

ARTICLE III-3 ARCHITECTURAL COMMITTEE ADMINISTRATION

Amended June 11, 2013

Amended Feb.13, 2018

Amended Dec. 11,2018

A. Authority and Jurisdiction

The Architectural Committee was created in Article VIII, Section 1 of the CC&Rs and further governed by the Architectural Agreement dated 9/16/84 as referenced in the above Article. It operates under Architectural Standards mutually agreed upon with the Board. The Committee is required to approve plans and specifications for all new structures or modifications to existing structures including the replanting of any disturbed areas except for those exempted in B.5.b, Modifications to Existing Homes. Its jurisdiction applies to the time during which any such activities occur in Kala Point and is generally defined as the period during which a construction and/or landscaping deposit remains with the Association, or during the time when a future modification is being considered and subsequently completed.

B. Committee Mission

The Committee works with members to ensure that structures maintain and enhance Kala Point in accordance with the CC&Rs, Board of Director approved Architectural Standards, Rules and Regulations and the desires of a community where homes must fit into a wooded development.

C. Committee Organization

1. The Committee shall be reorganized and elect its chair annually following the Association's Annual Meeting in July. A permanent or rotating secretary shall also be elected. The Committee shall be composed of a minimum of 3 but no more than 10 members plus two directors (one voting) in accordance with current Board procedures. All shall be approved by and serve at the pleasure of the Board. Members shall be selected by the Chair and Committee members from a list of:
 - a. those expressing interest to the then current chair;
 - b. recommendations of Committee members or directors
 - c. others believed to meet qualifications below:
 - i. A 3 to 4 year term is anticipated as it takes about a year to become fully effective.
 - ii. Experienced members must be balanced with new members.
 - iii. Must generally be available for 1 regular meeting a month.
 - iv. Must be able to monitor the progress of assigned projects, answer member questions, write letters and prepare appropriate file documentation.
 - v. Must be able to physically walk undeveloped lots.
 - vi. Must be able to make sound judgments that reflect overall community standards, established rules and regulations.
 - vii. Must be very familiar with the CC&Rs, Architectural Standards and the Rules and Regulations.
 - viii. Must be able to effectively communicate with members involved in an emotionally stressful project and one which may be in conflict with the rules.
 - ix. Must be a team player, willing to dissent based on the rules or community feelings rather than any personal bias, but then support the committee's decision.
 - x. It is helpful to have lived in controlled communities, to have built a previous or the present home and to have lived in different parts of the country.
 - xi. The Committee will meet monthly with as many additional meetings as may be necessary to reasonably serve the community. Additional business can be conducted by phone and/or email to facilitate completion and to reasonably accommodate owner requests. The Chair or the Secretary shall maintain a list of the current members and keep regular written minutes of the meetings, which shall be submitted to the Board, the General Manager and to the office file. The Chair and Committee members shall insure that Chair candidates are being developed.
2. Job Description-Architectural Committee Chair
 - a. Conduct monthly and all special meetings of the Committee.
 - b. Insure that minutes of such meetings are prepared and disseminated to the Board, Office, General Manager and the office file.

