

0ARCHITECTURAL DESIGN GUIDELINES and RULES & REGULATIONS

HILLSIDE PARK ADDITION

PROPERTY OWNERS ASSOCIATION

December 6, 2011, Amended Nov. 13, 2013

Amended October 29, 2017

Amended May 9, 2019

Amended 12/31/2023

Effective June 1, 2024

Amended January 23, 2025

Rules Pertaining to New Construction, Rules pertaining to Alterations to Existing Property and General Rules

The rules stated herein have been implemented to establish and maintain the high standard and quality of the properties and livability in Hillside Park. The Declarations, Restrictions, Protective Covenants and Conditions for Hillside Park Addition ("CC&Rs") authorize the Board of Directors to establish rules and regulations, and to impose monetary fines and other sanctions. The Board of Directors appoints the Architectural Review Committee ("ARC"), with jurisdiction over all construction and landscaping activity. Each homeowner is responsible for being familiar with, and being in compliance with, the rules. The Board of Directors of Hillside Park anticipates that all property owners will endeavor to achieve a "good neighbor" attitude. Accordingly, the Board will endeavor to communicate with property owners through conversation or mail regarding most minor problems, in an effort to alert owners of policies and to initiate corrective action. In more egregious circumstances, the Board may convene to review concerns, and following written communication may initiate fines as deemed necessary. Failure to respond to the fines and/or to correct the violation may then result in the impositions of a lien and legal action. **See Schedule of Fines for Violations (Exhibit D)**

Architectural Design Guidelines

A. Architectural Review Committee (ARC)

The CC&Rs establishes the ARC. The ARC is responsible for reviewing and approving all new construction and has jurisdiction over exterior modifications, additions or alterations made to any private property in the Hillside Park Addition ("Hillside Park"). The purpose of the ARC is to assure that property within Hillside Park conforms to the standards set forth in this document. The goal is to ensure that individual property owners and the community are treated fairly. Set forth in these Architectural Design Guidelines and Rules & Regulations are policies and procedures established to assist property owners and the committee through the review, approval and construction process. In addition, there are rules and guidelines related to the maintenance of property within Hillside Park.

B. ARC Members

ARC is a voluntary committee consisting of no fewer than three or more than five members. The ARC will have at least one member from the current Board of Directors of Hillside Park. Committee members will not be compensated. Members of the ARC may be removed or replaced at any time by a majority of the full Hillside Park Board of Directors. The ARC committee shall have a Chairman elected from amongst its members. The ARC Chairman and no fewer than two other ARC members shall have the authority to act on behalf of the committee.

C. Policy

The need to preserve the quality and integrity of Hillside Park Association has led to the establishment of certain rules and guidelines. All property is subject to the CC&Rs and to these Architectural Design Guidelines and Rules of Conduct & Regulations established by the Hillside Park Board of Directors pursuant to the CC&Rs. The Architectural Design Guidelines and Rules & Regulations require written ARC approval for exterior improvements or alteration of any kind and apply to original construction, landscaping, and maintenance and to any future modification(s). All new and subsequent construction will be evaluated based on, among other things, siting, proportion, orientation, color and compatibility with the surrounding environment as determined by the ARC.

Porta-pottys used for any purpose must have written ARC approval prior to placement on a homeowners property. Under no circumstance should a porta-potty be placed on the roadway.

I. Rules Pertaining to New Construction and Alterations of Existing Property

1. Approval Process and General Policies for New Construction or Alterations to Existing Property:

All new construction, as well as alteration to existing property, including exterior painting and landscaping requires the written prior approval of the ARC. When a property owner wishes to construct a home, add on an addition, remodel an existing home, repaint, landscape or otherwise alter the property, application must be made to the ARC (see Hillside Park Submittal Form and Application Exhibit "A" or Exhibit "B" for approval). All new construction or remodeling is subject to the Construction

Agreement (Exhibit "A") ; minor changes are subject to Exhibit B. Payment of the appropriate fees is subject to Exhibit "C", as well as all current rules in Hillside Park.

Submission of a request for new construction or for alterations/additions requires a monetary deposit, as specified in the Submittal Form and Application. The fee schedule is listed on Exhibit "C". Upon satisfactory inspection and final written approval by the ARC, the deposit will be refunded within sixty (60) days, minus actual expenses, if any, to the Homeowners' Association ("Association"). Construction approval is valid for eighteen (18) months for new homes and nine (9) months for remodeling, beginning at the date of written approval and receipt of fees. If construction has not begun in that time period, a new application must be made. Fees previously deposited will be applied to the new application.

All proposed exterior construction for a new home, or alterations or additions, must be completed within twelve (12) months from the date construction is begun, unless a waiver is obtained in writing from the ARC. The grant of such waiver, if any, shall be at the absolute and sole discretion of the ARC. Property owner is responsible for avoiding encroachment on property lines, setbacks, and easements. Only site built construction is permitted in Hillside Park. Removal of vegetation and/or grading which might affect the drainage of the property prior to construction also requires ARC approval.

Any landscape plan and exterior indirect accent lighting must be approved in advance by the ARC and is subject to payment of the appropriate fees. Work must be complete within one year from commencement of the landscape plan.

Approval of projects by the ARC may be delayed or deferred if the application and/or accompanying documents/plans are incomplete and until the missing items are submitted. The ARC, at its sole discretion, may give partial approval to proceed on certain parts of the project until the missing items are submitted for consideration for approval of the entire project. Changes to the project that arise during progress of the project must be resubmitted for consideration for approval before proceeding.

Prior to final approval, an outline ("footprint") of the home, garage and driveway, must be staked out in order to determine the exact location on the lot. The ARC retains the right to require a foundation survey, at the owner's expense, on a lot or structure, as the ARC deems necessary. Prior to approval, "story poles" must also be erected to define the elevation of the proposed new structure or addition. In order to insure compliance with approved building height limits, a benchmark, permanent for the period of construction, must be established. After footings and foundations are in place, and before any concrete is poured, the elevation and footprint must be checked against the benchmark and approved by the ARC to insure compliance.

2. Temporary Construction and Other Structures:

Buildings to be used as temporary construction shelter prior to or during construction of the main residence building must have prior ARC approval. This also includes the location of temporary storage areas for materials/equipment and sanitary facilities.

Accessory buildings/structures such as storage, which are not part of the dwelling but are intended for permanent or semi-permanent use, are not allowed. Sheds such as Tuff Shed, Rubbermaid or similar structures are prohibited. Any request for exception must have prior written ARC approval (see Variances/Waivers, Section II, paragraph 21 of the General Rules and Regulations). Dog houses/ dog runs, and permanent or semi-permanent play facilities must be approved in advance by the ARC. The intent is to prevent noise and visual impact on neighbors.

3. Adjacent Property:

Adjacent property, both private property and common areas shall not be used for access to any construction site under any circumstances without the written approval of the ARC and the respective property owner affected. Adjacent private property and common areas may not be used for a parking lot by any contractor or subcontractor working on another lot. Damage to any common areas or adjacent private property shall be the responsibility of the property owner and/or general contractor conducting the construction.

4. Building Restrictions:

Houses of less than 2,500 square feet, excluding the garage and decks, will be considered only on an exception basis, and may in certain instances be necessary to accommodate lot configuration.

Building height, site limitations and location may be restricted or imposed by the ARC in order to preserve architectural continuity within Hillside Park and to minimize the impact of the structures on sensitive natural areas of the property.

Detached garages and carports are not permitted. Homes that include storage for RV's, trailers, "fifth wheels", and ATV's visible from the street are strongly discouraged and will be considered only on an exception basis when visual impact can be appropriately minimized. The grant of such an exception shall be at the sole discretion of the ARC. A minimum of four parking spaces shall be required for each residential lot.

A minimum setback of seven feet from adjacent property, including roof overhangs, must be provided. The maximum reasonable setback from streets and driveways, as determined by the ARC, is required.

