



LA COSTA OAKS  
COMMUNITY  
ASSOCIATION

COMMUNITY DESIGN STANDARDS

**Version 2022.02**



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## Changes

#	Description	Approved	Effective
	Revised Community Design Standards	26APRIL2011	26APRIL2011
	Added Artificial Turf Policy	27MARCH2012	27MARCH2012
	Added Solar Policy	27SEPT2016	27SEPT2016
	Added Vinyl Fence to Acceptable Fence Materials	23JULY2021	23JULY2021
	Modified Vinyl Fence Acceptable Fence Materials	15FEBRUARY2022	15FEBRUARY2022
2022.01	Community Design Standards re-formatted.		
2022.02	Removal of metrics in Artificial Turf Policy 3.8.1	20DEC2022	20DEC2022



## Section 1 Overview

### 1.1 Objectives

- 1.1.1 These Community Design Standards (Design Standards) are a guide for the members of the La Costa Oaks Architectural Committee (AC) and the La Costa Oaks homeowners, who are members of the La Costa Oaks Community Association (Association). It is hoped that these Design Standards will increase homeowner awareness of the ways in which the integrity of the La Costa Oaks Community (La Costa Oaks) is preserved and the responsibilities the homeowners must assume in this process. The standards address exterior improvements for which homeowners most commonly submit applications and are not intended to be all-inclusive.
- 1.1.2 The specific objectives of these Design Standards are:
- (a) To provide uniform guidelines to be used by the AC in reviewing applications in conformance to the standards set forth in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs).
  - (b) To assist homeowners in preparing and completing an application for the AC to review.
  - (c) To increase homeowners' awareness and understanding of the CC&Rs, Bylaws, Articles of Incorporation and Community Guidelines.
  - (d) To maintain and improve the aesthetic integrity of La Costa Oaks.
  - (e) To illustrate basic design principles which will aid homeowners in developing exterior improvements that are in harmony with the immediate neighborhood and community as a whole.
- 1.1.3 The intent of these Design Standards is not to inhibit individuality and creativity, but to assure homeowners of continuity of design that will help preserve or improve the appearance, protect property values, and enhance the overall architectural environment of La Costa Oaks.
- 1.1.4 These Design Standards are directed only to exterior alteration, including landscaping improvements made by homeowners to their property.

### 1.2 Declaration of Covenants, Conditions, and Restrictions (CCRS)

- 1.2.1 Article 6 of the CC&Rs establishes the AC. The AC evaluates and approves or denies proposed exterior alterations and improvements for compliance with the standards set forth in the CC&Rs and these Design Standards. This involves the regular review of all applications for exterior alterations submitted by homeowners.
- 1.2.2 The CC&Rs are binding on all homeowners and every homeowner is encouraged to read the CC&Rs thoroughly for complete understanding of the responsibilities of the Association and its members. Every definition set forth in the CC&Rs shall have the same meaning in these Design Standards. Defined terms are capitalized within the text of this document.

### 1.3 Landscape Theme

The landscape theme plays a significant role in defining and supporting the La Costa Oaks character. This character is best exhibited through the use of plant materials that embody more naturalized riparian character reflecting an agrarian quality, but within an organized framework of landscape treatment to establish a cohesive community image and theme. La Costa Oaks is enveloped by large expanse of permanent open space set aside by the Habitat Conservation Plan/Ongoing Multi-Species Plan. The overall landscape philosophy is structured to complement the character of the adjacent open space. Layers of plantings shall be used to soften building masses and to integrate architectural forms. Hardscape elements shall reinforce and emphasize the architectural character of La Costa Oaks. In addition, the goal is to promote an overall consistency of design that will strengthen the character of the neighborhood and the community landscape concept.



## 1.4 Approved Plant Materials

- 1.4.1 Special conditions will apply for Habitat Preserve Adjacent Areas as well as Fire Suppression Zones. Please refer to additional Exhibits attached hereto. Some large trees also require a ten (10) foot set back from front, side, and rear yard property line. Example of trees that are required to be set back at least ten (10) feet from the property line are noted in BOLD CAPS below. Other than this and the other architectural requirements, there are no restrictions on Rear Yard landscape selections.
- 1.4.2 The following list of plants reflects the concepts and philosophy of La Costa Oaks and shall be used in the development of landscape plans for individual homeowners:

<b>TREES</b>	
<b>Botanical Name</b>	<b>Common Name</b>
Agonis fluosa	Peppermint Tree
Alnus rhombifolia	White Alder
Archontophoneix cunninghamiana	King Palm
Arbutus marina	NCN
Arbutus unedo	Strawberry Tree
Brachychiton spp.	Flame / Bottle Tree
Brahea armata	Mexican Blue Palm
Brutia capiata	Pindo Palm
Chamaerpos humilis	Mediterranean Fan Palm
Comarostaphylis diversifolia	Summer Holly
Cycas revoluta	Sago Palm
Dioon edule	Mexican Cycad
Eriobotrya deflexa	Bronze Loquat
Eucalyptus ficifolia	Red Flowering Gum
Feijoa sellowiana	Pineapple Gum
Jacaranda Acutifolia	JACARANDA
Jacaranda mimosifolia	Jacaranda
Juglans californica	SC Black Walnut
Juniperus chinensis spartan	Juniper
Koeleuteria paniculata	Goldenrain Tree
Lagerstoemia indica	Crape Myrtle
Laurus nobilis	Sweet Bay
Liquidambar styraciflua	American Sweet Gum
Magnolia grandiflora	Southern Magnolia
Melaluca quinquenervia	Cajeput Tree



**OLEA EROPA**

**PHOENIX CANARIENSIS**

- Phoenix reclinata
- Phoenix robelenii

**PINUS SPP.**

**PLANTANUS SPP.**

- Plumeria rubra
- Prodocarpus gracilior
- Populus

- Pyrus calleryana

**QUERCUS SPP.**

- Revenala madagascariensis
- Rhapis excelsa
- Rhus lancea

**SCHINUS MOLLE**

- Sophora japonica
- Syagrus romanzoffianum
- Trebuia species
- Tristania conferta
- Trachycarpus fortunei
- Ulnus parvifolia "True Green"
- Umbellularia californica
- Zelkova serrata

**OLIVE**

**CANARY ISLAND DATE PALM**

- Senegal Date Palm
- Pygmy Date Palm

**PINE TREES**

**SYCAMORE**

- No Common Name
- Fern Pine
- Poplar, Cottonwood, Aspen
- Flowering Pear

**OAK**

- Traveler's Palm
- Lady Palm
- African Sumac

**CALIFORNIA PEPPER**

- Japanese Pagoda Tree
- Queen Palm
- Trumpet Tree
- Brisbane Box
- Windmill Palm
- Chinese Elm
- California Laurel
- Sawleaf Zelkova

<b><u>SHRUBS</u></b>
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- |                             |                      |
|-----------------------------|----------------------|
| Acacia redolens "Prostrata" | Prostrate Acacia     |
| Adophia californica         | California Adophia   |
| Agapanthus spp.             | Lilly-of-the-Nile    |
| Agave spp.                  | Agave                |
| Ambrosia pumila             | San Diego Ambrosia   |
| Anigozanthos flavidus       | Kangaroo Paw         |
| Arctostaphylos spp.         | Manzanita            |
| Artemisia californica       | California Sagebrush |
| Artemisia palmeri           | San Diego Sagewort   |
| Atriplex canescens          | Fourwing Saltbush    |



