

# ARTICLE III-I ARCHITECTURAL COMMITTEE NEW HOME CONSTRUCTION

Amended June 11, 2013, Amended October 11, 2016, Amended Feb. 13, 2018, Amended Jan. 8, 2019, June 11, 2019,  
Amended March 10, 2020, September 8, 2020

## A. Mission, Authority & Jurisdiction

1. Mission of Architectural Committee: Kala Point is a planned, common interest community operated for the benefit of all property owners under the Covenants, Conditions, and Restrictions (CC&Rs). All property owners have agreed to comply with these CC&Rs. Under the CC&Rs (Art. VIII) the Architectural Committee is authorized to review and either approve, modify, or reject plans and specifications for all new structures, modifications and significant maintenance to existing structures, significant landscaping objects which change the physical appearance of the property, and restoration of vegetation to a natural appearance after any construction. This volunteer Architectural Committee works with owners to ensure that all structures maintain and enhance Kala Point in accordance with the CC&Rs, Board of Director approved Architectural Standards (AS), Association Rules and Regulations and the community's desires for homes to fit into a wooded natural setting.
2. Authority of Architectural Committee (CC&Rs Art. IV B2 & Art. VIII): The Architectural Committee operates under the CC&Rs and KPOA Board of Directors approved current Architectural Standards. The Architectural Standards are subject to change as needed. Therefore, an existing feature of a home may not be the basis for approval for the same feature on a new architectural project.
3. Meetings: The Architectural Committee typically meets at least once per month. Regular scheduled meetings will be held in the Admin Building Conference Room. KPOA members are welcome to attend any meeting, and are encouraged to attend any meeting considering a project submitted by that member. See Kala Point Calendar for dates and times.
4. Compliance and Appeals: Violations of the CC&Rs, Architectural Standards, or the Rules and Regulations by owners or their contractors may result in penalties, recommended by the Architectural Committee and assessed by the Board (including fines, costs of corrective actions and legal process) as provided in the KPOA CC&Rs and Administrative Policy & Procedures, APP I. The Administrative Policy and Procedures also provide for appeals to the KPOA Board of Architectural Committee decisions.

## B. General Architectural Policies and Procedures

1. Property Use
  - a. All homes in Kala Point must be designed as single-family dwellings. (CC&Rs Art. II 3. and Art. IV D.2.; KPOA Rules & Regulations and Jefferson County Zoning regulations).
  - b. Commercial: The two storage lots are the only commercial lots in Kala Point (CC&Rs Art. IV C.2.).
  - c. Newly constructed homes must contain a minimum of 1,500 sq. ft. of living space, plus a minimum two-car connected garage. If requested and approved by the Architectural Committee the garage may be connected to the home by a covered breezeway. (See CCR Article IV B. Sections 13-14.)
  - d. Some lots at Kala Point have height restrictions in addition to those of Jefferson County. See **Appendix C** to determine if your lot has a height restriction, and, if it does, what the limits are. Check the Kala Terrace CCR's for height restrictions on Lots # 1-20.
2. Tree Removal: Tree removal necessary for construction can be requested along with the Application for Approval of the Architecture Committee for the construction. For designated view properties, view paths/corridors are established after framing of the new home. General rules for removal: a.) native trees on another property must have the consent of the homeowner) and paid for by the requestor; b.) planted trees on another property above their roofline must be removed/trimmed and paid for by the tree owner. Trees not governed under the Jefferson County Shoreline Mgmt. shall be paid for by the requestor. Trees governed by Jefferson County are subject to all County rules and procedures and are paid for by the requestor. In the case of Trees Governed by Jefferson County Shoreline Management, consulting with KPOA/BMAC can supply the requester with information regarding documentation and submittals needed to be supplied with the permit package. Said documentation and submittals are paid for by the requestor(s)
3. Responsibilities of Owners & Contractors:  
**Before commencing any clearing, alterations or construction, the owner/contractor must submit written notice to the KPOA office at least two business days in advance of action being taken. Work may not begin until your**

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**committee representative verbally notifies you that they will be on site to see that action is taken in accordance with the approved plan.**

