

ARCHITECTURAL CONTROL COMMITTEE GUIDELINES

1. GENERAL

- a. No improvements or exterior alterations will be allowed which are deemed by the Board of Directors (BOD) or Architectural Control Committee (ACC) to be a nuisance, produce excessive glare or noise, cause a significant negative impact on adjoining or adjacent properties or endanger the health and welfare of the development, residents or guests.
- b. All construction and improvements shall comply with applicable regulations, building codes and the municipal zoning ordinance. All permits and approvals required by outside agencies are the responsibility of the member or resident seeking approval. The BOD or ACC does not review Requests for Approval for compliance with any outside regulations.
- c. Unless otherwise noted herein, all improvements and changes to exterior of dwellings and lot are subject to review and approval by the ACC, prior to change, installation or construction.

2. ROOFING MATERIALS

- a. Town homes must attempt to match or coordinate new roofing colors with existing colors when repairing or replacing a roof. Once a new color is approved and installed for one unit in a row or group, all other units in that row or group must use the new color when installing their new roof, as long as it is available from the manufacturer. The ACC may, at its sole discretion, approve a color that coordinates with the existing, adjacent roofs. In such a case, the owner may be required to install a border or dividing strip between the new and old roofing at the party wall.
- b. Single family homes are permitted to use any commercially available roofing product asphalt composite roofing product in a dimensional pattern in black, brown, or gray tones.
- c. Owners may repair or replace a portion of the shingles on their roof with a matching color; however, repairs shall be limited to no more than 1% of the roof area on the entire exposed face. The owner shall replace all of the shingles when patches exceed 1% of the roof area on the exposed face.
- d. If matching color is not available, then the entire face that is visible shall be replaced.

3. LANDSCAPING

- a. No statues, sculptures, painted trees, bird baths, fountains, replicas of animals or humans or other objects of this nature may be affixed or placed on any Lot or building where they would be visible from any street. No improvement resembling or shaped to look like the above items shall be placed on any Lot or building where they would be visible from any street.
- b. Dumping of landscape or household refuse at no time will be permitted on the Common Properties. Residents must make separate arrangements for pick up and disposal of refuse not picked up by the municipal refuse contractor. The storing or disposal of hazardous waste or waste products at no time will be permitted on any property in the development.
- c. Landscaping materials may be placed in the driveways for projects under construction but may not remain in place for more than 96 hours without written ACC approval.
- d. Play equipment may not be located in a front yard or side yard facing a street or public driveway and must be behind a 6' fence.
- e. Temporary structures such as pop-ups, umbrellas, or free standing shade structures are allowed with ACC approval providing they are temporary in nature and may not be placed on the front and street facing side of the property for more than 48 hours.

- f. Residents shall not alter existing land contours or conditions in such a way as to change or increase storm water runoff from their property to adjacent or adjoining properties, unless done so with the express written consent of the downstream property owner(s). This is a matter of law and common courtesy. The Homeowners Association will not assume responsibility for enforcing this provision, unless the Association is an aggrieved property owner and the Board of Directors decides to take action; however, the affected property owner(s) have all rights permitted by law to take action to remedy their situation.
- g. No noxious or invasive plant materials will be permitted.
- h. Plants shall be commonly found in the immediate area and available from local nurseries. Examples of plants that would not be allowed would be palms, monkey pod trees, or invasive bamboo. Invasive plants that spread to adjacent lots or common areas will be removed as the sole expense of the owner where plant originated whether or not that owner planted the vegetation.
- i. No tree shall be removed by a homeowner unless permitted by the Association. The ACC shall be immediately notified, in writing, when a living tree is removed because of an impending hazard or danger. Furthermore, all trees, which are removed for any reason shall be replaced, one-for-one, with a minimum 1" caliper tree of a species to be approved by the BOD and/or ACC.
- j. All planting of trees, shrubs, and other vegetation and landscaping, including beds, borders, and associated materials shall require ACC approval unless replacing like for like of the same materials.
- k. The approved landscaping materials of the development that do not require and ACC and approval are replacement of:
 - i. Red, brown, or black beauty bark
 - ii. Plants or bushes less than 18" tall that do not interfere with sight lines to sidewalks streets or adjacent lots.
 - iii. Replacement of existing grass or over seeding.
- l. Any changes to the design of the grass lawn areas, drainage, or landscaping design requires ACC approval and includes expansion of driveways/parking areas and parking strips along sidewalks.

