

CANYON LAKES PROPERTY OWNERS ASSOCIATION (CLPOA)
ARCHITECTURAL RULES AND GUIDELINES
FOR THE COMMUNITY OF CANYON LAKES
KENNEWICK, WASHINGTON

INTRODUCTION

The Architectural Review Committee (ARC) is established by the Bylaws of CLPOA, Article VII. Section 1 and by the Amended and Restated Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for the Community of Canyon Lakes, Section 8 (both approved on February 17, 2009). Both of these documents, as well as the Articles of Incorporation, Rules, and Architectural Rules and Guidelines, are available on the CLPOA website at:

<http://www.canyonlakespoa.org/Pages/Documents>

One of the functions of the ARC is to provide and maintain **Architectural Rules and Guidelines**, primarily for the guidance of new construction and major additions to homes, and secondarily for guidance on a variety of exterior improvement projects such as landscaping, painting, roofing, patios, fences, decks, and retaining walls. Architectural Rules are mandatory requirements that are defined by “shall” statements. Guidelines are optional, but recommended. The original Architectural Rules and Guidelines were established in 1981, with minor revisions in 1994, 1996, 2003, 2004, and 2009. All CLPOA documents are available through the CLPOA Manager who may be reached by calling 509-582-4345.

The purpose of this revision to the Architectural Rules and Guidelines is to consolidate previous revisions, eliminate the duplication of basic information that is provided in other CLPOA documents, eliminate obsolete requirements, eliminate vague requirements that are unenforceable, and condense the guidance into a more easily readable form. The revised rules and guidelines supersede and replace all earlier rules and guidelines. This revision recognizes that there are very few vacant lots left in Canyon Lakes, except for The Heights. This revision also recognizes that some homes in Canyon Lakes are over 30 years old, many are newer, but Canyon Lakes is a maturing community.

This Architectural Rules and Guidelines document is organized as follows:

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1. Architectural Review Committee (ARC) – Organization and Overview

- 1.1 **Objectives of the ARC.** The need to preserve the site integrity of Canyon Lakes has led to the establishment of certain design recommendations and restrictions. These are the result of studies made by the developer of Canyon Lakes, by professional consultants, and by the Canyon Lakes Property Owners Association.
- 1.2 **Authority of the ARC.** The authority and functions of the ARC, as well as the members, actions, failure to act, duties and roles, non-waiver, estoppel certificate, and liabilities are addressed in the CC&Rs, Section 8, and are not repeated here.
- 1.3 **Powers of the ARC.** In addition to such other powers as shall be given to or imposed upon it by the CC&Rs, the Canyon Lakes Property Owners Association shall have the powers to promulgate and enforce the Canyon Lakes Master Declaration or any Section of the Rules and Regulations, and enforce the ARC Rules and decisions of the ARC.
- 1.4 **Enforcement of ARC Rules.** Enforcement, including violations of the CC&Rs, right of entry, and expense and attorney fees are addressed in the CC&Rs, Section 11, and are not repeated here.
- 1.5 **Applicable Provisions of Subdivision Declarations.** Each subdivision in Canyon Lakes is organized pursuant to a declaration establishing such subdivision. Each subdivision declaration sets forth certain restrictions on the use of private areas within the subdivision, as well as other building and use restrictions. Each declaration is intended to supplement rather than replace the Architectural Rules and Guidelines. The ARC will make reference to each subdivision in reviewing an application submitted by any Unit Owner pursuant to these rules. In any application submitted to the ARC, these rules shall apply as if set forth in each applicable subdivision declaration.
- 1.6 **ARC Members.** The ARC shall consist of three persons who shall be appointed by the Board of Directors of CLPOA to three-year terms. Members of the ARC may be removed and replaced at any time by the Board. The Board shall keep on file at the principal office a list of the names and addresses of the members of the ARC.
- 1.7 **ARC Meetings.**
- 1.7.1 **Time and Place of Meetings.** All meetings of the ARC shall be held at a location and at a time determined by the Chairperson. Normally, ARC meetings are held on the second and fourth Tuesday of each month. The meeting on the second Tuesday precedes (approximately 6:00 pm) the monthly meeting of the CLPOA Board of Directors, normally held at The Villas Clubhouse, 3701 W. 36th Avenue, Kennewick. The location and time of the ARC meeting on the fourth Tuesday varies, and can be determined by calling the CLPOA Manager at 509-582-4345. Any Canyon Lakes Unit Owner is welcome to attend all ARC meetings.

1.7.2 **Quorum.** Attendance by a majority of the members of the ARC at any meeting shall constitute a quorum for such meeting.

1.7.3 **Chairperson.** The principal officer of the ARC shall be the chairperson. The Chairperson shall be elected annually by the ARC members at the first regular meeting of each calendar year and shall hold office for a term of one year. The Chairperson shall preside at all meetings of the Committee, and shall have the general powers and duties which are set forth in these rules.

1.7.4 **Secretary.** The Secretary shall keep the minutes of all ARC meetings, shall serve notice of any such meeting, shall keep appropriate records of transactions and decisions of the ARC, and shall perform other duties of the office of Secretary as set forth in these rules. The minutes of all ARC meetings will be reported to the CLPOA Board of Directors at their next regular meeting.

1.8 **Definitions.** Terms that are pertinent to ARC matters are defined in the CC&Rs, Section 1, and are not repeated here.

1.9 **Amendments.** Amendments to the procedural rules by which the ARC operates can only be amended as provided in the CC&Rs. Amendments to the ARC Rules and Guidelines may be proposed by any member of the ARC, provided a quorum is present at the ARC meeting. Upon unanimous approval of the ARC, a proposed amendment to the ARC Rules and Guidelines will be referred to the CLPOA Board of Directors for approval.

2. New Construction and Major Alterations = Application Process

2.1 **Application to ARC for Approval of New Construction.** No person shall construct or reconstruct any improvement upon any Unit without first submitting an application to the ARC and receiving approval. The application form is available at: <http://www.canyonlakespoa.org/Pages/ApplicationForms> . All homes constructed on the Canyon Lakes South Hill shall have a minimum total finished living space of at least 3200 square feet for multi-level homes and 2400 square feet for single level homes. This does not include square footage for garages or other service areas, non-daylight basements, or decks/patios.

2.1.1 **Pre-Approval Review.** A builder or Unit Owner may submit plans for new construction to the ARC for pre-approval review. The purpose of pre-approval review is to consider designs at the preliminary stage to give the ARC a chance to comment on designs which may not be in keeping with the concepts of Canyon Lakes, or designs which could be duplications of others in close proximity to the requested improvement. The purpose is also to assure that the proposed construction complies with the CC&Rs, the ARC rules, and Kennewick City building codes. The pre-approval review will allow the ARC to advise the Unit Owner of changes that may be requested by the ARC before additional amounts

of time and money are expended and before drawings and specifications are finalized. The application form and the information needed for a pre-approval review are the same as those required for Construction Approval below. No pre-approval review shall bind the ARC until a full and complete application has been submitted, reviewed, and approved.

- 2.1.2 Construction Approval. An application for construction approval shall consist of a completed new construction application form, available at: <http://www.canyonlakespoa.org/Pages/ApplicationForms> . The form must be accompanied by a check for \$250 payable to CLPOA/ARC. Upon completion of all approved construction including landscaping, a refund of \$125 may be requested. The completed application form shall also be accompanied by the following:
- 2.1.2.1 Site Plan. A complete site plan at a scale of 1 inch equal to 20 feet shall be submitted. The site plan shall include the perimeter dimensions of the lot, the building and access locations, easements, and setbacks as shown on the applicable subdivision plat and legal description of the property.
 - 2.1.2.2 Building Elevations. Drawings showing all four building elevations at a scale of ¼ inch equal to 1 foot shall be submitted. Drawings shall show all significant exterior features of the building.
 - 2.1.2.3 Floor Plans. Drawings showing detailed plans for each floor at a scale of ¼ inch equal to 1 foot shall be submitted. Drawings shall be sufficiently detailed to permit all framing construction.
 - 2.1.2.4 Other Drawings. Additional drawings for foundation, floor framing, roof framing, electrical, cross-section details, etc. may be submitted if part of a design package, but are not required.
 - 2.1.2.5 Landscaping Plan. An application for construction approval shall include a landscaping plan, which may be submitted with the application or at a later time. A landscaping plan shall include a site plan with details that show the location of lawn, trees, shrubs, retaining walls, and any other exterior features. Approved landscaping shall be completed within 6 months of the completion of home construction, unless specifically approved by the ARC.
- 2.1.3 Notification of Action. The applicant shall be notified of the action of the ARC within one week after the next regularly scheduled ARC meeting after the date of submittal and the payment of the application fee.
- 2.1.4 Approval. Upon approval of the new construction application, the ARC shall issue an approval letter within one week of the Notification of Action. Conditional approval by the ARC may be granted with certain additional requirements that must be met for final approval.

2.1.5 **Inspection.** Submission of an application for new construction shall constitute permission by the Unit Owner or builder for the ARC to conduct a physical, on-site inspection of the Unit referenced in the application. Thereafter, upon completion of construction, the Unit Owner shall notify the ARC that construction has been completed, and the ARC shall inspect the Unit again to verify the construction complies with the plans approved by the ARC.

2.1.6 **Expiration Date of Approval.** The construction approval shall be valid for a period of one year from the date of initial approval by the ARC, after which time such approval shall expire.

2.2 **Application to ARC for Approval of Major Alterations.** No person shall construct or reconstruct any major alterations or additions upon any completed Unit without first submitting an application to the ARC and receiving approval. Major alterations or additions include room additions, changes in roof line, changes in siding materials, or any other significant changes to exterior elevations. The application form is available at: <http://www.canyonlakespoa.org/Pages/ApplicationForms> . The pre-approval review and construction approval procedure outlined above shall apply to major alterations and additions.

