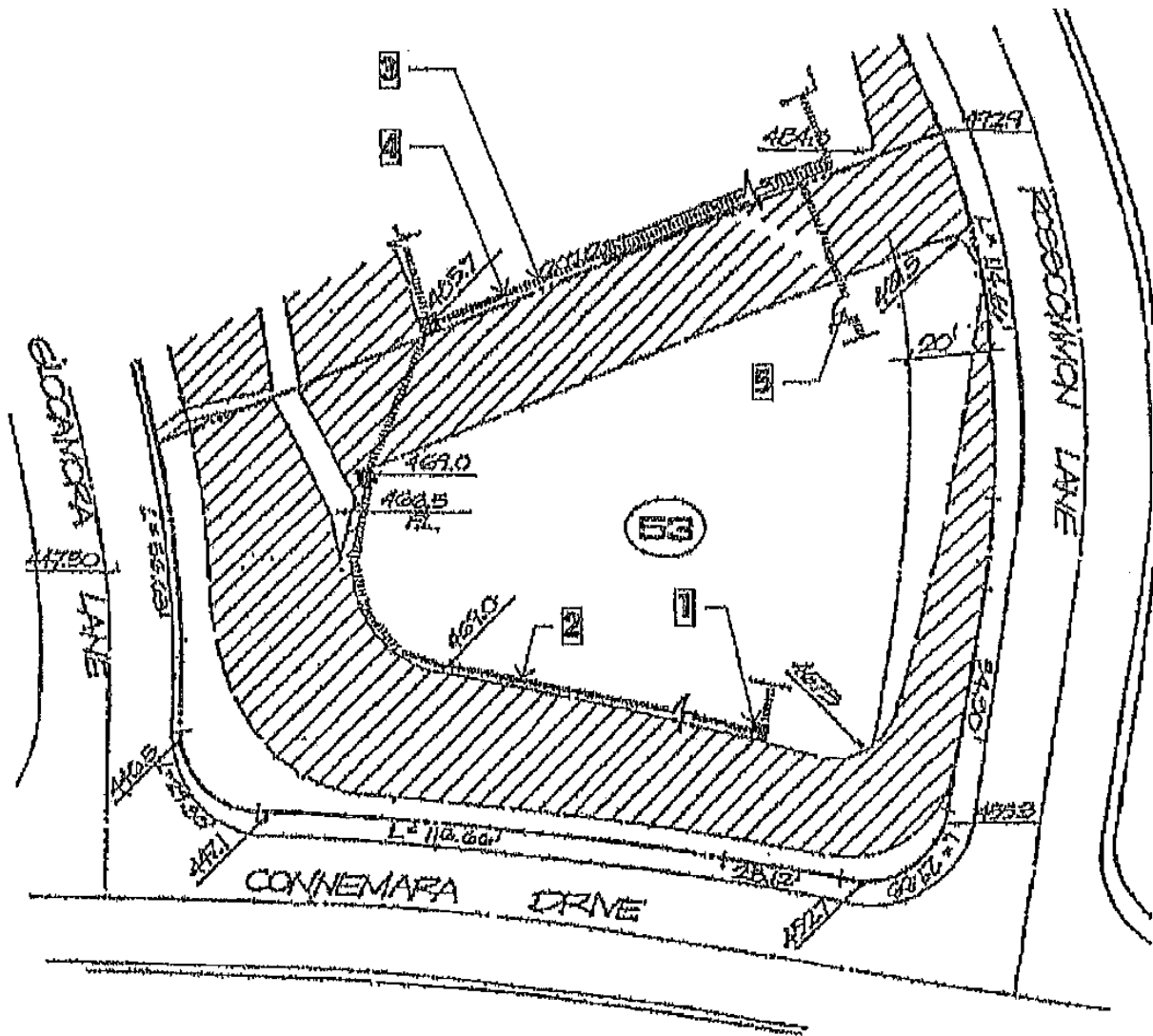
1. TOP OF ORIGINAL SLOPE AS DEFINED ON THE "EXHIBIT A" SITE PLAN.
2. ORIGINAL 2:1 SLOPE BANK
3. SKIRT WALL
4. SKIRT WALL FOOTING/RETAINING AS DESIGNED BY A STRUCTURAL ENGINEER.
5. CANTILEVERED DECK STRUCTURE - (MAXIMUM OF 3 FEET)
6. 36" HIGH GUARDRAIL
7. FINISH SURFACE OF PATIO/DECK.
8. FINISH SURFACE (STUCCO)
9. FACE OF SKIRT WALL PAINTED DARK COLOR OR WITH ALTERNATIVE MATERIAL (STONE)
10. MAXIMUM ALLOWABLE DIMENSION OF EXPOSED SKIRT WALL.
11. REQUIRED CANTILEVER IF THE EXPOSED AMOUNT OF SKIRT WALL EXCEEDS 3' - 0" IN VERTICAL HEIGHT.

