

PEPPERTREE BEND ASSOCIATION



ARCHITECTURAL DESIGN GUIDELINES AND PROCEDURES

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GENERAL REQUIREMENTS

INTRODUCTION

The Community:

Our Peppertree Bend Community, with its natural hillside properties, overlooks the historic San Juan Capistrano Valley and the Pacific Ocean beyond. All development along Peppertree Bend is governed by the City of San Juan Capistrano zoning ordinances, building codes and planning regulations, with the exception of a few larger multi-acre parcels that are actually located within the City of Laguna Niguel.

This very special established residential community with large estate homes on large one-acre to multi-acre properties is unified by a strong thematic linear landscaping element (HOA maintained) that includes a city maintained public trail that runs along the one-mile length of this undulating and curving rural public street.

The unique resource of natural hillsides requires design solutions that respect mature trees, minimize grading, fit well into the steep topography and respect the context and adjacent properties.

In search of continuing the diversity while also upgrading the community, architectural styles and other features that may have been previously approved may not necessarily be approved for future projects. Conversely, variances for unique design features may be considered. In the end, good design and improving the community should guide how the community evolves.

Board of Directors and Architectural Committee:

The Peppertree Bend Association (PBA) and its Board of Directors is responsible for the administration and enforcement of architectural control within the community by the authority given to it in the Covenants, Conditions and Restrictions (CC&R's) of Peppertree Bend. The CC&R's provide for an Architectural Committee to be appointed by the Board of Directors. As set forth in the Declaration of Restrictions, the Architectural Committee is vested with the power to review improvements on all residential properties and forward its recommendation to the Board of Directors for Approval or Disapproval.

Work to be reviewed by the Architectural Committee:

The Peppertree Bend CC&R's require improvements to residential properties to be reviewed by the Architectural Committee and approved by the Board of Directors.

Improvements include, but are not limited to:

New Residential structures, Accessory Dwelling Units (ADU's), additions, modifications and alterations to Residences, solar thermal(water) and photovoltaic(electrical) panels, lighting, shades, screens, awnings, patio covers, decorations, fences, screen doors, aerials, antennas, radio or television broadcasting or receiving devices (satellite dishes -i.e. Direct TV etc.), air conditioning, walls, buildings, signs or other structures (including mailboxes, tennis/sports courts and basketball standards), or exterior additions to or change or alteration thereof (including painting) or landscaping, or change or otherwise alter the exterior of any Residence or appurtenant Improvement. The term "exterior" shall mean any outside wall, outside surface, roof, outside door, patio, balcony, deck, garage or other outside structure or landscaping of said Residence which is visible to others in the Community and/or to the public.

Any improvements shall not be commenced, constructed, erected, placed, altered, maintained or permitted to remain on a Lot, or any portion thereof, until plans and specifications shall have been submitted to The Architectural Committee and approved by the Board of Directors. Said plans and specifications shall be prepared by a duly licensed architect or other qualified professional Residential Designer reviewed by the Architectural Committee and comply with the requirements of the "Peppertree Bend Association Design Guidelines". All such plans and specifications shall be submitted in writing over the signature of Owner of the Property or such Owner's authorized agent. Approval or disapproval shall be based, among other things, on conformance with the aforesaid Design Guidelines. All improvement work approved by the Board of Directors shall be diligently completed and constructed in accordance with approved plans and specifications.

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

Failure to obtain approval from the Peppertree Bend Association may constitute a violation of the Declaration of the Restrictions affecting your home and may require modification or removal of unauthorized works of Improvement at the owner's expense.

CITY APPROVAL

The Architectural Committee review is for aesthetic purposes only.

The Architectural Committee recommendation of approval and Board of Director approval of any "improvement" does not waive the necessity of obtaining the required regulatory permits. After the association has approved the plans for aesthetic purposes, the applicant must comply with City San Juan Capistrano permit requirements and other applicable regulatory agencies and be sure that the plans are in compliance with all building and zoning regulations currently in force.

Neither the Architectural Committee, nor the Board of Directors, assumes any responsibility for failure to obtain such permits. Also, obtaining such permits does not waive the obligation to obtain Peppertree Bend Association approval.

Any revisions required by the regulatory agency that alter what is visible to others in the community and/or public must be resubmitted to the Architectural Committee for review and approved by the Board of Directors.

In the event of a conflict between the provisions of these guidelines and any other ordinance or regulation, the more restrictive requirements shall prevail.

SUBMISSION REQUIREMENTS

Requests to perform any improvements to a Peppertree Bend property requires the submission of at least the following documentation:

- A. An Architectural Application – See Appendix
- B. Payment of fees based on type of project – See Fee Schedule – Appendix C
- C. Design submittals – See Appendix D
- D. Homeowner Notification – See Appendix E

SUBMISSION ADMINISTRATION

Meeting Times:

The Architectural Committee meets as needed at a location (usually hosted in a member's home) selected by the Architectural Committee Chairperson. Contact the Management Company for location and time. In order to be included on the Design Committee agenda, you must have your submission into the Management Company office approximately thirty (30) days prior to the anticipated Architectural Committee meeting date, to allow time for the submittal package to be circulated to the HOA's professional Architect and/or Landscape Architect prior to forwarding to the Architectural Committee. The Architectural Committee will make every effort to meet within 20 days of the receipt of the submission from the HOA's professional consultants. Thirty minutes shall be allocated for the Owner to present to the Architectural Committee. It is recommended that the Owner's Architect/Designer attend and assist in the presentations at the various submittal phases.

The Board of Directors meets the second Tuesday of every month. Owner's may contact the management office to verify when their project is placed on Board of Directors meeting agenda with the Management Company and confirm the location and time of the meeting. Your adjacent neighbors will be notified by certified mail when your project is placed on the agenda.

Use of Non-licensed Professional Designers:

All residential designers (non-licensed individuals), must submit their resume, portfolio, pictures of built homes designed by their firm and an example set of working drawings for the Architectural Committee's review. Designers may be requested to appear before the Architectural Committee and present their work/qualifications. All designers must be approved by the Architectural Committee to be allowed to do design work for a home in the Peppertree Bend

community.

Completion Bond:

A construction completion deposit will be required by all owners in accordance with Article 6.11 of the CC&R's. Deposit will be required upon application to review plans for security against damage to common areas or adjacent private property and compliance by inspection of the approved plans and specifications. This will be held by the Peppertree Bend Association and will be deposited in an interest-bearing account with return to be within 30 days after a final inspection and acceptance by the Architectural Committee's representatives of the completed construction work, landscape installation and other items found to be in general conformance with the approved plans and specifications.

See Appendix C for the fee schedule and the amount of the completion bond.

Forfeiture of the Completion Bond:

The following reasons will result in forfeiture of the Completion Bond:

(a) Failure to repair damage to Association-owned land or neighbors' property or streets. Upon receipt of notification to repair damaged streets or property, the Lot Owner shall have sixty (60) days to complete repairs or the Association shall contract the work and deduct the cost from the completion bond.

(b) Unauthorized material changes from the approved plans and specifications.

(c) Failure to complete the projects as planned in architectural plans, or grading plans or landscape plans. (see abandoned project page 7)

Abandoned/Incomplete Project:

A project which is partially completed and/or work suspended for more than thirty (30) days for any reason is subject to forfeiture of the completion deposit, unless the applicant contacts the HOA's Management Company within that 30 day period and submits one of the following:

1. Plans for "winterizing" the property in order to protect the surrounding properties from erosion or damage or unsightly conditions. The potential approval by the Board of Directors will expire six (6) months after approval, at which time work must resume or the applicant's deposit is subject to forfeiture.
2. A letter explaining the circumstances causing the delay and an estimate of when work will resume for consideration of approval by the Board of Directors. Should the delay continue beyond an approved agreed to date to resume work, the applicant's deposit is subject to forfeiture.

If an applicant does not contact the association within thirty (30) days of stopping/suspending work, the applicant will not be allowed to proceed without posting another completion deposit.

Indemnification:

Any work undertaken in the Peppertree Bend Association easements (landscape, utilities, etc.) or within Peppertree Bend Association properties, must be done with the approval of the Peppertree Bend Board of Directors. The owner/applicant is required to submit a completed and notarized indemnification form and evidence of adequate liability insurance, prior to proceeding with any work.

Approval Process and Appeals**Scope of Review:**

The Architectural Committee shall review the plans and specifications submitted for its review and recommend approval to the Board of Directors only if deems that:

- a: The construction, alterations or additions contemplated thereby and the locations indicated will not be detrimental to the appearance of the surrounding area of the Project as a whole;
- b: The appearance of any structure affected thereby will be in harmony with the surrounding development and consistent with similar high-end homes in the Orange County region;
- d: The upkeep and maintenance thereof will not become a burden on the Peppertree Bend Association;
- e: The plans and specifications substantially comply with the Architectural standards/guidelines; and
- f: The project will not be detrimental to other properties regarding adverse noise, lighting levels and any other issues (visual or otherwise) that could be considered a nuisance within the community.

The Committee is not responsible for reviewing submitted documents for structural safety or conformance with building or other codes. The Architectural Committee may consider the impact on views from other Residences and reasonable privacy right claims as factors in their review of the submitted documents.

Review by Architectural Committee:

Once an Applicant has completed all Submission Requirements (including required fees and completed forms/plans described above), Applicant shall submit those fees/plans/documents to the Management Company. Upon transmittal of plans and/or documents to be reviewed to the Architectural Committee, the Committee shall communicate its recommendation for approval, disapproval or request for additional information to the Board of Directors within forty-five (45) days. Upon receipt of the Committee's recommendations, the Board of Directors shall render a decision within thirty (30) days. The Applicant shall obtain any permits required by all governing Jurisdictions prior to commencing any construction, installation or alterations thereunder.

Appeal:

In the event that the application for new construction/improvements submitted to the Architectural Committee is disapproved, the Applicant may appeal in writing to the Board of Directors. The Board must receive the written request for appeal not more than thirty (30) days following the final decision of the Architectural Committee. Within forty-five (45)

days following receipt of the request for appeal from the Applicant, the Board shall consider the final recommendation of the Architectural Committee as well as the grounds for appeal and render its written decision.

The written decision of the Board of Directors shall be final unless the decision is appealed to the Board within thirty (30) days by any member of the Board of Directors, the Architectural Committee or any homeowner. Upon receiving a request to appeal, the Board of Directors shall review all prior decisions of the Committee and Board, and shall conduct a hearing to resolve the request to appeal within forty-five(45) days. Failure to render a final decision within forty-five (45) days of the request to appeal a final decision shall be deemed a disapproval.

Enforcement:

Failure to obtain the necessary approval from the Board of Directors or failure to complete the Improvements in conformity with the plans and specifications approved by the Board of Directors shall constitute a violation of the Declaration of Restrictions and may require modifications or removal of any work or Improvement at property owner's expense. Further, in the event that the Association is required to enforce Applicant's compliance with the required approvals needed for improvements or to modify or remove any work not in compliance with approvals, Applicant shall bear the associated legal costs to the Association related to such enforcement action.

Inspection:

The **Board of Directors** or its duly authorized representative may inspect any work for which approval of plans is required under the CC&Rs. The right to inspect includes the right to require any Owner to take such action as may be necessary to remedy any Noncompliance with the Board-approved plans.

Non-compliance:

If an Owner fails to remedy any Noncompliance within thirty (30) days from the date of notification of the Non-Compliance and a Non-Compliance exists, the Board, after Notice and Hearing, may levy a Compliance Assessment against such Owner for the cost of correcting or removing such noncompliance.

Time Period:

Preliminary approvals shall be subject to expiration if not followed up within one year with final submittals.

Applicant must make a written request for an extension of the approval citing the reasons for the delay and the approximate time for continuing the project. Extensions will be granted for six months at the discretion of the Board of Directors.

Conditions of Approval:

The Architectural Committee may recommend conditions of approval to the Board of Directors, and the Board of Directors may place whatever conditions of approval are deemed necessary to maintain compliance with the guidelines. It shall be the responsibility of

the owner of the residence for which the approval was granted to ensure these conditions are enforced.

Variations:

The Architectural Committee may recommend variations from compliance with any of the architectural provisions of the CC&Rs to the Board of Directors, including without limitation, restrictions upon height, size, floor area or placement of structures, or similar restrictions, when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental consideration may require. Such variance recommendations must be documented in writing and must have been agreed to by a majority of the Architectural Committee members to be considered for action by the Board of Directors. The Board of Directors decision becomes effective upon documentation of their final decision.

