

DECATUR NORTHWEST DESIGN RULES AND GUIDELINES AND REVIEW PROCEDURES

JANUARY 1998/ Revised APRIL 2019

The Declaration of Restrictions, Covenants, and Conditions (the Covenants) and By-Laws of Decatur Northwest provide for the establishment and operation of a Design Review Committee for the property. The Covenants also establish the restrictions on the use of private parcels and the Common Area including the imposition of design controls and the requirements for design review and approval. The following rules, guidelines, and procedures are intended to provide owners and architects with design guidance and the Design Review Committee with guidelines for work on both private parcels and the Common Area. This work is described in 2.4 of the Covenants and includes any construction, reconstruction, refinishing, or alteration of any part of the exterior of any improvement, or any change in the existing topography. The cutting, pruning, and planting of vegetation shall adhere to the Tree Management Policy and vegetation guidelines contained herein except where such guidelines conflict with the Covenants. The design review process is meant to be a cooperative effort between owners, their architects, and members of the Committee.

ORIGINS AND PURPOSES OF RULES

The overall design goals for Decatur Northwest are articulated in the preamble to the Covenants of the Association (Original Declaration):

"The property is uncommonly beautiful, even for the San Juan Islands, with dramatic changes in topography and vegetation, a fresh water lake, beautiful beaches, plentiful fishlife, abundant and varied wildlife, and historic structures, all in an unspoiled environment. Preservation of these qualities is an important objective of this development. For this reason, the property is being developed at a relatively low density; over 95 percent of the property will be held for the common benefit of the owners, and restrictions on the use of the property are intended to minimize the degradation of the environment."

"All who become owners subject to this declaration must recognize the character of the natural environment in which the property is located and accept the principle that the development and use of the property must preserve that character for present and future enjoyment of all the owners. Those who are entrusted with the administration of the property must discharge their trust in full recognition of that principle and, to the extent consistent with that principle, foster maximum flexibility and freedom of individual expression."

Some of the rules and guidelines that follow are general in nature. Because each site is unique in terms of siting, topography, and vegetation, their implementation must necessarily be unique for each site.

DESIGN GOALS

These Design Rules and Guidelines reflect the results of a survey of owners conducted in the spring of 1991. A majority of the owners who responded indicated they supported these values:

- Respecting the existing natural environment through preservation of the existing native plant community.
- Preferring houses which are unpretentious, not flashy; rustic, not urban or suburban; understated, not standing out or eye-catching; modest, not massive or imposing; and unobtrusive, not dominant. Minimizing visual impact of structures when viewed from neighboring sites, common area, and the water.
- Preserving privacy for individual houses through orientation on the site and use of screening.
- Flexibility concerning the color of houses, as long as the color promotes blending in and is harmonious with the natural setting.

The result is a site-specific design review process. Many of the rules and guidelines are general and not quantified. This does not diminish their importance or effectiveness. The intent is to set a clear direction while allowing the community to exercise interpretation and judgment through the review process.

AUGUST 2005/Revised APRIL, 2019

DEFINITIONS

ALTERATIONS mean, for both private parcels and the common area, in addition to the customary use of that term:

- Repainting or staining the exterior of buildings or portions thereof where such work will lighten the color or result in a major visual change;
- Replacing roofing or siding material where such work will lighten the color or result in a major visual change;
- Extending decks, paving or grading walkways and driveways; and
- Adding or extending exterior lighting.

Alterations also mean:

- Cutting, removing or planting new vegetation on the common area;
- Removing or major pruning of trees for views on private parcels; and
- Planting new trees on private parcels.

The intent of this definition is to include all work that results in major visual changes to both private parcels and the common area.

COMMITTEE refers to the Design Review Committee (DRC) defined in Article X of the Association Bylaws.

COMMON AREA means all the real property; including easements, owned by the Association for the common use and enjoyment of the owners.

Revised April 2019

OWNER means the owner of record of a particular site, whether one or more persons or entities, including contract purchasers.

PARCEL OR SITE means the numbered lot and individual site within Decatur Northwest owned by an Owner.

JANUARY 1998/Revised APRIL 2019

DESIGN RULES AND GUIDELINES

SITING

Buildings should be sited and oriented to minimize the view of the buildings from adjacent sites, the common area, and the water. Houses are to be related to the ground they are sitting on, recognizing the importance of the landscape. Where the site slopes, rather than putting the house on stilts, the house will ordinarily either step with the hill or be cut into it. If there are major features on the site such as prominent trees, large boulders or rock outcroppings, the house siting and design should take them into account. See Buildings section for details.

GRADING

Grading of the site should be accomplished in a manner that maintains the natural contours of the land to the extent reasonable and practicable, minimizes erosion and slope instability, and results in an attractive appearance.

a) The Committee may control:

- The time period in which grading can occur.
- The size of area graded and the height, angle, and shape of cuts.

b) The Committee may also require: Retaining walls, special plantings, and special drainage to improve the stability or appearance of the slope and area graded.

c) Geologist requirement: Grading and foundation plans for sites within 200 feet of the shoreline will require the review of a geologist to determine the impact on slope stability

BUILDINGS

In addition to the general requirements listed below, certain sties have additional limitations:

Parcel P-5: All building construction is limited in height to ten feet (10') above the highest point on the road due north of the western edge of the parcel. All building construction must also be held back ten feet (10') from the southern edge of the parcel.