3. Exterior Improvement Projects – Application Process

3.1 **Approval Procedure.** Before a home improvement in Canyon Lakes may be added, altered, or refinished, such alteration must be approved by the ARC. The purpose of this section is to outline the steps required for approval of such projects. An application for approval of an exterior improvement project(s) shall consist of a completed application form, available at: <http://www.canyonlakespoa.org/Pages/ApplicationForms> .

3.2 **Application Form.** The application form is designed for easy completion; it requires the Unit Owners name and contact information. There is a checklist for noting the type of exterior improvement project(s), including landscaping, painting, pool/hot tub, awnings, storage unit (shed), driveway modification, tree removal, roofing, patio/screen room, fence, deck/pergola, retaining walls, exterior walls and trim modification, windows/doors, and fountains. Any project that does not fit within those listed should be included under “Other” and be fully described. More than one project may be included on a single application form.

3.3 **Attached Documents.** Each application for an exterior improvement project shall be submitted with attached documents that fully define and describe the project.

3.3.1 **Landscaping.** A site plan at a scale of 1 inch equal to 20 feet shall be submitted. The site plan shall include the perimeter dimensions of the lot, the building and access locations, easements, and setbacks as shown on the applicable subdivision plat and

legal description of the property. The site plan shall describe the landscaping project, including the locations and types of trees, shrubs, lawn, curbing, etc.

3.3.2 Painting and Stucco Colors. Exterior painting and stucco projects shall specify the planned colors and color chip samples shall be attached to the Architectural Review Committee (ARC) application or referenced by paint brand name and color number. Three different colors are allowed by the ARC: one Base color, one Trim color, and one Accent color for front door, gables, and shutters. The garage door shall match the base or trim color. Colors for base and trim shall be selected from the Neutral or White and Pastel families of colors.

The defining factor for acceptable colors is based on Light Reflectance Values (LRV), which are provided with color samples for all major brands of paint. The ARC has determined that LRV values higher than 20, but lower than 75, for the Neutrals or White and Pastel color families are acceptable. Darker shades with LRVs of 20 or lower are not acceptable. Bright colors, with an LRV of greater than 75 are also not acceptable.

The pallet of neutral colors can be found on Sherwin Williams website at:

<https://www.sherwin-williams.com/homeowners/color/find-and-explore-colors/paint-colors-by-family/family/neutral>

The pallet of white and pastel colors can be found on Sherwin Williams website at:

<https://www.sherwin-williams.com/homeowners/color/find-and-explore-colors/paint-colors-by-family/family/white-pastel>

PLEASE be sure to check the LRV value (shown under “details” for each paint color) and choose from colors with an LRV higher than 20, but less than 75.

Equivalent colors for other brands of paint can be found at:

<https://www.easyrgb.com/en/compare.php>

3.3.3 Pool/Hot Tub. Plans for a pool or hot tub, and any cabana, pump house, or pump enclosure, shall include the location and size noted on a site plan.

3.3.4 Awnings. Plans for awnings shall include a photo of a typical installation, manufacturer, model, color, and locations.

3.3.5 Storage Unit (Shed). Plans for a storage unit or shed shall include a photo or drawing of a typical installation, manufacturer, model, dimensions (length, width, and height), and location. The color of exterior walls shall match the exterior body color of the home; the roofing material and color shall match the roofing of the home.

3.3.6 Driveway and Sidewalk Modification. A plan for a driveway or sidewalk modification shall include a site plan that shows the existing driveway or sidewalk and the proposed modification. Any plan to demolish and remove existing concrete shall be noted.

- 3.3.7 Remove Tree(s). It may become necessary to remove trees for several reasons, such as overgrown, dead, or to accommodate a building addition. A plan to remove tree(s) shall include a site plan that shows the location(s). Any plan to replace removed tree(s) with new tree(s) shall note the type of tree(s) and location(s).
- 3.3.8 Roofing. The application shall specify the selected manufacturer, model, and color of roofing material. Selection of roofing materials, colors, and installation methods are addressed in more detail in **Appendix A**. The standard Canyon Lakes color for asphalt shingles is “Weathered Wood”.
- 3.3.9 Patio/Screen Room Addition. Plans for a covered patio or screen room shall include a photo or drawing of a typical installation, manufacturer, model, dimensions (length, width, and height), and location. The color of exterior walls and trim shall match the exterior body and trim color of the home; the roofing material and color shall match the roofing of the home. The location and dimensions for an uncovered patio shall be noted on a site plan.
- 3.3.10 Fences. The location of fences, including gates or openings, shall be noted on a site plan. Fencing materials, colors, heights, designs, and installation methods are addressed in more detail in **Appendix B**.
- 3.3.11 Deck/Pergola. Plans for an uncovered deck or a deck covered by a pergola shall include a photo or drawing of a typical installation, manufacturer, model, dimensions (length, width, and height), and location. Color chip samples shall be submitted for any stain to be applied to any surface. Painted surfaces shall match the exterior body or trim color of the home. Construction requirements for decks and porches are addressed in more detail in **Appendix C**.
- 3.3.12 Retaining Walls. Applications shall include a site plan showing the location of the retaining wall(s), and a description of the wall material and height. Any retaining wall higher than 4 feet, including subgrade courses, requires a City of Kennewick permit and professional engineering design, which shall be submitted with the application. Designs and materials used in retaining walls and handrails shall be approved by the ARC. Additional guidance on retaining walls is provided on page 23.
- 3.3.13 Exterior Walls and Trim Modification. If the original exterior walls or trim material is modified, the new materials, including surfaces, sizes, textures, and locations, shall be specified on elevation drawings of all affected sides of the home. The drawing shall be at a scale of ¼ inch equal to 1 foot. Colors of finished surfaces shall comply with Section 3.3.2 above.
- 3.3.14 Windows/Doors. Plans for new windows and/or doors shall include the manufacturer, model, and locations. The color and material for window frames shall be white vinyl, unless an alternate is specifically approved by the ARC. The plans

shall specify the planned door colors and color chip samples shall be attached to the application.

- 3.3.15 **Fountain**. Plans for a fountain shall include a photo of a typical installation, manufacturer, model, color, and location.
- 3.3.16 **Other Exterior Improvement Projects**. Any other project that does not fit within the definitions and descriptions in Sections 3.3.1 through 3.3.15, shall be defined and described with a photo or drawing of a typical installation, manufacturer, model, dimensions (length, width, and height), and location.
- 3.4 **Notification of Action**. The Unit Owner shall be notified of the action of the Committee within one week after the next regularly scheduled ARC meeting or special meeting after the date of submittal.
- 3.5 **Approval**. Upon approval of the application for an exterior improvement project, the ARC shall sign the application form and return it to the applicant. Conditional approval by the ARC may be granted with certain additional requirements that must be met for final approval.
- 3.6 **Inspection**. Submittal of the exterior improvement project application shall be authorization to the ARC to make a physical, on-site inspection of the lot where the proposed project is to be completed. The Unit Owner is responsible for notifying the ARC of completion of the proposed project.
- 3.7 **Expiration Date of Approval**. The approval of an exterior improvement project shall be valid for a period of six months, after which time it shall expire.
- 3.8 **Disclaimer**. Plans are reviewed for the limited purpose of determining aesthetic compatibility with the community in general in the opinion of the approving authority (CLPOA/ARC) and whether the plan is in compliance with the CC&Rs. No review has been made with respect to functionality, safety, compliance with governmental regulations, or otherwise, and no reliance on approval should be made by any party with respect to such matters.

4. Architectural Rules and Guidelines

4.1 General Considerations

- 4.1.1 **City of Kennewick Requirements**. The City of Kennewick has adopted the Uniform Building Code with State of Washington modifications. The City requires that a building permit be obtained prior to beginning construction of any improvement or making any additions or changes to an existing structure.

4.1.2 Utilities. Electric power is available at Canyon Lakes from the Benton County Public Utility District. Natural gas may be available from Cascade Natural Gas. Heating oil and propane gas are available from local suppliers. City water is available from the City of Kennewick. Sewage lines, connecting to the City of Kennewick's treatment plant, are extended to the property boundary of each lot. Trash collection is provided by Waste Management. Irrigation water may be available from the Kennewick Irrigation District.

4.2 **Architectural Rules**. The headings of Architectural Rules are arranged alphabetically.

4.2.1 Accessory Buildings. The only temporary buildings or structures that shall be permitted are temporary construction shelter(s) which may be erected on a lot prior to and during construction of the main residence building. Such temporary structures must be removed when construction of the main residence is completed. Structures such as dog houses, tool sheds, etc., which are not pertinent to the dwelling structure, but are intended for permanent or semi-permanent use, are not specifically prohibited. The structures are, however, subject to ARC approval (see Section 3.3.5).

4.2.2 Adjacent Private Property. Adjacent property may not be used by a contractor or subcontractor for parking or for access to any construction site without express permission from the owner of the adjacent property. Damage to adjacent private property shall be the responsibility of the Unit Owner and/or general contractor.

4.2.3 Antennas. Exposed roof TV and/or radio antennas shall be prohibited. "Dish" satellite receivers no greater than 36-inch diameter shall be mounted no higher than the roof ridge line.

4.2.4 Chimneys. All exterior chimneys must be of wood, stone, or metal. A metal chimney shall be of such a color as to blend in aesthetically with the residence and shall be subject to approval by the ARC.

4.2.5 Clotheslines. Exterior clotheslines shall be located in screened service yards and out of view from the neighboring property.

4.2.6 Driveways. Driveway cuts onto Canyon Lakes streets will be limited to one per lot, unless otherwise approved by the ARC. The maximum driveway slope is 12% or as needed to comply with City of Kennewick codes. Driveway material shall be poured concrete or masonry blocks (pavers).

4.2.7 Excavations. All excavations shall be done so as to create a minimum disturbance on the site. Dust shall be controlled in accordance with Benton County requirements; see http://www.go2kennewick.com/go2kennewick/dmdocuments/Dust_Control_Information_Sheet.pdf. Excess dirt and debris as a result of excavation shall be removed from the site.

