

REGATTA HOMEOWNERS ASSOCIATION

Rules And Regulations

REVISION HISTORY

Approved and Distributed as a whole.....	October 1, 2017
Amended Parking Rules.....	April 2020
Parking – Car Covers.....	September 30, 2022
Gate Code Posting and Referencing to the FOB.....	September 30, 2022
Transponder Procedure & Conduct	September 30, 2022
Conduct – (Page __)	September 30, 2022
Amended Architectural Improvement Guidelines.....	September 30, 2022
Amended Architectural Approval Process.....	September 30, 2022
View Determination (Page __)	September 30, 2022
Pool Hours/Heating (Page __)	September 30, 2022
Appendix C – Approved Color Palette.....	September 30, 2022
Appendix F – Neighbor to Neighbor Policy.....	May 2017
Appendix G – Architectural Review Fee Schedule	September 30, 2022
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STATEMENT OF GENERAL POLICY

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Recognizing the individual and collective property investments represented by the membership of the Regatta Homeowners Association (the "Association") and the value to all homeowners for the serenity and the beauty of the community, the Board of Directors has adopted and authorized the preparation and distribution of these Rules and Regulations, which support the deed restrictions legally attached to each property in Regatta, known as the Covenants, Conditions and Restrictions ("CC&Rs") and also the By-laws of the Regatta Homeowners Association. "The Project", as used in this document, is defined in Article I, Section 23 of the CC&Rs.

The overriding philosophy is to establish guidelines which will permit maintenance of the private lifestyle, protect homeowners' views, and maintain the current architectural motif. The Board considers it essential that each member of the Association familiarize himself or herself with these rules and all other rules contained in the CC&Rs.

GOOD STANDING

Good Standing is generally understood to mean a member who is current in the payment of their assessments and not in violation of the governing documents. Those members who are delinquent and/or have been found to be in violation of the governing documents (following due process) are deemed "Not in Good Standing." Members Not in Good Standing may have their community privileges suspended for up to 30 days (Bylaws XIII Section 1).

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BILLING POLICY

The Board of Directors has an obligation to collect all association monthly assessments in a timely manner. Based on the Association CC&Rs, and in compliance with Civil Codes 5600-5740, the following is the current policy in effect:

Assessment due date:	First day of each month
At 30 days past due:	The account becomes delinquent
At 31 days past due:	The account will be charged a 10% late fee or \$10, whichever is greater

Thereafter, on the first day of the month, the account will be assessed a monthly interest charge at a 12% annual rate. See Civil Code 5650(b)(3).

When three months of assessments are past due, the Association will send the account a certified letter as a pre-lien notice demanding payment.

When six months of assessments are past due, the Association will direct the Association's attorney to record a lien against the property for the funds due.

When eighteen months are past due, the Association will send a certified letter as a notice of intent to foreclose on the property with the following statement in BOLD lettering: "IMPORTANT NOTICE" IF YOUR SEPARATE INTEREST IS PLACED IN FORECLOSURE BECAUSE YOU ARE BEHIND IN YOUR ASSESSMENTS, IT MAY BE SOLD WITHOUT COURT ACTION."

When twenty-four months of assessments are past due, the Association will direct the **Association's attorney to initiate foreclosure proceedings.**

All costs incurred by the forgoing actions are a charge to the account of the delinquent homeowner and the actions will be terminated only after the Association has received all delinquent assessments, late fees costs of collection, reasonable attorney's fees, and interest (Civil Code 5660 (b) CC&Rs Article VII). Once the foreclosure proceedings have begun all correspondence or telephone communication will be referred to the Association attorney's office. Pursuant to CC&R Article VII Section 4 - Curing of default - \$25 fee will be charged to cover the costs of preparing and filing and recording a release. It is the sincere desire of your Board of Directors to cooperate with homeowners in matters of delinquent accounts. Should you require special consideration, please contact your Board of Directors in writing so attention may be given to your account before legal action occurs and legal cost have been incurred.

As provided for in the governing documents declarations, the CC&Rs, all collection costs incurred are charged to the account of the delinquent homeowner.

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ANIMALS

ALL ANIMALS ARE SUBJECT TO THE CITY, COUNTY AND STATE RULES

1. Animals must be kept within your residence or enclosed yard or on a leash being held by a persona capable of controlling the animal.
2. It is the absolute duty and responsibility of each animal owner to clean up after his animal on all common areas, including streets and sidewalks, on other homeowner's property, and on their own property.
3. Any excessive noise produces by an animal that is disturbing to other residents shall not be tolerated.
4. No animal shall be allowed to create a nuisance within the Association; any animal found by 2/3 majority of the Board to be a nuisance may be ordered removed.
5. No animals other than common household pets are permitted within the Association.
6. Civil Code 4715 allows homeowners to have at least one pet. There are currently no restrictions on the number of common household pets an Owner may have, however, the CC&Rs at Article VIII, Section 6 prohibit owners from breeding or maintaining animals for commercial purposes.

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INVESTOR/OWNER-TENANT

1. Any lease or rental agreement must provide that the terms of the lease agreement shall be subject in all respects to the provisions of the CC&Rs, the Bylaws and the Rules and Regulations of the Association.
2. Each lessee/renter must be provided with a current copy of the Rules and Regulations by and at the expense of the owner. Owner shall obtain a "TENANT RULES AND REGULATIONS RECEIPT" from such lessee/renter acknowledging receipt of the Rules and Regulations and agreeing to be bound by the provisions contained in same. The receipt must be filed with the Homeowners Association within 45 days of the tenant's move-in.
3. No owner shall be permitted to rent or lease his/her lot or any portion thereof for transient or hotel purposes or for less than 30 consecutive days. Violations of Article VIII, Section 19 of the CC&Rs are an egregious violation of the CC&Rs. In addition, offering to rent for less than 30 days, whether using newspaper, magazine, internet, or through any other means whatsoever, will be considered a violation of the Rules and Regulations, "Investor/Owner-Tenant", Paragraph 1. These violations are subject to a fine found in Schedule of Fines (Appendix B) which range from \$500 to \$1500. In addition, appropriate legal action, as determined by the Board, will be taken to prevent these rentals, or offerings to rent, from continuing if the standard Association procedures do not achieve compliance with the governing documents.

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TRAFFIC AND PARKING *(Adopted August 2020)*

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The following regulations and rules governing traffic and parking within the Regatta community are based on the CC&Rs, the County of Orange Fire Department Code and Rules and Regulations adopted by Board of Directors pursuant to Article V, Section 14 of the CC&Rs.

California Motor Vehicle Code 22658 and Related Laws, Regulations, and Provisions, as amended from time to time, are incorporated herein regarding conduct, licensing of drivers and vehicles, age limits for drivers, and vehicle registration and insurance requirements and responsibilities. In some cases, Regatta may have more restrictive provisions within the Rules and Regulations, in which case Regatta Rules and Regulations will take precedence.

Enforcement and administration of these parking Rules and Regulations may be performed by third party vendors, as the Board may determine, and those third-party vendor forms, administrative procedures, and requirements necessary to enforce and administer these Rules and Regulations, which have been sent to all homeowners, are incorporated herein. Those third-party vendor forms, administrative procedures and requirements and fees may be updated from time to time as needed.

1. PARKING

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Vehicles may only be parked in garages or in designated parking areas. This designation may include a driveway or marked common area parking spot as described in this section. Vehicles may be covered as long as (1) license is Visible from the street, (2) covers are neutral, clean and in good Condition, and (3) vehicles are moved every 72 hours. If extended time period is necessary, a variance can be requested from the management company.

Residents owning two or more vehicles must park two vehicles in the garage, unless they meet the requirements described in Part b, Driveway Parking. If these requirements are met, then residents may be allowed to park one vehicle in their driveway.

Additional vehicles, beyond two required to fit in the garage, may be parked on the street in designated areas subject to the conditions in Section 4, Oversized and Multiple Vehicles, and elsewhere in these Rules and Regulations. Designated areas are identified by white striped boxes painted on the street surface and are all on the side of the street opposite the homes.

A). Violations

It is a violation of the County Fire Department Code to park vehicles beside red curbs, in areas designated as Fire Lanes, or on the wrong side of the street. Vehicles that are parked in a designated Fire Lane or in areas not clearly marked for parking may be towed immediately and without notice at the owner's expense (California Vehicle Code Section 22658 (l)(1)(E)).

B). Driveway Parking

The driveway parking provision is intended to provide greater flexibility to the homeowner and to free up common area parking for guests and others. It is not intended

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to amend the permit process for multiple vehicles. Oversized and multiple vehicles must follow the process in Section 4. Regatta's R&R have a fundamental philosophy of protecting views, and should any situation arise which conflicts with this philosophy, view preservation will take precedence.

One vehicle may be parked in the driveway when meeting the follow conditions:

- Driveway is long enough to allow for legal parking of an approved vehicle, perpendicular to garage door, without obstructing city (common area) sidewalk, pedestrian traffic, or other vehicles. Vehicles may not park in short driveways or flag lots (shared driveways). A list of these properties is included in Appendix E.
- Vehicle meets criteria for parking in the community as defined in Section 4, Vehicles, and all other requirements of the Regatta R&Rs and CC&Rs (including Section 2, Garages).
- Vehicle does not exceed height of garage door or block a view. The homeowner may request a variance to this requirement by writing to the Board through the Management Company. Vehicles taller than the limitation are restricted to common area street parking with an approved permit.

A vehicle must never be stored on the driveway.

~~A vehicle cannot be left in the driveway unremoved for more than 48 hours. A vehicle cannot be parked in the driveway unremoved for more than 72 hours, unless a variance is approved by management company.~~

One vehicle meeting the criteria above can park in the driveway overnight. Overnight is defined as the hours between 10PM and 6AM.

Vehicles may also park in driveways:

- While being cleaned
- During loading or unloading
- As may be needed to gain access to other items stored in the garage
- On street sweeping days
- Under certain limited conditions, after proper approval has been obtained, Handicapped Parking with a Handicapped Permit (see Handicapped Parking, Section 10)

Members are requested to keep to a reasonable minimum the lengths of time during which vehicles are parked in the driveways as permitted above.

2. GARAGES

- A). Garages must always be maintained so that two cars can be parked fully within the garage, with the door closed.
- B). Garages may not be used for the storage of any items, if, consequently, any

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automobile/truck is thereby caused to be parked on the street or in the driveway.

- C). The parking in a garage of unlicensed or non-street legal vehicles and/or of collector vehicles which are not in regular use shall be considered as storage for the purposes of these rules and is not permitted, if, consequently, another vehicle is caused to be parked on the street or in the driveway.
- D). All garage doors shall always remain closed, except as reasonably required for entry to and exit from the garage or when work is in progress.
- E). If for any reason, a garage cannot accommodate an automobile/truck, the homeowner may request a variance to the garage parking requirement by writing to the Board through the Management company, or to the third-part patrol company selected by the Board.

3. REPAIRS

An owner may conduct repairs of their vehicle in their closed garage but not elsewhere on his lot or on the common area except for emergency repairs, and then only to the extent necessary to enable the vehicle to be removed to a proper repair facility.

4. VEHICLES

The following types of vehicles or items may not be parked in the community at any time, except while being loaded or unloaded: trailers, boats, motor homes, RV's, campers, and commercial vehicles.

A commercial vehicle is defined by the California Vehicle Code Section 260, which reads as follows:

A commercial vehicle is a vehicle of a type required to be registered under this code primarily for the transportation of persons for hire, compensation or profit or designed, used, or maintained primarily for the transportation of property.

A vanpool vehicle is not a commercial vehicle.

Furthermore, for the purposes of the Rules and Regulations, any vehicle that falls within the following categories shall also be considered a commercial vehicle:

- a) Having a corporate name or logo displayed on the outside.
- b) Having an apparatus such as ladder mounts attached.
- c) Having a load rating exceeding one (1) ton.
- d) Being used as a professional working vehicle for storage or shipment of tools and supplies of trade, dirt, or other materials.

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- e) Being in the reasonable judgment of the Board a vehicle not normally used as a personal or passenger conveyance.
- f) Pick-up trucks, oversized vehicles such as Suburban's or panel vans of one (1) ton or lower shall not be considered commercial vehicles unless they also fall into one of the other categories listed above.

No vehicle may be driven in the community that is not a street legal vehicle, has not been registered with the DMV for use on the public highway or has a license plate without the current registration sticker.

5. OVERSIZED AND MULTIPLE VEHICLES

The intent of these regulations is to provide a consistent and enforceable means of dealing with the trend of larger vehicles not being able to be parked in the garage, to follow the community regulations. The Board does not intend by these rules to subvert the intentions of the CC&Rs which require the garage be maintained to always hold two (2) vehicles. Instead, it is intended to provide an acceptable alternative for owners of oversized and additional vehicles while assuring the garage is used for its intended purpose.

The following criteria is to be used in determining if a variance to the requirements of the Association Rules & Regulations regarding parking in garages is to be issued:

- a) Size of vehicle,
- b) Number of registered vehicles to the household/address exceeds the capability of the garage, and/or
- c) Has the garage been modified to prevent parking two (2) cars totally within?

When considering the size of a vehicle, the following conditions will be considered:

- d) Is the vehicle too long, wide, or tall for the garage dimension to fit safely within? Fitting safely within means that access around the vehicle, either front or back and one side (which may be common to both vehicles), is possible with the garage door closed.
- e) Is the vehicle equipped with roof, rear, or bed racks, trailer hitches, or other modifications, that if removed would permit the vehicle to fit in the garage?
- f) Has the vehicle been modified from its original factory dimension to the extent the modification is a cause for the vehicle not to fit in the garage?

When considering the number of vehicles registered, the following must be considered:

- g) Is the garage utilized in the manner prescribed, i.e., two (2) vehicles are parked inside?
- h) How many drivers exist in the household?
- i) Is the vehicle properly licensed and registered in California as required under California law(s)?

The Board has determined that no more than one (1) variance to a household will be granted unless it is demonstrated that additional drivers for each vehicle, who are members of the immediate family of the owner or tenant residing at the residence. In such a situation, and at the

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Board's discretion, a variance may be issued to each driver with a vehicle registered to the address, less two (2), and not the total number of vehicles in the household. If, in the Board's sole judgment, adequate common area street parking is available, up to two (2) variances per address may be granted provided the initial criteria is met.

Issued variances will be reviewed by the Board every two years to assure continued compliance with the terms and conditions which existed at the time of the issuance of the variance. Variances will be rescinded when the condition giving cause to the variance no longer exists, such as the sale of the vehicle with replacement of one not requiring a variance or when the number of vehicles in the household no longer qualifies for a variance, or if the Board (or the service provider) requests original documents, which it may do at any time, in order to justify continued use by the homeowner of the variance. Variances are not transferable upon the sale of the residence. Homeowners are responsible to notify the Management Company when a change in the condition warranting a variance occurs.

Variances will be revoked if the member is not in Good Standing as required by the Rules and Regulations, CC&Rs and Bylaws.

Variances are issued to specific cars and addresses and are not transferable under any circumstances. ~~Any vehicle displaying a permit/hangtag that is used for any purpose other than that for which it has been originally granted will be subject to immediate towing without prior notice, and the permit/hangtag will be cancelled and/or forfeited.~~

Variances will not be issued if:

- 1) The garage has been modified in such a manner as to prohibit vehicles from being parked totally within it. Such conditions would include, but not be limited to, the building of cabinets extending into the drivable space, storage of personal property in the drivable space, or the placement of furniture for the purposes of use of the space other than parking.
- 2) The vehicle has been modified after market in a fashion that would prohibit it from being parked inside the garage. Such would be the installation of "lift kits", over-size wheels, power winches, or permanently attached apparatus used to carry other items outside the confines of the vehicle.
- 3) Parking a "commercial vehicle" such as a taxi in the garage which then requires the parking of another vehicle on the street.
- 4) Parking boats, jet skis, ATVs or other off-road non-street legal vehicles in the garage requires the parking of another vehicle outside.

