

LINCOLNSHIRE HOMEOWNERS ASSOCIATION

ARCHITECTURAL GUIDELINES

October 8, 2012

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COMPLIANCE WITH THE ARCHITECTURAL GUIDELINES SHALL NOT BE IN LIEU OF ACC APPROVAL. COMPLIANCE WITH THE ARCHITECTURAL GUIDELINES SHALL BE DETERMINED BY THE ACC AS PART OF THE APPROVAL PROCESS. THE ARCHITECTURAL GUIDELINES MAY BE MODIFIED FROM TIME TO TIME BY THE ACC.

Article I. Introduction

1. Association Responsibilities

One of the responsibilities of Lincolnshire Homeowners Association (the “Association”) is the control of the physical character of Lincolnshire (the “Community”) to enhance the desirability and attractiveness of the Community. The Association is charged with the administration and enforcement of architectural control within the Community by the authority given to it in the Declaration of Covenants, Conditions, Restrictions, and Reservations for the Community (the “CC&Rs”). The CC&Rs provide for an Architectural Control Committee (the “ACC”) with the authority to review and approve all plans and specifications submitted to it for proposed improvements within the Community (the “Improvements”)

The CC&Rs authorize the establishment of guidelines (the “Architectural Guidelines”) to be administered by the ACC. The CC&Rs provide authority to establish procedural rules appropriate to the type and nature of the Improvements within the Community.

2. Purpose of Architectural Guidelines

The purpose of these Architectural Guidelines is to provide continuity for the physical character of the Community. The intent is to give specific design criteria to residential property owners (“Owners”) for Improvements.

The Architectural Guidelines are written to preserve a high quality of appearance, assure compatibility between Improvements, and to protect and enhance the Community’s overall value. They are intended to be used by Owners and consultants in preparing plans and specifications for architectural, landscape and other Improvements, and by the ACC in reviewing these plans and specifications for conformance with the stated objectives. The ACC reviews proposed Improvements for aesthetic purposes only. It is the Owner’s responsibility to comply with all applicable federal, state, and local building codes

Article II. Architectural Guidelines

1. Architecture

a. Architectural Character

The initial architectural character of the Community consists of a variety of architectural expressions. Subsequent architectural Improvements must be compatible with the original architectural character of the Community.

Below are general guidelines for building materials, colors, and forms which are expressive of the Community’s architectural character, and which will be used by the ACC in reviewing plans and specifications for compatibility with the original design.

b. General Guidelines for Architecture

1. **Maximum Heights.** The maximum building heights of all Improvements shall be consistent with the Snohomish County building codes.
2. **Minimum Setbacks.** The minimum building setbacks of all new construction shall be consistent with the Snohomish County building codes.
3. **Exterior House Walls.** The material, color, and texture of new exterior walls shall be compatible with the existing house walls. All siding material shall be wood, cement-based siding, wood-based siding, stucco or stucco-like material, brick, stone or manufactured stone equal or better in quality than that used by Declarant, unless approved by the ACC. Any new fascia must match any existing fascia. Enhanced wall finishes, such as brick and stone, must be designed to wrap corners and appear to be integral to the house design, rather than as applied decoration.

New building features - such as planters, pot shelves, and solariums must be compatible with the color and design of the existing home. The color of new downspouts must match the wall color, or be compatible.

Blank two-story high walls should not face parks, streets, or other public viewing areas.

Horizontal siding is not allowed on chimneys that extend above the roofline.