- 4.2.8 Exterior Colors. Exterior color and material treatment used on the building walls shall be continuous and consistent on all elevations of a residence in order to achieve a uniform and complete architectural design. In addition, exterior colors for body, trim, and doors must harmonize with the surrounding landscape and all colors are subject to approval by the ARC. All reflective metal such as chimney stacks, flashings, exhaust vents and pipes must be colored to match or blend with surrounding materials. All such colors are also subject to approval by the ARC. Colors shall be selected from the “earth-tone” family of colors. Black is prohibited, except for trim and doors.
- 4.2.9 Exterior Lighting. Exterior lighting plans shall be submitted with construction approval or alteration approval submittals. Decorative and/or landscape lighting are subject to approval by the ARC. Holiday lighting is generally approved by the ARC, provided the lighting is installed and operated not more than six weeks before or after the given holiday.
- 4.2.10 Exterior Walls and Trim. The following materials are generally approved for use in exterior walls and trims:
- a. Wood (natural or treated with earth-tone stains), including cedar shingles and horizontal, vertical, or diagonal lumber siding.
 - b. Hardie plank fiber cement lap siding, painted in earth-tone colors
 - c. Stucco in earth-tone colors
 - d. Brick in earth-tone colors
 - e. Cultured stone in earth-tone colors
 - f. Textured masonry blocks not to exceed 4 inches in height in earth-tone colors.
- 4.2.11 Fences. Fences are allowed at Canyon Lakes subject to specific design approval from the ARC. A fence is defined as a structural barrier which separates one space from another to define property boundaries or which is constructed for ornamental purposes. Fencing materials, colors, heights, designs, and installation methods are addressed in more detail in **Appendix B**.
- 4.2.12 Garages. Garages shall be connected to the main house and be harmonious with the design of the house, unless specifically approved by the ARC.
- 4.2.13 Grading. Final grading levels shall conform to original, natural contours to the maximum extent feasible.
- 4.2.14 Group Design. Any developer or builder owning contiguous Units or Units within the same block shall submit the complete group design to the ARC for approval.
- 4.2.15 Gutters and Downspouts. All gutters and downspouts shall be designed as a continuous architectural design feature. Exposed gutters and downspouts shall be colored to match or blend in with the surface to which they are attached.

- 4.2.16 Heating and Cooling Systems. All exterior heating or cooling systems should be screened from view from neighboring property, streets, and the golf course.
- 4.2.17 Hillside Lots. Exposed understructures of homes built on hillside lots are prohibited. Siding materials must extend to within 8 inches of the finished grade. Skirt walls higher than 4 feet to the finished floor shall have landscaping along the foundation to reduce the scale of the skirt wall.
- 4.2.18 Mailboxes and Newspaper Receptacles. Individual mailboxes and newspaper receptacles are prohibited. Group mailboxes will be provided at central locations by the Canyon Lakes Property Owners Association.
- 4.2.19 Parking. A minimum of two off-street parking places shall be required for each residential lot, typically on a driveway. Parking inside a garage is encouraged. Parking by residents shall be permitted on the streets within Canyon Lakes only for such time as is reasonably necessary to load, unload, and clean a vehicle or equipment. A parked vehicle which is unmoved for a period exceeding 72 hours shall be presumed unreasonable. Camping trailers, trucks, motor homes, campers, boats and boat trailers, and cars under repair must be parked so as to be concealed from view from the golf course, streets, or neighboring lots.
- 4.2.20 Roofing. Asphalt shingles, concrete, clay, or cement fiber tiles, slate, or wood shakes shall be the only approved roofing materials, unless other materials are specifically approved by the ARC. The standard Canyon Lakes color for asphalt shingles shall be “Weathered Wood” or equivalent. Selection of roofing materials, colors, and installation methods are addressed in more detail in **Appendix A**. Replacement of roofing material often involves removal of the original roofing, which is a messy operation and must be done without damage to any neighbor’s property.
- 4.2.21 Service Yards. When not provided by other structures, each Unit should have a screened service yard, enclosing trash containers, clotheslines, bicycles, and other outdoor maintenance equipment.
- 4.2.22 Signs. Limited signs are generally permitted, including one sign identifying the general contractor during construction, one sign advertising a home for sale or rent, and a reasonable number of political signs before a primary or general public election. All other signs are prohibited. Any sign permitted by this rule shall be on its own post, shall not be more than 72 inches tall, shall not be more than 550 square inches in size, shall be placed no closer than 5 feet from the nearest sidewalk, and no sign shall be lighted or illuminated in any way. Any exceptions shall be specifically approved by the ARC.

All residences shall have a designated address number that is easily visible from the street.

- 4.2.23 Skylights and Solar Panels. All glass, plastic, or other transparent skylight or solar panels shall be treated and/or oriented to eliminate reflective glare onto adjacent properties. Alternative energy systems shall be approved by the ARC prior to installation.
- 4.2.24 Staging Area. Each construction approval or alteration approval application submitted shall designate at least one staging area on the Unit lot for materials, subject to approval by the ARC.
- 4.2.25 Trailers and Mobile Homes. No camping trailers, motor homes, campers, mobile homes, tents, and other temporary structures shall be used for residential housing purposes. The only exception is temporary construction shelters as specified in Section 4.2.1.
- 4.2.26 Utilities/Utility Meters. In general, all utility meters and panels should not be visible from the street and shall be installed in accordance with guidelines available from utility companies. All connections from trunk lines to individual structures shall be underground. Exposed plumbing and electrical lines above the meters are not allowed. Materials and equipment shall conform with the City of Kennewick Electrical and Plumbing Codes. All utility hookups shall be inspected and approved by the appropriate inspectors. All excavations for site utility hookups shall be restored to the original grade.
- 4.2.27 Wells. Wells and other independent water systems are prohibited.

4.3 Landscaping Rules and Guidelines.

- 4.3.1 Landscaping Approval Application. The requirements and guidelines for landscaping associated with new construction are provided in Section 2.1.2.5. The requirements and guidelines for landscaping improvement projects are provided in Section 3.3.1.
- 4.3.2 Definitions. A “front yard” is defined as that area between the front property line and the plane of the face of the building, or intercepting side yard fence or wall. A “side yard” is defined as any part of a yard that neither a front yard or a back yard. A “back yard” is defined as all yard areas that are not visible from the street.
- 4.3.3 Vegetation. Certain plants and trees are indigenous to the Canyon Lakes area and have been found to grow well in this location. Assistance in choosing plants and trees can be provided by local nurseries. Some tree species are prohibited in Canyon Lakes because of their destructive or undesirable characteristics, such as shallow, invasive root growth, short life-span,

susceptibility to wind and insect damage, and messy droppings. Prohibited trees include Russian olives, poplars or hybrid poplars, crab apples, cottonwoods, sycamores, and weeping willows.

- 4.3.4 General Provisions. The total yard area (except the driveway and entry paving) shall be landscaped and irrigated by an underground sprinkler system. The landscaping shall be maintained in a healthy and neat appearance at all times. The front yard landscaping shall be designed in conjunction with and in harmony with the architectural design of the residence and adjacent lots. The following guidelines and standards shall be followed when designing and installing landscaping.
- 4.3.5 Ground Plane. Sixty percent of the ground area of a front yard should be planted in grass. The grass area should be designed so as to accomplish a continuous grass surface along the property frontage from the back edge of the side walk. Forty percent of the ground area may be planted with shrubs or groundcover. Concrete curbs for separating lawn areas from shrub planters are encouraged.
- 4.3.6 Trees and Shrubs. A minimum of one tree or shrub should be planted per 500 square feet of ground plane area in the front yard. A minimum of one tree or shrub should be planted per 1500 square feet of ground plane area in side and back yards. Trees should have a minimum trunk diameter of 1 ¼ inches measured at 24 inches above the ground plane. Trees should be properly staked to prevent wind damage or breakage. Trees should be planted no closer than 4 ½ feet from the sidewalk. Any tree or shrub planted that does not survive should be replaced within 6 months.
- 4.3.7 Irrigation Systems. New irrigation systems and final surface grading shall be designed and installed in a manner that excess irrigation water does not negatively affect neighboring properties. Extensions, revisions, or repairs to existing irrigations systems shall be designed, installed, and operated in a manner that excess irrigation water does not negatively affect neighboring properties.
- 4.3.8 Retaining Walls. Sloped yards may be terraced with retaining walls to produce more level lawn surfaces. Common materials for retaining walls are stacked masonry blocks or poured concrete. Railroad ties or other wooden retaining walls are not permitted. Any retaining wall higher than 4 feet, including subgrade courses, requires a City of Kennewick permit and professional engineering design. Designs and materials used in retaining walls and handrails shall be approved by the ARC. Additional guidance on retaining walls is provided on page 23.
- 4.3.9 Appearance Goal for Units Adjoining the Golf Course. The rear yard transition with the golf course is critical to the image and character of the Unit

as well as the golf course and Canyon Lakes in general. A defined fence line or property line delineation is prohibited, unless required for a swimming pool. Rather, the visual appearance of an unfenced lot flowing into the golf course and making a harmonious transition is desired.

- 4.3.10 **Solar Encroachment.** Any tree planting that interferes with the operation of an existing solar energy installation on an adjacent property is prohibited. If such an interference occurs, it shall be corrected by the owner of the tree(s) at the owners expense.
- 4.4 **Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of these Rules and Guidelines is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of these Guidelines.
- 4.5 **Non-Waiver.** Consent by the ARC to any matter proposed to it or within its jurisdiction, or failure by the ARC or the Canyon Lakes Property Owners Association to enforce any violation of these Rules and Guidelines, 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 and Guidelines.
- 4.6 **Non-Conforming Uses.** If any Unit Owner shall have any improvement located on a private area which is not in compliance with these Rules and Guidelines as adopted or hereafter amended, even though said improvement existed prior to the adoption of these Rules and Guidelines, the Unit Owner shall have two years from the date of notification by the ARC to comply with these Rules and Guidelines, provided, however, that each Unit Owner shall not be required to expend more than two times the then prevailing annual dues per violation if said non-complying improvement existed prior to the adoption of these Rules and Guidelines or prior to the adoption of any applicable amendment to these Rules and Guidelines.

