

## **The Appointment Woods HOA Architectural Rules**

### **I. PURPOSE AND RESPONSIBILITIES OF THE ARCHITECTURAL REVIEW COMMITTEE (ARC)**

The primary purpose of the architectural control provisions of the Covenants, Conditions and Restrictions (CCRs) for the Appointment Woods Homeowners Association (HOA) (available on the HOA website at <http://woodshoa.net/woods-home-owners-association/ccrs/>) which are agreed to by each owner when purchasing any property within the HOA, is to enhance and protect the value, and desirability of our neighborhood. The overall character and quality feel of our neighborhood is enhanced by maintaining the consistency in character and high-quality appearance of the properties in the development. The Architectural Review Committee (ARC), which is appointed by the elected Board of Directors of the HOA (Board) is charged with evaluating all proposals submitted by homeowners regarding exterior home and property changes and improvements or maintenance and ensuring homeowners comply with the CCRs and these Architectural Rules, which have been adopted by the Board. The current ARC Rules, once adopted, shall be the governing document, but shall be considered a living document, as it may be updated and revised as building materials or methods evolve. Maintaining the adopted standards of quality and character is the primary concern of the ARC.

The ARC has three main functions:

1. Review homeowner requests for approval of a proposed improvement, as that term is defined in the CCRs and these Architectural Rules, and to document the decision to approve or deny.
2. Periodically review neighborhood properties to determine properties that are in violation of the CCRs or ARC Rules, and investigate and respond to complaints from homeowners that neighborhood properties might be out of compliance with same.
3. Work with owners to correct the violation and refer, if necessary, to the Board for enforcement, if the violation is not corrected.

The ARC is committed to treating all homeowners with respect and without bias, giving each submittal or situation a fair review. It shall be noted that approval by the ARC of any request does not constitute precedent and the ARC may withhold approval of a similar request at a future date if it determines that an oversight was made in the past. Additionally, projects may have been completed under prior versions of the CCRs and ARC Rules. Reference is made to maintaining a high standard of quality materials and a consistent look that remains true to the original style of the development. The ARC strives to allow homeowners the flexibility to make their own changes, each home should still feel like its style aligns with the overall neighborhood.

Because some requests are denied, or only approved after requested changes are made to the proposed work, it is critical that work not begin until the approval process has been concluded. Additionally, the ARC requires a minimum of two (2) weeks for the review and approval process after the submittal is received. More complicated projects may require more time to fully address details. However, the ARC will make every attempt to expedite the review process.

### **II. CCR PROVISIONS RELEVANT TO ARCHITECTURAL CONTROL**

The CCRs are protective in that they were created, and are enforced, to ensure continuing neighborhood quality and value for each property. Article VII establishes and explains the HOA's architectural control, the ARC, and the

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process relating to enforcement. The ARC is also tasked with enforcing provisions of Article V Exterior Maintenance, Article VI Party Walls, and Article VII Use Restrictions.

