

ACC Guidelines, Criteria and Procedure
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1.0 PREFACE

The Horn Rapids Master Homeowners Association, of which every homeowner is a member, was established to preserve and enhance the aesthetic beauty of the community by ensuring modifications or alterations of personal property located within Horn Rapids is done so in a manner that protects home values of every homeowner. The Association is charged with responsibility of approving and verifying that each homeowner's modification or alteration that are visible from adjacent neighbor or street is done so in a manner that is both pleasing and acceptable to the community while meeting our high quality of standards. This includes but is not limited to landscaping, changes to the exterior of homes and addition of equipment to the exterior of the home or property.

The Covenants, Conditions and Restrictions (CC&Rs) are part of every deed to property within Horn Rapids (each property owner receives a copy at closing) and grant the Association the legal authority to review and approve building or alteration plans. The matters subject to review and approval include, but are not limited to, initial construction, conversions, changes to a bearing wall, additions or exterior alterations of existing common areas, living units, accessory buildings on a lot or changes in landscape layout. This authority is vested by the Master Homeowners Association in the Initial Construction Committee (ICC) and Architectural Control Committee (ACC). The procedures and guidelines for ICC or ACC approval are intended to assist builders and homeowners with the application and approval process. However, they are not a substitution for the requirements of the CC&Rs which in every instance shall control.

The construction of a new residence in Horn Rapids may not commence without the prior written approval of the ICC (see Section 3.9 of the CC&Rs). Please note that an application will not be accepted unless all the required plans and specifications are included in the submittal by owner and/or an approved builder. NOTE: All builders must be approved by declarant/developer. Should the application be denied, or the review process be terminated by the ICC for items subsequently found to be missing or deficient, any re-submittal shall be considered a new application.

Applications/guidelines for ICC approval can be obtained from and are to be submitted to the following address:

Stew Stone
1220 20th ST SE
Salem, OR 97302
503-371-3013 office
503-559-3013 cell
Stewstone@bhhsnwrep.com

The ACC is a committee of three to five volunteer members (Horn Rapids residents) who are appointed by the Homeowners Association Board of Directors and charged with the architectural review function of the Association. The specifications and guidelines contained in this handbook address those exterior modifications which homeowners most commonly wish to perform.

This document is meant to be a living document. Alterations made to the homeowner's property in the

past may not have been done to current standards as these standards have been evolving over time. For this reason, there will need to be periodic modifications and enhancements as the community grows and changes. The ACC realizes that requiring homeowners to replace existing alterations to meet new requirements is unrealistic however when the need to replace worn or damaged alterations arises, it is the expectation that homeowners bring the alteration to current standards. If you have any concerns or questions, please address them to a member of the ACC.

The Horn Rapids Master Homeowners Association has jurisdiction over all of Horn Rapids including sub-associations, such as Prestwick, Gleneagle and Quail Ridge.

WARNING: It is the property owner's responsibility to determine if government body (City of Richland, etc.) approval is required. Approval by the appropriate government body does not relieve the property owner of the responsibility to obtain ICC or ACC approval nor does ICC or ACC approval relieve the property owner of responsibility to obtain government body approvals or permits. Approvals and permits are required by/from the City of Richland for most construction, fences, and hot tubs.

2.0 INTRODUCTION

This manual is designed to help guide you in determining what exterior modifications require ACC approval and how to apply for that approval.

2.1 Pre-Approved

Some landscaping is pre-approved and does not require submittal of an application to the ACC if the construction follows explicitly the specifications provided in this manual. If the proposed construction does not follow the specifications the homeowner will be asked to **STOP WORK** and complete an application before proceeding. The **STOP WORK** will only be lifted once the ACC has approved the project to continue. To ensure your project is not delayed, it is always a good idea to check with the ACC before making any changes.

2.2 Categories of Exterior Modifications

Proposed exterior modifications will fall into one of three categories:

*Pre-approved (following approved specifications)

*Application Required (see section 6.0)

*Prohibited Items / Construction

2.3 Application Required

All exterior modifications which are not explicitly listed as pre-approved or prohibited require approval by the ACC prior to starting any work. The exterior modifications covered in this manual are not intended to be all encompassing. A general rule is that if you are changing the footprint of your home, an application is required. If in doubt, contact a member of the ACC.

2.4 Prohibited Items/ Construction

Certain exterior modifications are expressly prohibited by the Association and may not be performed under any circumstances. A list may be found in Section 5.0 "Prohibited Items/Construction" in this manual.

2.5 How to use this manual

To use this manual effectively, first find in which category your proposed exterior modification falls by searching the Table of Contents for the type of modification, e. g. landscaping.

If your proposed modification is in the Pre-Approved category and you will follow the specifications explicitly, you may proceed with the project.

