

FOREST HEIGHTS HOMEOWNERS ASSOCIATION



**ARCHITECTURAL GUIDELINES &
CONSTRUCTION REGULATIONS**

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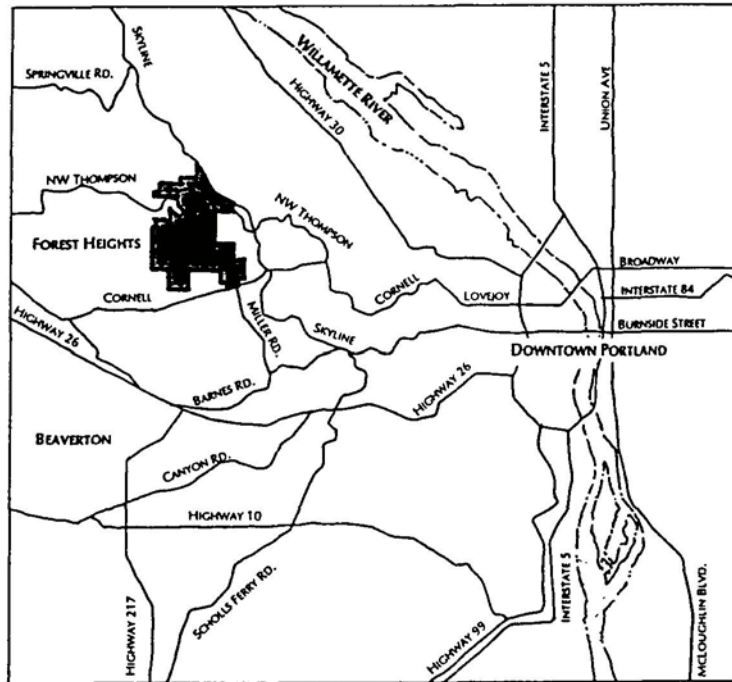
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1 FOREST HEIGHTS DESIGN PHILOSOPHY

1.1 Introduction to Forest Heights

Welcome to Forest Heights, a 601-acre planned residential neighborhood within the Portland city limits. It is located on the southwestern facing slopes of Portland’s West Hills between Skyline, Thompson, and Cornell Roads. Steeply sloped hills, 215 acres of open space with streams, ponds, forestland, and expansive views of the coastal range to the southwest, make this large neighborhood a “sister” to the other Heights neighborhoods in Portland.



Portland’s “Heights” neighborhoods, (Willamette, Kings, Arlington, Portland, and now Forest Heights) have long held some of Portland’s most desirable city homes. They are characterized by various housing styles, varied materials honestly used, streetscapes not predominantly composed of garage facades, and a general sense that the neighborhood has formed over time. In contrast to many of today’s subdivisions, the houses in the existing Heights neighborhoods vary greatly in size and architectural style, but harmonize to give a lively, gracious, and comfortable character to each neighborhood.

1.2 Purpose of the Design Guidelines and the Architectural Review Process

These guidelines analyze in detail what elements give the Heights homes their special character and set forth the structure of the Architectural Review Committee (ARC) and the Review Process. This Committee reviews all plans and oversees implementation of the design guidelines. Every house is held to the same high standards of design and construction, ensuring that the

entire project benefits from adherence to these guidelines.

The ARC is a Committee of the Homeowners Association. Its function is to review and evaluate each proposed structure or revision of an existing structure on a *case-by-case basis*. Communication with the ARC can begin as soon as a lot is selected for development. Since the ARC has broad discretion in what it will approve or deny, good communication throughout the design and review process is essential for this process to work smoothly so construction can be completed in a timely fashion.

The procedures for Architectural Review are discussed in detail in Section 2 of this booklet. The basic process includes a Preliminary Review, which is advisory only and is not required, and a Final Review, which is required. Final Review Approval must be received before beginning any construction. Decisions of the ARC may be appealed to the Committee. See Section 2.4 for more details about appeals of the ARC's decisions. Construction beginning without approval or not in conformance with approved plans is subject to a stop work order by the Homeowners' Association.

1.3 Overall Master Plan

Forest Heights is a planned neighborhood of seven phases, primarily composed of residential areas and a small commercial center. Approximately one third of the total land area is left in open space.

A site was originally designated in Phase 4 as a combined public park/school site. This site has been relocated to the east side of Miller Road as shown on the map at the back of this booklet. Currently, Forest Park Elementary School has been built and is occupied. The City has also developed a park next to the school.

The Development Plan provides for single-family detached homes and a number of sites zoned for medium density residential development. Medium density housing usually consists of attached housing and can include duplexes, townhomes, row houses, apartments and condominiums. Generally, the medium density home sites are clustered along the spine road on the interior of the development and the single-family homes spread outward to the edges of Forest Heights. A wide variety of house sizes, types, and styles are appropriate for this neighborhood. Variety is, in fact, one of the significant characteristics distinguishing Forest Heights from suburban neighborhoods.

Forest Heights has an extensive park and open-space system. Mill Pond Park is located in the heart of Forest Heights and consists of more than 2 acres of land, which serves both active and passive recreational activities. The focal point of the park is Mill Pond, which is ringed by pedestrian trails, play structures, picnic areas, and viewing benches. In addition, the pond serves as a water retention area for flood control.

As part of the Common Open Space in Forest Heights, each phase of the development contains a network of paths and walks which link the different neighborhoods and a variety of open spaces.

The 4.5-acre commercial site is zoned for neighborhood pedestrian oriented retail and commercial uses.

Forest Heights is part of the City of Portland. Utilities are provided by Portland General Electric, Northwest Natural Gas Company, Qwest, and Comcast Broadband.

The scale of the project as a whole is large, but the smaller sectors are intimate and rather dense, as are all of the older Heights neighborhoods. This higher density in the buildable clusters gives Forest Heights an upscale urban image rather than a sprawling suburban look, while the forest between clusters provides privacy and seclusion to the homes. Quality, variety, historical integrity, and streets not dominated by garages are the most significant characteristics that distinguish Forest Heights from suburban neighborhoods.

1.4 Open Space

Open space in Forest Heights is left as natural as possible to maintain the feel of the forested environment. The built environment contrasts with this naturalistic image to present an environment of careful design and historical connotation. Generally, open space is steeply sloped and surrounds the waterways. Ravines, ponds, and streams thread through larger neighborhoods to create separate and distinct enclaves (small clusters of homes within the forest).

Guidelines have been developed for blending home site landscaping with common area landscaping. Contact the Association Office for more information and to receive a copy of “Guidelines for Lot Owners: Planting in Adjacent Common Areas” at (503) 297-9400, or visit the Association’s website, www.fhhoa.com, Documents tab, Governing Documents: Administrative Resolution 4 plus Exhibit A, and Administrative Resolution 10.

2 ARCHITECTURAL GUIDELINES FOR SINGLE FAMILY HOMES

2.1 Procedures for Architectural Review

All new construction, buildings and remodels affecting the exterior of buildings, additions to existing buildings, landscaping and fencing must be reviewed and approved by the Architectural Review Committee (the ARC) before beginning construction. Builders are encouraged to meet with the ARC before they begin their design process to better understand how the Committee will view a house design on their selected lot.

The ARC is the primary means for ensuring that all building within Forest Heights is appropriate to the overall design of the development. Each proposal is judged on its own merit. The following factors are taken into account: scale, design, view, effect on other property owners, disturbance of existing terrain and vegetation, location with respect to drainage criteria as well as setbacks, colors, and other relevant factors. It is the intention of the Committee to foster a variety of expressions in home design that support the design concepts of a neighborhood developed over time.

The authority for the Committee and its composition derive from Sections Six and Seven of the Declaration of Protective Covenants, Conditions and Restrictions (CC&Rs) for Forest Park Estate (now called Forest Heights). All homeowners and builders are responsible for keeping themselves informed about and complying with all regulations and rules. An addendum to this Design Guidelines booklet includes a copy of relevant sections of the CC&Rs.

2.2 The Architectural Review Process at Forest Heights

The Architectural Review Process at Forest Heights begins with the initial application and submittal. This submittal can be either for Preliminary Approval Review or for Final Approval Review; the required drawings and their due dates are listed below. Even after the house is constructed and exterior lighting has been installed, the ARC acting on behalf of the Home Owners Association continues to review all remodeling, additions, and landscape revisions. The following describes the process and outlines the steps to be taken by the Applicant. **No construction may begin before Final Approval has been granted by the Architectural Review Committee.**

Preliminary Review: The purpose of a Preliminary Application is to allow for review of any sketches or drawings at an early stage in the planning process to ascertain if the general proposal conforms to Forest Heights' architectural philosophy. For single-family homes, this step is not required, although it is strongly encouraged. Preliminary reviews are encouraged so that modifications that might be required by the ARC are taken into consideration before final engineering is completed and construction permits are granted. The Applicant may apply directly for Final Review if this is desirable for scheduling reasons or if plans are already complete.

Remember: Preliminary Approval does not confer the right to file for construction permits or to begin construction. Final Review is required of all projects. Failure to receive final approval before beginning construction will result in fines and other sanctions being imposed.

Final Review: The Committee will review all required documentation and the application will receive one of the following: “Denial,” “Incomplete,” “Conditional Approval,” or “Approval.” Review fees are due when the Final Review is submitted.

- If the application is “Denied,” the Applicant must submit a new proposal. No construction permits may be applied for, nor may any construction begin.
- If the application is “Incomplete,” additional information must be presented to the ARC. No construction permits may be applied for, nor may construction begin.
- If the application is given “Conditional Approval,” the Applicant may file for building permits and may begin construction, but some matters may require further review by the ARC and/or the Applicant may be required to submit additional information. Certain information, such as staked building corners, will be required before construction begins, while other information, such as paint color samples and exterior lighting, can be submitted after construction has begun. Information such as landscape plans can be submitted after construction has been completed. A form will be returned to the Applicant listing additional information required, issues not approved, and the dates when requirements must be satisfied. The Applicant may not proceed with construction of any aspect of the project before that aspect has been reviewed and approved.
- Final approval may be given if the following required information has been submitted and approved: satisfactory landscape plans, lighting plans, and exterior paint color samples.

Approvals will be valid for one year, after which plans must be resubmitted if approved work has not been initiated. (See CC&Rs, Article VII, 7.10.)

2.3 How to File for Architectural Review

The list on page 7 outlines all required drawings. All drawings must be 11” x 17”. Be sure to list the lot and block numbers, plat name, and the name, address, and telephone number of the contact person. Review fees are outlined on the Application Form. Contact the office if there are any questions related to the review fees.

Questions are to be directed to:

ARC Administrator - Forest Heights Homeowners Association, Inc.
2033 NW Miller Road
Portland, OR 97229
Telephone: (503) 297-9400 Fax: (503) 297-9408 E-mail: arc@fhhoa.com

Submissions are to be mailed or delivered to the ARC Administrator at the Forest Heights office located at 2033 NW Miller Road, Portland, OR 97229. Within 15 days following the Committee’s decision, a formal response will be mailed to the Applicant.

The ARC meets on an as-needed basis on Thursday mornings at 9:00 a.m. Applications must be received no later than Wednesday at 12:00 p.m. of the previous day. Every effort will be made to review applications submitted later than this deadline but the Committee reserves the right to hold late applications over until the following meeting.

If desired, the Applicant may schedule a 15-minute conference during the Thursday meeting of the ARC to discuss any special circumstances of the application. Appointment times begin at 9:30 a.m. Contact the ARC Administrator to set an appointment.

2.4 Appeals

If an Applicant wishes to appeal the decision of the Committee, an additional review of the project may be requested. The purpose of this second review is to discuss specific objections and any mitigating circumstances that may justify a change in the Committee’s decision. If the Committee confirms its previous decision, an Applicant may appeal to the Board of Directors.

2.5 Certificates of Estoppel

If the Applicant wishes a certificate of estoppel acknowledging that their improvements comply with the Final Approval, such a certificate may be requested from the ARC, and after complying with the requirements listed in the CC&Rs (Article VII, 7.11), including the payment of a reasonable fee to the ARC, a certificate will be issued. Contact the ARC Administrator for the current fee schedule.

2.6 Required Drawings

The following information is required with your application. Drawings should be submitted on 11” x 17” size paper.

APPLICATION TYPE	New Construction	Landscape	Structure Modifications/Additions	Due Date
<u>REQUIRED MATERIALS</u>				
Site plan drawings, including driveway with topographic and e-zones (if any).	X	X	X	With Application
Floor plan drawings	X		X	With Application
Drawings of all four elevations showing finished grade	X		X	With Application
Tree removal drawings showing final grading	X	X		With Application
Roofing and siding material specifications, including product name and color, if applicable	X		X	With Application
Drawings of plans and elevations of all decks	X		X	At least 4 weeks prior to construction
Exterior lighting and fixture plan	X		X	Within 1 month of move in and at least 2 weeks prior to installation.
Exterior colors and veneer samples with manufacturer, product name and number. Digital photo of front of new home if repainting in new color	X		X	At least 4 weeks prior to application of material
<u>LANDSCAPE</u>				
Plant layout plans, including plant list, with quantities and sizes	X	X		1 month prior to move in and at least 2 weeks prior to installation.
Fences, walls, gazebos, screens, water features, with elevations	X	X		At least 4 weeks prior to construction
ARC fee	X	X	X	With Application

All plans must be approved by the Architectural Review committee (ARC) and receive FINAL APPROVAL prior to beginning construction or installation. After final approval, any changes must be approved by the ARC.

