

**ARCHITECTURAL GUIDELINES**

**FOR**

**MORNINGSTAR ONE  
COMMUNITY ASSOCIATION**

**NEIGHBORHOOD DESIGN GUIDELINES/  
RULES AND REGULATIONS**

**MORNINGSTAR ONE COMMUNITY ASSOCIATION  
ARCHITECTURAL GUIDELINES**

**TABLE OF CONTENTS**

Purpose ..... Page 1

Guidelines ..... Page 2 - 4

Architectural Standards ..... Page 4 - 14

General Conditions ..... Page 14 - 15

Notice of Completion/Variance ..... Page 15

Plant Legend (Exhibit D) ..... Page 16 – 20

RV Storage and Parking ..... Page 21

Disclaimer ..... Page 22

**ARCHITECTURAL GUIDELINES  
FOR  
MORNINGSTAR ONE COMMUNITY ASSOCIATION**

**I. PURPOSE**

As set forth in the Declaration of Restrictions, the Master Architectural Committee (MAC) is vested with the power to review and approve architectural proposals or plans for all residential Lots and Dwellings for Morningstar One Community Association. Such improvements include, without limitation, building, addition, hardscaping, landscaping, irrigation system, swimming pool, spa, fence, wall, exterior lighting or similar improvements, including any exterior changes (e.g., changes in color scheme) or alterations in any existing Improvement to the exterior of any Home Site or other improvements or alterations to your Lot or the exterior portions of your home. Article 8, Section 8.1 and 8.5(a).

The MAC seeks to assure continuity in design, which will help preserve and improve the appearance of the Community.

The MAC shall not be responsible for reviewing, nor shall its approval be deemed approval of, any plan or design from the standpoint of structural safety or conformance with building or other codes, special use permits, site approvals or other governmental requirements. The review is for aesthetics only.

The MAC shall consist of from three (3) to five (5) members. Members of the MAC receive no compensation for services rendered other than reimbursement by the Association for any expenses that might be incurred in performing their duties. The MAC has the right to retain architects or other construction specialists as may be necessary to perform its duties.

Prior to the commencement of any addition, alteration or construction work of any type on any Home Site in Morningstar One Community Association, an owner must first make application to the MAC for approval of such work. Failure to obtain approval from the MAC prior to beginning work constitutes a violation of the Declaration of Restrictions and may require modification or removal of unauthorized work or improvements at owner's expense. In addition, a building permit or other permit may be required by the County of Riverside or other governmental agencies prior to the commencement of any work. Neither the MAC, nor the Association assumes any responsibility for failure to obtain such permits. In addition, obtaining such permits does not waive the Owner's obligation to obtain written Association approval.

The MAC can make recommendations as to the aesthetics of a project without the needing to be in the architectural guidelines.

Any written approval does not constitute consent by the Association for the applicant to encroach, trespass, or build on any property other than that of the applicant. This approval is related solely to the items reserved for approval by the CC&Rs in accordance with the Architectural Guidelines. The approval does not extend to the quality of work performed by your architect or contractor, or to any structural engineering, soils engineering, or site grading and drainage design. You are urged to obtain the service of a licensed professional for consultation as needed. This approval is based on aesthetics only.

The MAC makes no representation that any view or privacy from any Home Site will be protected and the MAC has no obligation to maintain, protect, enhance or preserve any view from any Home Site or any portion of the Home Sites.

These revised Guidelines shall have an effective date of April 11, 2022 and will supersede all prior versions and have retroactive application.

## II. GUIDELINES

### A. Submission Procedure and Requirements

1. All requests (“Requests”) for MAC approval are to be made on the standard Morningstar One Community Home Improvement Form (Exhibit A).
2. Submission of Requests. All Requests are to be submitted to the Morningstar One Community MAC, c/o Avalon Management, 43529 Ridge Park Drive, Temecula, California 92590. E-mail submittals are allowed and will expedite the review process.
3. Construction Drawings. Plans and specifications for the work of improvement must be prepared in accordance with the applicable building codes, and with sufficient clarity and completeness to enable the MAC to make an informed decision on your request.
4. Submission of Application or Improvements. Please forward one set of your proposed plans and specifications, together with the standard Morningstar One Community Home Improvement Form (Exhibit A) and the Impacted Neighbor Statement (Exhibit B) along with the following information to the MAC to constitute a complete Application. Please mail this information to the address noted above in item #2. The following information constitutes a complete application package.
  - a) Plot plan drawn to scale showing the following:
    - i) All proposed improvements and relevant elevations, including existing or planned “slopes” together with the desired location of such improvements to dwelling and property lines.
    - ii) Complete dimensions of the proposed improvements.
    - iii) Streets, with the names that are contiguous to the property.
  - b) Description of materials to be used, including the proposed color scheme and pattern. Material samples should be provided; color samples must be provided.
  - c) Grading plans (if applicable) must establish where the drainage pattern might be altered by the proposed improvements. Note: All grades and drains must comply with CC&Rs Section 12.3.
  - d) Floor plans (if applicable) showing overall dimensions and area of improvements reflecting your preliminary design concept.
  - e) Description of proposed construction schedule.
  - f) Landscape plan and working drawings (if applicable).
  - g) If proposed improvements require access over the Common or Community Areas or Community Facilities for purposes of transporting labor or materials, prior written permission shall be required from the Association. Any such requests must be filed with the Board of Directors prior to the commencement of your improvements.
  - h) Any other information or documentation deemed to be necessary by the MAC in evaluating your request.

### B. Failure to Comply with Required Procedures

An owner's failure to comply with the requirements and procedures set forth herein and in the CC&R's shall automatically cause the owner to toll the time period in which the Board of Directors and MAC have to act pending submission of further information and documentation to the MAC.