6. GUEST PARKING

The parking of guest vehicles shall be subject to the same rules and regulation contained herein as apply to members' vehicles. Members are responsible for the parking of their guests' vehicles and are requested to ensure that their guests are made aware of the parking requirements.

Please refer to Patrol One letter in Appendix D for safelisting procedure.

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7. SPEED LIMIT

The speed limit in the community is 15 miles per hour.

8. TOWING

The Board may authorize the towing of any vehicle at the owner's expense in accordance with the California Vehicle Code under any of the following circumstances:

- a) When a vehicle is parked in a non-designated place within the common area or parked in a designated place, but the vehicle appears to have been abandoned and a notice to move the vehicle has been attached to it by the Board, which has not been complied with within 96 hours (Vehicle Code #22658(a)(2)).
- b) When the owner commits a third parking violation in the common area within 180 days.
- c) Immediately and without notice when any vehicle is parked by the red curbs in the cul-de-sac turning circles or any area designated as a Fire Lane.
- d) Immediately and without notice, if a vehicle is parked in such a way as to block the flag lot common driveways from access by other owners whose homes are served by such common driveways.
- e) Immediately and without notice, when a vehicle is parked in such a way as to constitute a safety hazard to members. Vehicles parked in such a way as to block the sidewalk for pedestrians, or the blocking of a fire hydrant will be conclusively deemed to constitute a safety hazard.
- f) Immediately and without notice, including but not limited to, any vehicle defined in VEHICLES (Section 3 above), that being, trailers, boats, motor homes, RV's, campers, and commercial vehicles, as defined, except during active loading and unloading and in no event Overnight (*defined in Parking*).
- g) Immediately, and without notice, if a vehicle is using a parking variance permit/hangtag that is displayed on a vehicle not authorized to park on common area streets overnight or displaying a parking variance permit/hangtag that has been reported lost or stolen, or has been revoked or forfeited, or otherwise cancelled or deemed invalid.
- h) Commercial freight tractor/trailers left unattended and/or parked after 10 P.M. will be subject to tow immediately and without notice. The tractor and/or trailer will be subject to removal by the Patrol and/or Towing Company and the homeowner is responsible for all costs incurred and may be subject to additional disciplinary action in accordance with the fine policy.

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9. PROCESS TO OBTAIN A PARKING VARIANCE

The resident must complete the form entitled OVERSIZED OR ADDITIONAL VEHICLE PARKING VARIANCE REQUEST (copy included in Appendix D, updated periodically as needed), providing all the information requested. The form is forwarded to the Management Company (or to the third-party vendor designated by the Board to administer the process) for inclusion on the agenda for the next Board of Directors meeting after receipt of the form, if needed. Incomplete forms, or forms without enough information for the Board to determine the validity of the request, will be returned without action or denied.

The Board of Directors will consider the merits of the request and, if warranted, may inspect the residence and in addition may ask to see the original registration documents and/or driver's licenses, to observe first-hand the conditions under which the variance is being requested. If, in the opinion of the Board, the conditions meet the criteria for a variance, the variance will be issued to the vehicle as indicated on the request form. The Board (or service provider) may, at any time, request to see original registration/driver's license documents, even after a permit has been approved and issued, to ensure that circumstances have not changed and that a variance is still warranted. Failure to provide acceptable documents when requested may result in cancellation and/or revocation of the previously issued variance/permit, non-renewal of a permit, or denial of an application.

This process may be delegated to a service provider of the Board's choosing, who may require a fee for that service.

10. HANDICAPPED AND DISABLED PARKING

A valid handicap license or placard does not entitle a homeowner to additional non-garage parking under the variance process as described in Section 5, Oversized and Multiple Vehicles.

The special protections afforded vehicles displaying a valid handicap placard are intended to apply only to public streets, not to private streets or common area under the jurisdiction of a private community association such as Regatta. Owners of vehicles displaying a handicap placard are always subject to the Association's parking rules, because the parking areas at issue, common area streets and driveways, are private property and under the jurisdiction of a private community association.

Such vehicle owners may not circumvent the Association's parking rules using a handicap placard on two (2) vehicles. The Board is not obligated to allow both owners' and residents' vehicles to be parked in the driveway simply because both vehicles are equipped with a valid handicap placard. The Association has the authority to enforce the parking rules against such vehicles in the same fashion as all other vehicles parked within the community.

However, if an owner or resident is requesting approval to park two (2) vehicles in the driveway because both drivers are unable to park their vehicle in the garage due to a disability, (i.e.,

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unable to enter or exit the vehicle if it is parked in the garage, or the vehicle required as a result of the disability is too large to fit in the garage), then the owner or resident may request an “accommodation” of the Association for their disabilities, exempting them from the requirements of the CC&Rs and the Rules requiring them to park their vehicles in the garage with the exception of parking one (1) vehicle on the driveway overnight.

Additional considerations include:

- a). Any vehicle parked with a handicap license/placard must be used for valid handicapped parking only, and only if it is required.
- b). A vehicle must never be stored on the driveway, even with a handicap permit.
- c). Vehicle cannot be left in the driveway for more than 48 hours.
- d). State of California handicapped authorization must be clearly visible.
- e). The vehicle must be properly licensed and registered in California under California law(s).
- f). Only one vehicle may be parked in the driveway at any one time regardless of the number of handicapped permits unless approved by the Board of Directors.

- g). The vehicle must meet all other requirements concerning permitted parking of vehicles in Regatta as outlined in Section 4, Vehicles, or elsewhere in these Rules and Regulations.
- h). A handicap license/placard is not a valid Regatta variance (i.e., license plate permit) nor does it automatically qualify the resident for a license plate permit.
- i). A handicap license/permit is not considered a waiver or suspension of parking rules in effect for all homeowners as defined in the Regatta Rules & Regulations & CC&Rs.
- j). Vehicles with handicap tags but absent a properly issued Regatta variance (i.e., license plate permit) parked overnight on Regatta streets will be subject to violation notices and possible towing.

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TRANSPONDER PROCEDURE & CONDUCT

The use and care of your front gate transponder and fob is the responsibility of each homeowner. Each transponder is associated with an individual vehicle that is assigned to you. Each vehicle needing a transponder will need to be registered with the Management company and any changes to existing vehicles ~~will be~~ are to be updated through the Management company.

Once vehicles are registered, an appointment needs to be made with the Management company to physically affix the transponder to the corresponding registered vehicle. You are responsible for the care of the transponders and in the event, they are damaged, lost, or you transfer ownership of the car, you will need to immediately contact management to disable it. If you do not contact management regarding a lost, stolen, or transferred transponder you may be held liable for any damages that occur for the unauthorized use.

Replacements of transponder will need to be purchased through the Management company at a replacement fee of \$10.00. For owners requesting transponders for tenants, the cost for each transponder is \$20.00 and will need to be purchased and arranged through the management company. Prices are subject to change, refer to Appendix H. ~~code~~

In addition to your new transponder and FOB, each homeowner is issued a unique code that will allow the opening of the vehicle entrance gate, the north pedestrian and Palm Beach gates using the keypad. This unique code is yours to use for visitors, contractors, deliveries, etc. Please be advised that you may be held liable for any damages that occur for the unauthorized use of the code. Management will periodically monitor the use of the codes and if there appears to be any misuse or abuse of the code, it will be investigated, and depending on the outcome of the investigation, you may be subject to the violation process including having the code disabled.

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STREET SWEEPING

Street sweeping shall occur on a day designated by the Board and shall occur at least once each month. All vehicles are to be removed from the streets at times to be designated by the Board. No trash containers are to be placed on the street until after the street sweeper has finished.

SIGNS

California Civil Code 4705 and 4710 describe the extent to which an HOA may restrict or prohibit homeowners from posting flags, banners, and signs, which depends upon: (1) the nature/content of the flag, banner, or sign, (2) its dimensions, and (3) the location where it is to be displayed or posted.

1. Noncommercial Flags, Banners & Signs Permitted

Civil Code Section 4710 provides homeowners within associations the right to display "noncommercial" signs, posters, flags, or banners:

"The governing documents may not prohibit posting or displaying of noncommercial signs, posters, flags, or banners on or in a member's separate interest, except as required for the protection of public health or safety or if the posting or display would violate a local, state, or federal law." (Civ. Code § 4710(0).)

2. Permitted Signage Materials

For the purposes of Section 4710, a noncommercial sign, poster, flag, or banner may be made of "paper, cardboard, cloth, plastic or fabric...but may not be made of lights, roofing, siding, paving materials, flora, or balloons, or any other similar building, landscaping, or decorative component," nor may it "include the painting of architectural surfaces." (Civ. Code § 4710(b).)

3. Permitted Posting Locations

For the purposes of Section 4710, a noncommercial sign, poster, flag, or banner "may be posted or displayed from the yard, window, door, balcony, or outside wall of the separate interest." (Civ. Code §4710(b).) This language does not necessarily permit homeowners to display noncommercial signs upon any portions of HOA common area (i.e., common area parks or recreational facilities,

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common area walls surrounding condominium units, etc.).

4. Permitted Sign Dimensions

Section 4710 does allow for a HOA to prohibit flags, banners and signs that exceed the following dimensions:

Noncommercial Signs and Posters that are more than nine (9) square feet in size may be prohibited. (*Civ. Code* § 4710(c).)

Noncommercial Flags or Banners that are more than fifteen (15) square feet in size may be prohibited. (*Civ. Code* § 4710(c).)

5. Political Signs

Although not explicitly addressed in Section 4710, political signage is generally understood to constitute "noncommercial" signage. Additionally, pursuant to Civil Code Section 1940.4, it is unlawful for a landlord to prohibit a residential tenant from posting or displaying a political sign or banner. California Courts have analogized HOAs to landlords in certain respects. (*See Frances T. v. Vi/loge Green Owners Assn. {1986} 42 Cal.3d 490, 499.*)

6. Commercial Signs & Real Estate Signs

While Section 4710 limits a HOA's authority to restrict the display or posting of noncommercial signs, its language does not address prohibitions on the display of *commercial* signs (i.e., a sign advertising a business, promoting a company or individual for-profit motives, etc.). By implication, Section 4710 would not impact a HOA's authority to prohibit or restrict the display of commercial signs. Most sets of HOA governing documents contain restrictions on the commercial use of properties; such restrictions often include language that prohibits commercial signage.

7. Exceptions:

Notwithstanding the above, Civil Code Sections 712 and 713 provide homeowners with limited rights to display real estate signs ("For Sale," "For Rent," etc.) and security service signs, even though such signs are commercial in nature.

**Regatta Homeowners Association
Rules & Regulations**

a. Home Security Protection Signs

A security company sign no larger than 12 inches high by 12 inches wide placed on a removable support or stake no larger than 1 inch by 1 inch. No part of the sign may be higher than 30 inches above the ground at its highest point. Any such sign must not be attached to any part of the property or building or gates in any way. The support must be as close to the structure as reasonably possible but in no event further than 24 inches from the closest part of the building or wall. In the event of a dispute over the sign's proper size or placement, the ultimate decision on acceptability rests solely with the Board.

b. Real Estate Signs

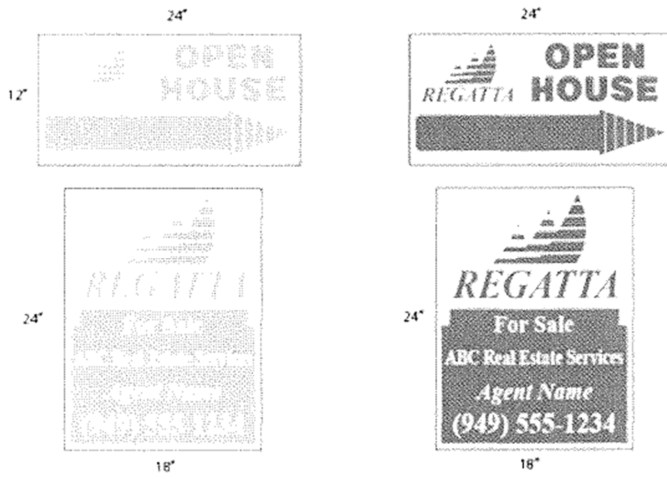
~~A "For Sale" sign shall be no more than 18 inches wide by 24 inches high and shall read "Regatta For Sale" or "Regatta For Lease" and may specify the listing agent's company name and phone number. The "For Sale" sign shall be mounted on a standard sign stake and together shall be no more than 24 inches in height from grade level. The colors of these signs shall be a white background with Regatta terracotta lettering which shall be in keeping with Regatta style. These signs may be purchased from the authorized Regatta vendor specified below. Vendor names and telephone numbers may be obtained from Regatta's management company representatives. An Open House sign shall be no more than 12 inches wide by 24 inches high and the colors shall likewise be a white background with Regatta terracotta lettering affixed on a standard sign stake no more than 42 inches in height from grade level. Flags, used during Open Houses only, shall be white in color and may have the Regatta logo in terracotta color.~~

Real estate signs for Sale, for lease or for open house are allowed. Signs to be no larger than 18"x 24" and the stake must be white or black. A sign may have one rider but no additional items, i.e.no flags or balloons or other items; standard real estate signage only.

**Regatta Homeowners Association
Rules & Regulations**

Page to be deleted as "Regatta branded signs" will no longer be required by HOA.

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**Regatta Homeowners Association
Rules & Regulations**

The approved signage company is:

Heritage Signs
32382 Del Obispo, Suite B1
San Juan Capistrano, CA 92675-4029
PH: 949.248.1300 FX: 949.248.5892

RESS Real Estate Signs & Supplies
23252 Del Lago Suite A
Laguna Hills, CA 92653
PH: (949) 855-1355

All signs and flags shall be placed on the property of the home or lot that is for sale or lease. No signs shall be permitted on other private lots. One Open House sign is permitted at the entry common area of Regatta, ~~on the lawn area only~~. Entry instructions may be temporarily placed on the Regatta entry-system column outside the main gate during Open House hours. Entry instructions should only include the realtor's phone number.

Under no circumstance is it permitted to post the entrance gate code.

One "directional instruction" sign per Open House event may be placed on common area property within the main entry Regatta gates. Flags and a total of two Open House signs (one at the front entry lawn area and one directional sign within the gates) are allowed only during the duration of Open House events. No unapproved For Sale signs are permitted on Regatta common area property at any time.

No signs shall be allowed on common area Regatta walls or within view from the Pacific Coast Highway or streets surrounding Regatta except for Open House event signs displayed at the front entry lawn as specified above.

Property owners are responsible for informing Realtors of signage requirements and are to be considered fully responsible for removal of signs should they not meet Regatta specifications. The association reserves the right to remove non-conforming signs and a fine may be levied for violations of the sign rules. Property owners are to inform Regatta's management company of the intent to list the property for sale or lease prior to signs being placed on the property grounds.

Regatta Homeowners Association Rules & Regulations

OPEN HOUSE POLICY

Open House events for prospective home buyers, normally held by Real Estate Agents or residents selling properties without agents, may be held only on **Saturdays and Sundays from 12:00 p.m. to 5:00p.m.** A homeowner or Realtor must be present at the property for the entire duration of the Open House event. Open Houses for Realtors may be held on the regular, weekly preview day, usually Thursday, and the homeowner or Realtor must be present.

~~Under no circumstances is anyone allowed to advertise or post the gate code.~~

Open house and broker previews are allowed within the community. The Homeowner or realtor must be present at the property for the entire duration of the open house event. Property owner to contact Regatta's HOA management company to obtain a temporary open house access code or showing access code for the vehicle gate 72 hours prior to the open house. Management will assign a temporary access code which the owner or their agent may use for entrance to the community during the open house and showings. Entry instructions may be temporarily placed on the Regatta entry system column outside the main gate during the open house. Entry instructions should only include the realtor's phone number, it is not permitted to post the vehicle access code on the entry column.