Parcel P-7: All building construction is limited in height to ten feet (10') above the highest point on the road due north of the western edge of the parcel.

Parcel P-9: All building construction is limited in height to ten feet (10') above the highest point on the road due north of the center of the parcel.

Parcel P-14: No tree removal or construction activity may occur on this parcel between January 1 and July 15 of any year, due to its proximity to the eagle's nest.

Parcels HRS-4,-6,-7 , -8,HR-1, SC-12,and-13: The on site sewerage systems for these Parcels shall comply with any special engineering requirements of the San Juan County Sanitarian and with any shoreline permit requirements.

Parcels connected to community drainfields including SC-2,-3,-4,-9,-10, HR-1, HR 8-12, WR-2 to -6, and all P, EC, and SB Parcels: All toilets installed in any structure on these Parcels shall be of a type that uses a maximum of one and one-half (1.5) gallons of water per flush of the toilet. No garbage grinders or disposals that would introduce meat or vegetable products into the sewerage system may be installed in any residence on these parcels.

TEMPORARY STRUCTURES

A. Temporary structures within a building circle:

No temporary shelter or facility is permitted within a building circle except those necessary during the duration of construction of an approved project or improvement. In conjunction with these temporary structures, the Design Review Committee may approve a sanitary facility that is connected to the water supply and to a septic tank or other sewerage facilities required during the duration of construction. After construction is complete, temporary structures must be removed.

Plan requirements: If a temporary construction shelter or facility is to be constructed, full plans must be submitted to the Committee, following the same procedure as for a house. Similar design considerations will apply to a temporary structure as to a permanent house.

Fire cabinets:

If a parcel is to be used in a manner that includes cooking facilities, fires, or electrical hookups, a fire cabinet must be provided prior to such use. These facilities shall be constructed in accordance with the requirements of the Committee.

Occasional use:

The above is not intended to prohibit the occasional use of a tent on the building circle. The tent may be erected occasionally for a few days at a time, after which time the tent must be removed by the Owner.

The above is also not intended to prohibit the use of a temporary structure (such as a sleeping porch or tent platform) when the platform or base for such structure is an integral part of the design of the permanent structure/house.

B. Accessory Buildings and/or Equipment Outside Building Circles:

Temporary accessory buildings (e.g, wood sheds, cart sheds, etc.) or equipment (satellite dishes, propane tanks, antennae, etc,) cannot be constructed or located outside building circles on common property without approval in advance from the Design Review Committee.

Consideration Factors: The Committee will consider the following factors, among others, in determining whether to grant permission to construct a temporary accessory building or equipment outside building circles:

- 1. Whether the petitioner/Owner can demonstrate to the Committee that a proposed accessory building or equipment outside a building circle is "invisible" to the community at large or is better concealed off circle than when within the circle.** Satellite accessory buildings/equipment may be in the community's best interest by reducing the bulk of the main structure and putting "working" structures out of sight. Documentation' (drawings, photos, "staking", and guided Committee tour, etc.) is the responsibility of the Petitioner/Owner;

AND

- 2. Whether neighbors, either immediate or with potential views of the building/equipment, approve.** Written documentation of neighbors' concurrence is the responsibility of the Petitioner/Owner. When objections do arise, the Committee will give them considerable weight when making its final decision;

AND

- 3. Whether the design is compatible with the existing main structure.** If a design departure is proposed, it would only be acceptable to the Committee if that departure made the accessory building less visually obtrusive. Documentation (drawings, photos, and Committee guided tour, etc.) is the responsibility of the Petitioner/Owner.

Disqualification Factors: In no event shall the Committee approve of such construction in any of the following circumstances:

- 1. When there are already two or more existing "accessory" structures.**
- 2. When the proposed structure (along with any other existing "accessory" structures) would exceed 200 square feet. Wood, cart, and miscellaneous storage should be combined in one structure if at all possible, not to exceed a total of 200 square feet.** An exception may be made for existing woodsheds (as of January 1, 1997) that may not, due to their location, reasonably accommodate the addition of a cart shed. In either case, the total square footage of both structures may not exceed 200 square feet.
- 3. When the proposed structure would be used for additional living space or for commercial purposes.** Living/working space is to be accommodated in the main building structure. Violation of this stipulation would result in immediate removal of the accessory structure at the Owner's expense.
- 4. When the proposed structure is not easily removable if required.** The petitioner/Owner must further agree that the community reserves the right at any time,

Revised April 2019

for any reason, to require either that the accessory building be moved to a new Committee approved location or removed entirely at the Petitioner/Owner's expense.

Design Review Committee approval:

Committee approval of an accessory structure is on a strictly case by case basis. Not all sites can meet the above listed criteria and would therefore be denied permission to build an accessory structure.

