

SOLANA ESTATE LOTS DESIGN STANDARDS & GUIDELINES

SECTION 1 – GENERAL REQUIREMENTS

A. Intent

The intent of these Design Standards & Guidelines (the “Design Guidelines”) and the Declaration of Covenants, Conditions, Restrictions, Easements and Reservations for Solana Estate Lots (the “CC&Rs”) is to promote a compatible, harmonious, environmentally “friendly” development that is consistent with the objective of a well-designed, well maintained high quality community. Further, the intent is to allow each lot owner to take maximum advantage of views and to allow for and protect the views from adjacent homes. A development that meets the intent of these guidelines will promote a sense of community and help protect property values. These Design Guidelines have been promulgated under Authority of Sections 4.3 and 5.1.2, CC&Rs.

B. Architectural Control Committee

All proposals for construction or improvements on a lot shall be submitted to the Architectural Control Committee (the “ACC”) for review. The ACC will review the proposal for compliance with the Design Guidelines and the CC&Rs and issue a written response of findings within ten (10) business days after a completed submittal has been received. All plans and specifications submitted for approval by the ACC must be submitted in duplicate at least ten (10) business days prior to the proposed construction or exterior alteration starting date. For the purposes of these Guidelines, “business days” shall mean Monday through Friday, excluding Memorial Day, the 4th of July, Labor Day, Thanksgiving, the day after Thanksgiving, and the Christmas Holiday Season including December 15th through January 7th.

C. View Protection Plan

Sections 5.1.2 and 5.1.6, CC&Rs, establishes standards for building setbacks, structural height limits, and retention/placement of trees and large shrubs as part of the *View Protection Plan*. The *Plan* is not an actual document, but a set of standards and directives that, when taken as a whole, will help to protect the exceptional views and aesthetic character of the Solana Estate Lots Community. These Design Guidelines help to achieve, and is considered part of, the *View Protection Plan*.

D. Deviations

Except for the maximum amount of impervious surface allowed under Section 1.H, below and the maximum roof elevations allowed under Section 1.I, the ACC may, at the

request of the applicant and at its sole discretion, grant deviations from the Design Guidelines where such deviation:

1. Provides a result that is equal to or greater in quality than that which would be accomplished by conformance with the Design Guidelines;
2. Results in a project or action that does not cause a significant adverse impact on the environment, the subject property, or neighboring properties;
3. Will not adversely impact views from other existing or future homes within Solana Estate Lots;
4. Is necessary to cure a special hardship associated with the subject property such as steep slopes or other site development constraints.

E. Consistency with other Standards

The Design Guidelines are intended to supplement existing federal, state and local laws, codes and ordinances as well as the CC&Rs. If there is a conflict between the Design Guidelines and the above stated codes, laws and ordinances or the CC&Rs, the more restrictive provision shall govern; provided that any conflict between the Design Guidelines and the CC&Rs, the provisions of the CC&Rs shall govern.

F. Set-Backs

The set-backs for front, rear and side yards shall be as indicated for each lot on the Plat of Solana Estate Lots (see Appendix A).

Where a deviation is allowed by the ACC, the minimum side yard setback shall not be less than 10' and the sum of the two side yards shall not be less than the sum of the stipulated setbacks. Any such setback deviation requires approval by the Solana Estate Lots Homeowners Association Board of Directors (Board) and any affected owners.

G. Easements

The Solana development (Solana Estate Lots and Solana Cluster Lots) has a number of easements, which are shown on the plat, including utility, wildlife corridor, walkways, roadways and driveway easements. Use of, and development within, the easements are restricted and each homeowner shall adhere to the restrictions required for said easements.

H. Impervious Surfaces

Impervious surfaces include roofs, paved areas such as driveways, parking areas, patios, terraces and other hard surfaced areas the total of which shall not exceed the amount of

impervious surfaces allowed for each lot as stipulated on the Plat of Solana Estate Lots (see Appendix A). Gravel areas, planting or lawn areas, “grass-crete” or “turf grid”, stepping stones, rockeries and walkways as well as small isolated paved areas (less than 150 sq. ft.,) where storm water is not collected are, for these purposes, not considered impervious.