Remember: All drawings must be submitted on 11” x 17” paper, include the scale, and must list the lot and block numbers, and the name, address, and telephone number of the contact person. If drawings are faxed, or scanned and emailed to the Committee, a hard copy must be provided within three days for the permanent records.

2.7 Architectural Review Committee Criteria

Often, construction starts with a floor plan selected by the builder or owner. This plan is then positioned on the lot. Because the majority of lots at Forest Heights are steeply sloped, care must be taken in selecting the correct house for the lot or in designing a house for a specific location. The ARC is looking for a high level of sensitivity to site and building design. The ARC may reject a design if the house does not fit the lot in plan or in section, or if excessive grading will be required. The ARC may reject a design if it has a front elevation out of proportion to the rest of the house; if the side and back elevations are blank; or if it has windows looking directly into the neighbors' windows.

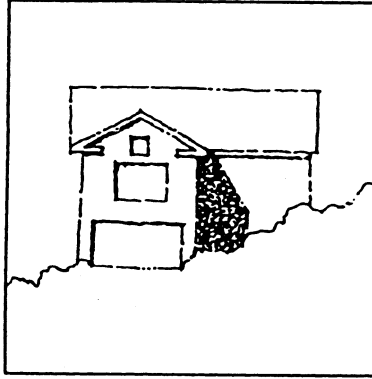
Since Forest Heights is a neighborhood of varied housing types, each house should be different from its immediate neighbors in form and materials. If all homes are of equally high quality, both large and small homes can comfortably exist in the same neighborhood. Design Guidelines for the housing in Forest Heights are intended to influence the general form of the structures along the street and to mitigate the dominance of the automobile in residential neighborhoods. The following sections explain some factors the Committee feels are important; however, this is not a comprehensive list and the Committee may express concern about design factors not mentioned in this document.

2.8 Garages

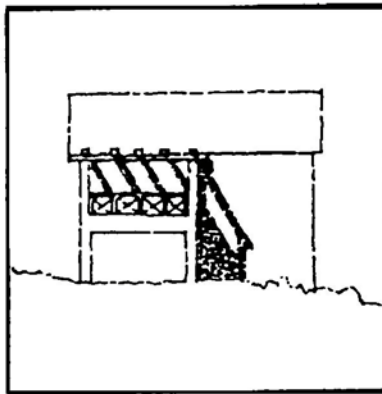
One of the most important factors making the older Heights neighborhoods so pleasant is that the streets are not lined with garage doors. In most instances, however, modern homes require attached garages. Since most lots in Forest Heights are sloping, it is suggested garages be placed under the house and entered from the side or rear whenever feasible. Although this requires creative design and possibly longer driveways, the neighborhood as a whole will benefit with lively street frontages and higher home values.

If the site will not permit this garage solution, it is strongly suggested the design orient the garage access to be from the side or rear of the lot. If the garage cannot be entered from the side or rear of the lot, the use of the following mitigating features, especially if garage doors take up more than 50% of the street frontage, can radically reduce the impact of garage doors on the street elevation.

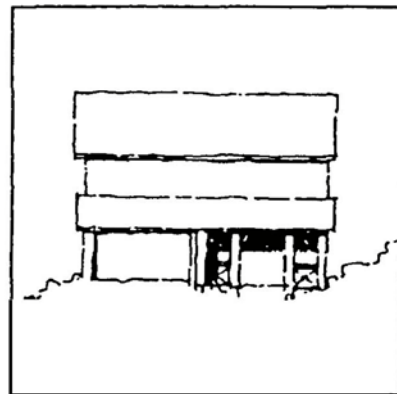
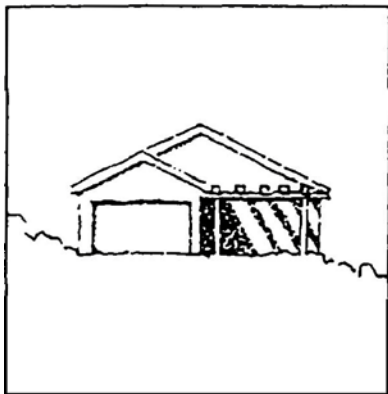
- The garage can be set back at least three feet from the face of the house.
- The garage door can be set back at least 18" from the face of the garage itself, throwing a deep shadow line across the garage door. This mitigation device will be allowed only in circumstances where other mitigation features are not possible.



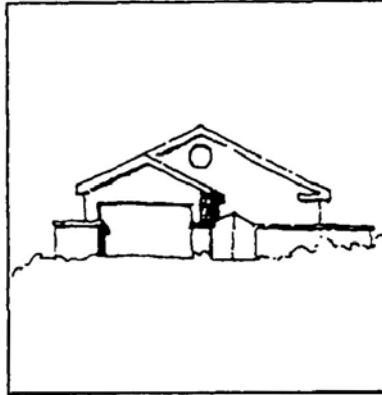
- There can be enclosed living space above the garage with the garage door on the same plane as the living space above.



- There can be roofed or trellised open space above the garage.



- There can be a wide trellis or entry porch extending beyond the face of the garage.



- There can be a high courtyard wall extending beyond the front face of the garage.

2.9 Screening & Visual Eyesores

The hilly terrain and heavily wooded community open spaces will provide privacy and natural screening for many of the homes in Forest Heights. The cutting of trees to provide views must be approved by the ARC. Where additional privacy screening is desirable, builders and homeowners are encouraged to use a combination of natural plantings, walls, and fencing to provide these divisions. In general, fencing and privacy walls should be of a material that matches the building construction, or what would traditionally be used with the building's materials. The ARC will consider materials of adjacent and neighboring structures, including the materials used by the original developers for walls, fencing, and structures in the common areas to determine the suitability of particular proposed materials.

Interlocking concrete masonry unit retaining wall systems are prohibited in street-facing yards as of December 1, 1992. They may be used to a limited extent in backyards not visible from the street. Landscape screening will be required. Each application will be considered on a case-by-case basis.

Mechanical equipment, storage tanks, and other equipment must be shielded from view of any road or any neighboring house in a manner acceptable to the Committee. Boats, trailers, motorcycles, trucks, truck campers, and RVs are not allowed on any part of Forest Heights, or on the public streets of Forest Heights, unless they are garaged or completely screened from view. The screening must be approved by the ARC (CC&Rs, Article VI, 6.6).

2.10 Drainage

All roofs and outdoor areas should be adequately sloped to direct water away from buildings. All roof drains must be connected to an approved storm drainage system. Water flowing from one property to another prior to the uphill home being built may continue to flow in the same direction after the home is built only if:

- There is no diversion or channeling resulting in water flow being concentrated in one area; AND
- There is no substantial construction on the uphill lot resulting in increased surface runoff.

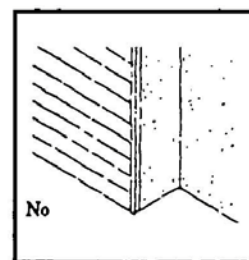
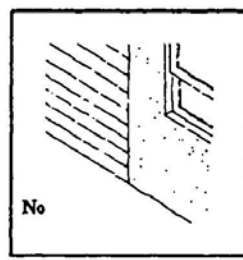
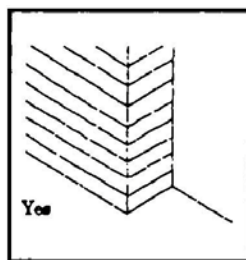
If a detrimental change in the natural pattern of drainage on the uphill lot has occurred, the uphill Property Owner is responsible for interception and piping or directing surface water to natural drainage areas or the storm drainage system.

The downhill property owner is responsible for providing proper drainage for water flow occurring in accordance with natural drainage patterns existing prior to construction.

2.11 Finish Materials

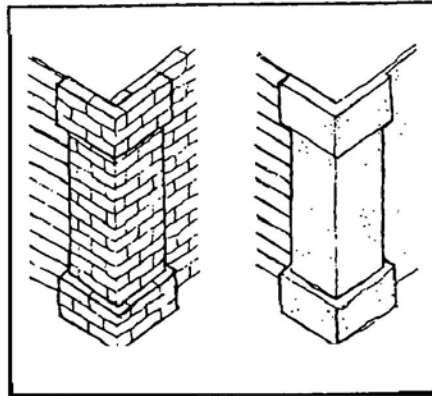
The selection of materials on the facades of buildings is an important factor. Materials should be consistently applied and materials should be chosen that are compatible with the style of the house.

- Ornamental and embellishment not fitting the style and proportions of the house are to be avoided.
- Avoid frequent changes in material. Walls surfaced with one to three materials can be attractively designed; four different materials used together often appear confused, overly fussy, and complicated.
- Visible foundation walls are limited to less than 18" vertical exposure.

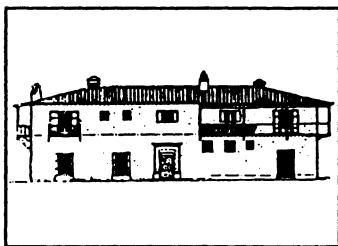
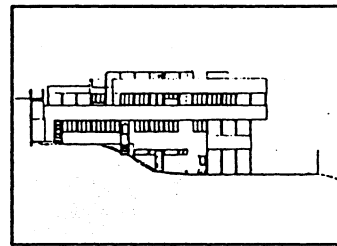


- Material changes occurring at an inside corner or at a change in plane appear more substantial, logical, and “structurally correct”. Changes in material and color at outside corners, or in the same plane, give an impression of thinness and artificially are not allowed. The major exception to this principle is the change in material along a horizontal line where a change in material, texture, color, or some other element will often add richness and a sense of scale to a building.
- Exterior materials should relate to each other in logical ways; for example, heavy

materials should appear to support thin or fragile ones, not vice versa.



- Where brick or other decorative material such as stone or stucco is used as a veneer on the front elevation exclusively, it should “turn the corners”, at least 18’ inches and be detailed as a pilaster.



- A building should be stylistically consistent. “Craftsman” details are appropriate for shingled buildings with gabled roofs. “Victorian” ornament is not generally appropriate on an otherwise contemporary house.

2.12 Exterior Elevations

Each building should be assumed to be visible from all four sides and should have consistent design quality and details on all the elevations. Homes with rich street elevations should also

show elements of the same style and richness on the sides and rear. Window and door placement, details, roof forms, wall massing, and exterior colors and materials must be given careful consideration. Massive blank walls are not allowed and window placement should be responsive to adjacent houses.

Decks and their structure should be carefully designed and detailed and considered integral to the design of the elevations. If decks are raised more than 6 feet above the ground, they must be supported on columns at least 10" x 10" or boxed out to this minimum dimension. All decks and patio structures must be approved before construction.

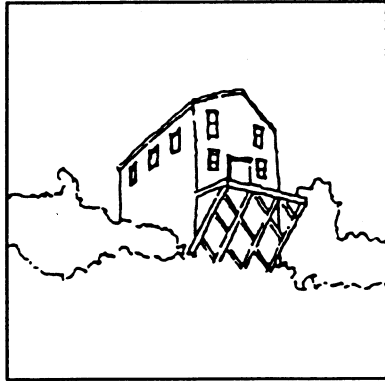
2.13 Proportions, Dwelling Size, and Scale

Rather than establishing a minimum square footage dwelling size, the ARC reviews each design on an individual basis considering lot size, total square footage on all living levels, special site conditions, and the character of the immediate neighborhood.

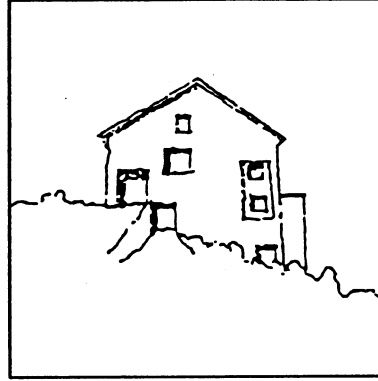
- The relationship of the building to its lot, especially with regard to its size, is important. Scale of the entry, the roof slope, the garage access, and the total square footage are all factors in determining the grace with which a house occupies its lot.
- Scale of architectural features is also important and should relate proportionally to the structure to ensure individual elements do not become overstated or a mixture of completing elements. In all styles of houses, care should be taken to ensure the proportional relationships of these elements.
- The ARC encourages the construction of residences or other structures, which do not appear excessive in height when viewed from the street, from neighboring properties, or from anywhere else in Forest Heights. Multi-level designs should generally follow the slope of the site. The intent is to preserve views and to keep building height and profile in scale with surrounding features such as trees and topography.

