

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

A. Mission, Authority & Jurisdiction

1. **Mission of Architectural Committee:** Kala Point is a planned, common interest community operated for the benefit of all property owners under the Covenants, Conditions, and Restrictions (CC&Rs). All property owners have agreed to comply with these CC&Rs. Under the CC&Rs (Art. VIII), the Architectural Committee is authorized to review and either approve, modify, or reject plans and specifications for all new structures, modifications and significant maintenance to existing structures, significant landscaping objects which change the physical appearance of the property, and restoration of vegetation to a natural appearance after any construction. This volunteer Architectural Committee works with owners to ensure that all structures maintain and enhance Kala Point in accordance with the CC&Rs, Board of Director approved Architectural Standards (AS), Association Rules and Regulations and the community's desires for homes to fit into a wooded natural setting. These efforts are made to preserve the tree canopy and forested nature of lots when building or remodeling homes.
2. **Authority of Architectural Committee** (CC&Rs Art. IV B2 & Art. VIII): The Architectural Committee operates under the CC&Rs and KPOA Board of Directors approved current Architectural Standards. The Architectural Standards are subject to change as needed. Therefore, an existing feature of a home may not be the basis for approval for the same feature on a new architectural project.
3. **Meetings:** The Architectural Committee typically meets at least once per month. Regular scheduled meetings will be held in the Admin Building Conference Room. KPOA members are welcome to attend any meeting, and are encouraged to attend any meeting considering a project submitted by that member. See the Calendar on Kala Point website for dates and times.
4. **Compliance and Appeals:** Violations of the CC&Rs, Architectural Standards, or the Rules and Regulations by owners or their contractors may result in penalties, recommended by the Architectural Committee and assessed by the Board (including fines, costs of corrective actions and legal process) as provided in the KPOA CC&Rs and Administrative Policy & Procedures, APP I. The Administrative Policy and Procedures also provide for appeals to the KPOA Board in terms of Architectural Committee decisions.
5. **Duly submitted applications** Will be reviewed and approved or disapproved at the next **regularly** scheduled AC meeting in which there is a quorum. Applications that are incomplete or unreadable will delay reviews. The AC reserves the right to delay a review or make decision in order to obtain more information."

B. General Architectural Policies and Procedures

1. **Property Use**
 - a. All homes in Kala Point must be designed as single-family dwellings. (CC&Rs Art. II 3. and Art. IV D.2.; KPOA Rules & Regulations and Jefferson County Zoning regulations).
 - b. Commercial: The two storage lots are the only commercial lots in Kala Point (CC&Rs Art. IV C.2.).
 - c. Newly constructed homes must have a minimum of 1,500 sq. ft. of living space, plus a minimum two-car attached garage. If requested and approved by the Architectural Committee, the garage may be connected to the home a covered breezeway (See CCR Article IV B. Sections 13-14.)
 - d. Some lots at Kala Point have height restrictions in addition to those of Jefferson County. See **Appendix C** to determine if your lot has a height restriction, and, if it does, what the limits are. Check the Kala Terrace CCR's for height restrictions on Lots # 1-20 and the Lagoon Drive CCR's for height restrictions on Lots # 1-4.
2. **Tree Removal:** Tree removal necessary for view maintenance can be requested along with the Application for Approval of Construction through the Architecture Committee. For designated view properties, view paths/corridors are established after framing of the new home. General rules for view-path removal:
 - a. native trees on another property must have the consent of the homeowner and paid for by the requestor;
 - b. planted trees on another property above their roofline must be removed/trimmed and paid for by the tree owner. Trees governed under Jefferson County's Shoreline Mgmt. Plan or in KPOA common areas shall be paid for the requestor;
 - c. Designated reserve drain fields are not to be cleared of trees during new construction. (See #B4 Preparation of Home Sites for specifics.)
3. **Responsibilities of Owners & Contractors:** Before commencing any tree clearing, brush cutting or construction, the owner/contractor must submit written notice to the KPOA office at least two business days in advance of the action being taken. Work may not begin until your committee representative verbally notifies you that they will be on site to see that action is taken in accordance with the approved plan.
 - a. Responsibility for Compliance: By submitting a request for Architectural Committee approval, an Owner acknowledges that they have read the CC&Rs, Rules and Regulations, and the current version of the KPOA

