

# **OCEAN RANCH DESIGN GUIDELINES**

**Reviewed: January 19, 2006**

## **INTRODUCTION**

The Design Guidelines were developed to establish the character and quality of the Ocean Ranch community. Ocean Ranch was envisioned to become an exclusive enclave of individually designed and built residences. Each home is a statement of its owner, all will be sensitively designed with adherence to these guidelines, resulting in a cohesive community of outstanding designs and quality.

Providing the context for site development, architectural and landscape standards, these guidelines and procedures are intended to encourage creativity within parameters which will enable prospective builders and homeowners to create their own identity. The finished community will be an aesthetically pleasing, distinctive neighborhood of enduring quality and value.

The design, review and processing of each custom home will be subject to the directions expressed in this manual, the CC&R's, the Custom Lot Declaration, as well as approvals by the Architectural Review Committee (ARC). Throughout the design and review process, a spirit of cooperation is anticipated between the ARC and the lot owner or his representatives.

Along with the CC&R's, these Guidelines form the basis and criteria for evaluation of plans and specifications submitted for review by the ARC. Any condition, material, standard or regulation not specifically defined in these guidelines or by the CC&R's shall be a matter of discretionary judgment by the ARC.

In addition to these Guidelines, the improvements on each lot must also conform to all appropriate city, state and federal building requirements. In some instances, there may be an overlapping of requirements. If overlapping occurs, the more stringent requirements apply.

The Ocean Ranch Design Guidelines are subject to amendment. It is the responsibility of each property owner to obtain any and all amendments from the ARC. Updated copies of the Design Guidelines are available on request.

The sketches and other graphic representations in this book are offered only as general visual aids in understanding the basic intent of the Architectural and Landscape Guidelines. The illustrations are not intended to depict any actual lot or home design.

General Note: These Design Guidelines discuss all plans and specifications that can be passed through the City of Laguna Niguel without a variance. Any additional plans and specifications requesting the approval for construction or installation of improvements not covered in these guidelines are subject to the approval of the City of Laguna Niguel and may require obtaining a variance for their approval.

## **DEFINITIONS**

**ARCHITECT:** A person registered to practice architecture in the State of California.

**BOARD:** The Board of Directors for the Ocean Ranch Homeowners Association (ORHOA) and the Bear Brand Community Association (BBCA).

**BUILDING ENVELOPE:** That portion of a Custom Lot in which a home may be constructed as defined by the applicable setback requirements and height limits set forth herein and in the Governing Documents.

**CUSTOM LOT DECLARATION:** The Declaration of Covenants, Conditions and Restrictions imposed on the Custom Lots, and any amendments thereto, setting forth the height, setbacks and other restrictions governing the construction of dwelling units and other related matters.

**DECLARANT:** Shea Homes, a California Limited Partnership.

**GOVERNING DOCUMENTS:** The Articles, Bylaws and Declaration of Covenants, Conditions and Restrictions for BBCA and ORHOA, together with the Custom Lot Declaration subject to amendment from time to time. Also includes all governmental regulations such as the City, State and Federal building requirements. The City of Laguna Niguel shall be contacted concerning municipal ordinances, codes and regulations.

**HARDSCAPE:** Inorganic, impervious building and paving materials placed on the ground to form a permanent driving or walking surface (e.g. driveways, walkways pool decks, etc.).

**HOURS OF CONSTRUCTION:** The only hours of the day when exterior construction of any nature is permitted within the Lots as defined herein:

Monday through Friday - 7:00 a.m. to 6:00 p.m.

Saturday - 8:00 a.m. to 5:00 p.m.

Sunday - no construction allowed.

No construction is allowed on National holidays as follows: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day.

**IMPROVEMENTS:** Any structure or appurtenance of every kind and type that did not previously exist in a natural state on any given Custom Lot (e.g. buildings, walls, accessory structures, landscape, hardscape, equipment, etc.)

**OCEAN RANCH CUSTOM LOT:** The 187 lots subject to these Design guidelines, the Governing Documents, the BBCA and ORHOA. The term Custom Lot shall be interchangeable and synonymous with Ocean Ranch Custom Lots in these guidelines.

**OCEAN RANCH CUSTOM LOT COMMITTEE:** The committee appointed by the Board of Directors of the ORHOA and/or Shea Homes as provided in the Governing Documents, to review and either approve or disapprove proposals and/or plans and specifications' for the construction or installation of Improvements within the custom Lots. The term Custom Lot Committee (CLC) shall be interchangeable and synonymous with Ocean Ranch Custom Lot Committee in these Guidelines.

**PAD ELEVATION:** Refers to the existing finished grade of a Custom Lot as installed by the developer.

**STREETSCAPE:** Design elements connected with a street, its right of way and immediately adjacent land; primarily consisting of plants, walls, hardscape and lighting.

## **THE COMMUNITY**

Located in the coastal hills of Laguna Niguel, the 480-acre Bear Brand Planned Community offers a variety of residential product types, custom lots, recreation and commercial facilities, parks and an elementary school site, accommodating an ocean- close lifestyle.

The Bear Brand Planned Community will have two types of homeowner associations. The Bear Brand Community Association (BBCA) serves the entire community. The second type of association is the sub-associations for the individual development parcels which have been created at the election of the developer.

BBCA will maintain the streetscape zone along Street of the Golden Lantern and Camino del Avion, the project monuments, the community park in Tract 12801, perimeter walls on the east side of Golden Lantern and designated interior slope banks.

The Ocean Ranch Homeowners Sub-Association (ORHOA) is responsible for maintenance of the entry areas into Ocean Ranch, including the guard gates, fuel modification zones along the north and west sides of the project; all

private streets serving Ocean Ranch, the Ocean Ranch perimeter walls, as well as some sub-association designated slope banks. In addition, the Ocean Ranch Recreation Facility is maintained by ORHOA.

Ocean Ranch, as well as the Bear Brand Planned Community, is located in the City of Laguna Niguel, and is governed by its zoning ordinances, building codes and planning regulations.

### **CUSTOM LOT COMMITTEE PROCEDURES**

The Ocean Ranch and Bear Brand Associations are charged with the responsibility of preserving architectural character. The CC&R's require that Committees be appointed to administer those standards and standards adopted by the Board of Directors and to fairly and consistently enforce these along with all architectural provisions of the CC&R's.

The Ocean Ranch Custom Lot Architectural Committee, hereinafter referred to as the "Custom Lot Committee" or the "Committee," may establish reasonable procedural rules and may assess a reasonable fee in connection with review of plans and specifications, including, without limitation, the number of sets of plans to be submitted; however, the Committee may delegate plan review responsibilities to one or more members of such Architectural Control Committee. Upon such delegation, the approval or disapproval of plans and specification by such persons shall be equivalent to approval or disapproval by the entire Committee. Unless all such rules regarding submission of plans are complied with, such plans and specifications shall be deemed not submitted.

The Custom Lot Committee shall consist of not less than three (3) members as more particularly set forth in Article 4, Section A, of the Supplemental CC&R's.

The address of the Custom Lot Committee 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 specifications and the place where the current Design Guidelines shall be kept. The initial address for submissions shall be:

Ocean Ranch Architectural Review Committee  
c/o Merit Property Management  
1 Polaris Way, Suite 100  
Aliso Viejo, CA 92656-5356

The Board has the power to change the principal office from one location to another within Orange County.

By way of illustration, but without limitation, submissions to the Custom Lot Committee for approval shall be required for the following:

1. New construction or installations including dwellings, accessory buildings, garages, fences, retaining walls, mailboxes, steps, awnings, canopies, poles, trellises, patio/overheads, decks, gazebos, sun decks, windscreens, swimming pools, fountains, spas, hot tubs, recreational apparatus, and exterior lighting, sound or solar energy systems, etc.
2. Installation or revision of landscaping, hardscaping or surface improvements including ground covers, trees, shrubs, plants, irrigation or drainage systems, recreation areas or courts, and surface drainage revisions, etc.
3. Reconstruction, exterior additions, changes or alterations of any building, structure, fence, wall or other improvement including changes of color, material or exterior surface, etc.

### **APPROVAL PROCESS:**



1. Select an architect and other design consultants. Furnish them the Declaration and Guidelines and have a site orientation visit.
2. Have architect and other consultants prepare the preliminary plans.
3. Within six (6) months after close of escrow, submit 3 sets of preliminary plans, along with the submission fee, to the Committee for review and approval. The Committee has 45 days to review and render a decision after receipt of all required material as outlined in the Design Submittal Section of these Guidelines.
4. Obtain approval in concept from the Committee.
5. Have architect and other design consultants prepare working drawings.
6. Within eighteen (18) months after close of escrow, submit 3 sets of final working drawings to the Committee for review and approval. The Committee has 45 days to review and render a decision after receipt of all required material as outlined in the Design Submittal Section of these Guidelines.
7. Obtain final approval from the Committee.
8. Submit approved working drawings to the City of Laguna Niguel and other jurisdictional agencies for plan check.
9. City will issue building permits.
10. Provide the Committee with a copy of the stamped approved set of plans and permits.
11. Provide the Committee with the Construction Compliance Deposit as outlined in the Construction Standards Section of these Guidelines.
12. Commence construction. Pursuant to Article 4, Section I of the Ocean Ranch Supplemental CC&R's, construction must start within 24 months after close of escrow.
13. The committee will conduct inspections of the work for conformance with the Guidelines, pursuant to Article 4, Section F, of the Ocean Ranch Supplemental CC&R's.
14. The City will conduct building inspections.
15. The City will issue occupancy certificate at completion of construction and final inspection.
16. Landscape installation to be fully implemented within 180 days of the issuance of the certificate of occupancy.
17. The committee will release any refunds due from the Construction Compliance Deposit as outlined in the Construction Standards Section of these Guidelines.

Until all plans and specifications required for each submittal are determined by the committee to be complete, the Custom Lot Committee may postpone review of any partial submittal. Decision of the Committee to approve, or to disapprove a submittal, together with an explanation of further conditions to be satisfied by the applicant, shall be made within forty-five (45) days after receipt of a completed submittal. The approval of the Committee to any submissions for any work done, or proposed to be done, or in connection with any other matter requiring the approval or consent of the Committee, shall not be deemed to constitute a waiver of any right to withhold approval or consent of any similar/proposals, plans and specifications, drawings or other matters subsequently or additionally submitted for approval.

## **HOMEOWNER RIGHT OF APPEAL TO THE BOARD FOR RECONSIDERATION OF ARCHITECTURAL COMMITTEE DISAPPROVAL OF PLANS**

In the event plans and specifications submitted to the Architectural Committee are disapproved, the Homeowner may submit a request to the Board of Directors to reconsider the Architectural Committee's denial at an open meeting or executive session meeting of the Board of Directors. The request for reconsideration shall be in writing, shall be addressed to the Board of Directors of the Association, shall be delivered to the Association's managing agent, and must be received by the Association's managing agent not more than thirty (30) days following delivery to the Homeowner of the Architectural Committee's notice of disapproval of the Homeowner's architectural application and plans. The term "delivery" as used herein is defined within Civil Code Section 1350.7.

The Board of Directors shall render its decision on the request for reconsideration within forty-five (45) days following the Association's managing agent's receipt of the request for reconsideration, and the Board shall transmit its decision to the Homeowner within fifteen (15) days after its decision; provided, however, if no written decision is provided to the Homeowner within fifteen (15) days after the hearing, the request for reconsideration shall be deemed denied and the Architectural Committee's decision shall be deemed affirmed. The Board of Directors shall uphold the Architectural Committee's disapproval if the Board of Directors concludes that the Architectural Committee acted within its authority under the Declaration and the Architectural Guidelines, and otherwise acted in a manner the Board believes to be in the best interests of the community.

## **APPROVAL BY THE ARCHITECTURAL REVIEW COMMITTEE**

Following the approval of the plans by the Committee, the stamped, approved plans shall be provided the Owner evidencing such approval. The City of Laguna Niguel shall not undertake a formal review of plans and specification until the written certification has been issued and all plans have been stamped "APPROVED" by the Architectural Review Committee.

## **OTHER APPROVALS**

Approval of any project by the Committee does not waive the necessity of obtaining the required City and County permits. Obtaining a City or County permit does not waive the need for Committee approval.

## **INSPECTION OF IMPROVEMENTS**

In accordance with Article 4, Section F, of the Supplemental CC&R's, any member of the Committee, or any duly authorized representative, may, at any reasonable hour and upon reasonable notice, enter and inspect any Improvement to a Lot for which approval of plans by the Committee is required in order to ascertain that the Residence and all related Improvements to the Lot have been constructed according to the plans and specifications approved by the Committee. If the Committee finds that such work was not done in substantial compliance with the approved plans and specification, it shall notify the Owner, in writing, of such noncompliance, specifying in particulars of noncompliance, and shall require the Owner to remedy the same within forty-five (45) days from the date of notification of such noncompliance.

## **VARIANCE**

The Committee shall have the right and privilege, but not the duty or obligation, to permit any Owner (without the consent of other Owners) to deviate from any or all of the buildings and/or landscaping standards set forth herein **provided that such deviation is necessary in order to carry out the general purposes of the Declaration and/or the Ocean Ranch Custom Lot Architectural and Design Guidelines.** Any such permission of said

Committee shall be in writing and shall not constitute a waiver of said Committee's powers of enforcement with respect to any of the Standards as to any other part or parcel of the properties.

### **AMENDMENT PROCEDURE**

These guidelines are subject to revision by amendment as follows:

1. At such time as the Ocean Ranch Architectural Review Committee shall determine that any portion of these guidelines should be revised, the Committee shall send in written term a proposed amendment outlining the change(s) and the reason(s) for the changes to the Board of Directors of the Association.
2. The Board of Directors of the Association shall either approve or disapprove the proposed amendment in writing.

Should the Board of Directors or their appointed representatives fail to either approve or disapprove the proposed amendment within the required sixty (60) days, the amendment shall be deemed approved.