- a. Responsibility for Compliance: By an Owner submitting a request for Architectural Committee approval they acknowledge that they have read the CC&Rs, Rules and Regulations and the current version of the KPOA Architectural Standards as it applies to the project they are applying for, and agree to abide by the provisions of those documents. The owner(s) further represent that the plans submitted for approval are their final plans for which adequate financing is available to complete this project within the time specified in Timelines. **No external changes may be made without prior written approval of the Architectural Committee.**
  - b. The owner is responsible for engineering design, meeting of building codes and other laws and regulations including Kala Point CC&Rs requirements. The Architectural Committee does not provide on-site supervision (CC&Rs Art. IV Sec B16).
  - c. Drainage: Roof, driveway and landscape drainage must be planned to prevent both erosion and run off to adjacent properties and be shown on the site plan (CC&Rs Art. IV B.2.). On-site dry wells are preferred for roof and driveway runoff.
  - d. Heat Pumps: The location of heat pumps shall be established with consideration for the noise impact on neighbors. Where heat pumps are visible from the street, or adjoining lots complete masking is required with wood construction matching the house (preferred) or latticework (stained/painted to match the house in both cases) and/or shrubbery that immediately shields the heat pump (CC&Rs Art. VIII Sec. 4).
  - e. Insurance: The owner(s) hereby permit the Architectural Committee and its agents, and independent contractors (associated with the project) to enter onto their property during the project. The owner(s) must have in force liability insurance.
  - f. Permission for contractor(s) and their employees to enter Kala Point's private roads may be withdrawn by the Board for violations of the governing documents.
  - g. Members and their contractors have full responsibility for any damage done to any other property or utility installations and shall be responsible for all costs required for repair or replacement. Trespassing on any other property is not allowed without the written permission (KPOA General Manager in the case of common areas). Contractors are forbidden to drive on Kala Point roads any equipment that does not have pneumatic rubber tires or rubber cleats. Equipment with metal cleats or metal tracks must be unloaded and loaded on the property where it is being used.
  - h. Use of Kala Point Roads: The member is responsible for ensuring that the general contractor, its employees, all sub-contractors and their employees, and the employees of all suppliers are advised of four primary concerns:
    - i. The speed limit is 25 mph, unless otherwise posted. KPOA roads are also community sidewalks and are frequented by young children, adults, domestic and wild animals.
    - ii. Violations of the speed limit will not be tolerated. Fines may be levied and repeat violators will be barred from use of Kala Point Roads.
    - iii. Littering is strictly forbidden including trash thrown from vehicles and materials falling off trucks. This includes "washout" of concrete trucks on other than the member's own property.
    - iv. Daytime parking of contractor vehicles shall be on the project property, if possible. If parking is necessary on the street, it shall only be on one side of the street and shall not be left overnight. Forced or improper entry into the community is not allowed. Access when the gates are closed shall be arranged with the owner.
4. Preparation of Home Sites and Construction on a Home Site:
- a. Any modification of the natural state of the lot prior to certificate of occupancy requires advance, written approval of the Architectural Committee. Authority is vested in the Architectural Committee to ensure that appropriate architectural quality and design standards of KPOA are met. Architectural Committee control of removal of trees and vegetation is directly related to site preparation for construction. Tree and vegetation trimming or removal after a Certificate of Occupancy from the County is the responsibility of the Tree Committee or Grounds Committee. Prior to that time, no native trees over six inches in diameter shall be removed without written permission from the Architectural Committee, except those within the designated outline of the house, driveway and primary drain field (this outline includes trees within 10 feet of the house and driveway). Any removal outside the designated footprint without prior written authorization from the Architectural Committee is subject to fines (see Tree Committee Policy APP XII; CC&Rs Art. I Sec. 33 and Art. IV B Sec. 2 & 8).
  - b. Clearing/Excavating on a new home site: No clearing of the landscape or tree removal will be allowed prior to Owner's receipt of Architectural Approval for new home construction. No excavation of any type, except septic test holes, will be permitted prior to owner's receipt of Architectural Committee approval. Prior to the written approval

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of submitted construction plans, minimal lot clearance with hand tools is permitted to identify lot lines and to site the house.

c. Architectural Committee Inspection: In advance of the above required submission the site shall be prepared by the owner or contractor for inspection by the Architectural Committee by staking the proposed point of original grade and labeling the stake "OG" (original grade) and marking with flagging:

i. The outline of the house (blue tape).

ii. Driveway (red tape).

iii. Primary drain field (pink tape). (Taping should not include reserve drain field area).

iv. Yellow tape any trees over six inches in diameter (19" in circumference) as measured three feet above the ground, that are to be removed except those within the outline of the house, driveway and primary drain field (this outline includes trees within 10 feet of the house and driveway). No native trees over six inches in diameter that are outside this designated outline shall be removed without written permission from the Architectural Committee. Boundary lines are to be run along all lot lines.

d. Utilities Hookups:

i. Water and Electrical hookups are provided by Jefferson County PUD. Refer to their website (JeffPUD.org) for requirements and procedures to secure hookups to installed Kala Point water and electrical systems. Temporary electrical service posts/meters must be removed and the permanent meter and base must be attached to the dwelling by certificate of occupancy.

ii. Sewer: Most residences have their own on-site septic systems all of which require a septic system permit issued by the Jefferson County Health Department. Copies of the septic system permit and plot plan shall be submitted to the Architectural Committee with the Request for Construction Approval. No septic system installation shall be allowed without concurrent home construction. Kala Heights, Kala Terrace, Kala Lagoon and all condo associations each have a common drain field. The PUD shall be contacted for information on planning a septic system in these divisions.

e. Common Property: Other than the driveway, the Jefferson County provided red fire (house) number sign, and the newspaper box, no structure shall be placed on common property. Any decorative improvements, including but not limited to shrubs and bushes which are placed on common property, are considered a permissive rather than a hostile use of such property and if requested, shall be removed at the member's expense upon fourteen (14) days written notice from KPOA to the member.

5. Antennas/Satellite Dishes: Installation of all antennas and dish devices intended for the reception and/or transmission of radiation type electronic signals, located exterior to a house structure must be shown on house plans as submitted to the Architectural Committee. Exterior mounting of dipole TV antennas is discouraged since cable and satellite systems are available. Dish antennas larger than one meter (~39") in diameter will not be approved unless totally screened from view and an integral part of the house structure wherever possible. Reduction of the visual impact of devices is requested to the extent allowed without unacceptable degradation of the system's signal, including painting, covering and screening. Nothing herein shall be construed or interpreted to allow the Architectural Committee to impair the installation, maintenance, use or placement of dish devices one meter or less in size.

6. Site Management during construction:

a. All construction sites shall be maintained in an orderly manner. Trash containers shall be maintained on site for any trash. If trash is placed in a container such as a dumpster, it shall not be allowed to overflow. Other materials shall be piled in an orderly manner. All trash piles shall be removed from the site not less than weekly. At the conclusion of the construction project, all trash shall be removed. A member may retain firewood if it is cut and stacked in an orderly manner behind the home away from the street within 3 months of clearing the lot. Any wood from felled trees not retained must be removed from the site within 30 days of the start of clearing.

b. Burning Policy: All outdoor burning is prohibited on common areas and lots.

c. Job Materials: All construction materials shall be stored on the lot where the structure is being built. Off-loading of large beams and trusses may be done on the street, provided the material is immediately moved onto the site.

d. Toilet Facilities: At the commencement of construction, members or their contractors are required to provide suitable toilet facilities (also known as Sani Cans) during construction per OSHA rules. These facilities shall be located as far off the street as practical to minimize the view from the street and neighbors.

e. Noise Control: While normal construction noise is unavoidable, it shall be restricted to the hours 7:00 a.m. to 7:00p.m. Any radios or other entertainment devices shall be operated at low levels, so as to not disturb neighboring households.

f. Drainage control must be maintained during construction to prevent flows onto streets or neighboring properties.