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

- Architectural Standards as it applies to the project they are applying for and agree to abide by the provisions of those documents. The owner(s) further represent that the plans submitted for approval are their final plans for which adequate financing is available to complete this project within the time specified in Timelines. No changes to the exterior plan for the house may be made without prior written approval of the Architectural Committee.
- b. The owner is responsible for engineering design, meeting building codes and other laws and regulations including Kala Point CC&Rs requirements. The Architectural Committee does not provide on-site supervision (CC&Rs Art. IV Sec B16) nor make recommendations about contractors or suppliers.
 - c. Drainage: Roof, driveway and landscape drainage must be planned to prevent both erosion and run off to adjacent properties and be shown on the site plan (CC&Rs Art. IV B.2.). On-site dry wells are preferred for roof and driveway runoff.
 - d. Heat Pumps: The location of heat pumps shall be established with consideration for the noise impact on neighbors. Where heat pumps are visible from the street or adjoining lots, complete masking is required with wood construction matching the house (preferred) or latticework (stained/painted to match the house in both cases) and/or shrubbery that immediately shields the heat pump (CC&Rs Art. VIII Sec. 4).
 - e. Insurance: The owner(s) hereby permit the Architectural Committee and its agents, and independent contractors associated with the project to enter onto their property during the project. The owner(s) must have liability insurance in force during the project.
 - f. Permission for contractor(s) and their employees to enter Kala Point's private roads may be withdrawn by the Board for violations of the governing documents.
 - g. Members and their contractors have full responsibility for any damage done to any other property or utility installations and shall be responsible for all costs required for repair or replacement. Trespassing on any other property is not allowed without the owner's written permission (contact the KPOA General Manager in the case of common areas).
 - h. Use of Kala Point Roads: The member is responsible for ensuring that the general contractor, its employees, all sub-contractors and their employees, and the employees of all suppliers are advised of four primary concerns:
 - 1. Contractors are forbidden to drive any equipment on Kala Point roads that does not have pneumatic rubber tires or rubber cleats. Equipment with metal cleats or metal tracks must be unloaded and loaded on the property where it is being used.
 - 2. The speed limit is 25 mph, unless otherwise posted. KPOA roads are also community sidewalks and are frequented by young children, adults, bicyclists, runners, domestic and wild animals.
 - 3. Violations of the speed limit will not be tolerated. Fines may be levied and repeat violators will be barred from use of Kala Point Roads.
 - 4. Littering is strictly forbidden including trash thrown from vehicles and materials that fall off trucks. This includes "washout" of concrete trucks on other than the member's own property.
 - 5. Daytime parking of contractor vehicles shall be on the project property, if possible. If parking is necessary on the street, it shall only be on one side of the street and shall not be left overnight. Traffic safety cones and signs shall be placed around vehicles to help prevent collisions.
 - 6. Forced or improper entry into the community is not allowed. Access when the gates are closed shall be arranged with the owner.
4. **Preparation of Home Sites and Construction on a Home Site:**
- a. Any modification of the natural state of the lot prior to certificate of occupancy requires advance, written approval of the Architectural Committee. Authority is vested in the Architectural Committee to ensure that appropriate architectural quality and design standards of KPOA are met. Architectural Committee control of removal of trees and vegetation is directly related to site preparation for construction. Tree and vegetation trimming or removal after issuance of a Certificate of Occupancy from the County is the responsibility of the Tree Committee or Grounds Committee. Prior to that time, no native trees over six inches in diameter (at three-foot height) shall be removed without written permission from the Architectural Committee, except those within the designated footprint of the house, driveway and primary drain field (this outline includes trees within 10 feet of the house and 5 feet of the driveway). Any removal outside the designated footprint without prior written authorization from the Architectural Committee is subject to fines (see Tree Committee Policy APP XII; CC&Rs Art. I Sec. 33 and Art. IV B Sec. 2 & 8). In addition, designated secondary (reserve) septic field areas shall not be cleared.
 - b. Clearing/Excavating on a new home site: No clearing of the landscape or tree removal will be allowed prior to Owner's receipt of Architectural Approval for new home construction. No excavation of any type, except septic

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

test holes, will be permitted prior to owner's receipt of Architectural Committee approval. Prior to the written approval of submitted construction plans, minimal lot clearance with hand tools is permitted to identify and place lot lines and to site the house

Lots in Kala Point vary in size, topography and vegetation. The AC committee works with the owner when decisions affect the forested nature of the community. Once approved, the owner is responsible for ensuring lot clearing does not exceed the approved limits with AC involvement when appropriate. The assigned project manager will check the site during, and after, tree removal. Failure to follow the plan can result in fines or require revegetation of the affected area within their landscaping timeframe.

- c. Architectural Committee Inspection: In advance of the above required submission, the site shall be prepared by the Owner or contractor for inspection by the Architectural Committee by staking the proposed point of original grade (for height limits) and labeling the stake "OG" (original grade), and marking the following with flagging or nylon (non-stretch) line:

1. The outline of the house (blue tape).
2. Driveway (red tape).
3. Primary drain field (pink tape). (Taping should not include reserve drain field area).
4. Yellow tape any trees over six inches in diameter (19" in circumference) as measured three feet above the ground, that are to be removed except those within the outline of the house, driveway and primary drain field (this outline includes trees within 10 feet of the house and 5 feet of the driveway). No native trees over six inches in diameter that are outside this designated outline shall be removed without written permission from the Architectural Committee.
5. Boundary lines are to be run along all lot boundaries and these lines shall be maintained during house construction.

- d. Utilities Hookups:

1. Water and Electricity: Water and electrical hookups are provided by Jefferson County PUD #1. Refer to their website (JeffPUD.org) for requirements and procedures to secure hookups to installed Kala Point water and electrical systems. Temporary electrical service posts/meters must be removed and the permanent meter & base attached to the dwelling by the time a certificate of occupancy is issued.
2. Sewer and septic fields: Most residences have their own on-site septic systems, all of which require a septic system permit issued by the Jefferson County Health Department. Copies of the septic system permit and plot plan shall be submitted to the Architectural Committee with the Request for Construction Approval. No septic system installation shall be allowed without concurrent home construction.