DECEMBER HOLIDAY LIGHTING AND DECORATIONS

December Holiday lighting may be hung or mounted on a residence, in a window or in the garden/lawn area immediately on the property. This includes balconies, patios, and the glass wall on the rear of the property. It is not permitted to place any lighting or decorations on the Common Areas. Lights may be placed on the glass between homes with the neighbor's permission. Lighting and decorations must adhere to the following:

- 1) No lighting may be installed prior to the weekend preceding Thanksgiving.
- 2) No lighting may be illuminated prior to the Friday following Thanksgiving.
- 3) No decorations may be erected or hung prior to the Friday following Thanksgiving.
- 4) All decorations and lighting must be consistent with the holidays.
- 5) All decorations and lighting must be removed by January 25.
- 6) Hooks or hangers may only be left up if they are not visible from the street.

TRASH

**Regatta Homeowners Association
Rules & Regulations**

No rubbish, trash, garbage, or other waste material shall be kept or permitted upon any portion of the Project, except in sanitary containers located in appropriate areas screened and concealed from view, and no odor shall be permitted to arise there from to render the Project, or any portion thereof, unsanitary, unsightly, offensive, or detrimental to any other property in the vicinity thereof or to its occupants. Such containers shall be exposed to the view of neighboring lots only when set out for a reasonable period not to exceed twenty-four (24) hours before and after scheduled trash collection hours.

STORAGE

1. No storage is allowed in the following areas:
 - a) Decks or balconies.
 - b) Patios where items can be seen above patio fence line.
 - c) Garage areas which prevent the garage from being used for its intended use (e.g., parking of two passenger cars.)
 - d) A new homeowner or tenant must ensure his garage meets the storage requirements, as specified under Traffic and Parking Rules paragraph #2 (Garages) within 45 days of their move in.
2. Clothing, towels, or other articles are not to be hung on decks or over walls and railings.
3. All garage doors shall always remain closed, except as reasonably required for entry to and exit from the garage or when work is in progress.
4. Shipping and/or storage containers such as PODS are not allowed on any street at any time, nor may they block a sidewalk at any time. Immediately and without notice, the container will be subject to removal by the Patrol Company and the homeowner is responsible for all cost incurred and a fine of \$250 per day until removed following notice and hearing. Board approval is required for the temporary usage of storage containers on the individual homeowner driveways.

**Regatta Homeowners Association
Rules & Regulations**

CONDUCT

1. Homeowners may not plant or place anything in the common area.
2. Stereo, TV, or any loud noise shall not be allowed to reach a level that is objectionable to other residents
3. ~~No motor driven vehicles or bicycles shall be permitted on common area sidewalks. No gas or electric driven vehicle or bicycles shall be permitted on common area sidewalks, unless young children are accompanied by an adult.~~
4. Only licensed motor vehicles are permitted on Regatta streets.
5. Garage or yard sales, or any such similar event, are prohibited, except as authorized community wide, from time to time by the Association Board.
6. Littering on lawns or other common areas with beverage cans, bottles, or debris is strictly prohibited.
7. Aluminum foil, ~~and~~ paper, or any other shade unsightly materials, are not permitted on windows.
8. Unsupervised children/young adults are prohibited from loitering, becoming a nuisance, or a destructive presence in common areas or streets.
9. Children's play equipment including but not limited to swing sets, jungle gyms, playhouses, basketball hoops, etc. are not permitted to be placed on balconies or other areas visible from the streets or neighbor's property. Exceptions to this **will** require ~~neighbor awareness form and Board approval, Architectural Committee approval,~~
10. No fireworks of any kind shall be ignited or fired anywhere at any time within the Association property.
11. Conduct of a criminal nature should be reported to the proper governmental agency, not the property management company.
12. Owners shall maintain a current information card with the Board. The information

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**Regatta Homeowners Association
Rules & Regulations**

must list the name, address, business and home phone numbers of all owners and lessees of the property.

13. No skate boarding is allowed on the Regatta streets or sidewalks at any time.
14. No soliciting (including distribution of leaflets, door to door sales, etc.) in the community unless the solicitor has written approval from the Board of Directors.
15. No exterior construction work is to be performed on Sundays or Holidays. Exterior construction work will not begin earlier than 7:30am and end for the day no later than 5:30pm. Interior work may be done on weekends and Holidays if noise from such work is not disruptive to the immediate neighbors. This regulation will not apply to emergency work necessary to protect life or property from damages caused by an unforeseen event such as an earthquake or storm.
16. UAVs (unmanned aerial vehicles) such as drones, quadcopters, or similar fixed or rotary wing remotely controlled flying vehicles are not permitted to be used or flown over the Regatta community. Should a commercial vendor require drones to perform inspections or a similar short-term requirement, one-time short-term permission MAY be given by contacting the Management Company for this specific purpose. Deliveries by drones or similar are not permitted within Regatta. Due to the egregious risk of personal injury and violation of privacy raised by flying drones, violation of this policy is subject to the provisions of Violation Enforcement Procedures, Section 8, Schedule of Fines (Appendix B).
17. ~~Moving is not to be performed on Sundays or Holidays. Moving will not begin earlier than 7:30AM and end for the day no later than 5:30PM. Moving allowed any day of the week between 7:30 AM and 7:30 PM.~~ This does not apply to interior packing or arranging. This regulation will not apply to the moving of furniture due to emergency work such as fire, flood, natural disaster. Civil Code 5855. The Board after notice and hearing may impose additional discipline upon an Owner for violations. (Please review "Traffic and Parking" rules regarding storage containers, moving vans, moving trailers, etc.)

Regatta Homeowners Association
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STRUCTURAL ALTERATION COSMETIC IMPROVEMENTS AND STRUCTURAL ALTERATIONS

Improvements, alterations, or modifications to the exterior of homes requires a Neighbor Awareness form to be completed and an architectural application must be submitted, Short Form A for cosmetic changes and Long Form B for structural alterations and major remodels. Architectural Control Committee (ACC) approval prior written consent is required for cosmetic improvements and structural alterations and remodels, including but not limited to house gutters (see Guidelines Misc. 13 "c" for exception), lighting, decks, house numbers, entry gates, landscaping, hardscaping etc., must have prior written consent of the Architectural Control Committee (ACC). (See ARCHITECTURAL IMPROVEMENT GUIDELINES).

Any improvement that takes up any additional airspace will be subject to Article 9 of the CC&R's Section 5: the ACC may require a payment from the applicant to facilitate the hiring of a professional to review the plans accordantly and provide appropriate feedback on the impact of the project and its compatibility with the surroundings and compliance with the Rules and Regulations of the Association per Appendix G. In the case of a major remodel where airspace is being used to expand the structure, the owner will be subject to the cost of erecting story poles and strings using a certified contractor to identify view or privacy issues. Major projects are also subject to the notification via email and a hard copy letter of the surrounding homeowners, up to 300ft. from the applicant. The timeline for approval shall start once the professional has submitted their comments to the ACC. The professional shall not take longer than 30 days. The application of a major remodel will submit a check for \$1,700.00, per Appendix G (fees subject to change), for the initial review and up to six (6) inspections. If few inspections are conducted, anything under will be refunded to the homeowner within 45 days of completion of the project. Homeowners will be responsible for any additional costs for varying on plans from the originally submitted application. If fewer than three (3) inspections are conducted, anything under will be refunded to the homeowner within 45 days of completion of the project. Homeowners will be responsible for any additional costs for varying on plans from the originally submitted application that may necessitate more inspections and fees.

SHORT FORM A - MINOR/COSMETIC IMPROVEMENTS

Short Form A improvements are simple exterior changes to the property, these are primarily maintenance or decorative and do not require city permits. Examples of these include exterior paint, gates, lighting, planting, pathway & garage doors. There is no management company submission fee or outside architect review fees required for Short Form A improvements. You must submit a Short Form A and neighbor awareness form to the Property Manager at manager@regattahoa.com for ACC review and written approval.

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LONG FORM B - STRUCTURAL ALTERATIONS AND MAJOR REMODELS

Structural remodels are defined as changes that take up air space, possibly alter neighbors views, modify square footage, modify roof line, modify or enlarge structure, balconies or decks, modify windows or window sizes and require permits. These alterations will be subject to Article 9 of the CC&Rs Section 5, the ACC may require a payment upfront from the applicant to facilitate the hiring of a professional outside architect to review the plans accordingly and provide appropriate feedback on the impact of the project and its compatibility with the surroundings and compliance with the rules and regulations of the association. There is a management company submission fee for these improvements and the applicant of a major remodel will submit a check for \$1250 for initial outside architect review and up to 3 inspections by an outside architect as outlined in Appendix G. If fewer inspections are conducted, anything under will be refunded to the homeowner within 45 days of completion of the project. Homeowner will be responsible for any additional costs for varying on plans from the originally submitted and approved application, which may necessitate additional inspections and fees.

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ARCHITECTURAL IMPROVEMENT GUIDELINES

Any modification or change to the exterior of a home in Regatta requires a review and approval by the Architectural Control Committee. Refer to the CC&Rs, Article VIII, Sections 8 and 9 and Article IX, Section 5.

The "exterior" is defined in the CC&Rs, Article IX, Section 2, page 35 as "any outside wall, outside surface, roof, outside door, patio, balcony, deck, garage, or other outside structure of said Residence which is visible to others in the Project (as defined in Article I, Section 23 of the CC&Rs) and/or to the public." All improvements including the addition of front wrought iron balconies and stone trim should be submitted to the ACC with a dimensional drawing or picture. ~~A palette of the approved stone choices is available in the approved exterior paint color book.~~

Proposed plans that are in conformance with and are harmonious to the exterior design of the community will typically be approved. Improvements that block a neighbor's ocean view or encroach on a neighbor's privacy will typically be denied. ~~A view blockage will be determined by the Maintenance Committee unless part of an Architectural Application where the ACC will have jurisdiction. The ACC or Maintenance Committee will make a reasonable (a reasonable decision is rational and thought out) determination as to the extent of the view blockage. Once a reasonable determination to the view blockage is made, the Maintenance or ACC committee will make a recommendation to the Board of Directors to take final action.~~

By following the guidelines and submittal requirements, the process of securing ACC approval will be expedited.

GUIDELINES

The following architectural guidelines also indicate when an Application for Architectural Approval form must be submitted to the Architectural Control Committee.

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1. WINDOWS – No ACC approval is required for maintenance, repair, and replacement of windows, if the replacement is the same style as the original. Replacement windows may be white-coated metal, white vinyl, or wood framed. Wood framed windows may be of a different color subject to ACC approval. windows must be painted the color of the trim. ACC approval is required for any window changes or window additions that differ from the original. The ACC will consider any window type that is harmonious with the original “Mediterranean” style of the community, including French Pane, wind out windows, etc. on the side of the house.
2. GARAGE DOORS – No ACC approval is required for painting or replacing the garage door in the original style or to replace the garage door with sectional steel doors (24 gauge or thicker) or sectional wood doors. The sectional door may contain either 4 or 8 vertical rows of raise panels in a wood grain textured finish, painted to match the house color scheme including the vinyl window color. ~~White garage doors are no longer permitted.~~ Manufacturer powder coated colors ~~harmonious with the approved color palette~~ may be approved by the ACC. Wood ~~or~~ colored stains or colors ~~not in the approved color palette are not permitted~~ may be permitted as long as approved by the ACC. ~~Windows will be permitted in the doors in the top panel only and in a conservative rectangular style. They~~ Windows may be clear or frosted glass. ~~No color, stained glass, patterns, inserts, or shapes other than rectangular are permitted.~~
3. Any other changes require ACC approval.
4. ~~PAINTING and repair of decks, trim, stucco, etc. in the original or close to the original colors does not require ACC approval. Change to the stucco texture is not allowed.~~ PAINTING and repair of decks, trim, stucco, etc in the original or close to original colors does not require ACC approval. Change of stucco texture is allowed, subject to neighbor awareness form and ACC approval.
5. COLOR SCHEMES ~~_ as approved are documented in Appendix C. The colors are specified as Dunn Edwards. It is recommended that you obtain from a Dunn Edwards store for review prior to committing to a scheme. Color scheme samples are documented in a~~ Appendix aA, the colors specified as Dunn Edwards. Owners who want to use colors not on the sample color scheme may submit alternative colors to the ACC for approval. Any new color is subject to placing samples on the preferred location of the home prior to approval or painting. Once approved by the ACC, colors are then established in the community and may be used by any member of the community, subject to completion of a neighbor awareness form and ACC approval.

~~The stucco is La Habra and paint is by Dunn Edwards.~~

An application for Architectural Approval form and Neighbor Awareness Form must be submitted to the Management company and approved by the Architectural Control Committee to use ~~the new any colors~~ a new color.

6. AWNINGS – The addition of any awning attached to the house requires ACC approval but will be approved so long as the color is harmonious with the color scheme of the

**Regatta Homeowners Association
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~~home. No fiberglass, vinyl, plastic, or metal awnings are permitted. No awnings will be approved on the front of the house. Canvas awnings may be green, beige, white, blue, or the color of the tile roof. NO STRIPED AWNINGS WILL BE APPROVED. Current striped awnings are to be replaced with solid colors when worn.~~

7. FENCES – Homeowners are responsible for the maintenance and general upkeep of side and backyard fences, including all wood posts, wood glass supports, etc. The original wood frame and stucco rear or side fences may be replaced with a block wall fence. The outside surface of the block wall fence must be in line with the neighboring fences and the interior & exterior of the fence must be covered with the same stucco texture and color as the original. The original height of the stucco fence and glass cannot be changed. ACC approval is required for any other additions, changes, or modifications to fences.
8. FLAGS – The United States flag may be flown at any appropriate time. Other holiday type “specialty” flags may be displayed at appropriate times. No more than two flags may be displayed at a time, one on the front and one on the back of the home. No windsocks are permitted. All flags must be in good condition, not faded, tattered, or torn.
9. MAILBOXES – Mailboxes and supports are maintained by the Association. ~~The homeowner may add locking inserts to the interior of their mailbox. The device is available at Home Depot or the “Improvements” catalog (1-800-642-2112).~~ No other changes to the mailboxes are permitted.
10. DRAINAGE – All exterior lot drainage must be tied into the original drainpipe that runs parallel across rear yards. This line is designed to carry water to the street. At no time can this drain line be capped off. Irrigation, spas, fountains, etc. all must tie into the original drain line. No drain may be installed that empties onto the slope area.
11. DEBRIS – Debris from remodeling, construction, etc. cannot be stored on the street Overnight. A dumpster, on the parking side of the street, must be used. The dumpster must have proper padding (e.g., plywood squares) under the wheels to prevent asphalt damage. The homeowner contracting the dumpster is responsible for the repair of any damage caused by that dumpster.
12. HOUSE NUMBERS – Each residence in Regatta is required to display a house number, of approximate size and placement, as required by the Orange County Fire Authority Guidelines for Emergency Access dated January 31, 2000, or as updated. In Regatta, this means that the house number of no less than 5 inches in height and approximately one (1) inch in width, with a brass or black finish, located directly below and approximately 6 inches away from the original installed light fixture on the front of the house. Shrubbery or other obstructions must not interfere with the easy identification of the house number by an emergency vehicle. Other styles, colors, or placement will require Architectural Committee Approval.
13. MISCELLANEOUS INFORMATION

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- a. Exterior hot tubs, spas, swimming pools, ponds, etc. require ACC approval
 - b. Any patio structure, sunshade, tent trellis, gazebo, and all hardscape are subject to ACC approval whether temporary or permanent.
 - c. Rain gutters do not require ACC approval provided they blend with trim and stucco colors.
 - d. Window air conditioners, all types of antennas and wires are not permitted.
 - e. No construction equipment or portable toilets may be stored Overnight on streets or common property.
 - f. Exterior TV antennas, wires and window air conditioners are not allowed. (Exception: see SATELLITE DISHPOLICY)
 - g. ~~If screen doors are installed, they must be painted the same color as the wood trim.~~ If screen doors are altered or added, they must be painted the same color as the door trim or harmonious with door trim. If an alternate color is desired, ACC approval is required.
 - h. Supplemental watering or drip-watering system, drainage systems, or electrical wiring, or similar must not be added to the house, run over roofs, stucco, etc. Any such system(s) requires Architectural Committee Approval.
14. EXTERNAL GATES – Any new or replacement gate must be approved by the ACC. The following standards apply to gates located at the front of the property and are considered a guideline.
- a. Gate ~~must may~~ be constructed of steel, wrought iron, glass or ~~synthetic~~ wood or alternative material subject to approval by the ACC.
 - b. ~~The top of the gate should be no closer to the bottom of the arch then (1) foot. This will usually provide a gate taller than six (6) feet.~~
 - c. ~~Approximately 50% of the entire gate should be "see through." For example, a gate 48" wide should have at least 24" of open space. The remainder being vertical and horizontal bars.~~
 - d. ~~The gate may be painted black, white, or trim/accent color of approve palette.~~
 - e. ~~Owners who want to use black, white, or the trim color, on gates may submit alternative colors. Any new color is subject to placing samples on the gate and submit to the ACC for approval.~~ Owners may paint gates black, white, oiled bronze or trim color. Owners may submit alternative colors harmonious with their home and the community. Any new color is subject to placing samples on the gate and ACC approval.

