

THREE PINES OWNERS ASSOCIATION, INC



ARCHITECTURAL RULES & DESIGN GUIDELINES

EFFECTIVE: May 1, 2018

These Three Pines Owners Association Architectural Rules & Design Guidelines, revised as of May 1, 2018, are hereby approved and adopted by the voting members of the Architectural Review Committee.

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SECTION 1 - INTRODUCTION

1.01 OVERVIEW

These Three Pines Owners Association Architectural Rules & Design Guidelines provide an information resource for owners and contractors who are considering or are involved in building new homes or renovating the exteriors of existing homes within Three Pines. These Guidelines serve as the common baseline for all concerned parties (lot owners, contractors, and the Three Pines Owners Association) to follow and reference during the interactive planning and construction process.

These Guidelines were developed by the Three Pines Architectural Review Committee (ARC) and may be updated periodically as conditions warrant. These Guidelines are enforced by the ARC and the Three Pines Owners Association Board. They are binding upon all persons and companies that construct, renovate, refinish, or modify any part of the exterior of any home, or make other exterior improvements upon any property within the Association. All owners and contractors must comply with relevant building codes, Declaration of Covenants, Conditions, and Restrictions for Three Pines (CC&Rs), and these Guidelines. Failure to do so may result in fines being levied by the Three Pines Owners Association and potential legal action. Where any conflicts exist, the Association's CC&Rs take precedence over these Guidelines.

Compliance with all applicable ordinances, laws, and regulations is up to the owner, and the viability of any structure, design, or modification is also the owner's responsibility, not the responsibility of the ARC or the Three Pines Owners Association.

These Guidelines describe the conditions and considerations that the ARC will apply to all new home construction and existing home exterior renovation projects, including: site plans, architectural design, landscaping design, and associated procedures that should be followed relative to the submittal of all designs, plans, and sample materials for the review process. In addition, these Guidelines describe the rules and regulations that the general contractor, subcontractors, vendors, and suppliers must observe while the home is under construction.

The only recognized version of the ARC Guidelines is that which is posted on the Three Pines Owners Association website at www.threepineshoa.com at the time of the Preliminary Design Application. Applicants should download these Guidelines for their own use as no hard copies will be distributed by the Association or ARC. All contact between property owners or their designated representatives and the ARC must be directed to the ARC at arcreview@threepineshoa.com. It is the ARC's policy not to discuss any substantive issue with an owner except as a Committee and not on an individual basis.

The ultimate responsibility for meeting all of the requirements of the Guidelines rests with the owner. However, it is imperative that owners and contractors become very familiar with all of the rules and regulations and understand that they are, in most cases, applicable to all concerned parties. Further, the reader should be cognizant that because there is overlap between building design and site and landscaping planning, certain subject matter may be addressed in more than one section of this document.

1.02 ARCHITECTURAL REVIEW COMMITTEE

Three Pines Owners Association, Inc, has established an Architectural Review Committee (ARC) to adopt, amend, and implement these Guidelines. The ARC shall exercise the functions for which it is given responsibility by the Three Pines Board of

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Directors as provided in the Declaration of Covenants, Conditions, and Restrictions for Three Pines and for the modifications, promulgation, and enforcement of its rules governing the use and maintenance of home sites and the improvements thereon.

The ARC will consist of at least three persons appointed by the Board of Directors of the Three Pines Owners Association, Inc. Members may be removed and replaced at any time by the Board.

1.03 GENERAL DESIGN GOALS

Three Pines was conceived as a unique residential community developed in concert with the natural beauty of the Oregon high desert. These Guidelines and stated architectural design goals will ensure that all Three Pines homes harmoniously integrate with the area's natural features in terms of form, color, and scale. Consequently, primary building materials should be of natural or quality simulations of wood and stone, as well as stucco, with colors that blend well with the landscape. Western American architectural styles, historically referenced in the 1920s through the present, are encouraged. These styles include Northwest, Lodge, Craftsman, Prairie, and Bungalow.

In contrast, although there is no single architectural style that is required in Three Pines, certain styles that are closely associated with other eras and geographical locations would be in conflict with the harmony that has already been established in Three Pines and that are in the context of the Pacific Northwest. These conflicting styles include Santa Fe Adobe, Log, Victorian, Neoclassical, Cape Cod, French Norman, Colonial, Tudor, Southern Plantation, and Industrial, to name a few. In addition, experimental or ultra-contemporary designs are not in keeping with the quiet, more conservative character of the community. Diverse architectural harmony can be achieved with a varied range of complementary materials and colors such as natural wood siding and native stone, as well as concrete shake, slate tile, or other approved composition roofs in light to dark ranges of earth tones. (For the purposes of these Guidelines, colors in the earth tone palette are muted and flat in emulation of natural colors found in soil, moss, trees, and rocks.) Using these and other materials approved by the ARC can achieve a wide range of elegant and functional architectural designs

The ARC will strive to accommodate creativity and appropriateness of home design while maintaining standards of high quality and integrity. The Design Guidelines describe the visual and environmental goals of Three Pines and acceptable levels of site planning, architectural design and detailing, landscape design, public and private signage, common area landscaping, and quality of construction. This approach includes the application of the ARC's best judgment. In exercising that judgment, the ARC will use its best efforts to make decisions in keeping with the above-mentioned design objectives upon which Three Pines was founded. The ARC will strive to interpret these Guidelines in as balanced and reasonable a manner as possible, with the intention of achieving attractive and compatible results for both the homeowner and the Three Pines Owners Association.

These Guidelines focus on the physical qualities of Three Pines as a comprehensive development as well as on the individual homes and land within the community, including common area landscaping, permanent development signage, and posting of temporary commercial signage by contractors and realtors. Therefore, the scope of design reviews is to evaluate what can be seen, heard, or otherwise sensed from the external boundaries of each property and the physical relationships to Three Pines

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streets, common areas, and neighboring residential properties. In using terms like "visible" or "screened," the Guidelines refer only to these areas. Features which cannot be seen or heard from these areas are not governed by these Guidelines and may be constructed or modified without the need for any ARC review.

1.04 ADDITIONAL PROVISIONS

Non-Liability: Neither the ARC, any member thereof, nor agents of the ARC or Three Pines Owners Association, Inc, shall be liable to the Association or to any owner nor other person for any loss or damage claimed because of any of the following:

- The approval or disapproval of any plans, drawings, and specifications, whether or not defective;
- The construction or performance of any work, whether or not pursuant to approved plans, drawings, and specifications;
- The development or manner of development of any property within Three Pines;
- Property damages resulting from the accidental or deliberate malfunction of any equipment, appliances, or installation.

Neither the ARC nor any member thereof shall be liable to any owner, contractor, developer, or any other person for any damage, loss, or prejudice suffered or claimed on account of any action of or failure to act by the ARC or a member thereof, provided only that the member has, in accordance with the actual knowledge possessed by the ARC or by such member, acted in good faith. The scope of the ARC's review is not intended to and should not be construed to include any representations or warranties or conclusions regarding structural, geophysical, engineering, or appropriateness for a particular purpose, use, or habitability.

Approval by the ARC of any improvement at Three Pines only refers to these Three Pines Guidelines and in no way implies conformance with local government regulations or codes. It is the sole responsibility of the owner to comply with all applicable government ordinances and regulations, including but not limited to zoning ordinances, applicable building codes, and fire regulations.

Non-Waiver: The approval by the ARC of any plans, drawings, or specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing, or specification subsequently or additionally submitted for approval. Failure to enforce any of the Design Guidelines shall not constitute a waiver of same.

Severability: If any provision of these Design Guidelines, or any section, clause, sentence, phrase or word, or the application thereof in any circumstance, is held invalid, the remainder of these Design Guidelines shall be construed as if the invalid part were never included therein and such remainder shall be valid and fully enforceable.

1.05 FINES AND PENALTIES

In the event that the owner and/or contractor, including their employees, sub-contractors, vendors or delivery persons, fail to adhere to the rules and requirements of the Design Guidelines, the ARC may elect to recommend to the Board of Directors that a fine be levied relative to the violation. The ARC will notify the owner and/or contractor by email of the alleged violation and the proposed fine. The owner and/or contractor has 7 business days to respond to the ARC, and to request a meeting on a mutually agreed

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date to discuss the alleged violation issues and resolve the issues. The meeting is to be held no more than 14 days after the meeting request is received. In the event the owner and/or contractor fails to request a meeting within the 7 business days, or if a plan to resolve the alleged violation issues is not devised in the aforementioned meeting, the ARC may forward the notice of violations and recommended fines to the Board of Directors for enforcement action pursuant to Article 11 of the CC&Rs and procedures adopted by the Board pursuant thereto. Fines are listed in the Three Pines CC&R Enforcement Procedure document posted on the Three Pines HOA website.

SECTION 2 - BUILDING DESIGN GUIDELINES

2.01 OVERVIEW OF BUILDING DESIGN GUIDELINES

The following Design and Construction Guidelines are intended to assist the owner or the owner's representative in the planning, construction, or modification of the home provided, however, that the following Guidelines shall not, in any respect, conflict with or modify the Declaration of Covenants, Conditions and Restrictions for Three Pines. The Design Guidelines below are organized alphabetically by subject area.

2.02 ADDRESS PEDESTAL

Owners will purchase and install an approved Three Pines address pedestal and light through Association Management. The location and orientation of the address pedestal must be clearly shown on the site plan and is subject to ARC approval. The owner is responsible for installing and maintaining the cosmetic appearance of the address pedestal and ensuring that it is fully illuminated during nighttime hours.

2.03 BUILDING PROJECTIONS

All projections including, but not limited to, chimney flues, vents, flashing, louvers, gutters, downspouts, utility boxes, porches, railings, and exterior stairways should match the surface from which they project or be painted or stained an approved color to blend unobtrusively with adjacent materials. All chimney termination caps, whether for wood or gas burning fireplaces, will have a metal shroud completely surrounding said cap, shielding it from visibility and painted to blend with the roof color. All chimneys for wood-burning fireplaces will be equipped with a U.L. or I.C.B.O. rated and approved spark arrestor.

Building projections which are supported directly by the building's footings or foundation, such as roof overhangs, cantilevered bays, and awnings, may not encroach into any setback unless approved by the ARC.

2.04 DECKS, TERRACES, AND PATIOS

Landscaped yards may include elements such as decks, terraces, and patios. These elements must be designed as integrated extensions of the site and architecture and be visually attractive to adjacent properties, and must not extend into any of the property setbacks unless approved by the ARC under exceptional circumstances.

Decks are elevated outdoor structures built of wood or composite and extend living areas to the exterior of the home. Decks will be designed to enhance the beauty of the home as viewed from the street, common areas, or neighboring properties. Where outdoor living space exists below a deck structure, structural supports are significant contributors to the design character of the home and therefore be appropriately scaled, detailed, and finished, and designed to enhance the beauty of the home as seen from the neighboring properties. The undersides and finish of decks will be considered, especially on upper hillside sites.

Deck supports and trim are important design elements; a series of under-scaled, uncovered posts or similar support systems will not be acceptable. Where the vertical distance from the underside of a ground floor deck structure (along its perimeter edge) exceeds 30 inches above finish grade below, the deck edge will be skirted with wood siding or other approved finish to screen the cavity beneath the deck. Skirting must be recessed 24 inches from the edge of the deck. The only exception is for decks overhanging outdoor living space below.

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Terraces are hard-surface outdoor living areas which may be constructed at finished grade or built on elevated foundations. Supporting foundations for elevated terraces must be finished with one of the wall cladding materials used for the home.