Kala Heights, Kala Terrace, Kala Lagoon, and all other condo associations each have their own common drain field. Conversely, whereas most residences have their own on-site septic systems, all of which require a septic-system permit issued by the Jefferson County Health Department. Copies of the septic-system permit and plot plan shall be submitted to the Architectural Committee with the Request for Construction Approval, both for new homes and modification of existing homes (addition or replacement of failed systems). The County DCD shall be contacted for information on planning a septic system.

New types of County-approved septic designs should be considered when traditional systems are not appropriate for lot size, require inordinate tree removal, or encounter poor ground conditions. Owners are encouraged to evaluate the various methods and systems available and permitted in deciding which system to install. Types of septic systems vary in cost, equipment, maintenance and square footage of required area and can be designed according to the particulars of the lot. Failed systems should be evaluated for repair, modification or replacement as needed. The county shall determine the minimum required system for the lot, while the owner may choose to upgrade their system as desired within county parameters.

- e. Common Property: Other than the driveway, the Jefferson County provided red fire (house) number sign and a newspaper box, no structure shall be placed on common property. Any decorative improvements, including but not limited to shrubs, bushes and rock walls which are placed on common property, are considered a permissive rather than a hostile use of such property and, if requested, shall be removed at the member's expense upon fourteen (14) days written notice from KPOA to the member. Note that the utilities are placed in an easement within the common areas in the front and sides of some lots.

5. **Antennas/Satellite Dishes:** Installation of all antennas and satellite dish devices intended for the reception and/or transmission of radiation-type electronic signals, located exterior to a house structure must be shown on house plans as submitted to the Architectural Committee. Exterior mounting of dipole TV antennas is discouraged since cable and satellite systems are available. Dish antennas larger than one meter (~39") in diameter will not be approved

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

unless totally screened from view and an integral part of the house structure wherever possible. Reduction of the visual impact of devices is requested to the extent allowed without unacceptable degradation of the system's signal, including painting, covering and screening. Nothing herein shall be construed or interpreted to allow the Architectural Committee to impair the installation, maintenance, use or placement of dish devices one meter or less in size.

6. Site Management during Construction:

- a. All construction sites shall be maintained in an orderly manner. Trash containers shall be maintained on site for any trash. If trash is placed in a container such as a dumpster, it shall not be allowed to overflow. Other materials shall be stacked in an orderly manner. All trash piles shall be removed from the site not less than weekly. At the conclusion of the construction project, all trash shall be removed.
 1. Any wood from uncut felled trees that is not retained for firewood, must be removed from the site within 30 days of the start of clearing as per the timelines set in Section B, Paragraph 2 (Tree Removal). Logs retained must not constitute a safety issue.
 2. Within 3 months of receiving a certificate of occupancy, a member should store firewood away from the house. Firewood should be cut and stacked in an orderly manner behind the home and away from the street, as much as possible. Cut wood retained for firewood must be stacked no more than 4 ft high and shall not serve as visual barriers to views. The volume of stacked logs shall be limited to personal usage quantities. Stacked firewood may be covered with a dark colored (brown, dark green or black) tarp and shall adhere to setback requirements in Appendix E.
- b. Burning Policy: All outdoor burning is prohibited on common areas and lots.
- c. Job Materials: All construction materials shall be stored on the lot where the structure is being built. Off-loading of large beams and trusses may be done on the street, provided the material is immediately moved onto the site.
- d. Toilet Facilities: At the commencement of construction, members or their contractors are required to provide suitable toilet facilities (also known as Sani Cans) during construction per OSHA rules. These facilities shall be located as far off the street as practical to minimize the view from the street.
- e. Noise Control: While normal construction noise is unavoidable, it shall be restricted to the hours of 7:00 a.m. to 7:00 p.m. Any radios or other entertainment devices shall be operated at low levels, so as to not disturb neighboring households.
- f. Drainage control must be maintained during construction to prevent flows onto streets or neighboring properties.
- g. Dogs and Pets: Owners or workers dogs and other pets are not permitted off construction sites unless on a leash.
- h. Signs: Only one commercial sign (generally the contractor's sign) shall be displayed on the property and only during the course of construction and landscaping. This sign shall not exceed 4 square feet (2 ft. x 2 ft. for example) and shall be mounted on one or two posts not to exceed 4" x 4" diameter so that the top of the sign is no more than 42" above the ground. These criteria allow a sign that is legible but not obtrusive. No objects shall be attached to trees by any means other than fabric strap.
- i. Street Numbers: Upon commencement of clearing for construction, the red fire (house) numbers issued by Jefferson County shall be installed on a post 30" above the ground, on the side of the driveway and close enough to the street that it is visible to emergency vehicles coming from either direction. These are street numbers, not lot numbers. If a property will have a propane fuel tank, warning stickers must be obtained from the KPOA Admin Office and mounted on both sides of the house number sign.
- j. Trailers & Motor Homes during Construction: (CC&Rs Art. IV B6)
 1. Resident Vehicles: Living in an RV on the property during the construction period is generally not permitted, but members may request approval from the Architectural Committee under certain conditions. Each request shall be evaluated based on such factors as location on the property (location on the street is not allowed), visibility to other residences, and ability to manage waste disposal. Non-members (such as contractors or employees) are not authorized to live on the property during construction.
 2. Construction Vehicles: Construction vans or trailers may be kept on the member's site during construction, if in use. Storage of such vehicles on the property requires prior approval of the Architectural Committee. Consideration factors include ability to locate vehicles outside the setbacks and in an unobjectionable location from a view stand point. Vehicles cannot be parked overnight on the street.

