

**ARCHITECTURAL GUIDELINES
FOR THE
HIGH COUNTRY
WEST PROPERTY
OWNERS ASSOCIATION**

**Rancho Bernardo
San Diego, California**

**Revised
OCTOBER 2016**

**THIS REVISION SUPERSEDES ALL OTHER
ARCHITECTURAL GUIDELINES**

Revision History

Version	Description of Change	As of Date
1.0	Initial Release adopted by the High Country West Board of Directors	May 1999
2.0	Clarify the Guidelines that are exclusive to duplexes. Make clerical corrections to multiple sections as required. Update information based on new technology.	September 2002
2.1	Updated to match Booklet version released May 2012	April 2013
2.2 α	Update Article Six, Section XXV, Signs, Adopted June 2012, and Section XXX, Maintenance. Added Sections XXXI and XXXII from Declaration of Restrictions.	May 2013
3.0	Clarifications to Article Two (Variances) and Article Six, Sections V and XX. Add Section XXXIII from Declaration of Restrictions. Add to Article Seven previously adopted policies for Low Water-Using Plants (Xeriscape) and Antenna, Satellite Dishes and Other Reception Devices. Numerous clerical corrections and technology updates throughout.	October 2016

TABLE OF CONTENTS

Foreword	5
Interpretation of Restrictions	5
Architectural Request Procedures	7
Articles	8
Article One - Protective Covenants	8
Article Two - Variance Procedures	9
Article Three - Architectural Violations	9
Article Four - Enforcement Procedures	9
Article Five - San Diego Ordinances and Municipal Codes	11
Article Six - Use Provisions	13
Section I - Air Conditioners	13
Section II - Antennae, Satellite Dishes and Other Reception Devices	13
Section III - Attic Ventilators	13
Section IV - Barbecues - Permanent	13
Section V - Clotheslines / Drying Racks	14
Section VI - Dog Houses & Dog Runs	14
Section VII - Entrance Gates	14
Section VIII - Fences	15
Section IX - Fireplaces, Chimneys, Flues	16
Section X - Gutters and Down-Spouts	16
Section XI (A) - Landscaping – Shrubs, Vines and Other Plantings	17
Duplex Front Yard Landscaping	18
Section XI (B) - Landscaping – Trees	18
Section XII - Lighting - Exterior Walkways and Security Lighting	20
Section XIII - Painting - Exterior	20
Duplex Painting – Exterior	20
Section XIV - Patios and Ground Decks	20
Section XV - Patio Covers, Sun Rooms	21
Section XVI - Room Additions	22
Section XVII - Residential Roofing	22
Duplex Residential Roofing	23
Section XVIII - Screen Windows and Doors	23

TABLE OF CONTENTS
(Continued)

Articles (Continued)	8
Article Six - Use Provisions (Continued)	13
Section XIX - Shades and Awnings	23
Section XX - Solar Collectors	23
Section XXI - Greenhouses	25
Section XXII - Swimming Pools and Spas	26
Section XXIII - Garage Doors	26
Duplex Garage Doors	27
Section XXIV - Windows and Window Treatment	27
Section XXV - Signs	27
Section XXVI - Decks, Balcony Areas, Exterior Patios and Gazebos	28
Section XXVII - Drainage	29
Section XXVIII - Trash Containers and Collections	29
Section XXIX - Playground, Sports and Recreational Equipment	29
Section XXX - Maintenance	30
Duplex Repair and Maintenance of Party Walls	30
Section XXXI - Vehicles, Tents, and Shacks	31
Section XXXII - Height Limitation	31
Section XXXIII - Second Hand Materials	31
Article Seven - Amendments to Guidelines	31
Policy Statements	32
Policy for Antennae, Satellite Dishes and Other Reception Devices	33
Policy for Basketball Equipment in High Country West	35
Policy for Proactive Management of the Architectural Guidelines	36
Policy for Residential Postal Mailbox Replacement	37
Policy for Low Water-Using Plants	40
Attachments	45
Application for Approval of Exterior Improvements	46
Report of Possible High Country West CC&R Violations	48
Notification of Intent to Install Direct Broadcast Satellite (DBS) Dish	49
Request for Variance	50

FOREWORD

The environment, the beautiful natural setting and the unique atmosphere of High Country West can only be maintained by the efforts and concern of all of its residents.

To this end, the developer instituted specific protective Covenants, Conditions and Restrictions (CC&Rs) and a Declaration of Restrictions. The original Declaration of Restrictions has since been adapted for each of the three annexations within High Country West. Both the CC&Rs and all four versions of the Declaration of Restrictions were written to protect and preserve the character, values and appearance of this unique community. The CC&Rs and the Declarations of Restrictions for High Country West each contain architectural control provisions, which are administered by the High Country West Architectural Committee.

The CC&Rs are incorporated in and are a part of each Grant Deed by which title was granted to purchasers, and are legally binding on all owners. It is the conformance to and the enforcement of these CC&Rs that will enable the residents to preserve the attractive appearance and protect and enhance the property values of High Country West.

When documented clarification of the "Declaration of Restrictions" or the "Covenants, Conditions and Restrictions" (CC&Rs) is required, Policy Statements are authored and adopted by the High Country West Board of Directors and distributed to the homeowners. All adopted "Policy Statements" issued by the High Country West Board of Directors are managed and administered by the Architectural Committee.

THESE ARCHITECTURAL GUIDELINES HAVE BEEN COMPILED TO ADDRESS IN A SIMPLE, PRACTICAL AND COMPREHENSIVE MANNER THE ARCHITECTURAL ISSUES COVERED IN ALL THE ABOVE-MENTIONED DOCUMENTS.

If these guidelines are lost or misplaced, a replacement copy may be obtained from the High Country West Management Office. The High Country West Architectural Committee hopes you will read these guidelines carefully and with neighborly consideration help carry on the high standards of Rancho Bernardo and High Country West.

INTERPRETATION OF RESTRICTIONS

ALL QUESTIONS OR INTERPRETATIONS OR CONSTRUCTIONS OF ANY OF THE TERMS OR CONDITIONS CONTAINED IN THESE RULES AND REGULATIONS SHALL BE RESOLVED BY THE HIGH COUNTRY WEST ARCHITECTURAL COMMITTEE. IF THE HOMEOWNER DISPUTES THE DECISION OF THE COMMITTEE, HE OR SHE MAY SUBMIT A WRITTEN APPEAL TO THE HIGH COUNTRY WEST BOARD OF DIRECTORS. OTHERWISE ITS DECISION SHALL BE FINAL, BINDING AND CONCLUSIVE ON ALL OF THE PARTIES AFFECTED.

Article V, Section I of the Declaration of Restrictions for High Country West states that the High Country West Board of Directors shall appoint all members of the Architectural Committee. The High Country West Board of Directors may delegate the selection of the chairperson to members of the Architectural Committee. Members of the Architectural Committee must be members of the association.

The High Country West Architectural Committee chairperson should be the homeowners' contact person when planning construction, modification and maintenance of any exterior improvement of property. By working together and complying with all architectural rules and regulations, homeowners as a community can maintain good design quality, environment and architectural scheme of homes in the High Country West area.

Should the information contained in these Guidelines conflict with the latest revision of the High Country West Covenants, Conditions and Restrictions (CC&Rs), Declaration of Restrictions, or Board of Director approved Policy Statements, the later documents will take priority.

INTERPRETATION OF RESTRICTIONS

(Continued)

FAILURE OF THE ARCHITECTURAL COMMITTEE TO ENFORCE ANY POLICY, COVENANT OR RESTRICTION HEREIN SHALL IN NO EVENT BE DEEMED A WAIVER OF THE RIGHTS TO DO SO ANY TIME THEREAFTER.

The High County West Board, through its Architectural Committee, may sometimes approve an architectural application in error, or learn in hindsight, that what was built turned out to look different from what was expected. The fact that a particular architectural condition exists somewhere in our development does not mean that it creates a precedent. Thus, any and all architectural changes still need to receive prior architectural approval, and the Architectural Committee reserves the right to deny an application that seeks a change that is similar to, or even identical to, an existing improvement somewhere else in the association.

ARCHITECTURAL REQUEST PROCEDURES

EXTERIOR CHANGES, IMPROVEMENTS, REVISIONS, ADDITIONS, ETC.

The Architectural Committee Chairperson is the first point of contact for a homeowner when considering AN EXTERIOR IMPROVEMENT for his/her lot. All requests for improvement MUST BE SUBMITTED IN WRITING and follow the procedures below. NO AGENT OR REPRESENTATIVE OF HIGH COUNTRY WEST HAS THE AUTHORITY TO BIND THE ASSOCIATION OR MAKE ANY COMMITMENTS VERBALLY.

- (1) The applicant must complete the High Country West Architectural Committee request and application form in full. Blank copies of the form may be obtained at the High Country West Management Office. The applicant must provide a detailed description of the proposed improvement. Before returning the completed application form, the applicant must submit the proposed improvement request forms to all property owners with adjoining lots, for review and signature. The lack of any one or more of the required signatures will cause a delay in the review process.
- (2) The applicant must attach to the application form three (3) copies of all supporting documentation that will be required for the analysis of the request. The types of supporting documentation will vary depending upon the nature of the request. Examples might include but are not limited to, architectural plans, plot plans, material specifications and supporting documentation.
- (3) The applicant must deliver all of the documentation to the High Country West Management Office; the staff will log in the application and forward the documentation to the Architectural Committee for review and disposition.

The deadline for submitting documentation for review at any scheduled Architectural Committee meeting is two business days (48 hours) prior to that meeting. Any new applications or any revisions to an existing application received by the High Country West Management Office after the cutoff time will be held and scheduled for review at the subsequent meeting.

The Architectural Committee will advise the homeowner, in writing, of the action taken.

- (4) Upon completion of all work approved by the Architectural Committee the homeowner *must notify the Architectural Committee in writing* of the completion and schedule a final inspection of the improvement. A member of the Architectural Committee will conduct the final inspection of improvement projects in High Country West.

A record copy of the inspection documentation will be sent to the homeowner upon receipt of final inspection approval, along with a copy of the approved plan. Copies of all approved documentation will be placed in the permanent records file for that lot as maintained by the Architectural Committee.

The Architectural Committee shall resolve all questions on interpretation of the Architectural Guidelines. If the homeowner disputes the decision of the committee, he or she may submit a written request for a Variance to the High Country West Board of Directors (Article Two – Variance Procedure). Otherwise the Committee’s decision shall be final, binding and conclusive on all of the parties affected.

Approval by the Architectural Committee for any improvements does NOT relieve the homeowner of responsibility for obtaining required city and county permits. Likewise, obtaining city and county permits does not relieve homeowner of responsibility for obtaining Architectural Committee approvals prior to the start of construction. Rulings and information on city permit requirements may be obtained from the Building Inspection Department [Telephone (619) 236-6270; Owner should be aware that the City frequently changes telephone numbers for its departments].

The Architectural Committee assumes no legal responsibility for claims arising from approvals given to homeowners. Any claims arising from works of improvement are the responsibility of individual homeowners.

ARTICLE ONE

PROTECTIVE COVENANTS

The information found in these Architectural Guidelines supplements information found in the following documents as applied to the High Country West homeowners:

- (1) Declaration of Covenants, Conditions and Restrictions (CC&Rs) for High Country West.
- (2) Declaration of Restrictions (Article VI - "Use Provisions") for High Country West
- (3) High Country West Board of Director adopted Policy Statements
- (4) Digest of Residential Restrictions for Homes and Condominiums as prepared by The Rancho Bernardo Town Council Architectural Commission

These Architectural Guidelines highlight those Conditions and Restrictions each homeowner should be aware of when planning, constructing, modifying and maintaining any EXTERIOR improvements of their property. However, the Architectural Committee also reviews plans for ALL NEW CONSTRUCTION by builders and developers subject to the covenants.

The Architectural Committee's approval of an "Application for Approval of Exterior Improvements" is not a substitute for required city building permits or inspections. The Architectural Committee assumes no legal responsibilities for claims arising from approvals given to homeowners. Any claims arising from works of improvement are the responsibility of individual homeowners.

Homeowners will be advised of any subsequent changes to the Architectural Guidelines through notices in the minutes of the Board of Directors Meetings, published twelve times a year. It is the responsibility of the Homeowner to attach copies of these notices to his/her Architectural Guidelines.

The Architectural Guidelines will be revised, updated and reissued as deemed necessary by the High Country West Architectural Committee.

GENERAL RESTRICTIONS

Non-payment of assessments to the homeowners association may ultimately result in foreclosure against the property owner.

The Board/Association or its authorized agents shall have the right to enter upon any lot for specific purposes as set forth in Article VI, Section 21 of the Declaration of Restrictions for High Country West.

No animal, livestock, or poultry shall be raised, except that dogs, cats or other household pets may be kept on the property. All pets must be kept in control subject to City and County ordinances, including 'leash laws' and city licensing requirements.

