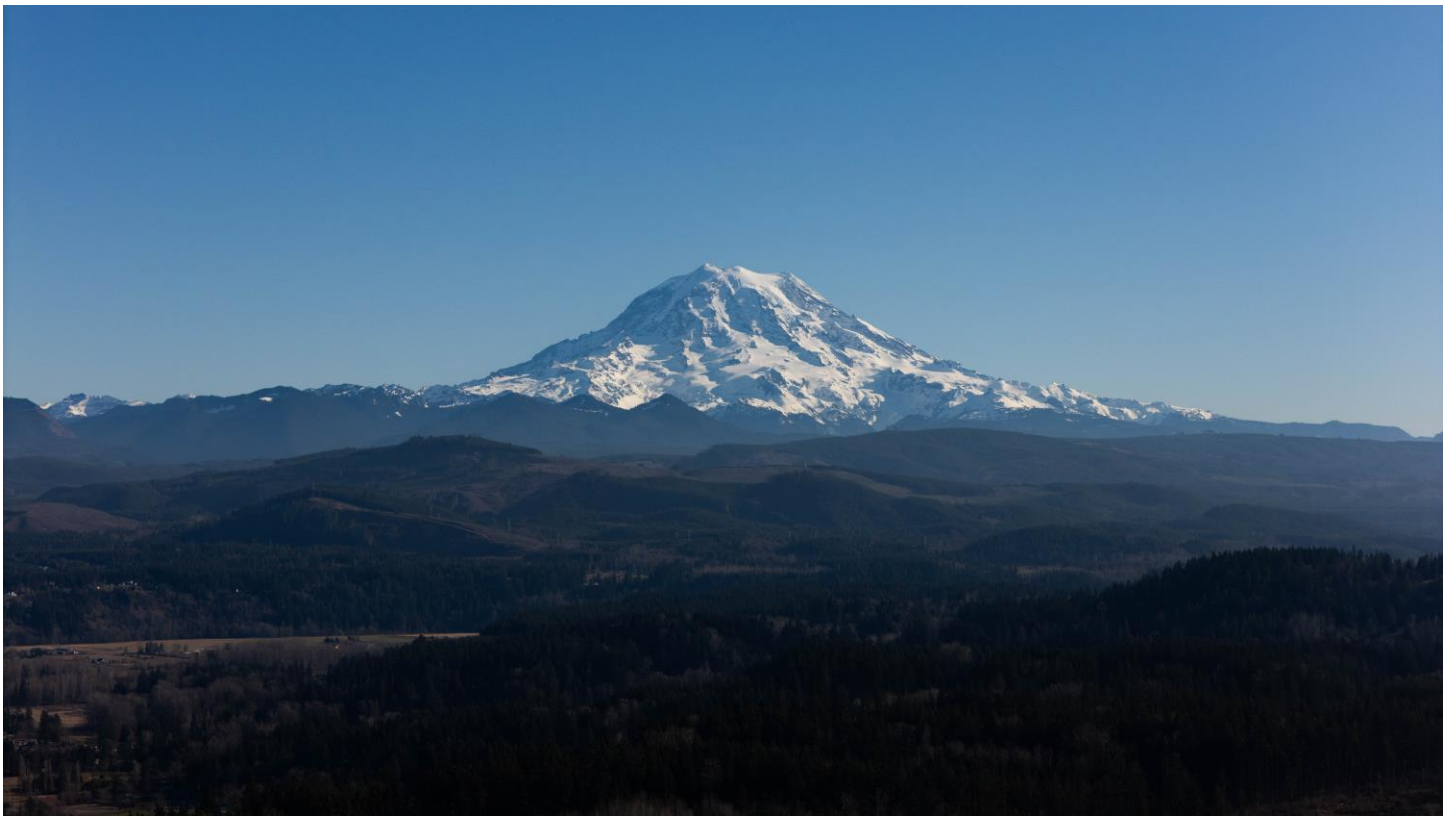
Board Adopted – July 10, 2025

# Uplands South Hill Community Association



## Architectural Modification

## Design Manual

UPLANDS

BY TARRAGON

# Architectural Modification Design Manual

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UPLANDS

BY TARRAGON

**Architectural Modification Design Manual Directives**

**Introduction**

These Architectural Modification Design Manual Directives have been developed and adopted by the Uplands South Hill Community Association (USHCA) Board of Directors to promote the preservation of each resident's investment, while creating harmonious and attractive neighborhoods, keeping the safety and well-being of all residents in mind. The Design Manual Directives are consistent with and a subset to the Uplands Design Guidelines, including PCC18A, as well as the Pierce County Building Code. The Directives are also a companion to the USHCA-specific Uplands CC&Rs and Amendments, Bylaws, and Use Restrictions and Rules which are all consistent with the current Washington State statutes governing homeowner associations. Please familiarize yourself with these documents. In the event of any conflict, Washington State statutes, Pierce County approved Uplands documents, the CC&Rs, Bylaws, the Use Restrictions and Rules and these Architectural Modification Design Manual Directives shall prevail in that order.

While Pierce County may from time to time amend their codes, Uplands is and will continue to be governed by the Pierce County approved Uplands documents listed above. Under these circumstances, small differences may exist between the Uplands Code and the general Pierce County Code but in such cases, the Uplands documents shall govern. The exception to this rule is the Pierce County Building Code and its updates which contain standards that will always apply to improvements that require a building permit.

The Architectural Modification Design Manual Directives apply to the residential properties within USHCA as defined in the CC&Rs for single-family, multi-family and other residential housing. This document is binding on all residents within the residential properties, including Owners and their families, guests, tenants under a lease or rental agreement, and anyone otherwise occupying a Unit within USHCA, including all Sub-Associations. The following should be kept in mind when reading and using the Architectural Modification Design Manual Directives:

- It is the responsibility of each Owner to provide a copy of this document to their tenants along with all other USHCA governing documents. **NOTE:** Only Owners may apply to the ARC for an architectural modification.
- A schedule of fines for non-compliance can be found in the Governing Documents: Use Restrictions and Rules.
- This document may be amended from time to time as the development of USHCA progresses and the needs of the community change.

**Architectural Approval Required (CC&Rs 4.2(a))**

Each Owner, by accepting a deed or other instrument conveying any interest in any portion of the Community Properties, acknowledges the below Directives and each Owner agrees that no work shall be commenced unless and until Declarant or its designee has given its prior written approval for such work, which approval may be granted or withheld in the sole discretion of the Declarant or its designee.

1. No structural modifications, landscaping (except for minor replacement of previously approved landscaping) or other site improvements, and no alteration or addition to any existing structure or site improvement may be made on any property until the plans and specifications showing the proposed design, nature, kind, shape, size, color, materials, and location of same have been submitted to and approved in writing by the Uplands Architectural Review Committee (ARC). Owners requesting approval of an improvement must submit sufficient exhibits to demonstrate compliance with these Architectural Modification Design Manual Directives. Submission of thorough information will prevent delays for all parties involved. Questions concerning the interpretation of any matter set forth should be directed to USHCA Management.

2. Any Owner may remodel, paint, or redecorate the interior of their Unit without ARC approval.

3. The ARC may approve modifications to the Design Manual Directives where circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental considerations may justify a modification. The inability to obtain governmental approval permits, or terms of financing shall not be considered a hardship for granting such approvals.

4. The ARC review and approval process is explained below. The ARC Application is included on page 27 of this document or can be obtained by contacting USHCA or downloading the application from the HOA documents section at www.uplandscommunity.com. The information and fees, if any, that must be submitted along with the Application is also listed below.

5. All improvements must be completed within six (6) months from the date of approval by the ARC. You must submit a new ARC application if improvement is not completed within six (6) months.

6. The ARC may assign approval of selected improvements to the Association Staff; provided a complete application is submitted showing all required criteria have been met. Such improvements will be labeled as **Staff Approval.**

7. Using property other than your own to make modifications, or store materials without the written consent of the lot owner, is prohibited. Please contact association staff if you will need access to your lot via property that does not belong to you.

