

# **ARCHITECTURAL COMMITTEE RULES**

**Antigua Owners Association of Monarch Beach**

**Originally Adopted on August 27, 2019; Modified July 30, 2024**

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# **ARCHITECTURAL COMMITTEE RULES**

## **Antigua Owners Association of Monarch Beach**

### **I. PURPOSE**

- A. Living in planned communities such as Antigua and Monarch Beach offers many privileges as well as imposes certain restrictions. The Antigua Owners Association of Monarch Beach (“Antigua HOA”) has been established for the mutual benefit of all members. Covenants, Conditions, and Restrictions of the Antigua Owners Association (“CC&Rs”) have authorized the formation of the Antigua Architectural Committee (the “Architectural Committee”).<sup>1</sup>
- B. In order to preserve the value, desirability, attractiveness and architectural integrity of our community, the CC&Rs have authorized the formation of the Antigua Architectural Committee (the “Architectural Committee”).<sup>2</sup> The CC&Rs apply to the Project.<sup>3</sup> The term “Project” is used interchangeably with the term Antigua HOA.

### **II. SCOPE**

- A. Approval Required for Improvements: Architectural application approval from the Antigua Architectural Committee is required prior to any Improvement on any Lot (collectively, “Improvements”).<sup>4</sup>

The term “Improvement” includes but is not limited to: “buildings, outbuildings, roads, driveways, parking areas, fences, screening walls, sound attenuation barriers, retaining walls, stairs, decks, hedges, windbreaks, plantings, planted trees and shrubs, poles, signs and all other structures or landscaping Improvements of every type and kind.”<sup>5</sup> This further includes new construction, remodeling existing structures, the installation and/or alteration of major landscaping projects to the exterior of a property.<sup>6</sup>

1. Frequently Requested Improvements: Frequently requested Improvements for which an application is required include, but are not limited to:
- Replacing garage doors,
  - Installing new or replacing existing windows,
  - Exterior painting of the Residence,

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<sup>1</sup> CC&Rs, Article VIII.

<sup>2</sup> CC&Rs, Article VIII.

<sup>3</sup> As defined in the CC&Rs, Article II, Section 2.24.

<sup>4</sup> CC&Rs, Article II, section 2.15.

<sup>5</sup> CC&Rs, Article II, section 2.15.

<sup>6</sup> CC&Rs Article VIII, Section 8.6.

- Replacing front fences (whether with new fence or solid wall),
- Modifying, replacing or installing any decorative wall, party walls, or fences,
- Planting hedges,
- Replacing or installing antennas or satellite dishes,
- Replacing or installing hardscape such as patios, decks, walkways, or fountains affixed or attached to hardscape
- Large landscaping projects that involve grading and have the potential to alter drainage or utility easements,
- Installing or replacing of landscape drainage system,
- Installing or replacing of artificial turf,
- Installing or changing the appearance of rock as a dirt cover,
- Installing or replacing on the Residence of awnings, overhangs, or other architectural treatments,
- Major roof repair or replacement,
- Installing or replacing rain gutters,
- Installing or replacing arbors, trellises, or gazebo structures,
- Installing external mechanical equipment located outside of the Residence (unless on builder's original plans or qualifies under an exception below),
- Installing or modifying pools and/or spas,
- Modifying existing or installing new exterior venting for appliances, including hot water heaters and tankless hot water heaters,
- Installing or replacing solar power systems or solar water heaters,
- Installing, modifying or replacing security cameras and related equipment,
- Any other improvement, repair, excavation, alteration, construction or other work that in any way alters the appearance of any Lot or the improvements located on it, unless explicitly excepted per Section II.A.2 below.

2. Exceptions: Minor Landscaping and Structural Improvements (as defined below) are permitted without Architectural Committee approval.<sup>7</sup> Homeowners are limited to the following:

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<sup>7</sup> CC&Rs, Article IV, Section 4.2.

- a. Any change to the interior of a Residence that does not obstruct views from any other Lots and that does not change the exterior of the Residence in any way<sup>8</sup>;
- b. Minor planting of landscaping on the Lot as well as the replacement of landscaping with plants of similar size and species;
- c. Minor planting of landscaping in the Easement Area appurtenant to each Lot as well as the replacement of landscaping with plants of similar size and species by the Dominant Tenement;
- d. General definition: An appurtenant easement is a right to use adjoining property that transfers with the land. The parcel of land that benefits from the easement is the dominant tenement. The servient tenement is the parcel of land that provides the easement. The term “appurtenant,” in this context, means that the homeowner’s easement over and across a portion of their neighbor’s lot attaches to, and is a part of, their ownership interest. See First Amendment to CC&Rs, Section 4.3 for more specific information about the Easement Areas.
- e. Minor exterior repairs to the Residence including:
  - (a) minor stucco repairs, garage door repairs, and paint retouching in the same color as previously approved,
  - (b) minor Residence roof repairs using existing roof tiles or identical replacement tiles,
  - (c) minor stucco repair and minor re-painting of decorative walls, party walls, and fences in the same color as previously approved, and
  - (d) replacement of existing utility cabinet doors with a substantially similar door, painted to match the house exterior;
  - (e) Replacement of existing exterior air conditioning equipment with new equipment of substantially similar size in the same location; and
  - (f) Emergency exterior repairs may be performed to the extent required to prevent additional or continuing damage, provided that an architectural application, if an application

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<sup>8</sup> Note: Interior cameras that look out windows into neighbor yards, doors or windows are prohibited. See Rules, *supra*, Section VIII.E.13

would have been required for the work, is submitted within thirty (30) days of the emergency repair.

Notwithstanding the above exceptions, if the Board determines that any Structural Improvements materially obstruct the views from any other Lot, the Board may order them altered or removed. If in doubt, an Owner should submit an architectural application so that the Architectural Committee may determine whether any proposed landscaping or Structural Improvements have the potential to obstruct views from any other Lots.

- B. Grandfathered Improvements: Any existing Improvement constructed and/or installed by an Owner on Owner's Lot that does not comply with these Rules constitutes a Grandfathered Improvement if (1) a completion certificate was issued by Antigua HOA<sup>9</sup> for the Improvement, (2) the Improvement was approved in writing by the Architectural Committee, or (3) approval of the Architectural Committee for the Improvement was not required at the time the Improvement was constructed and/or installed. The Antigua HOA shall not require the removal or modification of a Grandfathered Improvement (1) until an Owner submits an architectural application to the Architectural Committee to substantially modify an existing Grandfathered Improvement, at which time the Owner may be required to modify the Grandfathered Improvement to the extent necessary to bring the Grandfathered Improvement into compliance with these Rules, or (2) the Grandfathered Improvement falls into disrepair and the Board makes a determination that it violates the general maintenance requirements. Homeowners remain accountable and responsible for any outstanding, California State, Orange County, or Dana Point City code violations and/or any Master or Antigua CC&R violations.
- C. Governmental Permits: All homeowners must obtain all required governmental permits prior to commencing construction, including but not limited to all required city, county, state, or federal permits.

### III. AUTHORITY

- A. Architectural Committee Duties and Authority: Architectural Committee Duties and Authority are established and vested by the CC&Rs, Article VIII, Section 8.3. The Architectural Committee has the authority to approve or disapprove all architectural applications received by the Property Manager on behalf of homeowners within the Antigua HOA. The Property Manager is the person or entity appointed or hired by the Antigua HOA, such as a property management company, also known as the "Manager"<sup>10</sup>)
- B. Monarch Beach Master Homeowners Association ("Master Association"): While declarations contained in this document apply solely to Antigua HOA, all Antigua

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<sup>9</sup> CC&Rs, Article VIII, Section 8.14.