ARTICLE TWO

VARIANCE PROCEDURE

A Homeowner may request a Variance only after he/she has submitted an "Application for Approval Exterior Improvement" form to the Architectural Committee and has been denied approval by the Committee because the requested improvement is in violation of Governing Documents.

The Homeowner's request for a variance from compliance with the architectural controls set forth in these Architectural Guidelines or other Governing Documents will be given consideration when circumstances such as topography, natural obstructions, hardship, aesthetics, or environmental conditions are an issue. No variance will be granted unless the general purpose and intent of the Declaration of Covenants, Conditions and Restrictions is maintained. Any Variance granted will only be applicable to the specific lot and conditions for which the variance was granted, and will not modify or change any standards as they apply to other lots or conditions. The Variance may be endorsed by the Architectural Committee. The Variance can only be authorized by the Board of Directors.

Homeowners requesting a variance must fill out a "Request for Variance" form. The form is available online at <http://www.highcountrywest.com> or at the Club Facility.

If the Variance is approved written evidence of such variance must be delivered to the Homeowner and a copy of the resolution of the Board authorizing such variance must be retained in the permanent records of the Association for that lot.

ARTICLE THREE

ARCHITECTURAL VIOLATIONS

The High Country West Architectural Committee is responsible for the monitoring of all residential property within High Country West and relies upon the residents and/or homeowners to comply with and support the rules and restrictions contained in the CC&Rs, Declaration of Restrictions, adopted policy documents, and these adopted guidelines. When homeowners become aware of possible violations they should report those violations to the Chairperson of the Architectural Committee by filling out a "Report of Possible High Country West CC&R Violations" form. The Chairperson of the Architectural Committee, or his/her delegated representative, accompanied by any other member of the Architectural Committee, as required, will investigate the complaint to verify the violation and proceed accordingly. The information contained on the "Report of Possible High Country West CC&R Violations" is considered private and confidential. The information contained in the report is for the sole use of the High Country West Architectural Committee and/or the High Country West Board of Directors. High Country West Architectural Committee members will periodically monitor all residential property within High Country West in accordance with the Policy Statement "Proactive Management of the Architectural Guidelines by the High Country West Architectural Committee".

ARTICLE FOUR

ENFORCEMENT PROCEDURES

Article XII of the High Country West Declaration of Restrictions governs all enforcement procedures. High Country West Homeowners Association's "Policy and Practices for Member Discipline" defines the notification and appeals process for a property owner that has been found to be in violation of the Governing Documents of the High Country West Homeowners Association by the High Country West Architectural Committee. The "Policy and Practices for Member Discipline" also defines the Monetary Penalty Schedule for each outstanding violation. Information contained in the latest revision of either of these documents will take precedence over any conflicting information contained within this "Enforcement Procedure".

ARTICLE FOUR
ENFORCEMENT PROCEDURES

(Continued)

When the Architectural Committee determines that a violation exists, the Committee will send the homeowner a Violation Letter. The letter will state the nature of the violation and establish a date by which the homeowner must remedy the violation. The letter will detail the consequences for failure to resolve the violation as defined within the time period specified. If the homeowner fails to resolve the violation by the remedy date, the High Country West Board of Directors will send a SECOND LETTER by first class mail with Certificate of Mailing to the homeowner or his/her legal representative. This letter will again request the homeowner to resolve the identified problem prior to the next scheduled meeting of the Board of Directors or to attend the next meeting for a hearing to explain why he/she failed to resolve the violation and why he/she should not be fined or otherwise sanctioned for the violation. The SECOND LETTER will be sent no less than 10 days, nor more than 60 days prior to the next scheduled Board Meeting.

Whether or not the homeowner attends the Board meeting, the Board of Directors will review the information provided by the Architectural Committee and that submitted by the homeowner (if any) and make a determination as to the validity of the violation. If the homeowner chooses to deliver a written statement setting out their response to the violation that statement must be delivered to the Property Manager's Office at least three (3) business days prior to the Board meeting. The Board shall inform the homeowner by a THIRD LETTER written notice of its decision and the discipline imposed, if any, within fifteen (15) days, or within such other time period as may be provided in Civil Code Section 1363, as amended from time to time. However, the effective date of discipline imposed shall not be any earlier than five (5) days after the date of the meeting or until receipt of written notice of decision, whichever occurs later.

An Owner shall be deemed to have received a notice of decision two (2) business days after mailing such notice by first class mail with Certificate of Mailing. The homeowner will be informed that failure to comply will initiate the following schedule:

For every month or fractional month after the Board of Directors has issued its notice of decision, a fine will be assessed until the violation has been remedied. The maximum fine will be one hundred dollars (\$100.00) for the first month and will increase by a maximum of fifty dollars (\$50.00) for each subsequent month up to a maximum monthly fine of Three Hundred Dollars (\$300.00). A fine will be assessed until the existing violation has been resolved to the satisfaction of the Board of Directors.

Maximum Penalty Schedule:

First Month -----	\$100.00
Second Month -----	\$150.00 (\$100 + \$50)
Third Month -----	\$200.00 (\$100 + \$50 + \$50)
Fourth Month -----	\$250.00 (\$100 + \$50 + \$50 + \$50)
Fifth Month -----	\$300.00 (maximum monthly)
Each subsequent Month -----	\$300.00 (maximum monthly)

The Board may also add to the fine or penalty the Association's actual out-of-pocket costs for investigating or correcting the violation, including any attorney's fees and costs to achieve the property owner's compliance with the Association's governing documents.

All fine(s) will be added monthly to the homeowner's assessment bill. If the cumulative amount of the fine has not been paid in full at the end of six months, court action to collect may be initiated. After six months the Board

ARTICLE FOUR

ENFORCEMENT PROCEDURES

(Continued)

reserves the right to take any other form of legal action it deems necessary to gain compliance. Nothing shall prevent the Board from initiating legal action prior to the six month period if the Board believes it is necessary to do so to protect the Association's rights or other interests.

A property owner may have multiple fines issued concurrently for multiple violations. Each violation will be considered as separate actions against the property owner.

If the same violation recurs within one year of a prior violation, the new violation will be considered a continuation of that prior violation. Following notice to the property owner of the recurrence and after a hearing at which the Board determines that the violation has resumed, the Board may resume imposing the fine at the next monthly level above that of the prior violation.

ARTICLE FIVE

SAN DIEGO CITY ORDINANCES AND MUNICIPAL CODES

A number of San Diego City Ordinances have been issued which are designed to improve and preserve the appearance of San Diego as a place to live and work. A copy of the San Diego City Municipal Code is available for reference in the Rancho Bernardo branch of the public library or on the Internet at <http://www.sandiego.gov/city-clerk/officialdocs/legisdocs/muni.shtml#sthash.ckGCuumE.dpuf>

If there is a City Ordinance or Municipal Code violation, the homeowner should call the appropriate City Department. **Violations or compliance issues related to a City Ordinance or Municipal Code violation are not the responsibility of the Architectural Committee.**

Copies of City Ordinances may be obtained from the City Clerk's office, City Administration Building, 202 "C" Street, San Diego 92101.

GARAGES - may be used only for the parking of cars. Garages **MAY NOT BE CONVERTED INTO ROOM AREA OR USED FOR BUSINESS PURPOSES.** Cars may be parked in the driveway if the garage area contains its full complement of cars. Cars parked in the driveway may not overhang the sidewalks.

If a vehicle is parked on a driveway or public street because the garage is being used for storage for **OTHER THAN VEHICLES**, it is in violation of City Code §101.0803 and is a citation offense. If the violation continues, the City may take the matter to court. A \$1,000.00 fine or six (6) months in jail could result.

Any motorized vehicle, operational or non-operational including cars, trucks, motorcycles, recreational vehicles and watercraft or non-motorized vehicle, including open or closed trailers, parked upon a front yard, side yard, or back yard is in violation of City Municipal Code §142.0510 (e).

It is unlawful for any person to park or leave standing upon any public street, park, road or parking lot, any oversized, non-motorized or recreational vehicle between the hours of 2:00 a.m. and 6:00 a.m. Oversized vehicles are defined as any vehicle, including any attached trailers, vehicles or loads thereon that exceed 27 feet in length AND 7 feet in height. Non-motorized vehicles include open and closed trailers with or without loads. Recreational vehicle owners may obtain a permit allowing overnight parking. See San Diego Civil Code §86.0139 through §86.0144 for additional information. Recreational Vehicles are defined as "any camp trailer, camper, trailer coach, or house car," in the Vehicle Code, or, "any boat, dune buggy, all-terrain vehicle (ATV) or other motorized or towed vehicle designed, maintained or used primarily for recreational purposes.

ARTICLE FIVE
SAN DIEGO CITY ORDINANCES
AND MUNICIPAL CODES

(Continued)

Following is a list of most often referred to San Diego City Codes:

- §44.0300 Animal Regulations
This ordinance accepts San Diego County Ordinances and the County as control. (Refer to County Animal Control Department; phone 619-767-2675). Dogs must be on a leash at all times, confined on their owner's property or the property of another with the owner's consent. They must not be allowed to defecate or urinate on public property or private property not belonging to their owner.
- §59.5.0101 Noise Abatement and Control
There are numerous items in this category and many require different jurisdictional attention and control. For any loud, unnecessary or unusual noise which causes discomfort or annoyance to a reasonable person of normal sensitivity such as continual dog barking, a very loud and disturbing neighbor party or the like, call the police for information on code enforcement.
- §66.0105 Refuse Collection
Containers shall not be placed on sidewalks or curbs before 6:00 p.m. the day prior to the regular day for collection and should not be left on the sidewalk or curb after 6:00 p.m. of the regular collection day.
- §81.10 Removal and Disposal of Abandoned Vehicles not on Highways
Any vehicle located on property other than a highway may be removed and disposed of as a public nuisance pursuant to Section 22660 of the California Vehicle Code for abandoned, wrecked, dismantled or inoperative vehicles.
- §86.09.1 Parking on Private Property – Prohibited
No person shall park a vehicle in a private driveway without consent of the owner of the property.
- §86.09.06 Parking in Excess of 72 Hours - Prohibited
No person shall park or cause to be parked any vehicle on any street or highway in excess of 72 hours.
- §142.0510 (e) Parking Regulations – Parking prohibited on Front Lawn
No vehicle may be parked within a required front or street side yards, or within a required street yard, except an operable vehicle may be parked on a legal driveway.

ARTICLE SIX

USE PROVISIONS

SECTION I - AIR CONDITIONERS

1. Air conditioning units extending from windows are not permissible.
2. Compressors and equipment are to be screened from view by fencing or landscaping.
3. If air conditioning was offered as an option and was not installed by builder at time of purchase, equipment installed later must be located in the same area as the optional unit would have been installed.

SECTION II - ANTENNAE, SATELLITE DISHES AND OTHER RECEPTION DEVICES

Refer to the “Antennae, Satellite Dishes and Other Reception Devices Policy Statement” for details and restrictions. A copy of the policy may be found in the “Adopted Policy Statements” section of these Guidelines.

SECTION III - ATTIC VENTILATORS

1. Ventilators or other mechanical apparatus requiring roof installation are to be as small as is functionally possible and painted to match roof color. Units should be located on the least visible side of the roof and may not extend above the ridgeline.

SECTION IV - BARBECUES – PERMANENT (HARDSCAPE)

1. Permanent barbecues are to be located in the rear yards only.
2. In placement of the barbecue, consideration is to be given to the smoke drift so as not to disturb adjacent property owners.
3. The application for property improvement must be accompanied by sufficient documentation to provide the following information:
 - 3.1 Detailed overall dimensions of the proposed permanent barbecue
 - 3.2 Complete set of elevation drawings for the permanent barbecue. A list of all materials that will be used to construct the barbecue.
 - 3.3 Information detailing final texture and finish color of the barbecue.
 - 3.4 Dimensioned plot plans showing the location of the barbecue on the property. Dimensioned details must include location with respect to property lines and all existing neighboring structures.
 - 3.5 Barbecue must be a minimum of three (3) feet from any landscape feature such as a fence that will require ongoing periodic maintenance.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION V - CLOTHESLINES / DRYING RACKS

1. For purposes of this Guideline, a Clothesline and/or Drying Rack is defined as a cord, rope, wire or apparatus from which laundered items may be hung to dry or air.

The location of clotheslines and/or drying racks with laundered items on them must be unobtrusive and visually benign if observable to nearby neighbors or common area property. Clotheslines and/or drying racks must not be visible from any public street. A balcony, railing, awning, or other part of a structure or building shall not qualify or be used as a clothesline or drying rack.