**NOTE: DO NOT contract for or begin work until you have an approval letter from the ARC, as your request may not be approved as it was submitted. You, the Applicant, have the sole responsibility for ensuring full compliance with existing setbacks, easements, permits, and other local restrictions associated with the modification of your property.**

**Washington law requires you to "Call Before You Dig" prior to any digging or excavation to protect you and underground utilities (www.callbeforeyoudig.com, 811 or 1-800-424-5555).**

**Each Owner acknowledges** that the Architectural Modification Design Manual Directives, and the interpretation and application thereof, may vary from time to time, including opinions on aesthetic matters. Further, each Owner acknowledges it may not always be possible to identify objectionable features of proposed work until the work is in progress or completed, in which case it may be unreasonable to require changes to the improvements involved. However, the ARC may refuse to approve similar proposals in the future. Approval of any improvement shall not constitute a waiver of the right to withhold approval as to similar applications or proposals. The Directives and procedures for architectural review are for maintaining and enhancing overall aesthetics but shall not create any duty on the part of the ARC or any other person. Since the approvals are based on aesthetic considerations, the ARC shall have no responsibility for ensuring structural integrity or soundness of approved construction or modifications, or for ensuring compliance with building codes or other governmental requirements, nor for ensuring that all dwellings are of comparable quality, value or size or similar design. Neither the ARC, the Declarant, nor USHCA shall be held liable for soil conditions, drainage or other general site work or for any defects in plans reviewed or approved, or for any injury, damages or loss arising out of the manner or quality of approved construction on or modifications to any Improvements and Unit. In all matters, USHCA shall defend and indemnify the Declarant and ARC regarding any actions relating to architectural review.

**Architectural Review Committee (ARC) Review and Approval Process**

1. A complete Application for the review and approval of an exterior improvement must be submitted through your account on the Vantaca portal or send to USHCA at:

**The Management Trust, 950 Broadway, Suite 406, Tacoma, WA 98406**
You may also send via email to:
**UplandsHOA@managementtrust.com**

- The Application must be submitted at least thirty (30) calendar days before the scheduled start of work.
- Application fees, if any, will be added to your USHCA account once the application is sent to the ARC.

A complete ARC Application must include the following:

**a.** A completed ARC Application form and required fee, if any (see page 9 for fee schedule).
**b.** A detailed written explanation of the proposed improvement including proposed materials and color schemes; use additional pages, if necessary.
**c.** A Site Plan of the property. The Site Plan must show existing structures as well as the location, size, and setback dimensions of the proposed improvement(s). The Site Plan may be a freehand drawing. If a more formalized Site Plan is desired, it can be obtained from Pierce County or your builder.
**d.** Drawings and/or photographs representing the proposed improvement(s). A representation of the proposed alteration in the form of manufacturer's literature, photographs, freehand or mechanical drawings are recommended with the Site Plan. The amount of detail should be consistent with the complexity of the proposal.
**e.** A copy of the contractor's license and proof of insurance (if a contractor is being used).

2. The ARC review and approval process is as follows:

**a.** USHCA will complete an initial review of completeness and send the Application to the ARC to determine if more information is necessary or advisable. If more information is necessary, the Applicant will be responsible for providing this information to USHCA. Notification to the Applicant will be made within seven (7) calendar days of USHCA receiving the Application.
**b.** Once the Applicant has been notified that the Application is complete, the ARC will have 30 calendar days to "Approve," "Partially Approve," "Approve with Conditions," or "Deny" the Application. During this period, the ARC may meet with the Applicant and/or neighboring residents if the complexities of the Application warrant or the applicant and/or neighboring residents request such a meeting.
**c.** The ARC will provide its decision to USHCA by the end of the thirty (30) day review period. If the Application is "Partially Approved" or "Approved with Conditions," the ARC's decision will be considered preliminary, and the ARC will provide comments/markups identifying the modifications necessary. If the Application is "Denied," the ARC will provide the reasons for the denial.
**d.** The Applicant will receive written notification from USHCA of the ARC's Decision. If the decision is preliminary, the Applicant and/or neighboring residents will have a period of seven (7) calendar days from the date of notification to provide additional information and/or comments. Such information/comments must be provided in writing. Once this seven-day comment period is over, the ARC will have five (5) calendar days to provide a Final Decision to USHCA. A Notice of Final Decision will be provided to the Applicant by USHCA and placed in the permanent USHCA file for the property. Owners have the right to appeal the decision of the ARC to the Board within 10 days of final decision.

3. The ARC and USHCA will make every effort to meet the timeframes described above. The timeframes may be extended, however, at the written request of the Applicant or by the ARC if unanticipated circumstances, application complexities, or impact on and interest of neighboring resident's warrants extended ARC review.

4. In addition to the requirements of the ARC, the Applicant must comply with all other governing rules and regulations, including but not limited to, the CC&Rs, USHCA Use Restrictions and Rules, local jurisdiction, building permit or other approvals, and all state and federal laws.

5. The Applicant has the sole responsibility for ensuring full compliance with setbacks, easements, permits, fees, ordinances and restrictions associated with the modification of property. The Applicant's purchase and sale agreement and associated documents, the Uplands Design Manual and Pierce County Building Department staff (for building permit questions only) and design professionals are additional resources for obtaining information to meet this responsibility.

6. All ARC submittals and approvals must be in writing. Electronic submittals (e.g., via email) directed to the email address set forth in #1 above shall satisfy this requirement, as will submittal through the Owners account in the HOA portal. The ARC may reply to any electronic submittal electronically and such reply shall satisfy the "in writing" requirement.

**Review Process Flow Chart**

**Applicant - Start**

**What to Do?**

- Fill out Application
  - Detailed written description
  - Site Plan
  - Photos/Brochures
  - Contractor Information
- Send to USHCA at least 30-days prior to start of work

**USHCA Staff**

**What to Do?**

- Log incoming Application
- Return incomplete submittal to Applicant
- Send Application to ARC
- If required by ARC, request additional information from Applicant

**Architectural Review Committee (ARC)**

**What to Do?**

- Review the Application based on the Architectural Modification Design Manual Directives (and, if appropriate, the Uplands Design Manual).
- If necessary, request additional information from the Applicant.
- Send a "preliminary" or "final" decision to the USHCA Manager.
- Meet with Applicant and/or neighboring residents upon request.
- Send Final Decision to USHCA Manager.

**USHCA Staff**

- Notify Applicant of "Preliminary" and/or "Final" decision.
- Notify neighboring residents if circumstances require their notification.
- Place Notification of Final Decision in the property file.

**Applicant**

- Maintain a copy of the Notice of Final Decision.
- If Denied, Owner may reapply with the necessary revisions or request an appeal with the ARC and/or Board of Directors within 10 days.
- Proceed with the Property Modification in conformance with the conditions of the Final Decision.
- Contact the USHCA Management Team when project is completed.

# UPLANDS ARCHITECTURAL REVIEW FEE SCHEDULE

| | Modification or Addition | Fee | Notes |
|---|---|---|---|
| 1 | Accessory Outdoor Structures | $25 | Single item approval (Not part of larger landscaping or renovation projects) |
| 2 | Decks | $25 | |
| 3 | Driveways | $25 | |
| 4 | Garages | $50 | Detached Garages (See #26) |
| 5a | Landscaping Renovations 1-3 Items | $25 | To include patios, pavers, gazebos, bark, rock, sheds, artificial turf, etc. |
| 5b | Landscaping Renovations 4 or more items | $50 | |
| 6 | Permanently Installed Exterior Lighting | $25 | Trimlights or similar |
| 7 | Patios | $25 | Single item approval (Not part of larger landscaping or renovation projects) |
| 8 | Patio Covers and Awnings | $25 | |
| 9 | Play and Sports Equipment - Sport Courts | $25 | |
| 10a | In Ground Pools | $50 | |
| 10b | Swim Spas and Hot Tubs | $25 | |
| 11 | Projections (Into setbacks) | $25 | Fireplace structures, bay or garden windows, stair landings, ornamental features, or similar structures |
| 12 | Retaining Walls and Stairs | $25 | |
| 13 | Rooftop Equipment (Solar Panels included) | $25 | |
| 14 | RV Garages | $50 | Separate Structure (PC Permit Required) |
| 15 | Sheds and Storage Units | $25 | |

***Items not shown on this list are *not* subject to fees, but ARC approval is still required.**

**The Directives given below govern modifications to residential properties in the Uplands South Hill Community Association (USHCA). The Directives may not be all-inclusive and may be modified or supplemented in the future. Directives are a tool for use by residents, USHCA, and the ARC as the community matures.**

The purpose of this document is to provide guidance to owners when considering modifications to the physical condition of their Unit or Lot. All modifications must be approved by the ARC. The USHCA Use Restrictions and Rules is a companion document that covers requirements related to activities within the Community.