<sup>10</sup> CC&Rs, Article II, Section 2.18.

community members are also bound to comply with the Monarch Beach Master Homeowners Association CC&Rs (“Master Association CC&Rs”). Obtaining Master Association approvals, if required by the Master Association CC&Rs, rests with the homeowner. Any reference to the Master Association CC&Rs in this document is for information and guidance only.

- C. Governmental Permits: Antigua homeowners are responsible to obtain all required permits from the city, county, or applicable governmental agency for their project. Approval of any project by the Antigua Architectural Committee does not waive this requirement. Obtaining governmental permits does not waive the requirement for a homeowner to have an approved architectural application by the Architectural Committee prior to any Improvements.
- D. Capitalized Words: Capitalized words not defined in these Rules shall have the meanings attributed to them by the Antigua CC&Rs (including the First Amendment to the Antigua CC&Rs). “Homeowner” or “member” shall have the same meaning as Owner, even if not capitalized.
- E. Amendment; Replacement of Prior Rules & Guidelines: These Architectural Committee Rules (“Rules”) supersede and replace in their entirety the Antigua Architectural Committee Guidelines adopted in or around 1996, and the Antigua Architectural Committee Rules adopted in or around June 2014, and any other previously adopted Antigua Architectural Committee Rules or Guidelines.

#### **IV. ENFORCEMENT**

- A. Principle: Owners of property in Antigua, pursuant to the Antigua CC&Rs, have agreed the Architectural Committee may adopt reasonable architectural standards, rules and regulations concerning, among other things, the requirements that owners submit plans and specifications for approval prior to commencing any work or Improvement on their property.
- B. Standard Practice: Failure to obtain the necessary approval prior to commencing any Improvements is a violation of Article VIII, Section 8.5 of the Antigua CC&Rs: The homeowner may be required to modify and/or remove, any or all, unauthorized work at the homeowners’ expense. In addition, failure to comply with these Rules and/or the CC&Rs may subject the homeowner to penalty fees or legal action as determined by the Antigua HOA Board of Directors (the “Board”).
- C. Violation Notices, Hearings and Fines: The Association will follow the enforcement procedures outlined in the Rules and Regulation for violations of these Rules.

#### **V. APPLICATION PROCEDURES AND REQUIREMENTS**

- A. Application Procedure: A homeowner must submit an architectural application to the Property Manager prior to commencing any Improvements to the exterior of

their Lot using the Antigua HOA architectural application (“Application”). A copy of the Application may be obtained from the Property Manager. The Architectural Committee reserves the right to modify the Application form at any time and without prior notice to the membership.

- B. Application Completeness: The Property Manager will date stamp, catalog and forward the application to the Architectural Committee Chairman for review and copy the full Architectural Committee by email. If the application is complete, the Architectural Committee has 30 days to either approve or disapprove the application.<sup>11</sup> A complete architectural application contains all of the information required by the Antigua CC&Rs, these Rules, and any other information the Architectural Committee requests. An incomplete application will be returned to the homeowner along with a request for further information in order to make it complete.
- C. Application Requirements: All Applications, plans and drawings must be legible and include enough detail for accurate evaluation by the Architectural Committee. Plans and drawings must be to scale and describe the project with specificity. This includes, but is not limited to the nature, type, shape, size, dimension, material, color and location of all proposed Improvements and construction support facilities (e.g., port-a-potties, dumpsters, etc.). Water drainage must be included in the plan for any landscape, hardscape, patio, deck, or other Improvements that may impact drainage. If new construction is proposed, then two copies of construction plans and/or drawings must be included with the application. Work requiring major additions, or requiring variances, must be prepared in accordance with applicable building codes, with clarity and completeness to the satisfaction of the Architectural Committee.
- D. Emergency Repairs: Emergency exterior repairs are permitted to the extent required to prevent additional or continuing damage, provided that an architectural application, if an application would have been required for the work, is submitted within thirty (30) days of the emergency repair.
- E. Notice of Completion: A Notice of Completion Form shall be submitted by the homeowner to the Property Manager upon completion of any Improvement. The Property Manager shall forward the NOC to the Architectural Committee for review and approval or disapproval. A copy of the Notice of Completion Form can be obtained from the Property Manager.
- F. Additional Information: The Architectural Committee reserves the right to require homeowners to provide additional and/or supplemental information and drawings as deemed necessary, desirable and/or appropriate by the Architectural Committee. Any reasonable request for additional information, materials and/or

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<sup>11</sup> CC&Rs Article VIII, Section 8.8.

drawings made by the Architectural Committee shall be deemed a denial of the original set of plans based on incompleteness. A new thirty (30) day review period begins to run upon the Property Manager's receipt of a revised Application, along with the additional and/or supplemental information and/or drawings.

- G. Major Projects/Preliminary Application: It is highly recommended for major exterior projects that clearly marked preliminary plans be submitted for review in order to avoid unnecessary delays. Refer to Article VIII, Section 8.12 of the Antigua CC&Rs. Final drawings for major work shall be submitted for approval as part of a complete-application.
- H. Permits: After the Architectural Committee has approved the homeowner's application permits must be obtained as required from the city, county or other applicable governmental agency. Any changes required by a governmental agency must be resubmitted to the Architectural Committee for review in accordance with these Rules.
- I. Neighbor Awareness Procedure: A Neighbor Awareness Form must be submitted with each Application. The purpose of this form is to serve advance notice to owner(s) of record of adjacent homeowners/neighbors of the proposed work to be performed. Adjacent homes are defined as those homes in Antigua HOA that share a boundary line with the applicant's home and include any home in Antigua HOA that is directly across the street from the applicant's home.
  - 1. All proposed Improvements will be in accordance with all provisions of the Master Association CC&Rs and Antigua CC&Rs, as well as the Architectural Committee Rules. This form should be signed by adjacent homeowners/neighbors and submitted with any architectural application.
  - 2. The applicant may provide notice by sending a complete copy of the Application and plans by certified mail to the address of the owner(s) of record on file with the Property Manager instead. If an applicant is unsure of the mailing address for the owner(s) of record, they may contact Property Manager and obtain that name and address free of charge.
  - 3. Any homeowner may submit written objections to the proposed Improvements to the Property Manager. A neighbor is defined as any resident of the property.
  - 4. While it is neighborly to notify your neighbors who are renters that construction is planned, the intent of the Neighbor Awareness policy is that the applicant give notice to the owner(s) of record of the property.
  - 5. Notwithstanding the foregoing, a Neighbor Awareness Form is not required if only an Application to paint is being submitted. However, and in accordance with the Antigua CC&Rs, at least twenty-four (24) hours

prior written notice must be provided to your neighbor before entering your neighbor's yard to paint your Residence.<sup>12</sup>

- J. Application Approval: Approval shall be by majority vote of a quorum of the Architectural Committee.
1. In order to approve an Application, the Architectural Committee must make the findings:
    - a. The Owner has complied with the Application procedure and requirements;<sup>13</sup>
    - b. The plans and specifications conform to the CC&Rs and to the Architectural Committee Rules in effect at the time such plans were submitted; and
    - c. The proposed Improvements would be complementary to, sympathetic, compatible, and consistent with the standards of the Project and the purposes of CC&Rs as to quality of workmanship and materials, as to harmony of exterior design with the existing structures and as to location with respect to topography and finished grade elevations.<sup>14</sup>
  2. Extensive exterior additions/Improvements may require an on-site inspection by at least two Architectural Committee members prior to a vote.
  3. Applications shall be signed and dated by at least two (2) members of the Architectural Committee, then returned to the Property Manager for processing.
- K. Oral Comments Not Binding: Oral comments made by members of the Architectural Committee are nonbinding on the Antigua HOA. An approval must be in writing to be effective. If an Owner is unsure whether to file an Application for a project, the Owner shall write to Property Manager for a written determination.
- L. Project Changes Require New/Revised Application: Any changes to a proposed Improvement on an Application that has been approved, or future changes or additions to any completed Improvement installed either with or without prior Architectural Committee approval, require a new and separate, properly completed Application submitted in accordance with these Rules.

