

DEL MAR HIGHLANDS NEIGHBORHOOD HOMEOWNERS' ASSOCIATION

ARCHITECTURAL GUIDELINES

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Revised: September 2009

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The following guidelines are applicable to the following neighborhoods:

<p>3-1 Lady Hill Road Maritime Place Survey Point Lower Ridge Road Windbreak Court Windbreak Road</p>	<p>3-6 Foxgrove Place Landfair Court Landfair Road Overpark Road (Partial) Roxton Circle</p>
<p>3-2 Walking Path Place</p>	<p>3-13 Candela Place Janetta Place</p>
<p>3-5 Courtland Terrace Overpark Road (Partial) Milcroft Court</p>	<p>9-1 Berryfield Court</p>

* Footnote: If you do not belong to one of the above neighborhoods, check with your individual association.

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ARTICLE ONE - PURPOSE AND POLICY

- 1.1 Intent and Purpose. Del Mar Highlands is a community of uncommon beauty, both in its architectural features and in its surrounding natural environment. The goal of these Architectural Guidelines (GUIDELINES) is to preserve and enhance that beauty.
- 1.1.1 In administrating the GUIDELINES, the Del Mar Highlands Neighborhood Homeowners' Association (ASSOCIATION) must balance respect for privacy and individuality with a commitment to preserve the beauty of the landscape for the enjoyment of all.
- 1.1.2 The quality of the area's natural and architectural assets could be undermined by a lack of control over the location, design, color, and number of improvements constructed in our community.
- 1.2 Importance of Uniformity and Consistency. Uniformity, consistency, and harmony are encouraged, even in some apparently minor matters, to allow the area's outstanding natural and architectural features to dominate.

ARTICLE TWO - AUTHORITY OF ARCHITECTURAL CONTROL COMMITTEE

- 2.1 Authority: The Architectural Control Committee (ACC) was established in the mid-1980s by Pardee Construction Company to enforce certain provisions of Covenants, Conditions, and Restrictions (CC&Rs) contained in each deed to property in North City West (Carmel Valley) Neighborhood 3, which area is now managed by the Del Mar Highlands Neighborhood Homeowners' Association (DMHNHOA.) In 1993, the ACC proposed to designate the DMHNHOA to act as the committee's representative for enforcement of certain CC&Rs in N.C.W. Neighborhood 3 Units, 1, 2, 5, 6, and 13. The Board of Directors (BOARD) of the DMHNHOA voted to accept this designation in 1994 and further voted to establish its own ACC as a committee of the BOARD. Subsequently the Board voted to include Neighborhood 3 Unit 9-1.
- 2.2 Composition of the ACC. The ACC as a committee of the BOARD of the DMHNHOA shall be comprised of not less than three persons, nor more than five persons, all of whom are appointed by the BOARD. Each ACC member shall serve an indefinite term until recalled by a majority vote of the BOARD or until the member resigns. The ACC is authorized to publish these Guidelines, which may be amended from time to time.

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2.3 Scope of Authority - Areas Affected:

- 2.3.1 N.C.W. Neighborhood 3, Unit 1 is comprised of the following properties:
Lots #1 - #94
- 2.3.2 N.C.W. Neighborhood 3, Unit 2 is comprised of the following properties:
Lots #95 - #106
- 2.3.3 N.C.W. Neighborhood 3, Unit 5...
Lots #115 - #175
- 2.3.4 N.C.W. Neighborhood 3, Unit 6...
Lots #176 - #246
- 2.3.5 N.C.W. Neighborhood 3, Unit 9...
Lots #1 - #19
- 2.3.6 N.C.W. Neighborhood 3, Unit 13...
Lots #11 - #49
- 2.3.7 These GUIDELINES do not affect Alta Mar, Cambria, East Bluff, Heights Unit 7, and Martinique which enforce their own CC&Rs through their own (separate) Homeowners' Associations.

