



HOMEOWNERS' ASSOCIATION ARCHITECTURAL RULES



REVISED and RESTATED
Approved by the Board of Directors
XXX

Table of Contents	Page Number
SECTION (A) - INTRODUCTION	3
SECTION (B) – PROJECT PROCESS	3
SECTION (C) – RESIDENTIAL STANDARDS	5
C1. ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR (JADUs)	5
C2. ACCESSIBILITY MODIFICATIONS	6
C3. ADDITIONS AND REMODELS	6
C4. ADDRESS NUMBERS	6
C5. AIR CONDITIONING UNITS / EXTERIOR HEAT PUMPS	6
C6. ANIMAL ENCLOSURES	6
C7. ARBORS, AWNINGS, GAZEBOS, PERGOLAS, SUNSHADES, TRELLISES AND OTHER GARDEN STRUCTURES	6
C8. AUXILIARY POWER – BACKUP BATTERIES AND GENERATORS	6
C9. CATWALK ENCLOSURES	6
C10. DECK AND BALCONIES	6
C11. DECORATIVE EXTERIOR PLAQUES, ARTWORK, AND ENHANCEMENTS	6
C12. DOORS	6
C13. DRAINAGE	6
C14. DRIVEWAYS	6
C15. EXTERIOR LIGHT FIXTURES, LANDSCAPE LIGHTING, AND OTHER LIGHTING	6
C16. EXTERIOR STAIRCASES	6
C17. FENCES, GATES, AND GARDEN WALLS	6
C18. FOUNTAINS AND WATER FEATURES	6
C19. GARAGE DOORS	6
C20. GATES	6
C21. GENERATORS	6
C22. GRADING	6
C23. GUTTERS AND DOWNSPOUTS	6
C24. HOT TUBS AND POOLS	6
C25. INTERNET, MEDIA, ELECTRICAL AND OTHER CABLE CONNECTIONS	6
C26. IRRIGATION – ASSOCIATION MAINTAINED AREAS	6
C27. LANDSCAPE – ASSOCIATION MAINTAINED AREAS	6
C28. LANDSCAPE – OWNER MAINTAINED AREAS	6
C29. MAILBOX	6
C30. OUTDOOR FLAME DEVICES	6

C31. OUTDOOR TELEVISIONS AND SOUND EQUIPMENT	6
C32. OUTDOOR DRYING AND LAUNDERING	6
C33. PAINT COLORS – EXTERIOR	6
C34. PATIOS	6
C35. PLANTERS AND WINDOW BOXES	6
C36. RETAINING AND DECORATIVE GARDEN WALLS	6
C37. ROOF ATTACHMENTS.....	6
C38. ROOFS, ROOF VENTS AND FLASHINGS	6
C39. SATELLITE DISHES AND ATENNAS.....	6
C40. SHUTTERS	6
C41. SIDING REPAIR AND REPLACEMENT	6
C42. SKYLIGHTS AND SOLAR TUBES	6
C43. SOLAR PANELS	6
C44. SPORTS APPARATUS	6
C45. STORAGE OF PERSONAL GOODS, STORAGE SHEDS, OUTBUILDINGS AND WASTE BINS	6
C46. TREES	6
C47. VENTS – OTHER THAN ROOF VENTS	6
C48. WALKWAYS	6
C49. WINDOW REPLACEMENTS AND ADDITIONS	6
SECTION (D) – NON-COMPLIANCE OF ARCHITECTURAL RULES	3
EXHIBIT 1 – IMPROVEMENTS REQUIRING APPROVAL	3
EXHIBIT 2 – REQUIRED DOCUMENTATION FOR PROJECT APPROVAL	5
EXHIBIT 3 – OWNERS RESPONSIBILITIES FOR PROJECTS	3
EXHIBIT 4 – ARCHITECTURAL STANDARDS	5
EXHIBIT 5 – FENCING SETBACK GUIDELINES	3
EXHIBIT 6 – SATELLITE DISHES AND ATENNAS	5

SECTION (A) - INTRODUCTION

Moraga Country Club (MCC) is a residential community of 521 lots and related recreational facilities. The owners of lots within MCC are members of the Moraga Country Club Homeowners Association (Association) and are governed by legally binding documents: Articles of Incorporation; Covenants, Conditions and Restrictions (CCRs); Bylaws; Rules and Regulations; and Architectural Rules.

Moraga Country Club's CCRs recognize the role of the Architectural Committee in preserving property values through the Architectural Rules designed to maintain a well-kept, cohesive and harmonious neighborhood environment. Through the CCRs, the Architectural Committee is assigned the responsibility to regulate the aesthetics for the Association by establishing the criteria for style, materials and modifications using the highest standards to ensure the reasonable enjoyment of Owners and their property.

Failure to comply with the MCC Architectural Rules could result in fines being imposed by the Board and other enforcement efforts. See **Section D**.

The process of making any changes to the exterior of the home begins with contacting the Association office, who will determine if the alteration or improvement requires an Architectural Project Application.

SECTION (B) - PROJECT PROCESS

A "Project" is defined as any replacement, alteration or improvement to the exterior or landscaping of a home or lot that requires Architectural Committee approval. Owners are responsible for providing the Association with Town of Moraga (Town) and Contra Costa County building permits.

