

Toscano Homeowners Association

Rules and Regulations

In addition to the CC&Rs and other governing documents, these Rules and Regulations apply to all Owners and Lots within the Association. Not included in these Rules and Regulations are the following: (1) Landscape Guidelines, (2) Rules Complaint and Fine Policy, (3) Election Rules and (4) Application for Architectural Committee Approval.

USES OF PROPERTY

1. An Owner is permitted to lease or rent his Lot for a period of not less than thirty (30) days. The lease must be for the entire Lot and not a portion thereof except for the lease or rental of an accessory dwelling unit and/or junior accessory dwelling unit on the Lot which may be leased or rented separate from each other and from the primary Residence on the Lot. No Lot shall be used for operation of a timesharing, fraction sharing, or similar program on a fixed or floating time schedule over a period of years.
2. Any lease or rental agreement shall be in writing and any tenant shall abide by and be subject to all terms and provisions of the governing documents. All such written agreements shall specify that failure to abide by such provisions shall be a default under the lease or rental agreement.
3. Each Owner shall provide a copy of the governing documents to each tenant and members of the tenant's family of his/her Lot. Each Owner is responsible for his or her tenant's compliance with the governing documents.
4. Each Owner who leases or rents his/her Lot shall within ten (10) days of the effective date of the lease do the following: (1) notify the Association in writing with the names and contact information for all residents of the Lot, and the Owner's off-site address and contact information, and (2) provide a copy of the lease or rental agreement for the Lot.
5. Each Lot shall be maintained in a neat, attractive and clean condition, including without limitation, the parkway planters and the bioswales located in the area from the sidewalk to curb on the public streets. Each Lot shall be free of unsightly weeds (anything over 4 inches) on all landscape areas, and sidewalk and driveway cracks, which includes landscape areas outside of fence areas from fence to street or sidewalk. No dead plants are permitted to remain on a Lot. The bioswales may be irrigated with reclaimed water. Do not drink reclaimed water.
6. No landscaping shall be permitted to encroach into any sidewalk, private street easement or public right of way.
7. Certain portions of the Common Area have been designated for Federal and State mandated habitat mitigation and restoration. To protect the mitigation and restoration work, no Owner or Owner's family member, tenant, guest or invitee may enter, remain on or otherwise disturb the mitigation areas. The mitigation areas are located on Lots 81, 82, 83 and 84.
8. The mitigation areas (as described herein) and the bioswales may be irrigated with reclaimed water. Do not drink reclaimed water.
9. The Association is responsible for the maintenance of the drainage infrastructure within the Private Drainage Easement on Lot 172 of Tract 2428-1 located to the north and east of the community. Lot 172 is not a part of the Common Area of the Project. Therefore, Owners do not have any access or use rights to Lot 172.

Reviewed by Whitney Petchul May, 2022

1

Adopted by the Board on July 26, 2022

Toscano Homeowners Association

Rules and Regulations

COMMON AREA

1. No sport apparatus, such as portable basketball back boards; tetherball or fixed sport apparatus may be placed on any portion of the Common Area or the streets within the Project.
2. No fences, statuary or structures of any kind other than those installed and maintained by the Association shall be installed or erected in any portion of the Common Area.
3. No plants or other improvements other than those installed and maintained by the Association shall be planted, installed or maintained in the Common Area.
4. No living tree, plant, or other vegetation located in any portion of the Common Area shall be cut, trimmed, pruned, removed, replaced, or otherwise altered without prior approval from the City of San Luis Obispo. The adobe sanicle shall not be removed without the prior approval of the Department of Fish and Wildlife.
5. None of the Common Area shall be further divided by subdivision map or parcel map, or other means.

ARCHITECTURAL GUIDELINES

1. No improvement, excavation, landscaping, fence, wall, swimming pool, spa, painting, alteration or other work which alters the exterior appearance of a Lot, or its improvements shall commence until plans and specifications have been submitted to and approved in writing by the Architectural Committee.
2. Notwithstanding the foregoing, landscape alterations to the rear yard of a Lot do not require the prior written approval of the Architectural Committee except for trees and above ground planters.
3. The prior written approval of the Architectural Committee is required for any shade structure, patio cover, awning, shed, detached structure, or any other improvement in the rear yard of the Lot that exceeds the height of the fence or wall.
4. Any changes to the following improvements as originally installed by Declarant require the prior, written approval of the Architectural Committee, except for those Improvements that specifically provide "Approval Not Required":