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g. Dogs and Pets: Dogs and other pets are not permitted off construction sites unless on a leash.

h. Signs: Only one sign (generally the contractor sign) shall be displayed on the property and only during the course of construction and landscaping. Signs shall not exceed 4 square feet (2 ft. x 2 ft. for example) and shall be mounted on one or two 2" x 2" or 2" x 4" posts so that the top of the sign is no more than 42 inches above the ground. No objects shall be attached to trees by any means other than fabric straps.

i. Street Numbers: Upon commencement of clearing for construction, the red fire (house) numbers issued by Jefferson County shall be installed on a post 30" above the ground, on the side of the driveway and close enough to the street that it is visible to emergency vehicles coming from either direction. These are not lot numbers. If a property will have a propane fuel tank; warning stickers must be obtained from the KPOA Admin Office and mounted on both sides of the house number sign.

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- j. Trailers & Motor Homes during Construction: (CC&Rs Art. IV B6)
  - i. Resident Vehicles: Living in an RV on the property during the construction period is generally not permitted, but members may request approval from the Architectural Committee under certain conditions. Each request shall be evaluated based on such factors as location on the property (location on the street is not allowed), visibility to other residences, and ability to manage waste disposal. Non-members (such as contractors or employees) are not authorized to live on the property during construction.
  - ii. Construction Vehicles: Construction vans or trailers may be kept on the member's site during working hours only. Storage of such units on the property during the construction period requires prior approval of the Architectural Committee. Consideration factors include: ability to locate on the property out of sight in an unobjectionable location from a view standpoint.
- 7. To Request Architectural Committee Approval for clearing, excavation and construction of a new home:
  - a. This process begins with a project application. If you are considering clearing, grading and construction, contact the KPOA office to schedule a pre-application interview, if desired, with an Architectural Committee member who will work with you throughout the application process. The assisting member of the Architectural Committee may or may not be the case manager for the project once it is approved.
  - b. Forms to request Architectural Committee Approval are available at the KPOA Administrative Office or online on the [kalapoint.org](http://kalapoint.org) website (under Forms and Documents; Committee Forms) Ask for or download the **Request for Architecture Committee Approval New Home form**. Fill out the form, entering the requested information and attach two (2) complete sets of scaled drawings (minimum 1/16 inch = 1 foot for site plans; 1/4 inch = 1 foot for building drawings).
    - i. If the owner wishes an architect or a general contractor to act as their agent for processing and carrying out their project if approved, the form contains areas to indicate this. The "agent form" must be signed by the owner.
    - ii. Submit the completed form to the KPOA Admin Office at least 3 days prior to the next scheduled Architectural Committee meeting. Owners are encouraged to visit the Architectural Committee meeting when their application is considered, to answer any questions from Architectural Committee members.
    - iii. Plan sets for a new home must include any structure and utilities. Include with the application a copy of the Jefferson County Building Permit, and copies of all sewage disposal plans and permits.
    - iv. Site plans (see **Appendix D** for example) shall include the house and lot to scale, showing rough topography lines and lot dimensions and indicating the point of original grade as defined in this document, driveways shown to scale, trees over six inches in diameter (19" in circumference) as measured three feet up from the base outside of the house, driveway and primary septic field areas, any heat pumps shown and located to minimize disturbance to neighbors, the location of the septic tank, the primary and reserve drain fields, any drainage culverts, any proposed structures such as fences, fence-like structures, outdoor fuel tanks (including propane), non-portable generators or any other type of external structure, and drainage plans for roof and driveway runoff. (Omission of any of the above items will result in non-approval for that item (CC&Rs Art. IV B). Impervious surfaces on the property should be minimized to reduce water runoff.
    - v. Driveways. A minimum 12-inch HDPE or corrugated metal drain culvert shall be placed in the roadside drainage ditch at the point where the driveway enters the lot unless omission is approved by the Architectural Committee. All driveway entrance aprons shall be covered with a hard surface material, concrete or asphalt for the full driveway width and shall extend from the edge of the road to three feet beyond the center of the 12-inch culvert. Culvert ends shall be protected to prevent crushing. The member is responsible for maintaining the exposed ends of the culvert. If no culvert is required by KPOA, the hard surface apron shall be a minimum of 6 feet extending from the edge of the road toward the house. Driveway aprons should be finished to match the elevation of the street where the apron meets the street. If the apron is higher than the street, posts with reflectors are required at each corner of the apron at the edge of the street. This helps reduce the possibility of damage to snow removal equipment as roads are plowed. Driveways shall be constructed with a suitable base surfaced with high-grade crushed rock, concrete or asphalt pavement. Brick or ornamental stone masonry may be substituted for surfacing at the owner's election. Samples of the intended materials must be approved in advance by the Architectural Committee. Any ornamental structures, including light pillars, shall also require advanced approval from the Architectural Committee (see section F on exterior lighting). Driveway access to Kala Point Drive is allowed only if no other street abuts the property.
  - c. Variances from standards may be requested with justification in order to permit saving desirable trees, adjusting to topography, use of new, not previously approved, building materials or other unique circumstances. The

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Architectural Committee shall provide a written decision on any such request before construction begins. Any written denial shall also include the reason for denial.

d. After the Architectural Committee has reviewed your application you will receive a letter indicating whether your application is approved, more information is required, or not approved. If your project is not approved, you may appeal: first to the Architectural Committee; then if unsuccessful you may appeal to the KPOA Board. See **APP I** for details on preparing and submitting an appeal.

e. Siting of new construction on lots may not be approved if there is an adverse impact on the views of others or if in the judgment of the Architectural Committee the site(s) and terrain are not compatible with the proposed plans. For example, if there is an adverse impact on existing drainage, such plans shall not be approved (CC&Rs Art. IV B.2).

f. Neighbor Notification Letters: The Architectural Committee, prior to finally approving any project or granting any variance that may affect neighboring properties, will notify, in writing, owners of all neighboring properties, who shall be given ten (10) business days from the date of notification to respond. The final decision, however, lies solely with the Architectural Committee. The owner initiating the project and any other owners who submitted comments will be advised, in writing, of the decision.

