

ARCHITECTURAL STANDARDS AND GUIDELINES

for the Bella Beach Community

Approved by the Bella Beach Homeowners Association

Board of Directors

Version 2.0

Date: 7/12/2023

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Architectural Guideline Versions

Version Number	Summary of Changes	Date of Board Approval
V. 2.0	CCRs changed to allow alternate materials. Those materials were described in this version. Also spelled out Road District authority.	7/12/2023
V 1.0	Initial Architectural Guidelines version	1/6/2023

I. PURPOSE AND POLICY

In a planned community such as Bella Beach, the question naturally arises as to how to maintain a harmonious and aesthetically pleasing 'feel' and coastal environment as the community matures. The following guidelines attempt to provide a common ground between private interests and the broader interest of the Bella Beach Community as a whole. As such, the Bella Beach Architectural Guidelines are intended to serve as a foundation for a consistent set of regulations for the planning of any exterior changes to any Home or Lot within our community. These guidelines provide a better understanding of the Covenants, Conditions and Restrictions (CC&Rs) of our community. This document does not replace or supersede the CC&Rs. The Bella Beach CC&Rs are the legal and binding authority and take precedence over any of the following stated guidelines. For items not specifically mentioned in this document, please refer to the CC&Rs.

Article VI in the CC&Rs established an Architectural Review Committee (ARC) to be composed of 3 to 5 volunteer homeowners appointed by the HOA Board. The term of office for each member is one year unless lengthened by the Board. The Board may appoint an architectural firm to serve as the ARC as well as appoint one or more members who are not homeowners but who have special expertise in ARC related matters. Article VI requires the ARC's prior written approval for any exterior change, addition or alteration to any Lot or Home. Such changes include (but are not limited to) any building, fence, wall, structure, color change, or landscape design that may be added or altered. It further requires that the plans, specifications and location showing the nature, kind, shape, height, finish(es), colors, and/or materials be approved in writing and be harmonious with external design and location in relation to surrounding structures, topography, and general plan of development for the community.

II. ARCHITECTURAL REVIEW PROCESS SUMMARY

Owners are responsible for any and all needed maintenance or repairs to any existing structures or landscaping on their Lot. **No ARC request form is needed to effect minor maintenance, repairs and restoration to the original condition.** If you are unsure or have questions about when to complete an ARC request form, please contact the HOA's ARC for guidance.

The ARC is charged with conducting the review of all applications for exterior changes, making site inspections of requested modifications (before and after if required), offering recommendations or changes to the Board of Directors with regard to the Architectural Guidelines, and rendering a decision to the applicant in writing in a timely manner. Per the CC&Rs, the Committee is allowed up to 30 days to act on a request; however, most requests should be processed within 15 days of receipt. As fellow residents, the Committee understands the need to review and process applications in an efficient, timely, and consistent manner. However, homeowners are encouraged to plan for a 30-day review process and should not commit to labor or materials until they have received written approval.

Your cooperation with and adherence to these guidelines is appreciated. It is imperative that each homeowner plan in advance to allow for the ARC to evaluate each request based on this timeline. The ARC will hold meetings as needed to review requests. The ARC will communicate its decision and explanation via email or letter.

Each ARC request will be reviewed and approved on its individual merits. Previous approval of a similar request does not guarantee future approvals on current or additional properties. The ARC will notify the homeowner of the approval or denial of the request. The ARC will also

provide completed and approved or rejected requests to the HOA Board for permanent filing.

An exterior change made without the required approval of the ARC, or the Board on an appeal, constitutes a violation of the protective Covenants and may be subject to correction or fines.

The Belle Mer Sigl Road District owns and manages property along HOA roads and has authority over proposed improvements to those areas. The ARC will receive all applications for work and will forward those under the jurisdiction of the Road District to them. Although the ARC may provide the Road District with recommendations for or against proposals, the Road District will have ultimate approval authority. Conversely, the Road District may provide recommendations to the ARC for or against proposals within the HOA's jurisdiction but potentially affecting the Road District.

In the event that the Road District and the Architecture Review Committee disagree on approval of a proposal, the HOA Board of Directors shall make the final determination.

This document and the CC&Rs themselves may be modified from time to time. It is the responsibility of the owner to ensure that they are relying on the most current version of this document which has been dated and versioned for convenience.

III. REVIEW CRITERIA

The intent of the ARC and these Architectural Guidelines is to continue to build our unique Oregon coast community that will allow freedom for individual tastes, while maintaining the overall aesthetic and harmony of a vibrant, engaged, supportive and welcoming coastal neighborhood. Each ARC request will be evaluated on its individual merits.