1. **Accessory Outdoor Structures:** All Accessory Outdoor Structures including, but not limited to, gazebos, covered patios, greenhouses, sunrooms, cabanas, screened porches, etc. must be approved by the ARC. Guidelines for such structures include the following:
    a. The design, size, and specific location of Accessory Outdoor structures must comply with the following requirements and be integrated into the design of the rear and side yard landscape.
    b. Accessory Outdoor structures are restricted to the rear and in some cases side yards.
    c. Accessory Outdoor structures in side yards may occupy up to 25% of the total area of a side yard and shall maintain a minimum 5-foot setback from any property line. The side yard shall be defined as that area from the front facade to the rear facade of the home and to the side property line.
    d. Accessory Outdoor structures in rear yards may occupy up to 25% of the total area of a rear yard and shall maintain a minimum 5-foot setback from any property line. The rear yard shall be defined as that area from the rear facade of the home to the rear property line and to both side property lines.
    e. Roofing materials and paint used on structures must match or complement the materials and paint existing on the Unit. Polycarbonate roof panels are allowed with ARC Approval.
    f. If electrical service to a gazebo or cabana is desired, it must be supplied underground and may require a permit from and inspection by the local jurisdiction.
    g. Fabric, ready-made gazebos are encouraged for seasonal use only and must be disassembled and stored during the inclement-weather months.
    h. Permanent roofed structures over 200 square feet must have gutters and downspouts and be connected to the foundation drainage system.
    i. Accessory Outdoor Structures over 200 square feet may require Pierce County building permits.

2. **Air Conditioning Units and Generators (Staff Approval):** Outdoor air conditioning units, heat pump units, and generators must be placed to minimize noise to adjacent Units and must be screened from the view from all Common Areas and street rights-of-way. AC units must be set back a minimum of 15' from the front facade of the home, with allowance for existing utilities, windows and doors. Screening shall include approved fencing or landscaping. Portable window-mounted air conditioning units may be placed only in the rear of the Unit and must be screened from view from all Common Areas. All mechanical units must adhere to all required manufacturer requirements.

3. **Basketball Hoops:** Permanent basketball hoops are not allowed to be constructed, placed or installed in the front of a Unit without ARC approval. ARC approval will be based on subjective criteria such as the shape of a lot, the close proximity of neighboring homes, and the approval of affected neighbors. Portable basketball hoops are allowed but may not be placed on the sidewalk or in the street, in accordance with Pierce County Code, Title 17B, Chapter 17B 10.121. See #20 for more information on Basketball Courts.

4. **Clothes Drying Facilities:** No outside clotheslines or other outside facilities for drying or airing clothes are allowed if visible from any Common Area, neighboring Unit, or street rights-of-way.

5. **Decks:**
   - **a.** The construction of decks must be approved by the ARC and will be reviewed with the privacy of neighboring Units in mind.
   - **b.** With approval of the ARC, up to 50% of a unit owner's rear yard may be developed as deck areas and access stairs. Decks and access stairs that are 30" or more above grade shall maintain all building setbacks. Stair landings not wider than 10' may project not more than 2' into a side or rear yard setback.
   - **c.** Decks must be built using materials compatible with the architectural character of the Unit. Composite materials are encouraged.
   - **d.** The installation of a deck, either in progress or completed, may not divert water from a Lot onto adjacent properties. Generally, approval of a deck installation will be declined if adjoining properties will be affected by changes in drainage. Site inspections may be required.
   - **e.** Decks must be maintained free of moss and in good repair at all times.
   - **f.** Per Pierce County Code, a building permit will be required if a deck is over 200 sq ft, is more than 30 inches above grade, or if it is attached to a dwelling. Contact Pierce County for more information.

6. **Dog Runs and Animal Pens:** Dog runs and animal pens, such as catios, are allowed if screened from the view from Common Areas, neighboring Units and street rights-of-way. Screening shall include approved hedges or fences. Provisions for pet structures will be considered on a case-by-case basis. Pet structures (dog houses) are limited to a maximum of 12 square feet and may be no more than 4 feet high. No associated enclosure (i.e., dog run) will be allowed. Prior to submitting an application, the Reviewer recommends that an Owner meet with the ARC or Association Staff. The Owner is advised to research applicable Pierce County Codes. ARC approval does not assume compliance with Pierce County Codes. Proposed pet structures should match or be compatible with the residence or other elements of the lot such as fences, sheds or decks. Plans and specifications, including the following must be provided to the Reviewer: (I) A site plan showing the location of the structure and the distances to any boundary and setback lines. (II) Elevation (III) Materials and colors (IV) Dimensions

   Invisible Fencing (Notification only):

   Invisible fencing to mark the boundary of a pet's territory may be installed after notification to the ARC. Visible components (flags) of the system must be removed within 45 days of installation. Any such territory must be entirely within the property limits of the Unit lot and may not include any HOA maintained areas. Any pet in any Common Area or Open Space shall be under the close physical control (a leash) of the owner.

7. **Driveways:** Limited widening of driveways may be allowed for maneuvering purposes as long as the landscape of the front yard continues to meet the Landscape Directives in 13 below.

8. **Fences:** Fences must be approved by the ARC. The following Directives apply to fences.
   - **a.** Acceptable fence material is wood. Acceptable wood fence designs and construction specifications are included in Exhibit A - Fence Designs. Chain link, iron, and vinyl fences are not allowed unless approved by both the Uplands ARC and USHCA ARC.
   - **b.** Fences built on slopes greater than 15% must step in sections.

**c.** Gates to Common Open Space areas are not allowed.

**d.** A fence must be consistent in style with an existing neighboring fence. If a homeowner wishes to change a fence design, the change shall be limited to a fence not adjacent to an existing fence.

**e.** The height of a fence built on a wall shall be limited to the difference between the height of the wall and the allowed height of the fence (in most cases six (6) feet). Fences built on walls must meet Pierce County Codes and Standards.

**f.** When a fence is adjacent to a Common Area or street right-of-way, including an alley, it must be:

- **i.** located two (2) feet back from the property line;
- **ii.** 50% transparent over the entire surface or solid on the lower five (5) feet and 50% transparent on the upper one (1) foot; and,
- **iii.** designed to include landscape areas as described in Landscape Directives 13 below.

**g.** Front yard fences shall be a maximum of three (3) feet in height with a minimum transparency of 50% and shall return around the side of the Unit to the starting point of the side yard fence. Front yard fences shall also include a gate, arbor, or capped fence posts on each side of the walkway to the front entry of the Unit.

**h**. Side yard fences must be:

- **i.** a maximum of six (6) feet in height;
- **ii.** setback ten (10) feet from the front façade of the Unit on internal lots and fifteen (15) feet on corner lots unless otherwise approved by the ARC. Side yard fences on corner lots or next to common space must meet the requirements of f. above. The front facing portions of the side yard fence shall be perpendicular to the Unit and shall include at least one gate providing access to the rear yard; and,
- **iii.** located on the property line on internal Lots (Lots with Units on each side).

**i.** Rear yard fences must be:

- **i.** located on the property line on front load Lots; and,
- **ii.** located two (2) feet back from the property line on alley load Lots and include a gate to the rear yard. Fences adjacent to alleys must meet the requirements of f above.

**Fence Maintenance: Maintenance and Staining** (including both sides of the fence) is the responsibility of the owner of the Lot and must be done periodically to maintain the aesthetics and integrity of the fence. New fences must be stained after installation. Approved stains are: *Sherwin Williams Superdeck Exterior Oil-Based Transparent Stain in "Natural" or "Cedar Tone" or Sherwin Williams, Woodscapes Polyurethane Semi-Transparent Cedar Bark (SW3511*), unless otherwise approved by the ARC.

**9. Flagpoles and Flags:** Permanent flagpoles must be approved by the ARC. The ARC may regulate the manner of display of the Flag of the United States of America, including the location and size of flagpoles, but in all cases the ARC direction will be in accordance with RCW 64.38.033, Federal Flag display law, 4 U.S.C. Section 1 et seq., or https://uscode.house.gov/browse/prelim@title4&edition=prelim.

Political flags are allowed to be flown on ARC approved flagpoles. When flown with the Flag of the United States of America, it must adhere to the above referenced Federal Law and should be appropriately proportioned relative to flagpole (between one-quarter and one-third the height of the flagpole).

Ornamental or seasonal flags: See Uplands Use Restrictions and Rules.

**10. Garages:**

**a.** Replacement and/or repainting of garage door requires ARC approval.

**b.** Garages may not be converted to finished space for use as an apartment or other integral part of the living area of any Unit without the approval of the ARC.

**c.** Carports are not allowed in USHCA. Porte-cochères may be allowed with ARC approval.

**d.** To promote safety, deter theft, and maintain an orderly look, residents are encouraged to park in their garages first, then in their driveway, and to keep their garage doors closed except when entering and exiting.

