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Design Guidelines
for
Garden District

The following DESIGN GUIDELINES FOR GARDEN DISTRICT (these "Guidelines") are established under authority granted to Garden District Homeowners Association (the "Association") through the Declaration of Covenants, Conditions, and Restrictions for Garden District, a Common Interest Community (as amended, the "Declaration") for the review and approval of designs for new construction and remodeling.

Garden District, a common interest community ("Garden District") includes or may include up to 33 Lots in Spokane County, Washington, intended for residential development. Words and phrases that are not defined these Guidelines shall have the same meanings ascribed to them in the Declaration.

I. OBJECTIVE AND AUTHORITY OF THE DESIGN REVIEW COMMITTEE

A. DEVELOPMENT OBJECTIVES. The following Guidelines are designed to establish and preserve the visual impression of Garden District as a distinctive and desirable place in which to live.

Landscaping, building form, materials and colors all contribute to an overall community image that is readily identifiable as a high quality development. By following these Guidelines, residents will protect and enhance each property owner's investment in the Owner's home site. These Guidelines provide standards of quality and design.

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

These Guidelines have purposely not been made a part of the Declaration in order to allow for additions, modifications, and deletions as circumstances change and as the community develops and matures. The Association reserves the right to amend, change or revise any of these Guidelines at any time. Changes and updates will be made available to Owners.

B. APPLICABLE PROVISIONS OF DECLARATION OF COVENANTS. Pursuant to Section 4.1.2 of the Declaration, no Improvements, alterations, repairs, excavation, grading, landscaping, tree removal or other exterior work which will be visible above ground or which will ultimately affect the visibility of any above ground Improvement shall be built, erected, placed or materially altered on or removed from Garden District unless and until the building plans, specifications, and plot plan or other appropriate plans and specifications have been reviewed in advance by the Design Review Committee and the same have been approved in writing. Owners shall submit building plans, specifications, and plot plan or other appropriate plans and specifications to the Design Review Committee, and the Design Review Committee shall review and respond to such submissions in accordance with Article 11 of the Declaration. The Design Review Committee will generally review submissions by Owners within a few days following its receipt, but the review process may be 45 days, or longer. The Design Review Committee is appointed and controlled by the Declarant pursuant to Section 11.1 of the Declaration.

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II. DESIGN GUIDELINES

A. DESIGN AND SITE CONSIDERATIONS.

1. Utilities: Electric power and natural gas services are provided to Garden District by Avista. The city of Spokane municipal sewer system will service Garden District and the city of Spokane municipal water system will service Garden District. The respective utility purveyor controls the location of utilities.

2. Building Permits: The city of Spokane requires that a building permit be obtained prior to beginning construction of any Improvement or making any additions or changes to an existing structure.

3. Setbacks: In addition to the restrictions set forth in the Declaration and Section II(B)(11) of these Guidelines, the setback requirements for construction on a Lot will be determined by the Design Review Committee, but shall not be less restrictive than the setbacks established by the city of Spokane. Any application to the city of Spokane for a variance of the setbacks shall first require approval of the Design Review Committee.

B. ARCHITECTURAL GUIDELINES.

1. Accessory Buildings: In addition to the restrictions set forth in the Declaration, only buildings to be used as temporary construction shelters may be erected on a Lot prior to and during construction, as specifically authorized by the Design Review Committee. Structures such as, but not limited to, doghouses, tool sheds, and playhouses, which are intended for permanent or semi-permanent use are not prohibited, but are subject to the approval of the Design Review Committee. It is the responsibility of the Owner to obtain any approvals or permits required by the city of Spokane and Spokane County, as applicable, for each accessory building prior to the installation of any accessory building on such Owner's Lot.

2. Antennae: No exposed radio, television or other antennas of any kind or nature, satellite dishes, or devices for reception or transmission of radio, microwave, or similar signals shall be installed on a residence or within a Lot, unless specifically approved by the Design Review Committee, except for satellite dishes smaller than 18 inches that are mounted in unobtrusive locations.

3. Building Height: Building height limitations may be imposed by the Design Review Committee in order to preserve views from neighboring homes and to minimize the impact of structures on arterial streetscape areas of Garden District. Buildings on corner Lots shall have a one-story elevation adjacent to the adjoining street unless otherwise approved by the Design Review Committee.

4. Chimneys: All exterior chimneys must be of a material and color consistent with the character and aesthetic of the residence and will be subject to approval by the Design Review Committee.