8. Setbacks: See **Appendix E**. Note that KPOA requirements are greater than those mandated by Jefferson County. See Kala Terrace sub-Association for varied setbacks on lot #s 1-20.

9. Timelines for construction:

a. Approved construction of any structure must be initiated within three (3) months of receiving approval from the Architectural Committee or re-submittal of the request for approval is required. Unavoidable delays (weather, etc.) may be a reason to request an extension of time to begin work.

b. In order to minimize disruption to the neighborhood approved construction of any structure must be completed within twelve (12) months of the start date shown in the approved application.

c. Approved major landscaping must be completed within six (6) months of construction completion or Architectural Committee approval, whichever is later.

d. If the submitted application does not show a specific start date for the start of construction, the twelve (12) months clock will start on the date the project is approved.

e. Completion of construction is defined as accomplishment of the actions required to receive the Jefferson County Certificate of Occupancy and all Architectural Committee exterior requirements are met. Landscaping completion is defined as approval of a plan with some vegetation restoration and a minimum of 2 inches of bark on bare surfaces. (see Landscape section.)

f. The Architectural Committee will consider requests for construction and landscaping completion extensions. Each request will be considered on its own merits. Extenuating circumstances, outside the control of the owner, are a valid basis for requesting an extension. Reasonable extensions will normally be granted when good faith effort to complete is continuing.

10. Deposits: See **Appendix B**.

### C. Roofing a Home

1. Roofing Materials: Overall a roof should blend into the wooded environment. Materials should have texture and depth like cedar shakes. Using approved materials defined by brand and style will expedite approval (see **Appendix A** for pre-approved roofing materials). As new materials come on the market and are brought to the attention of the Architectural Committee they will be reviewed and if approved will be listed on the approved materials list.

2. The new home application must include specifications for the roofing material manufacturer, model, and color.

3. Styles and colors of roofing materials are established to diminish any visual intrusion with the natural settings of Kala Point and our general earth and woodland color tone palette.

4. If a home is to be roofed with a roofing material that is on the approved list, conditional approval will be quick. The owner must notify their Architectural Committee Representative when the roofing material will be delivered, prior to installation. The Representative will verify the contractor has delivered the correct product before providing approval to proceed with installation.

5. Requests for a variance for roofing not on the approved list (**Appendix A**) will be considered on an individual basis and require compelling justification, and could result in delay of approval.

a. Architectural Committee approval of a variance may be granted if the roof is unobtrusive with respect to the natural setting as viewed from adjacent lots, roadways, and common areas.

b. Samples, pictures/brochures with product specifications and data, warranties, etc. and name of the installer must be submitted as part of the application for Architectural Committee review.

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c. Generally acceptable colors are earth tones (shades of dark brown, dark gray, or black). Colors must be approved by the Architectural Committee.

6. The following roofing materials are not appropriate or allowed:
- California Mission style tile
  - Composite hardwood
  - Standing-seam metal

### **D. Painting or Staining a Home**

1. The new home application must include specifications for the paint/stain to be used for home siding and home trim. The owner must submit a piece of siding at least 18 inches long that is the same as specified for the home, with a sample of the proposed colors applied.
2. The body of a home: Paint/stain should blend into the Kala Point wooded environment. Use earth tone colors or stains of brown to beige, grays, green or taupe. Colors not permitted are those that do not blend unobtrusively into the landscape; for example, white, yellow, or red.
3. The trim of the home may contrast somewhat from the body color, but should also blend into the wooded environment. The wood trim surrounding windows and doors may be painted/stained the same color as the siding or the trim of the home. The front door of the home may be a contrasting color to the siding if desired. Other exterior doors must be painted/stained the same color as the siding or trim on the home.
4. Garage doors must be painted, stained or factory pre-painted to match or blend with the main body or trim of the house.

### **E. Deck Construction**

1. The owner is responsible for obtaining and conforming to any building permit required by Jefferson County.
2. Deck materials must be wood, wood composite or polymer (e.g. Trex®, Timber Tech® or AZEK®). If wood, the deck must be painted/stained to harmonize with the color of the siding or trim of the home, finished with clear coating or left natural. Factory finished composite or polymer deck materials may be in any color that harmonizes with the home.
3. Railings/balusters must be wood painted/stained as above; framed glass panels; stainless steel cable; welded wire sections or composite as above.
4. Decks must not extend into the lot setback. See **Appendix E** for setback requirements.

### **F. Installing Exterior Mechanicals and/or Lighting**

1. Examples of exterior mechanicals: heat pumps, ductless heat pumps, heat exchangers, propane tanks, fixed auxiliary power generators, satellite antennas. (Solar Panels see **Section I**).
2. Plans and specifications for any exterior mechanicals and/or lighting located on the structure must be included in Plans and Specifications for any proposed new home project, and be shown on the site plan for the new home.
3. Installation of exterior mechanicals require appropriate Jefferson County and Washington State permits. Applications for a new home must include copies of Building Permits for all aspects of the new home property.
4. All exterior mechanicals, with the exception of satellite antennas, must be fully screened from view from the street and neighboring properties by framed lattice or solid screening, or shrubbery. Non-vegetation materials must be painted/stained to match the body home exterior. Owners are reminded of the importance of fire safety and code compliance.
5. Plans and specifications for lighting outside the house must be included in submissions for a new home. Exterior lighting must be of a size, light intensity and direction that will not be an annoyance to other homes or street traffic. Any exterior lighting including post lights shall be shown on the plans submitted for approval along with the lumens of all fixtures.
  - a. House mounted lighting should not exceed 900 lumens each.
  - b. Street or post mounted lighting should not exceed 450 lumens each.
  - c. Pathway down lighting should not exceed 100 lumens each.
  - d. Monument lighting on homes is not allowed. Any upward illumination into trees should not exceed 100 lumens.
  - e. No application or inclusion on site plans is required for garden or lawn-path lighting or driveway border down lighting; however, such lighting should emit 100 lumens or less and be less than three (3) feet tall.
6. No exterior mechanical may encroach on the setbacks of the property. See **Appendix E** for clarification of KPOA setback requirements.