In general, the ARC's decisions are based on the following standards as guidelines:

- **Aesthetic Considerations:** The color, form, shape, style, scale, size, and material, will be included in consideration.
- **Validity of Concept:** The basic idea of the exterior change must be sound and appropriate to its surroundings.
- **Landscaping and Environment:** The exterior change must not adversely impact the natural landscape or any man-made environment.
- **Relationship of Structures and Adjoining Property:** The proposed change must relate harmoniously to its surroundings and to other existing homes and terrain that are visually related to the change.
- **Protection of Neighbors:** The interests of neighboring homeowners must be protected by making reasonable provisions for such matters as water drainage, sound and sight buffers, privacy, preservation of views, light and air, and other aspects of design which may have substantial effects on neighboring property.
- **Design Compatibility:** The proposed change must be compatible with the design characteristics of the home and the general community setting. Compatibility is defined as harmony in design, style, scale, materials, finish(es), color and construction details.
- **Scale:** The three-dimensional size of the proposed change must relate satisfactorily to adjacent

structures and its surroundings.

- **Materials:** Continuity is established by use of the same or compatible materials as used in the home.
- **Color:** Must be consistent with the community's color scheme, and different from the neighboring house colors.
- **Shared wall or fence agreements:** Homes or garages with common walls or fences must be visually compatible with each other.
- **Workmanship:** The quality of work must be equal to or better than that of the existing structures.
- **Project Completion / Timing:** An approved property change may be installed either by the owner or by a contractor. In the unlikely event that a project significantly exceeds the stated design, scope, or time period, the homeowner should communicate in writing by either email or USPS to the ARC regarding these changes and provide additional information. Projects that remain uncompleted for a long period of time, are visually objectionable, or can be a nuisance and safety hazard for fellow homeowners and the community, may be subject to HOA Board action.

All ARC requests have a maximum time period of 6 months from ARC approval to completion of the project. An extension can be granted upon request at the discretion of the ARC Chairperson, who is authorized to grant six month extensions to applications for changes to project timing or selected contractors. Design changes require a new/revised application be reviewed and voted by the ARC. If the proposed time period is considered unreasonable, the ARC may not approve the request or recommend the project be broken up into phases. When the work is complete, the homeowner should notify the ARC. A follow-up inspection may be performed.

Selection of Contractors to perform services in connection with the development or improvement of any lot shall adhere to Section 6.14 of the CCRs with regard to licensing and insurance requirements.

IV. APPLICATION, REVIEW, APPEAL, and CORRECTION PROCEDURES

Objectives

The ARC, in examining each request form for approval, considers whether or not the exterior change is in compliance with the CC&Rs for Bella Beach and the Architectural Review Guidelines as outlined in this document.

The main objective of the Committee and these guidelines is to preserve and enhance property values in the coastal community and to maintain a harmonious relationship among all homes and structures, vegetation, topography and the overall design of the community.

ARC Application Procedure (How to submit an ARC request)

As stated in the CC&Rs the following procedures shall be utilized:

1. Complete the ARC request form. A blank copy is available on the Bella Beach

Homeowners portal located at bellabeach.org/wp-content/uploads/2018/12/BB_HOA_ARC_Form.pdf. For assistance in completing the form, please contact the ARC Committee listed on the website at <http://www.bellabeach.org/arc-information/>. Make certain to attach all required exhibits. A sample form can be found in ATTACHMENT 1: ARC FORM of this document.

2. Include full details of the proposed change. If the change is structural, fencing, or grading, submit a sketch or plan and outline specifications. Be sure to include such information as type of material, size, height, color, location, etc. The inclusion of color samples (e.g., paint chips) and relevant photographs/pictures are encouraged whenever possible to help ARC members understand your vision.
3. Provide a sketch of the location of the improvement as it relates to your Home and Lot.
4. Notification to your adjacent neighbors is required if the change will impact your neighbor in any way. Attaching an email from your neighbor acknowledging and accepting the proposed project is important. No ARC request will be considered complete until there is evidence that any neighbor who may be affected has been made aware of the proposed change. No changes to any Home or Lot will be accepted for consideration if not submitted on an official ARC request form and accompanied by appropriate exhibits.
5. Email, mail or hand-deliver the completed request form to the ARC.

Incomplete forms will require the homeowner to submit additional information before they are accepted and reviewed.

It is the responsibility of the homeowners to ensure the ARC request form is received by the ARC. Contact information is located on the Bella Beach HOA Portal at <http://www.bellabeach.org/arc-information/>.

If the ARC has any questions, or needs clarification, the questions will be sent to you via email.

When the final result has been determined, you will receive your official letter via e-mail.