4. **Columns.** New columns should be integral with the house design, with a substantial scale (e.g., stout columns and deep recesses).
5. **Balconies.** The location, material, and color of new exterior balconies shall be compatible with the existing house. Balcony railings must be designed to obscure stored items. Horizontal pipe railing is not permitted.
6. **Exterior Stairs.** The location, material, and color of new exterior stairs shall be compatible with the existing house. Stair supports must be designed as integral parts of the house. Pipe columns are not permitted. Prefabricated metal stairs are not permitted.
7. **Roofs.** The slope, material, color, and texture of any new roof shall be identical to the existing roof. Mansard and flat roofs are not permitted. New roof features, such as skylights, chimneys, or solar equipment, must be compatible with the design of the

existing house. Roof-mounted equipment must be completely screened. The color of new roof flashing, diverters, vent stacks, and similar features must match the existing roof color. The color of new gutters must match the existing fascia or existing roof color, or be compatible. All roofing material shall be “40-year” minimum composition and of equal or better quality than that used by Declarant.

8. **Skylights and Solar Equipment.** Skylights and solar equipment must be designed to be integral parts of the roof. Their form, location, and color must be compatible with the existing roof. Profiles must be minimized. All supports and piping for solar collectors must be enclosed. The color of skylights and solar collector frames must be compatible with the roof color.
9. **Exterior Windows and Doors.** The size, location, material, and color of new windows and doors shall be compatible with the windows and doors of the existing house.

New accent windows and doors, such as greenhouse windows or French doors, must be compatible with the color and design of the existing house.

Changes to windows and doors, such as glass tinting and decorative front doors, must be compatible with the color and design of the existing house.

10. **Awnings.** Awnings must be compatible with the color and design of the existing house. They must be simple in design and color. The size, location, and form must be in scale with adjacent windows.
11. **Garage Doors.** Changes to garage doors, such as replacement of a single-panel garage door with a roll-up door, must be compatible with the design and color of the existing garage door. Treatments that draw attention to the garage door, such as mirrored glass or ornate decoration on or around the garage door, are not permitted.

Features to soften the dominance of the garage door on the street scene, such as a horizontal trellis above the garage door, trees in the driveway, or a gateway at the front walk, are encouraged.
12. **Exterior Lighting.** New exterior light fixtures, such as decorative wall fixtures, lanterns on short columns, Malibu lights, uplights, and light posts, must be compatible with the design of the house. They must be simple in design and color.

Overly ornate light fixtures (such as Victorian globes) or commercial light fixtures (such as contemporary light bollards) that establish an independent theme that conflicts with the overall street scene are not permitted.

All flood lights and other utilitarian light fixtures must be screened from the street and adjacent homes. Light fixtures operated by motion detectors are permitted if approved by the ACC and if the fixture design is compatible with the architecture.

All light fixtures must be directed away from adjacent streets and properties to prevent off-site glare.

13. Communication Equipment. All exterior radio antennae, television antennae, satellite dishes and other transmitting or receiving devices should be screened from any public or private street. Satellite dishes or other outside television, radio and ham radio antennas, which measure up to 1 meter in diameter or height, may be installed without prior approval of the ACC, and visual impact from adjacent lots and public streets shall be minimized to the extent reasonably practical. Any satellite dish or antenna which exceeds 1 meter in diameter or height must be screened from view, and installation is subject to the prior approval of the ACC.

14. Outdoor Storage. All items stored outside, such as garden hoses, yard equipment, dog houses, trash cans, recycling bins, and compost containers, must be completely screened from streets, parks, greenbelts, and adjacent homes.

Storage sheds are only permitted in rear and side yards.

Any outbuilding, garage, or storage shed built on each Lot shall be:

1. limited to one per Lot;
2. limited in size to 400 square feet total floor area and no higher than 15 feet in height (6 feet if located within the side or rear setback) from the lowest ground level to the highest peak of its roof;
3. finished in materials matching those of the house built on each such Lot;
4. painted using colors matching the house built on each such Lot;
5. built in compliance with all applicable zoning and building codes;
6. screened with landscaping to minimize visual impacts from public streets, and
7. designed in the same architectural style as the house built on each such Lot.

15. **Color Changes.** The original house colors must remain, unless written permission to change colors is given by the ACC. Any color changes must be compatible with the neighboring homes and with the architectural style of the house.