- 2.4 General Policy: No building exterior, fence, wall, or other structure (including solar equipment) shall be commenced, erected, painted, or repainted in a different color than the original, remodeled or installed, and no exterior change or alteration shall be made until plans and specifications are submitted to and approved in writing by the ACC of the DMHNHOA. In addition, CC&Rs relating to appearance, maintenance, hazards, and offensiveness will be enforced.

ARTICLE THREE - ACC RULES AND PROCEDURES

- 3.1 Role of Architectural Control Committee. The ACC will make decisions regarding external changes and alterations to a residence with the intent of preserving the value and harmony of the community as a whole. Any change not specifically addressed or outlined in these GUIDELINES will become a matter of reasonable discretion on the part of the ACC as provided in the CC&Rs. In the event of a conflict between this document and the CC&Rs, the CC&Rs shall control.

3.2 Rules and Procedures

- 3.2.1 Scope of Authority. Before any exterior alterations, additions, or changes to any structure or to the landscape of any lot, the owner must first make a written submission to the ACC, seeking approval of such alterations, additions, and changes.

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- 3.2.2 Failure to Obtain Approval. Work commenced before architectural and/or landscape plan approval by the ACC is subject to removal at the cost of the homeowner if subsequently deemed unacceptable by the ACC.
- 3.2.3 Deviation from Approved Plans. If landscape or any improvements (hereinafter collectively referred to as "Improvements") have been constructed or installed in a manner which materially deviates from the plans that were approved by the ACC, the ACC will make recommendations for changes. If those changes are not completed within 30 days after notice from the ACC, the matter will be turned over to the BOARD for appropriate remedial action in accordance with the CC&Rs.
- 3.3 Meetings of Architectural Control Committee.
- 3.3.1 The ACC will meet on an as needed basis, but not to exceed once per month to review proposed plans for the improvements and make recommendations regarding the approval/denial of the plans. Meetings of the ACC will be noticed and all interested homeowners are invited to attend meetings of the ACC.
- 3.3.2 In addition, the ACC will review completed improvements to ensure compliance to these Guidelines and the CC&Rs. The ACC will also notify homeowners of corrections required and turn unresolved matters over to the BOARD for appropriate remedial action in accordance with the CC&Rs.
- 3.3.3 Interested Neighbors (as hereinafter defined) are encouraged to attend ACC meetings to voice objections, support, or concerns. If unable to attend a meeting, neighbors may also submit their objections in writing to any member of the ACC before the date of the meeting. Neighbor approval or disapproval of a particular Improvement shall be advisory only.
- 3.4 Submission of Plans. All plans for any improvement must be submitted as outlined below, and must be approved in writing prior to the actual start of work.
- 3.4.1 Plans that do not contain all of the information required below will be disapproved and returned for additional information, prior to further review.
- 3.4.2 Plans and specifications for any building, fence, or changes or modifications of a structural nature must show the nature, kind, shape, height, color, materials, and location of such building, fence, and alteration.
- 3.4.3 Plans for changes in landscaping must show in detail the proposed variety, elevations and locations of trees, including their location and elevation in relation to other lots.

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3.5 What to Submit to Architectural Control Committee.

3.5.1 All submissions to the ACC must be made in duplicate and must be in writing and on an Application for Architectural Improvements form provided by the management company retained by the Association, with a check made payable to the DMHNHOA included. This fee covers processing fees and architectural review costs incurred by the Association. See Attachment B for Fee Schedule.

3.5.1.1 Where relevant, all submissions must be accompanied by a plot plan drawn to scale showing the following information, to the extent relevant:

3.5.1.2 The location of the subject residence on its lot, with all relevant dimensions indicated.

3.5.1.3 Complete dimensions of the proposed Improvement.

3.5.1.4 Measurements of the proposed Improvements, showing their relationship to the subject home and lot.

3.5.1.5 Detailed description of materials to be used in the Improvements.

3.5.1.6 Drawing showing applicable elevations, footings, etc.

3.5.1.7 Color scheme of the end product (e.g., color chips or color cards).

3.5.1.8 Plotted location of sprinklers, drains, trees, shrubs, fences, patios, patio cover, walls, pools, spas, and associated equipment, and all other structures.