SECTION VI - DOGHOUSES & DOG RUNS

1. Doghouses:
 - 1.1 Permanent doghouse structures are to be compatible with applicant's house in style and color.
 - 1.2 Doghouses are to be located in rear yards only, in an area so as to be visually unobtrusive and should be at least fifteen (15) feet from all lot lines.
2. Dog Runs:
 - 2.1 Dog runs must not be visible from any public street.
 - 2.1 Chain link fencing may be used for a dog run only in conjunction with a solid privacy fence. (Refer to Sub-Section VIII "Fencing" of the Guidelines for details on solid fencing.) Chain link fencing is to be softened by landscaping.
 - 2.2 Dog runs must be cleaned regularly to prevent odors and vermin.
3. Disturbing the Peace: San Diego County Municipal Code Section 44.0300 will be a consideration for all applications and will be observed at all times.

"No person shall own or harbor an animal in such a manner that the peace or quiet of the public is unreasonably disturbed."

4. Leash (Restraint) Law: San Diego County Municipal Code Section 44.0300 will be a consideration for all applications and will be observed at all times.

"Dog owners shall at all times keep their dogs on a leash or on their own property so as to prevent them from being at large or stray."

SECTION VII - ENTRANCE GATES

1. All front entrance gates shall be in character with the rest of the house.
2. For all rear yard gate guidelines, refer to Sub-Section VIII "Fencing" in these guidelines.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION VIII - FENCES

All fencing shall be designed to be unobtrusive and to be in harmony with the original dwelling construction. All fences shall have a substantial and professional-built appearance. The Architectural Committee will review all designs for fences and walls with regard to their location, appearance, and with respect to unreasonable infringement of views from neighboring properties.

The maintenance of all fencing is the Homeowner's responsibility. All surfaces are to be refinished on a regular basis to eliminate any faded or weathered appearance.

1. Acceptable fence types and style requirements:

In the selection of a fencing style, the degree of "openness" depends on its landscaping use and requirements. Two categories of fencing have been addressed - Open style and Solid style

1.1 Acceptable open types of construction:

1.1.1 Wrought Iron – Per City of San Diego Code, not to exceed six feet in total height

1.1.1.1 All wrought iron must be painted black or a color matching that of the stucco. The wrought iron must be maintained so as to prevent rust and any other weathered appearance.

1.1.1.2 A welded wire mesh may be applied to the interior side of fence to restrain small pets and children. Supplemental landscaping must be used to soften the appearance.

1.1.2 Split Rail Fencing may be considered an acceptable fencing material.

1.2 Acceptable solid types of construction:

1.2.1 Masonry Walls; Cinder Block, Brick, or Adobe Block

1.2.2 Alumawood® or similar fence material

1.2.3 Dog-eared cedar

1.2.4 Redwood

1.2.5 Polyvinyl chloride (PVC) or similar fence material. Only materials fabricated and manufactured as a fencing product.

1.2.6 Select wood composite. Only materials fabricated and manufactured as a fencing product.

2. Construction requirements for solid type fences:

2.1 Solid masonry wall construction; Cinder Block, Brick, or Adobe Block:

2.1.1 Cinder block walls and columns must have a stucco finish on all exposed surfaces.

2.1.2 Solid masonry walls must not exceed six feet in height as measured from top of the wall to the terrain on the tallest side of the wall.

2.1.3 The finished color of the masonry wall must match the color of the house stucco.

2.1.4 Decorative concrete masonry block designed and manufactured with a split, ribbed or fluted face do not require a stucco finish over the decorative surface. The color of the decorative masonry surfaces must be compatible with in and harmony with that of the house.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION VIII - FENCES - (Continued)

- 2.2 Solid Wood / Alumawood® / PVC (or any similar approved material) - Privacy Fence:
 - 2.2.1 Per HCW Declaration of Restrictions, no fence shall exceed a maximum height of six (6) feet.
 - 2.2.2 All solid wood fences must be painted/stained to match house trim or stucco.
 - 2.2.3 Consideration should be given to shadowing or view obstruction of adjacent property when utilizing a solid fence.
 - 2.2.4 All fencing support posts are to be set in concrete.
 - 2.2.5 Gates are to be of the same or compatible fencing material.
- 2.3 The tops of all fences are to be horizontal, with vertical members remaining plumb. Stepped fencing is permissible where the grade slopes.
- 2.4 Gates are not to extend above fence/wall line. The top of the gate may be arched in such a manner that each end of the arch is no higher than the adjoining fence/wall.
- 3. When the builder supplies rear yard fencing, the homeowner may add additional fencing to match the existing fence. Fence styles, materials and finished color are to be compatible with applicant's house. Galvanized chain link is not permissible as fence material except as specified in Sub-Section VI for Dog Runs; barbed wire is never permissible as a fence material.
- 4. All fencing in front yards shall not exceed three (3) feet in height. Hedges and other vegetation used as a living fence are not to exceed three (3) feet in height.
- 5. Pool or spa areas are to be protected in accordance with San Diego Municipal Codes.

SECTION IX - FIREPLACES, CHIMNEYS, FLUES

- 1. The exterior appearance of a fireplace must match the existing or new structure.
- 2. Where metal flues are used for pre-fabricated fireplaces, the roof vent must conform to standards listed under the section on ATTIC VENTILATORS in these Guidelines.

SECTION X - GUTTERS AND DOWNSPOUTS

- 1. All gutters and/or downspouts must match existing trim or stucco.
- 2. Run-off from gutters must not affect adjacent property and must be directed to the street.
- 3. Down-spouts should be connected to drainage system where possible.
- 4. Rain barrels must not be visible from the street.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XI (A) - LANDSCAPING – SHRUBS, VINES AND OTHER PLANTINGS

1. Shrubs and plantings shall be selected and planted so as not to obstruct adjacent homeowners' views and in no case shall they exceed the height of the fences. In the case of wooden fences, the plantings must be spaced away from the fence to provide sufficient clearance to meet maintenance and painting requirements.
2. Shrubs and other plantings shall not extend into the neighbors' property or common area and shall not cause undesirable refuse or droppings on neighbors' or common property.
3. Shrubs, vines and other plantings are not to come in contact with neighbor's house.
4. Non-turf areas can contain a covering of decorative stone, pebbles of varying sizes, paver stones, flagstone, etc. Colors must complement the surroundings, be aesthetically pleasing and not be in contract with adjacent properties. Materials to avoid are wood shavings, compost, colored glass mulch, nut shells and husks, rubber mulch, and anything that may be sharp or toxic to animals. Bark can only be placed around tree trunks and plants, for root protection and water retention. Bark depth must be 3 inches, with a maximum circumference of two (2) feet.
5. Irrigation lines, drainage lines and/or sprinkler controller conduits (cables) must not be visible from the street or any association common area.
6. Appropriate drainage lines should be installed and directed to street to prevent run-off onto adjacent homeowners' properties or the common area.
7. Sprinklers shall not be installed where the spray will cause damage to a neighbor's house. Spray from sprinkler heads can cause severe damage (including dry rot) to stucco-built homes.
8. Sprinklers shall not be directed toward any shared fence constructed on an assumed or real property line.
9. Step-out pathways adjacent to the driveway are permitted. The step-out shall not exceed eighteen (18) inches at the widest point. The step-out will be constructed of hardscape material(s) having contrasting, color and/or texture to that of the driveway. A step-out is considered a walkway and is not to be used as an extension of the driveway. Parking of vehicles and/or trailers on the step-out is prohibited.
10. Items such as urns, pots, bridges, birdbaths, statuary, and other man-made ornamentation must be approved in advance.
11. Applications for landscaping approval are to include:
 - 11.1 Listing of all plant names and size of each plant container at time of planting.
 - 11.2 Proposed location of new plants on overall site plot plan. The submitted plan must include dimensioned details showing distances to property lines, lot lines, streets, sidewalks, patios, existing structures, etc.
 - 11.3 Plans must include growth pattern and plant size at maturity.
 - 11.4 Planters and retaining walls - dimensions, materials color/finish.
 - 11.5 Detail on irrigation lines and drainage patterns over the lot.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XI (A) - LANDSCAPING – SHRUBS, VINES AND OTHER PLANTINGS (Continued)

DUPLEXES - FRONT YARD LANDSCAPING

D/1. Each duplex homeowner may be allowed to make additions or alterations to his/her original front yard landscaping, which should be in harmony with the adjoining property's front landscaping. Alterations must expand on the existing theme through the addition of plant material and/or hardscaping.

The Architectural Committee has formulated guidelines to assist homeowners who wish to adopt water conservation-friendly landscaping methods, including Xeriscape.

Refer to the “Architectural Guidelines and Policy - Low Water-Using Plants” for additional information. A copy of the policy may be found in the “Adopted Policy Statements” section of these Guidelines.

SECTION XI (B) - TREES

1. Before planting any trees, the proposed location of such trees should be approved in writing by the Architectural Committee. The written request must include the botanical name of the tree, the height of the tree at maturity, and the limb span at maturity.
2. Trees should be selected and planted so as not to obstruct adjacent homeowner's view.
3. Trees should not extend into the neighbor's or common area and shall not cause undesirable refuse or droppings on neighbor's property or common area.
4. Trees should not be planted in a manner or location where the tree or root system could cause damage to the neighbor's house, roof or concrete foundation.

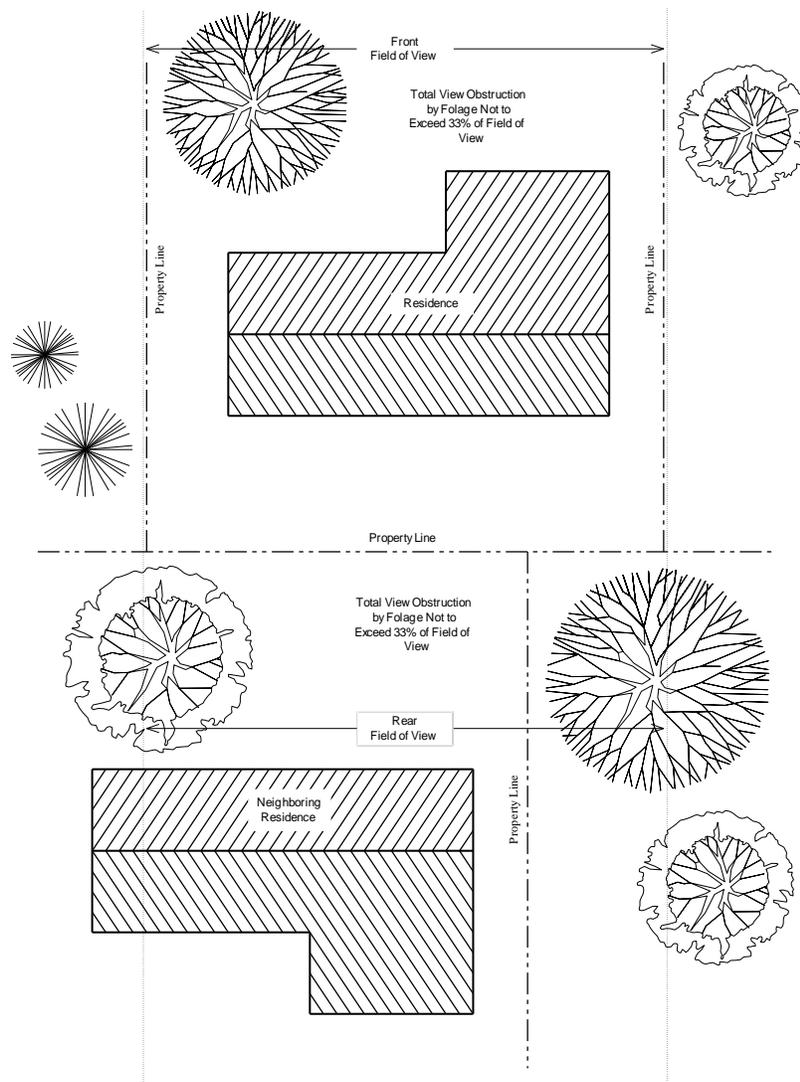
ARTICLE SIX
USE PROVISIONS
(Continued)

5. All trees should be trimmed or laced on a regular basis to prevent unreasonable interference of the view of adjacent neighbors.

Trees shall be trimmed to a height (generally the house height) that will not interfere with the view of the surrounding properties. Where trees do not interfere with the view from other lots they shall not be required to be so trimmed.

Planting at or below the crest of a slope shall not exceed in height a horizontal plane extending outwards from, and three (3) feet above, the housing pad.

Up to one-third of the width of view may be interfered with by shrubbery and trees; such interference will be considered to be appropriate view framing - See diagram below



ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XII - LIGHTING - EXTERIOR WALKWAY AND SECURITY LIGHTING

1. Lights are not to be directed outside applicant's property.
2. Proposed fixtures are to be compatible with applicant's house in style and scale. Include a sketch or picture of fixture, wattage of lights and location of lights and areas they will illuminate.