Review Procedures

During the ARC's consideration process, ARC member(s) may wish to view the site and talk to the homeowner or neighbors regarding the proposed change. Neighbors do not have "veto" authority but may submit any concerns or objections in writing to the HOA Board or ARC for consideration. The ARC may inspect work in progress and request (either orally or in writing) that the homeowner correct any noncompliance.

The ARC will vote on all requests, rendering one of three possible decisions: Approved, Approved with Conditions, or Denied. A majority of ARC members is required to vote on requests.

If the application is "Approved with conditions" or "Denied", the ARC will provide in writing the reason(s) why the project was not approved as submitted. Requests that are "Approved with Conditions" may proceed only if the noted conditions are completed and addressed. All submitted applications and decision are to be retained and archived by the HOA Board via the HOA's management company.

The ARC will publish pending and completed ARC applications on the HOA website so that affected homeowners may provide comments to the ARC committee if they wish.

Appeal Procedure

If a homeowner disagrees with the decision of the ARC, the following appeal process is to be used:

1. A written appeal by the homeowner to the HOA Board should be sent within 10 days after receipt of a notice of denial.
2. A final decision shall be made by the Board within 15 days after receipt of the appeal by the homeowner. A majority decision of the Board is required to reverse an ARC decision. The determination by the Board shall be final.

Correction Procedure

The HOA and ARC will make its best efforts to find solutions to all proposed ideas. In addition, the HOA and ARC will enforce these rules fairly and uniformly. When compliance is not followed, HOA Board action may be necessary. Please see CCRs Article 6 for more detail.

The Committee may inspect projects in process and/or the community in general to identify violations although they are not required to do so. All Bella Beach homeowners have the right to bring to the attention of the ARC or HOA Board any apparent violation of any provision of these guidelines or the CC&Rs. When the ARC or HOA Board receives a violation report, the violation will be verified and, if necessary, the homeowner and the Board will work together towards a resolution.

Noncompliance: Should a homeowner fail to follow through on the agreed resolution, the homeowner may be requested to attend a Hearing with the HOA Board in order to determine the final resolution. Due process hearings may result in fines and/or the HOA Board may take action on the homeowner's behalf, for which the homeowner would be financially responsible.

In the event a homeowner chooses, after sufficient warning, to ignore the Guidelines or CC&Rs and refuses to pay any associated fines, legal action may be undertaken. Punitive action will generally be reserved for cases in which attempts at cooperative resolution have failed.

In addition to meeting design and construction guidelines, all landscaping on all lots shall be maintained appropriately. Should a homeowner or his/her tenant or management company not maintain a property, the ARC is empowered to take corrective action at the expense of the homeowner.

V. DESIGN AND CONSTRUCTION GUIDELINES

This section of the guidelines provides specific guidance regarding particular design situations that have been or may be encountered in Bella Beach. These guidelines are not meant to be exhaustive or all-inclusive. They represent generally acceptable methods for achieving the required objectives and standards necessary for project approval. Please refer to the CC&Rs - Article IV for more detail regarding the Maintenance and Construction of Lots and Homes.

These guidelines shall be kept updated consistent with updates to other documents such as the Bella Beach HOA Community Rules.

Routine Maintenance and Repairs

Each Owner shall maintain all portions of his or her Lot and all improvements on such Lot in a

clean and attractive condition, in good repair and in such fashion as not to create a fire hazard. Such maintenance shall include, without limitation, painting, repair, and replacement of and care for roofs, gutters, downspouts, exterior building surfaces, walks and other exterior improvements and glass surfaces. In addition, each Owner shall keep all shrubs, trees, grass and plantings of every kind on his Lot neatly trimmed, properly cultivated and free of trash, weeds and other unsightly material. Damage caused by fire, flood, storm, earthquake, riot, vandalism, or other causes shall likewise be the responsibility of each Owner, and any Lot or improvement thereon that is so damaged shall be restored within a reasonable period of time.

Homeowners shall be knowledgeable of and perform their responsibilities in the maintenance of common landscape features such as fences and hedges as well as applicable public and private easements.

Homeowners do not need to complete an ARC request form for routine maintenance and repairs as long as the Home or Lot complies with guidelines as outlined herein. If a homeowner is uncertain as to whether an ARC request form is necessary, an email to the ARC committee is suggested.

Examples of when an ARC request form is needed, and when it is not, are outlined in the table below. This table is to show examples only and should not be considered exhaustive in any way.

Example	ARC Request Form Not Needed	ARC Request Form Needed
Decking	Replacement of several dry rotted deck boards	Complete replacement of deck due to dry rot
Exterior Painting	Touch up or painting with exact color paint previously used on home	Repaint all trim on exterior of home with new color
Landscaping	Replenish paths or driveway with gravel	Replenish paths with new material such as mulch or crushed shells, or pave paths or driveways.