If your proposed modification is listed in the Application Required category, or is not specifically covered in this manual, follow the procedures for application to the ACC in Section 6.0. If the proposed work is covered in this manual, show how your work will follow the guidelines provided.

3.0 PRE-APPROVED CONSTRUCTION SPECIFICATIONS

Specifications in this section must be followed explicitly. If any deviation from these specifications is desired in your construction, you must submit an application to the ACC for approval. See Section 6.0 "Application Procedure."

Much of the work homeowners wish to perform falls into the category of repair or replacement. If you intend to repair or replace items which were part of the original construction or were added after the original construction for which you obtained written ACC approval, **AND** you will repair or replace the items with identical materials (including color), you may do so without requesting ACC approval prior to performing the work. Examples of this may be repairing a cracked walkway with exposed aggregate, repainting your home in the original colors, replacing a broken light fixture with an identical fixture, etc.

3.1 Landscaping

Landscaping can be effectively used to accent driveways, define space, create "soft" privacy screens, and reduce the visual impact of fences, sheds, etc. Since landscaping is a design element, considerations should be given to the relationship to the applicant's house, adjacent homes, and the golf course and common areas (if adjacent to the homeowner's property).

Landscaping of the front yard shall be completed within 30 days of construction completion (for new homes approved via ICC) and within 90 days from the purchase date by the respective homeowner for back and side yards. Minimum requirements are that the soil (except in flower beds) be covered with a living ground cover (such as grass) or standard landscape materials (bark, rock, hydroseed/tackifier mixture) which provides weed, dust, and erosion control. Owners are responsible for blowing sand including cleanup costs.

Planting and maintenance of trees and shrubs may not obstruct sight lines required along roadways, or block sun or views or reduce air circulation to neighboring properties, nor encroach on walkways or

block walkway lighting. Shade patterns of larger trees and possible physical damage to other properties by encroaching plantings must be considered. If plantings do encroach on your neighbors, it is incumbent on you to obtain permission from that neighbor or perform proper maintenance/pruning. Front yards landscaping must include a minimum of two (2) trees (see Attachment E for some suggestions). Relief from this requirement because of property size may be possible, but must be in writing from the ACC.

Homeowners must select plants which, upon maturity, will be of an appropriate size in height and width to comply with the above stated regulations and the Horn Rapids CC&Rs.

GOLF COURSE FRONTAGE: Landscaping (excluding trees) in rear and side yards along golf course property boundaries shall not be over four (4) feet in height. Trees must have branches trimmed up to ten (10) feet in height at maturity or as specified in subdivision covenants or regulations. Landscaping of Golf Course Property requires the homeowner to complete and submit a written Landscape Maintenance Agreement for approval to/by the Golf Course Manager prior to performing any work.

4.0 GUIDELINES FOR EXTERIOR MODIFICATION / ALTERATIONS

The guidelines which follow address a broad range of exterior modifications/alterations. As it is not possible to cover every type of construction, these guidelines define the principal factors which should be considered in your design such as size, location, quality of construction, materials, colors, relationship to adjacent properties and surrounding areas. The individual merits of each proposed construction are always considered by the ACC. These guidelines should in no way restrict you in design of well thought out alternatives. Please limit the height to nine feet on all added structures, including, but not limited to, sheds, playhouses, and gazebos.

4.1 Major Alterations

Major features of the house (such as vertical and horizontal lines, projections, trim details, gutters and down spouts, drainage, and materials to be used) must be reflected in the design of the additions. The locations must not impair views in view protected areas or the amount of natural light and ventilation reaching adjacent properties. Neighborhoods without view protection in their CC&Rs do not have guaranteed views through someone else's property, beyond set back requirements. Property protected views in these cases are those ascribed by the back corners of the property. All alterations must be compatible with the original house and adjacent houses in style materials and color. Exterior colors must reflect the general earth tone color theme of Horn Rapids. Bright shades are prohibited.

Major alterations represent a substantial cost. It is recommended that a preliminary application for conceptual approval be submitted early in the planning process. The preliminary application should include as much information as practical but must include at least a site plan showing dimensions, elevations if applicable, relationship to other houses, property lines, and easements. The ACC can help keep your alterations or additions within the guidelines.

Attic ventilators, or mechanical apparatus requiring penetration of the roof, shall be as small as functionally possible, shall be painted to match the roof, shall be located on the rear of the house whenever practical, and shall not extend above the top of the roof line.

4.2 Fences

All fences, privacy walls, etc., require ACC approval and may require a City of Richland Permit. Fencing drastically alters the appearance of your property and as such will require a thorough review by the ACC. If considering a new or replacing an existing fence, it is highly recommended to contact an ACC member before getting started to avoid any costly impacts and delays to the project. ACC members can be found on the HRMHA website at www.hornrapidshoa.com.