SECTION XIII - PAINTING - EXTERIOR

1. All buildings and frame construction fences shall be painted or stained with at least two (2) coats of paint or stain.
2. The selection of alternative exterior colors will be restricted to earth tones that are harmonious with other homes found within the subdivision.
3. All exterior paint on the main structure shall be compatible with that supplied by the builder when initially constructed. Any deviation in the color scheme requires the approval of the Architectural Committee. If the paint color used is an exact match with that of the most recent approved color of record for the residence, no approval of the Architectural Committee is required.

DUPLEXES

- D/1. In the event one owner wishes to paint or improve his/her portion of a duplex building, all materials and colors used in the repair or repainting must remain the same as original to insure blending with the attached adjoining duplex unit. If an alteration in color is unavoidable, changes from the original exterior color scheme must be agreed to in writing by the attached adjoining duplex homeowner. Once the requested color change has been approved, both units must be painted to match. Should the owner of the adjoining duplex unit not be able to paint his/her side of the duplex at the same time (for whatever reason), a letter from that owner, addressed to the High Country West Board of Directors, committing to repainting with the agreed to color within 120 days will be required prior to approval. It is within the jurisdiction of the Architectural Committee to recommend the proper place to start and stop color and/or improvements from one side to the other of a duplex.

SECTION XIV - PATIOS AND GROUND DECKS

1. Patios and decks are to be located in rear yards or interior side yards only. Texturing or the installation of pavers is acceptable in front courtyard areas.
2. No patio deck may be constructed on a "Granted Easement" or any other "Public or Private Easement".
3. Materials and final color are to be harmonious with applicant's house.
4. Adequate drainage is to be installed to prevent standing water and run-off onto adjacent properties. Drainage is to be directed to the street.
5. Wooden decks are to be stained either redwood or to match fascia or trim color of the house.
6. Railings may be acceptable providing no patio cover is installed. See PATIO COVERS for details.
7. Application for patio or deck is to include the following:
 - 7.1 Dimensioned site plan indicating the location of the patio or deck in relationship to property boundaries and existing house and/or other permanent structures in the immediate area.
 - 7.2 List of materials, colors and finishes.
 - 7.3 Drainage provisions and flow or run-off details.
 - 7.4 Detailed dimensions for the proposed patio and/or ground deck.
 - 7.5 Any detailed elevation drawings that might apply to the site.
8. The finish grade along any adjacent structure shall be a minimum of two (2) inches below the stucco screed line.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XV - PATIO COVERS, SUN ROOMS

1. No siding, screening or fencing is permitted between supportive posts of patio covers.
2. The style and material of roll-up shades on patio covers must be approved by the High Country West Architectural Committee.
3. If made of wood, supportive posts must not exceed 6" x 6". If made of wood with stucco finish, post must be identical to existing columns.
4. Patios with covered area may not be screened.
5. Patio covers constructed of aluminum products designed and fabricated for a residential patio are acceptable.
6. Patio covers may be freestanding or attached to an existing structure.
7. Patio covers may not be constructed on a "Granted Easement" or any other "Public or Private Easement".
8. Patio covers to be located in the backyard or side-yard only. (Patio covers are not permitted on exterior side yards)
9. Patio structures must be located at least five (5) feet from assumed or real property lines.
10. The obstruction of view from adjacent properties is to be considered when constructing a patio cover.
11. Solid patio covers:
 - 11.1 Solid covers may not exceed four hundred (400) square feet
 - 11.2 Skylights in solid patio covers may be permissible.
 - 11.3 Provisions for drainage from solid patio covers must be made. Run-off is not to affect adjacent properties
 - 11.4 Solid covers must be trimmed with a roofing material that is harmonious with the home. Refer to Sub-Section XVII for a partial list of other appropriate roofing materials. Alumawood® or similar materials textures and colored to simulate that of a roofing product are acceptable.
 - 11.5 Wood shake, rock, asphalt tile, galvanized sheet metal, corrugated fiberglass, transparent/opaque plastics, corrugated aluminum, plastic webbing, netting, split bamboo, reed or straw like materials are never considered to be acceptable roofing materials.
12. Open patio covers:
 - 12.1 There is no maximum size of open patio covers.
13. Application for patio covers is to include:
 - 13.1 Dimensioned site plan indicating the location of the patio or deck in relationship to property boundaries and to existing house and/or other permanent structures in the immediate area.
 - 13.2 The materials to be used to construct the patio cover and the color of the paint or stain to be applied. Roofing material specifications and samples are required.
 - 13.3 Detailed dimensioned construction plans for the proposed patio cover.
 - 13.4 Any detailed elevation drawings that might apply to the site.
14. No second-hand materials shall be used in the construction of any building or structure.
15. All wood shall be stained either redwood, or to match fascia, trim or color of the house.
16. Attached Sunrooms are permitted in rear yard only. The colors must comply with the guidelines and must be harmonious with the home. Roofing material must be similar to the style and color of the home.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XVI - ROOM ADDITIONS

1. Additional rooms are to be compatible in scale, materials and color with the applicant's existing structure.
2. Room additions or alterations are permitted in the rear yard, interior side yard or second floor only. Total addition shall be limited to 20% of the original as-built livable square footage or four hundred (400) square feet, whichever is smaller. Additional footage is defined as the total increase in square footage to that of the original as-built footage.
3. Consideration will be given to impairment of view, sunlight or natural ventilation to adjacent properties.
4. Pitched roofs must match the existing structure in slope.
5. New windows and doors are to relate well to those existing exterior openings.
6. Changes in grading of the lot, which will affect drainage, are to be indicated on the application. Provisions must be made to prevent run-off to adjacent properties.
7. No second-hand materials shall be used in the construction of any building or structure.
8. Materials for construction are to be stored in the least conspicuous area. Excess debris and material are to be removed from the site daily.
9. Major features of the house such as the vertical and horizontal lines, projections and trim details are to be reflected in the design of the addition.
10. Detached room additions are prohibited.

SECTION XVII - RESIDENTIAL ROOFING

1. Accepted roofing materials:

<u>Concrete / Cement and Clay Products</u>	<u>Cement and Fiber Products</u>	<u>Stone Covered Steel Products</u>
Eagle Lite	Natural Guard	Dura Loc
Dura Lite	Cemwood	Gerard
Clay Max	Mira Vista	
	Maxi Tile	
	Terra Shake	

New materials recently released that are equivalents to the above-approved materials will be considered. This list will be updated periodically to reflect new technology.

It should be noted that any reference made to a manufacturer or product as part of these guidelines is for illustration purposes only and is never to be interpreted as an endorsement of that product or manufacturer by either the High Country West Board of Directors or the Architectural Committee.

2. Materials not approved for use in High Country West
Maxi Slate (Shake)
Hardi Slate (Shake)
Asphalt Fiberglass Shingles
Asphalt Composition Shingles
Asphalt Roll Roofing (exception – may be used for the repair or maintenance of existing flat roof areas on a Duplex)
3. An actual sample of the roofing material along with a brochure describing the roofing material selected must be submitted with the “Application for Exterior Improvements” form. The sample is required to determine color and texture compatibility with other existing and/or surrounding structures either on the property or in the area.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XVII - RESIDENTIAL ROOFING - (Continued)

DUPLEXES

- D/1. Each duplex owner has maintenance responsibility for the roof over his/her individual home. If any portion of the roof above a duplex owner's home needs **maintenance or repair** and that **maintenance or repair** can be accomplished without affecting the roof of the adjoining duplex owner, the owner may do so without submitting an application to the High Country West Architectural Committee. All materials used in the repair process must be the same as those being replaced.
- D/2. If the roof over a duplex building needs replacement or extensive repairs, both adjoining Owners must work together to accomplish replacement or repairs at the same time. The roof of a duplex building shall be constructed of one type of material and color. The material and color must conform to the Guidelines and be approved by the High Country West Architectural Committee before installation.

SECTION XVIII - SCREEN / SECURITY DOORS AND WINDOWS

1. All screen / security doors should be in harmony with the architecture and exterior color of the residence.
2. No metal or canvas awnings are allowed over windows and doors.

SECTION XIX - SHADES AND AWNINGS

1. Awnings of any type over windows or openings are strictly prohibited.

SECTION XX - SOLAR COLLECTORS

As used in this Guideline, "Solar Collectors" means a fixed device, or part of a device or structure, which is used primarily to transform solar energy into thermal, chemical, or electrical energy. The Solar Collector shall be used as part of a system which makes use of solar energy for any or all of the following purposes: (1) water heating, (2) space heating or cooling, and (3) power generation. Solar Collectors may be comprised of panels, flexible film, capillary tubing, roofing materials, etc.

1. The issuance of a decision on the Exterior Improvement Application for a Solar System shall not be willfully avoided or delayed by the Architectural Committee. If an application is not denied in writing within 45 days from the date of receipt of the application, the application shall be deemed approved, unless that delay is the result of a request for additional information.
2. Solar Collectors are to be placed flush with and in the same plane as the roof slope.
 - 2.1 Photovoltaic panels shall be mounted so that the top of the panel is less than eight (8) inches above the surface of the roof.
 - 2.2 Solar thermal panels shall be mounted so that the top of the panel is less than four (4) inches above the surface of the roof.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XX - SOLAR COLLECTORS (Continued)

3. For two story homes the Solar Collector should be mounted on roof of second story only (usable space permitting). All panels must be mounted as high on the roof plane as functionally possible.
4. For a duplex all Solar Collector must be located over the applicant's unit. No portion of the solar array can be within three (3) feet of a vertical plane as defined by the Common Wall.
5. Ground Collectors are prohibited. Solar Collector installation on patio covers is not permitted.
6. Thermal holding/storage tanks are not permitted on the roof.
7. Solar Collectors shall not detract from the appearance of the property and must be reasonably harmonious to the neighboring properties. Collectors must be unobtrusive and architecturally compatible when viewed from nearby neighbors' property, common area property or public streets. Solar panels, solar devices, mechanical equipment and mounting structures shall be non-reflective.
 - 7.1 All conduit, pipes, or wiring associated with the solar installation shall be hidden from view (by running under the solar panels or inside the envelope of the house – i.e. attic, crawl space, garage, etc.). Under no condition will a conduit or pipe path pass directly over a ridge line. No conduit or pipe will wrap around an eave or soffit. All visible conduit or pipes must be painted to match the house material on which they are mounted.
 - 7.2 All exposed conduit, pipes, or wiring associated with the solar installation shall be adjacent to the surface (roof, wall, etc.) that they are secured to. The project design plans as submitted must include detailed information describing the routing for all visible exterior conduits and/or pipes.
 - 7.3 Apparatus mounted on the exterior of the home (DC-AC inverter, electrical switches, backup batteries, etc.) shall be placed as inconspicuously as possible. Apparatus may be installed interior to the garage or on an exterior wall located behind the side-yard privacy fence toward the rear of the home.
8. Panels may never extend beyond the outer edges or above the ridgeline of the roof; and may not interfere with the operation of rain gutters. No collector shall be installed within one (1) foot of the edge of a roof section.
9. Location of trees on Association property should be considered prior to the installation of Solar Collectors. Association trees will not be removed because they obstruct sunlight to Solar Collectors.
10. The contractor must obtain a building permit from the City of San Diego approving the structure and specifications for penetration and support. A copy of the building permit must be supplied to the Architectural Committee for inclusion in the site file.
11. Placement of Solar Collectors must conform to all existing California Department of Forestry and Fire Protection (Cal-Fire) requirements. Refer to the Cal-Fire "Solar Photovoltaic Installation Guidelines" for the latest placement and setback requirements at <http://osfm.fire.ca.gov/pdf/reports/solarphotovoltaicguideline.pdf> .

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XX - SOLAR COLLECTORS (Continued)

- 12 State of California law requires adherence to the following elements:
 - 12.1 The project design plans must be approved by a licensed structural / civil engineer along with all supporting documentation. The documentation bearing the engineer's seal must reference the particular home and state that the roof is constructed such that it can support the weight of the solar panel system. A copy of the documentation must be placed in the site file.
 - 12.2 A Solar Thermal energy system for heating water shall be certified by an accredited testing agency as defined in the California Plumbing and Mechanical Codes. The certification shall be for the entire solar energy system and installation.
 - 12.3 A Solar Photovoltaic energy system for producing electricity shall also meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.
 - 12.4 Under the Solar Shade Control Act, once solar panels have been installed, an owner of a nearby property may not allow vegetation to grow in a way that casts a shadow greater than 10 percent of the collector's absorption surface area between 10:00 a.m. and 2:00 p.m. standard time.