Hours of building construction are 7:00 a.m. to sundown. Property owners are responsible to ensure that all posted parking requirements and speed limits are observed, and to use their best efforts to minimize construction noise including, but not limited to, loud music, etc.

5. Chimneys:

All exterior chimneys must be of wood, stone, stucco, concrete or non-reflective metal. Wood, stone, stucco, metal or concrete must be medium to dark earth tone colors, and must be of such a color as to blend in aesthetically with the residence. Color will be subject to prior approval by the ARC.

6. Driveways:

Driveway cuts onto Hillside Park roads will be limited to one per lot, unless otherwise approved by the ARC. Driveway materials will be pavers, concrete or asphalt. Color will be subject to the approval of the ARC.

7. Excavation:

All excavation must be done so as to create a minimum disturbance on the site. All excess dirt and debris as a result of excavation must be removed from the site. Large rocks or boulders may be retained for landscaping purposes. Prevention of windblown nuisances and cleaning of adjacent streets and sidewalks are the property owner's responsibility.

8. Exterior Treatments and Color:

The following materials/colors are approved for use in exterior walls and trims with the exception of the front door:

- a. Wood, natural or composites, painted or treated with earth tone stains.
 - 1) Vertical lumber siding;
 - 2) Board and batten vertical lumber siding; or
 - 3) Horizontal lumber siding
- b. Stone- medium to dark earth tone colors
- c. Brick-medium to dark even earth tone colors
- d. Textured masonry block units not to exceed four inches in height-medium to dark earth tone colors
- e. Stucco-medium to dark earth tone colors

Front doors may be painted a non-earth tone, complimentary color to other building surfaces but must have prior ARC approval before painting.

All exterior color and material treatment used on the building walls shall be continuous and consistent on all elevations in order to achieve a uniform and complete architectural design. Exterior colors must

harmonize with the surrounding landscape. Reflective metal such as chimneystacks, flashings, gutters/downspouts, and exhaust vents and pipes must be painted and maintained to match or blend with surrounding materials. All colors are subject to approval by the ARC. Painting or staining and any subsequent repainting or re-staining of exterior surfaces must have prior approval by the ARC. The Architectural Review Committee shall be the sole arbiter of color choices and may withhold approval for any reason, including purely aesthetic considerations.

9. Solar Systems:

The use and location of any exposed solar system used for heating or generating electricity must be approved in advance by the ARC. The intent is to shield the system from neighboring views and views from streets and roadways as much as possible. Any exposed connection piping must be painted to match surrounding roof or wall color.

10. Exterior Lighting:

All exterior lighting plans must be submitted with construction approval or alteration approval submittals. Exterior lighting, which can be seen from the roads, or neighboring lots must be indirect. The light source must not be visible in such circumstances. Decorative and /or landscape lighting may have limitations placed upon them and must be approved in advance by the ARC.

11. Fencing:

Fencing is not permitted. A fence is defined as a structural or landscape barrier which separates one space from another to define property boundaries or which is constructed for ornamental or screening purposes regardless of height. Fencing shall not be allowed under any circumstances to define property boundaries nor to separate or enclose properties.

12. Garages:

The garage must connect to the main house by a roof or screen or be a part of the house structure. Consideration should be given to relating the position of the garage to that of the residence and neighboring structures, and should not dominate the structure's appearance.

13. Grading:

Grading shall conform to natural contours to the maximum extent possible. Grading should not change the natural drainage patterns that exist and must not in any case cause additional drainage on the property of adjacent owners, roads/streets or Hillside Park common property.

14. Gutters and Drainage:

Gutters and downspouts are encouraged and shall be designed as a continuous architectural design feature. Exposed gutters and downspouts shall be colored to blend in with the surface to which they are attached. Drainage collected or originating on an owner's property is the responsibility of that property

owner and shall not be diverted to adjacent property. Provisions for roof, gutter, landscape, and other drainage originating on the site are the property owner's responsibility.

15. Heating and Cooling Systems:

Interior or exterior heating or cooling systems must be screened from the view of neighboring property, roads, and must be insulated for noise so as not to be offensive to adjoining properties.

16. Hillside Lots:

Exposed understructures of homes built on hillside lots are prohibited. Siding material must extend to within eight inches of the finished grade. Skirt walls higher than four feet to the finished floor shall have foundation landscaping to reduce the scale of the skirt wall.

17. New or Updated Landscaping:

General Design Considerations

All landscape plans shall be developed to present a neat and pleasing appearance from all offsite vantage points, to minimize fire danger, to minimize noxious weeds, and to minimize wind-blown dust and debris. Maintenance of natural vegetation in Hillside Park is required. Continuity of vegetation and landscaping with neighboring lots is encouraged and may be required by the ARC. Shapes of planted areas are to be irregular and cover less than the full lot. Trees, either natural or imported, must be planted and/or maintained to be consistent with maintaining aesthetic qualities. When trees are removed or added for any reason, the ARC will review the replacement trees and plantings for their impact on neighbors' views and fire safety. Attention to a particular species of tree or planting will be given as well as height at maturity of the tree. Homeowners will be encouraged to plant species of trees and shrubs that will not block neighbors' views when they achieve full growth. The ARC, where necessary, working with affected property owners, will treat each instance on an individual basis and will make a determination at the sole discretion of the ARC.

Tree removal is permitted on lots for the purpose of enhancing mountain and city views. Clear cutting is not permitted. The intent for tree removal beyond the residential site is to provide views for owners from their home while still maintaining a natural setting.

Crowning trees to reduce height is allowed with ARC approval. A professional arborist must be hired to do the crowning.

Tree and bush height at maturity along the roadway should not block visibility for drivers. Established trees along the roadways should be kept trimmed back and up 6-10 feet from the base of the tree.

Defensible Landscape Zones

All new landscape plans will need to demonstrate following Fire Prevention Zones. There are three defensible landscape zones (Fire Prevention Zones). The "Zone" concept is part of the Firewise/USA Community recommendations, which these Design Guidelines have incorporated. Limiting the amount

of flammable vegetation and materials surrounding a Structure and increasing the moisture content of the remaining vegetation are the primary goals of these standards. (See Appendix 3 for Less Flammable Vegetation Options) The defensible zone method of landscaping must be demonstrated by the Owner in the schematic design submittal to the ARC for approval.

Zone 1: encircles all Structures and all attachments (decks, patios and fences) for at least 30' on all sides.

- Create a "fire-free" area within five feet of Structures, using non-flammable landscaping materials and/or high moisture plants
- Mulch is a combustible material and not allowed in Zone 1
- Select plants that are low-growing and free of resins/oils/waxes that burn easily
- Lawn is permitted and should be mowed regularly. Lawns must be kept watered, fertilized and weed prevention used.
- Prune trees up six to ten feet from the ground, juvenile trees are not to be pruned up higher than 20% of the tree's height or as advised by an arborist
- Space conifer trees 20-30 feet between crowns
- No branches should overhang Structures
- Remove dead vegetation within 30 feet of Structures
- Consider fire-resistant material for patio furniture
- No propane storage tanks are permitted, propane tanks on barbecues are permitted
- Outdoor wood burning fire pits are not allowed
- Firewood should not be stored within 30' of the home
- Water plants and trees regularly
- Consider xeriscaping to conserve on water usage
- Noxious weeds must be prevented from growing including cheat grass

Zone 2: 30-100 feet from the Residence- Plants in this zone should be low growing, well irrigated and less flammable.

- Leave 30 feet between clusters of two or three trees, or 20 feet between crowns
- Encourage a mixture of deciduous and coniferous trees
- Create "fuel breaks", like driveways gravel walkways and hardscapes, and lawns
- Prune trees up six to ten feet from the ground, juvenile trees are not to be pruned up higher than 20% of the tree's height or as advised by an arborist
- Consider fire-resistant material for any outdoor furniture
- No propane storage tanks allowed in this zone
- No outdoor wood burning fire pits are allowed
- Noxious weeds must be prevented from growing including cheat grass

Zone 3: 100-200 feet from the Residence. This area should be thinned and free of heavy shrubs and brush.