7. To Request Architectural Committee Approval for clearing, excavation and construction of a new home:

- a. This process begins with a project application. If you are considering clearing, grading and construction, contact the KPOA office to schedule a pre-application interview, if desired, with the Architectural Committee who will

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

work with you throughout the application process. An assisting member of the Architectural Committee will be assigned; he or she may become the case manager for the project once it is approved.

- b. Forms to request Architectural Committee Approval are available at the KPOA Administrative Office or online on the kalapoint.org website (under Forms and Documents; Committee Forms). Ask for or download the **Request for Architecture Committee Approval New Home form**. Fill out the form, entering the requested information and attach two (2) complete sets of scaled drawings (minimum 1/16 inch = 1 foot for site plans; 1/4 inch = 1 foot for building drawings). Other auxiliary plans, such as structural, foundation, plumbing and electrical details (all which deal with the interior of the house) are not required for approval but may be requested if needed.
1. If the owner wishes an architect or a general contractor to act as their agent for processing and carrying out their project, the form contains areas to indicate this. The "agent form" must be signed by the owner.
 2. Submit the completed form to the KPOA Admin Office at least three (3) business days prior to the next scheduled Architectural Committee meeting. Owners are encouraged to visit the Architectural Committee meeting when their application is considered to answer any questions from Architectural Committee members and to prevent any surprises after the County permit is issued.
 3. Plan sets for a new home must include any structure and utilities. Include a copy of the Jefferson County Building Permit with the application, and well as copies of all sewage disposal plans and permits.
 4. Site plans (see **Appendix D** for example) shall include the house and lot to scale, showing rough topographic lines and lot dimensions and indicating the point of original grade as defined in this document, driveways shown to scale, trees over six inches in diameter (19" in circumference) outside of the house footprint as measured three feet up from the base, driveway, any heat pumps located to minimize disturbance to neighbors, the location of the septic tank, the primary and reserve drain fields, any drainage culverts, any proposed structures such as fences, fence-like structures, outdoor fuel tanks (including propane), non-portable generators or any other type of external structure, and drainage plans for roof and driveway runoff. (Omission of any of the above items will result in non-approval for that item (CC&Rs Art. IV B). Impervious surfaces on the property should be minimized to reduce water runoff as per County guidelines.
 5. Driveways. A minimum 12-inch HDPE or corrugated metal drain culvert shall be placed in the roadside drainage ditch at the point where the driveway enters the lot unless omission is approved by the Architectural Committee. All driveway entrance aprons shall be covered with a hard surface material (such as concrete or asphalt) for the full driveway width and shall extend from the edge of the road to three feet beyond the center of the 12-inch culvert. Culvert ends shall be protected to prevent crushing. The member is responsible for maintaining the exposed ends of the culvert. If no culvert is required by KPOA, the hard surface apron shall be a minimum of 6-feet deep extending from the edge of the road toward the house. Driveway aprons should be finished to match the elevation of the street where the apron meets the street. If the apron is higher than the street, posts with reflectors are required at each corner of the apron at the edge of the street. This helps reduce the possibility of damage to snow removal equipment when roads are plowed. Driveways shall be constructed with a suitable base surfaced with high-grade crushed rock, concrete or asphalt pavement. Brick or ornamental stone masonry may be substituted for surfacing at the owner's election. Samples of the intended materials must be approved in advance by the Architectural Committee. Any ornamental structures, including light pillars, shall also require advanced approval from the Architectural Committee (see section F on exterior lighting). Driveway access to Kala Point Drive is allowed **only** if no other street abuts the property.
- c. Variances from AC standards may be requested with justification in order to permit saving desirable trees, adapting to topography, use of new (not previously approved) building materials or other unique circumstances. The Architectural Committee shall provide a written decision on any such request before construction begins. Any written denial shall also include the reason for denial.
- d. After the Architectural Committee has reviewed your application you will receive a letter indicating whether your application is approved, if more information is required, or if not approved. If your project is not approved, you may appeal first to the Architectural Committee; then if unsuccessful, you may appeal to the KPOA Board. See **APP-I** for details on preparing and submitting an appeal.
- e. Siting of new construction on lots might not be approved if there is an adverse impact on the views of others or if in the judgment of the Architectural Committee the site(s) and terrain are not compatible with the proposed plans. For example, if there is an adverse impact on existing drainage, such plans may not be approved (CC&Rs Art. IV B.2).