Toscano Homeowners Association

Rules and Regulations

<i>Item</i>	<i>Manufacturer & Product</i>	<i>Color</i>
<i>Driveway</i>	<i>Belgard: Cambridge Coble Pavers</i>	<i>50/50 Blend: Toscana and Victorian</i>
<i>Driveway to Front Door</i>	<i>Belgard: Cambridge Coble Pavers</i>	<i>50/50 Blend: Toscana and Victorian</i>
<i>Driveway to Gate</i>	<i>Owner Choice</i>	<i>Approval Not Required</i>
<i>Stucco</i>	<i>Finestine Product by Omega</i>	<i>Bronze Orange Cheesecake Raindance Sandstone Shasta Tequila Westminster Gold</i>
<i>Roof Tile</i>	<i>MCA: Clay 1-Piece S-Tile Roof</i>	<i>Old Santa Barbara Blend</i>
<i>Window</i>	<i>Milgard: Styline Vinyl</i>	<i>Classic Brown</i>
<i>Gutters</i>	<i>6" K Style: Ogee Shape, Seamless</i>	<i>Dark Brown Aluminum</i>
<i>Garage Door</i>	<i>Amart: Classic 1000 Cortona</i>	<i>Mahogany with Nile Windows</i>
<i>Door</i>	<i>Thermatu: Fiberglass Entry Door</i>	<i>Classic - Craft Rustic. Polished Mahogany Color, Kelly Moore Professional Line Exterior Semi Gloss</i>
<i>Shutters</i>	<i>Kelly Moore #822: Toscano Shutters</i>	<i>ICI New Foundland Green</i>

<i>Item</i>	<i>Requirement</i>	<i>Color</i>
<i>External House Lighting</i>	<i>No pointing to the sky</i>	<i>Dark Brown/Oiled Bronze</i>
<i>Landscape Lights</i>	<i>No pointing to the sky</i>	<i>Owner Choice: Approval Not Required</i>
<i>Security Cameras</i>	<i>No pointing in windows & backyards</i>	<i>Try to Blend: Mfg. Provides Color</i>

<i>Item</i>	<i>Requirement</i>	<i>Color</i>
<i>Permanent Sheds</i>	<i>Backyard</i>	<i>Approval Required</i>
<i>Freestanding</i>	<i>Backyard Gazebos & Pergolas</i>	<i>Approval Required</i>
<i>Attached Structures</i>	<i>Any Part of House</i>	<i>Approval Required</i>

Toscano Homeowners Association

Rules and Regulations

<i>Item</i>	<i>Requirement</i>	<i>Color</i>
<i>Outside Perimeter Backyard Wood Fences Visible from Street or Behind Owner Lot of Interior Lots</i>	<i>Backyard Fences</i>	<i>Clear Sealant</i>
<i>Inside Perimeter of Owner Lots</i>	<i>Backyard Fences</i>	<i>Clear or Medium Sealant. No dark or primary colors, Whites, Blacks or Paint.</i>
<i>Metal Fences</i>	<i>Along Common Area Pathway</i>	<i>Black High Gloss Paint</i>
<i>Gates and Side Panels</i>	<i>Gates and Side Front Area Connecting to Gate</i>	<i>Clear, Medium or Dark Sealant. No Primary Colors, White, Black or Paint.</i>

5. External lighting fixtures attached to the front part of the Residence require Architectural Committee approval. Side yard, backyard and pathway lighting do not. Due to the airplane flight path, lights cannot point to the sky.
6. Security cameras shall not be pointed so that they have a view into another Owner's windows, front door, rear yard or garage interior. Front yard cameras require approval and loose hanging wires are not permitted.
7. The Architectural Committee does not approve plans for engineering, structural, safety, or code compliance. It is the Owner's responsibility to confirm the compliance of his or her plans with any applicable ordinances, regulations, statutes or laws. Further, it is the Owner's responsibility to obtain any required permits or approvals from the City and/or County. As a condition for approval of an Owner's application, the Architectural Committee may require that an Owner provide a copy of the City and/or County permit and/or approvals prior to the start of any work.
8. As a condition for approval of an Owner's application, the Architectural Committee may require an improvement that exceeds the height of the fence and/or wall on the Lot, such as a shed, gazebo, or other structure be painted to match the colors of the main residential structure or be sealed with a clear sealant.
9. 100% of the ground plane in the landscaped area on a Lot is to be covered by plant material or shredded rock or bark mulch. No large bare areas of dirt are permitted.

Walls and Fences

10. Any wall or fence replacement must conform to the original fencing and/or walls installed by Declarant.
11. Any relocation of a rear yard fence line must receive the prior written approval of the Architectural Committee and the City. No fence may be relocated to common area.
12. Retaining walls may not interfere with or alter the original drainage swales on the Lot as installed by Declarant.

Toscano Homeowners Association

Rules and Regulations

13. All wood sealants to exterior perimeter wood fences that are visible from the street or directly behind another Owner's backyard (interior Lots) must be a clear sealant. The iron fences must be a black high gloss paint. Approval must be obtained from the Architectural Committee prior to starting the work. The website name with the shade of sealants can be submitted to the Architectural Committee to review. Inside perimeter fencing can be clear or any medium sealant. Owners with shared wood fences must ensure that the sealant application does not leak to the other side.
14. Replacement gates, sealant and the surrounding panels must receive the prior, written approval of the Architectural Committee. A dark sealant is allowed, subject to approval, on the gate and gate area.
15. Dark and primary colors, and black or white, and paint are not allowed on any of the fences.
16. Vertical fencing is a requirement for all exterior fences.