- No new plants in this area, leave as native vegetation
- Remove smaller conifers that are growing between taller trees
- Remove accumulation of pine needles, woody debris, and diseased trees

- Reduce the density of tall trees so canopies are not touching
- Irrigation in this area is not necessary
- No propane storage tanks are allowed in this zone
- No outdoor wood burning fire pits are allowed
- Noxious weeds must be prevented from growing including cheat grass

Water features are considered part of the landscaping, and are subject to ARC approval. Pools of standing water are not permitted. All water features shall be treated periodically to eliminate mosquito and other pest problems. The ARC may require proof of such treatment from time to time.

18. Mailboxes:

Individual mailboxes are prohibited. Group mailboxes will be provided at central locations by Hillside Park. Newspaper receptacles must meet ARC approval.

19. Portable or Mobile Toilets

Porta-potties used for any purpose must have written ARC approval prior to placement on a homeowner's property. Under no circumstance should a porta-potty be placed on the roadway.

20. Roofs:

Composite shingles, slate, metal and concrete tile shall be the only approved roof materials when a roof is exposed to view. The ARC will consider any other material only on an exception basis. Wooden shakes are not permitted.

21. Service Yards:

Each residence must provide for the enclosure of woodpiles, utility meters, trash containers, bicycles or recreational equipment or facilities, clothesline and outdoor maintenance equipment, and such service yards must be placed where the view from the roads or neighboring lots is minimized. Materials used to construct enclosures must be solid and match the homes siding and paint color.

22. Signs:

One sign, professionally prepared, identifying the contractor during construction or advertising a home for sale, is permitted. Subcontractor and material signs are prohibited.

Wording of a "for sale" sign shall be limited to the words "for sale" and name and phone number of the listing real estate agency. "Realtor" and "By Appointment" may also be used if appropriate. If being sold by the owner, the name of the owner or "by owner" shall be substituted for the listing real estate agency.

"For Sale" signs are not permitted at the entry to Hillside Park or on any other common or private property except the private property of the selling owner.

“Open House” signs may be posted only during scheduled open house periods and must be removed when the home is not being shown. One “open house” sign may be permitted at the entry to Hillside Park, and one at the property.

Other signs are not permitted within HPA, unless approved in advance by the ARC.

23. Staging Area:

Each construction approval submittal must designate at least one staging area for a lot subject to approval of the ARC.

24. Utilities:

All utility connections from trunk lines to individual structures must be underground. The ARC must approve locations in advance in writing. Exposed plumbing, gas and electrical lines are not allowed. The appropriate inspectors must inspect water and sewer hookups. All excavation for site utility hookups must be restored to the natural condition. Meters should be disguised so as to blend into the surroundings.

25. Other Specific Conditions:

Design features of structures not specifically covered above must be referred to the ARC for resolution.

26. Owner Responsibility:

The property owner is ultimately responsible for the actions or inactions of property owner’s contractor, subcontractors, material men or agents. A property owner engaged in new construction or modification of an existing property must give a copy of these guidelines and rules to owner’s contractor, subcontractors or agents.

27. Severability:

If any section, subsection, paragraph, sentence, clause or phrase of these Architectural Design Guidelines and Rules & Regulations is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portion.

28. Non-waiver:

Consent by ARC to any matter proposed to it or within its jurisdiction, or failure by ARC to enforce any violation of these Architectural Design Guidelines and Rules & Regulations shall not be deemed to constitute a precedent or waiver impairing the ARC’s right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent or to enforce any subsequent or similar violation of these rules.

29. Violations:

Any resident of Hillside Park may report violations of these Architectural Design Guidelines and Rules & Regulations. All violations reported to the ARC or the Board must be in writing.

30. Enforcement:

If the Architectural Design Guidelines and Rules & Regulations are violated by a property owner, property owner's contractor or other property owner's agent, the ARC will refer the matter to the Board of Directors with a recommendation that a legal action be filed against the property owner, property owner's contractor or other agent (including, but not limited to, an action for specific performance); the ARC will refer the matter to the Board with a recommendation that the Board impose a fine on the property owner in an amount equal to the cost of restoring the property to its condition prior to the subject work being performed in addition to requiring the property owner to complete the work as originally approved; or the ARC will refer the matter to the Board with any recommendation that the ARC determines is appropriate given the violation and the interests of the community.

31. ARC Decisions:

Any decision of ARC may be appealed by the property owner to the full Board of Directors. A decision by a majority of the Board will be final and binding.

33. Fines:

If a property owner, property owner's contractor or property owner's agent fails or refuses to comply with the Architectural Design Guidelines and Rules & Regulations or fails to apply to the ARC for any projects covered by these guidelines, the ARC shall refer the matter to the Board of Directors with a recommendation that an action be filed against the property owner, property owner's contractor or other agent, respectively (including, but not limited to an action for specific performance); the ARC will refer the matter to the Board with a recommendation that a fine be assessed against the property owner, or the ARC will refer the matter to the Board with any recommendation that the ARC determines is appropriate given the violation and the interests of the community (see Schedule of Fines Exhibit D).

33. Work Stoppage:

To protect the community, the Board of Directors has empowered the ARC to implement work stoppages when these Architectural Design Guidelines and Rules & Regulations are violated. Notification by the ARC to the HPA Board of Directors president and the property owner will be made within eight (8) hours of the ARC deciding that a work stoppage should occur. An ARC work stoppage may be enforced for up to seventy- two (72) hours without Board approval. After seventy- two (72) hours, the work stoppage becomes a matter for the Board of Directors to address. Any and all costs attributed to a work stoppage including, without limitation, attorneys' fees, is the responsibility of the property owner.

II. General Rules and Regulations

1. Address Marker Monuments:

Address marker lighting must be in working order and illuminated nightly. Failure to have an illuminated address marker may result in the homeowner being charged a daily fine until repairs are made.

2. Animals:

a. City of Bend rules apply to the numbers of permitted animals allowed. Farm animals and livestock, as determined by the Board in its absolute and sole discretion, are prohibited. Dogs must be on a leash when off the property owner's property. Animals must have a collar with an identification tag (name of animal, home address and phone) and a current rabies vaccination tag. Animals must be under control at all times, either when on property owner's property, or on common areas. Dog feces must be picked up when walking dogs in the common area.

b. Exterior animal enclosures must be approved in advance by the ARC, at the sole discretion of the ARC. If approved, such enclosures must be screened from neighboring lots and roadways and be of non-reflective materials. Location and materials must be approved by the ARC (see Section I, paragraph 2, of the Architectural Design Guidelines).

c. Dogs must be managed to preclude being a nuisance and from barking or roaming.

d. Underground "invisible" electric fences only are permitted.

e. Any agreement for construction of animal facilities shall not be deemed as waiving any right to abate any nuisance, which may be created by the facilities or by the animals using the facilities.

f. Nuisance from dogs and other animals may be reported to the Deschutes County Sheriff's Animal Control Department for resolution.

g. Feeding of wild mammals is prohibited.

3. Antennas:

Exposed TV and/or radio antennas and small satellite dishes may be installed, subject to prior written approval from the ARC. Efforts should be made to not install equipment that is visible from the roadway.

4. Awnings:

All proposed awnings must have ARC approval, and must be a material, color and style that blend with the home.

5. Clotheslines, Wood Piles, Recreational Equipment, Trash Containers, etc.:

Exterior clotheslines, recreational equipment, trash containers, external storage, including storage of firewood, etc., must be screened from the view of adjacent property owners or from the street (see Section I, paragraph 20 of the Architectural Design Guidelines).