To promote drainage and integration with the Three Pines natural environment, excessive areas of paved surfaces are discouraged. Paving materials for terraces, patios, steps and other similar areas should be of a dull, non-reflective surface and of a color that blends well with the natural surroundings and the home color palette. Paver units should be made of colored or stained concrete.

Decks may not project into setbacks. On-grade terraces which extend into side yard setbacks may be considered by the ARC, but in no case may a terrace be any closer than 5 feet from a property line.

2.05 DESIGN AND COLOR REPETITIONS

No repetition or similar repetitive design of the exterior of any approved residence in Three Pines will be permitted within sight of a similar nearby home. If an applicant knows the design of the applicant's residence is a repetition of another house in Three Pines, the applicant shall notify the ARC of the location of the repetitious design. The color of exterior materials of adjacent homes may not be repeated in the applicant's design.

2.06 DOORS, WINDOWS, AND SKYLIGHTS

The use of metal clad wood window frames is required. Reflective glazing is not permitted. Skylight frames shall be blend with roof color. Skylight lenses are limited to gray, bronze, or clear glazing.

2.07 DRAINAGE AND EROSION CONTROL

The management of site stormwater runoff must comply with the City of Bend Grading and Clearing Ordinance. Among ordinance stipulations is the requirement that all stormwater runoff be contained within each individual home site. All lot water runoff from impervious surfaces, including but not limited to roofs, patios, and driveways, shall be collected and conveyed to an appropriately-sized retention area and/or subsurface drainage dispersal system within the property. The collection system may include gutters, surface swales or buried drain lines. The owner and/or contractor is responsible for establishing finished floor elevations that ensure positive drainage away from the home, installing and maintaining a subsurface drainage dispersal system that has adequate capacity, and ensuring that water runoff does not flow onto adjacent properties.

All homes are encouraged to install gutters or downspouts as a means of controlling runoff and protecting walkways, doors, and other features located directly under eaves. Gutter and downspout systems and roof sheet runoff must be channeled to appropriately engineered retention areas such as swales, gravel-filled channels with French drains, sumps, etc. Gutters and downspouts shall be painted to blend with the color of their background material (e.g. fascia or wall cladding).

Drainage, grading, and erosion control plans must be submitted with the Site Plans. These plans must be approved by a licensed civil engineer. The plans may be provided as separate drawings or as part of the landscape design drawing; however, when they are submitted as separate documents, the landscape plan must be consistent with the drainage, grading, and erosion control plan.

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Drywells, cisterns, and other site drainage systems installed on common areas shall be maintained by the Association. The owner and/or contractor is responsible for repairing any offsite drainage improvements, such as catch basins, drywells, and culverts, damaged during construction.

2.08 DRIVEWAYS AND ON-SITE PARKING AREAS

The maximum width of a driveway at the connection with the street is 30 feet, not including transitional flares, unless otherwise approved by the ARC. Unless expressly approved by the ARC, driveways shall not encroach on side yard setbacks. Driveway street access shall be limited to 1 entry per lot. Allowed materials for driveways and walkways include concrete, asphalt, and masonry. Exceptions may be allowed with ARC approval. From the street to the front yard setback or to a bike path when such exists, the driveway material shall be black asphalt. A solid paver driveway or paver borders extending into the front setback ending at the street may be approved on a case-by-case basis. Materials used at neighboring properties will be taken into consideration during the review process. In addition to the requirement for garage parking, each lot shall have an area for at least two guest parking spaces which cannot encroach in the side yard setbacks. The paving material for parking areas shall match that for the driveway, unless other materials are specifically approved by the ARC.

2.09 EXTERIOR BUILDING LIGHTING

Exterior building lights are fixtures attached to the structure of the home. Exterior building fixtures must meet Dark Sky specifications. Under no circumstances may the lamping be visible. Light output per fixture may not exceed 800 lumens (comparable to the light output of a 60-watt incandescent bulb) and should be in the warm white spectrum (3,000K).

A maximum of two decorative fixtures with visible lamping may be used at the entry of the home. Any additional lights must be flush-mounted downlights or approved wall sconces. The fixture's design must complement and be appropriate for the home's architecture. Polished finishes are not allowed.

Holiday lights may be installed on the exterior of a home no earlier than one week before Thanksgiving, may be illuminated from Thanksgiving through January 8, and must be removed from the exterior of the home no later than January 31.

2.10 EXTERIOR HEATING AND COOLING EQUIPMENT

No roof- or wall-mounted heating or cooling equipment will be permitted. All exterior heating and/or cooling system components shall be installed at ground level, adjacent to the residence, and screened from view from the street or neighboring properties with a partial-height wall or walls in a material compatible with the home's exterior materials. An effort shall be made to minimize the sound of heating and cooling equipment from trespassing to neighboring properties.

2.11 EXTERIOR MATERIALS AND COLORS

Exterior materials should generally be natural products that blend and are compatible with the native landscape. The predominant exterior material shall be indigenous wood species or cementitious siding detailed to successfully resemble wood cladding. Limited use of genuine stucco (non-sheet goods) may be used. Board and batten siding may be used as an accent. Board and batten siding is to be constituted only of natural wood and individual boards and battens. In no case shall sheet materials or panelized products be

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used. Unless specifically approved otherwise by the ARC, siding shall run in a consistent direction on all exterior walls.

Paint and stain finish colors shall harmonize with the surrounding landscape. Predominant areas of color application shall be medium to dark earth tones (muted and flat colors in emulation of natural colors found in soil, moss, trees and rocks), although somewhat more intense accent colors used judiciously and with restraint may be allowed. Reflective metal shall be painted to match or blend with surrounding materials. Burnished metals are permitted, but in no circumstances are polished finishes permitted.

Peeled log elements and stucco finishes should be used in combination with other exterior materials and not as the sole primary material. It is suggested that designs proposing to use such accents be submitted to the ARC very early in the design process in order to avoid spending time and money developing a design concept deemed by the ARC to be unacceptable. The use of aluminum lap siding, fiberglass, composition, vinyl, or any form of exposed plywood siding is prohibited. Any exterior masonry, other than a foundation, which extends more than 12 inches above finished grade, shall be authentic stone or faux stone.

The type, color, and pattern of proposed brick, natural stone or faux stone must be clearly described in the submittal material. ARC-approved faux stone patterns are traditional random, ashlar, and ledgerstone. Subtle variations of these patterns may be approved, but should maintain a generally horizontal emphasis to the lay-up. Plain concrete masonry units (CMU) may be used as structural walls but shall be covered in their entirety with an approved siding material. Glass block in small amounts may be approved, but cannot face the street. Exterior brick or faux stone, when applied to the front elevation of the structure, shall extend around the front corners of the structure and continue along the side walls to an intersecting wall or an inside corner, where the faux stone may be terminated.

Draperies and window coverings which can be seen from the exterior of the home shall be a solid, non-reflective neutral color that harmonizes with the surroundings.

2.12 FENCES, WALLS, AND GATES

Perimeter fencing of the entire site is prohibited. Fencing or walls, where allowed, shall not exceed 6 feet in height, measured from the adjacent finish grade, and shall not encroach into setbacks unless specifically approved by the ARC. Chain link, metal rod, or wire fencing is prohibited.

Structural retaining walls may not exceed 4 feet in height unless expressly approved by the ARC. Multiple terraced retaining walls shall be utilized where the overall height of retained earth exceeds 5 feet. Retaining wall facings must be natural stone, faux stone, or, if approved by the ARC, a material from the material palette of the home.

Gates in fences and walls shall be discreet unless they serve as the principal entrance to the home. Such principal entry gates shall be scaled, detailed, and finished to enhance the architectural theme of the home.

2.13 FOUNDATIONS

Visible surfaces of concrete masonry or concrete foundation walls and piers may not exceed 12 inches above finished grade unless faced with approved materials. Wood siding that extends from framed walls down over foundation walls to cover foundation

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surfaces should be sloped with the finished grade unless otherwise approved by the ARC. Foundation walls located under a skirted deck such that they are not visible from adjacent sites, streets or common areas are exempt from the facing requirement.

2.14 GARAGES

Each residence shall have an enclosed garage for at least 2 cars. Carports are prohibited. Three-car garages are required to have one bay offset by a minimum of 4 feet unless otherwise approved by the ARC. Attached RV garages are permitted subject to ARC approval. RV garages must be integrated in style and scale with the design of the home.

2.15 HEIGHT OF STRUCTURES

The maximum building height within Three Pines is 30 feet measured from the average existing grade at the foundation to the highest roof ridge. The ARC will consider the suitability of building height to the site and its surroundings in order to minimize the negative impact of large structures on natural areas or adjacent neighbors. No structure shall exceed the maximum height allowed by the City of Bend and as approved by the ARC.

Beyond the height of the structure itself, certain lots in Three Pines in the view corridor are limited in total height as measured from the street. Due to the elevated level of the buildable area on Lots 39 and 40, the total height may exceed 30 feet as shown in the table below, although the height of the actual structure is still limited to 30 feet. The height of the structure plus the land below the grade of the foundation on these lots shall be measured from a benchmark pin driven into the pavement near the north property line of the subject lot. The total height on these lots shall be measured from the top of the benchmark pin to the highest point of the structure, not including the chimney.

**Maximum Total Heights
on Elevated Building Sites**

Lot 39	32 feet 6 inches
Lot 40	32 feet 0 inches

Homes on Lots 34, 35, 36, and 41 are considered to be in the view corridor and thus have a total height limit of less than 30 feet, as shown in the table below. Total height limitations of the homes constructed on these lots are as follows:

**Maximum Total Heights
on View Corridor Sites**

Lot 34	23 feet 6 inches
Lot 35	23 feet 6 inches
Lot 36	25 feet 9 inches
Lot 41.....	26 feet' 6 inches

The ARC may determine that other lots in Three Pines impact views from surrounding properties and may limit the height of structures proposed for construction thereon; such limitations shall be made on a case-by-case basis.

2.16 LOT COVERAGE

The total area of the building footprint, roof overhangs, enclosed patios, or courtyards with solid or near-solid fences or walls exceeding 4 feet in height from adjacent finish

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grade, plus the area of patios, decks, driveways, walks and all other impervious surfaces shall not exceed 60 percent of the gross lot area.

2.17 OUTDOOR HEATING APPLIANCES

Outdoor gas fireplaces, and permanent fire pits and barbecues require ARC review and approval. Complete specifications and construction details must be provided. Due to the extreme fire danger usually present in the Central Oregon region, the following shall apply to all heat generating appliances whether built-in or movable.

1. Such appliances may be placed no closer than 10 feet to combustible structures, materials or surfaces unless expressly identified as an acceptable condition by the manufacturer.
2. A vertical clearance of 20 feet must be maintained from the top of any flame to structure overhangs or tree limbs.
3. Under no circumstances shall wood, paper, or other combustible materials be burned in any exterior barbecue or fire pit.
4. All outdoor heat-generating appliances shall have an easily accessible off switch in the event of a fire emergency.
5. A Multi-Purpose A, B, C,-Dry Chemical Fire Extinguisher, rated as a minimum of a 2-A, 10-BC shall be available within 20 feet of all exterior fire pit installations.

2.17.01 Exterior Fireplaces: The location of exterior fireplaces must be clearly shown on the submitted site and floor plans. Exterior fireplaces shall be vented with a code-approved chimney. All chimneys for wood-burning fireplaces shall be equipped with a U.L. or I.C.B.O. rated and approved spark arrestor and screens.