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

- f. Neighbor Notification Letters: The Architectural Committee, prior to finally approving any project or granting any variance that may affect neighboring properties, will notify, in writing, owners of all neighboring properties, who shall be given ten (10) business days from the date of notification to respond in writing. The final decision, however, lies solely with the Architectural Committee. The owner initiating the project and any other owners who submitted comments will be advised, in writing, of the decision.
8. **Setbacks and Easements:** “KPOA setbacks are larger than those required by Jefferson County. KPOA setbacks are established to provide greater distance between homes to provide privacy between dwellings and the streets and to allow foliage growth that will enhance the beauty and desirability of the naturally wooded environment. Construction of any part of structures, such as the dwelling, roof overhang, driveway (except for egress at the street), or other permanent structures are not permitted to intrude into the setbacks so that they provide adequate space/access for easements. Utility easements are established within the lot setbacks for the installation or maintenance of utilities. Only items that area easily moved are permitted within the setbacks.” See **Appendix E**. Note that KPOA setback requirements are greater than those mandated by Jefferson County. See Kala Terrace Sub-Association for varied setbacks on lot #s 1-20 and Lagoon Ct. Sub-Association for lots 1-4.
9. **Timelines for Construction:**
- a. Approved construction of any structure must be initiated within three (3) months of receiving approval from the Architectural Committee or re-submittal of the request for approval is required.
 - b. In order to minimize disruption to the neighborhood approved construction of any structure must be completed within twelve (12) months of the start date shown in the approved application.
 - c. If the submitted application does not show a specific start date for the start of construction, the twelve (12) months clock will start on the date the project is approved. Approved major landscaping must be completed within six (6) months of issuance of a Certificate of Occupancy or Architectural Committee approval, whichever is later.
 - e. Completion of construction is defined as accomplishment of the actions required to receive the Jefferson County Certificate of Occupancy and all Architectural Committee exterior requirements are met. Landscaping completion is defined as approval of a plan with some vegetation restoration and a minimum cover of 2 inches of bark or compost on bare surfaces (see Landscape section.) .
 - f. The Architectural Committee will consider requests for extensions for construction and landscaping completion. Each request will be considered on its own merits. Extenuating circumstances (those outside the control of the owner) are a valid basis for requesting an extension. Reasonable extensions will normally be granted when good faith effort to complete is continuing.
10. Deposits: See **Appendix B**.

C. Roofing a Home

- 1. Roofing Materials: Overall, a roof should blend into the wooded environment. Materials should have texture and 3-D relief, as do cedar shakes. Using AC-approved materials defined by brand and style will expedite approval (see **Appendix A** for pre-approved roofing materials). As new materials come on the market and are brought to the attention of the Architectural Committee, they will be reviewed and, if approved, will be listed on the approved materials list.
- 2. Styles and colors of roofing materials are established to diminish any visual intrusion with the natural settings of Kala Point and our general earth and woodland color-tone palette.
- 3. The new home application must include specifications for the roofing material manufacturer, model, and color
- 4. If a home is to be roofed with a roofing material that is on the approved list, conditional approval will be quick. The owner must notify their Architectural Committee Representative when the roofing material will be delivered, prior to installation. The Representative will verify the contractor has delivered the correct product before providing approval to proceed with installation.
- 5. Requests for a variance for a roofing material not on the approved list (see **Appendix A**) will be considered on an individual basis and require compelling justification, and could result in delay of approval.
 - a. Architectural Committee approval of a variance may be granted if the roof is unobtrusive with respect to the natural setting as viewed from adjacent lots, roadways, and common areas.
 - b. Samples, pictures/brochures with product specifications and data, warranties, etc. and name of the installer must be submitted as part of the application for Architectural Committee review.
 - c. Generally acceptable colors are earth tones (shades of dark brown, dark gray, or black). Colors must be approved by the Architectural Committee.
- 6. Roofing materials that are not appropriate or allowed are specified in **Appendix A**.

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

D. Painting or Staining a Home

1. The new home application must include specifications for the paint/stain to be used for home siding and home trim. The owner must submit a piece of siding and/or trim at least 12 inches long that is the same as specified for the home, with samples of the proposed colors applied.
2. The body of a home: Paint/stain should blend with the Kala Point wooded environment. Use earth tone colors or stains of brown to beige, grays, green or taupe. Colors not permitted are those that do not blend with the landscape; for example, white, yellow, or red.
3. The trim of the home may contrast from the body color, but should also blend with the wooded environment. The wood trim surrounding windows and doors may be painted/stained the same color as the siding or the trim of the home. The front door of the home may be any desired color. Other exterior doors must be painted/stained the same color as the siding or trim on the home.
4. Garage doors must be painted, stained or factory pre-painted to match or blend with the main body or trim of the house.

E. Deck Construction

1. The owner is responsible for obtaining and conforming to any building permit required by Jefferson County.
2. Deck materials must be wood, wood composite or polymer (e.g., Trex®, Timber Tech® or AZEK®). If wood, the deck must be painted/stained to harmonize with the color of the siding or trim of the home, finished with clear coating or left natural. Factory finished composite or polymer deck materials may be in any color that harmonizes with the home.
3. Railings/balusters may be wood, polymer or metal painted/stained as above, framed glass panels, stainless steel cable, six-gauge welded wire sections in factory applied powder-coated finish in black or bronze; or composite material as above.
4. Decks must not extend into the lot setback or encroach on the septic system or field. See **Appendix E** for setback requirements.

