



# WESTPARK

PASEO WESTPARK  
MAINTENANCE ASSOCIATION

## ARCHITECTURAL COMMITTEE RULES AND DESIGN GUIDELINES

*Revised July 25, 2022*

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

## **Table of Contents**

Table of Contents.....	2
I. Introduction.....	3
A. Responsibility of the Paseo Westpark Maintenance Association .....	3
B. Purpose of the Paseo Westpark Maintenance Association Design Guidelines .....	3
II. Architectural Committee Rules and Design Guidelines .....	4
A. Architecture .....	4
1. Architectural Character .....	4
2. General Guidelines for Architecture .....	4
B. Landscape .....	8
1. Landscape Character .....	8
2. General Guidelines for Landscaping .....	8
3. Plant Palette.....	12
III. Review and Approval Process .....	12
A. General Rules.....	12
B. Process/Submittal Requirements.....	14
C. Conditions of Approval.....	15
1. Signs .....	16
2. Hours of Operation.....	16
3. Temporary Structures .....	16
4. Unsightly Items .....	16
5. Building Material .....	16
6. Construction Equipment .....	16
7. Drainage .....	16
9. Enforcement.....	17
10. Violations.....	17
11. Amendments .....	17
12. Maintenance of Improvements.....	17
13. Solar Shade Control Act .....	17
14. Financial Liability .....	18
15. Conditions Not Covered .....	18
D. Appeals.....	18
Exhibit "A".....	19
A. Color of Mailboxes, Spreaders and Posts.....	19
B. Mailbox.....	19
C. Address Numerals:.....	19
D. Mounting (Spreader and Posts).....	19
E. Installation of Mailbox Posts.....	20
F. Installation of Mailbox Spreaders and Mail Manager Mailboxes.....	21
G. Postal Numbering Sequence .....	21

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

## **I. Introduction**

### **A. Responsibility of the Paseo Westpark Maintenance Association**

One of the responsibilities of the Paseo Westpark Maintenance Association is the control of the physical character of the community to enhance the desirability and attractiveness of the area. The Maintenance Association is charged with the administration and enforcement of architectural control within the community by the authority given to it in *Article VIII* of the Covenants, Conditions and Restrictions ("CC&Rs") of the Paseo Westpark Maintenance Association ("Association" or "Master Association"). The CC&Rs provide for an Architectural Committee with the authority to review and approve or deny all drawings submitted to it for all proposed "Construction Activities" as defined in *Section 8.3* of the CC&Rs. The CC&Rs also authorize the Architectural Committee the authority to designate an Architectural Committee Representative to take any action or perform any duties for and on behalf of the Architectural Committee. Therefore, references herein to actions or decisions of the Architectural Committee include those by the

Architectural Committee and/or and Architectural Committee Representative. Construction Activities include, but are not limited to, any construction, modification or alteration, whether it be a new improvement, or maintenance, repair, or replacement of an existing improvement.

The CC&Rs also give the authority to establish Architectural Committee Rules and Design Guidelines to be administered by the aforementioned Architectural Committee. *Section 8.4.* of the CC&Rs provides the authority to establish procedural rules and to assess reasonable fees appropriate to the type and nature of the proposed improvement for which drawings have been submitted.

### **B. Purpose of the Paseo Westpark Maintenance Association Design Guidelines**

The purpose of these Paseo Westpark Maintenance Association Architectural Rules and Design Guidelines (the "Guidelines") is to continue the physical character as established by the initial development, consistent with the City of Irvine's Zoning ordinance. The intent is to give specific design criteria to residential and common area property owners for subsequent improvements after the completion of original construction.

The Guidelines are written to preserve a high quality of appearance, to assure compatibility between improvements, and to protect and enhance the community's overall value. They are intended to be used by property owners and consultants in preparing drawings for architectural, landscape, and other improvements; and by the Paseo Westpark Maintenance Association Architectural Committee in reviewing these drawings for conformance with the stated objectives. The Paseo Westpark Architectural Committee reviews proposed improvements for aesthetic purposes only. It is the property owner's responsibility to follow all applicable federal, state, and local building codes.

## II. Architectural Committee Rules and Design Guidelines

### A. Architecture

#### 1. Architectural Character

The architectural character of the community is established by the initial development, consisting of homes with stucco walls and tile roofs, commonly understood as "Mediterranean". Subsequent architectural improvements must be compatible with the original design.

Below are general guidelines for building materials, colors, and forms which are expressive of the community's architectural character; and which will be used by the Architectural Committee in reviewing drawings for compatibility with the original design. The Guidelines are not intended to be exhaustive, and, therefore, the Architectural Committee reserves the right to impose its subjective determination in its review of architectural submittals.

#### 2. General Guidelines for Architecture

##### a. Maximum Heights

The maximum building heights of all new construction shall be consistent with the City's zoning code. Room additions, monitor windows, and towers extending above existing building heights are subject to special review by the Architectural Committee regarding impacts on neighbor's privacy and community appearance. The intent is to protect privacy and to retain an attractive community appearance with a balance of buildings and open space.