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15. SOLAR – The Association follows all guidelines from Civil Code § 714 regarding solar installations or improvements.

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ARCHITECTURAL APPROVAL PROCESS

1. The homeowner submits the required forms (APPLICATION for ARCHITECTURAL APPROVAL, NEIGHBOR AWARENESS FORM, and ~~4 sets of~~ complete plans) to the management company. (Forms are located in Appendix A). In the event the application is submitted "After the Fact" that is, the project has already been completed and no application was submitted, then the homeowner may be subject to a fine by the Board of Directors. See Fine Schedule in Appendix B.
2. The Management company logs the request and forwards the documents to the Architectural Control Committee.
3. The committee reviews the plans, may visit the site, and renders a decision and signs the application form within 45 days of the submittal. The application may be approved as submitted, approved with conditions, returned for more information, or denied. The ACC will explain all conditions and reasons for denials.
4. Any improvement that takes up any additional airspace will be subject to Article 9 of the CC&R's Section 5; the ACC may require a payment from the applicant to facilitate the hiring of a professional to review the plans accordantly and provide appropriate feedback on the impact of the project and its compatibility with the surroundings and compliance with the Rules and Regulations of the Association per Appendix G. In the case of a major remodel where airspace is being used to expand the structure, the owner will be subject to the cost of erecting story poles and strings using a certified contractor to identify view or privacy issues. Major projects are also subject to the notification via email and a hard copy letter of the surrounding homeowners, up to 300ft. from the applicant. The timeline for approval shall start once the professional has submitted their comments to the ACC. The professional shall not take longer than 30 days. The application of a major remodel will submit a check for ~~\$1,700.00~~, \$1,250.00 per Appendix G, (fees subject to change), for the initial review and up to ~~six (6)~~ three (3) inspections. If few inspections are conducted, anything under will be refunded to the homeowner within 45 days of completion of the project. Homeowners will be responsible for any additional costs for varying on plans from the originally submitted application.
5. A view blockage will be determined by the Maintenance Committee unless part of an Architectural Application where the ACC will have jurisdiction. The ACC or Maintenance Committee will make a reasonable ~~(a reasonable decision is rational and thought out)~~ determination as to the extent of the view blockage. Once a reasonable determination to the view blockage is made, the Maintenance or ACC committee will make a recommendation to the Board of Directors to take final action.
6. All forms and plans are returned to the management company who in turn will notify all the parties involved.

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7. In the case of neighbor objection, the Homeowner submitting the change should treat the application as DENIED until the complete appeal process is completed, and work MUST NOT commence. The ACC members will visit the sight of the proposed plan and comment in writing whether to override or agree with the objections. In the event the objection involves view blockage, staking of the proposed changes by a Certified Staking company to better understand the specific outline of the proposed changes, may be required at the proponent's expense.
8. In the event the ACC denies the homeowners request for improvements, the homeowner has the right to a hearing before the Board of Directors to review the ACC decision. The objecting neighbor has the same right of appeal. Any appeal is presented to the Board of Directors at the next regularly scheduled board meeting only, unless the decision by the ACC is rendered within less than 10 days of the scheduled Board meeting, in which case the appeal can be heard at the following meeting to provide reasonable time for review by all parties involved. All parties involved in the appeal(s) shall have the right to obtain copies of all relevant correspondence, plans, comments, or other documents, etc. made by the ACC, or others, or supplied to the ACC by others.
9. When the plans are approved, The ACC will stamp one set of plans and the application which must be submitted to the City of Dana Point for a building permit. The city will not issue a building permit unless the plans and the application are approved and stamped by the ACC.
10. Construction may begin only after ACC approval has been granted and a Building Permit has been issued by the City of Dana Point.
11. Any changes to approved plans will require a new submittal to the Architectural Control Committee following the established procedures. No work shall proceed to institute the changes until the ACC approval is received.
12. All exterior construction work must be done during the hours as specified in the article on CONDUCT paragraph 15.
13. No exterior construction work is to be performed on Sundays or Holidays. Exterior construction work will not begin earlier than 7:30am and end for the day no later than 5:30pm. Interior work may be done on weekends and Holidays if noise from such work is not disruptive to the immediate neighbors. This regulation will not apply to emergency work necessary to protect life or property from damages caused by an unforeseen event such as an earthquake or storm.
14. Construction must begin within 6 months of approval. If not, approval will be considered void and a new application for approval will be required. Work must be completed within 12months of the start. An extension can be obtained to the completion date when put in writing to the management company. The request must indicate the cause for the delay and a new expected completion date, not to exceed 6 months, as well as any other information the homeowner believes will

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answer any question or concern of the Architectural Control Committee or Board of Directors.

15. Upon completion of the work as indicated on the approved application and plans, the owner shall notify the management company that the construction is complete.
16. A member of the ACC may review the project during the progress of construction to assure compliance of the approved plans.
17. All construction or remodel work, whether or not under a City Permit, must comply with the urban runoff requirements as delineated in the City of Dana Point HOMEOWNERS ASSOCIATION URBAN RUNOFF REQUIREMENTS MANUAL dated September 2003 (and any subsequent revisions as from time to time may occur), which is a legal requirement. Homeowners will be expected to familiarize themselves with, and to comply with, these runoff requirements, and must be sure that their Contractors adhere to the requirements. Failure to follow these guidelines will result in hearings and fines on the individual Homeowner by the Association, and any fines or penalties assessed to the Regatta Homeowners Association by any Governmental or Civil Authority because of a failure of the Homeowner or Homeowner's contractor to adhere to these runoff guidelines will be assessed to the Homeowner, together with appropriate handling and collection costs.

OUTLINE OF SUBMITTAL REQUIREMENTS FOR PLANS

1. CONSTRUCTION PLAN REQUIREMENTS

- a. Plans must include plot plan (Drawing A), floor plan, elevations drawings (Drawing B), drawn to scale, fully dimensioned and easily readable and must contain the following:
 1. Title block (applicant's name, address, and date drawn.)
 2. Scale and north arrow
 3. Property lines of building site, location, and size of addition on the property relative to property lines and other structures.
 4. Existing uses on property
 5. Buildings: existing and proposed, location and size.
 6. Easements: location, purpose, and width.
 7. Access driveways
 8. Fencing (walls): type, location, and height.

**Regatta Homeowners Association
Rules & Regulations**

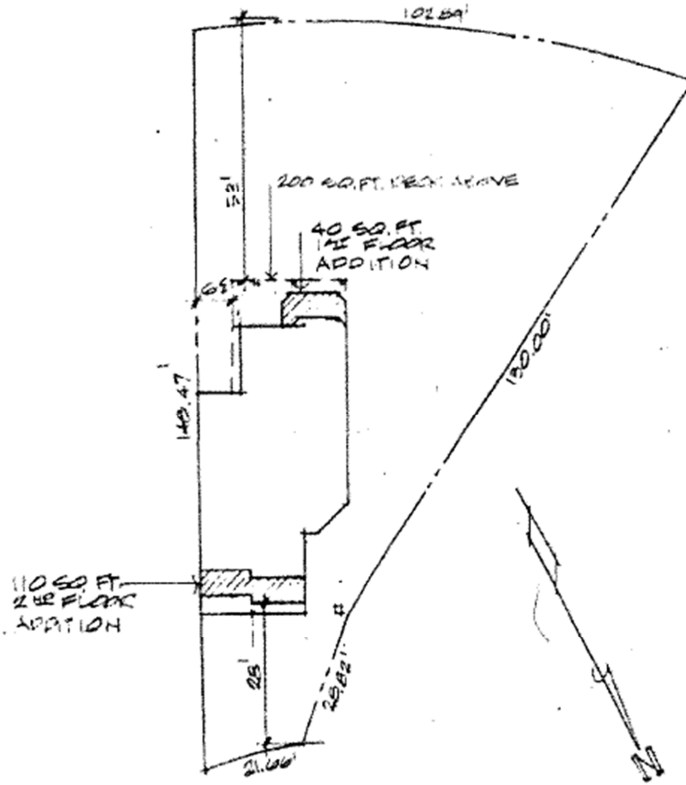
9. Floor plans: layout of new and existing partitions, size, type and location of doors and windows.
10. Elevations: Full elevation drawings with all modifications shown to the existing structure, including but not limited to the following:
 - a. All exterior materials must be specified. If the same as the original, state it on the drawing.
 - b. All exterior colors must be specified. If the same as the original, state it on the drawing.
 - c. Building height.
- a) **Landscape Plans** – required when landscape is changed due to modification of the existing structure or redesign of the landscaping (other than replacement of dead or dying plants), installation of hardscape of any type, or any other modification of landscaping visible from the street or a neighboring property, or installation of any artificial landscaping material including artificial turf. Typically, a landscape plot plan should include the following:
 - 1) Location of all plant material, by common and botanical names.
 - 2) Size of plant materials, where applicable.
 - 3) Plans showing placement of shrubs and hardscaping, including details of hardscaping and easement and setback requirements, drains or any other relevant information in l) a) above.

2. ADDRESS FOR SUBMITTAL OF PLANS

Regatta property management company as specified in Appendix A

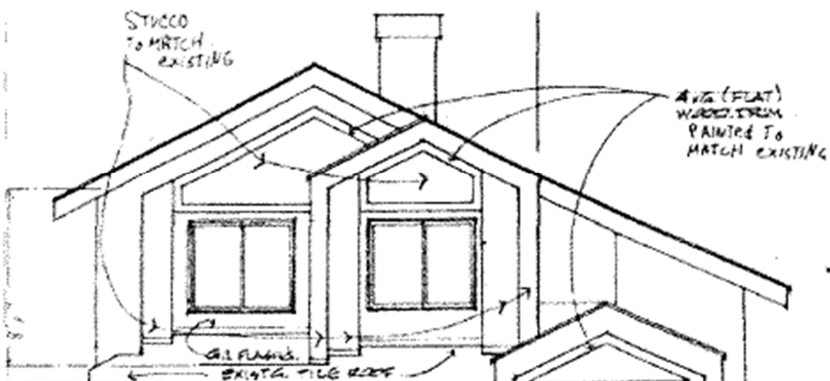
DRAWING “A” SAMPLE PLOT PLAN

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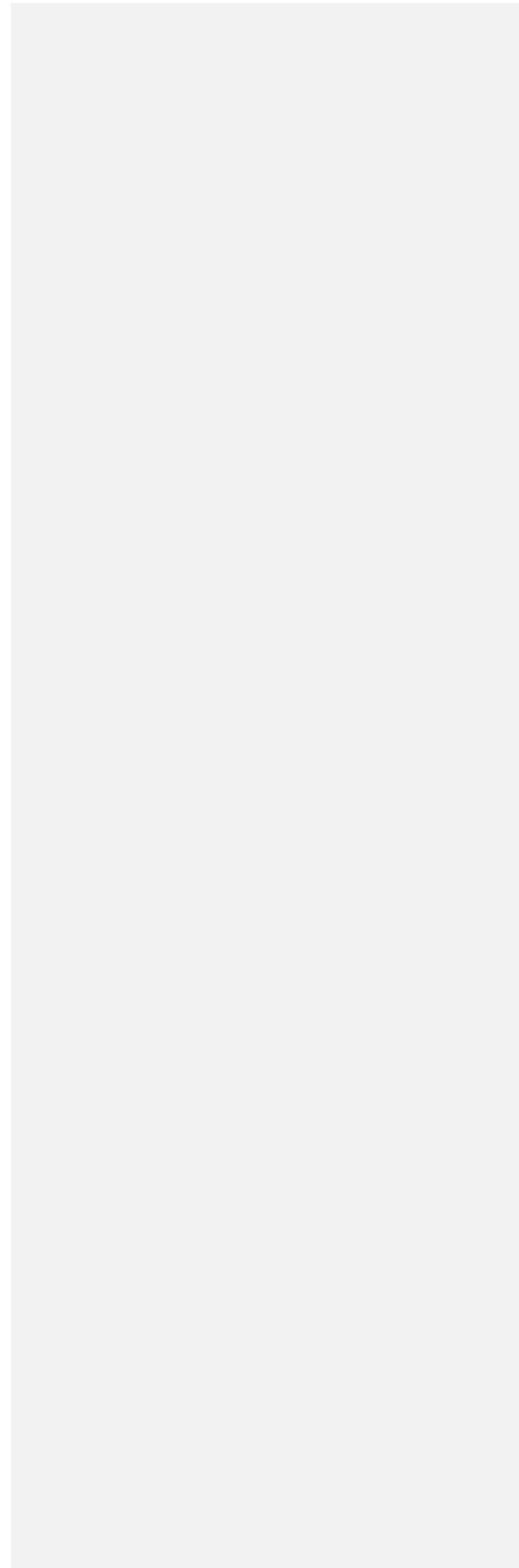
DRAWING "B" SAMPLE ELEVATION FRONT VIEW

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LANDSCAPE DESIGN AND MAINTENANCE GUIDELINES



Regatta Homeowners Association Rules & Regulations

The purpose of these guidelines is to establish tree and vegetation height limitation criteria so that such landscaping does not interfere with the rear and/or rear side yard ocean views of all lots within the Regatta community. Specifically, no vegetation shall be planted or maintained upon any lot to violate the height restrictions, as specifically set forth and provided for in Exhibits A through E ("Height Restrictions" pp. ~~29-30~~39-40) hereto. Each owner of a lot shall be responsible for the periodic trimming, pruning, thinning and/or removal of vegetation on said owner's lot, so as not to violate the herein referenced Height Restrictions.

Owners who believe that the view from their lot is being impacted and/or diminished by vegetation on another lot, and that said vegetation is in violation of the Height Restrictions, may proceed as set forth below to resolve the matter. The complaining owner is encouraged to first contact the alleged view impairing owner to resolve the issue prior to filing a complaint with the Association. If it is then necessary, a written complaint shall be filed with the Association's management personnel for processing in the same manner as complaints regarding other violations. The Association will then investigate and process the claim according to policies and procedures adopted by the Board and provided to all members.