I. Roof Elevations

The maximum roof elevation shall be as indicated for each lot in the Plat of Solana Estates Lots (See Appendix A). Benchmarks have been provided as indicated on the Plat and by a series of elevation maps prepared by Van Aller Surveying, 2006 (consult Declarant for details). All peak roof elevations shall be demonstrated through relating to one of these sources, or by verification of a licensed surveyor at owner’s cost. For each home two chimneys not exceeding two feet by five feet each may exceed the stipulated maximum roof height elevation by up to four feet. No other improvement, including, but not limited to, aerials, flags, cupolas or dormers shall exceed the stipulated maximum elevation.

SECTION 2: ARCHITECTURE & SITE DEVELOPMENT GUIDELINES & CRITERIA

A. Intent

It is the intent that architecture and site be designed as an integrated “unit” each harmonious with and complimentary to each other, including scale, massing, fenestration, materials, color and details. The proposed home, ancillary buildings and site development features shall be located and designed so as to be sensitive to the existing environment, to the site constraints such as slopes, to the site features such as views and vegetation, to drainage considerations, (see Grading, 2.E) and to the location and site development of adjacent lots.

B. Placement of House and Ancillary Buildings

The site design shall carefully consider the impact of construction on existing vegetation and existing slopes and shall consider continuity with the grade, landscape improvements, and structures on adjacent lots, if already developed. Construction within the “drip line” of existing trees that are intended to be retained is discouraged, and steep slopes should be avoided where practicable. Trees may be thinned or “laced” as per first class tree pruning practices and lower branches may be removed, for solar access or to provide for better views, to a maximum of 1/3 the height of the tree. For purposes of these Guidelines: “drip line” shall mean the area of ground directly underneath, and up to, the outer extent of the branches of a tree; “laced” shall mean the removal of all limbs, flush with the trunk of a tree, up to the first 1/3rd of the height of the tree.

C. Architectural Style and Character

The intent is to allow a diversity of architectural styles and character: to create variety and interest and allow for differing “needs”, budgets and styles. However, the predominant theme shall have a contemporary Pacific Northwest “flavor” and no structures deemed (by the ACC) to be clearly incongruous, austere, or not compatible with desired neighborhood character shall be permitted. This includes:

1. Direct, functional design approaches which incorporate clean flowing lines, avoid unnecessary cosmetic design elements and do not attempt to mimic other design styles such as Colonial, Spanish, Asian, French provincial, Pueblo, etc.
2. Maximizes the use of building materials, textures and colors commonly found in the Pacific Northwest such as wood products, stone or brick masonry from local clay deposits.
3. Utilizes design elements that provide adequate shelter from Northwest weather conditions while facilitating natural light sources such as wide roof overhangs and strategically placed skylights and windows, etc. It is preferred that the majority of roof overhangs on a building be at least 24 inches, with no overhangs being less than 16 inches.
4. No bright or glary surfaces shall be included or materials that would detract from the overall quality of the development.

D. Architectural Design Consistency

All sides of the building(s) shall be harmonious with similar massing, scale, fenestration, details and materials.

1. Massing and Scale

The building(s) shall be designed to reduce the apparent scale and provide visual interest. No part of the building(s) shall be more than 30’ long without a minimum 2’ “step-back” or “step-out” and not less than 6’ wide. On elevations that are two story or more incorporate design details that reduce the apparent height. The fenestration shall be consistent and present a well-organized, quality appearance. Use architectural details and configure the roof to reduce the apparent mass.

2. Roof

All roofs shall have a minimum 4 in 12 pitch. Flat roofs are not allowed. Roof materials may be wood, shingles, tile, fiberglass, standing seam metal, or similar. Shingles shall be architectural or premium designer series laminate or dimensional or signature cut shingles as manufactured by GAF or Pabco or approved equal. Submit

color and style with submittal. Standard 3-tab shingles are not acceptable. Corrugated metal or glary materials are not permitted. Colors shall be “earth” tones and no bright colors such as bright blue, bright red or bright green or white shall be permitted. All roof vents and flashing shall be compatible with roof color. Only flat skylights (not bubble shaped) are permitted. Show all mechanical devices exposed to the exterior, including solar collectors, storage tanks, piping and other distribution and collection components. Devices must be integrated into the roof design and flush with roof slope. Frames, piping, conduit and mounting brackets shall be colored to complement the roof. No natural aluminum frames are allowed.