### **BUILDING DEVELOPMENT STANDARDS**

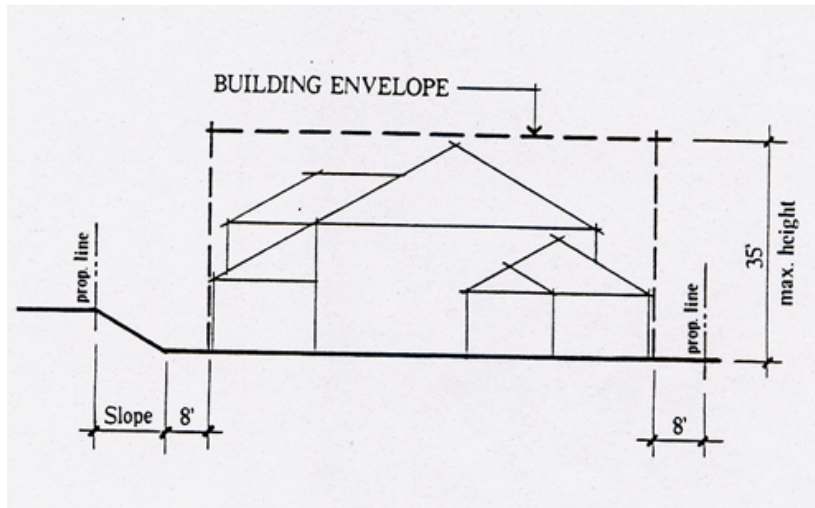
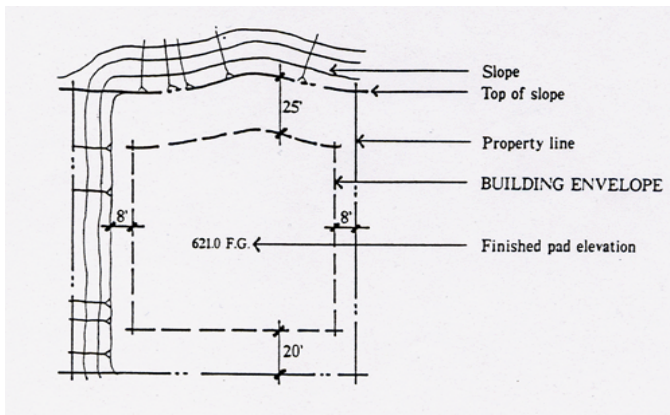
Each lot at the Ocean Ranch Custom Lots is specifically designed and intended for the construction of one (1) detached single-family dwelling. No multi-family residences are permitted. However, the Architectural Review Committee may approve the construction of one residence upon two or more contiguous lots. In such event, careful review and consideration will be made, after which the Committee may permit reasonable variations from specific restrictions set forth in this Section.

The following are standards by which the Ocean Ranch Design Guidelines seek to establish a community character and a consistently high quality street scene.

#### **1. Building Envelope:**

The Building Envelope defines the maximum height, setback and volume of each dwelling. It does not represent the ultimate shape of the building but does provide a framework within which a great variety of architectural expression is possible.

- a. Front setback: Twenty (20) feet minimum from the back of the sidewalk or the back of the curb if there is no sidewalk.
- b. Side setback: Eight (8) feet minimum from property line or the top or toe of side slope.
- c. Rear setback: Twenty-five (25) feet minimum from property line or the top or toe of slope.
- d. Maximum height Thirty-five (35) feet above the finished pad as graded by SHEA HOMES.



## 2. Driveways:

- a. The driveway serving each residence shall be constructed and completed concurrently with the construction of the residence.
- b. The driveway shall be of sufficient size and configuration so that no vehicle parked in the driveway shall extend into any street or sidewalk.

## 3. Fences, Walls and Hedges:

The following fence and wall design criteria is intended to provide variety and privacy for each Ocean Ranch Custom Lot and continuity within the neighborhood. The design of walls should incorporate details and/or materials of the residence and be part of the exterior architectural statement. Please refer to the Landscape Standards for specific wall information.

Where transparent walls or fences are desired for views at rear yards, wrought iron or glass may be used on top of a solid wall no less than two and one half (2 1/2) feet in height. Any fence or wall, which would block the view from another lot is subject to the approval of the Custom Lot Committee.

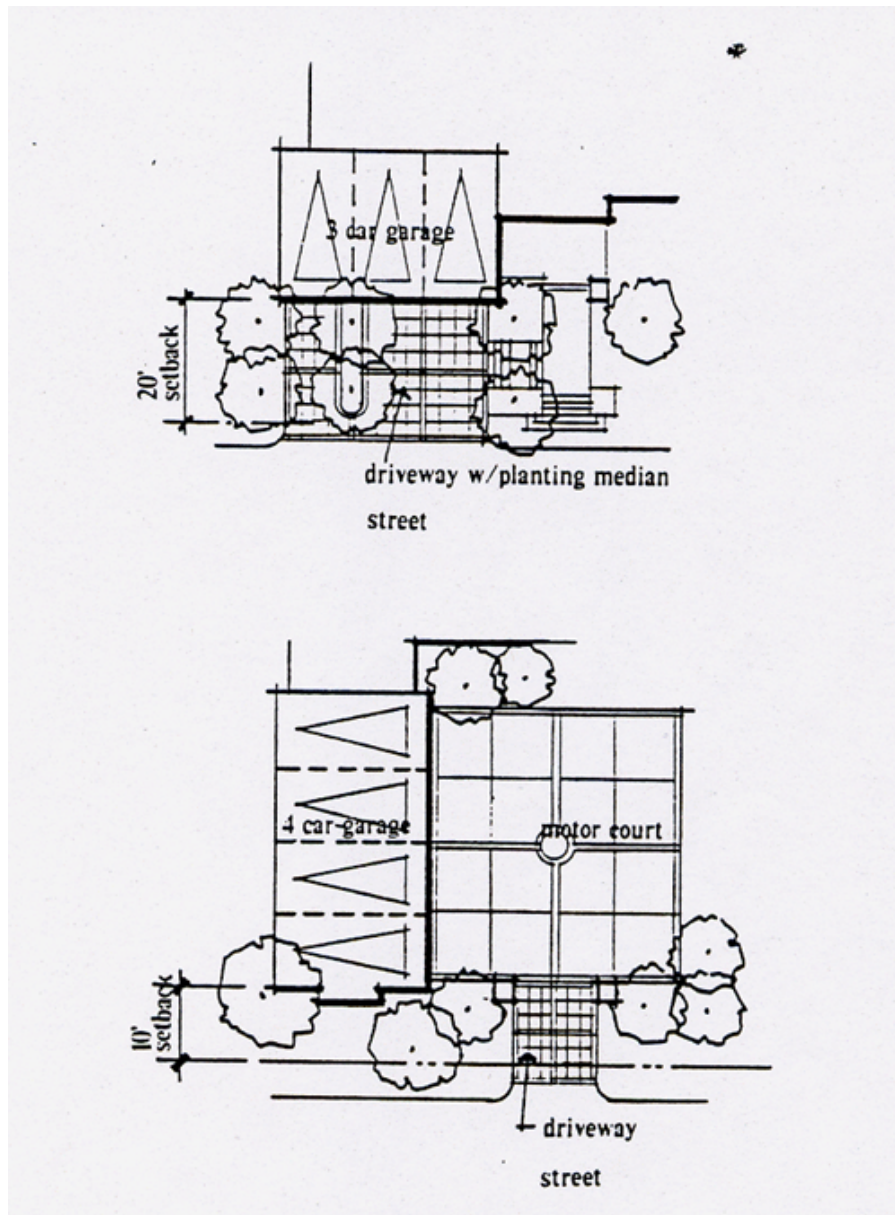
- a. Front walls: Within the front setback area, fences and walls shall not exceed the maximum height of three and one-half (3 1/2) feet.
- b. Perimeter walls: Within the side and rear setback areas, the maximum height shall be six (6) feet, except where higher walls are required by the City or County for noise mitigation or other health and safety measures.

- c. Community walls: Existing community association maintained fencing or walls shall not be modified by alteration, additions or color without the express written approval of the association Board of Directors.

#### 4. Garages:

The sensitive design of garages is critical to the overall quality of Ocean Ranch's community streetscape. For example, four-car garages which face the street could have a negative effect on the proportions of the front elevation thus impacting the street scene, while a side-entry garage design can provide a positive architectural element to the front elevation and minimize the impact of too many garage doors upon the street.

- a. Garage doors: Garage doors must be recessed a minimum twelve (12) inches from adjacent wall areas. Automatic door openers are required for all garage doors.
- b. Carports: Not permitted.
- c. Side-entry: While front entry garages must follow the front setback garages requirement of 20', the garage end elevation facing the street must incorporate architectural features relating to the residence design. A blank wall is discouraged. The portion of building within 20' from the property line must not exceed one story and is for side-entry garage use only.



5. Square Footage of Residence:

The minimum living area for any residence shall be three thousand five hundred (3,500) square feet for one-story houses and four thousand (4,000) square feet for two-story residences, exclusive of attics, decks, patios, courtyards, porches, and garages.

6. Mail Boxes:

Lot owners shall provide plans, elevations, materials and specifications for mail box designs with the landscape submittal. Mail box locations should be clearly indicated on a plot plan.

7. Sundecks:

- a. No sundecks are permitted on or over any portion of a two-story roof and heights will be limited to the second floor of the house.

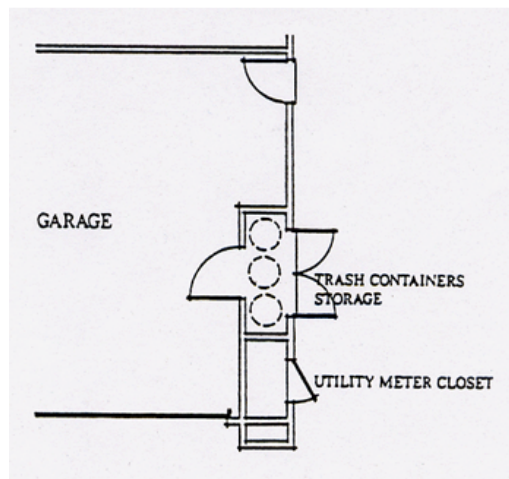
- b. All sundecks must be directly accessible from the living unit.
  - c. Any decks constructed above the finish first floor elevation must fall within the Building Envelope. Stairs from second story decks must be screened from view from the street.
  - d. Decks shall not extend more than ten feet beyond the top of slope of the particular lot. See Landscape Standards section d.8. for specific design considerations.
8. Trellises, Patio Structures, Sun Shades, and Gazebos:
- a. Trellises and other patio structures shall not be located closer than eight feet (8') from property line.
  - b. Structures in this section shall be designed to continue and/or complement architectural features of the residence.
9. Utility Meters:

Utility meters and junction boxes must be located within enclosed utility closets and be convenient for inspection but concealed from view from the street.

10. Trash Containers:

Each lot shall have a designed walled trash container area screened from view of both the street and neighbors. Plastic trash containers are recommended for reduction of trash collection noise.

Trash storage suggestion:



11. Mechanical Equipment:

All air conditioning, heating equipment, softwater tanks, or pool equipment, etc. must be screened from view and insulated for sound attenuation. One canopy tree must be installed adjacent to pool equipment to screen from second story view. No "through the wall" or "window" style air conditioning units shall be installed in any residence, nor shall any air conditioning units be installed upon the roof of any structure in the project. TV satellite dish antennae are also not allowed. The Custom Lot Committee shall have the right to approve or disapprove the location, placement, noise level and screening of equipment.

**BUILDING CHARACTER AND MATERIAL STANDARDS**



The intent of guidelines in this Section is to promote architecture of enduring quality and ensure that individual expressions coexist in harmony. Styles which are encouraged have historical roots in the villas and villages of the Southern European coastal regions whose topography, vegetation and climate is very similar to that of Ocean Ranch. Also encouraged are styles derived from the masonry walls and steep roofs of English and French country homes. The traditional aesthetic of homes inspired by these styles will lend an ambience of distinction to this project. Specific styles which are not allowed are "Southwest Pueblo", "Victorian - gingerbread", "English Tudor half - timber", "Cape Cod", "pseudocastle", and "Colonial".

The styles which are encouraged establish a core color and material palette from which architectural expressions can range from the stucco and clay tile compositions of contemporary southwest, to the simple wall planes and muted juxtaposed colors of coastal Italian, to the cascading gothic roof lines of grand English and French country manors.



The following is a list of materials and treatments for specific architectural and construction elements:

1. Exterior Walls:

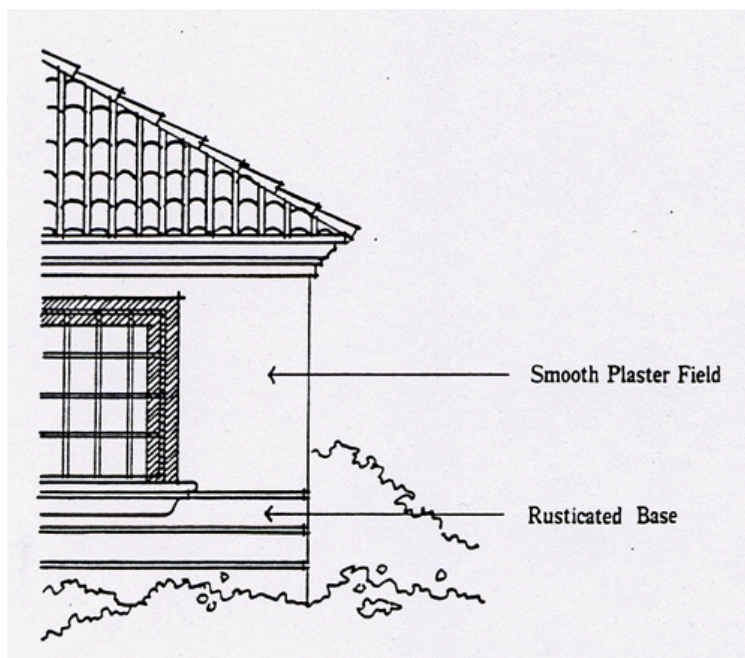
The material and color treatment for exterior walls must be continuous and consistent on all elevations of a residence to achieve a uniform and complete architectural design statement.



- a. Stucco plaster: Finish texture is suggested to be sand finish, smooth steel trowel finish, or machine applied light or medium dash finish. Skip trowel, Spanish lace, or heavy swirl finish textures are not allowed. It is recommended that the finished stucco color be painted on for a more consistent and weather resistant finish.
- b. Wood siding: Smooth or re-sawn wood siding in bevel, shiplap, or tongue and groove installations are suggested. Hardboard or masonite siding in the same installations are also allowed. However, wood shingles, shakes, and plywood sheet siding panels are prohibited.