For a tree or vegetation to be required to be removed, the tree or vegetation must exceed the height limit and it must block an ocean view and the association must receive a written complaint. For a tree or vegetation to be required to be trimmed, the tree or vegetation must exceed the height limit (exhibit E) and the Association must receive a written complaint. Please see "Height Restrictions Exhibits A-E" on pages 38-39-40.

A view blockage will be determined by the Maintenance Committee unless part of an Architectural Application where the ACC will have jurisdiction. The ACC or Maintenance Committee will make a reasonable ~~(a reasonable decision is rational and thought out)~~ determination as to the extent of the view blockage. Once a ~~reasonable~~ determination to the view blockage is made, the Maintenance or ACC ~~e~~Committee will make a recommendation to the Board of Directors to take final action.

If an owner fails to perform necessary alterations, pruning, trimming, thinning, or removal as determined and requested by the Architectural Control Committee and/or Board of Directors, the Association shall have the right, after notice and hearing, to enter upon such lot for the purpose of performing such work, and the cost incurred therefore shall be chargeable to the owner as a "special assessment." (CC&R's Article X, Section 2(b))

Regatta is primarily a Modified Zero Lot Line community. As such, the CC&R's establish an easement which both defines the rights of the property owner and limitations on its use. Refer to

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[CC&R's Article III. Sections 3 & 6 define the easement use limitations. Homeowners should be mindful of watering vegetation planted in the easement as they may be responsible for water or root damage.](#)

HEIGHT RESTRICTIONS

Exhibit A: Site Planning. The following drawing defines the yard areas:

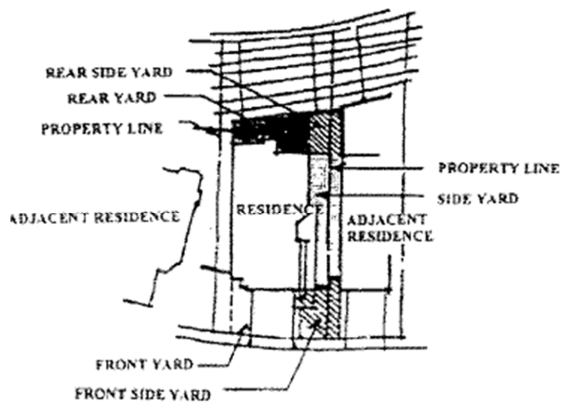


Exhibit B: Front Yards. Plants, trees, and shrubs within the front yard may not exceed the nearest roof line of the residence.

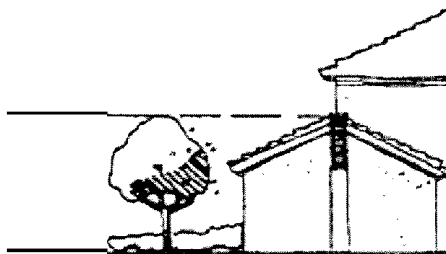


Exhibit C: **Front** Side Yards. Plants, trees, and shrubs within the front side yard may not exceed the roof line of the entrance of the residence.

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Exhibit D: Side yards. Plants, trees, and shrubs within the side yard may not exceed the total height allowed in the front side yard.

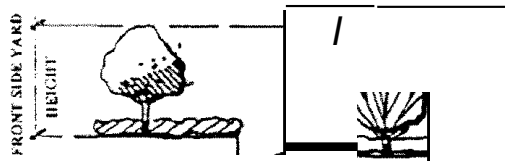
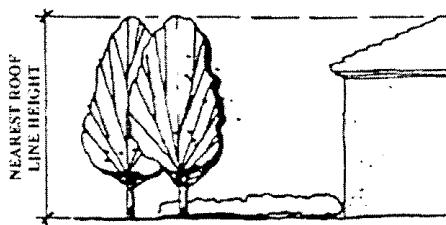
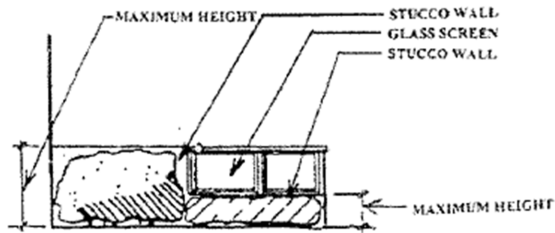


Exhibit E: Rear and Side Yards. Plants, trees, and shrubs within the side yard may not exceed the height of the nearest stucco fence which is adjacent to or nearest the planting.



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SITE DRAINAGE

Most importantly, all exterior lot drainage must be tied into the original drainpipe that runs parallel across rear yards, including any additional drainage added as required by the city during a permit process. This line is designed to carry water to the street. At no time can this drain line be capped off. Irrigation, spas, fountains etc., ALL must tie into the original drain line. *At no time can a drain empty onto the slope area.*

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Rear and Side Yard Grading: Homeowners must ensure that the earth berms at the top of the slope, installed in conformance with the local jurisdiction are not disturbed. In no case will drainage be allowed to flow over the top of the slope.

Surface drainage or paved areas shall be a minimum of one percent (1%) slope. Surface drainage of soil areas shall be a minimum of one and one-half percent (1½%) slope.

All subterranean drainage provisions shall contain approved collection and underground transporting facilities and be certified by a registered civil engineer and/or landscape architect. "Dry Well" drainage facilities are not acceptable.

All French-drains shall be constructed as to provide minimum encasement or one (1) cubic foot of gravel per linear foot of perforated drainpipe.- At least nine (9) inches of suitable growing media shall be provided for turf on top of any drain provision.

All transporting underground drain lines shall have a minimum of one percent (1%) slope. The point of drainpipe dispersion shall be constructed in a permanent manner as to eliminate erosion.

It is each homeowner's responsibility to keep the drains free from debris and/or vegetation that might inhibit the free flow of water away from the property. Homeowners are encouraged to periodically flush their drains and French drains and to check all irrigation to insure-ensure it is not leaking or causing damage to their property or a neighbor's property.

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SATELLITE DISH POLICY

(THIS POLICY SUPERSEDES ANY CONFLICTING SECTIONS OF THE CC&Rs OR BYLAWS)

This Policy is intended to comply with the Federal Telecommunications Act of 1996, also referred to as FCC Rule 207 47 CFR 1.4000 and California Civil Code Section 4725. Where the FCC and California laws conflict, the FCC Rule policy has been adopted.

Owners wishing to install any TV antenna or satellite dish must apply for, and obtain approval from, the Architectural Control Committee, and comply, with all Association rules, regulations, and guidelines before proceeding with any such installation. Owners not receiving prior approval, to determine the most appropriate and efficient location for the satellite dish, risk having to remove all satellite dish equipment and relocate the same equipment. Generally, all TV antennas and/or satellite equipment must be placed in a location to not be visible from the Common Areas.

1. Applications for installation of satellite dish one meter (39 inches) in diameter or smaller only will be considered by the Architectural Committee as follows:

Installation must be upon the owner's lot or residential structure, and not upon Association common area or Association maintenance area.

- (a) The application for approval should set forth multiple potential locations, if possible, and explain why the preferred location will provide the best reception and/or least installation expense. All such satellite dishes must be placed in the most inconspicuous, unobtrusive, and non-visible location possible. The Architectural Control Committee may require that satellite dishes which are visible from neighboring properties, common area, or other locations within the community, must be covered, camouflaged, or disguised in an approved fashion. Members are encouraged to find a suitable location other than that which would block the neighboring view, and not on the rear or front decks. All cable should be in a boxed conduit matching the stucco or trim color to which the conduit is applied.

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- (b) The application should be submitted to the Association's property management company (Appendix A) for transmittal to the Committee, prior to installation of the satellite dish.
 - (c) The application includes information identifying the size and height of the satellite dish, clear and detailed drawings, plans, and a description showing its proposed location, and specific information regarding the manner of the installation.
 - (d) All motors of satellite dishes must be the quiet types, which cannot be heard from neighboring properties.
 - (e) The Architectural Control Committee will process all applications for approval of the installation of satellite dishes in the same manner as any such application for any architectural modifications to the property.
 - (f) Applicants may request a waiver of any of the above rules regarding the installation of a satellite dish which has a diameter of one meter (39 inches) or less. Said request for waiver will be considered on a case-by-case basis upon the applicant exhibiting to the Architectural Control Committee that the waiver of any particular rules set forth above is necessary, so as to avoid a significant increase in the cost of the video or satellite dish system and related equipment or its installation and/or to avoid significantly decreasing the sufficiency or performance of said equipment.
 - (g) New purchasers of units, which have a satellite dish, agree to be bound by this policy.
2. It is the Association's intention to allow members to install the herein referenced to satellite dishes preferably within an area which is not visible from other owners or other areas of the community. The Association is allowed, under federal and state law, to establish reasonable rules and regulations for the installation and maintenance of said satellite dishes. However, those rules and regulations may not:
- (h) unreasonably delay or prevent installation, maintenance, or use, or
 - (i) unreasonably increase the cost of installation, maintenance, or use, or
 - (j) preclude reception of an acceptable quality signal. It is the Association's intent to balance the cost of installation and quality of reception most reasonably with acceptable locations on the

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properties.

3. The Association is authorized, under the FCC Regulations, to prohibit an installation of such satellite dishes to preserve a historical district or to accomplish a clearly defined safety objective which is either published in the restrictions or in other Association documents or is described in a document otherwise made readily available to satellite dish users.

POOL RULES AND REGULATIONS

The rules and regulations have been established to maintain order and minimum expense in the pool area. It is essential that all residents adhere to the following guidelines:

- 1) Conscientiously abide by all pool rules and regulations.
- 2) Review the rules and regulations with all family members, guests and/or tenants. All owners MUST provide a copy of the Rules and Regulations to their tenants.
- 3) Strictly enforce all rules while in the pool area and report any observed violations.
- 4) The community pool area is maintained EXCLUSIVELY for the use of Association residents and their guests. To avoid monopolizing the pool, discretion is necessary concerning the number of guests. Owners are responsible for the actions of their tenants and their guests using the pool and recreation areas. Homeowners observing anyone climbing over the pool fence should call Sheriff (714-770-6011) immediately. *DO NOT CONFRONT THE VIOLATORS PERSONALLY.*
- 5) Any person who cannot prove rightful access to the common areas and facilities will be asked to leave. If such party fails to comply, the local authorities will be summoned to remove said party(s).
- 6) For your own safety, DO NOT SWIM ALONE
- 7) Standard pool rules are posted in the pool area. PLEASE READ AND COMPLY WITH THEM. NO LIFEGUARD IS ON DUTY
- 8) Children under the age of 14 shall not use the pool unless accompanied by an adult or certified swimmer or other water safety certified person (See California Building Code 3120.B.4).
- 9) No lending of pool ~~fobs~~keys. Each guest must be accompanied by a resident. Children under the age of 14 years of age shall not use the pool without

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appropriate supervision.

10) No glass is allowed in the pool area at any time. Beverages may be consumed from plastic or other non-breakable containers. Trash, paper, etc. must be placed in the proper containers. ~~NO EATING IN THE POOL OR SPA.~~

11) SMOKING INCLUDING ELECTRONIC CIGARETTES ARE PROHIBITED IN THE POOL AREA

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12) No boisterous play or disturbing noise, including loud radios, running, or roughhousing, and no hard or injurious objects, such as surfboards, hardballs, etc. are permitted in the pool area. Soft, air-filled aquatic floatation devices are permitted, providing the user does not jump onto them from the pool deck and provided the devices, by their nature, do not hamper others from swimming. Devices must be removed from the pool while not in use.

13) No bicycles, skateboards, or dogs are permitted in the pool area.

14) Anyone having an infectious disease or skin lesion, wearing bandages or medication on any part of his or her body, shall not use the shower, pool, or spa.

~~15) ADULTS HAVE PREFERENCE IN THE SPA.~~

~~15)~~ 15) Proper swimming attire is required. Incontinent children or adults wearing diapers shall also have watertight rubber pants. Residents will be responsible for pool clean-up costs for "accidents" of these individuals (including guests).

~~17)~~ 16) Climbing walls or fences in the pool area is prohibited.

~~18)~~ 17) The life preservers and other safety equipment are for emergency use only. Anyone observed using said equipment for any other purpose shall be subject to the same penalties and fines as any other violation herein.

~~19)~~ 18) The emergency switch at the spa is not to be turned off, except in the event of a true emergency.

~~20)~~ 19) Misuse of pool furniture is prohibited. Any such misuse should be reported immediately to the Management Company or the Board of Directors. Any such misuse or damage will subject the violator to all enforcement procedures and fines set forth in this booklet.

~~21)~~ 20) The pool entrance gate and restrooms doors must always remain locked. Anyone leaving the pool area is responsible to see that the gate is closed and locked.

~~22)~~ 21) To replace lost ~~pool keys~~ key fobs, contact the Management company.

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POOL HOURS

6:00A.M to 10:00P.M. EVERYDAY Pool and spa hours are 6 amAM to 10 pmPM daily. MondaySunday through Thursday, with quiet hours between 9:00 PM and 10:00 PM as a courtesy to neighbors.

Using the pool after these designated hours may be considered trespassing and will subject the violator to action by the appropriate law enforcement agency.

Continued infractions of rules will lead to fines and/or denial of use of the pool and cabana. Violators of the pool area privileges will be subject to the same procedures and fines set forth in these rules and regulations with the following changes for pool violations:

- 1) A report of pool violations must be in writing.
- 2) FIRST VIOLATION: A written warning will be sent within 5 days of receiving the notice of violation in which you have 7 days to respond.
- 3) SECOND VIOLATION: Hearing and/or fine.
- 4) THIRD VIOLATION: Denial of pool privileges.

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VIOLATION ENFORCEMENT PROCEDURES

The following procedures will be used to enforce the Regatta Homeowners Association CC&Rs and Rules and Regulations.

Enforcement Procedures

- a) When the Board of Directors ("Board") or its agent has determined that a resident may be in noncompliance with the Governing Documents (except for the non-payment of Assessments), the following Enforcement Procedure will generally be followed. However, the Association and its Board reserve the right to initiate any other enforcement action which the Association's Board determines, in its discretion, to be reasonable at any stage of the enforcement process to the extent such enforcement remedies are provided for by the Association's Governing Documents and California law.

- b) First Letter - Initial Complaint: A letter notifying the homeowners that they are believed to be in noncompliance with the Governing Documents. The letter will notify the homeowners that they will have a specified period up to twenty-one (21) days to comply or notify the Association of their intent to comply. The letter is to be sent by First Class mail, on behalf of the Board, signed by the managing agent. The Association will identify a specific compliance date. The homeowner may reply by letter or email. The homeowner should reply
 - (a) indicating that the reported noncompliance has been corrected
 - (b) proposing a schedule when the reported noncompliance will be corrected
 - (c) that they believe the reported noncompliance is in error
 - (d) request a hearing before the Board to discuss the reported noncompliance

- c) Second Letter - Reminder Notice. A letter notifying the homeowners that they have been noticed regarding a noncompliance with the Governing Documents. The letter will notify the homeowners that they will have a specified period up to seven (7) days to comply or notify the Association of their intent to comply. The letter is to

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be sent by First Class mail, on behalf of the Board, signed by the managing agent when the managing agent has not received a reply to the First Letter.

