

ROYAL KUNIA
Community Association
Design Committee Rules

First Edition

April 15, 1997

**ALL IMPROVEMENTS TO THE EXTERIOR OF YOUR HOME,
CONSTRUCTION OF FENCES, WALLS, CONCRETE SIDEWALKS
AND SLABS OR ANY IMPROVEMENT TO THE LOT REQUIRE
THE APPROVAL OF THE DESIGN COMMITTEE**

TABLE OF CONTENTS

Introduction

<i>Article I</i>	<i>The Royal Kunia Community Design Philosophy.....</i>	<i>1</i>
<i>Article II</i>	<i>Design Committee Rules.....</i>	<i>2</i>
<i>Article III</i>	<i>Authority.....</i>	<i>2</i>
<i>Article IV</i>	<i>Limits of Liability.....</i>	<i>2</i>
<i>Article V</i>	<i>Other Codes, Laws, Rules and Ordinances.....</i>	<i>2</i>
<i>Article VI</i>	<i>Definitions.....</i>	<i>3</i>
<i>Article VII</i>	<i>Design Review Procedures.....</i>	<i>4</i>
<i>Article VIII</i>	<i>Fees.....</i>	<i>7</i>
<i>Article IX</i>	<i>Penalty.....</i>	<i>8</i>
<i>Article X</i>	<i>Rules and Guidelines.....</i>	<i>9</i>
	1. <i>Construction Value.....</i>	<i>9</i>
	2. <i>Materials.....</i>	<i>9</i>
	3. <i>Grading.....</i>	<i>9</i>
	A. <i>Excavation</i>	
	B. <i>Fill</i>	
	4. <i>Name Plates and House Numbers.....</i>	<i>10</i>
	5. <i>Utility Service.....</i>	<i>10</i>
	6. <i>Sanitary, Water and Air Conditioning Piping.....</i>	<i>10</i>
	7. <i>Ground Termite Treatment.....</i>	<i>11</i>
	8. <i>Fences and Walls.....</i>	<i>11</i>
	A. <i>Private Areas</i>	<i>11</i>
	1. <i>Footing</i>	
	2. <i>Height</i>	
	3. <i>Indicating Existing Fences</i>	
	B. <i>Maintenance of Median Outside Fence or Wall.....</i>	<i>11</i>
	C. <i>Chainlink.....</i>	<i>11</i>
	D. <i>Materials.....</i>	<i>11</i>
	E. <i>Good Side Out.....</i>	<i>12</i>
	F. <i>Joint Ownership and Maintenance Agreement.....</i>	<i>12</i>
	G. <i>Royal Kunia Walls and Fences.....</i>	<i>12</i>
	9. <i>Parking Requirements.....</i>	<i>12</i>
	A. <i>Single Family Dwelling</i>	
	10. <i>Maintenance of Public Areas During Construction.....</i>	<i>13</i>
	11. <i>Additions and Enclosures.....</i>	<i>13</i>
	A. <i>Rooms.....</i>	<i>13</i>
	B. <i>Lanai Slabs and Walkways.....</i>	<i>13</i>
	C. <i>Lanai with Roof.....</i>	<i>13</i>