5. General Architectural Guidelines

The home designer should view these Guidelines as aides that will protect the special qualities of Canyon Lakes, not as roadblocks to creative design. The Guidelines are not meant to limit the imagination or personal needs of the individual homeowner. Individual design is encouraged. The ARC has three primary design goals.

- 5.1 **Subordination of Buildings to Landscape.** The predominant idea of the General Development Plan is to ensure that all buildings “fit” within a strong landscape image, not vice versa. The Canyon Lakes Property Owners Association has made a strong commitment to landscaping, including the golf course, streetscapes, and other areas visible to the public. Continuity of the landscaping “theme” and the subordination of

buildings will help maintain the distinctive character of Canyon Lakes. Building forms, materials, and colors, therefore, must blend with the natural landscaping. The use of natural and man-made materials and “earth-tone” colors is required for all property owners.

5.2 **Scale of Dwellings**. Homes with long, unbroken walls and roofs must be avoided so as to not overwhelm or dominate the landscape. Vertical or horizontal offsets will be necessary (see following page for explanation). Also, architectural forms shall be “softened” by chimneys, balconies, bay windows, appropriate entries, and other such structures.

5.3 **Perceived Quality**. To achieve a high-quality community image, both the overall building appearance and its details shall convey a sense of solid, substantial construction. Tacked-on, veneer-type treatments will not be permitted. The ARC will give special attention to the preservation of this community image in accordance with these goals.

5.4 **Illustrations**. It is important to note that the sketches on the following pages, illustrating the above Rules and Guidelines, are simplified diagrams for the purpose of helping to explain the Guidelines. They should not be taken as solutions and they do not intend to dictate any particular style or architectural theme.

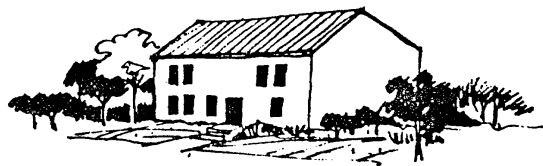
HORIZONTAL AND VERTICAL OFFSETS

Creating offsets is the first step in overcoming a monotonous, barracks-like design.



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Without horizontal and vertical offsets or wall projections, an uninteresting barrack-like appearance will result.



UNACCEPTABLE

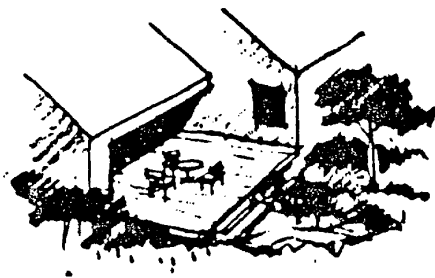
Horizontal offsets accomplish a number of desirable effects. They break down the scale of buildings, resulting in a scale that blends with the surrounding landscaping.



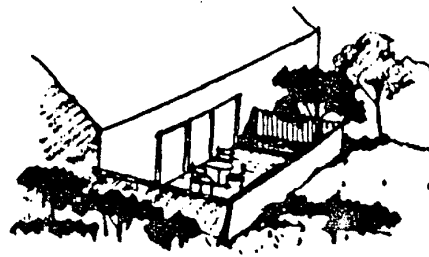
They add character, and with additional windows, they create a more interesting home.



They generally save money. For example, wind-sheltered recesses for both entries and patios can reduce the need for privacy fences and wall extensions.



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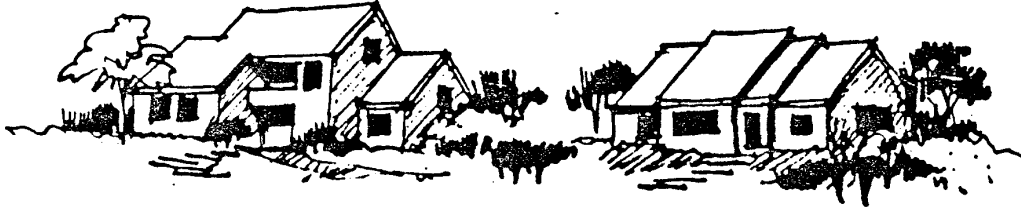


SHOULD BE AVOIDED

Horizontal offsets should be coordinated with the interior plan and roof pitches. Horizontal offsets can be accentuated with a garage and patio walls.



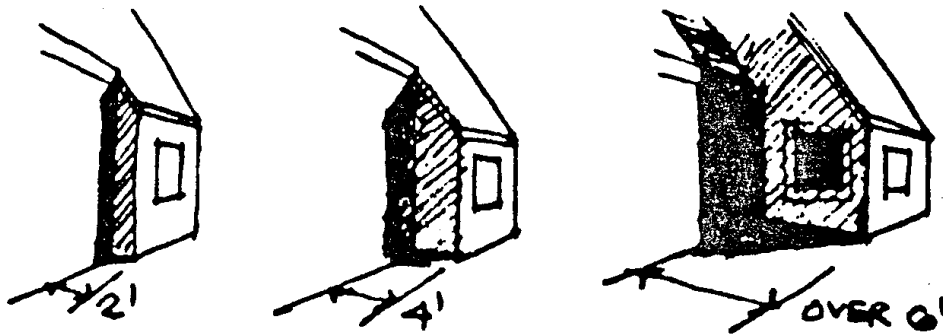
It is usually more effective, visually and economically, to have fewer but larger offsets, rather than a series of small jogs.



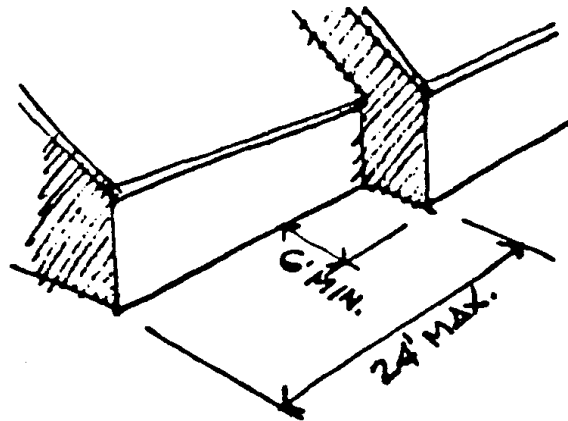
PREFERRED

SHOULD BE AVOIDED

A 1 foot jog is barely noticeable, a 2 foot jog is better. A jog of 6 to 12 feet casts a significant shadow and can have a negative visual impact



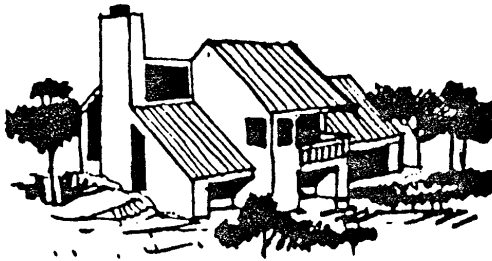
Guidelines for horizontal offsets are: an exterior wall should not exceed 24 feet without an offset; the minimum offset is 1 foot and the maximum offset should be 6 feet.



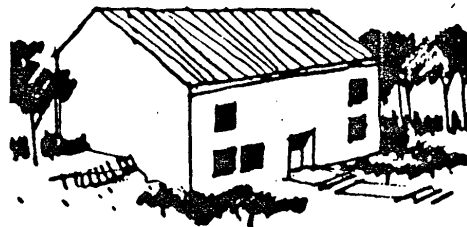
Vertical offsets also accomplish a number of desirable effects. The stepping up or down of rooflines helps a building to blend with the land.



Vertical offsets visually reduce large buildings to a more human scale.

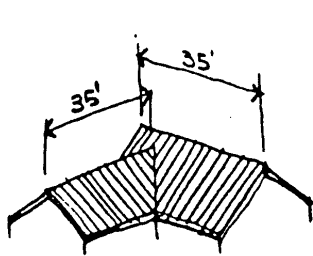


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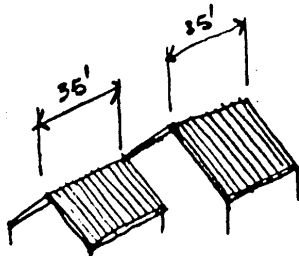


UNACCEPTABLE

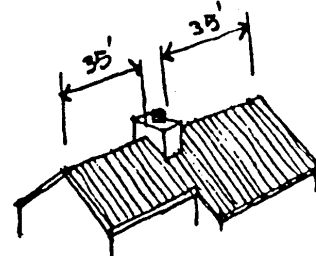
Continuous ridgelines shall therefore not exceed 35 feet. Changing ridge directions, or using offsets or major roof projections, should be used to break up long ridgelines.