3. Siding and Trim

A variety of materials may be used but are limited so as to provide for a harmonious, congruous appearance. Materials may be wood, Hardi-board, brick, stone (natural or faux) or similar. Stucco, vinyl, uncovered block, metal siding or concrete will not be permitted. Trim shall be complimentary to the selected siding materials. Siding and trim colors shall generally be earth tones, or white with accent colors permitted for trim. A limited number of colors for each façade will be allowed to maintain a harmonious visually pleasing appearance.

4. Windows and Exterior Doors

Windows and doors may be vinyl, fiberglass, wood or clad and windows may be solid or divided (mullions) and be consistent with other architectural elements, (siding, trim, etc.). Garage doors shall be metal, wood or composite and not be overly ornate. Garage doors shall be compatible in design and color with the house.

5. Exterior Building Lighting

Site lighting is covered in Subsection M, below. Lighting attached to or closely related to the building shall be subdued and not adversely impact other lots. Bright area lights attached to the building(s) are not permitted except by remote controls or timers for security purposes. If so, they may be used intermittently only so as not to have an adverse impact on neighbors and views from other lots. In addition, lights shall be “down” lights or shielded to avoid off-site glare, and shall not light the sky, which impacts distant views from other lots.

E. Grading/Drainage

Grading shall carefully consider drainage requirements so as to avoid erosion or ponding. Drainage shall not be diverted to adjacent lots. Grading, filling, or operation of machinery within the “drip line” of trees intended to be retained should be avoided (see Section 3.B.1).

Except for the portion of driveways that slope toward a street, all impervious surfaces shall have a water collection system such as downspouts, drain lines, catch basins, area drains, etc. and shall be connected to the Solana storm water drainage system which is available for connection at each lot, or other discharge location approved by the ACC.

F. Erosion & Sediment Control

Residential Development within the Solana Estate Lots is subject to the provisions of the Construction Stormwater General Permit (CSWGP), as issued by the Washington Department of Ecology (11/18/2015). A Stormwater Pollution Prevention Plan (SWPPP) has been prepared by the Declarant as a condition of permit coverage. All new construction and significant alterations of existing development is required to comply with the provisions of the SWPPP in order for the activity to be considered covered under the permit. The SWPPP establishes a set of minimum Best Management Practices (BMP's) that are required for new residential construction. A *Summary of Required Best Management Practices (BMP's) for Erosion and Sediment Control During Construction* has been included under Appendix C. All new construction and significant alterations of existing development is required to implement these BMP's during construction activities. Please consult the Declarant for more information.

G. Driveways and Parking Areas

The driveway width at the street shall be a minimum of 12'. Parking areas (if included) shall not negatively impact the adjacent residences or be unsightly from adjacent areas. Material for driveways shall be hard surfaced (i.e. asphalt, concrete, pavers capable of sustaining vehicular traffic) for the first 12' from the paved road or back of sidewalk. The remaining portion of the driveway and parking areas may be the same materials as above or gravel or "grass-crete" or "turf-grid". If gravel surfaces are included, said areas must be defined with curbs, rock boundaries, or pressure treated header or composite boards to maintain a neat appearance.

H. Retaining Walls

Retaining walls are to be constructed of materials that are compatible with the architectural materials and site development materials and not have an adverse impact on adjacent lots or surrounding areas. Massive retaining walls such as those that are more than 100' long or 8' high should be avoided, except as allowed, under special circumstances, by the ACC.

I. Paved Outdoor Spaces

Patios, porches and walkways shall be designed to be an integral part of, and be compatible with, the overall architectural and site development "concept" and not negatively impact adjacent lots. Materials for these "spaces" shall be high quality such as

brick, tile, textured concrete or pavers and be harmonious with architectural and other site development “elements”.

J. Enclosures

Heat pumps, trash receptacles and the like shall be enclosed in either a landscape screen or wall and shall be designed so that the enclosed items cannot be seen from public areas or other residences. Dog runs and doghouses or any other enclosures for animals are not allowed.

K. Sport Court

Sport court is permitted with the following conditions:

1. Sport court may not be placed in the front yard and shall be a minimum of 40’ from any property line.
2. No fencing is allowed and no night lighting is allowed.
3. The sport court shall be located so as not to negatively impact the adjacent residences.
4. The sport court surface area shall be included in the maximum impervious area calculation (limitation).