3.5.1.9 The street address, lot number, owner's name, and a day and evening telephone number.

3.5.1.10 Proposed start date and estimated completion date for the Improvements.

3.5.1.11 Notification of neighbors, if required, as outlined in Article Five.

3.6 Where to Submit Plans to Architectural Control Committee.

3.6.1 Both copies of the submission must be submitted to the management company contracted by the Association. The management company will retain a copy of the submission on file and forward (within three (3) working days) a copy thereof to the appointed Architectural Consultant.

3.6.2 Management Company contact information is referenced on Attachment C.

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3.6.3 Questions related to the submission of plans or these GUIDELINES should be made to the management office between 9:00 a.m. and 5:00 p.m., weekdays.

ARTICLE FOUR - ARCHITECTURAL SPECIFICATIONS

4.1 General Specifications. The specifications contained in this Article constitute guidelines for submitting plans to the ACC in regard to the matters indicated.

4.2 Fences and Walls.

4.2.1 Property owners are mutually bound equally to maintain fences between them and individually bound to totally maintain those fences adjacent to the Common Areas. (California Civil Code, Section 841.)

4.2.2 Acceptable materials for the extension and repair of any wall or fencing shall be the original material and color used by the builder or may be materials that are visibly the same but are composed of newer more durable material such as vinyl.

4.2.3 No fence shall be more than six feet high; fence height must comply with city requirements.

4.2.4 Fences and walls require Neighbor notification.

4.3 Patio Covers and Gazebos.

4.3.1 Wood is generally the only acceptable material for patio covers and gazebos. Materials that are visibly the same but are composed of newer more durable material such as vinyl may be used. A patio cover or gazebo must be painted to match the body or trim of the house or be left in its natural wood color.

4.3.2 Metal, plastic, fiberglass, cloth, composition shingle, and screens are not acceptable as material for patio covers and gazebos.

4.3.3 Patio covers and gazebos require Neighbor notification pursuant to Article Five below.

4.4 Miscellaneous Guidelines. All of the following are policy guidelines only and approval by the ACC must be applied for.

4.4.1 Air Conditioning Equipment. Air conditioning equipment shall not be visible from the street. Window air conditioning units are not allowed if visible from the street.

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- 4.4.2 Antennas or Satellite Dish. No outside antenna for radio or television shall be constructed, erected, or maintained at any time on any lot, except under the terms and conditions of the CC&Rs. State law changes effective January 1, 1996 supersede the CC&Rs and now permit installation of video or television antennas that have a diameter or diagonal measurement of 1 meter or less, provided Neighbor notification and ACC approval is obtained and when in compliance with the FCC Regulations.
- 4.4.3 Clothes Drying Facilities. Outside clothes lines or other outside facilities for drying or airing clothes shall not be erected, placed, or maintained on a lot, unless they are erected, placed, and maintained so as not to be visible from neighboring property.
- 4.4.4 Dog Runs. Plans for dog runs along a fence or property line require adjacent neighbor notification. Neighbor input will be strongly considered.
- 4.4.5 Glass Tinting. Windows may not be covered with aluminum, foil, paint, or similar unsightly material. Glass tinting requests will be considered by the ACC. All tinting on each lot shall be of a uniform color and type. However, mirror finishes will not be approved as the ACC finds it offensive to other homeowners.
- 4.4.6 Pools. Pools, spas, and related equipment will be considered on an individual basis and will require Neighbor notification.
- 4.4.7 Playground Equipment. Swings, playhouse, and other playground equipment will be considered on an individual basis and permitted if located unobtrusively.
- 4.4.8 Rooftop Appliances. Rooftop appliances will not be permitted, except for solar panels as approved. Solar panels may be approved subject to reasonable restrictions that do not significantly increase the cost of the system or significantly decrease its effectiveness. In general, this means that solar panels shall be mounted directly on the roof, and be a size, and shape consistent with the roof line. Solar panels require Neighbor notification pursuant to Article Five.
- 4.4.9 Awnings. Awnings made of any material including but not limited to aluminum, metal or fabric must be approved and require Neighbor notification pursuant to Article Five.
- 4.4.10 Security Bars. Security bars shall be painted to match the house trim or black.

