

## **Policy Resolution #5-19A Architectural Standards and Guidelines**

West Hill Estates Homeowners Association (WHEHOA)

Interpretation of Bylaws, CC&Rs and Policy Resolutions Pertaining to Architectural Standards and Guidelines

WHEREAS, Article 2, Section 2.2(b) and (c) of the West Hill Estates Homeowners Association Bylaws states, in part:

**“Powers.** The Association has such powers and duties as may be granted to it by the Act, including each of the powers set forth in ORS 94.630, as the statute may be amended to expand the scope of association duties and powers, together with such additional powers and duties afforded by the Declaration, the Articles of Incorporation, these Bylaws and the Oregon Nonprofit Corporation Act, including the following: (12) From time to time adopt, modify, or revoke such Policies and Procedures governing the conduct of persons and the operation and use of the Lots, the Common Maintenance Area or any Common Property as the Board of Directors may deem necessary or appropriate in order to assure the peaceful and orderly use and enjoyment of the Property; (13) Enforcement by legal means of the provisions of the Declaration, these Bylaws and any Policies and Procedures adopted thereunder.

**Governance:** The affairs of the Association shall be governed by the Board of Directors as provided in these Bylaws. Owners have no authority to act on behalf of the Association and may take action with respect to affairs of the Association as specifically provided under the Declaration, these Bylaws, or the Act.”

WHEREAS, Article 2 of Articles of Incorporation of West Hill Estates Homeowners’ Association An Oregon Non-Profit Corporation filed with the Oregon Secretary of State on February 22, 1995, states in part:

“The purposes for which said corporation is organized are: To promote the health, safety and welfare of residents within the boundaries of WEST HILL ESTATES SUBDIVISION, and for this purpose . . . to fix assessments (or charges) to be levied against the property; to enforce any and all covenants, conditions and restrictions, and agreements applicable to the property; . . . and insofar as permitted by law, do any other things that, in the opinion of the Board of Directors, shall promote the common benefit and enjoyment of the residents of the properties.”

IT IS RESOLVED, Policy Resolution #5-19A Architectural Standards and Guidelines is updated to include and technically revise provisions of former Policy Resolution #5-19A(1) Exterior Finish Colors Addendum.

The updated Policy Resolution #5-19A Architectural Standards and Guidelines, be and hereby is adopted, ratified and confirmed:

The Board of Directors hereby adopts updated Policy Resolution #5-19A Architectural Standards and Guidelines, attached hereto as Exhibit A and by this reference incorporated herein.

The Board of Directors also repeals West Hill Estates Homeowners Association Policy Resolution #5-19A Architectural Standards and Guidelines, adopted on August 18, 2022.

Duly adopted at a meeting of the Board of Directors of the West Hill Estates Homeowners Association held February 16, 2023. The Policy will be effective February 16, 2023.

<b>Board of Directors 2022-2023</b>	<b>Vote</b>
Greg Malkasian, President	Yes
John Galvin, Vice President	Yes
Stephen Gordon, Secretary	Yes
Lorna O'Guinn, Treasurer	Yes
Bob Aceves, Member at Large	Yes
John Shaver, Member at Large	Yes
Peter Stafford, Member at Large	Yes

ATTEST:

  
\_\_\_\_\_  
Greg Malkasian, President

  
\_\_\_\_\_  
Stephen Gordon, Secretary

February 16, 2023  
\_\_\_\_\_  
(date)

February 16, 2023  
\_\_\_\_\_  
(date)

**Exhibit A:****Policy Resolution #5-19A Architectural Standards and Guidelines**

Interpretation of Bylaws, CC&Rs and Policy Resolutions Pertaining to Architectural Standards and Guidelines

**BACKGROUND AND PURPOSE** *(CC&R Sections 6 and 8)*

In accordance with the CC&Rs the Board may, from time to time, provide written Architectural Standards and Guidelines to Owners concerning approved building materials and techniques. Such Architectural Standards and Guidelines may include a list of pre-approved substitute materials for roofing and siding, together with the approved application of those materials.