If such variations are granted, no violation of the covenants, conditions and restrictions shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such variance shall not waive any of the terms and provisions of the CC&Rs for any purpose except as to the particular property and particular provision hereof covered by the variance, nor shall it affect in any way the Owner's obligation to comply with all applicable governmental ordinances affecting the use of his/her Residence.

For Variance Request – See Appendix F

Notice of Non-compliance:

Upon receipt of a notice of Non-compliance issued by the Peppertree Bend Association, the property owner must appear before the next Board of Directors meeting to explain his non-compliance with the CC&R's.

Right of Entry or Inspection:

The Board of Directors (or assigned representatives from the Architectural Committee) shall have access to the property with reasonable request. The Architectural Committee may require surveyors to verify heights and grades, their access to the property may not be denied. Inspections of completed improvements may be made by the Architectural Committee or its representatives at any time, If construction work requires the use of common areas such as slopes and open space areas for purposes of transporting labor and materials, the applicant shall obtain written permission from the Peppertree Bend Association for the right of entry during the course of construction. A copy of this letter granting permission shall be filed with the Architectural Committee prior to the commencement of construction.

Amendments:

The Board of Directors may at its discretion from time to time amend the design guidelines in accordance with statutory rulemaking procedures, for the purpose of more fully defining their original intent. Such amendments shall be published to the membership and become effective thirty (30) days after publication.

Non-Liability:

The Architectural Committee shall review and make recommendations to the Board of Directors on all documents submitted to it for any proposed improvement, alteration or addition, solely on the basis of the consideration set forth in these guidelines. The Architectural Committee and the Board of Directors shall not be responsible for reviewing, nor shall its approval of any plan or design be deemed an approval of any plan or design from the standpoint of structural safety or conformity with building codes. In addition, by approving such plans and specifications, neither the Committee, the members thereof, the Association, the members of the Board of Directors, the designated representatives, nor the declarants assume liability or responsibility therefore, or for any defect in any structure constructed from such plans and specifications.

CONSTRUCTION REGULATIONS

All property owners beginning to build on their property should carefully read the following regulations and ensure all contractors and subcontractors working on their properties are fully aware of these regulations.

A. Hours of Construction:

The only hours of the day when construction is permitted:

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

Saturdays - 8:30 a.m. to 2:00 pm*

No construction is allowed on Sundays or National Holidays.

**Note: may be extended until 4:00pm if work is on the interior and/or does not make any noise outside the limits of the subject property.*

B. The Property Owners are responsible for their contractors' / sub-contractors' conduct while working in Peppertree Bend.

C. Contractors/sub-contractors are not permitted to have dogs within the Peppertree Bend property. Loud noise not directly associated with the construction process and blaring radios are strictly prohibited.

D. Property owners must make sure that a trash container is provided on the property during construction. No holding pens or storage of trash or debris is allowed. Trash containers must be emptied when full. No trash or debris is to be left visible on the property during construction. Property owners must make sure that there are adequate bathroom or portable toilet facilities on the property. According to the health code there should be one (1) toilet for every 20 employees. Portable toilets shall be located on the subject property in a location to minimize visual impact and/or screened from the street and adjoining neighbors.

E. Property Owners are responsible for keeping the street in front of their construction site clean and free of mud and debris.

F. Contractors' / sub-contractors' vehicles must be parked in conformance with the California Vehicle Code. Vehicles may not block streets, double park or park in such a manner that violates regular parking and motor vehicle laws. Vehicles in violation shall be towed. See also, San Juan Capistrano Municipal Code, Title 4, Chapter 6, Article 3 related

to no overnight parking, commercial vehicle parking and parking of trailers.

G. Streets may not be obstructed with objects and building materials that are hazardous to pedestrians, vehicles etc. Items such as, but not limited to, dumpsters, sand and building materials may not be stored on streets, sidewalks, or Common Property.

H. Any damage to the Peppertree Bend Association will be replaced or repaired by an Association approved subcontractor. All applicable charges for restoration will be charged back to the responsible Owner and is due and payable within thirty (30) days from notification of the special assessment.

I. Approval of plans is not authorization to proceed with Improvements on any Property other than the Residence owned by the Applicant.

ARCHITECTURAL GUIDELINES

Architectural Styles

Building Character & Material Standards

It is the intent of these guidelines to promote visual harmony amidst individual expression. In this regard, the architectural styles that will be encouraged tend to have their historical roots in the villas and villages of the Southern European Coastal Regions whose topography, vegetation and climate are similar to the Peppertree Bend region.

The Architectural Committee desires appropriate variations in the elevations and massing that will tend to soften the appearance with deep shadow lines. Additionally, the committee will also desire larger and varied front and side yard setbacks.

Note: Existing homes and improvements that received prior review and HOA Board approval are considered exempt from the provisions herein. Existing improvements that were not reviewed and approved by the HOA Board are not exempt from the requirements herein.

The following architectural styles ARE acceptable:

Mediterranean styles similar to those found in the Santa Barbara and Montecito communities with their understated elegance and estate feel.

Spanish/Spanish Colonial Architecture which acknowledges the historic roots of San Juan Capistrano without the heavily textured swirl plaster or overly-rustic appearance. Popularized in Southern California in the 20's, 30's and 40's by local Southern California Architects such as Wallace Neff and George Washington Smith.

Country French Provincial Architecture, popular in the coastal regions of Europe, and the Provence region of Southern France with an emphasis in human scale by bringing many of the roof lines down to single story levels.

Normandy French with tile on the hips and playful roof lines where the color and massing looks especially appropriate in a garden setting. Some of George Washington Smith's work reflects this style.

New England/Cape Cod styles with varied massing, varied roof pitches and the use of a variety of siding profiles. There are many contemporary versions of this style as represented by Architects such as Robert A. M. Stern.

English Tudor in its historical form with steep roofs, dark brick, dark half timbers and plaster infill. As with many traditional styles this style can be contemporized and abstracted to be more appropriate for current lifestyles.

Contemporary design with a warm rural California country aesthetic as seen in rolling hillside regions throughout California including Napa Valley and other wine regions.

The following architectural styles ARE NOT acceptable:

The following styles of architecture will be aggressively discouraged for all areas of Peppertree Bend in order to preserve the harmony of the streetscape:

Victorian Architecture that is purely historical and devoid of any modern architectural influence.

Early American/Salt Box with simple square shape plan and two-story steep gable roof extending to first floor on one side.

Mansard French an architectural style which has a large flat roofed areas and a boxy appearance that includes very steep pitched roofs as an extension of exterior walls.

Southern & Eastern Colonial Style as represented by triangular colonial gable end roofs, tall white pillars and the use of red brick.

Modern Contemporary Styles which appear more appropriate for a commercial building. This includes the use of cool colors, shiny bright metals, color tinted (blue, green, amber, etc.) glass and the use of curved or undulating building forms or stark angular building form.

BUILDING/SITE DEVELOPMENT STANDARDS

General Standards:

1. Property Owner must comply with the City and County Ordinances under which the lot is governed
2. Peppertree Bend Association (PBA) approval is required before any clearing, grubbing, stripping and stock piling of soil excavation and compaction is to take place, and only within the limits of the lot. Any grading across property lines without permission of neighbors will result in the loss of deposit. No over slope drainage across the adjacent lots will be allowed.

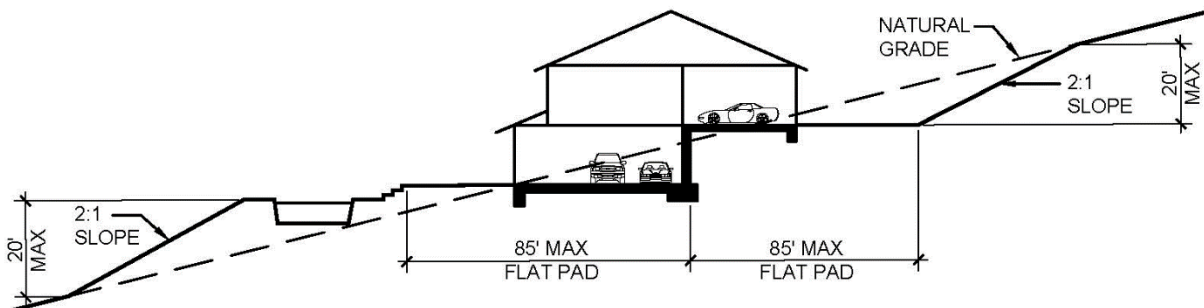
3. Any work that takes place within the PBA Landscape Easement, must have prior approval by the Board of Directors and the owner must provide indemnification including proof of insurance to the PBA for any slope failures.
4. Any common area landscaping destroyed by construction shall be replaced to the satisfaction of the PBA. If, after proper notification, the landscaping has not been replaced, the PBA will deduct the cost of replacement from the Completion Bond.
5. 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.
6. Any revisions, modifications or alterations to existing drains and top-of slope beams, as originally installed, shall be subject to review by the PBA.
7. If a grading project is stopped for more than 15 days for any reason the PBA must be consulted as to the final disposition of the lot. No project will be allowed to remain in a partially graded condition. The lot must be brought into a stable condition with regards to excavation and drainage.
8. Every attempt should be made to preserve existing trees within the lot areas and Association planted slopes. Any tree removal shall be in compliance with the City of San Juan Capistrano tree removal permit requirement for trees over 6" in diameter. In addition to compliance with City requirements, any proposed tree removal shall be reviewed by the HOA Landscape Architect and approved by the PBA.

GRADING STANDARDS

Peppertree Bend Association will be specifically looking for solutions that are in harmony with the topography. The homes should step with the topography to minimize grading. Detailed section drawing exhibits will be specifically required for this area.

The depth of the pad cut in the direction of the slope should be minimized in order to limit the amount of cutting and filling on steep slopes.

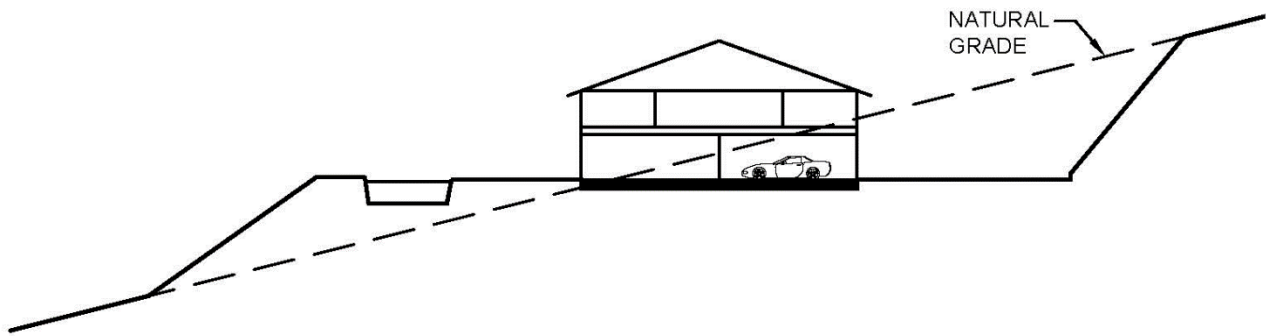
ENCOURAGED:



For the ungraded hillside lots the pad cut in the direction of the slope should not exceed 85', or the distance required to turn around a fire truck, or to construct a tennis court. It will be encouraged to cut the pad in the direction of the slope after width of

a garage 22' and backup area 30' (22+30)=52' (See diagram) In addition to limiting cut in the direction of the slope, two to one slopes will be limited to 20 vertical feet at any one place (measured toe to top of slope). These are the recommended grading procedures, variances to these conditions may be granted on the larger multi-acre estate lots on a case-by-case basis.

NOT ALLOWED:



BUILDING SIZE, ENVELOPE, AND HEIGHTS:

Building Square footage:

The minimum total "Living Area"* for the primary residential structure shall be five thousand square feet (5,000 SF) for a one-story residence and six thousand square feet (6,000 SF) for a two-story residence, inclusive of covered decks/patios and covered porches/loggias, but exclusive of courtyards, garages, entry porches, porte-cochere, detached guest house/caretaker's cottage** pool house, gazebo, trellised patios and other ancillary structures.