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- c. Maintain a file of changes to the Architectural Standards and to the APP, submitting such changes with Committee approval to the Board at least annually.
 - d. Prepare meeting agendas.
 - e. Assign Committee members to projects.
 - f. Insure that owners submitting projects are advised of Committee actions in writing within five business days of the Committee meeting.
 - g. Report noncompliance issues, unusual activity and request approval of revised standards and new members with the Board.
 - h. Maintain a list of members who are candidates for the Committee.
 - i. Together with Committee members, potential new members should be interviewed and proposed to the Board for approval. Care should be taken to keep the Committee balanced in terms of experience.
 - j. Together with Committee members, potential Chairs should be selected and developed.
 - k. Insure that all opportunities are utilized to publicize the requirements of the Architectural Standards via the Kala Pointer newsletter.
 - l. Insure that all requests for Committee action are handled in a timely way, properly documented in the files and followed for compliance where necessary.
 - m. Maintain appropriate liaison with the General Manager and the Chairs of Tree and Grounds Committees.
 - n. Meet with or assign a Committee member to meet with members planning to build or modify existing structures to insure understanding of the requirements.
 - o. Periodically review the administrative process, including all forms and form letters for improvement opportunities.
3. Architectural Committee Project Representative Guidelines
- a. Approval letters should contain specific descriptions to describe the project approved. This will help document the actions in the property file for future reference. If neighbor letters are required, notify the homeowner of that fact and provide conditional approval until neighbor letter time has expired. Make sure the homeowner is informed that commencement of work must await neighbor resolution.
 - b. Offer your phone number and e-mail as a contact so that they may contact you. Be sure to include a statement that if you are unavailable, they should contact the office for the name of an alternative member of the committee to help them.
 - c. Write neighbor letters. All projects which can be seen by neighbors require notification to all affected neighbors. The neighbors must be allowed ten business days from notification to submit their comments. You should indicate in the approval letter that the project cannot commence until after the comment period and you will notify the owner when work may begin. If any neighbor input is received which is negative, make your best effort to resolve any differences. If any differences cannot be resolved, bring the problem situation to the next Committee meeting for resolution by the whole AC. Once any neighbor objections are resolved, or if the 10 day period expires prepare a letter notifying the homeowner, and any neighbors who commented, of the decision. Provide final approval to the homeowner to proceed with the project.
 - d. Provide assistance to the homeowner by periodically paying a site visit during the process of the project and to ensure that the project is progressing as approved. Check on the status of the project before every Committee meeting.
 - e. Confirm owner's notification of completion of each project with a site visit to verify completion of all required aspects of the project and all required cleanup has been accomplished.
 - f. Initiate a request for refund of any deposit (see samples) using the appropriate form as soon as you have confirmed that the project is completed. Some projects may not require a deposit, but you should confirm the project is completed at any rate and have such stated in the monthly committee minutes.

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D. Committee Objectives and Action Plan

The Committee in accomplishing its mission shall:

1. Minimize the paperwork and bureaucracy while insuring adequate documentation for member and Committee actions.
2. Respond to all members requests as soon as reasonably practicable providing written responses within 5 business days of the meeting in which the matter was addressed.
3. Monitor projects for compliance, working out noncompliance issues with members where possible and otherwise reporting to the Board under the Noncompliance Policy.
4. Seek opportunities to communicate the Standards to Members, contractors, architects and real estate agencies.
5. Maintain coordination with the Tree and Grounds Committees and the General Manager on any interrelated issues.
6. At least annually the committee should:
 - a. Review its APP to ensure the Committee's practices and decisions are consistent with the current APPs and the authorities of the CCR's.
 - b. Suggest changes for Board approval that reduce ambiguities in interpretation by clarifying wording and streamline or simplify processes where necessary.
 - c. Add new and emerging products that are consistent with the APP standards and adopt new technologies as warranted.
7. Report to the Board any noncompliance issues that cannot be resolved at the Committee level or that have resulted in irreparable situations.

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E. Sample Letters

[SAMPLE FINAL APPROVAL LETTER - after neighbor input time]

Date

Name

Address

Re: Lot #

Dear _____,

I am pleased to inform you that the Architectural Committee has given final approval to the plans you submitted to (clearly describe the project submitted) on Lot # _____. [omit next sentence if neighbor letter was not needed] The waiting period for neighbor comments has expired.

The project for which you have received approval requires a refundable deposit of \$ _____. The deposit must be submitted to the KPOA Admin Office within 10 business days of the date of this letter. After your deposit has been submitted, you are authorized to begin the proposed work on your home site. You and your contractor are asked to thoroughly familiarize yourselves with the KPOA architectural standards, rules and guidelines. Any change to the plans that have been approved, which affect the exterior of the home regardless of how minor they may appear, must be reviewed and approved by the AC.

(Name, phone number, email address) has volunteered to be the Committee's representative for this project and your point of contact for any questions you or your contractor may have. Your representative will not be on site on a daily basis but will periodically visit the site to check on the project's progress. Please contact your representative to let him (her) know the date you intend to receive major supplies, and/or begin work on this project and when the project is substantially complete.

If your representative is unavailable, please contact the Admin Office to get the name of another committee member that may answer your questions.