C. Notification of Committee Decision

Decisions by the MAC and the reasons therefore shall be transmitted to the applicant at the address set forth in the application for approval within ninety (90) days after receipt by the MAC of all materials required by the MAC. Any application submitted pursuant to this section (Article 8, Section 8.5(h)) shall be deemed approved unless written disapproval, conditional approval or a request for additional information or materials by the MAC shall have been delivered to the applicant within ninety (90) days after the date of receipt by the MAC of all required materials.

D. Construction Time Limits

Homeowner applications must include a reasonable timeline to complete project(s). Otherwise, a 90-day time frame will commence 15 days after return of approved application.

E. Appeal

If Plans submitted by an Owner are disapproved by the MAC, the party or parties making such submission may appeal in writing to the Board of Directors. The written request must be received by the Board of Directors not more than fifteen (15) days following the final decision of the MAC. The review of the Appeal will take place at a duly noticed meeting of the Board of Directors. The appellant will be notified of the Board's decision in writing no later than fifteen (15) days after the meeting. The Master Architectural Committee's disapproval remains in effect at all times unless the Board specifically communicates otherwise to the appellant in writing.

F. Enforcement

Failure to obtain the necessary written approval from the MAC, or failure to complete the improvements in conformity with the plans, time limits and specifications approved by the MAC, constitutes a violation of the Declaration of Restrictions and may require modifications, removal of any work of improvement, at your expense, and/or monetary fines and legal costs. Pursuant to the provisions of the Declaration, the Board shall have the right to record against your home a Notice of Non-compliance which shall identify the reason(s) for such notice.

G. Violations

All Owners in Morningstar One Community Association shall have the right and responsibility to bring to the attention of the Board of Directors or MAC, any violations of the Standards set forth herein.

H. Notice of Completion

Upon filing your Notice of Completion, pictures of the completed work need to be submitted. Upon receipt of a Notice of Completion, the MAC will inspect any Improvement, or change or alteration thereof, for which approval of plans is required under this Article; provided, however that the MAC's right of inspection shall terminate sixty (60) days after the Owner shall have given written notice of completion of the work to the MAC, provided that such Improvement was actually completed as of the date of such notification. If as a result of its inspection, the MAC finds that the Improvement, or change or alteration thereof, was done without obtaining approval of the

plans therefore or was not done in substantial compliance with the plans approved by the MAC, it shall notify the Owner in writing of the failure to comply with this Article (Article 8, Section 8.5(k)(i) within thirty (30) days after the inspection, specifying the particulars of the non-compliance.

### III. ARCHITECTURAL STANDARDS

#### A. Structural or Material Additions or Alterations.

Exteriors of any building shall conform to the material, colors, character and detailing as established on existing Lots and Dwellings within the respective Tract.

1. Structures in this section shall conform to the original structural character of the existing Dwelling. Structures under this section will be stained or painted to match or be complimentary with colors used on the original Dwelling.
2. No second-hand materials shall be used in the construction of any building or other structure without the prior written consent of the MAC.
3. Patio trellises, sunshades, arbors or gazebos, and all type of structures shall require approval by the MAC.
4. Patio covers and trellises may be wood construction only with the exception of vertical supports which may be of stucco or masonry to match existing color of the dwelling unit. Aluma-wood is an acceptable construction material.
5. The following materials are not acceptable for patio cover and trellises and are not all inclusive:
  - a. Plastic
  - b. Fiberglass
  - c. Plastic webbing, split bamboo, reed or straw-like materials
  - d. Asphalt shingles or composition shingles.
  - e. Fabric sails or sunshades

Patio covers and/or trellises must comply with all applicable setback requirements as set forth in the County of Riverside Code.

6. Aesthetic appearance as well as impact on a contiguous Lot(s) or dwelling(s) will be given consideration.
7. Hardscape, decorative lighting and landscaping are allowed on rear yard slopes. No (structural) improvements shall be allowed. (Structural) under this section shall include, but not be limited to, extended decks, patio covers, gazebo's or any other covered structure. All slope improvements will be reviewed by the MAC on a case by case basis.
8. Applications for walls, fences or gates will be evaluated on an individual basis. No wall or fence extending toward the street shall exceed a maximum height of three (3) feet, beginning at a point parallel to the front of the house or garage. No front yard perimeter fences and/or picket fences are allowed.

#### B. Landscaping and Other Related Improvement

1. Each Owner shall maintain landscape in a clean, safe and attractive condition according to any rules promulgated by the Board of Directors. All portions of a Lot which are not within an enclosed fence or otherwise visible from any other Lot which are improved with a Dwelling or Structure, shall be landscaped.

2. The root system of ground cover, bushes, and trees must not encroach at maturity on any neighbor's yard or disturb foundations, walls, or sidewalks.
3. Irrigation lines must be subterranean, except drip systems, which must be substantially covered with dirt or bark. Irrigation shall meet CPC (California Plumbing Codes) and have appropriate backflow devices installed.
4. There shall be no interference with the on-site lot and off-site drainage pattern or from that which exists at the time the overall grading is completed by the developer or which is shown on any plan that may have been previously approved by the MAC. Appropriate drainage must be installed and directed to the street in order to prevent runoff over banks or onto adjacent or common area properties.
5. Sprinklers must be placed so they do not spray adjacent properties or public sidewalks. Irrigation overspray must be kept to a minimum in an effort to assist with water conservation/drought conditions as set forth by the State of California.
6. No more than 5% of the surface area of the front yard may be used for rock beds of any kind unless approved by the MAC. No more than 5% of the surface of the front yard is to be used for rock beds, of any kind. Only approved rock from the MAC Guidelines may be used, unless otherwise approved by the MAC Committee upon submitted and approved application.
7. Additional hardscaping is limited to a 4-foot strip on one side of the driveway unless otherwise approved by the MAC. Standard grey concrete with standard finish treatments such as broom finish, salt finish, and exposed aggregate are acceptable. Colored concrete, painted concrete, stamped concrete, brick, rock and tile finishes are prohibited unless they are of a natural warm color or subtle grey color that matches the dwelling unit color unless approved by the MAC.
8. No figures or sculptures or fountains shall be permitted in the front yard unless homeowner has made an application for such with the MAC.
9. Only brown, or neutral earth tone mulch may be used in front yards. Red colored or tinted mulch of any kind is prohibited.
10. Trees that will at maturity grow over public sidewalks must be of a species that do not drop berries or other fruits that will stain or hamper access on the sidewalk. All trees that encroach over public sidewalks must be trimmed and maintained so as not to inhabit passage down the sidewalk.
11. Precast planter blocks are prohibited unless approved by the MAC.
12. If you remove a tree in the front yard, you must replace the tree including the use of irrigation and water wise drip irrigation. Ornamental fruit trees must be approved by the MAC. No other fruit-bearing trees are allowed in the front or on side yards or near sidewalks.
13. Front yard landscaping shall be free from weeds, including all planted areas, driveways and sidewalks.
14. There shall be no dead lawns, bare dirt or unimproved areas visible from the streets or any other property.