L. Spas

Spa’s (hot tubs, Jacuzzi’s) are allowed under the following conditions:

1. Spa’s shall be located at least 30’ from any property line and may be enclosed on one or two sides with a planting screen.
2. Spas shall be located so as not to negatively impact the adjacent residences.

M. Site Lighting

To provide uniform entrance lighting each residential lot shall provide (purchase and install) a standard light fixture near the driveway entrance to the property. The light fixture shall be a concrete pedestal, bollard-style fixture, between 40 and 48 inches in height. The exterior color shall be earth tones. The light fixture shall be directed downward to minimize off-site glare and impacts to other residents.

The fixture shall be installed as per manufacturers printed instructions. Additional site lighting is permitted under the following conditions:

1. Site lighting shall be high quality, low level lighting with the top of any fixture not more than 4' from the ground. No colored lights are allowed.
2. Motion lights for security purposes are allowed.
3. Holiday lighting is allowed for a period not to exceed 45 days in any one year.
4. Flood lighting for recreational purposes is not allowed.
5. Lighting fixtures shall be carefully selected and carefully placed so as not to negatively affect adjacent residences or interfere with views.

N. Planting

Plants shall be carefully selected to conform to the following requirements:

1. All plants including trees, shrubs and groundcover shall be native or shall be plants that are commonly used in Pacific Northwest gardens. Exotic plants or topiary pruned plants are not allowed.
2. Since Deer and Elk “visit” the Solana area at times it is recommended that deer and elk resistant plants be selected.
3. The use of drought and disease resistant plants and grasses are encouraged.
4. The planting design shall be such that the visual effect shall provide a simple harmonious appearance and not a hodgepodge of different plants, particularly in areas visible from streets and walkways.
5. Trees and tall shrubs shall be selected, placed and pruned so as not to interfere with the views from other residences.
6. All existing trees above 4” dbh (diameter at breast height), with the exception of willow, broadleaf maple and alder, should be retained to the extent reasonably practicable; provided they do not substantially interfere with views from the subject property or neighboring lots as required by the View Protection Plan.
7. It is highly recommended that a professional landscape architect be retained for the site design and planting design.

O. Irrigation

Sprinkler systems may be installed for some or all of the planted areas. The City requires the installation of a backflow prevention device that meets their requirements. Low flow or “drip” watering systems are encouraged.

P. Completion

The exterior of the home shall be completed – including walkways, driveways, painting and finishes -- within six months after the start of construction. This time period may be extended by the ACC for reasons beyond the control of the applicant, such as inclement weather.

Q. Work Hours

Designated hours for construction and site work occurring outside of enclosed structures shall be as follows: Monday through Friday—7:00 AM to 7:00 PM; Saturdays – 7:00 AM to 5:00 PM; Sundays and recognized holidays (see Section 1.B.)—10:00 AM to 5:00 PM. Any work occurring within enclosed structures (e.g. buildings with fully-closed doors & windows), where noises common to construction activities will not constitute a nuisance, are not subject to these established work hours. During construction hours, sounds from a radio, boom box, and etc. are permitted, provided that they do not disrupt the peace and quiet of the neighborhood.

SECTION 3 – SUBMITTALS

A. Intent

All new construction, substantial remodel or substantial landscape proposal require the review and approval of the ACC in accordance with the process detailed in Section 4, below. Both the CC&Rs and these Design Guidelines establish several important construction and site development parameters intended to ensure that the Solana Estate Lots continue to develop into a quality, high-valued community that serves the interests of all its residents. For these reasons, it is important that the ACC is provided with clear, unambiguous plans and specifications for new proposals so that the impacts of a proposal can be considered before it becomes too expensive or difficult to correct. In addition to the following required information, the ACC has the expressed right to request additional information necessary to clarify a proposal so that an informed decision can be reached.