Sincerely,

Name of Chair,
Chair Architectural Committee

Cc: Lot # _____ File

AC File

AC Representative

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[SAMPLE CONDITIONAL APPROVAL LETTER - with neighbor letter]

Date

Name

Address

Re: Lot #

Dear _____,

I am pleased to inform you that the AC has conditionally approved the plans you submitted to _____ (clearly describe the project submitted) on Lot # _____. Your proposed project displays a potential effect to your neighbors. Therefore, the Architectural Committee has sent letters to your neighbors informing them of your project and providing them the opportunity to review your plans, and submit any comments they may wish to, within ten (10) business days. If any comments are received, the Architectural Committee will consider them and then make a final decision. You, and any neighbor who has made comments, will be informed of the Committee's decision. Once the 10 day period has expired and reviewed if needed, you will be authorized to begin the proposed work on your home site after you have submitted a refundable deposit of \$ _____. The deposit must be submitted within ten (10) business days after you receive the final approval letter. You and your contractor are asked to thoroughly familiarize yourselves with the KPOA architectural standards, rules and guidelines. Any change to the plans that have been approved, which affect the exterior of the home regardless of how minor they may appear, must be reviewed and approved by the Architectural Committee.

(Name, phone number, email address) has volunteered to be the Committee's representative for this project and your point of contact for any questions you or your contractor may have. Your representative will not be on site on a daily basis but will periodically visit the site to check on the project's progress. Please contact your representative to let him (her) know the date you intend to receive major supplies, and/or begin work on this project

If your representative is unavailable, please contact the Admin Office to get the name of another committee member that may answer your questions.

Sincerely,

Name of Chair

Chair Architectural Committee

Cc: Lot # _____ File

AC File

AC Representative

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[SAMPLE NEIGHBOR LETTER]

Date

To

Address

Re: Lot #

Dear _____,

The Architectural Committee has received a request for approval to ____ (clearly describe the project under consideration) on lot # _____ located at (street address). This project may affect your property or view. Therefore, we are notifying you. If you wish to review the plans that are available at the KPOA office during working hours and comment, you are invited to do so. Any comment must be received in writing by the Architectural Committee within ten (10) working days of the date of this letter.

Sincerely,

CHAIR, ARCHITECTURAL COMMITTEE

cc: Lot # File
Lot # File
AC File
AC Representative

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[SAMPLE EXISTING HOME APPROVAL LETTER]

Date

To

Address

Re: Lot #

Dear _____,

The Architectural Committee has received a request for approval to ____ (clearly describe the project under consideration) on lot # ____ located at (street address). This project was approved by the committee at it's (insert date) meeting. A refundable deposit of \$XX [insert amount] is required [or if received] has been received.

Your committee representative is [insert your name] and can be reached at [insert phone number] Contact him/her with any questions and inform him/her when the project is completed so your refund can be processed. Any changes to what was approved must be reviewed by the committee before proceeding.

Thank you for complying with the Architectural standards by submitting ab application when there is any change to the exterior of your home. This is a benefit to our community in keeping in effect standards that we all agreed upon.

Sincerely,

CHAIR, ARCHITECTURAL COMMITTEE

cc: Lot # File
AC File
AC Representative

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[SAMPLE ARCHITECTURAL DEPOSIT REFUND REQUEST]

ARCHITECTURAL DEPOSIT REFUND REQUEST

OWNER NAME _____

ADDRESS _____

LOT # _____

TYPE OF PROJECT:

CONSTRUCTION/MODIFICATION REFUND \$ _____

LANDSCAPE REFUND \$ _____

OTHER \$ _____

CHECKLIST	OK	NA	COMMENT
1. Exterior construction complete per specs	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. Temporary power structure removed	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. All construction materials removed	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. All signs removed	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. Asphalt undamaged	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. Culvert clear	<input type="checkbox"/>	<input type="checkbox"/>	_____
7. Road shoulders clear and undamaged	<input type="checkbox"/>	<input type="checkbox"/>	_____
8. Ditches clear	<input type="checkbox"/>	<input type="checkbox"/>	_____
9. Disturbed areas replanted/landscaped	<input type="checkbox"/>	<input type="checkbox"/>	_____

ADDITIONAL COMMENTS _____

Refund Requested - Unit Owner Signature

Date

Refund Recommended - Committee Representative Signature

Date

Refund Approved - Architectural Committee Chair Signature

Date

Refund Check Requested – GM Signature

Date