

**SUNRISE VILLAGE**

**ARCHITECTURAL REVIEW COMMITTEE**

**RULES, GUIDELINES & PROCEDURES**



**INDEX**

- 0.0      ARC Guiding Principles**
- 1.0      Development Objectives**
- 2.0      Architectural Review Committee**
- 3.0      Rules and Restrictions**
- 4.0      Building and Misc. Improvement Guidelines**
- 5.0      Landscape Guidelines**
- 6.0      Design Considerations**
- 7.0      Submittal and Approval Procedure**
- 8.0      Architectural Review Committee Approval**
- 9.0      Construction Site Items To Remember**
- 10.0     Architectural Review Checklist**

# **0.0 ARCHITECTURE REVIEW COMMITTEE GUIDING PRINCIPLES**

Section 0.0 Added 9/07

## **0.1 PREFACE**

The following was developed from a 1986 letter written by Tim Ward, Vice President of Mammoth Lakes Corporation, the developer of Sunrise Village. This letter sets out the developer's vision for Sunrise Village and how they saw matters before the ARC being decided to ensure the "character" of SRV is maintained and protected. It is the desire of the ARC to maintain this intent through the use of their guiding principles to ensure the "character" of SRV will be preserved as originally envisioned and reasonably expected by the homeowners.

## **0.2 "CHARACTER" OF SUNRISE VILLAGE**

Mammoth Lakes Corporation's plan for the single-family section(s) of Sunrise Village was to combine the area's attractive natural environment and location with good planning, quality improvements and amenities, and reasonable rules and regulations to the end that one of the finest and most livable private residential communities in Central Oregon would be created.

The cost of developing the community, its high standards for improvements and its style and character were designed to make the community desirable and obtainable by a market that would appreciate and could afford such things. The community was further intended to be appealing to active people of all ages, from young families to "empty nesters." It was expected the community would be made up of predominantly permanent residents due to its character, location, and affordability.

The developers of Sunrise Village provided the many amenities (pools, spa, tennis courts, etc.) in hopes that the market they were targeting would find them desirable and make use of them. Common ownership of the amenities makes them more affordable and promotes sociable interaction.

Purchasers of property within Sunrise Village agree to bind themselves (deed) to comply with the Plan and Declarations and certain rules and regulations designed to achieve the community's character and quality objectives and insure quiet enjoyment of homes and amenities. In turn, these same property owners should be able to rely on the enforcement of these matters of record in order for their reasonable expectations to be achieved.

## **0.3 ROLE OF THE ARC**

The ARC fills that important void between no standards and control and a book of decrees and policeman. All property owners should be able to look to the ARC with confidence to fairly, justly, and reasonably use its discretion in matters where good judgment is called for.

Pursuant to Section 8.1 of the Plan of Sunrise Village:

Generally, this committee (ARC) will be responsible for the approval of plans and specifications for the development of private areas and for the promulgation and enforcement of its rules and regulations governing the use and maintenance of private areas and the improvements thereon.

An adequate review by the ARC is only possible when its members have a good understanding of the community's goals and objectives, their purpose, and make a "good faith" effort to evaluate submittals that are complete, accurate, properly presented, and allow sufficient time for review.

#### **0.4 DECISION MAKING**

Section 7.2 of the Declaration states:

The Architecture Review Committee may at its discretion withhold consent to any proposal if the Committee finds the proposal would be inappropriate for the particular unity or incompatible with the quality and high design standards of the Sunrise Village.

Considerations such as color, design, size, view, effect on other unit owners, disturbance of existing terrain and vegetation, and any other factor of which the Architecture Review Committee reasonably believes to be relevant may be taken into account by the Committee in determining whether or not to consent to any proposal.

The aforementioned recognizes that different sections of Sunrise Village may have different identities and concerns within the Sunrise Village concept, and that individual “units” (home sites) have different characteristics which must be taken into consideration when evaluating a submittal and how it relates to neighboring properties, roads, common areas, that section, and the whole of Sunrise Village.

The developers of Sunrise Village did not believe that the ARC should approve aesthetically compatible improvements if, inherent to its mere existence or use, it is certain to negatively effect the community’s norms and objectives. But if the improvement does “fit in” and in and of itself is not offensive nor necessarily would be assuming its normal and courteous use, then it should be allowed. Section 5.6 of the Declaration and Section 6 of the Plan, as well as County ordinances, provide the means for dealing with nuisances and improprieties.

In order to achieve our community objectives and because of the open setting (no perimeter fencing), much more care is needed in planning for improvements than in other standard residential areas. In general, plans for improvements on smaller, exposed, view home sites will require better design and planning with fewer options than large, treed home sites that are more forgiving and or which there are fewer concerns. Even so, depending on what is wanted, what it looks like, and where it is wanted, the ARC could, in its discretion, reasonably approve a proposal for one home site in a section and deny a similar proposal for a neighboring home site in the same section. On the other hand if a proposed improvement is not otherwise in direct contravention of an ARC rule, the ARC has the discretion to permit and improvement on one lot if it cannot readily be seen, heard or smelled from roads, common areas, and neighboring properties, even though the same improvement may be totally inappropriate on some other lot. Improvements which are deemed private unto a particular home site based on either proper planning (house design, orientation, courtyards, spacing, landscaping, etc.) or characteristics of the lot itself should not be unduly restricted using the same standard of “readily seen, heard, or smelled”.

The word “readily” can obviously be a source of contention and should not (some things are prohibited outright) be applied to particularly sensitive and potentially quality, character, and privacy diminishing matters such as the screening of recreation vehicles, utility yards, dog houses, and discordant ornamentation such as statues of pagan gods.

#### **0.5 GUIDING PRINCIPLES**

##### **PRINCIPLE 1:**

Residents of Sunrise Village are entitled to the quiet enjoyment of their homes and amenities, to the extent possible.

##### **PRINCIPLE 2:**

The norms and objectives of the community take precedence over the wants and desires of individual home owners.

**PRINCIPLE 3:**

Different sections of Sunrise Village have different identities and concerns within the Sunrise Village concept, and individual “units” (home sites) have different characteristics which must be taken into consideration when evaluating a submittal and how it relates to neighboring properties, roads, common areas, that section, and the whole of Sunrise Village.

**PRINCIPLE 4:**

Improvements on smaller, exposed, view home sites will require better design and planning with fewer options than large, treed home sites that are more forgiving and or which there are fewer concerns.