6. Drainage:

See Gutters and Drainage (see Section I, paragraph 14 of the Architectural Design Guidelines).

7. Fireworks:

The use of fireworks of any kind are not allowed by the City of Bend. No fireworks are allowed in Hillside Park streets, Hillside Park common property or private lots in line with city ordinance 5.30.00. Property owners are liable for any and all damages, harm, injury or adverse consequences resulting from or caused by the use of fireworks by the property owner and/or their guests and invitees. See Exhibit D for fines associated with the use of aerial fireworks.

8. Garage Sales:

Occasional garage sales are permitted. The property owner conducting the garage sale must limit placement of signs to the property owner's property and may display such signs only during the time of the sale. One double-sided sign may be placed at the entrance to Hillside Park. Signs must be removed within two hours of the completion of the garage sale.

9. Garbage and Trash:

Property owners are responsible for their own garbage and trash disposal, during and after construction. Burning or dumping of trash and yard waste is not permitted within Hillside Park. Owners are to prevent wind blowing trash or debris onto streets or adjacent properties. All yard waste must be removed. Trash receptacles are to be placed in enclosed service yards where the view from the roads or neighboring lots is minimized.(see Service Yards, Section 1, paragraph 20 of the Architectural Design Guidelines). Property owner should be mindful of timely placement and removal of trash receptacles on the street.

10. Greenhouses: and Raised Gardening Beds

Greenhouses are discouraged. Any proposal for a greenhouse must have ARC approval. If allowed, the greenhouse must be attached to the main house, and be screened from adjacent properties and the street. Raised gardening beds are allowed only with approval from ARC. Care must be taken to minimize views from the street. No coverings are allowed to minimize visual impact to neighbors and the street.

11. Home Business:

Home business is subject to the "Declarations, Restrictions, Protective Covenants and Conditions for Hillside Park Addition".

12. **Maintenance:**

General Maintenance:

Property owners are responsible for keeping the exterior of their homes and property in good condition. Sidewalks and curbs are to be kept clear of weeds and snow. All personal items such as tools, recreational equipment and toys should be stored.

Landscape & Fire Safety Maintenance:

Property owners are to keep their property, sidewalks and curbs free of dead and dying trees, vegetation, weeds and debris.

All trees and bushes should be kept trimmed. Burning and dumping of trash or landscaping materials and debris is prohibited.

Lawns must be mowed and never allowed to exceed 5 inches in length. Lawns must be watered, fertilized and weed control used to avoid clover, crabgrass, dandelions and other lawn weeds. Bare spots should not be allowed to develop.

Trees and bushes must be kept trimmed. Overgrowth is not permitted. Tired and old landscaping plants, shrubs and trees should be replaced with firesafe landscaping. (See appendix 3)

Planting beds should be kept weed free with no overgrowth.

Flammable Vegetation: Landscaping Requirements for Fire Safety;

Homeowners are responsible for maintaining their properties in accordance with Bend City Code Title XIII 1330, which deals with flammable vegetation. (See Appendix 1) The following rules highlight the principal City Code regulations and recommendations of fire authorities:

Choose fire-resistant plants, bushes, and trees and non-flammable landscaping materials if at all possible especially close to structures. For example, use low growing, high moisture plants around your homes. (See Appendix 3 for suggestions of less flammable vegetation.) Widely space trees and shrubs - especially those that are more flammable.

Maintain a non-combustible space around your home by clearing all flammable vegetation (see Appendix 3) a minimum of 30 feet (100+ feet when there is a slope) from the structure.

Take out ladder fuels – vegetation that serves as a link between grass, shrubs and treetops:

- Prune trees so the lowest limbs are 6-10 feet from the ground; remove dead or overhanging branches.

- Trim grass height, and bush height, and remove pine needles
- Dispose of cuttings and debris promptly.

Keep your lawn and landscape healthy by mowing and raking grasses – especially tall contiguous grasses- and watering regularly during fire season; and remove any dead or decayed trees, plants, branches, or shrubs to reduce the potential for fast moving surface fires as per the Bend City Code.

Keep trees and shrubs properly pruned: maintain landscaping by eliminating dead branches or brush, keeping height of bushes under or near trees low, and maintaining spacing between bushes underneath trees to reduce ladder fuel (fire spreading into tree crowns).

Widely space and carefully situate trees you plant to achieve a *minimum* of 10-15 feet of space between tree crowns and flammable vegetation.

State and local authorities and environmental groups are attempting to arrest the spread of invasive and noxious plants that destroy local plant species and often have deleterious effects on animal habitats. Bend City Code Title X111 13.30.010 (see Appendix 2) requires that homeowners remove all noxious weeds found on the Deschutes County Noxious Weed List (including cheat grass, toadflax, mullein, knapweed and others) from their properties. Hillside Park property owners are expected to comply with this ordinance.

Tree branches are to be trimmed up six (6) – ten (10) feet above ground and dead branches must be removed from established trees. Juvenile trees are not to be pruned up higher than 20% of the tree's height or as advised by an arborist.

Fireproof Your Home:

1. Roofing. Protect your roof. Roofing shall consist of non-combustible material for new construction and replacement roofs.
2. Keep gutters, roof and valleys clear of pine needles, leaves, and overhanging branches- especially during fire season; clean out needles and leaves at least twice a year.
3. Check chimneys for soot accumulation and keep branches away from chimneys.
4. An approved spark arrestor is required on all fireplace or stove flues.
5. Trees or branches should not overhang a roof or rest against any structure.
6. Prevent combustible materials (flammable shrubs, wood, etc.) and burnable debris from accumulating beneath wooden decks or elevated porches especially during fire season. You may wish to enclose the area under decks to help prevent or control the spread of fire.
7. No outdoor wood burning fire pits.

Landscaping Requirements for Noxious Weeds;

Bend City Code states that no person shall allow the growth of invasive noxious vegetable growth on the property they own within the Bend city limits.

The city uses the Deschutes County Weed list to define invasive Noxious weeds which includes cheat grass.

All homeowners are responsible for removing any and all noxious weeds from their property.

Please see appendix 2 for weed control tips, Bend code, Deschutes County weed list and cheat grass information

13. Noise Pollution:

Property owners shall use best efforts to avoid loud sound equipment, machinery, barking dogs, and other forms of noise, especially during night and early morning hours, defined as 10 p.m. – 7 a.m.

14. Outdoor Recreation Equipment:

The location of permanently or semi-permanently placed outdoor furniture and play equipment approved by the ARC (see Temporary Construction and Other Structures, Section 1, paragraph 2 of the Architectural Design Guidelines), such as swing sets, trampolines, basketball backboards, picnic tables, barbeques, and other recreational equipment must be approved by the ARC. To the extent possible, such equipment shall be screened, preferably by vegetation, and/or painted to blend with the surroundings.

15. Mobile or Portable Toilets

Porta-potties used for any purpose must have written ARC approval prior to placement on a homeowner's property. Under no circumstance should a porta-potty be placed on the roadway.

16. Resident Parking:

No overnight parking on streets is allowed. A minimum of four parking places shall be required for each residential lot. Trailers of any type, trucks, campers, boats, snowmobiles, buses, ATV's and cars under repair must be parked so as to be completely concealed from view from roads or neighboring lots.

On street parking for cars is permitted only for special events. In these cases, guests of the homeowner may park on the street but only on the sidewalk side of the street. Although residents may need to park in their driveways on a short-term basis, overnight and long-term parking in garages is strongly encouraged. No more than two (2) vehicles may be parked overnight in driveways at any given time.

17. Speed Control:

The posted speed limit in Hillside Park is 20 mph. "Good neighbor" behavior carries the expectation that all residents will drive at reduced speeds. Property owners, or their guests or invitees, who drive at speeds in excess of the posted speed limit or in a manner considered unsafe for the conditions existing at the time, as determined by the Board of Directors in its reasonable discretion, shall be issued a warning and, thereafter, if such conduct continues the Board of Directors, in its sole discretion, may issue per occurrence fines as set forth in the Schedule of Fines (Exhibit D).