There are four types of fences allowed within Horn Rapids. These are wood fences made from cedar or redwood; wrought iron style or equivalent (aluminum painted black) see through slats, Vinyl fences made of plastic and concrete/masonry fences that are finished in stucco or textured colored masonry block.

Wood fencing must meet minimum fence specifications which include 2 3/8" steel poles, three wooden rails not exceeding eight (8) feet between each pole, constructed of cedar or red wood and limited to six (6) feet in height from grade, except when bordering the golf course. A top rail is also required and provides a proper finishing trim to project as is installing the fence with the finished side towards your neighbor or future neighbor. Finally, the wood fence must be stained on both sides to protect the wood from the weather which will keep them looking uniform and attractive within the community. The color of wood fencing in all new neighborhoods is specified as Sherwin Williams color #8724m Meadowlark which is a solid Stain. Newer neighborhoods have fence specifications, available from the ACC or on the HRMHA website www.hornrapidshoa.com. Other requirements apply and will be provided by the ACC should you decide to go with this option of fencing. **With ACC approval, a wood fence may be replaced/substituted with 30 – year vinyl fence matching, or using, the ACC approved color at the time of submittal of the ACC application.** ¹

Since the community has seen various stages of development over multiple decades, not all wood fencing meets today's minimum fence specifications. The ACC has agreed that requiring all fencing to be brought to the minimum fence specifications is not realistic therefore all existing wood fencing that was installed with ACC approval in the past will be grandfathered. When wood fencing needs repair (either replacing, painting, planks, poles, or rails) the project will require a new application be approved by the ACC prior to starting so that current standards can be applied.

Fences abutting the golf course or parks must be constructed of open face wrought iron style or equivalent (aluminum painted black) and must be no more than four (4 ft.) from grade to provide an unobstructed view by adjacent neighbors. Additionally, fences abutting the golf course shall have an unlocked gate to permit golfers to retrieve their golf balls.

Vinyl fencing meeting specific color requirements are allowed in some areas but have much higher standards. Additionally, the ACC has experienced several instances where an approved color is no longer being manufactured making replacement of panels difficult. In most cases, the homeowner is forced to replace all the fence panels as a result of needing to replace just one making vinyl fencing less than cost effective for the long run. Contact the ACC chair if you're interested in this option before

¹ Feb 2022 addition.

proceeding with an application.

Concrete/Masonry fencing finished in stucco or textured colored masonry block is allowed in some areas. Concrete fences fall into three different categories. They include being finished with cement plaster, stucco, stone, or brick masonry, colored and textured concrete block, cast concrete, shaped plaster, tubular steel, or dimensional lumber. All of these are viewed as being in harmony with development of the community. Plain concrete block wall will not be approved. Specific fence and retaining wall design standards for different Horn Rapids developmental phases can be obtained from the ACC Chair. This style of fencing is by far the best choice if you're desiring a fence option with little to no maintenance.

If you plan to attach your fence to an existing fence on neighboring property, or if the fence will at any point be on your property line or cross the property line onto an adjacent property, be sure to point that out when obtaining their acknowledgement on the ACC application form. Fencing may not enclose the front of the house for any reason except as described for model homes in "Prohibited Items/Construction".

4.3 Decks

All decks must be compatible with the house in materials and color and are to be located primarily in the rear of the house. Other locations will be considered due to homeowner's lot specifications. Above ground decks require a City of Richland Permit.

4.4 Spas and Hot Tubs

Depending on water depth, spas and hot tubs may require a City of Richland Permit. Spas and hot tubs must be in the rear or on the side of the property and incorporate a solid locking cover. Based on water depth, the City of Richland Permit may require that your spa or hot tub be completely enclosed by a fence. Please check with the City of Richland for other requirements. The hot tub cover must blend with the house.

Sun control devices and privacy screens shall be no more than eight (8) feet in height when measured from ground level or deck level in which the spa is located. Please refer to the section listed under "Sun Control Devices" for further details.

4.5 Clotheslines

Clotheslines must be fold-up or retractable and must be completely out of sight when not in use. Permanent structures are not allowed.

4.6 Pet houses/Runs/Enclosures

Pet houses must be approved and compatible with the homeowner's house in color, material and must be located where they will be visually unobtrusive or will have the least impact on neighbors for visibility, noise, and smell. Generally, this means away from shared property lines.

Chain link fences may be considered for dog runs if enclosed within solid privacy fencing, softened by supplemental landscaping, and well screened. Dog runs shall be sized to a minimum footprint.

Enclosures to confine pet(s) in an area less than the entire back yard must be placed in a location where minimum nuisance and inconvenience is caused to neighbors, and away from shared property lines and living areas of neighborhood residences. Kennels and stables are prohibited.

4.7 Driveways

Only hard, stabilized surfaces of concrete will be considered. No other material will be approved. Special care must be exercised if changes alter drainage patterns. Runoff must be disposed of within the boundaries of your own property or into the street gutter.