2.17.02 Fire Pits: Any proposed permanent exterior fire pit installation must be clearly delineated on the submitted site and floor plans showing its precise location in relationship to the applicant's residence, adjacent neighbors, and existing trees. Location must consider and respond to possible adverse impacts on neighboring properties. All fire pit component parts and structure must be constructed of non-combustible materials and be no higher than 30 inches from the adjacent walking surface and comply with all manufacturer installation requirements and local building codes.

Fuel for permanent fire pits must be natural gas (propane is not allowed for permanent fire pits).

Freestanding fire pits can be fueled by propane if the manufacturer specifications allow. Freestanding fire pits must meet the requirements specified for permanent fire pits. Fire pits using a gas supply line must be equipped with an emergency shut-off valve, in addition to the standard on-off valve, not more than 15 feet from the fire pit. Fire pits must be turned off by 11 pm.

2.17.03 Barbecues: Location of built-in outdoor barbecues must be clearly shown on the submitted site and floor plans. Barbecues, whether built-in or portable, shall be placed to minimize smoke trespass onto adjacent properties. Fuel must be natural or bottled propane gas. No charcoal briquettes may be used at any time. Permanent built-in barbecue surrounds must be constructed of noncombustible materials. All barbecues must be lidded. No chimney cookers or smokers are allowed.

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2.17.04 Patio Heaters: Patio heaters with a safety tilt shutoff system are allowed.

2.18 OUTDOOR SPAS AND SWIMMING POOLS

Spas, swimming pools, and related equipment shall be screened from neighboring homes and public view from roads and common areas. Screening shall consist of an architectural extension of the home in the form of walls or courtyards; landscaping or vegetation may be allowed under certain circumstances where it provides an adequate screen. A spa completely recessed below a deck or terrace walking surface complies with this requirement as long as no portion of the unit below that surface is exposed to offsite view. Above-grade swimming pools and pool covers such as inflatable bubbles are not permitted.

2.19 OUTDOOR STORAGE

Outdoor storage areas must be screened from all adjacent properties by a wall or fence that may not encroach on setbacks and shall not exceed 6 feet in height.

2.20 PERGOLAS AND GAZEBOS

Pergolas and gazebo structures must have some direct connection and architectural relationship to the home, be entirely constructed of wood stained to blend with the home color palette. No plastic, metal, or other solid roof coverings are permitted. Greenhouses are not allowed.

2.21 PET ENCLOSURES

Modest permanent enclosures for pets may be approved by the ARC on a case-by-case basis. Such enclosures shall be located where they do not unreasonably impose upon neighbors (e.g. noise, odor, and visibility). Structures must be integrated with the overall design of the home in terms of scale and integration. Finish materials must be selected from the exterior material palette of the residence or be deemed by the ARC to be compatible with that palette. Chain link fence is not allowed.

Alternate types of animal containment, such as buried electric retaining fences, should be considered. Perimeter flags must be removed from the landscape no more than 60 days after installation of such a system.

2.22 PREFABRICATED STRUCTURES

Any structure that is constructed off site and requires transportation to any lot, in whole or in partial assembly, is not permitted. This prohibition includes mobile homes, stock modular buildings, or any other structures requiring transportation and set up in a partially completed state.

2.23 RAILINGS

Deck, terrace, and balcony railings shall be designed and detailed to be appropriate to the design character of the home.

2.24 ROOFS

In general, relatively simple, low-profile buildings with some variety of massing and rooflines are preferred. Long, expansive areas of unbroken roof planes and ridgelines are undesirable. The minimum roof pitch is 4-in-12 feet and the maximum is 12-in-12 feet. Other roof pitches may be considered for minor roof areas on a case-by-case basis by the ARC. Extended roof eave overhangs with wood soffits are encouraged with a minimum eave overhang of 24 inches unless otherwise approved by the ARC. Fascias

SECTION 2 - BUILDING DESIGN GUIDELINES

should be proportioned appropriately for the particular home design and roof style. Stepped fascias are preferred. All flashing shall be painted to match the roof color.

Below are examples of acceptable and unacceptable roof styles. Variations and combinations of acceptable styles may be approved providing they meet other restrictions (e.g. height and slope requirements).



Concrete shake and slate tile roofs are recommended. Roofing materials should be high-profile with 50 year guarantee.

Standing seam metal and other fireproof material roofs may be approved at the discretion of the ARC on a case-by-case basis. Roof materials shall be of earth tone colors. Colors shall not be bright or outstanding.

2.25 SATELLITE DISHES AND ANTENNAS

Exterior satellite receivers or transmitters or other receiving devices can only be placed on a home with the prior approval of the ARC. Eighteen-inch dishes are permitted and must be painted to blend with the home and placed in as inconspicuous a place as possible. Location and color must be approved by the ARC. Under no circumstances are exterior antennas permitted.

2.26 SETBACKS

Setbacks are 20 feet for front yards, 10 feet for rear yards and 10 feet minimum setback for each side yard. The setbacks on corner lots are 20 feet from all property lines that adjoin a community street. All setbacks run with the land and are shown on the plat drawing provided to the owner when the lot is purchased. No improvements of any kind shall encroach on established setbacks without ARC approval, for good cause shown.

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2.27 SIGNS

The only signs allowed are directional signs designed by the Three Pines Owners Association, and temporary signs, including construction signs naming the contractor, and for sale or for rent signs. These temporary signs are limited to one per lot and may not exceed 4 square feet in size. Such signs shall not encroach on the required setbacks unless approved by the ARC.

2.28 SITE PREPARATION

Excessive site excavation or fill is to be avoided. Except for special circumstances related to drainage, lot size or configuration, topography, and/or view planes, grade elevations must be consistent with adjacent properties; any variance to this requirement must be approved by the ARC.

Prior to initial excavation, a 48-inch high fence of black or dark green wire mesh or rope shall be installed along all property lines of the subject lot except along the street. The metal posts and wire mesh shall be dark green or black in color. The fence shall remain in place throughout the entire construction period but may be removed at the start of landscaping. During construction, the edges of the street shall be protected with dirt or gravel and repaired upon completion as required.

Construction excavation equipment may be stored on other Three Pines lots during the excavation period upon written approval of the ARC and the owner of the subject lot.

Retention of existing trees over 12 inches in diameter or over 30 feet in height is strongly encouraged. The cutting, removing or pruning of these larger trees for development and landscaping of a site may be approved by the ARC on a case-by-case basis.

2.29 SIZE

The minimum size house shall be 1,800 gross square feet (GSF) in the living space plus a two-car garage. Maximum size is limited to lot coverage and height limitations specified elsewhere in these Guidelines. Homes excessively large for their lots are discouraged and may be restricted in size in order to fit appropriately into the neighborhood.

2.30 SOLAR APPLICATION DESIGNS

Owners should consider passive and active solar opportunities. The location of solar water heating and photovoltaic (PV) panels or modules must be approved by the ARC.

2.30.01 Photovoltaic Solar Systems: Photovoltaic systems must be installed by a qualified, licensed, experienced PV solar installer. PV panels or modules, as well as controls and regulators, must be UL certified. Photovoltaic panels or modules must be mounted flat to the roof pitch with at least one side parallel to the roof eave and/or ridge.

Elevated solar collectors mounted directly on roof surfaces are not allowed. Ground-mounted solar collectors are not generally allowed, but may be considered by the ARC under special circumstances on a case-by-case basis.

Solar roof shingles, solar slates, or other types of roofing-like photovoltaic material must be compatible with the color of the home roofing materials. Panels must be of the non-reflective variety, installed contiguously. The size, number, arrangement, and total square footage of the panels must be proportionally appropriate for the size and shape of the roof face on which they are mounted. The color of the mounting framework must blend with the color of the roof. All exposed metal or panel dividers must match the

SECTION 2 - BUILDING DESIGN GUIDELINES

solar panel. Solar panels must be uniform in color and present minimal visible reflectivity to adjacent properties.

All pipes, wires, support structures, meters, and control devices must be fully concealed within the panel installation and home; the only exception to this is the lockable, visible DC disconnects which must be located on the outside of the home near the electric meter. No exterior wires or conduits are permitted.

2.30.02 Solar Water Heater Systems: The size, number, arrangement, and total square footage of collector panels must be proportionally appropriate for the size and shape of the roof face on which they are mounted. They must have a low profile and be flush-mounted on a sloped or flat roof with at least one side parallel to the roof eaves or ridge. All pipes, wires, and control devices must be concealed as described for PV systems above. The color of the mounting framework must blend with the color of the roof. All exposed metal or panel dividers must match the solar panel. Solar panels must be uniform in color and present minimal visible reflectivity to adjacent properties.

2.31 STEPS AND PATHWAYS

On-grade steps and pathways are to be designed as integrated extensions of the site and architecture and must be visually attractive to adjacent properties. Hardscape paving materials for steps and pathways, such as paving stones, concrete interlocking pavers, stamped concrete flagstone, and slate, must be compatible with the material palette of the home and are subject to ARC approval. Step and path elements may not project into setbacks unless specifically approved by the ARC. In no case shall on-grade steps and pathways be closer than 5 feet to the rear and side yard property lines.

2.32 UTILITIES

All permanently installed meters and panels and other utility equipment must be painted to match the surface upon which they are installed and screened to not be visible from the street. Primary electrical, telephone, and cable television reception boxes located at the street are excluded from these requirements. No above-ground utilities, pipes, or wires shall be used to connect improvements with supplying facilities.

No structure, planting or other materials may be placed within utility easements which may damage or interfere with installation or maintenance of the utilities. The easement area and any improvements must be maintained by the owner of the lot except where a public authority or utility company is responsible.

2.33 VIEWS

Since Three Pines has numerous public areas, it is important for an owner to consider the aesthetics of the view from such public areas to the rear of that owner's home. Care should be taken to avoid obstructing views of the west mountain range.

SECTION 3 - LANDSCAPE DESIGN GUIDELINES

3.01 LANDSCAPE DESIGN GOALS

The primary landscape design goals for Three Pines are to achieve a diverse harmony of visible landscape designs; to enhance and encourage the preservation of the native high desert plant community and the Central Oregon regional identity it creates; and to promote sustainable landscapes which conserve water, require fewer resources to maintain, and reduce the risks of fire exposure. The results of this approach will achieve a special neighborhood identity in combination with objectives of sustainability, preservation, and conservation. Landscape design within the Three Pines community shall promote interesting, varied, and cohesive plantings that are harmonious with the predominantly native open ponderosa pine forest backdrop. The introduction of non-invasive native or non-native species compatible with the growing conditions and wildlife of Central Oregon is encouraged. The eventual size of plants and trees at maturity shall be taken into consideration along with placement and impact on neighbors' plantings, views, and trail access.

The ideal choices are harmonious with the open ponderosa forest backdrop, non-invasive, hardy for the region, deer- and pest-resistant, drought tolerant, and fire resistant. Species not on the recommended plant lists in Appendix E will be considered but must be clearly identified and submitted to the ARC for approval.

This section of the Guidelines addresses general landscape design goals for both new construction and modifications. A conceptual Landscape Plan must be submitted with the Building Site plans for new construction at the Preliminary Design Application phase. At this stage, the conceptual Landscape Plan should show, at a minimum:

1. Drainage, grading, and erosion control plans.
2. Location, type, and size of patios, decks, and walkways.
3. Proposed boulder groupings and preserved rock outcroppings. Boulders where indicated should be partially buried into the earth in natural groupings and arrangements that imitate the natural surroundings.
4. Location of proposed lawns and planting beds.
5. Location of any existing trees and other plants proposed to be preserved.