No current or future views are guaranteed.

A patio cover – defined as a structure attached to a house, with a roof in a horizontal plane – shall be a maximum of nine (9) feet from the original finish grade to the top of the highest point on the patio cover.

A gazebo—defined as a free-standing structure, not attached to a house—shall be a maximum of nine (9) feet from the original finish grade to the top of the highest point on the gazebo, if the roof is in a horizontal plane; or shall be a maximum of eleven (11) feet from the original finish grade to the top of the highest point on the gazebo, if the roof is in a sloping plane.

A sundeck—defined as roofless, outdoor terrace at the second-story floor level—shall not exceed the maximum building height per zoning; and shall be subject to special review by the Architectural Committee regarding impacts on neighbor's privacy and community appearance.

##### b. Minimum Setbacks

The minimum building setbacks of all new construction shall be consistent with the City's zoning code. Room additions extending beyond existing building setbacks are subject to special review by the Architectural Committee regarding impacts on neighbor's privacy and community appearance.

## **Paseo Westpark Maintenance Association Architectural Committee Rules and Design Guidelines**

### **c. Exterior House Walls**

The material, color, and texture of new exterior walls shall be compatible with the existing house walls. Any new fascia must match any existing fascia. Materials such as wood or masonite siding, vinyl or aluminum siding, and rustic stone (such as river rock) are not permitted. New wall finishes, such as brick, must be designed to wrap corners, to appear to be integral to the house design, rather than applied decoration.

New building features—such as planters, pot shelves, and solariums—must be compatible with the color and design of the existing home. The color of new downspouts must match the wall color, or be compatible.

Blank two-story high walls should not face the parks or streets.

### **d. Columns and Archways**

New columns and archways should be integral with the house design, with a substantial scale (e.g. stout columns and deep recesses). Pipe columns are not permitted.

### **e. Balconies**

The location, material, and color of new exterior balconies shall be compatible with the existing house.

Balcony railings must be designed to obscure stored items, such as by using combination of metal railings and solid stucco walls; or by using wide wood pickets. Horizontal pipe railing is not permitted.

### **f. Exterior Stairs**

The location, material, and color of new exterior stairs shall be compatible with the existing house. Decorative ceramic tile risers are encouraged.

### **g. Roofs**

The slope, material, color, and texture of any new roof shall be identical to the existing roof. Mansard and flat roofs are not permitted. Gutters are required.

New roof features—such as skylights, chimneys, or solar equipment—must be compatible with the design of the existing house. Roof-mounted equipment must be completely screened from view.

The color of new roof flashing, diverters, vent stacks, and similar features must match the roof color. The color of new gutters must match the fascia or roof color, or be compatible.

### **h. Skylights and Solar Equipment**

Skylights, and solar panels/mechanical devices associated with solar energy systems (collectively, “solar equipment”) are subject to prior written approval. The Committee will evaluate the appearance of proposed solar equipment to ensure they comply with the following:

1. Integrated into the roof design and mounted parallel with the roof angle at the minimum vertical clearance from roofing material. Profiles must be minimized.

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

2. Solar panels located on top of roofs must conform to all Fire Authority regulations, and must be appropriately set back from the side, outside perimeter, and bottom of the roof in accordance with City of Irvine Building Code requirements. Owners must submit City of Irvine building permits to meet this requirement.
3. Frames must be black or otherwise painted to match the color of the roof.
4. All solar equipment, other than the solar panels themselves, shall be located or screened in a manner that minimizes visual impact, and all conduits shall be painted to match the adjacent building surface.

**i. Exterior Windows and Doors**

The size, location, material, and color of new exterior windows and doors shall be compatible with the exterior windows and doors of the existing house. Recessed windows and door openings are encouraged. Decorative ceramic tile accents are encouraged, if compatible with the house.

New accent windows and doors--such as greenhouse windows or French doors--must be compatible with the color and design of the existing house. Post-modern features, such as large areas of glass block, are not permitted.

Changes to existing windows and doors--such as glass tinting and decorative front doors--must be compatible with the color and design of the existing house. Reflective glass and tinted windows are not permitted.

**j. Awnings**

Awnings must be compatible with the color and design of the existing house. They must be simple in design and color. (One solid color per house.) The size, location, and form must be in scale with the window. Metal awnings are not permitted.

Temporary sun shades attached to the vertical face of the house, patio cover, or gazebo--such as rolls of bamboo, fiberglass, or reed--are not permitted.

**k. Garage Doors**

Changes to existing garage doors--such as replacement of a single-panel garage door with a roll-up door--must be compatible with the design and color of the existing garage door. Applied decoration on or around the garage door--such as eagle or fanlights--is not permitted.

Multiple garage doors must be identical to each other in design and color.

Changes to the color and/or style of garage doors must be submitted to the Architectural Committee for review before the changes are made.

Features to soften the dominance of the garage door on the streetscene are encouraged: such as a horizontal trellis above the garage door, trees in the driveway, or a portal at the front walk.

