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#### I. Introduction and Mission Statement

The Declaration of Protective Covenants of Jackson Hills provides for an Architectural Control Committee pursuant to Article 5 of those Protective Covenants. Article 5 states, "The intent of this covenant is to assure quality of workmanship and material, harmony of external design with the existing and planned dwellings as to location, appearance, finish grade elevations and to avoid repetition."

As you read this standard, keep in mind its purpose is to maintain real estate values and an architecturally harmonious neighborhood for the benefit of all Jackson Hills homeowners. It is not intended to be overly restrictive.

Protective Covenant paragraph 5.2 provides that the ACC may adopt architectural standards. This document represents Jackson Hills' Architectural Standards, and it expands on the procedures, rules, and requirements as stated in the Protective Covenants. In the event of conflict between this standard and the Protective Covenant, the Protective Covenant shall take precedence.

The Architectural Control Committee (ACC), in examining each application for design approval, considers whether or not the exterior change is in conformance with the standards and specifications outlined herein, and meets the objective of creating a community which is aesthetically pleasing and functionally convenient, and maintaining a harmonious relationship among structures, vegetation, topography, and the overall design of the community.

In a community such as Jackson Hills, questions naturally arise as to how to maintain a harmonious, quality development as the community matures. The following standards provide a meeting ground between the private interests of individuals and the broader interest of the Jackson Hills community. Control for maintaining the quality of design is through the Declaration of Covenants, Conditions and Restrictions for the Jackson Hills Community. The covenants run with the land and are binding on all homeowners and renters and should be fully understood by each. The fact that each homeowner is subject to these covenants assures all homeowners that the standards of design quality will be maintained, enhancing the community's overall environment and protecting property values.

The Declaration establishes an ACC. The Declaration requires the prior approval of any exterior change, addition, or alteration to the property. Such changes include any building, fence, wall or other structure that may be added or altered. It further requires that the plans, specifications, and locations showing the nature, kind, shape, height, and/or materials be approved in writing in an effort to ensure harmony in the external design and location in relation to surrounding structures and topography. Each property owner shall read the Declaration to obtain a full understanding of the Architectural Control requirements and the Protective Covenants and Restrictions.

The ACC is charged with conducting the review of all applications for exterior changes, and rendering a decision to the applicant in writing. If an application is denied, the applicant may appeal to the Board of Directors. The Board of Directors may reverse or modify the ACC's

decision by a majority vote of the Board of Directors. The standards which follow are the procedures and guidelines applied by the ACC and the Board of Directors to assist the Association and its members in the design review process. It is hoped that these specifications will serve as a positive tool to assist each homeowner in the full and free use of their property in a manner consistent with the aesthetic and harmonious development of the Jackson Hills community.

## A. Architectural Review Committee Information

The Architectural Control Committee shall be made up of three to five volunteers selected from owners of Jackson Hills homes. These volunteers shall be appointed each January by the Board of Directors of the Jackson Hills Home Owners Association (HOA). A minimum of one member (as selected by the Board of directors) shall serve a second year to provide continuity. It is preferred that the other members be replaced annually to allow participation by as many homeowners as possible. Homeowners are encouraged to volunteer their time by contacting the Board of Directors. Committee work involves attending meetings as often as weekly, conducting research into architectural review issues, inspecting projects on site, reviewing applications for projects, correspondence with the Board of Directors, other committee members, and the HOA's management company, and other action items as determined by the committee or the Board of Directors.

# II. Architectural Review Application and Submittal Process

## A. Prior to application for a building permit

- **1.** Prior to application for a building permit and prior to the commencement of any work, owners shall submit an Architectural Review Application.
- **2.** A copy of the application is included in Appendix A of this standard and is also available on the Jackson Hills HOA web site (www.JHHOA.org).

## **B.** The application shall include

- **1.** The application shall include one set of plans (scale drawing) and specifications for the proposed work showing the materials and color samples (such as paint chips) and plot plan showing the location of the improvements on the lot,
- **2.** Property lines, and setbacks shall be included in the project drawing.
- **3.** An estimated completion date is required on the application. The maximum completion time for any project shall be eight (8) months after approval of application. This is in keeping with Protective Covenant 3.12.
- **4.** The application shall be submitted to the address, fax, or email stated on the form.