**11. Hedges:** Hedges are an attractive way to delineate the public realm from the semi-public realm. Hedges must be approved by the ARC and may be used in place of fences in some locations. The following Guidelines and Standards apply to hedges:

- **a.** Evergreen plants are required for year-round coverage.
- **b.** When a hedge is adjacent to a Common Area or street right-of-way, including an alley, it must be located two (2) feet back from the property line to allow for plantings as described in Landscape Directives 13 below.
- **c.** Front yard hedges must be:
  - **i.** no more than three (3) feet or thirty-six (36) inches in height;
  - **ii.** setback 2 feet from property lines; and,
  - **iii.** continuous along the property line except where there is an entry, gate or walkway and return around the side of the Unit to the starting point of the side yard fence or hedge.
- **d.** Side yard hedges must be:
  - **i.** no more than six (6) feet in height;
  - **ii.** setback ten (10) feet from the front façade of a Unit on internal lots and fifteen (15) feet on corner lots unless otherwise approved by the ARC. The front facing portion of the side yard hedge shall be perpendicular to the Unit and include an opening/gate leading to the rear yard; and,
  - **iii.** located two (2) feet back from the property line on interior Lots (Lots with Units on each side) and two (2) feet back from the property line on corner lots.
- **e.** Rear yard hedges must be:
  - **i.** no more than six (6) feet in height;
  - **ii.** designed for a gate on alley load Lots; and,
  - **iii.** located two (2) feet back from the property line.

**12. Irrigation (Staff Approval):**

- **a.** Installation of irrigation systems requires Staff Notification and Approval.
- **b.** All irrigation systems must be designed to avoid overspray, runoff, low head drainage, or other similar conditions where water flows onto or over adjacent property, non-irrigated areas, walks, roadways or structures.
- **c.** Automatic control systems should be equipped with an operable rain sensor device installed per manufacturer's recommendations.

**13. Landscaping:** Each resident is responsible for ensuring that the landscaping for his/her Unit meets the Directives included below. In addition, residents are encouraged to review the Use Restrictions and Rules for additional maintenance requirements and the environmental standards in USHCA.

- **a.** The planting strip along the street right-of-way adjacent to a Unit, if any, must be maintained by the resident, including groundcover and/or sod and the street right-of-way trees. If street right-of-way trees are damaged or diseased, they must be replaced with the same species, must include a root barrier, and must be a minimum 2" caliper if a canopy tree; 1 ½" caliper if an ornamental tree. No changes to the planting strip landscape, including alternate tree species and ground cover, are allowed unless such changes are neighborhood-wide and are approved by the ARC. Replacement of damaged or diseased trees and/or groundcover with trees and/or groundcover of the same species do not require ARC approval.
- **b.** New landscaping or major revisions or additions to existing landscaping on a Lot may not be made without the approval of the ARC. Minor changes, such as the addition of similar plantings, seasonal plantings, or the replacement of dead or diseased plants and/or trees with plants and/or trees of the same species, may take place without ARC approval.
- **c.** If a resident purchases a Unit on a Lot that does not have rear and/or side yard landscaping, such landscaping must be installed within six (6) months of the purchase of the Unit unless seasonal weather conditions require an extension.
- **d.** Plantings between a fence or decorative wall and a Common Area or street right-of-way, must include 50% or more evergreen plants and groundcover. When such plantings are on an alley Lot, they must have a growth habit limited to one and a half (1 1/2) to two (2) feet in height and be placed in such a manner as to not interfere with cars backing out of garages. When such plantings are between a front yard fence or decorative wall and the sidewalk, they must have a growth habit limited to one (1) foot in height.
- **e.** Artificial turf is not allowed within the front yards of Uplands.
- **f.** Front yard landscaping – Front yards less than 200 square feet may consist of a mix of bark, rocks, plants, shrubs and trees as opposed to grass. Drought resistant plants should be used whenever possible. All front yard grass removal must be approved by the ARC.
- **g.** Side yard landscaping outside of a fenced area (10 feet back from front façade of the Unit on internal lots and 15 feet on corner lots) shall consist of natural lawn and must include a planting bed with shrubs that are of a size to cover the foundation within two (2) years. Side yard landscaping inside a fenced area shall consist of natural lawn or artificial turf to a maximum of 75% of side yard area, and planting beds. Side yards of 5' or less inside fenced areas are not required to be landscaped. All side yards may have up to 50% hardscape consisting of pathways, pavers, rock or gravel.
- **h.** Rear yard landscaping should have complete coverage with hardscape features and/or lawn and plantings. Plantings may include specialized areas such as vegetable gardens. An exception to the tree requirement may be made on small lots where planting areas are restricted.
- **i.** With approval of the ARC, up to 50% of a unit owner's rear yard may be artificial turf. Owners requesting a variance of the 50% restriction must provide documentation of their medical need for this accommodation.
- **j.** With approval of the ARC, up to 50% of a unit owner's rear yard may be developed as patio or deck area. See Directive 5 and 18 for requirements.

**14. Lawn Furnishings and Accessories:** No ponds, large lawn sculptures, fountains, fire pits, artificial plants, large rock gardens, or similar types of accessories are permitted on any Lot without ARC approval. "Open Flame" or solid fuel fire pits are not allowed in Uplands. "Controlled Flame" UL listed appliances, such as propane or natural gas fireplaces, firepits, permanently installed BBQ's, are allowed with ARC approval.

**15. Lighting:**

- **a.** No spotlights, flood lights, high intensity lighting or bare bulbs may be placed or used on any Unit that allows light to be directed or reflected unreasonably upon neighboring Units or Common Areas.
- **b.** All permanently installed lighting must be approved by the ARC.
- **c.** Temporary and permanently installed holiday lighting shall conform the requirements of Exhibit B.

**See Exhibit B on pages 23-24 for Directives and Guidelines regarding Holiday Lighting.**

**16. Mail and Newspaper Boxes.** Cluster mailboxes are located by USHCA at the direction of the United States Postal Service. No mail or newspaper boxes specific to a Unit are allowed.

**17. Painting:** A change in exterior paint color(s) must be approved by the ARC. Notification to USHCA is necessary, but ARC approval is not required to repaint the exterior of a structure if it is the same color or in accordance with the originally approved color scheme. Downspouts, gutters, and corner boards shall remain the color used by the builder of the home. If a new color scheme is approved by the ARC, downspouts and corner boards shall be painted the color used on the portion of the home adjacent to the downspout and/or corner board including areas where accent colors are used. In the case where an accent color ends at the corner, the downspout and/or corner board shall be painted the accent color. Gutters shall provide minimum color contrast to the adjacent materials and be a color complementary to the color scheme of the home. Stock gutters in white, brown, or almond may be used. Downspouts must match or be painted the body or adjacent color of the house to which they are attached. They must terminate into the originally installed storm water collectors at the foundation base. Photos of the home prior to painting are required to be submitted with the application. Similar color schemes to homes in close proximity to the applicant's home may not be approved.

**18. Patios:**

- **a.** The installation of patios must be approved by the ARC and will be reviewed with the privacy of the neighboring Units in mind.
- **b.** Patios must be built using materials compatible with the existing rear and/or side yard landscape.
- **c.** With approval of the ARC, up to 50% of a unit owner's rear yard may be developed as patio area consisting of concrete, unit pavers, flagstone or other compatible materials or as deck areas less than 30" above grade and built using materials compatible with the architectural character of the Unit. Composite materials are encouraged. For Decks 30" above grade see Directive 4 for Decks.
- **d.** Patio surfaces must maintain a minimum 5-foot setback from all property lines.
- **e.** The installation of a patio, either in progress or completed, may not divert water from a Lot onto adjacent properties. Generally, approval of a patio installation will be declined if adjoining properties will be affected by changes in drainage. Patio drainage may be required to be connected to foundation drainage systems. Site inspections may be required.
- **f.** Patios must be maintained free of moss and in good repair at all times.

**19. Patio Covers and Awnings**:

- **a.** Permanent patio covers must complement the scale, materials and colors of the Unit. Columns and supports must be large enough to provide adequate support and be proportional to the overall size of the Unit. Patio covers must adhere to the Unit/Lot setback requirements.
- **b.** Permanent patio covers must collect water into gutters and downspouts connected to the property's storm drainage system.
- **c.** Patio covers and awnings must be professionally attached to the house and designed to withstand wind and other natural conditions.
- **d.** Corrugated metal, plastic, fiberglass or vinyl patio covers and awnings are not allowed. Polycarbonate roof panels are allowed with ARC Approval.
- **e.** Retractable fabric awnings must be of neutral colors corresponding with the color of the siding or trim of the Unit and appropriately sized for the Unit's windows or doors. Awnings on the front or side windows or doors of the Unit are not allowed.