Application Process

Applications are subject to all architectural standards outlined in these Architectural Rules. The Architectural Committee's approval is limited to exterior architectural appearance only and is not subject to any liability for structural changes.

The following application process must be completed before any Project begins:

- Obtain a Project Application Packet from the Association office. Projects needing approval, see **EXHIBIT 1**.
- Submit completed Project Application Packet to the Association office. Applicant will be notified if additional information is needed. For Documents to include with the application, see **EXHIBIT 2**.
- Notification of Project will be sent to neighboring properties for comments.

- An onsite preview with the Architectural Committee will be conducted with Applicant and Architect and/or Contractor.
- Applicant will be notified of the Architectural Committee meeting where the Project is to be formally considered for approval.
- Applicant will be notified in writing of the Project's approval or disapproval in writing. Commencement of work must begin within 12 months of the Project approval after which the application must be resubmitted for approval.
- Project applications resulting from a Notice of Disrepair must comply with 60-day completion requirements, see **CCRs 10.5**.
- Obtain necessary permits.
- A damage deposit will be charged against the Owner's account upon Project approval.
- Project Approval signage will be posted upon the lot by the Association for the duration of the Project.

If the Project or any portion thereof is not approved by the Architectural Committee, the Owner may work with the Architectural Committee to modify the application. Alternatively, the Owner has the right to appeal the decision to the Association's Board of Directors by contacting the Association office (hoa@moragacc.com) within 30 days after the date of disapproval. Approval of prior like Projects within MCC does not obligate the Architectural Committee to approve similar subsequent submissions.

Owner's Responsibilities

- Obtain necessary permits and approvals from the Town and/or Contra Costa County, as required.
- Prior to commencement of construction, arrange a meeting at construction site with Owner, Contractor, and the Association to establish existing site conditions.
- Provide a copy of the Contractor's license.
- Comply with **EXHIBIT 3** - Contractor's Rules.
- Notify the Association of commencement and completion of Project.
- Notify the Association of any deterioration, dry rot, or damage to siding or exterior surfaces detected before or during construction.
- Provide the Association with a copy of the final, signed-off agency permit(s).
- Restore all utilities (drainage, water, irrigation, gas, electrical, and communications) and affected landscaping as needed.
- Complete construction within one year of commencement. Notify the Association immediately if the Project is expected to continue longer than one year. **See CCRs 11.11.**

Changes to an Approved Project

Any changes to approved Projects must be submitted to the Association for further Architectural Committee approval prior to commencement of additional work.

Project Completion

A Project is deemed Complete when all of the following has occurred:

- The Town and/or Contra Costa County signed building permits are submitted to the Association.
- A final inspection by the Architectural Committee is conducted to determine if all workmanship is satisfactory, no damage has occurred to Common or Maintained Areas, the Project complies with the approved plans, and Owner's Responsibilities have been met.

If the Project is deemed not complete by the Architectural Committee, the Applicant is given 30 days to comply.

Damage Deposits will be refunded to the Applicant's account once the Project is deemed completed and no damage has been determined. The cost of repairing any damage incurred by the Association for the Project will be deducted from the Applicant's deposit.

SECTION (C) - RESIDENTIAL STANDARDS

Exterior improvements must follow Town, building and fire code requirements. Additionally, improvements must be consistent with the character, style, and scale of both the existing home and lot and the MCC community. If a Project includes changing the existing style of the Applicant's home, then the Project must address all exterior features of the design elements to be consistent. For example, if modern elements are introduced, all design features should be modern.

C1. Accessory Dwelling Units (ADUs) and Junior (JADUs)

The Association can "reasonably regulate" ADUs and JADUs. In all instances, materials, finishes, location of entrance and parking pads and essential elements of style may be regulated to the greatest extent permitted by law. Designs, locations, and other features should blend with the surrounding homes, not be out of scale in mass or form, respect established setbacks and must comply with Town and Contra Costa County building requirements.

C2. Accessibility Modifications

All exterior accessibility modifications must meet Town building and setback requirements and should blend with existing home finishes. The Association will make reasonable accommodation of the architectural standards in all applications for exterior accessibility modifications.

C3. Additions and Remodels

All additions and remodels begin with contacting the Association for general guidelines and requirements.

C4. Address Numbers

Only one set of address numbers may be displayed on the exterior of the home and must conform to Moraga Orinda Fire Department standards for identification purposes. Extremely decorative or numbers larger than eight inches will not be approved.

C5. Air Conditioning Units / Exterior Heat Pumps

Air Conditioning units or heat pumps should be installed on the existing pad. No equipment shall be installed onto the siding or windows. Exterior heat pumps and air conditioning units must comply with the Architectural Committee standards that minimize the view from streets, neighboring properties, golf course and Common Area spaces. Noise impact to neighbors will be taken into consideration.

C6. Animal Enclosures

Enclosures for confining pets cannot be visible from adjacent lots, Common Areas, or Recreation Areas.

C7. Arbors, Awnings, Gazebos, Pergolas, Sunshades, Trellises and Other Garden Structures

Arbors, awnings, gazebos, pergolas, sunshades, trellises and other garden structures must match and be consistent with the style and color of the home, including finishes. Due to the size limitations of many lots, all structures must be appropriate for the lot size and scale of the home. Town building, setback and fire code requirements must be followed. Impact on neighboring properties will be considered. Future maintenance, including staining, painting and/or repair of arbors or trellises, is the sole responsibility of the Owner.