SECTION XXI - GREENHOUSES

1. All greenhouses are to be located in rear yards or side yards of the property.
2. Materials, color and style of greenhouses are to match existing structures.
3. Pre-fabricated metal greenhouses are prohibited.
4. All greenhouses are to have roofs.
5. Application is to show:
 - 5.1 Dimensioned site plan indicating the location of the greenhouse in relationship to property boundaries and to existing house and/or other permanent structures in the immediate area.
 - 5.2 The materials to be used to construct the greenhouse and the color of the paint or stain to be applied. Construction material specifications and samples are required.
 - 5.3 Detailed dimensioned construction plans for the proposed greenhouse.
 - 5.4 Any detailed elevation drawings that might apply to the site.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XXII - SWIMMING POOLS AND SPAS

1. Permanent aboveground pools are prohibited. Portable or aboveground spas are permissible.
2. Pool or spa equipment is to be placed so as not to disturb adjacent properties.
3. City of San Diego Municipal Code requires protection of pools and spas by a five (5) foot fence or other means. When a fence is used, it must be wrought iron style or a combination three (3) inch solid base with wrought iron top. Spa covers must conform to City of San Diego Municipal Code.
4. All pool or spa equipment is to be enclosed. Adequate ventilation provisions must be made for this type of equipment.
5. Plumbing lines to spa or pool must be subterranean or concealed.
6. The approval of any application for a spa or pool may be subject to a Civil Engineer's evaluation of the property and a written report for file. Any application for a spa or pool must include the following information:
 - 6.1 Dimensioned site plan indicating the location of the spa or pool in relationship to property boundaries and to existing house and/or other permanent structures in the immediate area.
 - 6.2 Detailed dimensioned construction plans for the proposed spa or pool.
 - 6.3 Detailed site grade plans with all slopes dimensioned.
 - 6.4 Detailed drainage plans for the proposed site.
 - 6.5 Detailed information on all materials to be used for decking.
 - 6.6 Dimensioned site plan indicating the location of the equipment enclosure in relationship to property boundaries and to existing house and/or other permanent structures in the immediate area.
 - 6.7 Detailed information on fencing to be used to surround pool or spa or any other security methods, such as spa cover and lock.
7. The removal or demolition of a swimming pool may require a permit from the City of San Diego. If a permit is required a copy of the permit must be attached to the "Application for Approval of Exterior Improvements".

SECTION XXIII - GARAGE DOORS

1. Wooden garage doors must be of a one-piece construction and when repaired or replaced the design pattern and wood texture of the repaired or new door must be the same as the original door. The paint color of these doors must be compatible with that supplied by the builder when initially installed or the last approved color of record. Homeowner must have written approval of the Architectural Committee before painting a garage door any other color or colors.
2. Metal roll-up doors will be allowed. Door color must be compatible with stucco and trim colors. The three dimensional wood trim may be retained. The Architectural Committee must approve all replacement garage doors before installation.
3. Request for side entrance garage doors will be reviewed on an individual basis. An application must include detailed description of a planned door installation. Doors will not be approved for installation on the street side of a front privacy wall.
4. Garage doors shall be kept closed at all times, except for normal entering and exiting.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XXIII - GARAGE DOORS (Continued)

DUPLEX

- D/1. Garage doors on adjoining duplex units must be matching in color.
- D/2. Garage doors on adjoining duplex units must be constructed of similar materials and must be similar in appearance, trim, and style – e.g. If one side is a rollup, both sides must be a rollup. If one side is a tilt-up, both sides must be a tilt-up. Should the owner of the adjoining duplex unit not be able to replace their garage door (for whatever reason) at the same time, a letter from that owner addressed to the High Country West Board of Directors committing to the replacement of his/her garage door within 120 days will be required prior to approval.

SECTION XXIV - WINDOWS AND WINDOW TREATMENT

- 1. The use of bars on exterior windows on a residence is prohibited.
- 2. When replacing individual windows/sliding patio doors, the frame color and style must match that of the existing windows.

DUPLEX

- D/1. Approvals for the replacement of windows, window frames, sliding doors, French doors, etc. for one or both sides of a duplex will be considered by the Architectural Committee on a case-by-case basis.

SECTION XXV - SIGNS

For the purpose of these Architectural Guidelines the word sign is defined to mean any fabricated sign including its structure, consisting of any letter, figure, character, mark, paint, plane, marquee, sign, design, poster, pictorial picture, stroke, strip, line trademark, reading matter or illuminating device constructed, attached, erected, fastened or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise whatsoever and display in any manner whatsoever in or out of doors for recognized advertising purposes. All acceptable signage must complement and blend in with the surrounding architecture and landscape.

Only the following signs are acceptable:

- 1. Permanent Signs:
 - 1.1 A maximum of one Security sign shall be permitted on each lot. Security signs are defined as those provided to the property owner by a Residential / Commercial Security Company for posting on the property to make the public aware of alarming and intrusion monitoring within the residence along with the name of the monitoring alarm company. Security signs must not be illuminated nor exceed nine (9) inches by twelve (12) inches in size. No other form of a security sign can be installed upon the property without the written authorization of the Architectural Committee. Security signs shall not include any of the following words, or words of similar import: “Beware,” “Video,” “Recording,” “Posted,” “No Trespassing,” etc.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XXV - SIGNS - (Continued)

- 1.2 A maximum of one Street Address signage is permitted on each lot, provided that the numerals do not exceed one half (1/2) square foot each. Address numbers may be either internally or externally illuminated.
- 1.3 A maximum of one Name Plate is permitted on each lot, provided that they it does not exceed one (1) square foot in area. Any illumination of the nameplate shall be indirect only.
2. Temporary Signs:
 - 2.1 Real Estate Sign - A maximum of one sign shall be permitted on each lot to advertise the leasing, sale or rental of the property. Real Estate sign copy shall be limited to offering the premises for sale, rent or lease. The sign shall be UNLIGHTED; not exceed 9" x 12" in size; and no part shall extend more than four (4) feet above the ground on which it is erected. The one (1) sign may also be displayed in the living unit or on the garage door. Real estate signs shall be removed within fifteen (15) business days of sale or occupancy of the premises, whichever comes first or at the commencement of a rental or lease.
 - 2.2 Real Estate Sign Rider - A maximum of one (1) Sign Rider shall be permitted. Sign Riders shall not exceed six (6) inches by eighteen (18) inches in size. The Rider is limited to two (2) rows of premises related text only information.
 - 2.3 A maximum of one political interest sign shall be permitted on each lot to promote Federal, State or Local candidates, and/or Propositions. The sign shall be UNLIGHTED; not exceed four (4) square feet in size; and no part shall extend more than four (4) feet above the ground on which it is erected. The sign must be one provided by a candidate's election committee or a committee promoting (pro or con) a Proposition appearing on the upcoming ballot. All political interest signs are considered temporary. No political sign can be erected prior to thirty (30) days before the scheduled election date and must be removed within twenty-four (24) hours after the election.
 - 2.4 NO BALLOONS, BANNERS, PENNANTS, FLAGS, STREAMERS, FLARES, WIND-PROPELLED AND NOISE-MAKING DEVICES AND OTHER SIMILAR DEVICES SHALL BE PERMITTED, without the written authorization of the Architectural Committee.

SECTION XXVI - DECKS, BALCONY AREAS, EXTERIOR PATIOS AND GAZEBOS

1. No balcony or deck shall be higher above the ground than the second-floor level.
2. Decks, balcony areas, backyard exterior patios, and gazebos may be reasonably furnished to provide a neat appearance. (See Section XXIX for additional furnishing restrictions for front courtyards)
3. Decks, balcony areas, exterior patios, and gazebos shall not be used for long-term storage.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XXVI - DECKS, BALCONY AREAS, EXTERIOR PATIOS AND GAZEBOS (Continued)

- 4 Gazebos:
- 4.1 Gazebos are considered to have same requirements as patio covers (Section XV), except side rails or walls are permitted to a height of three (3) feet from floor if walls do not restrict neighbors' views. Gazebos must be in proportion to and compatible with the home, lot size and matching roof.
 - 4.2 Portable Gazebos and/or Cabanas are permitted in rear yards only. The colors must comply with the guidelines and be harmonious with the home. Placement that obstructs a neighbor's view shall be avoided.

SECTION XXVII - DRAINAGE

Each homeowner must make adequate provisions for proper drainage from his or her lot so that water does not flow into a neighbor's lot or on to common area. Each homeowner must make adequate provisions for proper drainage in the event it is necessary to change the "established" drainage over his or her lot. "Established" drainage is defined as the drainage that occurred at the time the overall grading of said lots was completed by the Declarant. State, County and City Ordinances and Codes also require a homeowner to make adequate provisions for drainage so that water does not flow onto a neighbor's property.

SECTION XXVIII - TRASH CONTAINERS AND COLLECTIONS

Each homeowner shall place and keep all trash and garbage in adequate containers of a type and style furnished and/or approved by the City of San Diego. Containers should not be placed on sidewalks or curbs before sundown the day prior to the regular day for collection and should not be left on the sidewalk or curb after 6:00 P.M. of the regular collection day (San Diego Municipal Code §66.0105). Containers must be stored in garage or behind privacy wall (not visible from street or from neighboring property except during trash pick-up period).

SECTION XXIX - PLAYGROUND, SPORTS, EXERCISE, LEISURE AND RECREATIONAL EQUIPMENT

All play structures (including, but not limited to, swingsets, jungle-gyms, etc.) shall be submitted for review and require approval prior to installation.

Overall height of a play structure shall not exceed the height of the dwelling's patio cover or second story finish floor. The location of a play structure shall be not less than five (5) feet from the side and rear property lines. No play structures shall be installed in the front or exterior side yard. The entire assembly shall be maintained in a true and undeteriorated condition.

Sports, exercise, leisure, and recreational equipment, such as but not limited to, basketball equipment, slides, swings, jungle gyms, bicycles, tricycles, volleyball nets, grills, portable barbecues, hibachis, fire pits, furnishings, fixtures, umbrellas, space heaters and the like are not to be permanently installed or stored overnight in front yards or driveways.

Any furnishings, fixtures, fire pits, recreational equipment, etc. left overnight in the front courtyard must not be visible from a public street/sidewalk or association common area property.

Refer to "Policy Statement for Basketball Equipment" for additional information.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XXX - MAINTENANCE

LOT MAINTENANCE

Property ownership includes the responsibility for maintenance of all structures and grounds which are a part of the property. Maintenance affects the visual character and economic values.

Each Owner shall keep and maintain in good repair and appearance all portions of his or her Lot, other than that portion of the Lot if any, which is within the Common Maintenance Area, and improvements thereon, including but not limited to any fence which is on the Lot line and the residence located thereon. The Owner of each Lot shall water, weed, maintain and care for the landscaping located on his Lot, other than that portion on the Lot, if any, which is within the Common Maintenance Area, so that the same presents a neat and attractive appearance.

Each Lot Owner will keep maintain, water, plant and replant all slope banks and other landscape areas located on such Owner's Lot (except that portion, if any, contained within the Common Maintenance Area), so as to prevent erosion and to create and maintain an attractive appearance. No structure, planting or other material shall be placed or permitted to remain or other activities undertaken on any of said slope banks or other portion of any Lot which may damage or interfere with established slope ratios, create erosion or sliding problems or which may change the direction of flow of drainage channels or obstruct or retard the flow of water through drainage channels. The Architectural Committee shall be the sole judge in determining compliance with the provisions of this paragraph, and each individual Lot Owner shall promptly perform or conform to all directives issued by the Architectural Committee or compliance with the provisions of this paragraph.

DUPLEXES - REPAIR AND MAINTENANCE OF PARTY WALLS

DEFINITION OF "PARTY WALL": All walls, which were built as part of the original construction and are located on the dividing line between two adjoining duplex units, are considered party walls. As such, the following conditions should be used to guide alterations or improvements to party wall or roof area with one slope common to both units:

- D/1. The reasonable cost of maintenance or maintenance repair of any party wall shall be shared equally by the owners who make use of the wall.
- D/2. Damage to a party wall: If a party wall is destroyed or damaged by fire or other casualty, any owner who has use of the wall may restore it, and if the other owner thereafter makes use of the wall, he/she shall contribute equally to the cost of restoration. However if an owner through his negligence causes any damage to a common wall, he will be responsible for the cost of restoration of the wall as determined by any rule or law regarding liability for negligent and willful acts or omissions.
- D/3. All materials used in restoring or improving on any exterior party wall must be approved in writing by the Architectural Committee, and be similar in construction to the original materials.

ARTICLE SIX
USE PROVISIONS
(Continued)

SECTION XXXI - VEHICLES, TENTS AND SHACKS

No tent, shack, trailer, basement, garage or outbuilding shall at any time be used on any Lot as a residence either temporarily or permanently, nor shall any residence of a temporary character be constructed, placed or erected on any Lot. No commercial truck, camper, trailer, boat of any kind or other single or multi-purpose engine-powered vehicle other than a standard automobile or an approved golf cart, shall be parked on any Lot except temporarily and solely for the purpose of loading or unloading.

SECTION XXXII - HEIGHT LIMITATION

Except upon the written consent of the Architectural Committee, no dwelling or structure shall be constructed or maintained on any Lot which is more than fifteen (15) feet in height from the average grade of the Lot.

SECTION XXXIII - SECOND HAND MATERIALS

1. No second-hand materials shall be used in the construction of any building or other structure without written approval. All buildings and fences which are of frame construction shall be painted or stained with at least two (2) coats upon completion.
2. The use of landscaping and/or construction material(s) manufactured in part or in whole of commercially repurposed material is encouraged.