F. Installing Exterior Mechanicals and/or Lighting

1. Examples of exterior mechanicals: heat pumps, ductless heat pumps, heat exchangers, propane tanks, fixed auxiliary power generators, satellite antennas or hot tubs and exercise pools. (For Solar Panels see APP III 1 Section I. or APP III 2 Section K.)
2. Plans and specifications for any exterior mechanicals and/or lighting located on the structure must be included in Plans and Specifications for any proposed new home project, and be shown on the site plan for the new home.
3. Installation of exterior mechanicals require appropriate Jefferson County and Washington State permits. Applications for a new home must have proof of Building Permits for all aspects of the new home property.
4. All exterior mechanicals, with the exception of satellite antennas, must be fully screened from view from the street and neighboring properties by framed lattice or solid screening as tall as only needed to screen the mechanical device; shrubs are acceptable if they achieve the screening. Non-vegetation materials must be painted/stained to match the body home exterior. Owners are reminded of the importance of fire safety and code compliance.
5. Plans and specifications for lighting outside the house must be included in submissions for a new home. Exterior lighting must be of a size, light intensity and direction that will not be an annoyance to other homes or street traffic. Any exterior lighting including post lights shall be shown on the plans submitted for approval along with the lumens of all fixtures.
 - a. House mounted lighting should not exceed 900 lumens (roughly 60 W) each.
 - b. Street or post mounted lighting should not exceed 450 (roughly 30 W) lumens each.
 - c. Pathway down lighting should not exceed 100 lumens (roughly 7 W) each.
 - d. Monument lighting on homes is not allowed. Any upward illumination into trees should not exceed 100 lumens.
 - e. No application or inclusion on site plans is required for garden or lawn-path lighting or driveway border down lighting; however, such lighting should emit 100 lumens or less and be less than three (3) feet tall.
6. No exterior mechanical equipment may encroach on the setbacks of the property. See **Appendix E** for clarification of KPOA setback requirements.

G. Stand-Alone Buildings/Structures

Stand-alone structures shall mimic the home in terms of siding design and type of wood, paint/stain color, and the roof must be the same as that on the home or at a minimum shingles of the same color (**see Appendix D for all details**).

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

Standing seam metal roofs are specifically prohibited for homes and therefore, prohibited for stand-alone buildings. Commercial or ready-made stand-alone structures may be acceptable if they meet the design aesthetics/requirements for garden sheds and green houses in terms roofing, siding, color, other materials. If attached to the house, certain stand-alone structures such as pergolas, arbors, or pavilions may exceed the size limitations if all other aesthetics remain. Tree houses specifically are prohibited as they damage the trees.

1. Examples of "Stand-alone buildings/structures" include storage sheds, wood storage structures, detached greenhouses, and see-through structures such as gazabos, etc. Sheds must use the same siding and roofing material and colors as the home. Stand-alone structures are limited in size (See Appendix E). Only one stand-alone structure is permitted per property. Variances will be considered if compelling conditions exist, and home-site layout and position is acceptable. Variances will be considered if compelling conditions exist, and if home-site layout and position is acceptable. Stand-Alone Buildings and Exterior Structures are defined in **Appendix D** along with construction guidelines.
2. Plans, specifications, and locations for all stand-alone structures, except house number posts and newspaper boxes must be incorporated in the application for a new home or addition to an existing home.
3. Storage sheds: They must use same siding and be painted or stained same color as house, and roofing must be same type, design, and color as the house. Windows, skylights and solar power are allowed. If 120-volt electrical is used, it must be underground and have an electrical permit. Storage sheds are intended to be used for storage. See **Appendix D** for guidelines for storage sheds and greenhouses. Foundation must be concrete pad or piers.
4. Additional exterior structures that are "see-through" such as gazebos and pavilions (usually wood, roofed, four-posted shade structures with no walls) will be considered on a case-by-case basis depending upon size, location, visibility from the street, visual intrusion on neighboring properties, and appropriateness with the KPOA general landscaping scheme. Any additional structure should be built on site, but kits may be approved on a case-by-case basis. The required application must include a schematic site diagram, size and material specifications and pictures of similar structures (see Appendix D). To maintain the wooded, park-like KPOA landscaping theme, the rules limit the number of structures permitted on a property to one. Therefore, if the property already has an existing structure, it is possible that a "see-through" structure may be disapproved. NO additional structures may be used for habitation under Jefferson County building code.
5. Heights of stand-alone structures are measured from the natural grade where they are to be located, however on lots where the home has a height limitation, the home height limit cannot be exceeded by any other structure on the lot.
6. All stand-alone buildings should be positioned so that they are shielded from street view, and subject to setback measurements. See **Appendix E** for clarification of KPOA setback requirements.
7. Vegetation screening must be used if buildings are visible from the street or neighboring property.

H. Fences and Pet Enclosures

1. In some situations, members may want to restrict the movement of children or pets, grow a garden or protect vegetation from wildlife. Therefore, the Architectural Committee endeavors to work with members to accomplish such goals by approving fenced areas only when and where appropriate. To restrict dogs, it is highly recommended that electronic fences be used; they are invisible and highly effective at restraining pets, even large dogs.
2. Every fence approval request application shall be evaluated on a case-by-case basis and take into consideration visibility from the street and unreasonable restriction or blocking of the view from any adjoining lot. During new construction, fencing or enclosures will be approved after the house is framed and footprint/views are established. Neighbors, who may be impacted by the proposed fence, will be notified and have an opportunity to provide input into the Architectural Committee's decision.
 - a. In general, fencing should only be used for restricting the movement of children, pets and/or to protect vegetation from wildlife. Privacy concerns should be addressed with landscaping, trees, and plantings where appropriate (refer to the KPOA Vegetation Policy related to view corridor restrictions).
 - b. Standards by which the Architectural Committee evaluates a fence request are by definition somewhat arbitrary since a fence that may be appropriate for one area of the association may not be for another nor do previously approved fences create a precedent for future fence requests. Factors taken into consideration will include height of the proposed fence; visibility from the road and unreasonable restriction or blocking of the view from any adjoining lot; compatibility with structures on the property and any existing adjacent fences.
 - c. In an attempt to minimize the impact to the open nature of our development, approval of any fence and the area in which it will be located will depend upon visibility of the fence, existing natural vegetation, and size and topography of the lot. Fences should be located so that removal of existing natural vegetation is minimized. The

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

finished face of any fence must be placed toward the street or neighbors. In some situations, the Architectural Committee may approve a fence request but stipulate landscaping to further screen or visually soften the appearance of the fence.

