

Marina Hills Planned Community Association

Architectural Guidelines & Standards

Questions Regarding the Content of These Guidelines  
Should be Directed to:

KEYSTONE PACIFIC PROPERTY MANAGEMENT, INC.  
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IRVINE, CA 92606  
(949) 833-2600

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MARINA HILLS PLANNED COMMUNITY ASSOCIATION

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**Purposes and Policies:**

The Architectural Review Committee (hereinafter collectively referred to as “ARC”) shall approve plans and specifications submitted for its approval only if it deems that the construction, alterations, or additions contemplated in the locations indicated will not be detrimental to the appearance of the surrounding area of the Properties as a whole, will not unreasonably restrict or impair an Owner’s use of his property, as determined solely by the ARC, or will not unreasonably interfere with an Owner’s privacy, as determined solely by the ARC, that the appearance of any structure affected will be in harmony with the surrounding structures, that the construction will not detract from the beauty, wholesomeness or attractiveness of the Association Maintenance Areas or the enjoyment by the Members, and that the upkeep and maintenance will not become a burden on the Association.

Any change not specifically addressed or outlined in these Guidelines will become a matter of reasonable discretion on the part of the ARC. In the event of a conflict between this document and the Covenants, Conditions and Restrictions (CC&R’s), the CC&R’s shall prevail.

**Committee Role:**

The ARC shall consider and act upon any and all plans and specifications submitted for its approval under this Master Declaration and perform such other duties as from time to time shall be assigned to it by the Board, including the inspection of construction in progress to assure its conformance with the plans approved by the ARC.

All exterior alterations, additions or changes to any structure or to the landscape of any Lot, must be submitted to the Marina Hills ARC for approval **prior** to any installation or commencement of construction. If you are a member of a sub-association, proposed improvements must be submitted to and approved by the Architectural Review Committee of the sub-association before the Marina Hills ARC can review them. The above mentioned changes include, but are not limited to, walls, arbors, decks, gazebos, fences, pools, spas, landscaping, room additions, etc.

Work commenced prior to receiving architectural plan approval is subject to removal at the cost of the homeowner if subsequently deemed unacceptable to the ARC.

If landscape or any Improvements (hereinafter collectively referred to as “Improvements”) have been constructed or installed in a manner which deviates from the plans that were approved, the ARC may make recommendations for changes. If those changes are not complete within forty-five (45) days the matter will be turned over to the Board of Directors to take appropriate remedial action in accordance with the CC&R’s.

In the event a proposed plan is rejected, the applicant may request that the Committee reconsider its position and is encouraged to present new or additional information which might clarify the request or demonstrate its acceptability. A final appeal may be made to the Board of Directors of the Marina Hills Master Planned Community Association (the “Master Association”).

**Submittal Requirements:**

**For All Proposed Modifications, with the exception of paint color changes:**

1. A refundable deposit of \$100.00 by check payable to Marina Hills.
2. (3) Completed home improvement applications (Major or Minor Application Form)
3. (3) Complete sets of plans including complete dimensions of proposed improvements, measurements of improvements in relation to the home, lot lines, description of materials, color scheme and elevation plans.

**Pre-Approved Paint Color Changes - \* Note: Attached homes must be painted the same color. Homeowners are not permitted to paint their homes using custom colors and must pick a pre-approved paint color scheme.**

1. (1) Completed pre-approved painting application identifying the number of the pre-approved color scheme.

**Submission of Pre-Approved Painting Application:**

Marina Hills Planned Community Association (Pre-Approved Painting Application)

C/O: Keystone Pacific Property Management, Inc.  
16845 Von Karman, Suite 200  
Irvine, CA 92606  
(949) 833-2600 - Office  
(949) 833-0919 – Fax

**Home Improvement Plan/Pre-Approved Painting Application Review:**

The Covenants, Conditions and Restrictions (CC&R's) require the Architectural Review Committee to respond to all written requests within forty-five (45) days of their receipt. Pre-Approved paint applications are typically responded to within seven (7) business days. Reviews at Marina Hills are handled either as a "Major" category improvement or a "Minor" category improvement, depending on the scope and scale of work. Refer to the application forms to determine which application is best suited to the work proposed.

**Submittal To The City/County:**

Upon obtaining the written approval from each respective ARC, the Owner shall thereafter submit plans and specifications to the City/County if the proposed improvements require the issuance of a building permit or other City/County approval.