C. Drought Tolerant Plant Materials/Grasses

1. Installation of drought tolerant plant materials shall be permitted contingent on approval by the MAC.
2. Any bush, tree or shrub that has thorns or sharp points must be planted, at minimum, 6 feet away from sidewalks as not to encroach onto the sidewalk and potentially injure passerby's or children.
3. Rock shall be permitted as an accent in the front yards by using the following rock only:
  - a. Tan Cobble 2" to 4" or equal
  - b. Sun Burst 2" to 4" or equal
  - c. River rock, 1/2 "- 2" will be considered
4. Rocks larger than 4" must match approved rock color.
5. No pea gravel or gravel is allowed in the front yards.
6. Decomposed granite may be used for a walkway only with MAC approval. The walkway may be no wider than 4 feet wide and must match the color of the approved rock colors.
7. Artificial turf material shall be permitted provided it comply with the following guidelines:

**Guidelines**

1. Up to 65% of the non-hardscape front yard may be artificial turf.- Either natural sod or artificial turf may be installed. Artificial turf and natural sod grass can co-exist.
2. You may use any installation vendor of your choosing but the turf must meet the standards of the following (\*The manufacturers of the turf is a starting point for homeowners. Approval for different manufactured artificial turf is based upon the samples provided to and upon approval of the MAC):

Artificial Turf Liquidators:

- a. AGL Marathon: pile height 1-5/8"
- b. Diamond Elite: pile height 1-3/4"

Easy Turf:

- a. Nutmeg Thatch: pile height 1.5"
- b. Olive Thatch: pile height 1.5"
- c. Nutmeg Lush: pile height 1-5/8"
- d. Olive Lush: pile height 1-5/8"
- e. Select Blend: pile height 1-3/4"
- f. Select: pile height 1-3/4"

D. Terrace Drains

If any drainage culverts or terrace drains are situated on an Owner's Lot, such Owner shall clean and maintain such terrace drains or drainage culverts so as to ensure that no debris obstructs the flow of water on the Owner's Lot or any other Lot through which the drainage culvert runs.

E. Drainage and Fill

There shall be no interference with the established drainage patterns over any Lot, Common Area or Community Facilities, unless an adequate alternative provision is made for proper drainage and is first approved in writing by the MAC.

F. Gutters and Downspouts

Gutters and downspouts need not be submitted for MAC approval provided that they conform to the following guidelines.

**Guidelines**

1. Gutters and downspouts must be primed and painted to match existing adjacent surface color.
2. Run-off from gutters and downspouts must not drain onto the common area landscaping or another lot and must be directed toward the street.

G. Unightly Items

All weeds, rubbish, debris, unsightly materials or objects of any kind shall be regularly removed from the Lots and shall not be allowed to accumulate thereon. All clotheslines, refuse containers, wood piles, air conditioners, water softeners, storage areas, machinery and equipment shall be prohibited upon a Lot unless obscured from view of adjoining streets, lots, alleys, Community Common Area nearest such portion of the Lot from a height of six (6) feet or less and shall comply with any restrictions or standards promulgated by the Board of Directors or the MAC.

H. Flag Poles

Flags need not be submitted for MAC approval provided that they conform to the following guidelines.

**Guidelines**

1. The United States flag may be displayed in accordance to CA Civil Code 4705.
2. Non-commercial flags and banners may be displayed in accordance with CA Civil Code 4710.

I. Window Tinting/Shading/Blinds

Window tinting, shading, and blinds need not be submitted for MAC approval provided that they comply with all of the following guidelines.

**Guidelines**

1. Windows may be tinted provided that no reflective materials are used to create a mirror effect from the outside unless approved by the Architectural Review Committee.
2. No temporary materials such as sheets, paper, or foil shall be used for shading purposes.
3. Colors of blinds, curtains, or shades visible from the exterior of the home should be compatible with the exterior dwelling unit color scheme.
4. All window coverings must be kept in good repair.

5. Exterior window/door wrought iron or metal bars are prohibited.
6. All windows must include window screens in good repair.

J. Awnings

Prior to the installation of awnings, plans for awnings must be submitted to the MAC for review and approval. Awnings must be of colors that compliment the existing house colors.

K. Temporary Structures

No tent, shack or other temporary building, Improvement or structure shall be kept upon any Home Site except with the approval of the MAC. See Exhibit A for complete RV Storage and Parking Rules.

L. Skylights and Other Solar Energy Equipment

The installation of rooftop structures or a system to accommodate solar energy equipment or skylights must be reviewed and approved by the MAC before installation. Solar energy equipment is encouraged but should be designed to integrate with the structure and minimize the visual effect of the equipment on the Common Areas and other residents. Pipes must be painted to match the surface on which they are installed. All systems must be operable. Should the system become inoperable for any reason, the entire roof system must be removed within sixty (60) days from the date the system becomes inoperable. Owners are responsible for the maintenance, repair, and replacement of any solar energy systems, replacement of any solar energy system, and installers of solar energy systems must indemnify or reimburse the Association and/or its members for loss or damage caused by the installation, maintenance, or use of said systems. Only flush mount solar panels are permitted. Stilted or raised solar panels are prohibited.