### C. The ACC Decision

- **1.** The ACC shall render its decision within ten (10) working days after it receives the application.
- **2.** In the event the ACC fails to render its decision within twenty (20) working days after the application, plans, specifications, and plot plan have been received, approval will deemed to have been given.

# **D.** Owners' Responsibilities

- **1.** Owners shall be responsible for obtaining any necessary permits and for compliance with all applicable codes and ordinances relating to the project.
- **2.** Approvals by the ACC do not imply such compliance or waive the responsibilities of the homeowners for such compliance.

# E. Consent or Approval

**1.** Consent or approval by the ACC to any matter proposed to it shall not constitute a precedent or waiver impairing its rights to withhold approval as to any similar matter thereafter proposed to it for consent or approval.

**2.** Approval of an application shall not imply approval of any related work that is not included on the approved application.

## **F.** Revocation of Consent or Approval

**1.** In accordance with Protective Covenant 5.7, approval is automatically revoked one year after issuance unless construction has already started or the owner has received an extension of time from the ACC.

## **G.** The ACC may inspect all work performed

- **1.** The ACC may inspect all work performed and determine whether it is in substantial compliance with the approved application and any conditions required in the approval.
- **2.** If the ACC finds work is not in substantial compliance with the approved application or finds work was performed without the required approval, the ACC shall notify the owner in writing of the noncompliance.
- **3.** The notice shall specify the particulars of the noncompliance and shall require the owner to remedy the noncompliance.
- **4.** Further details including possible fines for noncompliance are included in paragraph 5.10 of the Protective Covenants.

# III. Appeals

- **1.** Any owner adversely affected by an action of The ACC may appeal such action to the Board of Directors.
- **2.** Appeals shall be made in writing within ten (10) days of the ACC's action and shall contain specific objections or mitigating circumstances justifying the appeal.
- **3.** A final decision shall be made by the Board of Directors within twenty (20) days after receipt of the appeal.

## IV. Correction Procedures

- **1.** An exterior change made without approval of the ACC constitutes a violation of the Declaration and may result in incurring fines.
- **2.** In accordance with Protective Covenant 3.18, a violation may require removal or modification of the work at the expense of the property owner for payment of costs incurred by the Association in having the work removed or modified.
- **3.** Upon notice from the ACC the Board of Directors may assess fines against any member for violations of these standards and guidelines. However, before monetary penalties can be assesses the member will first be given the opportunity for be heard and represented by counsel before the ACC.

- **4.** Notice of intent to impose fines will be mailed to the homeowner with a two week time period to correct violation(s). If unable to correct the violation(s) within two weeks, the homeowner shall notify management of a plan to correct violation(s) or to request an opportunity to be heard before the ACC or the BOD.
- **5.** The ACC may inspect authorized construction in progress as well as the community in general to identify apparent and flagrant violations.
- **6.** Additionally, all homeowners have the responsibility to notify the Association management company, the ACC or the Board of Directors of apparent violations of any provisions of these Architectural standards and construction specifications.
- **7.** The management company shall investigate each reported violation.
- **8.** ACC members may meet with the property owner during an improvement which is in violation to discuss problems and agree to resolutions.
- **9.** Should the owner fail to follow up on the agreed upon corrections, the ACC will submit the matter to the Board of Directors for disposition. This could lead to the Association, assessing fines or filing legal action against the owner.

# V. Architectural Design Standards

In no way shall this Standard waive more stringent City, County, State, or Federal requirements nor waive the necessity of any permits.

## A. Exterior Design, Painting, Colors, and Materials

- **1.** Front facade should include a minimum of 25 percent brick or stone or shall include other features to be visually appealing in keeping with other homes in Jackson Hills.
- **2.** Roofing, siding, windows, doors, and all other materials shall be chosen to be in keeping with the majority of houses in Jackson Hills and to preserve the neighborhood property values.
- **3.** Paint and stain shall be maintained in good order.
- **4.** ACC approval is required prior to all major painting and staining projects of items in public view. Routine minor painting touch up does not require approval of the ACC.
- **5.** Colors shall be chosen that are similar to and compatible with the neighborhood homes.
- **6.** The ACC will not approve colors that are excessively bright or vibrant such as chartreuse, purple, aqua blue or the like.
- **7.** Applications shall include paint chips or samples.