4.8 Exterior Lighting

Exterior lighting not part of the original structure and changes in original lighting which are not identical in style and color to the original lighting must have approval.

The application should specify location of lighting on the property plat, height of light fixtures above the ground, wattage, and detailed descriptions of the fixtures. Sodium vapor, quartz or metal halide fixtures are prohibited.

Lighting shall not be directed outside the homeowner's property lines nor toward adjacent homeowners' windows nor onto the golf course.

4.9 Painting

Any changes in exterior colors for houses, fences, decks, roofs, and trim must be approved by the ACC. Colors of stains or paints must be compatible with colors of other houses in the neighborhood. If exterior colors are to be changed, color chips (samples) must be submitted with the application along with detailed descriptions of where the colors are to be applied (trim, body, doors, etc.). See Section 3.0 regarding repainting in the same colors.

4.10 Patios

Patios will be located primarily in rear yards. Materials shall be brick, stone or concrete. If changes in grade or other conditions which affect drainage are anticipated, they must be indicated on the application. Mitigation of any possible drainage changes must be shown on the application. Approval will be denied if adjoining properties are adversely affected by changes in drainage.

4.11 Recreation, Sports, and Play Equipment

Recreational play equipment should be placed in rear yards wherever possible. Consideration should be given to lot size, equipment size and design and visual screening. Basketball backboards may be freestanding and must be properly maintained.

4.12 Retaining Walls

Retaining walls must make use of rock, wood or concrete in combination with appropriate landscaping. Because retaining walls may alter existing landforms, the design of such walls must address drainage patterns.

4.13 Signs

Home sale signs, garage sale signs, and political add signs are described in the Rules and Regulations. All other signs are subject to ACC approval.

4.14 Storage Sheds & Gazebos

A shed or gazebo will be considered only if it blends with the house and maintains continuity of materials and color with the house. Metal sheds or buildings are not allowed. Molded plastic or wood are preferred. A storage shed shall be defined as any structure whose primary purpose shall be for the storage of equipment and materials. Any structure whose primary purpose is for storage shall be reviewed as a shed and shall not be considered as a room addition.

Sheds may be located only in the rear or side yards. If the shed creates an adverse visual effect from the street, the ACC may require a fence be built to screen the shed. Materials and colors must match or be compatible with the house and fence to which the shed is attached or nearby. This includes siding, roof, paint or stain, and construction details such as trim and the pitch of the roof. A shed or fence must not be attached to a neighbor's or common area fence without ACC approval.

4.15 Sun Control Devices

Awnings, sunscreens, arbors, trellises, etc. must be of a straightforward design without decoration such as scallops or fringes. They must also be consistent with the scale of the house to which they are attached and any adjacent fencing and must be located such that they do not adversely affect views in view protected areas, sunlight, or natural ventilation of adjacent properties. Neighborhoods without view protection in their CC&Rs do not have guaranteed views through someone else's property, beyond set back requirements. Property protected views in these cases are those ascribed by the back corners of the property.

4.16 Swimming Pools

Swimming pools are allowed on homeowners lots including those along golf course boundaries. All swimming pools (above ground, below ground, and prefabricated) must be located in rear yards. Alternate locations will be considered only for property with an unusual configuration or topographic features.

The pool and any mechanical equipment must be completely enclosed by a four (4) to six (6) foot high fence depending on City Codes and Building Permit requirements/regulations. Location of pool-pump equipment should be away from adjacent neighbors to minimize the impact of noise.

As the installation of a swimming pool is a major undertaking, an application for preliminary approval is recommended. This preliminary application should include a site plan showing dimensions of the pool, deck, fenced area, and the relationship to the house, adjacent houses, and property lines. All permits required by the City of Richland must be obtained before start of construction.

4.17 Tree Removal

No tree over 6 inches in diameter, when measured 1 foot above the ground, may be removed without written approval of the ACC. If the tree is being removed for disease or decay reasons, a different type of tree may be used as replacement. Removal of trees for prevention of potential damage to property or personal safety reasons will be permitted.

4.18 Walkways

Only hard, stabilized surfaces will be considered. Gravel, flagstone, and steppingstones are acceptable. Special care must be exercised if the addition of walkways will alter drainage patterns. Runoff must be disposed of within the boundaries of your own property.

4.19 Wires and Pipes

All utilities, wires and pipes except for control or monitoring housings must be underground. The installation of drainpipes by the homeowner or contractor must be approved by the ACC.

4.20 Protection from Golf Balls

Netting to protect homes located where they may sustain damage from golf balls is permitted if approved by the ACC. Netting is to be attached under the eaves and to the base of the home or ground on a curtain-type rod or taut cable to prevent scalloping. Netting is to be anchored at the top and base of the home or ground at the same distance from the side of the house. Netting is not to extend beyond or above the eaves and cannot extend past the footprint of the home.