2. Landscape

a. Landscape Character

The landscape character of the Community is established by the initial development. Subsequent landscape improvements must be compatible with the original design.

a. General Guidelines for Landscaping

1. **Landscaping in Yards Visible from Streets.** The primary purpose of landscaping in private yards visible from streets, such as front yards and corner side yards, is to produce an attractive street appearance.
2. **Trees.** Trees installed by the original builder must remain unless the removal or replacement of the tree is approved in writing by the ACC.
3. **Thematic Landscape Features.** Thematic landscape features with overly-distinctive colors, forms, or materials that establish an independent theme that detracts from the overall street scene, such as mirror balls, pink flamingos, Astroturf, rock gardens, gravel yards, boulders in turf areas, cactuses, and railroad ties are not permitted in private yards visible from streets.
4. **Landscaping in Yards Not Visible from Streets.** Except for patio covers and gazebos, the top of all landscape features, such as garden walls, fences, statues, sculpture, waterfalls, and fountains, shall be below the top of the perimeter wall or screened with landscaping to be invisible from surrounding streets, parks, greenbelts, and adjacent homes.
5. **Fences.** Fences visible from streets must be simple in design. The color of all the fences must be approved by the ACC. Wood fences shall be "Estate" style or similar and generally conform to the Fence Detail attached to these Guidelines as Exhibit C.

All fences shall be constructed to a height of no more than 72 inches and shall be of wood, or a substitute material approve by the ACC. No solid fence shall be constructed beyond the front building setback line or, in the case of corner Lots, beyond the side building setback lines.

Decorative wood fences, such as split-rail and ranch-style fences, may be permitted if compatible with the architecture of the Lot and the surrounding Lots and if approved by the ACC in its sole discretion.

Chain link fences may be permitted at the discretion of the ACC in limited circumstances: a) adjacent to a native growth area or on the perimeter of the "Property" (as defined by the CC&Rs), b) in the interior of a Lot for screening or protection of specific areas (such as sports courts, pools, etc.). In these circumstances, the fences are to be black or dark green to blend with the surroundings. No chain link fences are allowed adjacent to another Lot.

Fences of chain link, poultry wire, woven wire, aluminum, sheet metal, fiberglass, reeds, straw, rope, and similar temporary or commercial materials are not permitted.

6. **Drainage.** Area drains shall be installed in private yards, as necessary, for adequate drainage to permit plants to survive and to minimize pooling of water. The drainage pattern established with the original grading of the lot must be maintained. No drainage will be permitted onto common area slopes, landscaping, or adjacent lots.
7. **Playground Equipment.** All playground equipment or any playground structure on any Lot shall be limited in height to 15 feet. No permanent or portable basketball hoop may be located in any public right-of-way. All playground equipment, playground structures and basketball hoops must be kept in good repair.
8. **Driveways.** All driveways and parking bays shall be constructed of concrete or other hard surface approved by the ACC.
9. **Mailboxes.** Mailboxes have been installed by Declarant. Any modification of the location, color, size, design, lettering and other particulars of mail or newspaper delivery boxes shall be subject to the approval of the ACC.
10. **Use of Neighbors Yard.** The use of a neighbor's yard for construction access is not permitted unless the neighbor has given written consent. The use of property owned and/or maintained by the Association for construction access is not permitted, unless the Applicant obtains the prior approval of the ACC and signs a waiver of damage and posts a construction deposit in an amount determined by the ACC, for repair of damage to property owned and/or maintained by the Association.

