

I. OBJECTIVE AND AUTHORITY OF ARCHITECTURAL REVIEW COMMITTEE

A. DEVELOPMENT OBJECTIVES

The following Rules are designed to establish and preserve the visual impression of Lyons Park as a distinctive and desirable place in which to live.

Landscaping, building form, materials and colors all contribute to an overall community image that is readily identifiable as a high quality development. By following the Rules, residents will protect and enhance each property owner's investment in his or her homesite. The Rules provide standards of quality and design.

Design review by the Architectural Review Committee is not intended to enforce unreasonable or excessively expensive controls. It is meant to coordinate the design and construction of residential dwellings to achieve a pattern of continuous quality and identity.

The Rules have purposely not been made a part of the Covenants, Conditions, and Restrictions in order to allow for additions, modifications, and deletions as circumstances change and as the community develops and matures.

B. APPLICABLE PROVISIONS OF DECLARATION OF COVENANTS

The Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Lyons Park (Covenants) require that no structure, improvement, landscaping or alteration shall be commenced, erected, painted or maintained within the project without the written approval of the Architectural Review Committee. This requires that plans be submitted to the committee for review. This review will normally take only a few days but may take as long as 45 days under the Covenants. The Architectural Review Committee is appointed and controlled by the Developer.

II. ARCHITECTURAL RULES AND GUIDELINES

A. DESIGN AND SITE CONSIDERATIONS

1. Utilities: Electric power and natural gas are available at Lyons Park from Avista (Washington Water Power). Sewage lines connecting to the City of Spokane Sewer District treatment plant are extended to the property boundary of each lot. The location of utilities is controlled by the respective utility purveyor.

2. City of Spokane Requirements: The City of Spokane has adopted the Uniform Building Code with State of Washington modifications. The City requires that a building permit be obtained prior to beginning construction of any improvement or making any additions or changes to an existing structure.

3. Setbacks: As a P.U.D. the Lyons Park project allows deviations from the standard yard . setback standards of the City of Spokane Zoning Code. These deviations are intended to allow flexibility in design where approved by the Committee. See Exhibit No. 1 attached.

B. ARCHITECTURAL RULES

1. Accessory Buildings: Only buildings to be used as temporary construction shelter may be erected on a lot prior to construction of the main residence building. Structures such as dog houses, tool sheds, and

playhouses which are intended for permanent or semi-permanent use, are not specifically prohibited. The structures are, however, subject to Architectural Review Committee approval.

2. Antennae: Exposed roof TV and/or radio antennae are prohibited, unless specifically approved by the Architectural Review Committee. Satellite dishes smaller than 18" are approved. Satellite dishes shall be mounted in an inconspicuous location.
3. Building Height: Building height limitations may be imposed by the Architectural Review Committee in order to preserve views from neighboring homes and to minimize the impact of structures on arterial streetscape areas of the property.
4. Chimneys: All exterior chimneys must be of a material and of such a color as to blend in aesthetically with the residence and will be subject to approval by the Architectural Review • Committee.
5. Clotheslines: Exterior clotheslines must be located in screened service yards and out of view from the neighboring property.
6. Driveways: Driveway access onto the roads will be limited to one per lot, unless otherwise approved by the Architectural Review Committee.
7. Excavation: All excavation must be done so as to create a minimum disturbance on the site. All dirt and debris as a result of excavation must be leveled and/or removed from the site.
8. Exterior Lighting: All exterior lighting plans must be submitted with construction approval or alteration approval submittals. Exterior lighting which can be seen from the roads or neighboring lots must be indirect. Colored light sources shall be prohibited. Decorative and/or landscape lighting may have limitations placed upon them.
9. Exterior Walls and Trims: The following materials are approved for use in exterior walls and trims:
 - A. Wood (natural or treated with earth-tone stain or paint).
 - B. Aluminum, steel, or vinyl siding products in earth tone colors and in an application approved by the Architectural Review Committee.
 - C. Stucco may be permitted as the primary or accent siding material. Colors shall be medium earthtones subject to approval.
 - D. Brick (medium to dark even earth-tone colors)

Exterior color and material treatment used on the building walls shall be continuous and consistent on all elevations of the residence in order to achieve a uniform and complete architectural design.

