

(Below are the pages from the 2007 **Community Architectural Control Guidelines and Rules and Regulations**, pp. 8-17. These are the pages concerning design review guidelines and information for homeowners wishing to change or modify the exterior appearance and nature of their home or yard/garden. Until the revision of these guidelines is complete and has been approved, the 2007 ACC guidelines are in force and are used by the DRC.

ARCHITECTURAL CONTROL COMMITTEE

The Architectural Control Committee (ACC) reviews and approves or denies proposed alterations or improvements to any home such as fences, sheds or color changes. The committee consists of members who are appointed by the Board.

This section is a guide for both the members of the New Rainier Vista Architectural Control Committee (ACC) as well as the homeowners in New Rainier Vista. The guidelines define the responsibilities of the homeowner as a resident in the New Rainier Vista Community. The guidelines are broad-based and address the most common improvement applications that homeowners submit to the Architectural Control Committee. They are not meant to be all inclusive.

One function of the New Rainier Vista HOA is to maintain the aesthetic quality of the homes in the community. The New Rainier Vista HOA has the right to review and approve or deny proposed alterations or improvements to any home such as fences, sheds or color changes. This power is vested in the ACC, which implements the architectural review function of the New Rainier Vista HOA.

1.1 Covenants, Conditions & Restrictions

The New Rainier Vista CC&R's give the New Rainier Vista HOA the authority for maintaining the quality of house design (Article 8.2) and maintenance of the common areas (Article 3.1). Each resident accepts the authority of the New Rainier Vista HOA at the time they purchase a home in New Rainier Vista .

Every homeowner in New Rainier Vista should receive a copy of the CC&R's, the Bylaws, the Design Guidelines and these Rules and Regulations at the time they purchase their home. Please take the time to familiarize yourself with this document.

1.2 What must have ACC approval

All buildings and structures such as fences, walls, rockeries, decks, patios, spas, swimming pools, sheds, and in some instances vegetation, to be installed, removed or altered (including color change) must be approved by the ACC (please refer to Article 8 of the CC&R's for details).

Special Note - City Approval

In many cases, the City of Seattle requires permits for construction or alteration to property and landscaping. Individual homeowners are responsible for determining if the proposed construction or alteration requires City approval and doing so before any work is begun. Please remember that City approval does not eliminate the need for ACC approval, and vice versa.

ACC approval pertains to aesthetics of design and compatibility with surrounding or existing improvements. Approval does not constitute an endorsement of any design specifications, engineering or conformity to Building Code.

1.3 Making Application to the ACC

Complete the Request for Architectural Review of Planned Improvements. This form is available from the Management Company. Prepare a sketch of your home as it is. Show on the plan where your changes will be made. Submit your application, together with your sketch and any related product literature to the NRV HOA. Applications will be forwarded to the New Rainier Vista ACC for review.

A letter approving or denying the request will be sent to the homeowner applicant after the review process is complete. If approved, the letter should be retained with your important documents. If the ACC ruling denies an application, the applicant will be informed and may appeal. The appeal request must be made in writing to the Board of Directors within 30 days of the original denial date. The Board of Directors will then have 30 days during which to review the application and render a decision.

Following is a description of the items that are required to accompany a ACC application:

- A. **Site Plan:** This requires submitting a copy of the plot plan of the property. Any proposed alterations should be indicated including dimensions and distances from adjacent properties and houses. Appropriate setbacks should be identified. This may be a freehand drawing.
- B. **Materials & Colors:** Samples of the materials and colors to be used should be provided.

- C. **Drawings & Photographs:** A representation of the proposed alteration in the form of manufacturer's literature, photographs, freehand or mechanical drawings is recommended with the plot plan. The amount of detail should be consistent with the complexity of the proposal.
- D. **Acknowledgment of Neighbors:** Applications to the ACC need to include the signature of adjacent homeowners who are affected by the proposed alteration. A signature is required for any major or minor exterior alteration, or as requested by the ACC. The signature indicates that he/she was informed about the plans but does not necessarily constitute agreement of the proposal.
- E. **Completion Date:** An estimated completion date must be included on the ACC application. If it turns out that an estimated completion date will not be feasible, then it is preferable to delay starting the project rather than have a project in progress for an extended period of time. If an estimated completion date is considered unreasonable, the ACC may not approve the application.

1.4 ACC Review Criteria

The ACC evaluates all submissions on the individual merits of the application. Besides evaluation of the particular design proposal, consideration is given to the housing type and site.

Design decisions made by the ACC in reviewing applications are not based on personal taste but on the following criteria represented in the CC&R's.