All wood products are to be colored with semi-transparent or solid color stain or paint. Adequate maintenance is required to insure against uneven weathering, "sprinkler scallops", black mold or severe checking and splitting.

- c. Masonry: Brick and precast concrete elements are encouraged as elevational accents. Plain or painted concrete block is not allowed.
- d. Stone: Natural stone and rock materials applied as veneers are also encouraged as elevational accents. Manufactured stone products are discouraged in general but may be accepted by the Architectural Review Committee on a case by case basis.
- d. Other prohibited materials: Metal siding, vinyl siding, unfinished wood, asphalt products, exposed unfinished concrete.
- f. Colors: Color selection is a very important part of the design of the residence. Subtle colors are encouraged while "loud" colors or bright primaries will not be approved.



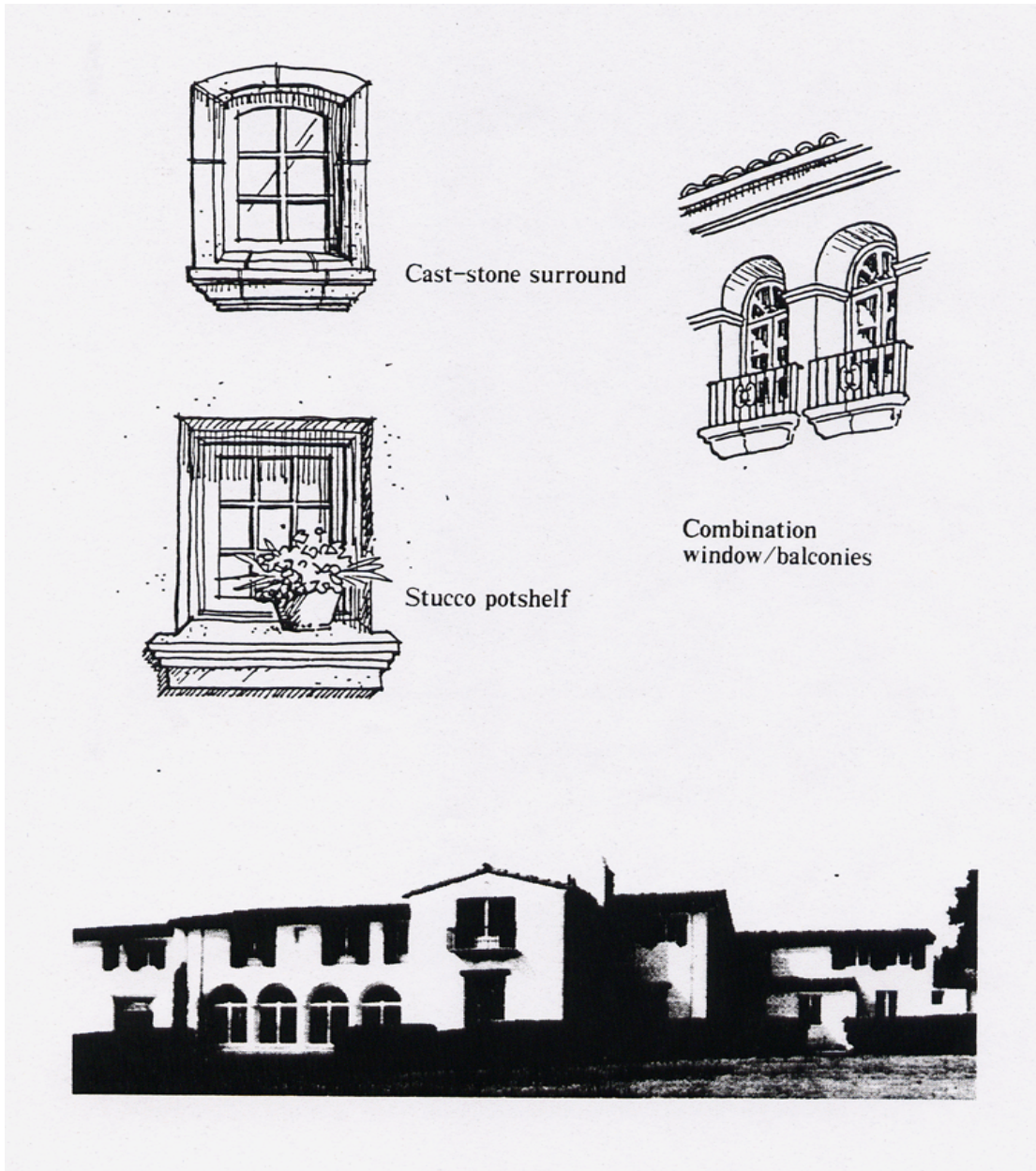
Variations in tone on different wall planes or parts of walls to emphasize rustication or building massing could also add interest to the design.

## 2. Windows and Doors:

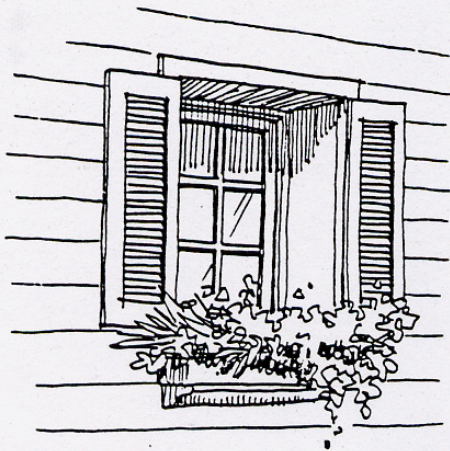
- a. Composition: The composition of windows and doors on exterior elevations should exhibit a degree of reason and discipline. Excessive flamboyance or too many types and sizes used together haphazardly is to be avoided.

- b. Materials: The use of quality wood windows and doors is encouraged and true divided lites should be used when the multi-paned look is desired. Reflective glass is prohibited. Garage doors should also be wood and not metal.
- c. Treatments: Window openings are encouraged to be recessed into wall planes, especially on stucco houses. When windows are flush with walls, trim surrounds of built-up plaster, wood, or cast stone should be used. Windows may also be articulated with shutters, pot shelves, ledges, awnings, etc.

Window frames and door colors should also be coordinated with wall colors and the overall character of the home. Strong applied patterns and/or color on garage doors will not be accepted while sectional raised-panel garage doors are preferred.







Shutters

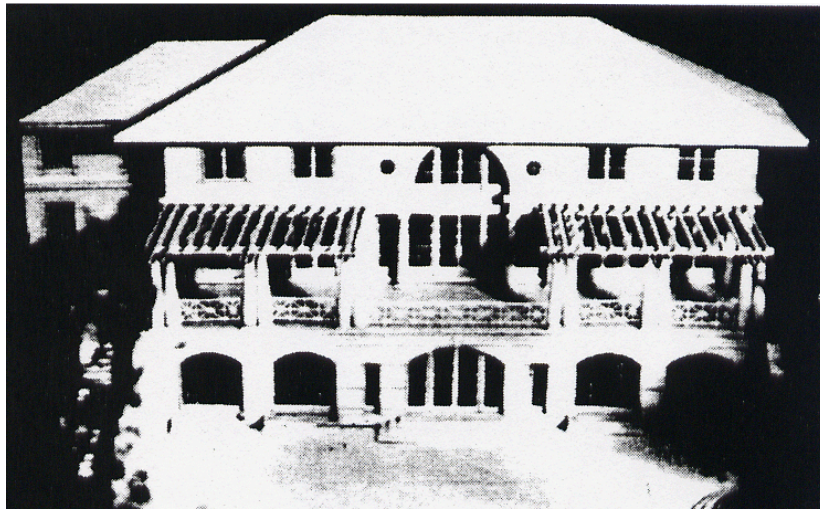


Entry colonade

### 3. Roofs:



- a. Forms: Simple and consistent roof forms create a more effective and powerful architectural statement. Principle roof forms shall be hip or gable. Mansard, gambrel, or other composite forms are strongly discouraged.



If the design of the residence requires flat roof areas, they should be held to a minimum and be as inconspicuous as possible. Flat roof areas shall not exceed 20% of the total roof area and should be the same in color as the major roofing material.

- b. Materials: Clay tile, concrete tile, slate, or copper are the acceptable roofing materials.

Wood shingles and shakes, asphalt products, or painted metal are not allowed.

All flashing, sheet metal, vent stacks and pipes must be colored to match the roof material they project from or the wall that they attach to.

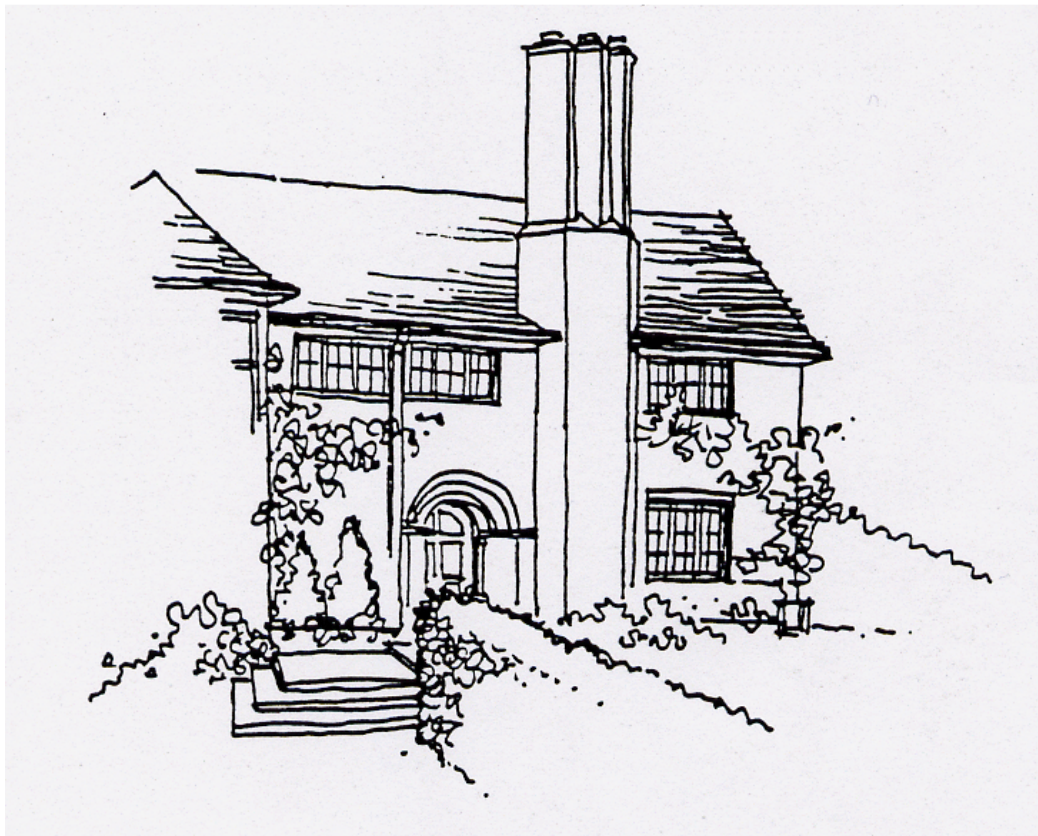
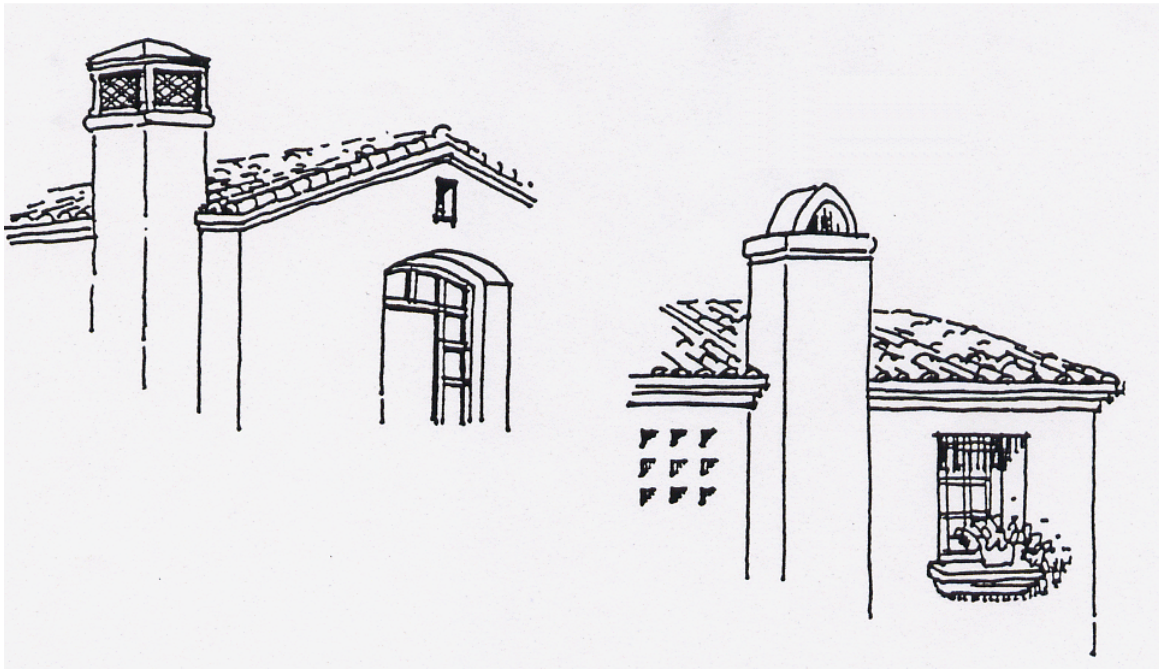
- c. Skylights: Skylights must be designed as an integral part of the roof. Skylight glazing shall be clear, solar bronze or gray only. Skylight framing material shall be bronze anodized or colored to match the roof.
- d. Mechanical equipment: Not allowed on roofs.





#### 4. Chimneys:

Chimneys shall be constructed of exterior materials approved in these guidelines and shall not exceed the heights required by local building codes. Exposed metal flues are not allowed.