- d) Third Letter - Notice of Hearing: The "Notice of Hearing" letter is the "Written Complaint" which shall provide a description of the noncompliance violation and shall give a date, time and place for a hearing and identify the potential fine that the violating homeowner may be subject to because of the continuing violation. The letter shall also advise the homeowner that he or she has a right to attend the hearing and address the Board. The letter shall be sent certified mail on behalf of the Board. The hearing shall be set for a date no sooner than fifteen (15) days from the date of the Second Letter. The minutes of the Executive Session meeting (i.e., hearing) shall contain proof of the "Notice of Hearing" to the homeowners and a written statement of the Board's action or determination resulting from the hearing and the fine or sanction imposed, if any.
- e) Fourth Letter – Notice of Sanction: The "Notice of Sanction" letter is the "Notice of Board Ruling." The letter shall be sent after the noncompliance hearing date, but in no event, shall be sent later than fifteen (15) days after the hearing. If the Board does not rule in favor of the homeowner, the Board's letter will give no less than five (5) days to correct the noncompliance or fines may start no less than five (5) days after the post date of the Third Letter. In addition to fines, the Board will state that the homeowner may be subject to other legal remedies and may be subject to other sanctions in accordance with the Association's Governing Documents. This letter shall be sent certified mail on behalf of the Board.

Fines and Sanctions

- a) If the Board determines to impose a fine at the scheduled hearing (during executive session), the amount of the fine shall be included in the Notice of Board Ruling (Third Letter).
- b) Fines will be billed to the homeowner on the regular monthly homeowner's dues billing statement.
- c) A maximum of \$1,500.00 for each separate violation shall be assessed to the homeowner and the Association may pursue all legal remedies if the fine is not paid.
- d) In addition to fines, the Board may impose other sanctions permitted by the Association's Governing Documents in accordance with California Law, including but not limited to, suspending the homeowner's right to use any recreational

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facilities for a length of time determined by the Board in accordance with the Association's Governing Documents (NOT TO EXCEED 30 DAYS).

- e) The Board reserves the right to initiate any other enforcement action to correct a violation as the Board determines, in its discretion, to be reasonable at any stage of the enforcement process to the extent such enforcement remedies are provided for the Association's Governing Documents and under California law.

- f) A schedule of potential penalties that may be imposed is attached as Exhibit "A", Violation and Fine Policy. These fines may be imposed following a hearing by the Board.

SUMMARY OF CIVIL CODE SECTION 5925-5960

Effective January 1, 1994, pursuant to California Civil Code Section 5930, neither a Member of a Homeowners Association nor the Association may file a civil action to enforce the governing documents for (i) solely declaratory relief or injunctive relief, or (ii) declaratory relief or injunctive relief and monetary damages not to exceed Five Thousand Dollars (\$5,000.00) (other than association assessments) without first attempting to submit the dispute to a form of Alternative Dispute Resolution ("ADR"). This law applies to all such civil action unless the statute of limitations would run in 120 days. It does not apply to cross-complaints.

To submit a dispute to ADR, the claimant must serve the other party in the subject dispute with a "Request for Resolution" which (i) briefly described the dispute, (ii) requests that the dispute be submitted to ADR, and (iii) notifies the other party that they must respond within thirty (30) days of receipt of the Request for Resolution, or it will be deemed rejected.

If the Request for Resolution is accepted by the other party, the parties may mutually decide which form of ADR (mediation or arbitration) they wish to submit the dispute to and whether the form of ADR will be binding or nonbinding. If accepted, the ADR must be completed within 90 days or receipt of acceptance of the Request for Resolution, unless extended by the parties. The parties bear the cost of ADR.

If a complaint to enforce the governing documents as described above is filed in court, the plaintiff must file a certificate with the complaint which evidence completion of a form of ADR, unless one of the following exceptions applies:

1. The statute of limitations for bringing the civil action would run within 120 days (thus barring the civil action).
2. The other party who received the Request for Resolution refused to submit the dispute to ADR prior to the filing of the complaint.

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3. The court finds that dismissal of the civil action for failure to file the certificate would result in substantial prejudice to one of the parties; or
4. The court finds that preliminary or temporary injunctive relief is necessary.

FAILURE BY ANY MEMBER OF THE ASSOCIATION TO COMPLY WITH THE PREFILING REQUIREMENTS OF SECTION 5930 OF THE CIVIL CODE MAY RESULT IN THE LOSS OF YOUR RIGHTS TO SUE THE ASSOCIATION OR ANOTHER MEMBER OF THE ASSOCIATION REGARDING ENFORCEMENT OF THE GOVERNING DOCUMENTS.

Anything said during ADR, or any documents prepared for, or admissions made during ADR are inadmissible in any civil action in which testimony can be compelled unless consented to by both parties. The court may stay a pending civil action and refer it to ADR upon stipulation of the parties.

The prevailing party in any civil action for declaratory or injunctive relief related to enforcement of the governing documents is entitled to an award of attorney fees and costs. However, the court may consider any refusal to submit the dispute to ADR in its award thereof.

The Association is required by law, commencing January 1, 1994, to distribute a summary, such as this of the California Civil Code Section 5930, to the Members. The Association is also required to include a copy of this Section with any Request for Resolution sent to a member of the Association.

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APPENDIX A – PROPERTY MANAGEMENT COMPANY

The property management company for the Regatta community is:

Keystone Pacific Property Management
16775 Von Karman Ave, Suite 100
Irvine, CA 92606

PH: (949) 833-2600

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APPENDIX B – SCHEDULE OF FINES

SCHEDULE OF FINES

(Effective March 1, 2016, Schedule A and Schedule Bare the same)

FIRST	\$500.00	
SECOND	\$1,000.00	After 30-days without compliance
THEREAFTER	\$1,500.00	Monthly after 60-days without compliance

If violation continues or fines are unpaid, the Board will proceed with arbitration and/or court action.

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APPENDIX C – APPROVED COLOR PALLETE

The following are the ONLY previously approved color schemes approved as samples for use within the Regatta community. The three colors in a scheme may be used together and may not be mixed with other schemes. Owners who want to use colors not on the approved color scheme may submit alternative colors to the ACC for approval. Any new color is subject to placing samples on the preferred location of the home prior to approval or painting. Once approved by the ACC, colors are then approved/established in the community and may be used by any members of the community that are not adjacent neighbors.

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These paint colors are available at Dunn-Edwards and may be viewed on their website. *Caution should be used as the colors on the website do not exactly match the actual paint colors. It is strongly recommended that you order paint color chips before committing to a particular scheme.*

Scheme 1

1. DE6170 Rice Bowl – Stucco
2. DE6143 Almond Latte – Stucco Trim
3. DE6169 Milk Mustache – Fascia, Front Door & Garage Door

Scheme 2

1. DEC744 Celtic Linen – Stucco
2. DEC717 Baked Potato – Stucco Trim
3. DEW337 Gardenia – Fascia, Front Door & Garage

Scheme 3

1. DE6212 Crisp Muslin – Stucco
2. DE6229 Calico Rock – Stucco Trim
3. DE621i Light Beige – Fascia, Front Door & Garage

Scheme 4

1. DEC785 Whisper Gray – Stucco

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2. DE6228 Playon Gray – Stucco Trim
3. DEW340 Whisper – Fascia, Front Door & Garage Door

Scheme 5

1. DEC765 Bone – Stucco
2. DEC757 Rincon Cove – Stucco Trim
3. DEW 341 Swiss Coffee – Fascia, Front Door & Garage Door

Scheme 6

1. DE6206 Desert Suede – Stucco
2. DEC750 Bison Beige – Stucco Trim
3. DE6204 Trite White – Fascia, Front Door & Garage Door

Scheme 7

1. DEW324 Phoenix Villa – Stucco
2. DEC743 High Noon – Stucco Trim
3. DEW380 White – Fascia, Front Door & Garage Door

Scheme 8

1. DEC745 Chaparral – Stucco
2. DEW324 Phoenix Villas – Stucco Trim
3. DEW340 Whisper – Fascia, Front Door & Garage Door

Scheme 9

1. DEC761 Cochise – Stucco
2. DE6208 Tuscan Mosaic – Stucco Trim
3. DEW337 Gardenia – Fascia, Front Door & Garage Door

Scheme 10

1. DE6115 Practical Tan – Stucco (Main Body)
2. DE6082 Hickory Branch – Stucco Accents, Wrought Iron
3. DEW311 French White – Trim, Garage Doors, Entry Doors

Scheme 11

1. DEC726 Adobe – Stucco (Main Body)
2. DEC724 Spanish White – Stucco Accents, Wrought Iron
3. DEW328 Pearl White – Trim, Garage Doors, Entry Doors

Scheme 12

1. DE6221 Flintstone – Stucco (Main Body)
2. DE6222 Weather Board – Stucco Accents, Wrought Iron

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3. DEC772 Navajo White – Trim, Garage Doors, Entry Doors

Scheme 13

1. DE6171 Sand Dollar – Stucco (Main Body), Wrought Iron
2. DE6169 Milk Mustache – Stucco Accents, Trim, Garage Doors, Entry Doors

Scheme 14

1. DEC 743 High Noon – Stucco (Main Body)
2. DE6208 Tuscan Mosaic – Stucco Accents
3. DEC762 Milkweed – Trim, Garage Doors, Entry Doors

Scheme 15

1. DE6115 Practical Tan – Stucco (Main Body)
2. DE6075 Wood Lake – Stucco Accents
3. DE6115 Practical Tan – Trim, Garage & Entry Doors

Scheme 16

1. DEC757 Rincon Cove – Stucco (Main Body)
2. DEC754 Quicksand – Stucco Accents, Wrought Iron
3. DEW328 Pearl White – Trim, Garage Doors, Entry Doors

Scheme 17

1. DEC725 Weathered Coral – Stucco (Main Body)
2. DE6144 Graham Cracker – Stucco Accents, Wrought Iron
3. DEC736 Flaxseed – Trim, Garage Doors, Entry Doors

Scheme 18 (Existing Scheme)

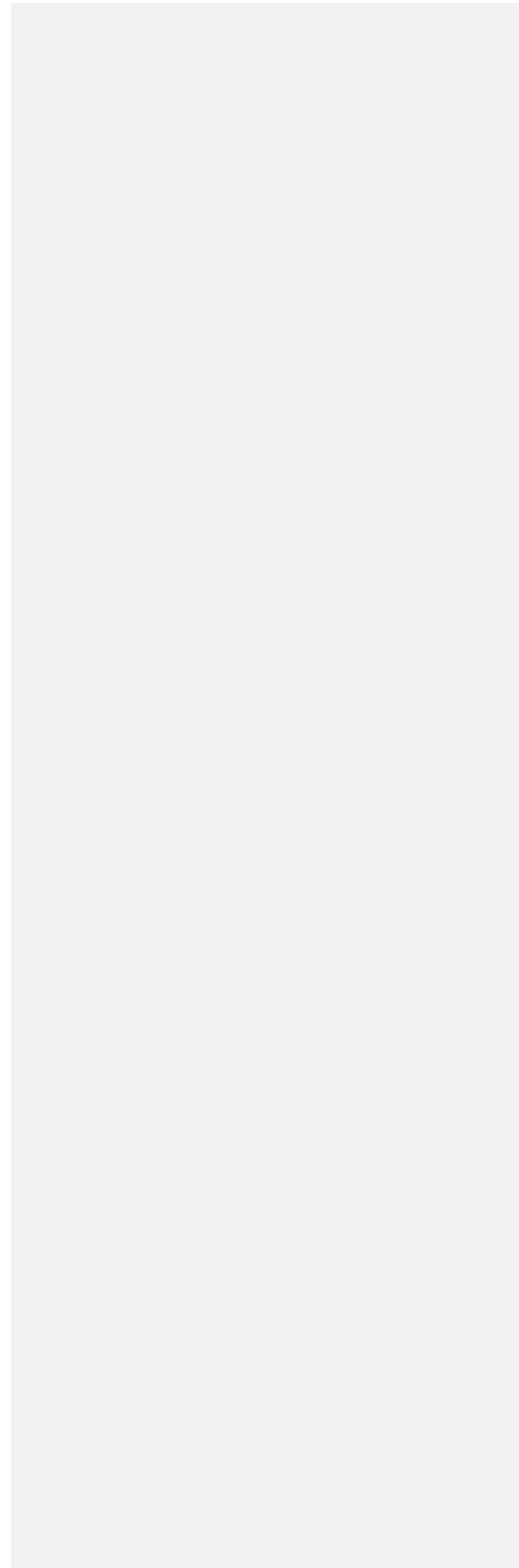
1. DEW315 White Zen – Stucco (Main Body)
2. DEC749 Linen White – Trim
3. DE6122 Dry Creek - Accent

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APPENDIX D – VEHICLE LICENSE PLATE PERMIT & SAFELIST PROCEDURE

Vehicles parked in common areas overnight are required by rule to either be safelisted or have a vehicle license plate registered with the patrol company. Failure to do so may result in the vehicle being cited and/or towed. This rule is enforced by the patrol company.

The following letter from Patrol One documents the procedure for both safelisting and obtaining a vehicle license permit (formerly hangtag) for a vehicle.



**Regatta Homeowners Association
Rules & Regulations**

Dear Regatta Resident,

It is time for the Association to renew its resident parking permit program, which will begin November 15, 2019. Old hangtags will no longer be valid after 11/15/19. The new resident parking program will use your approved license plate as your overnight parking permit. Although very similar to the current resident program there are some significant changes, **so please read all information below** (rules and enforcement parameters are subject to change over time, please confirm with the Board or Management).

HOW WILL YOUR APPROVED RESIDENT VEHICLES LICENSE PLATE ACT AS AN OVERNIGHT PARKING PERMIT?

Once an application (attached) is approved, the approved vehicle(s) license plate number will be added to our system as authorized to be parked overnight in common area. NO decal will need to be placed on the authorized resident vehicle. Authorized license plate numbers will act as the permit allowing the vehicle to be parked overnight in common area.

WHAT RESIDENT VEHICLES NEED TO BE PERMITTED?

Resident vehicles parked in common area open parking at any time between the hours of 12:00AM and 6:00AM. Unpermitted resident vehicles will be subject to cite and/or tow. The procedures for obtaining a permit are described later in this document.

Resident vehicles parked in a garage do not need to be permitted.

WHAT GUEST VEHICLES NEED TO BE SAFELISTED?

Guest vehicles parked in common area opening parking at any time between the hours of 12:00AM and 6:00AM need to be safelisted by a resident. This means that the resident provides Patrol One with information about the vehicle by phone or website, so that it will not be in violation and cited and/or towed. Residents who have already activated their safelisting profile can continue to use their current profile.

**Regatta Homeowners Association
Rules & Regulations**

Guest vehicles parked in common area open parking between 12:00AM and 6:00AM do not need to be safelisted.

PERMITTED RESIDENT VEHICLES – NOTES AND PROCEDURES

1. An approved vehicle's license plate number will serve as the vehicle permit and will also be linked to a specific address.
2. Permitted resident license plates are recorded after the resident has provided information which indicates they have used their two garage spaces to park properly registered, street legal vehicles, and therefore need a permit for an additional vehicle. There is a maximum of two permitted resident vehicles for each qualified household.
3. Any resident with a special situation requiring an additional permitted vehicle must submit a written request to the management company, for approval by the Association's Board of Directors.
4. Residents wanting to change a permitted vehicle to another vehicle must reapply for a permit (no charge). Residents must reapply if they get a new vehicle (no charge).

PROCEDURE FOR PERMITTING A RESIDENT VEHICLE

Submit the following items to Patrol One:

1. Complete application (attached). All incomplete applications will be destroyed 6 months after their submission date.
2. A copy of current vehicle registration showing your name and an onsite address for your garaged and outside vehicles.
3. Applicants must also include a copy of their onsite address driver's license. Residents must show 2 driver's licenses for three vehicles submitted, 3 driver's licenses for four vehicles,
4. Applications that included two wheeled vehicles must be submitted directly to the Board for approval.
5. If you have a company vehicle, provide both of the following:
 - a. Letter on company letterhead showing your name and authority to have [eusedycustody](#) and control of the vehicle.
 - b. Current vehicle registration

PROCEDURE FOR OVERSIZED VEHICLES THAT WILL NOT FIT IN THE GARAGE

1. Call the Permit Administrator at Patrol One at (714) 361-5008 to schedule a garage inspection.

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2. Garage must be clean and clear. ALL vehicles must be present.
3. Pay the Patrol One officer \$25.00 when he arrives. The fee is due whether or not approval is obtained.
4. The vehicles will need to fit safely, not necessarily comfortably, in the garage. Garages that have been modified so that vehicles will not fit safely may not be granted a permit.