Poles of any kind are prohibited.

Netting is to be consistent in appearance and color throughout the community. Black netting is required unless the color matches the house and has ACC approval. Netting should always be in excellent condition. Any repair work must be done in a professional manner. Tears/rips should not be pulled together and mended. All squares should remain symmetrical.

Windows can be protected with a sunscreen mounted with a space between the screen and window. Sunscreens must be black or match the color of the home.

5.0 PROHIBITED ITEMS/CONSTRUCTION

The following are expressly prohibited in all areas of Horn Rapids.

5.1 Model Home Alterations

Model home alterations made by the Horn Rapids builders to model homes for the purpose of marketing shall be permitted only until the model home is sold to a homeowner. The builder must return the home to compliance with the Architectural Controls prior to occupancy by the homeowner.

Additionally, under no circumstances shall any homeowner be allowed to make Model Home Alterations to their property which are not in compliance with these Architectural Controls.

5.2 Antennae

Large short-wave radio and television antennae, large satellite dishes and all similar devices are not allowed on private or rental residences in Horn Rapids. Small whip type, and dish antennae conforming to Federal Regulations may be acceptable, and an application is required. Small dish antennae should be mounted between the front and the back of the house.

5.3 Temporary Structures

Temporary structures are not allowed on any lot at any time except for tents, air-filled structures such as bounce houses, temporary structures for parties, etc., are allowed if removed within 2 days of the event.

5.4 Trash, Building Materials

Building Material, Lumber or litter of any kind may not be stored on any lot at Horn Rapids. Excess material and debris must be removed immediately after completion of any construction.

5.5 Flagpoles

Permanent freestanding flagpoles are not allowed. See Horn Rapids Rules & Regulations, for available options.

5.6 Chain Link Fencing

No chain link or wire fence of any kind shall not be installed on any property unless it is explicitly for the use of confining pets. In this case, the chain link fence must be enclosed within solid privacy fencing, softened by supplemental landscaping, and well screened.

Enclosures to confine pet(s) in an area less than the entire back yard must be placed in a location where minimum nuisance and inconvenience is caused to neighbors, and away from shared property lines and living areas of neighborhood residences.

6.0 APPLICATION PROCEDURE

ACC applications are available by any ACC member, the HRMHA website at www.hornrapidshoa.com or Attachment A. Completed applications should be returned to the ACC chair.

Please be sure to adequately describe the work you are proposing to do in as much detail as possible. If you have any questions, feel free to contact any member of the ACC directly. If your request is not clear, the ACC may return your submittal for clarifying information which can delay your project. Save yourself and the ACC some time - if you're not sure, ask.

The following information must accompany your application:

6.1 Site Plan:

A site plan is most easily prepared by submitting a copy of your property plat with descriptive material stating what work is to be done and by whom. Proposed changes/additions should be indicated, including dimensions and distances from adjacent properties, houses, and easements.

6.2 Materials and Colors

Samples of the materials (where practical), colors to be used and an indication of the relationship to existing materials and colors must be provided. In most cases, a statement that the "proposed deck," for example, "is to be painted to match the existing house" is enough. If the proposed color(s) are not the same as the existing colors, color chips must be submitted for clarity.

6.3 Drawings and Photographs

A drawing of your proposed change/addition must be provided. Do not worry about any shortcomings in your drafting or artistic ability. Where applicable, submit manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal. Relationships of architectural features such as existing and proposed roof lines, window sizes and locations, building heights, roof slopes, etc. must be shown.

6.4 Acknowledgment of Neighbors

Your application to the ACC must include the signature of all adjacent neighbors. If you live on the golf course, the Golf Course Manager is one of your neighbors and must also acknowledge your project. Your neighbor's signature DOES NOT constitute their agreement. It simply demonstrates to the ACC that you have informed them of your plans.

6.5 Third Party Comments

If a neighbor has concerns with your proposed work, they will have seven days from the date of their signature to register their concerns with the Homeowner's Association/ACC. The ACC will then consider their concerns along with your application. Ultimately, however, the ACC decision will be based on the standards set forth in the CC&Rs and this document. A neighbor's concern or objection does not

constitute automatic denial of the application.

6.6 Dates

The planned start date and completion date of the proposed work must be included on the application. Your work must commence within 3 months of initial ACC approval and must be complete within 6 months of initial ACC approval. Final ACC approval is required at completion of the project.

7.0 ACC COMMITTEE REVIEW PROCEDURE

The ACC reviews all applications. The signatures of at least three committee members will be enough to gain approval for most projects. This accommodates efficient processing of your application as well as a consistent review by multiple committee members. Objections to your proposed plan(s), by neighbors, if any will be dealt with when they are submitted and will be resolved, in most cases within 7 days. Please check with the ACC Chair for meeting dates and times.