5. Gutters and Downspouts:

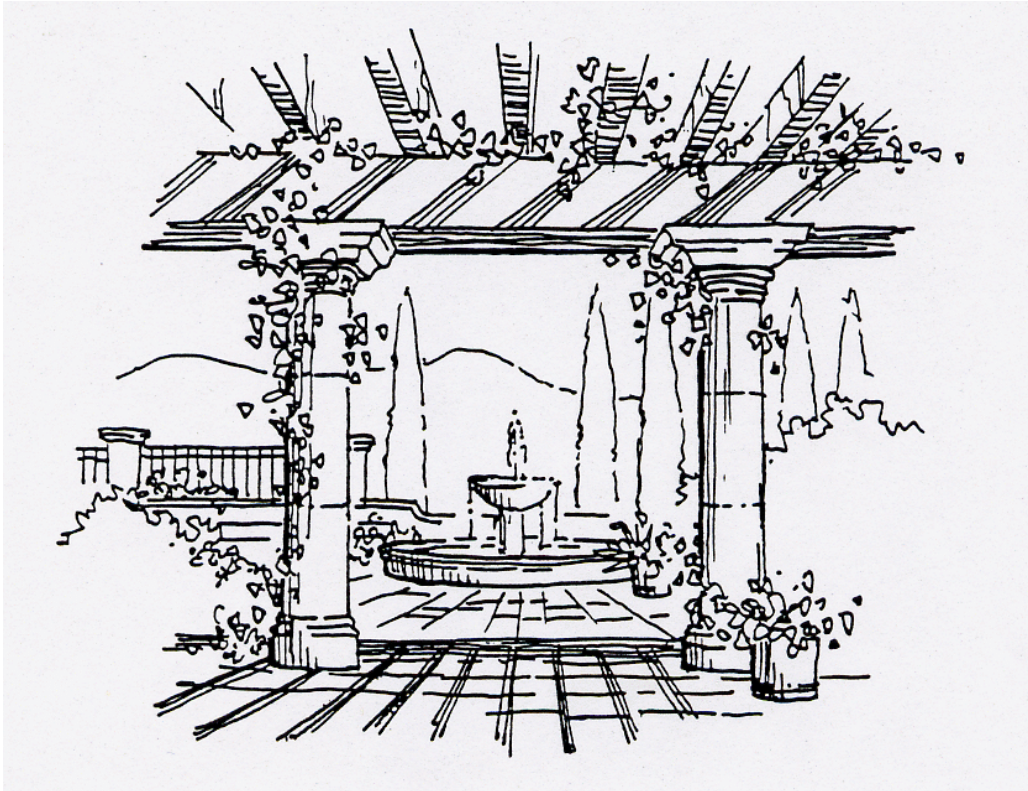
- a. Gutters shall be concealed where applicable as part of the design, otherwise gutters should be a continuous architectural feature. Exposed gutters used as an architectural element shall be painted to coordinate with the surface to which it is attached except when copper is used.
- b. Downspouts may be concealed or exposed. Exposed downspouts shall be colored to match the surface to which it is attached except when copper is used.

6. Trellises, Patio Structures, Sunshades, Gazebos:

The design of these elements shall be a continuation and enhancement of the architectural character of the main residence, creating garden rooms and framing views and landscape focal points.

- a. Acceptable Materials: Vertical support members may be of wood, pre-cast concrete products, masonry, or finished in stucco. Overhead structure or framework shall be of wood construction only. When solid roofing is used, roofing material shall match that of the residence.
- b. Unacceptable materials: These include exposed metal structural members and framework, plastic or fiberglass, reed or straw-like materials, rope or other fibrous strand elements, plain or painted concrete block.

Unacceptable roofing materials include crushed rock, asphalt shingles or shakes, built up roofing, plastic or fiberglass in flat or corrugated form.

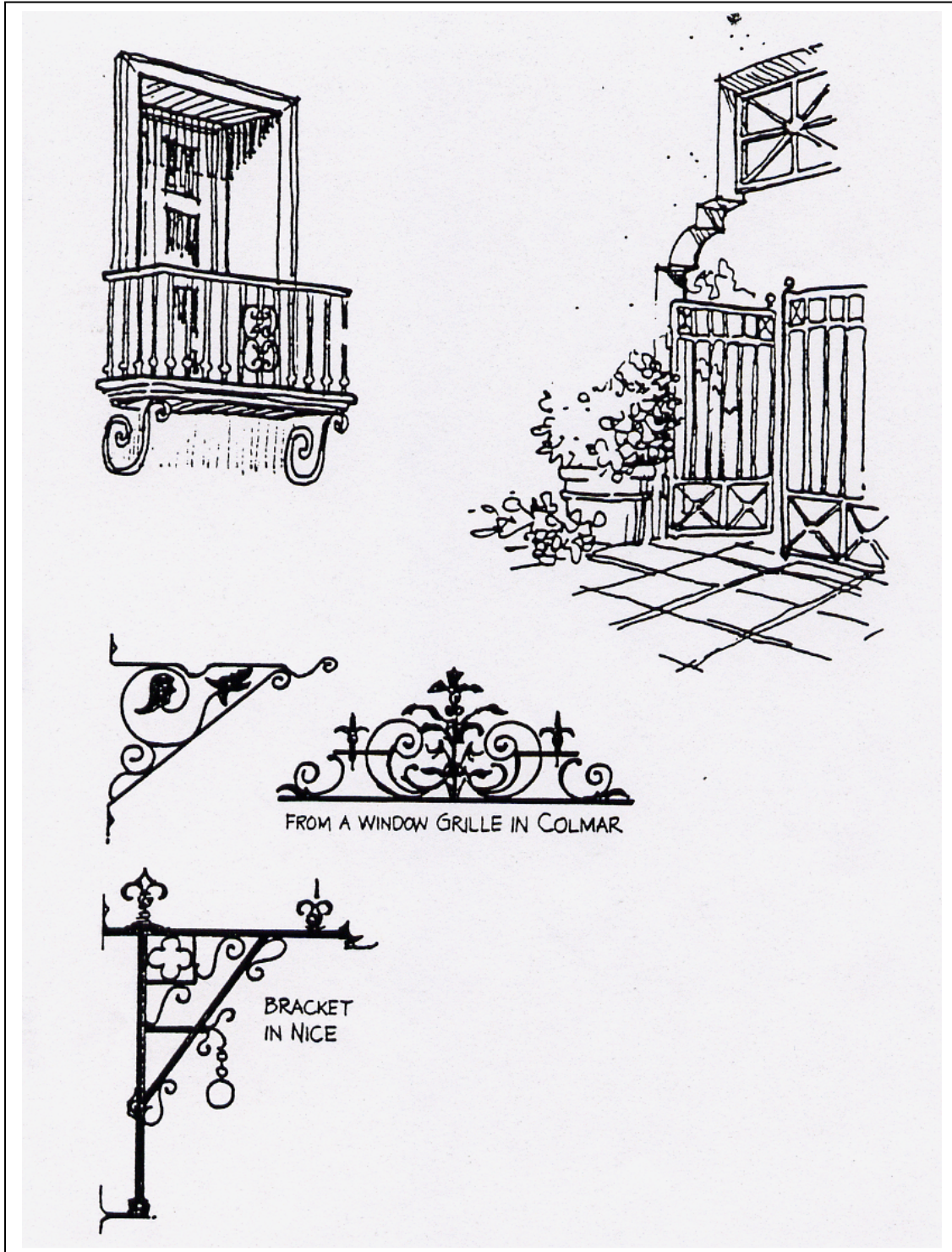




## 7. Ornamental Iron:

The use of ornamental iron at accents such as French balconies is encouraged.

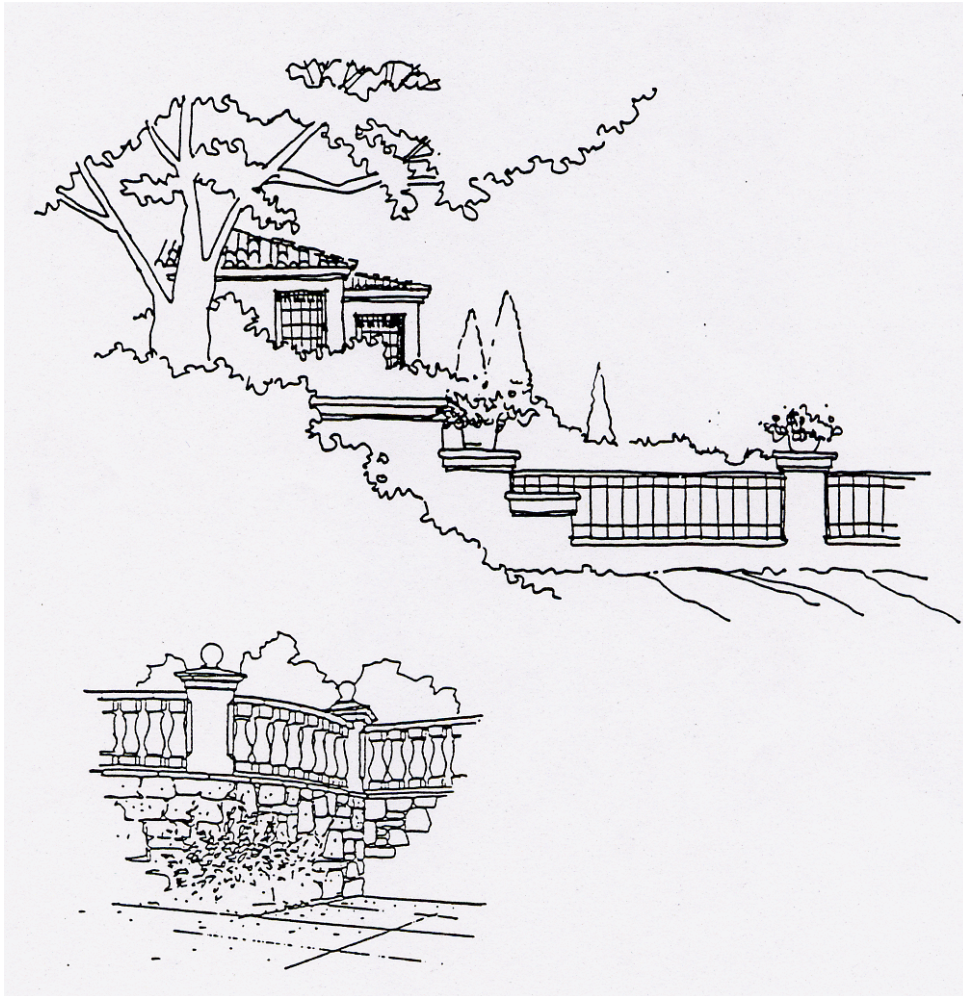
All wrought shall be treated to prevent deterioration of material resulting from the ocean environment. A suggested rust-inhibiting treatment is galvanizing. It is strongly recommended that final paint treatment be electrostatically applied.



## 8. Fences and Walls:

The design of walls or fences should continue and enhance the architectural character of the residence, and use the same or compatible materials and details. Please see Item 3 of the Building Development Standards for specific design criteria.

- a. Acceptable materials and finishes: Stucco over masonry, natural stone or stone veneer subject to approval by the Committee, brick, painted or plain split-face concrete block, wrought iron or clear tempered glass. Wrought iron or glass shall be over a 2½ feet high solid wall section except for pool and spa fences.
- b. Unacceptable materials: Aluminum or sheet metal, wood fencing, flat or corrugated plastic or fiberglass, chain link (except coated chain link at sports courts).



## 9. Hardscape or Paved Areas:

- a. Acceptable materials: These include concrete, exposed aggregate concrete, stamped concrete, brick, paving blocks, and natural stones.
- b. Unacceptable materials: Asphalt or gravel is prohibited.



- c. When a driveway takes on the size and character of a motor court, as in the case of side entry garages (see Item 4.c of the Building Development Standards), an enriched paving material, other than plain concrete, shall be required.

#### 10. Antennas:

In accordance with the CC&R's, no owner shall install, or cause to be installed any television, radio or "citizen band" (CB) antenna, satellite dish, or similar electronic receiving or broadcasting device on the exterior of any residence or elsewhere within a lot, or upon common areas.

All television and/or radio antenna shall be restricted to the attic of the residence. The CC&R's provide that the Board of Directors may contract for cable television services. It is recommended that all custom homes be prewired for these services.

#### 11. Awnings:

Awnings, if used, must be of canvas and harmonious with the exterior color palette. Metal awnings are not allowed.

#### 12. Solar Energy Systems:

The Ocean Ranch Custom Lot Committee will have the right to reasonably restrict and determine the size, shape, color, style, materials or location of any solar panels or equipment within the project, subject to the provisions of Section 714 of the California Civil Code, as the same may be amended from time to time.

#### 13. Exterior Lighting:

All exterior lighting is to be indirect and shielded to prevent glare and spillover onto adjacent Lots and the street. Any exposed light sources or bulbs are prohibited.

#### 14. Exterior Colors:

Exterior colors of building, fences, walls, structures, and patio covers as initially approved for new construction, additions and / or alterations shall not be changed without the approval of the Custom Lot Committee.



## **PLAN SUBMITTALS**

Two mandatory submissions are required, the Preliminary Design Submittal and the Final Submittal.

All architectural drawings shall be prepared and signed by an architect licensed in the State of California except for additions, alterations and patio covers that may be prepared by a landscape architect or structural engineer licensed in the State of California.

### **SUBMITTAL #1 – PRELIMINARY DESIGN**

1. The Architectural Committee does not seek to restrict individual creativity or personal preference, but rather to help assure a continuity in design which will help preserve and improve the appearance of the Community and enhance the property values of all Owners in the Community.

Prior to the commencement of any addition, alteration or construction work of any type on any residential Lot and Dwelling in Ocean Ranch at Bear Brand Homeowners Association, you must first make an application to the Architectural Committee for approval of such work. Failure to obtain approval of the Architectural Committee may constitute a violation of the Declaration of Restrictions affecting your home, and may require modification or removal of unauthorized works of Improvement at your expense.

The Architectural Review Committee only reviews structural elements for aesthetic conformance, and makes no judgments regarding the structural integrity of the design. Building permits are required with the final construction document submittal as an indication to the Committee that the design is in conformance with local codes.

2. Lot owners are reminded that building permits must be obtained from the City of Laguna Niguel prior to starting construction. Please contact the Community Development Offices, 27781 La Paz Road, Laguna Niguel, 92653, 949/ 643-1610, for further information on permits.

All submittals must be in triplicate and include the following, per the Architectural Approval Application.

- Business and residence telephone numbers with area codes.
- Lot and tract number of proposed construction.
- Street address of lot site.
- Name and address and business phone number of architect or Owner's representative.
- A submission fee made payable to the Ocean Ranch Homeowner's Association. See fee schedule for requirements.

Three sets of plans are required for each submission.