2.14 Form

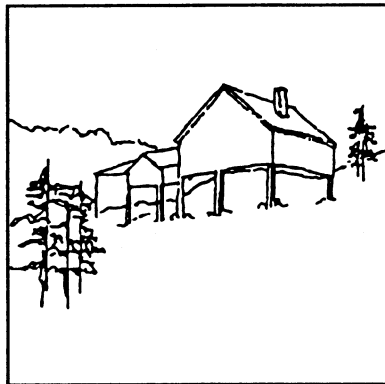
The exterior form of a house is produced by the roofs and walls enclosing a volume. Simple forms can be lovely in their sense of balance and proportion, particularly with certain styles such as "Colonial". Other styles, such as "Victorian", are more complex in their form and have complex detailing to match. "Modern" houses are typically composed of flat, sculptural forms and the rooms inside reflect these shapes.



NO



YES



NO



YES

- Support structure under a building should not be visible from outside the site, except when it is designed to be aesthetically integrated with the rest of the building design. Otherwise, exterior wall materials must be continued down to finish grade. Visible foundation walls are limited to less than 18” vertically.

2.15 Roofs

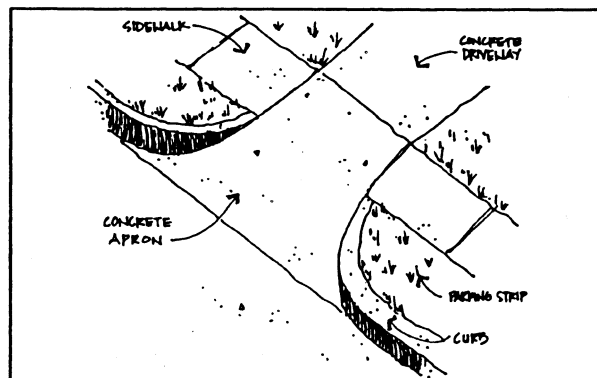
Fake mansard roofs, A-frame buildings, and dome structures are not appropriate to this neighborhood.

- Different styles of homes call for different roofing materials. Fire treated wood shakes or shingles, slate and stone, copper, zinc, terne, Kor-ten steel, concrete and clay tiles can be suitable roofing materials, depending on the style of the house. Euroslate and Lamarite have also been approved for use in Forest Heights; however, the color and size patterns for Lamarite must be approved. The Committee will consider cementitious/wood shingles and other new types of roofing materials. Whether the particular material selected is appropriate for the proposed house is also decided on a case-by-case basis.
- Effective November 9, 2004, Certaineed Presidential TL Ultimate asphalt composition shingles will be allowed in Forest Heights. However, the ARC is limiting its approval to three colors: autumn blend, country gray and shadow gray.

- Effective January 28, 2010, PABCO Paramount Advantage asphalt composition shingles will be allowed. The ARC has approved three colors: oakwood, pewter gray and weathered wood.
- Effective January 28, 2010, GAF/ELK Grand Canyon asphalt composition shingles will be allowed. The ARC has approved three colors: mission brown, stone wood and storm cloud gray.
- Roof materials that produce glare are not allowed.
- The roof slope and material chosen should be compatible with the stylistic intent of the other elements of the house design.

2.16 Driveways

Driveways must be of concrete. Sidewalks are required in front of some houses. (This information is available from the City of Portland.) If required, the sidewalk and apron between the sidewalk and street must be of concrete.



2.17 Colors

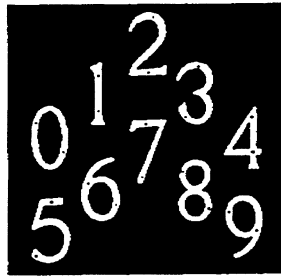
Colors will be reviewed by the ARC and will be judged based on the following elements:

- Compatibility with the basic style of the house.
- Compatibility with the adjacent houses.
- Variety and liveliness of streetscape.

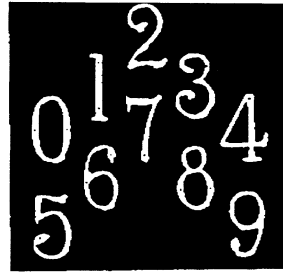
The ARC may deny a color if, in its judgment, the color is too similar to the color of a nearby house.

2.18 Signage

It is recommended that house numbers should match or be similar to Ives “Century” or “Heritage” as shown below.



Century



Heritage

New properties for sale may erect signs not to exceed 18” x 24” each in size; one for the Contractor and one for the Real Estate Company.

Existing homes for sale may erect one sign on their lot not to exceed 18” x 24”.

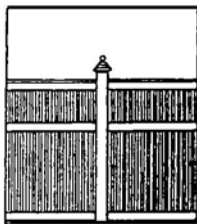
Additional information about signage is available from the Homeowners’ Association by calling 503-297-9400. Please ask for a copy of the Real Estate Signage Memorandum.

2.19 Fencing

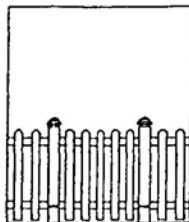
Design Parameters

Permitted Wood Fence Styles:

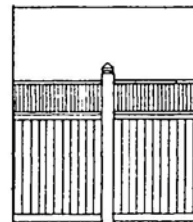
Four wood fence styles will always be permitted. However a fence style that reflects the architectural character and detailing of the house will also be allowed. The four approved fence styles are Chestnut Hill, Picket, Square-Edged, and Good Neighbor Fence. Good Neighbor Fences must meet the following two requirements: (1) It has a decorative lattice top, and (2) It is capped.



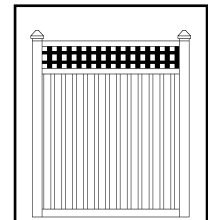
Chestnut Hill



Picket



Square Edged



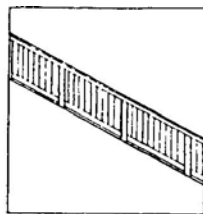
Good Neighbor

Height:

- Solid fencing must not extend above six feet above grade. Semi-screening such as lattice toppers can extend above six feet above grade. New fencing, which abuts existing fencing, must match the height of the existing fencing or incorporate elements of the existing fence, especially rail heights, to provide a harmonious appearance.

Top Rails:

- Top rails should be either horizontal or stepped unless terrain is steeper than two horizontal to one vertical. When terrain is steeper than two horizontal to one vertical, then a sloping top rail may be used. Stepped top rails must be at least 9" apart. Sloping top rails must parallel the terrain. All fencing, except picket fences, must have a rail cap and a cap trim board facing the adjacent property.



Horizontal
Sloped Rail



Stepped Rail

Bottom Rails:

- Bottom rails must follow the finish grade of the land and must be expressed through the use of a trim board. No stepped bottom rails are allowed.

Posts:

- Fence posts, except on picket fences, should extend above the top rail and terminate with a decorative cap, a beveled top or an approved detail. Sloping fences can be built with a continuous cap and cap trim board in lieu of extend posts.

Color / Finish:

- Fencing should match the color of the body of the house or be finished in either a solid body or transparent stain.

Metal Fences

Early areas of development in Forest Heights used metal fences (wrought iron). Recently, powder-coated aluminum fencing has become available as well. Metal fences allow for a more expansive look, since they do not block the view of neighboring properties; the landscaping of one lot extends visually beyond the Lot lines.

Height:

- Metal (wrought iron style) fences cannot not be more than 42 inches in height.

Color:

- Black is the preferred color for metal fences.

Design:

- The style of the fence should be submitted to ARC for approval. **Modular metal fencing**

comprised of free-standing panels is prohibited as of October 1, 2009.

Landscape:

- Metal fences work best when surrounded by shrubs, rather than enclosing a large expanse of grass. Installation of shrubs to buffer the fence may be required, on a case-by-case basis.

Lot Parameters:

Miller Road

- Fencing along Miller Road will be reviewed on a case-by-case basis.

Corner Lots

- Fences should not extend beyond the predominant wall plane of the house toward any street.

Side Yards

- Side Yard fencing cannot extend beyond both the front wall plane of the house.

Fencing Adjacent to Common Areas

- Fences should not extend to a property line that abuts a common area. Fences must be appropriately screened with a landscape buffer that is appropriate to the common area.

2.20 Landscape and Retaining Walls

Interlocking concrete masonry unit retaining wall systems are reviewed on a case by case basis. Forest Heights encourages the use of natural rock walls where retaining walls are necessary.

2.21 Sports Courts

Sports courts are generally allowed in Forest Heights. There are three general requirements: (1) Court floors must be submitted, (2) Black-plastic coated cyclone-type fences must enclose the sports court unless a traditional fence is being used, and (3) Traditional wooden fences may not exceed 6 feet; black-plastic coated cyclone or similar fences may not exceed 8 feet.

2.22 Play Structures

Play structures are generally allowed in Forest Heights. There are two general requirements: (1) The play structure is placed in the non-street facing yard, and (2) The play structure is screened from view (from the street) with fencing and/or landscaping elements. The first requirement may be waived for certain lot owners who have unusual site conditions.

2.23 Flag Poles

Flag poles that are attached to a structure are permitted at the maximum height of 5' feet. Separate, permanent poles erected on personal property must be no larger than a maximum of 15' feet tall and require ARC approval prior to installation. Permanent poles must be mounted on an approved footing and pole halyards must be able to be securely tied so as to not make noise under windy conditions. Pole placement must not encroach upon common areas. Only one pole may be placed on a Lot.

All poles should be made of metal, fiberglass or wood. Darker coloring, including black, brown or gray is preferred.

Flags may not be hung from windows, balconies or eaves, nor may they be fastened to the side of a building.

The United States flag may be flown daily; commonly accepted daytime U.S. Flag courtesies, procedure, and etiquette should be observed. Seasonal or holiday flags may be flown for a 30 day period. All other flags require ARC approval prior to installation. The maximum flag size permitted is 3' x 5' feet.

2.24 Antennas and Satellite Dishes

FCC regulations allow for the placement of satellite dishes up to 1 meter in diameter, as well as HDTV antennas, to receive an acceptable signal. Where multiple locations are available for an acceptable signal, the Association requests placement in the least visually obtrusive location, i.e., beyond eye level (above the first floor), below the roof line, and away from street elevations. Contact the ARC Administrator regarding other types of antennas or with any questions.

2.25 Solar Rooftop Devices

Definitions

Solar rooftop devices are defined as 1) Photovoltaic (PV) panels/modules 2) Solar Water Heating (SWH) panels/modules and 3) Integrated Photovoltaic Systems (IPS) (i.e., photovoltaic “shingles, tiles or siding” or “thin-film laminates”).

General Considerations

Solar rooftop devices must be visually integrated with the architecture of the house regarding style, location, size and color. The installation of such devices should eliminate or minimize visibility from the street. Devices must be owned by the homeowner; leased products from third parties are not allowed. Tracking platforms or mechanisms that allow devices to tilt seasonally, permanently or by time of day are not allowed. Prior to the installation of any devices, the roof surface should be verified to have a minimum roof life of 10 years. Roof life will be determined by proof of roof installation date, professional roofer certification or professional home inspector

certification, in each case in form and substance acceptable to the ARC.

Technical Guidelines

- Installations must comply with applicable building codes; all necessary permits must be obtained. Installations should also comply with both Energy Trust of Oregon and Oregon Department of Energy guidelines and compliance codes.
- The minimum system size for a PV system should be 2kW (8 to 10 panels).* The minimum panel efficiency for a PV system should be 10%. The maximum panel tolerance for a PV system shall be +3/-3.
- The minimum system size for a SWH system should be 2 panels. SWH systems should have non-mechanical overheat and freeze protection mechanisms.
- All PV installations should have a minimum manufacturer's power performance warranty of 20 years. All SWH installations should have a minimum manufacturer's power performance warranty of 10 years.

*Technical Information Regarding Panels/Modules: Ratio of panels to energy generation is 100 sq ft of panel to every 1kW generated. So a system required to generate 2kW of power would be approximately 200 sq ft in size for the total array of panels.)

Aesthetic Guidelines

- Solar panels must have a non-reflective surface.
- The maximum panel clearance (distance from the roof surface to the top surface of the panel) should be 8 inches.
- The maximum number of roof planes used for a single type of installation should be 2.
- Panels must be installed on the plane of roof material and may not extend above the ridge line of the roof. Panels (collectors) must be a continuous unit without gaps.
- All conduit or pipe runs should be internal/concealed (non-visible from the outside) or, if external, be painted to match background color.
- PV systems require that the inverter should be placed either inside or within 3 feet of the existing utility meter, preferably on the same plane as the existing utility meter.
- Invertors and additional utility meters should not be installed in plain sight from the street.

Submission Requirements

- A completed application must include a color visualization and/or simulated image of the installation, printed on white 11" x 17" paper. The solar system must be accompanied by a professional construction drawing(s) to scale for the proposed installation. The exact location and number of collectors, means of attachment to the roof structure, and location of all exterior components must be shown. A site map is also required, showing the

orientation of the home in relation to other properties. The site map can be created from web-based applications such as Google maps.

- Specifications for the installation must include:
 - Verification of a minimum 10 year roof life
 - Documentation that the system meets the required technical guidelines
 - Current roof material and color
 - Proposed panel manufacturer and panel color, including stock photos of the panel from the manufacturer's website
 - Proposed panel frame color and material

ARCHITECTURAL GUIDELINES FOR MEDIUM DENSITY HOME SITES

3.1 Intent

Because of the extreme importance of design quality in a PUD mixing both single family and medium density homes, a medium density site developer is required to schedule a pre-application session with the Architectural Review Committee. In general, information about style, materials, colors, and other design elements in the Architectural Guidelines applies to both single and medium density homes.