SAFELISTING GUEST VEHICLES – NOTES AND PROCEDURES

1. Procedure for setting up a profile at Patrol One
 - a. All residents must set up a profile with Patrol One before they can safelist a guest vehicle. This process is done only once, and you may have previously completed this.
 - b. If you don't already have a profile, set up your profile online by obtaining your activation code from Management, then to go patrolone.com or call Patrol by phone to set up your profile.
2. Procedure for Safelisting a Guest Vehicle Online
 - a. Go to www.patrolone.com and enter your email address and password at the top right corner of the screen. Then click LOGIN.
 - b. Enter the requested information.
3. Procedure for Safelisting a Guest Vehicle by Phone

(714) 541-0999 or (949) 367-8055 or (951) 354-0999

 - a. Call Patrol One (anytime, 24-hours a day)
 - b. Patrol One will ask for:
 1. Your email and password
 2. Your name
 3. Your address
 4. Vehicle description (make, model, color)
 5. Vehicle license plate
 6. Number of days requested to be safelisted
 7. you will receive a confirmation number to keep as your receipt.

Each address is allowed a maximum of 20 overnights for guest vehicles in a 90-day rolling time period. This can be 20 nights for the same vehicle or a total of 20 nights for different vehicles.

**Regatta Homeowners Association
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If your guest is staying longer than the maximum allowed days, you must contact the management company for a variance.

APPLICATION FOR A RESIDENT PERMITTED VEHICLE FOR REGATTA

Please include copies of valid DMV registrations for ALL resident vehicles.

Number of Resident permitted vehicles Requested: []1 []2

Unit Owner's Name: _____

Resident's Name (if not the owner): _____

Resident Email (to receive application approval): _____

Address: _____, Dana Point, Ca _____

Day Phone: (____) _____ Evening Phone: (____) _____

THE FOLLOWING VEHICLE(S) WILL BE PARKED IN THE GARAGE:

Make: _____ Model: _____ Color: _____ Lic. Plate: _____

Make: _____ Model: _____ Color: _____ Lic. Plate: _____

THE FOLLOWING VEHICLE(S) WILL NEED TO BE PERMITTED TO PARK OVERNIGHT IN COMMON AREA:

Make: _____ Model: _____ Color: _____ Lic. Plate: _____

Make: _____ Model: _____ Color: _____ Lic. Plate: _____

All items in this application must be completed in full. Failure to complete every line of this form completely will result in denial of the application. Any untruthful statements made on this application will result in forfeiture of parking privileges. The undersigned resident agrees that the statements made on this application are true and accurate. The undersigned resident further agrees that he/she has read and understands all of the Association's parking rules and regulations and agrees to follow them, and that any illegally parked vehicle may be towed as provided by law.

Dated: _____ Signed: _____

Name (Printed): _____ Mail, Email, or Fax to:

PATROL ONE

**Regatta Homeowners Association
Rules & Regulations**

1820 E. 1st, Suite 210
 Santa Ana, CA 92705 Attn: Permit
 Administrator
permits@patrol-one.com
 714.541.0990 fax 714.541.0999 (select option #2)

APPENDIX E – SHORT DRIVEWAYS/FLAG LOTS

The following is a list of homes that are NOT eligible for driveway parking:

House Number	Street	Description
1	Regatta Way	Flag Lot
3	Regatta Way	Flag Lot
5	Regatta Way	Flag Lot
27	Regatta Way	Short Drive
29	Regatta Way	Short Drive
30	Regatta Way	Short Drive
31	Regatta Way	Short Drive
33	Regatta Way	Short Drive
35	Regatta Way	Short Drive
37	Regatta Way	Short Drive
39	Regatta Way	Short Drive
41	Regatta Way	Short Drive
43	Regatta Way	Short Drive
45	Regatta Way	Short Drive
47	Regatta Way	Short Drive
49	Regatta Way	Short Drive
51	Regatta Way	Short Drive
53	Regatta Way	Short Drive
55	Regatta Way	Short Drive
7	Saint Francis	Short Drive
9	Saint Francis	Short Drive
11	Saint Francis	Short Drive
15	Saint Francis	Short Drive
17	Saint Francis	Short Drive
19	Saint Francis	Short Drive
21	Saint Francis	Short Drive
23	Saint Francis	Short Drive
25	Saint Francis	Short Drive

21	New York	Short Drive
23	New York	Short Drive
25	New York	Short Drive
27	New York	Short Drive
29	New York	Short Drive
31	New York	Short Drive
33	New York	Short Drive
35	New York	Short Drive
37	New York	Short Drive
39	New York	Short Drive
41	New York	Short Drive
103	Palm Beach	Short Drive
105	Palm Beach	Short Drive
107	Palm Beach	Short Drive

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27	Saint Francis	Flag Lot
29	Saint Francis	Flag Lot
31	Saint Francis	Flag Lot
33	Saint Francis	Flag Lot
7	New York	Short Drive
9	New York	Short Drive
11	New York	Short Drive
15	New York	Short Drive
17	New York	Short Drive
19	New York	Short Drive

APPENDIX F - NEIGHBOR-TO-NEIGHBOR DISPUTE RESOLUTION POLICY

This “Neighbor-to-Neighbor Dispute Resolution Policy” establishes a prerequisite to the involvement of the Regatta Homeowners Association in certain, limited “Neighbor-to-Neighbor Disputes.” Nothing herein is intended to be constructed as an attempt to relieve the Association or the Board of Directors (“Board”) from any of its duties under the Association’s Governing Documents.

DEFINITIONS

1. “Neighbor-to-Neighbor Dispute” shall mean a dispute or complaint lodged by one Resident or Owner against another Resident or Owner which, in the Board’s sole discretion, does not impact the Association or its membership more broadly.
2. “ADR” shall mean Alternative Dispute Resolution; specifically, mediation or arbitration as defined in Civil Code § 5925.
3. “Written Certification” shall mean a letter signed by the disputing parties, certifying that one party requested the other party to submit the dispute to ADR and, either ADR was completed, or the other party refused to submit the dispute to ADR.

POLICY TERMS

1. When a dispute or complaint is brought to the Board regarding interpretation of rights under, or enforcement of, the Governing Documents, the Board shall, at its next scheduled meeting, discuss the complaint or dispute and make a reasonable business judgment decision as to whether or not it constitutes a Neighbor-to-Neighbor Dispute. That decision will be based upon the Board’s evaluation of the particular facts and circumstances surrounding the dispute and the affected parties. The Board may consult with the Association’s legal counsel in making its decision.
2. If the Board finds that the complaint or dispute constitutes a Neighbor-to-Neighbor Dispute, it shall notify the complaining/disputing party or parties of its decision.
3. The parties to the Neighbor-to-Neighbor Dispute shall then be required to use their best efforts to submit their dispute to ADR prior to seeking Association involvement in resolving the dispute. For ADR, this may be accomplished by the complaining party serving the other (responding) party or parties with a “Request for Resolution” in accordance with

**Regatta Homeowners Association
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Civil Code §5935.

4. Upon receiving written certification evidencing that the parties first attempted to resolve the Neighbor-to-Neighbor Dispute through ADR, the Board shall determine: (a) whether a violation of the Governing Documents exist which requires Association action, (b) whether Association enforcement is required under the particular circumstances and, if so, (c) the action to be taken by the Association in accordance with the Association's enforcement policies and procedures.

THE POLICY SHALL BE INAPPLICABLE TO ANY COMPLAINTS OTHER THAN NEIGHBOR-TO-NEIGHBOR DISPUTE

APPENDIX G – ARCHITECTURAL REVIEW FEE SCHEDULE

All proposed exterior modifications, alterations, additions, or changes must be submitted to the ~~ACC DRC~~ for approval **prior** to any installation or commencement of construction.

The above-mentioned installation, alterations, additions, or changes may include, but are not limited to, walls, arbors, decks, gazebos, fences, fountains, pools, spas, landscaping, hardscape, patios, pottery, gates, light fixtures, fire-pits, barbeques, umbrellas, statues, room additions, window replacements, etc.

Procedure Used to Review & Approve or Disapprove a Proposed Change

Homeowner shall submit all the following:

1. Property Improvement Form/Application.
2. Plan & Specifications (~~3 sets~~). ~~2 copies will be returned to the Owner and 3 sets will be retained by the Association after it is reviewed.~~
3. Photographs, brochures and/or material samples (1 set) where applicable (items provided will **not** be returned to the Owner).
4. If the ACC must pass the review to the Architectural Consultant, the following application fees and deposits would apply:

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<u>DESCRIPTION OF MANAGEMENT COMPANY AND ARCHITECT FEES</u>	<u>ARCHITECT REVIEW FEE</u>	<u>NUMBER OF REQUIRED ARCHITECT INSPECTIONS</u>	<u>MANAGEMENT PROCESSING FEE</u>	<u>TOTAL ARCHITECT FEE</u>
<u>New Home Construction Long Form B Projects</u> - includes new residences and residences rebuilt after demolition. Includes all Structural Alterations and Major Remodels, including all new construction with any new exterior walls, roof, roof/wall penetrations, increased square footage, increased balconies or decks, enlarged windows, any improvement that takes additional airspace and/or requires city permits.	\$800.00	6 up to 3 @ \$150.00 each	Varies by submittal	\$1,700.00 \$1,250.00 (does not include Management fee)
<u>Additions & Major Remodels</u> - Includes all new construction with any new exterior walls, roof or roof/wall penetrations. <u>Variance Requests, Additional Submittals or Field Inspections.</u>	\$800.00 \$150.00 each	6 @ \$150.00 each N/A	N/A	\$1,700.00 \$150.00 each
<u>Minor Remodel</u> - Includes all new construction without any new exterior walls.	\$550.00	1 @ \$150.00 each		\$700.00
<u>Landscape/Hardscape (with plants or structures over 36" and/or a pool/spa)</u> additions and alterations.	\$550.00	3 @ \$150.00 each		\$1,000.00
<u>Landscape/Hardscape (without any plants or structures over 36" or pools)</u> additions & alterations.	\$300.00	1 @ \$150.00 each		\$450.00
<u>Garden Walls and Fences</u>	\$50.00	1 @ \$150.00 each		\$200.00
<u>Exterior Material Change</u>	\$50.00	1 @ \$150.00 each		\$200.00
<u>Exterior Color Change</u>	\$50.00	1 @ \$150.00 each		\$200.00

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Variance Request	-\$150.00	This fee is in addition to the underlying application fee.		\$ 150.00
Additional Submittals	-\$150.00	Per submittal		\$ 150.00 each
Field Inspections	-\$150.00	Per inspection required for project		\$ 150.00 each

Upon receipt, the information will be reviewed for completeness. Should any of the above items not be submitted, the entire submittal shall be returned to the owner noting the missing information. An application will not be "submitted" until it is complete.

If the submittal is complete, the management company will log the submittal, send a confirmation of receipt to the owner, and send the submittal package to the ~~ACCDRC~~ for review.

The ACC has 45 days to review the submittal (from the date received by management). Should the homeowner not receive a response within 45 days from receipt by the Association, the submittal shall be deemed approved. A deemed approved submittal does not provide rights to the homeowner to violate alteration of the common area or Association maintenance areas regardless of submittal information.

The ACC shall review submittals for the purpose of determining if the proposed improvements meet the Design Review Guidelines and that the appearance of any structure affected will be in harmony with the surrounding structures, that the construction will not detract from the beauty, wholesomeness or attractiveness of the Common Area or the enjoyment by the Members, and that the upkeep and maintenance will not become a burden on the Association.

Any changes to the exterior of a residence must be specifically called out, in detail, for them to be approved. Unless specified by the submitting owner, any installation will be assumed to be in strict accordance with the Association's architectural guidelines. Proposed plans must also depict any easements within the property, and, in the case of a relocated improvement (such as a wall, fence or similar structure), the plans must depict both the original location of the improvement and the proposed new location.

The ~~ACCDRC~~ review is for aesthetics only. Homeowners must defer to their professional consultant to determine if a permit is needed, if utility or other City/County easements exist and verification of property lines. If one neighbor accuses another of building onto their property, it is a neighbor-to-neighbor issue.

The ~~ACCDRC~~ will complete its review and send the submittal package back to management noting whether it is approved or not and any reasons for the denial, if applicable. Management will log the submittal as returned and send one set back to the homeowner. If denied, the homeowner must start this process again with the required number of plans and application copies as noted above.

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APPENDIX H – KEY FOB AND TRANSPONDER REPLACEMENT COSTS

ITEM	COST
Key Fob	\$50.00
Transponder	\$10.00 – Verified Replacement \$20.00 – Tenants

**Regatta Homeowners Association
Rules & Regulations**

FORMS

The following forms are approved and must be used as appropriate:

REGATTA VIOLATION REPORT

REQUEST FOR RESOLUTION (Civil Code Section 5930)

TENANT RULES AND REGULATIONS RECEIPT

APPLICATION FOR ARCHITECTURAL APPROVAL

NEIGHBOR AWARENESS FORM

TRANSPONDER FORM

DRIVEWAY PARKING PROVISION FAQ

OVERSIZE OR ADDITIONAL VEHICLE PARKING REQUEST
(Removed, see Appendix D for Patrol One Form)

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REGATTA VIOLATION REPORT

Please be as specific as possible. The more information you can provide, the more likely this situation may be resolved.

Location:

Date:

Description of Violation:

Violator's Name & Address

If vehicle, license

How often or how long have you observed this situation?

Have you previously submitted this to the management company?

If yes, when?

Submitted By:

Address

Phone:

Date:

Mail to:

Keystone Pacific Property
Management
16775 Von Karman, Suite 100
Irvine, CA 92606

**Regatta Homeowners Association
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REQUEST FOR RESOLUTION

This request for Resolution is being made pursuant to California Civil Code Section 5930.

_____("Claimant") hereby requests
that the dispute identified below ("Dispute") be submitted to a form of
alternative dispute resolution.

Claimant further hereby notifies _____(Respondent") that he or she must
respond by accepting or rejecting this Request for Resolution within thirty (30) days of
receipt of this Request for Resolution. Failure to respond within 30 days shall render the
Request for Resolution rejected.

Name of Claimant

Name of Respondent

Brief Description of Dispute:

(Attach additional pages if necessary)

Signature of Claimant

Date

The undersigned Respondent hereby

_____Accepts

_____Rejects the foregoing Request for Resolution.

Signature of Respondent

Date

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TENANT RULES AND REGULATIONS RECEIPT

Keystone
16775 Von Karman, Suite 100
Irvine, CA 92606

I have received a copy of the "Regatta Homeowners Association Rules and Regulations" and I am aware I must abide by these Rules and Regulations.