ARTICLE SEVEN
AMENDMENTS to GUIDELINES

These guidelines may need to be amended periodically to reflect changing conditions or technology. It is anticipated that these changes will be primarily for clarification and will not involve substantive changes to the existing guidelines.

Amendments to this document are the sole responsibility of the High Country West Architectural Committee.

HIGH COUNTRY WEST ADOPTED POLICY STATEMENTS

Should documented clarification of the “Declaration of Restrictions” or the “Covenants, Conditions and Restrictions” (CC&Rs) be required, Policy Statements will be authored and adopted by the High Country West Board of Directors and distributed to the homeowners. All adopted “Policy Statements” issued by the High Country West Board of Directors are managed and administered by the Architectural Committee.

This section refers to High Country West Policy Statements that have been approved and adopted by the Board of Directors. Policy statements in this section may not be all-inclusive and may not be the latest version. Copies of the latest version of any Policy Statement may be obtained from the High Country West Management Office.

SUPPORTING POLICY STATEMENTS

- ✓ **Antennae, Satellite Dishes and Other Reception Devices**
- ✓ **Policy for Basketball Equipment**
- ✓ **Proactive Management of the Architectural Guidelines**
- ✓ **Residential Postal Mailbox Replacement**
- ✓ **Low Water-Using Plants (Xeriscape)**

High Country West Property Owners Association
Architectural Committee Policy
Antennae, Satellite Dishes and Other Reception Devices

No radio antennas or any other reception devices other than satellite dishes used to receive Direct Broadcast Satellite (DBS) services, including direct-to-home satellite services, or to receive or transmit “fixed wireless signals” via satellite, shall be constructed, installed or maintained in or on any Lot. For purposes of this policy “fixed wireless signals” means any commercial non-broadcast communications signal transmitted via wireless technology to and/or from a fixed customer location. Fixed wireless signals do not include, among other things, AM Radio, FM Radio, amateur (“HAM”) radio, Citizen’s Band (CB) radio, and Digital Audio Radio Services (DARS) signals. Direct Broadcast Satellite (DBS) Dishes measuring one meter or less in diameter or diagonally (hereinafter referred to as a “DEVICE”) shall be permitted only as follows:

1. No DEVICE shall be constructed, installed or maintained in or on any Lot prior to a “Notification of Intent to Install Direct Broadcast Satellite Dish” form being submitted and signed off by the Architectural Committee. The application will be processed by the Architectural Committee in the same manner as an application for approval of any exterior architectural improvement to the property. The issuance of a decision on the application by the Architectural Committee shall not be willfully delayed.
2. The “Notification of Intent to Install Direct Broadcast Satellite Dish” form includes a field for a description of installation. The description should include the proposed location and method of construction and/or installation along with any structural or design alterations which are necessary to accommodate the DEVICE. A description of the installation should be made available by the Service Provider or their Authorized Representative upon request at time of purchase. The Authorized Representative should be made aware of the regulations outlined in this Policy (see points a through g below). If the proposed installation deviates from this policy for any reason, the owner and a qualified member of the Architectural Committee must establish a mutually convenient time to meet to discuss the installation plan/methods. Installation regulations include, but are not limited to:
 - a) The DEVICE shall be located toward the rear sidewall/roof portion of the residence or rear yard, or yard area, within the lot. Ideally, the device should not be visible from any public street or any part of the Common Area unless acceptable signal quality is unavailable.
 - b) If a signal cannot be received from the back of the building the DEVICE may be installed on the chimney. The DEVICE should be attached directly to the side of the chimney in a location that is least visible to neighbors (both vertically and which side of the chimney-wise).
 - c) If acceptable signal quality still cannot be obtained, the DEVICE may be installed toward the front of the property. Notification of this type of installation should be sent to the Architectural Committee along with a signed statement from the Authorized Representative of the Service Provider that this is the only location that can be used to receive acceptable signal quality.
 - d) All wiring and conduit must be installed so as to be hidden from view from any street, common area or adjoining Lot. If wiring must, of necessity be visible from these areas, it must be colored to blend with the surrounding background.
 - e) The use of a mast to increase or extend the height of a DEVICE above that of the mounting location is not approved.
 - f) The DEVICE approved under these regulations must have non-reflective, anti-glare finished surfaces. If the DEVICE is other than a neutral color the Architectural Committee may request that it be painted to closer match that of the residence.

-
- g) The DEVICE shall be installed and secured in a manner that complies with all applicable city and state laws and regulations and manufacturer's instructions.

No DEVICE shall be constructed, installed or maintained in or on the Common Area, or any separate interest which is not owned by the applicant, without the written approval of the High Country West Board of Directors.

Each Lot is limited to a single DEVICE unless the Homeowner demonstrates a need for a channel (Network) or service that the provider cannot provide without an additional DEVICE. Before constructing or installing additional DEVICES a separate "Notification of Intent to Install Direct Broadcast Satellite Dish" must be submitted to and signed off by the Architectural Committee.

The property owner shall maintain and not permit the DEVICE, mounting hardware or associated cabling to fall into disrepair or to become safety hazards.

It is the Homeowner's responsibility to remove any abandoned DEVICE, along with all mounting hardware and exterior cabling on his or her property. Failure to do so will be processed as an exterior violation.

Policy for Basketball Equipment in High Country West

The intent of this policy is to provide the residents of High Country West with a set of guidelines and rules for use of basketball equipment. The process for reporting observed violations, the procedure for notifying offenders and the guidelines for enforcing the policy are explained. In the event of any conflicting statement between this Policy and the “Declaration of Covenant, Conditions and Restrictions” or the “Declaration of Restrictions”, the “Declaration of Covenant, Conditions and Restrictions” or the “Declaration of Restrictions” will take precedence over and supersede that portion of the Policy.

- **Policy statement for basketball equipment permanently attached to existing structures**

1. No backboard and/or basketball hoop shall be permanently attached to a homeowners dwelling or any other existing fixed structure on the property.

- **Policy statement for transportable/movable basketball equipment**

2. *Daylight hours* - Between the hours of 9:00 AM and sunset transportable equipment is permitted in the front yard of the residence. The equipment must be properly maintained and not be viewed as an eyesore in the neighborhood. In the event of a dispute over visual aesthetics, the Architectural Committee will determine what is and is not in keeping with the intent of this policy and/or any other documented community restrictions that might apply.
3. *Evening and night hours* - Between the hours of sunset and 9:00AM the following morning, transportable basketball equipment must be moved to the side yard and placed behind the side yard fence, or moved to the back yard area. Concealment of the equipment with a cover or other camouflage material while still in the front yard is not an acceptable alternative to this policy.

Residents may notify the Architectural Committee of a possible policy violation by filling out a “Report of Possible CC&R Violation” form or by submitting a letter addressed to the High Country West Architectural Committee. All policy violations must be submitted in writing before they can be acted upon. The information furnished by the resident on the notification must include his or her name and mailing address along with the date and time that the violation was observed. The Architectural Committee will review and verify all complaints for validity. The originator of the complaint will be notified of the disposition and follow-up process.

Subsequent action taken by the High Country West Architectural Committee will be dependent upon the number of outstanding policy violation notifications that the offending property owner has received. All verified property owner violations of this policy acted upon by the Architectural Committee or the Board of Directors will be considered active and enforceable for a period of one year from the date of the last violation.

The ***first*** time that a basketball hoop is found to be in violation of the above policy, a letter from the Architectural Committee will be sent to the property owner, giving the owner three days to comply with the policy.

Observation of a ***second*** violation will result in the Architectural Committee sending a certified letter, return receipt requested to the offending property owner, giving the owner three days to comply with the policy.

Observation of a ***third*** violation will result in the Board of Directors sending a certified letter, return receipt requested to the offending property owner, inviting the owner to attend the hearing at the next regularly scheduled board meeting. This letter should be sent not less than 10 days, nor more than 60 days prior to the next Board meeting. The property owner has the opportunity to express “his or her side of the issue” at this hearing. In the absence of compelling reasons for non-compliance or failure of the owner to attend the hearing, the owner will be fined \$50.00.

The ***fourth***, and each violation thereafter, will result in the same procedure as the third violation, i.e. a hearing and potential \$50.00 fine.

POLICY STATEMENT

Proactive Management of the Architectural Guidelines by the High Country West Architectural Committee

The High Country West Architectural Committee is responsible for the monitoring of all residential property within High Country West for compliance with Covenants, Conditions and Restrictions together with the adopted Architectural Guidelines and all supporting documents.

The administration of this policy is accomplished by dividing the community into multiple geographic regions. A grouping of street names identifies each unique region. It is the responsibility of the chairperson of the Architectural Committee to establish and maintain the record of groups by street names. The committee chairperson will assign each member of the committee the task of monitoring one or more of the regions within the community. The chairperson, at his or her discretion, has the right to change region definitions by adding, deleting, or regrouping the street names or to change the committee member assigned to each region.

Periodically (at an interval not less than once during each calendar month) each member of the Architectural Committee will be responsible for the monitoring and review of their respective pre-assigned area of High Country West for CC&R violations or any other violations of the adopted High Country West Architectural Guidelines. It is not the intent of this policy to restrict any committee member to reporting those abuses only within their assigned region. It is understood that it is each and every committee member's responsibility to report any observed flagrant violation of architectural guidelines by any homeowner anywhere within High Country West.

All observed violations to the guidelines must be document by the respective committee member. The information noted must include a description of the violation as well as the location, time of day and date. If this is known to be a repeat of an earlier observation, that too, should be noted.

All observed violations are reported at the next regularly scheduled meeting of the Architectural Committee and read into the minutes of that meeting. The committee will review each reported violation and take any appropriate action deemed necessary in accordance with governing documents.

High Country West Homeowners Association

Architectural Committee Policy Statement

For Residential Postal Mailbox Replacement

Purpose of the Policy

Every homeowner in High Country West is responsible for the maintenance and repair of their mailbox. All mailboxes must be maintained and kept in a functional order as well as be neat and aesthetically pleasing in appearance. It is the purpose of this policy statement to define acceptable mailbox replacement standards and practices for High Country West. This policy statement covers both the maintenance and repair of individual residential mailboxes within an existing grouping of mailboxes and also the replacement of the entire grouping of mailboxes and supporting structure. The replacement of all residential mailbox groupings within High Country West must be reviewed by the Architectural Committee and are subject to the approval of the Architectural Committee.

For purposes of this policy statement a grouping of mailboxes will be defined as 1, 2, 3 or 4 residential mailboxes that are mounted on or secured to a common support system.

The homeowner is urged to check with the US Postal Service and the City of San Diego for any applicable US Postal Service requirements, local municipal codes, American Disabilities Act (ADA) requirements, etc. that might apply.

Maintenance and Repair of Damaged Mailbox

If the support structure for any mailbox grouping becomes unsightly or unstable then the entire grouping must be replaced. Replacement of an individual defective mailbox secured to an unstable or out of specification support structure is not a maintenance option.

1. When replacing an existing damaged mailbox, the replacement box must be of the same material, style, size, markings, and color as all other boxes within the grouping.
2. All address information and identification markings must be restored to any replacement mailbox. Color, size and font shall be identical to all other mailboxes within the grouping.
3. No existing or replacement mailbox may be decorated with signs, logos, symbols, etc. Advertising on any mailbox or support is prohibited.

Maintenance and/or repair of a homeowner's individual mailbox does not require the approval of the Architectural Committee.

Replacement of a Mailbox Grouping

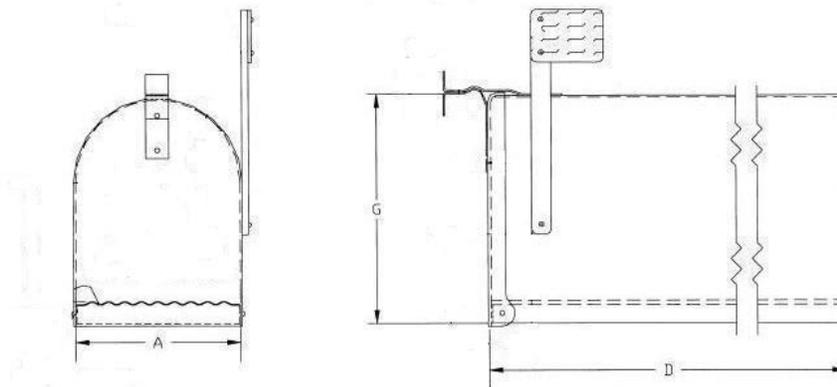
The design for any mailbox grouping requires the approval of the Architectural Committee in advance of construction. *An "Application for Approval of Exterior Improvements" must be submitted by each homeowner that has a mailbox within the affected grouping.*

Design Guidelines for a Mailbox Grouping

Any deviation from these guidelines can be made only with the written approval of the Architectural Committee.