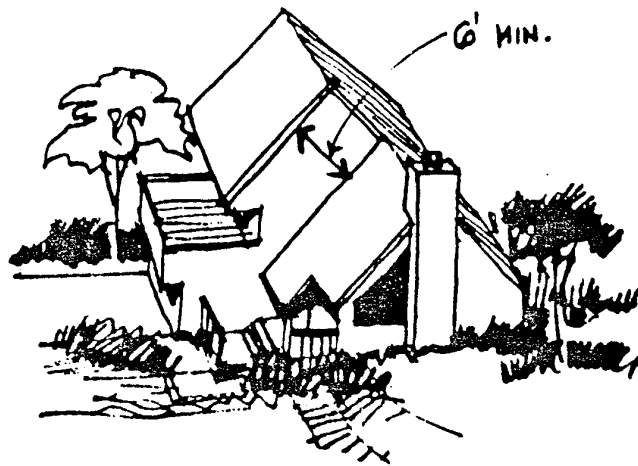
CHANGE DIRECTION



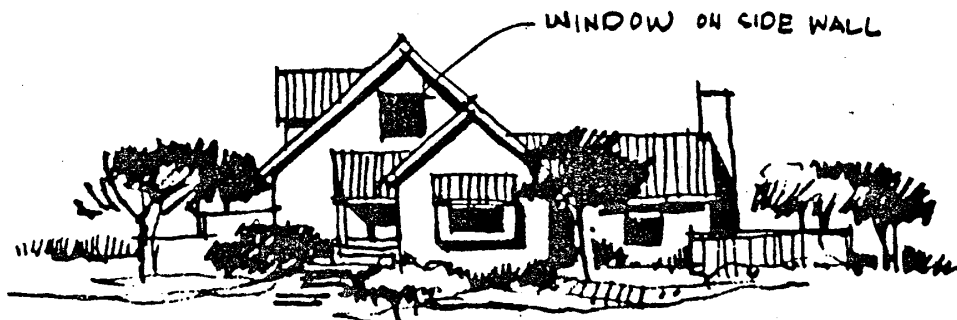
OFF SET



INTERRUPTED BY
MAJOR ROOF PROJECTION



A minimum of 6 feet for offsets between roofs is suggested. An additional benefit of vertical offsets is the opening up of sidewalls for windows allowing better lighting of interior rooms.

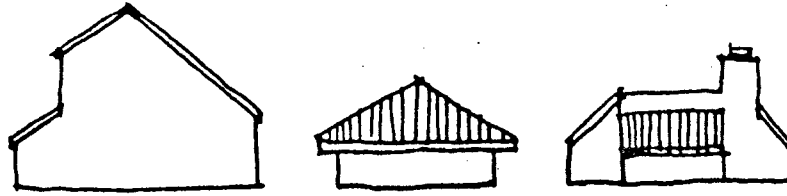


ROOFS

The color and form of roofs when viewed from within Canyon Lakes and from the surrounding hills should contribute toward the goal of a sense of community at Canyon Lakes.



All roofs should be pitched, with a minimum of 4:12 and a maximum of 8:12 slope. Gable ended roofs, hip roofs, and shed roofs are permitted. Flat roofs and mansard roofs are prohibited, except when specifically approved by the ARC. Hip roofs are a simple solution for avoiding a ridgeline exceeding 35 feet.



Gabled

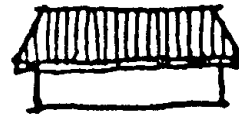
Hip

Shed

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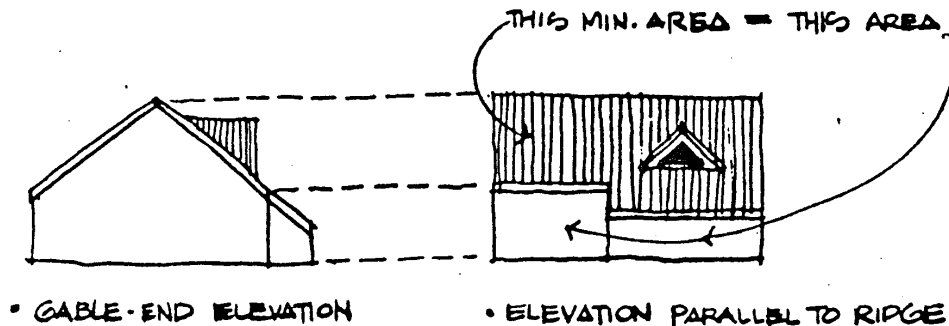
• LOW PITCHED OR FLAT



• MANSARD

UNACCEPTABLE

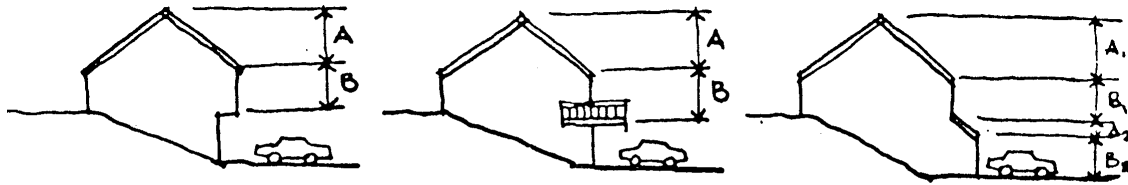
In order to reduce wall height and to ensure a pleasing proportion of roof surface to wall surface, the street façade total roof area measured in elevation should not be less than the total wall area which is parallel to the ridge. Dormer windows should be used to increase habitable space under a roof.



• GABLE-END ELEVATION

• ELEVATION PARALLEL TO RIDGE

When steep grade conditions require a tall wall façade, use horizontal projections, a recess, or a lower structure to reduce the scale.



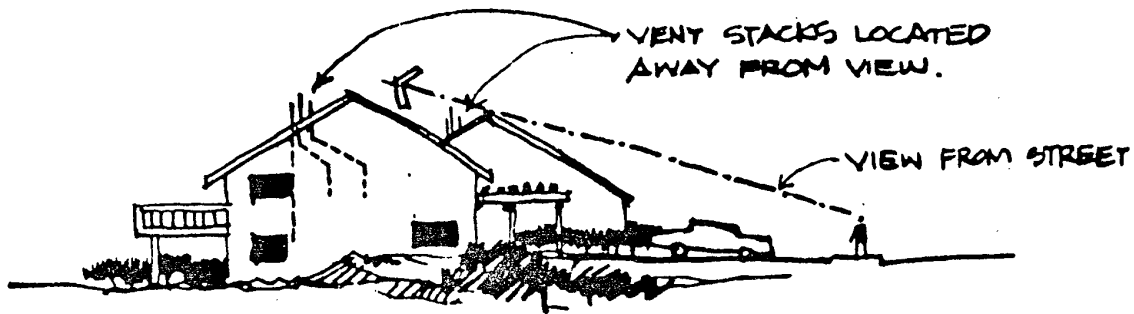
RECESS

PROJECTIONS

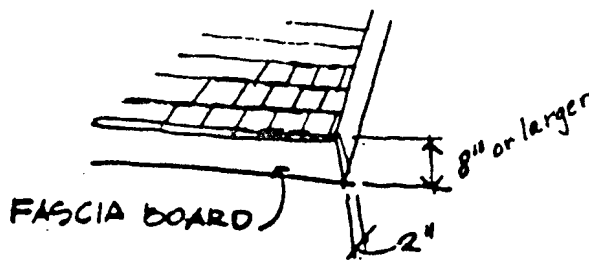
LOWER STRUCTURE

NOTE: AREA "A" SHOULD BE AT LEAST EQUAL TO AREA "B"

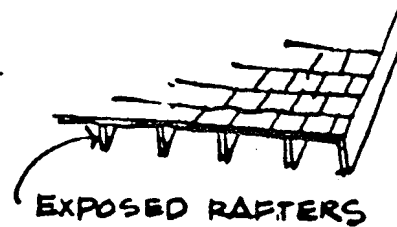
The appearance, selection, and placement of various pipes, vents, and skylights that penetrate the roof should be considered. They should project through the roof in a common enclosed stack whenever possible. Roof penetrations should be placed on the side of the roof away from the street. All roof vents should be colored to match the roofing material color.



To produce a substantial fascia board, an 8 inch wide or larger wood board is recommended. Roof rafters should not be exposed without a fascia board.



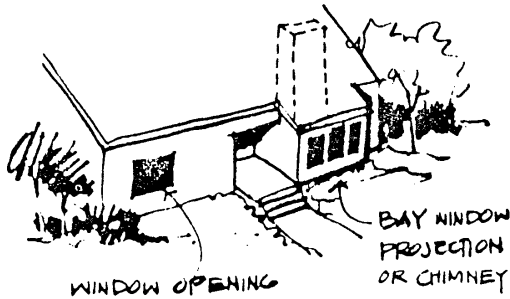
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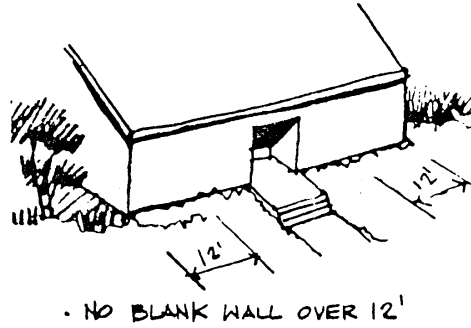
SHOULD BE AVOIDED

OPENINGS AND PROJECTIONS

To break up the mass of buildings, use window openings, projections, bay windows, and chimneys. No building wall should be more than 12 feet in length without an opening or projection. Openings or projections can be used as an alternate to offsets to break up wall sections exceeding 12 feet.

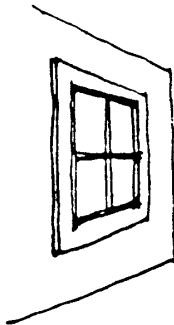


PREFERRED



SHOULD BE AVOIDED

To avoid a thin veneer-like appearance, all windows and doors should generally be trimmed with 1 inch by 6 inch (minimum) borders of wood or stucco on all sides, or recessed or projected forward of walls.



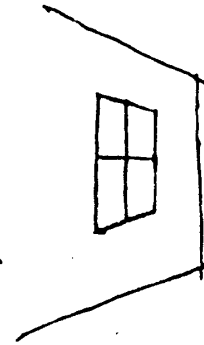
TRIMMED



RECESSED



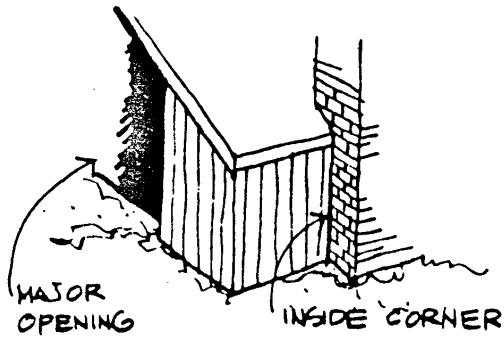
PROJECTED



NOT PERMITTED

MATERIAL CHANGES

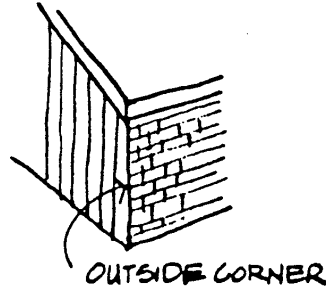
To avoid a tacked on, thin veneer look, material changes should start and stop at a logical inside corner or a major wall opening. Changes at outside corners should be avoided.