C8. Auxiliary Power – Backup Batteries and Generators

All battery backup systems and generators must be installed to minimize the view from streets, neighboring properties and Common Areas. Every effort should be made to run conduit through the attic or crawl space. If exposed, conduits and pipes must be neatly attached to the home or eaves and painted to match the adjacent surface. Installation must be done by a licensed contractor in accordance with manufacturer's guidelines and all applicable Town building and setback requirements. Impact on neighboring properties will be considered.

- **Self-Contained Home Battery Systems:** Battery storage systems are allowed and strongly preferred over standby home generators.
- **Standby Home Generators:** Noise muffling covers, such as Zombie covers, are required.

- **Portable Generators:** Portable generators can be used for emergency use only and must follow the manufacturer's guidelines. The utmost care should be taken to prevent harm to yourself and others. Fumes and exhaust may not be so extensive as to be offensive to others.

C9. Catwalk Enclosures

When applying for an enclosure of the catwalk between the main home and bonus room above the garage, the Architectural Committee will consider the impact on neighboring properties to not interfere with their reasonable enjoyment.

C10. Decks and Balconies

Owners are responsible for maintenance and repair of decks and balconies. Town building, setback and fire code requirements for decks and balconies must be followed. This includes all new and replacement components of decks, railings, bracings, and balconies. Cross bracing is not permitted. All deck railings must match. Applicants must notify the Association immediately if siding or stucco damage is detected.

No exterior portion of a lot shall be used for the storage of building materials other than temporarily in connection with approved construction. Storage is not allowed under decks unless located behind approved screening. For approved deck railings, screening materials, and balcony standards, see **EXHIBIT 4**.

Project Application must include:

- Paint and/or stain finishes
- Railing materials, post brackets, and deck mounts
- Under deck screening materials & design
- Type of deck footings and supports
- Landscape changes under and around decks

C11. Decorative Exterior Plaques, Artwork, and Enhancements

Architectural Committee approval is on a case-by-case basis.

C12. Doors

Replacement or addition of exterior doors including front doors, sliding doors and garage doors must conform to the style and color of the home. Paint colors must be consistent with the approved color palette.

C13. Drainage

Drainage changes must tie into existing subterranean drainage infrastructure and are the responsibility of the Owner. Surface drainage is not allowed. Drainage changes resulting from grading changes, see **C22**.

C14. Driveways

Owner replacement of an existing driveway with new materials must conform to the style and color of the home. The use of gravel, decomposed granite, or other loose materials is not permitted. Installation of a sleeve or conduit for electrical or irrigation is required and must be located under the driveway running from one side to the other.

C15. Exterior Light Fixtures, Landscape Lighting and Other Lighting

Exterior lighting must follow Town statutes and avoid night glare, light trespass, and not exceed the needs for security and safety or detract from the aesthetics of the community. Additionally, exterior lighting must be:

- Consistent and conform to the style and finishes of the exterior of the home.
- Other than for safety, be off between the hours of 10:00 pm and 8:00 am.

C16. Exterior Staircases

Exterior staircases must meet building and for fire code requirements and setbacks. Design, materials and finishes should be consistent with the surrounding homes and not be out of scale in mass or form, and the location may not interfere with neighboring properties' reasonable right to enjoyment.

C17. Fences, Gates and Garden Walls

All fences, gates or garden walls, including replacements, must be approved by the Architectural Committee. Moving an existing fence or constructing a new fence, gate or garden wall must also be approved by the Architectural Committee and comply with Town building, setback and fire code requirements.. In most cases, the front fence may not extend beyond the façade of the garage.

The Architectural Committee will consider location, style, height, and neighbor impact of all new fence applications. If the Project includes using a material that has a finished and an unfinished side, the finished side of the fence must face out to the community. Fences can be left natural, stained a neutral shade, or stained the body color of the house. For approved fencing materials and styles, see **EXHIBIT 4**. Fence setbacks, heights and style requirements vary per location. For specific height and setback details, see **EXHIBIT 5**. Gates should align with the fence height and conform with the style of the home.

The following additional standards apply to applications for fence extensions into Maintained Area (see **CCRs 5.15**):

The Architectural Committee shall have the right to permit an Owner to construct or extend a fence into the Maintained Area on that Owner's Lot; provided, however, that the Committee shall withhold its consent to the Owner's application if the location, style, or height of the proposed fence, the amount of area proposed to be enclosed, or the configuration and/or orientation of the Owner's Lot are such that approving the

Owner's request will negatively impact open sightlines, limit the spaciousness of streetscapes, reduce the size of neighborhood grassy play areas, cause pathways or sidewalks to be closed in, restrict enjoyment of lagoons and water features, or increase the Association's maintenance burdens. The Committee may only grant such fence extensions for purposes the Committee deems to be appropriate and not inconsistent with the purposes and interests of the Association. Once a fence extension is approved and the fence is constructed, the area enclosed by the fence shall no longer be Maintained Area and shall be the responsibility of the Owner to maintain, repair or replace, at that Owner's sole cost and expense. The Owner, or any successor interest, shall be responsible to disclose this maintenance responsibility to any prospective purchaser of the Lot.