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

**I. Basketball Backboards**

If compatible with the house design, basketball backboards may be permanently attached to the house. The backboard and all attachments must be painted to match adjacent surfaces to reduce their prominence on the building elevation.

**m. Exterior Lighting**

New exterior light fixtures—such as decorative wall fixtures, lanterns on short columns, Malibu lights, uplights, and light posts—must be compatible with the design of the house. They must be simple in design and color.

Overly ornate light fixtures (such as Victorian globes) or commercial light fixtures (such as contemporary light bollards with glass block) that establish an independent theme that conflicts with the overall streetscene are not permitted.

All flood lights and security lights must be screened from view of the street and adjacent homes.

No exterior landscape lighting shall be placed or maintained upon any Lot so as to cause an unreasonable glare or illumination upon property outside of the Owner's Lot.

**n. Communication Equipment**

All exterior radio antennae, television antennae, C.B. antennae, "satellite dishes", and other transmitting or receiving devices must be screened from view of streets, common area, and all non-residential lots; not exceed the ridgeline of any roof; and all cables must be painted to match the adjacent surface where visible on the exterior of the dwelling.

**o. Flagpoles**

Flagpoles must be compatible with the color and scale of the house. The location, height, color, and material are subject to special review by the Architectural Committee regarding the impact on the community appearance.

Non-commercial flags are permitted with the following requirements:

- a) The flag brackets shall be compatible with the color and scale of the dwelling.
- b) Flags may not exceed fifteen (15) square feet in size.
- c) Flags must be maintained continually in good repair.
- d) House-attached flagpoles shall be no longer than six (6) feet in length.
- e) Flagpoles must be removed when a flag is not displayed.

The intent is to limit features that would establish an independent theme that conflicts with the overall streetscene.

**p. Outdoor Storage**

All items stored outside—such as garden hoses, yard equipment, dog houses, trash cans, recycling bins, and compost containers—must be completely screened from view of streets, parks, greenbelts, schools, and adjacent homes. Views from second floors of adjacent homes should be considered.

## **Paseo Westpark Maintenance Association Architectural Committee Rules and Design Guidelines**

### **q. Painting**

All painting projects, including repainting, are subject to review and approval by the Architectural Committee. No two adjacent homes may be painted the same color scheme. The original house colors must remain, unless written instruction or permission to change colors is given by the Architectural Committee. Any proposed color changes must be compatible with the neighboring homes, as solely determined by the Architectural Committee. The approved paint color schemes are available on the community website. An application may simply reference one of the approved color schemes.

### **r. Mailboxes and Post Structure**

Mailboxes which are not maintained by a sub-association are the maintenance, repair and replacement responsibility of the individual Owners. The Master Association is not responsible to maintain mailbox post structures or boxes. Because some mailbox post structures include 2 or more mailboxes, the affected Owners are collectively responsible for the cost of maintenance, repair, and replacement of the post structure. The mailbox itself is the maintenance, repair, and replacement obligation of the Owner(s) it serves. Replacement of mailbox post structures and boxes must conform to the requirements of Exhibit "A" hereto.

Owners are solely responsible for ensuring that any post, spreader and mailbox installed, including the pre-approved post, spreader and mailbox depicted on Exhibit "A" hereto complies with the local Postmaster/Post Office requirements.

The purpose of the revised Architectural Guidelines is to facilitate the safety, security and aesthetic uniformity of our mailboxes within our Single-Family Homeowner communities. As a result, all existing unlocked mailboxes, spreaders and posts must be replaced and confirm with the new Exhibit "A" by January 2022. If Owners, in cooperation with the affected Owners sharing the same post structure, elect to install and utilize the post structure and mailboxes conforming to Exhibit "A" prior to October 2021, a Property Improvement Form and fee is not required.

## **B. Landscape**

### **1. Landscape Character**

The landscape character of the community established by the initial development, consisting of outdoor spaces defined by evergreen plants with accent of color. Subsequent landscape improvements must be compatible with the original design.

Below are general guidelines which are expressive of the community's landscape character; and which will be used by the Architectural Committee in reviewing drawings for compatibility with the original design.

### **2. General Guidelines for Landscaping**

#### **a. Landscaping in yards visible to streets**

The primary purpose of landscaping in private yards visible to streets—such as front yards and corner side yards—is to produce an attractive street appearance.

## **Paseo Westpark Maintenance Association Architectural Committee Rules and Design Guidelines**

### **Paved Areas**

Paved areas should be minimized in yards visible to streets. In yards at single family homes, a minimum five (5) foot wide planting area must remain adjacent to sidewalk or street pavement, if no sidewalk. Walkways to front doors should not exceed an average width of five feet. Permitted paving materials include concrete, brick, and flagstone, in colors compatible with the house.

### **Trees**

Trees installed by the original builder must remain, unless the removal or replacement of the tree is approved in writing by the Architectural Committee.

If the front yard landscaping is not provided by the original builder, a minimum of two (2) 15-gallon trees are required in each front yard, if feasible in the planting area provided. At corner lots, three (3) 15-gallon trees are required. The preferred location is as close to the street as possible. Trees should be selected that provide an evergreen canopy to shade the street and sidewalk.