### **G. Stand-Alone Buildings/Structures**

1. Examples of "Stand-alone buildings/structures" include storage sheds, gazebos, wood storage structures, detached

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greenhouses, etc. Except for greenhouses, stand-alone buildings must use the same siding and roofing material and colors as the home. Stand-alone structures are limited to 8 feet x 10 feet x 9 feet high. Only one stand-alone structure is permitted per property. Variances will be considered if compelling conditions exist, and home-site layout and position is acceptable.

2. Plans, specifications, and locations for all stand-alone structures, except house number posts and newspaper boxes must be incorporated in the application for a new home.
3. The site plan for a new home must include any proposed stand-alone structure that will be part of the home construction.
4. Greenhouses must be built-on-site, not to exceed 8 feet x 10 feet footprint and 9 feet height above natural grade. All non-glass portions of the exterior walls must have the same siding and color as the home.
5. Storage sheds must be built on site, not to exceed 8 feet x 10 feet footprint, and 9 feet height. Must use same siding and be painted or stained same color as house, and roofing must be same type, design, and color as the house. Windows, skylights or solar power are allowed. If 120 volt electricity is used, it must be underground and a permit obtained. Storage sheds are intended for storage. See **Appendix D** for guidelines for storage sheds. Foundation must be concrete pad or piers.
6. Heights of stand-alone structures are measured from the natural grade where they are to be located, however in lots where the home has a height limitation the home height limit cannot be exceeded by any other structure on the lot.
7. All stand-alone buildings must be positioned so that they are shielded from street view, and subject to setback measurements. See **Appendix E** for clarification of KPOA setback requirements.
8. Vegetation screening must be used if buildings are visible from the street or neighboring property.

### H. Fences and Pet Enclosures

1. In some situations members may want to restrict the movement of children or pets, grow a garden or protect vegetation from wildlife. Therefore, the Architectural Committee endeavors to work with members to accomplish such goals by approving fenced areas only when and where appropriate.
2. Every fence approval request application shall be evaluated on a case-by-case basis and take into consideration visibility from the street and unreasonable restriction or blocking of the view from any adjoining lot. Neighbors, who may be impacted by the proposed fence, will be notified and have an opportunity to provide input into the Architectural Committee's decision. The final decision, however, lies solely with the Architectural Committee.
  - a. In general, fencing should only be used for restricting the movement of children, pets and/or to protect vegetation from wildlife. Privacy concerns should be addressed with landscaping, trees, and plantings where appropriate (refer to the KPOA Vegetation Policy related to view corridor restrictions).
  - b. Standards by which the Architectural Committee evaluates a fence request are by definition somewhat arbitrary since a fence that may be appropriate for one area of the association may not be for another nor do previously approved fences create a precedent for future fence requests. Factors taken into consideration will include height of the proposed fence; visibility from the road and unreasonable restriction or blocking of the view from any adjoining lot; compatibility with structures on the property and any existing adjacent fences.
  - c. In an attempt to minimize the impact to the open nature of our development, approval of any fence and the area in which it will be located will depend upon visibility of the fence, existing natural vegetation, and size and topography of the lot. Fences should be located so that removal of existing natural vegetation is minimized. The finished face of any fence must be placed toward the street or neighbors. In some situations the Architectural Committee may approve a fence request but stipulate landscaping to further screen or visually soften the appearance of the fence.
  - d. Fencing will not be allowed in common area easements or within Kala Point specified setbacks (as defined in **Appendix E**.)
  - e. Where feasible, fences should be located to the rear of the home. Wherever located, fences should be adequately screened from view from the street and adjoining properties by using trees, shrubs, and plantings. Landscaping of a specific height may be stipulated to mitigate the appearance of fences approved by the Architectural Committee.
  - f. Chain link and hog wire fencing are prohibited. Stockade, solid (good neighbor) and lattice topped fencing are prohibited.



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3. Fences less than 4 feet:
  - a. Wood: When fences are to be constructed they should be open such as pickets, posts, split-rail and treated wood, cedar or redwood. Such fences must not exceed four (4) feet in height. Fence posts should be nominal 4" x 4" diameter or smaller. Cedar or redwood fences may be left unfinished to weather naturally or they may be painted or stained in a color to complement the home. Other wood varieties must be painted or stained in a color to complement the home.
  - b. Wire: When wire fencing is specified, vinyl-coated wire mesh fencing (grid size approximately 2" x 4") 48" or less in height must be used. Galvanized, uncoated or painted wire fencing will not be approved as it is subject to rusting. Vinyl coated fencing must be dark green or black to reduce visibility. In such a fence, either standard metal fence posts, available at local hardware stores, painted black or dark green not exceeding 48" above ground, or treated wood posts; nominal 4" x 4" diameter or smaller and not exceeding 48" above ground may be used. If desired for extra stability a wood "top board" or steel cable may be used. Note: The deer fence material described in Section 3 below can be used in low fences also, and the lower portion of the material can be buried inside the fence line to prevent digging by pets to escape under the fence.
4. Fences over 4 feet:
  - a. High strength UV-resistant plastic mesh, referred to as "invisible deer fencing" is recommended. Deer fencing is a high-strength weather resistant polypropylene mesh (grid is 1" to 2" wide) and is black in color. This fencing can be as much as seven (7) feet above ground level. For this type of fence, standard steel fence posts painted black or dark green should be used to reduce visibility. In this type of fence, a steel cable can be used along the top to increase strength.
  - b. High fencing for plant protection as screening of a single plant or small clustered groups should be used as little as possible. High fencing for a small garden plot must be carefully located to minimize visibility from the street or neighbors, and should be further screened by tall vegetation.
5. Application:
  - a. Applications are required for all fencing. Fencing for a newly constructed home should be included on the application and plans for the new home.
  - b. A site plan is required as delimited in B.7.b above for review by the Architectural Committee. This plan can be hand drawn or utilize an existing project construction site plan and must show property lines, setback lines, the home, any significant landscaping objects, areas of vegetation or non-vegetation, any existing or proposed exterior structures, fencing and septic drain field. See **Appendix E** for site plans.
  - c. The Architectural Committee will generally conduct a site visit during the review process to view the property and location for the proposed fence.