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- 4.4.11 Utility Buildings. Utility buildings must be of the same material and color as the homeowner's house and require Neighbor notification.
- 4.4.12 Rain Gutters. Rain gutters shall be painted to match the house trim color.
- 4.4.13 Garage Doors. Garage doors may be replaced with metal roll up doors without submitting an application if the doors installed are the same color as the door they are replacing. If a replacement door is made of wood or the new door has a different color than the original door an application must be submitted.
- 4.4.14 Windows. Replacement black windows may be difficult to find; therefore, white, off-white, beige or brown windows will be permitted and no longer require architectural approval. Permanent stained glass or leaded glass windows require architectural approval.
- 4.5 Room Additions. Room additions must be consistent with the original style of architecture and require Neighbor notification pursuant to Article Five below.

ARTICLE FIVE - NEIGHBOR NOTIFICATION

- 5.1 Consultation of Neighbors. It is the intent of the ACC to consult neighbors on any improvement which may impact on their use and enjoyment of their property. Neighbor approval or disapproval of a particular Improvement shall only be advisory and shall not be binding in any way on the ACC's decision.
- 5.2 Definitions; "Facing Neighbor" and "Adjacent Neighbor."
- 5.2.1 "Facing Neighbors" shall mean the three homes most directly across the street from the subject house.
- 5.2.2 "Adjacent Neighbor" shall mean all homes adjacent to the subject house.
- 5.3 Improvements Requiring Notification. The following improvements require notification statements prior to the submission of plans:
- 5.3.1 Fences and walls - Facing Neighbors and Adjacent Neighbors.
- 5.3.2 Patio covers and gazebos - Adjacent Neighbors.
- 5.3.3 Dog runs - Adjacent Neighbors.
- 5.3.4 Pools and spas and related equipment - Adjacent Neighbors.
- 5.3.5 Solar panels - Facing Neighbors and Adjacent Neighbors.
- 5.3.6 Any other exterior improvements that may impact neighbors and the community - Facing Neighbors and Adjacent Neighbors.

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- 5.4 Signatures of Neighbors. The homeowner seeking ACC approval is to leave a copy of an Application for Architectural Improvements form with the affected neighbors for their approvals, comments, and objections. The homeowner should not directly solicit the comments from such neighbors. The form must be signed in the appropriate places by the Facing Neighbors, Adjacent Neighbors, as appropriate, and returned. If a neighbor refuses to sign a notification form, a USPS Return Receipt or other evidence may be accepted as proof the neighbor was notified.

ARTICLE SIX - ACC APPROVAL AND DISAPPROVAL

6.1 Permissible Considerations in Granting/Denying Approval.

- 6.1.1 In granting or denying architectural and/or landscape approval, the ACC will consider the following criteria:

6.1.1.1 Harmony of external design, location, and color in relation to surrounding structures and topography;

6.1.1.2 Preservation of view from other lots; and

6.1.1.3 Compliance with the CC&Rs contained in the Declaration.

- 6.1.2 In granting or denying approval of architectural and/or landscape changes, the ACC may consider such other conditions as the ACC may deem appropriate.

- 6.1.3 The ACC may withhold its approval of landscaping plans if, in the reasonable opinion of the ACC, the view of any lot would be substantially impaired by the location of any plant(s).