**Timeframe to Complete Improvements:**

Once plans have been approved, an Owner has six (6) months to complete the approved improvements, unless landscaping or paint color change is involved, then the following timeframes apply:

90 days to complete front yard/back yard landscape

45 days to complete paint color change

**Notice of Completion:**

After completing construction, a “Notice of Completion Form” (hereinafter collectively referred to as “NOC”) must be submitted to the Architectural Review Committee at the Clubhouse. The refundable deposit will be returned to the homeowner once the homeowner has submitted their Notice of Completion Form and it has been approved by the Architectural Committee.

Upon the ARC’s receipt of the NOC form, the Committee shall have sixty (60) days to inspect those improvements completed upon the Owner’s lot and shall notify the Owner in writing of failure to comply within the above timeframe, specifying the particulars of noncompliance, if any. If the ARC fails to notify the Owner of any noncompliance with previously submitted and approved plans within sixty (60) days after receipt of the NOC form, the Improvements shall be deemed to be in accordance with the approved plans. If the ARC advises an Owner of noncompliance, the Owner shall remedy such noncompliance or remove the same within a period of not more than forty-five (45) days from the date that notice of the Architectural Review Committee is given to the Owner.

**Plans Submitted with Home Improvement Application Should Include:**

1. Plot Plan:
  - a. Show lot lines accurately as to length, angles, and amount of curve. Show all existing and proposed buildings, structures, fences, walls, sidewalks and other improvements; indicate all required setbacks, easements, and top or toe of slopes.

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- b. Show all dimensions on work to be considered, distances between existing and proposed work and distances between proposed work and property lines, setback lines and slopes.
2. Landscape Plan: (May be included as part of Plot Plan)
    - a. Include proposed walkways and other hardscape, planting areas and plant names, decks, fences and walls, stairs, trellises, arbors, gazebos, pools, spas, ponds, fountains, ornamental rocks, barbecues, play equipment, apparatus and yard lighting.
    - b. For proposed fences and walls, drawings shall note materials, colors and heights. Heights shall be noted in relation to the immediate ground elevations.
  3. Exterior Elevations:
    - a. Provide exterior elevations of all proposed structures including trellises, gazebos, and shade structures. When a proposed improvement is attached to the existing home, show the existing elevation in relation to the proposed improvement.
    - b. Note all finish materials, colors and textures of proposed work. Note if proposed finishes and materials are to match existing finishes and materials.
    - c. If the proposed finish materials or colors are to be different than those of the existing structure, a color and material board must be included clearly depicting the materials and/or color that are to differ.

### **General Guidelines:**

#### **1. Streets and Walkways:**

No construction debris or materials such as sand or bricks may be permitted to remain on the streets or walkways. All items of such nature must be stored on the owner's lot. In the event that any materials are delivered and deposited on the streets or common areas, the owner will be held responsible for the costs involved in cleaning and/or restoring the common areas, streets and walkways. The Committee reserves the right to clean the streets and bill the responsible owner for costs.

#### **2. Patio Covers:**

Materials considered acceptable for patio covers include wood, wood look-alike vinyl, & aluminum. The structure must be consistent and complement the existing architectural features

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of the home. Covered patios, trellises or canopies shall not be closer to the property lines than would be permitted by the Uniform Building Code. Fiberglass, cloth, composition shingle or screens are not permitted.

### **3. Doors:**

All changes to doors exposed to view from the street, including but not limited to front doors, garage doors, and sliding glass doors, shall be submitted for approval.

### **4. Screen Doors:**

Hinged screen doors are **not** permitted on the front doors of any homes within the Marina Hills area, unless such front doors are fitted with “disappearing” roll-type screen panels. Screen doors for side and rear doors, if not visible from the street, will be permitted with approval from the ARC. It is up to the Owner’s discretion to choose a high quality type of door, providing it is not visible from the street. No “heavy security type” looking doors are to be used at all. However, decorative “bars” will be considered.

### **5. Signs:**

No sign, poster, billboard, advertising device or other display of any kind shall be displayed so as to be visible from outside the Properties. Contractors performing work on individual lots may not post their company’s sign upon the Owner’s lot. One sign of reasonable and customary dimensions (18” x 24”) may be displayed on or from any Improvements on any Lot advertising the sale or lease of the Lot, provided such sign shall not be attached to the exterior of any Improvements on any Lot or Condominium in a manner which requires fasteners embedded in any manner.

### **6. Window Coverings:**

Curtains, drapes, shutters or blinds may be installed as window covers. No window shall be covered with aluminum foil, sheets, newspapers or similar material not designed for an intended use as a window cover. No exterior surface of any window covering shall bear any design or any color other than white or beige, unless approved by the ARC.