Exterior colors must harmonize with the surrounding landscape and all colors are subject to approval by the Architectural Review Committee.

10. Utility Panels: In general, all utility meter panels should be screened from view and should be installed according to guidelines available from utility companies.
11. Fencing: Fences will be limited at Lyons Park and must have specific design approval from the Architectural Review Committee. Fences may be limited where adjacent to common areas and on sloping lots. See Exhibit No. 8 for approved fence plan.
12. Garages: The garage should connect to the main house by a roof or screen or be part of the house structure.
13. Grading: All grading shall conform to natural contours of the maximum extent feasible.

14. Gutters and Downspouts: All gutters and downspouts shall be designed as a continuous architectural design feature. Exposed gutters and downspouts shall be colored to blend in with the surface to which they are attached.

15. Heating and Cooling Systems: AH interior or exterior heating or cooling systems must be screened from view.

16. Mail Boxes and Newspaper Receptacles: Individual mail boxes and newspaper receptacles are prohibited. Group mail boxes will be provided at central locations by the developer.

17. Parking: NO utility trailer, boat trailer, camper or other trailer, mobile home, commercial vehicle, bus, truck (other than standard size pick up truck), inoperable automobile, boat, or similar equipment, and no vehicle which is in an extreme state of disrepair, shall be permitted to remain on the street or on any Lot other than temporarily (for the purpose of loading and unloading of passengers or personal property) unless placed within an enclosed garage or placed in the rear yard and screened from view by fence.

18. Prefabricated Housing: Prefabricated housing shall not be permitted.

19. Roofs: All homes and structures within the project shall use roofing materials as approved by the Architectural Review Committee.

20. Signs: Limitations on the size and placement of residential identification signs may be imposed by the Architectural Review Committee. All signs and their proposed locations must first be approved by the Committee. No lighted signs shall be permitted. All residences shall have a designated street number that is easily viewed from the road.

One sign identifying the contractor during construction, or advertising a home for sale is permitted, provided it is single sided, with a maximum area of 200 square' inches and the longest dimension is not greater than 40 inches. The sign is to be on its own post and shall not be placed higher than 60 inches from the prevailing ground plane. The sign must be placed no closer than 10 feet from the nearest roadway and be approximately parallel to the centerline of the roadway. Subcontractor and material men signs are prohibited. No other signs shall be permitted except as specified in this section, unless otherwise approved by the Architectural Review Committee.

21. Utilities: All connections from trunk lines to individual structures must be underground. ' Exposed plumbing and electrical lines are not allowed. Materials must conform to the Electrical and Plumbing Codes. Water and sewer hookups must be inspected by the appropriate inspectors. All excavation for site utility hookups must be restored to its natural condition.

22. Solar Heat Systems: Any solar heat system must be reviewed on an individual basis and require the approval of the Committee.

LANDSCAPING POLICIES

Front Yards: Front yard is defined as that area between the front property line and the plane of the face of the building, or intercepting side yard fence or wall. The total front yard area (except the driveways and entry paving) is to be landscaped and irrigated with an automatic underground irrigation system within 90 days of occupancy. The front yard landscaping shall be maintained in a healthy and neat appearance at all times. The front yard landscaping shall be designed in conjunction with and in harmony with the architectural design of the residence and lot. The following standards shall be followed when designing and installing the front yard landscaping.

a. Ground Plane: All landscape areas shall be irrigated by an underground sprinkler system. Seventy-five percent (75%) of the ground area shall be planted in grass. The grass area shall be designed so as to accomplish a continuous grass appearance along the property frontage from the back of the street curb. Twenty-five (25%) of the ground area may be planted with shrubs, ground cover, slope banks, or utilized as an entry patio.

b. Trees: A minimum of one tree shall be planted each 30 feet of street frontage. Such trees shall be planted within the planting strip between the curb and sidewalk and parallel to the street curb. Specific street trees used must follow the Lyons Park Master Street Tree program.

Required trees shall be a minimum of two-inch caliper measured at 24 inches above ground plane. Trees shall be properly staked to prevent wind damage or breakage. Any tree planted that does not survive shall be replaced within 150 days.