Baccharis vanessae	Coyote Brush
Bergenia cordifolia	Encinitas Baccharis
Bougainvillea spp.	Heartleaf
Buxus microphylla japonica	NCN
Calliandra spp.	Boxwood
Camellia spp.	Flame Bush
Carissa spp.	Camellia
Ceanothus spp.	Natal Plum
Chrysanthemum maximum	Wild Lilac
Chrysanthemum maximum	Shasta Daisy
Citrus spp.	Rockrose
Cilvia miniata	Kaffir Lily
Conovoulus cneorum	Bush Morning Glory
Coprosma spp.	Mirror Plant
Cotoneaster spp.	Cotoneaster
Crassula argenta	Jade Plant
Dietes spp.	Fortnight Lily, African iris
Dudleya viscida	Sticky-leafed liveforever
Echeveria x imbicata	Hen and Chicks
Eleangnus Pungens	Silver Berry
Elymus	Lyme Grass
Encelia californica	California Encelia
Eriogonum spp.	Wild Buckwheat
Eriophyllum confertiflorum	Golden Yarrow
Escallonia spp.	No common name
Eschsholzia californica	California Poppy
Euphydras editha quino	Quino Checkerspot
Feijoa sellowiana	Pineapple Guava
Ferocactus viridescens	Coast Carrel Cactus
Fermontia mexicanum	Southern Flannel Bush
Harpagonella palmeri	Palmer's Grapplinghook
Hedera Helix "Hahnii"	Hahn's Ivy
Hemerocallis spp.	Day Lily
Heteromeles arbutifolia	Toyson



<i>Hypericum</i> spp.	St. Johns Wort
<i>Llex vomitoria</i>	Dwarf Yaupon
<i>Kniphofia uvaria</i>	Red-Hot Poker
<i>Lantana</i> spp.	Lantana
<i>Laurus nobilis</i>	Sweet bay
<i>Lavandula intermedia</i>	Lavendaer
<i>Lavatera assurgentiflora</i>	Tree Mallow
<i>Leonotis leonurus</i>	Lion's Tail
<i>Leucophyllum frutescens</i>	Texas Ranger
<i>Leptospermum laevigatum</i>	Australian Tea Tree
<i>Ligustrum japonicum texanum</i>	Texas Privet
<i>Ligustrum lucidum</i>	Glossy Privet
<i>Limonium perezii</i>	Sea Lavendar
<i>Liriope muscari</i>	Big Blue Lily Turf
<i>Lotus scoparius</i>	Deerweed
<i>Lupinus arboreus</i>	Lupine
<i>Lupinus succulents</i>	Blue Annual Lupine
<i>Lycaena hermes</i>	Hermes Copper
<i>Melaluca armillaris</i>	Drooping Melaluca
<i>Melaluca nesophila</i>	Pink Melaluca
<i>Mircolepia strigosa</i>	Lace Fern
<i>Mimulus</i>	Monkey Flower
<i>Miscanthus</i> spp.	No Common Name
<i>Muhlenbergia regens</i>	Deer Grass
<i>Muilla clevelandii</i>	San Diego Golder Star
<i>Myoporum pacificum</i>	No Common Name
<i>Myrtus communis Compacta</i>	Dwarf Myrtle
<i>Nephrolepis cordifolia</i>	Sword Fern
<i>Pennisetum setaceum cufreum</i>	Fountain Grass
<i>Phormium</i> spp.	Flax
<i>Pittosporum</i> spp.	Mock Orange
<i>Plantago insularis</i>	Plantain
<i>Prunus caroliniana</i> Bright and Tight	Carolina Laurel Cherry
<i>Quercus dumosa</i>	India Hawthron





Rhaphiolepis spp.	Coffee Berry
Rhamnus Californica	Lemonade Berry
Rhus integrifolia	Sumac
Rhus spp.	Carrant, Gooseberry
Ribes spp.	Matilija Poppy
Romeneya coulteri	Rose
Rosa spp.	Rosemary
Rosmarinus Officinalis	Munz's Sage
Salvia spp.	Sage
Sambucus Mexicana	Elderberry
Salaginella cinerascens	Ashy Spike-moss
Senicio mandraliscae	No Common Name
Sisyrinchium bellum	Blue-eyed Grass
Stipa pulchra	Purple Needle Grass
Teucrium fruticans	Bush Germander
Thynus spp.	Thyme
Viguiera laciniata	San Diego Viguiera
Vinca minor	Dwarf Periwinkle
Westringia fruticosa	No Common Name
Zamia furfuracea	Cardboard Palm
Zantedeschia aethiopica	Common Calla

#### VINES

Bougainvillea spp.	Bougainvillea
Distictis spp.	Trumpet Vine
Grewia occidentalis	Lavendar Star Flower
Rosa spp.	Rose
Parthenocissus tricuspidata	Boston Ivy
Podocarpus Gracilior	Fern Pine
Trachelospermum jasminoides	Star Jasmine
Witeria sinesis	Chinese Wisteria

#### GROUND COVER

Baccharis Piluaris "Twin Peaks"	Prostrate Coyote Brush
Delosperma alba	White Ice Plant



Dichondra occidentalis	Western Dichondra
Drosanthemum spp.	Ice Plant
Festuca 'Ovina Glauca'	Blue Fescue
Fragaria chiloensis	Ornamental Strawberry
Hedera spp.	Ivy
Melaphora croceum	Croceun Ivy Plant
Rosemarinus spp.	Prostrate Myoporum
Sedum spp.	Prostrate Myoporum
Vinca spp.	Sedum
Festucia	Periwinkle

\*Lawn and Turf areas can be planted with any appropriate species\*

<b>SUCCULENTS AND CACTUS ACCENTS</b>
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Aeonium species	No Common Name
Agave species	Agave
Aloe species	Aloe
Crassula argentea	Jade Plant
Crassula falcta	No Common Name
Dracena draco	Dragon Tree
Dracena marginata	No Common Name
Echeveria species	No Common Name
Euphorbia ingens	Candelabra Tree
Euphorbia "Jerry's Choice"	Dwarf Euphorbia
Kalanchoe thyrsiflora	No Common Name
Opuntia Species	Opunita
Portulacaria afra	Elephant's Food
Sedum Species	Stonecrop
Senecio mandraliscae	No Common Name
Yucca species	No Common Name

## 1.5 Architectural Committee Approval

1.5.1 Any change to the exterior appearance, which includes any architectural modifications, such as awnings, shutters and paint color changes, as well as any landscape improvement of one's property, must be approved by the AC prior to making the change. Further, once a plan is approved, any modification to the approved plan must be approved by the AC prior to installation.



- 1.5.2 It is important to understand that AC approval is not limited to major alterations such as installing a pool, adding a room or decks to a house, but also includes such items as changes in color and material, etc. Approval is also required when an existing item is to be removed.
- 1.5.3 Each application is reviewed on an individual basis. There are no "automatic" approvals, except as specified in these Design Guidelines. A homeowner who wishes to construct a deck, for example, identical to one that has already been approved by the AC, will be required to submit an application and may or may not receive AC approval.
- 1.5.4 In every case, an application must be submitted and reviewed to consider specific implications of location and impact on surroundings.
- 1.5.5 The AC evaluates on the individual merits of the application, the CC&Rs and these Design Standards. Besides evaluation of the particular design proposal, this includes the consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance, may not be acceptable for another.
  - (a) The proposed improvements must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color, and construction details.
- 1.5.6 The review or approval from the AC does not approve the means or method of construction, the installation and guarantee of such construction to the homeowner, nor compliance with any governmental code or ordinance. This is the sole responsibility of the homeowner and/or his contractor or landscape contractor.