Decks and Patios

Except for minor repairs or restoration of a deck or patio to original condition using the same materials and colors, new construction and major repairs of all decks and patios require the prior approval of the ARC. The proposed structure should be consistent with the size of the home and yard and must not be unduly out of proportion with the rest of the home.

All deck material visible from the street should be constructed of cedar or an approved and visually wood-appearing material such as Trex that has been specifically approved by the ARC in order to maintain the harmony and aesthetics of the community, or coated with an approved paint complementary to the color scheme of the home.

Fasteners must be rust resistant or coated such that they remain aesthetically pleasing.

Railings that add to the unique character of each home should be maintained as originally designed. If a homeowner wishes to change the design or material of a railing, an ARC request form is needed.

Exterior Painting

Except for routine touch-up painting or restoration of the original condition using the same color paint, all exterior painting projects require approval from the ARC. On the application, explain (in detail) for each paint color: the manufacturer, the sheen and the location where the color will be applied. Paint swatches (paint chips or online color references) must be included.

The ARC reserves the right to further designate an official color palette and color scheme for the community. Primary and trim colors should be consistent with the community and homeowners may not repeat color schemes of adjacent homes. [Future Link]

The ARC will approve all colors that have been previously approved for use within the community, however keep in mind the ARC takes into consideration several factors when exterior paint colors are changed. For example, the ARC will not approve the same color paint on two houses next door to each other. The ARC will also not approve trim colors that are greater than two in number.

Detached garages shall be compatible and complementary (if not identical) in appearance with their associated homes, and it is strongly recommended that exterior painting be done on both buildings concurrently.

Siding, Exterior Construction

In accordance with CCRs section 4.17, all exterior siding shall be constructed, repaired or replaced with material which preserves the overall aesthetics and harmony of Bella Beach.

Cedar shingles, board and batten, or cedar beveled lap siding either painted, stained or with respect to cedar, left natural, may be used. The ARC allows 6 and 8 inch textured or roughcut Hardiplank siding, in horizontal or vertical 4X8 sheets. Other building materials may be acceptable and must be checked with the ARC before commencing any work.

Minor repairs to the siding of a home may be done without ARC approval as long as the home is restored to its original exterior finish. If a homeowner wishes to change or replace the exterior siding of the home, ARC approval is needed. The ARC shall take into consideration the quality of the material as well as whether the proposed replacement siding will be complementary to neighboring homes.

The ARC must periodically update its architectural standards to include acceptable construction materials that complement the architectural harmony and aesthetics of the neighborhood. Any acceptable materials allowed by the ARC must comply with existing restrictions in Bella Beach CCRs.

Fences/Retaining Walls/Hardscape Borders

The cedar picket fencing and open trellises found throughout the community are a major contributor to the harmony and aesthetics of Bella Beach. Except for routine repairs to a homeowner's fence, trellis or gate, any type of fencing must be approved by the ARC. Cedar is the material of choice although pressure treated posts may be used. The covering of the pressure treated posts with cedar or approved coating is required. Metal, chain link and vinyl fencing are not permitted.

Additionally:

- Homeowners who share a fence with a neighbor have equal responsibility to maintain the fence. The cost for repairs and/or replacement should be equally divided between the homeowners unless other arrangements have been agreed upon by the two homeowners.
- All fences, screens and similar structures shall not obstruct any Lot's view. Maximum height of the fence is 6'-0".
- Front yards may not be fenced with sight-obscuring fences. "See-through" fences such as split rail must be used.
- All visible fence materials must be wood. Pressure treated wood may not be visible from any street. Posts and stringers that are pressure treated and exposed to the street must be covered with cedar.
- Fasteners must be rust resistant or coated such that they remain aesthetically pleasing.
- All fence post tops need to have a cap or decorative trim on them.
- The bottom of the fencing should touch the ground or be very close to the ground. Hanging fences are not permitted on any Lot.
- Shrubbery planted in a row which creates a natural fencing or barrier between properties requires architectural approval. The two homeowners will be responsible for the maintenance and encroachment of the live shrubbery.
- Retaining walls, hardscape borders, and patios require approval of the ARC.
- Exceptions to height and/or fencing material requirements may be submitted to the ARC which may grant a variance from these guidelines, in its sole discretion.
- Fences must be maintained regularly and replaced as necessary.

Homeowners shall be knowledgeable of and perform their responsibilities in the maintenance of common landscape features such as fences and hedges as well as applicable public and private easements.

Antennas and Satellite Dishes

Exterior satellite dishes with a surface diameter of 39.37 inches or less may be placed on any Lot if the owner owns/has the exclusive use of the whole house or lot, including the walls and roof.