Tenant

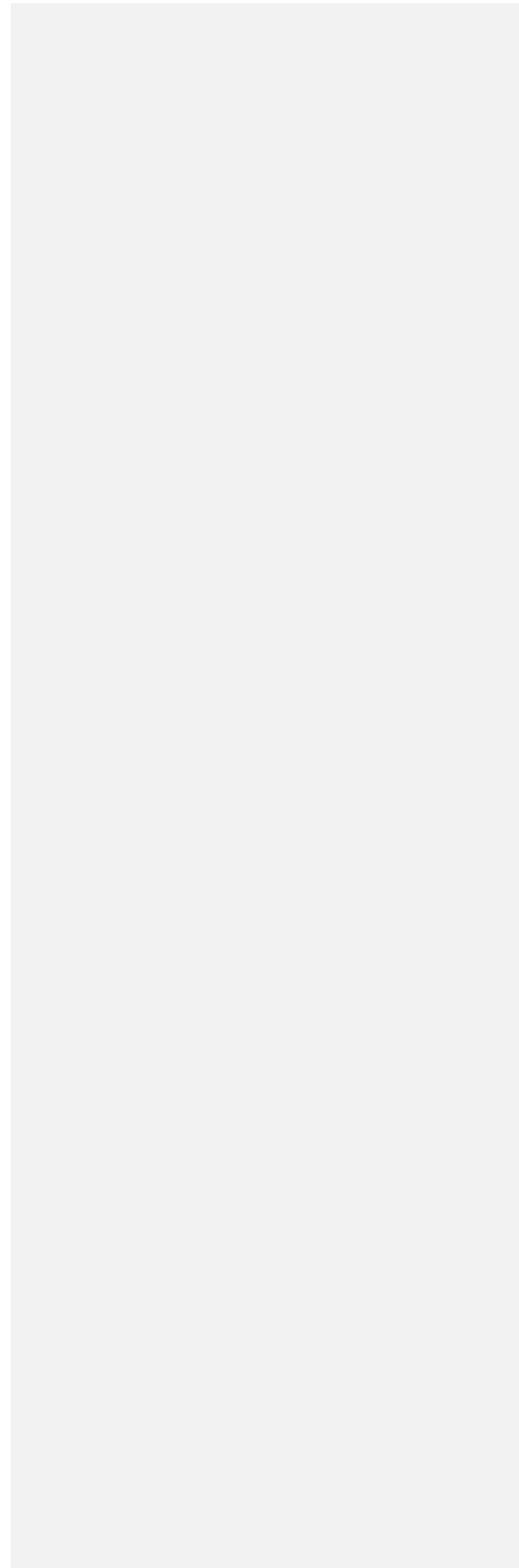
Print Name

Street Address

Phone Number

Date

Property Owners Name



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TENANT INFORMATION FORM

A tenant is defined as any person or persons occupying a unit with the consent of the owner and without the owner being present.

The owner of a unit is responsible for the acts of a tenant occupying the owner's unit. Any violation of any rules by such tenant shall be held and considered as a rule violation by the owner renting to such tenant.

The community association is required to oversee the common areas and carries with it the responsibility for obtaining information concerning the occupancy of individual units.

ALL OWNERS ARE REQUIRED TO REGISTER TENANTS. If an unrecorded leasing tenant is discovered, management will notify the owner in writing of non-compliance with the rental requirement. The owner will have seven (7) days to supply the rental information to the management company. If an owner should fail to provide the required rental information to management, a fine in the amount of \$100 will be assessed to the owner of the property. It is the responsibility of the owner to acquaint their tenant and/or guest(s) of the Association's rules and regulations.

Keystone
16775 Von Karman Ave, Suite 100
Irvine, CA 92606

Date	
Unit Address	
Name/Address of Owner	
Owner Telephone No.	Day Evening
Name of all Persons Residing in Unit	
Tenant Telephone No.	Day Evening
Total No. of Automobiles	
Makes/License Numbers.	
Pets	
**Received Rules & Regulations on	

**Regatta Homeowners Association
Rules & Regulations**

APPLICATION FOR ARCHITECTURAL APPROVAL

NAME: _____ DATE _____

ADDRESS: _____ LOT _____

TELEPHONE (RES) _____ (BUS) _____

I hereby request approval of the installation of the improvements to my property identified in the attached plans. I agree not to cause damage to the common area or other's property during and/or after construction of the improvement. I understand that I cannot change in any way the grading or interfere with the drainage already installed. I further understand I will be responsible for adding any additional drains as may be required in a fashion required by code. A brief description of the proposed improvements is stated below:
(Brief Description)

CONTRACTOR			
PROPOSED START:		COMPLETION DATE:	
Signature			
	(Homeowner)		

ARCHITECTURAL COMMITTEE ACTION

NAME	Approve	Decline	More Information Needed	
Signature				Date
Signature				Date
Signature				Date

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1. The homeowner submits the required forms (APPLICATION for ARCHITECTURAL APPROVAL, NEIGHBOR AWARENESS FORM, and COMPLETE PLANS to the Management Company. In the event the application is submitted "After the Fact" that is, the project has already been completed and no application was submitted, then the homeowner may be subject to a fine by the Board of Directors. See Fine Schedule in Appendix B.
2. Neighbor Awareness: Prior to submitting plans or proposed changes to the Architectural Committee, applicants must inform their neighbors on both sides of the property of their plans. The neighbors must sign the Neighbor Awareness form to indicate approval of the proposed application. Neighbor Awareness form may not be signed electronically, via Docusign etc., signature must be a wet signature. Electronic document is allowed through the management company's certified electronic document signing service. If a neighbor is an offsite owner or declines to sign the form, proof of delivery to that neighbor, at least 30 days prior to the submittal must accompany the applicant's submittal. Plans submitted without necessary signatures but include proof of delivery are assumed to have been denied by neighbor. Furthermore, such applications will be forwarded to the Board of Directors for final determination.
3. The Management Company logs the request and forwards the documents to the Architectural Review Committee.
4. The Committee reviews the plans, may visit the site, and renders a decision and signs the application form within 45 days of the submittal. The application may be approved as submitted, approved with conditions, returned for more information, or denied. The ACC will explain all conditions and reasons for denials.
5. Any improvement that takes up any additional airspace will be subject to Article 9 of the CC&R's Section 5; the ACC may require a payment from the applicant to facilitate the hiring of a professional to review the plans accordantly and provide appropriate feedback on the impact of the project and its compatibility with the surroundings and compliance with the Rules and Regulations of the Association per Appendix G. In the case of a major remodel where airspace is being used to expand the structure, the owner will be subject to the cost of erecting story poles and strings using a certified contractor to identify view or privacy issues. Major projects are also subject to the notification via email and a hard copy letter of the surrounding homeowners, up to 300ft. from the applicant. The timeline for approval shall start once the professional has submitted their comments to the ACC. The professional shall not take longer than 30 days. The application of a major remodel will submit a check for ~~\$1,700.00~~ \$1,250.00, per Appendix G, (fees subject to change), for the initial review and up to ~~six (6)~~ three (3) inspections. If few inspections are conducted, anything under will be refunded to the homeowner within 45 days of completion of the project. Homeowners will be responsible for any additional costs for varying on plans from the originally submitted application.

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6. A view blockage will be determined by the Maintenance Committee unless part of an Architectural Application where the ACC will have jurisdiction. The ACC or Maintenance Committee will make a reasonable ~~(a reasonable decision is rational and thought out)~~ determination as to the extent of the view blockage. Once a reasonable determination to the view blockage is made, the Maintenance or ACC Committee will make a recommendation to the Board of Directors to take final action.
7. All forms and plans are returned to the management company who in turn will notify all the parties involved. In the case of neighbor objection, the ACC members will visit the sight of the proposed plan and comment in writing whether to override or agree with the objections. In the event the ACC denies the homeowners request for improvements, the homeowner has the right to a hearing before the Board of Directors to review the ACC decision. The objecting neighbor has the same right of appeal. Any appeal is presented to the Board of Directors at the next regularly scheduled board meeting only.
8. When the plans are approved, The ACC will stamp one set of plans and the application, which must be submitted to the City of Dana Point for a building permit. The city will not issue a building permit unless the plans and the application are approved and stamped by the ACC.
9. Construction may begin only after ACC approval has been granted and a Building Permit has been issued by the City of Dana Point. During construction, an ACC member may inspect the work to assure compliance with the approved plans.
10. Construction must begin within 6 months of approval. If not, approval will be considered void and a new application for approval will be required. Work must be completed within 6 months of the start. An extension can be obtained to the completion date when put in writing to the management company. The request must indicate the cause for the delay and a new expected completion date, not to exceed 6 months, as well as any other information the homeowner believes will answer any question or concern of the Architectural Review Committee or Board of Directors.
11. Upon completion of the work as indicated on the "approved" application and plans, the owner shall notify the management company that the construction is complete.
12. A member of the ACC may review the project during the progress of construction to assure compliance of the approved plans.

COMMENTS OR CONDITIONS:
If required, Board of Directors action:

**Regatta Homeowners Association
Rules & Regulations**

President, Board of Directors, Regatta Homeowner's Association

Secretary, Board of Directors, Regatta Homeowner's Association

Date

NEIGHBOR AWARENESS APPROVAL

PURPOSE:

This form is intended to assist the Architectural Review Committee, and the Board of Directors in the event of an appeal, during the review and approval process for any improvements to existing property within the Regatta Community.

PROCESS:

1. The applicant obtains signatures of neighbors whose lots are adjacent to that upon which work is proposed, who will have any view of the proposed work, or whose views may be impacted in any way.
2. The applicant also obtains signatures of the neighbors on every page of the proposed plans to be submitted for review and approval.
3. A completed neighbor awareness form is attached to the application along with complete plans and submitted to the management company for processing. Failure to submit a completed form will cause the return of the documents as incomplete.

Neighbor Address		Neighbor Name - PRINT	
APPROVE()		DISAPPROVE ()	
COMMENTS:			
Neighbor Signature:			
Neighbor Address		Neighbor Name - PRINT	
APPROVE()		DISAPPROVE ()	
COMMENTS:			
Neighbor Signature:			
Neighbor Address		Neighbor Name - PRINT	
APPROVE()		DISAPPROVE ()	
COMMENTS:			

**Regatta Homeowners Association
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DRIVEWAY PARKING PROVISION FAQ

Q: If I only have one vehicle, which is registered to my address, may I park it on my long driveway overnight?

A: Yes. Per the CC&Rs, garages should always be maintained to hold 2 vehicles. If this provision has been met, residents will have the flexibility to park one vehicle in the driveway. However, vehicles must never be stored on a driveway and should be moved every 48 hours.

Q: If I have 2 drivers (both with a CA DMV license at our residence) and 3 vehicles registered to our address, may I park one in the garage, one on my long driveway and one on the street in a designated parking area?

A: Yes, if you have met the criteria in Section 5 and have a license plate permit variance for the 3rd vehicle. The vehicle on the driveway and on the street meet the criteria for parking in the community, as defined in Section 4, Vehicles, and all other requirements of the Regatta R&Rs and CC&Rs.

Q: If I have 2 drivers (CA DMV license at my residence), with 4 vehicles registered to my home, may I park two in the garage, one on my long driveway and one on the street in a designated parking area?

A: No. The driveway parking provision is not an additional parking permit. You must meet all the rules in Section 5, Oversized and Multiple Vehicles, to be eligible for a variance for a parking permit.

Q: Can I park my boat in my long driveway overnight?

A: No. Boats, trailers, motor homes, RVs, campers, and commercial vehicles may not be parked in the community at any time, day, or night, except while being loaded/unloaded.

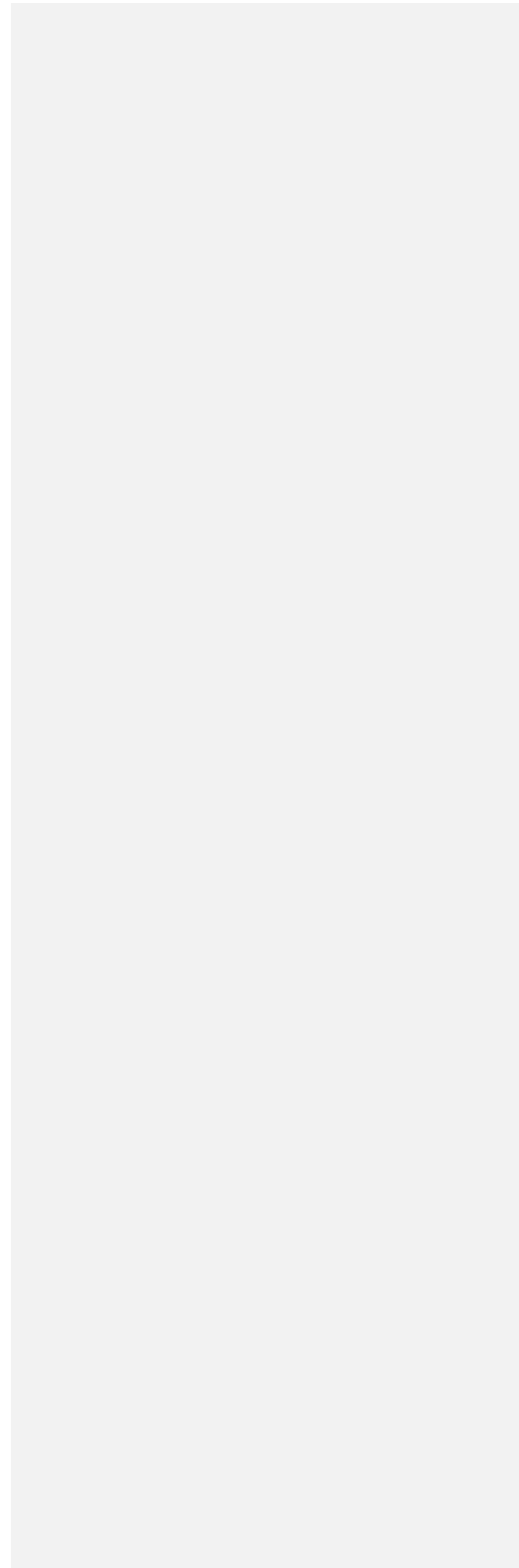
Q: Can I park in my driveway by displaying a handicap permit or license plate?

A: Yes, a resident may park one car in a long driveway while displaying a handicapped permit. However, a visitor must still follow the safelist process. A handicap license plate or permit is not a license plate permit for an additional vehicle, nor is it a waiver or suspension of parking rules defined in the CC&Rs and Regatta R&Rs.

Q: If I live in a flag lot, can I park my car on my driveway, parallel to my garage to allow room for my neighbors to get by?

A: No. Flag lots and short driveways are excluded from the driveway parking provision. See Appendix E in the Regatta R&Rs for the list of homes that are excluded.

**Regatta Homeowners Association
Rules & Regulations**



**Regatta Homeowners Association
Rules & Regulations**

TRANSPONDER FORM

Date _____

RE: New Vehicle Transponder and Gate Code

Hello _____ Address: _____

Please find attached to this letter your new vehicle transponder (s). Each transponder is associated with an individual vehicle that is assigned to you. You are responsible for the care of the transponders and in the event, they are damaged, lost or you transfer ownership of the car you will need to immediately contact management to disable it. If you do not contact management regarding a lost, stolen or transferred transponder you may be held liable for any damages that occur for the unauthorized use. The Association reserves the right to disable the transponder at will.

In addition to your new transponder, you are being issued a unique code that will allow the opening of the vehicle entrance gate or the north pedestrian gate using the keypad. This unique code is yours to use for visitors, contractors, deliveries etc. Please be advised that you may be held liable for any damages that occur for the unauthorized use of the code. Management will periodically monitor the use of the codes and if there appears to be any misuse or abuse of the code, it will be investigated, and subject to the outcome of the investigation, you may be subject to the violation process including monetary fines and having the code revoked.

Sincerely,

At the Direction of the Board of Directors,
Regatta Homeowners Association

Carly Hoffman Sarah Purrington

Carly Hoffman Sarah Purrington, CMCA
Senior Community Association Manager

Gate code: _____

Transponder # 077- Vehicle License Plate # Make _____

Transponder # 077- Vehicle License Plate # Make _____

Transponder # 077- Vehicle License Plate # Make _____

Transponder # 077- Vehicle License Plate # Make _____

Resident Signature _____ Date _____