B. Site Plan Requirements

All proposals for new construction or substantial exterior remodel shall provide two copies of the site plan, prepared by a qualified architect or competent house designer, drawn to a minimum scale of 1-inch = 10-feet. The site plan submittal shall include, at a minimum, the following information:

1. Location, size and specie of all existing trees that are more than 4" dbh (diameter at breast height), and indication which of the identified trees, if any, are proposed for removal.
2. Property lines and easements including dimensions.
3. The proposed "footprint" and location of the home and auxiliary buildings (existing and proposed) as well as the location and proposed materials for all site development features including but not limited to driveways and parking areas, terraces, patios, walkways, walls (retaining or decorative), fountains, ponds, and sport courts, gazebos, trellises, play areas, permanent barbecues, fireplaces or fire pits, rockeries, gates and any other items that are contemplated to be included in the development of the property.
4. Areas of the lot intended to be left in a natural state.
5. Features that are anticipated to be constructed at a later date should be included even if the "feature" is ultimately not built.
6. All proposed mechanical equipment including motors, pumps, filters, controllers, timers, compressors and air conditioning condensers, etc. Indicate sound mitigation and screening treatment of all mechanical equipment.
7. Proposed grading and drainage improvements.
8. All exterior lighting.
9. Stipulated set back lines and stipulated maximum roof and finish floor elevations and stipulated maximum impervious surface limitation (see Appendix A for information).
10. Provide the lot number, date, street address and phone number of owner, as well as the name, mailing address and phone number of the entity that prepared the drawings and supporting materials.
11. A simple table showing the sum of all impervious surfaces, including all surfaces as described under Section 1.H, above (See Appendix A for impervious surface limits by Lot).

C. House Plan Requirements

All proposals for new construction or substantial exterior remodel shall provide two copies of the detailed house plans, prepared by a qualified architect or competent house designer, drawn to a minimum scale of ¼ inch = 1-foot. The house plan submittal shall include, as a minimum, the following information:

1. Roof plans showing locations of ridges, valleys, dormers, gables, and over-hangs relative to walls, openings (windows & doors), garages, covered porches, decks or patios,.
2. Elevation profiles of all sides of the house, including roof slope and pitches, windows and doors, porches, arbors, sunscreens, dormers, decks, clerestories, pediments, columns, shutters, etc. Note all exterior finish materials, member sizes and any unusual connections.
3. Color and material board, and/or manufacturer's literature clearly depicting proposed colors, textures and finishes including roof, siding, trim, chimneys, garage doors, accents, features, and exterior lights.

D. Landscape Plan Requirements

All proposals for new construction or substantial landscape proposal shall provide two copies of the detailed landscape plan, prepared by a qualified landscape architect or competent landscape designer, drawn to a minimum scale of 1-inch = 10-feet. The landscape plan submittal shall include, as a minimum, the following information:

1. The Landscape Plan shall provide details of the proposed planting plan, including the distribution and density of proposed plants, botanical names, and proposed sizes (at the time of planting) for each plant type.
2. The proposed Landscape Plan may be combined with the proposed Site Plan, as detailed above; provided all required information is included on the combined plan in a coherent and legible manner.
3. The proposed Landscape Plan shall be reviewed for consistency with the setting of the subject property, proposed improvements, neighboring properties, and the *View Protection Plan* (Section 5.1.2, CC&Rs). Trees and shrubs not otherwise designated as part of the *View Protection Plan* are limited to not exceed a height of 10'. Please refer to Article 5, CC&Rs for additional landscape criteria.
4. Landscaping pursuant to an approved Landscape Plan shall be substantially complete within six (6) months after completion of the house exterior, walkways and driveways. Exceptions to this time limit may be granted by the ACC.

SECTION 4 – PROCESS

A. Plan Submittal, Review and Decision

1. Except as provided in Subsection 2, below, any Improvement on a Lot shall require prior review and approval by the ACC. Starting construction without approval may result in enforcement actions in accordance with Subsection 4.C, below.
2. The following Improvements are exempt from the review and approval process: any improvement that is not visible from a neighboring property or street; repairs and routine maintenance that does not alter the size, location, color, or appearance of existing structures or landscaping; minor landscape Improvements, such as the planting of bulbs, ground cover or shrubs, and such Improvement is not made to more than 25 (%) percent of the total landscaped area of the Lot; and any other minor Improvement that is determined by the ACC to be of a size and scope as to not require the review and approval process. Proponents are encouraged to inquire with the ACC if they have any questions about planned Improvements. Please note that regardless of whether a proposal is exempt from the review process, the provisions of these Design Guidelines and the CC&Rs still apply.
3. All plans and specifications as described under Section 3, above, as applicable, shall be submitted to the ACC at least ten (10) business days prior to the project start date, for review and approval. The ACC may request additional information of the applicant necessary to clarify the project and assist in their review thereof.
4. Owners should allow a minimum of five (5) business days from the submittal date for the Architectural review process. If the ACC fails to take any action within ten (10) business days, the plans shall be deemed approved as submitted.
5. In reaching its decision on any proposal submitted in accordance with these procedures, the ACC shall consider the standards and guidelines contained in this document, as well as those standards contained within the CC&Rs, as applicable.
6. Upon completion of their review, the ACC may take action to approve, approve with conditions, or deny a proposal based on the foregoing criteria. Any decision of the ACC concerning an Improvement proposal shall be in writing and may be appealed in accordance with Subsection 4.B, below.
7. Notice of the decision of the ACC shall be forwarded to the proponent(s), and shall include the decision, conditions of approval (if any), and a notice that the decision may be appealed to the Board within ten (10) business days of the date of the Notice of Decision in accordance with Section 4.B of this Document. The Notice shall be in writing and delivered either by US Mail, hand-delivery or electronic (email) transmission.
8. When final approval is granted, one set of plans shall be retained by the ACC and one set shall be returned to the applicant, along with conditions for approval, if any.