The ARC highly encourages homeowners to place satellite dishes in locations in which they are not visible from the street or neighboring properties, whenever possible. All installations should consider the aesthetics of the community.

Barbecues, Fire Pits, Portable Fireplaces

Homeowners with existing fire pits and/or portable fireplaces or those seeking to install these items, must have them inspected and approved by the ARC and the HOA appointed fire officer. Fire precautions must be used. City or state ordinances regarding seasonal fire bans must be followed. These guidelines reflect Fire Code policy in addition to HOA policies.

When having any fires or using barbecue grills, a water source should be located nearby, including but not limited to a bucket of water, garden hose or fire extinguisher. Gas sources should have proper shutoff valves.

It is against the law to conduct any open burning that:

- a. Unreasonably interferes with enjoyment of life or property
- b. Creates a public or private nuisance
- c. Is a hazard to public safety

- d. Results in smoke that substantially impairs visibility on a roadway
- e. Burning the following materials is illegal at any time, anywhere in Oregon:
 - a. Asbestos
 - b. Asphalt or industrial waste
 - c. Automotive parts (including frames)
 - d. Dead animals
 - e. Plastic and rubber products
 - f. Tires
 - g. Waste oil, petroleum treated and related materials
 - h. Wet garbage and food waste
 - i. Any material creating dense smoke or noxious odors

Recreational/Warming Fires – Recreational/Warming fires include the burning of materials other than rubbish where fuel being burned is not contained in an incinerator or other approved container and with a total fuel area of 3 feet or less in diameter and 2 feet or less in height. Recreational and warming fires shall not be conducted within 25 feet of any structure or combustible material. Maintain a 10-foot fuel break around the fire. This includes beach fires.

Barbecue pits in open locations shall be constructed of approved noncombustible materials. Barbecue pits outside of buildings shall not be located within 25 feet of combustible walls or roofs or other combustible material. Ember producing grills on wooden decks should be of extra concern to owners and are highly discouraged.

Barbecue grills may be used and stored inside and back yards, porches and decks. They may be used on a front porch or deck; however, they should not be permanently stored there. Homeowners and renters must utilize fire precautions when barbecue grills are utilized on the deck or porch of their home. Gas grills with shutoffs are highly encouraged for fire safety.

Electrical Vehicle Charging Stations

In accordance with https://oregon.public.law/statutes/ors_94.762, Electrical Vehicle Charging Stations are permitted.

- An owner may submit an application to install an electric vehicle charging station for the personal, noncommercial use of the owner, in compliance with the requirements of this section, in a parking space, on a lot or in any other area subject to the exclusive use of the owner.
- The ARC may impose reasonable restrictions on the installation and use of the charging station to ensure it meets the architectural standards of the community, as long as those restrictions do not significantly increase the cost of the charging station or significantly decrease the efficiency or performance of the charging station.
- Notwithstanding ORS 479.540 (Exemptions), the charging station must be installed by a person that holds a license, as defined in ORS 479.530 (Definitions for ORS 479.510 to 479.945 and 479.995), to act, at a minimum, as a journeyman electrician.
- The owner is responsible for all costs associated with the installation and use of the charging station, and the cost of any damage to common property and to areas subject to the exclusive use of other owners that results from the installation, use, maintenance, repair, removal or replacement of the charging station.
- Unless the owner and the homeowners association, or the declarant in lieu of the association, negotiate a different outcome:
 - A charging station installed under this section is deemed to be the personal property of the owner of the lot with which the charging station is associated; and
 - The owner must remove the charging station and restore the premises to the

condition before installation of the charging station before the owner may transfer ownership of the lot, unless the prospective buyer of the lot accepts ownership of the charging station and all rights and responsibilities that apply to the charging station under this section.

- Please consult the regulatory reference for a full list of requirements.

Flagpoles and Exterior Lighting

Flags, not to exceed approximately 3' x 5', are allowed only when flown from holders attached to the front of the house. Free standing flagpoles will not be approved for use anywhere within the community. Lawn flags are allowed but may not be excessive in number, and must be appropriate to their surroundings. Under no circumstances are flags with obscene or inappropriate wording or images allowed. Flags displayed must be maintained and worn flags should be disposed of properly.

Exterior lighting must be attractive in appearance, be maintained in working order and not create a nuisance by shining directly into a neighbor's window. Replacement of weathered or broken exterior lights with similar fixtures do not require ARC approval. High quality plastic fixtures are allowed.

Garage Doors

An ARC request form is required for the replacement of any garage door. Garage doors must be visually appealing and compatible with the home. All exterior use materials including garage doors must comply with materials and requirements in the CCRs.