M. Height of Trees, Hedges and Other Plant Material

All trees, hedges and other plant material shall be trimmed by the owner of the Lot and shall appear well maintained. All trees/hedges, bushes and other plant material must not encroach and or inhabit the use of any sidewalk. In the event of a dispute as to whether an item is considered well maintained, the final determination of the level of maintenance required will be rendered as a result of a site inspection by the Board of Directors, and/or its appointed agent.

N. Satellite Dish Guidelines

Subject to any applicable federal, state, or local statute, rule, or ordinance, an Owner, resident, or lessee may, at his or her expense or otherwise, place or maintain any objects, such as masts, towers, poles, wiring, television and radio antennas, or television satellite dishes ("satellite receivers") on the Owner's Lot or about the exterior of the Owner's building after first obtaining the prior written approval from the Committee. Satellite receivers do not require obtaining permission from the MAC. However, only two satellite receivers are allowed on your home at any given time. An owner and/or lessee may not place any objects such as masts, towers, poles, wiring, television and/or radio antennas without written approval from the MAC.

1. An Owner must place his or her satellite receiver in a location which will minimize the visual effect of the equipment on the Common Areas and other residents. There will be no exposed cables or wires. Cables and wires, or conduits will match existing color of the exterior.

2. Owner shall keep the satellite receiver in good repair and maintenance and not permit the antenna to become unsightly.
3. Owner shall indemnify and hold harmless the Association, and its agents, directors, officers, and employees, from any and all loss, claim, damage, injury, judgment, or cost, including attorney's fees and court costs, resulting from or arising out of Owner's installation, maintenance, or use of the satellite receiver, to the extent that Owner's negligence in installation, maintenance, and/or use of the satellite receiver caused or resulted in the loss, claim, damage, injury, judgment or cost, including attorney's fees and court costs being indemnified.

O. Screen Doors

Screen doors need not be submitted for MAC approval provided that they comply with all of the following guidelines. Screen doors that do not comply with all of the following guidelines must be submitted to the MAC for approval. Non decorative metal security doors are prohibited.

**Guidelines**

1. All screen doors must be installed within the existing door jam.
2. Decorative metal screen doors must be submitted to the MAC for approval.
3. Non decorative wire mesh screen doors are prohibited. Plastic mesh is permitted.
4. Screen doors must be kept in a maintained condition.
5. Screen door color and design must conform to the existing color and materials of the dwelling unit.

P. Swimming Pools/Spas

Pools and spas need not be submitted for MAC approval provided that they conform to the following guidelines.

Portable or above ground spas are permitted if they comply with the following guidelines.

**Guidelines**

1. Maximum height of two (2) feet below fence top.
2. Pool/spa equipment must be enclosed so as to screen the noise disturbance from adjacent properties.
3. Plumbing lines to a spa or pool must be completely concealed or installed underground.
4. Drain lines must not drain onto adjacent properties or common area properties.
5. Pools and spas must not be located as to adversely affect the stability of adjacent slopes.
6. Installation of pool must comply with County Health Department requirements and County permit requirements.

Q. Wall/Fence Painting and Construction Policy

1. Submittal Requirements

Fencing and wall plans need not be submitted for approval if they comply with the guidelines listed below. If the plan includes features that do not comply with the guidelines, submittal to the MAC is required. Any changes in or removal of the existing fencing installed by the developer must be approved by the MAC.

2. No Construction on Association Property

Owners shall not be permitted to construct any fences or walls upon any portion of a slope being maintained by the Association, or upon Association property.

3. Wall/Fence Repair, Maintenance and Installation

The Perimeter Walls/Fences shall not be removed, re-located, reconstructed or modified as to structure, finish or color without the prior written consent of the MAC. Each Owner shall repair or reconstruct that portion of any damaged or destroyed Perimeter Wall/Fence that is contiguous to his residence to a condition approved by the MAC. If you move a gate or fence or install new fencing you need MAC approval. Double gates are permitted with MAC approval. Perimeter fencing may not exceed 6' and courtyard walls and walls extending past home may not exceed 3' in height and 4' forward from the front face of the dwelling unit. It is the policy of the MAC to encourage the replacement of wood fencing with approved tan vinyl fencing.

4. Side Yard Fences

Side Yard Fences may not extend more than four (4) feet forward from the front face of the dwelling unit and may be extended only for the purpose of constructing a single side, single or double sized entry gate. In no case shall fencing extend into the County required setbacks. A wood fence stained the original color and manner provided by the builder, does not require approval. All other materials must be submitted for approval by the MAC.

5. Wrought Iron Fencing

Homeowners may install additional wrought iron fencing in certain instances with prior approval from the MAC. A drawing showing design, dimensions, color and location must be submitted with the application.

6. The following fences are acceptable and do not require approval from the MAC prior to installation as long as all of the above guidelines are also met.

- a. Wood fence stained with original color or manner provided by the builder.
- b. Tubular steel painted to match original color provided by the builder.
- c. Masonry, only if material conforms to type, quality, color and character of masonry walls built elsewhere in the neighborhood.

<b>Manufacturer</b>	<b>Size (W/H/L)</b>	<b>Type</b>	<b>Description</b>	<b>Color</b>
Angelus	6616	Stumpstone	Wall Block	Mission
Angelus	8616	Stumpstone	Wall Block	Mission
Angelus	8416	Stumpstone	ProCap (top of walls)	Mission
Angelus	16616	Stumpstone	Column Block	Mission
Angelus	22x22	Peaked Plaster	Column Cap	Granada White

## 7. Vinyl Fencing Specifications

Vinyl fencing may be constructed within Morningstar One Community. However, architectural approval must still be obtained before the start of construction. The following specification is the preferred specification for the construction of vinyl fencing within Morningstar One Community:

- a. Style & type: Tongue and Groove Privacy Fencing
- b. Color: Tan
- c. Height: Same as height of existing fence being replaced (normally 6 feet)
- d. Capping: External flat cap.