Fence relocations into the Maintained Area require an Association irrigation review. Any changes necessary to current Association irrigation will be at the Homeowners expense.

C18. Fountains and Water Features

Water features are allowed in private yard areas but must be self-contained and not create a noise nuisance for neighboring properties.

C19. Garage Doors

Standard sectional paneled garage doors are allowed. Door style must conform with the style of the home. Doors may have windows of rectangular shape horizontally across the top of the door, vertically down one side of the garage door, or full-view opaque glass door. Garage door windows must not be multi-paned or divided. Swing doors or tilt-up doors are not allowed. See **C33** for paint color requirements.

C20. Gates

Gate style must conform with both the fence and home style as well as fence height. The backyard and side gates must blend with the fence and be non-ornamental.

C21. Generators (See Auxiliary Power – C8)

C22. Grading

Changes from existing grades and/or drainage lines are the responsibility and liability of the Owner and may be subject to approval by governmental agencies. The Association may require expert approved grading plans where appropriate.

C23. Gutters and Downspouts

Gutters must be painted to match the trim or body color of the home.

Downspouts must be painted to match the body color of the home and be rectangular or square, metal, and connected to existing underground drainage.

C24. Hot Tubs and Pools

Hot tubs and pools must meet all Town building and setback requirements. Equipment, such as pumps, filters, and heaters must be screened from view. Noise and visual impact to neighbors or the golf course must be taken into consideration when locating the equipment.

C25. Internet, Media, Electrical and other Cable Connections

All wiring, including all loose cords, cables, or conduits must be tacked neatly at the foundation line, under the eaves or otherwise concealed and painted to match the color of the adjacent surfaces of the siding, trim, eaves, or roof.

C26. Irrigation – Association Maintained Areas

Any Owner-proposed changes to existing irrigation in Maintained Areas shall require an irrigation plan and must follow the Association's irrigation standards. Controllers must be installed in the Association Maintained Area. The cost of new irrigation is at the Owner's sole expense. The Association reserves the right to decline applications for changes to existing irrigation in Maintained Areas if doing so increases the scope or cost of the Association's ongoing maintenance obligations.

C27. Landscape - Association Maintained Areas

The Association's landscape standards include adherence to FireWise standards, vegetation that is drought tolerant, deer resistant, low maintenance and appropriately spaced. Applications for fruit trees, fire-prone, invasive species, and ornamental trees and shrubs requiring specialized pruning will be denied. The Association has the right to decline Owners' applications to make changes to existing landscape in Maintained Areas if doing so increases the scope or cost of the Association's ongoing maintenance obligations or does not meet Moraga Orinda Fire Protection District (MOFD) Fire Code. The Association's Plant Palette and Prohibited Fire Prone Species Lists are available on the MCC Website. See **EXHIBIT 4**.

C28. Landscape - Owner Maintained Areas

For Owner-Maintained Areas, any permanent landscape changes require Architectural Committee approval, including shrubs, trees, and hardscapes. Owners may select outside of the Association's Plant Palette but in all instances the MOFD Fire Code must be met. Fire-prone and invasive species are not allowed, and impact to neighboring Owners' right to enjoyment will be considered.

C29. Mailboxes

The Association provides and maintains USPS mailboxes. Owners may purchase a USPS-approved locked mailbox with Architectural Committee approval. Future maintenance is at the Owner's expense.

C30. Outdoor Flame Devices

Barbeques, firepits and outdoor cooking devices must be located where property, structures and vegetation are not endangered, and neighbors' enjoyment of their property is not impacted. Wood burning flaming devices are prohibited. No outdoor flame devices are allowed upon any Common Areas.

C31. Outdoor Televisions and Sound Equipment

Outdoor televisions must face away from the golf course or any neighbors' view or should be suitably screened. Care should be taken to avoid night glare and light trespass. Speakers and other sound equipment must not be carried to the surrounding area to disturb neighbors or golfers. Owners must follow Town of Moraga noise ordinances for restricted use between 10:00 pm and 8:00 am.

C32. Outdoor Drying and Laundering

Except to the extent permitted by law, no permanent outdoor clotheslines or other outdoor clothes washing, drying, or airing facilities shall be allowed on any lot. Temporary laundering must be screened and taken down after use.

C33. Exterior Paint Colors

The Association is responsible for painting homes within the MCC community. Color selections must be finalized 30 days prior to the paint schedule. If an Owner does not select paint colors in a timely manner, the Architectural Committee may make the selection for the Owner. Elastomeric paint applications are allowed upon request and at the Owner's expense. Architectural Committee paint approvals are subject to the following guidelines for all homes:

- Color selections shall be made from the approved paint palette.
- Body color selection must be compatible with the roof color.
- Stained doors are not refinished or re-stained by the Association.
- Garage doors must be painted one color and the body color of the home. If a darker trim and fascia color are selected for the home, it may be applied as the garage door color.
- Garage side doors and trim must be painted the body color of the home.

Exceptions must be approved by the Architectural Committee.

C34. Patios

Patio materials and colors should be consistent with the style of the home. Drainage and irrigation changes resulting from patio installation must be submitted to the Architectural Committee with plans and are at the sole expense of the Owner.