5. Clotheslines: Exterior clotheslines must be located in screened service yards and out of view from the neighboring Lots.

6. Driveways: Driveway access onto the roads will be limited to one per Lot, unless otherwise approved by the Design Review Committee.

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7. Excavation: All excavation must be done to create a minimum disturbance on the Lot. All dirt and debris accumulated as a result of excavation must be leveled and any excess dirt must be removed from the Lot.

8. Exterior Lighting: In addition to the restrictions set forth in the Declaration, all exterior lighting plans must be submitted with construction approval or alteration approval submittals. Exterior lighting, which can be seen from the roads or neighboring lots, must be indirect and excessive brightness or unnecessary lighting shall be avoided. Colored light sources are prohibited. The Design Review Committee may impose limitations on decorative and landscape lighting if such lighting affects adjacent Lots.

9. Exterior Walls and Trims: The following materials are approved for use in exterior walls and trims, and any other material must be approved by the Design Review Committee:

    a. Cement based fiber siding; and

    b. Brick or stone (medium to dark even earth-tone colors);

    Exterior color and material treatment used on the building walls shall be continuous and consistent on all elevations of the residence in order to achieve a uniform and complete architectural design. Exterior colors must harmonize with the surrounding landscape and all colors are subject to approval by the Design Review Committee.

10. Utility Panels: In general, all utility meter panels should be screened from view and should be installed according to any guidelines of the applicable utility company.

11. Fencing: No Owner may install a fence on such Owner's Lot without the prior approval of the Design Review Committee. The Design Review Committee may withhold its approval for any reason, including, without limitation, if the proposed fence is to be installed adjacent to a Common Area or on a sloping Lot. Without limiting the generality of the foregoing, the following restrictions apply to fences installed in Garden District:

    a. No material may be used for fences except for vinyl or wrought iron;

    b. Fencing must be white in color if vinyl or black if wrought iron.;

    c. No fence may exceed six (6) feet in height;

    d. When a fence is installed perpendicular to the side of a house, the fence shall be a minimum of 5 feet back from the front corner of the house.

    e. When adjacent to a sidewalk, the fence should have a setback of 5 feet from the sidewalk.

    f. Each Owner is responsible for the maintenance repair and replacement of any fence installed on its Lot.

12. Garages: Detached garages are prohibited. Any garage must connect to the residence by a roof, screen, or be part of the structure, unless otherwise approved by the Design Review Committee.

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13. Grading: In addition to the restrictions set forth in the Declaration, all grading shall conform to natural contours of the existing surface to the maximum extent feasible.

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

15. Heating and Cooling Systems: All interior or exterior heating or cooling systems must be screened from view. Window mounted A/C units are prohibited.

16. Mailboxes and Newspaper Receptacles: Individual mailboxes and newspaper receptacles are prohibited. Group mailboxes will be provided at central locations by the Association.

17. Parking: No utility trailer, boat trailer, camper or other trailer, mobile home, commercial vehicle, bus, truck (other than standard size pick-up truck), inoperable automobile, boat, or similar equipment, and no vehicle which is in an extreme state of disrepair, shall be permitted to remain on the street or on any Lot other than temporarily (for the purpose of loading and unloading of passengers or personal property) and in any event longer than 48 hours. Parking of such longer than 48 hours needs prior Architectural Review Committee approval unless placed within an enclosed garage. No noisy off-road, unlicensed motor vehicles shall be maintained or operated upon the Property.

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

19. Roofs: All homes and structures within Garden District shall use roofing materials as approved by the Design Review Committee.

20. Signs: In addition to the signage restrictions set forth in the Declaration, no lighted signs shall be permitted and all residences shall have a designated street number that is easily viewed from the road. Owners are permitted to display one sign identifying the contractor during construction, one sign advertising a residence for sale and one political sign provided that any such sign must be: (i) single sided, with a maximum area of 200 square inches and the longest dimension is not greater than 40 inches, (ii) on its own post, not be placed higher than 60 inches from the ground, and (iii) be placed no closer than 10 feet from the nearest roadway and approximately parallel to the centerline of the roadway. Provided further, that any political sign may only be placed within 120 days prior to a general election and must be removed within 7 days after such election. Subcontractor and material-men signs are prohibited. No other signs shall be permitted, unless otherwise approved by the Design Review Committee.