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<sup>12</sup> First Amended Antigua CC&Rs, Article IV, Section 4.3.7.

<sup>13</sup> CC&Rs, Article VIII, Section 8.6.

<sup>14</sup> CC&Rs, Article VIII, Section 8.7.

- M. Appeal: Following denial by the Architectural Committee of an application, a homeowner applicant has the right to appeal that decision to the Board by filing a written appeal with the Property Manager within thirty (30) days of the Architectural Committee's decision being placed in U.S. Mail to the homeowner. Within thirty (30) days following the Board meeting at which the appeal was considered by the Board of Directors at a Board meeting, the Board shall render its written decision. The failure of the Board to render a decision within said period shall be deemed a decision in favor of the decision made by the Architectural Committee.

## **VI. CONSTRUCTION**

- A. Time Limits: Commencement of work must occur within six (6) months from approval. Work must be completed within one (1) year from the date the work is commenced plus the additional time period as provided in Article VIII, Section 8.10 of the Antigua CC&Rs. Requests for time extensions must be made in writing to the Property Manager company and include the reason for the extension, and require written approval from the Architectural Committee to be effective. If the scope of the job warrants more time, or for other reasons deemed necessary by the Architectural Committee, the owner may be granted an extension of the construction time period as necessary.
- B. Inspection: Upon completion of work, the applicant shall complete the Architectural Notice of Completion Form, which may be obtained from the Property Manager, and submit it to the Property Management. The Architectural Committee retains the discretion of whether or not to conduct a final inspection of the homeowner's project. The inspection will check for violations of the Antigua CC&Rs, as well as Architectural Committee Rules. If the Architectural Committee chooses to inspect the Improvement for conformance to the plans as submitted and approved, inspection and certification will be completed within sixty (60) days after the Owner has notified the Architectural Committee of completion and requested inspection.
- C. Storage Containers and Dumpsters: Prior approval from the Board of Directors is required for the use of any type of temporary storage containers and dumpsters for construction or remodeling. Approval will be granted on a month-to-month basis. Contact the Property Manager in advance of construction to request approval. Homeowners are encouraged to rent an off-site storage facility for household goods during construction or remodeling.
- D. Port-a-potties: Port-a-potties are to be in compliance with all applicable laws, and the location must be specified in the Application and the location noted on the plans.

## VII. COMMON AREA

The Common Area is defined within the CC&Rs.<sup>15</sup> No Improvement may be installed on/in the common area by an Owner without advance written approval by the Board.<sup>16</sup>

## VIII. GUIDELINES

- A. Maintenance: Homeowners shall keep their homes, property and landscaping tidy, clean and in good repair at all times.
- B. Exterior Painting
  - 1. Written Application Required to Paint: An Antigua Paint Application must be submitted to the Property Manager prior to exterior painting, except for minor painting of the same color.
  - 2. Antigua Exterior Paint Collection Colors: The approved Antigua Exterior Paint Collection Colors is attached as Exhibit "A". The Antigua Paint Application form and the Antigua Exterior Paint Collection Colors are available through the Property Manager. The paint names have been arbitrarily assigned for descriptive purposes only; the corresponding color codes are exact, and it is recommended that homeowners purchase the paint from a Vista Paint store to ensure the correct Antigua Exterior Paint Collection Color is used.
  - 3. Prior Approval For Exterior Paint Collection Colors: Prior approval is required for any exterior painting, except for minor painting of the same color, including those contained in the Antigua Paint Collection Colors. Requests to paint a house, or to paint, stain or factory tint any other architectural feature (e.g., balcony doors, garage doors, patio doors, decorative front walls, gates, windows, fences, awnings, patio covers, sunshades, etc.) in a color other than one listed as a main house color in Antigua Exterior Paint Collection Color will be considered on a case by case basis by the Architectural Committee, and the proposed color must be complementary to, and sympathetic and compatible with the architectural character of the community.
  - 4. Level of Sheen Permitted: All stucco and painted garage doors must be painted using flat paint; no glossy paint is allowed on Residence exterior or garage doors except for wood trim. Wood trim that frames garage doors and other exterior doors may be painted using semi-gloss, satin, or flat paint.

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<sup>15</sup> CC&Rs, Article II, Section 2.8

<sup>16</sup> CC&Rs, Article V, Sections 5.2.1 and 5.3.1.4.

5. Optional Pop Out locations: Pop out color may be applied to any or all of the following (examples are diagramed on Exhibit “B”):
  - a. The rounded raised stucco trim around doors, windows, and garages.
  - b. The rounded raised stucco trim on the front and rear balconies
  - c. The rounded raised stucco below the stucco fascia trimming the roofline.
  - d. When electing to paint the rounded raised stucco trim around the garage doors with a pop out color, the Owner may also elect to paint the stucco and wood trim framing the garage door between the pop out and the garage door in the same pop out color.
6. Doors
  - a. Garage door, patio door, and balcony door replacements and trim must be painted in the same Antigua Paint Collection Colors as the residence or the pop out color specified in the Antigua Paint Collection Colors for the existing residence color, unless advance permission is obtained pursuant to Section VIII.B.3 above. Doors with a factory applied finish that cannot be painted without risking the manufacturer’s warranty, shall be finished in the manufacturers’ color most closely matching the Antigua Paint Collection Colors. Window glass pane sectioning strips may be painted white. For stain-grade garage doors, see section VIII.B.8 below.
  - b. Front doors do not have to be painted in the Antigua Exterior Paint Collection Colors if the doors’ color and style have prior approval of the Architectural Committee or were otherwise permitted by operation of these Rules or the CC&Rs.
7. Front Privacy Wall: The stucco portion, any wood trim and gate on a front privacy wall must be painted the same color as the Residence, unless advance permission is obtained pursuant to Section VIII.B.3 above. Any change in paint color to doors or gates for front privacy walls must be approved in advance by the Architectural Committee. For stain-grade garage doors, see section VIII.B.8 below.
8. Stain Grade Doors: If an Owner elects to install a premium stain-grade wood garage door, balcony door, patio door, or front privacy wall gate, or any combination thereof, all such doors must be stained in the same color, and the stain color must be complementary to, and sympathetic and compatible with the Residence paint color and with the architectural character of the community. A sample of the stain must be submitted with

the Application. Any change in the Residence paint color must be complementary to, and sympathetic and compatible with any existing stain color.

9. Windows: Windows with a factory applied finish that cannot be painted without risking the manufacturer's warranty shall be finished in the manufacturer's color most closely matching the Antigua Paint Collection Colors, or a color that matches the Residence's existing window frames if not all windows and matching doors are being replaced. Window glass pane sectioning strips may be painted white or may be a factory-installed decorative grid matching the frame color.

a. Requests to install windows with a factory installed finish in a color other than a closely-matched Antigua Exterior Paint Collection Color as the Residence will be considered on a case by case basis by the Architectural Committee, and the color must be complementary to, and sympathetic and compatible with the Residence paint color and with the architectural character of the community. If less than all windows are proposed for replacement, the style and color of all windows visible from the street must match. Any change in the Residence paint color must be complementary to, and sympathetic and compatible with the window frame color.