### General Rules:

1. The Board may adopt rules governing the conduct of persons and the operation and use of lots and the common area. Renters are to be subject to all the same rules and conditions set for in the CCRs and these ARC Rules, as if they were the owner. All leases must be approved by the Board before being executed, and must attach a copy of the CCRs, and these ARC Rules.
2. Lots may only be used for residential use. An owner may use their lot for a home based business only if such use is not observable outside of the residence, does not significantly increase parking or vehicular traffic, and does not pose a nuisance to the neighbors, including excessive noise.
3. No structure or improvement of any kind, including, but not limited to, buildings, fences, decks, patios, walls, driveways, parking areas, roof replacement, exterior remodeling, painting or staining, swimming pools, storage shelters or sheds, play structures, landscaping, retaining walls and other hardscape or construction efforts on or in respect to the property exterior shall be commenced, erected, placed or altered on any lot until the plans and specifications showing the nature, shape, heights, materials, colors, and location of the proposed work has been submitted to and approved in writing by the ARC.
4. Each owner is obligated to keep and maintain his/her (their) Lot and buildings in a clean and attractive condition, in good repair, and in such fashion that it doesn't create a fire hazard. Such maintenance shall include, without limitation, every aspect of the home, yard, and all structures and improvements thereon, including landscaping. If it is broken, or in need of repair, in any way, it must be repaired within a reasonable amount of time. This also, specifically, includes removing weeds, mowing lawns, and ensuring all trees and shrubs and groundcover are maintained and in healthy condition. Each owner must repair, within a reasonable period, damage to such owner's lot, home, or other improvements caused by fire, flood, storm, earthquake, riot, vandalism, or other causes. A reasonable effort will be made by the ARC to consider mitigating conditions, if possible, while efforts are underway to make repairs.
5. A home may be rented out by the owners, but the owner must attach to the lease a copy of the CCRs, By-Laws, and these ARC Rules, and must submit the lease to the Board for approval prior to it being executed. The lease must clearly state that failure to be bound by the CCRs, By-Laws, and these ARC Rules is a breach of their rental or lease agreement.
6. No animals, livestock, or poultry of any kind, other than a reasonable number (not more than three) of dogs, cats, or other household pets that are not kept, bred, or raised for commercial purposes and that are reasonably controlled so as not to be a nuisance, shall be raised, bred, kept, or permitted within any lot. Feeding of feral wildlife, with the exception of songbirds and squirrels, is not allowed. Leaving food outside for feral animals invites many undesirable pests to also feed. Pets must not be allowed to roam, especially at night, and must be controlled so as not to be a nuisance. Excessive barking by dogs will not be allowed, and is considered a nuisance.
7. Conditions that are noxious, harmful, or offensive are not permitted, nor shall any owner do anything or place anything on their lot of a common area that interferes with or jeopardizes the enjoyment of, or is a source of annoyance to, other owners. All common areas are to be kept "common" and no homeowner may take possession of any part of any common area for personal use.
8. Parking of boats, trailers, limousines, commercial trucks or vans over one (1) ton, any vehicle with a Gross Vehicle Weight Rating of 3 or higher, mobile homes, campers, and other recreational vehicles or equipment are not allowed on any part of the lot nor on the streets within the HOA unless fully enclosed within a garage. Parking for a short term for loading, unloading or charging prior to a trip are

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allowed. The ARC has discretion to grant permission for short term parking of such vehicles or equipment on a private lot or street for temporary needs.

9. No owner can keep any vehicle that is in a state of disrepair (such as vehicles that do not run, cannot move under their own power, have flat tires, are unpainted, or have missing body parts) on a common area or on any HOA street.
10. No sign of any kind can be placed within the HOA boundaries without the consent of the ARC except "For Sale" signs, security signs approved by the Board that comply with community standards, and any signs required by legal proceedings. Special consideration will be given for a single election sign, of limited size, or for a sign noting the contractor who had recently completed specific improvements on the home. Said sign must not be displayed for more than 30 days.
11. Owners may not leave trash, yard debris, or other rubbish on a lot or common area. Such waste must be kept in an appropriate waste bin and those bins must be kept out of public view. Garbage cans are not allowed to be kept where they are visible from the street.
12. Exterior satellite dishes with a surface diameter of one (1) meter or less and antennas designed to receive television broadcast signals or multi-channel multi-point distribution (wireless cable), may be placed on a lot, including a roof. They shall be placed in the least obstructive location possible, and are not to be visible from the street or neighboring lots, if possible. Otherwise, steps must be taken to screen them from view.
13. If any owner should fail to keep and maintain properly the exterior of any building or structure on any lot in good condition, then the HOA after giving the owner reasonable written notice may fine the owner and may enter upon the property and perform needed maintenance and assess the cost to the owner, in addition to levying a fine. Those steps may include placing a lien on the property, if necessary, which is the legal right of the HOA.
14. Notwithstanding any statement made above, homeowners must comply with City of Beaverton codes and municipal requirements, and no approval by the ARC or Board supersedes or replaces the need for the homeowner to take out the proper permits and approvals from the City. It is always a good idea, and highly suggested, to get approval and buy-in from neighbors for any intended changes prior to starting any project.