### **7. Window Tinting:**

Window tinting requests will be considered by the ARC. However, mirror finishes will not be approved.

**8. Lighting:**

Exterior lighting must be low voltage (12v). Higher voltage lighting will be approved if it is not directed or if it is placed so that it does not create an annoyance to the neighbors as determined by the ARC.

**9. No Temporary Structures:**

No tent or shack or other temporary building, Improvements or structure shall be placed upon any portion of the Properties.

**10. Fences/Walls:**

No fence or wall shall be erected or altered except with the prior written consent of the ARC.

*Improvements Adjoining Rear Yard Perimeter Walls: Proposed improvements located within five (5) feet of the Rear Yard Perimeter Wall are restricted as follows*

- a. *Trees: All trees planted within 5-feet of the Rear Yard Perimeter Wall shall have a root barrier device installed adjacent to the Wall. Trees with invasive root systems will not be approved (Ficus, Coral, Willow, etc.). Trees must not overhang into adjacent property (either neighboring property or common area). Owner assumes all liability and responsibility for any root damage from trees planted in their yards (including but not limited to fencing, walls and structures, utility lines, drainage and to adjacent neighbor improvements).*
- b. *Shrubs, Ground Cover, and Vines: Plant Material consisting of shrubs, ground cover, and vines placed within five (5) feet of the Rear Yard Perimeter Wall is permitted as long as such plant material is placed in grade-level soil and irrigation is controlled through area drains or other devices to mitigate adverse effects on the Rear Yard Perimeter Wall.*
- c. *Vine Wires: Vine wires may be affixed only to the inside face of the Rear Yard Perimeter Wall. However, responsibility for spalling of plaster finishes, cracking, and possible maintenance/painting impediments due to vine coverage over time is that of the Homeowner.*
- d. *Elevated Planters: Soil levels may not be elevated directly against existing rear yard Perimeter walls. If raised soil level is proposed, a secondary waterproof retaining wall that is separate and unconnected from the Rear Yard Perimeter Wall must be provided. Sub-grade drainage devices shall be provided to mitigate adverse effects of irrigation onto the Rear Yard Perimeter Wall. In those areas where planters will be isolated by walks, walls, etc., provision should be made for the inclusion of drainage outlets; i.e., catch basins in each planter.*

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- e. *Pools, Spas, and Recessed Structures: Structures such as pools, spas, ponds, and other such features are not permitted within five (5) feet of the Rear Yard Perimeter Wall. Structures must not adversely affect the foundation of the Rear Yard Perimeter Wall.*
- f. *Non-Covered Pergola, Trellis, and Arbor Structures: Structures must be consistent and complement the existing architectural features. These structures cannot be placed any closer to property lines than would be permitted by the Uniform Building Code. In no case may such structures mechanically fasten, either permanently or temporarily, to the Rear Yard Perimeter Wall.*
- g. *Concrete Flatwork Improvements: Due to the shrinking/expanding character of the prevailing soils, concrete flatwork (walks, patio slabs, swimming pool decking, etc.) may crack (if not properly designed) to resist these soil forces. Concrete flatwork or other rigid improvements are not recommended near or within ten (10) feet of the top of slopes, as soils in this area tend to relax and may experience down slope creep over time. Special design by a soils and structural engineer may reduce the potential for distress to such improvements.*

### **11. Landscape Planting:**

- a. *No trees, bushes, shrubs or other plants which would exceed the permitted height of the Residence on any Lot shall be planted or installed until plans and specifications have been approved by the Architectural Committee. The plans must show the proposed locations, elevations and heights at maturity of said trees, bushes, shrubs or plants, including location, elevation and height in relation to other Lots. Architectural Committee approval will be denied if the Architectural Committee reasonably determines that the passage of light or air to any Lot would be unreasonably impeded or distracted by the location of any tree, bush, shrub or plant.*
- b. *The Architectural Committee shall have the right, but not the obligation, to require the Owner to remove, trim, top or prune any tree, bush, shrub or plant which in the reasonable belief of the Architectural Committee unreasonably impedes the passage of light or air of any Lot and to shape and thin trees for wind resiliency and appearance.*
- c. *All trees planted within 5-feet of hardscape (sidewalk, driveways, etc.) shall have a root barrier device installed adjacent to hardscape areas. Trees with invasive root systems will not be approved (Ficus, willow, etc.).*
- d. *Owner assumes all liability and responsibility for any root damage from trees planted in their yards (including but not limited to fencing, walls and structures, utility lines, drainage and to adjacent neighbor improvements).*

**12. Drainage:**

There shall be no interference with the established drainage pattern over any part of the Properties so as to affect any real property inside or outside the Properties. For the purpose hereof, "established" drainage is defined as the drainage which exists at the time the overall grading of any part of the Properties is completed by Declarant, which may include drainage from the Association Properties over any Lot or Association Maintenance Areas in the Properties.