The following Architectural Standards and Guidelines are provided to interpret implementation of the CC&Rs with respect to review and approval of Architectural Control Committee (ACC) applications, as well as architectural design of dwellings and other improvements, including landscaping, exterior color schemes, exterior finishes and materials, and other similar features which may be used in the West Hill Estates neighborhood. The Architectural Standards and Guidelines are intended to clarify, not diminish the minimum standards established in the CC&Rs.

**ARCHITECTURAL CONTROL COMMITTEE** *(CC&R Section 8)*

The Architectural Control Committee was established as a mechanism for ensuring compliance with the CC&Rs and clarifying Policy Resolution standards when any improvements are added or changed by homeowners. All improvements which change the exterior appearance of any dwelling, other structure, or landscaping in the subdivision must be approved by and may be regulated by the Architectural Control Committee.

The Architectural Control Committee review shall include, but not be limited to, review of the conformity, size, value, location, and harmony of all external designs with the existing landscaping and structures in the subdivision, and as to the location of the building with respect to the topography and finished ground elevation. We recognize this involves some subjectivity and relies on both a Board and Architectural Control Committee committed to diligent review of ACC applications in the context of what is best for the neighborhood, not personal preference. In order to further protect Owners, CC&R Section 8.6 allows them to appeal an ACC decision to the Board under most circumstances.

Timing requirements for the review of ACC applications are listed in CCR Section 8.4. While the ACC has 30 days from the time all required information is received, we are committed to completing such reviews as rapidly as possible in order to best serve the needs of our fellow Owners.

**ARCHITECTURAL CONTROL COMMITTEE APPLICATION** *(CC&R Section 8.1)*

An Architectural Control Committee (ACC) application is required whenever there is a material change to the exterior appearance of any dwelling or other improvement on any lot. The ACC application clarifies the scope of what is material by exempting only "minor front or side yard plantings . . . "This reinforces the intent of the CC&Rs which is to require prior approval of proposed changes **which are significant enough to be noticeable (i.e. material)**, and therefore have an impact on the aesthetics of the neighborhood. Regulating these changes also serves the intent to protect all Owners' rights and property values. For the purposes of these rules,

**minor garden plantings** are defined as the addition or removal of small plants which are normally added or removed by hand. The most common examples of these are annual and perennial flowers.

A copy of the current Architectural Control Application is maintained on our website at WHEHOA.com, and may be updated by the Board from time to time.

**APPROVED BUILDING MATERIALS (CC&R Sections 6.3(a), (b) & (c))**

**Building and Roofing Materials**

The basic requirements for building and roofing materials are listed in CC&R Section 6.3(a). No additional requirements are added here at this time.

**NOTE:** With respect to roofing materials, the styles, terminology, and warranty methods may change over time, leading to confusion over which materials meet the quality level intended in the CC&Rs. When the CC&Rs were updated, the Board intended to require composition roofing heavy enough to be reasonably expected to last 40 years. Such roofs will naturally be heavier and look more substantial, which was the Board’s intent. As a result of reviewing recent ACC applications and doing research with roofing companies we found there is a composition shingle of just 270 pounds per square in the current designation of “Architectural.” The next level up in quality within the “Architectural” designation, at 320 pounds per square, is what was previously required and is still intended. **ACC applications regarding composition roofing will be reviewed using the 320 pounds per square quality level.**

**Siding Materials**

The basic requirements for siding materials are listed in CC&R Section 6.3(b). No additional requirements are added here at this time. The CC&Rs specifically “grandfather” existing unapproved siding materials in Section 6.3(e). The primary intent of this section is to address current dwelling buildings in our neighborhood with stucco siding, which was not an approved siding at the time they were built.

**Exterior Finish Colors**

The basic requirements for exterior paint, semi-transparent stains and solid stains are listed in CC&R Section 6.3(c). The following additional clarification and details are established to avoid confusion.

1. Exterior paints shall be oil or latex based with a matte/flat or satin/eggshell finish. Semi-gloss may be used on exterior trim and doors.
2. All stains and paints should be in earth tone colors unless otherwise approved by the Architectural Control Committee (ACC).
3. An earth tone color is a color that contains some brown (red + yellow + blue) and is tinted with white or a grey tone, creating a muted and soft tan, cream, grey, moss or some toned reds. The shade should emulate the natural colors found in sand, soil, rocks, and moss. In other words, it should be a soft-toned, neutral color that blends with the surrounding homes. Pure white and many bright whites are not considered earth tone under this definition. Any version of white proposed for use must be approved by the ACC.
4. While the Architectural Control Committee (ACC) shall normally limit approval to earth tone colors, the Committee may approve a color outside the earth tone palette if the

color is in full harmony with the overall ambiance of the neighborhood, is fully compatible with a muted color scheme and blends with the colors of the nearby residences.