Garage doors on the same building should be complementary to each other and their respective homes, but are not required to be identical. Acceptable materials include metal, but they must be wood in appearance (not painted steel). Windows are allowed.

Garbage Cans

The containment of trash is an important responsibility for all homeowners for both themselves and our community. By responsibly managing and controlling garbage containers and the trash they are designed to contain, homeowners assist in maintaining the aesthetics of the community and the property values for all homeowners. Uncontained trash also attracts pests to the neighborhood and presents a health and safety issue.

The Bella Beach CC&Rs (Rubbish and Trash 4.10) require and assure every homeowner that all other homeowners will keep all trash, yard waste, recycling and other debris out of public view. Guidelines include:

1. Garbage containers should be out of public view, meaning:
 - a. Enclosed within a building, fence or other suitable screen, or
 - b. At least 50 feet from the road, neatly stowed against a fence or building, and visible only through a relatively small arc of view by a passerby.
 - c. The board may make specific exceptions to the requirement for garbage containers to be stored out of public view.
2. Garbage cans may be placed at the edge of the road for pick up not earlier than one day before pick up, and must be removed and stowed properly not later than one day after pickup.
3. Garbage is to be picked up regularly.
4. When garbage containers are exposed and made available for collection, they must be

- secured from the coastal wind gusts that can surge to storm levels and scatter garbage.
5. When garbage containers are not made available for collection, they should be kept either in a garage or garbage corral.
 6. A utility corral may be used for garbage containment by the homeowner provided the corral is located on the homeowner's property and the homeowner has agreed to maintain the corral at the homeowner's expense. Shared utility corrals may be used by both neighbors provided it is located on both properties and a mutual agreement is in place to repair and maintain the corral at both homeowners' expense.

For a small fee, the local sanitation company, North Lincoln Sanitary, will retrieve garbage cans that are on the property and hidden behind fences or blinds. However, the company does not allow its employees to climb steps or go under porches to retrieve containers, so designs need to consider this.

As homeowner's old trash and utility corrals, blinds and fences are replaced, new structure designs require an ARC request to review the changes for approval. Once approved, the homeowner may make repairs to the structure without submitting an ARC request.

Grading

The established drainage patterns or systems over or through any Lot within Bella Beach shall not be interfered with so as to affect any other lot or Common Area or any real property outside Bella Beach unless adequate alternative provision is made for proper drainage and is approved by the ARC.

Major changes to the topography of your lot, including but not limited to: lot clearing, tree removal, addition or removal of fill, etc. require approval prior to being started. Neither the Board nor the ARC accepts any liability for any damage caused by such grading action, whether approved by the ARC or not.

Holiday Decorations

Consideration of neighbors should be exercised when decorating for any occasion. All holiday lighting should be considered temporary and may not be installed prior to (45) forty-five days before the holiday and must be removed within 14 days after the holiday. Decorations with sound and lights must be turned off no later than 10 pm (community quiet hours) and must not be so loud as to disturb neighbors at any hour.

Decorations causing any kind of nuisance should be reported to the HOA Board to take action on a case by case basis.

Landscaping

Homeowners are responsible for the maintenance of their yard. Homeowners should plan to weed and trim their yard on a regular basis, particularly during the spring and summer growing seasons. Landscaping shall be kept neatly trimmed, properly cultivated and free of trash, weeds, and other unsightly material.

The CCRs at Bella Beach require that the property surrounding each home be landscaped within six months of a certificate of occupancy being issued.

The goal for landscaping at Bella Beach is that new plantings in common areas and on private

lots blend into and complement the existing native vegetation of the Central Oregon Coast. Issues to consider include:

- Existing Vegetation
- Preservation of existing mature trees
- Shade/sun/wind/soil conditions for lot
- Enhancement of the dwelling's architectural features
- Adjacent properties
- Ease of maintenance (especially important for part time residents)
- Privacy and screening, and
- Impact of growth of plantings

New landscaping, or significant changes to the existing landscape scheme require ARC approval. When submitting applications to the ARC for landscaping projects, all landscaping plans should be drawn to scale and should include the following:

- An ARC application form with all contact information completed.
- Location of dwelling/garage
- Existing landscape features and vegetation
- Proposed landscape features and vegetation
- Plant list
- Walks, sidewalks, paths and steps
- Decks, patios and handrails
- Exterior lighting
- Irrigation systems
- Fountains, hot tubs, flagpoles and other décor installations, and
- Walls, fences and gates
- Any other relevant features

Landscape - Plantings

It is strongly suggested that plants used in the Bella Beach neighborhood are native or indigenous to the Oregon Coast, or proven to withstand the local conditions such as wind exposure, sandy soil, shade/sun, and salt air.