9. The ACC reserves the right to grant certain deviations from the Design Guidelines; provided, such deviations do not conflict with the requirements of Section 5.1.2, CC&Rs. Any such deviations so approved by the ACC do not constitute a waiver of any Rule nor does it entitle any subsequent application to make nonconforming improvements.

B. Appeals

The denial of a proposal, or the imposition of any condition, may be appealed to the Board for review at their next regularly scheduled meeting or special meeting called by the Board for such purposes. Any request for appeal must be received within ten (10) business days of issuance of notice of the decision. The hearing for such appeal shall be scheduled before the Board within one (1) month of receiving the request for appeal. Such appeal shall include a letter to the Board stipulating the basis for such appeal. The Board shall consider the record and the evidence presented, the requirements of these Design Guidelines and the CC&Rs. Based on this consideration, the Board shall determine whether they reach the same decision as the ACC on the matter and issue a decision to grant, grant with conditions, or deny the request for appeal. The decision of the Board shall be forwarded to the proponent in the same manner as the decision of the ACC. The decision of the Board on an appeal shall be final.

C. Enforcement

1. All Owners in the Solana Estates are required to comply with the Association's Design Guidelines and CC&Rs. Each Owner shall be responsible for any violations occurring under their control, whether on his or her lot, neighboring property, or common area. Violations may be subject to the following, depending on the severity of the violation:
2. Monetary Penalties. Subject to the hearing procedures described below, violations of the Design Guidelines or CC&Rs may result in fines and other fees against an Owner until such time as the violation is corrected. Such fines shall constitute a special assessment against the Owner in accordance with Section 7.2, CC&Rs, and are due within one month of the issuance of the ruling. Fines shall be established in accordance with Appendix B, Fee Schedule.
3. Suspension of Privileges. Membership privileges of an Owner and/or resident may be suspended for the duration of a violation. The suspension of privileges may include but not be limited to: use of the Clubhouse, use of the swimming pool or spa, use of any open space common area other than the road network, and/or voting privileges.
4. Judicial Enforcement. Where the ACC is unsuccessful at obtaining compliance or abatement of a violation through other means specified herein, the Board may take legal action for damages and/or injunctive relief on behalf of the Association.

5. Hearing Procedures. The levying of fines and/or suspension of privileges shall be subject to the following notice and hearing procedures:
- a. Warning Notice. Except where health and/or safety of persons or property are at risk, a written warning shall be issued. The warning notice shall state the nature of the alleged violation, the remediation required to abate the violation, the requirement that the violation be abated within 10 business days, and notice that failure to abate the violation could result in enforcement actions. Nothing in this Section shall prevent the ACC from allowing a longer timeframe for abatement, if requested in writing by the alleged violator based on extenuating circumstances.
 - b. Notice of Violation. Notice of violation shall be given by certified mail-return receipt requested to the most recent address of the alleged violator as shown in the Association's records. The notice shall describe the nature of the alleged violation; the proposed penalty; a statement that the alleged violator shall have ten (10) business days to present a written request for a hearing before the Board, and; a statement that the proposed penalty will be imposed unless a hearing is requested in writing within ten (10) business days of the notice. The notice shall also include the appropriate contact address for submitting a response.
 - c. If the alleged violator cures the alleged violation and notifies the Board in writing within the stated ten (10) business day period, the Board may, but shall not be obligated to, waive the penalty. Such waiver shall not constitute a waiver of the right to sanction future violations of the same or other provisions by any person. If a timely request for hearing is not made, the penalty stated in the notice shall be imposed.
 - d. If requested, a hearing shall be held before the Board within one (1) month of receipt of a request of hearing. The alleged violator shall be given an opportunity to be heard, personally or by a representative, to give testimony orally, in writing or both, subject to reasonable rules of procedure established by the Board to assure a prompt and orderly resolution of the issues. Such evidence shall be considered in making the decision but shall not bind the Board. The hearing shall be held in executive session if so requested by the alleged violator.
 - e. The Board shall give written notice of its decision by mail within fifteen (15) business days, which notice shall specify the rule(s) violated and the penalty imposed, if any.
 - f. If the violation is corrected prior to the hearing date, the hearing will be discontinued.