### **III. THE REQUEST PROCESS**

Requests for all improvements or changes to property appearance, including, but not limited to, roofing, painting (including repainting the existing color), external remodeling, fencing (including replacing in kind), and requests for approval of exceptions to the CCRs due to mitigating conditions (such as overnight parking of an RV, placement of a tarp during reconstruction after a fire, etc.) are to be made in writing to the ARC and approved before the project is started. Requests may be submitted via email to [appointmentwoodshoa@gmail.com](mailto:appointmentwoodshoa@gmail.com) or by mail to 8152 SW Hall Blvd, PMB 119 Beaverton, OR 97008. If submitting by mail, please allow several more days for the review process. The ARC will make every effort to expedite the approval process, but failure to provide prior notice and submittal of proposed work does not waive the reasonable review period.

Responses from the ARC are communicated to the homeowner as quickly as possible, usually via email. If no response is received to a submittal within 30 days of receipt of a written request and submittal, the request can be considered approved. Approvals expire after six months and projects not completed within that time are to be re-submitted for approval. If a request is denied, the homeowner may appeal to and be heard by the Board. To appeal a denial by the ARC, please use the same email address or mailing address noted above.

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### IV. ARCHITECTURAL STANDARDS

Pursuant to its authority under the CCRs, the Board adopts these ARC Rules to facilitate consistent standards in materials, decisions and actions, on homeowner request and complaints, and to inform homeowners as to what kinds of requests are likely to be approved and what types of maintenance or improvement complies with the CCRs. As a portion of the standards refers to maintaining a high level of quality materials and appearance, it is understood that a certain portion of the decision will be based on aesthetics, or the overall look and feel of the improvements. For example, certain roofing styles include colors that will not be approved even though the roofing material is exactly the same as colors that would be approved.

These ARC Rules and CCRs will be applied when considering homeowner complaints or submittals for proposed work. The ARC has the authority to require homeowners to change or revise any work that has already been done if it has not been approved and does not comply with the CCRS and ARC Rules. Claiming "but it's already installed" will not be allowed to waive the need for work to comply with ARC Rules and necessary approval. If any owner commences changes in the appearance of their lot without first obtaining approval of the ARC for said work, or if work that was previously denied or not approved was done, the Board or the ARC after approval by 2/3 of the Board, the HOA, through its agents and employees, shall have the right to enter upon said lot and to repair, maintain, and restore or correct the lot and the exterior of the buildings and any other improvements erected thereon to their original condition. The cost of such exterior maintenance/repairs shall be added to and become part of the assessment to which such lot is subject. In addition to the cost of said repairs, a fine equal to one year's assessment, plus recovery of all legal and other costs associated with pursuit of said repairs shall accrue, and become due and payable.- Additionally, failure to submit in a timely manner ("but the contractor is coming tomorrow to begin the work!") will NOT be accepted as a way to force the ARC to respond immediately.

No approval of any project by the ARC shall be construed as setting a precedent. Approval will be given for materials and installation methods. Quality materials can be installed incorrectly or in a haphazard manner, so it is critical to keep the ARC informed of the schedule for any work so timely input can be given.

**Roofing:** Selection of roofing materials, including color must be approved in writing by the Board of Directors via the ARC prior to commencement of any work. Due to improvements in materials, certain architectural asphalt shingles of acceptable weight, thickness and style are now allowed in lieu of cedar shakes. Regardless of material selected, roof colors must be in shades of gray, brown, or black. Colors such as red, blue, or green are prohibited. The roofs of the home, garage and any out buildings must be roofed with the same roofing material and color. Premium architectural level asphalt roofing material marketed under the name of Certaineed Presidential Shake, Presidential TL Ultimate Shake, Grand Manor, Landmark TL, IKO Armourshake, GAF Grand Sequoia, Owens Corning TruDefinition DURATION shingles or Pabco Paramount may be installed in lieu of cedar shake. Equivalent architectural standard asphalt roofing of at least 300-pound weight will be considered but must be approved by the Board of Directors or the architectural committee.