18. Tarps:

Tarps may not be used outdoors for covering firewood, storage, or other usage.

19. Trailers, RV's, Campers, Motor Homes, Boats and Other Recreational Equipment:

Trailers, RV's, campers, motor homes, boats and other recreational equipment are restricted to temporary, off-street parking for a period of time not to exceed seventy two (72) consecutive hours, with a total of no more than one hundred forty- four (144) total hours (6 days) within a 30 day period. Tents and other temporary structures are prohibited.

20. Schedule of Fines

In order to ensure compliance with the Architectural Design Guidelines and Rules & Regulations, the following schedule of fines will apply. This process is authorized and described in the CC&Rs and the Bylaws for Hillside Park POA. (See Exhibit D –Schedule of Fines for Violations of Governing Documents of Hillside Park.

21. Property Use:

Each lot and building there on shall be used for residential purposes as a residence,. Lease or rental of the lot or any building there on shall not be considered a violation of the applicable CC&R covenant so long as the lease is in compliance with the Board of Directors' Rules and Regulations.

- a. Property owners are required to notify a POA Board member of their intent to lease their home.
- b. All rental agreements must be in writing and subject to the laws of the State of Oregon. The Board must be given a copy of the written rental agreement.
- c. All tenants are subject to the CC&Rs, Architectural Design Guidelines and Rules & Regulations of Hillside Park. Property owners are responsible to ensure that the terms of their written rental agreement obligates their tenant(s) to comply with said CC&Rs, Architectural Design Guidelines and Rules & Regulations. All written rental agreements shall contain an "Event of Default" provision for noncompliance, providing Property owners the right to terminate said rental agreement after notification to their tenant(s) and reasonable opportunity to cure.
- d. The Board is authorized to demand that Property owners terminate any rental agreement due to noncompliance by tenants with the CC&Rs, Architectural Design Guidelines and Rules & Regulations of Hillside Park.
- e. All rental agreements shall be for a minimum term of not less than six (6) months.
- f. No property owner shall be permitted to rent their property to more than two (2) unrelated persons.
- g. Sale leasebacks where the buyer i.e. an individual, trust, etc. would purchase the lot and/or home there on, and provide a lease agreement to the seller, to remain in the home, as a tenant are

permitted. The terms of these leases may vary and are subject to Board approval and compliance to CC&R's and ARC Guidelines and Rules and Regulations of Hillside Park.

h. Transient Rental Use and Sub-letting Agreements: No property owner shall be permitted to rent their home or lot to any person or persons for transient occupancy which shall be for a period of 30 days or less. Transient use shall not include a rental of any home or lot for a period of in excess of 30 consecutive calendar days. (See rental requirements above.) Any rental agreements between tenants and third parties, either verbal or in writing, purporting to be sub-letting agreements shall be deemed null and void and of no force or effect.

22. Variances/Waivers:

Property owners requesting variance from stated rules on property use, construction, structures, etc. will submit a written request to the ARC. The ARC will review the request, may seek full Board review when deemed appropriate, and will provide a written response in a timely manner. All determinations will be based on criteria and considerations at the sole discretion of the Board of Directors and/or the ARC. Any such exception granted shall be on a temporary basis and subject to termination by the ARC.

A property owner may seek temporary waiver or exception from certain other Association rules (e.g., parking, RV parking, and signs). In such cases, the property owner must submit a written request to the ARC. The request will be reviewed by no less than three ARC members, who will consider the character and duration of the request, review any impact on neighbors, and will make a determination on the request. All determinations will be based on criteria and considerations at the sole discretion of the ARC. A written response will be provided in a timely manner.

Appendix 1

City of Bend Code Enforcement Flammable Vegetation Program

The mission of the Flammable Vegetation and Noxious Weed Programs is to gain voluntary compliance. It is essential all residents in the city limits work together to prevent wild fire on their property as well as the spread of noxious weeds.

Flammable Vegetation

It is the responsibility of every property owner and/or the person in charge of property to reduce potentially flammable weeds, grass, vines, brush and other vegetation on their property. Reducing flammable vegetation works to confine fire to the property and prevent the fire from spreading to a neighboring property.

Reduction can be completed by cutting or removing flammable or potentially flammable vegetation as close to the ground as is reasonably practical or by the application of an EPA approved herbicide. If an herbicide is used, it is best to do so after cutting the vegetation. If flammable vegetation is within the adjacent right of way, it is the property owner's responsibility to remove the flammable vegetation.

Any tax lot of a half-acre (21,780 sq. ft.) or less is required to remove all potentially flammable vegetation on the property. Any tax lot greater than a half-acre (21780 sq. ft.) shall establish and maintain a 20 ft. fuel break along the entire perimeter of the property, including the right of way or easements. The fuel breaks will need to be located along the boundaries of the property and also around any structures, trees, power poles, vehicles or other improvements on the property. To read the entire Flammable Vegetation Code, please refer to the City's [Nuisance Ordinance](#).

Maximum penalty is \$750 a day per lot.



The above pictures are from a fire that burned during the summer of 2012. The picture on the left shows a tree that had not been limbed up to create defensible space around it. As you can see, the tree easily caught on fire and burned the majority of the tree. The picture on the right was properly limbed, did not burn, and therefore did not contribute to the growth of this fire. This is a great example of how important it is to properly limb trees.

For more information on Flammable Vegetation or to make a complaint, please contact Code Enforcement at (541) 312-4908, email codeenforcement@bendoregon.gov or submit a [Code Enforcement Complaint Form](#).

BEND CODE Title XIII NUISANCES SUBJECT TO ABATEMENT

CHAPTER 13.30 VEGETATION 13.30.005

Flammable Vegetation

1. It shall be the responsibility of every property owner and/or the person in charge of property within the city of Bend to reduce flammable or potentially flammable weeds, grass, vines, brush and other vegetation on the property by complying with the requirements of this ordinance. The purpose of the flammable vegetation reduction shall be to protect property by confining fire and preventing its spread to other properties.
2. Every property owner and/or the person in charge of property shall reduce and maintain the reduction of flammable or potentially flammable vegetation on the property in the following manner:
 1. (A) A reduction can be completed with a combination of trimming, cutting or removing flammable or potentially flammable weeds, grass, vines, brush and other combustible vegetation as close to the ground as is reasonably practicable given the nature of the terrain and the property, or by the application of an EPA approved herbicide.
 2. (B) Any tax lot half acre (21780 sq. ft.) or less shall remove all flammable or potentially flammable weeds, grass, vines, brush, and other vegetation by trimming, cutting, removing, or by the application of an EPA approved herbicide.
 3. (C) Any tax lot greater than half acre (21780 sq. ft.) shall establish and maintain a 20 ft. fuel break along the entire perimeter of the property, including all rights of way or easements. The fuel breaks shall be located along the boundaries of the property; and also around any structures, power poles, vehicles, trees or other improvements on the property that would be vulnerable to a fire hazard created by flammable weeds, grass, vines, brush and other combustible vegetation.
 4. (D) The City may direct additional abatement for any situations not adequately covered by the fuel breaks described above.
 5. (E) Flammable vegetation located in the right of way or easement shall be the responsibility of the adjacent property owner and/or the person in charge of the property.
 6. (F) Accumulated waste vegetation shall be disposed of in a manner so as not to create a fire hazard or spread vegetation to other properties.
3. A City approved vegetation management plan may be allowed as an alternative to section Chapter 13.20.005(2) A through C of this chapter.
4. A violation of this ordinance shall be a Class A Civil Infraction. In addition noncompliance with the provisions of this chapter shall be subject to the abatement procedures provided in this title. [Ord. NS-2141, 2010]

City of Bend Code Enforcement Noxious Weed Program

Noxious weeds are non-native, aggressive plants brought to the U.S. accidentally or on purpose. These plants are invading vast areas across the West, Deschutes County and the City of Bend. Noxious weeds increase soil erosion, reduce habitat for wildlife, rob native plants of water, nutrients and light and are potentially toxic to humans and other animals.