6. If the Board, on behalf of the Association, is required to take legal action to enforce the rules against an Owner, any incurred legal expenses for either party shall be allocated in accordance with Section 8.1.2, CC&Rs.

D. Miscellaneous

1. Severability. The provisions hereof shall be deemed independent and severable, and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of any other provision hereof.
2. Construction. The provisions of these Design Guidelines shall be liberally construed to effectuate its purpose of contributing to a uniform plan for development within the Solana Estate Lots Subdivision.
3. Captions. Captions given to the various sections herein are for convenience only and are not intended to modify or affect the meaning of any of the substantive provisions hereof.
4. Effective Date. The Design Guidelines shall take effect upon adoption by the Board.
5. Incorporation by Reference. Article 9, *Limitation of Liability*, CC&Rs is hereby incorporated into this document by this reference.

IN WITNESS WHEREOF, the Solana Estate Lots Homeowners Association Board of Directors has executed these Design Guidelines on this 25th day of August, 2016.

SOLANA ESTATE LOTS BOARD OF DIRECTORS

By Donald G. Oliver

Its: PRESIDENT

By Bruce W. Emery

Its: Secretary

APPENDIX A

SUMMARY OF SETBACKS, BUILDING HEIGHTS AND IMPERVIOUS SURFACE STANDARDS

The following is a summary of maximum building elevations, setback distances, and maximum impervious surface area standards as established on the Plat of the Estate Lots Subdivision. If any conflict should be discovered between the following information and that shown on the Plat, the information contained on the Plat shall govern.

Lot #	Maximum Roof Elevation	Seatbacks Front	Setbacks Rear	Setbacks Side 1	Setbacks Side 2	Maximum Impervious Sq. Footage
1	**	20	*	20	20	9,000
2	**	20	*	20	20	9,000
3	**	20	*	20	20	9,000
4	515	20	*	10	*	8,500
5	525	20	*	20	20	7,500
6	535	20	*	20	20	7,500
7	535	20	*	20	20	7,500
8	540	20	*	20	20	7,500
9	545	20	20	20	20	8,000
10	545	20	*	20	20	8,000
11	545	20	*	20	20	8,000
12	565	20	20	20	20	8,000
13	565	20	20	20	20	8,000
14	565	20	20	20	20	8,000
15	560	20	20 ***	20	20	7,500
16	555	20	20 ***	20	20	7,500
17	550	20	20 ***	20	20	7,500
18	570	20	30	20	20	7,500
19	584	20	30	20	20	8,000
20	587	20	30	20	20	8,000
21	589	20	30	20	20	8,000
22	598	20	30	20	20	8,000
23	594	20	30	20	20	8,000
24	615	20	20	20	20	8,000
25	620	20	40	20	20	9,000
26	609	20	20	20	20	8,500
27	627	20	40	15	15	7,500

28	625	20	20	15	15	7,500
29	640	20	30	20	20	8,000
30	670	20	35	20	20	8,500
31	652	20	20	20	20	7,500
32	620	20	25	20	20	8,000
33	625	20	25	20	20	8,000
34	605	20	20	20	20	9,000
35	603	20	20	15	15	7,500
36	600	20	20	20	20	7,500
37	541	20	40	20	20	7,500
38	540	20	40	20	20	8,000
39	550	20	*	15	15	9,000
40	562	20	50	20	20	8,000
41	582	20	*	20	20	7,500
42	603	20	*	20	20	7,500
43	620	20	*	20	20	7,500
44	640	20	*	20	20	7,500
45	660	20	*	15	15	7,500
46	672	20	*	15	15	7,500

* Setback is easement line closest to the buildable part of the Lot.