**20. Play and Sports Equipment:**

- **a.** Consideration must be given to minimize the view of play equipment and/or game courts from decks, patios and primary windows of neighboring Units.
- **b.** The size of the play equipment and/or game courts must correspond to the scale of the Unit and size of the Lot.
- **c.** A limited number of neutral colors should be used on play equipment to minimize the visual impact on adjacent Units.
- **d.** The height of play equipment cannot exceed twelve (12) feet, and all play equipment over six (6) feet in height must be approved by the ARC.
- **e.** All play equipment must be:
  - i. partially screened from view of neighboring Units; Common Areas and street rights-of-way with approved fences or hedges;
  - ii. limited in size to approximately 50% or less of the available yard space; and,
  - iii. made of wood and/or metal and/or composites that are designed to maintain their quality through all weather.
- **f.** All game/sports courts require approval of the ARC.

**21. Pools, Swim Spas, and Hot Tubs:**

- **a.** All pools, swim spas, hot tubs, and their enclosures must be approved by the ARC. The materials, size and color must be compatible with the architecture of the Unit, the size of the Lot, and the existing landscape.
- **b.** All above-ground pools more than 24" in height must be approved by the ARC.
- **c.** All Lots with pools, swim spas and/or hot tubs must be fenced with gates with secure latches.
- **d.** The composition of the materials used for pools, swim spas and/or hot tubs must be thoroughly tested and accepted by the industry.
- **e.** Pools, swim spas, hot tubs and pool equipment must not be visible from Common Areas or the street right-of-way adjacent to the Unit.
- **f.** Unit owners are responsible for compliance with all ordinances and laws concerning installation of pools, swim spas and hot tubs and concerning the discharge of water, chemicals, and the noise

generated by equipment associated with pools, swim spas and hot tubs. Water from pools, swim spas and/or hot tubs may not be drained into Common Areas or neighboring yards.

**g.** All pools, swim spas and hot tubs must be insured, and the facilities and their enclosures must meet all safety standards required by such insurance coverage.

**22. Projections:** The following Projections into required setbacks are allowed individually or together:

**a.** Fireplace structures, bay or garden windows, stair landings, ornamental features, or similar structures may project into any setback, provided such projections are:

1. limited to two per required yard
2. not wider than 10 feet
3. not more than 2 feet into a side or rear setback
4. not more than 3 feet into a front setback
3. wheelchair ramps may project into any required setback

**23. Retaining Walls and Stairs:**

**a.** The construction of new decorative and/or retaining walls and stairs or the removal or alteration of existing walls and stairs must be approved by the ARC.

**b.** Acceptable materials for decorative and retaining walls and rockeries include rocks, cast in place concrete, brick, masonry, stone and modular units. Dry stacking is preferred to allow water to pass through. Wood is not an acceptable material.

**c.** Decorative walls must comply with all the provisions of Directive 7 (Fences) as to location from property lines and provisions for access with gates.

**d.** The installation of decorative or retaining walls, either in progress or completed, may not divert water from a Lot onto adjacent properties. Generally, approval of a retaining wall installation will be declined if adjoining properties will be affected by changes in drainage. Site inspections may be required.

**e.** Decorative and retaining walls and stairs adjacent to a right-of-way with a sidewalk or trail or a Common Area must be kept below four (4) feet in height (over 4 feet requires an engineered design and building permit). If additional elevation needs to be accommodated due to grade, retaining walls should be stepped or elevation made up at the stairs of the house.

**f.** If a decorative wall is used in the front yard rather than a fence, the wall may be no higher than 3 feet, must include an opening at the walkway, and must be set back two (2) feet from the sidewalk to allow for plantings consistent with Directive 13.d (Landscaping).

**24. Roof Replacement:** The replacement of an existing roof with a different material type requires approval of the ARC. Approval is not required to replace existing roofing material if it is in accordance with the originally approved color scheme and materials.

**25. Rooftop Equipment:** No equipment or ornamental elements are allowed to be mounted, installed or maintained on the roof of any Unit so as to be visible from any neighboring Unit without the approval of the ARC. This Guideline does not prohibit wind turbines, or solar panels installed in accordance with RCW 64.90.510, as long as such equipment has been reviewed and approved by the ARC.

**See Exhibit C on pages 25-26 for Directives and Guidelines regarding Solar Panels.**

**26. Satellite Dishes and Antennas (Staff Approval):** The installation of an antenna or satellite dish visible from a Common Area or street right-of-way requires the approval of the ARC. The request for approval must include a written statement from the installer as to alternate location(s) that allow adequate reception. The ARC will comply with the federal Over-the-Air Reception Device (OTARD) Rule, 47 CFR 1.4000, http://edocket.access.gpo.gov/cfr_2005/octqtr/47cfr1.4000.htm.

**27. Screen and Storm Doors (Compliance Only):** Screen/storm doors will be approved based on the following:

- **a.** Screen or storm doors must match the color of the door over which it will be placed and must be in character with the design of the Unit.
- **b.** Full view glass screen or storm doors or doors with a single horizontal bar are recommended.
- **c.** No aluminum or unpainted /unstained wood doors are allowed.

**28. Sheds and Storage Units:** All sheds and storage units must be approved by the ARC. While sheds and storage units may be approved, they are discouraged due to the aesthetic impact and visibility from neighboring Units. A recommended alternative is the enclosure of space under a deck or a matching addition to the rear of the house. Sheds and storage units will be reviewed based on the following:

- **a.** A shed will be considered only if it blends with the home and maintains continuity of materials, such as siding, roof material and construction details, such as trim and pitch of roof.
- **b.** Prefabricated sheds will be considered on a case-by-case basis. The ARC decision will be based on the ability of the proposed shed to meet the standards below.
- **c.** Metal sheds are not allowed. Rubbermaid-type storage units less than 6’ in height are allowed if screened from view from adjoining properties and the street.
- **d.** Sheds must maintain a setback of 5' from any property line.
- **e.** Sheds must be constructed with horizontal siding, shingles, board and batten, or other ARC-approved materials to match the siding on the home. Roof materials and paint colors must be consistent with what is used on the home.
- **f.** Shed height may not exceed 9’6” (ground to peak) and square footage may not exceed 120 square feet.
- **g.** Sheds must be located in the rear or side yard, and only on lots where there is rear and side yard fencing. If the shed is visible from the street or common areas, the ARC may require additional screening around the shed.

**29. Shutters:**

- **a.** Shutters must be approved by the ARC.
- **b.** Shutters must be wood or vinyl and consistent with the style and color of the Unit and of a size that, if functional, would cover the window.
- **c.** Shutter screw or bolt attachments must be hidden or have caps.
- **d.** Shutters must be maintained and kept in good repair at all times.

**30. Signs:** Only signs that may be required by law or are approved by the ARC are allowed, with the following exceptions:

- **a.** One standard-size “For Sale” or “For Rent” sign may be used in the front yard of a Unit. No realtor “Open House” signs or directional signage is allowed in the Association.
- **b.** No signs may be placed in Common Areas or public rights-of-way.

**c.** Political signs may be placed on private property up to 45 days prior to primary and general elections and must be removed no later than fourteen (14) days after said elections. Political signs may be no more than 24" x 18" and only one sign per candidate or proposition is allowed. Political flags are allowed per Directive 8, (Flags).

**d.** Signs required by legal proceedings.

**31. Trellises and Arbors:**

**a.** May be used in the front, side and/or rear yards to define the entrance to the yard.

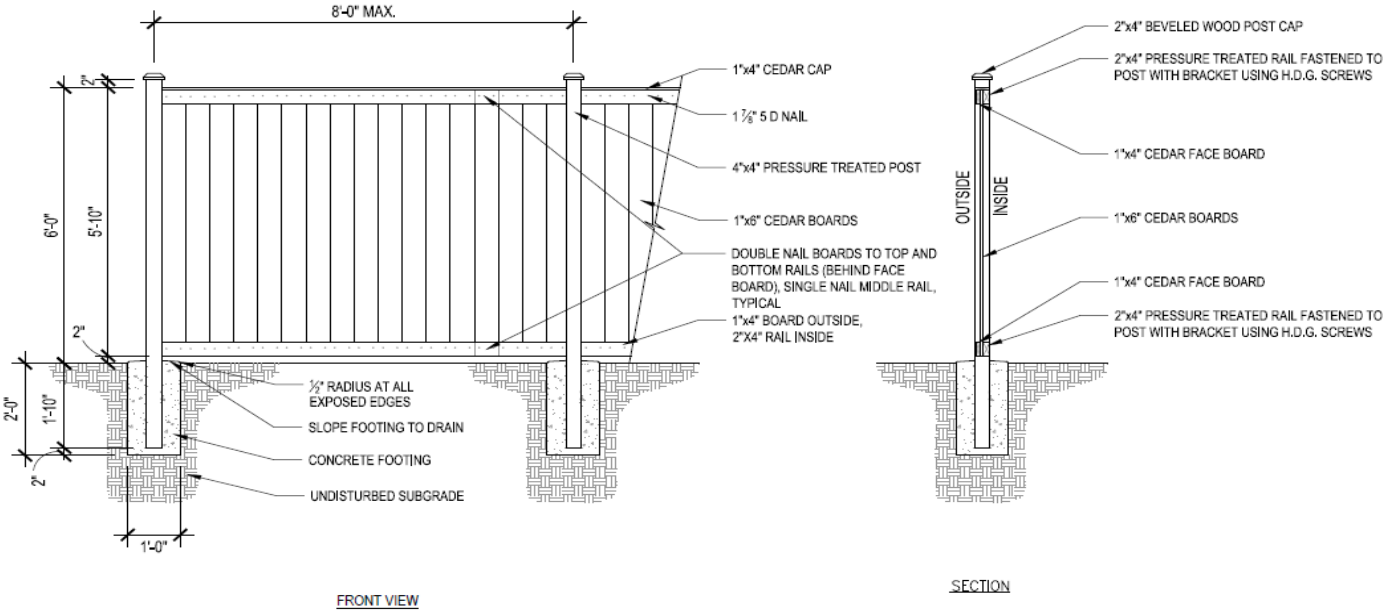
**b.** Must use materials that match or complement the fence and/or the Unit.
Trellises and arbors must be:

- Fifty percent (50%) transparent.
- A minimum of seven (7) feet and a maximum of eight (8) feet tall.

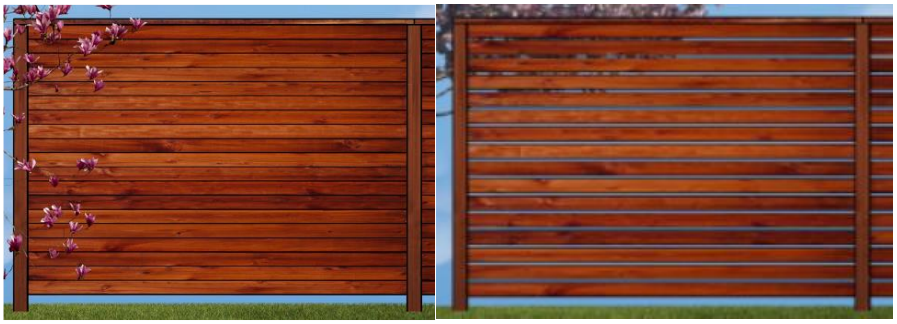
**EXHIBIT A**

**FENCE DESIGN – Option 1**

**Use when NOT adjacent to open/public space**

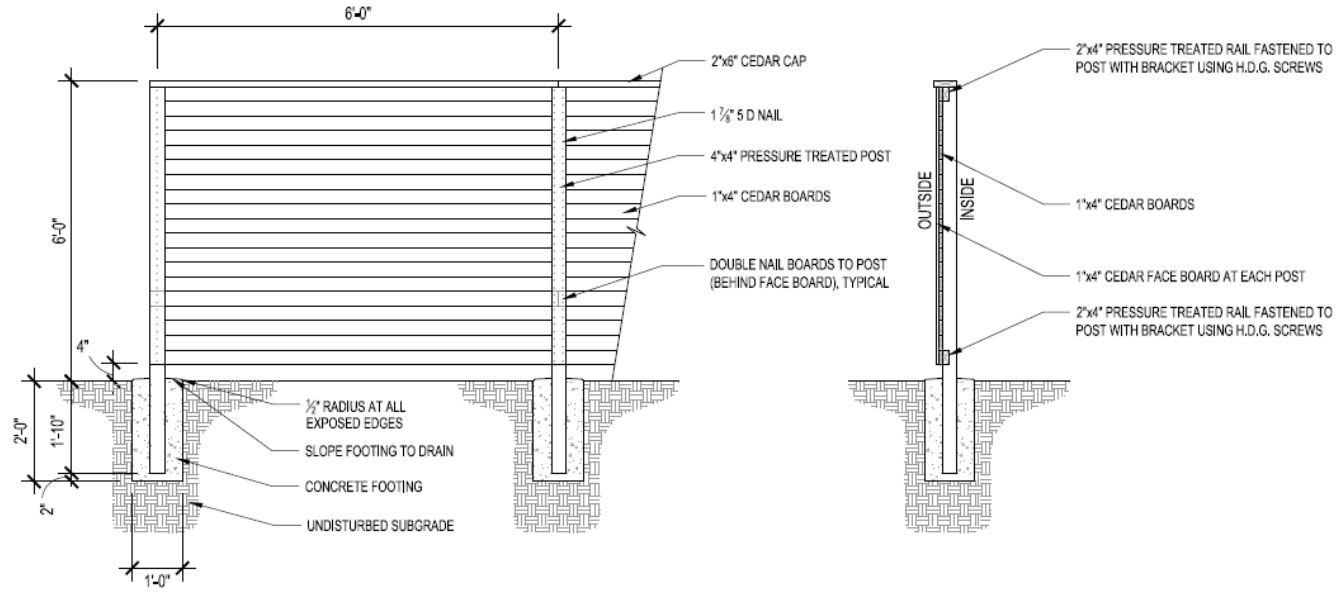


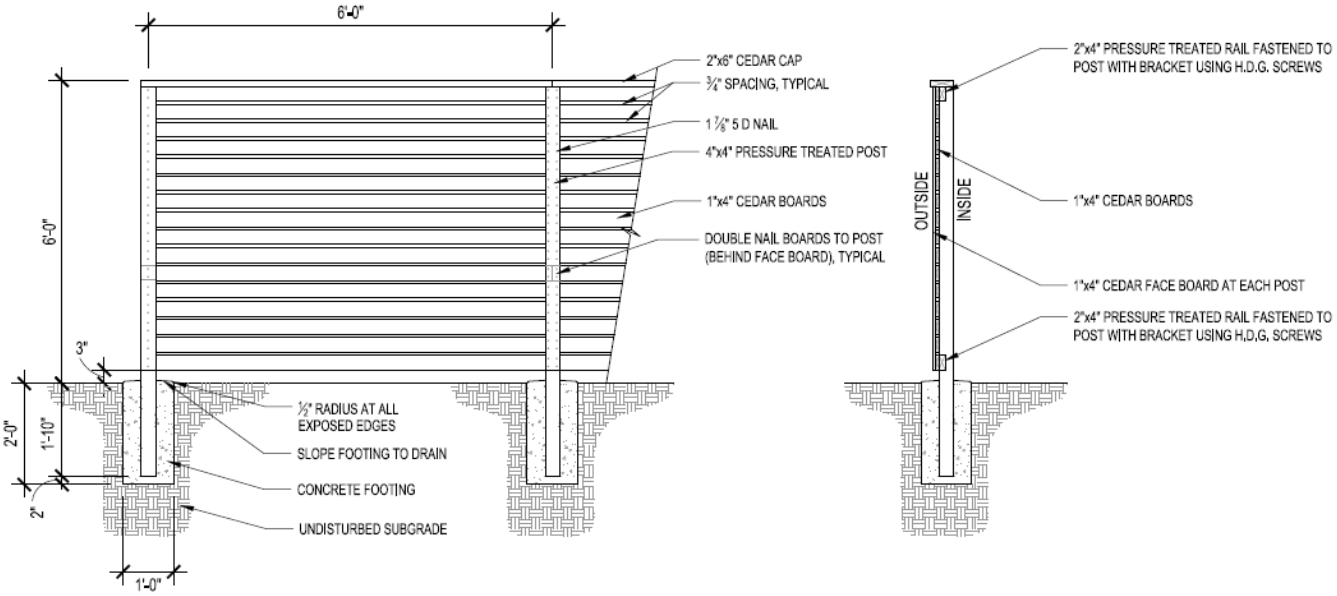

**FENCE DESIGN – Option 2A & B**



**Use when adjacent to open/public space**

☐ **OPTION 2A** ☐ **OPTION 2B**



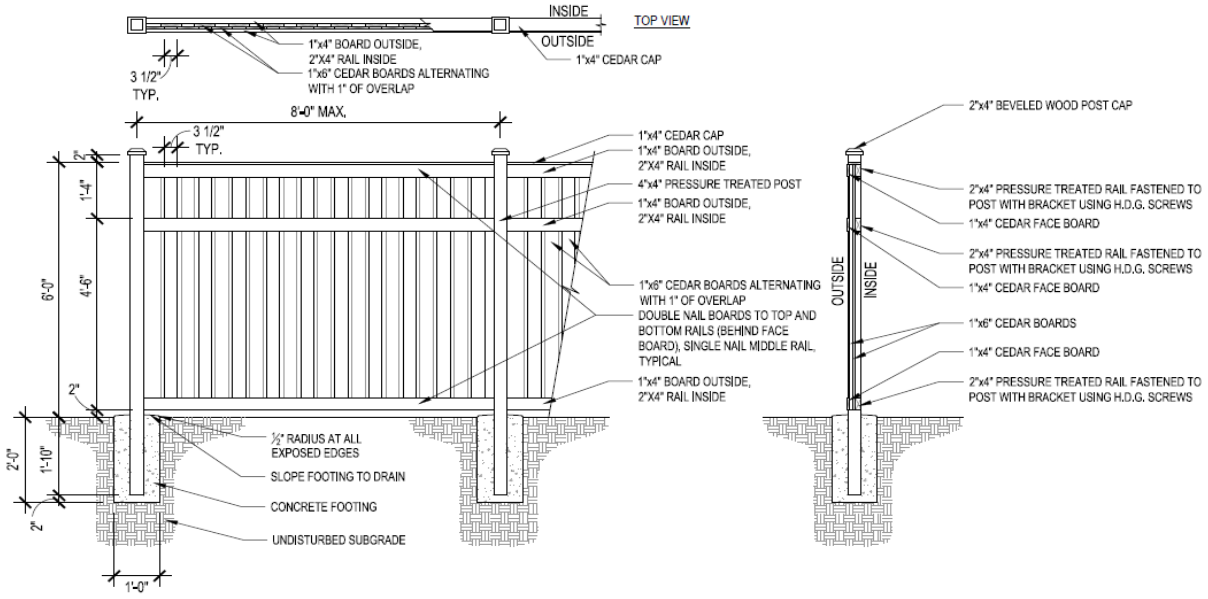

FRONT VIEW

SECTION

**FENCE DESIGN – Option 3A & B – PREFERRED OPTIONS**

**Use when adjacent to open/public space**

☐ **OPTION 3A** ☐ **OPTION 3B**



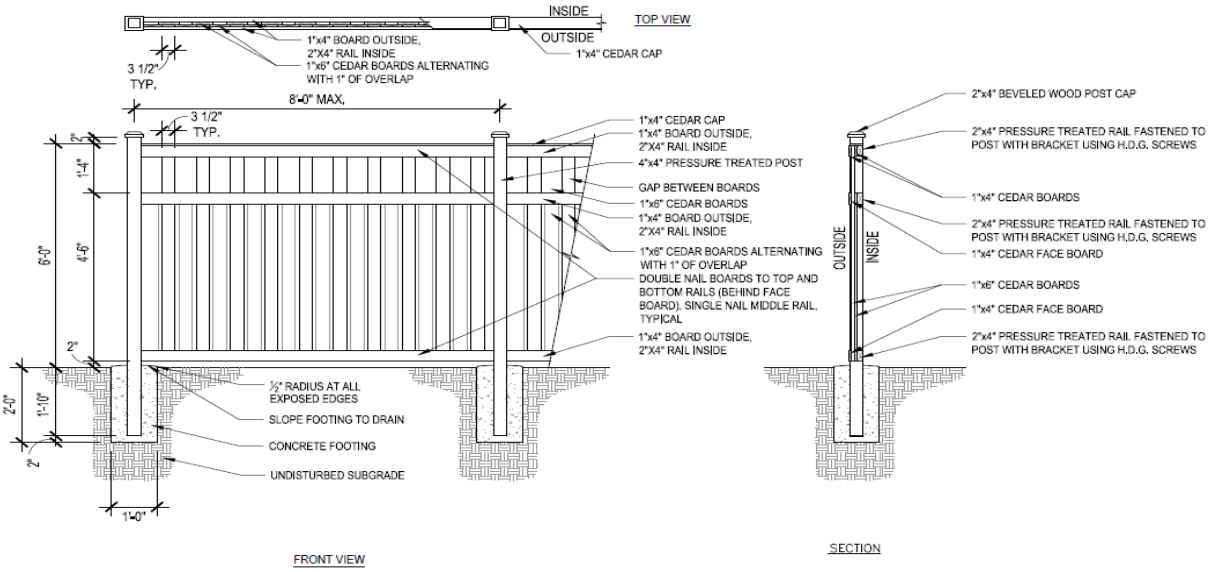



**EXHIBIT B – PERMANENTLY INSTALLED AND TEMPORARY HOLIDAY LIGHTING**

*The Board and/or ARC reserves all rights to approve or allow exceptions to these Directives on a case-by-case basis, as it deems appropriate.*

**Technical, Design and Use Directives**

- All permanent exterior holiday lighting systems (Trimlight www.trimlight.com or similar) constitute an exterior addition, change or alteration under Section 4.2.(a) of the Declaration and require approval from the Uplands Architectural Review Committee (ARC). The Uplands ARC will consider such requests made in writing using the Application Form, that in addition to other elements required by the Application Form, must include a) the system design specifications; b) applicable contractor information for the installation; and c) signed acceptance of these terms incorporated into the Application Form.
- Permanent holiday lighting systems must be professionally installed (Class B permit) and comply with local building and electrical codes, unless otherwise approved by the ARC.
- Permanent holiday lighting systems must be consistent with the home's architecture (by way of example only, and not limitation, they must accent rooflines, eaves and facias and not zigzag across the front of the house) and they may only be installed on the street front of the home with not more than a 5' return on each side. Homes on corner lots may use permanent lights on the full length of both common area-facing facades with not more than a 5' return on the sides adjacent to neighboring units. Lighting shall not be installed on fences or walls.
- Casing, brackets, housing and similar hardware must be compatible with or painted to match the trim color of the home.
- Permanent holiday lighting systems must not have power lines, strands/strings, or string connections that are visible from any other house or any street.
- Permanent holiday lighting systems may be controlled by electronic devices and must have the ability to be turned on and off manually. All exterior holiday lighting or powered holiday decorations shall be manually controlled or connected to a timer or electronic control device such that exterior lights and decorations will be off between the hours of Midnight and 5:00 am.
- Permanent holiday lighting systems must be LED or newer technology, and bulbs must be small enough as to not be visible from the street while turned off.
- Permanent holiday lighting systems must be dimmable with bulb spacing of 6" to 9". Bulbs must be downward firing (facing) and emit no more than 20 lumen per bulb.
- Chasing, flashing, or running lights are only permitted on slow settings that transition no faster than every 4 seconds. Strobing, flickering and laser type light are not permitted.