**Landscaping:** The CCRS empowers the Board to set limitations regarding the nature and extent of landscaping projects that require ARC approval. Bare ground is not acceptable as it quickly becomes overgrown with weeds. Landscaping need not be major or complicated, but must be maintained. If grass is installed, it must be watered, fertilized, weeded, and mowed with reasonable frequency so as to maintain a clean and healthy appearance. It is not necessary to have a lawn, but if low water-demand plants are installed, the plan must be approved by the ARC, and the yard must be maintained to keep it looking healthy and neat. Dead or damaged plants must be removed and replaced in a timely manner. If the homeowner plans to be gone for an extended period of time, some other party must be scheduled to maintain the yard in a consistent manner. Minor changes in plantings,

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which affect no more than 10% of the landscaped portion of a lot, do not require ARC approval, except as noted below. Major landscaping changes that are to be made to the front or side yards (visible from the street) are to be submitted for review and approval by the ARC, but only to ensure that generally accepted landscaping is maintained. Additionally, no screening hedge or structure above 3 feet tall will be allowed to be installed in the front yard of any Lot without prior written approval by the ARC. Installation of fences, rock walls, border walls, posts, trellises or other landscaping structures shall only be allowed as approved by the ARC.

No private yard debris shall be dumped or deposited onto any portion of the wetlands or common areas. Generally, the wetlands are to be maintained with as little intrusion as possible, except to correct an unsafe condition, or to prune back weeds, shrubs, trees, or other plants that protrude beyond the property line into an adjacent yard. In such a case, the homeowner may enter the wetlands area to prune back said plants to provide at most a 2 foot clear space border. Any debris generated by said pruning must be removed and disposed of by the homeowner, and not be dumped into the wetlands or common area.

Yard decorations and border treatments are generally left to the discretion of the homeowner, however, in order to maintain tasteful decorum for the neighborhood, abnormally large or obtrusive yard decorations or sculptures shall be allowed only as approved by the ARC.

**Trees:** Neighborhood trees add value to our properties and enrich our lives in many ways. Each homeowner is responsible for maintaining the trees between the sidewalk and the curb (street trees). The City of Beaverton requires review and, usually, a permit to prune street trees, but requires that they be trimmed to provide 8 feet of clearance over the full width of the sidewalk and 12 feet over the street. If any private tree is removed, the stump must be ground to at least one foot below grade, and covered so it is not visible. Diseased or dead wood must not be allowed to rot in place as it becomes an attraction to termites and other undesirable insects. Accumulation of leaves, needles, twigs, branches and other yard debris must be removed on at least an annual basis. Dumping of private leaves onto the street will not be allowed. No private yard debris shall be dumped or deposited onto any portion of the wetlands or common areas.

**Painting, Stains or Treatments:** All color schemes for the painting or staining of a house or fence, or the treatment of a roof, are required to have the approval of the ARC, even when a homeowner is planning to simply refresh the same colors. There are various reasons why an existing color will not be approved again. If desired, the ARC can provide a professionally selected broad spectrum of coordinated color schemes that work within these ARC Rules. Generally, house body and trim should be painted or stained in a Northwest natural, earth tone color that fits within the theme of the neighborhood. Pastels and bright or garish colors are not acceptable. White, and off-white is not acceptable for the house body color but may be acceptable as the trim color. Any homeowner seeking approval to paint or stain their house must paint a three-foot by three-foot sample on the house, adjacent to the proposed trim color, so that the ARC can evaluate the color. Garage doors must be painted the same color as the house body or trim. Other garage door colors may be allowed if they have low contrast to the house body color. Both garage doors must be painted the same color, but color choices for entry doors on the front, side or back have more flexibility.

**Sheds and Accessory Structures:** Any shed or accessory structure must obtain prior approval by the ARC, and depending on the size, a City of Beaverton permit may also be required. No shed shall exceed a size larger than 8 feet by 10 feet, or height of 10 feet six inches. Sheds not exceeding the 6-foot fence height are preferred. Sheds must be installed no closer than 3 feet to any lot, property or fence line, and must be positioned no closer than 3 feet from your house, with the exception of lean-to style sheds made to look like an extension of the house. Lean-to style sheds can be tucked up to within a few inches of the house. In all cases, sheds must be painted and roofed to match the house. If the house currently has wood shakes, the shed may have asphalt shingles, until

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the house is reroofed with shingles. At that time, the shed must be reroofed in matching architectural shingles to match the house. Sheds must be screened as much as possible from clear view from the street. This can be done through the use of strategic plantings of trees or shrubs, and must be included in the installation plan for the shed. Plastic sheds, or metal sheds will only be allowed in rare occasions, and if at or below the 6-foot fence height.