- A. **Conformance with Covenants:** All applications are reviewed to ensure the project conforms to the CC&R's and the Architectural Controls.
- B. **Validity of Concept:** The basic idea must be sound and in harmony with its surroundings.
- C. **Design Compatibility:** The proposed alterations must be compatible with the architectural characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, colors and construction details.
- D. **Impact:** The proposed alteration should relate favorably to the landscape, to the existing structure and to the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage. For example, a deck may cast unwanted shadows on an adjacent patio or infringe on a neighbor's privacy.
- E. **Scale:** The size of the proposed alteration should blend favorably to adjacent structures and surroundings.

F. **Color:** Color may be used to soften or intensify visual impact. Parts of an addition that are similar to the existing house such as roofs, trim and siding should match in color.

G. **Materials:** Continuity is established by the use of materials similar to or compatible with the existing house.

Workmanship: The quality of workmanship should be equal to or better than that of the surrounding area. The New Rainier Vista HOA assumes no responsibility for the safety or quality of new construction.

2.0 ARCHITECTURAL GUIDELINES

NOTE

ALL EXTERIOR ALTERATIONS OR ADDITIONS TO PROPERTY VISABLE FROM ANY PUBLIC STREET OR OTHER LOT REQUIRES PRIOR WRITTEN ACC APPROVAL. ALLOW 30 DAYS TO PROCESS YOUR APPROVAL REQUEST. FAILURE TO OBTAIN APPROVAL MAY RESULT IN ENFORCEMENT ACTION PURSUANT TO Section 8.10 OF THE CCRs.

IF YOU HAVE ANY QUESTIONS, CONTACT THE NEW RAINIER VISTA HOA OFFICE.

The homeowner must complete the application form shown in Appendix A. The following guidelines address a broad range of exterior alterations. They are presented as “performance criteria” defining the principal factors to be considered when developing a design solution.

Allow 30 days for the ACC to review and respond to your application.

The guidelines may be amended from time to time. Any revised guidelines require acceptance by a majority of the ACC as well as approval by the Board of Directors.

2.1 Major Exterior Alterations

Exterior alterations and improvements include, but are not limited to greenhouses, storage sheds and other similar structures. Although specific site and design considerations will be evaluated by the ACC on their individual merits, all alterations must conform to the following standards:

- A. The proposed structure must be compatible with the original structure and shall not exceed 12' in height in size. They shall be placed no closer than 5' from the side property line and may be built up to the rear property line. No more than one structure is permitted per lot.
- B. Trellis, large and/or permanently installed playhouse or play equipment, shading devices affixed to the exterior of your home or pergola can be no more than 8' maximum in height and must be 50% open/transparent.
- C. The slope and materials of a new roof should match those of the existing house.
- D. New windows and doors must match the type used in the existing house.
- E. If changes in grade or other conditions affect drainage, these changes must be indicated. Appropriate plans, permits and a drainage study will be submitted indicating how drainage will be handled. Generally, alterations will not be approved if adjoining properties are adversely affected by changes in drainage.
- F. Any modifications to the interior of porches, patios and similar portions of a unit visible from outside the unit and modifications to enclose garages, porches or patios as living space shall require approval of the ACC. Any plans to enclose a garage must include plans for a replacement garage for the unit.

2.2 Minor Exterior Alterations

There are a number of exterior alterations of a smaller scale, which require ACC approval. The same basic principles of compatibility of scale, materials, color and impact apply.

Minor alterations that require approval from the ACC are as follows:

2.2.1 Antenna, Satellite Dishes

A maximum of two (2) small satellite dishes (18 inches or less) and/or antennas may be mounted on the rear of a unit below the top of the roof line, where it is least visible from a street, open space or common area. If you cannot place the dish and/or antenna at the rear of your house, you may, with a letter from the installer and approval from the ACC place the dish/antenna on the side of the house at least fifteen feet (15'0") back from the front of your house. Choose an aesthetically pleasing location that is not offensive to your neighbors.

2.2.2 Basketball Standards

A free standing basketball structure is allowed in a driveway or alongside a home so long as it does not prevent parking in the garage or driveway No basketball

hoop, backboard or similar equipment shall be affixed to any exterior wall or roof of a dwelling. The City of Seattle owns the streets and sidewalks within New Rainier Vista. Per City Code, portable standards used on the Lot in the front area are not permitted to be on the sidewalk or in the street.