Distinctive trees and shrubs that establish an independent theme that conflicts with the overall streetscene are not permitted in private yards visible to streets—such as cactus, agave, and Hollywood juniper.

To preserve the importance of the palm-lined theme plazas at the major intersections in the community, tall palms and Italian cypress are not permitted in yards adjacent to the theme plazas at the intersections of Culver/Irvine Center Drive, Culver/Warner, Culver/Barranca, Paseo Westpark/Barranca, Paseo Westpark/Warner, and Hearthstone/Irvine Center Drive.

### **Shrubs, Groundcover, and Turf**

100% of the unpaved ground plane visible to the street must be covered with plant material. Large areas of bare earth are not permitted, such as linear rose gardens.

Shrubs should be planted at the base of the house wall, any garden wall, and any fence visible to the street. At corner lots, the area in the side yard between these streets and the side yard fence must be planted with groundcover and shrubs or vines.

### **Artificial Turf**

Artificial turf is permitted in areas where turf is permitted. Artificial turf is a surface covering that is manufactured from synthetic plastic fibers made to look like natural grass. Artificial turf does require maintenance and has a useful life cycle to it and is not to be considered a never-to-be replaced, permanent solution. Artificial turf must comply with current industry standards for installation and maintenance.

### **Thematic landscape features**

Thematic landscape features with distinctive colors, forms, or materials that establish an independent theme that conflicts with the overall streetscene are not permitted in private yards visible to streets—such as mirror balls, pink flamingos, statues, sculpture, boulders in turf areas, boulders over six inches high in shrub areas, rock gardens, gravel yards, cactus, waterfalls, railroad ties, split rail fencing, dry streambeds, bonsai, and topiary. (Topiary is defined as plants that are trimmed in an unnatural, ornamental manner, such as shrubs trimmed into “pom- poms”).

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

Play equipment may be permitted to exceed the height of the perimeter wall, if it can be adequately screened from off-site view with landscaping.

**b. Garden Walls and Planters**

In yards visible to the street, the material, color, and texture of new garden walls and planters must be compatible with the walls of the existing house.

Low planters of quarried stone may be permitted, if the stone is in a refined pattern, with a light color that is compatible with the house. Garden walls and planters of uncovered concrete block or of rustic materials (such as river rock) are not permitted.

In yards visible to streets, the maximum height of garden walls is five feet, six-inches; and the maximum height of planters is twenty-four (24) inches. In other private yards, the height of any new wall must be below the height of existing walls

Soil shall not be retained against any existing wall unless the wall is designed for that purpose.

**c. Fences**

Fences visible to streets must be simple in design. The color of the fence must be compatible with the house.

The preferred metal or wrought iron fence has a horizontal top rail and vertical posts, without decoration. Restrained ornament may be approved by the Architectural Committee after special review, such as shallow arches and simple filigree. The filigree must be the same color as the fence, must not be more than six (6) inches wide, must not consist of lettering or figures, and must be limited to one (1) filigree for every five (5) open panels.

Bold arches, elaborate filigree, and other highly distinctive elements that establish an independent theme that conflicts with the overall streetscene are not permitted.

In yards visible to streets, the maximum height of fences is five feet, six-inches. In other private yards, the height of any new fence must be below the height of existing walls.

Fences of chain link, poultry wire, woven wire, aluminum, sheet metal, plastic, fiberglass, reeds, straw, bamboo, rope, and other similar temporary or commercial materials are not permitted.

The required front yard trees must be located between the fence and the sidewalk.

**d. Patio Covers, Gazebos, and Sundecks**

**Location**

Patio covers, gazebos, and sundecks shall be located a minimum of three (3) feet from existing walls or fences at the edge of private yards. If the location is adjacent to a major street (i.e. Paseo Westpark, Harvard Avenue, Warner Avenue, Hearthstone, Irvine Center Drive, or Culver Drive) then special attention will be paid to the proposed design by the Architectural Committee, because of visibility.

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

**Size**

The square footage of patio covers, gazebos, and sundecks will be reviewed in relation with the square footage of the yard. The intent is to retain an attractive community appearance with a balance of buildings and open space.

**Height**

A patio cover—defined as a structure attached to a house, with a roof in a horizontal plane—shall be a maximum of nine (9) feet from the original finish grade to the top of the highest point on the patio cover.

A gazebo—defined as a free-standing structure, not attached to a house—shall be a maximum of nine (9) feet from the original finish grade to the top of the highest point on the gazebo, if the roof is in horizontal plane; or shall be a maximum of eleven (11) feet from the original finish grade to the top of the highest point on the gazebo, if the roof is in a sloping plane.

A sundeck—defined as roofless, outdoor terrace at the second-story floor level—shall not exceed the maximum building height per zoning; and shall be subject to special review by the Architectural Committee regarding impacts on neighbor's privacy and community appearance.

**Design**

The appearance of the patio covers, gazebos, sundecks, and other exterior structures must be consistent with the appearance of the house.