**Decks, Patios, Outdoor Structures and Roofs/Covers over Outdoor Space:** Decks, patios, outdoor structures like gazebos and pavilions, and roofs or covers over outdoor space must obtain prior approval by the ARC, and depending on the design and size, may require a City of Beaverton permit. It is the homeowner's responsibility to determine if a City permit is required, and approval of plans submitted to the ARC in no way supersedes design review and authority of the City. Roofs attached to the house and which cover decks, patios, or other outdoor space must match the roof of the house (cedar shake or asphalt shingle), with one possible exception. Such roofs, if part of high-quality design with significant structural integrity and design aesthetics, may be composed of a high quality clear or neutral (i.e., brown, or gray) polycarbonate material. Colored polycarbonate roofing is not permitted. Roofs and covers over outdoor space that are not attached to the house, and outdoor structures such as gazebos, must be of materials and colors that comport with the quality, standards, and aesthetics of the neighborhood.

**Sidewalks and Driveways:** Homeowners are responsible for maintaining the concrete and asphalt on their property, including shared driveways and especially Romal and Pelham Courts, which are private streets and maintenance for which is covered by shared maintenance agreements that are part of each homeowner's mortgage documents. Additionally, the City of Beaverton holds each homeowner responsible for maintaining the sidewalk in front of their property, including removing and replacing flags of sidewalk that have been lifted by tree roots, broken, or damaged by other means. Such replacement work requires a permit and inspection by the City. Currently, the City has a grant program to pay up to 50% of the cost of replacement, provided at least three bids are obtained and submitted for approval.

**Park Strips:** The area between the curb and sidewalk is called a park strip, or parking strip, and for purposes of maintenance, is considered part of the overall Lot, and must be maintained by the homeowner. Whatever landscaping is installed in the park strip, it must not pose an obstacle to any cars parked at the curb from opening passenger doors. Only approved landscaping, in a style that matches the front yard, may be installed in the park strip. No raised flower beds, or gardens with vegetables or fruits may be planted in the park strip.

**Fences:** Fences may be approved for back and side yards, and limited front courtyard or privacy screening fencing. Fences are to be of wood (however, composite materials may be considered) with maximum average height of 6 feet, allowing for varying topography in the landscape. Back and side yard fences visible from the street are to be stained a natural wood color or left the natural unfinished wood color. Front courtyard or privacy fencing may be stained or painted the same color as the house siding. No front border fences are permitted.

**Holiday Lights:** Holidaylights may only be placed on houses or other locations within a Lot between November 15<sup>th</sup> and February 15<sup>th</sup>, or for a one month period around Halloween. Excessive yard decorations may be treated the same as yard art, and the homeowner may be asked to pare down the display. No music or amplified sound effects shall be allowed outside the home, or at levels other than normal listening levels.

**House Numbers:** Every home is to have house numbers that can be easily found and clearly read from the street. Numbers should be large and in a contrasting color to the house or trim color. It is best if the numbers are also lighted so they can be seen at night.

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**Private Swimming Pools:** Owners are required to keep the water in any pool in good condition. Stagnant water can breed mosquitoes and is a health concern to the neighborhood, and will not be allowed.

**Exterior Lighting:** All exterior lighting shall have cut-off fixtures so that no direct lighting or glare is emitted beyond any property line onto adjacent Properties. Excessive exterior lighting that has been deemed a nuisance by the Board of Directors of the Association or the ARC must be removed or redirected as soon as reasonably possible. For additional information see Beaverton Code 5.05.133 "Exterior Lighting."

### **V. NON-COMPLIANCE**

When the ARC is aware of situations of non-compliance with the CCRs or these ARC Rules, homeowners will be contacted about the problem. Violations and enforcement are governed by the Resolution for Enforcement of Regulations and Schedule of Fines, available on the HOA website at [www.woodshoa.net](http://www.woodshoa.net).

Revised April 2019