5. The Architectural Control Committee shall have the authority to determine whether the proposed colors meet the intent of the CC&R and shall refer questionable cases to the board for final determination.
6. In order to effectively assess the acceptability of proposed colors, test samples of the main body, trim, and door colors shall be painted on the house and available for evaluation by the ACC as part of the approval process. The small "paint chip" samples offered by paint vendors are not adequate for final approval. Required dimensions of the test samples are as follows: Main Body – 3 feet by 3 feet; Trim – 1 foot by 3 feet; Door – 1 foot by 3 feet. At the board’s discretion, test samples may be provided on separate pieces of wood similar to that used on the structure.
7. The Architectural Control Committee (ACC) may consider the small vendor "paint chips" to be adequate for the final review if the proposed color has been determined to meet the definition of an earth tone. A list of such acceptable earth tone colors is available below. Colors chosen by homeowners which are not on the earth tone list may still necessitate dimensional test samples as listed in item 6 above.

**NOTE:** Colors on the earth tone list are not automatically approved and must be evaluated by the Architectural Control Committee for color combinations and blending with nearby residences.

The colors and whites (hereafter referred to collectively as "colors") listed below have been confirmed as meeting the intended earth tone definition in number 3 above as of the effective date of this resolution. This is not intended to be a complete list of all available earth tone colors, but serves as a resource and potential starting point for Owners to assist in finding suitable choices. The list is taken from the Sherwin Williams brand color fan as of the effective date of this resolution, although paint used in the neighborhood is not limited to that brand.

While these colors are approvable based on the earth tone definition, the final color or color combination proposed for use must be approved by the Architectural Control Committee before any painting may be done.

<u>Paint Name</u>	<u>Paint ID Number</u>	<u>Page &amp; Number</u>
Accessible Beige	SW7036	249-C1
Acier	SW9170	244-C4
Adaptive Shade	SW7053	246-C5
Aged White	SW9180	261-C4
Aloof Gray	SW6197	216-C1
Alpaca	SW7022	241-C1
Amazing Gray	SW7044	245-C2
Amond Roca	SW9105	203-C5
Analytical Gray	SW7051	246-C2
Ancient Marble	SW6162	212-C1

<u>Paint Name</u>	<u>Paint ID Number</u>	<u>Page &amp; Number</u>
Angora	SW6036	232-C1
Antique White	SW6119	263-C6
Antler Velvet	SW9111	205-C3
Arcade White	SW7100	260-C1
Armadillo	SW9160	232-C4
At Ease Soldier	SW9127	212-C4
Artisan Tan	SW7540	292-C6
Avenue Tan	SW7543	286-C4
Backdrop	SW7025	241-C5
Balanced Beige	SW7037	249-C2

<b>Paint Name</b>	<b>Paint ID Number</b>	<b>Page &amp; Number</b>
Barcelona Beige	SW7530	285-C4
Barro Verde	SW9123	209-C5
Basket Beige	SW6143	206-C3
Bauhaus Buff	SW7552	266-C6
Beach House	SW7518	288-C3
Beige Intenso	SW9096	202-C3
Believable Buff	SW6120	141-C1
Biscuit	SW6112	265-C3
Bittersweet Stem	SW7536	292-C3
Black Fox	SW7020	244-C7
Bona Fide Beige	SW6065	196-C2
Buckram Binding	SW0036	303
Bungalow Beige	SW7511	250-C2
Bunglehouse Gray	SW2845	314
Burlap	SW6137	208-C5
Canoe	SW7724	289-C6
Canvas Tan	SW7531	261-C6
Cargo Pants	SW7738	298-C1
Casa Blanca	SW7571	264-C4
Chatroom	SW6171	211-C3
Chatura Gray	SW9169	242-C4
Chelsea Mauve	SW0002	299-C2
China Doll	SW7517	250-C1
Chioce Cream	SW6357	265-C5
Chocolate Powder	SW9082	196-C4
Chopsticks	SW7575	263-C7
Classic Light Buff	SW0050	305
Cocoa Whip	SW9084	198-C4
Colonade Gray	SW7641	283-C2
Colonial Revival Stone	SW2827	312
Colony Buff	SW7723	292-C1
Connected Gray	SW6165	212-C5
Cool Beige	SW9086	199-C2
Cork Wedge	SW7539	292-C4
Cornwall Slate	SW9131	216-C4
Cotton White	SW7104	265-C1
Creamy	SW7012	261-C3
Crewel Tan	SW0011	300
Crisp Linen	SW6378	264-C3
Croissant	SW7716	289-C2