**Note: Total Living Area is defined as the total gross conditioned space (exterior face of wall/structure), plus any attached outdoor living space (covered by solid roof) such as a useable covered porch/loggia, covered outdoor room, or covered deck/roof deck.*

***Note: These types of detached structures are to be considered as complying "Accessory Dwelling Units" (ADU's) as allowed by the State of California in single family zoning districts. However, these ADU's must comply with the front, rear and side yard setbacks per the Building Envelope section of these guidelines.*

Building Envelope:

This is intended to be a guideline for requirements specific to the PBA. Check your Grant Deed and with the appropriate City (San Juan Capistrano or Laguna Niguel) governing your lot.

The building envelope defines the maximum height setback and volume of each dwelling. It does not represent the ultimate shape of the building, but only a framework within which a great variety of architectural expressions are possible.

Building Setbacks:

Front Yard Setback: 30' minimum from front property line*.

Side Yard Setback: 15' minimum from property line.

Rear Yard Setback: 25' minimum from property line (properties that back up on open space should confirm rear yard requirements with the Orange County Fire Authority).

**Note: For properties abutting the street the property line is 5' back of the existing concrete curb or as indicated based upon a survey of the lot.*

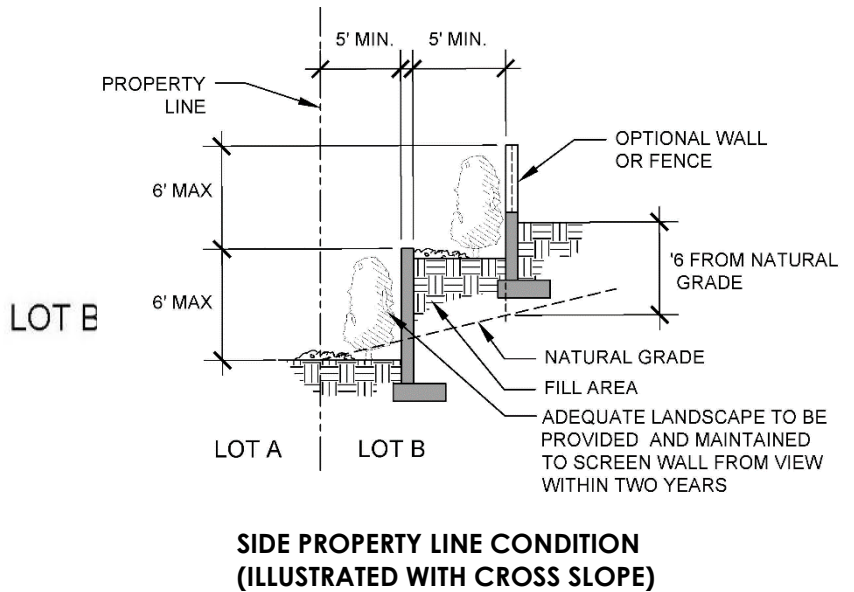
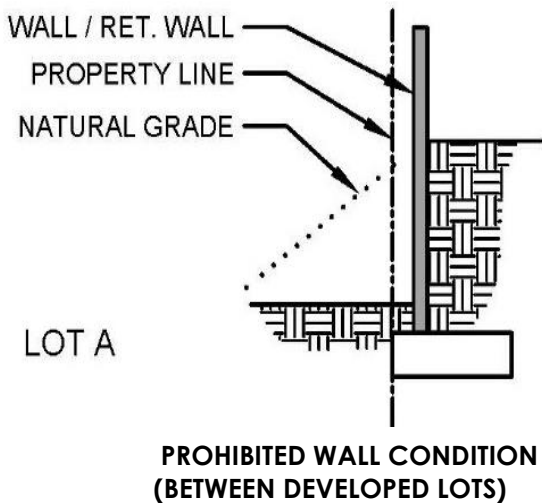
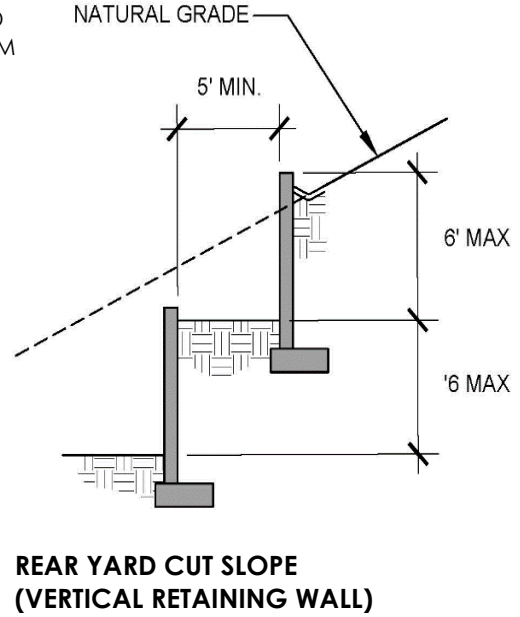
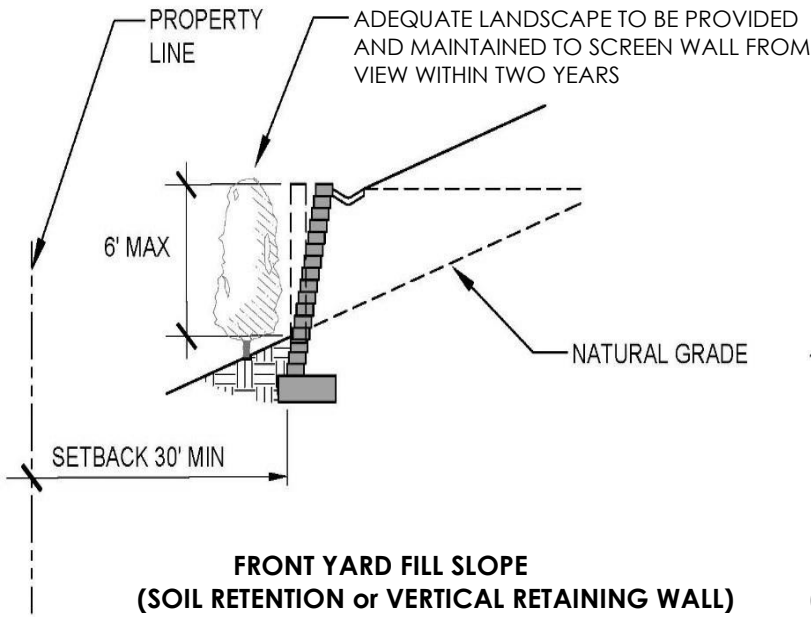
Maximum Building Height: 35' above natural grade as measured along any point in the direction of the natural grade slope to the highest point of any roof, excluding fireplace chimneys.

Height Restrictions:

Building walls on the down slope side should not be more than 25' measured from grade to the eave line, except for architectural turrets, gabled end or an architectural feature that represents a small portion of the elevation. Since it is possible to have three levels on the steep slopes, each of the three floors should step back from one another, except for turrets or towers that constitute a small portion of the elevation.

Retaining Walls and Soil Retention Block Systems (Battered Walls):

No higher than six feet of exposed wall area should be used to obtain a flat pad area. Stepped retaining walls running parallel to each other must be separated by a minimum of 5' horizontally.



Landscape screening will be required where appropriate to lessen the impact of the structure on the hillside (see Landscape Guidelines on page 24 for additional requirements).

All visible retaining walls shall be textured and colored concrete block (CMU). Exposed standard CMU will only be allowed if veneered by an approved finish, such as smooth stucco, masonry veneer, etc.

Non-visible retaining walls within a structure may be standard CMU or cast in place concrete and can exceed the 6' height limit.

Retaining and/or garden walls up to 4' in height may be allowed to be textured board formed concrete but must be approved on a case by case basis.

Driveway and Access Roads

Driveways must conform to the regulations of the governing City and the Orange County Fire Department. These regulations may require on-site turn around for a fire truck as well as fire hydrants and other requirements. Therefore, cooperation between neighbors to meet the fire department requirements and to minimize grading and roadway development is encouraged. Access roads to the parcels should be designed to minimize grading and impacts to the neighbors.

Road designs must be submitted to the Architectural Committee together with the Preliminary Submittals.

Private shared driveways (within access easements) may be constructed of asphalt with proper base material. Verify design paving design load standards with Orange County Fire Authority. Non-shared private driveways and motor courts within a developed property shall be constructed of concrete, concrete pavers or other approved and enhance hardscape paving design. The use of asphalt in these areas is not allowed. Decomposed granite, colored gravels and other decorative types of landscape paving may be considered on a case by case basis if for an appropriate use and design intent.

ARCHITECTURAL MATERIAL AND CONSTRUCTION STANDARDS

PROHIBITED WALL MATERIALS

Metal siding, vinyl siding, unfinished wood, asphalt products, exposed unfinished concrete.

EXTERIOR WALL COLORS:

Subdued exterior colors such as earth tones are encouraged. The use of bright whites, cool whites and yellows will not be allowed. Off whites when appropriate to the style may be approved for trim and wall surfaces but shall comply with "Light Reflectance Value" (LRV) of less than 85 LRV for trim and less than 80 LRV for wall surfaces. The use of grey colors if appropriate for a style must be warm grey tone (no cool grey colors allowed).

Note: An existing improvement may be repainted without prior approval, so long as the improvement is repainted the identical color and the prior color is deemed by the Architectural Committee as being in compliance with these guidelines.

STUCCO/EXTERIOR PLASTER:

Finish texture is recommended to be a smooth steel trowel finish, or 30/30 sand finish, both with integral color. Painted stucco may be used in lieu of integral color, but color must be submitted on sample of proposed texture.

Skip trowel, Spanish Lace, or heavy swirl finish textures are not allowed.

SIDING:

Wood siding and various types of simulated wood siding will be allowed only with the approval of the Architectural Committee. Use smooth or resawn wood siding in bevel, shiplap, or tongue and groove installations. Actual material samples will be required to be submitted to the Architectural Committee for review and approval recommendation.

High quality cementitious siding materials may also be allowed with approval of the Architectural Committee.

Hardboard or Masonite siding, shingles, shakes, or plywood siding panels are **prohibited**. Masonry Precast concrete elements are encouraged as elevational accents. Plain or painted concrete block is prohibited.

STONE

Natural stone and rock materials applied as veneers are also encouraged as elevational accents. Manufactured stone units shall be reviewed (samples may be required) on a case by case basis by the Architectural Committee and approved by the HOA Board.

MASONRY

Colored textured concrete block or colored or painted slump block may be considered and shall be reviewed (samples may be required) on a case by case basis by the Architectural Committee and approved by the HOA Board.

WINDOWS AND DOORS:

Spacing between the window/door head and the plate line should be adequate to avoid crowding the top of windows and doors with the underside of roof eaves, unless appropriate to a particular design element or style. Window and door types should be appropriate to the style of the home and contribute to the upscale appearance of the home's design.

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.

High quality steel, aluminum or bronze windows may be considered on a case-by-case basis. High quality aluminum clad wood windows with factory finish and some high-quality fiberglass windows may also be considered on a case-by-case basis. Silver or mill finish metal window frames, colored (amber, blue, green, etc) tinted glass and reflective mirror glass are prohibited. Grey tinted glass that is slightly reflective is allowed, but submittal of sample may be required by the Architectural Committee.

Treatments:

Window openings are encouraged to be recessed into wall planes, especially on stucco houses. When windows are flush with walls, trim surrounds (5" to 6" minimum width) of built-up plaster, wood or cast stone should be used. Windows may also be articulated with shutters, pot shelves, ledges, awnings, etc.

ROOF

Principal roof forms shall be hip or gable. Mansard roofs are prohibited. Flat roof areas are generally discouraged except for small areas if required for drainage purposes that are not exposed to view.

Materials:

Claytile, concrete tile, or slate are the preferred roofing materials.

High quality faux wood shingle/shake roofing materials and standing seam (not batten seam) metal roofing may be considered for some architectural styles on a case-by-case basis.

All roof color blends must be subtle in their color range and actual samples submitted for review by the Architectural Committee and approved by the HOA Board.

Wood shingles and shake shingles are not permitted due to fire risk.

Asphalt shingle products or metal shingles are prohibited. All flashing, sheet metal, vent stacks and pipes must be colored to match the roof material they project from and/or the adjacent wall.

SKYLIGHTS

Skylights must be designed as an integral part of the roof. Skylight glazing shall be clear, solar bronze or gray only. Skylight frame material shall match the roof.