- d. Fencing will not be allowed in common area (utility) easements or within Kala Point specified setbacks (as defined in **Appendix E**.) However, fencing is allowed along the rear property line, if the lot abuts the Woodland Hills or other developments. A 50-ft wide “green” buffer (easement) was included in the development of Woodland Hills lots.
 - e. Where feasible, fences should be located to the rear of the home. Wherever located, fences should be adequately screened from view from the street and adjoining properties by using trees, shrubs, and plantings. Landscaping of a specific height may be stipulated to mitigate the appearance of fences approved by the Architectural Committee.
 - f. Chain link and hog wire fencing are prohibited. Stockade, solid (good neighbor) and lattice topped fencing are prohibited.
3. Fences less than 4 feet:
 - a. Wood: If fences are to be constructed, they should be see-through such as pickets, posts, split-rail and treated wood, cedar or redwood. Such fences must not exceed four (4) feet in height. Fence posts should be nominal 4" x 4" diameter or smaller. Cedar or redwood fences may be left unfinished to weather naturally or they may be painted or stained in a color to complement the home. Other wood varieties must be painted or stained in a color to complement the home.
 - b. Wire: When wire fencing is specified, vinyl-coated wire-mesh fencing (grid size approximately 2" x 4") 48" or less in height must be used. Galvanized, uncoated or painted wire fencing will not be approved as it is subject to rusting. Vinyl-coated fencing must be dark green or black to reduce visibility. In such a fence, either standard metal fence posts, available at local hardware stores, painted black or dark green not exceeding 48" above ground, or treated wood posts; 4" x 4" diameter or smaller and not exceeding 48" above ground may be used. If desired a wooden “top board” or steel cable may be used for extra stability. Note: The deer fence material described in Section 3 below can be used in low fences also, and the lower portion of the material can be buried inside the fence line to prevent digging by pets to escape under the fence.
 4. Fences over 4 feet:
 - a. High strength UV-resistant plastic mesh, referred to as “invisible deer fencing,” is recommended. Deer fencing is a high-strength weather-resistant polypropylene mesh (grid is 1" to 2" wide) and is black in color. This fencing can be as much as seven (7) feet above ground level. For this type of fence, standard steel fence posts painted black or dark green should be used to reduce visibility. A steel cable can be used along the top to increase strength.
 - b. High fencing for plant protection as screening of a single plant or small clustered groups should be used as little as possible. High fencing for a small garden plot must be carefully located to minimize visibility from the street or neighbors, and should be further screened by tall vegetation.
 5. Application:
 - a. Applications are required for all fencing. Fencing for a newly constructed home should be included on the application and plans for the new home.
 - b. A site plan is required as delimited in B.7.b above for review by the Architectural Committee. This plan can be hand drawn or utilize an existing project construction site plan and must show property lines, setback lines, the home, any significant landscaping objects, areas of vegetation or non-vegetation, any existing or proposed exterior structures, fencing and septic drain field. See **Appendix E** for site plans.
 - c. The Architectural Committee will generally conduct a site visit during the review process to view the property and location for the proposed fence.

I. Solar Energy Panels

1. Only rooftop installations will be permitted and must minimize the impact on the overall appearance of Kala Point. The following items and conditions must be met to obtain approval:
 - a. A request for approval must be submitted to the Architectural Committee, with plans for the installation showing all dimensions and relationships to the home.
 - b. A copy of the appropriate Jefferson County Mechanical Permit, Structural Permits for roof support of the solar panels and an Electrical Permit from the State of Washington; if the solar panels will power the house and or energize the county electrical grid, PUD approval will also be required.

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

- c. No part of the installation may be visible above the ridge line where installed and no part of the installation shall exceed the horizontal limits of the roof. Requests to install solar panels on the ground will not be approved. Where feasible, the installation should not be on the roof facing the street.
- d. All panels must be parallel to the slope of the roof, non-movable and installed so that the top edge of any panel is parallel to the roof ridge.
- e. All frames, piping, support brackets and wiring must blend in with the color of the roofing material and/or the siding of the home.
- f. To protect the overall wooded appearance of Kala Point, tree removal or canopy reduction will be severely restricted and only be approved on a case-by-case basis.