3. Plot Plan: Minimum scale of  $1/8'' = 1' - 0''$ 
  - a. Show property lot lines accurately, including length, angles and amount of curve in accordance with the recorded tract map and building envelope limitations.
  - b. Show all buildings, structures, fences, walls, setbacks, sidewalks, slopes and street right-of-ways contiguous to lot.
  - c. Show all dimensions for work to be considered; distances between proposed work and property lines, and distances between existing and proposed work.

4. Landscape Plan: Minimum scale of  $1/8'' = 1' - 0''$ 
  - a. Refer to the LANDSCAPE STANDARDS for submittal requirements.
5. Elevations: Minimum scale of  $1/4' = 1' - 0''$ 
  - a. Provide exterior elevations of all proposed buildings, drawn to scale.
  - b. Note all finish materials, colors and textures to proposed work.
  - c. All elevations will be drawn to show how the residence fits within the Building Envelope.
6. Fence and Wall Plans:
  - a. The drawings shall include specifications of materials color and height. Height should also be shown in relations to adjacent ground elevations.
  - b. The plot plan shall clearly indicate location of proposed construction including location and height of existing fences, walls and structures.
7. Exterior Colors and Finishes
  - a. Provide a material color sample board, with a minimum size of  $18'' \times 24''$ , showing proposed exterior finish colors for all walls, roofs, window and door jambs and sills, and any other finish materials contemplated for use.
  - b. Provide a sample of finished roofing materials contemplated for use.
  - c. Indicate materials, textures and colors of all hardscape improvements.
8. Roof Plan: Minimum scale of  $1/8'' = 1 - 0''$ 
  - a. Show plan of proposed roofs with slope pitches and ridge heights above pad elevation. NOTE: These must be within the limits set forth in Building Envelope.
  - b. Indicate materials of all proposed roofs.
  - c. Indicate any unusual conditions or construction resulting from this work.
9. Floor Plan: Minimum scale of  $1/4'' = 1' - 0''$ 
  - a. Show plan of proposed roofs with slope pitches and ridge heights above pad elevation. NOTE: These must be within the limits set forth in Building Envelope.
  - b. Indicate materials of all proposed roofs.
  - c. Indicate any unusual conditions or construction resulting from this work.
10. Floor Plan: Minimum scale of  $1/4'' = 1'0''$ 
  - a. Indicate all walls, columns, openings, and any condition or feature that will affect the exterior design of the building.
  - b. Dimension accurately all items and parts of plan and details, including balconies, decks, atria, and garages.

- c. Indicate square footages of total living area or residence, pools, recreation areas, patio covers.
- d. Note all items of the exterior that cannot be clearly noted on the elevation.

11. Grading Plan:

- a. Show contours, flow lines, finished grades.
- b. Changes to finished grade must be accompanied by a grading plan prepared by a registered civil engineer, architect, or landscape architect.

12. Neighbor Awareness Forms

- a. Neighbor Awareness forms shall be required for all improvements that, at the sole decision of the Architectural Review Committee may impact the view or any other aspect of another property. The format for the submittal shall be the Ocean Ranch Neighbor Awareness Form. All forms shall be kept confidential, and objection by an impacted property will not mandate denial by the Architectural Review Committee.

**SUBMITTALS #2 – FINAL SUBMITTAL**

Following the approval of all plans submitted in the Preliminary Design Submittal, the second submittal shall be made to the Ocean Ranch Architectural Review Committee. This required submission must be in substantial conformance with the approved preliminary plans.

1. Working Drawings:

- a. The working drawings submittal must include but not be limited to the following:
  - 1. Site plot plan.
  - 2. Floor plan and details.
  - 3. Elevations.
  - 4. Roof plan.
  - 5. Exterior door and window schedules.
  - 6. Exterior detail sheets.
- b. Submit written specifications for all proposed work.

2. Exterior Colors and Finishes:

If a change to the colors and finishes approved for Submittal #1 is contemplated at this time, a new material color sample board must be submitted together with the previously approved one for comparison and re-evaluation.

3. Exterior Lighting:

Show all lighting fixtures, locations, types and sizes with appropriate details and specifications.

4. Landscape Plans:

Show fences, walls, trellises, arbors, and gazebos, trees, drainage, slope stabilization and grading. In addition, the Landscape Plans must identify all plant types and be consistent with the landscape standards set forth herein.

Please refer to the LANDSCAPE STANDARDS for further submittal requirements.

## **GRADING STANDARDS**

1. Precise grading permits must be obtained from the City of Laguna Niguel prior to issuance of building permits. Please contact the City of Laguna Niguel, for further information on permit issuance.
2. A state-licensed soils engineer must perform sufficient field and laboratory tests on any cut and fill and import materials to determine expansiveness, bearing value, consolidation potential, saline, alkaline characteristics and soil sulfate content.
3. A state-licensed soils engineer is to provide continuous inspection during all excavations (i.e., foundation trenching) and fill operations and perform sufficient field and laboratory tests in order to certify site relative compaction to current City grading codes.
4. No overslope drainage across the adjacent lots or sump drainage will be permitted.
5. All clearing, grubbing, stripping and stock piling of soil excavation and compaction is to take place only within the limits of the lot.
6. Any use of chemical herbicides for weed eradication, if necessary, must be performed by a state-licensed pest control applicator. Common area landscaping must be protected during all levels of construction through the use of fencing as outlined within these guidelines.
7. Any common area landscaping destroyed by construction shall be replaced to the satisfaction of the homeowners association.
8. Erosion control measures will be required during the rainy season to protect common slope areas, adjacent lots, private streets and public property at all times. Please refer to vacant lot requirements for details.
9. It is suggested that all surface drainage of paved areas slope away from the house at a minimum of 1%, except for swimming pool deck areas which should be at 2% at a minimum of 1%, except for swimming pool deck areas which should be at 2% minimum slope and shall be directed to the decks and to an underground drainage system. Surface drainage of soil areas shall be at a minimum of 1:1/2% slope except swaled or drainage of large turf areas which shall be at a 2% minimum.
10. Any revisions, modifications or alterations to existing drains and top-of-slope berms, as originally installed by Shea Homes, shall be subject to review by the Architectural Committee.
11. Adequate provisions shall be made to prevent any surface waters from damaging excavations, public or private property, cut or fill slopes both during and after construction.
12. Any spoil dirt generated from site grading must be placed on the owner's lot. No material may be placed on the street or common areas. Storage of spoils on adjacent property will not be permitted. All excess spoils shall be removed promptly and disposed of with City and County regulations at controlled dump sites.

## **LANDSCAPING DEVELOPMENT STANDARDS**

The following Landscape Standards are provided as a guideline of design and construction criteria for use in the preparation of landscape plans and specifications. These standards are considered as reasonable, minimum landscape requirements that specify acceptable landscape design concepts, building materials, plant materials and plan processing. These standards are not intended to supersede the authority of County and City Building Code requirements.

The lot owner is required to fully implement the landscape installation within 180 days of the issuance of a certificate of occupancy. The landscape installation must be in accordance with the construction plans approved by the Architectural Review Committee.

The lot owner will be required to maintain the landscaping in a neat, clean, healthy and attractive condition at all times. The cost of such maintenance shall be the sole responsibility of the lot owner.

## **VACANT LOTS**

When construction of the residence will not begin within a 12-month period, any sloping area adjacent to the street will require landscape treatment. This is exclusive of any access approach ramp that exists. Some of these slopes will already be irrigated and planted by the developer as may have been required by City ordinance.

## **SANDBAG POLICY**

Per Association Policy, sandbags must be installed on vacant lots by November 1<sup>st</sup> of each year. The Board of Directors and the City of Laguna Niguel once gain request your cooperation in the placing of sandbags on your unimproved lot at Ocean Ranch. Sandbags must be in place by November 1, 1998 and if you have an active grading permit, sandbags should already be in place.

The City of Laguna Niguel requires all debris and mud to stay on your property during any rain storm and not exit onto the streets and/or storm drains which lead directly to the ocean.

Proposals may be obtained from Association's Landscape Contractor for installation of sand bags. The costs are to be assessed to homeowner accounts that do not install sandbags themselves.

## **LOT CLEARING POLICY**

All vacant lots are to have sandbags removed and the lots cleared of weeds by April 15<sup>th</sup> of each year. Lots are to be maintained free of weeds. If you don't do this, the Association landscaper may be authorized to perform the service and the cost assessed to the owners account.

In order to preserve the appearance of our community and help reduce infestation of insects, the Ocean Ranch Board of Directors has authorized spraying for eradication of weeds, clearing of all flat areas and removal of sandbags from all vacant lots to occur on April 15<sup>th</sup> by the Association's landscape contractor.

## **PLAN REQUIREMENTS**

The goal of the landscape design criteria is to create an environment that is harmonious with both the architectural character of the residence, and the overall character of the Ocean Ranch Community. The information that follows is intended to assist the owner and Landscape Architect in achieving that goal, while at the same time allowing for as much freedom of expression as possible.

Ocean Ranch is located in Southern California's coastal climate in Zone 23 as defined in the Sunset Western Garden Book. This area is considered by some to be one of the most desirable climates for growing subtropical plants. Approximately 85% of the time this area is influenced by the Pacific Ocean weather, providing regular afternoon breezes caused by the marine influence.

The remaining 15% is affected by interior climate, usually in the form of warming and drying trends from what is known as a Santa Ana condition. The list of recommended plant material that has been developed in these guidelines is based on the climatic conditions for Zone 23. The list of recommended plant materials is provided at the end of this section.

The list includes a good deal of material that is classified as drought tolerant. The incorporation of as much drought tolerant materials in design is strongly encouraged.

Additional constraints, besides climate, act as a limiting factor to the variety of plant material from which to select for Ocean Ranch. The horticultural quality of the soil is such that specialized amending may be required in order to ensure proper plant establishment and growth.

No alterations of any kind may be made to Association common areas with the exception of construction within the ten-foot slope easement area as later described. Any alterations to the common area irrigation systems made necessary by homeowner utilization of the easement area shall be made solely by the Association's maintenance company at the owner's expense in order to minimize disruption to the common area systems. The addition of plant materials may also be required to mitigate the appearance of improvements constructed within the easement area.

No landscape improvements are to be installed until the required plans and specifications have been submitted to, and approved in writing by, the Architectural Review Committee.

## **LANDSCAPE PLAN SUBMITTALS**

### **1. Plan Format**

Plans shall contain:

- a. Title block containing owner's name, tract and lot number, and property address.
- b. Landscape Architects name, address, telephone number.
- c. Date of drawing with scale and north arrow reference.
- d. Minimum sheet size 24" x 36", maximum 30" x 42".

All landscape drawings are to be prepared and signed by a Landscape Architect licensed in the State of California. When necessary, the signature of a licensed Structural Engineer may be required for landscape structures or retaining walls.

### **2. Landscape Plan Submittal**

- a. Scale: 1/8" = 11' - 0".
- b. Show all property lines, the sidewalk and the street relative to the lot.

- c. Indicate the location of any existing side slope, and indicate the top or toe of any adjacent common area slopes.
- d. Show the location of all structures; new and existing walls or fences; existing and proposed topography; pools, spas, fountains; all pavements and drainage devices.
- e. Plant material should be drawn at general mature size at 15 years of age.
- f. Provide a plant list indicating both Botanic and Common names, including any seeded material for use as erosion control measures for Slopes, in accordance with the plant list for 2:1 slopes.
- g. Submit other sketches or larger scale drawings indicating proposed features to adequately convey the design concepts to the Committee.
- h. Indicate all materials, finishes, colors, and height of all above ground structures and raised planters. Samples of materials may be requested by the Committee.
- i. Approval in writing by the Architectural Review Committee is required prior to the preparation of the final construction documents.

## **LANDSCAPE CONSTRUCTION DOCUMENTS**

### **1. Construction Plans and Specifications Submittal**

- a. These drawings are to represent refinement of the approved preliminary plan, including any adjustments to the design as may have been requested by the Architectural Review Committee.
- b. The scale for all construction drawings is to be 1/8" = 1' – 0".
- c. Each plan is to show the residence, with the location of doors and windows indicated.
- d. Provide construction details for all other structures, walls and hardscape improvements that incorporate the above information.
- e. Provide a separate plan for each of the construction document categories that follow:

### **2. Grading and Drainage Plan for Major Landscape Renovation Projects** indicating the following:

- a. Landscape berming with top of berm elevation indicated.
- b. Finish pad elevation.
- c. Modification of existing slopes due to addition of retaining walls. Indicate top of wall elevation of all such walls.
- d. Show all catch basins, deck drains, surface flowlines, subsurface drain pipe and point of water dispersal through the curb to the street.
- e.
  - 1. No over-slope drainage or sump drainage will be permitted.
  - 2. All clearing, grubbing, stripping and stock piling of soil, excavation and compaction is to take place only within the limits of the lot.

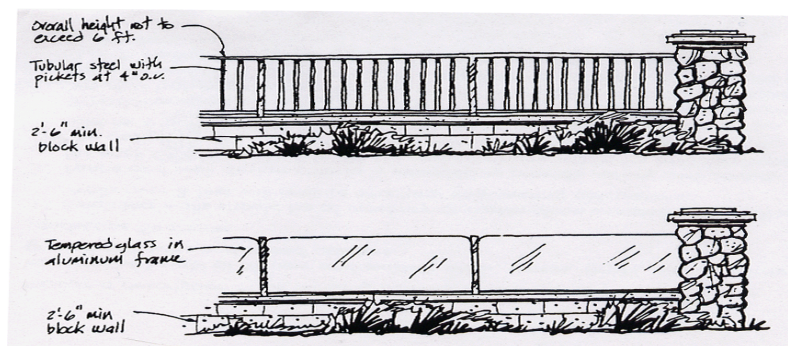


3. Any use of chemical herbicides for weed eradication, if necessary, must be performed by a State Licensed Pest Control Applicator.
4. Common Area landscape must be protected during all phases of construction through the use of temporary construction fencing.
5. Erosion control measures will be required during the rainy season to protect common area slopes, adjacent lots, and public property at all times.
6. Paved areas should be designed to drain at a minimum flow of 1%. Surface drainage of soil areas should be a minimum of 2%.
7. The use of a subsurface system will be required wherever the surface flow is interrupted by paving, walls, or building structures.
8. All slope areas of 2:1 slope ratio that are in excess of five vertical feet will require interim erosion control irrigation and planting for stabilization in a manner as required by City ordinance.
9. A State licensed Soils Engineer is to provide continuous inspection during any excavation and fill operation, and perform sufficient field and laboratory tests in order to certify the site compaction relative to City requirements.