** Per City of Sequim Municipal Code.

*** Adjustment to setbacks shown on Plat, pursuant to Section 5.1.2, CC&Rs.

APPENDIX B

FEE SCHEDULE FOR THE SOLANA ESTATE LOTS

(Updated August 24, 2016)

In accordance with Sections 4.2.5, 7.1 and 7.2, CC&Rs, the Board is authorized to establish a Fee Schedule for, among other purposes, to levy fines for violations of the Plat, the CC&Rs, or other Rules and Regulations as adopted by the Board from time to time. Pursuant to this authority, the following fees are hereby established by the Board:

Violation of Plat, CC&Rs or Rules – First Offense	\$50
Violation of Plat, CC&Rs or Rules – Second Offense *	\$150
Violation of Plat, CC&Rs or Rules – Third Offense *	\$500
Late Fee for enforcement penalties 30 days past due (assessed monthly)	\$30
Attorney’s, Filing, and other fees accrued	As accrued
Costs of remediating structural damage	As billed by contractor

(* Applicable only to subsequent occurrences of the same or similar offense.)

In accordance with Section 7.2, CC&Rs, any fine levied on a Lot for costs incurred in connection with bringing a Lot into compliance, is an assessment to the Lot and is a Lien on the property as set forth in Section 7.1, CC&Rs. Penalties that are delinquent for sixty (60) days or more are subject to the filing of a Notice of Lien, and shall include any expenses related thereto.

APPENDIX C

SUMMARY OF REQUIRED BEST MANAGEMENT PRACTICES (BMP's) FOR EROSION AND SEDIMENT CONTROL DURING CONSTRUCTION

All new construction and significant alterations of existing development is required to comply with the provisions of the Stormwater Pollution Prevention Plan (SWPPP), developed by the Declarant for land-disturbing activities within Solana. The SWPPP establishes a set of minimum Best Management Practices (BMP's) that are required for new residential construction. The following is a Summary of Required Best Management Practices (BMP's) for erosion and sediment control during residential construction. All new construction and significant alterations of existing development is required to implement these BMP's during construction activities. Please consult the Declarant for more information.

Single Family Residential Home – Quick-sheet

Site development of a Single Family Residential Home will conform to the following guidelines. These guidelines shall generally be implemented in the order listed:

1. Establish clearing limits with high visibility fence or silt fence. Protect areas of vegetation to be preserved with high visibility fence.
2. Install silt fence or other sedimentation control measures at the downstream clearing limits.
3. Install inlet protection in inlets which will receive surface runoff from the site.
4. Establish construction access through the installation of a stabilized construction entrance or early installation of the residential driveway. Establish stabilized parking areas (either within the site or on-street) to prevent track out from on-road construction equipment and vehicles.
5. Install check dams in channels within and downstream of the site to capture sediment and reduce runoff velocities.
6. Mulch and seed areas of disturbed, unworked soils. As much as is feasible, minimize the areas of construction access (i.e. area remaining undisturbed) and stabilize the rest of the site as soon as possible.
7. Roughen slopes by track-walking up and down slope immediately following establishment of final grade (or temporary grade if it will be left for a significant amount of time). Mulch and seed all slopes. Install erosion control blankets on slopes steeper than 2:1 and with greater than 10 feet of vertical relief. Seed and install blankets within 7 days of establishment of final grade (seeding of temporary grades should be done on a case by case basis depending on the time the temporary grade will remain and the expected weather events).
8. Wash out concrete trucks either into the formed areas or in an approved offsite location or container.

9. Inspect all BMP's weekly and after significant storm events to ensure proper function of the BMP's utilized and address the need for additional or differing BMP's. Repair or replace damaged BMP's. Discharges from the site should be monitored to assess adequacy of the BMP's utilized.
10. Manage the project to minimize the amount of undisturbed soils present on the site, minimize the amount of construction traffic within the site, and limit major earthwork to the dry season. Provide a sketch of construction site with BMP's utilized and pertinent dates (date installed, date repaired, date removed, etc.).
11. If utilization of these BMP's prove to be inadequate, please consult with the Declarant for additional BMP's to be utilized.