Documentation (drawings, photos, staking building outline, story poles, guided tour, etc.) is the responsibility of the Petitioner/Owner. The usual design review process must be followed.

Whenever possible, the Committee encourages addressing and planning for these needs in the initial design process and currently requires a proposal to accommodate future wood/cart/misc. storage needs as part of the design review process.

The Committee reserves the right to deny approval of all future accessory structures, without necessarily jeopardizing existing ones if it is determined that this idea was in practice not in the community's best interests.

CHARACTER

There will *not* be an attempt to create a Decatur Northwest style; instead, the attempt is to limit the attention that houses call to themselves and to emphasize the harmony between the landscape and the built environment. There are areas of the property which have stronger character elements to which the houses should respond.

Sylvan Cove, because of its history and being a harbor, has the appearance of a small village. The pitched roofs, horizontal siding, smaller window patterns, and paint scheme combine to create this image. Because this group of buildings is seen together, it is important that they be related and contribute to the established character. Therefore, the houses on SC-1, -2, -3, -9, -10, and -11 are to be designed, painted and/or maintained in accordance with this character.

The Harmon Ranch area clearly has the character of a farm. The early farm buildings, split rail fences, orchard, and open pasture all contribute to this image. The houses built in this area, both HR and HRS houses, should look like farmhouses. Elements of design that seem appropriate to this context include: pitched roofs, broad porches, rough exterior siding (shingles, shakes, board and batten or logs), and a traditional window arrangement.

The West Ridge area is dominated by broad flat benches. Houses which repeat this horizontal character seem more appropriate in this area than vertical houses.

EXTERIOR COLORS

The purpose of regulating exterior color is to limit the visual impact of man-made structures on Decatur Northwest. The goal is to assure that all structures are unobtrusive and blend with the natural setting.

Revised April 2019

The exterior of all houses, except for roofing materials, shall be naturally weathering wood, or be painted or stained in a color approved by the Design Committee. Light colors will not be approved, except for Sylvan Cove. The color chosen, including for the roof, should not result in significant contrast between the house and its natural setting and should minimize the home's visibility from the water, adjacent homes and nearby common area.

The Committee will evaluate the appropriateness of color choice in relation to bulk of the house, style, detailing, surrounding vegetation, sun exposure, view from the water and common areas, and topography of the site.

The Committee will initiate discussion of color with the Owner and architect, and color selection will continue to be considered throughout the design review process. To help visualize the issues involved in color choice, a selection of large color boards will be made up to demonstrate the effect of various colors. All exterior colors must be selected by the owner and approved by the Committee before construction begins. **See specific procedures in Review Procedures section.**

Trim colors should be in harmony with the body (siding) of the house and the surrounding landscape. High contrast colors are unacceptable except for the houses in Sylvan Cove. Repainting or re-staining colors other than the existing requires prior review and approval by the Committee. Repainting or re-staining of trim in a lower contrast (to the siding) color does not require approval by the Committee.

BULK

The principle factors that control bulk (square footage and footprint) are not controlled except as limited by the county building code. However, Owners are strongly encouraged to build houses that are moderate in size (less than 2000 sq. ft.), harmonious with the natural setting, and unobtrusive.

The design should incorporate features which counter the appearance of massiveness, such as sensitive siting, using the topography, detailing and forms appropriate to the rural character of the San Juan Islands, avoiding long linear expanses of roofs or exterior walls, screening, and using colors which promote "blending in" as opposed to "dominating" or "standing out".

FOUNDATIONS

Tall, exposed foundations are to be discouraged, especially post and beam construction on hillsides where the underside of the structure is exposed to view. Where the Design Committee finds there is no practical alternative to this kind of construction (such as stepping the structure with the hillside or cutting it into the hill) measures may be required which will screen the underside from view, utilizing such approaches as latticework and/or plantings.

DECKS AND CANTILEVERS

Revised April 2019

Decks, cantilevers and other projections more than 4 feet above finish grade may, upon determination by the Design Review Committee, require special treatment. At the option of the Committee, one or more of the following may be required:

1. **Screening by vegetation**, the initial height of which shall be not less than 1/2 the height of the projection.
2. **Screening by additional structure** (e.g. lattice or grillwork);
3. **Painting or staining of the underside** of projections and screening construction; or
4. **Installation of soffits.**

Special treatment of projections may be required either during review of plans or after construction has advanced sufficiently to see the actual conditions in the field.

AUGUST 2005/Revised APRIL. 2019

ROOFING

Roofing materials are to promote the goal of limiting the visibility of the structure from adjacent Sites, the Common Area, and the water. Metal roofs are acceptable but should not be used when the glare to adjacent houses will be intrusive. The color of the roofing should blend in and be harmonious with its surroundings.

HEIGHT

Standard Height:

Building heights are controlled to protect views of adjacent parcels, to maintain privacy of other parcels, and to minimize the visibility of the structure from other parcels, the Common Area and the water. No part of the structure, except chimneys, may be higher than *twenty-five (25) feet above existing or finish grade (at the perimeter), whichever is lower*. Chimneys may extend above this height to the extent required by roof configuration and code. The Design Review Committee may require a topographic survey by a licensed surveyor at the owner's expense in cases where building height is not clearly in compliance with this requirement.