4. FENCES

- a. A fence is a structure or barrier used for protection, to prevent intrusion or escape or to mark a boundary. A barrier or border of planted materials shall not be considered a fence under these regulations, provided that it does not restrict sight distance to motor vehicles, impede pedestrian passage on public walkways, unduly restrict access to a neighbor's property or create a hazardous or noxious presence.
- b. Fences may be subject to building code regulations. Where such regulations conflict with these standards, the more restrictive provision shall apply.
- c. Fences shall be limited in height to six (6) feet above any ground level within three feet of the fence.
- d. Fences shall be constructed of cedar board materials – any painting or stain colors are to be natural wood tones and need ACC approval. Chain link, cyclone fences or fences constructed with solid sheets or panels will not be permitted. On the sides of dwellings, no fence shall extend beyond the front edge corner of the house when viewed from the street as and facing the front door. No fence will extend or create a boundary between lots beyond this point.
- e. Railings for exterior steps and decks shall not be considered fences under this section of the regulations. Fence colors shall be limited to natural wood colors and stains (beige, brown, and redwood).
- f. Owners shall be solely responsible for maintenance and repair of fences and shall, upon proper notification by the ACC or Board of Directors, repair or remove any damaged fence on their property.

Missing gates, pieces or panels, leaning posts or deteriorated materials may be sufficient cause to consider a fence as damaged or excessively worn under this paragraph. The owner shall be permitted a reasonable amount of time, after notification, to appeal the decision or correct the situation.

- g. No fence or landscaping shall be placed in an access easement or in a manner that restricts access or creates a hazardous access route, to adjacent properties.

5. WALLS

- a. Retaining walls - may be constructed of weather resistant wood or stacked stone/architectural block and follow building codes and permit requirements. Bare concrete walls, and walls of other materials, may be allowed where, in the opinion of the ACC they would be adequately shielded from view from any street, public driveway or parking area. Walls shall be adequately designed and constructed to support expected loading.
- b. Retaining walls not needed for stabilizing earth embankments shall be subject to the same requirements as fences.

6. EXTERIOR FINISHES AND TREATMENTS

- a. ACC approval is not required when a resident repairs or replaces doors or windows with the same color and style. All residents must request approval from the ACC for new siding, roofing and decks, regardless of whether or not there is a change from the existing condition.
- b. Colors and finishes shall match the same tones and colors as are in the adjacent homes and is subject to ACC approval of all colors.
- c. Requests for approval of siding, trim and/or roofing must submit color and material samples. Siding, trim and roofing shall conform the approved architectural treatments already in use in that section of the development.
- d. When siding is changed, the new siding must be installed on all exterior surfaces previously covered by siding (unless another treatment is proposed and approved by the ACC.) The siding on all faces of homes in this development is wood or composite lap siding.
- e. When new roofing is installed, the new roofing must be installed on all roofs, eaves, and overhangs previously covered by roofing (unless another treatment is proposed and approved by the ACC.)

7. Doors & Windows

- a. Requests for approval of windows/storm windows and doors/storm doors must include descriptions and/or plans showing location, size, height, shape, color, material and style of the proposed door or window. Windows and doors shall conform to the approved architectural treatments already in use in that section of the development. Doors with a plain, flat surface on the exterior face may only be used for storage room or rear facing doors. All doors and windows shall be commercially available, custom or stock exterior products sold by retail suppliers for use in residential construction.

8. PORCHES, PATIOS, WALKWAYS AND DRIVEWAYS

- a. Existing front porches or patios in any section shall not be screened or enclosed in front of any dwelling.
- b. Patios, porches, and walkway shall be constructed of exposed aggregate cement provided such materials and finishes are already in use in that section of the development. Other materials may be submitted for use if those were original to the adjacent homes.
- c. Paving of walkways, driveways, patios, etc. are subject to review and approval by the ACC. Not more than 60% of the front yard and not more than 60% of the rear and side yards may be paved or covered with an impervious surface for any reason.

d. Asphalt will not be an accepted material for use.

9. MISCELLANEOUS ITEMS

- a. Outside lighting: Wall mounted lights are allowed without Architectural Committee approval, provided that the light does not cast a glare upon adjoining or adjacent properties. Light fixtures shall be commercially available products not resembling animal shapes or unusual forms. Wiring shall be hidden from view.
- b. Window mounted air conditioner units are not allowed in this development unless they are completely recessed into the structure and hidden from view at any angle, street, or adjacent lot. Venting for portable air conditioner units are permitted providing the open window space around the vent is covered with a commercially available material made for that application and is the same width as the vent. No foil, board, cardboard, insulation board or other materials will be allowed.

Adopted: August 24, 2020