D.	<i>Roofs.....</i>	13
1.	<i>Built-up Roofs.....</i>	13
2.	<i>Sloped Roof Material (approved/prohibited)</i>	13
3.	<i>Metal, Vinyl, Plastic, Reflective Roof.....</i>	14
E.	<i>One Story Addition Roof Connections.....</i>	14
F.	<i>Two Story Additions.....</i>	15
1.	<i>A well-designed two story addition.....</i>	15
2.	<i>A not-so-well-designed two story addition</i>	15
12.	<i>Siding, Veneers and Facades.....</i>	20
13.	<i>Painting.....</i>	20
14.	<i>Screen Door.....</i>	20
15.	<i>Basketball Backboard and Hoop.....</i>	20
16.	<i>Swimming Pools.....</i>	23
A.	<i>Pools Above Grade</i>	
B.	<i>Pools Below Grade</i>	
C.	<i>Fences Around Pools</i>	
D.	<i>Filter Noise</i>	
E.	<i>Access to Lot for Construction of Pool</i>	
F.	<i>Compliance with Regulations and Codes</i>	
G.	<i>Pool Lighting</i>	
17.	<i>Barbecue Pits (built-in).....</i>	24
18.	<i>Dog Houses, Hot Houses, and Storage and Tool Sheds.....</i>	24
19.	<i>Roof Vents and Chimneys.....</i>	24
20.	<i>Gingerbread and Trim.....</i>	24
21.	<i>Gutters and Downspout.....</i>	25
22.	<i>Holiday Decorations.....</i>	25
23.	<i>Tents and Temporary Structures.....</i>	25
24.	<i>Disposal of Construction Waste and Debris.....</i>	25
25.	<i>Clothes Drying Areas.....</i>	25
26.	<i>Signs.....</i>	25
27.	<i>Solar Hot Water Panels Installation.....</i>	26
28.	<i>Landscaping.....</i>	27
29.	<i>Air Conditioners.....</i>	28
30.	<i>Applied Solar Tints and Film.....</i>	28
31.	<i>No Accessory Structures.....</i>	28
32.	<i>Trellises.....</i>	28
33.	<i>Antennas.....</i>	29
<i>APPENDIX I MANAGEMENT COMPANY.....</i>		31

ROYAL KUNIA DESIGN COMMITTEE RULES

Introduction

The following rules and guidelines have been prepared from the Amended and Restated Declaration of Protective Covenants (DPC) for Royal Kunia Community Association. Nothing in these rules shall be construed to alter or change the meaning or intent of the Amended and Restated Declaration of Protective Covenants of Royal Kunia Community Association. Therefore the Declaration of Protective Covenants must always be referred to verify and clarify these Design Committee Rules.

I. The Royal Kunia Community Design Philosophy

Royal Kunia is a planned community with a variety of residences designed with unifying continuity in mind.

The desire to encourage freedom and individual expression in the construction of improvements must be limited by protections of the covenants which are for the benefit of all property owners within Royal Kunia. Administration of these protections has been assigned to the Design Committee. The primary purpose of the Design Committee is to insure harmonious aesthetic relationships.

The Design Committee will interpret the covenants with flexibility and will approve designs and materials that, in its opinion, will enhance rather than detract from the neighborhood.

The Design Committee is aware that matters of taste and personal preference are subjective. It also recognizes that plans and specifications do not always convey the true appearance of a particular design. Furthermore, the Design Committee recognizes new and different designs. Therefore, it will attempt to be equitable, consistent in application of criteria, and timely in judgement with regard to new trends in design and new materials. The Committee will not approve self-conscious designs or materials that are garish and of short lived stylishness.

The Design Committee is striving to continually upgrade the quality of the improvements in Royal Kunia. Therefore, those designs that may have been previously approved shall not necessarily be a precedent for approval of similar designs. Each case shall be judged on its own merits.

II. Design Committee Rules

The Design Committee's role is to protect the visual character of Royal Kunia and, by inference, the economic values. The Committee is concerned with all exterior house and garden designs and materials visible from the street and neighboring properties.

III. Authority

Whenever an owner proposes to make any improvement to or build on his lot or to reconstruct, alter, or refinish the exterior of any improvement already constructed, he must follow the procedures outlined in the DPC and its amendments. Any substantial structural addition or alteration visible from the street and neighboring properties must have prior approval of the Design Committee.

IV. Limits of Liability

Approval of plans by the Design Committee is solely for architectural design and for conformance with the requirements of the DPC and these rules and guidelines.

No representations are made nor is any responsibility assumed by the Royal Kunia Community, the Design Committee, regarding the structural quality or soundness or the work proposed or approved. It shall be the responsibility of the owner to examine the premises and to undertake adequate design for all improvements or changes to be constructed on the owners property.