10. Driveways: All stamped concrete driveway and apron (excluding curbs and gutter) must be painted the same color using Brick Red - Scofield Revive Color Refresher.

C. Structural Remodeling Additions and Replacements: All structural additions and/or structural replacements (collectively, "Structural Improvements") that affect or change the exterior of a Residence shall require an Application and Architectural Committee approval, including without limitation, those listed under "Structural Specifics." All such additions and replacements shall conform to materials, colors, character, and detailing as established on the existing dwelling. At no time shall any structure, wall or fence be attached to a neighbor's home.

1. All permits required by a government authority, fees and required inspections are the sole responsibility of the homeowner.<sup>17</sup>

2. All work must comply with existing building codes and any other applicable laws.

D. Structural Specifics

1. Patio covers, arbors, trellises, gazebo structures, etc.: Patio covers, arbors, trellises, gazebo structures and the like shall conform to the original

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<sup>17</sup> Refer to the Antigua CC&Rs, Article VIII, Section 8.17.

architectural character of the existing dwelling, and shall be stained or painted in order to match a color on the home, unless advance permission is obtained pursuant to Section VIII.B.3 above. Factory finishes must be, as closely as possible, matched to the Antigua Paint Collection Colors.

2. Awnings and Sunshades: Prior approval of any awning or sunshade installation must be obtained keeping in mind the architectural integrity of the community and must be complementary to, and sympathetic and compatible with the Residence paint color and with the architectural character of the community. Applications for awnings and sunshades must include a material sample or fabric sample along with a color picture or rendering of the hardware and awning style. A diagram depicting the awning or sunshade location must also be included with the application.
3. Garage Doors: Prior approval for the installation of replacement garage doors is required. All replacement garage doors shall be complementary to, and sympathetic and compatible with the architectural character of the community. Stain-grade wood is an acceptable material for garage doors and must be stained in a color that is complementary to and compatible with the exterior house paint color. Architectural Applications for garage door replacement must include a picture or rendering, including color.
4. Tile Roofs: Only tile substantially identical in style, color and appearance shall be allowed to replace existing tile roofs.
5. Balconies/Decks: Prior approvals must be obtained in accordance with this document. Structures shall compliment the architectural features of the dwelling and, except to the extent as originally built, shall not obstruct any views of neighboring properties. To preserve neighbor privacy, no decks, patios, or balconies are permitted on the ground level that would be higher than any door threshold (e.g., no step up or view decks).
6. Front Doors: Front doors, or alteration of the front entranceway to the Residence, shall compliment the architectural features of the dwelling. Applications for front door replacement must include a color picture or rendering.
7. Mechanical Equipment: Installation of any external mechanical equipment including but not limited to air conditioners, swimming pool equipment, spa equipment, fountains affixed or attached to hardscape, and water softeners, require an Application and approval by the Architectural Committee, if not on the builder's original plans.
  - a. Replacement of existing external air conditioning equipment with substantially similar equipment in the same location does not require approval by the Architectural Committee. If an air conditioning stub was built into the Residence by the original

builder, installation of a new air conditioning condenser unit next to the stub does not require an Application, provided the condenser is placed in the location used by similar model units that have existing air conditioning condensers.

- b. The applications for installation of new mechanical equipment, or change of location of any existing equipment, will be reviewed on the basis of aesthetic impact as well as easement, drainage and view considerations. Architectural plan drawings must indicate the location for all proposed installations of mechanical equipment. To mitigate noise, all pool and spa equipment shall be located as far as possible from neighboring properties and all pumps and blowers must be contained in a noise-insulated structure.

#### E. Miscellaneous Items

1. Front Fences and Decorative Front Walls: Decorative Walls and Front Walls are defined in the First Amendment to the Antigua CC&Rs. Decorative Front Walls are those Decorative Walls that generally parallel the street in front of a Residence, and include wrought iron fences and stucco walls.
  - a. Any removal, installation or other modification of a Decorative Front Wall (e.g., either a stucco privacy wall or wrought iron fence) requires an application and prior approval, and must conform to Dana Point city building codes. In addition to the wall, any fence, gate or door must also have approval prior to installation.
  - b. Only stucco privacy walls or wrought iron fences are permitted as Decorative Front Walls and must be sufficiently set back to allow free access to utility cabinets and meters. At no time shall any structure, wall or fence be attached to a neighbor's home.
  - c. Stucco Privacy Walls: The Developer installed wrought iron fences as the original Decorative Front Walls. A homeowner may elect to substitute a stucco privacy wall in lieu of the original wrought iron fence, after application and approval. The stucco privacy wall must be painted the same color as the residence. The wall must not interfere with drainage, and the plans shall detail compliance with drainage requirements set forth below.
  - d. Wrought Iron Privacy Fences Shield: An application and prior approval is required to install privacy shielding on a wrought iron fence. Wrought iron bars must remain unobstructed unless an application is granted to install privacy shielding. Privacy shielding shall be of a high quality, and must be complementary to,

and sympathetic and compatible with the architectural character of the community.

- (a) The type of privacy shielding permitted includes but is not limited to:
  - (i) Metal shields of like quality to the fence and painted or finished to match the wrought iron fence. Such metal privacy shields may be partially transparent or solid and must be permanently affixed to the fence.
  - (ii) Premium stain-grade wood inset into the wrought iron fence frame. The wood must be stained in the same color as other stained wood visible from the street (such as a stain-grade garage door), and the stain color must be complementary to, and sympathetic and compatible with the Residence paint color and with the architectural character of the community. A sample of the stain must be submitted with the Application.
  - (iii) The privacy shield must be four inches above grade. It cannot be installed lower than the bottom horizontal rail of the fence.
- (b) Prohibited privacy shielding:
  - (i) Plastic or synthetic-material fabric tarps or screens.
  - (ii) Bamboo or other wood screens.
  - (iii) Privacy shielding that is attached by zip ties or tape or other temporary method of attachment.
  - (iv) Any other material not expressly permitted.

- 2. Rear Fences: Architectural application and approval is required prior to any change to the rear fence. Wrought iron fences at the back of each home must be painted black for continuity and aesthetic purposes. This does not pertain to the rear stucco and glass backyard structures directly bordering Monarch Beach Drive. For continuity, the rear stucco walls and side-yard walls facing Monarch Beach Drive, the Monarch Beach Park, or any street in Antigua, must be painted the color designated for such walls and shall not be painted to match the home (see Antigua Painting Application for current color). Homeowners may add short critter-deterrent vertical bars between the full-length bars on the existing wrought

iron fence. These short bars must be painted the same color as the rest of the fence.