#### **B.** Storage

- 1. No trade (business related) materials or inventories may be stored upon any lot. This does not pertain to materials required for ACC approved projects, warranty work being done by the contractor or developer in accordance with the covenants and these standards, or internal projects that do not require ACC approval, given that any project is completed in a reasonable time as defined in paragraph II of this standard.
- **2.** Temporary storage of materials for modification projects should be discreetly placed and maintained in an orderly manner.

### **C.** Storage and Outbuildings

- **1.** Storage sheds shall be constructed, placed, and hidden to minimize impact to the neighborhood appearance.
- **2.** Sheds greater in height to surrounding fencing and plantings and sheds visible from the street or otherwise to the neighborhood shall be constructed of the same materials and colors as the house.

## D. Garages

- 1. Garages shall not be converted for living space.
- **2.** Garage doors shall be painted the body color of the house. The ACC may also consider approval of garage doors painted in the trim color or accent color or stain (for wood garage doors).

## E. Carports

- 1. Carports are prohibited in Jackson Hills.
- F. Home Businesses and Working from Home
  - 2. Visible advertising is prohibited.

## G. Play Equipment

- 1. Shall be placed to be as inconspicuous as possible.
- **2.** Play equipment shall meet legally required and HOA setback requirements. Play equipment shall be placed with consideration to minimize disturbances to neighbors.
- **3.** If visible from the street, play equipment shall fit within the aesthetics of the neighborhood and be approved by the ACC.

## H. Basketball Goals/Hoops

- **1.** Basketball goals/hoops mounted on poles, or to the house, or portable (if in public view) or similar recreational equipment requires architectural committee approval.
- **2.** Such equipment shall not be permanently placed adjacent to the street or sidewalk so that when in use players would be in the street. The BOD retains the right to limit use of such goals and/or restrict them from street use.

#### Swimming Pools and Hot Tubs

- **1.** Only in-ground pools are permitted. Hot tubs may be above ground. This does not pertain to children's inflatable play/wading pools that are permitted in back yards without ACC approval.
- **2.** Any wood support structure, gazebo, etc. shall be the same color as the house or deck or other ACC approved color that is complimentary to the neighborhood.
- **3.** Pool or hot tub cannot be located within a buffer or easement.
- **4.** All Health Department regulations must be met as well as building codes and local ordinances.
- **5.** Pool or hot tub must be screened from view from the street or adjoining property by plantings or other suitable landscaping means.

## J. Landscaping

- **1.** No 'Astro-Turf' or artificial grass or landscaping is permitted within Jackson Hills. Planting strips must contain at minimum 75% vegetative materials per City of Happy Valley ordinances.
- **2.** Landscaping of a minor nature such as naturalizing an area of the yard or adding low growing shrubs and bedding flowers do not require approval provided they do not encroach upon neighboring properties or common area.
- **3.** After initial construction, no tree having a trunk diameter exceeding three (3) inches at ground level, shall be removed without prior written approval from the ACC. Exception: A tree that is dead or diseased or poses an imminent threat or danger to persons or property does not require ACC approval but may still require City approval.
- **4.** Other types of landscaping that are major, structural, change the contour of the land, or are adjacent to a property line, or obstruct a neighbor's view require approval.
- **5.** Information Required on Application Submittal:
  - a. Plot plan showing quantity and location of plants.
  - **b.** Description (such as genus and species or cultivar, etc.) of plants.
  - c. Details of any landscape plan that may change the flow of any drainage/runoff shall be submitted with details, including a Plot Plan, drawings showing the present drainage/runoff and drawings showing the proposed change in the drainage flow as a result of the change.

#### **6.** Hedges and Screen Plantings

- **a.** Hedges, screen plantings, or live fences erected from the front corner of the house forward shall not exceed four (4) feet.
- **b.** Hedges or screen plantings which form a barrier between properties shall have the following:
  - i. Agreement for maintenance access
  - ii. Setback to allow for plant growth

**7.** No changes or modifications are permitted to Common Property without prior written approval from the Board of Directors.

#### K. Water Features

- **1.** All water features require ACC approval. Noise disturbances to neighbors shall be considered when planning any water feature.
- **2.** Water features visible from the street shall be architecturally pleasing and shall complement the existing neighborhood appearance and landscaping.