Except for initial drainage, grading, and erosion control plans, the final Landscape Plan can be submitted closer to the completion of the home, but must be submitted early enough in the process for the ARC to review the plan and provide approval so that the landscaping can be completed within the 12-month maximum building timeline. The final Landscape Plan must be compatible with the drainage, grading, and erosion control plans previously approved for the building site.

In addition to the information required to be shown in the initial conceptual Landscape Plan (above), the final Landscape Plan must also show the following:

1. Location, size, type, quantity, and species of all proposed plants. Include a legend using legible lettering and defining symbols. Stark contrasting planting styles adjacent to each other should be avoided with some attempt to blend with neighboring plantings. **Mature height and width of proposed planting should be in scale with the space available.**
2. In open areas, groundcover, grasses, and perennials should be planted at a density appropriate to avoid large expanses of exposed mulch at maturity.

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3. Berms when indicated are of adequate size and scale to evoke a natural appearance.
4. Type and location of proposed landscape lighting. Landscape lighting must be low voltage, unobtrusive, and effective for safety.
5. Paved surfaces and outdoor steps; indicate riser and tread dimensions.
6. Proposed walls and fences including type and height. Large uninterrupted expanses of wall, roof, and foundation should be softened with an appropriate choice of plant material.

3.02 COMMON AREA PATHWAYS AND WALKS

Evergreen trees shall be planted no closer than 7 feet from a common area path, trail, or walk. Deciduous trees may be planted 2 feet from a common area path, trail, or walk. Owners of properties that border common area paths, trails, or walks shall trim shrubs and trees which are growing on their property so that the paths, trails, and walks are consistently free of plant growth to a height of 7 feet. If owners of such property fail to maintain common area walks free of plant growth, the offending plants or trees will be trimmed or removed at owner's expense. Owners of lots which border common areas that are not designated as a path, trail, or walk, may, with ARC approval, enhance the existing area with additional trees or bushes, fully at the expense of the owner.

3.03 CONSERVATION OF WATER RESOURCES

Conservation of water resources, selection of hardy plants suitable to the region, grouping plants by their watering and cultural needs, minimizing high water using groundcovers, proper soil preparation, modest water features, and efficient irrigation design are all suggested and encouraged. Refer to the OSU publication *"Introduction to Xeriscaping in the High Desert"* for more complete information and assistance; this booklet can be downloaded online.

Mulching is essential for gardening in arid regions. Mulch helps keep plant roots cool, prevents soil from crusting, minimizes evaporation, and reduces weed growth. Mulches also give beds a finished look and increase the visual appeal of the landscape. Organic mulches, such as shredded bark, should be applied 3 to 4 inches deep. Fir and hemlock shredded mulch in medium to dark colors are recommended. Cedar, light juniper, and other light brown and blond colors are not allowed. Because mulches decompose over time, they are an excellent choice for new beds; as plants mature and spread, they will cover the mulched areas. Mulch can be applied directly to the soil surface or placed over a landscape fabric. Do not use black plastic because it prevents air and water from reaching to the plant roots. A caution about decorative bark mulch: It is possible to ignite very dry bark mulch with lit cigarettes or firebrands from a wildfire. If you landscape with bark mulch up against your home, make sure your bark mulch remains moist to prevent ignition. Refer to the City of Bend website for information on maintaining a defensible space around your home and local wildfire prevention information (search "City of Bend Wildfire Safety").

SECTION 3 - LANDSCAPE DESIGN GUIDELINES

3.04 DRAINAGE, GRADING, AND EROSION CONTROL

Drainage, Grading, and Erosion Control plans stamped by a State of Oregon licensed civil engineer must be submitted with the Site Plan at the Preliminary Design Application phase. All roof runoff and surface drainage shall be retained on site. The water retention system may include gutters, surface swales, buried drain lines, drywells, dry creek trenches, retention ponds, or other appropriate facilities.

The Drainage and Erosion Control Plan must include the following:

1. Location of gutters, downspouts, rain chains and roof-run off.
2. Dripline of roof indicated with a dashed line.
3. Roof valleys.
4. Area calculation of roof, driveway, and any other impervious surfaces.
5. 20-Year stormwater storage.
6. Arrows indicating positive slope away from foundation and slope of runoff.
7. Proposed retention and erosion control measures, including drainage overflow areas.
8. Proposed finish floor elevations of garage slab, driveway, and main floor.
9. Proposed finish elevations of hardscapes (i.e. patios, steps, walkways, decks, or terraces).
10. Existing trunk base elevations of trees to be preserved.
11. Existing elevations of site and proposed grade changes using one-foot contour intervals.
12. Proposed locations, size, depth, and type of on-site surface drainage retention and mitigation.
13. Calculation of storage volume of roof and surface run-off.
14. Proposed berm locations and dimensions with highest point indicated.
15. Proposed locations, type, and dimensions of retaining walls and boulders with size and highest point indicated.

The Grading Plan must include the following:

1. Topography of the existing site and proposed grades indicated with 1 foot contour intervals.
2. Grades of finish floor, garage slab, and exterior thresholds.
3. Proposed exterior finish grades indicated at the following locations: tree drip lines, foundation vents, and top and bottom of retaining walls.
4. Grades indicated 5 feet into neighboring sites.

SECTION 3 - LANDSCAPE DESIGN GUIDELINES

3.05 IRRIGATION

Each site must be efficiently irrigated with a properly zoned automated sprinkler system which meets the minimum “*WaterWise*” landscape criteria as set by the City of Bend’s “*WaterWise Program*” (see the City of Bend website and search *WaterWise*).

Each homeowner is responsible for maintaining a healthy and appealing landscape that incorporates water conservation technology and minimizes water use, waste, and runoff. The ARC strongly recommends the use of SMART irrigation controllers on all new sprinkler installations and all modified landscapes. To this end, the ARC highly recommends retaining of qualified irrigation designer experienced in the design of efficient irrigation systems.

Landscape irrigation systems must be installed by landscape contractors licensed in the State of Oregon. Furthermore, the ARC recommends employing licensed landscape contractors who also meet the criteria for *WaterWise Landscapers* as defined by the Oregon Landscape Contractor Association’s *WaterWise Certification Program*.

3.06 LAWNS

Contiguous lawn plantings between lots is not mandatory; however maintaining a harmonious transition between landscape materials (linking or relating one to another) between lots is a primary goal.

3.07 NATIVE LANDSCAPING

Preservation and plantings of native grasses and wildflowers are encouraged. While bitterbrush and sage do provide wildlife habitat, they also crowd flowers and grasses and can create fire risk fuel ladders; consequently, these plants should be limited to isolated island areas away from the home except where they occur adjacent to rock outcroppings, on steep slopes, away from conifers, or in accent areas where grasses would be inappropriate.

3.08 OUTDOOR FURNITURE, EQUIPMENT, AND ORNAMENTATION

The location and design of permanently installed outdoor equipment or furnishings (e.g. BBQs, swing sets, trellises, gazebos, jungle gyms) shall be submitted to the ARC for review and approval. Installations must take into consideration possible adverse impacts on neighboring home sites. Permanently installed outdoor furnishings and accessories may not encroach on setbacks. Swing sets and other children’s play equipment shall be screened from adjacent properties or be painted to blend with the natural surroundings and buffered with landscaping. Wood type play equipment is highly recommended. Outdoor moveable tables, chairs, umbrellas, hammocks, and other outdoor items used seasonally do not require ARC approval but must be concealed with fitted covers in earth tone colors or stored out of sight during the winter season.

Permanent unnatural or man-made artificial ornaments, signs, play items, stand-alone flag poles, relics, machinery, equipment game poles and nets, or other such items which are not part of an ARC-approved application are prohibited. “Unnatural” shall mean any object that is not naturally growing upon, indigenous to, or found on a home site in its undeveloped state. Portable outdoor sports and play equipment must be stored when not in use.

SECTION 3 - LANDSCAPE DESIGN GUIDELINES

3.09 PLANT, ROCK, AND BOULDER PLACEMENT

Plant and rock placements should be grouped in such a way as to retain a natural appearance. Stylized or highly sculptural boulder placement should be avoided. Boulders shall be installed to appear as natural rock formations commonly seen in and around the surrounding wild lands.

3.10 PRIVACY

Privacy issues between lots and neighbors should be adequately addressed in the Landscape Plan.

3.11 SITE LIGHTING

Site lighting is defined as lighting fixtures other than those attached to the building, including the lighting of steps, pathways, decks, driveways, landscape, architectural features, and the property address pedestal. This type of lighting shall be minimal in scope and placed on a timer set to the off position from 11 pm until dusk the following day. The total light output per fixture shall not exceed 350 lumens. General site lighting shall not fall on neighboring properties.

3.11.01 Step, Pathway, and Deck Lighting: Fixtures shall be kept minimal, with the primary purposes of safe passage and usage. Fixtures must be enclosed, directing light downward only, and be Dark Sky-compliant. Lamp output may not exceed 350 lumens per fixture, though lower is preferred. Where lamp stems are used, the lamp may not be visible from the street or neighboring properties.

3.11.02 Landscape and Architectural Feature Lighting: Landscape and architectural feature lighting shall be minimal, but may be used to accent specific plantings, rock outcroppings or architectural features provided the following requirements are met:

1. At no time shall the light lamp element itself be seen from adjoining properties or common areas.
2. Light may be directed upward so long as the beam only lights the intended feature and does not spill beyond to neighboring property, including common areas, even during times of the year when deciduous plantings have lost their foliage. At no time shall the fixture be directed towards the street or adjacent properties.
3. Lighting must be on an electric timer, set to the off position from 11 pm until dusk the following day.
4. Glare shields must be used on all fixtures to block light not directed to plantings or hardscapes.
5. Fixtures used in up-lighting from the ground must be concealed in below-ground housings, using lenses or grates as necessary to reduce visibility of the light source and be inconspicuous in color.
6. Low voltage lighting is preferable.
7. Regardless of bulb type used, light output shall not exceed 250 lumens per fixture.

3.11.03 Lighting of Driveways: Light fixtures along driveways shall be on wood or painted metal posts between 18 and 24 inches in height with a permanent finish and

SECTION 3 - LANDSCAPE DESIGN GUIDELINES

color that is compatible with the approved exterior color palette of the home. Driveway light fixtures may not be located closer together than 15 feet. Fixtures shall be installed to direct light downward and contain low-voltage lamps no greater than 350 lumens in light output. All light fixtures shall shield light from neighboring properties. No lighting fixtures along driveways, other than the home address pedestal, may be installed within 20 feet of the road. A light fixture sample or catalog spec sheet shall be submitted for review and approval.

3.12 STREETScape

Owners are required to landscape the streetscape (the area between the street and the sidewalk in front of some homes); such landscaping shall be submitted to the ARC for approval. Due to the variety of configurations of the areas between the street and sidewalks and/or non-sidewalk areas immediately proximate to the street, the owner will work with the ARC to develop an irrigation plan and tree or plant schedule for these areas. Homeowners are responsible for maintaining the streetscape.

3.13 TREES AND ROCK OUTCROPPINGS

Trees and natural rock outcroppings are an integral part of the natural beauty of the Three Pines community. The goal of the ARC is to preserve as many existing trees and rock outcroppings as can reasonably be achieved. Removal of trees or rocks outside the building footprint must be approved by the ARC. The following guidelines apply.