**I. Solar Energy Panels**

1. Only rooftop installations will be permitted and must minimize the impact on the overall appearance of Kala Point. The following items and conditions must be met to obtain approval:
  - a. A request for approval must be submitted to the Architectural Committee, with plans for the installation showing all dimensions and relationships to the home.
  - b. A copy of the appropriate Jefferson County Mechanical Permit, Structural Permits for roof support of the solar panels and an Electrical Permit from the State of Washington; if the solar panels will power the house and or energize the county electrical grid, PUD approval will also be required.
  - c. No part of the installation may be visible above the ridge line where installed and no part of the installation shall exceed the horizontal limits of the roof. Requests to install solar panels on the ground will not be approved. Where feasible, the installation should not be on the roof facing the street.
  - d. All panels must be parallel to the slope of the roof, non-movable and installed so that the top edge of any panel is parallel to the roof ridge.
  - e. All frames, piping, support brackets and wiring must blend in with the color of the roofing material and/or the siding of the home.
  - f. To protect the overall wooded appearance of Kala Point, tree removal or canopy reduction will be severely restricted and be approved on a case by case basis.

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### J. Landscaping on a New Home Site

1. A site plan is required as defined in B.7.b. See **Appendix E** for example. Either a single site plan with all required elements for a new home or a secondary landscape site plan is acceptable.
2. Landscape Site Plan Consideration:
  - a. The landscape plan must include location and descriptions of proposed structures such as a storage shed, wood storage, greenhouse, patio, arbor, rockery, planters, garden art taller than thirty-six (36) inches, and site elements such as water features, paver or gravel areas, retaining walls, exterior lights, and light fixtures (lights using home voltage are not to exceed 900 lumens, or 450 lumens if located at the street end of the driveway.) Any fencing, either low fencing or deer fencing for sensitive plantings, must be shown on the landscaping site plan.
  - b. The minimum required is to restore disturbed vegetation: Owners choice of tree species for replacement if considerable tree clearing done; some shrubs; grass areas if wanted; groundcovers including salal/ferns. Planting may be done over time but at a minimum two inches of bark is required to cover vegetated areas.
  - c. Retaining walls for slope stabilization, bank retention, and/or aesthetics should blend in with the natural appearance. Landscaping should be designed to minimize potential erosion problems caused by steep slopes and abrupt changes in grade. Placing retaining walls in setbacks requires an approved variance.
  - d. Large areas of grass are strongly discouraged on individual lots in order to reduce unnecessary water runoff.
  - e. Growth potential of proposed vegetation should be considered in relation to designated view paths since many KPOA properties have height restrictions that also apply to height of planted vegetation. Unreasonable interference by vegetation and trees growing into view paths is prohibited.
  - f. Planted trees must be pruned to be at or below the home height limitation if one exists. See **Appendix C** for lots that have home height limitations.
  - g. Additional guidance is available in APP II-22, Vegetation and Tree Policy and should be considered when choosing vegetation and trees for newly developed lots.
  - h. Neighbor Notification Letters: If the Landscaping Plan substantially changes the topography of the lot, and/or the Architectural Committee determines the plan may impact neighbors, letters will be sent to the potentially affected neighbors permitting them to review the plan and provide feedback if they desire. Affected neighbors will be allowed ten (10) business days from the date of the letter to review the plan and respond in writing with their feedback. Neighbors are not being solicited for approval or disapproval of the plan. The final decision rests solely with the Architectural Committee. If neighbor(s) comments are negative, the Architectural Committee representative will attempt to resolve any differences, or the Architectural Committee will review the plan and neighbor comments and make a final determination.
  - i. With the exception of the driveway entering the street, the newspaper box, and the red fire (house) number, landscaping must honor all setbacks. See **Appendix E** for clarification of setback requirements.
3. Landscape Completion:
  - a. Landscape work must be completed to the extent necessary to restore disturbed vegetation and to stabilize slopes and banks within six (6) months of the completion of the home.
  - b. The landscaping deposit will be returned when all disturbed vegetation and/or landscape is restored, slope stabilization and bank retention measures have been accomplished. Landscape projects will be inspected by the Architectural Committee Representative and the General Manager.

**K. Variances:** Variances are exceptions to the Board approved APP (rules), i.e., requirements, permissions or restrictions. They are considered exceptions to the "rule." They are to be granted judiciously based upon extraordinary circumstances only and must be accompanied by a compelling written justification. Extraordinary circumstances are considered undue physical hardships, overcoming practical topography difficulties or obstructions, saving vegetation or trees, or other criteria as may be established by the Committee. To maintain the integrity of these APPs and to ensure that decisions are not arbitrary or capricious, the following applies for approving variances to the APPs:

#### 1. Justification or Conditions for Granting Variances:

a. The AC may grant a variance to its stated policies and procedures for extraordinary circumstances only. They are not to be granted routinely nor be based upon an approved variance to a different property. Variances shall be considered based upon the following conditions or situations:

- (1) To preserve mature trees or vegetation.
- (2) To accommodate topography conditions such as stabilizing hills or to correct drainage problems.