MAJOR
OPENING

INSIDE CORNER

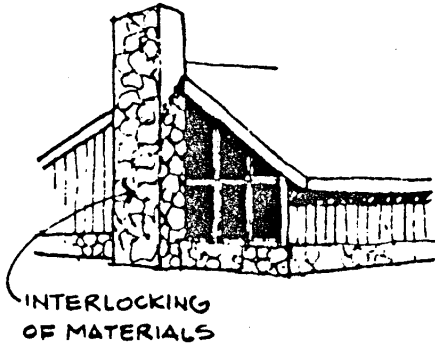
PREFERRED



OUTSIDE CORNER

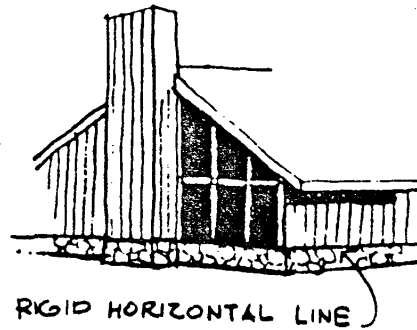
SHOULD BE AVOIDED

Vertical changes should not form a rigid, continuous, unbroken horizontal line.



INTERLOCKING
OF MATERIALS

PREFERRED

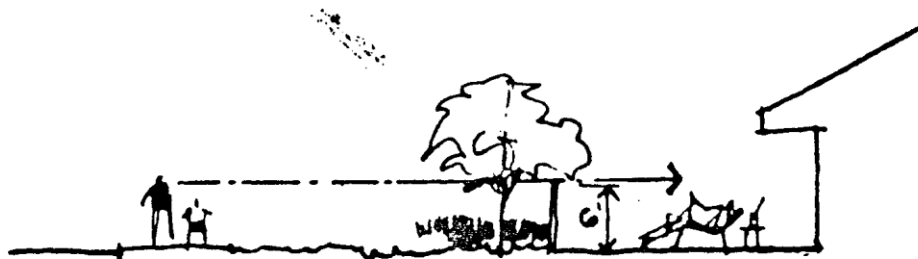


RIGID HORIZONTAL LINE

SHOULD BE AVOIDED

FENCES AND PATIO WALLS

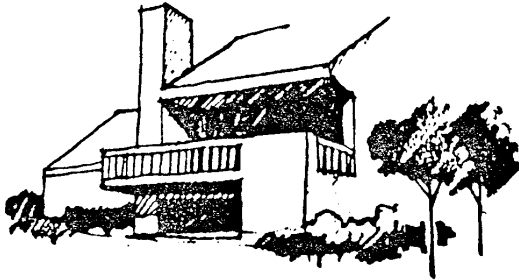
All fences and patio walls shall conform to City of Kennewick codes and standards regarding set back distances. Fences and patio walls shall not exceed 6 feet in height, except as specifically approved by the ARC.



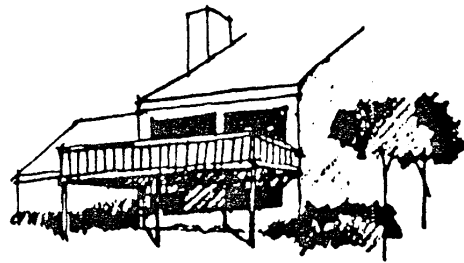
• 6' FENCE PROVIDES PRIVACY

DECKS

An improved and accented home exterior can be created by adding a deck. The deck shall be an integral part of the building design, avoiding a tacked on look.



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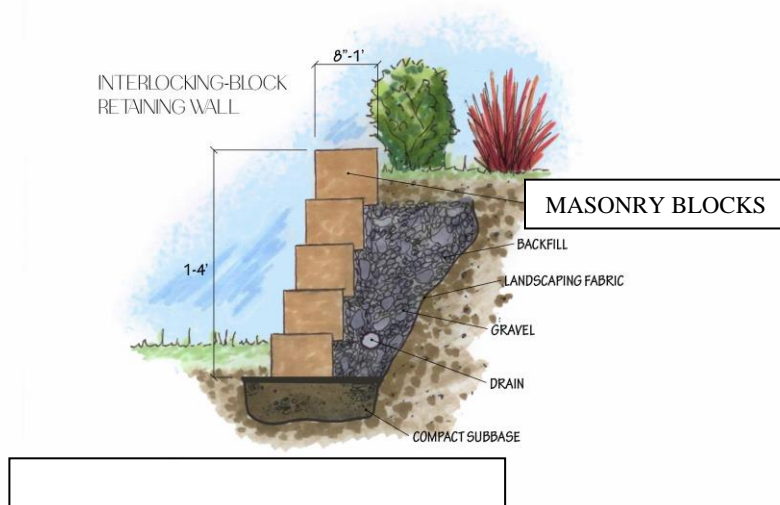


SHOULD BE AVOIDED

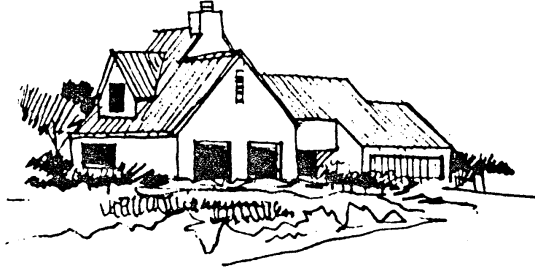
RETAINING WALLS

To terrace sloping lots, retaining walls not exceeding 6 feet in height are generally permitted. For steeper conditions, more than one retaining wall can be used in a stepped design. Stepped designs should not exceed 4 feet in height with a 2 foot minimum set back at each step. Final grading should be designed to blend with the natural landscape. All retaining walls exceeding 4 feet in height, including subgrade courses, shall conform to City of Kennewick standards and require professional engineering design. All materials used in retaining walls and handrails must be approved by the ARC.

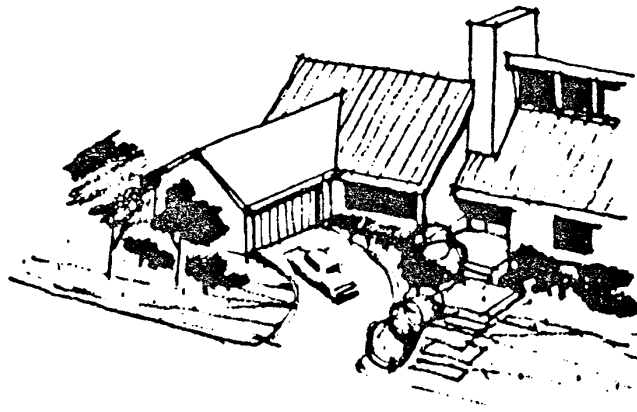
A common method for building smaller retaining walls not higher than 4 feet is stacked masonry blocks. Proper installation is required to avoid erosion, slumping, and drainage problems. Local suppliers can provide detailed installation instructions. Key points are a level crushed rock base, a perforated drain line at the base, a level base row of blocks, and crushed rock backfill separated from the soil by a geotextile fabric.



As seen from the street, the main living areas of the home should dominate the garage. The visual impression should be that of a home with a gracious entry, not of a garage and driveway.



Garages can be deemphasized by turning the garage 90 degrees to the street and providing a larger driveway with turning space. Landscaping can be used for screening the garage.



All garages shall be enclosed and attached to the main house by a roof or screen or be part of the house structure. Garage doors should be paneled and painted to match the body color of the house.

HOME ENTRIES

As residents and visitors drive through Canyon Lakes, the atmosphere should be of gracious homes and welcoming entries.

Entryways, therefore, must receive special design attention. The walkway system from the garage, driveway, or the front street should graciously funnel the larger outdoor space into smaller home entry spaces. A quality entry can be achieved at little cost through careful architectural and landscape treatments such as paving surface, retaining walls, planters, arbors, and decorations.

To preserve a welcoming streetscape, fences or walls are not permitted in the front yard setback zone. Fences and enclosure walls that are visible from any street must appear to be integral extensions of the building's architectural design.

SELECTION AND FINISHING OF MATERIALS

Materials should be selected which stand up well to local climatic conditions and respond well to extremes such as hot and cold, wet and dry. For example, wood siding should be thick enough and properly patterned to resist cupping and should have a joint pattern which looks just as good whether tightened by summer heat or contracted by the cold of winter.

Care should be taken in designing the understructure to which exterior building materials are secured to avoid undesirable material movement which results in cracking and buckling.

Finishes should not only be appropriate for the material they are applied to, but recommended preparation procedures should be followed and adequate coverage of the finish should be achieved for proper protection of the material.

Properly designed roof drainage and treatment of the ground under drip-lines will avoid most building staining problems.

Regular maintenance of the building exterior is expected in order to perpetuate the quality atmosphere of the project. In addition, consistent maintenance practices extend the life of the materials.

SOLAR CONSIDERATIONS

Home designs should take advantage of passive solar opportunities. In consideration of this, design and siting of a home should consider the solar space of neighboring homes such as minimizing structure height near the north property line when a building site lies to the north.

Solar collectors and associated hardware shall be an integral part of the design of a home and shall not have a “tacked-on” appearance. Placement of solar collectors should consider the impact of glare on neighboring outdoor living spaces.

Solar collector systems should be submitted for review by the ARC in the early stages of the planning of a home to verify acceptability. Solar collectors shall be arranged in a compact configuration and should have the appearance of one uniform plane with a neatly finished perimeter edge.