### 3. Construction Plan indicating the following:

- a. Layouts and dimensions of all hardscape elements, including but not limited to spa, raised planters, walls, gates, patio covers, gazebos, fountains, barbecues, and pavements, per City ordinance.
- b. Include a description of all building materials, colors, and finishes.
- c. Indicate the height of all new and existing walls, fences, gates, and all above ground structures need raised planters.
- d. Walls and Fencing:
  1. Retaining walls should be of masonry or cast-in-place concrete construction. Walls over 3-feet will require structural engineering calculations.
  2. Fence and wall design criteria is intended to provide variety and privacy for each Ocean Ranch home and continuity within the neighborhood. The design should incorporate details and/or materials of the residence and be a part of the exterior architectural statement.

Where transparent walls or fences are desired for views at rear yards, wrought iron or glass may be used on top of a solid wall no less than two and one-half (2 1/1) feet in height. Any fence or wall which may block the view from another lot is subject to the approval of the Architectural Review Committee.

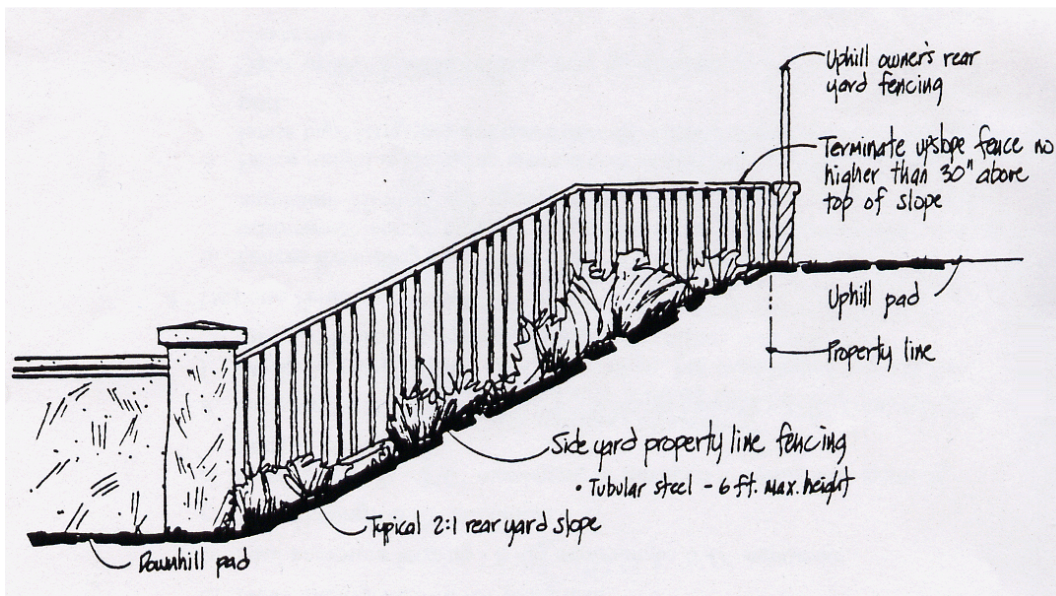


3. **All proposed walls or fences** have the following height restrictions:

- a. Freestanding wall - 6' - 0" maximum.
- b. Pool enclosure fencing - 5' - 0" minimum to 6' - 0" maximum.
- c. Yard fencing 6' - 0" maximum.
- d. Retaining walls - 3' - 0" maximum, or terraced in series with planting beds in between.
- e. Detached front yard walls within building setback - 3' - 0" maximum.
- f. Mailbox / Entry pilaster - 5' - 0" maximum. No modifications are to be made to builder provided fencing.

4. **Upslope Fencing:**

- a. Fences extending up a slope along a side property line must be ornamental iron or tubular steel, and may be used in conjunction with a maximum 30-inch high masonry wall.
- b. Fence height is limited to a maximum of six-feet, and the top of the fence must terminate not more than 30-inches above an upper adjacent pad.
- c. Color of any upslope fencing may be dictated by the Architectural Review Committee.



5. Material finishes and color treatment of landscape retaining walls, garden walls and columns should be an extension of those used on the residence. However, the use of wood retaining walls is not permitted.
- e. **Arbors, patio covers, trellises and gazebos** should also reflect the character of the architectural style. If solid roofing is preferred on any detached structures, it must match that of the residence. All such structures must be a minimum of 8-feet from all property lines.

Unacceptable roofing materials include crushed rock, asphalt shingles or shakes, built-up roofing, plastic or fiberglass in flat or corrugated form.

Vertical supports may be wood, masonry, or pre-cast concrete products.

Front yard structures not attached to the residence must be compatible with the rest of the architectural design elements.

- f. Wood decks should have all structural support members concealed from view with masonry or wood siding materials. Open lattice-type screening is not acceptable.

All overhead structures and decks may be required to have a structural engineer's or architect's stamp and structural calculation prior to submittal to Architectural Review Committee.

- g. Downslope Easement Development:

1. Some of the lots in Ocean Ranch have an adjacent descending slope at the rear of the pad. Improvements may be allowed to extend out over these slopes to a maximum of ten-feet measured horizontally, if the easement was granted prior to the close of escrow.
2. Design of improvements within this downslope easement space need to take into account the following factors:
  - a. Consideration of neighboring views.
  - b. The improvement must terminate and be supported by an engineered masonry or other permanent decorative wall not to exceed five-feet in height.
  - c. Exposed wood support members or lattice screening is not acceptable.
  - d. Screening of the wall with plant materials.
3. The plan shall illustrate how the improvement will interface and blend with the existing slope planting, and how the slope irrigation systems are to be modified. This plan will require approval and implementation prior to the construction of the proposed improvement.

- h. Improvements on Slope Areas

1. Association Owned Slopes and Homeowner Owned Slopes Subject To Association Easement. Owners are not permitted to install any improvements upon, or make any modifications to any slope areas owned by the Association or subject to an Association maintenance easement. Owners have a duty to specifically identify on their architectural plan submissions all Association owned property and/or easement areas that may be affected by the installation or maintenance of the proposed improvements. Failure to identify such affected Association property or easements on architectural plans shall void any approval and may result in the Owner being required to remove the subject improvements and restore the area to its pre-construction condition at the Owner's expense.
2. Limited Improvements Upon Upper Two-Thirds Portion of Homeowner Owned Slope Areas. In general, no improvements may be installed upon, or modifications made to, the upper two-thirds portion of any of the slope areas on the properties. Limited improvements and modifications are permitted to the lower one-third of the owner-owned and unencumbered slope areas on the properties, subject to prior review and approval by the Architectural Committee. Notwithstanding the foregoing, the

Architectural Committee may, in its discretion, approve limited improvements or modifications to the upper two-thirds portion of the slope of an individually owned lot not subject to an Association slope maintenance easement. The types of "limited improvements" that may be installed (subject to prior

Architectural Committee approval) include the following: (1) landscaping; (2) pathway or walkway consisting of soil, mulch, stepping stones or railroad-tie steps for the purpose of facilitating maintenance and installation of landscaping on the slope area.

No hand rails and no poured-concrete walkways or other similar improvements may be installed on the upper two-thirds portion of the slope areas. Only improvements that are low profile in nature and which generally blend-in with the slope area may be permitted, subject to the Architectural Committee's prior written approval.

Owners shall ensure (i) that any improvements approved to be installed on the slope areas shall not affect the structural integrity of the slope or otherwise detrimentally affect the slope areas or any adjacent properties, and (ii) that there is adequate provision for drainage of water and prevention of soil erosion. As part of any application for installation of improvements (other than landscaping improvements) on the slope areas, the Owner shall submit a report from a qualified licensed engineer confirming that the proposed improvements and modifications to the slope area shall not detrimentally impact the structural integrity of the slope area.

i. Play Structures

1. Play equipment may not be situated on the lot so as to impact views of adjacent lots.
2. If overhead shade is desired, the color of the canvas must match or blend with colors in the immediate area as determined and approved by the Architectural Review Committee. No multi-colored canvas will be approved.

j. Garden Sheds

Garden Sheds are permitted, but should be located in close proximity to the house and not against a side yard property fence. The structure must be screened from the view of adjacent lots and the street.

k. Sports Courts

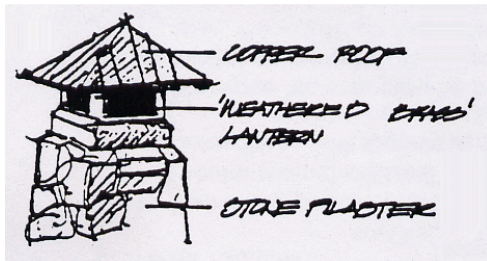
1. There may be lots that accommodate tennis courts or other types of paved athletic surfaces. All proposed courts must be set back a minimum of ten-feet from side or rear property lines, and must not occur within the front yard setback area. Such courts may not cantilever over or be cut down into any downslope easement area.
2. Retaining walls used to support a sports court may not exceed a height of four-feet.
3. Lighting of sports courts may be allowed only if properly shielded against any spillover.
4. Screening of sports courts from public view by means of plant material.
5. Fencing of sports courts must consist of vinyl coated chain link with shade cloth panels.

l. Water Features

1. Swimming pools located on pads having descending rear slopes will require special structural engineering. All pool plans are to be in accordance with County ordinances.
2. No water features may be built within the downslope easement area, except on those lots that do not have a residential lot below them. In any case, the maximum retaining height of any wall supporting

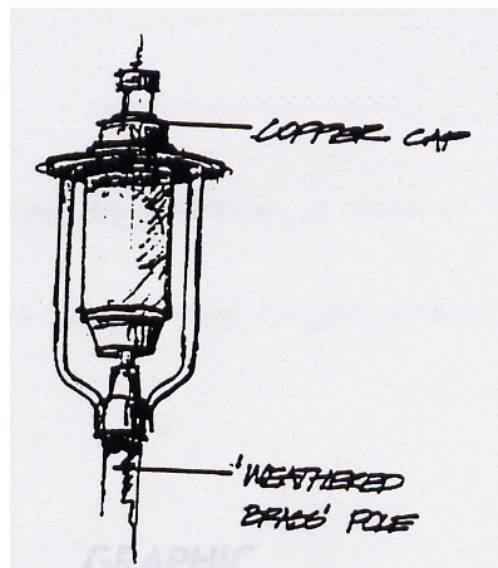
such an improvement in the easement area is five-feet, and will require extensive plant material screening.

m. Landscape Lighting



- a. The site lighting design should include lighting in the front yard at or near the street right-of-way. This lighting should consist of a minimum of one fixture incorporated into a mail box enclosure or other entry element.

Low voltage lighting is strongly encouraged in the interest of energy conservation. Maximum allowable wattage should be limited to 60 watts incandescent bulbs with cut-off optics to minimize light spillage. Pole mounting heights must not exceed eight-feet and switching should be controlled by photocell or time clock for automatic operation.



4. **Planting Plan** indicating the following:

- a. Final plant legend, indicating full mature height and spread, and including any alterations as may have been requested per the approved Preliminary Landscape Plan.
- b. Planting details and specifications reflecting all recommendations per the soils analysis.

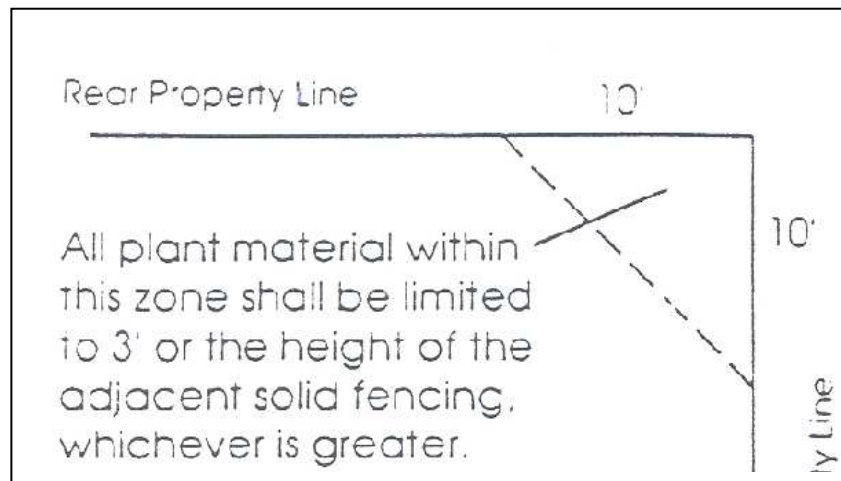
**A copy of the soils analysis and soil amendment recommendations is to be included with the Construction Document Submittal.**

c. Planting Standards:

1. Plant materials can become a major element in the overall landscape design. Therefore plant materials should be used to unify the overall architectural theme, to accentuate detail, and to define space. At the same time consideration must be given to the views of neighbors and the character of the entire community when planted.
2. Trees and shrubs should be selected to fit specific locations and purposes. Consideration of the eventual size of the plants in relation to the building architecture and spatial characteristics of the overall design is essential.



3. All rear corners of custom lots shall be subject to the height requirements as indicated on the following diagram:



4. During plant installation the Landscape Architect should assist the owner by inspecting all plant material to ensure no diseased, malformed, or root bound material used, and to verify that soil preparation takes place per specifications.
5. The use of a simple palette of long-lived plants that are drought tolerant, or have low water requirements, is encouraged. There are restrictions, however, on the interpretations of a drought tolerant landscape. Plant materials are expected to be consistent with those compatible with the Southern California coastal climate.
6. No cactus landscapes, or those incorporating colored rock or decomposed granite ground covers will be accepted. An ornamental, yet drought tolerant landscape can be created with plant materials that are compatible with our sub-Mediterranean climate.
7. Plant material must be able to mature within the environment in which they are planted without causing root damage to pavements, or branching into adjacent structures.
8. Slope plant material must be in accordance with the approved Plant Matrix at the end of the Landscape section. The goal is to achieve slope coverage within one year after installation by utilizing material that will ultimately spread to cover the slope.