Noxious weeds are very difficult to control. There are no natural predators in our area to keep the weeds from spreading. Their seeds can remain viable for many years. The weeds have extensive root systems, which can sprout after the tops have been removed, therefore controlling noxious weeds should be a priority of all property owners.

What Can You Do?

- Become familiar with local noxious weeds
- Report weed sightings to the City of Bend's Code Enforcement Division
- Keep pets and other animals out of weeds and brush and remove seeds from the animal if they become attached to their hair
- Develop an integrated weed management plan for noxious weed on your property

How Do I Control Noxious Weeds?

For small infestations, herbicides and pulling of the noxious weeds may be the most effective form of control. Herbicides can control new growth as well as prevent the spread of noxious weeds. The herbicides used to control noxious weeds are specific to each individual plant; therefore a certified commercial pesticide operator will need to be used to treat invasive species. The best time to spray noxious weeds is in the spring when the new plants are beginning to grow. When pulling the weeds, be sure to wear gloves, put the weeds into a plastic bag and dispose of at the Deschutes County Landfill. Do not dispose of the weeds in your compost! Please be aware that the process of using an herbicide and pulling weeds will require follow up each year. It often takes three or more years using the above techniques to completely eradicate noxious weeds.

There are other ways to control noxious weeds such as using biological controls, which are insects that attack the root systems of invasive weeds. This process can take several years to eradicate a medium to large infestation but could be used as an alternative to herbicides.

Integrated Weed Management

Integrated Weed Management (IWM) uses several different weed management practices to eradicate noxious weeds. IWM may include chemical, mechanical, and biological practices to suppress weeds. The suppression of noxious weeds may take several years to accomplish. Be persistent and be patient! Using herbicides on noxious weeds can be very effective. Herbicides are classified as selective and non-selective. Selective herbicides kill a specific plant while non-selective herbicides will kill all plants that

have been sprayed. There are specific times in which the herbicide will be most effective. It may be most effective to spray weeds in early and late spring, fall and summer.

Mechanical control of noxious weeds can also be effective. Larger properties infested with weeds may need to employ mechanical and chemical means to eradicate weeds. However, the use of hand tools to pull weeds may be effective for small infestations. The take away is that there is no one, best practice to eradicate noxious weeds. IWM plans should incorporate each control method as is necessary to control noxious weeds.

Code Enforcement recognizes that it may take several years to eradicate noxious weeds. If a property owner has been sent a notice of violation, Code Enforcement will require an IWM plan stating what steps will be taken to rid the property of weeds. The IWM plan will bring the property into compliance and will be monitored by Code Enforcement each year until the weeds have been eradicated.

See City of Bend Code Enforcement for Best Practice in Removing Noxious Weeds.

Invasive Noxious Weed Code

- No person shall allow the growth of noxious vegetation on the property they own within the Bend City limits.
- Property owners are responsible for the removal of noxious vegetation on public rights-of-way adjacent to their property, excluding medians and roundabouts.
- A violation of this section is a Class A civil infraction.
- Maximum penalty is \$750 a day per lot.

BEND CODE

Title XIII 13.30.010 (1) (2) (3) (4) 13.30.015 (1) (2)

NUISANCES SUBJECT TO ABATEMENT

Noncompliance with the provisions of this ordinance shall be subject to the abatement procedures provided in Bend Code Title XIII

Invasive Noxious Weeds

No person shall allow the growth of invasive noxious vegetable growth on the property they own within the Bend city limits.

Invasive noxious weeds include, African rue, Buffaloburr, Common houndstongue, Dyers woad, False Brome, Hydrilla, Leafy spurge, Meadow Knapweed , Mediterranean sage, Medusahead rye, Musk thistle, Orange Hawkweed, Perennial pepperweed , Purple loosestrife, Rush skeltonweed, Russian Knapweed, Saltcedar Tamarix, Scotch Thistle, Squarrose knapweed, Sulfur cinquefoil, Tansy ragwort, Whitetop hoary cress, and Wild carrot or any other weed identified in the Deschutes County Weed List.

Property owners are responsible for removal of noxious vegetable growth on public right of way adjacent to their property, excluding medians and roundabouts.

Violation: A violation of this section is a Class C civil infraction.

Trees

No owner or person in charge of property shall allow a dead or decaying tree to stand if it is a hazard to the public or to persons or property on or near the property.

A violation of this section is a Class B Civil Infraction

Appendix 3:

Illustrative Landscaping Plants

FLAMMABLE VEGETATION: SAMPLE PLANTS

Trees

Any Juniper

Mugo pine

Grasses

Western needle grass

Cheat grass

Shrubs or Bushes

Mugo pine
Ornamental juniper or arborvitae shrubs Any
Manzanita
Bitterbrush
Any sagebrush
Barberry
Ceanothus

Curl leaf mountain mahogany

Princess Pine
Any honeysuckle

Linanthrastrum

Twinflower
Any Solomonplue

Any anemone
King's sandwort

Heartleaf arnica

Queens cup beadily

Strawberry
Western Meadow rue

LESS FLAMMABLE VEGETATION: SAMPLE PLANTS ¹

Trees

Birch
Canyon Live Oak

Douglas fir

Maples

Ponderosa pine

Poplar

Cherry

Grasses

Clump

Sedges

Plants

Blue flax , Coreopsis, Rockrose
Ice Plant, Lavender

Seathrift . Saltbrush

Coyote brush

Squaw carpet

Sunrose

Shrubs

Cotoneaster, Mockorange
Oregon grape
Oregon boxwood, Pacific Rhododendro

May 9, 2019

Exhibit A
Hillside Park Property Owner's Association ARC
Application for new construction and remodels:

General Information

Procedures for Obtaining Committee Approval:

To avoid delays regarding your proposed project, the following instructions must be followed completely and be received by the HP POA no later than 15 days before approval or recommendations are necessary.

- A) Applicant shall complete all FIVE pages of this exhibit in its entirety.
 - B) Applicant shall submit four sets of construction plans and documents required
 - C) Applicant shall pay the construction deposit (per Exhibit C of the ADG).
 - D) Applicant shall stake-out and string the proposed new construction including property lines, story poles, decks, driveway and identify all trees proposed for removal prior to submittal.
 - E) Applicant shall verify solar compliance with City of Bend prior to submittal to the HP POA.
- NOTE: Incomplete submittals will be deferred without a decision**

When an owner wishes to construct a single family residence, or other improvement requiring HP Architectural Review Committee (ARC) approval an application must be made to the HP ARC. Completion of the following pages will provide the HP ARC with the information necessary to review the proposed project for compliance with the ADG.

The HP ARC take no responsibility for architectural or engineering soundness of any project reviewed by the HP ARC nor does the Committee's review involve a determination of architectural or engineering soundness. No inspection performed by the HP ARC compliance Inspector is in any way a structural inspection nor is it in lieu of inspections required by the City of Bend or the State of Oregon. All applicants are specifically advised to seek independent professional advice regarding architectural or engineering recommendations for their projects.

The HP ARC and HP PROPERTY OWNERS ASSOCIATION staff assumes no liability for encroachments into platted setbacks or onto easements or neighboring property. It is advisable to have a property survey done by either a licensed surveyor or engineer. The Compliance Inspector retains the right to require a foundation survey, at the owner's expense, on a lot or structure as he deems necessary.