C35. Planters and Window Boxes

Planters must be free standing and consistent with the style and color of the home. Window Boxes are not allowed. Damage caused to siding or stucco due to any attachment is the sole responsibility of the Owner.

C36. Retaining and Decorative Garden Walls

Town building and setback requirements must be followed. All retaining wall materials must be consistent with the style and color of the home. Approved materials are shown on **EXHIBIT 4**.

C37. Roof Attachments

Other than skylights, solar tubes, solar panels and satellite dishes, no decorative enhancements such as weathervanes or cupolas are allowed on roofs.

C38. Roofs, Roof Vents, and Flashings

Roofs, roof vents, and flashings require Town, and Contra Costa County permits and meet fire code requirements.

- Roof vents and spark arrestors must be fire and ember resistant. Roofing materials must be compatible with the body color of the home.
- Sheet metal and other metal items such as vents, spark arrestors and flashing must be properly primed, and painted to match the color of the adjacent surfaces of the home, trim, eaves, or roof.
- When replacing tile roofs with composition shingles, the fascia board must be altered to accommodate the new roof material to lay on top of the fascia.
- New wood or newly exposed wood must be properly primed and painted to match the color of the adjacent surfaces of the home, trim, eaves, or roof at Owner's expense.

C38.1 Attached Homes

Roof color and materials may be different but must be compatible with other homes.

C39. Satellite Dishes and Antennas

The Association may regulate the type, size and location of satellite dishes and antennas to the greatest extent permitted by law. See **EXHIBIT 6**.

The following general guidelines will be applied:

- Satellite location must be installed with the least visible impact from any neighboring homes, golf course or Common Areas.
- All loose cords, cables or wires must be tacked neatly to the home or eaves and painted to match the color of the adjacent surfaces of the home, trim, eaves, or roof.

C40. Shutters

Decorative shutters are not permitted.

C41. Siding Repair or Replacement

The Association maintains all siding; wood and stucco. Damage to siding due to alterations or lack of Owner maintenance is the sole responsibility of the Owner.

C42. Skylights and Solar Tubes

New or replacement skylights and solar tubes must have a flat surface, and flashing must blend with the color of the roof.

C43. Solar Panels

Installation must be by a California-licensed professional and follow all permitting requirements of the Town and/or Contra Costa County. The entire installation must follow the manufacturer's warranted guidelines. Black-on-black solar panels and matching frames are preferred. Location of solar system components such as inverters, conduits, and batteries must be installed to minimize the visual impact from any neighbors, golf course or walkway. If possible, equipment should be installed in the garage and conduit run through attic or in crawl space. All exposed conduits and pipes must be tacked neatly and tightly to the home or eaves. In addition, they must be painted to match the color of the adjacent surfaces of the home, trim, eaves, or roof. Tree or vegetation removal on the Owner's lot necessary for solar system installation or operation requires additional review and removals at the cost of the Owner. Solar panel installations on lots adjacent to the golf course are at the risk of the Owner should damage occur from the play of golf.

No portion of the panels that are tilted above the roof plane should exceed one foot in height. All panel arrays must be fixed and not motorized. See **C8 Auxiliary Power – Backup Batteries and Generators**.

C.44 Sports Apparatus

No basketball standards (including so-called portable basketball standards) or fixed sports apparatus shall be upon or attached to any Lot or garage or on Common Area except as installed and maintained by the Association. **CCRs 4.11**

C45. Storage of Personal Goods, Storage Sheds, Outbuildings and Waste Bins

Storage of personal goods, storage sheds, outbuildings and waste bins shall not be visible from any street or other properties within MCCHOA.

C46. Trees

All tree removals, severe tree alterations, or new installations both in Association Maintained Areas and Owner Maintained Areas, including private backyards, must be reviewed and approved by the Architectural Committee and, if required, by the Town. The new tree installation must meet Fire Code and not impact the neighboring Owners' right to

enjoyment. Fruit trees and ornamental trees requiring specialized pruning are not permitted in Association Maintained Areas. (CCRs 4.17)

C47. Vents - Other Than Roof Vents

All new and replacement vents must be fire and ember resistant and meet the Town and/or Contra Costa County ordinances. In addition, they must be painted to match the color of the adjacent surfaces of the home, trim, eaves, or roof. See C38 Roof Vents.

C48. Walkways

New or replacement walkways installed by the Owner must conform to the style and other elements of the home and the maintenance becomes the sole responsibility of the Owner. Gravel, decomposed granite, or other loose materials are not acceptable for front entrance walkways.

C49. Window Replacements and Additions

New and replacement windows must conform to the style of the home and match existing windows. When adding or relocating windows, the impact on neighboring properties will be considered. Retrofit windows are not permitted.

SECTION (D) – NON-COMPLIANCE OF ARCHITECTURAL RULES

D1. Unapproved Changes to a Lot, Exterior Surfaces, Exterior Structure, or Failure to Comply with Approved Plans

Changes to the exterior or landscaping of a home or lot that requires Architectural Committee approval or changes to the approved project without prior written approval from the Architectural Committee may result in fines or other actions. See Rules and Regulations Schedule of Fines (**Section R1**).