**13. Rain gutters:**

Rain gutters will be considered provided they conform to the specifications of rain gutters previously installed. In the event the alteration affects the existing drainage pattern, the proposed drainage pattern must be submitted for approval. Rain gutters must be painted to match either the trim or stucco of the home or be of copper or highend material.

**14. Floor Coverings:**

All floor covering on patios, decks or balconies must be submitted to the Committee for approval.

**15. Painting:**

**All homeowners must submit for approval before painting.** A Pre-Approved Painting Application must be submitted with your choice of a pre-approved paint color scheme or two toned pre-approved paint color scheme. **Custom paint colors are not permitted.**

**16. Satellite Dish Policy:**

The following Guidelines have been adopted pursuant to Article V, Section 5.2 and Article IX, Section 9.2 of the Master Declaration of Covenants, Conditions and Restrictions and reservation of easements for Marina Hills Planned Community (the "Master Declaration").

Owners should take all steps necessary to obtain pre-approval prior to installation of any satellite dish antennae, otherwise they may be required to remove or relocate the equipment. It is the purpose of the Association to allow installation to the least visually intrusive location, while not increasing the cost or impairing the performance of the equipment to the owner.

- 1) Satellite dishes larger than thirty-nine (39) inches which are visible from streets or common area within the association are strictly prohibited.
- 2) A satellite dish thirty-nine (39) inches or less is permitted under the conditions contained herein.
- 3) Any satellite dish which is visible from any street or common area may have reasonable restrictions placed on the approval to protect common area which may be affected.

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- 4) A satellite dish, where it is visible from any street or common area, will be considered for approval providing the homeowner has made a reasonable attempt to screen the satellite dish, and providing this requirement does not significantly interfere with the performance or the cost of the antennae system. Methods of screening satellite dishes may include but are not limited to the following:
  - a. Masonry walls
  - b. Wood or lattice fencing elements
  - c. Plant materials
  - d. Install satellite dish within a special sky-light on roof made specifically for installing satellite dishes
  - e. Install satellite dish within the landscaping under a special hollowed-out rock made especially for satellite dishes.
  - f. Incorporate into architectural modifications
  
- 5) For an approval, homeowners need to submit the following:
  - a. The Architectural Committee Response Form, with the entire neighbor's awareness portion completed
  - b. A diagram, sketch or plan indicating proposed location
  - c. Photographs of proposed location
  - d. A written description, if applicable, of proposed location and method of screening from any street or common area
  - e. Installers written statement as described in Item 6 below
  - f. Agreement between Homeowner and Association as described in Item 8 below
  
- 6) All applications for installation of satellite dishes will be conditioned upon the owner confirming, to the satisfaction of the Architectural Committee, that the proposed location is least visually intrusive, while still providing acceptable reception. Applications will not be approved that request permission to install a satellite dish on the common area.
  
- 7) Future changes in the location of the satellite dish will require a re-submittal and approval of the previously described items.
  
- 8) An agreement between the Homeowner and Association will be executed, which stipulates the prevailing party shall be awarded reasonable attorney's fees for any action to enforce compliance with these regulations and restrictions.

**17. Non-liability for Approval:**

Neither the ARC, nor any member of the ARC, nor the ARC's duly authorized representative shall be liable to the Master Association or to any Owner for any loss, damage or injury arising out of or in any way connected with the performance of the ARC duties, hereunder, unless due to the willful misconduct or bad faith of the Architectural Committee. The ARC shall review and approve or disapprove all plans submitted to it for any proposed Improvement, alteration or addition, solely on the basis of aesthetic considerations and the overall benefit or detriment which would result to the immediate vicinity and the Properties generally. The Architectural Committee shall take into consideration the aesthetic aspects of the architectural designs, placement of buildings, landscaping, color schemes, exterior finishes and materials and similar features. The Architectural Committee's approval or disapproval is based solely on considerations set forth in Article IX. The ARC is not responsible for any plans or designs from the standpoint of structural safety or conformance with building or other codes.