- 6.1.4 The ACC may withhold its approval of any plans and specifications on the following grounds:

6.1.4.1 Non-compliance with the CC&Rs;

6.1.4.2 The "reasonable dissatisfaction" of the committee with the plan, color scheme, finish, design, shape, height, or style used or employed; and

6.1.4.3 Any matter which, in the reasonable judgment of the committee, will "render the proposed improvement inharmonious or out of keeping with the general plan of improvements on other lots or substantially impair the view from other lots.

- 6.1.5 The ACC may, within its authority, approve a matter with respect to one lot and deny approval of the same or a similar improvement to a different lot.

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6.2 Meaning of "Approval."

- 6.2.1 Approval by the ACC does not constitute approval by the City or County of San Diego, nor does approval by the city or county constitute approval by the ACC.
- 6.2.2 "Approval" by the ACC means only that the plans meet the written satisfaction of the Architectural Control Committee, do not substantially impair the view of other lots and are consistent and in harmony with the general plan of the community.
- 6.2.3 As a practical matter, building permits will usually not be issued by governmental agencies until they are satisfied that the proposed plans comply with pertinent CC&Rs and the homeowner specifications.

6.3 Conditions to Approval.

- 6.3.1 Approval is conditional upon the commencement of the work within 90 days after approval has been obtained or within a longer or shorter period as specified by the ACC at the time of its approval.
- 6.3.2 Work must be performed diligently to completion within a reasonable time, and in any event before the expiration of such period as may be specified by the ACC.
- 6.3.3 Work may start only after receipt of written approval and satisfaction of any prior conditions related to the approval.

6.4 No Liability to Committee, Association, Etc.

THE ARCHITECTURAL CONTROL COMMITTEE, THE BOARD, THE ASSOCIATION, AND ALL OF THE MEMBERS OF THE ASSOCIATION SHALL NOT BE LIABLE OR RESPONSIBLE TO ANY ONE IN ANY WAY FOR ANY DEFECT IN ANY IMPROVEMENT CONSTRUCTED IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE, OR FOR ANY REASON OF MISTAKE IN JUDGMENT, NEGLIGENCE, OR MALFEASANCE ARISING OUT OF OR IN CONNECTION WITH THE APPROVAL OR DISAPPROVAL OR FAILURE TO APPROVE OR DISAPPROVE ANY PLANS. THESE LIMITATIONS ON LIABILITY ARE IN ADDITION TO THOSE CONTAINED IN THE CC&RS.

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6.5 Decision By Architectural Control Committee.

6.5.1 In accordance with the CC&Rs, the ACC must approve or disapprove submitted plans within thirty (30) days after the ACC receives complete plans for the proposed Improvement. Plans are deemed received by the ACC when delivered to the management company.

6.5.2 Failure of the ACC to approve or disapprove the plans and specifications for the Improvement within such sixty (60) days period shall be deemed an approval of the plans by the committee.

6.5.3 The ACC shall attempt to provide a written decision approximately one (1) week from its meeting on the matter.

6.6 Revised Plans for Improvements.

6.6.1 Revised plans for proposed Improvements incorporating all required changes must be resubmitted and approved before any work may start. It is the general policy of the ACC not to grant conditional approval of Improvement plans.

6.6.2 The submission of such revised plans shall be treated as a new submission for approval or disapproval by the ACC.

6.7 Committee Disapproval of Plans.

6.7.1 The ACC may withhold approval of plans for an Improvement because of non-compliance with the CC&Rs.

6.7.2 In addition, the ACC may also withhold its approval by reason of the reasonable dissatisfaction of the ACC with other matters, including, but not limited to, the plans, color scheme, finish, design, proportions, architecture shape, height, style, and appropriateness of the proposed plans, the materials, or things which render the proposed plans inharmonious with the general plan of the community or which would substantially impair the view from other lots.

6.8 Appeal Procedure.

6.8.1 Procedure. In the event of an adverse decision by the ACC with respect to the whole or part of a plan, either the applicant or any interested Facing or Adjacent Neighbor, may submit a written appeal to the BOARD.