SOLAR PANELS

Solar panels/mechanical devices associated with solar energy systems (collectively "solar equipment") may be installed within the Community subject to prior written approval from the PBA. As part of said approval, the PBA will evaluate the appearance of the proposed solar equipment to ensure that said equipment and its proposed installation comply with the following:

- a. Integrated into the roof design of the building and flush with the existing roof slope.
- b. Solar panels located on top of roofs must conform with all Fire Authority regulations. In addition, to maintain the aesthetics and integrity of the roof, the panels must be setback a minimum of two (2) feet from the outside perimeter of the roof.
- c. Frames must be colored to complement the roof, such as black or dark bronze in color.
- d. Natural aluminum frames are prohibited.
- e. Support solar equipment shall be enclosed and screened from view.
- f. All mechanical equipment exposed to the exterior shall be located in a manner that minimizes visual impact.

SOLAR ROOF TILES/SHINGLES

As technology continues to evolve, alternatives to conventional solar panels are being developed. With some photovoltaic shingle products, "Tesla Solar Shingles" for example, the entire roof area is covered by a glass shingle product that serves as an exposed

waterproof roof surface. Roof portions with good sun expose work as mini solar panels connected together with the remainder of the shingles matching in appearance. However, some solar shingle products are only intended to cover large flat areas of sloping roofs (similar to solar panels) with the perimeter/edges covered by conventional roofing products, these type of solar shingle products are discouraged due to the risk of not creating a compatible design.

The use of these glass shingle products, technically called building-integrated photovoltaics (BIPV), in lieu of the more conventional solar panels (discussed in the section above) will be reviewed by the Architectural Committee and the HOA Board on a case-by-case basis. In some cases (depending on the style of the home) the use of one of these BIPV products could be an appropriate solution creating a uniform appearance over the entire roof that is compatible with the architectural style.

It is recommended that prior to moving forward with proposing a BIPV shingle, that the owner contact the HOA's management company early on and request an initial preliminary Architectural Committee review of the proposed product. It is important that the roof color and texture be compatible with the architectural style of the home and just like any other conventional roof tile or shingle a sample should be provided to the committee.

CHIMNEYS

Chimneys shall be constructed of materials integral with the architecture.

Exposed sheet metal or concrete flues are not allowed. Metal fireplace units will be permitted as long as the chimney is clad to resemble masonry or other material appropriate to the style. Chimneys may project above adjacent roof as required by local building codes.

GUTTERS AND DOWNSPOUTS:

Gutters may be exposed or concealed where applicable as appropriate for the design. Exposed gutters used as an architectural element shall be painted to coordinate with the adjacent surfaces, except when copper is used. Downspouts may be concealed or exposed. Exposed downspouts shall be colored to match the surface to which they are attached except when copper is used. In lieu of copper gutters and downspouts, anodized aluminum or powder coat painted dark bronze or aged copper may be approved on a case-by-case basis without the requirement to color-match the adjacent building surface.

ORNAMENTAL IRON

The use of ornamental iron/wrought iron as accents (such as at balcony railings) as may be appropriate, shall be treated to prevent deterioration of material resulting from the ocean environment. The use of aluminum in lieu of steel to imitate wrought iron will be considered on a case by case basis. Iron bars covering windows are prohibited.

GARAGE DOORS

Garage doors should be of a high-quality material as appropriate to the design. High quality wood sectional overhead doors are encouraged. High quality metal doors with recessed metal panels and/or glazed panels may be considered on a case by case basis. Stamped formed metal doors intended to imitate wood are not acceptable.

The sensitive handling of the garage access is important to the overall impact of the community's streetscape. Careful design/site planning consideration shall be given to conceal garage doors from view from the street. Carports are prohibited where visible from a street or from adjacent properties.

MECHANICAL EQUIPMENT

Mechanical equipment will not be allowed on roofs. All mechanical equipment must be screened from visual impact to neighbors. Air conditioning condensing units shall be located with consideration of the acoustical impact on neighbors and/or located behind a low sound attenuation wall.

The Architectural Committee shall review and make recommendations to the HOA Board regarding all proposed satellite dish locations, proposed solar panel arrays and any tennis/sport court lighting on a case-by-case basis. The visibility from adjacent properties and the ability to provide screening by landscaping or other means will be considered in any review and recommendation.

ANTENNAS

T.V. antennas; "citizen band" antennas, are discouraged. If installed, devices shall be located in the least visually obtrusive location that still allows reception of acceptable quality signal. PBA shall be notified of any installations to confirm placement in a visually unobtrusive location.

AWNINGS

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

EXTERIOR BUILDING LIGHTING (see also landscape lighting in Landscape Section)

All exterior lighting is to be indirect and shielded to prevent glare and spillover on to adjacent lots and the street. All exterior lighting shall comply with current California Energy Compliance standards for exterior lighting. All exterior lighting to be a warm color between 2700 to 3000 maximum kelvin color temperature.

The maximum allowed bulb strength per fixture to be a total of 1100 lumens, and 800 lumens or less is preferred.

Any security lighting shall be only of a motion detector type and cannot be triggered by local public street or shared private driveway pedestrian or vehicular traffic.

SUNDECKS/ROOF DECKS

Exterior decks integrated into a roof, projecting from structure or built above a sloping grade must be reviewed on a case-by-case basis. If built above grade the understory must be completely enclosed. In no case may a deck extend more than 10' beyond the top of the highest adjacent slope.

UTILITY METERS

Utility meters and junction boxes should not be visible from the street, preferably located within enclosed utility closets and be convenient for inspection. Every effort shall be made to minimize the visual impact of utility structures (cable TV, transformers, backflow preventers, etc.) by using landscaping or other means acceptable to the appropriate utility/authority.

TRASH CONTAINERS

Each lot shall have a designated storage area for trash containers where they are screened from view of both the street and neighbors.

MAILBOXES

Custom designed mailboxes that relate to the architecture of the house are required. Standard mailboxes on posts are not acceptable. Construction shall be of masonry units or stucco to match the architecture of the home. Certain types of prefabricated iron mailboxes will be considered on an individual basis. Standard tin/metal boxes on simple wood or metal posts are prohibited.

Mailboxes are to be located within the public right-of-way in required proximity to the curb and meet the requirements of the U.S. Postal Service. An "Encroachment Permit" is required by the City of San Juan Capistrano to work in the public right-of-way and that process includes proof of USPS approval. All mailbox enclosure structures to include address numbers 4" (min. per OCFA) to 5" max. high. The lighting of address numbers is encouraged, but should be by low level internal illumination or by other subtle lighting method.

A mailbox design that meets USPS requirements must be submitted for review to the Architectural Committee and approval by the HOA Board prior to being constructed. Flag lot properties that are located behind another resident's property should consider consolidating mailbox structures together with their neighbor that has frontage on the street. In the case where two or more mailboxes are consolidated into one structure, the design should relate to the architecture/design of the house that fronts the street. When combining mailbox structures for more than one property the maximum size of the structure should not exceed 60" wide x 60" high x 28" deep. Single mailbox or single mailbox/parcel drop structures should not exceed 36" wide x 60" high x 28" deep.

Due to the current trend of frequent parcel deliveries and the desire of many residents to have secured parcel storage drop boxes incorporated into their custom designed mailboxes, it is suggested that our owners consider utilizing a secure Mailbox/Package Drop made by "dVault" (model# DVCS0015), or similar product, as the basis for the design. These manufactured units can be ordered in standard colors (i.e.: white, sand, gray, copper vein and black), but must still be clad with masonry or other appropriate finish to compliment the architectural style of the home that fronts the street. All new mailbox designs must have architectural committee and Board approval for materials, size and color prior to ordering

this type of mail/parcel unit or beginning construction.

LANDSCAPE GUIDELINES

It is the intent of these guidelines to promote a community character of elegance and refinement with a stately element reminiscent of California's more established residential communities.

The following information is intended to guide the homeowner and their consultants in their plan submittal and structuring of their individual landscape to achieve these community goals.

COMMON AREA STREETScape (TRAIL SIDE) AND LANDSCAPE EASEMENTS AT CALLE ASPERO AND CALLE RICARDO

One of the most important cohesive landscape elements within the community is a consistent streetscape theme. For this to be accomplished the following treatment is essential:

A common planting palette must be maintained within all streetscape and common areas facing the street. Planting in the common area without written permission of the Architectural Committee is prohibited.

Fencing Enclosure of Rear Yard Fencing in of common area slopes facing the street is discouraged. This creates the effect of a "patchwork" of individual landscapes rather than a continuous thematic statement. See fencing section on page 25 for further information.

COMMON AREA ACCESS

Any encroachment and access onto common areas for construction or access is prohibited without express written consent of the Peppertree Bend Association (PBA). The Homeowner becomes solely responsible for replacing any damaged association planting or irrigation and restoring it to its original condition. The encroachment also makes the Homeowner solely responsible for, and releases the Association from, any liability regarding slope failure, structural failure, irrigation, or other problems due to the encroachment. Each Owner shall cause his contractor, as a condition to obtaining an Access Permit to enter upon the Association property, to provide to the Association a copy of its liability policy designating the Association as an additional ensured in the amount of not less than (\$1,000,000.00) to protect the Association against any loss, damage or injury which may occur as the result of entry and activity by such contractor or its agents. Owner must sign a release form provided by the Association, holding the Association harmless as to liability.

HARDSCAPE

1. Hardscape includes all exterior paved surfaces such as: flatwork, steps, driveways, patios, decks, etc.
2. Excessive hardscape areas are discouraged. Large expanses of paving such as driveways should be divided with banding or sections of masonry or paver units, contrasting concrete bands or other appropriate means.
3. Driveways or access to side yard storage to be reinforced turf to avoid excessive hardscape areas.
4. All hardscape materials should complement the architectural design and surrounding landscape.
5. Gravel in front areas is prohibited except by variance when recommended by the Architectural Committee and approved by the HOA Board.
6. AC (Asphalt) Paving is prohibited in the graded pad portion of the development.
7. Exposed irrigation pipes and hoses visible from the street are not permitted
8. Above ground backflow devices and public utility structures shall be screened with plant material where permissible.

IRRIGATION

The following irrigation standards apply to all detached single-family homes within the Community:

1. All landscape areas are to be irrigated.
2. Irrigation systems shall be tailored to the specific site and landscape situation. Important considerations of the design are environmental conditions such as sun and shade, soils, terrain, percolation rates, erosion control, and wind.
3. Irrigation systems shall be designed to apply water in an efficient manner and provide adequate coverage without excessive run-off into storm drains or over sidewalks.
4. Irrigation systems should be designed and maintained to avoid overspray onto adjacent residences or property.

FENCING AND WALLS

It is highly recommended that the owner consult with neighbors their intentions when planning fencing and walls for their property

1. Double fencing (Placing one fence next to another) is prohibited. The first fence that is installed has priority. If this fence or wall is to be modified by a neighbor, he must get written permission and association approval.
2. In general fencing or walls exceeding six feet in height will not be permitted except under variance.
3. Side yard fences past the front foundation of the house must be minimum 5' in height to accommodate neighbor's pool safety restrictions and avoid future conflicts.
4. Wherever possible split level retaining walls with planter areas between are encouraged as opposed to large single retaining walls or property line walls on top of retaining walls creating a large vertical surface. This concept applies to property line walls for lots on different levels. See diagrams on page 26
5. Fencing must be finished on both sides by the installer unless otherwise agreed by neighbors.
6. Fencing the entire property is prohibited.
7. Fencing or walls within the front setback areas facing the street is prohibited except the following allowed encroachment:
 - a. **Transparent fencing** is allowed to encroach to within 15' from front property line (20' back from curb), but should not run the entire frontage length of the lot. The fence line setback should be varied/offset and when required to allow for vehicular gates. Do not fence in entire lot, open street frontage is encouraged.
 - b. **Retaining walls** on Landscape Easement area slopes will be reviewed on case-by-case variance basis only.
8. On all lots, side yard fencing between lots shall be kept inside of property lines and shall not be constructed on a property line without the approval of all lot owners affected and approval by the PBA.
9. Walls or fences which abut any existing walls or fences shall not exceed the established height of the existing walls or fences, except heights required by building codes for protection of swimming pools or spas.