## 1.6 Management Company

The management company (Management) for the La Costa Oaks Community Association is Keystone Pacific located at 7400 Circulo Sequoia, Carlsbad, CA 92009. Phone number (760) 943-6650.

## 1.7 Amendments

These Design Standards and procedures may be amended from time to time by the Board of Directors.

## 1.8 Maintenance

- 1.8.1 Property homeownership includes the responsibility of maintenance of all structures and grounds which are a part of your property. This includes, but is not limited to, items such as mowing of grass, removal of trash, structural maintenance, and painting. Maintenance affects the visual character and economic values of the community and the neighborhood, and in some cases, safety.

## 1.9 Disruption of Association Property

- 1.9.1 Association Property which is damaged or disrupted due to the installation or construction of an individual homeowner's improvement shall be restored to its original state by the Association's contractor at the homeowner's expense including, but not limited to, fines and potential legal action.
- 1.9.2 Written authorization must be granted by the Association prior to any entry or work in the Association Property and permanent or temporary alterations to fences and walls. In addition, written authorization must be granted prior to entry or work in private property, from the owner of said property.

## 1.10 City Permits & City Requirements

- 1.10.1 Approval by the AC for any improvement does not waive the necessity of obtaining required City permits. Obtaining City permits does not waive the need for AC approvals. All approvals must be obtained prior to construction.



- 1.10.2 Any improvement installed shall comply with City municipal codes/ordinances, including any setback requirements. Approval by the AC for any improvement does not waive the obligation of the Owner to comply with City requirements.
- 1.10.3 The Owner is solely responsible to determine what City requirements apply to the proposed improvement. The AC and the Board have no responsibility for determining what City requirements, including any municipal codes or ordinances, apply to the proposed improvement.

### 1.11 Architectural Committee Criteria

- 1.11.1 The AC evaluates all submissions on the individual merits of the application.
- (a) The proposed improvements must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting, Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color, and construction details.
  - (b) Each neighborhood has individual characteristics, and the proposed alteration should be a complement to existing structures and improvements.
  - (c) The AC has the right to decide what is acceptable and what is not acceptable.

### 1.12 Application Procedure and Requirements

1.12.1 All requests for AC approval shall be submitted to the attention of the AC on the standard La Costa Oaks Community Association Home and Landscape Improvement Application form (Application) which is included in these Design Standards along with the other documents and items specified in these Design Standards. Additional copies may be obtained by contacting Management.

1.12.2 A submittal packages should include the following:

- 1) A plan review fee of \$75 made payable to La Costa Oaks Community Association.
- 2) Additional plan review fees for major renovations that require the use of an outside professional consultant.

These fees are listed below (subject to change):

- (a) Front **OR** back yard, home addition/remodel plan review fee is \$200.00
- (b) Front **AND** back yard, home addition/remodel plan review fee is \$275.00
- (c) Any changes to plans after the initial plan review, the fee is \$100.00

1.12.3 All AC submittal packages must include the items listed below and can be found on the Application Procedures form included in these Design Standards. All plans must be drawn to scale, and the scale must be included on the plans. Homeowners must submit detailed cut/spec sheets, showing the colors, height, and elevation from all sides of structures and walls. All plants and structures must be called out on the plans. Any deviations from approved plans will result in a failure of the final inspection and a violation of the Community Design Standards.

1.12.4 All AC submittal packages must include the following items:

- (a) Home and Landscape Improvement Application
- (b) Two (2) copies of plans/drawings (digital and hard copy)
- (c) Check for plan review/resubmission
- (d) Neighbor Awareness form
- (e) Location of residence on lot and the dimensions from lot lines.
- (f) Complete dimensions of proposed improvement. Provide a dimensioned plot plan utilizing one-inch equals ten feet (1" = 10') or more detailed as necessary to adequately depict the improvement.
- (g) Description of all materials, fixtures, and color scheme. Indicate the color of stain or paint by manufacturer's number respective to building parts or surfaces. Color samples must be provided if they



deviate from the original color used. Note accordingly if color is intended to match existing surface. Samples of materials having inherent colors such as in masonry will be required if they are to be used in their natural finish.

- (h) Show affected elevations.
- (i) Plant inventory (type, size, quantity, and location), per the community Design Standards Approved Plant List.
- (j) Photographs of front, side, and rear of house.
- (k) Detail of all slopes on property.
- (l) Any additional documents required for specific improvements per the Landscape Guidelines and Architectural Guidelines within these Design Standards

1.12.5 Submittal packages will be returned if deemed incomplete. The AC reserves the right to request additional information.

1.12.6 Neighborhood Awareness (Neighbor is acknowledging awareness, NOT approving or disapproving):

- (a) The requirement is to inform any neighbors who are impacted by the proposed changes, minimally including neighbors adjacent, in front, or behind your lot. Obtain signatures of neighbor(s) on the application form.
- (b) If unable to obtain a signature of an impacted neighbor, contact Management for assistance.

1.12.7 No application will be considered complete until the neighbor awareness condition has been satisfied.

1.12.8 Right of Entry:

- (a) Use of Association Property or Common Maintenance Area for construction purposes is strictly prohibited. However, in extraordinary situations, the AC may recommend that the Board of Directors approve temporary access. Upon approval from the Board of Directors, a security deposit or bond, as deemed necessary by the AC, will be required from the homeowner. AC will refund unused deposits after completion of work and final acceptance. The deposits may be used to pay for repairs and/or damages to the Association Property and/or Common Maintenance Area as a result of the improvements. Payment will be refunded by US Mail within 30 days after AC's final acceptance.

1.12.9 Submittal

- (a) Within 45 days of the AC's receipt of a complete AC submittal package a decision will be rendered, either approving or disapproving the Application. If the applicant has not been contacted within the 45-day period, it is his/her responsibility to contact Management regarding the status of the plans.
- (b) When the plans are approved by the AC, the Association will retain the hard copy plan.
- (c) Applicants are prohibited from commencing construction prior to obtaining a written response acknowledging approval of the Application by the AC.

1.12.10 Disapproval

- (a) If the AC disapproves the Application, the owner has thirty (30) days to submit a written appeal to the Board of Directors via email or USPS. Upon receipt, the Board of Directors will schedule the appeal to be heard at the next regularly scheduled or special Board meeting. Any appeal received by the Board will be deemed approved unless written disapproval, conditional approval, or a request for additional information or materials by the Board have been delivered provided to the applicant within forty-five (45) days after the receipt by the Board of all required materials.

## 1.13 Construction

1.13.1 Time Period:

- (a) All work shall be completed within six (6) months of approval of the Application by the AC, unless a written extension is obtained by the homeowner from Management.



#### 1.13.2 Final Review:

- (a) Upon completion of the work as indicated on "Approved" copy of the drawings and specifications, the applicant shall notify the AC in writing by submitting a completed Notice of Notice of Completion Form (a blank copy of which is attached to these Design Standards). The AC is to complete the review and conformance report within sixty (60) days of receiving the completed Notice of Completion.