D2. Quality of Workmanship

The quality of workmanship is determined by the Architectural Committee. See Rules and Regulations Schedule of Fines (**Section R3**).

D3. Failure to Complete Project

Failure to complete construction within one year of commencement. See Rules and Regulations Schedule of Fines (**Section R5**).

D4. Owner's Responsibility for Contractor's Rules and Conduct

Owners are responsible for their Contractor's compliance with the Contractor's Rules and Conduct. The Association reserves the right to seek immediate action, at the Owner's expense, without recourse to First and Second Notices, in the event of noncompliance. See Rules and Regulations Schedule of Fines (**Section R2**).

D5. Architectural Miscellaneous Rule Violation

See Rules and Regulations Schedule of Fines (**Section R4**).

D6. Failure to Maintain Property or State of Disrepair Upon the Lot

See Rules and Regulations Schedule of Fines for failure to maintain property. **CCR 10.5. (Section R6)**.

EXHIBIT (1) - IMPROVEMENTS REQUIRING APPROVAL

Please contact the Association office regarding any plans involving construction even if your improvement is in the Owner-Maintained Area. The plans may or may not require Architectural Committee approval, but the Association should be informed of the anticipated work.

Home or lot improvements requiring approval may include, but are not limited to the following list:

Additions	Fire Pits and Barbecues	Play Structures
Address Numbers	Fountains & Water Features	Remodels
Air Conditioning Units	Garage Doors	Retaining Walls
Arbors, Trellises, Sunshades	Garden Windows	Roofs
Awnings	Gazebos, Garden Structures	Roof Vents and Flashing
Balconies and Railings	Gates	Satellite Dishes
Catwalk Enclosure	Grading	Shutters
Decks	Gutters	Siding Replacement
Exterior Plaques	Handicap Access Ramps	Skylights and Solar Tubes
Exterior Doors	Handrails	Sports Apparatus
Downspouts and Decorative Roofline Trim	Hot Tubs, Spas, Pools	Solar Panels, Batteries and Energy Systems
Drainage Changes	Landscape Figurines, Garden Enhancements	Storage Sheds and Waste Container Enclosures
Driveways	Landscape Changes (Maintained Area)	Media Connections
Entryway Changes	Landscape Changes (Private Area)	Tree Planting, Removals, Severe Pruning
Exterior Elevators or Lifts	Mailboxes	Walkways and Hardscapes
Exterior Stairs	Paint Color Changes	Exterior Walls
Fences	Patios	Windows

EXHIBIT (2) - REQUIRED DOCUMENTATION FOR PROJECT APPROVAL

Project application packets are available at the Association office or on the MCC website. In addition to the application, the following documents are required.

Fence Replacements or New Installation Projects

- Copy of installer's contract including a diagram, photograph of proposed style, materials specifications and dimensions of steps and posts.

Landscape Projects

- Copy of landscape plan and / or contract including hardscape, irrigation and plant schedule.
- For plant replacements, a list of plant species, quantities, and locations.

Addition and Remodel Projects

- Architectural plans to show existing and proposed exterior changes, with elevations and site plan of neighboring lots.
- Manufacturer product data/specification sheet for all exterior materials and finishes being proposed.

Roof Replacement and Garage Door Replacement

- Copy of installer's contract.
- Manufacturer product data/specification sheet including color.

Solar Panel Installation

- Copy of installer's contract to include license, location of panels, equipment, and conduits.
- Manufacturer product data/specification sheet including color.

Window and Door Replacements or New Installation

- Copy of installer's contract to include a diagram showing location of window / door and verification that windows / doors are not retrofit.
- Manufacturer product data/specification sheet on proposed window/sliding door.

All Other Projects

- Copy of installer's contract.
- Manufacturer product data/specification sheet.

EXHIBIT (3) - OWNERS RESPONSIBILITIES FOR PROJECTS

Owners are responsible for contractor and service provider conduct.

- Hours of Construction are Monday through Saturday—8:00 am to 5:00 pm. No construction on Holidays.
- Use of alcohol and drugs is prohibited. Smokers must oblige when asked to extinguish a cigarette or vaping device and dispose and remove smoking or vaping products from the job site.
- Shouting and loud music audible to other lot or beyond is prohibited.
- No contractor or crew is permitted to occupy the home or lot overnight. No vehicles, equipment, or materials may impede local traffic or pedestrian walkways. All vehicles must adhere to posted speed limits and parking restrictions.
- All contractors and crew must display professional decorum. Vulgar or profane language or boisterous conduct is prohibited.
- Construction fencing may be required and must be removed within 7 days of project completion.
- Chemical toilets must be placed with the access door opening away from public view. Screening is recommended. Chemical toilets may not be placed on any public or private street. Remove the chemical toilet within 7 days of project completion.
- Contractors are required to keep their job sites neat and clean. Construction refuse including pre-existing and discarded materials shall be disposed of daily into appropriate waste container. All debris and containers must be removed within 7 days of project completion.
- Washing of any equipment or materials is not allowed to enter storm drains. Special wash-out stations are required. The ground shall be wetted to control dust.
- Mud, debris, spillage or damage from deliveries or construction occurring on Association grounds shall be cleaned or repaired daily. Any additional clean-up or repair to Association property will be the sole responsibility of the Owner.

