

ARTICLE III-2 ARCHITECTURAL COMMITTEE MODIFICATIONS TO EXISTING HOMES

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

How to use this document depends on what you wish to do

Section A establishes Architectural Committee authority; read if desired.

If you wish to do the action below	Read these sections
What you can do without approval	B.5a. (p. 3)
Like-for-Like Replacement/Repair	B.5b (p. 4)
Paint/Repaint	C. (p. 5)
Roof/Reroof	D. (p. 6)
Landscape Structures	E. (p. 6)
Build an Exterior Structure	F. (p. 6)
Major Repair/Remodel	G. (p. 7-8)
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A. Mission, Authority and 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. Every effort possible should be 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 B.2. & 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. **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.

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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 C2).
- c. 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 construction can be requested along with the Application for Approval of Construction through the Architecture Committee. Designated reserve drain fields are not to be cleared of trees during new construction. (See B.4 Modifications to Existing Home Sites for specifics.) After a home is constructed, any tree removal not part of modification to the structure is the responsibility of the Tree Committee. See APP Art. XII and APP II-22, for procedures.

3. **Responsibilities of Owners and 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 an Owner 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 Architectural Standards as it applies to the project they are requesting 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 of building codes, application for required building permits and other laws and regulations including Kala Point CC&R requirements. All associated building or construction materials must be stored out of sight from the street and neighbors unless actively being used in a reasonable timeframe as determined by the Architecture Committee. The Architectural Committee does not provide on-site supervision (CC&Rs Art. IV 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 that is stained/painted to match the house in both cases and/or shrubbery that immediately shields the heat pump (CC&Rs Art. VIII 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). Contractors are forbidden to drive on Kala Point roads any equipment 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.
- 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.

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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. Modifications to Existing Home Sites

- a. Any modification of the natural state of the lot or structures, prior to and during residence, including subsequent additions, or other exterior changes 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 unrelated to structure changes is the responsibility of the Tree Committee. (See Tree Committee Policy APP XII; CC&Rs Art. I Sec. 33, Art. IV B. Sec. 2 & 8).
- b. 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.
- c. Toilet Facilities: At the commencement of any exterior 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.
- d. Noise Control: While normal construction noise is understandable, 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 enough levels to not disturb neighboring households.
- e. Drainage control must be maintained during construction to prevent flows onto streets or neighboring properties (County requirement).
- f. Dogs and Pets: Owners or workers dogs and other pets are not permitted off home sites unless on a leash.
- g. 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.
- h. 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 the ability to locate vehicles in an unobjectionable location from a view stand point.

5. **Maintenance and Repair:** The CC&Rs state (Art IV B Sec 7) "As to Lots, the Lot owners, and as to Condominiums and Time Share Condominiums, their respective Owner Associations, shall maintain the improvements located on their premises and the grounds of such premises in a neat and attractive manner, etc. Such Owners and Owner Associations shall maintain the exterior of improvements on their premises in a good state of repair and condition." Maintenance of each non-condominium property is the responsibility of the owner. The Architectural Committee, as created and empowered in the CC&Rs, does not control or monitor work done to a portion of a structure or landscaping after its initial construction that keeps the home or landscaping in good condition, or minor repairs that restore the home or landscaping to or near its original condition, but do not change the exterior appearance. The fact that a homeowner can do maintenance and/or repair to their home without Architectural Committee monitoring does not exempt the owner from complying with Jefferson County Building Codes and Washington State Electrical Codes, which "require a building permit before constructing, enlarging, altering, repairing, moving, converting or demolishing a structure unless expressly exempted." Maintenance and repairs within the home or on the exterior structure are the financial responsibility and are in control of the owner. Major maintenance that repairs or alters a structure and changes its exterior shape, size, color, material or location does need Architectural Committee review and approval.

- a. What a property owner can do to a home site after its initial construction and landscaping without needing to seek Architectural Committee approval:
 1. Routine landscaping maintenance – mowing, trimming vegetation, removal of down, dead or owner planted trees, etc. Note: Removal of standing native trees is controlled and monitored by the Tree Committee. See APP II-22 and APP XII.
 2. Any planting of vegetation within the property lines.