Article III. Review and Approval Process

1. General Rules

- a. Construction of any improvement, including landscaping and color changes, may not begin until the ACC has approved plans and specifications and samples depicting the proposed improvement. Rear and side yards must be completely landscaped prior to the earlier of occupancy of the home or 3 months of the completion of the home.
- b. Detailed plans and specifications, material and color samples, and a completed "Property Improvement Form" must be submitted to the ACC at least 30 days prior to commencement of work on Improvements. The plans and specifications and forms should be sent to the "Lincolnshire Architectural Control Committee" in care of:

Lincolnshire Homeowners Association
6700 204th Street SE
Snohomish, WA 98296

The ACC has 30 days from the receipt of the submittal of a complete (as determined by the ACC) submittal package to approve or deny the submittal. The Applicant must obtain a dated written receipt for all plans and specifications submitted. Incomplete submittals will be denied. If the ACC fails to transmit its decision within 30 days after receipt of a complete submittal package, then the submittal will be deemed approved. The CC&Rs may impose additional notification requirements upon Applicants in the event that their submittal is deemed approved.

- c. Should the ACC reject an application, the Owner may appeal to the Board in writing within 7 days per the CC&Rs. The Board shall hold an appeals meeting within 15 days of the appeal, open to all Owners, with the following agenda:
 1. Presentation by the applicant of the proposed project
 2. Explanation of the rejection by the ACC
 3. Rebuttal by applicant
 4. Public comments
 5. Board discussion & vote

Any decision of the Board to accept the original application, or accept it with conditions, must be unanimous.

- d. When construction is completed, a "Notice of Completion" and photographs of the completed Improvements must be delivered to the ACC, for its use in determining if the Improvements were constructed according to the approved plans and specifications. A representative of the ACC may also inspect the Improvements.

- e. Approval of Improvements by the ACC is for aesthetic purposes only. It is the Applicant's responsibility to comply with all federal, state, and local ordinance and codes. Permits may be required by a public agency.
- f. The ACC's approval of plans and specifications refers to conformance with the CC&Rs and these Architectural Guidelines. By approving the plans and specifications, neither the ACC or any members thereof, the Association, the Members of the Association, the Association's Board of Directors (the "Board"), their designated representatives or agents, nor the merchant builder assumes liability or responsibility therefore, including, without limitation, architectural or engineering designs or any defect in any structure constructed from such plans and specifications.

2. Submittal Requirements

Step 0.

Before submitting a formal application, the Applicant may request a pre-application meeting with the ACC. In this meeting, the ACC and the applicant may discuss the scope of the application, the applicability of specific ACC guidelines, and the expected submission requirements before incurring the cost and time involved with completing a formal application.

Step 1.

Applicant reviews the Guidelines and prepares plans, elevations, and cross-sections depicting the proposed new Improvements. The ACC may choose to waive specific submittal requirements for a particular application or request additional information in discussion with the Applicant during the pre-application meeting. Standard requirements may include:

- The date, Owner's name, address and lot number of residence, telephone number, north arrow, and scale plans ($1/8'' = 1'-0''$ or $1/4'' = 1'-0''$)
- Designer/contractor's name, address, and telephone number, if applicable

For proposals involving fencing:

- A dimensioned plot plan showing the location of existing structures, location of the proposed fence, and materials used for the fence.
- A drawing or description of the style of fence.

For proposals including significant landscaping changes:

- A dimensioned hardscape plan showing new and existing paving, walls, fences, pools, patio covers, drainage, and structures accurately described as to materials, length, height, and angles.
- A dimensioned planting plan showing new and existing plants accurately described as to plant type, size, and location.

For proposals which modify the exterior structure of the house:

- A dimensioned roof plan for room additions showing new and existing roofs accurately described as to material, slope and drainage.
- Dimensioned floor plans for room additions showing new and existing rooms accurately described as to wall locations, columns, doors, windows, and other features that impact the exterior of the house.
- Dimensioned elevations for room additions showing new and existing walls accurately described as to materials, colors, doors, windows and other features that impact the exterior of the house.
- Photographs and dimensioned details as needed to describe the Improvement, including a cross-section of any patio cover and a photograph of any skylight specifying its height, material, color and appearance.