## 5. Irrigation Plan

- a. The use of an automatically activated, underground system is encouraged in order to enable flexible timing, and to promote water usage efficiency.
- b. It is highly recommended that the irrigation be designed by your Landscape Architect, or by his irrigation consultant to insure efficient water management and control for the plant material.
- c. The designer will need to consider varying environmental conditions, including soil type and percolation rate, sun and shade, terrain, erosion control and wind.
- d. All planting areas must have an irrigation system. Drip irrigation or low-precipitation spray nozzles are encouraged to assist in water conservation.

- e. The plan will need to include detailed drawings depicting the method of installation of each sprinkler type and materials used.

## **MAINTENANCE**

1. Upon completion of the planting and irrigation installation, it is highly recommended that an ongoing maintenance program be implemented.
2. The owner should have a minimum of 90 day post planting maintenance in the installing contractor's contract. Potential problems, such as necessary irrigation adjustment and plant failure will need to be corrected by the contractor during the 90 day period.
3. When the installing contractor's maintenance period has ended, a company that specializes in landscape maintenance should be hired to continue the ongoing maintenance requirements. This contractor should perform periodic soils testing, with adjustments to fertilizing and soil amending as may be indicated by the test. This is generally done on an annual basis.
4. The maintenance program should also include the following:
  - a. Watering as required to maintain consistent soil moisture for proper plant development, without over-watering.
  - b. Mowing and edging of lawns once per week.
  - c. Application of fertilizer at least four times per year with a balanced fertilizer as prescribed in the soils analysis recommendations.
  - d. Control of pests, such as snails and gophers. Consultation with a licensed pest control advisor may be necessary in the control of certain pests, or if the use of insecticides or fungicides becomes necessary.
  - e. Tree trimming to ensure size restrictions are met. See Planting Standards for requirements.

TREES	BOTANICAL NAME	COMMON NAME	COMMENTS										
			EVERGREEN	DECIDUOUS	FALTCOLOR	SCREENING	LAWN / SHADE	FRUIT	FLOWER	FIRE RETARDANT	DROUGHT TOLERANT	NATIVE	SLOPES
	ACACIA BAILEYANA	BAILEY ACACIA											FRAGRANT
	AGONIS FLEXUOSA	PEPPERMINT TREE											
	ALBIZIA JULIBRISSIN	SILK TREE											
	ALNUS CORDATA	ITALIAN ALDER											
	ALNUS RHOMBIFOLIA	WHITE ALDER											NEEDS DEEP WATERING
	ARBUTUS UNEDO	STRAWBERRY TREE											NEEDS DEEP WATERING
	ARCHONTOPHOENIX												
	CUNNINGHAMIANA	KING PALM											
	ARECASTRUM												
	ROMANZOFFIANUM	QUEEN PALM											
	CEDRUS DEODARA	DEODAR CEDAR											FAST GROWING
	CERCIS OCCIDENTALIS	WESTERN REDBUD											FOR LARGE LOTS
	CUPANIOPSIS												SMALL TREE
	ANACARDIOIDES	CARROTWOOD											DEEP ROOTING
	CUPRESSOCYPARIS												
	LEYLANDII	LEYLANDI CYPRESS											
	ERIOBOTRYA DEFLEXA	BRONZE LOQUAT											
	EUCALYPTUS NICHOLII	WILLOW LEAFED PEPPERMINT											
	EUCALYPTUS POLYANTHEMOS	SILVER DOLLAR GUM											FAST GROWING
	EUCALYPTUS TORQUATA	CORAL GUM											SMALL TREE
	FIGUS BENJAMINA	WEeping CHINESE BANYAN											INVASIVE ROOTS
	JACARANDA MIMOSIFOLIA	JACARANDA											ACCENT TREE



*Alluaudia  
juliflorum*



*Cercis occidentalis*



*Eriobotrya japonica*



TREES	BOTANICAL NAME	COMMON NAME	COMMENTS									
			EVERGREEN	DECIDUOUS	FALCIFORM	SCREENING	LAWN / SHADE	FRUIT	FLOWER	FIRE RETARDANT	DROUGHT TOLERANT	NATIVE SLOPES
	LIGUSTRUM LUCIDUM	GLOSSY PRIVET										
	LIQUIDAMBAR											
	STYRACIFLUA	SWEET GUM										
	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA										
	MELALEUCA QUINQUENERVIA	CAJUPUT TREE										
	METROSIDEROS EXCELSUS	NEW ZEALAND CHRISTMAS TREE										
	MORUS ALBA	WHITE MULBERRY										
	NERIUM OLEANDER STANDARD	OLEANDER										
	OLEA EUROPAEA	OLIVE										
	PINUS ELDARICA	MONDELL PINE										
	PINUS HALEPENSIS	ALEPPO PINE										
	PINUS PINEA	ITALIAN STONE PINE										
	PISTACIA CHINENSIS	CHINESE PISTACHE										
	PLATANUS ACERIFOLIA											
	'BLOODGOOD'	LONDON PLANE TREE										
	PODOCARPUS GRACILIOR	FERN PINE										
	PODOCARPUS MACROPHYLLUS	YEW PINE										
	PRUNUS BUREIANA	FLOWERING PLUM										
	QUERCUS AGRIFOLIA	COAST LIVE OAK										
	RHUS LANCEA	AFRICAN SUMAC										
	SCHINUS MOLLE	CALIFORNIA PEPPER										
	TIPUANA TIPU	TIPU TREE										
	TRISTANIA CONFERTA	BRISBANE BOX										



Liquidambar



Alnus





# SHRUBS

BOTANICAL NAME	COMMON NAME	EVERGREEN	SLOPES	SCREEN	FLOWER	FRUIT	ACCENT	DROUGHT TOLERANT	NATIVE	FIRE RETARDANT	COMMENTS
ABELIA 'EDWARD GOUCHER'	GLOSSY ABELIA										
ACACIA REDOLENS	ONGERUP ACACIA										SPREADING
AGAPANTHUS SPECIES	LILY OF THE NILE										
BACCHARIS PILULARIS	COYOTE BRUSH										SPREADING
CARISSA GRANDIFLORA	NATAL PLUM										
CEANOOTHUS SPECIES	WILD LILAC										SHORT LIVED
CISTUS SPECIES	ROCK ROSE										
COPROSMA KIRKII	NO COMMON NAME										SPREADING
COTONEASTER SPECIES	COTONEASTER										
DODONAEA VISCOSA											
'PURPUREA'	HOPSEED BUSH										
ELEANAGNIUS PUNGENS	SILVERBERRY										FAST GROWING
ESCALLONIA 'FRADESII'	PINK ESCALLONIA										USE AS BARRIER
FATSIA JAPONICA	JAPANESE ARALIA										NEEDS SHADE
GREWIA CAFFRA	LAVENDER STARFLOWER										GOOD ESPALIER
HEMEROCALLIS HYBRID	DAYLILY										
HETEROMELES											
ARBUTIFOLIA	TOYON										
HIBISCUS ROSA-SINENSIS	CHINESE HIBISCUS										
JUNIPERUS SPECIES	JUNIPER										
JUSTICIA BRANDEGEANA	SHRIMP PLANT										PARTIAL SHADE
LANTANA SPECIES	LANTANA										



Agapanthus orientalis



Fatsia japonica



Nandina domestica



# SHRUBS

BOTANICAL NAME	COMMON NAME	EVERGREEN	SLOPES	SCREEN	FLOWER	FRUIT	ACCENT	DROUGHT TOLERANT	NATIVE	FIRE RETARDANT	COMMENTS
MELALEUCA NESOPHILA	PINK MELALEUCA										SMALL TREE
MYOPORUM PACIFICUM	NO COMMON NAME										SPREADING
NANDINA DOMESTICA	HEAVENLY BAMBOO										
NERIUM OLEANDER	OLEANDER										
OSMANTHUS HETEROPHYLLUS	HOLLY LEAFED OSMANTHUS										
PHOTINIA FRASERI	NO COMMON NAME										
RAPHIOLEPIS INDICA	INDIA HAWTHORN										
RHAMNUS CALIFORNICA	COFFEEBERRY										BROADLY SPREADING
RIBES VIBURNIFOLIUM	CATALINA PERFUME										
ROSMARINUS OFFICINALIS	ROSEMARY										SPREADING
SALVIA LEUCOPHYLLA	PURPLE SAGE										
TECOMARIA CAPENSIS	CAPE HONEYSUCKLE										
TRACHELOSPERMUM											
JASMINIODES	STAR JASMINE										
VIBURNUM SPECIES	VIBURNUM										SPREADING
XYLOSMA CONGESTUM	SHINY XYLOSMA										



*Trachelospermum  
jasminoides*



*Xylosma congestum*



*Cranothus griseus  
horizontalis*



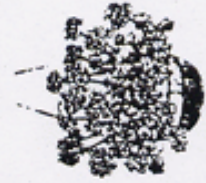
GROUND COVER		COMMON NAME	COMMENTS						
BOTANICAL NAME			EVERGREEN	SLOPES	FLOWER	DROUGHT TOLERANT	NATIVE	FRUIT	GRASS
AJUGA REPTANS		CARPET BULGE							
ARCTOTHECA CALENDULA		CAPE WEED							
CERASTIUM TOMENTOSUM		SNOW-IN-SUMMER							
FRAGARIA CHILOENSIS		WILD STRAWBERRY							
GAZANIA HYBRID		GAZANIA							
HEDERA HELIX		ENGLISH IVY							
HYPERICUM CALYGINUM		AARON'S BEARD							
ICE PLANT									
IMPATIENS WALLERANA		BUSY LIZZIE							
LAURENTIA FLUVIATILIS		BLUE STAR CREEPER							
LONICERA JAPONICA		JAPANESE HONEYSUCKLE							
PELARGONIUM PELTATUM		IVY GERANIUM							
POTENTILLA VERNA		SPRING CINQUEFOIL							
SEDUM		STONECROP							
VINCA SPECIES		PERIWINKLE							
ZOYSIA TENUIFOLIA		KOREAN GRASS							



*Ajuga reptans*

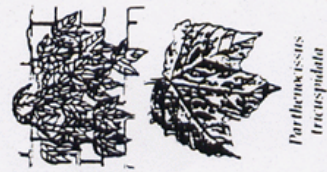


*Cerastium tomentosum*



*Pedargonium peltatum*

VINES											
BOTANICAL NAME	COMMON NAME	EVERGREEN	SCREEN	FLOWER	FRUIT	DROUGHT TOLERANT	NATIVE	DECIDUOUS			
BOUGAINVILLEA SPECIES	BOUGAINVILLEA								NEEDS SUPPORT		
CISSUS ANTARCTICA	KANGAROO TREEBINE								NEEDS SUPPORT		
CLYTOSTOMA											
CALLISTEGIOIDES	VIOLET TRUMPET VINE								NEEDS SUPPORT		
DISTICTIS BUCCINATORIA	BLOOD-RED TRUMPET VINE								NEEDS SUPPORT		
FICUS PUMILA	CREeping FIG								CLINGING		
JASMINUM POLYANTHUM	JASMINE								NEEDS SUPPORT		
IONICERA											
HILDEBRANDIANA	GIANT BURMESE								NEEDS SUPPORT		
MACFADYENA UNGUIS-CATI	HONEYSUCKLE								CLINGING		
PARTHENOCISSUS	CAT'S CLAW										
TRICUSPIDATA	BOSTON IVY								CLINGING		
PYROSTEGIA VENUSTA	FLAME VINE								CLINGING		





## **CONSTRUCTION STANDARDS**

### **1. PRE-CONSTRUCTION REQUIREMENTS**

- a. Prior to beginning construction, all subcontractors must be registered with the Ocean Ranch security guard at the gated entry.
- b. Prior to commencement of construction, each Owner must submit to the Architectural Review Committee, for its files, copies of the following documents:
  1. One (1) copy of the Building Permit issued by the City of Laguna Niguel.
  2. One (1) full set of working drawings approved and stamped by the City of Laguna Niguel; and
  3. List of all contractors, subcontractors and suppliers which will remain on file in the principal office of the Architectural Review Committee.
- c. **Construction Compliance Deposit** - Each Owner shall post and maintain a construction compliance deposit in the form of a cash bond as noted on the Fee Schedule to ensure proper cleanup of dirt, debris and repair of any damage to the landscaping and streets within Ocean Ranch or to a neighboring Lot, correcting of security, safety or health risks or hazards resulting from construction activities on the Lot and such expenses, including attorneys' fees, associated with enforcing the provisions of these Guidelines and the Declaration. The Committee, at its discretion, shall approve the release of the deposit after determining that any damage caused by the Owner in the construction of a Residence has been repaired and restored. The deposit, or any remaining portion thereof, is refundable upon the completion of construction of the Custom Home Residence less amounts used for corrective purposes. Any funds due will be distributed following the issuance of a Certificate of Occupancy by the City of Laguna Niguel and upon the completion of all improvements as shown on the stamped approved plans.

### **2. TEMPORARY CONSTRUCTION FACILITIES**

- a. **Water Service** - Water service, including a meter box, has been installed oot the curblineline of the property, but no meter has been installed. Ocean Ranch is in the Moulton Niguel Water District.
- b. **Electricity** - A power outlet has been provided to a box inn the front corner of each Lot. For further information, it will be necessary to contact San Diego Gas & Electric to arrange for extension service to the Residence.
- c. **Temporary Toilet and Dumpsters** - A temporary toilet in good condition and a portable dumpster shall be provided by each Owner for each Lot on which a Residence is in the process of construction. Portable toilet units shall be maintained in a clean, sanitary and odorless condition and must be kept entirely on each owner's lot and not placed on the street or sidewalk area. Any dumpsters or portable toilets left on the streets or sidewalks will be removed at the owner's expense.

### **3. COMPLIANCE**

- a. Every effort will be made by the Association and the Committee to assure an orderly buildout of all improvements to the lot. The Association reserves the right to deny site access to any general contractor, job superintendent, subcontractor, supplier or their respective employees who are in violation of the construction regulations.
- b. The Association and its Architectural Review Committee further reserve the right to cause construction activities to stop in the event that:

1. Improvements to the lot are being built contrary to approved plans and specifications; and
2. These Landscape Standards, the Declaration and Ocean Ranch Security measures are not being complied with fully.

#### 4. **CONDITIONS OF APPROVAL**

The following shall be conditions of any approval and shall be incorporated by reference only on the approved plans or Committee's letter of approval, and it shall be the responsibility of the owner of the residence on which an approval was granted to ensure that conditions are enforced upon all persons or firms used, engaged or employed in carrying out any operation or trade.