Neither the Design Committee or any member thereof shall be liable to any Owner or to any damage, loss or prejudice suffered or claimed on account of (a) the approval of any plans, drawings and specifications, whether or not defective, (b) the construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications, (c) the development or manner of development of any property within Royal Kunia, or (d) the execution and filing of an estoppel certificate whether or not the facts therein are correct, provided, however, that such member has, with the actual knowledge possessed by him, acted in good faith.

V. Other Codes, Laws, Rules and Ordinances

Approval of plans does not eliminate the owner's obligation to comply with all existing laws, ordinances, rules and regulations made by any governmental authorities or with any terms and conditions required under the DPC, or any deed, lease, or mortgage.

VI. Definitions

Some of the following definitions are extracted from the DPC. Others were developed by the Design Committee to guide its deliberations.

Design Committee: The committee created pursuant to Article IV of the Amended and Restated Declaration Of Protective Covenants for Royal Kunia.

Design Committee Rules: These rules adopted by the Design Committee pursuant to Article IV of the Amended and Restated Declaration Of Protective Covenants for Royal Kunia.

Excavation: Any disturbance of the surface of the land (except temporarily for planting) which results in removal of earth or rock for a depth of more than 18 inches.

Fill: Any addition of rock or earth materials to the surface of the land which increases the previous elevation of such surface by more than 18 inches.

Garage: The term "garage" refers to a structure that can store vehicles and has a door that can conceal the vehicle from the street. A garage can be used for storing vehicles other than automobiles as well as boats. A "carport" is not a garage. A carport is a structure that is open on its sides which stores automobiles.

Improvements: Includes building, outbuilding, roads, driveways, parking areas, fences, retaining walls, stairs, decks, hedges, windbreaks, planted trash surrounds, poles, signs and other structures of any type or kind.

Lot: Any lot designed on a subdivision map for residential use, or with respect to any condominium, an apartment of such condominium, or with any respect to any apartment house, duplex, or multiple dwelling, a complete residential unit, and in each case, except when clearly contrary to the context, includes all improvements thereon. Upon the splitting of any lot pursuant to Article IV of the Amended and Restated Declaration of Protective Covenants the term "lot" means the parcel consisting of the consolidated lot.

Owner: Each person, corporation or other legal entity who is, or such persons, corporations or other legal entities who are, the beneficial owner of any lot. Provided, however, that with respect to any condominium, the term owner shall mean apartment owner as defined in the Condominium Property Act, Chapter 514A, Hawaii Revised Statutes.

Paved Driveway Area: The durable surfacing of a road, sidewalk or other outdoor area (concrete, asphalt concrete). Prefabricated concrete, grasscrete, bricks, may be used in secondary parking areas only providing Design Committee approval is granted.

Private Area: Any real property conveyed to any owner (other than Declarant or the Association) by means of a deed together with all improvements from time to time constructed thereon.

Residence: A building or buildings used for residential purposes, together with any garage, carport or similar outbuilding appurtenant thereto, whether or not a part of the same structure.

Retaining Wall: Any structure constructed for the purpose of containing or supporting any earth embankment and/or fill.

Visible from Neighboring Property: Any object or activity that is in line of sight originating from any point six (6) feet above any adjoining property including common areas and streets.

VII. Design Review Procedures

The following procedures must be followed and approved by the Design Committee prior to obtaining other required permits or beginning construction. These procedures and the Design Committee review and approval are only for compliance with Royal Kunia planning and design standards. Owners are responsible for obtaining the necessary City & County building permits and complying with all applicable codes, ordinances and regulations.

Step 1: Obtain a copy of the "Design Review Committee Application Form" which is available from the Property Management Office. Refer to appendix for address of Management Office.

Step 2: Prepare your preliminary plans as follow:

a. **Plot plan** (scale 1 inch=20 feet)

The plot plan is provided by the developer at the time of original sale contains all the required information except the outline of the proposal modification.