- Permanent holiday lighting systems must be kept in good functioning order at all times. Missing or burned-out bulbs must be replaced or repaired immediately. Lights must not be operated until replacement or repairs are completed.
- Permanent holiday lighting systems may be operated as follows:

  a) Holidays occurring in months other than the month of December: Seven (7) days before the holiday begins and one day after the holiday ends.

  b) Holidays occurring in whole or in part during the month of December: The earlier of the day after Thanksgiving OR thirty (30) days before the holiday begins and seven days after the holiday ends.
- Trimlight or an equivalent system may be used for security lighting as follows: Only lights installed at/above entry porches or doorways, rear yard porches or covered patios, and side yard covered patios may be used for security lighting. The intent is to allow lighting only in those areas where there are exterior doors or patio doors. Security lighting systems may be controlled by electronic device and must have the ability to be turned on and off manually. This may require a separate controller from the Holiday light controller. Programmable electronic LED Security lighting shall be installed at a bulb spacing of 6" to 9", be white in color only, operated at 30% brightness, and utilize only every other bulb.

The ARC may request modifications to specific decorations, including lighting and audio accompaniments.

**Temporary Holiday Lighting and Decorations**

a. Temporary holiday lighting and decorations must not interfere with the ability of the Association to perform landscape maintenance. The Association will not be responsible for damage to lighting or decorations placed on lawns, planting beds, shrubs or trees maintained by the Association.
b. All temporary holiday lighting or powered holiday decorations shall be manually controlled or connected to a timer or electronic control device such that lights and decorations will be off between the hours of Midnight and 5:00am.
c. Temporary holiday lighting systems must be consistent with the home's architecture (by way of example only, and not limitation, they must accent rooflines and not zigzag across the front of the house) and they may only be installed on the street front of the home with not more than a 5' return on each side. Homes on corner lots may use permanent lights on the full length of both common area-facing facades with not more than a 5' return on the sides adjacent to neighboring units. Lighting shall not be installed on fences or walls.
d. Chasing, flashing, or running lights are only permitted on slow settings that transition no faster than every 4 seconds. Strobing, flickering and laser type light are not permitted.
e. Unless otherwise permitted by this Section, temporary holiday lighting systems and decorations may be displayed and operated as follows:
    i. a) Holidays occurring in months other than the month of December: Seven (7) days before the holiday begins and one day after the holiday ends.
    ii. b) Holidays occurring in whole or in part during the month of December: The earlier of the day after Thanksgiving OR thirty (30) days before the holiday begins and seven days after the holiday ends.
    iii. Temporary holiday lighting systems must be removed within thirty (30) days after the holiday.