Columns may be stucco or wood (Wood posts must have a minimum size 6" by 6".) Metal columns are not permitted unless they are aluminum wood or some variation that simulates a wood finish.

Patio covers may have open lattice or solid roofs consisting of wood or some variation that simulates a wood finish.

Gazebos may have tile roofs, if matching the house roofs. Roofs of wood shake, asphalt shingles, gravel, plastic, fiberglass, and metal are not permitted. If the roof of the gazebo is in a sloping plane, then the slope must be between 4:12 and 6:12. The preferred sloping roof design is a hipped roof with a square base.

Decorative features may be incorporated into the design of the patio cover, gazebo or sundeck, such as lattice, but the features must be consistent with the character of the community. Elaborate ornamentation is not permitted.

The color of the patio cover, gazebo, or sundeck must match the house trim, the wall color, or must be compatible with the house.

**e. Spas**

Spas and similar water features—swimming pools, reflecting pools, koi ponds, and fountains—are permitted in private yards not visible from the street.

## **Paseo Westpark Maintenance Association Architectural Committee Rules and Design Guidelines**

The spa or other similar water features must not damage existing walls or fences. All equipment shall be completely screened from off-site view. Noise should be controlled to minimize the impact on neighbors.

All solar collectors must be designed and located to be unobtrusive. Profiles must be minimized. Colors must be compatible with the house. All supports and piping must be enclosed or screened from view.

Construction of the spa must not disturb neighbors' yards or property owned and/or maintained by the Paseo Westpark Maintenance Association.

The use of a neighbor's yards for construction access is not permitted unless the neighbor has given consent. The use of property owned and/or maintained by the Paseo Westpark Maintenance Association for construction access is not permitted, unless the applicant signs a waiver of damage and posts a construction deposit for repairs of damage to property owned and/or maintained by the Paseo Westpark Maintenance Association.

### **f. Drainage**

Area drains must be installed in private yards for adequate drainage to permit the plants to survive and to minimize the ponding of water.

### **3. Plant Palette**

Plants should be selected that respect soil conditions and water use; and that contribute to the overall appearance of the community. The trees, shrubs, vines, and groundcovers on the Plant Palette list were recommended to the original builders for their known tolerance for heavy soil and minimal water requirements. Individual yards have unique characteristics, such as the amount of sunlight they receive. Therefore, some of these plants may be inappropriate for use in private yards. Professional advice should be followed for selecting plants. The Plant Palette list may be obtained from Management.

## **III. Review and Approval Process**

### **A. General Rules**

1. Construction Activities of any kind, including landscaping, may not begin until the Paseo Westpark Architectural Committee, or an Architectural Committee Representative, has approved drawings depicting the proposed improvement.
2. After close of escrow (or after the buyer can provide written proof of loan approval from the lending institution), detailed drawings, and a completed "Property Improvement Form" must be submitted at least thirty (30) days prior to commencement of construction.

The Architectural Committee may establish a non-refundable architectural review fee to review submittals. A schedule of fees, deposits and costs is available from Management. All fees, deposits and costs shall be made payable to "Paseo Westpark Maintenance Association" and delivered to the address indicated on the Property Improvement Form

The drawings and forms should be sent to the "Paseo Westpark Architectural Committee", as further indicated on the Property Improvement Form.

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

3. The Architectural Committee has thirty (30) days from the receipt of a complete submittal to approve or deny the submittal. Incomplete submittals will be denied or returned as incomplete. In the event that the Architectural Committee fails to take action within thirty (30) days, then the drawings are approved.
4. Construction must commence within one hundred eighty (180) days after approval by the Architectural Committee. Otherwise, the approval is void and a new submittal must be made.
5. All construction must be completed within one (1) year after the date of approval, unless otherwise specified in writing by the Committee.
6. The Architectural Committee may increase the design review fee from time to time as the cost of review increases. A schedule of fees, deposits and costs is available from Management.
7. Construction must not disturb neighbors' yards or property owned and/or maintained by the Paseo Westpark Maintenance Association.

The use of a neighbor's yard for construction access is not permitted unless the neighbor has given consent.

The use of property owned and/or maintained by the Paseo Westpark Maintenance Association for any purpose related to Construction Activities, including, but not limited to, construction access and storage of equipment, material, or debris, is not permitted, unless authorized in writing by the Association, the applicant signs a waiver of damage, posts a construction deposit for repairs of damage to property owned and/or maintained by the Paseo Westpark Maintenance Association, and complies with any other requirement of the Paseo Westpark Maintenance Association.

8. Approval of improvements by the Paseo Westpark Architectural Committee is for aesthetic purposes only. It is the applicant's responsibility to see that all federal, state, and local ordinance and codes are followed. Permits may be required by the City of Irvine or other public agencies depending on the type of construction. The owner applicant bears all responsibility to comply with all government agency requirements. Paseo Westpark may impose requirements that are more restrictive than government agency restrictions.

Approval of plans by the Architectural Committee does not mean approval of any Improvements not in compliance with these Guidelines unless specifically noted in the approval. Approval only applies to Improvements on an Owner's property and that are depicted on approved plans. Approval of architectural plans shall not be deemed approval of Improvements on Master Association Property or another Owner's property.