5.2.3 Decks.

Decks can have significant impact on the appearance of a house as well as the privacy of adjacent properties. These factors are weighted heavily in the review of applications. Standards for deck construction are as follows:

- A. Modifications to existing decks must provide continuity in detailing such as material, color and design of railings and trim.
- B. Deck configurations should relate to the house plan and to window and door openings of the house where possible.
- C. Approval of other exterior modifications, such as a new exterior door location as part of the deck application, is contingent upon completion of the deck.
- D. Cantilevering and/or plantings may be required to soften visual impact.
- E. Shadow patterns created by decks are considered as they affect the use of outdoor space and can affect grass and plant materials.
- F. Decks must be compatible in materials and color with the applicant's house.
- G. Decks are to be located primarily in the back yard. However, other locations will be evaluated according to their respective merits.

Designs must be submitted to the ACC for approval.

5.2.4 Doors

- A. Owners may paint their front and rear doors, but not garage doors, if applicable, any color they choose.
- B. Pre-approved storm or screen doors are allowed on the doors of your homes. You may obtain pre-approved styles of screen doors from the RVHOA. Security gates are not allowed on any of your doors.
- C. Security bars present an unsightly appearance. If you choose to install security bars, they must be attached to the inside of the windows and not be readily apparent when viewed from the outside.
- D. Storm doors must have a painted frame, wood tones, or natural wood finish. Plain aluminum frames and kick plates are not acceptable, but the doors can have a division at the latch handle.

- E. Front entrance doors shall be made of wood. Fiberglass or metal are permitted provided they mimic a traditional multi-paneled wood door. Front entrance doors may contain an acceptable glass feature. Imitation stained glass, frosted or art glass is not permitted on front entry doors.

5.2.4 Drainage (CCR 9.6(b)(6))

Changing, obstructing or retarding the flow of drainage is prohibited. Modification applications require prior approval of the ACC and the City of Seattle. In addition, modifications to the drainage as specified above require all pertinent permits and a drainage study at the time of an application submittal.

5.2.5 Fences

Fencing is used to separate property, provide security and visual privacy and architecturally define space. In achieving any one of these goals, a barrier is created which has both a visual and physical impact on the boundaries of common land and property of adjacent homeowners.

All fence designs must be submitted to the ACC for approval. The paint or stain color must be approved as well. Standards for fence construction are as follows (see also fence exhibit included):

- A. Fence height shall be limited to 4 feet as measured from ground level are permitted with approval from the ACC in the rear yard.
- B. Four foot high gates are also allowed. Gate design must be approved by the ACC.
- C. Unpainted tight knot cedar is approved as fencing material. With ACC approval on a case by case basis, a simple wrought iron fence or vinyl fencing that resembles wood may be approved.
- D. Chain-link fencing and other wire fences are not acceptable.
- E. Fence submittals should show the proposed fence's exact relationship to the property line.
- F. Front yard fencing may not exceed 36" in height and must be 50% open in design.
- G. Hedges may also serve as a fence provided they do not exceed 36" in height in the front yard and 48 inches high in the back yard.
- H. Fences located at alleys and side yards adjacent to walkways may not exceed 42" in height (with a minimum height of 36") and must be 20% open in design.

- I. Privacy fences are taller than alley fences and are to be used only for private back yards. They may be used at side lot lines separating adjacent lots and where back yards are next to public streets and sidewalks but may not exceed 5' in height.
- J. Fencing shall comply with all city requirements regarding setbacks and easements. It is the owner's responsibility to make this determination.
- K. Fencing approval by the Association does not constitute a warranty with regard to placement of said fence and existing property lines.

Designs must be submitted to the ACC for approval.

5.2.6 Gutters and Downspouts

Gutters and downspouts should match those existing in color and design and must not adversely affect drainage on adjacent properties. Designs must be submitted to the ACC for approval.

5.2.7 Landscaping

This section of the guidelines is included as an aid to homeowners in preparation of landscape plans.

- A. The planting strip located between curb and sidewalk must be clear for visitors to walk to your front door from cars parked in front of your house. Parking is not allowed on planting strips. You may want to add plants and other low landscape improvements to the planting strip in front of your house which is located in the right-of-way.
- B. Landscaping includes any (organic materials only) plants, trees, ornamental bark or rock or other additions to the yard. Use of native plants is encouraged as these plants provide ease in maintenance and limit watering needs in your yard. Consider the effect of shading from plants or shrubs that may get larger. Caution is also required in choice of plants as some may spread and invade your neighbors' yards. Consultation with City of Seattle Arborist at 206 615-0957 or the Master Gardeners program at (206) 296-3440 is recommended.
- C. Protect the trees that grow next to your street. Do not plant in a tree's root zone. Do not disturb any irrigation pipes or equipment. Also, the size of plantings at maturity should be considered when planting close to walkways and houses.
- D. Paving stones that cover less than a third (<1/3) of the area may be approved by the ACC. No other improvements may be made in the area between the sidewalk and the curb. You must get design approval from the ACC for your front yard planting and paving projects.