#### L. Lawn Ornaments and Decorations

- **1.** The following do not require approval of the ACC: temporary decorations including holiday decorations, landscape or accent lighting, garage sale signs, yard sale signs (as long as signs are removed within a reasonable amount of time and that no sign be placed on common property). Signs shall comply with the requirements of Protective Covenant 3.8.
- **2.** Every effort shall be made not to disturb or adversely affect neighbors with the installation and operation of flood and security lights as well as those other items listed in the preceding paragraph.
- **3.** Regarding items not requiring approval, the Board of Directors reserves the right to request a homeowner to remove or modify an item if surrounding homeowners complain.

#### **4.** Holiday Decorations

- a. Normal holiday decorations do not require ACC approval.
- **b.** Holiday decorations shall be removed within 30 days of the holiday.
- **c.** The Board of Directors reserves the right to require owners to remove decorations that neighbors find offensive or significantly objectionable.

## M. Flagpoles

- **1.** Must be in compliance with applicable building codes and local ordinances, and they shall not exceed the highest peak of the house.
- 2. One flag pole per lot will be permitted.
- **3.** Permanent flag poles must be tapered.

## N. Lighting

- 1. Typical low voltage lighting may be installed without ACC approval.
- 2. Lighting shall not shine into neighboring houses.
- **3.** The Board of Directors reserves the right to require owners to remove lighting that constitutes a nuisance to neighbors.

## O. Signage

- **1.** Commercial advertising signs are prohibited other than standard real estate 'For Sale' signs.
- **2.** Political campaign signs are permitted must be removed within ten (10) days following the election. Political signs do not require ACC approval.
- **3.** Real Estate signs shall be mounted on standard white sign posts as are the most common with Portland area real estate agencies. Wire or A-frame signs are not permitted except that temporary signs for open houses are permitted but must be promptly removed.
- **4.** Small alarm system signs are permitted and do not require ACC approval.
- **5.** All signs shall comply with Protective Covenant 3.8.

#### P. Antennas and Satellite dishes

- **1.** All exterior-mounted radio/TV antennas and satellite dishes require ACC approval.
- **2.** Purpose and intent: To control the location and screening (such as landscaping) of satellite dishes to lessen any impact on surrounding properties. To preserve the image and character of Jackson Hills.
- **3.** No previously approved installations shall constitute establishing a precedent for approval.
- **4.** Satellite dishes shall comply with Protective Covenant 3.11.
- **5.** Satellite dishes shall not be located within six (6) feet of side or rear property lines, any required yard setback or in any required buffer, whichever is greater.
- **6.** No dish will be located closer than thirty (30) feet to a street right-of-way.

- **7.** Satellite dishes installed at ground level should be screened so the dish is not visible from any street or neighboring property as viewed from ground level. The screen should consist of live evergreen screening.
- **8.** Any tree removal required must have approval.
- **9.** All wiring shall be properly buried or suitably hidden.
- **10.** Satellite dishes may be located on the roof of a building provided that the dish is not on the portion of the roof facing the street, and the highest point of the dish is no higher than the peak of the roof.
- **11.** Satellite dishes may be mounted on the back or on the side of the homeowner's home but must not be mounted on the front. If mounted on the side of the home, dishes cannot be placed within ten (10) feet of the front of the dwelling.

## Q. Skylights and Attic Fans

- **1.** The addition of skylights and attic fans that are in the public view shall require ACC approval.
- **2.** Added skylights and fans shall be chosen to be as inconspicuous as possible and to compliment the house and neighborhood as far as possible.

#### **R.** Solar Collectors

- 1. Solar collectors shall be installed to be as inconspicuous as possible.
- **2.** Whenever possible, collectors shall be placed on the rear of the home or on the side that has the least public exposure.
- **3.** Collectors shall be attached to the roof, not free standing or ground mounted.
- **4.** Every effort shall be taken to camouflage the plumbing and supports of the collectors. This camouflaging may require completely encasing the collectors.
- **5.** All metal parts shall be painted to match roof coloring. There shall be a minimum exposure of piping. Piping running down the side of the dwelling is not permitted.
- **6.** The ideal installation is one that is laid flat on the roof.