## Section 2 General Information

### 2.1 Enforcement

Improvements that are installed without the necessary approval from the AC will constitute a violation of the CC&Rs and will require modifications or removal of all improvements at the expense of the homeowner. The homeowner will be responsible for all fines, legal action and administrative fees associated with enforcement of these Design Standards and the CC&Rs.

### 2.2 Violations

All homeowners have the right and responsibility to bring to the attention of the Board of Directors any violations of these Design Standards by contacting the Board through Management.

### 2.3 Damage

Homeowners shall be responsible for any damage caused to the streetscape or open space areas as a result of construction improvements. This includes construction debris and other materials used in making said improvements. All refuse must be removed from the premises to a regulated disposal area.

### 2.4 Storm Drains and Storm Water

In accordance with Section 7.24 of the CC&Rs, homeowners are specifically prohibited from draining anything other than rainwater into storm drainage systems, including gutters and streets which drain into storm drains. Homeowners acknowledge that disposal of materials other than rainwater may subject the homeowner to substantial penalty fines. Homeowners are directly responsible for any activities of their individual homeowner contractors and/or maintenance personnel. There are no exceptions to this provision. Homeowners are encouraged to access the City of Carlsbad website for additional details concerning SWPPP requirements.

### 2.5 No Waiver of Future Approvals

Each application shall be reviewed on its own merits with respect to its place within the community. The granting of an exception shall not waive any other requirement nor serve any purpose except as to the particular property and particular provision covered by the exception. Nor shall any exception limit or excuse an Owner's obligation to comply with all governmental laws and regulations, including but not limited to the City of Carlsbad's building codes.

### 2.6 Notice of Completion

Upon completion of the approved improvements, the applicant shall submit a completed Notice of Completion of the approved improvements to La Costa Oaks Community Association, c/o Management. Failure to submit the Notice of Completion will constitute a violation of these Design Standards. Homeowners are subject to fines outlined in the Association's Enforcement Policy for failure to submit the Notice of Completion form and no installation shall be deemed complete or approved until such Notice has been submitted, the appropriate inspection has been conducted and construction is found to be in substantial conformance with the approved Application.



## Section 3 Landscape Guidelines

### 3.1 Landscape & Irrigation

- 3.1.1 Plants are not to encroach on walkways or block walkaway lighting, street signs or directional signs.
- 3.1.2 Irrigation lines must be subterranean except “drip” systems. The irrigation system shall be designed and installed to operate different landscape zones (i.e., sun, shade, lawn, and shrubs).
- 3.1.3 Appropriate water drainage shall be installed to be directed to the street to prevent run-off onto adjacent or common are properties. There should be a minimum slope/drainage of 2% away from the building and water should be collected in a landscape drainage.
- 3.1.4 Sprinklers must be adjusted so as to spray landscaped areas of the homeowner’s property and cannot impact adjoining Common Association Property or neighboring property.
- 3.1.5 The Association maintains an easement for access over all Lots reasonably necessary for maintaining Perimeter Walls and Fences. Maintenance includes but is not limited to cleaning, painting, and trimming any plant material growing over or through the walls and fences. Homeowners should take this easement into consideration when planning to install plants and hardscape adjacent to Perimeter Walls and Fences. Please refer to Section 2.5.6 of the CC&Rs for more information.
- 3.1.6 Applications for landscape/hardscape must include:
  - (a) Landscape plan must include the proposed locations of all trees, shrubs, and groundcovers as well as a complete listing of plant material, size, and quantity. The La Costa Oaks approved plant list is attached on pages 9, 10 and 11.
  - (b) Site plan showing house (plot plan) and location of the proposed landscaping (plant materials) drawn to the appropriate scale.
  - (c) Planters and retaining walls – with dimensions, heights, materials, color/finish.
  - (d) Hardscape, such as concrete, walk and patios, deck, patio covers with elevations (side views) and construction detail. Include colors and finishes of all hardscape items.
  - (e) Drainage plan including location of drain inlets and water flow direction.

### 3.2 Drainage

All surface water must have positive drainage away from the building and collected in a landscape drainage system. Drain inlets must be located throughout landscape areas including side yards. All slopes and terraces on any lot shall be maintained so as to prevent any erosion onto adjacent streets or adjoining property. The AC is not responsible for installation of proper drainage. This is the sole responsibility of the homeowner and/ or his landscape contractor. Homeowners must connect drainage to existing drainage systems and curb cores. If more drainage is required, homeowners must obtain an encroachment permit to enter the Association Property.

### 3.3 Slope Areas

There are slope areas located on certain lots. Each homeowner is responsible for the maintenance, upkeep, and irrigation on individual slope areas. Additionally, unless the builder has installed landscaping on the slope areas, homeowners are required to submit plan for the landscaping of such areas in accordance with these Design Standards. Homeowners must adhere to all provisions outlined in Section 7.21 of the CC&Rs.





### 3.4 Habitat Preserve Adjacent Areas

Certain lots are located within a Habitat Preserve Adjacent Area. Said homeowners are required to comply, at all times, with the Habitat Preserve Restrictions which are attached hereto **Exhibits "C, D, E"** and further detailed in Section 7.22 of the CC&Rs.

### 3.5 Fire Suppression Zones

Within La Costa Oaks, there are certain lots that are subject to Fire Suppression Zones as mandated by the City of Carlsbad and outlined in section 7.25 of the CC&Rs and **Exhibit "F"**. Additional restrictions may be set forth in a Supplementary Declaration. Lots within these zones are subject to very specific requirements that prevent the construction of certain combustible improvements, including but not limited to, trees, shrubs, patios, gazebos, and/ or any other flammable structure. AC APPROVAL DOES NOT MEAN APPROVAL OF COMPLIANCE FOR THESE EXTRA RESTRICTIONS. IT IS THE OWNERS RESPONSIBILITY TO COMPLY.

### 3.6 Sight Distance Corridors

No structure, fence, wall, tree shrub sign or other object over thirty (30) inches above the street level may be placed or permitted to encroach within the areas identified as a sight distance corridor on the Final Maps as specified in the City Standard Public Street Design Criteria (Section 8.B.3). Each Owner shall comply with the restriction. Please refer to the sight distance corridor in the Supplementary Declaration and Lot Exhibit for additional clarification.

### 3.7 Association Maintenance Easements

There are certain Lots within La Costa Oaks that have easements for maintenance by the Association. Homeowners may not make any improvements or plant modifications to such Common Maintenance Areas.

### 3.8 Artificial Turf

Artificial Turf may be used according to the following guidelines. Artificial Turf must be approved by the AC prior to installation.

#### 3.8.1 Maximum Coverage

- (a) Coverage maximums are based on the proportion of Landscape area and location. There is no coverage maximum in Rear Yards. Coverage of Artificial Turf in Front Yards should be used only as a complimentary enhancement to the main landscaping features, and not as a major focal landscaping feature.
- (b) Artificial Turf is not permitted on slopes steeper than 4:1 maximum.