Information about medium density home plans may be submitted at any scale. After plans are approved, the ARC may require the submittal of all relevant documents in 11" x 17" format for its permanent files. These 11" x 17" copies must be legible.

4 CONSTRUCTION REGULATIONS

Each lot owner, builder, or developer engaging in construction on a lot or home site at Forest Heights must comply with the following construction regulations.

4.1 Rules and Regulations

Rules and regulations may be established by the ARC from time to time as needed. It is the responsibility of contractors to stay informed of all current rules. Copies of current regulations are available from the Homeowners' Association.

The Homeowners' Association enforces these rules and regulations and violations can result in fines and/or penalties being imposed. Please contact the Forest Heights Homeowners' Association at (503) 297-9400 to request a copy of the current Outline of Compliance Procedures and Remedies, or check online at www.fhhoa.com, Documents tab, Governing Docs, Policy Resolution #3.

4.2 Completion of Construction

Construction of any building must be completed within 8 months of commencement of construction. (See CC&Rs, Article VI, 6.10).

4.3 Animals

No unattended or unrestrained animals are allowed on the job site.

4.4 Portable Toilets

The contractor should provide portable toilets placed on private property for workers.

4.5 On-Site Materials

All on-site building materials will be stored on the job site only.

4.6 Trash

No trash or construction debris will be allowed to accumulate at the site. Timely trash removal is the responsibility of each builder.

4.7 Responsibility for Workers

Each contractor is completely responsible for the actions of their own workers and for the actions of any subcontractors working on projects in Forest Heights.

4.8 Work Time/Noise

Construction work hours will conform to the City of Portland's Title 18, Nuisance Abatement and Noise Control regulations. These regulations currently state that no construction work will begin before 7:00 a.m. or continue after 6:00 p.m., Monday – Saturday. Exterior construction work is not permitted on Sundays or legal holidays.

4.9 Dust

Dust from any phase of the construction process must be controlled, and the impact on neighboring homeowners kept to a minimum.

4.10 Drainage (During Construction Process)

Drainage from any phase of the construction process must be controlled in such a manner so that it does not adversely affect adjacent or neighboring properties.

4.11 Construction Trailers, Portable Field Offices, etc.

Any owner or builder who desires to bring a construction trailer, field office, or the like to Forest Heights should first apply for approval from the Architectural Review Committee. Such temporary structures should be located only where approved by the ARC and should be removed upon completion of construction.

4.12 Vehicles and Parking Areas

Construction crews should not park on, or otherwise use, other sites or lots, open spaces, or any common areas. All vehicles will be parked so they do not damage the natural landscape or block US Mail Delivery.

4.13 Construction Access

From time to time, construction access may be limited to certain streets. It is the responsibility of the contractor to determine if there are any access limitations in effect. At all times, contractors and their subcontractors should drive slowly and with caution on the streets in a manner allowing immediate neighbors to enjoy quiet and dust free residential streets.

4.14 Construction Signage

Temporary construction signs shall be limited to those listed in Section 2.18 of this Document.

4.15 Restoration & Repair of Damaged Property

Any damage to lots owned by others, by the Developer, or by the Home Owners Association must be repaired or restored promptly at the expense of the person causing the damage. Upon completion of construction, each owner and builder shall clean their construction site and repair all property which was damaged, including but not limited to restoring grades, planting shrubs and trees as approved or required by the ARC, and repairing streets, driveways, paths, drains, culverts, signs, lighting, and fencing.

4.16 Use of Dumpsters and PODS

Temporary on-site storage modules and dumpsters may be used with ARC permission. All use is subject to applicable City of Portland and Washington County ordinances. It is preferred that these be situated on the driveway, whenever possible. On-street storage requires the use of reflective tape if containers are not painted white. Temporary on-site storage should be confined to three weeks' usage; off-site storage facilities should be used when a longer time period is needed. Under special circumstances, ARC may allow for longer-term use if permission is sought ahead of time. Dumpsters may be used for three weeks.

4.17 Miscellaneous

The following practices are prohibited:

- Allowing concrete suppliers and contractors to clean equipment in common areas, streets, or vacant sites.
- Use of neighboring hose bibs for water supply.
- Removal of any rocks, plant material, topsoil, or other similar items from any sites or common areas in Forest Heights.
- Disposal of construction debris, excavation material, organic material on any other site or common space in Forest Heights.
- Smoking or careless disposition of cigarettes and other flammable material on any project area or vacant lot.
- Careless treatment or removal of any plant material not previously approved any the ARC.

5 LANDSCAPE GUIDELINES

5.1 Introduction

The terrain of Forest Heights generally slopes toward the West/Northwest and contains several small streams and a pond. In the early 1900's, the area was logged and in the 1950's, a fire burned much of the land. Since that time, alder and native forest undergrowth has taken place.

Forest Heights is zoned into two major categories: permanent community areas where nothing will ever be built, and land where homes and other buildings will be located. The overall landscape design concept for Forest Heights is that new plantings in the common areas will complement the existing informal native vegetation and garden plantings around individual homes and other buildings will be more formal or traditional, as seen in many Portland Heights neighborhoods.

5.2 Intent

Landscaping should be used to create interest and variety in ornamental settings. Where home sites are adjacent to common open space areas, the intent is to blend the home site landscaping with the common area landscaping. Plantings should accentuate any views and vistas of the surrounding landscape of the Tualatin Valley, the Coast Range Mountains, or the hills within Forest Heights itself. Many lots contain valuable native plants and other natural landscaping elements that should be absolutely protected during construction, including topsoil, rock outcroppings, boulders, and existing plant materials.

Builders and homeowners are responsible for landscaping their property during and after construction.

- All disturbed ground areas of a building site must be landscaped within two months after completion of a detached single-family dwelling. If inclement weather is a barrier to proper planting, timeline extensions may be submitted to the ARC.
- Medium density projects must be fully landscaped upon completion of construction. All owners are required to submit complete landscape plans to be approved by the ARC.

5.3 Existing Site Elements

Existing trees, natural drainage ways, streams, etc. should be incorporated into the landscape design and respected when siting structures and improvements. Existing landscaping that should be incorporated into the design includes under-story plantings and ground cover in the rear yard areas where appropriate. During construction, no trees larger than six inches in diameter at six feet from ground level may be removed without approval of the ARC. Trenching, grading, cutting, or filling must be avoided within the drip lines of remaining trees.

Landscape materials that will not be removed should be marked and protected by flagging,

fencing, or barriers. The ARC has the right to identify major terrain features or native plantings that are to be fenced off for protection. Owners of lots adjacent to common areas must take extra care not to disturb trees and plantings on adjacent common areas. Cut trees and branches are to be removed immediately from the construction site.

5.4 Adjacent Properties

Consideration should be given to adjacent properties both in placement and selection of plant materials. Irrigation spray and runoff that may contain fertilizers or pesticides must be contained on the site. Adjacent homeowners' views must not be blocked by the addition of new plantings or the growth of new plantings at maturity. Privacy and screening should be considered. The ARC reserves the right to determine which plant materials are allowed in any location in Forest Heights; both on common space land, and on individually owned home sites.

5.5 New Plantings

The use of native plant materials is encouraged in areas adjacent to common areas. Plant species should be selected for their adaptability to site conditions such as moisture, soils, sun, shade, wind, etc. and for resistance to insects and disease (see the Recommended Plant List). Plants that can overtake native plants in the common areas, are allowed only where their growth will not invade the common open space or woods. For this reason, ivy and Vinca Minor are prohibited on all lots that are adjacent to common space.

Proposed plantings immediately adjacent to houses must be chosen with the ultimate sizes of the plants in mind. The ARC may deny a request to install plants or trees that, in its judgment, are inappropriate for planting close to a house.

Ground covers should be plantings of appropriate density to provide uniform visual coverage and prevent erosion in all growing seasons. To achieve the appropriate density, ground covers should be planted with the following guidelines:

- (1) 4" pots should be 18" on center;
- (2) one gallon pots should be 30" on center;
- (3) 5 gallon pots should be 60" on center.

Commercial grade bark chips may be used as mulch in planting beds but are not acceptable as permanent ground cover. Gravel, colored rock, painted concrete, and synthetic materials are not acceptable as general ground covers. Dark, aged bark mulch should be used. Fresh bark mulch is not acceptable dressing for beds.

Plans for all landscaping, both new installations and changes from existing conditions, must be submitted to the ARC for approval. Any proposed changes from the approved designed landscape plan, whether installed or not, must be approved by the Committee.

5.6 Energy Considerations

Trees should be carefully selected and located for any setting. City of Portland regulations

concerning solar access must be met by all homeowners.

5.7 Views

Views of other property owners must be considered in all landscape designs. Size at full growth of all tree species must be considered in selecting trees. The ARC may request a property owner to trim, and keep trimmed, any trees that impinge on the views of others.

5.8 Landscape Plans

Landscape plans, including plant materials specified, must be submitted to the ARC within one month from the date of move-in and at least two weeks prior to installation; Installation must be complete within two months of occupancy.

Landscape plans are required for all projects within Forest Heights (single-family, multi-family, and commercial). Single-family landscape plans must be submitted in an 11" x 17" format. Multi-family and commercial project landscape plans must also be submitted in an 11" x 17" format. Multi-family and commercial project landscape plans must be prepared by a registered Oregon Landscape Architect and be appropriately stamped. All landscape plans should be neatly and accurately drawn to scale and should include the following:

A. Fundamental Information

- Name & street address of owner
- Legal location of property (subdivision, lot and block numbers)
- Scale
- North arrow
- Recorded easements (if any)
- Environmental zones (if any)

B. Existing Landscape Elements

- Boulders
- Rock outcroppings
- Trees (six inches and greater when measured six feet above grade)
- Significant native plants
- Embankments and/or slopes greater than 20%
- Indication of any adjacent common area

C. Required Information

Proposed landscape elements, which include:

Ground Covers	Fountains	Shrubs
Walls	Trees	Fences
Walks, sidewalks, & paths	Screens	Decks & handrails
Gates	Patios	Planters (raised and at grade)
Steps	Planting bed lines	

D. Additional Required Information

Irrigation system noted if proposed (Multi-family & commercial projects require automatic underground irrigation systems). Type of bark dust or mulch proposed for all planting areas & any additional landscape elements.

5.9 Irrigation Plans

Automatic irrigation of new landscaping for single-family lots is recommended but not required. Automatic irrigation for multi family and commercial projects is required and must be in operation at the close of construction. Soil on newly cleared south and west-facing slopes will likely become very dry in late summer months. Water saving techniques such as drip and low volume irrigation are recommended for all irrigation systems. Drought tolerant plantings and bark mulching to reduce evaporation is encouraged especially on dry, exposed slopes.

Automatic irrigation systems for multi-family and commercial projects must be prepared by a licensed professional irrigator or Landscape Architect and must meet all current industry standards.

5.10 Maintenance

All landscaping shall be maintained to promote healthy growth and color characteristics of the species. Landscape accessories such as walls, decks, fencing, etc. should be maintained in good aesthetic and operational condition.

Artificial Turf : The ARC will review each application for artificial turf on a case by case basis. Currently only applications for installation of turf have been approved for backyards (typically not seen from the street). Manufacturer's products will be evaluated and compared to Tiger Express Landscape Turf, Natural Blend (color), face weight 67 oz., pile 1.75 inches.

5.11 Common Open Space Areas

Forest Heights has been designed to minimize utilities and road crossings in common open space areas. Where required, cut and fill to accommodate these crossings shall be the minimum feasible. Owners should install a ten-foot buffer of native plants adjacent to common areas.

5.12 Environmental Zones

Many Lots within Forest Heights are partially or totally within environmental zones. These zones, created by the City of Portland, protect resources and functional values that have been identified by the City as providing benefits to the public. The environmental regulations encourage flexibility and innovation in site planning and provide for development that is carefully designed to be sensitive to the site's protected resources.

Landscaping within environmental conservation and protection zones may be subject to city regulations. Contact the Bureau of Development Services for any needed assistance in preparing a landscape plan within these zones. The Architectural Review Committee is not responsible for homeowner compliance with City codes and regulations.

5.13 Recommended Plant List

The following trees, shrubs, and ground covers are recommended for use in Forest Heights. Species native to the site are recommended as additions to the list. Varieties should be submitted for approval by the ARC; species native to the site are recommended as additions to this list. (*Denotes plants appropriate for common open space areas.)

A. Large Deciduous Trees

America Sweetgum.....	Liquidambar styraciflua
*Bigleaf Maple.....	Acer macrophyllum
Birch (& Varieties)	Betula (Varieties)
Black Locust (poisonous)	Robinia pseudoalalia
European Beech	Fagus sylvatica
*European White Birch	Betula pendula
Ginkgo (male trees only)	Ginkgo biloba
Honeylocust	Gleditsia triacanthos
Horsechestnut	Aesculus hippocastanum
Littleleaf Linden (varieties)	Tilia cordata
London Planetier	Platanus x acerifolia
Oregon Oak	Quercus garryana
Pin Oak	Quercus palustris
*Red Alder	Alnus rubra
Red Maple (& varieties)	Acer rubrum
Red Oak	Quercus rubra
Scarlet Oak	Quercus coccinea
Tulip Tree	Liriodendrun tilipifera

(This tree is the symbol of Forest Heights. Its use is encouraged wherever appropriate.)