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3. Cleaning gutters and removing moss and algae from any surface including house, roof, deck, driveway and other structures.
- b. Like-for-Like Replacement/Repair: The like-for-like concept addresses replacement or repair projects that a homeowner may undertake that **do not** require approval from the Architectural Committee. The concept is based upon the assumption that the replacement/repair and its location is consistent with that which has been previously approved by the AC. The following are examples of items that fall under the Like-for-Like Replacement/Repair concept:
 1. Heat Pump: Replacement of the same, smaller or similar-size heat pump in the same location as the former. Conditions: Must be shielded with foliage or wooden surround so that it is not visible from street or by neighbors. If attached to home, surround is to be painted the color of the body of the house. If located away from the house, the surround is to be painted or stained a color that harmonizes with the landscape foliage or left to weather naturally. It may not be placed in the setbacks and any required permits must be obtained.
 2. Propane Tank: Replacement of a tank of the same size or similar size in the same location. Conditions: Must be shielded so as to not be visible from street or by neighbors using same materials or foliage as a heat pump. It may not be placed in the setbacks and any required permits must be obtained.
 3. Generator, permanently placed type: Replacement of the same, smaller or similar size in the same location as the former. Conditions: Must be shielded from view from the street or by neighbors using the same surround or foliage as for a heat pump. It may not be placed in the setbacks and any required permits must be obtained.
 4. Windows and Skylights: Replacement of windows even if design or size changes. Siding, if replaced, must match existing. However, a change in window structure may require a building permit.
 5. Gutters: Replacement of gutters. Condition: color must blend or harmonize with the main body or the trim of the house.
 6. Doors: Replacement
 - a. Front Doors. Design and color is the members choice. However, a change in door structure may require a building permit.
 - b. Other Exterior Doors. Design and color are member choice, but they should blend with main body or trim of house.
 - c. Garage Doors. May be wood with natural preservative or stain or painted to blend with the main color of the house. They can be painted or be pre-painted metal of a color that matches or blends with the main color of the house. There are no provisions for style of doors or lites therein.
 7. Decks and Wooden Walkways: Replacement and re-staining in clear or same color. Conditions: Left to weather or if stained or painted, it must harmonize with the color of the exterior of the home. Replacing with composite decking or other materials is allowed if size of deck does not increase. May not be placed in the setbacks or over elements of the septic system. Jefferson County states that permits are commonly required for any deck more than five years old due to continually updated earthquake code requirements.
 8. Exterior Home Lights: Replacement of fixtures attached to home. Conditions: Lumens should not exceed 900 lumens maximum and are not intrusive to neighboring properties.
 9. Landscape Lighting: Replacement of fixtures in the landscape. Conditions: Lumens should be 100 or less and are not intrusive to neighboring homes. May not be placed in the setbacks with exception of driveway.
 10. Landscape Structures: Any temporary, seasonal or permanent landscape structure less than thirty-six (36) inches in height.
 11. Repainting exterior same color: If repainting/staining the same approved color no application is needed. Condition: Owner must contact KPOA office to verify existing color (manufacturer & number) is documented in the property file. If so, verbal approval is given and no application is necessary. Color matching by the paint supplier is encouraged. Many colors are no longer made or lack documentation in files; if there is no documentation, then a new application shall be submitted for full Architectural Committee approval.

If any of the above (5.b. i. thru xi.) are new to the property, an application must be submitted for approval before work may begin.

6. **Project Application:** If you are considering additional building, exterior remodeling, or planning major landscaping on an existing home property, you may contact the KPOA office to schedule a pre-application interview where an Architectural Committee member will help you with the application process. The assisting member of the Architectural Committee may or may not be the case manager for the project once it is approved.
 - a. 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 Architectural Committee Approval—Modifications to an Existing Home**. Fill out the form, entering the

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appropriate information pertinent to the type of project you are applying for and attach the documentation required in the appropriate sections C to L below. Include any deposit required (See **Appendix B.** for amount) for major addition. Submit the completed form to the KPOA Admin Office at least 3 business days prior to the next meeting. All members are invited to attend any meeting; applicants are encouraged to attend when informed their application will be discussed.