#### 3.8.2 Appearance

- (a) Artificial turf must be of a recognized high-quality and durable product, a natural green color. The ARTIFICIAL TURF product must be a color that is similar to natural turf, preferably a blended multi-color monofilament fiber with thatch and a minimum pile height of 1.75 inches and a pile height not to exceed 2.5 inches. Artificial Turf must be of a recognized high-quality and durable product.
- (b) Artificial Turf must have consistent color, texture, and shade throughout without significantly noticeable streaks, seem marks, or other irregularities. Recycled or used ARTIFICIAL TURF is not allowed.
- (c) The minimum grab tear strength shall be no less than 200 pounds. The minimum tuft bind strength shall be no less than 8 pounds.

#### 3.8.3 Installation

- (a) Installation must be completed by a licensed, professional turf contractor/installer. An individual homeowner may not install their own grass, unless they are a licensed, professional turf contractor/installer.



- (b) Artificial Turf cannot be placed directly on top of existing grass, dirt, or hardscape and must provide adequate drainage.
- (c) Artificial Turf edges must be finished with a permanent border. If the ARTIFICIAL TURF abuts an internal hardscape, the border must be of neat appearance and not susceptible to curling or separating.
- (d) Artificial Turf must have a minimum of an eight (8) year product warranty with UV protection and a minimum of a 2-year installation/workmanship warranty. It must be certified as lead-free.
- (e) Installation must include a properly prepared aggregate base of a minimum of 4" to allow for proper drainage. A minimum recommended drainage rate for the finished surface is 25 inches/hour.
- (f) The original grade and drainage of the property must be maintained. Installation must follow the existing contour and grade of the lot when installing the Artificial Turf.
- (g) Adequate soil stabilizing fabric for the soil type and conditions of the installation shall be used.
- (h) Artificial Turf must be installed with infill materials per turf manufacturer specifications.

#### 3.8.4 Maintenance

- (a) The Owner shall be solely responsible for the cost of maintenance, repair, and replacement of the Artificial Turf, as well as the cost of restoring the landscape, the lot, and Exclusive Use Common Area (if any) when ARTIFICIAL TURF is removed for any reason.
  - (i) Artificial Turf must be cleaned as necessary and periodically groomed to maintain its appearance. Grass uniformity must be maintained for all areas that are visibly linked.
  - (ii) Organic material such as leaves shall be regularly removed. The preferred method for such removal is raking, not blowing.
  - (iii) Debris and animal waste shall be regularly removed, and the grass shall be hosed or washed off to eliminate odors.
  - (iv) Raking of the grass and replenishing of infill material shall occur as recommended by the manufacturer or if required, for the turf to maintain a "natural" look.
  - (v) The homeowner agrees to repair or replace Artificial Turf to comply with Community Guidelines to address damage or significant fading.

#### 3.8.5 Architectural Review Application Submission Requirements

- (a) The following must be submitted in addition to the Application for Architectural Improvement if such improvements included ARTIFICIAL TURF:
  - (i) A dimensioned plan showing the entire external property including the proposed Landscape and Hardscape area and showing the percentage of the area to be covered with Artificial Turf.
  - (ii) If ARTIFICIAL TURF is to be used in both Front and Back Yards, then a separate plan for each area must be submitted. The plan must indicate what is currently in place and will remain and what is being proposed.
  - (iii) A sample of the ARTIFICIAL TURF product, including the name of the manufacturer, model name/identifier and style (12" X 12" square).
  - (iv) Complete product specification sheet from the manufacturer. Manufacturer must guarantee the product to be installed is free of heavy metal.
  - (v) The manufacturer's warranty on product and infill if used, must be submitted stating that it is free of heavy metals and/or other potential environmental pollutants.
  - (vi) Photo(s) of the area to be covered by the Artificial Turf and of adjacent proximity Landscape and Hardscape areas.
  - (vii) When seeking approval from adjoining neighbors as required by the Architectural Review Application, if such application includes ARTIFICIAL TURF, the homeowner must show a sample of the ARTIFICIAL TURF to each adjoining neighbor.



## Section 4 Architectural Guidelines

### 4.1 Accessory “Structures”

4.1.1 All accessory buildings and storage sheds must be compatible in design with the residence, must be approved by the AC and must be in compliance with the following requirements.

- (a) Structures may not be over 6’ in height.
- (b) Structures may not be visible from any street.
- (c) Structures must be set back a minimum of three (3) feet from the property line if the Association maintains the fencing.

### 4.2 Accessory Dwelling Units (ADU)

4.2.1 Accessory Dwelling Units (“ADUs”) shall comply with State law, City ordinances/code and the following standards:

- (a) An ADU may not be constructed within La Costa Oaks unless a valid permit is issued by the City for such ADU.
- (b) ADUs shall be limited to a maximum of fifty (50) percent of the floor area of the primary dwelling or twelve hundred (1200) square feet.
- (c) Detached ADUs shall be limited to a maximum of twelve hundred (1200) square feet.
- (d) In no event shall there be more than one (1) ADU on a Lot.
- (e) ADUs shall be fully enclosed, have separate sanitary facilities, separate cooking facilities and a separate entry from the primary dwelling.
- (f) The entry (walkway / pathway) for the ADU must be from the same street as the primary dwelling. Side street or rear street ingress and egress is not permitted. Ingress or egress across or over Community Association Property, Common Maintenance Area, or an Association maintained slope is not permitted.
- (g) An ADU shall match the primary dwelling in architectural character, color, and materials.
- (h) An ADU shall not exceed the maximum height of sixteen (16) feet and shall comply with the minimum setback requirements of the primary dwelling.
- (i) An ADU may not interfere with, affect the drainage of or be placed on or over Association maintained slopes, Community Association Property, or Common Maintenance Area.
- (j) ADUs are to be located so as to minimize the impact to adjacent Lots.
- (k) If required by City ordinance, off street parking will be accommodated in an enclosed garage or a parking pad. Landscape screening may be required to screen the parking pad from the street.
- (l) No ADU may be used for occupancy until the City issues a Certificate of Occupancy.
- (m) Except where allowed by the City pursuant to Government Code Section 65852.26, no ADU may be sold or otherwise conveyed separate from the primary residence nor may an ADU be partitioned from the Lot or split to create a membership in the Association separate from the primary residence.
- (n) No ADU may be rented for a term that is less than thirty (30) days.
- (o) ADUs may only be used for residential purposes. Except as may be allowed by the CC&Rs, no ADU may be used for commercial or business purposes.
- (p) The Owner is responsible for ensuring compliance with any and all Governing Documents, laws, codes, rules, or regulations by anyone occupying the ADU; shall provide the occupant(s) with copies of all Governing Documents; and shall require the occupant(s) to comply with the Governing Documents as a material term of any lease agreement for the ADU.
- (q) An ADU may not substantially interfere with the use or enjoyment of another Owner’s property, the Community Association Property, or Common Maintenance Area, or cause unreasonable annoyance or damage to neighboring residents or the community in general.



- (r) For ADU garage conversions, see also the standard on Garage Conversions, below.