Special Height Restrictions:

Sites P-5, P- 7, and P-9 have more restrictive height limitations as outlined in the Covenants.

Site HR-11 shall be limited to a maximum of eighteen (18) feet above existing or finished grade (at the perimeter).

Sites DH-4, -5, -6, and -7 shall be limited to a maximum of eighteen (18) feet from the finished floor of the lowest level of the house to the peak of the roof, and to a maximum of twenty-one (21) feet from existing or finish grade (at the perimeter), whichever is lower, to the peak of the roof.

ORIENTATION AND WINDOWS

The building sites have been located to provide the opportunity to achieve privacy through different orientations of houses on adjacent sites and window arrangements that minimize the view of one house from another. Houses are to be oriented to take advantage of this opportunity and to have windows placed to minimized views of adjacent houses or potential houses.

FIRE PROTECTION

All chimneys are to have spark arresters with no more than 1/4 inch mesh screen. Each house is to have a minimum of one 5-lb. fire extinguisher.

Outdoor fire pits are permitted, but with restrictions. Propane-fueled fire pits must be installed in rock or concrete enclosures specifically designed for fire pit installation. Wood-fueled fire pits must be completely enclosed with a fine mesh screen to fully contain all sparks and a tight- fitting lid capable of extinguishing the fire and embers. Fire pits must be installed on a fire proof surface away from overhanging combustibles. The DNW General Manager shall approve all fire pit final designs and manufactured components prior to installation.

HOUSE DRAINS

Each house is required to have easily accessible valves to drain the domestic water lines. The locations of supply and drain valves are to be put on a site plan and provided to the Decatur Northwest General Manager upon completion of the house.

EXTERIOR LIGHTING (Revised 12/09/20)

External lighting when viewed from adjacent parcels and Common Areas is to be fully shielded to eliminate glare and not intrusive. Exterior uplighting is not allowed. Exterior lighting should be turned off when not in use and overnight. Path lighting must be on timers or motion sensors and/OR turned off when not in use.

JANUARY 1998/Amended SEPTEMBER 2013

DESIGN RULES AND GUIDELINES/VEGETATION

GENERAL

General Vegetation on the site shall be retained to the extent practical, especially where it helps screen the building from the view of adjacent parcels, the Common Area, or the water. It is recognized that

Revised April 2019

some tree removal or thinning may be appropriate on some sites (in addition to that needed for the building) to improve the exposure of the house to the sun and view. The Design Committee shall have the responsibility of balancing the values of exposure, view, screening, erosion, and maintenance of the current property character in determining the extent to which vegetation removal is permitted. However, enough existing vegetation (trees and shrubs) must be retained to partially obscure the house when viewed from the water.

Any removal, major pruning, or planting of trees is prohibited unless given permission as outlined in the Tree Management Policy - 2013 shown below.

New vegetation should be compatible in character with the existing native plant community. Plant material has a distinct color, form, culture and 'feel', as does every building material. Certain plant materials are more appropriate to the Decatur Island environment than others, in preserving, restoring, and enhancing the natural landscape. Indigenous species of trees are especially encouraged as they establish large and long-term features of the common landscape. Native island plants are strongly preferred, as they have adapted to the available resources and conditions. Therefore, their maintenance (water, fertilizer, and pest control) needs are minimal and their habit blends with other existing vegetation. They support the local wildlife and bird populations.

A much wider range of vegetation, including ornamental and agricultural plants, is appropriate to the 'domesticated' portions of the property: the lawn area of Sylvan Cove, the community gardens, and SR-1.

The Committee will provide owners with a list of recommended trees and shrubs.

TREE MANAGEMENT POLICY - 2013 (Reviewed April 2019)

Historic Context

The Tree Management Policy described below has evolved over the years considering a number of important factors. The Decatur Northwest Forest Stewardship Plan, adopted by the Board in 2001, provides a detailed description of the conditions found on Decatur that impact our property management practices and a series of suggested actions to address the forest management issues identified in the Plan. The Community Wildfire Hazard Assessment completed in May 2009 also describes the updated conditions on the island after implementing the Forest Stewardship Plan. Both reports describe the recognized need to continuously manage our property.

Scope of General Tree Management Criteria

Consequently, the following criteria are to be considered when a decision to trim, remove or plant a new tree is undertaken:

- View restoration and maintenance
- Fire Safety
- Forest health
- Privacy screening

Revised April 2019

- Animal habitat
- Slope retention
- The Committee will provide owners with a list of recommended trees and shrubs.

Homeowner Site Maintenance

Homeowners are expected to maintain their property by keeping a clear space around their home by picking up leaves and branches in their circle. They should “limb up” the trees in their circle creating a safe distance of at least 6 feet between the ground and the lowest limbs. A homeowner may remove a tree up to 2” in diameter at breast height outside their circle if it does not endanger slope stability. Beyond the basic maintenance performed by the homeowner described above, the Board recognizes that the General Manager is in the best position to make

more significant tree management decisions while the Design Review Committee, as further described below, should make others.