Upon submittal of this application, HP ARC members, Consulting Architect and Staff may visit your property to better understand your submittal and compliance with the HP ADG. All inspections by the ARC members, will be conducted in the two week period prior to the meeting, during daylight hours only and shall be confined to the exterior of the home and property being reviewed.

Instructions: Page 2 is the Submittal Form and Application
Use pages 3-6 of Exhibit A for Construction details

Exhibit A
Hillside Park Architectural Design Guidelines
Submittal Form and Application

Address: _____

Property Owners: _____

I/We have read the current Hillside Park Architectural Design Guidelines (ADG) and the application form and fully understand the requirements of this construction submittal.

Enclosed is the construction deposit per Exhibit C, which is held for up to one year from the date the initial ARC approval is issued. If after one year from the date that the initial building permit is issued the project is not completed, as defined by the ADG, or if anytime within the one-year period a building permit shall expire prior to being renewed, the construction deposit will be forfeited. The owner and/or contractor will be subject to a fine and further enforcement action as prescribed by the ADG until such time as the project is completed.

I/We understand that any change in the exterior from an approved submittal must be submitted to the HP POA for approval prior to initiating said change. Unapproved exterior changes will result in the forfeiture of the construction deposit and may be subject to fines in order to restore exterior to original or approved condition.

I/We understand that any deviation from the ADG may result in fines being levied, work stoppage or both.

I/We understand that I/we am/are responsible for all utility hook-up fees.

I/We assume responsibility for any and all damages by the contractor to adjacent home sites, common areas, or my/our property and authorize the use of my construction deposit to repair such damages. If damages exceed the construction deposit I/we assume responsibility for the additional amount. I/We understand all damages shall be repaired prior to final inspection.

The HP ARC or Hillside Park Property Owners' Association assumes no liability for encroachments into platted setbacks or onto easements or neighboring property. It is advisable to have a property survey done by either a licensed surveyor or engineer.

**** Notice: Please ensure you are current with your assessments before submitting request****

OWNERS' SIGNATURES: _____

OWNERS' SIGNATURES: _____

PRINT NAME: _____

PRINT NAME: _____

Date _____

Exhibit A

Hillside Park Property Owner's Association

ARC APPLICATION FOR NEW CONSTRUCTION: SPECIFICS

Project Address: _____

Application Date: _____

Property Owners: _____

Address: _____

Telephone: (_____) _____

Architect/Designer: _____ **Telephone:** (_____) _____

Contractor: _____ **Telephone:** (_____) _____

Type of Project: **New Construction** _____ **Remodel/Addition** _____

Brief Description of Project: _____

Residence: **Lot Area** _____ **Ridge Height** _____

Addition: **Foot Print Area** _____ **Roof Pitch(S)** _____

Current Square Footage _____ **Proposed Square Footage** _____

Single Story ____ **Two Story** ____ **Number of bedrooms** ____ **Bathrooms** ____

Garage: **Double** ____ **Triple** ____ **Type** _____ **Color** _____

Garage Doors: **Type;** **Front Overhead** _____ **Other** _____ **Color** _____

Garage Doors: **Material** _____

Windows: **Wood** _____ **Metal Clad Anodized** _____ **Vinyl** _____ **Color** _____

Man Doors: **Wood** _____ **Metal Clad Anodized** _____ **Vinyl** _____ **Color** _____

Roof Material: Composition _____ **Metal** _____ **Tile** _____ **Color** _____

Siding: Material _____ **Vertical** _____ **Horizontal** _____ **Other** _____

Color _____

Trim: Type _____ **Material** _____ **Color** _____

Fascia: Type/Material _____ **Color** _____

Masonry Work: Stone _____ **Brick** _____ **Concrete/Block** _____ **Color** _____

Driveway: Material _____ **Color** _____

Decks: Yes _____ **No** _____ **Number** _____

Location _____ **Material** _____

Landscaping Included; Yes _____ **No** _____ **Plan Attached Yes** _____ **No** _____

FOR ARC USE ONLY

Date Received by ARC _____ **Date of Decision** _____

Resubmit with following

Fee Received; Yes _____ **No** _____ **Amount** _____

A Comments; pproval _____ **Disapproval** _____
Comments;

Exhibit A
CHECKLIST FOR DOCUMENTS REQUIRED FOR FINAL PLAN REVIEW

SITE PLAN

Title block
 Minimum scale: 1" = 10' - 0"
 Building locations via dimensions (house, carport, garage, decks, porches, balconies) and adjacent homes and structures.
 Line of proposed roof overhangs
 Property lines
 Natural site topography
 Existing trees, shrubs, and other natural features, such as rock outcroppings accurately located.
 Proposed removal of trees showing diameter, species, and dripline.
 Location of proposed future structures. (Dotted)
 Outdoor heat pump or other mechanical equipment location
 Exterior lighting layout (include post light locations and details)
 North arrow
 Minimum setbacks and easements - sideyards, front and rear (dotted lines)
 Dimensions of the common area surrounding the lot must be noted on the site plan.
 Proposed setbacks (perpendicular to each property line)
 Construction staging and access areas, and sanitary facilities.
 Proposed ridgeline with height designation and finish floor elevations, measured from the existing grade at the midpoint of the building to the top of ridge.
 Relative elevation at each property corner and mid-point of the proposed building must be noted.
 Existing and final grade elevation at each building corner
 Proposed walks, drive, off street parking spaces and materials
 Location of all utility connection lines to structure and meter locations.
 Area tabulation (in lower right corner of site plan sheet) indicating: gross site area (s.f.); gross building coverage (s.f.) - "footprint" of house and ratio (%) of said footprint to gross site area.
 Landscaping plan

FLOOR PLANS

Title Block
 Minimum Scale 1/4" = 1' - 0"
 North arrow
 All exterior dimensions
 Door and window openings and size with material description
 Walls, partitions and stairways

 Decks, porches, balconies, hot tubs (spas), and courtyards including materials and dimensions.
 Electrical meter location
 Type and location of outdoor heating and cooling units
 Exterior lighting layout

CROSS SECTION

Title block
 Minimum Scale 1/4" = 1' - 0"
 Cross section through highest portion of building
 Foundation materials

 Exterior walls - materials, heights
 Roof construction - materials and slope
 Overall building height from the mid-point of the building footprint (include dimensions)

ELEVATIONS

- ☐ Title block
- ☐ Building elevations showing all walls
- ☐ Minimum Scale: 1/4" = 1'-0".
- ☐ ALL exterior building features including:
 - ☐ Roof materials and slope
 - ☐ Siding material - type and size
 - ☐ Fireplaces and shrouds (note material & height)
 - ☐ Railings (note materials and height)
 - ☐ Trims & fascia (note material and sizes)
 - ☐ House number & description
 - ☐ Electric meter location
 - ☐ Solar panels - material and location
 - ☐ Exterior lighting (description)
 - ☐ Decks (height above grade of first floor deck)
 - ☐ Skylights with material description
 - ☐ Wood support posts - materials and size
 - ☐ Finish grade line and distance from finish floor level
 - ☐ Overall building height
 - ☐ Schedule or indication of all exterior material finishes
 - ☐ Location and dimension of hot tub (spa)
 - ☐ Garage door type, material and color

DEMOLITION SUMMARY

Please answer all applicable questions below relative to the proposed project. Failure to complete this section of the application may result in a delay of approval of the overall proposal. Attach additional sheets as needed. As outlined in the ARC Guidelines, no burning of trash, construction debris or landscaping material is permitted.

1. Proposed demolition is in conjunction with a proposed construction project? Yes ____ No ____
2. Demolition for this project is proposed as: Full: ____ Partial: ____
3. Will demolition include removal of concrete stem walls, slabs and footings? Yes ____ No ____
4. What methods for demolition and debris removal will be used (Please specify any heavy machinery to be used, construction debris containers, etc.):

5. For projects consisting of demolition only, please outline methods for restoration of the lot:

6. LIST ANY ADDITIONAL INFORMATION RELEVANT TO THE DEMOLITION WORK PROPOSED:

February 20, 2020

Exhibit B

Hillside Park Architectural Design Guideline

Minor Changes

E.g., re-paint, tree planting or removal, driveway or roof repairs, minor landscaping or irrigation

Requested By: _____ Date: _____

Homeowners: _____

Address: _____

Telephone: _____ Email: _____

General Description of work to be performed: Include dimensions, shapes, colors, and locations.

