

## **ARCHITECTURAL COMMITTEE RULES FOR MORRISON RANCH ESTATES**

### **PURPOSE**

The purpose of the Architectural Committee of the Morrison Ranch Estates Homeowners' Association (MREHA) is to review plans and specifications of proposed changes or additions to any exterior surface or structure, including painting, hardscaping and landscaping. This review is performed to ensure that a sound and attractive plan of development is maintained so that the character and environment of the community is preserved and all homeowners are protected against loss of values. Approvals by the Architectural Committee do not substitute for your need to also secure required approvals or permits from the City of Agoura Hills; however, Architectural Committee approval is required by the City prior to issuing these permits.

### **BASIC APPROVAL CRITERIA**

Approval shall be based, among other things, upon the following criteria:

1. Landscaping, including hardscaping, should be in keeping with the character and quality of your neighborhood.
2. Exterior materials and colors must be used that are complementary to existing exterior surfaces and consistent with the approved paint colors.
3. The appearance of any added or changed surface or structure will be reviewed from all angles, especially the appearance from neighboring property and streets to assure conformity with external design, the Architectural Committee Rules and the purpose, general plan and intent of the Declaration of Covenants, Conditions and Restrictions for Morrison Ranch Estates.
4. Neighbor objections or approval are not in themselves used for denial or approval respectively.

### **CHANGES TO RULES**

The Architectural Committee may, from time to time, adopt, amend and repeal, by unanimous vote, rules and regulations to be known as "Architectural Committee Rules" (Article 9.05, Page 43 of the CC&R's)

### **AGOURA HILLS CITY GOVERNMENT**

1. In addition to your need to seek and obtain plan approval from the Architectural Committee of the MREHA, you are required to obtain approval of Agoura Hills City Planning and/or Building Department prior to commencement of work for which permits are required.
2. Approval by Agoura Hills City is NOT a substitute or approval in lieu of the separate requirement for approval by the MREHA Architectural Committee.

## **SUBMISSION REQUIREMENTS**

1. One copy of all proposed plans and specifications are required to be submitted to: Morrison Ranch Estates Homeowners' Association to the Architectural Committee. One copy of the following information are required to be attached, as applicable:

- a. Description of improvement or deletion (include dimensions, materials to be used, color.)
- b. Location of improvement and residence on plot plan with dimensions to wall/fence line.
- c. Elevations of proposed improvement relating to existing house.

If the copy is not submitted with this form, or if the plans are not complete, legible or illustrative enough to be acceptable or approvable, then such plans will be returned to the homeowner and will require resubmission when the required acceptable documentation is provided.

2. When reviewed, a copy of your plan will be returned to the homeowner approved, approved with conditions or disapproved. The plans will not be returned to anyone other than the homeowner.
3. Submission, retention and contents of plans are the sole responsibility of the homeowner. In addition, compliance with all Architectural Committee Rules is the sole responsibility of the homeowner. Homeowners should not assume that their contractors know the rules.
4. All plans must be submitted by the homeowner requesting approval. Plans may be prepared by anyone (homeowner, architects, designers, landscapers, etc.). Approvals are granted for the lot and its owner.

## **ARCHITECTURAL COMMITTEE MEETINGS**

The Architectural Committee meets as necessary via email and internet.

## **PLAN APPROVAL TIME**

It is anticipated that the Architectural Committee will respond within two weeks after acceptable complete plans have been submitted, however, the response is generally within less than a week.

## **LANDSCAPING CONCEPT**

1. The Architectural Committee desires to create a flowing front yard greenscape to beautify and enhance the street scene for the benefit of the entire Morrison Ranch Estates.
2. Obstructions or intrusions into the front yard and parkway such as walls, fences, hedges or the like, and all landscape plantings that will grow to a mature height over 12 inches should not be installed within the parkway and front yard except to control erosion and water flow. The limits of the parkway may be determined by measuring 12 feet back from the face of the curb. The parkway is a combination of street right-Of--way and public service easement. The street rights-of--way are owned by Los Angeles County.