6. ADDITIONAL GUIDELINES FOR THE HEIGHTS AT CANYON LAKES

The developer for The Heights at Canyon Lakes is Ron Asmus Homes, Inc. A Supplemental Declaration Establishing the Property Described as The Heights at Canyon Lakes, dated March 15, 2004, and the First Amendment, dated January 6, 2005, established additional CC&Rs and Architectural Guidelines. The original documents are on file with the CLPOA Manager and can be seen by calling 509-582-4345.

6.1 Architectural Review Committee. The Heights shall have its own Ron Asmus Homes, Inc. Architectural Review Committee (ARC) consisting of three or more persons appointed by the Declarants who shall serve at their pleasure. The Ron Asmus Homes, Inc. ARC shall have the architectural review function over the Lots within The Heights. Provided, however, should Declarants or Ron Asmus Homes, Inc. sell any of the Lots in The Heights at Canyon Lakes to others, for construction by others, the architectural review function for any such lots shall revert to the Canyon Lakes ARC. The Architectural Guidelines as established for the initial construction in The Heights at Canyon Lakes will prevail throughout the construction of this section. After all of the Lots in the Property have been sold with homes on them, the functions of the ARC shall then be assumed by the Canyon Lakes ARC.

The Ron Asmus Homes, Inc. ARC shall have all of the same powers as the Canyon Lakes ARC under Section 8 of the Declaration, including the powers to adopt, amend, or repeal rules and regulations. Reference below to the ARC shall mean the Ron Asmus Homes, Inc. ARC until its function is taken over by the Canyon Lakes ARC as provided for above.

6.2 Utility Easements. On each Lot, easements are reserved as provided by the Plat Map and applicable laws, ordinances, and other governmental rules and regulations for utility installation and maintenance, including but not limited to, underground electric power, telephone, water, sewer, drainage, gas, and accessory equipment, together with the right to enter upon the Lots at all times for said purposes. Within these easements, no structure, planting, or other material shall be placed or permitted to remain which may damage, interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each Lot, and all improvements shall be maintained continuously by the Owner of the Lot, except for those improvements for which a public authority or utility company is responsible.

6.3 Maintenance of Lots. Each Owner, at said Owner's sole cost and expense, shall promptly and continuously maintain, repair, and restore said Owner's Lot and the home and other improvements located thereon, in a good, clean, attractive, safe, and sanitary condition and in full compliance with all applicable laws, the provisions of this Supplemental Declaration, and the Community Rules and Regulations of the Association. This provision is a continuing obligation and applies before, during, and after construction of any residence or improvements on an Owner's Lot.

- 6.4 Restrictions on Storage. No owners shall store or allow any occupant or tenant to store any trailers, boats, motor homes, recreational vehicles, motorcycles, trucks over two tons (except those used by Declarants), or any disabled or inoperable motor vehicles on the Property for more than 48 hours unless they are completely within an enclosed garage, or within such other enclosure as may be approved in advance by the the ARC. Violations shall subject such vehicles to public impound, at the expense and risk of the owner thereof.
- 6.5 Parking/Common Drives/Walks. Parking on the City streets of the Property is allowed under this Supplemental Declaration to the extent otherwise legal. Parking is not allowed on the private (i.e., non-dedicated) streets of the Property. Common drives, walks (if any), and paths (if any) shall be used exclusively for normal transit and no obstructions shall be placed thereon or therein except by express written consent of the Board.
- 6.6 Residential Use. All Lots and improvements located thereon shall be used, improved, and devoted exclusively to residential use. No structures or buildings of any kind shall be erected, altered, placed, or permitted to remain on any Lot other than one detached single-family dwelling for single-family occupancy only, not to exceed two stories and a daylight or subterranean basement, with private garage for not more than three standard sized passenger automobiles. Provided, however, assuming relevant set-backs and other applicable legal requirements can be met, a Lot may have a storage out-building, shop, or shed constructed on site if the design and materials used are consistent with the general appearance and quality of the single-family dwelling sited thereon and the plan, design, and location of the same have received the prior written approval of the ARC.
- 6.7 Nuisances. No noxious or offensive conditions shall be permitted upon any Lot or improvements thereon, nor shall anything be done thereon which is or may become an annoyance or nuisance to other residents in the Community.
- 6.8 Restrictions on Further Subdivision. No Lot or portion of a Lot in this plat shall be divided and sold or resold, or ownership changed or transferred whereby the ownership of any portion of this plat shall be less than the area required for the use district in which located; provided, the foregoing shall not prohibit deeds of correction, deeds to resolve boundary disputes, and similar corrective instruments.
- 6.9 Garbage and Trash Removal. No Lot shall be used as a dumping ground for rubbish, trash, garbage, litter, junk, or other debris. All garbage, trash, and other waste shall be placed in appropriate sanitary containers for regular disposal or recycling. Each Lot Owner shall be responsible for the prompt and regular disposal of all of his garbage, trash, junk, and yard waste.
- 6.10 Pets. No animal, livestock, or poultry of any kind shall be raised, bred, or kept on any Lots, except that cats, dogs, birds, or other household pets may be kept if they are not kept, bred, or maintained for any commercial purpose; and that such pets shall not be kept in numbers or under conditions reasonably objectionable in a closely built-up residential community or in violation of the Community Rules and Regulations. Animals shall not be allowed to roam loose, outside the limits of any Lots on which they are kept. Dog houses

and other outdoor animal shelters visible from other Lots or the street must be approved by the ARC.

6.11 Signs. No signs shall be displayed to the public view on any Lot except one professionally created sign of not more than one square foot displaying the resident's last name, one sign of not more than 4 square feet advertising the Property for sale or rent, or signs used by Declarants or another home builder to advertise their property during the construction and sale period.

6.12 Renting and Leasing. With respect to leasing, renting, or creation of any kind of tenancy of a Lot and improvements thereon by its Owners, such Owners shall be prohibited from leasing or renting less than the entire Lot or improvements thereon, or (with the exception of a lender in possession of a Lot and improvements thereon following a default in a first mortgage, a foreclosure proceeding, or any deed of trust sale or other arrangement in lieu of a foreclosure) for a term of less than 30 days; and all leasing or rental agreements shall be in writing and be subject to this Supplemental Declaration, Articles, and Bylaws (with a default of the tenant in complying with this Supplemental Declaration, Articles, and Bylaws constituting a default under the lease or rental agreement).

If a Lot or home is rented by its Owner, the Board may collect, and the tenant or lessee shall pay over to the Board, so much of the rent for such Lot or home as is required to pay any amounts due the Association hereunder, plus interest and costs, if the same are owed to the Board, and such payment will discharge the lessee's or renter's duty of payment to the Owner for rent, to the lease. The Board shall not exercise this power where a receiver has been appointed with respect to the Lot or its Owner; nor in derogation of any rights which a mortgagee of such Lot may have with respect to such rents. Other than as stated herein there are no restrictions on the right of any Owner to lease or otherwise rent his home.

An Owner may not rent or lease a Lot or home in any manner whatsoever for one year after the date of closing their purchase without the prior written approval of the Declarants. Provided, that, this section shall not apply to institutional mortgagees who take title after a default by a Lot Owner.

6.13 Zoning Regulations. Zoning regulations, building regulations, environmental regulations, and other similar governmental regulations applicable to the Property subject to this Declaration shall be observed. In the event of any conflict between any provision of such governmental regulations and restrictions of this Supplemental Declaration, the more restrictive provisions shall apply.

6.14 Business Use. No business of any kind shall be conducted on any Lot with the exception of (a) the business of Declarants, Ron Asmus Homes, Inc., or others in developing and selling homes on the Lots, and (b) home occupations approved by the Board which do not create excess traffic, parking problems, noise, or otherwise violate this Declaration. The Lot Owners shall comply with all of the requirements of the appropriate local government. No business materials, supplies, or equipment shall be stored on any Lot within the view of

another Lot, except for items related to an improvement which is under construction in conformance with this Declaration.

- 6.15 Temporary Residence. No outbuilding, basement, tent, shack, garage, trailer or shed, or temporary building of any kind shall be used as a residence either temporarily or permanently, except for a trailer used by Declarants, builders, or contractors during the construction period.
- 6.16 Antenna/Satellite Dish. No antenna or similar equipment shall be affixed to any exterior wall or roof or otherwise placed on any lot. A satellite dish of a maximum of 20 inch diameter may be attached to the house.
- 6.17 Building Setback Requirements. All buildings and other Lot improvements shall comply with all applicable governmental requirements, including without limitation minimum setback requirements.
- 6.18 Oil and Mining Operations. No oil drilling, oil development operations, oil refining, quarry, or mining operations of any kind shall be permitted upon or in any Lot; nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon or in any Lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any Lot.
- 6.19 Sewage Disposal. No permanent private water well or septic tank system shall be permitted on any Lot. The cleaning of private catch basins, if any, on individual Lots shall be carried out at least once prior to September 15 of each calendar year.
- 6.20 Lot Size. No residential structure shall be erected or placed on any Lot which has a lot area of less than that required by the governmental entity having appropriate jurisdiction over the Property.
- 6.21 Completion of Projects. Any improvements constructed on any Lot in the Property shall be completed as to external appearance, including finish painting, within 3 months from the commencement of the construction except for reasons beyond the control of the builder, in which case a longer period may be permitted by the ARC. The landscaping on each Lot shall be completed within 6 months after the new home is first occupied.
- 6.22 Mailboxes. Each of the mailboxes and mailbox structures shall be furnished and maintained by the United States Postal Service. Owners may not damage or otherwise interfere with a mailbox structure.
- 6.23 Exterior Add-Ons. No awnings, flags, wind socks, air conditioning units, or other projections shall be placed on or hung from the exterior surfaces of any home unless they have been approved by the ARC.
- 6.24 Outdoor Fires. Outdoor barbeques, fireplaces, or fire pits may be used for cooking on the Lots when permitted by law. Reasonable and adequate precautions against fire must be

taken. Excessive smoke or soot accumulation from fires shall not be allowed. No other outdoor fires shall be permitted on the Property. No incineration shall be allowed on any of the Lots.