#### **S.** Wind Turbines

1. Wind turbines are not permitted in Jackson Hills.

#### T. Additions

- **1.** All external changes to homes must have architectural approval before changes begin.
- **2.** This includes, but is not limited to, new rooms, porches, garages, attached structures.

- **3.** Also, any changes to windows, doors or chimneys require approval.
- **4.** Information Required on Application Submittal:
  - **a**) Official plat or survey showing lot boundaries, the existing building and the proposed structure.
  - **b**) Elevations showing the planned appearance of the structure.
  - c) Description of materials to be used including siding, paint, color and shingle samples if necessary.
- **5.** No change shall encroach upon the setbacks for the lot as listed in the covenants.
- **6.** Changes shall match the house color and style.
- **7.** City, County, or other building permits are the responsibility of each homeowner.

#### **U.** Decks and Patios

1. There are no predetermined styles for decks or patios. All new decks, patios, arbors, screening and under-deck enclosures, including association landscaping, require architectural approval. Any appearance change requires architectural approval.

#### 2. Deck Materials

- a) Deck materials must be weather resistant.
- **b**) The types and treatment of wood shall be like that of fences.
- c) Posts may be made of brick, pressure treated wood or other suitable material.

#### 3. Patio materials

- a) Concrete slabs, smooth finish or exposed aggregate.
- **b**) Bricks, with sand fill or grout.
- c) Stone, with sand fill or grout.
- d) Stamped concrete.

#### 4. Height of deck, arbors and screens

- a) Decks shall be of a reasonable height for their intended purpose.
- **b**) Garden arbors for the purpose of holding plants shall be no higher than eight feet above the deck or patio surface.
- c) Free standing deck screens (i.e., lattice) shall not exceed six feet in height.

**d)** Screens as part of an arbor may extend to the top of the arbor.

#### 5. Location and Restrictions

- a) Obstruction of views or breezeways of adjoining properties will be given consideration in all cases.
- **b**) The construction of decks or patios within buffer areas will not be allowed.
- **c**) Only exterior materials comparable to those on existing structures and compatible with the architectural character of the community will be approved.
- **d**) Projects must be in compliance with all permit requirements and all applicable building codes and local regulations.
- **e**) Uncovered decks shall be set back a minimum of five (5) feet from fences and lot lines.
- **f**) Covered decks shall be set back a minimum of ten (10) feet from fences and lot lines.
- 6. Information Required on Application Submittal:
  - **a**) Plot plan showing the location of the deck and patio, in relationship to other structures and property lines.
  - **b**) Elevation drawing (s) showing style of deck and patio, including railing, steps, etc.
  - c) Description of materials used, including samples of stain or paint, if applicable.
  - **d**) Include any landscape plan/screening of the area underneath the deck.

## **V.** Awnings

- 1. All awnings require architectural committee approval.
- **2.** Awnings shall be of fabric only.
- **3.** Awning color shall be complimentary to the house and surrounding area.
- **4.** Upon deterioration, awnings shall be repaired, replaced or removed.
- **5.** Awnings must be attached to the house and shall not be free standing.

#### W. Window Air Conditioners

- 1. Window air conditioners that protrude from the window shall not be placed in windows in view from the street.
- 2. Window air conditioners shall not be installed prior to May 1st and shall be removed from the windows by October 1st or every year.

#### X. Fences

- 1. All fences shall comply with the requirements of Protective Covenant 3.14. This includes maximum height of six (6) feet in the rear and four (4) feet for fences nearer the street than house or the next door house corner whichever is farther from the street.
- **2.** Fences shall be constructed of wood, or black powder coated metal. Other materials will be considered on a case by case basis by the ACC and must be complimentary to neighborhood aesthetics. Galvanized chain link fences are not permitted.
- **3.** No previously approved installation shall constitute establishing a precedent for approval.
- **4.** However, fences proposed for construction adjacent to existing fences are preferred to be of the same style, material, and finish as the existing fences.
- **5.** Alternative fence styles and materials will be considered on an individual basis based on historical representation.
- **6.** No construction shall begin without ACC approval of the application.
- 7. Approval of a fence does not constitute approval for any additional Improvements (such as play equipment, playhouses or basketball equipment). These items must either be detailed on the application, or, be on a separate application that is submitted for approval.
- **8.** After construction, the association reserves the right to perform an inspection to ensure that the fence and any associated landscaping conform to the conditions stated in the approval.
- **9.** Application shall include a top-down map (surveyor's plat) to indicate the exact location of the fence in relation to the house and property lines.
  - a) Dimensions must be included
  - **b**) Elevations (side view) must be included
  - c) Gate locations must be included

**10.** Screening requirements will be in effect for any fence bordering a street. Evergreen plantings must be put in place that will suitably (partially) screen the fence within three (3) years. The intent is to preserve neighborhood aesthetics.