Appendix B-1 – STANDARD WALL AND FENCE PLANS



1. OPTIONAL PILASTER TO MATCH ARCHITECTURE OF THE HOUSE.
2. WROUGHT IRON FENCE PER STANDARD DETAIL.
3. WROUGHT IRON FENCE WHERE VIEW FROM ADJACENT LOT IS REQUIRED.
4. MASONRY WALL OR WROUGHT IRON FENCE WHERE VIEW FROM ADJACENT LOT IS NOT REQUIRED.
5. GATE

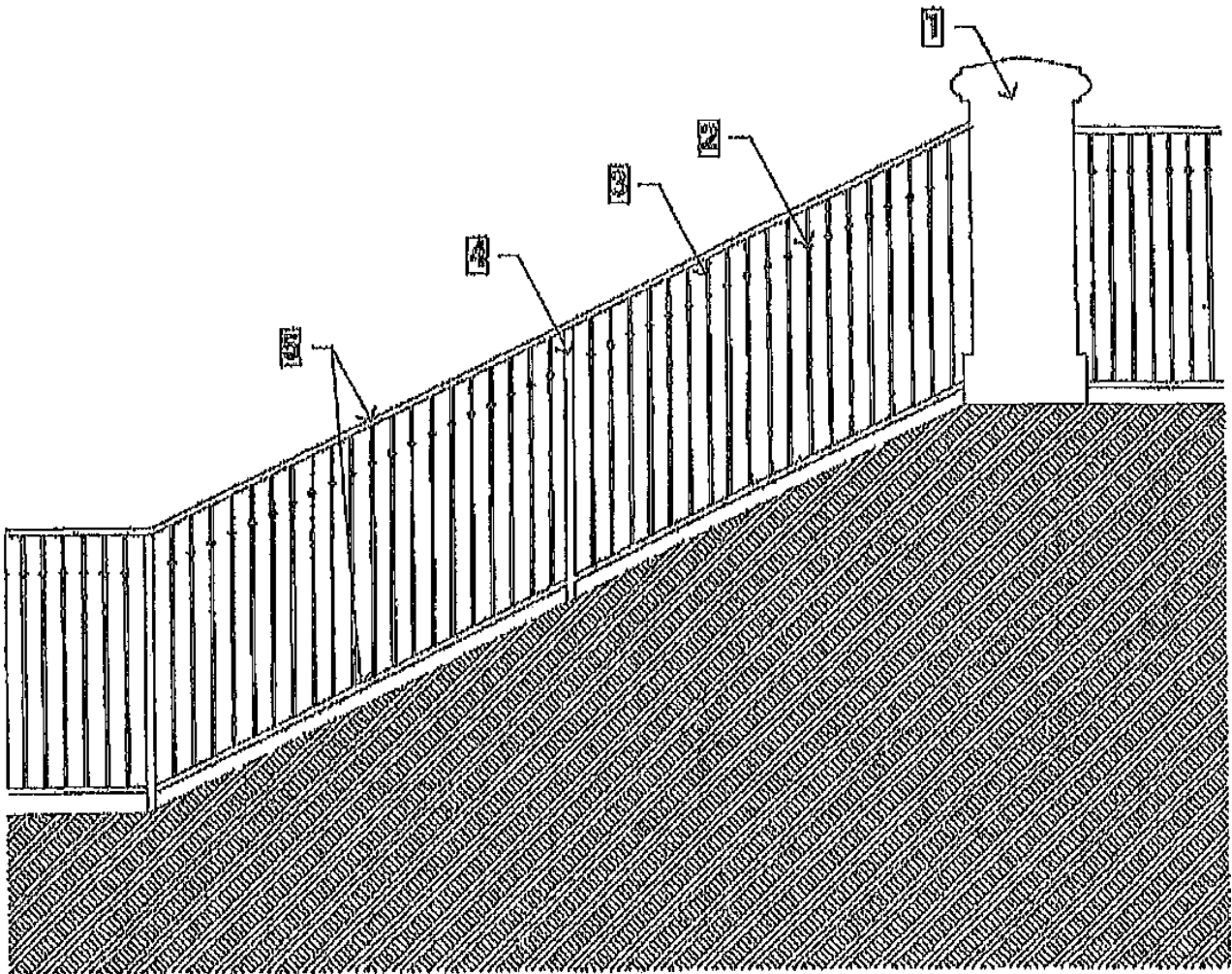
Appendix B-2 – STANDARD WALL AND FENCE PLANS



This Lot is shown for example purposes only.

1. OPTIONAL PILASTER TO MATCH ARCHITECTURE OF THE HOUSE.
2. WROUGHT IRON FENCE PER STANDARD DETAIL.
3. WROUGHT IRON FENCE WHERE VIEW FROM ADJACENT LOT IS REQUIRED.
4. MASONRY WALL OR WROUGHT IRON FENCE WHERE VIEW FROM ADJACENT LOT IS NOT REQUIRED.
5. GATE

Appendix C – STANDARD WALL AND FENCE PLANS



1. OPTIONAL PILASTER TO MATCH ARCHITECTURE OF THE HOUSE
2. DECORATIVE COLLAR - NO. 251 FROM JANSEN ORNAMENTAL SUPPLIES, EL MONTE, CA.
3. 5/8" SQUARE STEEL PICKETS @ 4 5/8" O.C. TYPICAL
4. 2" SQUARE STEEL TUBE POSTS @ 8' - 0" O.C. MAXIMUM
5. 1 1/2" X 1 1/2" SQUARE STEEL TOP AND BOTTOM RAILS

GENERAL NOTES:

- A. OWNER MAY UPGRADE FRONT WROUGHT IRON WITH SPEARS, COLLARS, FORGINGS, ETC. TO MATCH THE CHARACTER OF THE HOUSE, SUBJECT TO THE APPROVAL OF THE AG.
- B. ALL FENCES SHALL SLOPE WITH GRADE. NO STEPPING IS ALLOWED.