For proposals to create a new structure on the lot or modify an existing structure other than the house:

- A dimensioned plot plan showing the location of the structure on the lot and its location relative to other structures.
- Dimensioned plans for the structure, accurately describing its walls, columns, windows, materials and colors and other features that will affect its visual impact.
- Any landscaping proposed to reduce the visual impact of the structure from the street or adjacent lots.
- For significant structures, dimensioned elevations, roof plans and architect’s drawings may be required – similar to the requirements for a house.
- For major projects, preliminary plans and specifications should be submitted prior to preparation of construction documents.

The speed of ACC approval is based upon the amount of information given on the plans and specifications; therefore, inadequate information will cause the ACC to delay or deny the application.

Step 2.

Applicant completes Property Improvement Form (attached as Exhibit A)

Step 3.

Applicant submits the completed Property Improvement Form and six sets of plans and specifications to the “Lincolnshire Architectural Control Committee” at the address specified in section 1 of this Article

Step 4.

The ACC reviews the Property Improvement Form and the plans and specifications for completeness and consistency with the Guidelines and approves or denies the submittal

Approval may be granted with conditions.

If the approval is of preliminary plans and specifications, the Applicant must prepare final construction documents for review and approval by the ACC

Step 5.

Applicant reviews the ACC’s comments and notifies the ACC if he or she has any questions

Step 6.

If the ACC has granted final approval and the Applicant understands the ACC’s comments, then construction must begin within 180 days after approval by the ACC Unless otherwise required by the ACC, construction relating to the external appearance of Improvements must be completed within nine months after approval of the ACC

Step 7.

Construction must proceed in a manner consistent with the approved plans and specifications and all deviations must be reviewed and approved in writing by the ACC

Step 8.

Within 30 days after construction is completed, the Applicant submits a Notice of Completion to the ACC (attached as Exhibit B)

Step 9.

The ACC visits the site within 60 days after receiving the Notice of Completion and determines whether the Improvements were constructed according to the approved plans and specifications

Failure to obtain ACC approval constitutes a violation of the CC&Rs and may require the unauthorized Improvement to be removed at the Owner’s expense.

3. Conditions of Approval

The following conditions shall be conditions of any ACC approval. These conditions shall be deemed incorporated by reference in all plans and specifications or the ACC’s approvals. The Applicant is responsible for ensuring that these conditions of approval are observed by all persons or firms engaged by the Applicant to construct and/or install the Improvements.

- a. **Hours of Operation.** With respect to third party contractors (i.e., contractors other than the Declarant, builders hired by the Declarant, or their affiliates), construction is only permitted between the following hours:

Monday through Friday	7:00 AM and 6:00 PM
Saturday	8:00 AM and 6:00 PM
Sunday	No work permitted

If current Snohomish County regulations are more restrictive, the more restrictive regulations shall govern.

- b. **Temporary Structures.** Temporary structures are not permitted unless approved in writing by the Board.
- c. **Unightly Items.** Rubbish, debris and unsightly material or objects shall not be stored or permitted to accumulate on streets, sidewalks, common areas, or property owned and/or maintained by the Association.

Each week, all rubbish, debris and unsightly material or objects shall be removed from the Lot and the Community.

The Owner is financially responsible for any cleaning, removal, or repair that the Association deems necessary to comply with this condition.

- d. **Building Material.** Building material, including sand and bricks, shall not be stored on streets, sidewalks or common areas. All building material must be stored on the Owner's property.

The Owner is financially responsible for any cleaning, removal, or repair that the Association deems necessary to comply with this condition.

- e. **Construction Equipment.** Trash bins shall not be placed on streets or other areas of the Community that are exposed to the public for more than four consecutive calendar days unless otherwise approved in writing by the ACC.


Trucks, concrete mixers, trailers, compressors, and other similar types of construction equipment are not allowed in any driveway or other exposed areas or any street except for the purposes of loading, unloading and making deliveries or emergency repairs, unless otherwise approved in writing by the ACC.