**PRINCIPLE 5:**

Improvements approved for one home site shall not be considered reason to approve the same or similar improvement on another home site. The ARC could, in its discretion, reasonably approve a proposal for one home site in a section and deny a similar proposal for a neighboring home site in the same section if the improvement can readily be seen, heard or smelled from roads, common areas, and neighboring properties.

**PRINCIPLE 6:**

Residents affected by a requested improvement will be given an opportunity to provide the ARC with their issues and concerns about the improvement.

**PRINCIPLE 7:**

Compatible improvements should not be approved if, inherent to their mere existence or use, they are certain to produce a negative effect to the community’s norms and objectives.

**PRINCIPLE 8:**

The Architecture Review Committee may use any criteria it reasonably believes to be relevant such as color, design, size, view, effect on other unit owners, disturbance of existing terrain and vegetation, etc. in making its decisions.

## **1.0 DEVELOPMENT OBJECTIVES**

**PREFACE.** Sunrise Village is a unique environment, blessed with those natural attributes rarely found in any development. Pine forests, abundant water, natural rock outcroppings, mountainous horizons, sunshine and clean air, all form the ingredients of that environment. It is of prime importance to the continued aesthetic and ecological quality of Sunrise Village that all structures and landscaping are compatible with one another, and insofar as possible, are in harmony with the natural surroundings.

**1.1 OBJECTIVES.** Sunrise Village is a 235 acre Planned Unit Development located in the City of Bend, Deschutes County, Oregon. Sunrise Village is a distinctive residential area for single family homes, with its own recreational facilities and common grounds. The Sunrise Village Association is the homeowners association created to accept responsibility for the administration of Sunrise Village upon the withdrawal of the original developer.

**1.2 ADMINISTRATION OF SRV ASSOCIATION** The Association is administered by two independent boards each charged under the Plan of Sunrise Village to manage part of the development’s business. The Board of Directors has authority over the Association’s business and assets including management of the common areas and facilities. The Architectural Review Committee (ARC) has authority over development and maintenance of the private areas of SRV. This document is intended to provide unit owners with the information they need to use their property in a manner consistent with the development objectives of SRV.

Owners and their representatives should refer to all SRV documents. Copies of all documents are furnished at the time of purchase. Additional copies are available at the Homeowners Association office. The ARC

requests that all unit owners review all documents, become familiar with their content, and voluntarily comply with their requirements.

## 2.0 ARCHITECTURAL REVIEW COMMITTEE

**PREFACE.** The Plan of Sunrise Village was recorded in the Deed Records of Deschutes County, Oregon and contains language in Section 8 pertinent to the authority and function of the Architectural Review Committee. The ARC was established as an independent board responsible for the approval of plans and specifications for the development of private areas and for the promulgation and enforcement of its rules and regulations governing the use and maintenance of private areas and the improvements thereon. The ARC strives to ensure that development objectives are met through design excellence using stringent but reasonable architectural and landscape standards.

**2.1 TERMS.** The Board of Directors has established the following process to ensure and encourage broad participation of unit owners in the ARC: The regular member's term expires on December 31 of their third year as a regular member of the ARC. The most tenured alternate member shall ascend to become a regular member upon the turnover of a regular member. However, members may be removed and replaced at any time by the Board of Directors. The regular members shall elect a new chair for the following **two years** during the last meeting of the ARC of the year. (12-19-06)

Section 8 of the Plan of Sunrise Village describes the constitution and operating procedures of the Architectural Review Committee and is duplicated here for the convenience of unit owners:

### Section 8 of the Plan of Sunrise Village

#### SECTION 8. ARCHITECTURE COMMITTEE

- 8.1 Function of Architectural Review Committee.** The Architectural Review Committee shall exercise the functions for which it is given responsibility in any Sunrise Village declaration and in this Plan. Generally, this committee will be responsible for the approval of plans and specifications for the development of private areas and for the promulgation and enforcement of its rules and regulations governing the use and maintenance of private areas and the improvements thereon.
- 8.2 Members: Term and Removal.** The ARC shall consist of five (5) regular members and two alternates appointed by the Board of Directors of Sunrise Village Association. The alternates shall have full voting privileges in the absence of one or more of the regular members of the Architectural Review Committee. (Note: The Board of Directors has established the following process to ensure and encourage broad participation of unit owners in the ARC: The regular member's term expires on December 31 of their third year as a regular member of the ARC. The regular members shall elect a new chair for the following year during the last meeting of the ARC of the year. However, members may be removed and replaced at any time by the Board of Directors. The most tenured alternate member shall ascend to become a regular member upon the turnover of a regular member.) The manager shall keep in file at its principal office, a list of the names and addresses of the members and alternates of the Architectural Review Committee.
- 8.3 Action.** Except as otherwise provided herein, any three members of the Architectural Review Committee shall have power to act on behalf of the Committee without the necessity of a meeting and without the necessity of consulting the remaining members of the Committee. The Committee may render its decisions only by written instrument setting forth the action taken by the members consenting thereto.

- 8.4 Failure to Act.** If at any time the Architectural Review Committee shall, for any reason, fail to function, the Board of Directors of the Sunrise Village Association shall have complete authority to serve as a pro tem Architectural Review Committee.
- 8.5 Duties and Rules.** The Architectural Review Committee shall consider and act upon all matters properly submitted pursuant to the Plan or in any section declaration. In furtherance of this function, the Architectural Review Committee may, by unanimous vote by 5 regular members, from time to time and in its sole discretion may adopt, amend or repeal its guidelines, provided that such action is not inconsistent with the guiding principles and development objectives set forth herein. A unanimous vote of five regular members is required for one-time exceptions to guidelines. The ARC may establish its operation procedures and interpret guidelines, detail and implement the provisions of the instruments pursuant to which it is charged with responsibility. The Architectural Review Committee may establish a reasonable fee to be paid to cover its costs incurred in considering and acting upon matters submitted to the committee. Such fees shall be paid into the maintenance fund. A current copy of the Architectural Review Committee rules shall be kept on file at the principal office of the manager of Sunrise Village and will be available at all times. Such rules shall have the same force and effect as if set forth herein as part of the Plan.
- 8.6 Non-waiver.** Consent by the Architectural Review Committee to any matter proposed to it or within its jurisdiction shall not be deemed to constitute a precedent or waiver impairing its right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent.
- 8.7 Estoppel Certificate.** Within 30 days after written demand therefore by a unit owner, the Architectural Review Committee shall execute and deliver to the unit owner requesting the same, an estoppel certificate certifying with respect to the unit of such unit owner, that as of the date of the certificate either: (a) all improvements and other work within said unit comply with the Plan and will all restrictions and rules and regulations adopted or pursuant to any Sunrise village Declaration, or (b) that such improvements and work do not so comply for reasons specified in the certificate. Any purchaser or mortgagee of a unit may rely on such certificate with respect to the matters set forth therein, such matters being conclusive against the manager of Sunrise Village and all unit owners in Sunrise Village.
- 8.8 Liabilities.** Neither the Architectural Review Committee nor any member thereof shall be liable to any unit owner or the manager of Sunrise Village for any damages, loss or prejudice suffered or claimed on account of any action or failure to act of the Committee or a member thereof, provided that only the member, in accordance with actual knowledge possessed by him/her, has acted in good faith.