B. Coniferous and Evergreen Trees

Atlas Cedar	Cedrus atlantica
Austrian Pine	Pinus nigra
Colorado Spruce (&varieties)	Picea pungens
Deodar Cedar	Cedrus deodara
*Douglas Fir	Pseudotsuga menziesii
Grand Fir	Abies grandis
Hinoki False Cypress (& varieties)	Chamaecyparis obtusa
*Incense Cedar	Libocedrus decurrens
Mountain Hemlock	Tsuga mertensiana
*Pacific Madrone	Arbutus menziesii
*Ponderosa Pine	Pinus ponderosa
Scotch Pine	Pinus sylvestris

Southern Magnolia	Magnolia grandiflora
*Western Hemlock	Tsuga heterophylla
*Western Red Cedar	Thuja plicata

C. Small Deciduous Trees

Common Lilac	Syringa vulgaris
Eastern Redbud	Cercis canadensis
European Mountain Oak	Sorbus aucuparia
Flowering Cherry (& varieties)	Prunus (Varieties)
Flowering Crabapple	Malus (Varieties)
*Flowering Dogwood	Cornus florida
Fragrant Snowbell	Styrax obassia
Goldenrain Tree	Koelreuteria paniculata
Hawthorn	Crataegus varieties
Japanese Maple	Acer palmatum
Japanese Snowbell	Styrax japonica
Korean Dogwood	Cornus kousa
*Leatherleaf Viburnum	Viburnum rhytidophyllum
*Pacific Dogwood	Cornus nuttallii
Saucer Magnolia	Magnolia soulangeana
Silktree	Albizia julibrissin
Sourwood	Oxydendrum arboreum
Staghorn Sumac	Rhus typhina
*Vine Maple	Acer circinatum

D. Deciduous Shrubs

*Abelia	Abelia grandiflora
Anthony Waterer Spirea	Bumalda spirea
Bush Cinquefoil	Potentilla fruticosa
Cotoneaster	Varieties
*Currant	Ribes sanguineum
Delavay Osmanthus	Osmanthus delavayi
*Doublefile Viburnum	Viburnum tomentosum
*Flowering Currant	Ribes sanguineum
*Forsythia	Forsythia suspensa
Hydrangea	Varieties
Japanese Barberry	Berberis thunbergii
*Oceanspray	Holodiscus discolor
Osmanthus	Osmanthus ilicifolius
Purple Osier Willow	Salix purpurea
Pussywillow	Salix discolor
Quince	Chaenomeles lagenaria
*Red Flowering Current	Ribes sanguineum
Shrub Althea (Rose of Sharon)	Hibiscus syriacus
Slender Deutzia	Deutzia gracilis

*Snowball Viburnum	Viburnum opulus snowball
*Snowberry	Symphoricarpos albus
*Spirea	Varieties
Star Magnolia	Magnolia stellata
Weigela	Weigela florida
*Winged Euonymus	Euonymus alata and Euonymus alata compacta

E. Evergreen Shrubs

Azalea	Varieties
Barberry	Berberis darwinii
Burford Holly	Ilex cornuta burfordii
Camellia	Varieties
Common Boxwood	Buxus sempervirens
Convexleaf Japanese Holly	Ilex crenata convex
Cotoneaster	Varieties
David's Viburnum	Viburnum davidii
Dwarf Skimmia	Skimmia japonica dwarf
Escallonia	Varieties
Evergreen Euonymus	Euonymus japonicus
*Evergreen Huckleberry	Vaccinium ovatum
*Ferns	Varieties
Glossy Abelia	Abelia grandiflora
Heavenly Bamboo	Nandina domestica and Nandina domestica compacta
Japanese Aralia	Fatsia japonica
Japanese Aucuba	Aucuba japonica
Lilly of the Valley	Pieris japonica or andromeda
Mountain Laurel	Kalmia latifolia
Mugho Pine	Pinus mugo mughus
*Oregon Grape	Mahonia aquifolium and Mahonia aquifolium compacta
Pacific Wax Myrtle	Myrica californica
Pyracantha	Varieties
Ramanas Rose	Rosa rugosa
*Rhododendron	Varieties
Rosemary	Romarinus officinalis
*Sweet Viburnum	Viburnum odoratissimum
Warty Barberry	Berberis verruculosa
Winter Daphne	Daphne odora
Wintergreen Barberry	Berberis julianae
Zabel Laurel	Prunus laurocerasus zabeliana

F. Ground Cover Plants

(E) - Erosion control

Algerian Ivy	Hedera canarionsis
Bearberry Cotoneaster	Cotoneaster dammeri
Blue Fescue	Festuca ovina glauca
Carpet Bugle	Ajuga reptans
*Compact Oregon Grape	Mahonia aquifolium compacta
Evergreen Candytuft	Iberis sempervirens
Flowering Quince	Chaenomeles (Low Varieties)
Goldentuft Alyssum	Alyssum saxatile
Heartleaf Bergenia	Bergenia cordifolia
Heath & Heather	Varieties
Japanese Pachysandra	Pachysandra terminalis
Horizontal Juniper (E)	Varieties under 3' in height
Kinnikinnick(E)	Arctostaphylos uva-ursi 'Massachusettes'
*Longleaf Mahonia	Mahonia nervosa
Purpleleaf Wintercreeper	Euonymous fortunei colorata
Ramanas Rose(E)	Rosa rugosa
Rockspray Cotoneaster(E)	Cotoneaster microphylla
*Sarcococca	Sarcococca hookeriana humilis
*Salal	Gaultheria shallon
Silvermound	Artemisia schmidtiana
Silver Edge Euonymus.....	Euonymus gracilis
Spring Cinquefoil	Potentilla verna

G Perennials & Bulbs

All varieties under five feet in height.

H. Vines

Clematis	Varieties
Honeysuckle	Lonicera sempervirens
Virginia Creeper	Parthenocissus quinquefolia
Wysteria	Varieties

5.14 Recommended Plant List for Non-Irrigated Plantings

The following trees, shrubs, and ground covers are drought-tolerant after one year.

A. Trees

Deodar Cedar	Cedrus deodara
Smooth Sumac	Rhus glabra
Staghorn Sumac	Rhus typhina
Vine Maple	Acer circinatum
Western Red Cedar	Thuja plicata

B. Shrubs

Ceanothus varieties	Ceanothus
Compact Winged Euonymus	Euonymus alatas ‘Compacta’
Convex Leaf Holly	Ilex crenata ‘Convexa’
Fountain Grass	Pennisetum alopecuroides
Forsythia	Forsythia intermedia
Maiden Grass	Miscanthus sinensis ‘Gracillimus’
Mugho Pine	Pinus mugo mughus
Oregon Grape	Mahonia aquifolium
PJM Rhododendron	Rhododendron ‘PJM’
Pontentilla fruticosa	Varieties
Purple Leaf Barberry	Berberis thunbergii ‘Atropurpurea’
Pyracantha ‘Santa Cruz’	Santa Cruz pyracantha
Ramanas Rose	Rosa rugosa
Redtwig Dogwood	Cornus stolonifera
Strawberry Madrone	Arbutus unedo
Yellowtwig Dogwood	Cornus stolonifera ‘Flaviraemia’
Zabel Laurel	Prunus laurocerasus zabeliana

C. Ground Cover Plants

Bearberry Cotoneaster	Cotoneaster dammeri compact
Oregon Grape	Mahonia aquifolium ‘Compacta’
Creeping Oregon Grape	Mahonia repens
Pont Reyes Ceanothus	Ceanothus gloriosus
Rockspray Cotoneaster	Cotoneaster microphyllus
Yellow Broom	Genista lydia

5.15 Nuisance Plants

A. Dominating Plants

Annual Bluegrass	Poa annua
Bamboo sp	Various Genera
Blue Bindweed	Solanum dulcamara
Canada Thistle	Cirsium arvense
Climbing Bindweed	Polygonum convolvulus
Common Bladderwort	Utricularia vulgaris
Common Dandelion	Taraxacum officinale
Common Thistle	Cirsium vulgare
Common Horsetail	Equisetum arvense
Crane's Bill	Erodium cicutarium
Duckweed, WaterLentil	Lemna minor
English Holly	Ilex aquafolium
English Laurel	Prunus laurocerasus
Eurasian Watermilfoil	Myriophyllum spicatum
Evergreen Blackberry	Rubus laciniatus
Fall Dandelion	Leontodon autumnalis
Field Morning-glory	Convolvulus arvensis
Giant Horsetail	Equisetum telemateia
Giant Knotweed	Polygonum sachalinense
Hairy Nightshade	Solanum sarrachoides
Hawthorn (non-native species)	Crataegus
Lady's nightcap	Convolvulus seppium
Lesser Celandine	Chelidonium majus
Night-blooming Morning Glory	Convolvulus nyctagineus
Norway Maple	Acer platanoides
Pampas grass	Cortaderia selloana
Periwinkle (large leaf)	Vinca major
Periwinkle (small leaf)	Vinca minor
Portugal Laurel	Prunus lusitanica
Queen Anne's Lace	Daucus carota
Robert Geranium	Geranium robertianum
St. John's Wort	Hypericum perforatum
South American Waterweed	Elodea densa
Swamp Smartweed	Polygonum coccincum
Tansy Ragwort	Senecio jacobaea
Traveler's Joy	Clematis vitalba
Western Clematis	Clematis ligusticifolia

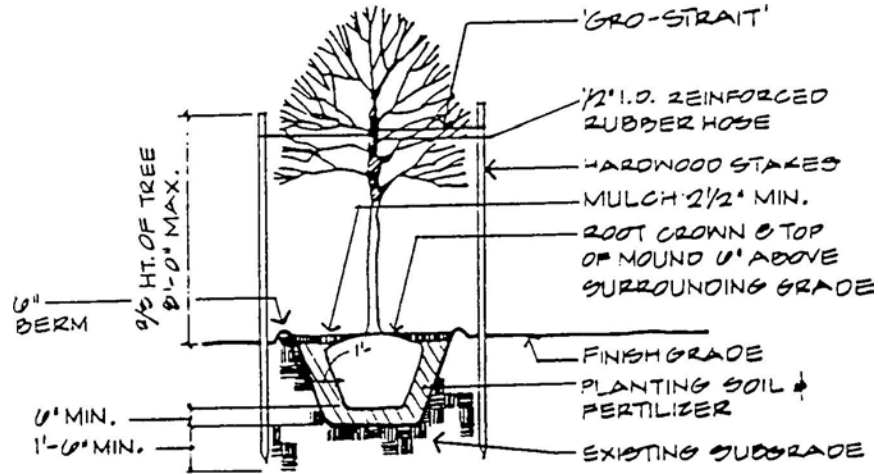
B. Harmful Plants

Garden Nightshade	Solanum nigrum
Golden chain tree	Laburnum watereri
Poison Hemlock	Conium maculatum
Poison Oak	Rhus diversiloba
Stinging Nettle	Urtica dioica

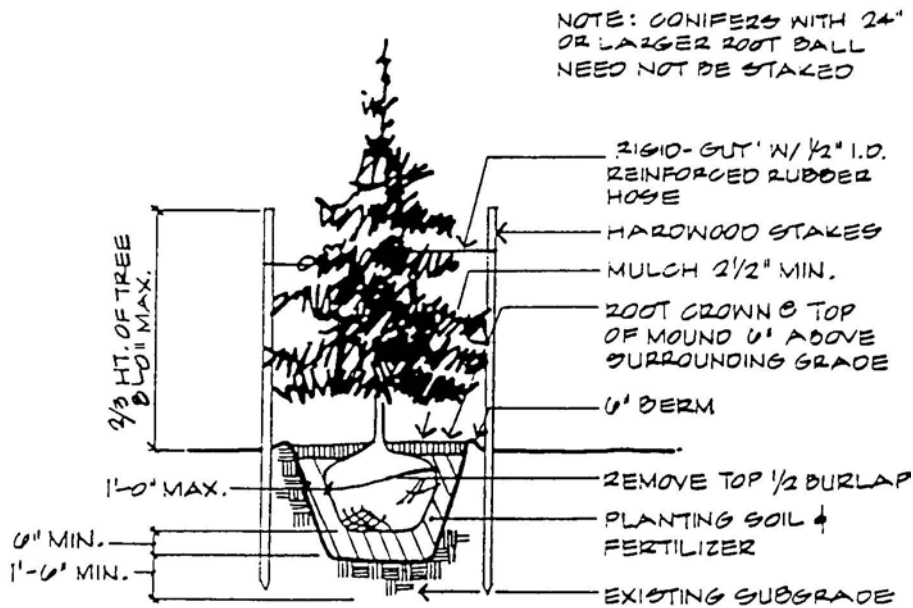
5.16 Prohibited Plants

Butterfly Bush	Buddleia davidii
English Ivy	Hedera helix
Himalayan Blackberry	Rubus discolor
Purple Loosestrife	Lythrum salicaria
Reed Canarygrass	Phalaris arundinacea
Scotch Broom	Cytisus scoparius