3. Side Yard Walls/Party Walls: Prior to any change to a party wall, such as a side yard wall, an owner must submit an Application and obtain Architectural Committee approval. Any change in height, width or placement of a party wall requires a joint Application signed by the owners of both Residences that share the party wall and both owners must acknowledge their agreement to the change. Any request for increase in height must not obstruct views from neighboring Residences.
4. Drainage: Landscaping and Structural Improvements shall not interfere in any manner with any drainage or utility easements created by the original developer.<sup>18</sup> All drainage systems and surface water runoff shall flow from the back to the front of the Lot and discharge into the storm drainage system in the street. No water or drainage system is permitted to drain toward the rear yard slope areas or into the yards of any adjacent property owners or common area other than the street in front of the Lot. The original course of surface water runoff as set by the developer shall not be disturbed or altered until adequate drainage systems are installed following an Application and written approval by the Architectural Committee.
5. Gutters: No gutters, downspouts or scuppers to control water shed from roofs shall be installed without prior approval of the Architectural Committee. These Improvements shall either (1) be primed and painted to match the Residence's exterior paint color or (2) have a factory applied finish that matches as closely as possible the Residence's exterior paint color.
6. Venting for Appliances: Any change in exterior venting for appliances, including without limitation, water heaters and tankless water heaters, requires an Application and prior approval by the Architectural Committee. Installation of new or enlarged exterior venting for appliances is not allowed on a Zero Lot Line Wall (e.g., no new or enlarged venting into a neighbor's yard is permitted). Existing exterior venting on a Zero Lot Line Wall shall not be increased, enlarged or changed in any way that creates a nuisance, and applications will be reviewed for noise, odor, and other impacts on adjacent neighbor's Lot. Plans submitted with the Application must show in detail the venting location.
7. TV Satellite Dish and Antennas:
  - a. Article IV, Section 4.1.4 of the Antigua CC&Rs prohibits the installation, erection and attachment of antennas on building

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<sup>18</sup> CC&Rs, Article IV, Section 4.2.

structures. However, that prohibition has been preempted by state and federal law, and the Antigua HOA cannot prohibit the installation of satellite dishes or antennas that have a diameter of 36” or less. However, prior to installation, proper Application to and approval from the Architectural Committee is required. Such application should include the precise location of the proposed dish.

b. The placement of a satellite dish or antenna is strictly regulated. Satellite dishes or antennas may not be installed on the front of any residence, nor on any Zero Lot Line Walls or over any Easement Area. Installation locations will be reviewed on a case-by-case basis. The satellite dish shall not obstruct a neighbor’s view or present an unsightly appearance in any manner. The dish size must be in accordance with FCC regulations in effect at the time of the application. See: <http://www.fcc.gov/guides/over-air-reception-devices-rule>. Reference FCC regulations, Antigua CC&Rs, Article IV, Section 4.1.4, and Section 4.3.3.

8. Weathervanes, stained glass windows, stained glass inlays or overlays, skylights, and any solar energy systems and solar water heating equipment all require an Architectural Application and prior approval by the Architectural Committee. Solar installations must not extend or intrude into the zero lot line easement area (if any).<sup>19</sup> Solar panels shall be positioned or screened so as not to reflect light into a neighboring Residence.
9. Window Tinting: Tinting windows with reflective and/or mirror effects is prohibited. All other types of exterior tinting must have prior approval of the Architectural Committee.
10. Security Doors/Windows: Exterior security doors and/or window bars or grills are not permitted.
11. Basketball Backboards: Installation or erection of any basketball backboard or fixed sports apparatus is prohibited.<sup>20</sup>
12. Outdoors Lighting: Dark Sky compliant exterior lighting is encouraged. House/garage lighting of a subdued nature is required. Lighting fixtures shall not consist of more than:
  - One lighting fixture for each balcony
  - One lighting fixture at the rear entry along with one backyard patio light fixture, or up to four lights recessed in

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<sup>19</sup> Antigua CC&Rs, Article IV, Section 4.3.3.

<sup>20</sup> CC&Rs, Article IV, Section 4.1.15.

an architectural feature overhang that are directed straight down

- One lighting fixture along the front door access
- One recessed illumination at the front door
- Up to two lighting fixtures framing the garage door(s)
- For those Residences with front privacy walls, two lighting fixtures framing the privacy wall gate
- Up to three four lights recessed in the top frame of the garage that are directed straight down
- House plans incorporating an interior atrium (i.e., Model B Plan 2) may include a lighting fixture within that location.

Exceptions are granted for original builder specifications. Any changes to lighting fixtures require an Application.

13. Lighting Fixtures: Lighting fixtures shall be affixed to the house and bulbs shall have a subdued nature so as not to disturb adjacent or backyard neighbors from too much illumination at night. Only white light is permitted; no other colors are permitted (e.g., no red, no blue, no green, etc.).
14. Landscape Lighting: Landscape, walkway or perimeter lighting shall be of the low voltage, LED or solar variety. In no case shall the combined height of the base plus lamp be above the top of any privacy wall or wrought-iron partition.
15. Holiday Lighting:
  - a. “Holiday Lighting” includes the display of lighting elements associated with a seasonal holiday or event. Holiday Lighting does not include any lighting elements that are used more than 60 days out of any calendar year. This policy is not intended to permit the use of holiday lights in everyday landscaping without submittal and architectural approval.
  - b. Any lighting that is displayed more than 60 days during any calendar year requires approval by the Architectural Committee and must be installed and maintained in accordance with the Association’s Architectural Guidelines.
  - c. Holiday Lighting may not be allowed to fall into disrepair and must be well maintained at all times displayed.
  - d. Holiday Lighting may not be installed more than thirty (30) days prior to the holiday or event, and must be removed within thirty (30) days thereafter.

- e. Holiday Lighting may only be displayed on an Owner's separate interest private property.
16. Security Motion Detector Lighting: Security motion detector lights for front and rear entry doors are permitted and motion detection settings must be appropriately adjusted so as not to disturb neighbors. No other motion detector lights are permitted.
17. Home Security Cameras: Exterior home security cameras are permitted. Prior approval for installation of such equipment is required. The application must include the location, angle, and field of view of all cameras to be used. Only those cameras that satisfy all of the following requirements are eligible for approval by the Architectural Committee:
- a. No cameras are permitted in any of the following locations: on front or rear balconies; on the street (front) elevation of a Residence; on any Zero Lot Line Walls; on any decorative walls, party walls, or fences; or on any atrium walls overlooking an adjacent neighbor's easement area, or on or looking through windows facing an adjacent neighbor's easement area or backyard, doors, or windows. .
  - b. Cameras must be "fixed view" cameras that do not have panning or tilting capabilities.
  - c. All cameras must be set back at least twenty-four feet (24') from the non-street edge of the front sidewalk, and to the greatest extent possible, be installed in locations that are unobtrusive and blended with architectural elements, and must be complementary to, and sympathetic and compatible with the architectural character of the community.
  - d. With the exception of one button-activated intercom located within three feet of the Residence front door, no exterior microphones are permitted.
  - e. One doorbell with built-in security camera combination may be installed without filing an application. The camera must be faced away from adjacent neighbor's windows.
  - f. The Architectural Committee may take into consideration privacy concerns when evaluating an Application for the installation of surveillance cameras.
  - g. Allowed Placement and Locations:
    - 1. Security Camera 1: Back deck (location); pointed toward backyard (angle and field of view); without sound/audio.