Pruning of dead limbs, removal of dead trees, and cutting and removal of trees that have a diameter of *less than 6 inches* measured at a height of 12 inches above grade may be done without prior approval of the ARC.

If a homeowner wishes to remove any tree from their property that measures *6 inches or larger* in diameter at 12 inches above grade, the homeowner must submit an application to the ARC for review and approval. A bifurcated tree (forked tops), absent other defects, is not a criterion for tree removal. Any application to remove a tree with a trunk larger than 6 inches shall include a written statement from a certified arborist that the tree is unhealthy, diseased, or creates an imminent danger to the homeowner's property or adjacent properties. Any tree removed pursuant to this provision shall be replaced with a comparable tree or other appropriate planting as approved by the ARC.

3.14 VIEW PRESERVATION

The preservation of mountain views, while assuring privacy between neighbors, is an essential element of landscape planning within Three Pines. Owners of adjacent properties are encouraged to work together to maintain each other's peripheral views where possible.

3.15 WATER FEATURES

All proposed water features must be shown on the landscape plan with the overall drop, distance, and depth indicated. All areas of the water feature must be covered with natural materials such as river rock so that the liner or lining material is not visible. Applying water conservation techniques will be an important consideration in reviewing and approving the design and planning of water features. Water features shall be designed to appear to be a natural feature within the landscape. The purpose of such landscape feature is for the enjoyment of the homeowner; the impact of such features as viewed from off-site shall be subtle. Water features are not allowed in setbacks.

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3.16 WILDFIRE RISK REDUCTION

Efforts must be made to reduce wildfire risk and promote forest health through the reduction of fuel ladders directly under trees and eaves, tree thinning, judicious limb trimming, crown cleaning, and sometimes tree removal where deemed necessary by the ARC. Sustainable landscape planning practices of fire-resistant plant choices and efficient irrigation design are encouraged. Refer to the City of Bend website for information on maintaining a defensible space around your home and local wildfire prevention information (search “City of Bend Wildfire Safety”).

SECTION 4 - APPLICATION AND APPROVAL PROCESS

4.01 CONSTRUCTION APPLICATION PROCESS

This section describes the overall application and approval process for designing and constructing new homes within Three Pines. When submitting items for review to the ARC, the owner must be current on Three Pines Owners Association dues. If delinquent, submittals will not be considered. The application and approval processes for Post-Construction Modifications are outlined in Section 6 of these Guidelines.

It is the architect, contractor, and owner's responsibility to become familiar with these Guidelines. All contractors and subcontractors working within Three Pines must have knowledge of and accept the stipulations outlined in the latest edition of this Three Pines Guidelines document by signing the acknowledgement form in Appendix D.

The process for submission, approval, and completion of home building projects is as follows:

1. Pre-Design Meeting
2. Preliminary Design Application
3. Construction Document Application
4. Construction Phase
5. Completion of Construction and Final Release

The steps of this process are described in order below.

4.02 PRE-DESIGN MEETING

Prior to preparing preliminary plans for any proposed new home construction, the owner and/or owner's representative must participate in a pre-design meeting with the ARC to discuss proposed plans, seek answers to any questions regarding building requirements in Three Pines, and review requirements of the ARC Guidelines. The purpose of this informal review is to obtain guidance from the ARC concerning design options and site-specific opportunities and constraints prior to initiating preliminary design. Submit the New Construction Project Information Form (Appendix B) to ***arcreview@threepineshoa.com*** when requesting the Pre-Design Conference. There is no fee for this meeting.

4.03 PRELIMINARY DESIGN APPLICATION

The purpose of the Preliminary Design Review is to enable the ARC to review plans in the early stage of design in order to identify specific aspects of the design which may be inconsistent with the Guidelines and to save the applicant time and money associated with the revision of construction documents. All Preliminary Design applications shall be submitted to the ARC as **one hard copy plus an electronic copy in pdf format** to ***arcreview@threepineshoa.com***. The ARC will strive to respond to the Preliminary Design within 14 calendar days.

The Preliminary Design application shall include:

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1. **Building Site Plan.** One set of 24 inch x 36 inch hard copy drawings plus one set of electronic plans in pdf format. The Preliminary Design application will include a Building Site Plan including the roof plan, at no less than one inch equals ten feet (1"=10') which shows:
 - the lot number;
 - adjacent streets;
 - orientation of the site;
 - the dimensions of the lot, driveway and parking areas;
 - existing trees greater than 6 inches in diameter measured at 12 inches in height stating which are to remain and which will be removed;
 - existing grades (minimum 1'-0" contour intervals);
 - the proposed location of fences, trellis and screens;
 - all setbacks and easements;
 - special site features to be preserved or removed;
 - conceptual landscape plan (included on the Site Plan or on a separate sheet) with proposed plantings, hardscape features
 - proposed drainage solutions.

All floor plans and exterior elevations should be at a scale of no less than 1/4" equals 1'-0". The building elevations must reflect accurate finish grade (topography) and finish floor elevations and include all exterior elevation surfaces and their placement.

2. Non-refundable \$1,750 plan review fee. If the project requires multiple or repeated reviews, the ARC may impose additional fees as per Appendix A Design Review Fees.

Incomplete submittals, including drawings which are not deemed by the ARC to be of professional quality or which are deficient in some way will be returned without review with inadequacies noted.

4.04 CONSTRUCTION DOCUMENT APPLICATION

After a home design has received preliminary design approval, any changes from the preliminary design which are included in the construction documents submitted to the ARC for approval must be brought to the attention of the ARC and itemized in writing. The construction documents are the drawings and any additional information which are to be submitted to the City of Bend for permitting; however, it is suggested that the application for City building permit be made following ARC approval, since conditions of ARC approval may require revisions to the documents. Any changes to the exterior following ARC and City of Bend approval must be resubmitted for ARC approval.

The Construction Document Application shall include the following information. All plans are to be submitted as **one hard copy plus an electronic copy in pdf format** to ***arcreview@threepineshoa.com***. The ARC may in certain cases request additional hard copies of the plans.

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1. **Project Information Binder** including:
 - a. New Construction Project Information Form (Appendix B). This Form was submitted with the request for Pre-Design Conference and is to be included in the Binder.
 - b. Owner and/or Contractor Agreements including Contractor insurance and bond information. (Appendix D).
 - c. Materials specification sheets.
2. **Site Staking:** Stakes and string between stakes must outline the building footprint, the driveway, courtyards and decks or terraces.
3. **Site Plan:** A complete Site Plan with the roof plan at a scale of no less than 1"=10'-0" with the information required for the Preliminary Application plus existing and proposed finished grades (minimum 1'-0" contour intervals). Additional information required includes the proposed location and finished elevations at the top and bottom of any retaining walls, decks, terraces, trellises, pergolas, fences, screens, driveway, and walks; the proposed location of all utility services and meters; and the proposed location of all exterior mechanical equipment. All grading, topography, and drainage plans and calculations must be reviewed, approved, and stamped by a certified licensed civil engineer.
4. **Preliminary Landscape Plan:** A preliminary landscape plan and construction information, including grading and drainage information, erosion control measures, concrete washout location, onsite drainage facilities, and drainage calculations as necessary to demonstrate the adequacy of the proposed improvements. The site plan shall indicate accurate site locations of existing adjacent homes.
5. **Floor Plans:** Floor plans at a scale of no less than 1/4"=1'-0" with all finish floor elevations noted.
6. **Building Elevations:** Building elevations drawn at a scale of no less than 1/4"=1'-0" showing accurate relationships of the building's finished floor to the proposed finished grade of the lot on each elevation, including decks and patios, exterior building materials, masonry patterns, and roof pitches.
7. **Exterior Lighting Specifications:** Specific locations of exterior lighting fixtures should be shown on the site plan and elevations. Submit one copy of catalog cuts or legible printouts of catalog cuts specifying size, wattage, lumens and finish of fixtures for all exterior lighting fixtures to be placed on the building; these should be included as part of the Project Information Binder.
8. **Exterior Materials and Colors:** All exterior materials must be submitted for approval. A Materials/Color Board no larger than 24 inches x 36 inches, with a carry handle, must be submitted in the format below with the following samples attached: Roofing, Fascia/Soffit Trim, Exterior siding materials, Window and Door Trim, and any Faux Stone and/or Timber Features. Samples must reflect the overall color, texture and/or grain of the material.

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Owners name - Lot #
Roofing
Fascia/Soffit
Siding Material
Window/Door Trim
Stone/Masonry

9. **Solar Specifications:** Solar application submittals must also include the following:
- The site plan drawn to scale showing clearly the placement of the house, property, and setback lines, fences, planned location of proposed solar collectors, existing or proposed landscaping, and orientation of the proposed solar panels in relation to adjacent properties.
 - A catalog or brochure showing the appearance of the solar equipment and complete specifications of the system (power output, dimensions, colors, materials, regulatory approvals, etc.), along with a sample of the exposed panel face and proposed or existing adjacent roof tiles. Include this catalog or brochure in the Project Information Binder.
 - Detailed drawings to scale showing how the solar panels or modules will be mounted and installed, the area and configuration of the panel array, elevation of proposed location, flashing concealment, and any existing or proposed structural screening.

Any proposed changes to previously submitted and approved material specifications must be brought to the attention of the ARC for a new approval. Once approved by the ARC, the color board will be kept by the ARC for review availability until completion of project and for six months after project completion. After six months, the color board will be discarded. If the home owner and/or contractor would like to retain the color board at this time, they must inform the ARC. The Building Plans and Project Information Binder will be kept indefinitely.

4.05 COMMENCEMENT OF CONSTRUCTION

Upon approval of the Construction Document plans and prior to commencement of construction, applicants must pay a refundable \$10,000 security deposit to the Association to be held in trust by Association Management during the entire period of construction including the completion of landscaping.

SECTION 4 - APPLICATION AND APPROVAL PROCESS

Prior to the start of construction, the contractor is required to meet with the ARC before construction begins to review construction guidelines.

Construction must commence within 6 months of the date of approval; after 6 months, the approval will expire. In this case, the owner has the option to resubmit an entirely new application or can resubmit the expired plans and document any changes from the original submittal. If there are any major changes, the review may require additional fees, at the discretion of the ARC.

4.06 OBSERVATION OF WORK IN PROGRESS

Requests for revisions, additions, or modifications of any kind to be made during construction of an approved design must be submitted to the ARC for approval prior to commencing such work.

The ARC or its authorized representative may conduct periodic project visits to the site during construction to evaluate the status of the project for conformance with the ARC Guidelines and approved construction documents.

The ARC may at its discretion issue an immediate Stop Work Order to the owner and/or contractor by email or by posting on site for failure of construction to strictly conform to the approved plans and drawings or for violations of certain construction guidelines as described in Section 5 of these Guidelines.

4.07 COMPLETION OF CONSTRUCTION AND FINAL RELEASE

Home building, including painting and all exterior finish, must be completed within 9 months from the start of construction. "Complete" means obtaining certificate of final inspection from the City of Bend. Landscaping must be completed no later than 90 days from completion of the home. An extension may be granted due to delays caused by weather, labor strikes, emergencies, calamities or the unusual scope of a particular project, as long as a good faith effort has been made to abide by the requirement. If a builder requests such an extension, the ARC, based upon its assessment of the situation, will establish a specific timeline for any allowed extension. A request for extension must be made in writing or by email at least 30 days prior to the end of the construction period.

Upon completion of any residence, the owner and/or contractor shall give written notice of completion to the ARC by emailing arcreview@threepineshoa.com. Upon receipt of this request, the ARC will work with the owner and/or contractor to schedule a final review of the project to identify any items remaining for completion; the ARC strives to schedule this review within 14 working days of the request. The ARC will provide final approval or conditional approval via email.