General Manager Tree Management Criteria

The General Manager shall have the power to approve the following actions (the General Manager may consult with experts as needed):

1. When the tree poses an imminent threat to the safety of the community, including threatening the stability of the ground on which the tree stands.
2. When the tree is threatening to damage the home.
3. When the tree is severely damaged or diseased.
4. When the tree is inside the circle and blocking home construction.
5. When the tree is part of the “Meadow Reclamation” that was established for homes on Harmon Ranch 1-4 and Harmon Ranch 8-10 in 1985.
6. When the homeowner demonstrates that the proposed work will restore their prior view and not impact neighbor screening. The homeowner shall provide historical photographs that clearly show their view. While it is the responsibility of the homeowner to maintain such records, there is a link on the DNW web site that archives historical photographs by site #. Contact the General Manager for details.
7. When the removal of branches and trees is for fire prevention purposes that does not impact privacy screening of any homes.

Design Review Committee Criteria

The General Manager will seek Design Review Committee approval under the following circumstances:

1. If removal or planting of the tree affects screening between neighbors or greatly exposes the home when viewed from the water.
2. If there is opposition by an immediate neighbor to the removal of a tree that does not fall under the General Manager criteria for tree removal.

Notice to Homeowners

Revised April 2019

Notice of any tree trimming, removal or planting shall be provided to the neighboring homeowners when the action will impact their screening or view before the work is undertaken, except when an emergency requires immediate action, then notice will be provided after the work is completed.

Screening Practices

The practice of topping trees is generally discouraged, particularly for view maintenance purposes. Instead homeowners are encouraged to look for screening solutions that use understory plants, such as Ocean Spray, Nootka Rose, and Hawthorns, i.e. plants that will stay short and not rely on evergreen trees, such as Douglas Fir and Western Red Cedar, to provide a long-term privacy screening solution.

Homeowner Procedure for Securing Professional Arborist/Tree Maintenance help

Homeowners will be encouraged to identify any work they want completed by July 15th each year when the work will require the help of outside professionals. This will allow notice, as described above, to be provided and allow the General Manager and the Design Review Committee to make any required decisions. It will also allow the community to determine how much work will be involved and whether we can get a professional arborist/tree maintenance service to commit to doing the work. The work would then be accomplished in the fall, subject to the professional's schedule.

(end of 2013 Tree Management Policy)

JANUARY 1998/Revised APRIL 2019

USE OF COMMON AREA

ACCEPTABLE USES

The Common Area is to be kept in its natural state and its personal use by Owners can only be for the purposes identified in the Covenants including:

1. Driveways and walkways from the roads to their Parcels and for the location of transformers, pedestals for communication facilities, fire standpipes and cabinets, septic tanks, holding tanks and pumps for waste water, drainfields, and connections to the water and waste water systems of the Association, and for such other uses as are approved in advance by the Association.
2. During the construction of an Owner's residence, materials and equipment necessary for the construction of the residence and appurtenant facilities may be stored in the Common Area, subject to the approval of the Design Review Committee or the General Manager as to the location and conditions of storage of the materials and equipment and cleanup and restoration of the area used.
3. Licensed agricultural or recreational uses.

Any other use inconsistent with the Covenants is prohibited.

Owners' initial building plans should include long-range needs such as storage of firewood, vehicles, recreational equipment, etc. or expansion of the house.

LIMITATIONS

Revised April 2019

Limited private use of the Common Area may be permitted after alternatives have been explored and when the placement and design is non-intrusive and allows neighboring owners to share the facility (for example, storage of firewood). Such uses must be reviewed by the Design Committee.

UTILITIES

FIRE CABINETS

When plans for permitted temporary or permanent structures are submitted to the Design Committee, they are to include location, design, and timing of installation of a fire cabinet. The fire cabinet is to be provided within 150 feet of all points on the exterior of any proposed structure. The cabinet and equipment shall meet specifications included in the submittal of utility plans to San Juan County and any further requirements established by the Design Committee. The cabinet is to be installed and the fire unit is to be operational prior to construction of a building.

SEPTIC TANKS

Septic tanks and holding tanks will, in most cases, be located on the Common Area. The locations of these facilities shall be chosen to minimize the impact of their construction and the damage to vegetation on adjacent parcels. When these facilities and other utilities are shared between two or more parcels, they shall be located to provide reasonable access for connection by all the affected parcels. The location of the septic tank must also permit access for a truck to pump it periodically and the locations of these facilities are to be shown on the plans for the Committee's and approval.

AUGUST 2005

DRAINFIELDS

Homes served by community drainfields D, E, F, G and H-1 (as identified on as-built plans in the General Manager's office) have been engineered for a daily septic flow capacity of between 254 and 262 gallons per house per day. San Juan County bases its septic permits on an assumed flow rate of 120 gallons per bedroom per day. The drainfields, therefore, are sufficient for a two-bedroom house. If a DNW parcel owner applies to San Juan County for a building permit for more than two bedrooms, the County may require that the community drainfield be enlarged to accommodate the additional bedroom(s). In the event enlargement of a community drainfield becomes necessary to accommodate a site with more than two bedrooms, the cost of such enlargement shall be borne by the parcel owner.