### 4.3 Junior Accessory Dwelling Units

4.3.1 Junior Accessory Dwelling Units (“JADUs”) shall comply with State law, City ordinances/code and the following standards:

- (a) A JADU may not be constructed within La Costa Oaks unless a valid permit is issued by the City for such JADU.
- (b) The Owner of the Lot must reside in the primary residence on the Lot or the JADU.
- (c) A JADU shall be limited to a maximum of five hundred (500) square feet contained within the existing structure of the primary dwelling.
- (d) A JADU floor area may be derived from the conversion of the existing floor area of the primary dwelling.
- (e) In no event shall there be more than one (1) JADU on a Lot.
- (f) A JADU shall be fully enclosed, have separate or access to sanitary facilities in the primary dwelling, a separate efficiency kitchen and a separate entry from the primary dwelling.
- (g) The entry (walkway / pathway) for the JADU must be from the same street as the primary dwelling. Side street or rear street ingress and egress is not permitted. Ingress or egress across or over Community Association Property, Common Maintenance Area, or an Association maintained slope is not permitted.
- (h) A JADU shall match the primary dwelling in architectural character, color, and materials.
- (i) JADUs may not interfere with, affect the drainage of or be placed on or over Association maintained slopes, Community Association Property, or Common Maintenance Area.
- (j) JADUs are to be located so as to minimize the impact to adjacent Lots.
- (k) No JADU may be used for occupancy until the City issues a Certificate of Occupancy.
- (l) No JADU may be sold or otherwise conveyed separate from the primary residence nor may any JADU be partitioned from the Lot or split to create a membership in the Association separate from the primary residence.
- (m) No JADU may be rented for a term that is less than thirty (30) days.
- (n) JADUs may only be used for residential purposes. Except as may be allowed by the CC&Rs, no JADU may be used for commercial or business purposes.
- (o) The Owner is responsible for ensuring compliance with any and all Governing Documents, laws, codes, rules, or regulations by anyone occupying the JADU; shall provide the occupant(s) with copies of all Governing Documents; and shall require the occupant(s) to comply with the Governing Documents as a material term of any lease agreement for the JADU.
- (p) A JADU may not substantially interfere with the use or enjoyment of another Owner’s property, the Community Association Property, or Common Maintenance Area, or cause unreasonable annoyance or damage to neighboring residents or the community in general.
- (q) For JADU garage conversions see also the standard on Garage Conversions, below.

### 4.4 Air Conditioners

4.4.1 Air Conditioning units extending from windows are not permissible.

4.4.2 Compressors and equipment shall be screened from public view by fencing or landscaping.

4.4.3 If air conditioning was offered as an option and was not installed by the builder at the time of purchase, equipment must be located in the same area in which the optional unit would have been installed, unless otherwise approved by the AC.

4.4.4 All roof appurtenances including air conditioners shall be architecturally integrated and concealed from view.



4.4.5 The sound must be buffered from adjacent properties and street pursuant to the City's Planning Department, to the satisfaction of the City's Director of Planning and Building.

#### 4.5 **Antennas/Satellite Dish**

4.5.1 No television radio poles, antennae, satellite dishes or technological evolutions shall be installed without the AC approval provided however, that this restriction shall not be constructed to limit the installation or use of video or television antennas within the Association.

4.5.2 Satellite dishes shall be of a size and type consistent with provisions of Section 1376 of the California Civil Code.

#### 4.6 **Barbecues – Permanent**

4.6.1 Permanent gas barbecues are to be located in the courtyard, rear or side yards only and must meet the City of Carlsbad's set back requirement.

4.6.2 Application is to provide the following information.

- (a) Dimensions
- (b) Material and color
- (c) Elevation drawings
- (d) Location of barbecue in relation to the house and property lines.

#### 4.7 **Basketball Hoops**

4.7.1 No basketball standards or fixed sports or play apparatus shall be installed or attached on any dwelling or garage or other structure without prior approval by the AC. Portable basketball hoops are acceptable; however, they must be properly maintained to remain safe and in good condition.

#### 4.8 **Clotheslines**

Clotheslines are not permitted.

#### 4.9 **Dog Houses**

4.9.1 Doghouses are to be in rear or side yards only.

4.9.2 Doghouses are also to be located out of sight or screened from surrounding property.

#### 4.10 **Detached Exterior Fireplaces, Chimneys, Fire Pits, & Flues**

4.10.1 The exterior appearance of a detached fireplace, chimney, fire pit and flue must match the existing home. In addition, detached exterior fireplaces, chimneys and fire pits shall:

- (a) Meets all City of Carlsbad requirements.
- (b) Must meet set back of 3' from Association-maintained fencing. Association fencing may be block, tubular steel, wood or block and glass that backs up to common area landscape that is maintained by the Association.
- (c) Not burn wood.
- (d) No exposed metal flues or spark arrestors unless ornamental.

4.10.2 Attached exterior fireplaces (et. al) must meet the same design criteria by matching existing structure.



## 4.11 Exterior Painting

4.11.1 Exterior repainting of any dwelling structure will be subject to review and approval by the Architectural Committee, unless the following condition is met:

- (a) If the new exterior color is to be the same as the original exterior color-
- (b) If you choose from the Association pre-approved Vista Paint color schemes located in the Association office, provided that the adjacent neighbors do not have the same color schemes.

4.11.2 Alternative colors will be considered if samples are provided for consideration and include details regarding stucco, trim, siding, entry, front and garage door treatments. The master plan for the community requires that the color scheme of adjoining properties be compatible but not the same and current pictures of your adjacent neighbors' home will need to be submitted along with your application.

## 4.12 Flagpoles

4.12.1 House mounted flags (not to exceed one in number) are acceptable. The installation of all other flagpoles shall require approval by the AC and meet the following conditions:

- (a) The flagpole must meet all City of Carlsbad requirements.
- (b) Flag must be flown in accordance with all federal requirements.
- (c) If the flag is not lit in accordance with federal flag lying laws, the flag must be removed each evening.
- (d) If the flag is lit, it must be lit in a manner to not disturb any neighbors.
- (e) The pole cannot be taller than the shortest set-back. For example, a nine-foot flagpole must be set back a minimum nine feet from the property line. The purpose of this requirement is to ensure that the pole will not fall in a manner that can create a health & safety problem for a neighboring property.

## 4.13 Garage Conversions

4.13.1 In addition to complying with State law, City ordinances/code and the above standards for ADUs and JADUs, garage conversions shall also comply with the following standards:

- (a) Garage conversions shall be interpreted as any material or permanent change that prevents utilizing the garage for storage of vehicles as stipulated by Section 7.16 of the CC&Rs.
- (b) Any proposed garage conversion shall not alter the exterior characteristic or detail of the home.
- (c) Homeowners are responsible for obtaining appropriate building permits as required by the City of Carlsbad.
- (d) Homeowners are obligated to park all vehicles in remaining garage space or individual driveways.

## 4.14 Generators

4.14.1 Must meet the requirements of the City of Carlsbad and may not be visible from the street.

## 4.15 Gutters and Downspouts

4.15.1 Gutters and downspouts must be painted to match approved trim or exterior wall colors unless they are made of copper.

4.15.2 Run-off from gutter shall not affect adjacent property and should be directed to the street.

## 4.16 Lighting – Exterior Walkway and Security Lighting

4.16.1 Exterior lighting requires AC approval. Homeowners must submit “cut sheets” or supplier photo of lighting to be utilized. Plans should consider the following guidelines:

- (a) Lights are to be directed onto applicant's property and screened or “hooded” to prevent light onto adjacent property.