- b. 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 it is not approved. Any written denial shall also include the reason. 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.
- c. Neighbor Letters: Prior to final approval of any project or granting any variance that may affect neighboring properties, the Architectural Committee will notify, in writing, owners of all neighboring properties, who shall be given ten (10) business days from notification to respond. 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.
- d. 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 # 1-20 and Lagoon Ct. Sub-Association for lots 1-4.
- e. Timelines for Construction:
 - 1. Approved construction of any structure or exterior home modification must be initiated within three (3) months of receiving approval from the Architectural Committee; if not, re-submittal of the request for approval is required. Unavoidable delays (weather, supply chain, pandemics, etc.) will be a reason to request an extension of time to begin work.
 - 2. In order to minimize disruption to the neighborhood, approved construction of any structure or exterior home modification must be completed within six (6) months of the start date shown in the approved application. Extensive modifications (such as rebuilding) may be a basis to request an extension of time for construction.
 - 3. Approved major landscaping must be completed within six (6) months of Architectural Committee approval.
 - 4. If the submitted application does not show a specific start date for the start of construction, the six (6) month clock will start on the date the project is approved.
 - 5. The Architectural Committee will consider requests for construction and landscaping completion extensions. 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.
- f. Deposits: Only for major additions. See **Appendix B.**
- 7. **Site Plans:** If site plans are required in sections below, they must contain property lines (legal survey monuments must be visible at the site), setback lines, the home's footprint, any significant landscaping objects, vegetation or non-vegetation, any exterior structures or fencing (existing or proposed), and septic drain field. Site plans must be drawn to scale (minimum 1/16" = 1') to permit review by the Architectural Committee. Electronic versions (pdf) are acceptable. See example in **Appendix E.**

C. Re-Paint or re-Stain an existing home

- 1. An application is required if the home is being repainted or re-stained in a **different** color than was previously approved or if not documented in the property file. (See B. 6. above). The application must include specifications for the paint/stain to be used for home siding and home trim.
- 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. Either apply a sample of the color to an unobtrusive area of house (which will require a site visit by your committee representative) or paint a 12-inch-long piece of siding or trim similar to your existing and submit it for the Architectural Committee to review.
- 3. The trim of the home may contrast somewhat from the body color, but should also blend into 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 color of the front (or main) door of the home is the owner's choice. 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.

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5. Wood decks and railing may be painted/stained the same color as the siding or the trim of the home, painted with a clear/transparent finish or left natural. Composite materials such as Trex®, Timber Tech® or AZEK®, are now commonly used, in any color that harmonizes with the home. The owner is responsible for obtaining and conforming to any building permit required by Jefferson County.

D. Re-roof an existing home

1. Applications are required for all replacement roofs. A roof should blend into the wooded environment. Materials should have texture and depth similar to cedar shakes. Using 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. If a home is to be roofed with a roofing material that is on the approved list, conditional approval will be quick. After approval, the owner will be required to notify the Architectural Committee Representative when the roofing material will be delivered, prior to installation, where upon the Representative will verify the contractor has delivered the correct product and provide final approval to proceed with installation.
4. 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 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.
5. Appendix A lists roofing materials are not appropriate or allowed.

E. Major Landscape Structures around an existing home

1. Major changes to a landscape on an existing home site consist of:
 - a. Adding structures (see section F on additional structures), a large hardscape area (patio or driveway), or a retaining wall taller than 36 inches.
 - b. Maintenance in the form of replacing or adding new plants, trees, groundcovers or drip irrigation **does not** need approval. The owner must follow any height limitations for view lots (see **Appendix C**).
2. An application is required to get approval for changes to the landscape including adding exterior lighting outside an existing home except for exterior lighting using lumens of 100 or less or solar power.
3. A site plan is required, drawn to scale (not smaller than 1/16" per foot) for review by the Architectural Committee. This plan can be hand drawn, digital (pdf) or utilize an existing project construction site plan (previously submitted with new home construction application). See **Appendix E** for an example.
4. Re-landscaping considerations:
 - a. The landscape plan must include location and descriptions of proposed or existing structures such as an alternative storage shed, wood storage, greenhouse, patio, arbor, rockery, planters, and site elements such as 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). In addition, any fencing either low fencing or deer fencing for sensitive plantings, must be shown on the landscaping plan.
 - b. The minimum requirement to restore disturbed vegetation should be at least a two (2) inch thick bark cover or dense plantings of native ground covers such as salal, Oregon grape, or similar evergreen plant.
 - c. Retaining walls for slope stabilization, bank retention, and/or aesthetics should blend in with the natural appearance of the site. 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. Growth potential of proposed vegetation should be considered in relation to designated view corridors since many KPOA properties have height restrictions that also apply to height of planted vegetation. 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. Additional guidance is available in APP II-22, Vegetation and Tree Policy should be considered when choosing vegetation and trees.
 - e. Re-landscaping must honor all setbacks. See **Appendix E** for clarification of setback requirements.