WATER HOOK-UPS

Unless specifically noted otherwise, DNW parcels are each allotted one water hook-up. Guest houses, as defined by San Juan County, require an additional water hook-up and, therefore, are not permitted. Thatcher Division parcels and Parcel SR-1 are platted exceptions, each being permitted an additional water hook-up for a guest house.

DRAINAGE

As each parcel is developed, the owner is responsible for providing a drainage system for the site that minimizes erosion or ponding of water. If the parcel is within 200 feet of the shoreline, any drainage that will go over a bank on the shoreline is to be routed in a solid pipe, so that the bank is not eroded from the running water. All driveways that cross drainage ditches or could restrict the flow of water must be installed with culverts.

Revised April 2019

CONSTRUCTION

Once the Design Review Committee has given its approval for construction of a building or alterations to the exterior of an existing building, the Owner is responsible to assure that the construction takes place in accordance with the approved plans and rules promulgated for managing the construction process.

See Construction Policies and Rules posted on the DNW Website.

Revised APRIL, 2019

REVIEW PROCEDURES

The design review process for the construction of new homes or the major alteration or reconstruction of existing ones may consist of five parts if needed. Minor alterations may require fewer steps depending on the nature and the extent of the proposed work. The Design Review Committee is responsible for determining the review steps needed.

When the work involves improvements to the Common Area, the Board of Directors will consult with the Design Review Committee. The Committee's review will be advisory. The criteria used for design reviews include Plat Conditions, the Covenants, the Design Rules and Guidelines, and the findings from previous reviews. Irrespective of prior DRC findings, however, previously approved structures, elements or colors that have proven inconsistent with the Design Goals shall serve not as precedent to justify additional inconsistency, but rather shall serve as lessons learned in how to better apply the Design Goals.

It is the responsibility of the site Owner to contact the Committee Chair and request a review be scheduled. The Owner may delegate this activity, as well as attendance at the review meetings, to the architect. However, the Owner is ultimately responsible for compliance with the review process and the design and construction rules. The Owner waives the right to appeal Committee decisions if not present at the review meeting in which the decision is made.

The Committee will make every effort to meet within twenty-one (21) days of receiving a request from the Owner. In the event of the cancellation of a scheduled meeting resulting from Committee members' inability to attend, the Committee will be responsible for rescheduling the meeting.

The Chair will be responsible for summarizing in writing the substantive content of the meeting and will submit the summary to the Owner within seven (7) days of the meeting. A record file for each Site involved in the review process will be maintained by the Committee and will contain all pertinent correspondence between the Committee, Owner and architect, and adjacent Site Owners. The Committee Chair is responsible for the content of these files. The timing and content of each of these reviews are as follows:

FIRST REVIEW

Prior to beginning the design of a house, the Owner is to obtain an on-site design review that includes at least one member of the Design Committee, the Site Owner, and the architect. The purpose of this meeting is to provide information prior to the start of design that will simplify and facilitate building at Decatur Northwest.

The intent of the first review is to begin the dialog between the Committee and the Owner and his or her architect. The review will include discussion of design goals, as well as practical and procedural requirements. This is the most critical phase of the review process. It is an occasion where the setting of the site and broad community concerns can be considered prior to actual design of the structure. Bulk and color will be discussed, as well as the other elements that determine the effect of the structure on the community landscape.

In order to anticipate questions related to building, the Owner and architect are asked to read the Covenants and Design Rules and Guidelines, Review Procedures, and Construction Policies and Rules prior to the first review meeting. This material is posted on the Decatur Northwest website.

Subjects of discussion for the first meeting will include:

1. **The characteristics of the Site** and surrounding area which influence the design of the house, including its siting, height, visibility from other locations, tree removal or pruning, bulk, color, and general character of the house.
2. **Any covenants which apply** to the Site specifically and to building at Decatur Northwest in general.
3. **The Design Rules** and the objectives they are intended to promote.
4. **Information in "Shared Utilities Among Parcels"** attached. The Owner or Owners' architect is responsible for familiarity with these documents as they apply to the Site. The purpose of discussing this at the first review is to note the location of the utility hook-ups on the Site. The General Manager is responsible for maintaining records related to utilities. A copy of the "as built" drawings for the utilities is available for review in the General Manager's office.
5. **Identification of the site boundaries and survey markers** necessary for the builder to proceed with construction. (These are 3/8" rebar located on the site perimeter, most often in three locations.)

The Owner and architect should meet at the Site and familiarize themselves with the items discussed in #4 and #5 prior to the arrival of the Committee members.

The review also provides the opportunity to discuss questions about building permits, energy code requirements, and installation of power and septic equipment. The General Manager is a good source of informal information and can direct the Owner and architect to other sources of information.

SECOND REVIEW

The intent of the second review is to continue the discussion regarding design options through the evaluation of concepts. Color options will be discussed, along with other key design elements such as height, bulk, and placement on the site.