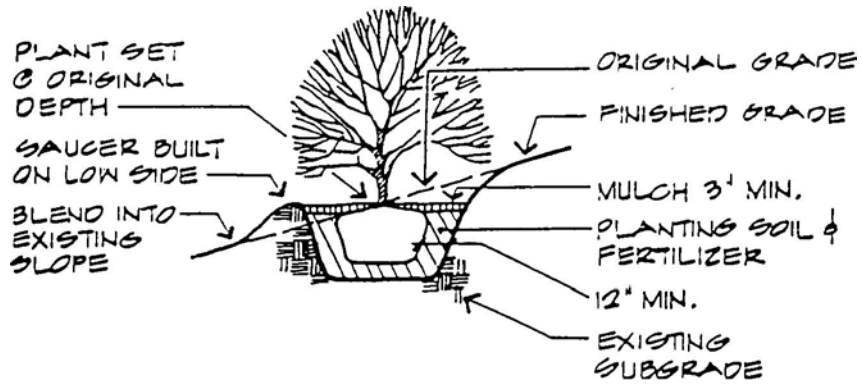
5.17 Recommended Planting Details



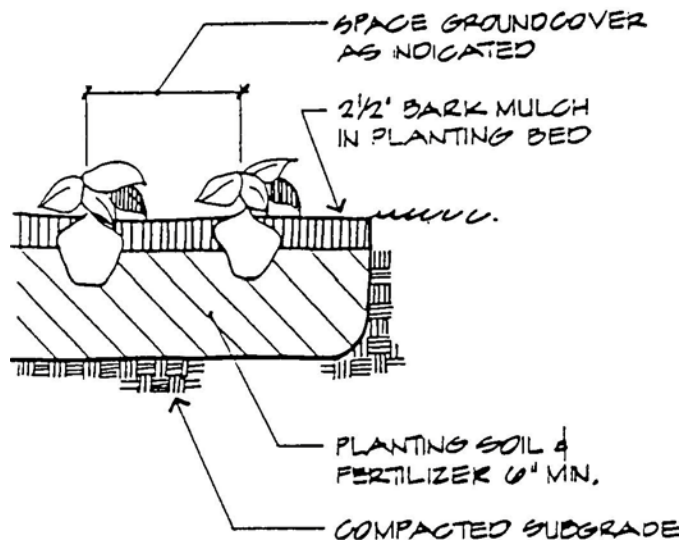
Deciduous Tree Planting Detail



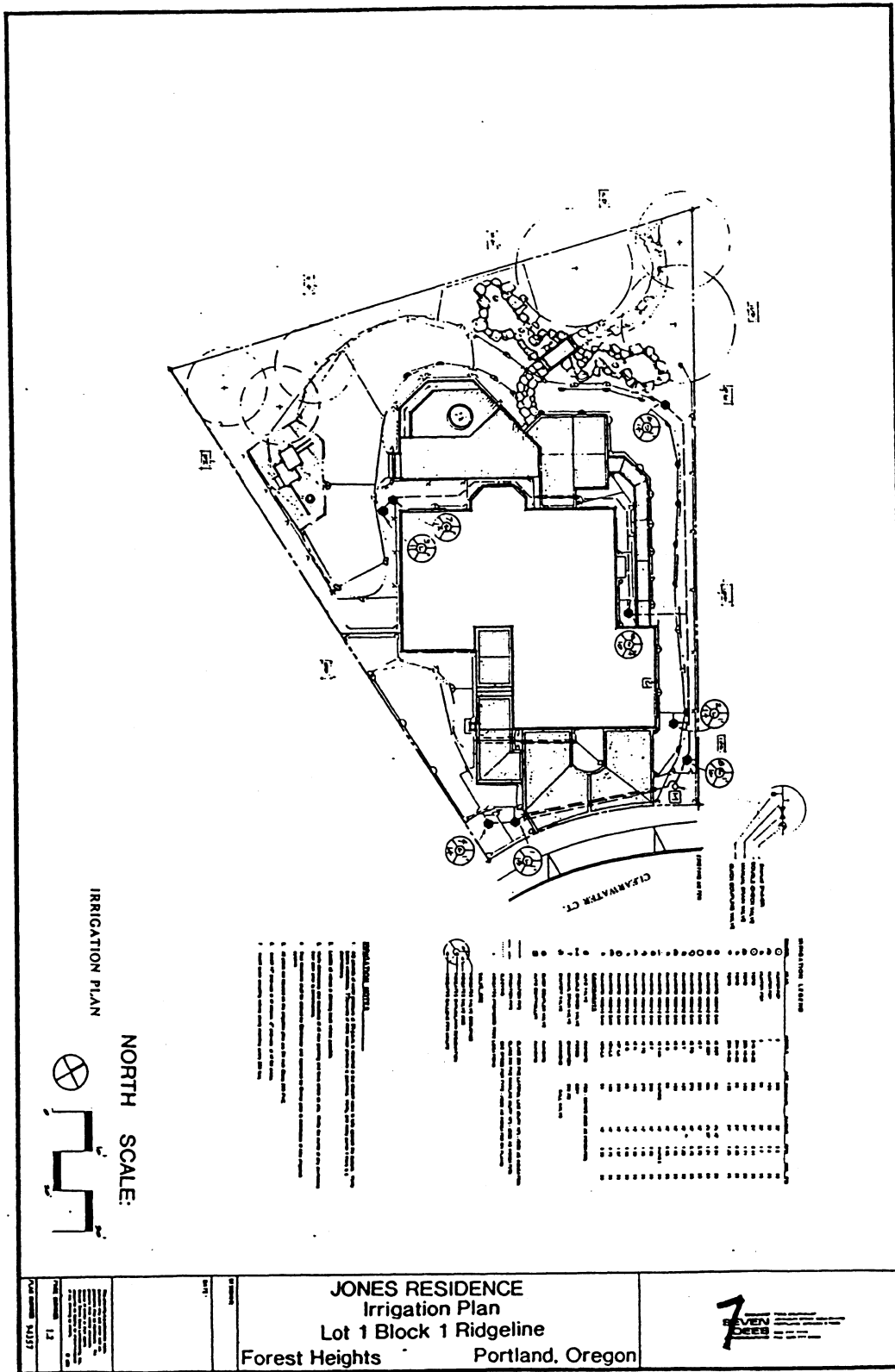
Conifer Planting Detail



Tree and Shrub Slope Planting Detail



Groundcovers Planting Detail



**APPENDIX A:
ARTICLES VI & VII FROM THE
DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS, AND
RESTRICTIONS FOR FOREST HEIGHTS
APPLICABLE TO DESIGN REVIEW**

ARTICLE VI, Restrictions on Residential Lots

6.1 Structures Permitted. No Improvements shall be erected or permitted to remain on any residential Lot except Improvements containing Living Units and Improvements normally accessory thereto. The foregoing provision shall not exclude construction of a private greenhouse, storage unit, private swimming pool, or structure for the storage of a boat and/or camping trailer for personal use, provided the location of such structure is in conformity with applicable City of Portland and Washington County ordinances, is compatible in design and decoration with the dwelling structure constructed on such Lot, and has been approved by the Architectural Review Committee.

6.2 Residential Use. Residential Lots shall be used only for residential purposes. Except with the consent of the Board of Directors of the Association, and as allowed by applicable City of Portland or Washington County ordinances, no trade, craft, business, profession, commercial, or similar activity of any kind shall be conducted on any Residential Lot, nor shall any goods, equipment, vehicles, materials or supplies used in connection with any trade, service, or business be kept or stored on any Lot. Nothing in this paragraph shall be deemed to prohibit (a) activities relating to the rental or sale of Living Units, (b) the right of Declarant or any contractor or homebuilder to construct Living Units on any Residential Lot, to store construction materials and equipment on such Lots in the normal course of construction, and to use any Living Unit as a sales or rental office or model home or apartment for purposes of sales or rental in Forest Heights, and (c) the right of the Owner of a Residential Lot to maintain his professional personal library, keep his personal business or professional records or accounts, handle his personal business or professional telephone calls or confer with business or professional associates, clients or customers, in his Living Unit. The Board of Directors shall not approve commercial activities otherwise prohibited by this paragraph unless the Board of Directors determines only normal residential activities would be observable outside the Living Unit and the activities would not be in violation of applicable City of Portland or Washington County ordinances.

6.3 Offensive or Unlawful Activities: No noxious or offensive activities shall be carried on upon any Lot or Common Area, nor shall anything be done or placed on any Lot or Common Area which interferes with or jeopardizes the enjoyment of other Lots or the Common Areas, or which is a source of annoyance to residents. No unlawful use shall be made of a Lot nor any part thereof and all valid laws, zoning ordinances, and regulations of all governmental bodies having jurisdiction thereof shall be observed. Without limiting the generality of the foregoing, no heat pump or other heating, ventilating, or air conditioning equipment, the operation of which produces noise at a level higher than 80 decibels as measured at the lot line, shall be allowed on any Residential Lot or Living Unit.

6.4 Animals. No animals, livestock or poultry of any kind shall be raised, bred or kept or permitted within any Residential Lot other than a reasonable number of household pets which are not kept, bred, or raised for commercial purposes and which are reasonably controlled so as not to be a nuisance. Any inconvenience, damage, or unpleasantness caused by such pets shall be the responsibility of the respective owners thereof. No dog shall be permitted to roam Forest Heights unattended and all dogs shall be kept on a leash while outside the Residential Lot of their Owner. An Owner or resident may be required to remove a pet upon receipt of the third notice in writing from the Association Board of Directors of violations of any rule, regulation, or restriction

governing pets within Forest Heights.

6.5 Maintenance of Structures and Grounds. Each Owner shall maintain such Owner's Residential Lot and Improvements thereon 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, replacement, 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 such Owner's Residential 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 shall be repaired within a reasonable period of time.

6.6 Parking. Parking of boats, trailers, motorcycles, trucks, truck campers, or other recreational vehicle or equipment and vehicles in excess of 8000 pounds gross vehicle weight shall not be allowed on any part of Forest Heights nor on public streets adjacent thereto, excepting only within areas designated for such purposes by the Board of Directors of the Association or within the confines of an enclosed garage or screened area, the plans of which comply with applicable City of Portland and Washington County ordinances, shall have been reviewed and approved by the Architectural Review Committee prior to construction, and no portion of the same may project beyond the screened area.

6.7 Vehicles in Disrepair. No Owner shall permit any vehicle that is in an extreme state of disrepair to be abandoned or to remain parked upon any Lot or on the Common Area or on any street for a period in excess of forty-eight (48) hours. A vehicle shall be deemed in an "extreme state of disrepair" when the Board of Directors reasonably determines its presence offends occupants of the neighborhood. Should any Owner fail to remove such vehicle within five (5) days following the date on which the Association mails notice, the Association may have the vehicle removed from Forest Heights and assess the expense of such removal to the Owner.

6.8 Signs. No signs shall be erected or maintained on any Residential Lot except signs that are approved as to appearance and location by the Architectural Review Committee. The restrictions contained in this paragraph shall not apply to:

(a) Political Signs. The temporary placement of "political" signs on any Residential Lot by the Owner thereof;

(b) Declarant's Sales Office and Model Home Signs. The placement by the Declarant or Declarant's agent of one or more signs identifying the name of the Declarant and/or the location of a sales office or model home.

6.9 Rubbish and Trash. No Residential Lot or part of the Common Area shall be used as a dumping ground for trash or rubbish of any kind. All garbage and other waste shall be kept in appropriate sanitary containers for proper disposal and out of public view. Yard rakings, dirt, and other material resulting from landscaping work shall not be dumped onto streets, or Common Areas, or on any Lots. All unimproved Residential Lots shall be kept in a neat and orderly condition, free of brush, vines, weeds, and other debris and grass thereon shall be cut or mowed at sufficient intervals to prevent creation of nuisance or fire hazard. If any default under this

Section 6.9 exists for a period longer than ten days after written notice of such default is mailed to the responsible Owner by the Association, the Association shall have, in addition to any other rights under this Declaration, or at law or in equity, the remedies specified in Section 11.2(a), (b), and (c).

6.10 Completion of Construction. The construction of any building on any Residential Lot, including painting and all exterior finish, shall be completed within eight (8) months from the beginning of construction so as to present a finished appearance when viewed from any angle. In the event of undue hardship due to weather conditions, this provision may be extended for a reasonable length of time upon written approval from the Architectural Review Committee. The building area shall be kept reasonably clean and in order during the construction period.

6.11 Landscape Completion. All landscaping must be completed within two (2) months from the date of occupancy of the Living Unit constructed thereon. In the event of undue hardship due to weather conditions, this provision may be extended for a reasonable length of time upon written approval of the Architectural Review Committee.

6.12 Temporary Structures. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuildings shall be used on any Residential Lot at any time as a residence either temporarily or permanently.