## 3.0 RULES AND RESTRICTIONS

**PREFACE.** The Sunrise Village Declarations were recorded in the Deed Records of Deschutes County, Oregon and contains the rules pertaining to the use and maintenance of private areas. Unit owners are responsible for conformity to these rules to the mutual benefit of all unit owners. The ARC is responsible under the Plan and Declarations for the application and enforcement of these rules and exceptions can not be granted. Rules can be amended only by a 75% majority vote of unit owners. Sections 3-7 of the Declarations are duplicated here for the convenience of unit owners:

### Sections 3-7 of the SRV Declarations

- 3. USE AND OCCUPANCY OF PRIVATE AREAS** Each unit owner shall be entitled to the exclusive use and benefit of each unit owned by him, except as otherwise expressly provided herein and in the Plan.
- 4. CONSTRUCTION AND ALTERATIONS OF IMPROVEMENTS IN PRIVATE AREAS**  
 No person shall construct or reconstruct any improvement on any unit, or alter or refinish the exterior of any improvement on any unit, make any change in any unit, whether by excavation, fill, alteration of existing drainage, or the cutting or removal of vegetation, shrubs, or trees, install a utility, outside antenna, or other outside wire on a unit unless such person has first obtained the consent thereto of the Architecture Review Committee or such changes are made in accordance with the published rules of the Architecture Review Committee. Each improvement to be located on any lot shall be located in accordance with Architecture Review Committee Rules and shall be subject to the approval of the Architecture Review Committee.
- 5. GENERAL PROVISION FOR AND RESTRICTION ON THE USE OF PRIVATE AREAS.**
- 5.1 Maintenance of Units.** Each unit and its improvements shall be maintained in a clean and attractive condition, in good repair and in such fashion as not to create a fire hazard.
- 5.2 Type of Building.** No building other than a single family dwelling for private use may be constructed on any unit. No mobile home or travel trailer may be used as a residence, as said terms are defined in the Deschutes County Zoning Ordinance PL-5.
- 5.3 Appearance.** All garbage, trash, cuttings, refuse or garbage containers, fuel tanks, clothes drying apparatus or lines, and other service facilities shall be screened from view from neighboring units and common areas in a manner approved by the Architecture Review Committee.
- 5.4 Signs.** No signs shall be placed or kept on a unit other than a sign 10" x 24" of a natural wood material with black lettering stating the name of the occupant and/or the lot, if any, and the address. Only signs provided by the Manager shall be used to advertise a unit for sale. The number of "For Sale" signs in a section can be limited by the Manager of Sunrise Village. The manager shall allot the limited number of signs on a just and equitable basis.
- 5.5 Utilities.** No above-ground utilities, pipes or wires shall be used to connect improvements with supplying facilities.
- 5.6 Offensive or Commercial Activities.** No offensive or commercial activity shall be carried on in any unit nor shall anything be placed or constructed on any unit or anything done on a unit which interferes with or jeopardizes the enjoyment of other units, common areas, service areas, or private areas within (a) section.
- 5.7 View.** The height of improvements or vegetation and trees on a unit shall not materially restrict the view of other unit owners. The Architecture Review Committee shall be the sole judge of the suitability of such heights. If the Architecture Review Committee determines there is such restriction in the view of other unit owners, written notice shall be delivered to the offending unit owner. If after 30 days the improvement, vegetation, or trees are not removed or reduced in height as directed by the Architecture Review Committee, the Manager shall enter the offending unit, complete the removal or reduction, charging the owner of the unit the reasonable costs for the work done. This section is not to be read as justification to create views not present when the unit was originally purchased.
- 5.8 Independent Water System Prohibited.** Independent water wells and systems are prohibited without the consent of the Manager.

- 5.9** **Lighting.** No exterior lighting or noise-making devices shall be installed or maintained on a unit without written Architecture Review Committee consent.
- 5.10** **Planting.** No trees, shrubs, or other vegetation shall be planted on a unit or removed there from without written Architecture Review Committee consent or in accordance with published rules of the Architecture Review Committee.
- 5.11** **Fire Hazard.** In the event a unit owner allows the condition of his unit to be such as to constitute a fire hazard, the Manager may invoke the provisions of Section 11.2 of the Plan allowing for entry and change by the Manager at the owner's expense. In this case notice and waiting requirements are reduced to seven (7) days. The Manager, after consulting with the Sunrise Village Association Board of Directors, shall determine what constitutes a fire hazard.
- 5.12** **Temporary Structure.** Only temporary structures which have been approved by the Architecture Review Committee shall be permitted on a unit during the period of construction of a dwelling house. However, any such temporary structure shall be removed within 30 days after completion of the dwelling house or within one year after the date upon which the temporary structure was erected, whichever occurs first. Persons may not reside on a unit during construction in these approved structures.
- 5.13** **Parking.** A minimum of two parking places must be provided for each unit and must meet the standards set by the Architecture Review Committee.

## **SECTION 6 USES PROHIBITED WITHOUT THE CONSENT OF THE MANAGER.**

- 6.1** Unless the Manager of Sunrise Village has consented in writing, no parts of any area, including private areas of (a) section, shall be used in any of the following ways:
- (a) As a parking or storage place on a permanent basis for trailers, truck campers, boats, boat trailers, snowmobiles or other off-road vehicles.
- (b) As a place to raise domestic animals of any kind, including horses, except for a reasonable number of household pets, which are not kept, bred or raised for commercial purposes and are not nuisances to other units.
- (c) As a place to burn trash, cutting or other items with the exception of barbecue fires.
- 6.2** The Manager may make rules and regulations of a general applicability governing the extent to which any of the foregoing may be permitted, which shall become part of the Sunrise Village Rules and Regulations unless 50 percent of the section owners disagree in writing within ten (10) days of receiving notice of the proposed rules.
- 6.3** A vote of 50 percent of the unit owners of the section can adopt, amend, or repeal of such rules.