The MAC has negotiated contractor prices for all Morningstar residents at the following location (you will need to ask for the owner, Tim Bal):

Brandel Masonry Supplies  
(951) 296-3433  
42368 Rio Nedo  
Temecula, CA 92590  
[www.brandelmasonrystuffies.com](http://www.brandelmasonrystuffies.com)

Masonry with tubular steel or (3/2) wall fence comprised of 3 feet of masonry and topped with 2 feet of tubular steel is highly recommended for partial privacy/partial view situations, however, may not comply with the Health Department standards for security fencing around pools and spas.

The following may be acceptable, however, must be approved by the MAC prior to installation:

1. Wood fence painted any color or stained with a finish other than the original color provided by the builder.
2. Tubular steel painted any color other than what was originally provided by the builder.

The following are not acceptable fence and/or wall materials:

1. Galvanized chain link.
2. Aluminum or steel metal.
3. Chicken wire, barbed wire, or wire mesh.
4. Plastic webbing, reed, bamboo, or straw-like material.
5. Corrugated or flat plastic sheets or panels
6. Rope or other fibrous strand elements.
7. Stucco over wood frame.
8. Wrought iron on top of wood frame unless approved by the MAC.

## R. Gates

Installation or modifications of gates are permitted if they comply with the following guidelines.

### **Guidelines**

1. Any changes or removal of existing gates installed by the developer must be approved by the MAC.

2. Removal of any slump stone (block columns which the gate attaches or sections to the wall is prohibited unless an application is submitted and approved by the MAC.
3. Replacement gates shall not enable any conspicuous visibility into any part of the side yard of the home. Wooden single gate or approved double gates must be constructed similar to the original builder provided gate. Metal gate(s) may include tight mesh or mesh-type material, but only with extremely limited and obscured see-through attributes, and only with prior approval by the MAC. Either of the new gate(s) must match the existing color of the original or replacement fencing.
4. Gates shall not enable any conspicuous visibility into any part of the yard or home. No see through mesh is allowed. Gates may include tight weave mesh or mesh-type material, but only with extremely limited and obscure see-through attributes, and only with prior approval by the MAC.

#### S. Exterior Painting

Timeframe: Any exterior painting of a home requires approval by the MAC.

If you have been sited and need to repaint certain areas of your home, you will have thirty (30) days to file a painting application with the MAC. Upon receiving written approval, you will have ninety (90) days from the date of the approval to complete your project. During this ninety day period, your fines will be on hold. If you do not submit an application within the thirty day period, your fines will be retroactive to your notification date. If you do not complete your project and file your Notice of Completion (NOC) before the end of your ninety day period, your application will become null and void and your fines will become retroactive from the date of your initial notice.

COLOR CHOICES: Due to the fact that our development is now 15 years old, our color palette has been revised from its original colors. The new color palette was determined by Sherman Williams and approved by the Board of Directors. Initially each development had its own color palette. These were eliminated and there are now sixteen color schemes to choose from, making for conformity within the development.

Color matching your existing color palette is no longer allowed. Many stucco/trim colors were removed from the color palette and CANNOT be repainted. Before choosing a scheme for repaint of trims/garage doors/front doors, you must FIRST DETERMINE the color of your STUCCO from the new color palette and use the associated colors for your trim/pop outs/fascia and garage door/front door assigned to the scheme. You may not rearrange the placement of the assigned colors.

If you are planning a complete home repaint, then simply choose a scheme from those available. Color schemes will be considered on a case-by-case basis, but in no event will the same scheme be approved for a home if another home within three or less homes has the same scheme.

The exterior painting of a home does require approval even if there is no color change. Approval is required for any changes to the exterior color of a home. All exterior color change requests must conform with the home's existing "tract" color scheme, which were approved by the Board of Directors. A Paint Diagram must be submitted with applications for exterior paint, whether it is a partial or complete color change. The current approved color scheme's can be viewed on the Avalon Management website or by visiting their office. These schemes may also be found on the association website at [www.morningstarone.com](http://www.morningstarone.com). Please contact Avalon Management (951-699-2918) for a list of approved colors for your neighborhood. Color schemes will be considered on a case-by-case basis, but in no event will the same scheme be approved for a home if another home within three or less homes has the same scheme.

## T. Miscellaneous

1. Improvements to your rear yards do not require approval from the MAC unless improvements can be seen from the front yard.
2. Holiday lights and decorations are permitted without approval from Thanksgiving through January 31.
3. Installation of garage doors and changes to existing garage doors such as changes in color require prior approval from the MAC.
4. The use of wire mesh or chicken wire is strictly prohibited.
5. Tarps or fabric type materials over fencing to provide screening is not permitted. Homeowners are to provide other screening such as solid wood fencing or plant material which is to be approved by the MAC prior to installation.
6. Painting or staining of driveways is not permitted. New installations of concrete pavers, driveway brickwork, stone planters must be approved by the MAC.
7. Walkways from the driveway to the rear yard may not exceed 4' in width.
8. Driveway extensions may not exceed a total of 4ft in overall width. Request for walkways and driveway extensions that exceed the dimensions noted above may be considered on an individual basis. Approval from the MAC prior to installation is required for both walkways and driveway extensions, without exception.
9. A driveway extension CANNOT have an approach over the sidewalk; a driveway extension must connect to the existing driveway and curve to the existing driveway eliminating any approach over the sidewalk with landscaping in front of the sidewalk.
10. Patio umbrellas, sunshades, playhouses/structures and other temporary items not otherwise identified in the governing documents do not require approval provided they are maintained in good condition, and are not unreasonably offensive in nature by their material or color.
11. Sheds and other similar structures must not be visible from the street. Prior approval from the MAC is required for sheds and other similar structures.
12. The installation of any exterior lighting requires prior approval from the MAC. Exterior lighting whether wall, post or ground (landscape) mounted must be low wattage and wiring must be installed discreetly and in conduit. Wiring must be installed per manufactures instructions and placed discreetly.
13. Permanent barbecues and exterior fireplaces need not be submitted for MAC approval provided they conform to the following guidelines.
14. Permanent barbecues and exterior fireplaces are to be located in the side or rear yard and must not exceed the height level of the rear yard fence.
15. Dog houses need not be submitted for MAC approval provided that they conform to the following guidelines:

- a. Dog houses are to be located in the side or rear yard and only in areas which are not centrally visible from surrounding property,
- b. Chain link fencing may be used for a dog run only when a solid privacy fence surrounds the yard.