UNACCEPTABLE FENCING/WALL MATERIALS

a.Chain link, poultry wire, or other types of woven wire including plastic coated wire. Chain link is acceptable for tennis courts with black or dark green vinyl

coated link preferred. Wood framed fences with welded wire mesh are also acceptable for tennis courts with review/approval from P.B.A

b. Wood framed fencing with stucco coating will be reviewed on a case-by-case basis. The use of standard block with stucco coat is encouraged instead.

c. Aluminum or sheet metal.

d. Plexi-glass, plastic or fiberglass materials,

e. Reed or straw-like materials.

f. Rope or other fibrous strand elements.

g. Glass block walls.

h. Concrete block, plain or painted.

i. Solid Wood Fences, such as board-on board.

j. Patterned Glass

ACCEPTABLE FENCING/WALL COLOR AND FINISHES

Stucco; color to match dwelling stucco color.

Wrought iron; painted black, dark brown/bronze or dark Verde green. The committee may approve other colors upon variance request. Dark colors tend to disappear visually for cohesive statement on slopes.

Well designed wood rail fences (not rustic split rail type) may be acceptable with review/approval from PBA.

Spaced (semi-solid) high quality wood fencing may be acceptable if appropriate to a particular design/style with review/approval from PBA.

Tempered glass, clear only, not patterned, frames to be stained or painted to match dwelling siding or trim color.

Continuation of dwelling exterior colors and finishes all subject to the approval of the Architectural Committee.

GRADING AND DRAINAGE

All grading is to take place within the lot line limits and top of slope limits except under special variance conditions of an approved retaining wall encroachment onto Association slope areas. All damaged Association landscape and irrigation must be restored to its original condition. No stockpiling of soil or materials will be allowed on Association maintained property.

All clearing, grubbing, stripping and stockpiling of soil or excavation and compaction is to take place only within the limits of the lot. Any use of chemical herbicides for weed eradication must be performed by a State Licensed Pest Control Applicator.

Common Area landscape must be protected during all phases of construction through the use of temporary construction fencing.

Erosion control measures will be required during the rainy season to protect common area slopes, adjacent lots, and public property at all times. Paved areas should be designed to drain at a minimum of one percent (1%).

All slope areas will require slope stabilization through use of irrigated deep-rooted plantings.

Maximum percentage on all graded slopes are 2:1. Shallower slopes are strongly encouraged for both stabilization and natural aesthetic appeal.

The use of a subsurface drainage system will be required wherever the surface flow is interrupted by paving, walls, or structures.

Perforated drainage (French drain) with gravel and filter cloth is highly recommended behind all retaining walls to relieve hydrostatic pressure. Weep holes may also be used however, positioning should be limited to a maximum of 12" above grade at the face side of wall to avoid unsightly staining

ACCESSORY STRUCTURES

Patio structures, sunshades, trellises, gazebos, and sundeck structures are permitted within setbacks and height restriction required by the appropriate governing agencies and shall not exceed the height of the principal structure on the lot. Under certain individual circumstances the P.B.A. will require greater limitations on heights and setbacks for structures due to privacy screening and aesthetic requirements.

Note: Accessory Dwelling Units (ADU's) are not considered "accessory structures" and as such ADU's must comply with PBA front, side and rear setback requirements.

These structures should be designed to continue or compliment the architectural character, features, colors and materials of the dwelling.

Roofing materials (except for sundecks) shall match the roof material of the dwelling.

Above grade decks shall have masonry wall substructure, exposed underpinning of decks is prohibited. Lattice screening of underpinning structure is prohibited. Plant material is required for screening of all deck structures. Deck structures are prohibited on common area slopes. Construction material shall conform to architectural guidelines.

LANDSCAPE ELEMENTS

FLAGPOLES

No more than one flagpole is allowed per lot. A Flagpole shall be placed within the buildable area of the lot and not within any required front, rear or side setback area. The height of the pole shall not exceed twenty feet.

SPORTS EQUIPMENT

Basketball hoops visible from the street are prohibited, they should be painted to blend with the existing colors. Clear glass backboards are encouraged. Sports equipment must be screened from all street and neighbors' views. Installation of sports equipment requires specific approval by the P.B.A.

DOGHOUSES

Doghouses and other pet enclosures are to be located in rear yards only and should be located out of sight of surrounding residences.

CLOTHESLINES

Clotheslines, if installed, shall be located in the rear yard portion of the building site, in the least possible visually obtrusive location from neighbors, while still allowing adequate solar radiation for drying.

TENNIS COURTS

Tennis courts require review and signatures of all adjoining/or affected neighbors. Neighbor review does not constitute approval or disapproval: it is strictly to encourage discussion of concerns prior to installation. Tennis courts shall be designed as low in elevation as possible on the lot to reduce visual impact.

GARDEN ART/STATUES

All proposed garden art and statues shall be subject to P.B.A. approval. Generally, statues are permitted only in the private garden area where they are not visible from common area views. Provide a photo or specification sheet for all proposed features including dimensions.

LIGHTING

1. All pole lighting and sport court lighting must be shown on landscape plan and approved by P.B.A.
2. Tennis and sport court lighting requires written approval of neighbors. Low angle non-glare lights and plant material screening is encouraged and may be required by PBA.
3. Excessive use of post lighting is discouraged within the streetscape zone.
4. Landscape lighting shall be low-voltage only and 1100 lumens maximum (large trees) and 800 lumens maximum per fixture preferred for majority of landscape lighting.
5. Color Temp of all exterior LED landscape lighting shall be in the 2700-3000K range.
6. All lights must be compatible with the house design and should be simple in design and color.

7. The up-lighting of trees and shrubs are encouraged to provide illumination to the outdoor garden space. No exposed wires or cables are permitted.
8. Mercury vapor lamps or lamps that emit light of a similar character, exposed fluorescent lamps, flashing lights, color lights, unshielded exterior lights, and lights which result in excessive glare are not permitted.
9. Path lighting should be minimized. Path lights shall cast the light downward
10. The P.B.A. reserves the right to require that the fixtures be disconnected if they cause an unreasonable glare or illumination upon property outside of the Owner's Lot.

SWIMMING POOLS/ SPAS

1. Swimming pools/spas are permitted within private yards. It is highly recommended that any pool or spa be designed by a qualified soils and structural engineer to compensate for expansive soil conditions and slope creep. All pools/spas are subject to the Orange County Health Code and the following requirements:
 - a. Swimming pools, spas and fountains must be set back a minimum of three (3) feet clear of the perimeter wall / property line.
 - b. All plumbing lines to pools, spas or fountains must be buried or concealed.
 - i. Pool, spa and fountains with water bodies deeper than 18" shall be secured from public access in accordance with City requirements. Maximum height of a water feature is 8'.
 - c. Application for a pool / spa must include the following information:
2. Location of the pool, spa or fountain in relation to
3. existing structure
 - i. Dimensions of pool or spa
 - ii. Drainage detail
 - iii. Materials of decking
 - iv. Location of equipment and screen
 - v. Detail of fencing to surround pool or spa.

POOL/ SPA EQUIPMENT

1. Pool/spa equipment shall be located a minimum of four (4) feet clear of the perimeter wall / property line and be completely concealed from view of any other residence with a solid wall five foot minimum and/or a solid plant material screen.
2. Use of quiet mechanical equipment is encouraged such as "Whisper Flow" pump. Sound attenuation of equipment is required. All equipment must be screened from view with a solid wall five foot minimum and/or a solid plant material screen.

PLANTING DESIGN OBJECTIVES

Every attempt should be made to preserve existing trees within the lot areas and Association planted slopes. Any tree removal will be reviewed on a variance basis.

Any modification to existing Association slope planting must be restored to its original condition with relationship of the mature plant form and size to the scale of the home and adjacent residences and quality of plant species to the scale of the project. A simple palette of plant materials will serve to enhance an area design approach and is encouraged. Creating a horticultural menagerie is not encouraged.

The use of long lived plants to form the major planted space will be sought. Trees and shrubs must form the permanent visual enhancement with herbaceous and quick growing plants forming only a small quantity of the plant pallet.

Long lived shrub-type and vining ground covers must be sought and spaced to form complete covering of the soil when mature.

Short lived or herbaceous plant materials are acceptable only in those areas used in a temporary manner or specially placed accent in landscape. Short lived shrubs and trees may serve to quickly attain a mature form; slow growing plant material is recommended for a more permanent effect.

Close attention must be given to the use of plants in order to create a livable environment for people. The potential use of plants to perform screening, define spaces, control erosion, glare, noise, dust, climate control such as wind, temperature, accenting aesthetic land forms are but few of these use of plant materials considered for review. Installation of the plant materials should be accomplished in such a manner that potential maintenance problems are eliminated.

Planting within side yards should be vertical in form and must not mature to more than twenty feet in diameter in order to provide airspace and reduce potential intrusion into adjacent side yards.

Trees must be set back from the property line in accordance with their anticipated growth: for example, a tree of anticipated mature growth of twenty feet should be set back eight to ten feet from the property line.

Trees that are symmetrical in growth character may need more room to avoid any pruning which would destroy the trees natural, symmetrical character and aesthetic value.

PLANTING DESIGN OBJECTIVES (CONT.)

All trees planted within five (5) feet from property lines, public utilities and/or structures must utilize a root barrier device.

Owner agrees to provide routine maintenance for all trees on their lot including, but not limited to, annual pruning and lacing. If the P.B.A deems any tree a nuisance, the owner shall bear the expense of tree removal.

Shrubs and vines are encouraged to be planted to screen or visually enhance blank wall areas.

All shrub planting beds are to receive a 2" to 3" layer of organic bark mulch to conserve soil moisture and improve soil structure and fertility. Bark shall be natural or brown color only, black or brick red color bark is not permitted. Gravel, decorative rock and colored mulch is also not permitted within front yards.

Synthetic turf grass is acceptable, with prior approval of P.B.A. in front or rear yards but must not cover the entire front yard area. Live plant material should be placed adjacent to synthetic turf grass to accent and lend the look of natural planting to the area. Acceptable synthetic turf shall have four tones: dark green blade to simulate mature growth, lime green blade to simulate new shoot/growth, green thatching (which helps the grass blades stand erect and "bounce back" when stepped on) and a tan thatch to simulate dead grass blade clippings, which is common in all real lawns. Pile height shall be at least two inches and the turf must have UV protection. Turf under-fabric must have sufficient punch holes to allow for ample drainage and turf shall be placed and secured over a base layer of class 2 road base. Submit sample to P.B.A. prior to installation for approval. Several manufacturers of high-quality synthetic turf are SynLawn, ForeverLawn and EasyTurf.

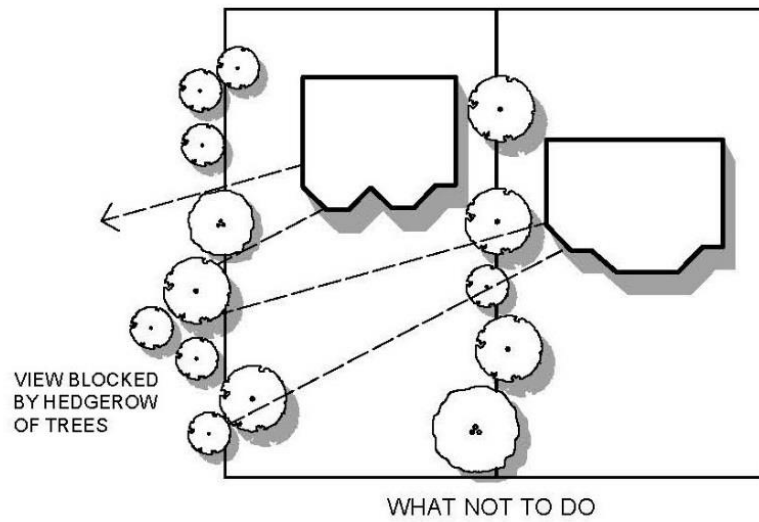
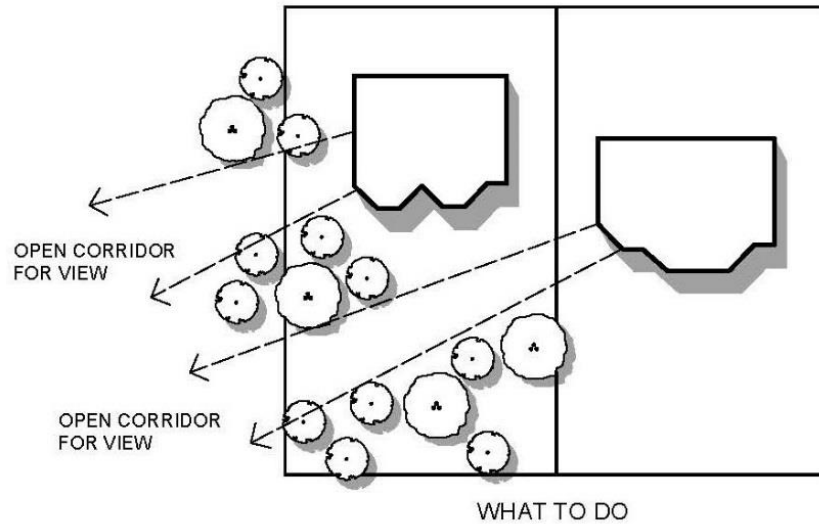
Slopes five feet and over in vertical height require ground cover, shrub and tree planting coverage that shall meet or exceed governing agencies requirements,

Installed size of plants shall reflect their relative anticipated growth size. The use of drought tolerant plant materials is recommended.