6.8.2 An appeal by an applicant must be filed within ten (10) days of the initial decision by the ACC. The appeal must be in writing to the BOARD through the management company. The BOARD shall submit such request to the ACC for review, whose recommendations will be submitted to the BOARD.

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6.8.3 Within seventy-five (75) days following the receipt of the original request, the BOARD shall render its written decision. The failure of the BOARD to render a decision within said 75 day period shall be deemed a decision in favor of the appellant.

6.8.4 An appeal by Facing or Adjacent Neighbors must be filed within ten(10) days of the decision by the ACC. The appeal must be made in writing to the BOARD through the management company. Said appeal shall be heard and decided at the next BOARD meeting.

6.8.5 The decision of the BOARD on any appealed matter will be final and conclusive.

6.9 Grievance. Residents believing a violation of the CC&Rs may exist should address their concerns in writing to the ACC for investigation and follow-up.

ARTICLE SEVEN - IMPROVEMENTS NOT REQUIRING APPROVAL

7.1 The replacement of landscape with reasonably similar landscape (same size, and general shape and color of trees, shrubs, bushes or floral). However, if the new landscape differs substantially so that the overall look is altered prior approval from the ACC is required.

ARTICLE EIGHT - HOUSEKEEPING AND MAINTENANCE

8.1 Landscape Maintenance.

8.1.1 Each owner must plant, or replant as necessary, water, and maintain all areas of his/her lot, including slopes and rights-of-way to present an attractive appearance. Banks shall be planted and maintained as an integral part of the overall landscaping.

8.1.2 Lawns must be kept neatly mowed. Front and backyard landscaping must be neatly trimmed, properly cultivated, and free of weeds, dead and diseased plant material, trash, and other unsightly material. Ground cover and grass is to be kept trimmed at sidewalks and driveways. Grass clippings and yard debris must not be deposited on any common area or any area exposed to public view. No tree, shrub, or other planting of any kind shall be allowed to overhang or otherwise encroach upon any sidewalk or other pedestrian way, from ground level to a height of seven feet.

8.2 Storage. Wood and other stored items must be located out of view from any street. Any structure containing storage must be approved by the ACC.

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- 8.3 Trash. Trash must be located out of view from any street except when it is put out for pick-up. All garbage and trash must be placed and kept in sanitary, covered containers. Trash and recycle containers must be maintained as to not be visible from neighboring lots, until put out for collection. Trash containers should not be put out until the evening before trash pick-up and shall be removed promptly following trash pick-up.
- 8.4 Driveways and Walkways. Driveways and walks are to be swept and kept clean, and free from oil stains.
- 8.5 Maintenance of Exterior Structures. All exterior surfaces of all structures including, the dwelling must be maintained structurally and kept well painted or stained.
- 8.6 Signs. No signs, posters, or displays shall be shown or displayed on a lot excepting one sign of customary and reasonable dimensions which states that the premise is for sale or rent, as well as temporary signs and flags used by real estate agents.
- 8.7 Drainage. All drainage from Improvements shall be constructed to return drainage to the front street. All drainage must be cored through the curb, and may not run over the sidewalk. Sidewalks may not be broken to lay drainage as they are city property.

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Attachment A
Addendum to DMHNHOA Architectural Guidelines

Drought Tolerant Landscape Guidelines

Purpose:

To encourage upgrading of landscaping with drought tolerant plants and materials that conserve water while maintaining the quality and aesthetic beauty of the neighborhood.

When Replacing Grass/Lawns/Shrubs

- A minimum of 20% of the front yard is to be comprised of living plant material.
- **Allowable ground cover - living plant material:** Ivy, ice-plant and other plant based ground cover may be used.
- **Allowable ground cover - non-plant materials:** Bark, mulch, rocks and gravel may be used. Permitted colors will generally be limited to earth tones. Bright, high-contrast colors will generally be limited to accent areas only. This form of ground cover must be installed with non-exposed weed barriers. Maintenance requirements for this form of ground cover include replacement of materials as needed to maintain an original appearance.
- **Synthetic Turf:** May be used if of high quality and color that looks very similar to natural grass. Please note submittal requirements below. Samples of the actual synthetic turf being considered for use will be required with the Application For Architectural Improvements.