9. The Paseo Westpark Architectural Committee's approval of drawings refers to conformance with the CC&Rs and these Guidelines. By approving the drawings neither the Architectural Committee, any members thereof, the Paseo Westpark Maintenance Association, the Members, the Board of Directors, designated representatives, nor agents, assumes liability or responsibility therefore, for the architectural or engineering design, or for any defect in any structure constructed from such drawings.

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

**B. Process/Submittal Requirements**

**Step 1**

Applicant reviews the Guidelines and prepares drawings depicting the proposed new improvements showing:

- Date
- Address of house/property.
- Existing building and yard features, including the location, description, and height of all existing garden walls and planters; the location of all existing plants, with common and botanical names.
- All notes must be in English.
- Location of the new improvements: elevation, cross-section, sketch or photo, with dimensions and notes, including heights, colors, building materials, and botanical names of plants. Indicate all property lines, required setbacks, easements, streets, or rights of way and top or toe of slopes.

For major projects, preliminary design drawings should be submitted prior to preparation of construction documents.

*The speed of Architectural Committee approval is based on the amount of information given on the drawings. Inadequate information will cause the Committee to deny the application.*

**Required Photographs:**

- For Architecture and Landscape Submittals: Colored photographs of the front, rear and side elevations of the Dwelling, and front yard, rear yard, and each side yard are required. In addition, photographs of any solar energy systems currently existing on adjacent property.
- For Paint Submittals: Colored photographs of residences across the street from and adjacent to the Dwelling.
- For Solar Submittals: Colored photographs of the roof, front, rear, and side elevations of the Dwelling.

**Step 2**

Applicant completes Property Improvement Form. (The Property Improvement Form can be obtained from Management)

**Step 3**

The Applicant submits the non-refundable architectural review fee, deposit, the completed Property Improvement Form, and two (2) sets of drawings to the "Paseo Westpark Architectural Committee" as further indicated on the Property Improvement Form

**Step 4**

Architectural Committee reviews the Property Improvement Form and the drawings for completeness and consistency with the Guidelines.

## **Paseo Westpark Maintenance Association Architectural Committee Rules and Design Guidelines**

It approves or denies the submittal. Approval with conditions may be given. Owner applicant is responsible for ensuring compliance and conformance with any and all conditions of approval.

If the approval is of preliminary design drawings, then the Applicant should prepare final construction documents, for review and approval by the Committee.

### **Step 5**

Applicant reviews the Committee's comments and notifies the Committee if there are any questions.

### **Step 6**

If the Committee has granted final approval and the Applicant understands the Committee's comments, then construction may begin.

### **Step 7**

Construction must proceed consistent with the approved drawings. All deviations must be reviewed and approved by the Committee prior to commencing construction. Owners who proceed with construction in deviation of approved plans or without obtaining approval do so at their own peril and may be required to remove or modify the improvement at their sole cost.

### **Step 8**

Within thirty (30) days after construction is completed, the Applicant submits a complete and accurate Notice of Completion to the Architectural Committee. (Notice of Completion form can be obtained from Management)

### **Step 9**

Committee may visit the site within sixty (60) days after receiving the Notice of Completion to determine if the improvements were constructed according to the approved drawings. The Committee's right to conduct a field inspection shall be extended if an Owner does not make the property available for inspection on the day scheduled by the Committee. Construction deposit is refunded, minus any costs to repair property owned and/or maintained by the Paseo Westpark Maintenance Association.

Failure to obtain Architectural Committee approval constitutes a violation of the CC&Rs and may require the unauthorized improvement to be removed or modified at the property owner's expense.

## **C. Conditions of Approval**

The following conditions shall be the conditions of any Architectural Committee approval. They shall be deemed incorporated by reference in all drawings or Architectural Committee's approvals.

The Applicant shall have the responsibility to ensure that these conditions of approval are enforced upon all persons or firms engaged by the Applicant to construct and/or install the improvements.

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

**1. Signs**

Only signs permitted in the CC&Rs shall be displayed on any house or in any yard. Signs identifying tradesman, contractors, or installers are not permitted.

**2. Hours of Operation**

Construction is only permitted between the following hours:

Monday through Friday	Between 7:00 a.m. and 5:00
p.m. Saturday	Between 8:00 a.m. and 4:00
p.m. Sunday/ Federal Holidays	No work permitted

If current City of Irvine regulations are more restrictive, they shall prevail.

**3. Temporary Structures**

Temporary structures are not permitted unless approved in writing by the Paseo Westpark Maintenance Association Board of Directors.

**4. Unsightly Items**

Rubbish, debris and unsightly material or objects shall not be placed, stored or permitted to accumulate on streets, sidewalks, common areas, or on property owned and/or maintained by the Paseo Westpark Maintenance Association.

All rubbish, debris and unsightly material or objects shall be removed from the unit or lot daily.

The property owner is financially responsible for any trash cleanup work the Paseo Westpark Maintenance Association deems needed to comply with this restriction.