## **SECTION 7 ARCHITECTURE REVIEW COMMITTEE CONSENT.** In all cases in which Architecture Review Committee consent is required the following provisions, together with provisions contained in the Plan shall apply:

- 7.1** **Materials to be Submitted.** Where consent must be acquired by unit owners from the Architecture Review Committee, plans, specifications and other material the Committee determines to be necessary to enable it to evaluate the proposal must be submitted at least 30 days in advance of the occurrence which requires consent. (See Section 4 below for current submittal requirements)
- 7.2** **Architecture Review Committee Discretion and Guidelines.** The Architecture Review Committee may at its discretion withhold consent with respect to any proposal if the Committee

finds the proposal would be inappropriate for the particular unit or incompatible with the quality and high design standards of Sunrise Village. Considerations such as color, design, size, view, effect on other unit owners, disturbance of existing terrain and vegetation, and any other factor of which the Architecture Review Committee reasonably believes to be relevant may be taken into account by the Committee in determining whether or not to consent to any proposal.

- 7.3 Failure to Act.** In the event the Architecture Review Committee fails to render its decision with respect to any proposed work within the 90 days granted it in Section 8.1 the Committee shall conclusively be deemed to have consented to the proposal.
- 7.4 Effective Period of Consent.** For items under Section 4 of this Declaration, Architecture Review Committee consent shall be revoked one year after issuance unless the work has been commenced or the unit owner has applied for and received an extension of time from the Architecture Review Committee.

## **4.0 BUILDING & MISC. IMPROVEMENT GUIDELINES**

**PREFACE.** The following guidelines have been adopted by the ARC to govern implementation of the Rules and Restrictions (Chapter 3) and to facilitate necessary change for wildfire prevention, technology and to promote harmonious design. The ARC, in its sole discretion and on a case by case basis, may grant exceptions or variances to these guidelines. Considerations such as color, design, size, view, effect on other unit owners, disturbance of existing terrain and vegetation, and any other factor of which the Architecture Review Committee reasonably believes to be relevant may be taken into account by the Committee in determining whether or not to consent to any proposal.

**4.1 APPROVALS.** All improvements or additions MUST be approved by the ARC, before any excavation or significant removal of planting or vegetation is begun. This approval should be obtained BEFORE application is made for permits. The ARC may approve portions of the proposal to allow for advancement of design or construction through that approved portion.

**4.2 ANTENNA'S.** Exterior antennas are not allowed; however small satellite dishes may be considered on a case by case basis if installed in the least visible location. The location must be approved by the ARC prior to installation.

**4.3 BUILDING HEIGHT.** The maximum height allowable is thirty (30) feet at the ridgeline. Any height should be taken relevant to where the structure sits on the lot. Measure this ridge from the average elevation across the house face parallel and/or closest to the main street. All homes north of Sunshine Way shall not have a ridgeline higher than eighteen (18) feet. This height shall be measured from a point in elevation midway between the high point and low point of that lot line nearest and parallel to Sunshine Way. Additional height restrictions may be imposed by the ARC in order to reasonably preserve views from neighboring homes and common areas, and to minimize the impact of structures on sensitive natural areas of Sunrise Village.

**4.4 GARAGES.** Garages, if not an integral, must be connected to the house by a gable roofed breezeway or other acceptable design. The exterior of all garage doors shall be constructed to match or be complimentary to the homes' exterior in regard to style, color (stain), finish (tone) and direction. Multi-color paint, criss-cross trim and decorative hardware are not allowed. Carports are not allowed. (3-20-07)

**4.5 CLOTHESLINES.** Exterior clotheslines must be located in fenced service yards and screened from the view of neighboring properties.

**4.6 DRIVEWAYS.** Driveway cuts onto Sunrise Village roads are limited to one per lot, except in unusual circumstances subject to approval of the ARC. This policy has been established to maintain the natural

character of the property by preserving vegetation and reducing visible surfaced driveway areas seen from Sunrise Village roads and neighboring home sites. Small lots must have paved driveways (exposed aggregate, pavers or asphalt). Large lots can have gravel driveways but an apron shall be paved from the existing street to the property line as a transition to protect the edge of the existing street pavement. Driveways may enter the lot across the setback but should then avoid continuing in the setback. Each driveway requires approval by the ARC on a case-by-case basis after review of the string layout.

**4.7 DUPLICATION.** The duplication of design is discouraged and obvious duplication of exterior form will be restricted.

**4.8 EXTERIOR LIGHTING.** Exterior lighting which can be seen from roads or neighboring home sites must be indirect. Driveway and landscape lighting should only illuminate and shine downward, not horizontally or upward. The light source shall not be visible to pedestrians. Exterior fixtures must not be reflective. All exterior lights shall be approved by the ARC.

**4.9 EXTERIORS.** Indigenous, solid wood species are required for all exterior walls. Wood shake or shingle siding is not allowed. Natural stone may be used for exterior accents. Exterior siding must be treated with a clear preservative, semi-transparent or solid body stain or paint. Exterior colors must harmonize with the surrounding landscape and all colors are subject to approval by the ARC. Only one type of treatment may be used on the body and it shall be limited to one color. If a trim paint color is used, it must be low contrast to the body color. All paints shall be flat sheen. Preliminary approval of house color on new homes can be granted at ARC meetings, but a 4' x 4' sample must be applied to the house, at the site, after construction is underway in order to obtain final approval. At this time, a roof sample must also be present at the site for review by the ARC. The repainting or restaining of existing homes must also be approved by the ARC. This will also require a 4' x 4' sample on the house. All reflective metals, such as exterior light fixtures, chimney stacks, flashings, exhaust vents, pipes, gutters, etc., must be painted to match or blend with the surrounding materials. All colors are subject to ARC approval.

Revised 9/07

**4.10 WINDOWS AND FRAMES.** All door and window frame colors must match or blend with surrounding materials. Colors are subject to ARC approval. (No white windows.) Also, any stained glass, art glass, etched glass, decorative or patterned windows and any other permanent outside ornamentation need specific approval by the ARC. Colors as well as patterns need to be approved.

**4.11 MAILBOXES.** Mailboxes and newspaper holders are prohibited.

**4.12 PARKING.** Each residence must have an enclosed garage providing parking for a minimum of two (2) automobiles. No carports are allowed. At least one (1) additional open, off street parking space must be provided for guests. Camping trailers, trucks, campers, boats and boat trailers must be parked in the RV lot or be completely concealed from view.