When replacing Irrigation Systems

- All irrigation systems must be installed in a professional manner. Drip tubing may not be visible.
- Irrigation systems must be adequate to maintain healthy plant growth for all remaining plant areas.

What to submit for plan approval:

- Refer to Article Three, Section 3.5 of the Architectural Guidelines for submittal requirements. Additionally, if using synthetic turf, a sample of the material will be required. Samples of the actual synthetic turf being considered for use will be required with the Application For Architectural Improvements.

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Attachment B
Addendum to DMHNHOA Architectural Guidelines

Fee Schedule

Simple Exterior Improvements:

Submittal Fee = \$50.00

These include:

Driveway Replacement with Brick Pavers (Keeping Existing Layout)
Exterior Paint (Changing Primary Color of House)
Garage Door Replacement (Changing Primary Color)
Lawn Replacement with Artificial Turf (Keeping Existing Layout)
Roof Mount Solar

Complex Exterior Improvements

Submittal Fee = \$250.00

These include but not limited to the following:

Built-In BBQ's / Outdoor Kitchens
Hardscape Improvements
Landscape Improvements
Patio Covers
Pool and/or Jacuzzi/Spa
Retaining Walls
Room Additions

Note: If your project includes both Simple Exterior Improvements and Complex Exterior Improvements your submittal fee will be \$250.00

Your submittal fee will be deposited and held until a Notice of Completion (NOC) and photographs of the completed improvements are received and approved by the Architectural Control Committee. Upon approval of the NOC the deposit will be refunded less any processing and/or review costs incurred by the association for the review of the improvement.

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Attachment C
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Management Company Information

The management company is presently:

FirstService Residential
5651 Palmer Way, Suite A
Carlsbad, CA 92010

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Attachment D
Addendum to DMHNHOA Architectural Guidelines

Slope Control Areas

There are certain Slope-Control Areas on the property which are the subject of specific Covenants, Conditions and Restrictions. "Slope-Control Areas" shall mean those lots in the listed tracts (below) within which lie areas which are constituted as sloped, banked or hillside and which extend three (3) feet or more in vertical height. The following lots are so designated, viz:

DECLARATION OF CC&R'S N.C.W. NEIGHBORHOOD 3 UNIT NO. 1
83-403113

Page 8, Section 29.

Lots 1 through 5, inclusive; 8 through 18, inclusive; 23; 33 through 42, inclusive; 46 through 55, inclusive; 57; 58; 62; 63; 68 through 80; inclusive; 87; and 88.

DECLARATION OF CC&R'S N.C.W. NEIGHBORHOOD 3 UNIT NO. 2
83-403112

Page 8, Section 29.

Lots 101, 102 and 106.

DECLARATION OF CC&R'S N.C.W. NEIGHBORHOOD 3 UNIT NO. 5
84-221995

Page 8, Section 30.

Lots 115; 120 through 124 inclusive; 126; 127; 142 through 153, inclusive; 160; 161; and 165 through 175, inclusive.

DECLARATION OF CC&R'S N.C.W. NEIGHBORHOOD 3 UNIT NO. 6
84-221997

Page 8, Section 30.

Lots 200; 219 through 235, inclusive; 244 through 246, inclusive; and 176 through 179, inclusive.

DECLARATION OF CC&R'S N.C.W. NEIGHBORHOOD 3 RESUBDIVISION OF
UNIT NO. 9

1998-0132383

Page 7, Section 28.

Lots: NONE.

DECLARATION OF CC&R'S N.C.W. NEIGHBORHOOD 3 UNIT NO. 13
87-275764

Page 9, Section 32.

Lots 23 through 32, inclusive and Lots 38 through 49, inclusive.

NOTE: Refer to the specific recorded CC&R's for details. The information provided herein is for reference only.