#### 16. FRONTYARD SPORTS EQUIPMENT

No basketball hoops, backboards or similar apparatus, including but not limited to portable apparatus shall be placed anywhere on a Home Site within public view without approval by the MAC. No such apparatus shall be placed closer than fifteen (15) feet from neighboring residential buildings regardless of whether the apparatus is within public view without MAC approval.

##### **Guidelines**

1. Freestanding portable basket ball stands must be removed from the street when not in use and stored out of site in rear yard.
2. Backboards mounted flush to the house are prohibited.
3. Freestanding basketball stands mounted permanently in the ground must be located so as to minimize disturbances to adjacent properties and may only be installed in rear yards.
4. Hoops must be of standard size with a rope net. Metal or chain nets are prohibited. The net must be kept in good repair at all times.

#### **IV. GENERAL CONDITIONS**

- A. Morningstar One Community Association architectural approval does not constitute waiver of any requirements required by applicable governmental agencies, or by applicable Morningstar One Community Neighborhood Associations. Architectural approval of plans does not constitute acceptance of any technical or engineering specifications, and Morningstar One Community Association assumes no responsibility for such. The function of the MAC is to review submittals as to aesthetics. All technical and engineering matters are the responsibility of the Lot owner.
- B. An oversight of a Covenant, Condition or Restriction, these Guidelines, or a Committee policy does not constitute waiver of that rule and therefore, must be corrected upon notice.
- C. County of Riverside ordinances require homeowners to maintain correct grades of lots so that water drainage does not flow into adjoining properties or does not prevent off flow from same.
- D. Access for equipment used in construction must be through your property only. Access over Community Property will not be permitted without prior written approval from the MAC.
- E. Streets may not be obstructed with objects and building materials that are hazardous to pedestrians, vehicles, etc. Items such as, but not limited to, dumpsters, sand and building materials may not be stored on streets, sidewalks or Community Property. Owners are responsible for the cleanliness of the surrounding streets during and after any construction.
- F. Building permits may be required for certain improvements from the County of Riverside.

- G. Any damage to Morningstar One Community Association Property arising out of or relating to construction of homeowner improvements shall be replaced or repaired by a contractor. All applicable charges for restoration will be charged back to the homeowner by Morningstar One Community Association and are due and payable within 30 days from notification or assessment of penalties.
- H. Approval of plans is not authorization to proceed with improvements on any property other than the Lot owned by the applicant.
- I. Approved plans are not to be considered authorization to change the drainage plan as installed by the developer and approved by the County of Riverside or County of Riverside.

### **NOTICE OF COMPLETION**

Upon completion of any work for which approval has been given, the Owner shall submit written notice of completion (Exhibit C) to the MAC. Within sixty (60) days thereafter, a representative of the Committee or designated agent may inspect such improvement. If such work was not done in substantial compliance with the approved plans, the owner will be notified in writing of such noncompliance within this thirty (30) day period and require the Owner to correct the matter within the time limit in the notice, not to exceed 30 days.

If the owner has failed to remedy the noncompliance, the MAC shall notify the Board of Directors of the Association of such failure. After affording such owner notice and hearing, the Board shall determine whether there is a noncompliance of the CC&Rs and, if so, the nature thereof and the estimated cost of correcting or removing the same. If a noncompliance exists, the owner shall remedy or remove the same within a period of time determined by the Board of Directors. If the owner does not comply with the Board ruling within such period, the Board may levy an Enforcement Assessment against the Owner and/or may record a Notice of Noncompliance and/or commence a lawsuit for damages, injunctive relief, and/or declaratory relief.

### **VARIANCE**

The MAC may authorize variances from compliance with any architectural provisions contained in these Guidelines, including, without limitation, restrictions upon height, size, or placement of structures, or similar restrictions when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require such variances.

\*All possible architectural characteristics have not been covered in these design guidelines.\*

## **PLANT LEGEND (EXHIBIT D)**

\*The plant materials on this list is a starting point for homeowners. Approval for different materials is based upon the samples, photos or brochures provided to and upon approval of the MAC.

### **TREES - Large (30' or more in width and height)**

Botanical name	Common Name
Eucalyptus nicholii	Nichol's Willow-Leafed Peppermint
Koelreuteria bipinnata	Chinese Flame Tree
Pinus canariensis	Canary Island Pine
Pinus eldarica	Afghan Pine
Pinus halepensis	Aleppo Pine
Pistachia chinensis	Chinese Pistache
Platanus acerifolia	London Plane Tree
Platanus racemosa	California Sycamore
Podocarpus gracilior	Fern Pine
Quercus ilex	Holly Oak
Quercus virginiana	Southern Live Oak
Tipuana tipu	Tipu Tree

### **TREES - Small (15' to 30' wide and tall)**

Botanical name	Common Name
Acacia cognata	No Common Name
Acacia pendula	Weeping Acacia
Arbutus hybrid 'Marina'	Marina Strawberry Tree
Bauhinia variegata	Purple Orchid Tree
Cassia leptophylla	Gold Medallion Tree
Cupaniopsis anacardioides	Carrot Wood
Eriobotrya deflexa	Bronze Loquat
Geijera parviflora	Australian Willow
Lagerstroemia indica	Crape Myrtle
Laurus nobilis	Sweet Bay
Olea europaea	Olive
Prunus caroliniana	Carolina Laurel Cherry
Pyrus calleryana 'Bradford'	Bradford Pear
Rhus lancea	African Sumac
Tristanopsis laurina	No Common Name