1. When replacing an existing mailbox with a new style, color or size, all mailboxes within the associated grouping must be changed at the same time. All new mailboxes within the grouping must be of same size, color and style. Whenever a grouping of mailboxes is replaced, all mounting and support hardware must be replaced using new material. Reuse of old or existing material is not acceptable and will not be approved.
2. All mailboxes must be secured to the post assembly by mounts on the floor of the box. Each mailbox must be secured to a fixed horizontal beam that is securely attached to the vertical post (monument). No side or top mounting (securing) of a mailbox to a vertical post is acceptable.
3. Corresponding house numbers must be displayed on the front of the mailbox. All lettering must be no less than one inch (1") in height. Lettering on all boxes within the cluster must be the same size, font and color.
4. Post-mounted address plaques are acceptable as long as each mailbox within the grouping has individual matching plaques. The post address plaque must be mounted directly below the corresponding mailbox.
5. The post or support for the mailbox grouping must be neat and of adequate strength and size. Post designs and materials may include wood, steel, brick, stone, plaster, etc. or any combination of these. Post (monument) design must be architecturally pleasing and blend in with the homes and landscape designs in the surrounding area. All support posts must be mounted in concrete, constructed on a concrete foundation, or bolted to a concrete pylon.
6. All mailboxes within a grouping must remain in their original grouping. No mailbox can be relocated from or to any neighboring group.
7. All mailbox groupings must be restored or rebuilt at the original (existing) location of the grouping being replaced.
8. No mailbox designed for wall mount or oversized mailbox designed for commercial applications will be approved for use in a grouping. All mailboxes will be what are typically referred to as a "Traditional Design" mailbox. The overall dimensions of the "Traditional Box" must fall within those referenced in Figure 1.

TRADITIONAL MAILBOX



Dim	Min	Max	Dim	Min	Max
Units - Inches					
A	6.25	11.00	G	6.00	12.00
D	18.56	21.00			

Figure 1 – Traditional Mailbox Acceptable for use under this Policy

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9. A mailbox may be temporarily relocated to comply with special needs or ADA requirements of the resident. When the requirement is no longer an issue the temporary box must be relocated back to the street. All temporary box relocations must be approved by the USPS.
 10. If a resident has a "Post Office Box" he/she is still required to have a mailbox within the grouping.
 11. Novelty mailboxes of any design are not acceptable. No individual mailbox may be decorated with signs, logos, symbols, ornamentation, etc. Advertising on any mailbox or support is prohibited. The post or support column may not represent effigies or caricatures that tend to disparage or ridicule any person.

Policy Compliance Warning

Before a homeowner submits the "Application for Approval of Exterior Improvements" he/she is strongly advised to check with the US Postal Service and the City of San Diego to acquire a list of current postal codes, municipal codes, etc. that will apply. Approval of the application for Exterior Improvements does not imply that the proposed mailbox replacement conforms to any or all applicable federal, state or local code(s).

The Architectural Committee is aware of several such codes and practices that may apply. The Committee reviews all architectural applications for aesthetic considerations only, not for ordinance, code or other legal requirements. **THUS, THE COMMITTEE DOES NOT CONSIDER POSTAL REGULATIONS AND LOCAL CODES WHEN REVIEWING MAILBOX REPLACEMENT APPLICATIONS.**

US Postal Service mailbox information may be obtained from the Operations Office in the Administration building at the Margaret Sellers Post Office located at 11251 Rancho Carmel Drive.

Failure to conform with all applicable federal, state or local codes may, at some later date, result in a notification by the US Post Office of "termination of delivery" to the mailbox. Do not assume that if a mail carrier delivers to a mailbox that the mailbox or how the mailbox is installed or configured is approved by the US Postal Service. It is the prerogative of the mail carrier to determine whether or not to deliver to any non-compliant mailbox or grouping of mailboxes.

HIGH COUNTRY WEST PROPERTY OWNERS ASSOCIATION
ARCHITECTURAL GUIDELINES AND POLICY - LOW WATER-USING PLANTS

I. PURPOSE STATEMENT

The High Country West Architectural Committee (HCWAC) has formulated the following guidelines to assist any homeowners who wish to adopt water conservation-friendly landscaping methods, including Xeriscape. The HCWAC intends to use these supplemental guidelines to review and manage landscaping plans that incorporate xeriscape areas.

II. ABOUT XERISCAPING

A xeriscape landscape requires a minimum amount of water and maintenance, but not zero water and maintenance. Xeriscaping means using native and adapted plants which grow and sustain themselves with low water requirements and that can tolerate heat and drought conditions. This policy and guidelines conform to California Civil Code 4735 (As amended on September 18, 2014, Operative on January 1, 2015.)

Many of the Xeriscape Guidelines covered in this policy are consistent with our Architectural Guidelines, so these will be considered a “variance” to the existing guidelines and not a replacement of them.

III. SUPPLEMENTAL LANDSCAPING GUIDELINES

In the past, High Country West has always promoted a full and green turf area to cover the vast majority of the homeowner’s yard, but under current drought conditions, and government-enforced watering restrictions and conservation mandate, this will not be sustainable for many homeowners. When they are ready to replace their existing landscaping, they have two (2) options:

Option 1: Replace existing water dependent landscaping in part or in whole with drought tolerant grass, artificial turf, and/or “Xeriscaping”. This option requires that a drought tolerant landscaping plan be approved by the Architectural Committee before work begins.

Option 2: Temporarily minimize watering of all existing vegetation allowing it to dry out (as suggested by some water authorities) while government mandated water conservation restrictions are in effect. This option also requires that a drought tolerant landscaping plan be approved by the Architectural Committee before action is taken. A dried out landscape must be kept free of weeds and all dead vegetation, excluding grass. The yard must be clean and not deemed unsightly, a fire hazard or an eyesore. When the water restriction is lifted the homeowner must reseed or revive the turf to its original state. All dead ground cover, shrubs, trees, etc. must be replaced. The Architectural Committee will work with the homeowner to determine a schedule for the restoration of the landscaping based upon growing season and/or other practical limitations. Any changes to restoration of the previous landscaping shall result in the property owner having to submit new plans. Should the Lot change ownership while this option is in effect all restrictions and limitations as defined on the approved application will be assumed by the new homeowner of record.

All requests for any exterior change must be submitted using the “Application for Approval of Exterior Improvements” form, which can be obtained from the Club Office or found on the website <http://www.HighCountryWest.com>. As part of the approval process the Architectural Committee will take into consideration all State and Local water conservation restrictions as they apply at the time of request [Subdivision (c) of Section 65595 of the Government Code, Sections 353 and 375 of the Water Code along with any Emergency Conservation Regulations]. Should prevailing water conservation restrictions adequately support Xeriscape or other drought tolerant landscaping, “Option 2” may not be approved. However, Xeriscaping will always remain an option, even when water restrictions are removed.

The removal of pre-existing landscaping and replacement with a predominance of “Hardscape” is not an option. “Hardscape” is defined as non-plant material elements within a landscaped/xeriscape setting. Examples of “Hardscape” elements include, but are not limited to, driveways, walkways, pathways (not compacted soil pathways), stepping stones, bridges, stairways, steps. Materials for these elements often include wood, concrete, natural stone, decorative stone, pavers, plastic, and metal.

IV. OPTION 1 - XERISCAPE AND DROUGHT TOLERANT GRASS AND/OR TURF LANDSCAPE PLANNING

1. DESIGN CONSIDERATIONS AND EXTERIOR IMPROVEMENT APPLICATION

The “Application for Approval of Exterior Improvements” form as submitted must include the following information:

- I. An overall written outline of your project. This description should draw special attention to any major changes that you plan to make (structural, drainage, etc.) and identify which existing plants (if any) and what turf area (if any) you plan to remove.
- II. A drawing or photo(s) of your proposed landscaping plan including yard dimensions. Your plan drawing should include the following:
 - a. Details about the size and type of existing trees, shrubs and plants
 - b. Details about the size and type of new trees, shrubs and plants
 - c. Details about the “Grass/Sod/Artificial Turf” area that will remain or be reconfigured
 - d. Any structural elements already on site (retaining walls, large rocks, etc.)
 - e. Existing and proposed Hardscape
 - f. Proposed new structural elements such as retaining walls, large rocks/boulders, dry river beds, bridges, etc.
 - g. Any new or modified irrigation system(s)
 - h. Drainage plan

Note:

- A minimum of 50% (within 1 year) of the xeriscape area must be landscaped with “long- lived” live plantings (succulents, perennials, shrubs, trees) that are drought tolerant in the area.
- Samples of artificial turf, rock, and mulch must accompany the request if applicable.
- List new plant names and container sizes and indicate their proposed location.
- Minimum sizes needed:
 - ✓ Deciduous / Evergreen trees - minimum 24-inch container
 - ✓ Shrubs - minimum 5-gallon container
 - ✓ Succulents and Perennials - minimum 3-gallon container
 - ✓ Ground covers/vines - spaced to provide 80% ground coverage within 1 year

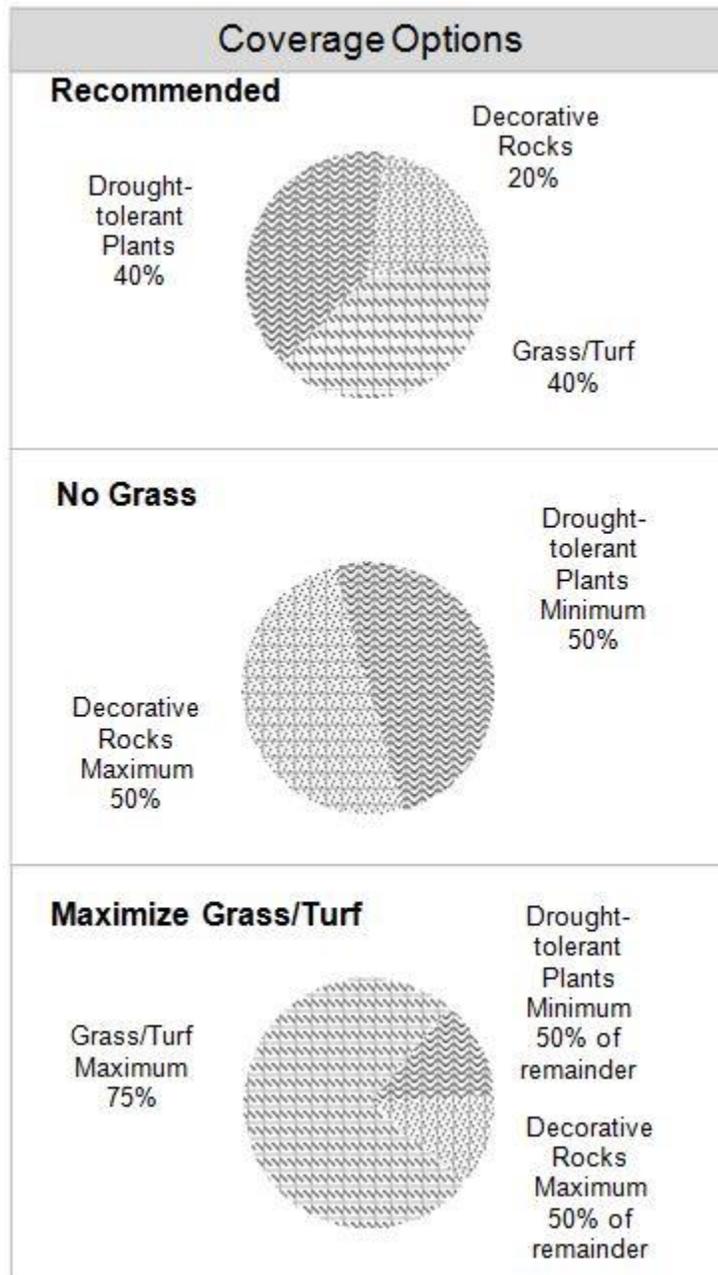
V. SPECIFIC LANDSCAPING GUIDELINES

1. Drought Tolerant Grass and/or Sod or Artificial Turf Area

Up to 75% of yard area can be drought tolerant grass, sod or artificial turf. Any remaining area must include planting area(s) and/or Xeriscaping. To reduce water usage the homeowner may choose to re-seed the lawn area with drought tolerant varieties of grass such as Zoysia, Bermuda, Buffalo Grass, Bahia, and Fescues. It is recommended that the homeowner consult with a professional to determine which grasses are likely to do best with their soil and sunlight conditions.