EXHIBIT (4) - ARCHITECTURAL STANDARDS

Examples of approved Deck and Balcony Railings, Screening Materials, Fences, Landscape Rock, Landscape Edging, Mulch and Retaining Walls are shown below.

DECK AND BALCONY RAILINGS

Horizontal Cable



Aluminum / Iron



Hog Wire



Wooden Rails



Glass



Glass



FENCING AND LATTICE STYLES

Board on Board Good Neighbor



Horizontal



Hog Wire - Black



Non-Decorative Wrought Iron



Square Lattice



Open Style Horizontal



GARAGE DOOR STYLES

Traditional Windowless



Traditional Window Across Top



Vertical Windows Down One Side



Full-View Opaque Glass



Coachman Single Windows Across Top



SCREENING MATERIALS

Horizontal Thin Slats



Square Lattice



Vertical Slats



Horizontal Slats



LANDSCAPE ROCK

Muted tones are preferred. White and Red Lava rocks will not be approved.



LANDSCAPE EDGING Black Metal



MULCH Black Mini-Bark



RETAINING WALLS

Moss Rock or Basalt Rock



Engineered Stone in Natural Tones



Wood



EXHIBIT (5) – FENCING SETBACK GUIDELINES

All fence installations require ARC approval for location, design, and materials.

Fence Location	Setback	Height Limits	Notes
Front Yard	Within 20' from curb	3 Feet	Fences taller than 3' require Town Zoning approval.
Side Yard	15' from curb	3 Feet	Fences taller than 3' require Town Zoning approval. Fences within setback allowed from 6' - 7.5' with Town Design Review Board approval.
Corner Lot - Front and Side Yards	20' from curb on Front Yard 15" from curb on Side Yard.	3 Feet	Front Fence - No taller than 3' within 20' setback. Side Fence - No taller than 3' within 15' setback. Fences within setback from 6' to 7'.6" require Town Design Review Board approval.
Lots - Facing Two Streets	20' from each curb	3 Feet	Fences taller than 3' require Town Zoning approval. Fences within setback allowed from 6' - 7.5' with Town Zoning and Design Review Board Approval
Common Driveway	20' from driveway	3 Feet	Fences taller than 3' require Town Zoning approval.
Between Lots - Side Yard	10 feet	6 Feet	Fences within setback 6' - 7.6' require Town Design Review Board approval
Golf Course Lots - Rear fence facing course	In line with neighboring fences	4 Feet	Open fencing required.
Golf Course Lots - Side fence	Lot line	6 Feet	Must step down to 4' at the course Must not impede neighbors' view of the golf course.

Illustration of Various Setbacks

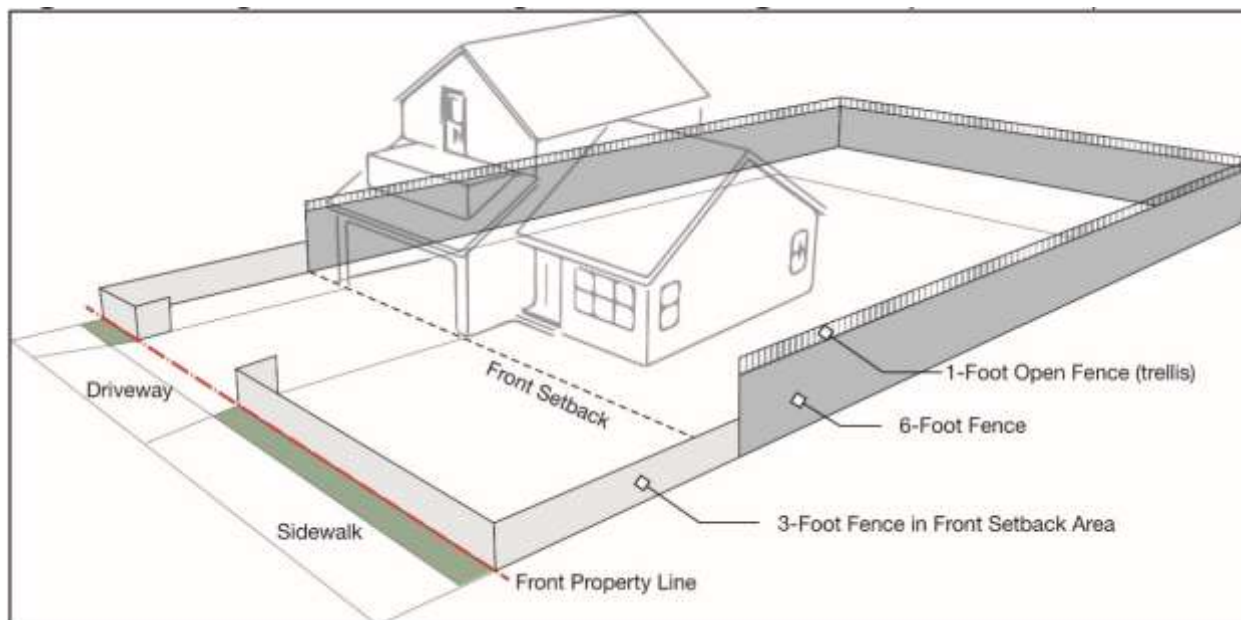


Illustration of approved stepped fence style.