**4.13 DECKS AND FENCING.** Perimeter fencing of the lot is prohibited. Fence construction must be near and connected to the house and shall be constructed of like material. The maximum height allowed is five (5) feet. Any deck more than 12" off the ground needs to be skirted with siding like the house or screened with a berm and landscaping approved by the ARC. The ARC may allow privacy walls up to five (5) feet tall built upon a deck, if finished and painted to match the home.

**4.14 ROOFING MATERIAL.** Roofs must be of fire-resistant materials. Their color, design and style must be approved by the ARC. Wood shakes, wood shingle roof and metal roofs are not permitted. Concrete tile or high definition (minimum of 450#/square) composition roofing may be approved on a case-by-case basis.

**4.15 SERVICE YARDS.** Each residence shall have a service yard constructed of the same materials with the same texture quality and color as the residence. Covered service yards are encouraged. Service yards enclose garbage and trash containers, clotheslines, bicycles, outdoor maintenance equipment, and so forth.

**4.16 SPARK ARRESTORS.** Spark arrestors are required for all fireplaces, fire pits and wood fire flues.

**4.17 SITE UTILITIES.** Service lines to individual structures must be underground. Exposed plumbing and electrical lines are not allowed. Gas and electrical meters, utility boxes, covers and conduits shall be painted the same as the house siding. Utility meters, utility pedestals and heat pumps must be screened from view by construction or through non deciduous landscaping. Alternative energy uses and their design are subject to ARC approval.

**4.18 BUILDING (STRUCTURE) SETBACKS.** Building setbacks are generally stated on the Setback Map which is located in the Sunrise Village Office; where not specified, the minimum setback shall be 10'. Riverfront lots have no rear yard setback requirement however no building or cantilevering over the edge of the rim-rock is allowed and reasonable preservation of other's views is a consideration. Homeowners with lots bordering along the river canyon must consult with the Architectural Review Committee for a determination of the rim-rock edge. Regardless of house orientation, the street side of the lot is the front yard.

(12-19-06)

**4.19 HOME SIZE GUIDELINES.** The minimum home size permitted is 1,600 square feet of living area, exclusive of any garage. Any two story homes must have 1,200 square feet of living area on the ground floor. The maximum ground floor lot coverage of all structures may not exceed 25% of the lot area. All areas of the lot covered by buildings and structures including any deck that is not deemed to be grade level (more than 12" above finished grade), and all areas within any screened enclosure (i.e. hot tub, service yard, privacy area, trash and mechanical enclosures) are to be included in calculating the total lot coverage. Eaves and any driveway, walkway, deck, patio or porch that is deemed at grade level (less than 12" above finished grade) will not be considered in determining lot coverage. Any improvement affixed to a grade level deck or patio (such as benches, railings, walls, screens, trellises, etc.) shall classify the area as an above grade improvement and therefore be included in the lot coverage calculation.

The maximum area of the second floor of the home shall not exceed 8% of the lot area. The second floor area is the total gross area of all floors above the home as measured by the exterior horizontal perimeter above the first floor.

The ARC, in its sole discretion and on a case by case basis, may grant a variance to the maximum lot coverage and buildable area based upon design and site considerations.

**4.20 HOUSE NUMBERS.** Each house must have its street number clearly posted and visible from the road. Any new or replacement sign will follow the specifications for the "Sunrise Village Address Sign". This is a 6" x 6" vertical post of pressure-treated wood with routed numbers on two sides. The post is painted a light neutral gray color with black numbers. Contact the SRV office for information. Existing address signs should be made out of non-reflective metal or wood, not to exceed 6 inches. The numbers can be placed on the house or may be a free standing sign at the entrance to the drive.

**4.21 TEMPORARY STRUCTURES.** Only temporary structures, which have been approved by the ARC, shall be permitted on a unit during the period of construction of a dwelling house. However, any such temporary structure shall be removed within 30 days after completion of the dwelling house or within one year after the date upon which the temporary structure was erected, whichever occurs first. Persons may not reside on a unit during construction in these approved structures.

## 5.0 LANDSCAPE GUIDELINES

**PREFACE.** The natural environment of Sunrise Village is one of the key features of the area. Landscaping should employ indigenous plant materials as much as possible and should reflect the informal nature of the surroundings. In general, all landscape plans, regardless of the lot, should reflect three (3) zones surrounding the home. The first zone, immediately surrounding the house, is where the more intense, formal landscaping and greater variety of plants including non-indigenous varieties can be used. The second zone away from the residence is a transition zone where a blending of native and non-native plants may occur. The third zone extends to the property perimeter and should be composed of the original, natural, existing plant materials.

More detailed information on landscaping in Sunrise Village is contained in the landscaping supplement, which is available in the Sunrise Village office.

**5.1 MANDATORY CLEANUP.** All properties and units in Sunrise Village must be cleaned of dead ground fuels and dead vegetation within live shrubs and trees including dead limbs within 8' of the ground. Large areas of Bitterbrush should be thinned especially near or under tree canopies. Unit owners shall strive to eliminate noxious weeds from their lots.

**5.2 GRASSES AND GROUND COVERS.** Seeding of build-able and open areas with meadow fescue, native grasses, and wildflowers is encouraged. Lawns planted close to homes are acceptable. The "mow-type" lawn grass is restricted to 40% of the total living area square footage. Only natural mulching products, with no artificial coloring, are allowed in the landscape.

**5.3 PATHS AND WALKWAYS.** Paths and walkways made of bark chips, lava cinders, gravel, log sections, asphalt or exposed aggregate are acceptable. Material which is reflective, such as white stone chips, un-tinted concrete, etc., is prohibited. Red cinders are prohibited.

**5.4 REMOVAL OF NATURAL LANDSCAPE.** No tree, major shrub, major rock, or other prominent vegetation shall be removed from any property without the consent of the ARC, whose decision will be based upon aesthetic considerations, common sense, judgment, and fire prevention. Removal without consent of the ARC will result in a fine. Removal of any major shrub, without consent, will result in a fine not to exceed \$25.00. Removal of any tree will result in a fine of \$25.00 per inch of the diameter of the stump of the removed tree. Proposed gardens must be part of a landscape plan submitted for approval to the ARC.

**5.5 OUTDOOR FURNITURE AND ACCESSORIES.** Accessories such as swings, jungle gyms, play structures, arbors, built-in barbecues, permanent basketball backboards, etc. are not expressly permitted and must be approved by the ARC on a case-by-case basis considering their impact on the community and adjacent homeowners.

Outdoor accessories are considered temporary and the ARC encourages homeowners to voluntarily remove them when they are no longer being used.