J. Landscaping on a New Home Site

1. A site plan is required as defined in B.7.b. See **Appendix E** for example. Either a single site plan with all required elements for a new home or a secondary landscape site plan is acceptable.
2. Landscape Site Plan Consideration:
 - a. The landscape plan must include location and descriptions of proposed structures such as a storage shed, wood storage, greenhouse, patio, arbor, rockery, planters, garden art taller than thirty-six (36) inches, and site elements such as water features, paver or gravel areas, retaining walls, exterior lights, and light fixtures (lights using home voltage are not to exceed 900 lumens, or 450 lumens if located at the street end of the driveway.) Any fencing, either low fencing or deer fencing for sensitive plantings, must be shown on the landscaping site plan.
 - b. The minimum requirement is to restore disturbed ground. Owner's choice of tree species for replacement if considerable tree clearing done; some shrubs; grass areas if wanted; groundcovers including salal/ferns. Planting may be done over time but at a minimum two inches of bark is required to cover disturbed areas at all times.
 - c. Retaining walls for slope stabilization, bank retention, and/or aesthetics should blend in with the natural appearance. Landscaping walls or terraces (<36" high) should be designed to minimize potential erosion problems caused by steep slopes and abrupt changes in grade. Placing retaining walls in setbacks requires an approved variance.
 - d. Large areas of grass are strongly discouraged on individual lots that adjoin the bluffs in order to reduce unnecessary water runoff as per County guidelines.
 - e. Growth potential of proposed vegetation should be considered in relation to designated view paths since many KPOA properties have height restrictions that also apply to height of planted vegetation. Unreasonable interference into view paths by vegetation and trees growing is prohibited.
 - f. Planted trees must be pruned to be at or below the home height limitation if one exists. See **Appendix C** for lots that have home height limitations.
 - g. Additional guidance is available in APP II-22, Vegetation and Tree Policy and should be considered when choosing vegetation and trees for newly developed lots.
 - h. Neighbor Notification Letters: If the Landscaping Plan changes the topography of the lot substantially, and/or the Architectural Committee determines the plan may impact neighbors, letters ~~will~~ should be sent to the potentially affected neighbors permitting them to review the plan and provide feedback if they desire. Affected neighbors will be allowed ten (10) business days from the date of the letter to review the plan and respond in writing with their feedback. Neighbors are not being solicited for approval or disapproval of the plan. The final decision rests solely with the Architectural Committee. If neighbor(s) comments are factual but negative, the Architectural Committee representative will attempt to resolve any differences, or the Architectural Committee will review the plan and neighbor comments and make a final determination.
 - i. With the exception of the driveway entering the street, the newspaper box, and the red fire (house) number, hardscaping (concrete walks, patios, etc.) must honor all setbacks. See **Appendix E** for clarification of setback requirements.
3. Landscape Completion:
 - a. Landscape work must be completed to the extent necessary to restore disturbed ground and to stabilize slopes and banks within six (6) months of the completion of the home.
 - b. The landscaping deposit will be returned when all disturbed vegetation, ground and/or landscape is restored, slope stabilization and bank retention measures have been accomplished. Landscape projects will be inspected by the Architectural Committee Representative and the General Manager.

ARTICLE III-1 ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013; October 11, 2016; Feb. 13, 2018; Jan. 8, 2019;
March 10, 2020; Sept. 8, 2020; August 9, 2022

K. Variances: Variances are exceptions to the board approved APP (Rules), i.e., requirements, permissions or restrictions. They are considered exceptions to the “rule.” They are to be granted judiciously based upon extraordinary circumstances only and must be accompanied by a compelling written justification. Extraordinary circumstances are considered undue physical hardships, overcoming practical topography difficulties or obstructions, saving vegetation or trees, or other criteria as may be established by the Committee. To maintain the integrity of these APPs and to ensure that decisions are not arbitrary or capricious, the following applies for approving variances to the APPs:

1. Justifications or Conditions for Granting Variances

a. The AC may grant a variance to its stated policies and procedures for extraordinary circumstances only. They are not to be granted routinely nor be based upon an approved variance to a different property. Variances shall be considered based upon the following conditions or situations:

1. To preserve mature trees or vegetation.
2. To accommodate topography conditions such as stabilizing hills or to correct drainage problems.
3. To accommodate physical mobility hardships such as installation and placement of wheelchair ramps or installation and placement of mechanical chairs or placement of permanent generators in the setbacks.

b. Variances shall not be granted based on financial or cost considerations.

c. A variance is approved based upon a unique set of circumstances, for specific reasons, and for a specific location, and therefore, a variance in one location does not form a precedent for another location.

2. Limitations: Variances to this document’s policies and procedures are to be granted judiciously and not routinely. Variances are to reasonably accommodate an individual member’s unique requirements or set of circumstances based upon the conditions under Paragraph 1 above and may not be used to routinely circumvent a stated APP policy or procedure. As the conditions for granting a variance are unique to a particular set of circumstances, a variance on one property does not form a precedent to approve the variance.

3. Requests: Property owners must provide a written request for a variance specifically outlining the details of the request, accompanied by a compelling justification.

4. Committee Decision: Variances are unique to a specific situation or set of circumstances and requests are considered for approval only after careful deliberation based upon the justification or conditions in Paragraph 1. The Committee may take into consideration neighbor input, but the decision rests with the Committee.

5. Documentation: The AC shall provide an approval or disapproval letter for the variance. All information shall be documented in the “Documentation of Approval/Disapproval Form for Variances to the APPs”, which shall accompany the letter, a copy of which shall be attached to the approval/disapproval letter and filed in the property owner’s lot file.