Upon completion of any solar panel installation, the ARC must be notified and an appointment made to conduct a final review and sign-off of the installation prior to using the system.

The project will be signed off and the refundable security deposit returned only when the ARC determines that:

1. The scheduled work, including final landscaping, has been satisfactorily completed.
2. Copies of all inspection reports and the certificate of occupancy has been provided.

SECTION 4 - APPLICATION AND APPROVAL PROCESS

3. All fees and fines (if any) have been paid in full.

The owner or assignees shall not occupy the residence if any of the aforementioned items are unsatisfied or prior to final sign-off without the explicit approval of the ARC and based upon a plan in place to address any outstanding issues.

In the event the project is not built as approved by the Three Pines ARC, including the application of approved building materials, or damages to common or private property have occurred and remain in disrepair, or fines have been levied against the owner or builder and remain unpaid, or any re-inspection fee is necessary and has not yet been paid, a portion of or the entire sum of the \$10,000 security deposit may be used to offset the cost of corrective action as deemed necessary by the Board of Directors of the Three Pines Owners Association and the ARC. Upon final sign-off of the entire project by the ARC, any funds remaining in the applicant's security account shall be refunded to the applicant.

SECTION 5 - CONSTRUCTION GUIDELINES

5.01 CONSTRUCTION INSURANCE REQUIREMENTS

All contractors shall indemnify and hold harmless the ARC, the ARC members, the agents of the ARC and Three Pines Owners Association, Inc, from and against all claims, damages, losses, and expenses, including attorney's fees arising out of or resulting from the performance of the contractor's work. The Three Pines Owners Association, Inc, and members and/or agents of the ARC shall be added as Additional Insureds to the contractor's Commercial General Liability insurance policy. The policy shall include a "per project" aggregate. All policies must provide 30 days notice of cancellation or material change.

Prior to commencing construction, the contractor shall provide the Three Pines Owners Association, Inc, with certificates of insurance providing evidence of Commercial General Liability, Automobile Liability, Employers Liability, and Workers Compensation insurance for the contractor and all subcontractors. Minimum limits of \$1,000,000 are required for each.

5.02 CONSTRUCTION PHASE VIOLATIONS

Violations to any construction site regulations listed below may result in fines as provided for in the Three Pines CC&R Enforcement Procedure document posted on the Three Pines HOA website at www.threepineshoa.com.

The ARC has the right to inspect any construction, landscaping or other improvements for strict conformity with the approved plans and drawing and may issue an immediate Stop Work Order to the owner and/or contractor by email or by posting on site for the following violations:

1. Failure of construction to strictly conform to the approved plans and drawings.
2. Violations of Guidelines 5.05 regarding alcohol and controlled substances.
3. Violations of Guidelines 5.08 regarding dust and noise control.
4. Violations of Guidelines 5.10 regarding firearms.
5. Any other violation for which the ARC determines an immediate response is necessary.

Upon receipt of the Stop Work Order, the contractor and all of the trades, sub-contractors, vendors and suppliers employed on the construction project shall immediately cease and desist from any further work on the project until the ARC has approved the required mitigation and released the Stop Work Order in writing. Any fines levied prior to the issuing of a Stop Work Order will continue to be applied and any additional fines may be proposed and or levied as may be necessary and appropriate to the performance and circumstances of the response by the owner and/or contractor.

Ignoring a stop work order is a continuing violation with a daily accruing fine.

5.03 CONSTRUCTION SIGNAGE

One sign, identifying the general contractor and measuring no more than 4 square feet is allowed. This sign must be removed upon completion of construction. No other signs are allowed except a temporary real estate sale sign. Identification of licensed tradesmen, when required by State or County statutes, shall be confined to the posting location of the building permit. Attachment of signs or similar materials to trees is strictly prohibited. Signs may not be within the building setbacks unless approved by the ARC.

SECTION 5 - CONSTRUCTION GUIDELINES

5.04 CONSTRUCTION TRAILERS

A small portable field office may be located within the building site and not within the building setback unless approved by the ARC. The type, size, color, and location of any portable office shall be submitted for approval and may not be placed on site earlier than 2 weeks prior to commencement of construction nor remain on site for longer than 6 months without approval of the ARC.

5.05 ALCOHOL AND CONTROLLED SUBSTANCES

The furnishing or consumption of alcohol or use of any controlled substance on any construction site or common area within Three Pines is prohibited. This provision applies to contractors, subcontractors, and materials suppliers but excludes owners, who may celebrate construction milestones from time to time.

5.06 BLASTING

If any blasting is to occur anywhere in the Three Pines community, the ARC shall be notified 2 weeks in advance and appropriate approvals shall be obtained in writing from the City of Bend and/or Deschutes County. Blasting may only be performed by licensed demolition personnel, with all requisite insurance coverage as mandated by county and state statutes specific to their blasting activity at Three Pines. The ARC shall have the authority to require written documentation of anticipated seismic effects, with confirmation that such effects will not be injurious to other persons or properties, public or private, and that all appropriate protection measures have been utilized.

5.07 CONSTRUCTION VEHICLES AND PARKING AREAS

Construction workers and vendors may not park on or otherwise use open spaces. The use of a vacant neighboring lot may only occur with the written permission of the ARC and the lot owner and with the requirement that the contractor restore the lot to its original condition and appearance. All construction and worker vehicles must park on the project lot. However, during exceptionally busy construction periods, when there is not room for all construction and delivery vehicles on the project lot, vehicles will be permitted to park along the shoulder of the street with 2 wheels off the paved surface of the street unless otherwise directed by the ARC, as long as normal traffic flow is unrestricted. In cases where it is necessary to block the street for deliveries or construction activities for more than 2 hours, the contractor must advise the ARC and all neighboring properties who may be affected by the blockage of the estimated time and duration the street will be blocked and provide a name and phone number to contact for any emergencies; this notice must be given at least 24 hours prior to the expected street blockage.

5.08 DUST AND NOISE CONTROL

The contractor shall be responsible for controlling dust and noise from the construction site during the entire period of construction, including the removal of dirt and mud from public or private streets that are the result of construction activity on the site.

Playing radios or other audio equipment and shouting or loud talking by construction workers during the improvement of any lot at Three Pines is prohibited.

5.09 EROSION CONTROL

The owner and/or contractor, or the owner's representative, is responsible for installing and maintaining adequate erosion control measures during construction such as silt

SECTION 5 - CONSTRUCTION GUIDELINES

fencing, bio-bags, and gravel water bars. A designated location on the site shall be established where concrete mixer washout can be contained.

Both during and after construction, the owner and/or contractor is responsible for maintaining the existing gravel shoulder and the drainage ditch along the streets abutting the lot, as well as the 18-inch gravel shoulder on both sides of any bicycle/pedestrian path than may run along the front and/or side of the property.

5.10 FIREARMS

Contractors, subcontractors, construction workers, service providers and all other nonresidents, with the exception of licensed peace officers, are prohibited from carrying firearms or other weapons while on Three Pines property. The use of any firearm is prohibited by anyone other than a licensed peace officer in the performance of his or her official duties.

5.11 FIRES AND FLAMMABLE MATERIALS

Careless disposition of cigarettes and other flammable materials, as well as the build-up of potentially flammable materials constituting a fire hazard, is prohibited. At least two 20-pound ABC-Rated Dry Chemical Fire Extinguishers shall be present and available in a conspicuous place on the construction site at all times. No on-site fires are allowed, except for small, confined, attended fires for heating masonry water.

5.12 MATERIAL DELIVERIES

All building materials, equipment, and machinery required to construct a residence shall be delivered to and remain within the boundaries of the lot. No materials may be stored in the right-of-way. When necessary, setbacks may be used during construction, but existing trees on the lot may not be damaged and there must be no encroachment or damage to landscaping on adjacent properties.

5.13 PETS

No pets of any kind may be brought into Three Pines or onto a construction site by any construction worker, vendor, or delivery person. Pets left in a vehicle are considered in violation of this regulation.

5.14 PRESERVATION OF TREES AND ROCK OUTCROPPINGS

Existing trees and rock outcroppings to be preserved shall be protected during construction with flagging and temporary fencing to protect preserved trees; the fencing or other protection must be placed around the base of the trees to assure that no grading takes place within the drip line. Exposing, filling, or compacting soil, including vehicle parking, over tree roots must be avoided. Washing out cement, drywall paste, paint or other construction chemicals on preserved landscape areas or rock outcroppings is prohibited.

5.15 RESTORATION OF PROPERTY

Upon completion of construction, the contractor, suppliers and related employees and subcontractors shall clean the construction site and repair all property which may have been damaged, including (but not limited to) restoring grades, replanting shrubs and trees as approved or required by the ARC, and repair streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing. In addition, the owner and contractor shall be held financially responsible for removal of all refuse and trash, and any necessary restoration and revegetation of any adjacent properties, and for any other

SECTION 5 - CONSTRUCTION GUIDELINES

damage of any type, nature or description to other properties in the development due to construction activities, trespass, or negligence by their employees, subcontractors, or suppliers.

5.16 SANITARY FACILITIES

The owner or contractor shall be responsible for providing adequate on-site sanitary facilities for construction personnel. Industry-standard portable toilets shall be located completely within the building area, and be of subtle, non-obtrusive colors, subject to ultimate approval by the ARC.

5.17 TRASH RECEPTACLES AND DEBRIS REMOVAL

Owners and contractors shall clean up all trash and debris at the end of each day. An approved trash receptacle shall remain on site at all times. Dumping, burying, or burning trash anywhere on the site or elsewhere in Three Pines is strictly prohibited. Heavy debris, such as broken stone and wood scrap, shall be immediately removed from the site upon completion of the work of the trade that generated the debris. Recycling of materials and supplies is strongly encouraged.

All concrete washout from both trucks and mixers shall occur within the building area of the lot in a location where it will ultimately be concealed by the structure or covered by backfill. Washout in the street, setbacks, or on adjacent properties is strictly prohibited. Any clean-up costs incurred by the ARC or the Three Pines Owners Association, Inc, to enforce these requirements shall be paid by the owner.

5.18 WORKING HOURS

Daily working hours shall be from 30 minutes before sunrise, but not prior to 7 am until 30 minutes after sunset, but not later than 8:30 pm. Construction work which generates excessive noise, such as hammering, sawing, excavation, and concrete or soils delivery, shall be confined to the hours of 7 am to 7 pm Monday through Friday and 8 am to 7 pm on Saturdays. No construction work is allowed on Sundays and national holidays. Cleaning of the site or structure is not considered construction work.

SECTION 6 - POST-CONSTRUCTION MODIFICATIONS

6.01 DEFINITION OF POST-CONSTRUCTION MODIFICATIONS

Post-construction modifications are those changes to the exterior of a home proposed after final completion and sign-off of the home's construction. These changes may occur shortly after construction or many years later, and may be instigated by the builder or the owner. The submittal and approval process for common types of Post-Construction Modifications are outlined below. All Building and Landscape Design Guidelines in Sections 2 and 3 of this document apply to Modifications as well.

6.02 REQUIRED DOCUMENTS AND FEES

Owners who desire to modify a completed site, residence, or landscape must submit plans and other documents to the ARC for review and approval prior to beginning the modification work. The list of required documents is provided for the guidance of applicants and does not preclude the ARC from requiring additional materials in specific cases. Documents required for each type of modification are outlined in the relevant sections below. The fees for review of modifications are listed in Appendix B – Design Review Fees, and can be waived at the ARC's discretion for minor alterations.