Your correctly completed application must be submitted to the Homeowner's Association at least seven days before the meeting in which it will be considered. This is to allow any third-party comments to be considered along with your application.

If you wish to come to the ACC meeting in which your application will be considered to explain your proposed work in person, please notify the ACC Chair in advance so that the committee can be sure you are present when your application is reviewed.

Whether your application is approved or denied, you will receive written notification shortly after the meeting. You may also call the ACC Chair as soon as the day after the ACC meeting to find out the status of your application; however, work shall not commence until you have received written notice of your application approval.

If a homeowner disagrees with a decision of the ACC, please refer to section 8.3 Resolution on page 15.

Decisions made by the ACC in reviewing applications are not based on opinion or taste. Judgment of acceptable design is based on the following criteria which represent in more specific terms the general standards of the CC&Rs and this document.

Conformance with Covenants: All applications are reviewed to ensure the proposed work is in conformance with the CC&Rs and Architectural Controls.

Validity of Concept: The basic idea must be sound and appropriate with its surroundings.

Design Compatibility: The proposed work must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined in terms of architectural style, use of materials, colors, and construction details.

Workmanship: The quality of work must be equal to or better than that of the homeowner's property and surrounding area.

The homeowner retains liability for structural design. The ACC determines only acceptability to the

community and neighborhood aesthetics.

8.0 COMPLAINT PROCEDURE

The following has been established for handling Homeowner's Association members' complaints regarding violations of the Architectural Controls. Concerns by homeowners related to projects that are in progress can be registered with the ACC Chair by completing Attachment C. Those homeowners who wish to be contacted regarding the handling of their concern may give their name and phone number.

HOMEOWNERS ARE ENCOURAGED TO RESOLVE MATTERS AMONG THEMSELVES WHENEVER POSSIBLE.

8.1 Complaints

Complaints tend to fall into one of the following categories:

- * LACK OF ACTION - projects not completed or maintained. Landscape or house not maintained.
- * PROJECTS IN PROGRESS - without ACC approval or which deviate from the submitted, approved plan; or which raise a neighborhood concern due to problems not originally considered, e. g. property infringement, quality of work, etc.
- * COMPLETED PROJECTS - not approved by the ACC or which deviate from the submitted, approved plan. Complaints may also arise due to misuse, problems not considered, property infringement, quality of work, lack of City approvals / permits, etc.

Complaints will be logged (Attachment D), and the ACC will appoint one member to review complaints on a biweekly basis. (This appointment may be rotated on a monthly basis, or other schedule agreed upon by the ACC.) This member will review any plans on file, make a visual inspection of the site, notify the subject homeowner, and collect any other relevant data.

Should the member handling the complaint initially find that it is unfounded (not a violation of Architectural Controls), the ACC will review at their next meeting and, if there is agreement that no violation exists, the complaint will be closed, with notification to the complainant, if requested

8.2 Violations

If a violation has occurred, the ACC member will proceed as follows for each category of complaint:

- * LACK OF ACTION - contact homeowner, explain the Architectural Control which has been violated, request compliance, make note of the action taken on the complaint form, return the form to the Homeowner's association office, report to the complainant, if requested, and report to the ACC at their next meeting.
- * PROJECTS IN PROGRESS - contact the homeowner and explain the violation or problem, hand deliver a STOP WORK ORDER (Attachment B). Request a specific action by the homeowner (see possible actions below) by date of the next ACC meeting, report to the complainant, if requested, and report to the ACC at the next meeting, presenting a copy of the Stop Work Order and other relevant documentation. The

ACC will then determine any further action is warranted. In the unlikely event that a STOP WORK ORDER is issued, neither the Master Association nor the ACC will accept any liability due to the postponement of work. It is in everyone's best interest to resolve issues as quickly as is possible.

* COMPLETED PROJECTS - except for the Stop Work Order, this type of complaint will be handled in the same manner as Projects in Progress.

8.3 Resolution

Actions that may be requested of the homeowner include but are not limited to: 1) submission of application and plans for ACC approval; 2) submission of modifications to plans; 3) steps to mitigate concerns or problems; 4) resolution by agreement among the neighbors involved; 5) removal of unapproved project.

It is in the best interest of all parties involved to review, discuss, and recommend possible resolutions. If the subject homeowner has not made a good faith effort to resolve the complaint by the subsequent ACC meeting, the ACC will then provide a written time schedule for the homeowner's resolution of the problem. An ACC member will be assigned to follow-up on the complaint to see that appropriate action has been taken. The complaint will remain on the ACC agenda until it is resolved.

If a homeowner disagrees with a decision of the ACC, the homeowner must submit a written notice to the RR&EC requesting a hearing no more than 7 calendar days from the date of the ACC decision notice the homeowner received.