2. Security Camera 2: Above garage location; pointing on the driveway only (angle and field of view); without sound/audio.
  3. Security Camera 3: Front gate (location); pointing toward your walkway to home (angle and field of view); without sound/audio.
  4. Security Camera 4: Front deck (location); pointing toward walkway to home (angle and field of view); without sound/audio.
  5. Security Camera 5: Front deck (location); pointing toward the street, but not past the sidewalk/street. (angle and field of view); without sound/audio.
- h. All cameras must be complementary and sympathetic to the community and home's architectural style.
  - i. All cameras must blend with the structure and be unobtrusive.
  - j. Rules prohibit the pointing of cameras toward other residents' windows and balconies.
  - k. Owner needs to provide the camera name and angle or field of view capacity. No sound/or audio is allowed unless it is contained at the front door.
  - l. The Architectural Committee may visit the home once installed and provide additional comments or changes to the placement if the guidelines are not followed.
18. Signs: Signs are regulated in accordance with Article IV, Section 4.1.21 of the Antigua CC&Rs, except to the extent preempted by California Civil Code Section 4710. An Application and prior approval for installation of any sign is required, i.e., security affiliation. However, noncommercial signs, to the extent permitted by law, may not be made of lights, roofing, siding, or paving materials, and may not exceed the size restrictions specified in California Civil Code Section 4710.
  19. Firepits: Backyard firepits must be fueled by natural gas or liquefied-petroleum gas and must be permanently installed in a fixed location that satisfies applicable building codes and setback requirements. With the exception of barbecues, grills and devices intended solely for cooking, any firepit or similar device that burns wood or other solid fuel is prohibited.
  20. Minor Landscaping and Structural Improvements: Minor landscaping on the Lot as well as the replacement of landscaping with plants of similar size and species is permitted without an Application. Minor exterior repairs to the Residence are permitted without an Application including (i) minor stucco repairs, garage door repairs, and paint retouching in the same color as previously approved, (ii) minor Residence roof repairs using existing roof tiles or identical replacement tiles, (iii) minor stucco repair and minor re-painting of decorative walls, party walls, and fences in the same color as previously approved, and (iv) replacement of existing utility

cabinet doors with a substantially similar door, painted to match the house exterior.

## IX. LANDSCAPING

- A. Landscaping: Landscaping must present an attractive appearance for the property and include a reasonable combination of grass, shrubs, trees and/or other appropriate materials. At no time may vines, etc. be attached to, or allowed to grow on, a neighbor's home. An Owner shall not allow their tree(s) or other plant material to become a nuisance to a neighbor, such as providing a runway for rodents to enter attics or homes.<sup>21</sup>
- B. Views: The Architectural Committee may, but is not required, to consider impact on views and restrict installation of any plant, tree, bush or shrub that may materially obstruct another homeowner's view. Owners should consider view impacts when selecting landscape, as the Master Association also has the right, but not the obligation, to require any Member to remove, top or prune any tree or other plant which it believes materially obstructs the view from any Lot, even if it is approved by the Architectural Committee. The Association bears no liability for the cost of maintenance or removal of trees or other plants deemed to materially obstruct a view.<sup>22</sup>
- C. New Landscaping: When installing new landscaping, to prevent damage to a neighbor's walls and property:
1. A minimum of three (3) inches is required between the top of any landscaping materials (e.g., grass, rock, dirt, plants, etc.) and the weep screed of the Zero Lot Line Wall defined in section 4.3 of the First Amendment to the Antigua CC&Rs.
  2. A minimum of four (4) inch horizontal separation is required between all small plants and the Zero Lot Line wall.
  3. A minimum of three (3) feet horizontal separation is required between all tree trunks (and larger plant trunks, such as bushes) and the Zero Lot Line wall.
  4. Landscaping must not interfere with access to utility meters and utility cabinets.
- D. Front and Visible Side Yards: All front and visible side yards, excluding driveways and hardscape materials, shall be landscaped with a minimum of 50% plant, or plant like material. Prior approval for installation of all manmade, synthetic, and/or plant-like material must be obtained from the Architectural

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<sup>21</sup> Master Association CC&Rs, Article VII, Section 7.06; CC&Rs, Article IV, Sections 4.1.6 and 4.1.9.

<sup>22</sup> Master Association CC&Rs, Article VII, Section 7.06; CC&Rs, Article IV, Section 4.1.6, and Section 4.1.9.

Committee. The intent of this provision is to establish a neat and relatively uniform appearance within public view.

- E. Hardscape and Landscape Materials: The following hardscape and landscaping materials are not permitted in front or visible side yards without an Application and prior approval of the Architectural Committee:
1. Decorative rock(s) of any kind or color, decomposed granite, gravel or sand
  2. Hedge-type plants adjacent to the sidewalk that may pose a tripping hazard
  3. Shrubs with thorns planted adjacent to the sidewalks that may be considered a hazard (e.g. roses, cactus, low growing branches or fronds)
  4. Railroad ties
  5. Any manmade, synthetic, and/or non-plant material, including artificial turf (see below)
- F. Gravel and Sand; Privacy Hedges: Gravel and sand are not approved as visible surface materials. While gravel may be used as part of an approved drainage system, it must be covered by decorative rock or other approved surface covering. Trimming and maintenance of privacy hedges and plants are the responsibility of the homeowner in which the hedge is planted in the ground. Homeowners are expected to work together to make such hedges acceptable to both parties. At no time is any homeowner allowed to cut or trim any portion of a hedge, tree, plant, shrub or bush that is in another homeowners yard; provided, however, an Owner may trim any portion of such plant material that originates on a neighbor's Lot if such plant material grows past or hangs past the mid-point of a decorative side wall and trespasses onto or over that Owner's Lot. The effective property line is the middle of any Zero Lot Line Wall, decorative side wall, or rear wall.
- G. Xeriscaping: Drought tolerant plantings are encouraged at all times.
- H. Artificial Turf: An Application and approval by the Architectural Committee is required prior to the installation of any artificial turf
1. Installations of artificial turf that occurred prior to the incorporation of this document should be in compliance with these guidelines. However, replacement of existing artificial turf must meet the standards established herein.
  2. The intent of these Rules, and the desired effect for the use of artificial turf, is to have a high quality natural looking installation with blended colors of tan and green thatch for front and visible side yard installations.

3. Artificial Turf Architectural Applications shall include: Manufacturer's warranty information, a minimum 6x9 inch (6"x9") sample of the planned material to be used, installation plans, procedures and guidelines, and specific drainage plans in compliance with the Antigua CC&Rs. Prior to filing an application, please see Exhibit "C" to these Rules for Artificial Turf Definitions, Requirements, Specifications and Maintenance.

## **X. VIEW OBSTRUCTIONS**

The Architectural Committee reserves the right to review any plans and specifications submitted with respect to their potential impact for view obstruction within the Antigua HOA.

## **XI. DRAFTING PROVISIONS**

- A. **Non-Exclusive Nature of Guidelines:** The guidelines as set forth above are non-exclusive in nature and the Architectural Committee expressly reserves the right to take all actions in its power to address and remedy, on a case by case basis, any architecturally related issue brought before them.
- B. **Future Changes or Additions:** These guidelines are intended as a blueprint for maintaining and improving the aesthetic and architectural character of Antigua. They are subject to change in accordance with the Antigua CC&Rs, Article VIII, Section 8.5.

## **XII. Electric Vehicle Charging Stations**

1. **Location.** An Owner requesting to install an electric vehicle charging station ("EV Station") shall install the EV Station in a location within an Owner's garage.
2. **Aesthetics.** An EV Station shall be harmonious with the aesthetics of the community. The Association may require an Owner to ensure that the EV Station is screened from view or otherwise blends in with the aesthetics of the community.
3. **Reasonable Restrictions.** The Association may impose other reasonable restrictions on the installation of an EV Station provided the restriction does not significantly increase the costs or significantly decrease the efficiency of the EV Station.
4. **Prohibitions.** Electric vehicles charging where cables, wires, or any apparatus is crossing or laying on the driveways, common area sidewalks, or any other Common Area is prohibited, as this creates a safety hazard.

**Exhibit "A"**

**Antigua Exterior Paint Collection Colors**

(Painting application with colors listed follows this page.)