3. Landscaping items such as grass, ground cover, small shrubs, front walks and driveways are the only improvements allowed within the 12 feet parkway.
4. Maintenance of the parkway area is the sole obligation of the homeowner.
5. Landscape should not block views of pedestrians (children) when autos use driveways.
6. Statuary and statuary in fountains for use in front yard landscaping must be submitted and approved by the architectural committee before any work commences.
7. Ground cover and succulents will be considered on an individual basis in accent planting areas. Needlepoint or Hans Ivy may be allowed for slope areas if they will not intrude into neighboring yards or common areas.
8. Gravel accents within a landscaping plan will be considered on an individual basis by architectural committee

#### TREES

1. Trees, hedges, shrubs or other plantings which would unnecessarily block a neighbor's view, beyond that needed to procure visual privacy for the applicant must be submitted for approval by architectural committee.
2. It is the responsibility of the property owners to be sure that trees are planted in a way that their root systems do not cause abnormal cracking of walls and trimmed so as not to encroach into neighbor's yard. Any trees not on common area or maintained by the HOA is the sole responsibility of the homeowner whose property the tree resides.
3. The use of deciduous trees is not allowed in front or rear yards.

#### DRAINAGE

1. Front and rear yard's drainage (rain, sprinkler water and pool equipment back flushing water) should remain on your lot either flowing across your lot or through underground drains without crossing neighbors lots until drained to a County Street or device. Front yards may meet with a swale along property lines in front yards to carry both lot's water to street without crossing drainage solely on to neighbors' yards. Do not alter the drainage of your Lot from its original condition.
2. Drains to the street are to be core drilled under sidewalks and through curbs to streets.
3. Water from developer installed drainage devices such as slope drains which gather water from slopes over several lots shall be allowed to drain between homes to street or flood control devices.

## **HARDSCAPE**

1. There will be no raised hardscape within the first 12 feet from the face of the curb (i.e. pilasters, walls, etc.). (See Exhibit A.)
2. Only on-grade sloping sidewalk is allowed for the first 18 inches from the sidewalk. (See Exhibit B.)
3. Beyond the first 18 inches from the sidewalk and to 12 feet behind the curb, there may be hardscape for walkways not to exceed 8 inches in height above grade parallel with steps to serve as a curb to control water/erosion. (See Exhibit B.)
4. No permanent improvements should be installed such as planters, wide walkways, tall or short walls within parkway and owned by Los Angeles County Public Works Department without first obtaining Architectural Committee approval. The County of Los Angeles owns a right-of-way (parkway) and utility easement 12 feet back from the face of the curb.
5. If and when the Architectural Committee approves or does not approve improvements within the road right-of-way (parkway), such approval represents only architectural approval and in no way is a permit to construct anything within the road right-of-way owned by the County of Los Angeles even though the Architectural Committee also has architectural approval or disapproval authority over such area.
6. Driveways may be widened a maximum of 2 feet. All work must receive the approval of the Architectural Committee. Driveway widening to accommodate recreation vehicles is not allowed.
7. When a driveway does not provide enough space for guest parking, then widening may be permitted. This rule applies to homes on cul-de-sacs and knuckle lots which do not have street curb parking in line with their frontage. Such lots may widen their driveways enough to provide minimum width for parking of 3 cars. Brick liners are encouraged for beautification. All work must receive approval of the Architectural Committee.

## **BLOCK WALLS - FENCES/RETAINING WALLS**

1. Property line walls are not to exceed six feet in height without special structural design approved by City of Agoura Hills and MREHA Architectural Committee. Walls should be topped with a brick cap/stucco to match existing block walls.
2. When constructing new or replacing existing, the color, type of slump stone and stucco and the brick cap on the wall is to be similar in color, size and texture to walls already constructed in Morrison Ranch Estates.
3. Block wall construction in the region between the closest point of the house and the sidewalk shall not exceed 12 inches in height. (See Exhibit C.)  
Necessary retaining walls and pilasters are acceptable upon approval by the Architectural Committee.
4. On certain corners and key lots, a curved (20 foot radius) configuration is required for block walls at corners on corner lots to aid the line of sight for traffic safety and to soften street scene appearance. -4-

5. NOT ACCEPTABLE within Morrison Ranch Estates are wooden or chain link fencing. The only acceptable materials for property line fencing are slump stone, wrought iron or combination of both matching existing Morrison Ranch Estates property line walls.

6. Garden walls were not built to retain earth. Do not backfill against these walls. Garden wall height must be maintained at a height of 5 feet above adjacent grade.

### **POOLS/SPAS AND EQUIPMENT**

1. The Architectural Committee suggests that owners advise their pool contractors as to the probable existence of natural and fill rock, and expansive soil which may exist within the region. Contractors should anticipate that portions of the pool excavation may require methods beyond the scope of conventional excavation equipment. Increased depth of excavation may increase the possibility of encountering fill and natural rock. You, of course, will make the decision what soil preparation or construction steps would take place.