On downhill houses, planting (trees and shrubs) are required to soften the impact of the structure on the hill. Any trees proposed should be carefully studied for the potential view blockage.

Windrows and tall hedge rows are discouraged. Utilize "window" openings in plant material to preserve diagonal views as shown in exhibits on page 34.

The P.B.A. reserves the right to reject any plant materials deemed unsuitable by the Architectural Committee.



PLANTING GUIDELINES

The Landscape theme for Peppertree Bend plays a significant role in defining and supporting the character of the community. Consequently, a plant palette has been adopted and approved for all areas including the individual Homeowner lots. The following plant palette is intended to guide the Homeowner and/or landscape architect in the landscape plan submittal and structuring of the landscape for visual and functional use. Landscape plant materials are to be considered as strong, visually-unifying elements and should reflect the physical, functional and aesthetic qualities of the site.

Plant materials will be used that are in conformance with the approved lists or as approved by the P.B.A. Other plant motifs will be considered on a case-by-case

basis. The following plant list is not meant to be overly restrictive but rather to encourage a cohesive landscape statement.

HOMEOWNER PLANT PALETTE

TREES

<u>Botanical Name</u>	<u>Common Name</u>
<i>Acacia dealbata</i>	Blue Wattle
<i>Alnus cordata</i>	Italian Alder
<i>Arbutus unedo</i>	Strawberry Tree
<i>Betula pendula</i>	Silver Birch
<i>Cercis occidentalis</i>	Western Redbud
<i>Chamerops humilis</i>	Mediterranean Fan Palm
<i>Citrus</i> spp.	Citrus Varieties
<i>Cupressus sempervirens</i>	Italian Cypress
<i>Eriobotrya deflexa</i>	Bronze Loquat
<i>Ficus nitida</i>	Indian Laurel
<i>Jacaranda mimosifolia</i>	Jacaranda
<i>Koelreuteria bipinnata</i>	Chinese Flame Tree
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Liquidamber styraciflua</i>	American Sweet Gum
<i>Lophostemon confertus</i>	Brisbane Box
<i>Melaleuca quinquenervia</i>	Paperbark Tree
<i>Melaleuca nesophila</i>	Pink Melaleuca
<i>Olea Europaea</i>	Olive
<i>Persia americana</i>	Avocado varieties
<i>Phoenix canariensis</i>	Canary Date Palm
<i>Phoenix roebellini</i>	Pigmy Date palm
<i>Pinus halepensis</i>	Aleppo Pine
<i>Pinus pinea</i>	Stone Pine
<i>Pistacia chinensis</i>	Chinese Pistache
<i>Platanus racemosa</i>	California Sycamore
<i>Podocarpus gracilior</i>	Fern Pine
<i>Prunus caroliniana</i>	Carolina Laurel Cherry
<i>Quercus agrifolia</i>	Coast Live Oak
<i>Quercus ilex</i>	Holly Oak
<i>Schinus molle</i>	California Pepper
<i>Tipuana tipu</i>	Tipu Tree
<i>Tristania conferta</i>	Brisbane Box
<i>Washingtonia robusta</i>	Mexican Fan Palm

SHRUBS

<u>Botanical Name</u>	<u>Common Name</u>
Agapanthus species	Lily of the Nile
Buxus species	Boxwood
Calliandra haematocephala	Pink Powder Puff
Ceanothus species	California Lilac
Cistus x purpureus	Orchid Rockrose
Cotoneaster species	Cotoneaster
Dianella species	Flax lily
Dodonea viscosa 'Purpurea'	Purple Hop Bush
Echium candicans	Pride of Madeira
Escallonia fradesii	Escallonia
Euonymus species	Euonymus
Galvezia speciosa	Bush Snapdragon
Grevillea noelli	Grevillea
Hemerocallis species	Daylily
Heteromeles arbutifolia	Toyon
Feijoa sellowiana	Pineapple Guava
Lantana x 'New Gold'	New Gold Lantana
Lantana montevidensis	Trailing Lantana
Lavandula dentata	French Lavender
Leonitis leonorus	Lion's Tail
Ligustrum japonicum 'Texanum'	Wax Leaf Privet
Mimulus species	Monkeyflower
Phormium species	Flax
Photinia frazerii	Fraser's Photinia
Pittosporum tobira	Tobira
Plumbago auriculata	Cape Plumbago
Prunus carolina	Carolina Cherry
Prunus ilicifolia	Hollyleaf Cherry
Rhaphiolepis species	Indian Hawthorne
Rhus integrifolia	Lemonade Berry
Ribes sanguineum	Red Flowering Currant
Rosa species	Rose
Salvia leucantha	Mexican Bush Sage
Tecomaria capensis	Cape Honeysuckle
Tecoma Stans	Yellow Bells
Westringia fruticosa	Coast Rosemary
Xylosma Congestum	Xylosma

GROUNDCOVER

<u>Botanical Name</u>	<u>Common Name</u>
Archtostryphos 'Pacific Mist'	Pacific Mist
Bacharis Pilularis var. 'Twin Peaks'	Dwarf Coyote Bush
Carissa macrocarpa 'Green Carpet'	Green Carpet Natal Plum
Ceanothus Griseus Horizontalis	Yankee Point California Lilac
Cotoneaster Congestus 'Likiang'	Likiang Cotoneaster
Escholzia californica	California Poppy
Lupine Bicolor	Sky Lupine
Myoporum parvifolium	Myoporum
Myoporum Parvifolium 'Pink'	Pink Australian Racer
Rosmarinus officinalis 'Prostratus'	Creeping Rosemary
Trachelospermum Jasminoides	Star Jasmine

GRASSES

<u>Botanical Name</u>	<u>Common Name</u>
Cordyline x 'Jured'	Festival Burgundy Grass
Festuca rubra	Creeping Red Fescue
Juncus patens	California Grey Rush
Muhlenbergia rigens	Deer Grass
Pennisetum 'Hameln'	Fountain Grass
Pennisetum setaceum 'Rubrum'	Red Fountain Grass

SUCCULENTS

<u>Botanical Name</u>	<u>Common Name</u>
Aeonium species	Aeonium
Agave attenuata	Century Plant
Bulbine frutescens 'Orange'	Orange Staked Bulbine
Calandrinia grandiflora	Rock Purslane
Euphoria tirucalli	Sticks on Fire
Hesperaloe parviflora	Red Yucca
Kniphofia uvaria	Red Hot Poker
Sedum spectabile 'Autumn Joy'	Autumn Joy Sedum
Senecio species	Senecio

VINES

<u>Botanical Name</u>	<u>Common Name</u>
Bougainvillea 'La Jolla'	La Jolla Bougainvillea
Distictus buccinatoria	Blood-Red Trumpet Vine
Hardenbergia comptoniana	Lilac Vine
Lonicera japonica 'Halliana'	Hall's Japanese Honeysuckle
Passiflora vitifolia 'Scarlet Flame'	Red Passion Flower

FUEL MODIFICATION AREAS (DEFENSIBLE SPACE)

(All plants on these lists approved by Orange County Fire Authority)

TREES

<u>Botanical Name</u>	<u>Common Name</u>
<i>Alnus cordata</i>	Italian Alder
<i>Arbutus unedo</i>	Strawberry Tree
<i>Lagerstroemia indica</i>	Crepe Myrtle
<i>Lyliquidambar styraciflua</i>	American Sweet Gum
<i>Melaleuca nesophila</i>	Pink Melaleuca
<i>Metrosideros excelsus</i>	New Zealand Christmas Tree
<i>Platanus racemosa</i>	California Sycamore
<i>Quercus agrifolia</i>	California Live Oak

SHRUBS

<u>Botanical Name</u>	<u>Common Name</u>
<i>Ceanothus Gloriosus</i> 'Point Reyes'	Point Reyes Ceanothus
<i>Ceanothus Griseus</i> 'Louis Edmunds'	Louis Edmunds Ceanothus
<i>Cistus x purpureus</i>	Orchid Rockrose
<i>Dodonea viscosa</i> 'Purpurea'	Purple Hop Bush
<i>Galvezia speciosa</i>	Bush Snapdragon
<i>Lantana</i> 'New Gold'	New Gold Lantana
<i>Lantana montevidensis</i>	Trailing Lantana
<i>Lavandula dentata</i>	French Lavender
<i>Mimulus species</i>	Monkeyflower
<i>Oenothera Speciosa</i>	Show Evening Primrose
<i>Plumbago auriculata</i>	Cape Plumbago
<i>Prunus ilicifolia</i>	Hollyleaf Cherry
<i>Rhus integrifolia</i>	Lemonade Berry
<i>Ribes sanguineum</i>	Red Flowering Currant
<i>Tecomaria capensis</i>	Cape Honeysuckle
<i>Tecoma stans</i>	Yellow Bells

GROUNDCOVER

<u>Botanical Name</u>	<u>Common Name</u>
<i>Archtopstaphylos</i> 'Pacific Mist'	Pacific Mist
<i>Bacharis Pilularis</i> var. 'Twin Peaks'	Dwarf Coyote Bush
<i>Ceanothus Griseus Horizontalis</i>	Yankee Point California Lilac
<i>Cotoneaster Congestus</i> 'Likiang'	Likiang Cotoneaster
<i>Escholzia californica</i>	California Poppy
<i>Lupine Bicolor</i>	Sky Lupine

<i>Myoporum Parvifolium</i>	Myoporum
Myoporum 'Pacificum'	Myoporum
Trachelospermum Jasminoides	Star Jasmine

GRASSES

<u>Botanical Name</u>	<u>Common Name</u>
Juncus actus	Spiny Rush

SUCCULENTS

<u>Botanical Name</u>	<u>Common Name</u>
Agave attenuata	Century plant
Hesperaloe parviflora	Red Yucca
Kniphofia uvaria	Red Hot Poker

VINES

<u>Botanical Name</u>	<u>Common Name</u>
Bougainvillea 'La Jolla'	La Jolla Bougainvillea
Distictus buccinatoria	Blood-Red Trumpet Vine
Hardenbergia comptoniana	Lilac Vine

LANDSCAPE PLAN REQUIREMENTS

The following is an outline of required information for Landscape Plan Submittals. Submittal of Preliminary Concept prior to final working drawings is recommended for controversial landscape issues. This process which moves from the general concept to the specific detail will help avoid excessive redesign cost for the owner involving dis-approved elements All landscape drawings are to be prepared in a professional manner.

A licensed structural and/or civil engineer may be required for grading plans, landscape structures or retaining walls.

SUBMITTAL FORMAT:

A. Plan Format (2 Half-Size Sets & 1 Digital PDF set)

All plans shall follow the following format:

1. 1/8" = 1'-0" scale or larger.
2. Title block containing owner's name, tract and lot number and property address.
3. Design professional's name, address, telephone number, and State of California License registration number if applicable.
4. Date of drawing with scale and north arrow.
5. Minimum sheet size 24" x 36", maximum 30" x 42".