- (b) Proposed fixture is to be compatible with applicant's house in style and scale.
  - (i) Manufactured, Model Number and picture.
  - (ii) Wattage of proposed lights; and
  - (iii) Location of lights, showing are they will illuminate.
- (c) All exterior lighting must meet current electrical code(s) at the time of installation. (All exterior lighting fixtures visible from the street must be consistent with the architecture of the home.
- (d) "Decorative lighting" excludes seasonal lighting and include any lighting installed on a patio trellis, rear yard fencing or plant materials (i.e., trees, shrubs, etc.) that will remain in place for more than sixty (60) days. Lighting in place for more than sixty (60) days must be submitted for architectural approval. Decorative lighting may not be visible from the street. Lighting shall be adequately screened to minimize lighting projecting into adjacent properties. The AC reserve the right to request removal of extensive or unattractive decorative lighting displays.

#### **4.17 Seasonal Lighting and Decorations**

4.17.1 Seasonal Holiday decorative lighting and other decorations may be installed without AC approval. Holiday lightings shall be permitted not earlier than Thanksgiving and must be removed not later than January 15th. Holiday displays which, in the option of the AC, may create traffic congestion or become an annoyance to adjacent property owners, shall not be allowed.

#### **4.18 Patios and Decks**

- 4.18.1 Materials shall be harmonious with applicant house.
- 4.18.2 Adequate drainage must be installed to prevent standing water and run-off onto adjacent properties. Drainage must be directed to the street.
- 4.18.3 Wooden decks are to be stained and/ or sealed to preserve natural color or painted to match approved color.
- 4.18.4 In accordance with required City approvals, structures shall be set back 3 feet from the property line if side or rear fencing is maintained by the Association bordering Association-maintained landscaping.
- 4.18.5 Application for patio or deck is to include the following information:
  - (a) Site plan-indication location of patio or deck in relation to existing house.
  - (b) Listing of materials, color, and finishes
  - (c) Drainage provision and flow or run-off
  - (d) Dimensions
  - (e) Elevation drawings

#### **4.19 Patio Covers**

- 4.19.1 Patio cover may be freestanding or attached to existing structure. Maximum height of the patio cover shall be eleven (11) feet. Patio covers must be set back a minimum of five (5) feet to seven (7) feet from the property line and in accordance with City requirements.
- 4.19.2 Unacceptable construction materials for Patio Covers in this section include the following:
  - (a) Corrugated plastic
  - (b) Corrugated fiberglass
  - (c) Plastic webbing, split bamboo, reeded or straw-like materials
  - (d) Asphalt
  - (e) Metal (excludes Aluma-Wood)
  - (f) Plastic
  - (g) This list is not all-inclusive.





4.19.3 Application for patio covers must include:

- (a) Location of cover in relation to house
- (b) Materials and color
- (c) Dimensions
- (d) Elevation drawing

## 4.20 Room Additions

4.20.1 Room additions must be compatible in scale, materials, and color with the applicant's existing structure and architectural design. In some case, the master plan of the community may preclude additions. Approval from the City of Carlsbad must be obtained.

4.20.2 Pitched roofs must match or be complementary to the existing structure in slope and form.

4.20.3 No improvement (unless should story improvement or chimneys) shall exceed the roof heights of the existing structure.

4.20.4 Roofs must be constructed of fire-retardant materials and must match the material originally installed by the builder.

4.20.5 New windows and doors are to be compatible with existing exterior openings.

4.20.6 Changes in grade which will affect drainage are to be indicated in the application. Provisions must be made to prevent run-off to adjacent properties.

4.20.7 Materials for construction shall be stored in the least conspicuous area. Excess debris and material shall be removed from the site daily.

4.20.8 Major features of the existing house such as the vertical and horizontal lines, projections, and trim details, are to be reflected in the design of the proposed addition.

## 4.21 Screen Doors and Security Doors

4.21.1 Plans and specifications for screen doors and security doors must be submitted to the AC for approval.

4.21.2 All screen doors must be installed with the existing doorjamb or suitable trim provided which matches the existing dwelling unit trim.

## 4.22 Signs

4.22.1 Security signs shall be no larger than 12" X 12" (one foot square). A maximum of one sign shall be permitted in the front yard. Additional signs may be approved upon written request. Signs shall be freestanding and not attached to the house or garage.

4.22.2 No signs are allowed which can be seen outside any unit or home with exception of a security sign or a single "FOR SALE" sign or "FOR RENT" sign of a customary and reasonable dimensions, not to exceed 18" x 24", and of a professional quality on weather resistant material. "SOLD" signs may not be displayed for more than 30 days after the sale of a lot or unit.

4.22.3 Construction and/or Landscape Company advertisements are prohibited.

## 4.23 Slope Improvements

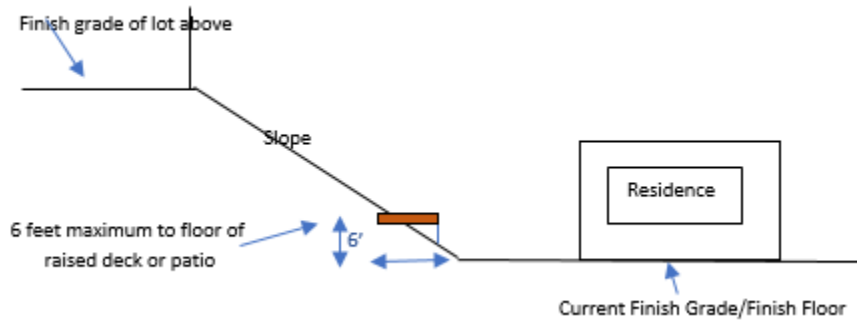
4.23.1 ALL slope improvements and structures must be submitted for AC approval. Structures shall include, but are not limited to, planting, play equipment, decks or gazebos, shade canopies etc.

- (a) Maximum height of the usable floor space of a raised deck or patio shall be six (6) feet from current finish grade of lot or the finish floor of the first floor of the residence, whichever is lower. Total height of finish





floor for all walls in any rear yard shall not exceed eight (8) feet. Maximum height of any wall is five (5) feet front face. See graphic below:



Elevation B

- (b) Maximum height of any slope improvement (i.e., retaining wall, temporary and permanent structures, patio cover...) on a slope is limited to ten (10) vertical feet from finished grade of lot above it. Engineering drawings showing requested improvements are required to be submitted as part of the consideration.
- (c) Multiple (stepped) retaining walls are allowed in accordance with these guidelines.
- (d) Pool construction is allowed to encroach into slope area. The maximum height of any part of the pool (rock clusters, slides, elevated spas, etc.) shall be no higher than ten (10) feet from the finish grade of the slope above it.
- (e) All slope improvements shall be built to applicable building codes and with all required permits.
- (f) Paths and/or steps are allowed on slopes to allow access for maintenance.
- (g) Plant material changes and/or additions are allowed in accordance with the Community Design Standards.
- (h) All structures shall be architecturally compatible with the house and the surrounding community.
- (i) Five foot (5') side and rear set back areas shall be maintained. The only structures allowed in the setback shall be retainage walls and stairs/steps for access to slope area for maintenance areas otherwise, only plant material is allowed in the five foot (5') set back area.

#### 4.24 Solar Energy Equipment

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4.24.1 Plans for solar equipment must be submitted to the AC for approval prior to installation and shall include location of roof panels. Solar equipment must be designed and installed in accordance with Section 6.9 of the CC&Rs and shall conform to the following guidelines:

- (a) All installations must be professionally installed.
- (b) City Permits are required. (Carlsbad City requires Association approval prior to permitting),
- (c) Roof panels are to be mounted flush to the roof they are attached to. (No tilted panels, unless they are proven to be compliant with CA Civil Code 714(d)(1)(b)). If non-flush mounted panels are approved, they must be designed and installed in a manner to provide the least amount of visual impact by having any mounting hardware, posts, brackets, and underside of panels to be finished in black.
- (d) Specification sheet, with image of the panel to be installed, must be submitted.
- (e) Panels must be non-reflective.
- (f) Panels must be black and have black framing.
- (g) Panels must not be mounted on a first story roof that is front facing.
- (h) All panels must be roof mounted.
- (i) No panels shall be installed on the lot or slopes.