- a. Signs - Only one sign is allowed during the construction process. The developer has provided a "lot identification sign" which may be enhanced by the owner, provided that such additions maintain the integrity of the existing signage. In no event, however, is the sign to exceed 4'x8' in size.
- b. Hours of Operation - All operations shall be carried on between the hours of 7:00 A.M. and 6:00 P.M. , Monday through Friday, and 8:00 A.M. to 5:00 P.M. on Saturdays. No construction shall be allowed on Sunday or Federal holidays. Federal holidays are: New Year's Day, Martin Luther King Day, presidents Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and Christmas Day.

In the event City ordinances are more restrictive they shall prevail.

- c. Temporary Structure - No structure of a temporary character shall be used on any residence except construction trailers approved by the Architectural Review Committee.
- d. Unightly Items - All rubbish, debris, weeds and/or unsightly material or objects of any kind shall be regularly removed from the lot and shall not be allowed to accumulate thereon.
- e. Construction Street Clean Up Requirements – The Board of Directors would like to inform all custom lot owners that it is their responsibility to ensure that the street and sidewalk areas are cleaned of any dirt or debris resulting from construction on their lot.

Inspections will be performed every Friday afternoon. Lot owners do not clean the street or sidewalk areas by the end of work on Friday will be responsible for the cost of cleaning which may be as high as \$300.00. All costs for cleaning will be deducted from the lot owner's construction deposit.

#### 5. **VIEW POLICY**

The Association's CC&Rs provide for view protection in the community. Board of Directors encourages all Owners to avoid placing structures and plants on their Lots that obstruct views from other Lots and to keep their trees, shrubs, and plants trimmed so that they do not obstruct views from other Lots. Also, to the extent an Owner believes a proposed structure or landscaping will create an unreasonable obstruction of view, the Board encourages neighbors to work together to resolve any view issues as they arise.

Article X, Section 10.5 of the CC&Rs establishes a general view obstruction restriction applicable to all Lots within the Ocean Ranch at Bear Brand Homeowners Association development. The purpose of this policy is to implement the view restriction in a fair, even-handed manner. All capitalized words used within this Policy are defined in Article I of the CC&Rs.

Article X, Section 10.15 of the CC&Rs provides for view protection as follows:

No other Improvement or obstruction shall be constructed, planted or maintained upon any Lot in such location or of such height as to unreasonably obstruct the view from any other Lot in the vicinity thereof. If

there is a dispute between owners concerning the obstruction of a view from a Lot, the dispute shall be submitted to the ARC, whose decision in such matters shall be binding. Any item or vegetation maintained upon any Lot which item or vegetation is exposed to the view of any Owner, shall be removed or otherwise altered to the satisfaction of the ARC, if it determines that the maintenance of such item or vegetation in its then existing state is contrary to the purposes or provisions of this Declaration. The ARC shall ensure that the vegetation on the Common Area and Association Maintenance Areas maintained by the Association is cut at such intervals so that the view of any Owner is not unreasonably obstructed.

#### View Obstructions Caused by Trees Located On Common Area and Association Maintenance Areas.

The Association is responsible for the trees located upon the Common Area and Association Maintenance Areas which are maintained by the Association. Pursuant to the CC&Rs, the Association, acting through the Board, has the right to determine what planting shall be installed, maintained, removed, or replaced within these areas. Trees within these areas are maintained on a schedule approved by the Board of Directors.

The Board of Directors will accept for consideration requests made by Members to trim, prune, thin, or remove trees located on Association maintained property. An Owner requesting the trimming, topping, thinning, or removal of a tree or other vegetation shall submit such request in writing to the Association's Architectural Committee, in care of the Association's management company. The letter shall describe the trees which are the subject of the request with sufficient particularity so as to enable the Association's Architectural Committee and the Association's Board of Directors to identify the subject tree(s). Owners are encouraged to submit photographs with their letter designating the subject tree(s).

The Association's Architectural Committee shall contact the Owner making the request for the purpose of viewing the reported conditions from the affected Lot(s). The Committee shall further

have the authority, but not the responsibility, to determine whether other Owners should be contacted and advised of the request for trimming.

The CC&Rs do not establish any formal definitions or guidance for determining whether a tree or structure is "obstructing" a view. This determination is committed to the discretion of the Architectural Committee. Thus, the CC&Rs do not guarantee that every Owner is entitled to a 360 degree, unobstructed view from all potential view points on the Lot or within the residence. The Architectural Committee shall perform a site inspection and determine whether each alleged obstruction is unreasonable, given the topography of the Lot and surrounding properties, the orientation of the Lot and residence, the impact of the Improvement, tree, trees, shrubs, or other plants on the overall view from the property, and any other relevant facts and circumstances.

#### View Obstructions on Lots.

With respect to view obstructions located on privately owned Lots, the Association encourages Owners to contact their neighbors first and request their cooperation by removing or reducing the height of a structure (excluding permanent structures installed pursuant to Architectural Committee approval), or by thinning, pruning, topping, or removing trees or vegetation, prior to coming to the Board with a complaint.

An Owner complaining of a view impairment shall submit the complaint in writing to the Association's Board of Directors, in care of the Association's management company. The letter should describe the efforts made by the Owner to gain the neighbor's cooperation and the neighbor's response, or a reason why the Owner has not previously contacted his/her neighbor to discuss the issue. The complaint shall identify the structure or trees with sufficient particularity so as to enable the Association's Architectural Committee and the Association's Board of Directors to identify the subject of the complaint. Owners are encouraged to submit photographs with their letter.



The CC&Rs do not establish any formal definitions or guidance for determining whether a tree or structure is “obstructing” a view. This determination is committed to the discretion of the Architectural Committee’s review of the matter and relevant facts and circumstance. Thus, the CC&Rs do not guarantee that every Owner is entitled to a 360 degree, unobstructed view from all potential view points on the Lot or within the residence. The Architectural Committee shall perform a site inspection and determine whether each alleged obstruction is unreasonable, given the topography of the Lot and surrounding properties, the orientation of the Lot and residence, and the impact of the Improvement, tree, trees, shrubs, or other plants on the overall view from the property. The Committee may consider the nature of a view enjoyed across an adjacent Lot, subject to consideration of the original as-built construction of the Lot and residence thereon and the distance the proposed structure or landscaping is set back from the rear property line.

Following the Architectural Committee’s site inspection, the Architectural Committee shall hold a hearing, upon no less than fifteen (15) days prior notice by first class mail, and invite the complaining Owner and alleged violating Owner to attend the hearing to express their opinions and submit any relevant evidence for the Committee’s consideration. The Architectural Committee shall, within fifteen (15) days following the conclusion of the hearing, communicate its determination to the alleged violating Owner by first class mail. Any obstruction shall, upon written request of the Architectural Committee, be removed or otherwise altered to the satisfaction of the Architectural Committee by the Owner of the Lot upon which the obstruction is located. If the Owner does not comply, the Board may pursue the Association’s rights and remedies afforded by the CC&Rs and State law.

**6. DAMAGE TO COMMON AREA**

Prior to release of a construction deposit, an inspection is to be performed by Association Landscaper of the common area, who will submit a bid for any repairs resulting from the construction. If the owner does not repair damages to the common area, Association Landscaper is to repair the damage with the cost being deducted from the owners construction deposit.

Sidewalks are to be inspected by the architect. Any damage to the sidewalk area is to be repaired by Association vendor with the cost being deducted from the owner’s construction deposits.

**7. NOTICE OF COMPLETION**

Pursuant to the Association’s CC&Rs, upon the completion of any construction, reconstruction, alteration or refinishing of any Improvement, or upon the completion of any other work for which approved plans and specifications are required, the Homeowner is required to submit to the Association a written Notice of Completion. Failure to submit a Notice of Completion upon completion of work is a violation of the Architectural Guidelines and the CC&Rs and may result in the levy of fines in accordance with the Association’s Fine Schedule. The Homeowner(s) shall be personally liable for any such fines levied, and the fine amount may be deducted from the Homeowner’s architectural deposit, to the extent funds are available, with any balance due on the fine amount, after application of the architectural deposit, to be charged to the Homeowner(s). If a Homeowner has conveyed, or conveys, his/her property to a new owner without having submitted a Notice of Completion and without having sought return of his/her architectural deposit, the Board may, in its discretion, levy a fine in the amount of the maximum fine permitted under the Association’s Fine Policy or the entire amount of the funds contained in the Homeowner’s architectural deposit, whichever amount is greater.

**8. APPLICATION OF ARCHITECTURAL DEPOSITS TO CHARGES, ASSESSMENTS, AND FINES, ETC.**

Any damage to Association Property will be replaced or repaired by an Association approved contractor. All charges and costs incurred for repair of the damage will be charged to the responsible Homeowner, after affording the Homeowner notice and opportunity to attend a hearing, before any assessment or charge is levied. If the Homeowner fails to pay any such assessment or charge when due, the Association, in its

discretion may deduct the amount of such assessment or other charges from the Homeowner's architectural deposit, to the extent funds are available, with any balance due on the assessment or other charge (i.e., the balance after application of the architectural deposit), to be charged to the Homeowner(s).

Any violation of the Association's CC&Rs, Architectural Guidelines, Standards or Procedures, Rules and Regulations, or other governing documents may result in the levy of fines in accordance with the Association's Fine Schedule and these Architectural Guidelines. The Homeowner(s) shall be personally liable for any such fines levied, and the Board may, in its discretion, after affording the Homeowner notice and opportunity to attend a hearing, deduct the fine amount from the funds of the Homeowner's architectural deposit, to the extent funds are available, with any balance due on the fine amount, after application of the funds in the architectural deposit, to be charged to the Homeowner(s).

The Board may, in its discretion, after affording the Homeowner notice and opportunity to attend a hearing, apply the funds of the Homeowner's architectural deposit, to the extent funds are available, to any portion of any delinquent assessments, late charges, interest, and collection costs (including attorneys' fees) imposed with respect to such delinquent assessments, which funds shall be applied in accordance with the Association's Delinquency Policy.

## **9. CUSTOM LOT FINAL INSPECTION AND REFUND PROCEDURES**

Upon completion of construction and landscaping of your lot, you must submit a written request for the final inspection to be performed to ensure compliance with approved plans prior to release of any deposits. Use the "Application For Plan Review" to submit by completing the section titled "Request Final Inspection".

Please note that delays may occur if all items are not installed or completed per plans. Modifications may be necessary in order to pass final inspection. Each additional inspection will result in a fee of \$150.00 which will be deducted from your deposit. Any damage to common area landscape, sidewalks, etc. must be repaired prior to inspection.

## **10. HOMEOWNER TO HOMEOWNER OVER-IRRIGATION PROCEDURE**

When a complaint is received from an owner regarding over irrigation by a neighbor, they are to first attempt to resolve the issue themselves. If this does not work then it is to be submitted to the irrigation committee for review and comment to help resolve the issue.

The following policy has been adopted by Ocean Ranch at Bear Brand Homeowners Association to address over-irrigation affecting non-common area locations.

When an owner in Ocean Ranch experiences water run-off on their lot from a neighbors lot the following steps will be taken. Please note that past damage caused by one owner to another's property will remain a neighbor to neighbor issue.

- a. If an owner has reason to believe that water is improperly draining onto his or her property from adjacent or nearby property, the owner shall make a reasonable effort to resolve the matter directly with the adjacent or nearby property owner(s).
- b. If the owners are not willing or able to resolve the matter between themselves following a good faith effort to do so, and if the complaining owner believes that the drainage condition constitutes a violation of the Architectural Guidelines and/or the Master CC&Rs, the complaining homeowner may submit a written complaint to the Association's property management company for review by the Association's Board of Directors. The written complaint shall describe in detail all efforts made to resolve the dispute, and shall explain the reasons, if any, given by the adjacent or nearby property owner(s) as to why the matter could not be resolved privately. The written complaint shall also be accompanied by a

report prepared by a professional consultant at the complaining owner's expense generally describing the defective nature of the drainage condition, along with reasonable recommendations for resolving the defective conditions.

- c. The Board of Directors shall review the complaining owner's written complaint, as well as the consultant's report, and will determine (following consultation with an independent consultant retained by the Association if deemed necessary by the Board), on a case-by-case basis, whether the condition described constitutes a violation of the Master CC&Rs, and if so, whether all or any of the Association's enforcement options, as provided in the Master CC&Rs and through state law, should be pursued by the Association. If the Board determines that the condition complained of is caused by a defective condition in an area maintained and controlled solely by the Association, the Board of Directors will determine the nature and extent of any repairs to be carried out by the Association.
- d. Affected owner must submit a letter to the Association stating that they are experiencing water run-off on their property from a neighbor's yard and must indicate the source.
- e. The offending lot owner may be required to submit "Irrigation and Drainage Plans" to the Architectural Review Committee for review. If the submitted plans are in any way defective, then the Architectural Review Committee acting through the Board may impose and enforce changes to the offending owner's irrigation and drainage systems at the offending owner's expense.
- f. In the event that an owner provides acceptable irrigation and drainage plans, but it is simply over-irrigating to such an extent flooding or seepage occurs, the Board may take action to abate the over-irrigation as a nuisance in accordance with its enforcement procedures.

# DIRECTORY

## **SERVICES**

### **CABLE - TELEPHONE - INTERNET**

COX Cable Services  
29947 Avenida de las Banderas  
Rancho Santa Margarita, CA 92688  
949-240-1212

### **ELECTRIC COMPANY**

San Diego Gas & Electric  
949/495-0251

### **GAS COMPANY**

Southern California Gas Company  
949/634-0251

### **REFUSE COLLECTION**

Solag Disposal Company  
33161 Camino Capistrano  
San Juan Capistrano, CA 92675  
949/811-5322

### **TELEPHONE**

Pacific Bell Telephone  
949/811-5322

### **WATER AND SEWER**

Moulton Niguel Water District  
27500 La Paz Road  
Laguna Niguel, CA 92656  
949/831-2500

## **SERVICES**

### **CITY GOVERNMENT**

City of Laguna Niguel  
27821 La Paz Road  
Laguna Niguel, CA 92656  
949-362-4300

### **COUNTY OF ORANGE REGIONAL OFFICES**

Environmental Management Agency  
22921 Triton Hills Way  
Laguna Niguel, CA 92653

### **SCHOOL DISTRICT**

Capistrano Unified School District  
32972 Calle Perfecto  
San Juan Capistrano, CA 92675  
949/496-1215