B. Preliminary Landscape Plan Requirements

All plans shall include the following information:

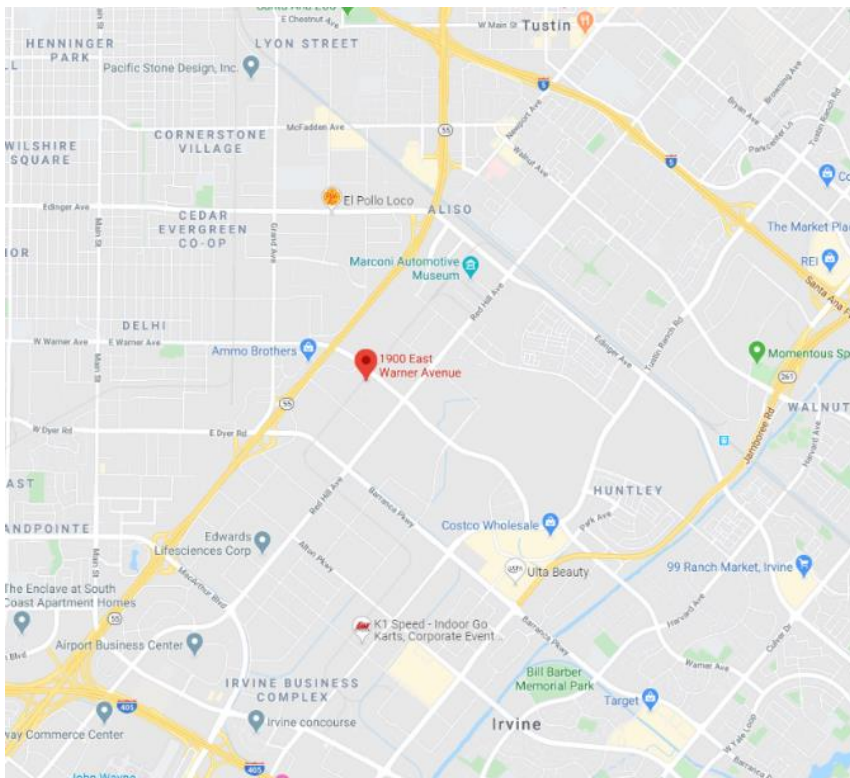
1. All property lines, easements, sidewalks, streets, and utilities.
2. All existing structures and property lines on adjacent lots.
3. Location of all structures and landscape elements, new and existing walls, fences, pools, spas, fountains, hardscape, overhead structures.
4. Provide descriptive notes and/or sketches of proposed structures to adequately convey the design concepts to the Committee.
5. Indicate all materials, finishes, colors, and heights of all structures and walls.
6. Indicate grading concept with pad and finish floor elevations and the heights of all walls.
7. Provide plant list including botanical and common names and show general plant locations and sizes, and if root barriers will be used.
8. Location & types of all lighting on plan.

APPENDIX A

PEPPERTREE BEND ASSOCIATION MANAGEMENT COMPANY (PBAMC)

The management company for the Peppertree Bend Association is:

Millennium Community Management (MCM)
1900 East Warner Avenue, Suite #1P
Santa Ana, CA 92705
949-225-0200 Phone
949-225-0214 Fax



All applications for Architectural Committee review are to be made using the standard Peppertree Bend Association Architectural Committee Review Application and mailed to:

Peppertree Bend Association
c/o Millennium Community Management
1900 East Warner Avenue, Suite #1P
Santa Ana, CA 92705
Attn: Manager

APPENDIX B

**PEPPERTREE BEND ASSOCIATION
ARCHITECTURAL APPLICATION**

PROPERTY ADDRESS:

HOMEOWNER NAME: _____ DATE: _____

HOME PHONE #: _____ WORK PHONE #: _____

- NATURE OF REQUEST: _____ New Custom Homes / Major Remodel
- _____ Room Additions/Separate Structures/major landscape projects
- _____ Pool./Spa, Sports Courts, New Roof, Window Replacements and other significant projects (Circle applicable project)
- _____ Small Projects: New Fences, Hardscape upgrades, partial landscaping, and small garden/patio structures (Gazebo,etc) (Circle applicable project)
- _____ Minor Projects/Repairs.
- _____ Remodel/Addition _____ Other:

PROPOSED STARTING DATE: _____ COMPLETION DATE: _____

ESTIMATED COST OF PROJECT:

NOTE: Architectural approval of your plan(s) does not constitute acceptance of any technical or engineering specifications, and the Peppertree Bend Homeowners Association assumes no responsibility for such. The function of the Architectural Committee is to review submittals as to aesthetics and conformance to the Association’s Guidelines. All technical and engineering matters are the responsibility of the homeowner.

If further architectural and/or design changes are to take place, please submit to our attention all details for future approval. A State Licensed contractor who has not less than \$500,000 General Liability Insurance must perform all work. One set of plans must be given to the Architect who reviews the plans for building code compliance & CC&R adherence, one set of plans must be given to the management company for the file and one set of plans will be given to the Board and Architectural Committee to share on the property, therefore three sets of plans are required.

Your request must be reviewed by the Architectural Committee and approved by the Board of Directors. An applicant will be given a decision within thirty (30) days of submission of all plans and specifications, and any other data required by said committee. Please note that the thirty (30) day period commences on the date the plans and specifications are properly submitted and logged in at the management company's office.

NO WORK MAY BEGIN UNTIL PLANS HAVE BEEN APPROVED, IN WRITING, (CC&Rs, ARTICLE V).

I am submitting this application for plan approval, and I am responsible for the information provided. All architectural change must be in compliance with all Association Governing Documents, Association Maintenance Matrix and all building codes applicable.

Signature of Homeowner

APPENDIX C
PEPPERTREE BEND ASSOCIATION
SUBMITTAL FEE SCHEDULE

Application Fees/deposits

A submission deposit and a completion deposit will be required at the time of application to the Architectural Committee, and will be returned to the homeowner after the Architectural Committee inspects the property to insure completion per plans, along with submission of an HOA Completion Notice (Appendix H) The deposit will be required from all homeowners for security against damage to common areas or personal property. This fee will be returned to the homeowner after the Architectural Committee inspects the property to insure completion as per plans

The required fee and deposit are dependent on project type. See the Schedules of Fees and Deposits below to determine the appropriate amount due at time of application submission.

TYPE OF IMPROVEMENT	Submission Deposit	Completion Deposit	AFTER 2 SUBMITTALS EACH ADDITIONAL SUBMITTAL
	(SEE NOTES BELOW)		
NEW CUSTOM HOMES / MAJOR REMODEL PROJECTS	\$2,500	\$25,000	\$250
ROOM ADDITIONS, SEPARATE STRUCTURES, MAJOR LANDSCAPING PROJECTS, POOL/SPA, SPORTS COURTS, NEW ROOF, WINDOW REPLACEMENTS AND OTHER PROJECTS DEEMED BY THE BOARD AS SIGNIFICANT	\$1,000	\$10,000	\$100
SMALL PROJECTS; NEW FENCES, HARDSCAPE UPGRADES, PARTIAL LANDSCAPING AND SMALL GARDEN/PATIO TYPE STRUCTURES (GAZEBO, ETC)	\$500	\$5,000	
MINOR PROJECTS / REPAIRS: Work deemed by the HOA Board not to require Architectural Committee review.	NO FEE		

NOTES:

Submission Deposit: To be used to pay for HOA Consultants, (Architect and Landscape Architect) reviews at various stages. Any funds not used will be returned to the applicant upon final HOA Board approval of final construction documents.

Completion Deposit: To be returned once project is completed, inspected by an HOA Board assigned representative(s) and determined to be in substantial conformance to the Board approved design.

APPENDIX D

PEPPERTREE BEND ASSOCIATION

SUBMITTAL REQUIREMENTS

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

Note: It is encouraged for applicants to request input/informal reviews from the Architectural Committee and/or the HOA's consulting Architect and/or Landscape Architect early in the design process to clarify anything that is not clear in these guidelines and to establish general support for the proposed design concept.

Fill out application – See Appendix B of design guidelines

Submit the required fee as indicated in the Fee Schedule
See Appendix C of Design Guidelines

Two Half Size sets of paper plans and one digital PDF copy are required for each submission. All drawing must be to scale.

Submittal No. 1-Preliminary Design

1.) Architectural Site Plan: minimum scale of 1' 0" = 20' 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.
- d. Show context of improvements as related to adjacent properties.

2.) Preliminary Grading Plan: minimum scale 1'=20' 0"

Show existing contours and proposed changes to the finish grade. Changes to the finished grade must be done by a civil or professional engineer, licensed architect or landscape architect. Provide grading sections to describe the pad cuts in the direction of the slope.

3.) Floor Plan: minimum scale 1/8" = 1' 0"

- a. Indicate all walls, columns, openings, and any condition or feature that will affect the exterior design of the buildings.
- b. Indicate square footage of total living area of residence, pool house, decks and garages.

- 4.) Elevations:** minimum scale 1/8" = 1' 0"
- a. Provide exterior elevation of all proposed buildings.
 - b. Note all finish materials, colors and textures of proposed work.
 - c. Show how the proposed structure fits within the building envelope.

- 5.) Roof Plan:** minimum scale 1/8" = 1' 0"
- a. Show the proposed roof noting slopes and pitches.

Submittal No. 2 - Final Submittal

This final submittal is primarily to check the conformance with the approved preliminary plans, and to review material selections and architectural detailing.

1.) Working Drawings

The working drawings submittal must include but not be limited to the following:

- a. Site plan
- b. Floor plans
- c. Elevations
- d. Roof plan
- e. Exterior door and window schedules
- f. Exterior detail sheets and material specifications
- g. Samples of materials when required/requested

2.) Final grading plans

- a. Show contours, flow lines, finished grades and storm drainage.

3.) Exterior Colors and Finishes

- a. Provide a material color sample board with color chips showing proposed exterior finish colors for all walls, roofs, window and trim, and any other finish materials contemplated for use.

4.) Landscape plan working drawings (if applicable). Landscape plans must include details on the hardscape, such as dimensions and location of pools, spas, pool equipment, sound barrier on equipment to be used, barbecue areas, fountains, raised planters, etc. and details on the softscape, such as plant material location, size, quantity, location, if root barriers will be used, etc.

Failure to Comply with Required Procedures

Failure to comply with the requirements and procedures set for the herein shall cause your Application to be deemed incomplete. The Application will not be reviewed until all required information and documentation has been submitted to the Architectural Committee.

Incomplete Submissions

To avoid unnecessary delays and expense, the Architectural Committee shall not accept any incomplete submittal for consideration. Incomplete submittals shall be returned to the applicant along with a copy of the Compliance checklist (Appendix G) noting the areas of deficiency.

Note: All submittals must include a site plan and must also show adjoining properties to show context and any existing structures on adjacent properties. A scaled Site Plan imposed over a scaled Google Earth image should be adequate unless more detail and/or specific dimensions are required.

APPENDIX E

PEPPERTREE BEND ASSOCIATION

NEIGHBOR NOTIFICATION

It is the intent of the Association to have Homeowners who are improving their lots to inform their neighbors on all sides as to the vendor schedule of activity for improvements affecting them.

- A. Improvements requiring notification: any exterior improvements that may impact the neighbors in the community.
- B. Statement: the front, right, left, and rear Neighbor Acknowledgement must be provided to the Association to verify the neighbors have been notified about proposed improvements. Applicants are also required to receive the acknowledgement of any other neighbor(s) that the Applicant believes will be significantly impacted by the improvements.
- C. Signing this document does not indicate that the neighbor approves the new construction, but instead indicates that they have been notified regarding possible construction deliveries, noise and dust, etc.

NEIGHBOR ACKNOWLEDGEMENT

Note: If property is unoccupied, space must be signed by the property holder/owner. THE PRINTED NAME AND SIGNATURE MUST BE ON THIS FORM IN THE SPACE INDICATED.

Right Side Neighbor Name/Address

Signature

Left Side Neighbor Name/Address

Signature

Rear Side Neighbor Name/Address

Signature

Front Side Neighbor Name/Address

Signature

APPENDIX F

PEPPERTREE BEND ASSOCIATION CC&R VARIANCE REQUEST FORM

DATE SUBMITTED _____

HOMEOWNER NAME: _____

ADDRESS: _____

PHONE: _____ EMAIL ADDRESS: _____

DESCRIPTION OF REQUEST (COMPLETE ON BACK AS NEEDED): _____

APPLICABLE CC&R SECTION: _____

PROPOSED DATE/TIME FOR VERIFICATION: _____

Board members shall verify that the Homeowner has complied with the CC&Rs to the best of their ability and that the need for a variance exists. Variances are normally only granted if it is determined that compliance with the CC&Rs is not possible due to unique conditions of the subject property that differ from other properties subject to the CC&Rs

The HOA Board will review the request and the majority position shall prevail.

If granted, the variance will be void for a maximum of one year, during which time action on the situation requiring the variance must be substantially underway. The variance shall apply only to the specific situation for which it was requested.