If the homeowner dispute is received by the RR&EC within 7 calendar days of the ACC decision notice, the Chair of the RR&EC shall arrange for the homeowner and committee to meet and discuss the dispute. Once the homeowner has presented their argument, the homeowner shall be excused from the hearing to allow the committee members to review and render judgement.

Once the RR&EC renders judgement, the RR&EC Chair will send the homeowner an email notice of judgement. If the RR&EC determine the homeowners appeal has no merit an email notice of the judgment to include the agreement shall be sent to the homeowner for concurrence with the ACC decision and be tracked until the homeowner is in full compliance. Failure of the homeowner to fulfill his/her agreement will result in progressive enforcement up to an including issuing fines without another hearing.

If the homeowner disagrees with the decision rendered from the hearing with the RR&EC that decision may be appeal to the Homeowners Associations Board of Directors by written request to the Board. Resolution in a timely manner is the goal of the ACC and the RR&EC and such an appeal should be made to the Board for review at the next meeting after the RR&EC decision. The Board's decision will prevail.

8.4 Fines

Fines related to projects in-progress are governed by the Rules and Regulations Addendum B, "Enforcement and Fines Process".

ATTACHMENT A

**HORN RAPIDS MASTER HOMEOWNERS ASSOCIATION
ARCHITECTURAL CONTROLS**

Project Application: Architectural Controls Committee

Date Received: _____ Application #: _____

1. Name: _____ Neighborhood: _____

Address: _____

Phone: _____ (Home) _____ (Work) _____

2. INSTRUCTIONS: For detailed instructions, refer to the Homeowners Master Architectural Controls Section 6.0, "Application Procedure." For specific information, refer to the section pertaining to the type of work you are proposing. In addition to this application, you must submit the following attachments:

1. A site plan with the location of the proposed work drawn to scale with dimensions shown. Note distances from the property lines and show relationship of proposed work to neighboring homes, common areas, and easements.
2. Drawings of the proposed work showing the design.
3. Description of the materials to be utilized.
4. Color. Note whether the color will match the body or trim of house or attach a color chip for other colors.
5. A grading plan if altering the contours of the landscape.
6. A separate legally recorded agreement signed by the affected property owner if the proposed work falls on or crosses the property line at any point.
7. NO application will be reviewed without **complete** information and/or plans. Please read the instructions carefully in order to avoid unnecessary delays in processing. PLEASE COMPLETE THIS FORM IN INK.
8. Send completed application to ACC Chair at Bernief@charter.net or call him at 509-375-0250.

3. ACKNOWLEDGMENT OF APPLICANT:

1. I understand that construction of certain projects requires that I obtain a City of Richland building permit(s). Approval of the proposed work by the ACC does not affect or remove that requirement.
2. I understand that starting any work prior to written ACC approval is not allowed and that if alteration or construction is done and this application is not approved, I may be required to return the property to its former condition at my own expense and that I may

be required to pay all legal expenses incurred by myself and/or the Horn Rapids Homeowners Association if legal action becomes necessary.

3. I understand that members of the Architectural Control Committee may enter on my property to make reasonable inspection of the proposed work locations. Without this approval, the ACC may be forced to deny the proposed work due to lack of facts on which to base a decision.
4. I am aware of the Horn Rapids Covenants, Conditions and Restrictions and Architectural Controls regarding the review process.
5. The proposed work must commence within 3 months and must be completed within 6 months of interim approval of the application by the ACC.
6. I understand that approval is contingent upon all work being completed in a workmanlike manner with quality equal to or better than the original home construction.
7. I understand that if I disagree with the ACC ruling, I may appeal the decision to as outlines in Section 6.0 of the Architectural Controls.
8. **Interim and Final approvals:** I understand the ACC will provide interim approval to undertake the project, based on a complete application and supporting documents. Final approval will be provided at satisfactory completion of the project. Contact the ACC upon completion.

4. Description of Proposed Work: _____

5. Planned Start Date: _____ **Planned Completion Date:** _____
(Within 3 months of interim approval) (Within 6 months of interim approval)

6. Acknowledgment signatures of adjacent property owners. (Include Golf Course Manager if you border the golf course and if you live in Prestwick, Glen Eagle, or Quail Ridge you need the approval and a signature from the Prestwick or Glen Eagle or Quail Ridge Board of Directors).

Name: _____ Address: _____ Date: _____

Name: _____ Address: _____ Date: _____

Name: _____ Address: _____ Date: _____

Name: _____ Address: _____ Date: _____

NOTE TO OTHER PROPERTY OWNERS: Your signature does not constitute your approval. It indicates only that you are aware of the applicant's intention. If you have regulatory concerns with the proposed work, please notify the ACC in writing (2600 Clubhouse Ln, Richland, WA 99354) within seven days of your signature.