- 6.25 Screened Service Area. Unsightly items must be kept in the house or garage or within a fence or screened service area where they will not be seen from roads or neighboring Lots. Unsightly items shall include, but shall not be limited to, garbage and trash containers, clothes lines, bicycles, recreational gear, outdoor maintenance equipment, tools, sheds, firewood, and ladders. The design and materials used shall be consistent with the general appearance of the house, and the design must receive prior approval from the ARC.
- 6.26 Yard Maintenance. All trees, hedges, shrubs, flowers, and lawns shall be kept and maintained at all times in an attractive, neat, mowed, trimmed, and pruned condition. Owners shall not allow any portion of their Lot to become overgrown or unkempt so as to create a visual nuisance. Leaves, clippings, dead plants, and other yard waste shall be placed in a compost pile or appropriate containers for disposal.
- 6.27 Building Height. This additional building height restriction is specifically applicable only to Lots 1, 2, and 3 of Block 6 of Phase One of the Property. Residences constructed on these four lots are limited to one story, plus a basement, or equivalent depending on the topography of the specific lot. Additionally, the building height of any residential structure on these four lots shall not exceed 25 feet for a single level residential structure or 30 feet for a multi-level residential structure as measured from the foundation of the private alley-facing side (i.e. South side) of the structure. These limitations are subject to reasonable adjustment given the varying topography of the area from lot to lot. As a result, all exterior elevations, heights and placement of all structures on these four lots shall require the prior written approval of the ARC so that the specific features of each of these four lots can be taken into account in establishing a reasonable and appropriate building height within the limitations of these guidelines.

In interpreting this provision. The ARC shall be guided by the underlying goal which is the reasonable protection of views, and the continuation of open light and air for the various Lots that are subject to this Supplemental Declaration.

- 6.28 Tree Height Control. No shrubs, trees, or other plantings shall be allowed to ever exceed 20 feet in height above the immediately adjoining ground level, unless approved in writing in advance by the ARC after its review and consultation with affected neighbors; provided, however, no such shrubs, trees, or other plantings shall ever be allowed to exceed 30 feet above the immediately adjoining ground level, under any circumstances.

In the event the above specified heights are ever exceeded, the Lot Owner must trim, prune, or remove the same to bring the situation into compliance upon 30 days advance written notice from the ARC. In the event any Lot Owner does not timely and satisfactorily comply with such written notice from the ARC, then the ARC shall have the right to cause the necessary trimming, pruning, or removal work to be done and the Owner in default shall be responsible for the cost thereof and the ARC shall have a lien on the Owner's Lot

for the funds expended together with interest thereon at a rate of 12% per annum until paid. Each Lot Owner is deemed to have granted continuing authorization and consent for the ARC and its agents and contractors to come onto each Owner's Lot in furtherance of the enforcement of this provision. In the event it is necessary for the ARC to obtain the assistance of counsel in collecting any charges or expenses incurred in furtherance of this provision, then the subject Owner shall also be obligated to reimburse the ARC for its reasonable attorney's fees and legal costs incurred therein, regardless of whether suit is actually commenced.

In interpreting this provision, the ARC shall be guided by the underlying goal which is the reasonable protection of views, and the continuation of open light and air for the various Lots that are subject to this Supplemental Declaration.

- 6.29 Roofing Requirements. In addition to any roofing materials acceptable otherwise under the Declaration, the following asphalt shingle alternative is also acceptable: Pabco, "Advantage" in Beechwood color (50 year rated). Roof pitch shall be limited to 6/12 minimum to 8/12 maximum. In interpreting this roof pitch provision, the ARC shall be guided by the underlying goal which is the reasonable protection of views for the various Lots that are subject to this Supplement Declaration. The range of pitch may be allowed by the ARC to be more or less than specified above if it finds that the underlying interest in protecting views is not compromised.
- 6.30 Retaining Walls. Retaining walls which are visible from a street shall not be left with a finished surface of plain concrete. In the case of such a concrete retaining wall, the finished surface must be exposed aggregate, stucco, or similar surface treatment. Concrete block and brick retaining walls are also acceptable under this requirement.
- 6.31 Exterior Finish on Structures with Wood Siding. Structures on a Lot having wood siding or an equivalent exterior finish on the side or sides of the front of the structure visible to a street shall include a minimum element of 200 square feet of brick, stone, or a similar contrasting surface. This requirement does not apply to a structure with sides finished in stucco.
- 6.32 Orientation of Finished Side of Fencing. In erecting any wood fence or other type of fence having a "finished" and an "unfinished" side, the finished side shall, whenever possible, be placed facing outwards from the Lot on which it is being constructed in order to provide an attractive, outward appearance from adjoining streets and Lots. This requirement does not apply to fencing which presents the same appearance on both sides.

APPENDIX A

ROOFING MATERIALS

Asphalt shingles, concrete, clay, or cement fiber tiles, slate, or wood shakes shall be the only approved roofing materials, unless other materials are specifically approved by the ARC. The standard Canyon Lakes color for asphalt shingles shall be “Weathered Wood” or equivalent. Local suppliers can provide detailed specifications, colors, and samples.

Asphalt shingles is the most common roofing material used in Canyon Lakes. In the past, the quality of roofing material was specified in terms of years of warranty, wind durability, and/or weight of shingles for 100 square feet. Current roofing materials typically have a lifetime warranty, but specifications for wind durability and weight are often given as well. The minimum roofing quality required for Canyon Lakes is 40 year warranty or equivalent.

Current roofing warranties require the material to be installed in accordance with the manufacturer’s specifications. Key requirements for in-warranty installation are use of an ice barrier at the eaves, a minimum of 5 nails per shingle, and installation during warmer weather so the tabs stick down. Local suppliers can provide details on shingle warranties and installation methods. They can also provide the names of qualified installers.

There are several manufacturers of asphalt shingles, and many grades and colors are available. Several manufacturers offer asphalt shingles that are designated “weathered wood” color. Others have similar colors that have been declared by the ARC to be equivalent to “weathered wood”. The ARC can assist homeowners in the selection of approved colors and shingle quality.

APPENDIX B

FENCES

Property boundary fences must be constructed of wood, vinyl, wrought iron, decorative steel, masonry, concrete, or man-made simulated wood (e.g., polystyrene and vinyl) type materials. Homeowners shall apply for written approval from the ARC, of the nature, size, finish, and location of all fences before construction begins. The application form is available at: <http://www.canyonlakespoa.org/Pages/ApplicationForms> . The maximum height of all fences and walls is 6 feet, unless specifically approved by the ARC.

A fence construction application must be submitted with a site plan with a scale of 1 inch equal to 20 feet. The fence construction plan may be submitted as part of a landscape plan but must list type of material, size, and finish to be considered for approval by the ARC. The plan shall show the exterior perimeter of the lot, location of main structure (house), location of proposed fence boundary, gates, and tie-in to the main structure. The plan shall also show the location of driveway, sidewalks, easements, and setbacks as shown on the applicable subdivision plat.

The preferred material for fences is western red cedar or man-made simulated wood boards. The fencing boards shall be 1 inch thick by 6 inches wide by a maximum of 6 feet high, supported by at least two 2 inch by 4 inch pressure treated back-rails. The preferred structural posts are 2 to 2 ½ inch diameter galvanized steel pipe material. Straight top fences with a 1" x 1" dog ear cut on the top of face boards are preferred by the ARC. Cedar fences may be left unstained, but if stained the natural wood color is subject to approval by the ARC. The color of simulated wood fences is subject to approval by the ARC.

The style, size, and color of vinyl fences is subject to approval by the ARC.

Wrought iron, decorative steel, or aluminum ornamental-style fences may be constructed as an alternative. These are the only types of fencing materials to be used around swimming pools situated on lots bordering the golf course. Swimming pool security fences are also subject to City of Kennewick building codes. The preferred material for this type of fence is steel or aluminum with a 3- to 4-mil electro-statically applied baked-on polyester powder coating for longer life. The preferred color is black.

Masonry and concrete fencing materials may be used as an alternative to wood or simulated wood fencing, but must be finished in natural earth-tone colors, subject to approval by the ARC.

Chain link, coated fabric, wire mesh, or similar light-gauge, non-climbable wire fence is prohibited. However, such fences, for purposes such as a pet enclosure or dog run, may only be used for enclosures that are completely within an ARC approved property boundary fence.

Side-yard fencing is subject to limitations with respect to adjacent properties. For example, fences shall not extend beyond the front line of the home closest to the sidewalk.

APPENDIX C

DECKS AND PORCHES

The use of bare wood 4 x 4 or smaller posts, or thin metal posts, for deck/porch supports is not allowed within Canyon Lakes. Posts must be boxed-in or be an integral part of the home architecture. The following are the minimum post/support standards established for the Canyon Lakes:

1. Posts under 4 feet in height: 4 inches minimum per side. Openings below decks/porches must be screened or covered.
2. Posts between 4 and 8 feet in height: 8 inches minimum per side (10 inches preferred, 8 x 10 inches is acceptable).
3. Posts over 8 feet in height: 10 inches minimum per side (12 inches preferred, 10 x 12 inches is acceptable).
4. Any brick column shall be a minimum of 12 inches per side.
5. Round columns shall be 2 inches larger than the minimum box dimension requirement based on column height.
6. Turned or sculptured posts/spindles will be reviewed on a case-by-case basis.
7. Exposed concrete columns, posts, or supports shall have a smooth, sacked finish or a texture such as stucco.
8. All non-brick posts shall be painted to match the color of the house, unless otherwise approved by the ARC.

This document was approved by the Canyon Lakes Property
Owners Association, Board of Directors on April 8, 2014

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