The HOA Board reserves the right to rescind the variance if it determines that the original intent of the variance is not being met by the Homeowner

Mail or Deliver to : Millennium Community Management
1900 E. Warner Avenue, #1P
Santa Ana, CA. 92705-5549
949-225-0200

APPENDIX G

PEPPERTREE BEND ASSOCIATION COMPLIANCE CHECKLIST

PEPPERTREE BEND ARCHITECTURAL REVIEW CHECKLIST					
ADDRESS:					
OWNER:					
			COMPLI	NON-COMPLY	SEE COMMENTS
ARCHITECT/DESIGNER:					
LICENSE NUMBER:					
ADDRESS:					
PHONE		EMAIL:			
NON-LICENSED:					
SUBMITTAL OF RESUME:					
SUBMITTAL OF PORTFOLIO					
ARCHITECTURAL APPROVAL. NO FENCE, WALL, BUILDING, SIGN OR OTHER STRUCTURE (INCLUDING MAILBOXES, TENNIS COURTS AND BASKETBALL STANDARDS, OR EXTERIOR ADDITON TO OR CHANGE OR ALTERATION THEREOF (INCLUDING PAINTING) OR LANDSCAPING, SHALL BE COMMENCED, CONSTRUCTED, ERECTED, PLACED, ALTERED, MAINTAINED OR PERMITTED TO REMAIN ON A LOT OR ANY PORTION THEREOF, UNTIL PLANS AND SPECIFICATIONS SHALL HAVE BEEN SUBMITTED TO AN ARCHITECTURAL DESIGN COMMITTEE. (CC&R page 15)					
PLAN SUBMITTAL - PRELIMINARY:					
PLOT F (Min scale: 1'-0"=20')					
PRELIMINARY GRADING PLAN:					
(COMPATIBILITY IN HARMONY WITH TOPOGRAPHY)					
FLOOR PLAN					
ELEVATIONS					
ROOF PLAN					
PLAN SUBMITTAL - FINAL					
WORKING DRAWINGS:					
SITE PLAN					
FLOOR PLANS					
ELEVATIONS					
ROOF PLAN					
EXTERIOR DOOR AND WINDOW SCHEDULES					
EXTERIOR DETAIL SHEETS					
FINAL GRADING PLAN					
EXTERIOR COLORS AND FINISHES (Material/Colors sample board)					
BUILDING CHARACTER:					
DOES ARCHITECTURAL STYLE COMPLY WITH HOA GUIDELINES:					
(ALLOWED: MEDITERRANEAN / SPANISH-SPANISH COLONIAL / COUNTRY FRENCH / NORMANDY FRENCH / ENGLISH-CAPE COD / ENGLISH TUDOR / CONTEMPORARY)					
MIN LIVING AREA: 5000 SF - ONE STORY					
6000 SF - TWO STORY					

COMPLIANCE WITH GRADING STANDARDS:		
DRAWINGS CLEARLY DEPICT GRADING		
DEPTH OF PAD CUT IN DIRECTION OF SLOPE MINIMIZED:		
(Max 85' pad cut in direction of slope?)		
DRAINAGE: (Directed to street) (Subsurface drainage system)		
MAXIMUM GRADED SLOPE: 2:1		
BUILDING ENVELOPE:		
MAXIMUM HEIGHT SETBACK SHOWN		
(MAXIMUM 35')		
BUILDING WALL ON DOWNSLOPE MAX 25'		
(Measured from grade to eave)		
RETAINING WALL (MAX 6' OF EXPOSED WALL)		
LANDSCAPING TO LESSEN IMPACT OF STRUCTURE:		
FRONT, REAR AND SIDE SETBACKS:		
VOLUME OF DWELLING SHOWN		
COMPLIANCE WITH CITY SETBACK REQUIREMENTS		
COMPLIANCE WITH SOILS REPORT REQUIREMENTS		
ACCESS ROADS:		
BUILDING MATERIALS:		
EXTERIOR WALL TREATMENT:		
STUCCO PLASTER: (SMOOTH STEEL TROWEL FINISH - PAINTED)		
COMMENTS:		
WOOD SIDING: (ONLY WITH APPROVAL OF ARCHITECTURAL COMMITTEE)		
MASONRY		
STONE:		
PROHIBITED MATERIALS: (Metal Siding, vinyl siding, unfinished wood, asphalt products, exposed unfinished concrete)		
WINDOWS AND DOORS	Appropriate to style of home. Quality Wood preferred, quality steel, aluminium or bronze as appropriate for architecture with approval from PBA. Glazing per design guidelines	
ROOF	(Hip or Gable - Mansard prohibited)	
SKYLIGHTS		
MECHANICAL EQUIPMENT		
CHIMNEYS		
GUTTERS AND DOWNSPOUTS	(concealed or architectural feature - painted to match building if not copper)	
ORNAMENTAL IRON	(Treated to prevent rust)	
GARAGES	(Wood garage doors - not metal)	
MECHANICAL EQUIPMENT		
AIR CONDITIONING	(Sound attenuation walls - high efficiency equip)	
ANTENNAS	(TV/ citizen band prohibited)	
AWNINGS	(Canvas - harmonious with exterior color - no metal)	
EXTERIOR LIGHTING	(indirect & shielded to prevent glare)	
SUNDECKS	(Roof decks not allowed)	
UTILITY METERS	(Shall not be visible from street)	
TRASH CONTAINERS	(Screened from view from street and neighbors)	

APPENDIX H

PEPPERTREE BEND ASSOCIATION

NOTICE OF COMPLETION

Date: _____

Property Address: _____

Owner's Name: _____ Signature: _____

Mailing Address: _____

Home Phone: _____ Business Phone: _____

- Completed Per Approval:**
I hereby notify the Architectural Committee that the above referenced improvement was completed on the above date in conformance with the plans and specifications approved by the Architectural Control Committee.
- Not Completed Per Approval:**
I hereby notify the Architectural Committee that the above referenced improvement was not completed in conformance with the plans and specifications approved by the Architectural Control Committee.

Explanation: _____

Type of Work (check one or more):

<u>ARCHITECTURAL</u>	<u>LANDSCAPE/HARDSCAPE</u>	<u>EQUIPMENT</u>
<input type="checkbox"/> NEW HOUSE	<input type="checkbox"/> DRAINS	<input type="checkbox"/> AIR CONDITIONER
<input type="checkbox"/> NEW GARAGE	<input type="checkbox"/> FENCE(S)/WALL(S)	<input type="checkbox"/> BASKETBALL BACKBOARD
<input type="checkbox"/> ROOM ADDITION	<input type="checkbox"/> FRONT	<input type="checkbox"/> PLAYHOUSE
<input type="checkbox"/> AWNING(S)	<input type="checkbox"/> SIDE	<input type="checkbox"/> POOL & EQUIPMENT
<input type="checkbox"/> GAZEBO(S)	<input type="checkbox"/> REAR	<input type="checkbox"/> SPA & EQUIPMENT
<input type="checkbox"/> GREEN HOUSE	<input type="checkbox"/> RETAINING	<input type="checkbox"/> SOLAR PANELS
<input type="checkbox"/> PATIO COVER(S)	<input type="checkbox"/> RELOCATION	<input type="checkbox"/> PLAYGROUND EQUIPMENT
<input type="checkbox"/> PAINTING	<input type="checkbox"/> HARDSCAPE	<input type="checkbox"/> ANTENNA/SAT.DISH
<input type="checkbox"/> RAIN GUTTER(S)	<input type="checkbox"/> LANDSCAPE	
<input type="checkbox"/> DOWNSPOUT(S)	<input type="checkbox"/> FRONT	<input type="checkbox"/> OTHER _____
<input type="checkbox"/> SCREEN DOOR(S)	<input type="checkbox"/> REAR	_____
	<input type="checkbox"/> SIDE	_____

PLEASE ENCLOSE PHOTOGRAPHS OF THE COMPLETED IMPROVEMENTS.

(DO NOT WRITE BELOW THIS LINE)

Inspected by: _____ Date: _____

The Architectural Committee reviewed the improvements and recommends the following Disposition:

APPROVED: Final review is complete and the Owner is in general conformance with the approved plans and noted changes are acceptable.

DISAPPROVED: Owner is **not** in reasonable conformance with the approved plans. Owner shall complete/modify/remove the items noted below. After all items have been corrected, resubmit for final review.

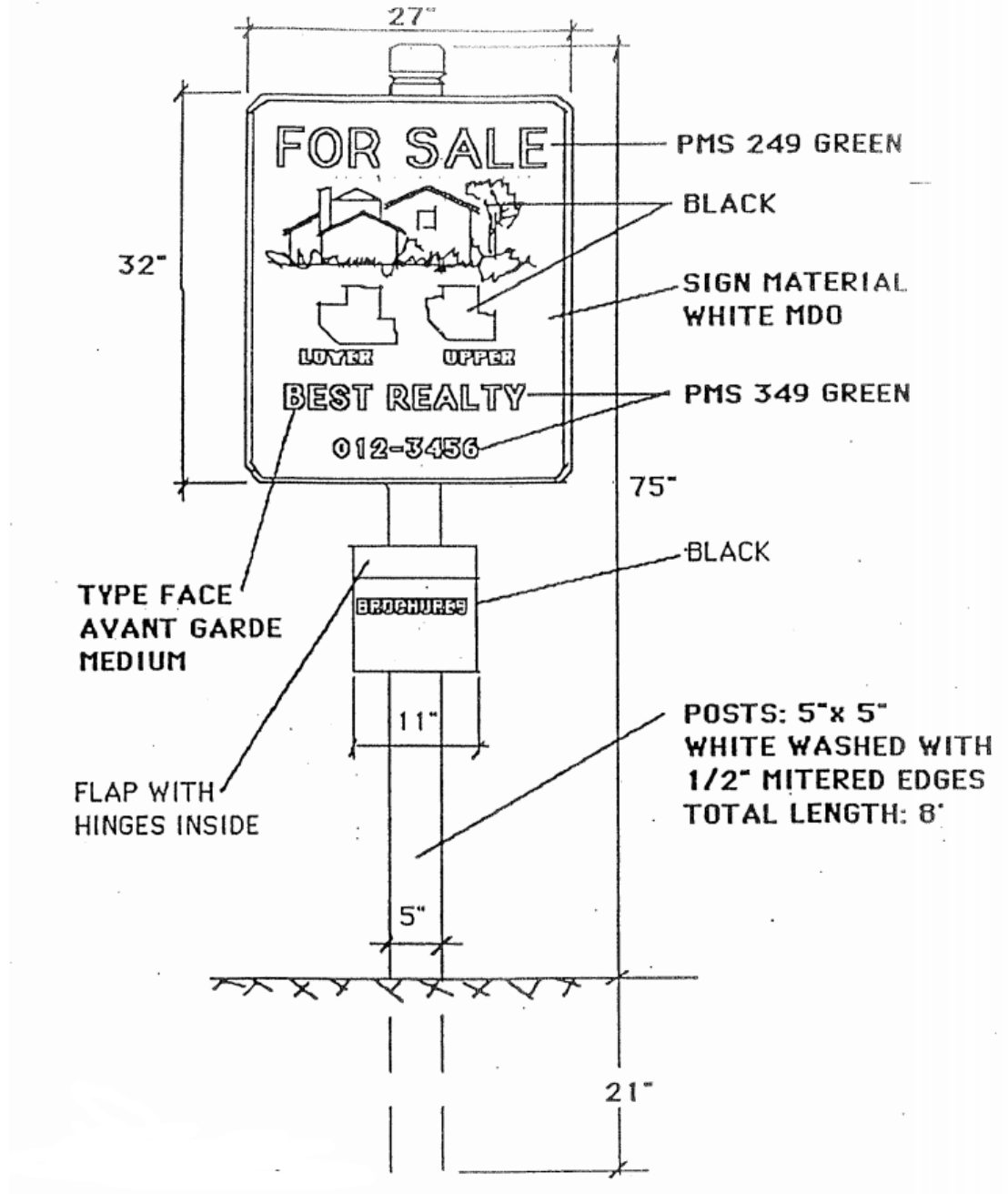
Comments: _____

Peppertree Bend Architectural Committee

Signature

Date

**APPENDIX I
PEPPERTREE BEND ASSOCIATION
SIGNAGE**



RESIDENCE OR LOT "FOR SALE" SIGN EXAMPLE