## PALMS & CYCADS

Symbol	Botanical name	Common Name
	<i>Brahea armata</i>	Mexican Blue Palm
	<i>Butia capitata</i>	Pindo Palm
	<i>Chamaerops humilis</i>	Mediterranean Fan Palm
	<i>Cycas revoluta</i>	Sago Palm
	<i>Nolina recurvata</i>	Bottle Palm
	<i>Syagrus romanzoffianum</i>	Queen Palm
	<i>Trachycarpus fortunei</i>	Windmill Palm

## COLUMNS + LARGE ACCENTS

Symbol	Botanical name	Common Name
	<i>Cupressus sempervirens</i>	Italian Cypress
	<i>Juniperus chinensis</i> 'Blue Point'	Juniper
	<i>Juniperus chinensis</i> 'Spartan'	Juniper
	<i>Laurus nobilis</i>	Sweet Bay
	<i>Ligustrum japonicum</i> 'Texanum'	Texas Privet

## VINES + ESPALIERS

Symbol	Botanical name	Common Name
	<i>Camellia japonica</i> ***	Camellia
	<i>Clytostoma callistegioides</i>	Violet Trumpet Vine
	<i>Distictis buccinatoria</i>	Blood-Red Trumpet Vine
	<i>Eriobotrya deflexa</i>	Bronze Loquat
	<i>Jasminum polyanthum</i>	Jasmine
	<i>Magnolia grandiflora</i> 'Little Gem' ***	Southern Magnolia
	<i>Pandorea jasminoides</i>	Bower Vine
	<i>Pyracantha koidzumii</i> 'Victory'	Victory Pyracantha
	<i>Rosa</i> 'Cecile Brunner'	Climbing Rose
	<i>Trachelospermum jasminoides</i>	Star Jasmine
	<i>Wisteria sinensis</i>	Chinese Wisteria

## SHRUBS (Large 4' to 8' wide and tall)

Symbol	Botanical name	Common Name
	<i>Arbutus unedo</i> 'Compacta'	Strawberry Tree
	<i>Caesalpinia pulcherrima</i>	Red Bird of Paradise
	<i>Camellia japonica</i> ***	Camellia
	<i>Leucophyllum frutescens</i> 'Green Cloud'	Texas Ranger
	<i>Juniperus chinensis</i> 'Sea Green'	No Common Name
	<i>Pittosporum tobira</i>	Mock Orange

Pittosporum variegata	No Common Name
Rhaphiolepis species	Indian Hawthorn
Rosmarinus officinalis	Rosemary
Salvia species	Sage
Viburnum tinus	Laurustinus
Westringia fruticosa	Australian Rosemary

## SHRUBS (Medium 2' to 4' wide and tall)

Symbol	Botanical name	Common Name
	Acacia redolens 'Desert Carpet'	No Common Name
	Callistemon citrinus 'Little John'	Little John Bottlebrush
	Camellia sasanqua ***	Sun Camellia
	Cistus hybridus	White Rockrose
	Lobelia laxiflora	Mexican Bush Lobelia
	Penstemon hybrids	Beard Tongue
	Penstemon spectabilis	Royal Beard Tongue
	Phlomis fruticosa	Jerusalem Sage
	Rhaphiolepis species	Indian Hawthorn
	Rosa hybrids	Rose
	Rosmarinus officinalis	Rosemary
	Salvia species	Sage
	Sollya heterophylla	Australian Bluebell Creeper
	Viburnum obovatum 'Densa'	Dwarf Viburnum

## SHRUBS (Low 6" to 24" - spreading up to 8')

Symbol	Botanical name	Common Name
	Agapanthus 'Queen Anne'	Lily-Of-The-Nile
	Anigozanthos flavidus ++	Kangaroo Paw
	Cistus 'Sunset'	Rockrose
	Convolvulus mauritanicus	Ground Morning Glory
	Coprosma kirkii	NCN
	Dianella revoluta 'Baby Bliss'	Baby Bliss Flax Lily
	Dianella revoluta 'Little Rev'	Little Rev Flax Lily
	Hemerocallis hybrids	Daylily
	Juniperus horizontalis 'Bar Harbor'	Prostrate Juniper
	Pyracantha 'Santa Cruz'	Firethorn
	Trachelospermum asiaticum	No Common Name
	Trachelospermum jasminoides	Star Jasmine

## GROUNDCOVER

Symbol	Botanical name	Common Name
--------	----------------	-------------

Delosperma 'Alba'  
 Drosanthemum floribundum  
 Drosanthemum hispidum  
 Lampranthus aurantiacus  
 Senecio mandraliscae ++  
 Senecio serpens ++

White Trailing Ice Plant  
 Rosea Ice Plant  
 No Common Name  
 Ice Plant  
 No Common Name  
 No Common Name

### CACTUS + SUCCULENTS (Large 4' to 8' wide and tall)

Symbol	Botanical name	Common Name
	Agave vilmoriana ++	Octopus Agave
	Aloe arborescens ++	Torch Aloe
	Crassula argentea ++	Jade Plant
	Dasyliion longissima	Mexican Grass Tree
	Nolina longifolia	Mexican Grasstree
	Portulacaria afra ++	Elephant's Food

### CACTUS + SUCCULENTS (Medium 2'-4' wide and tall)

Symbol	Botanical name	Common Name
	Agave filifera ++	Paint and Strings Agave
	Agave ocahui ++	No Common Name
	Agave parryi ++	Tulip Agave
	Sedum praealtum++	Bush Sedum