21. Utilities: All connections from trunk lines to individual structures must be underground. Exposed plumbing and electrical lines are not allowed. Materials must conform to all applicable electrical and plumbing codes. The appropriate inspectors must inspect water and sewer hookups. Following any excavation for site utility hookups, the Owner must restore the site to its natural condition.

22. Solar Systems: Any solar heat system or solar energy devices must be reviewed on an individual basis and require the approval of the Design Review Committee.

23. Landscaping Policies Each Lot Owner shall landscape its Lot in conformance with the Declaration and these Guidelines, and the Lot Owner's specific landscape plan submitted to and approved by the Design Review Committee.

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a. Front yard is defined as that area between the front property line and the plane of the face of the building, or intercepting side yard fence or wall. The total front yard area (except the driveways and entry paving) is to be landscaped and irrigated with an automatic underground irrigation system within 90 days of occupancy. The front yard landscaping shall be maintained in a healthy and neat appearance at all times. The front yard landscaping shall be designed in conjunction with and in harmony with the architectural design of the residence and lot. A minimum of one tree shall be planted by the Declarant. Such trees shall be planted within the planting strip between the curb and sidewalk and parallel to the street curb. All street tree maintenance and care is the responsibility of the adjacent property owner, this includes replacement in an event the tree is to die.

b. Rear yard landscaping shall be completed within one year of the first occupancy of the residence.

III. MISCELLANEOUS

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

B. Non-Waiver. Consent by the Design Review Committee to any matter proposed to it or within its jurisdiction, or failure by the Design Review Committee or the Association to enforce any violation of these Guidelines shall not be deemed to constitute a precedent or waiver impairing the Design Review Committee's right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent or to enforce any subsequent or similar violation of these Guidelines.

C. Penalties. **The Association and the Design Review Committee shall have the right to impose penalties for the failure to comply with these Guidelines pursuant to the Declaration, the Bylaws of the Association and by law**. The Design Review Committee shall have the right to record a Notice of Covenant Violation on the title of any lot that fails to comply with the standards imposed by the Design Review Committee. In addition, they shall have the right to impose a violation fee of up to $100 per day for violations.

D. Relationship to other Rules. These Guidelines are a supplement to all applicable government codes and regulations, as may be modified from time to time (the "Law"). The Guidelines are also supported by the Declaration. These Guidelines do not supersede or modify any existing Law. Spokane County through its zoning ordinances may have specific design or permit requirements not addressed in these Guidelines. Any requests for variances to Laws shall be submitted to the appropriate government agency according to established procedures following review and approval by the ARC, and written consent from the applicable Builder. The Design Review Committee is not responsible for reviewing submittals for conformance to any applicable codes or standards established by a governmental agency. In the event of conflict or discrepancy, or for subjects not addressed herein, the most restrictive standards shall apply.

E. Design Review Committee. The Association, the Design Review Committee, and any of their respective directors, officers, employees or representatives, will not be responsible for or liable for ensuring the structural integrity or soundness of approved projects, nor for ensuring compliance with building codes and other requirements of governmental entities or quasi-governmental entities, nor for ensuring the appropriateness of soils, drainage or general site or geotechnical work. These Guidelines are subject to interpretation by the Design Review Committee and the Association and may be modified from

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time-to-time to meet specific site or functional requirements, consistent with the objectives of these Guidelines and consistent with the Declaration.

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ADOPTION OF DESIGN GUIDELINES
FOR
GARDEN DISTRICT

We, the undersigned, being all of the members of the Design Review Committee of the Association, hereby adopt these Guidelines as the Design Review Guidelines of said Association pursuant to Section 11.2 of the Declaration on March 23, 2023.

MEMBERS:

DocuSigned by:
Joseph M. Frank
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JOSEPH M. FRANK

DocuSigned by:
Jennifer M. Frank Chaparro
E30E52F30CC5401...
JENNIFER M. FRANK CHAPARRO

DocuSigned by:
Drew Benado
9FE0CB4444DB400...
DREW BENADO

The Declarant hereby consents to all of the terms and provisions of these Guidelines and the adoption of these Guidelines by the Design Review Committee.

DECLARANT:

GARDEN DISTRICT LAND DEVELOPMENT, LLC
a Washington limited liability company

By: DocuSigned by:
Joseph M. Frank
23B73035CBCE441...
Name: Joseph M. Frank
Its: Manager