Rear Yards

- a. A rear yard is defined as all areas that are not visible from the street.
- b. Ground plane rear yard: All areas shall be landscaped.
- c. Trees: One tree shall be planted per 1,500 square feet of rear yard area.
- d. Grading shall conform to the natural ground terrain as much as possible.
- e. Service yard and detached out structures: No service yard or out structures, such as garden sheds, shall be visible from the street.
- f. Landscaping: The landscaping shall be completed within one year of occupancy.

Side Yards

- a. Landscaping will have the same requirements as typical rear yards. Landscaping requirements and fence restrictions for side yards facing streets shall be the same as front yard requirements.
- b. Driveways: Maximum slope is 12 percent or as needed to conform to City of Spokane codes. The material shall be concrete, unless otherwise specifically approved by the ACC Committee.
- c. Solar encroachment: Any planting that interferes with the existing use of solar energy on an adjacent property is prohibited.

III. SEVERABILITY

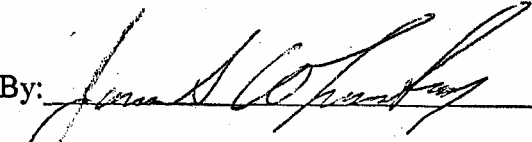
If any section, subsection, paragraph, sentence, clause or phrase of these Rules and Regulations is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of these Rules.


IV. NONWAIVER

Consent by the Architectural Review Committee to any matter proposed to it or within its jurisdiction, or failure by the Architectural Review Committee or the Lyons Park Master Association to enforce any violation of these Rules, shall not be deemed to constitute a precedent or waiver impairing the Committee's right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent or to enforce any subsequent or similar violation of these Rules.

V. ADOPTION

These Rules are adopted by the Architectural Review Committee this 28 day of March 2002.

By:  _____

By:  _____

By: May E. Duncan

EXHIBIT NO. 2
FENCE PLAN
LYONS PARK

I. Purpose

A. plan is necessary for the orderly and consistent construction, repair, replacement or extension offences within the Community. The administration of the Fence Plan will meet the common goals of satisfying each homesite owner and maintaining harmony and continuity in the overall look and feel of the Community. The Fence Plan will be consistent with the Master Declaration of Covenants, Conditions, and Restrictions for Lyons Park

II. Administration

The Fence Plan will be administered by the Architectural Review Committee, as set forth within the Architectural Review Committee Rules.

III. Fence and Wall Types

Each homesite owner in responsible for the fence within the property boundaries of his/her lot. The type offence permitted will vary depending on the homesite.

A. Open Space Fencing

For homesites contiguous to the Open Space Areas, rear yard fencing may be required as illustrated in Exhibit "A" Open Space Fencing. Painting of the street side of the perimeter fencing will be the responsibility of the Homeowners Association. All other maintenance will be the responsibility of the individual lot owner.

B. Perimeter Fencing

For homesites contiguous to major collectors or arterials within the project, perimeter fencing will be required as illustrated in Exhibit "B" Perimeter Fencing. Painting of the street side of the perimeter fencing will be the responsibility of the Homeowners Association- All other maintenance will be the responsibility of the individual lot owner.

C. Sideyard Fencing

All non-perimeter fences and walls must be integrated into the architecture and landscaping of each homesite. When a fence end is visible, the fence must have a return at least similar to height and dimension of the fence. The type of approved solid wood fences are illustrated in Exhibit "C" Sideyard Fencing.

Chain link fencing is prohibited unless specifically approved in writing by the Architectural Review Committee.

PERIMETER FENCING

****NOTE: Fence requests must be made in writing and have Architectural Approval.**

The basic guidelines are to include:

- * Vinyl or cedar fencing acceptable (no dog eared or chain link/chicken wire fences of any kind are permitted) **and a maximum** height of 6 feet.
- * Fence must have top cap and trim (see diagram)
- * Set backs for the fences must begin at least 5 feet back from the front of the house on each side.
- * All fences must be at least 5 feet behind the sidewalks &/or corner lots (NOT including the sidewalk area)
- * No front yard fences of any kind, to include decorative fencing.
- * ALL fences are subject to Architectural control approval and this may vary from neighborhood to neighborhood.... please check with ARC before installing.