6.13 Hedges and Planting Along Lot Lines. No hedges or plantings along Lot lines shall be installed without prior approval of the Architectural Review Committee.

6.14 Tree Removal. No tree(s) with a diameter of six (6) inches or more, measured at a height of six (6) feet above ground level, may be removed without the prior written approval of the Architectural Review Committee.

6.15 Service Yards. Service yards (garbage, fuel tanks, clotheslines, etc.) shall be completely screened so the elements screened are not visible any time from the street or any adjoining property.

6.16 Antennas and Satellite Disks. Exterior antennas shall not be permitted to be placed upon any Lot except as approved by the Architectural Review Committee. Exterior satellite receiver and transmission disks are prohibited except as provided in Section 12.12 of this Declaration.

6.17 Setback, Maximum Height, and Minimum Yard Requirements. Each Lot shall be subject to the setback, maximum height, and minimum yard requirements shown on the recorded plat on which such Lot is included or which are established by the City of Portland or other governmental entity with jurisdiction over each such Lot and to any land use review procedure established by the City of Portland or other government entity with jurisdiction over such Lot for review and approval of variance from such requirements. In addition, all Lots are subject to any more restrictive setback, maximum height, or minimum yard requirements as re-established from time to time by the Architectural Review Committee. The City of Portland established certain maximum height and minimum yard requirements as a condition of approval of the Initial Development, under PC File No. S 28-81, Conditions G and H. No Improvement shall be constructed or maintained in violation of any setback, maximum height, or minimum yard

requirement except with the written consent of the Architectural Review Committee and any applicable City of Portland and Washington County approval.

ARTICLE VII, Architectural Review Committee

7.1 Architectural Review. No Improvement shall be commenced, erected, placed, altered, or maintained on any Lot until the design plans and specifications showing the nature, shape, heights, materials, colors, and proposed location of the Improvement have been submitted to and approved in writing by the Architectural Review Committee. It is the intent and purpose of this Declaration to achieve a high standard of quality of workmanship and materials and to assure harmony of external design with existing Improvements and location of the Improvement with respect to topography and finished grade elevations.

7.2 Procedure. In all cases which the Architectural Review Committee approval or consent is required by this Declaration, the provisions of this Article shall apply. The procedure and specific requirements for application for Architectural Review Committee approval or consent may be set forth in Design Guidelines or other rules adopted from time to time by the Architectural Review Committee. The Architectural Review Committee may charge a reasonable fee to cover the cost of processing the application.

7.3 Committee Decision. The Architectural Review Committee shall render its decision on an application for approval of the design of any Improvement or any other proposal submitted to it for approval or consent within fifteen (15) working days after it has received a complete written application therefore. A complete application shall specify the approval or consent requested and be accompanied by all material reasonably required or desired by it to make an informed decision on such application. If the Architectural Review Committee fails to render approval or disapproval of such application within thirty (30) working days after the Architectural Review Committee has received a complete application or if no suit to enforce this Declaration has been commenced within one year after completion of construction of the Improvement, approval will not be required and the related provisions of this Declaration shall be deemed to have been fully complied with.

7.4 Committee Discretion. The Architectural Review Committee may, in its sole discretion, withhold or condition its approval of any proposed Improvement if the Architectural Review Committee finds the proposed Improvement would be inappropriate for the particular Lot or incompatible with the design standards the Committee intends for Forest Heights. Consideration of siting, shape, size, color, design, height, solar access, impairment of the view from other Lots within Forest Heights, or other effect on the enjoyment of other Lots or the Common Areas, disturbance of existing terrain and vegetation, and any other factors the Architectural Review Committee reasonably believes to be relevant, may be taken into account by the Architectural Review Committee in determining whether or not to approve or condition its approval of any proposed Improvement.

7.5 Membership: Appointment and Removal. The Architectural Review Committee shall consist of as many persons, but not less than three, as the Declarant may from time to time appoint. The Declarant may remove any member of the Architectural Review Committee from

office at any time and may appoint new or additional members at any time. The Association shall keep a list of the names and addresses of the members of the Architectural Review Committee on file at its principal office. Declarant may at any time delegate to the Board of Directors of the Association the right to appoint or remove members of the Architectural Review Committee. If Declarant delegates to the Board of Directors the right to appoint or remove members of the Architectural Review Committee or if Declarant fails to appoint an Architectural Review Committee, the Board of Directors shall assume responsibility for appointment and removal of members of the Architectural Review Committee. If the Board of Directors has assumed the responsibility for appointment of the members of the Architectural Review Committee and fails to make such appointments, the Board of Directors shall itself serve as the Architectural Review Committee.

7.6 Majority Action. Except as otherwise provided herein, a majority of the members of the Architectural Review Committee shall have the power to act on behalf of the Architectural Review Committee, without the necessity of a meeting and without the necessity of consulting or notifying the remaining members of the Architectural Review Committee. The Architectural Review Committee may render its decision only by written instrument setting forth the action taken by the members consenting thereto.

7.7 Liability. The scope of the Architectural Review Committee's review is not intended to include any review or analysis of structural, geophysical, engineering, or other similar considerations. Neither the Architectural Review Committee nor any member thereof shall be liable to any Owner, occupant, builder, or developer for any damage, loss or prejudice suffered or claimed on account of any action or failure to act of the Architectural Review Committee or a member thereof, provided only that the Architectural Review Committee has, or the member has, in accordance with the actual knowledge possessed by the Architectural Review Committee or by such member, acted in good faith.

7.8 Nonwaiver. 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 thereof proposed or submitted to it for consent.

7.9 Appeal. After Declarant has delegated appointment of the members of the Architectural Review Committee to the Board of Directors of the Association, any Owner adversely affected by action of the Architectural Review Committee may appeal such action to the Board of Directors of the Association. Appeals shall be made in writing within ten (10) days of the Architectural Review Committee's action and shall contain specific objection or mitigating circumstances justifying the appeal. A final, conclusive decision shall be made by the Board of Directors of the Association within fifteen (15) working days after receipt of such appeal.

7.10 Effective Period of Consent. The Architectural Review Committee's consent to any proposed Improvement shall automatically be revoked one year after issuance unless construction of the Improvement has been commenced or the Owner has applied for and received an extension of time from the Committee.

7.11 Estoppel Certificate. Within fifteen (15) working days after written request therefore is delivered to the Architectural Review Committee by any Owner, and upon payment to the Architectural Review Committee of a reasonable fee, if any, fixed by the Architectural Review Committee to cover costs, the Architectural Review Committee shall provide such Owner with an estoppel certificate executed by a member of the Committee and acknowledged, certifying with respect to any Lot owned by the Owner, that as of the date thereof, either: (a) all Improvements made or done upon or within such Lot by the Owner comply with this Declaration, or (b) such Improvements do not so comply. If the estoppel certificate states that Improvements do not comply, such certificate shall also identify the noncomplying Improvements and set forth with particularity the nature of such noncompliance. Any purchaser from the Owner, and any mortgagee or other encumbrancer, shall be entitled to rely on such certificate with respect to the matters set forth therein. Such matters being conclusive as between Declarant, the Architectural Review Committee, the Association and all Owners, and such purchaser or mortgagee.

7.12 Construction by Declarant. Improvements constructed by Declarant on any property owned by Declarant, are not subject to the requirements of this Article VII.

**APPENDIX B:
SUPPLEMENTARY INFORMATION**

IMPORTANT HOA INFORMATION – PLEASE READ

FOREST HEIGHTS HOMEOWNERS ASSOCIATION, INC. NOTICE TO LOT OWNERS

[This notice is intended to be a supplement to existing governing documents for Forest Heights. It does not take the place of those listed below in paragraph 1.]

It is important owners be aware of several very important points relating to property ownership within Forest Heights, a planned community, including:

1. The Association is governed by CC&Rs which include:
 - A. Declaration of Ownership
 - B. Bylaws
 - C. Building Design and Construction Guidelines, including Landscaping
 - D. Rules as approved by the Board of Directors
 - E. Resolutions as approved by the Board of Directors, including compliance and payment policies.

The CC&Rs give the Association broad powers including enforcement of the CC&Rs; establishment, assessment and collection of fees; fines; administrative, legal and other professional fees; and property lien and foreclosure rights.

2. Building and landscaping designs are subject to approval by the Architectural Review Committee (ARC) prior to start of work.
 - A. New building construction requires a \$1000 payment for plan review, effective July 1, 2008.
 - B. Revisions to building and landscaping plans are subject to a \$200 charge by the Association to cover administrative and professional charges for the plan review.
 - C. Questions about ARC requirements, process, etc., should be directed to the ARC Administrator at (503) 297-9400.
3. Association fees apply to all lots and are used to cover expenses for the common areas and general administration of the Association's business. Failure to pay fees in a timely manner results in late fees, administrative and legal charges, and other actions required to collect funds. Fees are payable in advance and are usually invoiced twice a year, due January 1 and July 1. It is very important to provide changes of mailing address or lot ownership to the management company in a timely manner. The Association's inability to mail notices and invoices to a lot owner due to inaccurate information (owner name and mailing address) is not considered a reason for excusing late charges and fees. Fees and charges apply to and remain with the lot, regardless of any change in ownership. The Escrow Officer in closing typically prorates Association fees between Buyer and Seller. The Escrow Officer needs to obtain current lot financial information from the Association management company bookkeeper.

4. The Association employs a staff, headed by the General Manger, to handle the affairs of the Association under the direction of the Board of Directors. To contact the Forest Heights Homeowners Association (FHHOA) and ARC/Compliance call (503) 297-9400 or e-mail to: arc@fhhoa.com. For a calendar of FH events, forms, and various Association news and information, check our website at www.fhhoa.com.
5. The Architectural Review Committee (ARC) requires specific items to be included in a submittal package for review and approval of building and landscape plans. An application form providing a list of items to be included in the ARC Review Package, and the Design Guidelines, are available from the ARC by phone from the ARC Administrator at (503) 297-9400

All ARC matters, including applications and compliance issues are to be addressed through the ARC Administrator, phone (503) 297-9400. The ARC reviews applications at their meetings, held on an as-needed basis on Thursday mornings at 9:00 a.m., based on applications received Wednesday by 12:00 p.m. of the same week. Incomplete applications will delay approvals and can result in additional administrative charges.

6. The Association office phone (503) 297-9400, can be contacted for Association matters such as payment of Association fees, common area maintenance problems and community rules infractions. Complaints relating to community rules infractions usually require the complaining party to make their complaint in writing.
7. Compliance problems continue with the lot, regardless of changes in ownership. Buyers should have Seller verify that:
 - A. All ARC violations and requirements, if any, have been corrected or disclosed.
 - B. All Association fees and charges are paid in full no later than the date of closing of purchase.
 - C. There are no outstanding violations of the CC&Rs that will apply to the new owner. A new owner assumes responsibility for all outstanding issues related to a lot. The Association requires up to two weeks advance notice to make a determination on the status of violations.
 - D. Buyers who purchase a lot during the course of building and landscape construction, or who contract with a builder or other entity to provide construction services to the property, will want to ensure that the contractor(s) has met all ARC and other Association requirements for the lot and the improvements. The Association requires up to two weeks advance notice to make a determination on the status of violations.
8. Vacant lots require ongoing maintenance to maintain weeds, grass, litter, and erosion control. The City of Portland ordinance requires vacant lots to be mowed when the maximum height reaches ten inches (10"). The Association does not permit nuisance weeds on a lot that create problems on neighboring properties, including landscaped yards. Spot application of herbicides is allowed for removal of nuisance weeds. Broad application of herbicides to eliminate all vegetation is prohibited; variances require ARC approval and plans for replanting the vacant lot must accompany such a request. ARC approved broad herbicide applications must be performed by a qualified professional. Failure to maintain proper

erosion control can result in notification and fines by the City of Portland and the Forest Heights HOA, plus the potential liability of paying for damage to neighboring properties. Neighboring properties (vacant lots or common areas) cannot be utilized for storage of equipment, materials or debris. Specific time frames are required for completion of lot landscaping and building construction. Refer to the Architectural Guidelines and Construction Regulations for details, including plan application to the ARC.

10. Completed buildings and lots have maintenance standards as identified in the CC&Rs. Failure to properly maintain buildings and/or landscaping can result in sanctions and charges by the Association. Refer to Policy Resolution Number 3, Rules, Compliance and Enforcement Procedures, and its supplement, Outline of Compliance Procedures and Remedies, for additional information.

When closing on the purchase of a lot or home in Forest Heights, it is important to request of the Escrow Officer or Seller copies of: Declaration, Bylaws, Design Guidelines and Construction Regulations, Assessment and Compliance Payment Policy, and Association rules. It is also important for a new owner to ensure that the Association's records are current regarding Forest Heights lot/house address, current mailing address, name(s) of all owners of record, and phone numbers. When the management office is notified of a change in ownership, a New Owner Packet is mailed to the new owner, which includes a request to complete and return a form providing owner information. [The initial mailing address used for a new owner is the one listed on the deed as the one where subsequent tax statements are to be sent. If another address should be used, it is the new owner's responsibility to notify the Association as soon as possible.]