Revised 10/08

When approval is given by the ARC, the accessories must be:

- built in accordance with an approved plan, including any changes to the original plan required by the ARC,
- constructed of good quality materials,
- maintained in new or like-new condition, and painted the same color as the home, or of a color approved by the ARC. Generally, colors should be earth tones and exposed plastic on plays structures shall be green.

Specific to Basketball Installations:

- basketball hoops are permitted,
- if basketball hoop is going to be a permanent structure, location must be approved by the ARC.
- Permanent pole must be a non-shiny material.
- backboards must be clear material

Specific to Flag Pole Installations:

-Permanent flagpole placement location must be approved by the ARC.

-Flag Pole must be made from a non-shiny material.

-Height and location to be approved by the ARC.

The ARC reserves the right to require the removal of any accessory if it falls into disrepair, is no longer being used, or creates a nuisance for adjacent homeowners.

Revised 10/08

**5.6 LANDSCAPE ZONES.** Sunrise Village has a unique open forest environment that the ARC is charged with maintaining. To achieve that goal, a three zone approach to landscaping private properties was developed. It provides a transition from the more cultured vegetation near the home-site to the native forest vegetation. (3-20-07)

**5.61 ZONE 1.** This area comprises the extent of the total area cleared for the home structure construction purposes. Immediately surrounding the home is where more intense, formal landscaping and a greater variety of plants, including non-indigenous, may be used. Zone 1 shall contain at least seventy-five percent (75%) of the total turf area. The remaining turf area is limited to Zone 2. Irrigation systems are encouraged in Zone 1. Sprinkler heads should be the “pop-up” variety.

(3-20-07)

**5.62 ZONE 2.** Ostensibly, this is a transition area between Zone 1 and Zone 3, where a blending of native and non-native plants may occur. A maximum of twenty-five (25%) of the total turf area may be located in this zone. Irrigation systems may be used in Zone 2. Pop-Up sprinkler heads should be used.

(3-20-07)

**5.63 ZONE 3.** This is the most sensitive zone and is comprised of the original, natural, existing plant materials. Zone 3 extends to the property perimeter and should comprise 33% of the total lot area, however the depth is a function of the lot size and setbacks. This zone shall not be cleared for construction without the express permission of the A.R.C. Any disturbance to the vegetation shall be replaced in like variety, quantity and size (see Section 5.4 above). Cleaning of Zone 3 shall be limited to fire prevention efforts, only (see section 5.1 above).

(3-20-07)

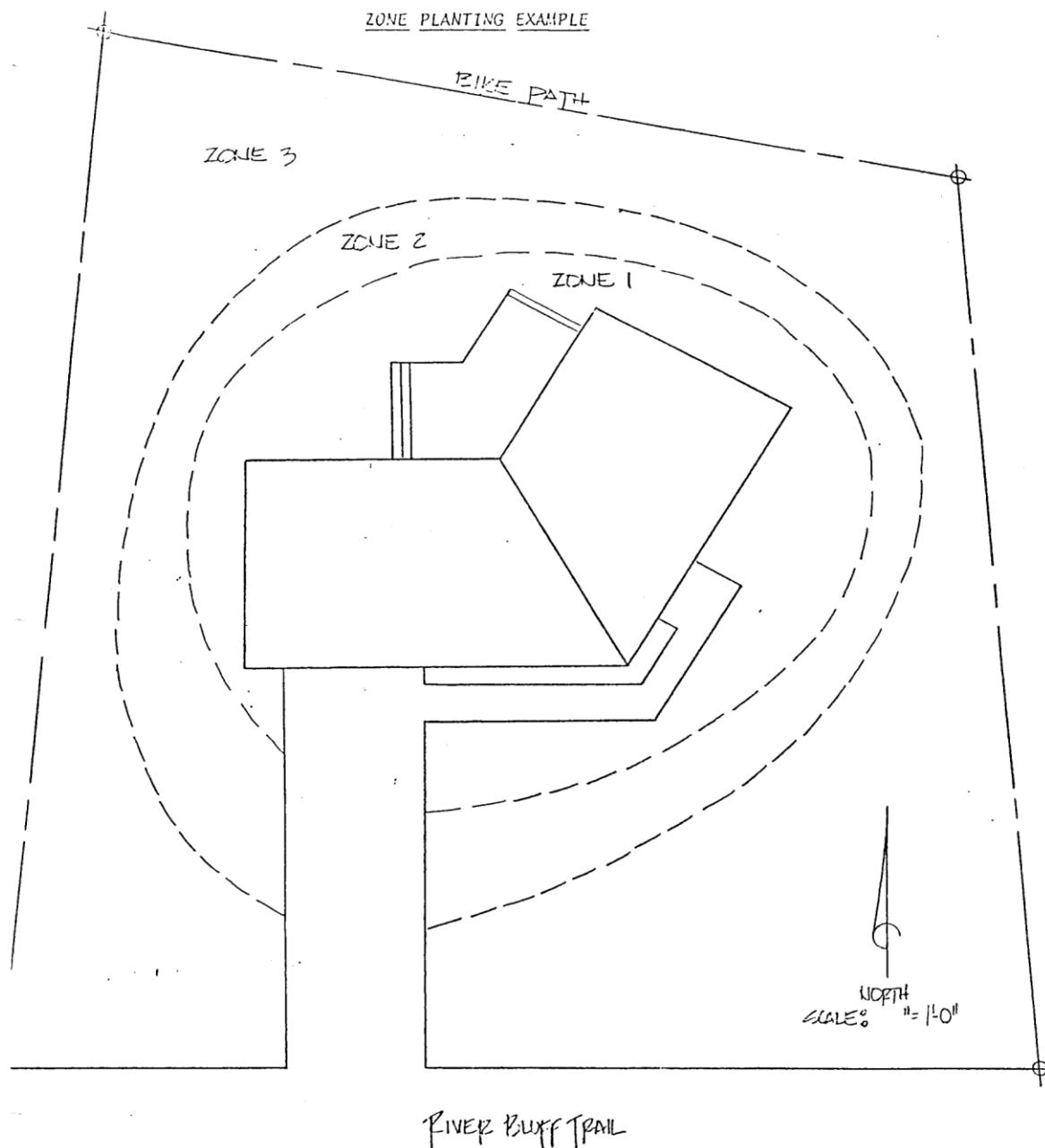
#### **5.64 SUGGESTED PLANT MATERIALS.**

**Trees:** Western Larch, Scotch Pine, Western White Pine, Japanese Black Pine, Austrian Pine, Colorado Spruce, European White Birch and Cutleaf Birch.