- (j) Cables and wiring connecting the panel arrays shall be run through the building instead of the top of the roof or along the outside of a building. Any exterior equipment, conduits and wiring must match the color of the adjacent surface.
- (k) All plumbing lines from collectors to tank must be concealed.

4.24.2 The heating devices shall be reviewed and approved by the AC. Solar panel shall be integrated into the roof design and be flush with the existing roof slope. Frames must be colored to complement the roof. Natural Aluminum frames are prohibited. Please refer to the Solar Emery Section in the Declaration for additional information. All plumbing lines from collectors to tank must be concealed.

4.24.3 The Owner is responsible for compliance with all laws, ordinances, and regulations applicable to the installation of solar energy equipment. The Association and the Board are not responsible for non-compliance with any laws, ordinances, or regulations for items installed by the Owner pursuant to the AC approval process.

#### **4.25 Swimming Pools, Spas and Fountains**

4.25.1 All City of Carlsbad set back requirements must be met and necessary permits must be obtained.

4.25.2 Permanent above ground pools are prohibited.

4.25.3 Free standing spas are permitted.

4.25.4 Spa or pool equipment shall be enclosed by fencing at least 5' in height and screened from street view (i.e., plants, fence or wall).

4.25.5 Plumbing lines to spa, pool or fountain must be subterranean

4.25.6 Application for a spa, pool or fountain must include the following information:

- (a) Location of the spa or pool in relation to the existing structure
- (b) Dimension of pool or spa
- (c) Drainage detail
- (d) Material for decking
- (e) Location of equipment and screen (noise and view) detail
- (f) Detail on fencing to surround pool or spa

#### **4.26 Walls and Fences**

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4.26.1 Any modification to a fence that created a boundary between two residential lots must be approved by the owners of both lots.

4.26.2 Fence style, materials and finished color are to be compatible with the neighborhood.

4.26.3 Placement of the fence and support structures may not interfere with adjacent Association sprinkler systems, nor shall fences be constructed over irrigation lines.

4.26.4 Structural framing or an unfinished side or a fence varying from existing fence standards shall not be exposed to any public street, sidewalk, walkway, park, recreation area or neighboring lot.

4.26.5 Material for side yard fencing will be given special consideration depending on its exposure to the neighborhood.

4.26.6 Stepped fencing is permissible where the grade slopes.

4.26.7 Fences are required to surround pool and spa area. Minimum height requirement per City codes.

4.26.8 Association owned and maintained walls and fences shall not be altered or otherwise modified without specific written permission from the Association.

4.26.9 Acceptable materials for fencing and walls:



- (a) Stained Wood (no dog-ear tops);
- (b) Wrought iron (vertical bars). Color must be dark green or match approved house trim;
- (c) Landscaping materials;
- (d) Masonry or stucco is acceptable, if materials conform to type, quality, color and character of masonry or stucco used elsewhere in the respective homes;
- (e) Glass panels consistent in design with builder installed fencing.
- (f) Bufftech CertainTeed Vinyl (wood grain finish).
  - i) South permitted colors: Frontier Blend or Weathered Blend.
  - ii) North permitted colors: Brazilian Blend

4.26.10 Unacceptable fencing/wall materials:

- (a) Aluminum or sheet metal;
- (b) Chicken or snake wire, ore wire mesh;
- (c) Galvanized, vinyl-coated or plastic chain link;
- (d) Plastic webbing, bamboo, reeded or straw-like materials;
- (e) Vinyl, corrugated or flat plastic or fiberglass sheets or panels;
- (f) Rope or other fibrous strand elements;
- (g) Miniature type fencing;
- (h) Glass or plexiglass;
- (i) Barbwire;
- (j) Natural wood.

These materials are not all inclusive.

4.26.11 Finish: All existing and new wood perimeter fencing, and fence returns shall be painted

- (a) La Costa Oaks South - Sherwin Williams Mushroom Basket (A SW 2026).
- (b) La Costa Oaks West – Sherwin Williams Mushroom Basket (A SW 2026).
- (c) La Costa Oaks North – Semi-transparent oil base SW-M413 American Elm.
- (d) Rockledge- Satin poly water base SW 3518 Hawthorne.

4.26.12 Side yard and rear yard fence heights shall not be exceed six (6) feet and must meet the following guidelines.

- (a) Fences which intersect with Community Wall Pilasters shall intersect at eight (8) inches below the cap level of the pilaster at a minimum of eight (8) feet from the pilaster, not even with the top of the pilaster. Owners are not permitted to extend side yard fences with different material – it must match the existing fence in color and material.
- (b) Side yard fences must intersect at an equal or lower height than existing rear and/or front fences. For example, if you have a five (5) foot rear wall you are limited to a five (5) foot side yard fence. Gates must intersect at an equal height with the connecting wall or fence, although the gate may be higher or lower past the point of connection. All wrought iron gate designs must be reviews and approved by the Architectural Committee.
- (c) Side yard fences may not extend more the 42” forward from the front face of the dwelling unit and may be extended only for the purposes of constructing a single side entry gate. Single side yard gates must meet all requirements pertaining to acceptable materials for fencing and walls and are subject to architectural review and approval.

4.26.13 Front walls or pilasters shall meet the following guidelines:

- (a) Except as provided in 11(c), no freestanding walls shall exceed forty-two (42) inches in height in the front yard under any circumstances. If adding wrought iron bars or gating to the top of a wall, wall and



ironwork shall not exceed five (5) feet total in height. All iron design work shall be reviewed and approved by the Architectural Committee.

- (b) Front yard walls or any structures like stairs and pilasters shall be no closer than three (3) feet to rear of front sidewalk. Any structure located within an easement area is subject to encroachment removal restrictions of the applicable utility or jurisdiction.
- (c) All front yard walls shall be screened with shrubs and landscape materials.
- (d) Front yard pilasters shall not exceed 4' in height if closer than ten (10) feet from the backside of the sidewalk. If located more than ten (10) feet back from the side of the sidewalk, pilasters shall not exceed 6'6" in height. Pilasters associated with stairs need not be setback (limit of 2 pilasters adjacent to sidewalk). Pilasters located within an easement is subject to the encroachment removal restrictions of the applicable utility or jurisdiction and is the owner's responsibility. Stairs are permitted only between the pilaster and the first riser and must be set-back a minimum of one (1) foot from the sidewalk.

#### **4.27 Windows and Window Treatment**

4.27.1 No reflective materials may be used to create a mirror effect from the outside. No materials such as sheets, paper, or foil will be permitted.

4.27.2 Window coverings are required within Garages.

#### **4.28 Consideration for Views**

There is no representation that any view exists from any Lot. Please refer to Section 7.14 of the CC&Rs for more information.

#### **4.29 Other Conditions**

Any condition or materials not included within these standards shall become a matter of judgement on the part of the Architectural Committee and the La Costa Oaks Community Association Board of Directors.