For all types of owner modifications, the owner must contact the ARC for final inspection within 30 days of completion of the entire installation.

6.03 COMMENCEMENT AND COMPLETION OF MODIFICATIONS

The ARC will review the submitted plans and, if the submittal complies with the Design Guidelines, will grant approval for the construction. No construction or excavation shall begin without this approval. If the ARC finds the plans to be out of compliance with the Design Guidelines, the plans will be returned to the owner and/or contractor with specific deficiencies noted.

Upon receipt of final design approval by the ARC, the owner shall commence construction of the improvements within 6 months from the date of such approval or the approval given will be deemed withdrawn. If construction does not commence within this time frame, the owner will have to resubmit and document any changes from the original submittal. If there are major changes, additional review fees may be imposed at the discretion of the ARC.

All modifications, including landscaping, must be completed within 6 months of commencement of construction, unless such completion is rendered impossible or would result in great hardship to the owner due to labor strikes, fires, national emergencies, or natural calamities, or unless the owner has requested and been granted an extension. An extension may be granted for these or other valid reasons as long as a good faith effort has been made to complete construction. The owner must request an extension and the ARC, based on its assessment of the situation, will determine the length of the extension, if any. Failure to request and obtain approval for an extension may result in a fine.

Upon completion of any ARC-approved modification, the owner and/or contractor will give written notice of completion to arcreview@threepineshoa.com. Upon receipt of this notice, the ARC will work with the owner /contractor to schedule a final review of the project to identify any items remaining for completion. The ARC will provide final approval or conditional approval via email.

Submission requirements for the most common types of Post-Construction Modifications are provided below, listed in alphabetic order.

SECTION 6 - POST-CONSTRUCTION MODIFICATIONS

6.04 BASKETBALL HOOPS

Properties meeting certain requirements within the Three Pines community may qualify to install a permanent, on-site basketball hoop. Acceptable materials include a clear, acrylic backboard, with black and minimal graphics and black rim edging. Cartoons, colorful graphics or contrasting coloring are strictly prohibited anywhere on the equipment. Additional landscaping may be proposed and may be required by the ARC to provide safety and/or privacy. The basketball hoop application should include:

- A schematic layout of the home showing the exact proposed location of the hoop.
- A copy of the original house plans with the location noted.
- Photographs of the location showing the front view and the side view.

If the ARC determines that professional architectural review is required, the applicant must agree in advance to bear the expense of the review.

6.04.01 Above the Garage Installation: Attachment to the garage above the garage doors is preferred subject to the following:

- The garage does not face the street.
- The driveway does not slope downward toward the street.
- The driveway is long enough to maintain adequate safety.
- Any additional landscaping required by the ARC must be installed within 30 days of installation of the basketball hoop.
- Location must be as unobtrusive as possible.
- The attachment fixture will be painted to match the house palette.

6.04.02 Installation in Parking or Turnaround Area: Where a garage mount is not practical, installation in a parking or turnaround area is possible with ARC approval subject to the following:

- The pole should be a solid black metal.
- Setbacks to a neighboring property must be sufficient. Safety and privacy considerations will apply.
- Any additional landscaping required by the ARC must be installed within 30 days of installation of the basketball hoop.

6.05 BUILDING MODIFICATIONS

The fee for review of most exterior remodel plans is \$500. Photographs must be submitted of the existing home taken from sufficient angles to allow the ARC to clearly see the areas of the home to be modified, along with a proposed site plan showing the applicant's lot dimensions, setbacks, adjacent homes, the existing residence drawn to scale, and the proposed modifications clearly marked thereon. Elevation drawings of the proposed modifications are required, along with a materials/color board depicting all proposed exterior materials, paint or stain colors, and finishes. The materials/color board shall not be larger than 24 inches x 36 inches and will be retained by the ARC until the project is completed.

SECTION 6 - POST-CONSTRUCTION MODIFICATIONS

If any expansion of the home, including decks or patios, is being proposed, the applicant must show all dimensions and lot coverage calculations to validate that the 60 percent maximum lot coverage limitation will not be exceeded.

6.06 EXTERIOR COLOR CHANGE

Repainting a home requires ARC approval; there is no fee for review of exterior color change. Owners should submit paint chips for each proposed color showing the paint or stain, manufacturer's name for the color, and the color code. Additionally, the homeowner must submit a drawing not less than 11 inches x 17 inches (hand drawn is acceptable) of the home's front facade identifying the areas where each paint or stain will be used with a notation as to the siding and trim colors to be used on the remaining sides of the home. The owner may be asked to change one or more colors that the ARC believes do not fit the Design Guidelines and character of the neighborhood. Once the proposed colors receive preliminary approval, and before the home painting begins, the owner shall provide the ARC a paint sample board of at least 1 square foot of each of the actual paints or stains to be used, which the ARC can use to view the actual paint on all sides of the property and under varying light conditions. Alternatively, the owner can paint samples of each proposed color on the front facing portion of the home at least 1 square foot in size and showing colors on the surfaces to which they are proposed to be applied.

6.07 LANDSCAPE CHANGES

Homeowners wishing to make changes from the approved Landscape Plan shall adhere to the following Guidelines.

6.07.01 Normal Maintenance: Pruning of dead limbs, removal of dead trees, and cutting and removal including, but not limited to, seasonal clean-up, removal and replacement of dead vegetation with the same or similar plants, removal of dead trees less than 6 inches in diameter measured at 12 inches above the ground, mulching, and planting of annual or perennial flowering plants do not require ARC approval. It is strongly suggested that any question about whether a landscape change requires ARC review be addressed to the ARC at arcreview@threepineshoa.com in advance of commencing any work. The ARC will assist homeowners by meeting on-site if appropriate to make such a determination.

6.07.02 Landscape Changes Beyond Normal Maintenance: Removal of any living trees, shrubs, or bushes regardless of size or condition must be approved by the ARC. The addition of any new landscape features including, but not limited to, plants, trees, bushes, pathways, and landscape lighting, must be approved by the ARC. Any new hardscape or improvements such as patios, decks, trellises, gazebos, outdoor fireplaces, stone walls, large rock additions, screens, and fences also require ARC approval. Any landscape changes that encroach on, alter, or modify the drainage and erosion plan on a previously-approved landscape plan require ARC approval.

6.07.03 Landscape Change Application Requirements: In all cases where ARC approval is required for landscape changes, before commencing any work, homeowners shall submit a preliminary application and drawing detailing all changes being proposed, including the names and locations of plants or trees to be removed, the names and locations of any replacement or new plantings, and any and all other changes to the existing Landscape Plan. Submit one hard copy and one pdf of these plans at a scale of 1" = 10'. Based on the preliminary submission, the ARC will determine whether the

SECTION 6 - POST-CONSTRUCTION MODIFICATIONS

homeowner may proceed without further application or a more detailed application is required. In all cases where the landscape revisions encroach on, alter, or modify the drainage and erosion plan on a previously-approved landscape plan, a new, complete landscape plan application as described in Section 4 of these Guidelines shall be required.

6.08 SATELLITE DISHES

Prior to the installation of a satellite dish, the owner must obtain approval by submitting an application to the ARC setting forth the proposed placement and color of the dish. Any proposed satellite dish shall be as inconspicuous as possible, consistent with technical and regulatory requirements for adequate reception. Specific placement of the dish and color matching to the adjacent background shall be important considerations for ARC approval.

6.09 SOLAR APPLICATIONS

Solar water heating or PV system installations may be permitted on existing homes with necessary modifications to the system, the home design, or both and are subject to ARC review and approval. The homeowner should provide photographs showing the proposed location of the roof panels to be installed.

APPENDIX A - DESIGN REVIEW FEES

Description	Fee*
Refundable Security Deposit for New Construction	\$10,000
Complete Plan Review and Inspection Fee for New Construction including Landscape Plan Review (due with Preliminary Plan Submission)	\$1,750
Re-submittal Fee for Incomplete or Non-Compliant Submittals (per occasion)	\$200
Re-review of Previously Approved Design Development Plans when submitted more than 6 months after initial approval of the plans	\$1,000
Re-review of new construction plans initially not in compliance (per required review)	\$75
Review of plans for remodels, additions, or redesign of existing residence exteriors	\$500
Review of minor additions or changes such as deck enclosures, exterior lighting, permanent sports equipment, spas, and minor landscaping or irrigation changes	\$50 (min)
Review of plans to resurface existing driveway, patio, or walkway, or replace landscape material <i>with a change in materials</i>	\$50 (min)
Review of plans to resurface existing driveway, patio, or walkway, or replace landscape material <i>with no change in materials</i>	No Charge
Review of new exterior paint or stain colors, repainting, or restaining	No Charge

*Except for the \$10,000 Security Deposit, all fees are non-refundable.

APPENDIX B – NEW CONSTRUCTION PROJECT INFORMATION FORM

Submit this form to ***arcreview@threepineshoa.com*** to request a Pre-Design Conference. The ARC will schedule the Pre-Design Conference via phone or email at a mutually acceptable date and time, generally within 14 working days of receiving the request.

Today's Date _____ Lot #/Address _____

Owner _____

Phone _____

Address _____

Email _____

Architect or Designer _____

Phone _____

Address _____

Email _____

Contractor _____

Phone _____

Address _____

Email _____

Landscape Contractor _____

Phone _____

Address _____

Email _____

Owner and/or Contractor certifies that they have reviewed a copy of the Three Pines CC&Rs and ARC Guidelines. Owner and/or Contractor understands that the house and landscape designs must meet these requirements and be compatible with the overall design of the Three Pines Development. Owner and/or Contractor further understands that the Three Pines ARC may reject the plans or require modifications of the plans to meet the requirements of the CC&Rs and ARC Design Guidelines.

Signature of Contractor

Date _____

Signature of Contractor

Signature of Owner

Date _____

Signature of Owner

All contact between property owners or their designated representatives and the ARC must be directed to the ARC at ***arcreview@threepineshoa.com*** or to the Three Pines Owners Association, c/o Jim Anderson, PO Box 235, Bend, OR 97709. It is the ARC's policy not to discuss any substantive issue with an owner except as a Committee and not on an individual basis.

APPENDIX C – MODIFICATIONS PROJECT INFORMATION FORM

Submit this form to ***arcreview@threepineshoa.com***. A Pre-Design Conference is recommended but not generally required for post-construction building modifications. See Appendix A for a complete list of design review fees.

Today's Date _____ Lot #/Address _____

Describe the proposed modifications: _____

Owner _____

Phone _____

Address _____

Email _____

Architect or Designer _____

Phone _____

Address _____

Email _____

Contractor _____

Phone _____

Address _____

Email _____

Landscape Contractor _____

Phone _____

Address _____

Email _____

Owner and/or Contractor certifies that they have reviewed a copy of the Three Pines CC&Rs and ARC Guidelines. Owner and/or Contractor understands that the house and landscape designs must meet these requirements and be compatible with the overall design of the Three Pines Development. Owner and/or Contractor further understands that the Three Pines ARC may reject the plans or require modifications of the plans to meet the requirements of the CC&Rs and ARC Design Guidelines.

_____ Date _____

Signature of Contractor

_____ Date _____

Signature of Owner

APPENDIX D - OWNER AND/OR CONTRACTOR AGREEMENTS

Acknowledgement

I have read all of the Three Pines Owners Association Architectural Rules & Design Guidelines for lot development and I agree to follow those Guidelines completely throughout the construction process and thereafter for any modifications proposed. I agree to pay upon receipt of final notification, fines levied for violations of these Guidelines.