The Landscape Committee maintains a list of suggested plantings, and homeowners should also consider local nurseries for advice and information on plants. [Future Link]

Homeowners may not plant invasive species such as English ivy or Himalayan blackberry vines.

Adjacent properties should be given special consideration both in selection and placement of plant material. New plantings or the growth of plantings at maturity may not block adjacent homeowners' views.

The homeowner must also consider the size at full growth of all trees when selecting new trees. The ARC may request a property owner trim and keep trimmed trees that impinge on other homeowners' views, or that present a hazard.

Growth or cultivation of Cannabis plants on private property in the HOA cannot be in plain view, i.e. the plants may not be visible from any reasonable vantage point including upper floor windows and elevated decks. Cultivation or growth is not permitted in common or public areas.

Landscape - Walks, Paths and Pavers

Walks, paths and pavers are permitted in wood, bark chips, sand, cement blocks and dark gravel.

Landscape - Ground Cover

Mulch, bark dust and gravel are the ground cover of choice within the community. Fir bark dust and red color bark dust are not to be used at Bella Beach. Dark bark similar to the common area is required.

Grass is to be planted in backyards only or behind fences. The only grass visible is to be in the common areas.

Landscape - Planters and Trellises

Planters and trellises should blend into the house and fence. Natural cedar is suggested. In the case of planters, terra cotta, glazed or unglazed, cement and faux stone are also acceptable. Whiskey barrels are not permitted.

Landscape - Yard Décor

Natural décor items, such as driftwoods and boulders, are permitted in yards visible from the streets, side roads, or common area paths. Decorations such as crab pots, anchors, fishing nets and floats, cut out figures, plastic yard decorations, etc. are not permitted in areas visible from the streets, side roads, or common area paths.

Neighborhood Attractions

Proposed neighborhood attractions such as “free book libraries” intended for the tasteful provision of entertainment to residents and visitors are subject to the ARC approval process. Anything placed in or adjacent to the right of way public roads must be approved by the road district in advance.

Any such proposed installation shall not cause blockage of roads, paths or walkways or create a nuisance.

Noise

Out of consideration of your neighbors, please do not allow any construction project that produces noise to commence prior to 8:00 a.m. or after 10:00 p.m. (Community quiet hours).

Construction activities shall not take place before noon on Sundays and Holidays.

Play Equipment and Sports Equipment

All stationary play equipment which is visible from the street (i.e. swing sets, play structures, playhouses, sandboxes, trampolines, etc.) must be submitted to the ARC for approval.

Basketball hoops and sports courts are not permitted on a homeowner’s individual property. Play sets must be in backyards behind fences. The HOA maintains the sports and play area for general recreation.

Rain Barrels

Rain barrels visible from the street require ARC approval.

Roofs

Emergency or minor repairs of a roof do not require ARC approval. When a total replacement of the roof is required, ARC approval is needed. Asphalt shingles are the material of choice. Color of shingles should blend with the exterior color of the home. Metal roofs are not allowed.

If replacing the roof on common wall buildings with a common roof line, all parts of the roof are to be replaced at the same time and the normal ARC review process must be followed.

Shared Carriage Houses, Connected Townhomes

Connected townhomes should be visually compatible. Shared carriage houses must be visually compatible, as well as compatible with their associated homes. To achieve this, owners who share a carriage house are required to work together to maintain the look.

Owners who share a carriage house have equal responsibility to maintain the carriage house. A Board approved Party Wall and Maintenance Agreement is available on the Bella Beach Homeowner Association portal.

If replacing the roof on a carriage house or connected townhomes, all parts of the building are to be re-roofed at the same time and the normal ARC review process must be followed.

Exterior lighting needs to be visually compatible on both halves of a carriage house.

Sheds/Storage Buildings/Enclosed Structures

Sheds and storage enclosures must be repaired and painted by the homeowner on a regular basis. Any new structure being built on a homeowner's Lot must have ARC approval. Metal pre-fabricated sheds are not permitted.

Signs

Rental Owners are required to post emergency contact information on the outside of homes.

"For Sale" Signs – As per the CC&Rs, one (1) "For Sale" sign is permitted in the front yard or in a window. All signs must meet Bella Beach HOA specifications as defined below.