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- (3) To accommodate physical mobility hardships such as installation and placement of wheelchair ramps or installation and placement of mechanical chairs or placement of permanent generators in the setbacks.

b. Variances shall not be granted based on financial or cost considerations.

c. A variance is approved based upon a unique set of circumstances, for specific reasons, and for a specific location, and therefore, a variance in one location does not form a precedent for another location.

2. **Limitations:** Variances to this document's policies and procedures are to be granted judiciously and not routinely. Variances are to reasonably accommodate an individual member's unique requirements or set of circumstances based upon the conditions under Paragraph 1 above and may not be used to routinely circumvent a stated APP policy or procedure. As the conditions for granting a variance are unique to a particular set of circumstances, a variance for one property does not form a precedent to approve the variance.

3. **Requests:** Property owners must provide a written request for a variance specifically outlining the details of the request, accompanied by a compelling justification

4. **Committee Decision:** Variances are unique to a specific situation or set of circumstances and requests are considered for approval only after careful deliberation based upon the justification or conditions in Paragraph 1. The Committee may take into consideration neighbor input, but the decision rests with the Committee.

5. **Documentation:** The AC shall provide an approval or disapproval letter for the variance. All information shall be documented in the "Documentation of Approval/Disapproval Form for Variances to the APPs", which shall accompany the letter, a copy of which shall be attached to the approval/disapproval letter and filed in the property owner's lot file.

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**APPENDIX A  
ROOFING MATERIAL STANDARDS**

Approved September 19, 2016, Amended December 10, 2019

The following list of roofing materials is approved by the KPOA Board of Directors and may be installed on homes within the Kala Point Homeowners' Association development after (confirmation) approval processing by the Architectural Committee.

**A. Cedar Shakes**

1. Approximately one-half inch or thicker. Shingles, which are thinner and sawn, are not allowed as roofing. They are more appropriate as siding.

**B. Asphalt Composition Shingles**

1. Premium-grade, "triple laminate" heavy weight (typically >460#/sq.).
2. Acceptable colors: Black, dark grey, dark tan, dark brown; other muted tones.
3. Approved brand and model:
  - Certainteed "Presidential Shake TL" (all colors except Spanish Tile)
  - GAF "Grand Canyon" (all colors except Sedona Sunset)
  - Owens Corning "Woodmoor" (all colors)
  - PABCO Paramount "Advantage" (all colors)

**C. Decra Roofing Systems, [www.decra.com](http://www.decra.com)**

1. Stone-coated steel (emulates a wooden shake roof)
2. Approved styles:
  - Shake (colors: Sea Green, Shadowood, Weathered Timber)
  - Shake XD (colors: Antique Chestnut, Pinnacle Grey)
  - Tile (colors: Charcoal, Granite Gray – not Garnet or Chestnut)

**D. Boral Roofing, Inc., [www.boralamerica.com](http://www.boralamerica.com) (formerly known as Monier Life Tile)**

1. A cement product molded in a variety of styles
2. Approved Styles:
  - Flat Shake (colors: Saxony 900 Shake, Saxony 900 Split Old English Thatch, Madera 500)
  - Flat Slate (color: Saxony 900 Slate)

**E. Slate Select, Inc., [www.slateselect.com](http://www.slateselect.com)**

1. Proprietary cement matrix/reinforcing non-alkaline glass fibers.
2. Approved Colors: all antique colors, gray charcoal, and taupe in standard colors.

**F. DaVinci Select Composite Tile in Aged Cedar Color**

The following roofing materials are not appropriate or allowed for Kala Point:

- California Mission style tile
- Composition hardwood
- Standing-seam metal

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**APPENDIX B**

**DEPOSIT REQUIREMENTS FOR NEW HOME**

Deposits will be requested with the Architectural Committee Approval Letter, and are due within 10 business days of receipt of the Approval Letter. Deposits must be received by the KPOA Admin Office before any construction or landscaping/excavation work is started. Deposits will be refunded after the project has been completed, including all Architectural Committee exterior requirements and checked by the General Manager.

- 1. Construction or Replacement of a Home.....\$500
- 2. Landscaping Around a Home.....\$500

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**APPENDIX C  
HEIGHT LIMITATIONS**

Heights shall be measured from a reference pin placed by the owner/contractor and approved by the Architectural Committee in the edge of pavement, center of lot, to the highest point of the roof, excluding normal chimneys. Where height is restricted, members of the Architectural Committee shall verify the location of footer forms before concrete is poured. NSD: no specific designation other than Jefferson County zoning height limits; KPOA and the Architectural Committee may set lower limits.

<b>Lots</b>	<b>Conditions</b>	<b>Lots</b>	<b>Conditions</b>
1-69	NSD	242-248	2 story with adequate setback
70-71	2 story, conditional on siting	249-258	1 story (lot 255 merged)
72	NSD	259-260	NSD
73	1 story, build to front of lot	261-263	2 story
74	1 story	264-267	1 story
75	NSD	268-276	Lots not platted
76-78	2 story, conditional on siting	277-434	NSD (lots 294, 296, 331, 348, 377, 381, 394, & 408 merged)
79-80	NSD	435-438	Lots not platted
81-82	1 story lot	439-442	NSD (lot 441 merged)
83-124	NSD	443-444	Multiple story
125-131	Multiple story	445-464	NSD (lot 456 merged)
132	NSD	5001-5002	10' above edge of Kala Heights Dr., center of lot
133	1 story, build to north end of lot	5003-5004	15' above edge of Kala Heights Dr., center of lot
134-136	1 story	5005	12' above edge of Kala Heights Dr., center of lot
137	1 story, build to north end of lot	5006	11' above edge of Kala Heights Dr., center of lot
138-140	1 story	5007	9' above edge of Kala Heights Dr., center of lot
141-149	NSD	5008	4' above edge of Kala Heights Dr., center of lot
150	Lot not platted	5009	15' above edge of Kala Heights Dr., center of lot
151-175	NSD (lots 154 & 170 merged)	5010-5011	22.5' above edge of Kala Heights Dr., center of lot
176-187	10-15 'above edge of road, center of lot	5012	25.4' above edge of Kala Heights Dr., center of lot
188-205	NSD	5013	23.0' above edge of Kala Heights Dr., center of lot
206-231	Lots not platted	5014	25.4' above edge of Kala Heights Dr., center of lot
232-241	NSD	5001-5014	Sized as 3 bedrooms for the septic system and all connect to a community drain field system
Kala Lagoon	Heights shall be determined by the Architectural Committee based on house profile, siting, drainage, view impacts, and topography		
Kala Terrace	Reference height exhibit restrictions in the Kala Terrace CC&Rs for Lot #s 1 – 20		