2. Location of your pool/spa equipment should be placed in such a way so as to mitigate the noise from filter equipment. The noise of worn bearings increases as equipment ages and becomes a nuisance to neighbors.

3. Pool equipment must be solidly screened from view on all sides, three sides if against house.

4. Pool/spa equipment setback from property line is: 5 feet minimum from side property line. However, it can be within 2-1/2 feet of property line if equipment is installed in the last 15 feet of rear yard and approved by the City of Agoura Hills.

5. Raised pool decks, platforms and earth mounds may be disallowed if their use allows, intrusion into the privacy of neighboring yards; a 5 foot setback minimum must be maintained between the deck and the garden wall.

6. Pool/Spa Equipment should be located so that its appearance will generally not be considered undesirable to neighbors' view and/or street scene. Pool equipment shall not be located adjacent to wrought iron fencing.

7. Fences, walls and areas used for access are to be reinstalled to a condition satisfactory to the Architectural Committee.

8. Waterslides are to be submitted and approved by the architectural committee. Any structure cut into a hillside would require a geological survey providing absolute proof the structure will not compromise or contribute to a hillside failure. If approved by the Architectural Committee, such waterslides shall be set back at least 5 feet from the property line. In the event the property line is in dispute, the building party will be responsible for the survey cost to determine property line.

9. All pool contractors contracted by individual homeowners should be advised that they are responsible to protect streets and curbs and sidewalks when using a property within Morrison Ranch Estates and shall replace all cracked concrete within their area of use. Use of, or storage of, sand in streets will require a special encroachment permit from the City.

10. In the course of installing pools, frequently block walls and landscaping must be removed. All block walls must be replaced with block and cap matching the existing walls. All landscaping must be replaced with plants identical in type and size to the originals.

11. If Morrison Ranch Association property must be crossed or Association block walls must be torn down to install a pool or spa, prior approval must be obtained from the Architectural Committee before crossing or tearing down.

### **GATES**

1. Gate and fence material, including colors, must be approved in advance of installation by the architectural committee. When wrought iron is used, trash cans, etc. must be otherwise screened from the street scene.

2. A single gate cannot exceed four (4) feet in width. Double gates cannot exceed six (6) feet (three feet each) in total width. Double gates are subject to special Architectural Committee approval. Recreational vehicles, campers, boats, etc. are not to be parked behind these gates.

4. "Returns" (enclosing side yards) connecting side garden walls to the house, are to be constructed of slump stone, to match existing, or wrought iron or as approved by the Architectural Committee. Provision must be made at the flow line to allow free flow of drainage and rain water to the street.

5. Wooden returns and gate designs will be considered for approval by architectural committee

6. Gates on driveways may be acceptable on flag Lots only, but will require a minimum setback to be determined by the Architectural Committee.

### **CONCRETE WALKWAYS**

1. When considering placement of masonry or concrete walk or patios adjacent to the wall of the house, the owner should be concerned that such walk is not at a grade higher than the house concrete floor without special protection against moisture intrusion.

2. Side yards are normally kept low to allow drainage of rain and garden water from rear yards; therefore, the walks must be placed low enough so as to not block such drainage unless other means of drainage are provided.

3. Front yard walkways are to be no wider than 6 feet and design may flair upon approval of the Architectural Committee.

### **PATIO COVERS**

1. Construction of any patio structure must be submitted and approved first by the architectural committee and conform to all city building code requirements including obtaining all necessary city permits prior to any construction.

### **PATIO LIGHTING**

Patio floodlights should be aimed so as not to intrude into neighboring yards or windows or cause unreasonable glare, glow or illumination upon any other Lot.

### **BALCONIES/DECKS**

Approval to construct any balcony/deck structure is contingent on lot elevation, grade and location. Each case will be considered on an individual basis. Architectural Committee approval is required prior to construction.

### **CANVAS/FABRIC AWNINGS**

1. Fabric window and patio protection devices including canvas awnings and canvas patio canopies require approval of the architectural committee prior to installation.
2. A sample of the color(s) should be submitted to the Architectural Committee for its use when reviewing the proposed color(s) and materials for compatibility with the home to which it is proposed they be attached.

### **BASKETBALL STANDARDS/BACKBOARDS**

1. Basketball backboards may not be attached to street light posts.

### **LIGHTING**

1. Lighting in front street yards and lighting in rear/side yards must be submitted for approval by the architectural committee. Flood lighting shall not be directed into neighbors' yards or windows.
2. Holiday lighting to be removed from exterior structure within two weeks of celebrated holiday.