### CACTUS + SUCCULENTS (Small 6" - 2' wide and tall)

Symbol	Botanical name	Common Name
	Aloe ciliaris ++	No Common Name
	Aloe hybrid 'Blue Elf' ++	No Common Name
	Aloe striata ++	Coral Aloe
	Aloe vera ++	Medicinal Aloe
	Bulbine frutescens ++	Stalked Bulbine
	Crassula falcata ++	No Common Name
	Crassula multicava ++	Green Carpet Jade
	Echeveria species ++	No Common Name
	Hesperaloe parvifolia ++	Coral Yucca
	Sedum rubrotinctum ++	Pork and Beans
	Sedum rupestre ++	Gold Moss
	Senecio mandraliscae ++	No Common Name
	Senecio vitalis++	No Common Name

## ORNAMENTAL GRASSES (Large 2'-5' tall and wide)

Symbol	Botanical name	Common Name
	<i>Chondropetalum tectorum</i>	Cape Rush
	<i>Miscanthus sinensis</i> 'Morning Light'	Japanese Silver Grass
	<i>Miscanthus transmorrisonensis</i> 'Sentinel'	Sentinel
	<i>Muhlenbergia lindheimeri</i>	Lindheimer Muhly
	<i>Muhlenbergia rigens</i>	Deer Grass

## ORNAMENTAL GRASSES (Small 12" - 24" tall and wide)

Symbol	Botanical name	Common Name
	<i>Carex divulsa</i> (tumulicola)	Berkeley Sedge
	<i>Festuca mairei</i>	Moroccan Fescue
	<i>Lomandra longifolia</i> 'Breeze'	Mat Rush
	<i>Pennisetum setaceum</i> 'Sterile Green'	Fountain Grass
	<i>Pennisetum spatheolatum</i>	Rye Puffs
	<i>Sesleria autumnalis</i>	Autumn Deer Grass

## Southern California Natives - Shrubs (Large 4' to 8' wide and tall)

Symbol	Botanical name	Common Name
	<i>Arctostaphylos densiflora</i> 'Howard McMinn'	McMinn Manzanita
	<i>Arctostaphylos glandulosa</i> spp. <i>Crassifolia</i>	Del Mar Manzanita
	<i>Ceanothus</i> 'Joyce Coulter'	No Common Name
	<i>Heteromeles arbutifolia</i>	Toyon
	<i>Romneya</i> 'White Cloud'	Matilja Poppy
	<i>Salvia clevelandii</i>	Cleveland Sage

## Southern California Natives - Shrubs (Medium 2'-4' wide and tall)

Symbol	Botanical name	Common Name
	<i>Arctostaphylos</i> 'Pacific Mist'	Pacific Mist Manzanita
	<i>Artemisia californica</i> 'Canyon Grey'	Coastal Sagebrush
	<i>Baccharis pilularis</i>	Coyote Brush
	<i>Ceanothus griseus horizontalis</i> 'Yankee Point'	No Common Name
	<i>Galvezia speciosa</i> 'Firecraker'	Island Bush Snapdragon
	<i>Mimulus aurantiacus</i>	Bush Monkeyflower
	<i>Penstemon heterophyllus</i> 'Margarita'	Margarita Penstemon

Exhibit A  
RV STORAGE AND PARKING

Requirements for RV Storage on Lots: Any RV, including, but not limited to, motor homes, boats and watercraft and trailers therefor, dune buggies, campers, and camper vans shall be stored only in side yards between the side of a house and the side-yard fencing and is permitted provided all of the following criteria are met:

1. Screening: Screening of the RV storage space in the side yard must be expressly approved by the MAC in writing. A combination of the fencing, gate, side of the house, and landscape vegetation shall be employed by the homeowner to screen the RV so that it is substantially invisible from other Home Sites or the street. This screening must be installed and maintained to the MAC's satisfaction, and the proposed screening shall be submitted to the MAC, in writing, for its approval before the RV is placed in the side yard.
2. Setbacks: The side yard must be large enough to allow the RV to be kept therein at least three feet from the roof edge of the house and at least three feet from the side-yard fencing and at least three feet from the front gate behind which the RV is placed.
3. Maximum Length: The RV must be 35 feet or less in length.
4. Maximum Height: The maximum height for any boats or watercraft RVs is eight feet, including the trailer. (Sec.10.12 of the CC&Rs.) The maximum height of any other RV should generally be eight feet, but the MAC may allow other RVs to exceed the eight-foot height limit provided sufficient screening will be provided to keep the RV substantially invisible from the street and other Home Sites.
5. No Right to RV Storage: Not all homes within the Association will be suitable for the side-yard storage permitted by this guideline. No lot owner has a "right" to RV storage on his/her lot. RV storage shall be permitted only in compliance with the criteria and limitations herein.
6. Preexisting RV Storage: This rule shall apply to all RV storage not previously expressly permitted in writing by the Association. (Fourteen Home Sites have previously been approved for RV storage.) This rule and the limitations herein shall apply to RV storage on those 14 Home Sites upon the first to occur of the following: transfer or sale of the lot to a new owner, replacement or removal of the original RV, or any alteration or proposed alteration to the screening of the side-yard storage area.

RV Parking for Loading/Unloading: Unless RV storage is expressly approved by the Association in accordance with this guideline, the only RV parking allowed in the Association is short-term parking for loading and unloading purposes. RVs may be parked in the driveway for up to 12 hours prior to a trip or for up to 12 hours upon return from a trip for loading/unloading. This short-term parking is permitted not more than four times (48 hours cumulative maximum) per month. RVs may be parked on the street for up to 48 hours prior to a trip or for up to 48 hours upon return from a trip for loading/unloading. Any RV parking in excess of these time limits constitutes storage and is permitted only if approved by the MAC per the guideline.

**DISCLAIMER**

THE MATERIAL CONTAINED WITHIN THIS PACKET IS NOT INTENDED TO BE SUBSTITUTED FOR THE SERVICES OF AN ATTORNEY. THE LAW AND ITS INTERPRETATION ARE CONSTANTLY CHANGING.

PLEASE CONSULT YOUR PROFESSIONAL ADVISOR REGARDING YOUR INVOLVEMENT IN A COMMUNITY ASSOCIATION.