ANTIGUA OWNERS ASSOCIATION OF MONARCH BEACH  
ARCHITECTURAL COMMITTEE REQUEST FOR EXTERIOR HOUSE PAINTING

Homeowner's Name: \_\_\_\_\_ Date: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work: \_\_\_\_\_ Email: \_\_\_\_\_

Address to be painted: \_\_\_\_\_

The undersigned understands that ALL STUCCO and TRIM (including garage and exterior doors, unless an exception is granted) will be the SAME COLOR, unless an accent stucco pop out color is selected within that scheme. Place an "X" by the main house body color. If you want to use a pop out color, put an "X" by the paired Accent Stucco Pop Out color. The two colors must be in the same numbered scheme. The pop out color may only be applied where permitted by the Architectural Committee Rules. All residence exterior and garage door paint must be flat; wood trim may be painted semi-gloss or satin.

SCHEME NO.	MAIN BODY COLOR:	ACCENT STUCCO POP OUT COLOR:
1	_____ #0540 Praise Giving	_____ #0559 Always Neutral
2	_____ #0538 Santo	_____ #0547 Tin Man
3	_____ #49 Vista White	_____ #0336 Soft Leather
4	_____ #0174 Maple Pecan	_____ #0189 Delicate Honeysweet
5	_____ #0414 Plume Grass	_____ #0415 French Pear
6	_____ #0345 Travertine Path	_____ #0343 Cantera
7	_____ #0140 Cozy Cover	_____ #0139 Souffl'e
8	_____ #0218 Drifting Sand	_____ #0203 Whale Bone
9	_____ #59 Bone White	_____ #0184 Macadamia Brown
10	_____ #0182 Ivory Ridge	_____ #0175 3 am Latte
11	_____ #0216 Earthling	_____ #0183 Moth Wing
12	_____ #0561 In The Hills	_____ #0566 Sheepskin
13	_____ #0197 Thistle Gray	_____ #0020 Bonaire
14	_____ #0295 Spanish Cream	_____ #37 White Shadow
15	_____ #23 Swiss Coffee	_____ #51 Vista Tan
16	_____ #19 Desert Mesa	_____ #0182 Ivory Ridge
17	_____ #0204 Marshy Habitat	_____ #0210 Hidden Cove
18	_____ #0212 Big Spender	_____ #0211 Light Lichen
19	_____ #0421 Silverado Ranch	_____ #0418 Onion Skin

These colors are available at Vista Paint, 27450 Alicia Parkway, Laguna Niguel, CA (Walmart Center) (949) 349-1950

I (we) would like to paint the \_\_\_\_\_ wrought iron FRONT GATE and FRONT FENCE or \_\_\_\_\_ REAR FENCE the following color for the above-listed address: \_\_\_\_\_ 1. Black (#05) \_\_\_\_\_ 2. Brown Suede (#0221)

These colors are available at Vista Paint, 27450 Alicia Parkway, Laguna Niguel, CA (Walmart Center) (949) 349-1950

With the understanding that ALL DRIVEWAY and APRON (excluding curbs and gutter) will be the SAME COLOR, I (we) would like to paint the driveway and apron of the above-listed address. \_\_\_\_\_ Please contact Trace Davis of Concrete Doctor at (949) 842-3583 or email at [concretedoctor949@gmail.com](mailto:concretedoctor949@gmail.com). Vendor twill paint driveway with the red stain pre-approved by the Board.

Rear and side stucco walls, and wood frames supporting glass panels, that face a common area (e.g., rear walls facing Monarch Beach Drive or Antigua, and side walls facing Saint Annes, Dominica, Antigua, Saint Robert, Saint Kitts or Saint Michael) must be painted with Vista Paint color Travertine Trail (#8459).

I (we) would like to paint the \_\_\_\_\_ rear wall, \_\_\_\_\_ side walls of the above-listed address with Vista's Travertine Trail (#8459). This color is available at Vista Paint, 27450 Alicia Parkway, Laguna Niguel, CA (Walmart Center) (949) 349-1950

ARCHITECTURAL COMMITTEE ACTION (check one):  Approved  Approved with Conditions  Denied

CONDITIONS OR REASON: \_\_\_\_\_

By: \_\_\_\_\_ DATE: \_\_\_\_\_

Committee Member

Committee Member

**Submit to:**

**Antigua Owners Association Monarch Beach**

c/o Powerstone Property Management

9060 Irvine Center Drive

Irvine, CA 92618

Questions: 949-716-3998

**ANTIGUA OWNERS ASSOCIATION  
OF MONARCH BEACH  
HOME IMPROVEMENT - ARCHITECTURAL APPLICATION**

*(Please print neatly)*

The Declaration of Covenants, Conditions and Restrictions (CC&R's) for our community requires that you obtain the approval of the Architectural Committee before commencing any Improvements or alterations to your Residence or Lot. To obtain this approval, please complete this form and mail or deliver along with the required copies of plans and other related material to:

Antigua Owners Association of Monarch Beach  
c/o Powerstone Property Management  
9060 Irvine Center Drive  
Irvine, CA 92618

Each homeowner must submit plans and specifications for landscape, hardscape, patio, and building improvements to the Architectural Review Committee prior to installation and commencement of work.

- 1) Read the CC&R's Article IV, 4.1 Permitted Uses.
- 2) Read Architectural Rules.
- 3) Complete this form in its entirety (three pages, including Neighbor Notification).
- 4) Endorsed drawings and detailed plans/specifications that depict and describe the work (see Architectural Rules Section V.):
  - A. Complete dimensions of improvements proposed (drawn to scale).
  - B. Measurements of improvements in relationship to home and lot lines.
  - C. Identification of building materials and color scheme to be used (provide sample color chips).
  - D. Drawing showing affected elevations (patio covers, gates, etc.).
  - E. Description/drawing showing how drainage will be affected (flow direction and slope)
  - F. For landscape improvements, provide a landscape site plan indicating scope of work, materials, names of plants, sizes of plants and drainage as noted in "E" above.
  - G. Dimensions showing location of trees.
  - H. Specialty waterproofing material for raised planters.

Any compliance with Local Government Ordinances and Building Codes regarding Architectural changes and additions are strictly between the Homeowner and these regulating bodies. Approval of this request does not imply the Association's acceptance based upon such regulations. It is your responsibility to contact these regulating bodies as required.

If further architectural and/or design changes are to take place, which are not part of this application, applicant must submit a new application for the proposed improvements.

Your request will be reviewed by the Architectural Review Committee and you will be given a decision within thirty (30) days from the Architectural Committee receiving a completed application. Failure to include all required plans, specifications and other information will result in your application being returned to you unapproved due to incompleteness.

Owner's Name \_\_\_\_\_ Day Phone # \_\_\_\_\_

Address where work is to be performed: \_\_\_\_\_ Eve Phone # \_\_\_\_\_

Email Address: \_\_\_\_\_

Description and nature of work to be performed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

We have contacted the appropriate public entities and this work:

Requires a permit from the city of Dana Point [(949) 248-3594] or other governmental agency.

No governmental agency permit is required for this work.

The undersigned owner acknowledges and agrees that:

1. No work on the proposed improvements shall commence until I have received written approval of my final improvements plans from the Architectural Review Committee and have satisfied any and all conditions of such approval.
2. My failure to obtain the required Architectural Review Committee approval of any Improvement or to comply with all applicable architectural standards will constitute a violation of the CC&R's and I may be required to modify or remove such improvements at my sole expense.