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F. 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**). 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 of 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.

G. Major Exterior Repairs/Additions or Remodeling to an Existing Home Site

1. Common examples are, but not limited to, additions of home area (increasing sq. footage), new exterior stairs not previously on the home, and addition of a deck not previously on the home (**see Section I**). Any major repairs/additions or remodeling requires an application. Minor repair of exterior stairs, decks, and patios if using the same materials and same footprint can be done without an application. See Section B. 5 & 6 for repairs/maintenance that can be done without an application. If the repair changes the appearance of the structure in any way, it is deemed a major repair and requires AC approval.
2. No clearing of vegetation or tree removal will be allowed prior to owner's receipt of both Architecture Committee and Tree Committee approvals. No excavation of any type will be permitted prior to owner's receipt of Architectural Committee approval.
3. A site plan is required, drawn to scale (not smaller than 1/16" per foot) for review by the Architectural Committee. This plan can be hand drawn, electronic (pdf), or utilize an existing project construction site plan (previously submitted with new home construction application). The site plan must show property lines, setback lines, the home, any significant landscaping objects, vegetation or non-vegetation, any exterior structures, existing or proposed, any fencing, existing or proposed, and septic drain field. See **Appendix E** for example.
 - a. Plans for the desired addition or major replacement must be included.
 - b. A copy of an approved Building Permit must be attached or available electronically.

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4. The outline of any addition to the existing home must be marked with blue tape for review by the Architectural Committee prior to approval.
5. Due to prevailing tree root rot in the area, it is recommended that the owner contact an arborist prior to construction for a hazard evaluation. The KPOA Office has a list of local arborists.
6. Siting of a new structure may ~~not~~ be unapproved 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.
7. Common Property: No structure shall be placed on common property other than the driveway, the red fire number (house) post, and newspaper box. 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.
8. Owners are reminded of the importance of fire code compliance especially where electrical or flammable materials are involved.
9. Deck canopies or other stand-alone structures (see Appendix E) will be considered on a case-by-case basis. An application is required.
10. Setbacks: No structure or object may encroach on KPOA Setbacks, except for the extension of the driveway to the street, newspaper box and the red fire number (house) sign. See **Appendix E** for KPOA setback requirements.

H. Install New Exterior Mechanicals and/or Lighting

1. Examples of New Exterior Mechanicals: heat pumps, ductless heat pumps, heat exchangers, propane tanks, fixed auxiliary power generators, satellite antennas, hot tubs, etc. (For solar panels see **Section K.**)
2. Application is required for installation of all exterior mechanicals not previously approved and for all new lighting located on the structure.
3. No clearing of landscape or tree removal will be allowed prior to owner's receipt of Architectural Approval for installation of an exterior mechanical to a home. No excavation of any type will be permitted prior to owner's receipt of Architectural Committee approval.
4. Installation of replacement drain fields or installation of secondary septic systems must have AC approval and be accompanied with appropriate site plans that show removal of trees as described in Section 5 and a County-issued permit. No part of the original or secondary septic field may breach the side, rear, or frontage setbacks unless there are mitigating circumstances. If significant vegetation is removed for the new septic field, the owner should plant replacement trees to help replace lost forest canopy (this is a Tree Committee goal). The AC encourages use of County approved septic design options that use smaller footprints or that reduce needed vegetation removal.
5. A site plan is required, drawn to scale (not smaller than 1/16" per foot) for review by the Architectural Committee. This plan can utilize an existing project construction site plan (previously submitted with new home construction application). The site plan must show property lines, setback lines, the home, any significant landscaping objects, vegetation or non-vegetation, any exterior structures, existing or proposed, any fencing, existing or proposed, and septic drain field. See **Appendix E** for an example.
6. Installation of exterior mechanicals, including hot tubs and exercise pools, may require a Jefferson County building permit and a Washington State Electrical permit. If so, attach the permits to the application. Electrical permits are issued by the WA State Dept. of Labor and Industries and will be attached when the installation is performed. If an existing exterior mechanical device is to be replaced with a device of the same specification in the same location as previously approved, then see section B.5b for Like-for-Like replacement allowances with no approval needed.
7. 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 less than 48" tall, or shrubbery. Non-vegetation materials should be painted/stained to match the body of the home exterior. Owners are reminded of the importance of fire code compliance.
8. Application for lighting on the exterior or outside the house is required if lighting uses 120 (household) voltage. 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 any fixtures. Note: lumens are the new standard for illumination, whereas wattage is a power usage rating. Most bulbs show both ratings, we now use lumens.
 - a. Plans and specifications for lighting on the exterior of the house must be submitted for approval. Exterior house mounted lighting should not exceed 900 lumens (roughly 60 W) each.
 - b. Street or post-mounted lighting should not exceed 450 lumens (roughly 30 W) each.
 - c. Pathway down lighting should not exceed 100 lumens (roughly 7 W) each.
 - d. Monument lighting on homes is not allowed. Any up lighting into trees or yard art should not exceed 100 lumens.