Free-hand diagrams are sufficient at this stage. Fully developed schematic drawings are not necessary. The emphases are on evaluating basic concepts of massing, relationship to topography, initial approaches to color for siding, trim and roof, and materials. A vicinity plan should show vehicle and pedestrian access, visible utility fixtures, and orientation to neighboring houses. Potential storage sheds or future expansion plans should be indicated. The purpose of

the meeting is to identify components of the emerging design that may require revision in order to comply with the Design Rules and Guidelines.

At this stage that Committee is concerned with:

1. **Context:** What is the character of the environment (trees, topography, etc.) and how does it relate to the proposed dwelling? Loose, quick free-hand sketches can be very helpful- they need not be particularly accurate and can be adapted from photographs or slides.
2. **Concepts:** At this stage the emphasis is on concepts rather than detailed solutions. Free-hand diagrams are appropriate. Changes made at this time are less time-consuming than after development of more detailed drawings.
3. **Alternatives:** With a conceptual, diagrammatic approach, alternative configurations of the house on the Site can be easily developed. This allows the Committee to evaluate, along with the Owner and architect, the possibilities and challenges of the Site.
4. **Color:** Proposed colors for siding, trim, and roofing material are to be presented. The intent of the discussion is to agree upon a range of acceptable colors.

Participants: The participants in the review will include the Owner and architect, Committee members and the Owners of the adjacent Parcel(s) if they wish to be present.

In the event of a serious concern on the part of the Committee regarding an aspect of the proposed design, additional materials may be required. These may include: additional drawings, study models, full scale three dimensional outlines of the building framed on the Site, large scale color samples, or other materials as requested by the Committee. The Committee will work with the Owner to use the simplest method of gaining a good understanding of how the house will look on the Site.

HOMEOWNER NOTIFICATION

For new construction projects, major alterations or those affecting a large number of homeowners, prior to the third review, the Owner or architect should post onto the Decatur Northwest Basecamp application plans and specifications including: a plot plan, grading plans, floor plans, drawings showing all elevations; description of exterior materials and colors, with samples if requested; locations of sewerage facilities, transformer, fire standpipe and cabinet, proposed tree removal or major pruning of trees; a proposed construction schedule; and any other information requested by the Design Review Committee, including tree protection plans if applicable. The plot plan should also include site drainage and location of construction staging areas. The owner should also provide a project summary to the Design Review Committee to send by email to all homeowners for a 30 day comment period. In addition, the Owner should provide a copy of these materials including samples of color and material choices for display in the Decatur Northwest Library.

For minor projects such as tree removal, reroofing or repainting in a different color, the Owner should send a project description to neighbors and those homeowners affected.

The Design Review Committee will consider homeowner comments posted on Basecamp as appropriate prior to reaching a final decision on project approvals.

THIRD REVIEW

The intent of the third review is to evaluate the development of the plans and elevations.

Color choice, along with other design elements, is to be finalized.

Once plans and elevations are completed which incorporate the Committee's guidance from the second review, the Owner is to request a third review whose participants will be the same as for the second review.

Approvals: At this meeting the Committee will either approve the plans and final color selections for siding, trim, and roof material, or require modifications. If the plans and colors are approved, written notice of such shall be supplied to the Owner.

Revisions: If the plans or colors are not approved, the Owner is to be given a verbal explanation at the time of the third review, followed by a written summary. Re-submittal of the modified plans follows the same procedures as the third review.

Construction supervision: The Owner is strongly encouraged to arrange for thorough, accountable, professional supervision of the construction, whether by the project architect or an independent professional. The Owner's plans for supervision will be approved at this review.

FOURTH REVIEW

The intent of the fourth review is to ensure that construction conforms to the needs of the community and is coordinated with the utility systems.

This is an on-site discussion with the Owner, the contractor, and the General Manager. (Reference requirements for First Review onsite above.)

The issues to be reviewed are:

1. **Location for construction staging area.**
2. **A plan for the disposal of excavated material.**
3. **Storage area** for contractor vehicles and equipment.
4. **Review of Construction Policies and Rules.** The Owner is responsible for signing and assuring that his/her contractor has signed a copy of the current policies and sent it to the General Manager. **The Construction Policies and Rules can be printed for signature from a pdf link on the DNW website.**
5. **Review of utility** stub-out locations and placement of utilities.
6. **Plan for the handling of construction waste.**

FINAL REVIEW

The intent of the final review is to confirm that construction and site restoration conforms with the design rules, guidelines, procedures and policies, and to the conclusions of the design review process.

The exterior work on the building and the site restoration are to be complete within one year from the start of construction. At the time of completion, the Owner is to notify the Committee Chair in writing and request a final review.

Participants: The review will include attendance by the General Manager, the Owner, and a member of the Committee.

The issues to be considered will be:

1. **Whether the exterior is finished and complies** with the general criteria applied to the review process and any requirements described in the summaries from previous reviews.
2. **Restoration of site**, surrounding soils, vegetation, and roads.
3. **Site clean-up.**
4. **Adequacy of drainage arrangements.**
5. **Any other issues concerning compliance** with any of the Covenants or Rules

JANUARY 1998/ Revised APRIL 2019

APPEAL PROCESS

If the Owner is not in agreement with a Committee member's conclusions and guidance as described in the summaries of a review meeting, these may be appealed to the full Committee. The Committee Chair will be responsible for scheduling an appeal review which will include the Owner and all Committee members within thirty (30) days of the Chairperson's receipt of written request for such a meeting. The Committee member's findings are to be either confirmed or altered.