Owners Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owners Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Items being applied for: \_\_\_\_\_

Date Application Received: \_\_\_\_\_

Action by Architectural Committee:     Approved         Approved with Conditions         Disapproved

Conditions of Approval or Reason for Disapproval: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Architectural Committee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Architectural Committee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Architectural Committee

**Right of Appeal:** If an Owner disagrees with a decision rendered by the Architectural Committee, the Owner has the right to appeal that decision to the Board by filing a written appeal with Manager within thirty (30) days of the Architectural Committee's decision being placed in U.S. Mail to the Owner.

# Neighbor Awareness Form

The attached application and plans were made available to the following:

Project Scope / Description: \_\_\_\_\_

Proposed Start Date: \_\_\_\_\_

Proposed End Date: \_\_\_\_\_

**Rear Homeowner**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

I AM THE HOMEOWNER

**Left Homeowner**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

I AM THE HOMEOWNER

**Rear of Property**

**Property Where  
Work Will  
Take Place**



**Right Homeowner**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

I AM THE HOMEOWNER

**Street/Driveway**

**Front Homeowner**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

I AM THE HOMEOWNER

**Neighboring Owner:** Your signature only confirms that you have seen the plans. If you have an issue with the proposed improvement, this does not mean it will automatically be disapproved. The committee is only authorized to approve or disapprove applications based on the governing documents, including the Architectural Committee Rules.

**Applicant:** The Neighboring Owners have seen the application and plans that I am submitting for approval and I have obtained their signature on this form verifying it. If I prefer, in lieu of obtaining a signature, I may send a Neighboring Owner a copy of the application, plans and this form via certified mail. If I choose to notify my neighboring owner(s) via certified mail, I understand I must attach a copy of the certified mailing receipt to my application to show I mailed it via certified mail; I do not have to wait for confirmation they received it or signed for it. Neighbor objections will not in themselves result in denial. However, the Committee will review the concerns in context with the guidelines to determine if their objections are valid. Failure to obtain all appropriate neighboring owner signatures or failure to attach certified mail receipts (if applicable), may result in denial in your application.

**Applicant Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**ARCHITECTURAL NOTICE OF COMPLETION (NOC) FORM**  
**ANTIGUA OWNERS ASSOCIATION OF MONARCH BEACH**

Property owner must submit this form to the property manager within ten (10) days of completion of work. This is required as a part of the final architectural approval process.

Owner Name: \_\_\_\_\_ Date: \_\_\_\_\_

Property Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_

Description of Work Completed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

MAIL TO:  
ANTIGUA HOMEOWNERS ASSOCIATION  
c/o Powerstone Property Management  
9060 Irvine Center Drive  
Irvine, CA 92618  
949-716-3998

[Do not write below this line]

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Approved as Presented                       Disapproved as Presented

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Committee Signature \_\_\_\_\_ Date \_\_\_\_\_

Committee Signature \_\_\_\_\_ Date \_\_\_\_\_

Committee Signature \_\_\_\_\_ Date \_\_\_\_\_

**Exhibit "B"**

**Antigua Exterior Paint POP OUT Locations**

The depictions below indicate the pop out areas for the front profiles of Models A, B and C. Similar raised stucco on sides and rear elevations may also be painted with the applicable pop out color (see VIII.B.5 for a more precise description of pop out locations).

**MODEL A, PLAN 1:**

**"Popout" Areas**



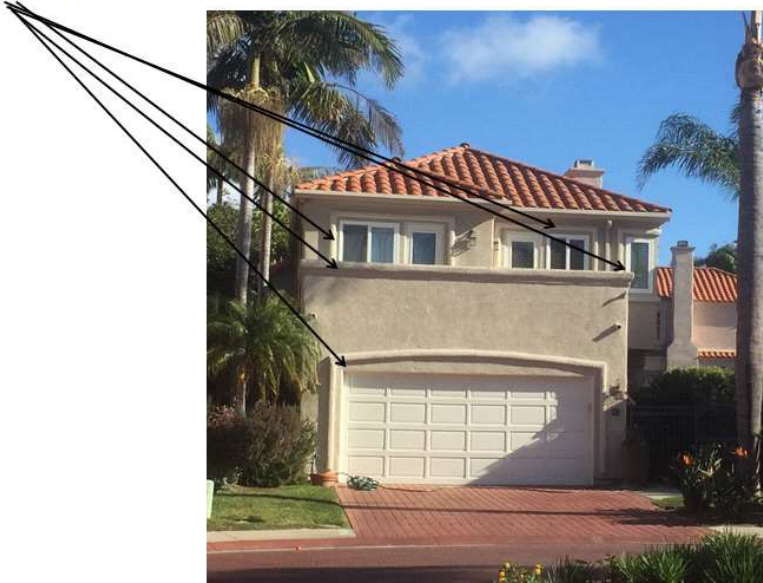
**MODEL B, PLAN 2:**

**"Popout" Areas**



**MODEL C, PLAN 3:**

**"Popout" Areas**



## Exhibit “C”

### Antigua Artificial Turf Requirements

Artificial Turf Definitions, Requirements, Specifications and Maintenance.

- A. Artificial turf is a synthetic, man-made landscaping product. All artificial turf materials used must meet California State and US Federal requirements to be lead compliant.
- B. Turf products containing lead or nylon are strictly prohibited.
- C. Artificial turf products that are not high quality and natural looking in appearance, as determined by the Architectural Committee, are prohibited.
- D. Multi-colored artificial turf products made from a Polyethylene Monofilament Fiber System with Thatch Zone is desired for use in the entire lawn area.
- E. A polypropylene product for a putting green area is acceptable for rear yard installations only.
- F. Owners must use infill materials between the dirt and the artificial turf. Artificial turf with thatch properties does not satisfy infill requirements.
- G. Owners will ensure that the grass blades will be in one direction throughout the proposed area of application. Turf rolls will be laid in the same direction and all seams shall be glued together.
- H. Class II base material is required and/or a material that conforms to the American Society for Testing and Materials (ASTM) C2940 graded aggregate materials. The base shall be graded to fall away from both homes and garages. The sub-base shall be 2-4 inches and/or conform to current acceptable industry standards. A minimum 80% compaction rate is required.
- I. Minimum requirements for artificial turf:
  - A face weight of 40 oz.
  - A pile height of 1.50 inches (1 ½”) for lawn applications
  - A water permeable product
  - An incorporated, or separate, weed barrier
  - Sufficient drainage provided under the turf and toward the front street and in compliance with the CC&Rs and these Rules
  - Seven (7) year manufacturer’s warranty (additional installer or distributor provided warranties do not apply as a basis for the manufacturer’s warranty)
  - Six (6) inch non-corrosive/galvanized nails, or current industry standard, shall be used in installations per the manufacturer’s recommendations

- Shall not occupy greater than 50% of the soft landscape area forward of the wrought iron fencing or decorative wall, also defined as the front yard area

J. The following items are specifically not permitted in artificial turf installation:

- Lead, nylon, latex or urethane based products
- Rubber infill in front yard applications
- Installation of artificial turf immediately adjacent to regular turf
- Installation on slopes whose grade is steeper than 4:1
- Split Film or Slit Film turf used in lawn applications

K. Maintenance Requirements for Artificial Turf. Maintenance of artificial turf is the responsibility of the Owner pursuant to the First Amendment to the CC&Rs. Artificial turf shall not be allowed to become unattractive as determined by the Architectural Committee, or the Board. Faded, cracked, ripped, or otherwise damaged turf shall be repaired in an expeditious manner not to exceed thirty (30) days. If the turf product is not maintained in accordance with community standards, the Owner will be required to repair it, or remove and replace it, with approved landscaping material.