**Shrubs:** Mugho Pine, Vine Maple, Repens Oregon Grape, Juniper (non-columnar types), Mollis Azalea, Dwarf Rhododendron, Spirea, Lilac, Flowering Quince, Mock Orange, Potentilla, Burning Bush, Rock Daphne, Santolina, Bristlecone Pine, Redtwig Dogwood, Yellowtwig Dogwood and Ribbonleaf Maple.

**Ground Cover:** Potentilla Verna, Pachysandra, Phlox, Candy Tuft, Vinca, Wiltoni Juniper and Blue Fescue.

## 5.65 ZONE PLANTING EXAMPLE PLAN.



**5.7 EXECUTION OF LANDSCAPE PLAN.** It shall be the responsibility of the lot owner when landscaping his/her property, to follow the plans submitted to the ARC. If a landscape plan has not been previously approved, or if changes are contemplated, a new plan must be submitted for approval prior to commencing landscape work. The overall dimensions of the plan should be 24" x 36" The plan must show location of all features: trees, shrubs, rocks, grasses, berms, structures, and any other additions. An irrigation plan, if used, must be included with the landscape submittal. All landscaping must be completed within one year of the completion of the residence. Minor alterations to landscapes/irrigation systems may be made without charge, with permission from the ARC. A fee of five hundred dollars (\$500.00) must be submitted with each landscape plan, unless original landscape was submitted at the same time as the new construction plan. Three hundred dollars (\$300.00) will be returned upon satisfactory final approval from the ARC.

## **6.0 DESIGN CONSIDERATIONS**

**PREFACE.** The following information is intended to inform the property owner, architect/designer, and builder of key considerations to be made in the planning, design, and construction of a residence at Sunrise Village.

For the most part, the existing structures within Sunrise Village are representative of the character, compatibility, aesthetics, and high standards for quality, design excellence, and distinctiveness which constitute the development objectives of the community in order to insure maximum value is created and maintained. The style of these homes may best be described as "Pacific Northwest Contemporary". When reviewing a design submittal, the ARC tests the design as to its style, distinctiveness, uniqueness, and quality. The design is also evaluated on the basis of being site-appropriate (orientation, exposure, lot topography) and compatible with surrounding properties and environs. Ranch style homes, without varied ridge lines and roof systems needed to break up an otherwise plain, shoe box appearance, are prohibited.

**6.1 CLIMATE.** Sunrise Village enjoys an average 260 sunny days each year. Summer temperatures may range from the high 90's during the day, down to the low 30's at night. In winter, temperatures range from the low 60's to below 0.

**6.2 MOISTURE.** Sunrise Village has approximately 13 inches of rainfall each year, most of which occurs during the winter and spring months. Occasionally, thundershowers can be expected in summer.

**6.3 SNOW.** Although heavy accumulations are not common, over the course of a winter, an average of three to four feet may be expected. The county authorities require that roofs be designed for a snow load of 50 pounds per square foot.

**6.4 WIND.** If prevailing winds can be said to exist, it would be from the southwest in winter and northeast in summer. Many building sites are in wooded areas, well sheltered from winds.

**6.5 DRAINAGE.** Consideration should be given to each individual site. The ground should be sloped away from the building and low spots should be connected to natural drainage.

**6.6 HEATING.** The exterior design temperature is minus 10 degrees Fahrenheit.

**6.7 COOLING.** Air conditioning of a unit depends heavily upon the personal temperature preference of individuals. Each year during the summer, there are two or three short periods when air conditioning could be desirable. Ventilation by use of windows and doors and sun control with window coverings, overhangs, and tinted glass may be considered during design.

**6.8 PLUMBING.** Plumbing in exterior walls should be avoided. This is critical for homes which will be vacant in the winter for extended periods of time. The plumbing systems should be installed with an easily accessible stop and waste shutoff with the water lines sloped for draining. Heat should be considered for non-living spaces which contain plumbing.

**6.10 PLACEMENT.** All structure should be sited so that disturbance of natural features is minimized. Vegetation removal must be authorized by the ARC.

**6.11 UTILITIES.** The utility lines (water, sewer, power, cable television, and telephone) are underground.

**6.12 SOIL AND FOUNDATIONS.** The load bearing capacity of soils should be examined on the particular site. Continuous foundations should be outside the drip line of all trees which are to remain. A point foundation should be considered if the building is to be placed closer than the drip line to the trees. Care should be taken in placing foundations to avoid cutting the roots of major trees.

## **7.0 SUBMITTAL AND APPROVAL PROCEDURE**

**PREFACE.** Assurance of conformity to the Architectural Review Committee (ARC) rules require that all proposed new buildings, remodeling, and additions, landscaping and other improvements of private areas be approved by the ARC before commencing work of any kind. The submittal procedure is as follows:

**7.1 CONCEPTUAL REVIEW AND PRELIMINARY DESIGN APPROVAL.** Reviewing designs at the conceptual and preliminary stages gives the ARC a chance to detect designs which may not be in keeping with the development objectives and guidelines of Sunrise Village, or to detect designs which are duplications of others in proximity. The ARC may require a string layout of the property, house and driveway on the site (to be completed one week before the ARC meeting). The ARC may approve of portions of the proposal to allow for advancement of design or construction through that approved portion.

**7.2 SUBMITTALS.** Drawings and specifications for any proposed project shall be submitted in duplicate to the ARC through the manager of Sunrise Village. Plans submitted for final approval must be prepared by a Professional Building Designer or Architect. Submittals shall include a transmittal letter and two sets of the site plan (scale 1" = 20'), floor plan and external elevation views of all building sides (scale 1/8" = 1', or 1/4" = 1'). All plans shall be on 24" x36" sheets. The site plan shall include adjacent property lines, setback lines and adjacent building corners.

**7.3 SUBMITTAL SCHEDULE.** The ARC usually meets the third week of each month, provided there is business to conduct. Matters to be considered must be submitted in complete form two (2) weeks before the scheduled ARC Meeting. **SPECIAL MEETINGS:** Special meetings will be held two (2) weeks after plans are submitted for a fee of \$200.00.

**7.4 FEES.** A fee of twenty-five hundred dollars (\$2,500.00) shall be submitted as a required fee for final approval of all new construction activity. Two thousand dollars (\$2,000.00) will be refunded after final inspection and approval of the finished home by the ARC. A fee of twenty-five hundred dollars (\$2,500.00) shall be submitted as a required fee for final approval of all remodels/additions greater than 1,000 square feet. Two thousand dollars (\$2,000.00) will be refunded after final inspection and approval of the finished work by the ARC. A fee of one thousand dollars (\$1,000) shall be submitted as a required fee for final approval of all remodels/additions less than 1,000 square feet. Eight hundred dollars (\$800.00) will be refunded after final inspection and approval of the finished work by the ARC.