### **STRUCTURES - GAZEBOS, PLAYHOUSES, POOL HOUSES, SWINGS, SHEDS, AUXILIARY DWELLING**

**UNITS** 1. All such structures are subject to Architectural Committee approval prior to installation.

### **SPORT COURTS**

Sport courts are subject to Architectural committee approval prior to installation. Landscape screening will be required to mitigate large masses of concrete and court fencing from neighbor's view. Court fencing is to be green in color and not to exceed eight (8) feet in height

All dog runs must be approved by the Architectural Committee prior to installation.

### **PAINTING**

1. Exterior painted surfaces must be maintained. Peeling or damaged painted surfaces must be refinished within a reasonable time.
2. Changes in stucco, siding or trim color must fit within the approved colors for stucco, siding, or trim as established by the Board of Directors from time to time, and must be approved by the Architectural Committee prior to the start of work.

### **SKATEBOARD RAMPS**

Skateboard ramps in any front yard location are not approved.

**MAILBOXES**

1. Mailbox damage repair or replacement is the responsibility of the homeowner.
2. Replacement mailbox must be approved by the architectural committee prior to installation.

**EXTERNAL ANTENNAE, FIXTURES, AND FLAGPOLES**

1. Flag poles are not approved
2. Other external items shall not be constructed without Architectural Committee approval. These include, but are not limited to, clotheslines, wiring, insulation, air-conditioning equipment, water softening equipment, screen doors, French doors, statues, sunshades, and patio enclosures, other than those provided with the original construction and any replacements thereof.
3. Non functional antennae and satellite dishes must be removed.
4. Satellite dishes that are visibly in disarray (rusted, scratched up) must be restored to new like condition or replaced at the homeowner's expense. Satellite dishes are to be only a grey color.

**WINDOW COVERS**

Windows shall not be covered by paint, foil, sheets or similar items.

**CONTRACTOR, REAL ESTATE SIGNS**

Contractor/real estate signs are allowed to be displayed only for location of work purposes and only while the work is being performed by the contractor or the house is for sale. The signs must be removed upon completion of all work or sale of the house.

The signs must be less than 3 feet in height and not exceed 6 square feet in area. As per City requirement, these signs should be situated not less than five feet from inside of the sidewalk.



**(EXHIBIT A)**

**RULES AND VIOLATION REPORT**

The Board has the right, but is not obligated, to commence the disciplinary process for a subjective complaint absent a Rules and Violation Report executed by at least two Owners representing two Lots of the Association. Please be as specific as possible to allow the Board to expedite the process in a timely manner. All alleged violations will be evaluated to ensure they are considered a violation as defined by the Association's legal documents.

**REPORT FILED BY:**

Name of Owner #1: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

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

Name of Owner #2: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

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

**VIOLATION INFORMATION:**

Name of Owner/Resident (If known): \_\_\_\_\_

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

Description of alleged violation: \_\_\_\_\_

\_\_\_\_\_

(If additional space is needed, please use reverse side of form or attach pages)

Dates and times alleged violation occurs? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**(EXHIBIT B)**  
**PROCEDURE FOR OWNER HEARING**

1. Introductions and hearing session procedures.
  2. Statement of violation by acting chairperson.
  3. Invitee's statement and presentation of oral or written evidence.
  4. Review of relevant Declaration requirements, Bylaws, Design Guidelines and Community Rules and Regulations of the Association.
  5. Discussion and questioning of the invitee by the Board.
  6. Questions and final statement by invitee.
  7. Owner is thanked for coming and told that they will be notified of the Board's decision within ten (10) business days.
  8. Board ruling without Owner present.
  9. Enforcement procedures as applicable.
  10. Adjournment.
- 

**DOCUMENTATION**

Name of Invitee: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address \_\_\_\_\_

Nature of Alleged  
Violation: \_\_\_\_\_

Board Ruling: \_\_\_\_\_

Additional Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

## **IV. ENFORCEMENT GUIDELINES**

### **ENFORCEMENT POLICY**

The Board has the right to take any and all lawful measures, sequentially or simultaneously, for a breach of the Governing Documents, including: (a) Filing an action in court (or commencing an arbitration) to enforce the Governing Documents; (b) imposing a Fine; (c) suspending an Owner's right to use the Common Areas for any purpose other than direct travel to and from the Owner's Unit, (d) suspending all non-essential services normally provided by the Association, (e) levying a reimbursement assessment, and/or (f) enter upon a Lot to perform maintenance which is the responsibility of the Owners. The imposition of a Fine, suspension of Owner privilege or Association services, or levying a reimbursement assessment shall be subject to the disciplinary hearing procedure set forth herein.