<b>Paint Name</b>	<b>Paint ID Number</b>	<b>Page &amp; Number</b>
Dapper Tan	SW6144	206-C5
Dhurrie Beige	SW7524	250-C3
Dirty Martini	SW9119	209-C1
Diverse Beige	SW6079	198-C2
Divine White	SW6105	266-C4
Doeskin	SW6044	193-C2
Dorian Gray	SW7017	244-C3
Dormer Brown	SW7521	288-C5
Double Latte	SW9108	204-C4
Dover White	SW6385	261-C2
Dovetail	SW7018	244-C5
Down Home	SW6081	198-C5
Downing Earth	SW2820	311
Downing Sand	SW2822	311
Downing Stone	SW2821	311
Downy	SW7002	267-C3
Dried Edamame	SW9122	209-C4
Drift of Mist	SW9166	238-C2
Dry Dock	SW7502	250-C6
Dusted Truffle	SW9083	197-C4
Eaglet Beige	SW7573	262-C7
Echelon Ecru	SW7574	264-C7
Ecru	SW6135	208-C2
Eggwhite	SW6364	264-C2
Egret White	SW7570	255-C4
Elephant Ear	SW9168	241-C4
Emerging Taupe	SW6045	193-C3
Essential Gray	SW6002	240-C2
Ethereal Mood	SW7639	247-C4
Fallen Leaves	SW9114	205-C6
Familiar Beige	SW6093	200-C2
Farro	SW9103	203-C3
Favorite Tan	SW6157	210-C3
Fawn Brindle	SW7640	247-C5
Felted Wool	SW9171	245-C4
Fenland	SW7544	210-C4
Foothills	SW7514	248-C7
Fragile Beauty	SW7553	265-C6
Fresco Cream	SW7719	288-C2
Functional Gray	SW7024	241-C3

<b>Paint Name</b>	<b>Paint ID Number</b>	<b>Page &amp; Number</b>
Futon	SW7101	267-C4
Gateway Gray	SW7644	247-C3
Gauntlet Gray	SW7019	244-C6
Ginger Root	SW9095	202-C2
Gossamer Veil	SW9165	238-C1
Grassland	SW6163	212-C2
Gray Area	SW7052	246-C3
Grayish	SW6001	240-C1
Grecian Ivory	SW7541	247-C1
Greek Villa	SW7551	254-C1
Hammered Silver	SW2840	313
Hardware	SW6172	211-C5
Harmonic Tan	SW6136	208-C3
Herbal Wash	SW7739	298-C7
Honed Soapstone	SW9126	211-C4
Hopsack	SW6109	204-C5
Ibis White	SW7000	260-C2
Iced Mocha	SW9092	200-C4
Indian White	SW0035	303
Intellectual Gray	SW7045	245-C3
Interface Tan	SW6059	195-C3
Intricate Ivory	SW6350	265-C4
Irish Cream	SW7537	265-C7
Jogging Path	SW7638	247-C2
Kestrel White	SW7516	266-C5
Khaki Shade	SW7533	285-C6
Kilim Beige	SW6106	204-C1
Latte	SW6108	204-C3
Lightweight Beige	SW6092	200-C1
Likeable Sand	SW6058	195-C2
Link Gray	SW6200	216-C5
Llama Wool	SW9089	199-C5
Loggia	SW7506	248-C2
Lotus Pod	SW7572	264-C6
Macadamia	SW6142	206-C2
Maison Blanche	SW7526	288-C1
Malabar	SW9110	205-C2
Malted Milk	SW6057	195-C1
Marshmallow	SW7001	267-C1
Meadowlark	SW7522	288-C6