Steps should take into account the slope of the terrain and be at regular intervals in height and length. Applications for new fences must include dimensions of the steps and posts.

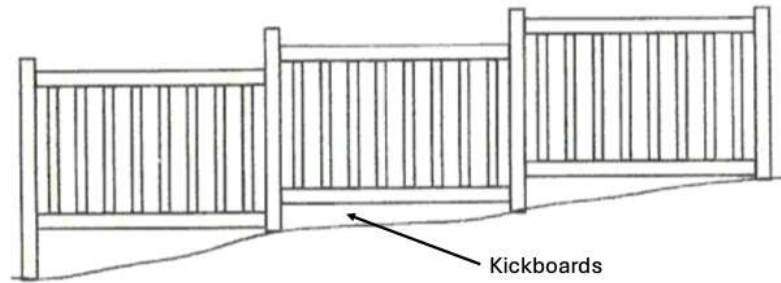


EXHIBIT (6) - SATELLITE DISHES AND ANTENNAS

The following policies for the installation and maintenance of satellite dishes and antennas within the Association are in conformance with Section 207 of the Federal Telecommunications Act of 1996 and the CCRs.

A. ANTENNA TYPE AND SIZE

For the purposes of these Rules, the term "antenna" includes any direct broadcast system (DBS) satellite dish, wireless cable antenna system Multipoint Distribution Service (MDS) or Multichannel Multipoint Distribution Service (MMDS) fixed wireless device (voice/data disk), television broadcast antenna system (TVBS), including any high-definition television (HDTV) antenna, and any component of or addition to such antenna, including, without limitation, poles, masts, brackets, cables, or wiring.

These Rules apply to DBS, MDS and MMDS antennas designed primarily for video reception and fixed wireless devices that are one meter or less in diameter or diagonal measurement, and to TVBS antennas sufficient in dimension to receive an acceptable quality signal in the local viewing area. Larger antennas, antennas used for purposes other than for video, voice and data signals, and ham radio antennas are not permitted.

B. NOTIFICATION

Within 14 days of the proposed antenna installation date, owners are asked to notify the Architectural Committee of their intent to install an antenna. Owners are encouraged to work with the Architectural Committee to determine the most suitable location for the antenna pursuant to these Rules.

C. INSTALLATION

Any antenna on a lot must be installed in the least obtrusive location possible that does not unreasonably delay the antenna's installation, unreasonably increase the cost of its installation, maintenance, or use, or unreasonably interfere with the user's ability to obtain an acceptable quality signal ("preferred location"). Depending on the configuration of a particular lot, the Association's preferred location might be ground mounting, behind chimney chases, in rear or side yards, or on the portions of roofs or building surfaces that face away from streets, Common Areas or neighboring lots.

If an acceptable quality signal can be received by placing the antenna inside a residence, without an unreasonable increase in delay or cost, then indoor installation is preferred. In the case of a fixed wireless device, if similar services of reasonably similar cost and speed are available over in-ground systems (e.g., Digital Subscriber Line or broadband services), then fixed wireless devices may be restricted or prohibited.

Any mast or pole extending more than 12 feet above the lot's roofline will require the prior written approval of the Architectural Committee and, if required by the Town, a use permit.

No mast or pole may be erected nearer to a lot line than the total height of the antenna above the roof. Masts or poles may not be located near power lines.

To the maximum extent reasonably possible, wiring or cabling shall be installed to be minimally visible and blend into the material to which it is mounted or placed. Where not unreasonable to do so, the antenna must be painted to blend into the background to which it is mounted or placed, and masts must be painted to match the antenna mounted on it.

The Architectural Committee may require Owner to install screens or landscaping, at the Owner's expense, that do not unreasonably delay the antenna's installation, unreasonably increase the cost of its installation, maintenance, or use, or unreasonably interfere with the user's receipt of an acceptable quality signal.

All antenna installations must be made in accordance with applicable building, fire, electrical and related codes. No antenna will be permitted that unreasonably interferes with the reception or transmission of video, voice, data, or radio signals on another lot or, if applicable, a Common Area.

Fixed wireless devices must be professionally installed and labeled in accordance with federal law. The installation or use of any fixed wireless device in a location or manner that exceeds federal health and safety standards is prohibited.

D. INSPECTION

The Architectural Committee may, following written notice, enter the Owner's lot to inspect the antenna to ensure that it was installed in the least obtrusive location and manner possible and in accordance with these Rules. If the Architectural Committee determines that the antenna could have been installed in a preferred location, the Architectural Committee may require the antenna be moved to that location or to change the manner of its installation at the owner's expense.

E. MAINTENANCE, REPAIR AND REMOVAL

Owner shall be responsible for the maintenance and repair of any antenna and for any damage that results from the installation, relocation, or removal of any antenna at the Owner's sole expense.

It shall be the Owner's responsibility to remove the antenna if, in the sole discretion of the ARC, the Owner fails to maintain the antenna to the minimum architectural standards in effect for MCC, if the antenna creates a safety hazard, or if for any reason the Association must maintain, repair, or replace the area where the antenna is installed. The cost of removing and, if applicable, replacing the antenna will be the responsibility of the Owner. The Owner must permanently remove any prohibited antenna.