#### 11. Setbacks

- **a**) Fences adjacent to and parallel to the street shall be set back a minimum of three (3) feet from the sidewalk.
- **b**) Additional setback requirements may be required for the sake of landscaping.

### 12. Landscaping

**a**) A landscape plan shall be part of the documentation submitted with the application.

#### 13. Construction Details

- a) All hardware is to be galvanized or suitably weatherproof.
- **b**) All posts must be set in concrete.
- c) The finished side of all fence styles must face adjoining lots.

#### 14. Maintenance

**a)** Maintenance of the fence and all associated screen plantings is the responsibility of the property owner and must be performed as needed.

#### Y. Clotheslines

1. Exterior clothes lines are prohibited.

#### Z. Pets, Pet Houses and Pens

- 1. Pet pens shall be located a minimum of ten (10) feet from the property line.
- **2.** Pet pens shall be located in the back or side yards whichever is least conspicuous.
- **3.** Screening (landscaping) should be provided as much as possible and requires ACC approval.
- **4.** No chain link or metal fencing is permitted if it is visible from the street or a neighboring lot. Fencing shall meet the fencing requirements of this standard.

**5.** Owners shall regularly and routinely clean up after pets and keep them out of neighboring yards to ensure they do not constitute a nuisance to neighbors.

## AA. Compost

- 1. Compost shall be maintained in containers suitable to the neighborhood. They shall not be allowed to become a nuisance due to odor, vermin, or unsightliness.
- 2. Compost and compost containers shall not be visible from the street.

## **BB.** Driveways and Parking Pads

1. Any new parking pads or driveways or changes to them require ACC approval.

#### 2. Location and Restrictions:

- **a**) Driveways and vehicle parking pads shall be concrete only. Any other type of pads (i.e. brick, stone, etc.) shall be reviewed on an individual basis.
- **b**) Aggregate base, thickness, reinforcement, etc. must comply with good construction practices.
- c) Close attention must be paid to structure placement, setbacks and encroachment onto buffer areas, Association owned common property and neighboring lots. This includes the impact on drainage and runoff to aforementioned properties.

#### 3. Information Required on Submittal:

- a) Plot plan showing location of driveway or parking pad.
- **b**) Elevation drawing showing the measurements of the parking pad such as the length, height and width as well as any landscaping that will be added along the perimeter.

### CC. Parking

- **1.** No recreational vehicles (RVs) shall be parked or stored in public view.
- **2.** No commercial vehicles shall be parked in public view beyond a reasonable time for completion of business tasks. Home businesses are prohibited from creating additional traffic in Jackson Hills.

#### **DD.** Maintenance

- 1. It is the primary responsibility of each homeowner to maintain his property in a way that does not detract from the overall aesthetics of the community.
- **2.** Following is a list of areas that should be reviewed on a regular basis to insure that your home is in good repair:
  - a) Shrubbery, trees (including pruning) and lawns
  - **b**) Driveways and sidewalks
  - c) Decks
  - d) Fences
  - e) Play equipment
  - **f**) Roofing
  - g) Wood
  - h) Paint and stain
  - i) Garbage can storage
- **3.** Plantings including street trees shall be pruned as required to prevent them from obscuring light from street lamps.

## VI. Items not included in this standard

Any items or projects impacting the external views of a home or lot that are not covered in the preceding paragraphs shall be reviewed by the ACC. Contact the ACC to determine if an application is required.

## VII. Appendices

Architectural Review Application
The ARC application can be downloaded or viewed at <a href="http://www.jhhoa.org/accarcinformation.html">http://www.jhhoa.org/accarcinformation.html</a>