*Please attach a sketch, photograph of desired addition and/or modifications. Re-paint must have samples painted on

the house min. 2' x4' plus trim colors, tree removal must be color taped, new landscape must have plan before ARC will review

I/We have read the current Hillside Park Architectural Design Guidelines (ADG) and the application form and fully understand the requirements of this construction submittal.

I/We understand that any deviation from the ADG may result in fines being levied, work stoppage or both.

I/We assume responsibility for any and all damages by the contractor to adjacent home sites, common areas, or my/our property and authorize the use of my construction deposit to repair such damages. If damages exceed the construction deposit I/we assume responsibility for the additional amount. I/We understand all damages shall be repaired prior to final inspection.

I/We understand that any change in the exterior from an approved submittal must be submitted to the HP POA for approval prior to initiating said change. Unapproved exterior changes will result in the forfeiture of the construction deposit and may be subject to fines in order to restore exterior to original or approved condition.

Applicants signature: _____ Date: _____

Homeowner's signature: _____ Date: _____

Total deposit due at submittal: \$_____ (See Schedule C for appropriate deposit/fee due) Refundable deposits will be returned within 60 days once project is complete and approved as submitted. Please notify the HPPOA ARC Chair when your project is completed and ready for ARC inspection so a check can be issued for any refund due after inspection of project.

**** Notice: Please ensure you are current with your assessments before submitting request****

Notice to Applicants – Your improvements may require a permit from the City/County Building Department. You should check with the department about permits before starting any work. All work must be completed within 180 days of approval.

For ARC Use Only

Date received by Architectural Committee: _____	Date of Decision: _____
Resubmit with following: _____	
Approval _____	Disapproval _____
Comments: _____	

Exhibit C

Hillside Park Architectural Design Guidelines
Alterations/Additions to Property Structure or Landscaping
Deposit Schedule

Project Amount	Deposit	Refund Upon Completion *
Up to \$7500	none	none
\$7501 to \$15,000	\$250	\$250
\$15001 to \$50,000	\$600	\$600
\$50,001 to \$100,000	\$2500	\$2500
\$100,001 to \$400,000	\$5000	\$5000
\$400,001 & greater	\$7500	\$7500

*(Refunded within 60 days upon ARC approval)

Full amount of deposit will be refunded unless damage or repairs to common property or the site or additional work needs to be done in order to complete the project according to ARC approved plans or the project cannot be finished for plausible reasons.

New Home Construction Fee & Deposit Schedule

Project Amount	Deposit	Refund Upon Completion *
\$50,000 - \$100,000	\$2,500	\$2,000
\$100,001 - \$400,000	\$5,000	\$4,000
\$400,001 & greater	\$7,500	\$6,000

*(Refunded within 60 days upon ARC approval)

Partial deposit will be refunded as outlined above for new construction unless damage or repairs to common property or the site or additional work needs to be done in order to complete the project according to ARC approved plans or the project cannot be finished for plausible reasons.

EXHIBIT D

Schedule of FINES for Violations of Governing Documents of Hillside Park The

Hillside Park Property Owners Association, Inc. Fine Schedule Process Dated:

May 9, 2019

The following process and fine schedule shall apply to violations of any and all Governing Documents, as may be amended from time to time (Declaration of Protective Covenants, Restrictions and Easements for Hillside Park, the Association Bylaws, the Architectural Guidelines, and the Association Rules & Regulations). The enforcing body will be the Board of Directors of the Association (the Board) but may rely on information provided by the Architectural Review Committee (ARC) or any other information deemed relevant by the Board.

The fine process is outlined in detail within the Bylaws of Hillside Park. In summary it will include:

1 Demand:

The Board will send a written notice of an alleged violation to the applicable owner. The written notice will outline the alleged violation, the action required to abate the violation along with a time period, not less than 10 days during which the violation may be abated without further sanction. Failure to abate the violation will result in a notice of a hearing.

2. Notice:

At any time within 12 months of a demand letter, if the violation continues past the period allowed in the demand for abatement, without penalty or if the same rule is subsequently violated, the Board or its delegate shall serve the violator with written notice of a hearing to be held by the Board in executive session. The notice will include the nature of the alleged violation, the time and place of the hearing which will be at least 10 days from the giving of the notice, an invitation to attend the hearing and the proposed sanction to be imposed.

3. Hearing:

The hearing will be held in executive session of the board and afford the owner a reasonable opportunity to be heard. The minutes of the meeting will contain a written statement of the results of the hearing and the sanction, if any, imposed. In the event that the Board rules against the owner, the owner shall have 30 days to correct the violation or be subject to fines and costs as provided in the attached schedule.

4. Appeal: The violator shall have the right to appeal the decision of the Board of Directors. The Board Secretary or President must receive a written notice of appeal within 30 days after the hearing date.

The owner shall bear his or her own costs and expenses in connection with the alleged violation regardless of the outcome.

5. In the event that the owner does not request an appeal within the 30-day period the Board shall then have immediate authority to impose fines and cost in accordance with the attached schedule.

6. Each violation may be assessed again monthly **until** the violation has been remedied.

7. In the event that the alleged violation relates to a violation of the ARC Guidelines & Rules & Regulations the Board has the power to implement work stoppages. This decision by the Board will require that the owner charged with the violation shall immediately cease construction or other development work until such time as the alleged violation has been resolved, whether through remediation of the violation or a decision in favor of the owner through the hearing process.

8. All fines and costs levied hereunder as well as costs incurred by the Association in connection with enforcing the CC&Rs and ARC Guidelines & Rules & Regulations against any owner (but specifically excluding costs associated with a hearing for an owner who substantially prevails after such hearing) shall be additional assessments against the applicable owner's property under the CC&Rs.

9. Any fines levied against an owner shall be payable within thirty (30) days after the date of written notice of the imposition of the fine. If all fines, costs and late fees are not timely paid, they will bear interest from the initial due date at the lesser of (i) twenty percent (20%) per annum, pro-rated or (ii) the maximum rate permitted under applicable law. If fines and late fees are not paid within 90 days of the Board's final decision, the Association may place a lien on the owner's lot and may foreclose the same. The owner shall reimburse the Association for all costs associated with the lien, including, without limitation, all foreclosure costs, attorney's fees and expenses. All fines received by the Board will be deposited in the Homeowners Association's operating account.

Hillside Park POA Fine Schedule

1. New Construction or alterations to existing property: forfeiture of deposit plus whatever the cost to restore the property to its original state or the revised state approved by the ARC

2. Other Rules and Regulations: persistent failure to conform to the day-to-day standards as outlined above may result in the following fines:

\$25 Daily Fine:

- o Monument lights not lit

\$50.00 Daily Fine:

- o Vehicles of any type frequently parked overnight on the street
- o *All other violations of Hillside Park POA Governing Documents*

\$ 100 Daily Fine:

- o Boat, RV, truck, motor home, camper, boat or trailer parking violation
- o Vehicles of any type parked in driveways in violation of Section 15, General Rules & Regulations
- o Noise pollution
- o All construction violations

\$ 100 Per Occurrence:

- o Speed Control
- o Barking Dogs
- o Dogs not on a leash off property
- o Not picking up feces of pets in your possession

\$250 Per Occurrence and \$250 every 60 days until in compliance

- o Landscape & Fire Safe Maintenance

\$500 Per Occurrence:

- o Use of aerial fireworks of any kind and all illegal fireworks