I further agree that failure to pay fines will result in:

- a. A stop work order on my project.
- b. A lien placed upon my property for the fine plus filing fees, court costs, attorney’s fees, and interest at the rate of 1.5% per month. I, the Owner and I, the Contractor share joint and several responsibilities for such costs as we are both responsible to Three Pines Owners Association, Inc., for the infringement of these Guidelines.

I agree that I will not deviate from the design or from the material and color specifications which have been approved by the ARC unless those deviations are re-submitted and approved by the ARC. I understand my failure to do so will result in:

- a. A violation of the agreement and the resulting fine.
- b. The removal of all unauthorized materials and colors at my expense.
- c. The replacement of unauthorized materials and/or colors with those materials and/or colors authorized by the committee as represented on my application at my expense.

CONTRACTOR COMPANY

Name _____

Address _____

Phone _____

Email _____

CONTRACTOR PERSONNEL

Name _____

Address _____

Phone _____

Email _____

Construction Contractors Board Number _____

Corporation Division Registry Number _____

(Continued on next page)

APPENDIX D - OWNER AND/OR CONTRACTOR AGREEMENTS (Page 2)

CONTRACTOR'S BOND

Bond Company _____
Address _____
Agent _____
Phone _____
Email _____

CONTRACTOR'S Liability Insurance Company

Liability Company _____
Address _____
Agent _____
Phone _____
Email _____

CONTRACTOR'S Performance Bond (If required by the ARC)

Bonding Company _____
Address _____
Agent _____
Phone _____
Email _____

LANDSCAPE CONTRACTOR

Name _____
Address _____
Phone _____
Email _____
LCB License# _____ Liability Insurance Carrier _____

Signature of Contractor Date

Signature of Owner Date

Signature of Contractor (as an individual) Date

Signature of Landscape Contractor Date

APPENDIX E - RECOMMENDED PLANTS

Plant Sizes: The minimum plant material size requirements are as follows:

Perennials or Groundcovers	4" pots or 1-gallon
Shrubs (native to Central Oregon)	5-gallon
Specialty Dwarf Specimens	5-gallon
Large Shrubs or Deciduous Trees	15-gallon
Evergreen Conifer Trees	5' Balled & Burlapped
Sub-alpine Conifer	3' Balled & Burlapped

Recommended plants are listed below with both their Botanical and Common Names.

EVERGREEN TREES

Native

Subalpine Fir (*Abies lasiocarpa*)
Western Juniper (*Juniperus occidentalis*)
Western Larch (*Larix occidentalis*)
Engelmann Spruce (*Picea engelmannii*)
Lodgepole or Murrayana Pine (*Pinus contorta*)
Ponderosa Pine (*Pinus ponderosa*)
Mountain Hemlock (*Tsuga mertensiana*)

Non-Native/Ornamental

Colorado Spruce (*Picea pungens*)
Norway Spruce (*Picea abies*)
Bristlecone Pine (*Pinus aristata*)
Vanderwolf Pine (*Pinus flexilis* 'Vanderwolf's Pyramid')
Scots Pine (*Pinus sylvestris*)

DECIDUOUS TREES

Native

Vine Maple (*Acer circinatum*)
Douglas Maple (*Acer glabrum douglasii*)
Mountain Alder (*Alnus incana*)
Quaking Aspen (*Populus tremuloides*)
Chokecherry (*Prunus virginiana*)

Non-Native/Ornamental

Amur Maple (*Acer ginnala*)
Boxelder (*Acer negundo*)
Norway Maple varieties (*Acer platanoides*)
Red Maple varieties (*Acer rubrum*)
Hawthorn varieties (*Crataegus* species)
Ash varieties (*Fraxinus* species)
Crabapple varieties (*Malus* species)
Oak varieties (*Quercus* species)
Mountain Ash varieties (*Sorbus aucuparia*)

EVERGREEN SHRUBS

Native

Green Leaf Manzanita (*Arctostaphylos patula*)
Big Sagebrush (*Artemisia tridentata*)

Curl Leaf Mt Mahogany (*Cercocarpus ledifolius*)

Oregon Grape (*Mahonia aquifolium*)
Cascade Oregon Grape (*Mahonia nervosa*)
Creeping Oregon Grape (*Mahonia repens*)
Oregon Boxwood (*Pachistima myrsinites*)
Purple Sage (*Salvia dorii*)

Non-Native/Ornamental

Blue Star Juniper (*Juniperus squamata* 'Blue Star')
Pumila Spruce (*Picea abies* 'Pumila')
Blue Globe Spruce (*Picea pungens* 'Globosa')
Mugo Pine (*Pinus mugo*)
H1 hybrids (*Rhododendron*)

DECIDUOUS SHRUBS

Native

Serviceberry (*Amelanchier alnifolia*)
Hopsage (*Atriplex spinosa*)
Desert Sweet (*Chamaebatiaria millifolium*)
Silverberry (*Elaeagnus commutata*)
Oceanspray (*Holodiscus discolor*)
Cliff Oceanspray (*Holodiscus dumosus*)
Twinberry (*Lonicera involucrata*)
Mock Orange (*Philadelphica lewisii*)
Pacific Ninebark (*Physocarpus capitatus*)
Western Sandcherry (*Prunus besseyi*)
Antelope Bitterbrush (*Purshia tridentata*)
Smooth Sumac (*Rhus glabra*)
Golden Currant (*Ribes aureum*)
Wax Currant (*Ribes cereum*)
Sticky Currant (*Ribes viscosissimum*)
Nootka Rose (*Rosa nutkana*)
Wood's Rose (*Rosa woodsii*)
Scoulers Willow (*Salix scouleriana*)
Purple Sage (*Salvia dorii*)
Blue Elderberry (*Sambucus cerulea*)
Red Elderberry (*Sambucus racemosa*)
Silver Buffalo Berry (*Shepherdia argentea*)

Sitka Mountain Ash (*Sorbus sitchensis*)
Shiny Leaf Spirea (*Spiraea betulifolia*)
Douglas Spirea (*Spiraea douglasii*)
Subalpine Spirea (*Spiraea splendens*)
Snowberry (*Symphoricarpos albus*)
Coralberry (*Symphoricarpos orbiculatus*)
Soapweed (*Yucca* species)

Non-Native/Ornamental

Black Chokeberry (*Aronia melanocarpa*)
Siberian Pea Shrub (*Caragana arborescens*)
Bluebeard (*Caryopteris clandonensis*)
Flowering Quince (*Chaenomeles speciosa*)
Cranberry Cotoneaster (*Cotoneaster apiculatus*)
Rock Daphne (*Daphne cneorum*)
Forsythia (*Forsythia intermedia*)
Honeysuckle (*Lonicera tatarica*)
Mock Orange (*Philadelphus virginialis*)
Shrubby Cinquefoil (*Potentilla fruticosa*)
Alpine Currant (*Ribes Alpinum*)
Grow-Low Sumac (*Rhus aromatica*)
Arctic Blue Willow (*Salix purpurea*)
Spirea (*Spiraea japonica*)
Lilac (*Syringa vulgaris*)

PERENNIALS

Native

Common Yarrow (*Achillea millifolium*)
Western Columbine (*Aquilegia formosa*)
Sandwort (*Arenaria* sp.)
White Sage (*Artemisia ludoviciana*)
Arrowleaf Balsamroot (*Balsamorhiza sagittata*)
Common Larkspur (*Delphinium nuttallianum* .)
Buckwheat (*Erigeron* species)
Oregon Sunshine (*Eriophyllum lanatum*)
Blanket Flower (*Gaillardia aristata*)
Alumroot (*Heuchera cylindrical*)
Mountain Hollyhock (*Iliamna rivularis*)
Scarlet Gilia (*Ipomopsis aggregata*)
Blue Flag Iris (*Iris missouriensis*)
Sand Lily (*Leucocrinum montanum*)
Bitterroot (*Lewisia rediviva*)
Blue Flax (*Linum lewisii*)
Sickle-Keeled Lupine (*Lupinus albicaulus*)
Silky Lupine (*Lupinus sericeus*)
Monkey Flower (*Mimulus* species)
White Primrose (*Oenothera caespitosa*)
White Stem Primrose (*Oenothera pallida*)
Penstemon (*Penstemon* sp.)
Spreading Phlox (*Phlox diffusa*)
Prairie Sage (*Salvia azurea*)

Blue-Eyed Grass (*Sisyrinchium idahoense*)
Goldenrod (*Solidago Canadensis*)
Scarlet Globemallow (*Sphaeralcea coccinea*)
Orange Globemallow (*Sphaeralcea munroana*)
Prince's Prune (*Stanleya pinnata*)

Non-Native/Ornamental

Yarrow (*Achillea* species)
Basket of Gold (*Aurinia saxalilis*)
Snow-In-Summer (*Cerastium tomentosum*)
Coreopsis (*Coreopsis grandiflora*)
Crocus (*Crocus speciosus*)
Pinks (*Dianthus chinensis*)
Bleeding Heart (*Dicentra spectabilis*)
Coneflower (*Echinacea purpurea*)
Cushion Spurge (*Euphorbia polychroma*)
Blanket Flower (*Gaillardia grandiflora*)
Hardy Geranium (*Geranium* species)
Geum (*Geum* varieties)
Iris (*Iris sibirica*)
Shasta Daisy (*Leucanthemum × superbum*)
Lily (*Lilium* species)
Daffodil (*Narcissus* species)
Catmint (*Nepeta x faassenii*)
Penstemon (*Penstemon* species)
Russian Sage (*Perovskia atriplicifolia*)
Primrose (*Primula polyanthus*)
Black Eyed Susan (*Rudbeckia hirta*)
Veronica (*Veronica spicata*)

VINES

Non-Native/Ornamental

Clematis (*Clematis jackmanii*)
Honeysuckle (*Lonicera ciliosa*)
Virginia Creeper (*Parthenocissus quinquefolia*)

GROUNDCOVERS

Native

Rosy Pussytoes (*Antennaria microphylla*)
Kinnikinnick (*Arctostaphylos uva-ursi*)
Wood's Strawberry (*Fragaria virginiana*)

Non-Native/Ornamental

Carpet Bugle (*Ajuga reptans*)
Snow-In-Summer (*Cerastium tomentosum*)
Iceplant (*Delosperma* species)
Sweet Woodruff (*Galium odoratum*)
Sedum Varieties (*Sedum* species)
Cinquefoil (*Sibbaldiopsis tridentata*)
Creeping Thyme (*Thymus* species)
Periwinkle (*Vinca minor*)

GRASSES & SEDGES

Native

Indian Ricegrass (*Achnatherum hymenoides*)

Pinegrass (*Calamagrostis rubescens*)

Ross' Sedge (*Carex rossi*)

Tufted Hair Grass (*Deschampsia caespitosa*)

Idaho Fescue (*Festuca idahoensis*)

Prairie Junegrass (*Koeleria macrantha*)

Great Basin Wild Rye (*Leymus cinereus*)

Sandberg Bluegrass (*Poa sandbergii*)

Bluebunch Wheatgrass (*Pseudoroegneria spicata*)

Non-Native/Ornamental

Feather Reed Grass (*Calamagrostis x acutiflora*)

Blue Oat Grass (*Helictotrichon sempervirens*)

Switchgrass (*Panicum virgatum*)

Little Bluestem Grass (*Schizachyrium
scoparium*)