<b>Paint Name</b>	<b>Paint ID Number</b>	<b>Page &amp; Number</b>
Medici Ivory	SW7558	265-C2
Mexican Sand	SW7519	288-C4
Mindful Gray	SW7016	244-C2
Mocha	SW6067	196-C5
Moderate White	SW6140	258-C6
Moderate White	SW6140	266-C3
Modern Gray	SW7632	283-C1
Modest White	SW6084	267-C5
Moroccan Brown	SW6060	195-C5
Morris Room Grey	SW0037	303
Moth Wing	SW9174	249-C4
Mudslide	SW9113	205-C5
Muslin	SW6133	263-C5
Nacre	SW6154	263-C2
Nantucket Dune	SW7527	285-C2
Natural	SW7542	286-C3
Natural Linen	SW9109	205-C1
Natural Tan	SW7567	284-C1
Navajo White	SW6126	264-C5
Nearly Brown	SW9093	201-C4
Netsuke	SW6134	208-C1
Neutral Ground	SW7568	261-C5
Nomadic Desert	SW6107	204-C2
Nuthatch	SW6088	197-C5
Oak Barrel	SW7714	289-C4
Only Natural	SW7596	266-C7
Outerbanks	SW7534	284-C4
Oyster Bar	SW7565	286-C1
Pacer White	SW6098	267-C7
Palisade	SW7635	283-C7
Panda White	SW6147	266-C2
Patience	SW7555	261-C7
Pavestone	SW7642	283-C5
Pavilion Beige	SW7512	250-C4
Pediment	SW7634	255-C4
Perfect Greige	SW6073	242-C3
Pewter Tankard	SW0023	301
Playa Arenosa	SW9094	202-C1
Poised Taupe	SW6039	232-C5
Polar Bear	SW7564	263-C4

<u>Paint Name</u>	<u>Paint ID Number</u>	<u>Page &amp; Number</u>
Polished Concrete	SW9167	240-C4
Popular Gray	SW6071	242-C1
Porcelain	SW0053	305
Portabello	SW6102	201-C5
Portico	SW7548	284-C3
Practical Beige	SW6100	201-C2
Prairie Grass	SW7546	286-C5
Proper Gray	SW6003	240-C3
Pussywillow	SW7643	283-C4
Quinoa	SW9102	203-C2
Quiver Tan	SW6151	207-C5
Ramie	SW6156	210-C2
Rare Gray	SW6199	216-C3
Realist Beige	SW6078	198-C1
Redend Point	SW9081	195-C4
Relaxed Khaki	SW6149	207-C2
Reliable White	SW6091	267-C6
Renwick Beige	SW2805	309
Repose Gray	SW7015	244-C1
Requisite Gray	SW7023	241-C2
Restful White	SW7563	263-C3
Reticence	SW6064	196-C1
Rice Grain	SW6155	210-C1
Roman Column	SW7562	263-C1
Row House Tan	SW7689	292-C2
Roycraft Mist Gray	SW2844	314
Roycraft Suede	SW2842	313
Roycraft Vellum	SW2833	312
Rushing River	SW7746	247-C6
Safari	SW7697	296-C6
Sand Beach	SW7529	285-C1
Sand Dollar	SW6099	201-C1
Sand Dune	SW6086	197-C2
Sand Trap	SW6066	196-C3
Sandbar	SW7547	284-C2
Sanderling	SW7513	248-C5
Sands of Time	SW6101	201-C3
Sandy Ridge	SW7535	284-C6
Sawdust	SW6158	210-C5
Sawgrass Basket	SW9121	209-C3