**5. Building Material**

Building material, including sand and brick, shall not be placed or stored on streets, sidewalks, common areas, or on property owned and/or maintained by the Paseo Westpark Maintenance Association. All building material must be stored on the applicant's property. The property owner is financially responsible for any cleanup and repair work the Paseo Westpark Maintenance Association deems to comply with this restriction.

**6. Construction Equipment**

Trucks, concrete mixers, trailers, trash bins, compressors, and other similar types of construction equipment shall not be parked on streets for longer than forty-eight (48) hours, unless approval is given in writing by the Architectural Committee.

The property owner is financially responsible for any equipment removal and repairs the Paseo Westpark Maintenance Association deems needed to comply with this restriction.

**7. Drainage**

Property drainage is required. Unless adequate alternative provisions are made for drainage, the original drainage system on the applicant's property shall be left undisturbed. This includes gutters, downspouts, underground drains, and swales.

## **Paseo Westpark Maintenance Association Architectural Committee Rules and Design Guidelines**

### **8. Workmanship**

The quality of new improvements shall match the quality of existing improvements. The Architectural Committee may require the applicant to rebuild improvements which are of substandard workmanship. The property owner is financially responsible for any rework the Paseo Westpark Maintenance Association deems needed to comply with this restriction.

### **9. Enforcement**

Failure to obtain Architectural Committee approval for new improvements or changes to existing improvements constitutes a violation of the CC&Rs and may require the construction to be removed at the property owner's expense. Fines and costs levied against the owner for a violation of the Association's CC&Rs or Guidelines related to Construction Activities will be deducted from Owner's deposit. To the extent fines and costs exceed an Owner's deposit, Owner shall be responsible for such excess, and such excess may be levied as a Special Assessment.

### **10. Violations**

Property owners shall have the right and responsibility to notify the Architectural Committee of any potential violation of the CC&Rs and Guidelines.

### **11. Amendments**

These Guidelines (with the provisions set forth in the CC&Rs) form the criteria for evaluation of drawings submitted for review and approval by the Architectural Committee.

Any condition or material not defined in the Guidelines and CC&Rs shall become a matter of discretionary judgment on the part of the Architectural Committee, acting in good faith on behalf of the best interest of the Paseo Westpark Maintenance Association, as a whole. These Guidelines may be amended or supplemented from time to time, as provided for in the CC&Rs.

### **12. Maintenance of Improvements**

The repair and maintenance of any improvement shall be the responsibility of the installing property owner or subsequent property owners.

### **13. Solar Shade Control Act**

Notwithstanding any provision or restriction contained in these Guidelines to the contrary, all Improvements shall be subject to the California Solar Shade Control Act. Owner is responsible for notifying the Committee if any neighboring Lots have a solar energy system installed and complying with the Solar Shade Control Act, as it may be amended from time to time. The Committee does not evaluate the effect of proposed Improvements on the performance of an existing solar energy system an adjacent property. An approval by the Committee is not a determination of compliance with the Act. Owner is responsible to ensure compliance. If it is later determined that Improvements do not comply with the Solar Shade Control Act, any approval granted by the Committee may be declared null and void at any time and the Owner may be required to alter or remove the violating Improvements at his sole cost and expense. Owner shall defend and indemnify the Association for any claims, liabilities and damages arising from Owner's Improvements that violate the Solar Shade Control Act.

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

**14. Financial Liability**

Owner shall be financially liable to Paseo Westpark Maintenance Association for any and all monetary penalties, fines, costs and liabilities imposed by a governmental agency against the Association as a result of or arising from Owner's Construction Activities.

**15. Conditions Not Covered**

Any condition not covered in these Guidelines shall become a matter of discretionary judgment on the part of the Architectural Committee, acting in good faith on behalf of the best interest of the Paseo Westpark Maintenance Association, as a whole.

**D. Appeals**

In the event the plans and specifications submitted to the Architectural Committee are disapproved, the party or parties making said submission may appeal in writing to the Board of Directors of the Association no later than ten (10) days following the final decision of the Architectural Committee, or its designated representative. An appeal request shall include a completed Appeal Form. Appeals received within ten (10) business days prior to the next Board Meeting will be considered by the Board at that meeting. The Board will render a written decision within thirty (30) days following the meeting at which the appeal was considered. The failure by the Board to render a decision within said time shall be deemed a decision against the party making such submission and upholding the decision of the Architectural Committee. Only the Owner submitting for approval may appeal a decision of the Architectural Committee. Where the Architectural Committee is comprised of members of the Board, an Owner shall have no right of appeal.

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

## **Exhibit "A"**

Mailboxes, spreaders and posts shall conform to the following requirements specific to each Community. (The exact specifications for each mounting option based on how many mailboxes are on a post per Community will be detailed.)

### **A. Color of Mailboxes, Spreaders and Posts**

Communities (Vintage and Montage) with existing white mailboxes shall install white mailboxes, spreaders and posts. Communities (Trieste and Cortina) with existing green mailboxes shall install black mailboxes, spreaders and posts.