The Owner is financially responsible for any cleaning, removal, or repair that the Association deems necessary to comply with this condition.

- f. **Drainage.** Proper drainage is required. Unless adequate alternative provisions are made for drainage, the original drainage system on the Owner's property shall be maintained, including gutters, downspouts, underground drains, and swales.
- g. **Workmanship.** The quality of new improvements shall match or exceed the quality of existing improvements. The ACC may require the Applicant to rebuild Improvements which are of substandard workmanship. The Owner is financially responsible for any reconstruction that the ACC deems necessary to comply with this condition.
- h. **Enforcement.** Failure to obtain ACC approval for new Improvements or changes to existing improvements constitutes a violation of the CC&Rs and may require the Improvements to be removed, and the original condition restored, at the Owner's expense.

- i. **Violations.** Owners shall have the right and responsibility to notify the ACC of any potential violation of the CC&Rs and the Architectural Guidelines.
- j. **Amendments.** These Architectural Guidelines (and the provisions set forth in the CC&Rs regarding architectural control) form the criteria for evaluation of plans and specifications submitted for review and approval by the ACC. These Guidelines may be amended or supplemented from time to time by a vote of a majority of the members of the ACC.
- k. **Maintenance of Improvements.** Repair and maintenance of any Improvement authorized under these Architectural Guidelines shall be the responsibility of the installing Owner or subsequent Owners.
- l. **Conditions Not Covered.** Any condition not covered in these Guidelines or the CC&Rs shall become a matter of discretionary judgment on the part of the ACC, acting in good faith on behalf of the best interest of the Association and the Community as a whole. If there is any conflict between the provisions of these Guidelines and the CC&Rs, the provisions of the CC&Rs shall govern.

These Architectural Guidelines were adopted at a regular meeting of the Board on the 8th day of October, 2012, via written ballot by members holding a majority of the votes in the Association.



Jason Mayans, President



Bryon Surace, Secretary



Property Improvement Form ACC Project Form 1 of 2

Applicant's Name _____

Mailing Address _____

Lincolnshire Lot Number _____ Phone Number _____

Email Address _____

Summary of work to be performed:

Proposed Start Date (*typically 30 days from submission of this proposal*) _____

Contractor(s) contact information (attach separate sheets if needed):

Name _____ Phone Number _____

Email Address _____

Please attach drawings/plans, and specifications and any additional detailed information regarding the proposal.

Applicant's Signature _____ Date _____

COMPLETED BY ACC:	ACC Project Number _____
Received By _____	Date Received _____



Notice of Completion Form ACC Project Form 2 of 2

Applicant's Name _____

Mailing Address _____

Lincolnshire Lot Number _____

Phone Number _____

Email Address _____

Date of Completion:

Summary of work Completed:

Applicant's Signature _____ Date _____

COMPLETED BY ACC:	ACC Project Number _____
Received By _____	Date Received _____

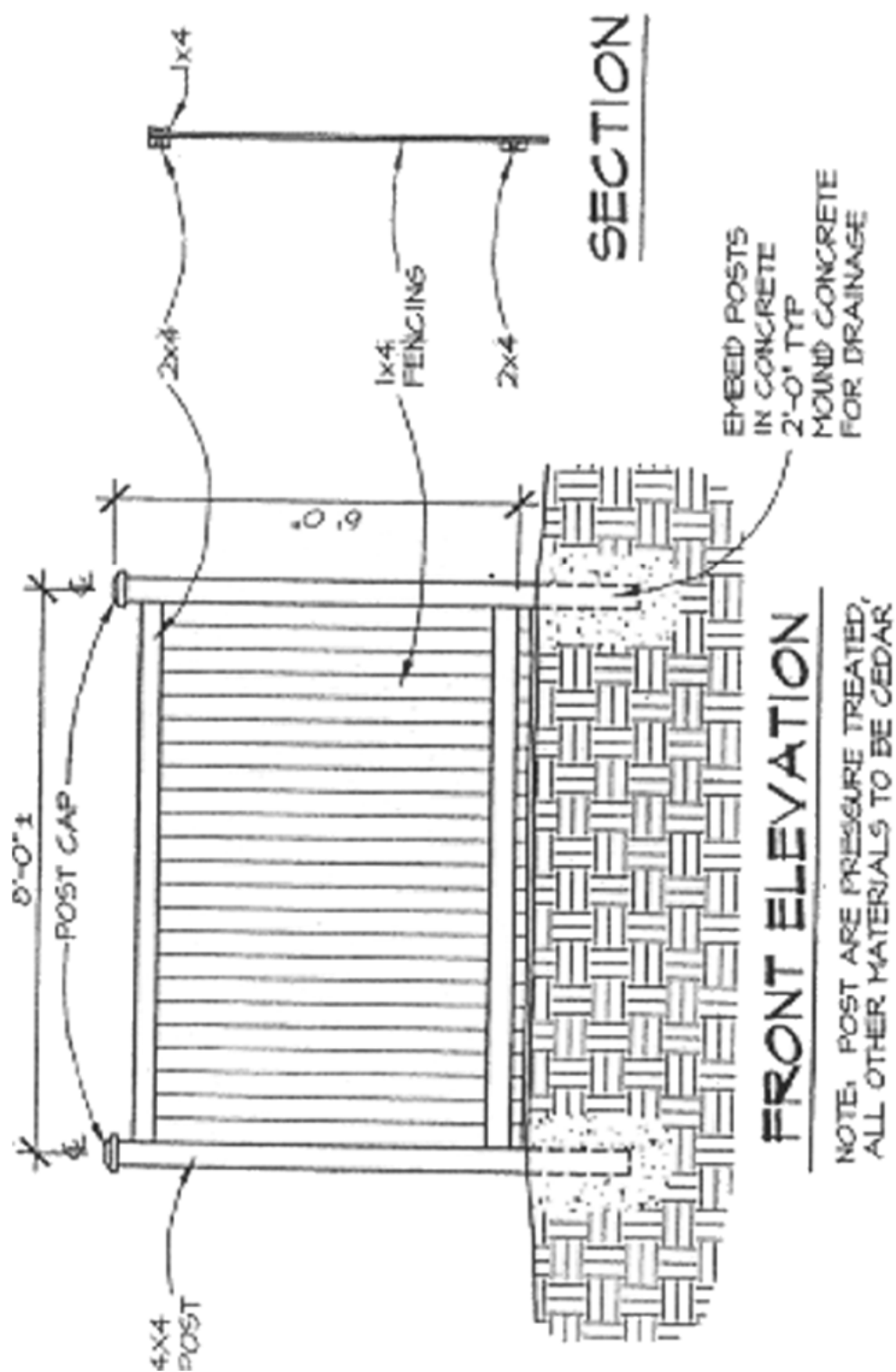
General Conditions

1. The Architectural Control Committee (ACC) reviews for aesthetic purposes only. ACC approval does not waive or constitute or reflect compliance with any federal, state or local regulations.
2. ACC approval does not constitute acceptance of any technical or engineering specification, and the Lincolnshire Homeowners Association assumes no responsibility for such. The property owner is responsible for all technical and engineering specifications.
3. Any oversight of a provision of the CC&R's, or a provision in the Architectural Guidelines, does not waive such provision. Correction by the Owner may be required.
4. Approval of plans and specifications does not constitute authorization to proceed with Improvements on any property other than the lot reviewed by the ACC and owned by the Applicant.
5. Approval of plans and specifications does not constitute authorization to revise the original drainage system installed by the homebuilder and approved by the County.

An approval SHALL NOT be interpreted as authorizing any violation of federal, state or local regulation

EXHIBIT C

LINCOLNSHIRE Estate Fence Detail



FENCE DETAIL

SCALE: 1/2" = 1'-0"