ARTICLE III-2 ARCHITECTURAL COMMITTEE MODIFICATIONS TO EXISTING HOMES

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

- 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.
- 9. Setbacks: No exterior mechanical equipment may encroach on setbacks on the property. See **Appendix E** for KPOA setback requirements.

I. Deck Construction (new to the lot)

- 1. An application is required for construction of a new deck on the lot. Jefferson County requires a permit for replacement of decks older than five years. See section B.5b "Like-for-Like Replacement/Repairs" for replacing an existing deck.
- 2. The owner is responsible for obtaining and conforming to any building permit required by Jefferson County.
- 3. 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 exterior 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 house.
- 4. 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.
- 5. Decks must not extend into the setback or encroach on the septic system or field. See **Appendix E** for setback requirements.

J. 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.
 - a. In general, fencing should only be used for restricting the movement of children or pets 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 (4 ft. high or less); visibility from the road and unreasonable restriction or blocking 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 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 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.
- 2. Fencing 4ft. and less:
 - a. Wood: If fences are to be built, 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.

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March 10, 2020; Sept. 8, 2020; August 9, 2022

- 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, the posts can be either standard metal fence posts, available at local hardware stores, painted black or dark green not exceeding 48" above ground, or treated wood posts; nominal 4" x 4" diameter or smaller and not exceeding 48" above ground may be used. If desired for extra stability a wooden "top board" or steel cable may be used for extra stability. Note: The deer fencing 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.
- c. The Architectural Committee will generally conduct a site visit during the review process to view the property and location for the proposed fence.
- 3. Fencing over 4ft.:
 - 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 type of fence 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. In this type of fence, a steel cable can be used along the top to increase strength.
 - b. High fencing for plant protection should be used as little as possible, screening of single plants or small clustered plant groups. 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.
 - c. The Architectural Committee will generally conduct a site visit during the review process to view the property and location for the proposed fence.
- 4. Application for fencing:
 - a. Applications are required for all new fencing and fencing replacement. Fencing for an existing home site should be submitted on the application form for modifications to existing homes.
 - b. A site plan is required, drawn to scale (not smaller than 1/16 inch per foot) for review by the Architectural Committee. This plan can be hand drawn, digital (pdf) or utilize an existing project construction site plan (previously submitted with new home construction application). The site plan 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.

K. Solar Energy Panels

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:

- 1. A request for approval must be submitted to the Architectural Committee, with plans for the installation showing all dimensions and relationships to the home.
- 2. 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.
- 3. 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.
- 4. 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.
- 5. All frames, piping, support brackets and wiring must blend in with the color of the roofing material and/or the siding of the home.
- 6. To protect the overall wooded appearance of Kala Point, tree removal or canopy reduction will be restricted and only be approved on a case-by-case basis. The Architectural Committee will notify the Tree Committee if any tree action is included as part of the solar installation request. The Tree Committee will address the requested tree actions at their next meeting.

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L. 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.