E. Any complaints will be reviewed by the ACC.

5.2.8 Materials Storage

No lumber, building materials or litter may be stored on lots in New Rainier Vista . Exceptions: Developer and/or Builder have the right to store materials on lots necessary for the construction of homes and homeowners have the right to store materials on lots necessary for the construction of the approved project for its duration. Completion of the project will be defined on the ACC application.

5.2.9 Painting

Any changes in exterior color for a house, fence, deck, and roof or trim must be approved by the ACC. Color of stains and paints should be compatible with the color of other houses in the neighborhood. Color chips of proposed stains and paints should be submitted along with the application. Your house must be painted with the original approved color scheme. Roofs must also be the color originally specified for your home. Owners may paint their front and rear doors, but not the garage doors, any color they choose.

5.2.10 Patios

Patios provide a means for ground level extension of indoor space with less visual impact than elevated decks. When patio schemes include other exterior changes such as fencing, lights and planting, other appropriate sections of these guidelines should be consulted.

Location: Patios may only be located in back yards.

Materials and Colors: Materials should have natural weathering qualities such as wood, brick, stone and concrete.

If changes in grade are anticipated, they must be indicated on the application. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage. Any change in drainage requires submittal of plans all pertinent permits and a drainage study to show how and where water will be drained. Site inspections may be required. Designs must be submitted to the ACC for approval.

5.2.11 Pet Houses/Runs

Pet Houses must be compatible with the applicant's house in color and material and must be located where they will be visually unobtrusive with the least impact on neighbors. Chain-link fencing and other wire fences are not acceptable. Dog runs are not acceptable. Designs must be submitted to the ACC for approval.

5.2.12 Recreation and Play Equipment

Location: Recreation and play equipment shall be placed in back yards. Permanent installations must be approved by the ACC.

Materials and Colors: In general, materials and colors should blend with the natural surroundings, or, if located next to a house or fence, painted to match the background or screening structure. Height of approved play structures shall not exceed twelve (12) feet. Designs must be submitted to the ACC for approval.

5.2.13 Sculptures and Artwork

No art, sculptures or commissioned pieces shall be permitted to be located in the front yard of a Lot without prior ACC approval. Designs must be submitted to the ACC for approval.

5.2.14 Pools, Spas and Hot Tubs

Pools, spas and hot tubs should be located at the rear of the house. Materials of these should blend with the natural surroundings, or have screening installed and colored to match the surrounding structure. Designs must be submitted to the ACC for approval.

5.2.15 Storage Sheds

All designs must be submitted for approval to ACC prior to building start. Storage sheds must blend with the house and maintain a continuity of building lines, materials and color of the house.

Location: A detached shed may only be located in a back yard and any city required setbacks must be observed.

Materials and Colors: Materials must match with the house or fence to which the shed is related to or physically attached. This means matching materials such as siding and roofing, dominant colors and construction details such as trim and pitch of roof. Metal sheds or buildings are not considered compatible and are not allowed.

5.2.16 Sun Control Devices

Sun control devices include, but are not limited to screening, arbors, and awnings. All designs must be submitted for approval to ACC prior to building start. Sun control devices must be compatible with the architectural character of the home in terms of style, color and material. Awnings should not have decorative embellishments such as scallops or fringes. Metal and fiberglass screening material are not considered compatible and are not allowed; (the device can have metal mechanisms as approved by the ACC).

Patio table umbrellas and picnic area covers sold at home and garden stores used in the back yard area are acceptable as long as views are not blocked, they are aesthetically pleasing and not in disrepair. They must be removed or taken down at the end of the summer season. These are not acceptable as permanent patio or deck coverings. Under no circumstances are metal poles with various colors of tarps acceptable.

Location: The location of any awning should not adversely affect views, sunlight or natural ventilation of adjacent properties.

Designs must be submitted to the ACC for approval.

5.2.17 Temporary Structures

No temporary structure is allowed on any lot in New Rainier Vista at any time.

5.2.18 Tree and Bush Cutting

All trimming, topping or removal of trees on lots or common area must be approved in writing by the ACC and by the City of Seattle, per planting conditions, prior to commencement.

5.2.19 Utility Easements

Blocking of utility easements by structure, planting or other obstructions is not permitted. Homeowners who have utility easements on their property are responsible for maintaining the landscaping.