<u>Paint Name</u>	<u>Paint ID Number</u>	<u>Page &amp; Number</u>
Sedate Gray	SW6169	211-C1
Sensational Sand	SW6094	200-C3
Sensible Hue	SW6198	216-C2
Serengeti Grass	SW9116	206-C4
Shell White	SW8917	264-C1
Shitake	SW9173	248-C1
Simplify Beige	SW6085	197-C1
Skyline Steele	SW1015	283-C3
Smoky Beige	SW9087	199-C3
Soft Fawn	SW9097	202-C4
Softer Tan	SW6141	206-C1
Song Thrush	SW9112	205-C4
Spalding Gray	SW6074	242-C5
Steamed Milk	SW7554	266-C1
Sticks & Stones	SW7503	283-C6
Stone Lion	SW7507	248-C3
Stucco	SW7569	286-C2
Studio Clay	SW9172	246-C4
Studio Taupe	SW7549	284-C5
Sundew	SW7688	289-C1
Svelte Sage	SW6164	212-C3
Swing Brown	SW6046	193-C5
SycamoreTan	SW2855	315
Tamarind	SW7538	289-C5
Tarnished Treasure	SW9118	208-C4
Taupe Tone	SW7633	248-C4
Tavern Taupe	SW7508	248-C6
Tawney Tan	SW7713	287-C4
Techno Gray	SW6170	211-C2
Temperate Taupe	SW6037	232-C2
Threshold Taupe	SW7501	250-C5
Tiki Hut	SW7509	250-C7
Toasted Pine Nut	SW7696	296-C5
Tony Taupe	SW7038	249-C3
Toque White	SW7003	256-C3
Touch of Sand	SW9085	199-C1
Tower Tan	SW7704	289-C3
Townhall Tan	SW7690	292-C5
Tres Naturale	SW9101	203-C1
Truly Taupe	SW6038	232-C3



<u>Paint Name</u>	<u>Paint ID Number</u>	<u>Page &amp; Number</u>
Trusty Tan	SW6087	197-C3
Tumblin' Tumbleweed	SW9120	209-C2
Twilight Gray	SW0054	305
Unfussy Beige	SW6043	193-C1
Universal Khaki	SW6150	207-C3
Urban Jungle	SW9117	207-C4
Urban Putty	SW7532	285-C3
Useful Gray	SW7050	246-C1
Utaupeia	SW9088	199-C4
Utterly Beige	SW6080	198-C3
Velvety Chestnut	SW9079	193-C4
Verde Marron	SW9124	209-C6
Versatile Gray	SW6072	242-C2

<u>Paint Name</u>	<u>Paint ID Number</u>	<u>Page &amp; Number</u>
Virtual Taupe	SW7039	249-C5
Weathered Shingle	SW2841	313
Westhighland White	SW7566	255-C3
White Flour	SW7102	267-C2
Whitetail	SW7103	261-C1
Whole Wheat	SW6121	141-C2
Windsor Greige	SW7528	285-C5
Wool Skein	SW6148	207-C1
Worldly Gray	SW7043	245C1
Woven Wicker	SW9104	203-C4
Zeus	SW7744	286-C6

#### **HOMEOWNER RIGHT TO APPEAL (CC&R Section 8.6)**

1. A homeowner may appeal an adverse decision of the Architectural Control Committee (ACC) to the WHEHOA Board of Directors as outlined in CC&R Section 8.6.
2. Any appeal must be made in writing within 10 days of the ACC decision and state the rationale for the appeal.
3. In cases involving paint or stain colors, the color code mixing information and a color sample for the requested color must be included with the appeal (i.e. color samples as required above in item 6 of Exterior Finish Colors).
4. At the next scheduled meeting of the Board which is at least two weeks after receiving the appeal, the Directors will:
  - a. review the written appeal.
  - b. Receive any oral information presented by the homeowner as well as that of the Architectural Control Committee Chair.
5. The final decision of the Board will be made in writing within 14 days of the review.

#### **ACTIONS FOR FAILURE TO COMPLY**

With any change which requires prior approval by the Architectural Control Committee, Owners who fail to comply with the approval procedure prior to beginning a project, painting, or similar exterior refinishing of any structure, or do not abide by the decision of the Architectural Control Committee or the WHEHOA Board shall be required to correct the project, painting or refinishing to meet the CC&Rs and above color standards. If the homeowner does not comply with the requirement to correct the project, painting or refinishing, they will be subject to the Rules Enforcement Fine and collection procedures in the ***Rules Enforcement Policy and Procedures*** resolution.

*Certified True Copy*  
*Stephen Gordon*  
*WHEHOA Secretary*