- Yard Sign Specifications: 24 inches in length by 9 inches in height, with top of sign 24" off grade. Materials may be of wood vinyl or high-density urethane. A "flyer box" is allowed to be attached to one of the sign support posts.
- Window Sign Specifications: 36" in length by 24" in height.
- Sign Placement: Yard signs must be placed on the property for sale. Signs may not be placed in any of the Bella Beach common areas. Signs may not be placed at the entrance to Bella Beach.
- One additional "Open House" sign is allowed for the duration of the open house only.
- Signs not meeting Bella Beach specifications will be removed and the realtor and homeowner notified. Confiscated signs will be held for pickup by the realtor for five days. After that they will be recycled.
- Repeat violations will be subject to confiscation and a \$250 per occurrence fine to the homeowner.

"For Rent" Signs – As per the CC&R's, permanent "For Rent" signs are not allowed in Bella Beach. This includes any sign that includes one or more of the following:

- The name of a property management company
- A website address or phone number
- Wording indicating that the property is available for rent or lease

This rule is not intended to restrict small, tasteful “house name” or “cottage” signs that do not indicate that the property is available for rent. This rule also is not intended to preclude unobtrusive placards mounted in windows or elsewhere on or near a home whose primary purpose is to comply with the Lincoln County Vacation Rental Dwelling Ordinance.

A Homeowner may be required to remove or revise a sign meeting the above definition of a “for rent” sign that is found by the Architectural Review Committee to be obtrusive or objectionable. Homeowners failing to comply with a take down date specified by the Architectural Review Committee may be assessed a \$50 per day fine.

Small signs currently posted by STR providers such as Meredith Lodging and Bella Beach Vacation Rentals which meet the above definition of for “rent signs” which fulfill requirements of the Lincoln County Ordinance have been pre-approved.

Temporary “For Rent” signs are allowed by the CC&Rs. A temporary sign is defined as meeting the following requirements:

- Transportable (i.e. not attached to a house, post, railing or other permanent structure. “A-frame” display signs are an example of a transportable sign.)
- Limited Display Time (Temporary signs may not be displayed for more than 7 consecutive days and may not be left out overnight.)
- Temporary signs may not be placed in any of the common areas or at the entrance to Bella Beach.

All temporary signs must be approved by the Architecture Review Committee. Unapproved temporary signs are subject to the same fines as permanent signs. The Architecture Review Committee will attempt to review and approve or reject sign designs within 21 days. A rejection will include information on the corrective steps necessary for reconsideration at a later date.

Solar Photovoltaic (PV) Systems

Solar PV systems are allowed as long as systems meet all health, safety, and performance standards required by state and local permitting authorities.

Solar PV systems are subject to the ARC review process with regard to placement and impact on neighbors.

Spas and Hot Tubs

Spas and hot tubs must be maintained according to state and local health requirements. Quiet hours by homeowners and guests should be observed. Homes that currently have a hot tub and spa may replace it with a like-kind and like-size installation without an ARC approval. The installation of a new or differently sized spa or hot tub must be approved by the ARC.

Street Right of Way Obstructions

Bella Beach and the County of Lincoln prohibit the parking of any vehicle that obstructs the ability of another vehicle to safely pass. Homeowners and their guests are encouraged to park

“off street” in designated parking spaces or driveways. Any vehicle that obstructs the safe passage of any other vehicle may be towed. No placement of any obstructions in the street right-of-way is permitted. Such barriers include posts and/or chain/rope or basketball or other recreational items. Construction equipment, materials, mulch, pavers, etc. should be delivered and placed entirely within the borders of the homeowner’s property and not stored on the street during any project.

Temporary exceptions to this may be approved in advance by the Road District with notification to the HOA board.

Tree Removal

Except in cases of an emergency that does not permit delay, no living tree larger than 6” in diameter at a point measured 3’ off the ground shall be removed from any Lot without ARC approval. Re-planting to replace lost trees is encouraged.

Under Porch or Deck Spaces

When visible from the street or alley, the space under porches or decks should not be considered as storage areas. Lawn mowers, trash and recycling containers, garden equipment, and any other large items should be stored in a home’s crawl space or garage. The aim is to eliminate the possibility of runaway outdoor storage that could create a visual and aesthetic eyesore for the community.

If there is no possibility to avoid storing items under a porch or deck, then suitable screening will be required. Addition and type of screening should be approved by the ARC. Examples include lattice or the use of shielding plant material.

**Bella Beach Homeowners Association
ARC Application**

Date of Request: _____

Date to Begin Work: _____

Completion Date: _____

Homeowner: _____

Phone #: _____

Address: _____

Lot #: _____

Description of Improvement (Please attach a set of drawings of your intended plan):

Contractor (If applicable): _____

License #: _____

(If Contractor is required under Lincoln County ordinance, please attach Contact and Bond info).

Items Attached:

For Association Use Only:

Approved: _____

Disapproved: _____

Conditions of Approval or Reasons for Disapproval:

Date: _____

Authorized Member of Board of Directors