The Owner may appeal the Design Committee's actions or decisions to the Association's Board of Directors. An appeal must be in writing to the President of the Association within ten (10) days of the Committee's written decision. The appeal is to describe the action being appealed, the reason for the appeal, and the action being sought. An appeal review is to be scheduled within twenty-one (21) days of the receipt of the request or at the next Board meeting. All participants in the issue being appealed will be given notice by the President or his or her representative of the time and place of the appeal hearing.

At the hearing, the appealing Owner will be given full opportunity to state his or her case to the Board and to ask questions of the Committee members, The Committee shall state its action, the reason for it, and its response to the Owners' appeal. The appellant shall have the burden of persuading the Board that the Design Committee's decision is unreasonable, taking into consideration the policies and goals of these Design Rules and Guidelines. The Board must act on the appeal within fourteen (14) days of the hearing. The decision is to be in writing and provided to all participants in the hearing. The decision of the Board is final.

Revised April 2019

JANUARY 1998

VIOLATION OF DESIGN COMMITTEE OR BOARD OF DIRECTORS DECISION

Owners, by virtue of purchasing their property subject to the covenants, have agreed to abide by the Design Rules and Procedures and the decisions rendered regarding them.

CONSEQUENCES I STOP WORK ORDER

If an Owner or his or her agent takes actions that are not in compliance with the Plat Restrictions, Covenants, Design Rules and Guidelines, these Review Procedures, the Design Committee's actions or decisions, the Board of Directors' decisions, and the Construction Policies and Rules, the Chair of the Design Committee or the President of the Board may direct the General Manager to issue a stop work order. The stop work order is to state the violation accompanying the order. All work on the Site shall stop except work authorized as necessary by the General Manager. When the violation has been corrected, the Owner or his or her agent is to contact the General Manager for a review of the stop work order. If the violation has been remedied and the work on the site is in compliance with the aforementioned rules, policies, and decisions, the stop work order is to be lifted.

If the Owner believes the stop work order was inappropriately issued or should be lifted, he or she may request a Board meeting in writing to the President or Secretary of the Board. A meeting of the Board is to take place within seven (7) days of the request. The Board is to take testimony from the Owner, the Owners' agent, if requested, the General Manager and members of the Design Committee if appropriate. The Board shall either lift or confirm the stop work order. An oral decision shall be rendered at the meeting and a written one issued within seven (7) days of the meeting unless the Board determines that more information is required. The Board is to conclude their additional inquiries within ten (10) days of the meeting. A written decision shall be issued by the end of that ten-day period.

OCTOBER 2017

GUIDELINES RELATING TO PURCHASES AND GIFTS FOR COMMON AREAS (E.G., ART, PLANTS, FURNITURE AND FIXTURES)

- 1) Design Review Guidelines which follow will be applied.
- 2) Items reviewed will be submitted to the Design Review Committee for comments and posted on BaseCamp for community input.
- 3) After community and Design Review Committee review, DNW Board approval is required.

DNW REVIEW GUIDELINES FOR COMMON AREAS

This guideline applies to purchased items such as artwork, furnishings and fixtures (chairs, tables, umbrellas, plants, etc.) or gifts for use in common areas such as gardens, beaches, docks, or tennis courts. The intent is to purchase items or accept as gifts, those which promote use of common areas, have a design compatible with existing structures and furnishings, and achieve harmony between the landscape and built environment.

Revised April 2019

Items intended to be used for events and then stored such as folding tables, folding chairs, etc. need not conform to this guideline.

Aspects to be considered are function, color, design, materials, harmony within a location, longevity, cost, and maintenance required to maintain appearance.

Drawings or electronic photos of proposed purchase, location and cost are to be submitted to the Design Review Committee for review and posting on Basecamp. The Committee will evaluate the choice in relation to existing structures and furnishings, style, detailing, surrounding vegetation, sun exposure, and topography of the site. Committee input is advisory to the Board.

After community input, proposals will be directed to the DNW Board for review.

CONSIDERATIONS FOR EVALUATING FURNISHINGS IN COMMON AREAS

Color and Material:

- Exterior color should be unobtrusive and blend with the natural setting.
- Materials shall be natural materials (wood preferred) where practical or be painted or stained.
- Multiples purchased will be consistent.

Maintenance:

- Easily maintained by annual wash, and/or application of wood preservative.

Umbrellas:

- Sunbrella brand or equivalent durable material in a color found in the natural landscape, octagonal preferred and consistent with existing umbrellas.

Chairs:

- Adirondack chairs, cedar or natural wood color preferred
- Evaluate chairs for comfort and ease to rise
- Benches in lengths easy to move

Side Tables:

- Style and materials consistent with chairs

Tables:

- Wood of a size and shape suited to the application