ATTACHMENTS:

ARC Committee - Building Contingencies
Landscape Design Review Checklist

FOREST HEIGHTS ARCHITECTURAL REVIEW COMMITTEE

Building contingencies

The Architectural Review Committee of Forest Heights (ARC) has considered the application for design approval for improvement on:

Plat Name _____ Lot/Block # _____

All approvals are contingent upon all of the following requirements. In addition, the requirements which are included in the Forest Heights Architectural Guidelines and Construction Regulations must be met. You may begin the construction process only after you have received final approval from the ARC.

Plans

Elevations must reflect finish grade topographical conditions so the elevations, particularly the rear elevation, may be reviewed as they will look when built.

Since so many houses at Forest Heights are visible from the rear, these elevations will be required to show the same concern for design of window placement as the front elevation.

Tree Height/Views

Views of neighboring property owners must be considered. Size at full growth of all tree species allow views from neighboring properties. Trees existing on a lot prior to construction of home are exempt from this requirement.

Exterior Lighting

Exterior lighting may not interfere with the use and enjoyment of neighboring properties.

Roofing

Effective November 9, 2004, Certaineed Presidential TL Ultimate composite roofing is allowed as a roofing option in Forest Heights. Permitted colors are Autumn Blend, Country Gray and Shadow Gray. Effective January 28, 2010, PABCO Paramount Advantage composite roofing is allowed. Permitted colors are oakwood, pewter gray and weathered wood. Also effective January 28, 2010, GAF/ELK Grand Canyon composite roofing is allowed. Permitted colors are mission brown, stone wood and storm cloud gray. ARC will determine if such material is compatible with the architecture of the house for which the roofing is being proposed and with surrounding properties.

Siding/Veneers/Trim

Veneers must end on inside corners of a column. If they end on an outside corner, they must wrap the corner by at least 18", and be detailed as a pilaster, with a base and a capital. You must submit a drawing of your proposed veneer wrap, or a photograph of an identical application for approval.

T 1-11 type or other composition siding with vertical grooves is not allowed.

Corner boards may not be applied on top of siding. Siding must butt into the sides of the corner

boards.

Detailed drawings of the proposed front door trim-out, or a photograph of an application identical to the one proposed are required.

Windows

Slider windows are NOT allowed on street elevations.

Aluminum windows are allowed only if they are dark anodized or coated with factory-applied enamel.

Exterior window trim must generally be consistent on all four elevations.

Fences

Four types of wood fencing are shown in the Design Guidelines, although other types are acceptable. Chain link fencing is not allowed. All fencing must be approved by the ARC before construction begins.

When new fencing will abut an adjacent property, it must respect the older fence design and be the same height; otherwise, the newer fence must be offset from the old by 2'. Stepped down fencing or changes in height must occur a minimum of 6' from a change in plane.

Fencing at corner lots should be held back to the front plane of the house on any street elevation.

Decks

All decks must be detailed as an expression of the design of the house. Deck posts need to be boxed to a minimum of 10" x 10" if the deck is higher than 6 feet off the ground.

Landscape Elements

Plans must be submitted to and approved by the ARC prior to installation.

All yards must have landscaping complete within two months of occupancy. Any exceptions must have written permission from the ARC based on special circumstances.

Accurate topographic information and elevations showing true dirt lines are required.

Connections to the Forest Heights trail system from individual lots are not allowed.

Interlocking concrete masonry retaining wall systems are not allowed to be visible from the street. All concrete retaining walls must be capped, embossed, scored, or otherwise designed to be attractive. All walls must be approved by the ARC prior to construction.

Miscellaneous

Visible foundation walls are limited to 18" maximum vertical exposure.

Asphalt may not be used for driveways.

FOREST HEIGHTS ARCHITECTURAL REVIEW COMMITTEE
Landscape Design Review Checklist

Lot/Block # _____
Plat Name _____
Review Date _____

Landscape Plans

Landscape plans are required for all projects within Forest Heights (single-family, multi-family and commercial). Single-family plans **must** be submitted in an 11" x 17" format, and must be legible. Multi-family and commercial project landscape plans must be submitted in a 24"x36" or a 30"x42" format, with a copy in 11"x17" format with appropriate scale for that size. Multi-family and commercial project landscape plans must be prepared by an Oregon registered landscape architect and appropriately stamped. *Landscape plans should be neatly and accurately drawn to a commonly used scale (1"=10' or 1/8=1'-0" for single - family and 1"=20' for multi-family and commercial projects) and must include the information listed below.*

Fundamental Information (Plan returned if this section is incomplete in any way)

- ___ 1. Owner name, address, and phone # (fax # if possible)
- ___ 2. Legal location of property (subdivision, lot and block number, i.e., MPB9L08, CW127)
- ___ 3. Scale
- ___ 4. North arrow
- ___ 5. Recorded easements (if any)

Existing Landscape Elements (to be shown on site plan)

- ___ 1. Boulders
- ___ 2. Rock outcroppings
- ___ 3. Trees (6" and greater when measured above a 6' grade)
- ___ 4. Significant native plantings
- ___ 5. Embankments and/or slopes (shown on topo, as built)
- ___ 6. Indication of any adjacent common area

Required Information (Plan returned if this section is incomplete in any way)

- ___ 1. Plant list should include *type, specie, variety, quantity* and *size* of all plants (at installation). e.g., 4", 1-gal., 2" caliper
- ___ 2. Location of all landscape elements to be installed (such as fences, walls, ponds, sheds, landscape lighting etc), shown to scale on site plan. (Installation of these elements without ARC approval subject to fine.)
- ___ 3. Design and construction materials proposed for gazebos, decks, screens, walls, fences, etc. (Construction of these elements without approval subject to fine.)

___ 4. Elevations of all gazebos, screens, planters, and decks (over 30” from finished grade).

Additional Information

___ 1. Irrigation systems noted or proposed (multi-family and commercial projects require automatic underground irrigation systems).

___ 2. Type of bark dust or mulch proposed for all planting areas. Recommended types include a medium grind fir or hemlock of a consistent color: Aged dark.

___ 3. Please note any additional landscape elements (sculpture, fountains, etc.)

Refer to Forest Heights *Design Guidelines and Construction Regulations* for additional information concerning specific requirements and the design review process.

I Indicates information found incomplete on submittal. *Information must be provided and documents re-submitted within two weeks from date of review.* Landscape elements noted as incomplete may not be installed.

C Indicates information found to be complete on initial submittal. No additional information required.

N/A Not Applicable

See Landscape Plans for additional notes.

CHANGING LOT GRADE AND WATER DRAINAGE

The Forest Heights HOA constructions guidelines clarify that a lot owner is to provide the Architectural Review Committee (ARC) with a lot contour grade map with the building footprint, driveway and sidewalks shown on the map. If the lot grade is to be changed, the applicant will be required to show both before and after conditions of the grade.

When the landscape design plan is submitted, a contour grade map will again need to be submitted with the application showing existing grade and proposed changes in grade.

Oregon law does not permit a landowner to impact a neighboring parcel of land owned by another party. Changes in grade that affect the adjoining land must be minimized. This includes contour of slope, fill that extends onto neighboring property, cuts that undermine adjoining land and drainage that is directed onto adjoining property.

Retaining walls are to be used to confine and control fill. Retaining walls are subject to ARC guidelines and approval.

Rain gutters may not be directed onto neighboring property or common areas. The normal process for handling rain drains is to divert them into the street, into government approved lines, or into dry wells located within lot boundaries.

The lot owner of record is responsible for ensuring that all land slope and drainage meets all governmental ordinances and laws as well as the Forest Heights HOA guidelines and requirements. In situations where a previous lot owner may have created a problem, the current lot owner is still responsible for resolving the problem. The current owner of record is also responsible for any sanctions placed on the property by government agencies and the Association.

The Forest Heights HOA review process through the ARC does not assure that governmental and Association requirements are being met by the lot owner. When a problem exists, it is the responsibility of the adjoining lot owners to resolve the problem through mutual agreement, appeals to governmental agencies, or legal proceedings. The Association does not take on the responsibility for resolving these issues. In some cases, the Association may take action against a lot owner for slope, drainage, or fill problems, especially in situations where the common areas are impacted.

Careful consideration must be given to control erosion and run off that impacts the streets, storm drains, creeks and common areas.

Resolved and accepted by the Forest Heights ARC



FOREST HEIGHTS HOMEOWNERS ASSOCIATION

Application Received ____/____/_____
 Check # _____ Amount \$ _____
 Lot Number _____

Mail/Deliver submissions to: Forest Heights ARC, 2033 NW Miller Road, Portland, OR 97229 **Email:** ARC@fhhoa.com
Phone: 503.297.9400 **Fax:** 503.297.9408. This Architectural Review Committee of Forest Heights ("ARC" or "Committee"), by and through the undersigned, has considered the application for design approval for improvement on:

Submit to FHHOA office before noon on Wednesday preceding a meeting.
 ARC meets Thursdays at 9 AM on an as-needed basis.

TO BE COMPLETED BY APPLICANT:

PROPERTY ADDRESS: _____
 NAME TO MAIL RESPONSE TO: _____
 MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____
 HOME # _____ CELL # _____ WORK # _____ E-MAIL: _____
 APPLICANT'S SIGNATURE: _____ DATED: _____

TYPE OF REVIEW (CHECK APPLICABLE TYPE):

- A. NEW HOME PLANS** Please submit a **\$1000 fee** with building design application.
- B. HOME ADDITIONS, LANDSCAPE PLANS, SIDING MATERIAL CHANGES** Please submit **\$200 fee** for each.
- C. PAINT COLOR CHANGES/REPAINTING, IRRIGATION SYSTEMS, DECK/PATIO CHANGES, FENCES, WATER FEATURES, SIDEWALKS, SHEDS, TRELLISES, GAZEBOs, LANDSCAPE LIGHTING, RETAINING WALLS, ROOF MATERIAL CHANGE, DRIVEWAYS, WALKWAYS:** Please submit **\$100 fee** for first item, **\$50 fee** for each additional item, **maximum \$200 fee.**
- D. TREE REMOVAL/REPLACEMENT, MINOR PLANT MATERIAL CHANGES:** Contact Association office for submission requirements and fees.
- E. RESUBMISSIONS, REVISIONS OR CHANGES:** Contact Association office for submission requirements and fees.

Plans and review fee must be submitted and application must receive FINAL approval before construction can begin.

- Your Application for _____ is **APPROVED** as submitted. One copy will be retained for the permanent records of the Committee and one will be returned to the applicant with this memorandum. All construction must be completed in accordance with the approved plans. **Any change or deviation from these plans must receive Committee approval.**
- Your Application for _____ is **SUBJECT TO** completion of items noted below or on the attached forms. Required drawings must be completed and submitted to the Committee by the due dates indicated. Required changes must be submitted to the committee within one month of receipt of this Memorandum. Project must receive approval before work starts.
 _____ [See attached addendum]
- Your Application for _____ is **DENIED** for the following reasons:
 _____ [See attached addendum]
- Your Application for _____ is **INCOMPLETE**.
 _____ [See attached addendum]

For the ARC:

 Patrick Brown, Chairman

 Review Date

The Architectural Review Committee has reviewed the submitted plans for compliance with the Declaration of Protective Covenants, Conditions, and Restrictions for Forest Heights and the Design Guidelines and Construction Regulations established by the Declarant. The scope of the Architectural Review Committee's review does not include any review or analysis of structural, geophysical, engineering or similar considerations, nor the improvement's compliance with applicable building, zoning or land use codes or regulations, the responsibility for all of which belongs to the Applicant and the Owner.
 (4/20/10)

The following information is required with your application.
 Drawings should be submitted on 11” x 17” size paper.

APPLICATION TYPE	New Construction	Landscape	Structure Modifications/Additions	Due Date
<u>REQUIRED MATERIALS</u>				
Site plan drawings, including driveway with topographic and e-zones (if any).	X	X	X	With Application
Floor plan drawings	X		X	With Application
Drawings of all four elevations showing finished grade	X		X	With Application
Tree removal drawings showing final grading	X	X		With Application
Roofing and siding material specifications, including product name and color, if applicable	X		X	With Application
Drawings of plans and elevations of all decks	X		X	At least 4 weeks prior to construction
Exterior lighting and fixture plan	X		X	Within 1 month of move in and at least 2 weeks prior to installation.
Exterior color and veneer samples with manufacturer, product name and number. Digital photo of front of home if repainting in new color	X		X	At least 4 weeks prior to application of material
<u>LANDSCAPE</u>				
Plant layout plans, including plant list, with quantities and sizes	X	X		1 month prior to move in and at least 2 weeks prior to installation.
Fences, walls, gazebos, screens, water features, with elevations	X	X		At least 4 weeks prior to construction
ARC fee	X	X	X	With Application

All plans must be approved by the Architectural Review committee (ARC) and receive FINAL APPROVAL prior to beginning construction or installation. After final approval, any changes must be approved by the ARC.

Remember: All drawings must be submitted on 11” x 17” paper, include the scale, and must list the lot and block numbers, and the name, address, and telephone number of the contact person. If drawings are faxed, or scanned and emailed to the Committee, a hard copy must be provided within three days for the permanent records.



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HOMEOWNERS ASSOCIATION

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