**7.5 FINAL DESIGN APPROVAL.** The final design submittals shall constitute the only basis of conclusive action by the ARC. The final design submittal is to include:

- (1) two sets of final construction drawings and specifications in the format described in section 7.2,
- (2) a string layout of the property, house and driveway on the site (to be completed one week before the ARC meeting),
- (3) samples of roofing material and exterior color selections (the ARC requires that a representative paint sample(s) of approximately 4' x 4' be applied to the structure as part of the approval process),
- (4) and appropriate fees and forms.

Upon final approval, the ARC will issue a letter of approval and return one set of submitted plans, stamped "APPROVED" or "Conditionally Approved" if only a portion of the proposal has been approved. The approved plans may then submitted by the owner to the City of Bend Building Department to make application for a building permit. Any subsequent changes to the "Approved" plans need to be reviewed and approve by the ARC before construction.

**7.6 PRE-CONSTRUCTION.** Following final design approval, a formal preconstruction conference shall take place at the building site. This meeting shall consist of the SRV Manager, the property owner(s) and the contractor of record. The architect or designer shall also be present when deemed necessary by the SRV Manager. No new construction activity is allowed until after the pre-construction conference takes place.

No work shall commence on the property until the SRV Manager has been notified of the date this is to occur. The SRV Manager may require an on-site meeting with the contractor of record and the clearing/grading contractor prior to commencement of the work to ensure that it is done as approved by the ARC.

**7.7 CONSTRUCTION.** All proposed exterior work on your home site must be continuous and completed within one (1) year from the day construction is begun. Construction approval is valid for one (1) year. If construction has not begun within a one (1) year time period, approval shall be deemed to have expired and a new submittal must be made to the ARC.

## **8.0 PROCEDURE FOR OBTAINING ARCHITECTURAL REVIEW COMMITTEE APPROVAL**

**8.1** Completion and submittal of the application not later than two weeks before the next scheduled meeting of the ARC. Meetings are usually the third Tuesday of each month. Notice of action taken by the ARC will be mailed to applicants as soon as possible after each meeting.

**8.2** A complete string lay-out reflecting the locations of property lines, drives, parking and improvements, including decks and walks.

**8.3** Submittal of two (2) sets of construction documents.

**8.4** A signed contract and a construction deposit of \$2,500.00 as set forth in section 7.4 of the SRV ARC Rules, Guidelines and Procedures, for new construction, additions and/or remodeling of greater than 1,000 square feet and \$1,000.00 for remodels/additions of 1,000 square feet or less. The submittal fee is to help cover costs of the ARC and to assure satisfactory completion and compliance. Up to \$2,000.00 of the new home and remodel/addition over 1,000 square foot deposit and \$800.00 of the remodel/addition 1,000 square foot or less deposit is refundable upon satisfactory completion of construction as approved.

If, for any reason, the ARC acts to defer or disapprove a plan submittal, the applicant can resubmit his/her proposal, making corrections as expressed by the ARC, under the same plan submittal fee. If the applicant chooses not to make the desired corrections, or to withdraw his/her proposal, he/she will be refunded seventy-five percent (75%) of the submittal fee.

If completion requirements have not been met within eighteen (18) months from beginning of construction, the submittal fee is non-refundable.

**8.5** The Sunrise Village Managing Agent will assist you through the construction period of your home. Any questions should be directed to the Managing Agent at this office.

## **9.0 ITEMS TO REMEMBER**

- 9.1** Construction approval is valid for one (1) year. If construction has not begun in that time, a new application must be made.
- 9.2** All proposed exterior construction on your home site must be completed within one year from the date construction is begun. Outside construction clean up and site restoration must be completed within one year from the date construction is begun.
- 9.3** The Sunrise Village Managing Agent will review the building layout before forms are poured to determine compliance with approvals.
- 9.4** The ARC assumes no liability for encroachments into platted setbacks or on to easements or neighboring property. Be sure to check the plat of your home site and property lines to avoid encroachments and trespass.
- 9.5** Removal of vegetation or planting of vegetation also requires ARC approval.
- 9.6** Hours of construction operation are limited to 7:00 AM to 7:00 PM, Monday through Saturday. The use of loud equipment (including chainsaws) is prohibited on Sunday.

Revised 1/87

## 10.0 ARCHITECTURAL REVIEW CHECKLIST

**PREFACE.** Following is a checklist of items, which must be considered by the Architectural Review Committee (ARC) prior to approval of any proposed construction. This checklist is intended to guide the property owner in preparing submissions in order that decisions will not be delayed by the need to request additional information.

To further expedite processing of proposals, it is suggested that property owners submit preliminary proposals to the ARC for initial comment which could be incorporated in the detailed design development and avoid costly and time consuming revisions in the final submission.

### CONSTRUCTION DOCUMENTS

A. Site plan (a detailed drawing to include the following):

1. Minimum scale: 1" = 20' - 0"
2. Building locations – including garages, decks and porches
3. Property lines.
4. Major trees and vegetation masses (note those to be added or removed)
5. Topography – existing and proposed changes
6. Rock outcroppings
7. Utility line connections (verify sewer elevations)
8. Driveway and parking (indicate materials)
9. Paved and landscaped areas (indicate materials)
10. Screen and fences (show materials, height and detailed elevations)
11. Utility yard
12. Outdoor lighting layout (provide fixture types and colors to be used)
13. North arrow
14. Locate construction staging and access areas
15. Setbacks

B. Building Plan(s) (All levels)

1. Minimum Scale: 1/8" = 1' or 1/4" = 1' (preferred)
2. Door and window openings
3. Walls and partitions
4. Stairs and railings
5. Exterior lights
6. Built-in features (counters, cabinets, etc.)
7. North arrow
8. Decks and porches
9. Electric Meter locations (must be recessed and box concealed)
10. Gas meter locations (must be concealed)
11. Service yard
12. Trash receptacles (location, how screened?)

C. Elevations - Show All

1. Scale: same as plans
2. Door and window openings
3. All exterior building features (roof, siding, fireplace, railings, trims, foundations, etc.)
4. Note all exterior materials and finishes
5. Important – Show the proposed structure's floor line and the existing and finished grade of the site.

D. Outline of specifications that will be used in building (indicate measures to be taken, materials, manufacturer's items, etc, as appropriate). Execution assumed to be consistent with good trade and construction practices).