### **B. Mailbox**

Manufacturer: Mail Boss – a division of Epoch Design LLC

Web: <https://www.mailboss.com/shop/curbside-mailboxes/mail-manager/>

Model: Mail Manager 7506 (Black) or 7507 (White)

Color: White or Black per existing mailbox color

**Dimensions:** 21"D x 11.25"H x 10.75"W



### **C. Address Numerals:**

All mailboxes shall use Epoch supplied numerals mounted in center under lock and 1-3/4" from bottom.

The Epoch supplied numerals are black on a reflective white background measuring 2-1/16" H x 1-1/4" W.

### **D. Mounting (Spreader and Posts)**

All posts shall be installed in the same location as the existing post.

If the crossbar would extend into a homeowner's driveway or property that requires the post to be moved, an approved Property Improvement Form is necessary.

Mail Manager metal post and spreader:

Manufacturer: Mail Boss – a division of Epoch Design LLC

Color: must be same color as mailbox

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**

Mail Manager mailboxes require special mounting hardware from Mail Boss.



In Ground Post Model: <https://www.mailboss.com/shop/mailbox-posts/in-ground-post-43/>

7121 Black 43"H x 4.3"W

7122 White 43"H x 4.3"W

SpreaderCrossbar Model: <https://www.mailboss.com/product-category/mailbox-spreader-bars/>

7134 Black 4 box spreader 49"L x 5"D x 2"H

7136 White 4 box spreader 49"L x 5"D x 2"H

7140 Black 3 box spreader 34"L x 5"D x 2"H

7142 White 3 box spreader 34"L x 5"D x 2"H

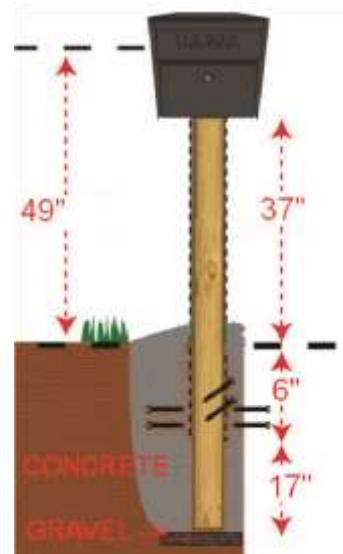
7144 Black 2 box spreader 20"L x 5"D x 2"H

7148 White 2 box spreader 20"L x 5"D x 2"H

## E. Installation of Mailbox Posts

### Materials Needed:

- 43" In-Ground Metal Post
- 60" pressure treated wood post 4"x4"
- Four Lag Bolts 1-3/4" x 1/4"
- Cement
- Gravel - coarse aggregate
- Waterproof Sealant such as Flex-Seal, SEAL-ONCE MARINE Penetrating Wood Sealer, Olympic Stain Maximum Waterproofing Sealant, etc.



The pressure treated wood post that will be in contact with the ground shall be treated with waterproof sealant prior to installation and let dry overnight. Any cuts to the wood post shall be treated with waterproof sealant and the cut end shall not go down into the ground.

## **Paseo Westpark Maintenance Association Architectural Committee Rules and Design Guidelines**

The 43" Metal In-Ground Post shall be reinforced by inserting the 60"-long 4"x4" pressure treated wood post. The wood post will extend 17" beyond the metal post into the ground and will be secured to the metal post by four 1-3/4" x 1/4" lag bolts (supplied with the mailbox).

The post assembly shall be mounted into a 27"-deep hole that has 4" of coarse gravel (aggregate) in the bottom for drainage. 6" of the metal post (including the lag bolts) plus 17" of wood post shall be under the concrete and 37" of the metal post shall protrude above the ground. The bottom of the wood post shall rest on the coarse gravel to allow drainage while the rest of the wood post is contained in the cement. See drawing.

The post assembly shall be placed on top of the gravel, leveled and secured vertically by temporary supports while being cemented in place. Cement will be poured into the hole surrounding the post up to ground level.

The cement will be sloped away from the metal post for drainage.

Allow the cement to set up overnight.

### **F. Installation of Mailbox Spreaders and Mail Manager Mailboxes**

Follow Epoch instructions for assembly.

The (two, three or four) box spreader shall be attached to the previously installed vertical metal post using Epoch supplied hardware. The mailboxes shall then be mounted onto the spreader using Epoch supplied hardware.

### **G. Postal Numbering Sequence**

The numbering sequence of the mailboxes shall be maintained per Postal requirements when installing the numerals. Areas such as Trieste have two, three or four mailboxes on one level only. The numbering sequence shall not change with the new mailboxes. Areas such as Vintage, Montage and Cortina have "over under" mailbox configurations currently but will migrate to all boxes on one level. The Postal numbering sequence requirements shall be followed.

Example 1: 

8	6
10	2

 becomes: 

10	8	6	2
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Example 2:

72	74
70	76

 becomes: 

70	72	74
76		

The correct sequence shall be confirmed by the Postal representative before numbering boxes.

**Paseo Westpark Maintenance Association  
Architectural Committee Rules and Design Guidelines**