2. Xeriscape Plants / Shrubs / Trees

Your local plant nursery, or a landscaping professional, can assist you in making a determination of which plants to use in your design. Many nurseries provide a free booklet which has an extensive list of suggestions of drought tolerant, non- invasive, and wildlife friendly plants and trees. Avoid the use of any invasive plants and check to be certain that none of the plants you want are toxic to humans or animals. To research drought tolerant plants and bushes as well as low water consuming trees, check out the Architectural page at www.highcountrywest.com for lists and resources. All plants have different light and soil requirements, so your first choices may not survive. Tall and excessively bushy plants (many shrubs and ornamental grasses) usually require pruning to keep them healthy. Spiky and thorny plants pose a risk to people and animals so they should not be planted near sidewalks, driveways, or easements (place at least six (6) feet away from these areas). No mature plant/shrub can exceed three (3) feet in height in front of the setback line of any Lot as shown on the recorded Final Subdivision Map of which the Lot is a part (Declaration of Restrictions, Article VI, Section 9. The setback line is approximately fifteen (15) feet from the street for most Lots. Plants adjacent to a public sidewalk must not run or encroach into the walking path. Removed tree stumps must be pulled and backfilled with soil or ground down to below sod level so they do not pose a trip hazard or act as an eyesore.



3. Xeriscape Ground Covers / Pebbles / Pavers / Pathways

Non-turf areas can contain a covering of decorative stone, pebbles of varying sizes, paver stones, flagstone, etc. Colors should complement the surroundings, be aesthetically pleasing and not be in contrast with adjacent properties. Materials to avoid are wood shavings, compost, colored glass mulch, nut shells and husks, rubber mulch, and anything that may be sharp or toxic to animals. Bark can only be placed around tree trunks and plants, for root protection and water retention. Bark depth must be 3 inches, with a maximum circumference of two (2) feet. Keep in mind that any large areas of ground cover material will affect drainage because there are no grass root systems to prevent erosion of the soil. Areas of exposed soil within a xeriscape design are not acceptable. Coverage may be difficult to measure, and may require site visit(s) to verify compliance

4. Borders / Edging

Xeriscape areas must be surrounded by a border to clearly differentiate the Xeriscape areas from the Turf areas. A Xeriscape area entirely enclosed within a retaining wall or raised bed qualifies as sufficiently defined. You may use metal or plastic edging of high quality as long as it is properly staked in place, and set with the top edge not more than two (2) inches above grade. Edging should be monitored frequently to ensure that it is in good condition and replaced if it shows any signs of damage, breakage, rusting, or if sharp edges are exposed at any point.

Poured in place custom concrete borders are the edgings of choice. Concrete borders should be a minimum of four (4) inches in width. Precast edging material, pavers, stone, etc., are acceptable. Top edge shall be installed with not more than two (2) inches exposed above grade.

Redwood/cedar bender board, wood materials like pressure treated 2x4s, and railroad ties are not acceptable border materials, due to environmental concerns. The EPA has identified that they may contain Creosote which is a toxic compound that should not be used in a residential environment-

5. Weed Barriers / Landscaping Fabric

An approved weed barrier is required under all approved inert ground cover. Any materials used to restrict weed growth in your Xeriscape must be hidden from view (covered by rock or other acceptable ground cover).

6. Structural Elements / Retaining Walls / Raised Beds / Large Rocks

These elements can reflect a lot of creativity and bring a design vision together. Masonry products include stone, pavers, pre-cast decorative block, or concrete masonry units manufactured as edging and retaining wall shapes. Cinder blocks (also known as common concrete blocks) when used as a construction element must have a stucco finish applied. Individual stones can be "dry-fit" (do not need to be cemented together) as long as they do not exceed three (3) feet in height, and are positioned in a way as to maintain overall structural strength and stability. Any retaining walls or raised planter beds in excess of three (3) feet in height must conform to City of San Diego building codes. Architectural Committee will require a copy of the building permit and all associated City-stamped approved drawings before work may begin. Appropriate drainage must be included in any retaining wall design. The top of all walls or raised beds must be level. Large rocks/boulders should be used sparingly and positioned as focal points in your design, not the entire attraction. For example, a design involving twelve boulders in a bed of pea gravel is very unlikely to be approved. Avoid causing trip hazards and impeding visual sight lines.

7. Decorative Accents and Water Conservation Items

Items such as urns, pots, bridges, birdbaths, statuary, and other man-made ornamentation must be approved in advance. Indicate the items on your landscape area drawing using pictures so that we may review the size, type, and color to ensure it meets with the standards of our community. Rain barrels may not be visible from the street.

VI. XERISCAPE MAINTENANCE REQUIREMENTS

Xeriscape areas are subject to the same maintenance requirements as other landscaping and must be maintained at all times to ensure an attractive appearance. Plants must be trimmed, beds must be kept weed-free, and borders must be edged. No plants may encroach on public sidewalks. Sickly and dying plants must be removed and replaced. Perennials that die back during winter must be cut back to remove dead material. This includes most ornamental grasses and other flowering perennials that go dormant in winter. Any mulch placed around tree trunks and plants for root protection and water retention must be kept fresh and reapplied as needed.

ATTACHMENTS / FORMS

- Application for Approval of Exterior Improvements
- Report of Possible High Country West CC&R Violations
- Notification of Intent to Install Direct Broadcast Satellite (DBS) Dish
- Request for Variance

High Country West POA
16003 Turtleback Road
San Diego, CA 92127-2018

architectural@highcountrywest.com
Phone: (858) 451-0725
FAX: (858) 683-0316

***High Country West Architectural Committee
Application for Approval of Exterior Improvements***

High Country West CC&Rs are, by law, binding on all properties in High Country West. The CC&Rs require that the High Country West Architectural Committee must approve any exterior changes. Failure to obtain Architectural Committee approval in advance could result in costly construction revisions. The Architectural Committee is composed of your neighbors, who serve on a voluntary basis. The Committee's approval of your plans is not a substitute for required city building permits or inspections. The Committee assumes no legal responsibilities for claims arising from approvals given to homeowners. Any claims arising from works of improvement are the responsibility of individual homeowners. By signing this application, homeowner agrees to be bound by these conditions. It is the responsibility of the homeowner to file the application for Architectural Committee approval.

HOMEOWNERS NAME-print

ADDRESS

E-MAIL ADDRESS

LOT#

DAY TELEPHONE #

EVENING PHONE #

CONTRACTOR'S NAME

TELEPHONE #

I (WE) WOULD LIKE TO REQUEST APPROVAL FOR THE FOLLOWING IMPROVEMENT(S):

HOMEOWNER'S SIGNATURE

DATE

High Country West POA
 16003 Turtleback Road
 San Diego, CA 92127-2018

architectural@highcountrywest.com
 Phone: (858) 451-0725
 FAX: (858) 683-0316

IMPORTANT IMPROVEMENT NOTICE: For your protection, inquire about applicable permits that may be required before starting any work on property that involves additions, alterations or modifications which include structural, electrical, heating, water, gas, sanitary plumbing systems, gas burning or electrical equipment, garden or retaining walls, patio covers, carport, garbage, swimming pool, yard sprinklers, water softeners.

City of San Diego Building Inspection Department, 1222 First Avenue, San Diego
 8am-5pm Mon-Fri (619)236-6278

SUBMITTALL REQUIREMENTS: The following must be furnished with any application presented to the Architectural Committee for approval. Lack of any items or insufficient data on any items may cause delay in checking and approving plans and applications. It should be understood that no improvement can proceed without prior written approval from the Architectural Committee.

1. **STRUCTURES** – including, but not limited to, patio covers and room additions
 - a. Plot Plan – must include property lines and dimensions, site of proposed new construction and its relation to property lines and existing structures; location and dimensions of existing structures
 - b. Elevations – elevations and renderings which fully explain structure;
 - c. Building plan – Construction details to assist in evaluating the project, including dimensions, materials, colors, etc.

2. **LANDSCAPING** – landscape plans, including but not limited to, fences retaining and/or garden walls, plants, trees, ground cover stone, etc. must show location, type and size. Irrigation and drainage must be plainly indicated. Original drainage patterns must not be distributed without prior Committee approval.

3. **EXTERIOR** – color chips, paint, or stain numbers must be submitted when painting stucco, trim, garage and entry doors, fences, patio covers, etc. Colors must follow existing color schemes.

This “Application for Approval of Exterior Improvements”, along with all supporting documentation must be made available to all adjoining property owners for their review prior to submission to the Architectural Committee. Each neighbor’s signature is required below acknowledging that they have reviewed the application. Missing signatures will delay the final disposition of this request.

By signing this application NEIGHBORING PROPERTY OWNERS DO NOT ACKNOWLEDGE APPROVAL OR DISAPPROVAL of the proposed exterior changes. Neighboring property owners, if you have any concerns regarding this application, please contact the Architectural Committee in writing immediately. Your concerns will be taken under advisement. The agreement or disagreement of neighboring homeowners is NOT binding on the decision of the Architectural Committee.

Name (print)	Signature
Address	Telephone: Date
Name (print)	Signature
Address	Telephone: Date
Name (print)	Signature
Address	Telephone: Date
Name (print)	Signature
Address	Telephone: Date
Name (print)	Signature
Address	Telephone: Date

HIGH COUNTRY WEST ARCHITECTURAL COMMITTEE APPROVAL

DATE

**REPORT OF POSSIBLE
HIGH COUNTRY WEST CC&R VIOLATIONS**

Date: _____

The information contained in this document is for the sole use of the High Country West Architectural Committee and/or the High Country West Board of Directors. This document is considered private and confidential. The contents of this document in whole or in part will not be disclosed to the alleged violator. The Chairperson of the Architectural Committee, or his/her delegated representative, accompanied by another member of the Architectural Committee, as required, will investigate this complaint to verify the violation and then proceed accordingly.

Address of observed problem: _____

Date last observed: _____ Approximate time of day: _____

Date first observed (if this has been an ongoing problem): _____

Describe the alleged violation:

Submitted by: _____ Phone Number: _____

Address: _____

Section below is for the use of the Chairperson of High Country West Architectural Committee

Disposition of Violation:

High Country West POA
16003 Turtleback Road
San Diego, CA 92127-2018

architectural@highcountrywest.com
Phone: (858) 451-0725
FAX: (858) 683-0316

Notification of Intent to Install Direct Broadcast Satellite (DBS) Dish

Applicants Name (Print): _____

Address: _____ Lot: _____

Date: _____ e-Mail: _____ Phone: _____

Service Provider: _____

I hereby agree that I have read the latest revision of the High Country West Property Owners' Association policy for "Antennae, Satellite Dishes and Other Reception Devices" and understand all of the installation considerations that apply to my Satellite Dish installation plan as proposed to me by my service provider. I do understand that no work will be started until this form has been signed off by the Architectural Committee. For any reason should my service provider NOT be able to adapt to any of the installation limitations, I will immediately request a meeting with the Architectural Committee. Call (858) 451-0725 or e-mail request to architectural@HighContryWest.com to schedule at the earliest mutually agreed to time. I understand that all reasonable efforts will be made by the Architectural Committee to process this notification without delay.

Considerations include but are not limited to:

- The location of the Satellite Dish, which shall be toward the rear sidewall/roof portion of the residence or rear yard, or yard area, within the lot. Ideally, the Satellite Dish should not be visible from any public street or any part of the Common Area unless acceptable signal quality is unavailable. If a signal cannot be received from the back of the building the Satellite Dish may be installed on the chimney. The Satellite Dish should be attached directly to the side of the chimney in a location that is least visible to neighbors (both vertically and which side of the chimney).
- All wiring and conduit, which must be installed so as to be hidden from view from any street, common area or adjoining Lot. If wiring must, of necessity be visible from these areas, it must be colored so as to blend with the surrounding background.

Description of Installation (attach sketch if needed) – Include the proposed location and method of construction and/or installation along with any structural or design alterations which are necessary to accommodate the Satellite Antenna.

Applicant's Signature _____

For Office Use Only

Reviewed By: _____ Date: _____

Comments: _____

Approval: _____ Date: _____

High Country West Architectural Committee
Architectural Guidelines
Request for Variance

This form is used to request a variance to the most recent version of the Architectural Guidelines for the High Country West Property Owners Association. No variance will be granted unless the general purpose and intent of the Declaration of Covenants, Conditions and Restrictions is maintained. Any variance granted will only be applicable to the specific site and conditions for which the variance was granted, and will not modify or change any standards as they apply to other sites or conditions.

HOMEOWNERS NAME-print	DATE
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ADDRESS	E-MAIL ADDRESS	LOT#
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DAY TELEPHONE #	EVENING PHONE #
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For a variance to be granted by the High Country West Board of Directors at least one of the following criteria must apply: **(Check One)**

- 1) The strict compliance with the standards creates a hardship due to a disability, or other factor.
- 2) The strict compliance with the standard creates a hardship by depriving the Owner of the reasonable utilization of the site, or where unusual circumstances or characteristics which affect the site make strict compliance impractical.
- 3) The strict compliance with the standard creates a hardship defined by aesthetics, or environmental conditions.

Attach to this form a copy of the previously submitted "Application for Approval Exterior Improvement" form along with any other supporting documentation.

Please provide an explanation of how the improvement satisfies one or more of the criteria above (if additional space is needed, please attach additional pages):