A. **Commencement of Disciplinary Process.** The disciplinary process may be commenced by the Board of Directors or its management agent or in response to a Community Violations Report (see Exhibit A).

1. **Board/Management Commencement of Disciplinary Process.** The Board of Directors and management have the right to commence the disciplinary process in any situation where a Board member or management agent believes in good faith that there has been a violation of the governing documents.

2. **Homeowner Commencement of Disciplinary Process.** In order to facilitate the Board's ability to investigate and document violations of the Governing Documents, homeowner complaints asserting resident violations of the governing documents shall be made to management in writing using the Rules and Violation Report attached as Exhibit A.

a. ***Objective Complaints.*** Regardless of the number of complaints, the Board has the discretion to commence the disciplinary process for any violation that it

believes in good faith it can independently verify via observation, documentation, or inspection of the Properties.

b. **Subjective Complaints.** The Rules and Violation Report attached as Exhibit A is indispensable to the investigation and enforcement of the alleged violation for subjective complaints (e.g., barking dogs, noise, nuisance, garage, storage, etc.) The Board has the right, but is not obligated, to commence the disciplinary process for a subjective complaint absent a Rules and Violation Report executed by at least two Owners representing two Lots of the Association.

c. **Use of Rules and Violation Report.** Unless the complaining party expressly specifies to the contrary on the document, the **Rules and Violation Report** is not a confidential complaint. In the Board's sole discretion, it may be shared with the Owner alleged to be in violation of the Governing Documents as part of any disciplinary hearing or in any subsequent IDR, litigation, mediation, or arbitration. If a complaining Owner insists that its complaint be kept confidential, the Board may consider the inability to use such evidence in determining what enforcement actions, if any, should be taken in response to the violation allegation. However, an Owner's request to keep the Owner's complaint confidential does not prohibit the Board from levying discipline if it concludes in good faith that a violation of the governing documents has occurred.

B. **Hearing Procedures.** Notice of fines, suspension of privileges, reimbursement assessments, and suspension of non-essential services made pursuant to this Article shall be given in the following manner.

1. **Executive Session.** The Owner shall be given an opportunity to be heard, orally and/or in writing, at an executive session to be held by the Board unless the Owner requests that the hearing be conducted in an open session.
2. **Notice.** Notice shall be given in any manner permitted under Section 4040 of the Civil Code, setting forth the date, time and location of the hearing and the nature

of the alleged violation. The notice shall be sent at least ten (10) days before the date of the proposed hearing.

3. ***Right to Be Heard.*** At such hearing the Owner so charged shall have the right to be heard by the presentation of oral or written evidence and arguments. (Please see Exhibit B – Procedure for Owner Hearing.) If the Owner fails or refuses to attend the hearing the Board may decide the matter in his or her absence based on the information available.
4. ***Decision of Board.*** Following the hearing, the Board shall decide whether the Owner has committed the alleged violation, and if so, what sanctions to impose if any. The decision of the Board shall be final and binding upon the Owner.
5. ***Notice of Decision.*** Within fifteen (15) days of the date the decision is made, the Board shall notify the Owner of its decision by mail, which notice shall specify the sanctions imposed or levied, if any, and the reasons therefore.”

#### FINE SCHEDULE

1. A letter will be sent to the Owner stating the alleged violation.
2. A second letter will be sent to the Owner stating the alleged violation continues and this letter will request the Owner appear before the Board and state the applicable fine.
3. If the result of the hearing is a monetary fine, a fine will be applied to the Owner's account in accordance with the Association's fine schedule.
4. If the violation continues past the hearing and first fine stage, additional hearings will be scheduled with the Owner and the fines will be applied in accordance with the Association's fine schedule. Any fines not paid may result in legal action in accordance with California law.
5. The Board may determine to use alternative dispute resolutions or cause correction of the violation to effect a cure and the Owner may be responsible for legal fees and/or reimbursement of costs to the Association.

NOTE: Should a violation occur which imposes a financial obligation on the Association, the party responsible for said violation shall reimburse, by way of a Reimbursement Assessment, the

Association for this financial obligation. If, for example, a party damages a fence, free or any other Association Properties, repair and replacement costs will be charged to that party.