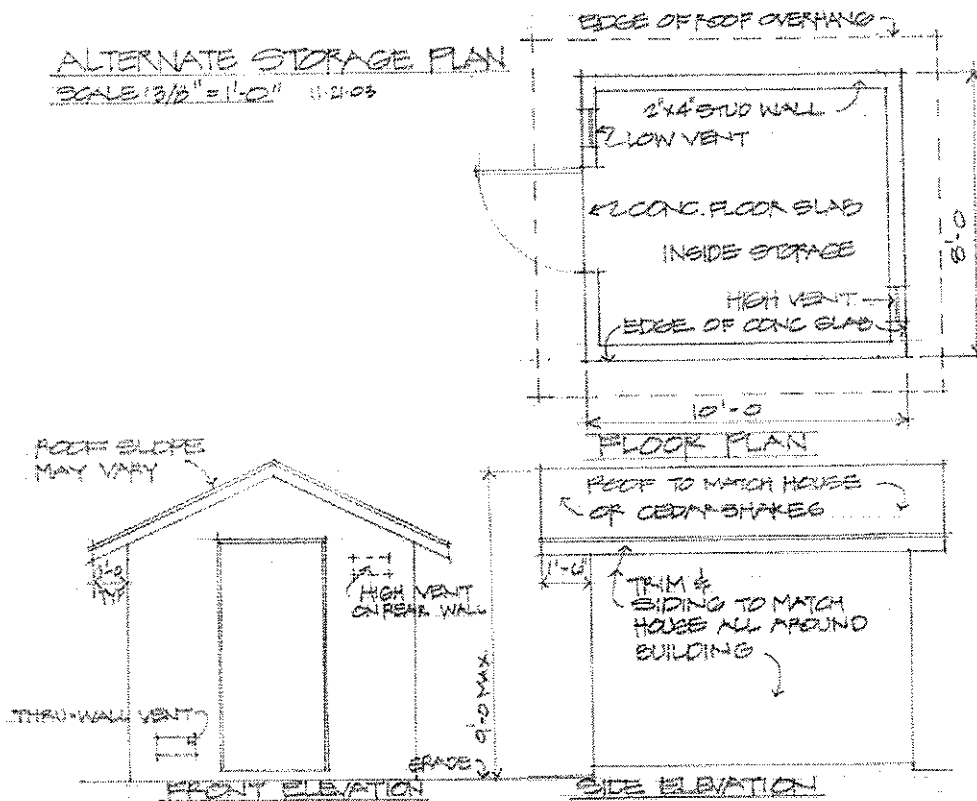
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APPENDIX D  
EXTERIOR STRUCTURES

1. Only one detached wood storage, one alternate storage or one greenhouse structure will be permitted. The maximum outside dimensions for all exterior structures is 8' x 10', and 9' high, measured from the floor slab to the peak. Heights of stand-alone structures are measured from the natural grade where they are to be located. If the property has a height limitation, no exterior structure can exceed the vertical height of the home.
2. The structure must be located on a site approved by the Architectural Committee, and may not be in an easement or within Kala Point specified setbacks and they must be shielded from street and neighbor view.
3. If a structure is visible from the street, additional plantings must be used to shield it from view.
4. All materials used for the structures, wood storage or alternate storage, must match the dwelling in texture, color, and materials. Approved wood or storage structures must have a peaked roof with an approved home roofing material.
5. Storage sheds are intended for storage. The structure should be vented. Windows/skylights and solar power are allowed. If 120 volt electrical is used, it must be underground and a permit obtained. Jefferson County does not require a building permit if the structure is not for human occupancy and less than 200 sf. in size.
6. Greenhouses will be approved on a case by case basis with certain specific conditions, some of which are:
  - a. All non-glass portions of exterior walls must have the same siding material and color as the house walls.
  - b. All utilities must be underground.
  - c. Neighboring lots must be shielded from "grow lights" or other interior lighting, etc.

Example of a storage shed plan below:



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**APPENDIX E  
SETBACKS and SITE PLAN**

1. No structure or object may encroach on KPOA Setbacks, except for the extension of the driveway to the street and the red fire (house) number sign and a wooden newspaper box.
2. Setbacks: (dotted lines) street-side of lot 25 feet, interior borders 10 feet, from property line. Lots that have a street abutment other than the front have 25 feet setbacks on each street-side. No part of structure, including but not limited to, roof overhangs, decks, driveways, parking pads, heat pumps, propane tanks, fences and septic systems may encroach on setback areas.
3. For the purposes of extending driveways to the street, property lines and setback lines will be extended into the common area. Driveways shall not infringe on the common area of adjacent properties. Exceptions for the purposes of shared driveway shall be agreed to by both owners and documented with recorded easements and added to the KPOA lot files.
4. For any construction, legal survey corner monuments must be located and marked for Architectural Committee review. If legal survey corner monuments cannot be located, a survey by a licensed surveyor and installation of survey monuments must be performed. The lot lines from which improvements or setbacks are referenced shall be identified by colored string, blue for property lines, red for setbacks. See Kala Terrace CCR&R's as Lots #1-20 may have different setbacks.