The ARC may request modifications to specific decorations, including lighting and audio accompaniments.

**Directive Amendments**

The ARC and the Association reserve the right to modify, change, expand, or amend these Directives for permanently installed lighting at any time and without notice in order to adjust for changes in equipment or technology, as well as to further the objectives and criteria for permanently installed lighting within the Association, subject to applicable laws.

*I have read the above usage directives for permanently installed exterior lighting and agree to install and operate said lighting on my home in accordance with these directives.*

_____ _____

Signature Date

**EXHIBIT C – SOLAR PANELS**

- Notwithstanding any provision contained in this section of these Directives or any other document governing the Association, this section shall not prohibit the installation of Solar Panel(s) by an owner of a Lot or Living Unit so long as the installation of the solar panel(s) satisfies the requirements of RCW 64.90.510 and the guidelines set forth below.

- If the State of Washington modifies RCW 64.04.140 or RCW 64.90.510, the modified laws shall be incorporated into these Guidelines, as it fully sets forth herein.

*The ARC reserves all rights to approve or allow exceptions to these Directives on a case-by-case basis, as it deems appropriate.*

**Technical and Design Directives**

- Solar Panel(s), solar panel frame and or support bracket must meet all applicable safety and performance standards established by the National Electric Code, Institute of Electrical and Electronic Engineers, accredited testing laboratories, and, where applicable, the rules of the utilities and transportation commission regarding safety and reliability.
- Installations must comply with all applicable building codes and all necessary permits must be obtained.
- To the maximum extent possible, the Solar Panel(s), solar panel frame and or support bracket must be visually integrated with the architecture of the house regarding style, location, size and color. All panels must conform to the slope of the roof, be black in color and have a non-reflective surface.
- To the maximum extent possible, the Solar Panel(s), solar panel frame and or support bracket shall be shielded from view of any Lot, Living Unit or Common Area of the Association.
- The Solar Panel(s), solar panel frame and or support bracket shall present a low-profile design symmetrical with the roof, and shall be placed so that the top edge of the Solar Panel(s), solar panel frame and or support bracket shall be parallel to the roof ridge. No part of the installation shall be visible above the roofline.
- It is required that conduits, wiring, and piping be run through the attic space. Minor exposed connections may be necessary and are acceptable only if painted to match/coordinate with the surface they are adjacent to.
- The inverter(s) and any monitoring systems must be located in the garage.
- The Solar Panel(s), solar panel frame and or support bracket shall be:
    1. Designed by a licensed and registered contractor specializing in solar panels.
    2. Built from commercially available components.
    3. Installed by a licensed, insured and bonded contractor.
- Owners who have Solar Panel(s), solar panel frame and/or support brackets installed hereby acknowledge that trees or vegetation along the streets, parks, open spaces, common areas and on adjacent properties will continue to grow and may impact the solar shading of an Owners approved Solar Panel(s). The Owner further acknowledges that the Association and the owners of adjacent properties have no obligation whatsoever to trim, prune, or otherwise alter such trees or vegetation now or at any time in the future, so long as such trees or vegetation comply to current HOA guidelines as to size and placement distance from property lines.
- Owners who have Solar Panel(s), solar panel frame and or support brackets installed agree to indemnify or reimburse the Association or its members for loss or damage caused by the installation, maintenance or use of Solar Panel(s)s, solar panel frame and or support bracket
- The Association's governing documents may include other reasonable rules regarding the placement and manner of Solar Panel(s).

**Application Submittal Requirements**

A completed ARC Application form signed by three (3) adjacent neighbors in view of the proposed Solar Panel(s), solar panel frame and/or support bracket must be submitted with the following documents:

1. Site plan showing the location of home, property lines, and orientation of the home in relation to other properties.
2. Photographs showing street views of the front, back, and sides of the home.
3. Drawings and plans with sufficient information and accurately drawn to scale to show the location, placement, size, shape, configuration and dimensions necessary to illustrate the proposed Solar Panel(s), solar panel frame and or support bracket.
4. Information from the manufacturer or contractor for the specific proposed Solar Panel(s), solar panel frame and/or support bracket.
5. Copies of all required state permits and inspection reports.

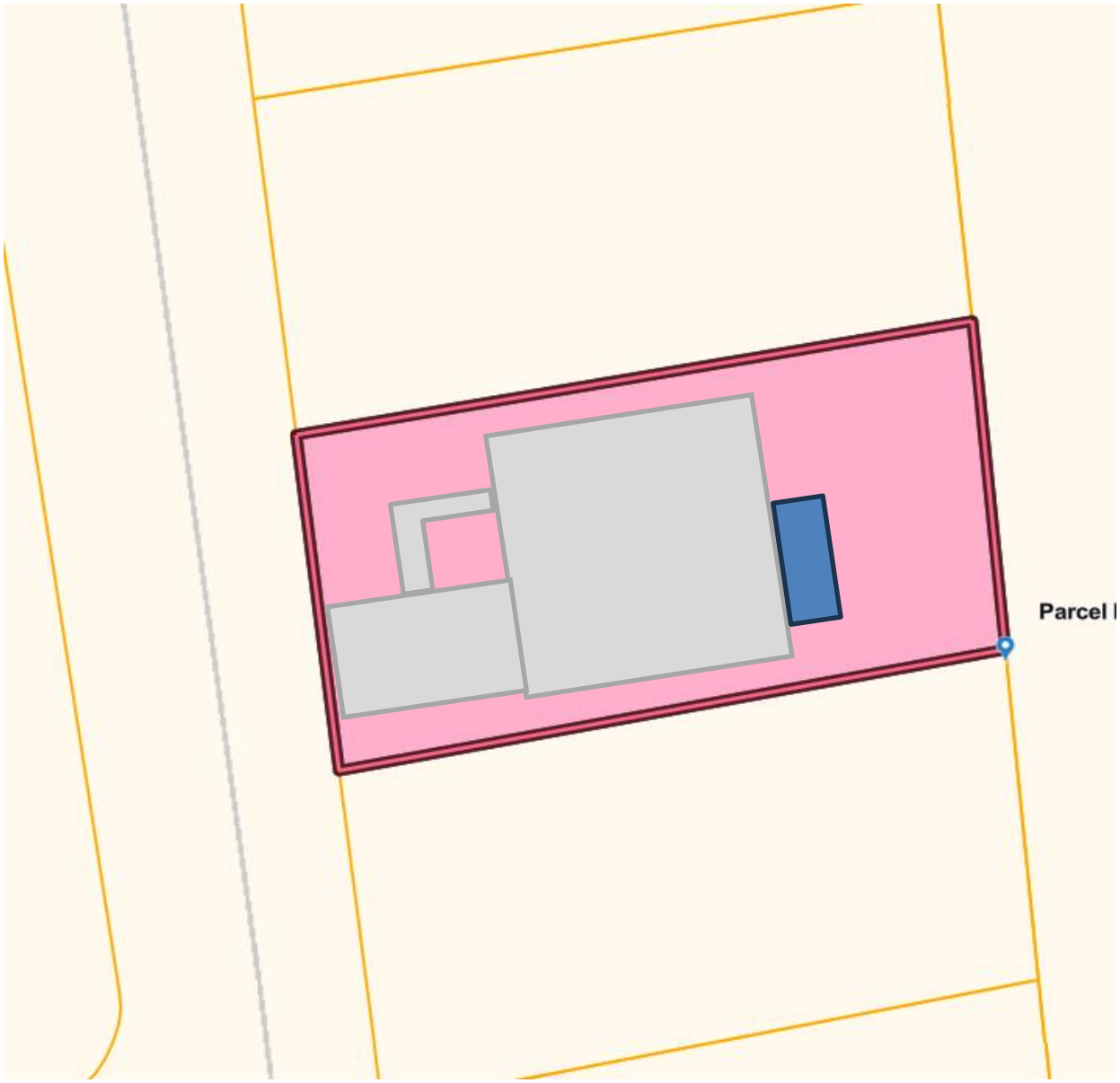
**Directive Amendments**

The ARC and the Association reserve the right to modify, change, expand, or amend these Directives for Solar Panel(s) at any time and without notice in order to adjust for changes in equipment or technology, as well as to further the objectives and criteria for Solar Panel(s) within the Association, subject to applicable laws.

**Site Plan Example**

Submittal Date _____

John Smith
12345 167th Ave E
Puyallup, WA 98374
253-345-6789

Proposed Project: Add a 10’ x 15’ patio to back yard (blue box)

Proposed Materials: Washed Aggregate