SIGNS

1. Commercial signage may not be displayed on a Lot, except for one (1) "for sale" or "for rent/lease" sign for the sale or rental of a Lot if such signage is of standard and customary size. Such signage must be removed from the Lot promptly upon the sale or rental/lease of the Lot.
2. Noncommercial signs, posters, flags, or banners may be displayed in the front yard, door, window, balcony or outside wall of the separate interest (Lot) if they are in compliance with the following:
 - a. The noncommercial sign, poster, flag, or banner may be made of paper, cardboard, cloth, plastic, or fabric. It may not be made of lights, roofing, siding, paving materials, flora, or balloons, or any other similar building landscaping or decorative component, or include the painting of architectural surfaces.
 - b. A noncommercial sign or poster may not be more than nine (9) square feet in size and noncommercial flags or banners may not be more than fifteen (15) square feet in size.

PARKING RULES

1. Article III, Sections 3.4 and 3.5 and other applicable sections of the CC&Rs and these rules shall govern parking use restrictions.
2. As set forth in Article III, Section 3.4(L) of the CC&Rs, garage spaces shall not be converted to any use that prevents its use for the parking of the number of vehicles for which the garage was originally designed to contain, which is typically a two-car maximum. For a period of not more than forty-five (45) days from the date of their first occupancy of the Residence, Owners may use their garage as a storage area. Owners must get approval for a 15-day extension from the Board of Directors. After 45 days, Owners shall park vehicles in garages. If an Owner requires garage storage space for a remodel, the Owner may submit a written request to the Board to use their garage on a limited and temporary basis for storage, with the time frame for such use to be determined by the Board.

Toscano Homeowners Association

Rules and Regulations

3. In accordance with City of San Luis Obispo Engineering Standards and zoning regulations by City Counsel, vehicles shall not be parked diagonally or in any other configuration that would require vehicle circulation outside the width of the driveway area or on front lawns. All vehicles parked on driveways shall fit on the driveway and clear the sidewalks on public streets and the private easements from both sides of the driveway. All tires must completely on the driveway surface and vehicles facing the garage door.
4. To ensure that all Owners and guests have equal access to parking, including spaces in private easements, no vehicle shall be parked in the same parking space on the public street or in a designated parking space for a period of more than ninety-six (96) consecutive hours. Any vehicle in violation of this rule may be towed at the owner's expense.

The San Luis Obispo Police Department has the authority to tow vehicles that are parked on the public streets in violation of any City ordinance or code. The public streets within the Project are San Vincenzo, Cortuna, San Vicente and Arezzo.

5. Private easement designated parking is strictly for residents and guests visiting Owners. See attached designated parking plan. There are no designated parking spots on the four-resident private access for Lots 86 through 89 (on Cortuna), Lots 90, 91, 95 and 96 (on Calle Malva), Lots 153 through 160 on Lucca Lane, and Lots 120 and 121 on Arezzo Drive. Public street parking is to be used. Designated parking throughout the Development is those that a vehicle can pull directly forward into and backout directly onto the private easement without further maneuvering. Parking at backside of all quads is prohibited. Owners parked in non-designated parking spaces are subject to the Rules Complaint and Fine Policy.
6. Any vehicles obstructing ingress and egress of another Owner's Lot may be immediately towed at the vehicle owner's expense.
7. No parking is permitted on the private easement streets Calle Malva, Tresana Lane, Livorno Circle and Lucca Lane. These streets have been designated as fire lanes by the City and Fire Department. Any vehicle parked on these private easement streets is subject to tow at the owner's expense.
8. Private access in the four Residences complexes located on Cortuna, Arezzo Drive and Calle Malva: Temporary parking of commercial vehicles, trucks or vans which are otherwise prohibited vehicles shall be allowed for providing services to Owners within the Project and during the performance of commercial activities permitted within the Project. It must be short term parking, drop off of work items and not to impede at any time with another Owner's access to/from property.
9. Vehicles shall not be parked in front yards of Residences, in landscaping, in dirt areas or any other area in the Project which is not designated for the parking of vehicles.
10. A vehicle must be parked wholly within one (1) parking space.
11. No vehicle may be parked within fifteen (15) feet of a fire hydrant or within fire lanes. Fire lanes may be marked with signage and/or red curbs.
12. Vehicles parked within the Project shall be insured and display current registration.

Toscano Homeowners Association

Rules and Regulations

13. Vehicles parked on the public street or in designated parking spaces shall be in operable condition.
14. No trailer, camper, motor home, recreational vehicle or any other vehicle shall be used as a residence in the Project for either temporary or permanent purposes.
15. Owners shall at all times be responsible for their tenant's, family member's, guest's, or invitee's compliance with all of the provisions of the Association's governing documents, including without limitation these parking rules and shall be responsible for all parking and traffic violations of their tenants, family members, guests and invitees.
16. The Association may tow any vehicle which violates these parking rules, including, but not limited to, any vehicle parked in a fire lane or other area designated or posted "no parking" or parked in a manner that interferes with any entrance to or exit from the Project. Such tow will be at the owner's expense.
17. The Board may levy a fine and/or suspend membership privileges for each individual parking or traffic violation, in accordance with the Association's governing documents.