7. Acknowledgment of Applicant: I understand and acknowledge the Architectural Controls, and the instructions on this form which govern the procedure for undertaking any addition or alteration to my property.

Owner's Signature: _____ Date: _____

8. Interim ACC Determination

Approved: _____ Disapproved: _____ Date: _____

Signing for the ACC: _____

If approved, the project is released for execution. Final approval will be provided at completion of the project with all conditions met.

Conditions of Approval:

9.0 FINAL ACC DETERMINATION

Approved: _____ Disapproved: _____ Date: _____

Signing for the ACC: _____

Conditions (if any):

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ATTACHMENT B

STOP WORK ORDER

To Name: _____

Address: _____

Delivered By: _____ Date: _____

It has come to the attention of the Horn Rapids Architectural Controls Committee that the

(project) currently in progress on your property is subject to a neighborhood concern. You are ordered to STOP WORK IMMEDIATELY so this matter can be resolved.

The ACC member delivering this notice has been assigned to review the concern and any information that you can provide him/her will be appreciated

Please contact the ACC Chairman at Bernief@charter.net or call him at 509-375-0250.

Thank you.

Chairperson

Architectural Controls Committee

ATTACHMENT C

HOMEOWNERS CONCERN FORM

The intent of this form is only to request the ACC to investigate an ongoing project.

Issues related to rules and regulations, or non-project related matters should be directed to the appropriate Enforcement Officer.

Date: _____

Your Name (print): _____

(Your name will be kept confidential but must be included for committee action)

Do you wish a personal response to the action taken on this complaint? _____

Best time to reach you by phone: Morning _____ Afternoon _____ Evening _____

Home phone: _____ or Work Phone: _____

Name of homeowner if known: _____

Address: _____

Neighborhood: _____

COMPLAINT (Please be specific): _____

Have you discussed this problem with your neighbor? Yes: _____ No: _____

Please send this form to the ACC Chairman at Bernienf@charter.net or call him at 509-375-0250.

ATTACHMENT D

COMPLAINT RECORD FOR ACC AND BOARD OF DIRECTORS USE ONLY

Date complaint received _____ Log # _____

Individual handling complaint _____

Article and paragraph of CC&Rs believed to be violated _____

Date of first action: _____

Notified homeowner by (Personal visit, Letter, Phone call or _____

Date compliance to be completed by: _____

Homeowner response: _____

Date of second action: _____

Notified homeowner by (Personal visit, Letter, Phone call or _____

Date compliance to be completed by: _____

Homeowner response: _____

Date complaint resolved: _____

If not resolved, date to rules committee: _____

Date of Letter #1: _____

Date of Letter #2: _____

Date of final Letter: _____

Results of last letter: (gardening service used, homeowner resolved, etc.)

ATTACHMENT E

ACC/ ICC TREE SUGGESTIONS

Common Name

Scientific Name

Deciduous

Ash, White or American	<i>Fraxinus americana</i>
Beech, European, Purple, Common	<i>Fagus sylvatica</i>
Birch, Black, River or Water	<i>Betula nigra</i>
Birch, Silver or Youngii	<i>Betula pendula</i>
Cherry, Japanese, Hill, or Oriental	<i>Prunus serrulata</i>
Cherry, Spring, Rosebud, Weeping	<i>Prunus subhirtella</i>
Dogwood, Kousa	<i>Cornus kousa</i>
Dogwood, Flowering	<i>Cornus florida</i>
Linden, Littleleaf	<i>Tilia cordata</i>
Maple, Amur	<i>Acer ginnala</i>
Maple, Japanese	<i>Acer palmatum</i>
Maple, Red	<i>Acer rubrum</i>
Pear, Callery	<i>Pyrus calleryana</i>
Plum, Cherry	<i>Prunus cerasifera</i>
Redbud, Eastern	<i>Cercis canadensis</i>
Elm	<i>Zelkova carpinifolia</i>

Evergreen

Cypress, Nootka, Yellow or Alaska	<i>Chamaecyparis nootkatensis</i>
Pine, Limber or White	<i>Pinus flexis</i>
Pine, White	<i>Pinus strobus</i>
Spruce, Colorado, Blue, or White	<i>Picea pungens</i>

ADDENDUM A

VIEW PROTECTION SUBDIVISIONS

The following Development CC&Rs contain view preservation requirements and parameters for particular parts of the following subdivisions:

The Bluffs: Section 4, Pages 4 & 5.

Desert-Summit: Section 4, Pages 4 thru 6.

Eagle Ridge: Section 1-3 and Exhibit D, Pages 2 thru 4

Grayhawk: Section 4, Page 3 & 4.

Grayhawk Building Restrictions Section 5, Pages 25 & 26.

Golf Course Frontage: ACC Guidelines: Section 3, Page 5