If the original plot plan is unavailable, prepare a plot plan showing the lot dimensions, property lines, drainage swales, adjacent streets, existing improvements, including fences, trash enclosures and drying yards. Proposed improvements should be emphasized.
(Darkened or shaded)

b. Building plans and elevations

Show floor plan (top view), roof plan, all elevations (front, rear and side views), and cross-section of the proposed modification and the existing structure if applicable.

REVIEW (30 DAYS)

Step 3: After the preliminary plans has been completed, the Owner shall submit in duplicate to the Design Committee the final plans and specifications for the proposed Improvement or work, which shall include where appropriate a plot plan showing easements, set-back lines and contour lines, the location of all existing and/or proposed drainage plan, the location of all proposed utility installations, and any landscape plans, including all trees the Owner intends to plant or remove. The plans and specifications shall also indicate all exterior materials, finishes and colors to be used. Along with the plans and specifications, the Owner shall submit his proposed construction or work schedule and shall pay the application fee as scheduled in Section VIII "FEES" for the Design Committee's inspection and review.

The Royal Kunia Design Committee has established a new procedure for reviewing Property Improvement Applications. The Design Committee will meet only once each month to review applications. Applications will be accepted at Ind-Comm Management, Inc., up until 12:00 noon of the last working day of the month, then forwarded to the Design Committee. Applications received prior to the last working day of the month will be held at Ind-Comm Management until the last working day. The Design Committee's 30 day review period begins when the applications are received by the Design Committee and not Ind-Comm Management. All applications must be sent to Ind-Comm Management, Inc. at 681 S. King Street, Suite 204, Honolulu, Hi 96813. Copies of the application can also be obtained from Ind-Comm Management.

Within thirty (30) days after the submission of the final plans and specifications, the Design Committee shall either approve or disapprove the same in writing. Any disapproval shall also set forth the reasons for disapproval. If the Design Committee does not act within the thirty-day period, the final plans and specification shall be deemed approved as submitted. The Design Committee may not disapprove any aspect of the final plans and specifications which was apparent in the preliminary plans and previously approved by the Design Committee.

If the owner has completed plans to meet the requirements of the final review he shall indicate so on his application form. His submittal will then be reviewed as a final submittal with a 30 day review period. However, it is encouraged that preliminary plans be submitted as stated above to prevent any wasted effort on the part of the homeowner.

Step 4: Approval of plans by the Design Committee shall be effective for a period of one (1) year and may be revoked if the work has not commenced within the said one year or does not proceed in reasonable accordance with the proposed work schedule submitted by the owner.

The owner must post both the Design Permit as well as the City and County building permit before starting construction.

Prior to commencement of Construction the owner must provide the Association through its Property Manager the following documents:

- 1. Copy of the Building Permit when applicable.**
- 2. Copy of approved construction plans as evidence by the "stamp" of a licensed engineer or architect and that of the Building Department, when applicable.**
- 3. Schedule showing the estimated start and completion of the construction.**
- 4. Designate contact and provide pertinent phone numbers in the event of an emergency. It is suggested that the contractor and other key persons be listed also.**

Coordinate work with the Association Landscape maintenance contractor and restore Front Yard Landscape Area with required or as directed by the Association and/or its contractor.

NOTICE OF COMPLETION BY OWNER

Step 5: Upon completion of any construction for which approved plans and specifications are required, the Owner shall give written notice of completion to the Design Committee. Within thirty (30) days after such notice is given, the Design Committee shall inspect the Improvements or work in order to determine whether or not there has been substantial compliance with the approved plans. If the Design Committee does not notify the Owner of any non-compliance within thirty (30) days after receipt of notice of completion from the Owner, the Improvements or work shall be deemed to have been completed in accordance with the approved plans and specifications.

Non-Compliance of Design

If the Design Committee finds that there has not been substantial compliance with the plans and specifications, it shall notify the Owner of such non-compliance and require the Owner to remedy the same within sixty (60) days after such notice is given. If the Owner fails to remedy such non-compliance with said sixty-day period, the Association may take any and all reasonable steps to remedy the non-compliance or to restore the property to its pre-existing condition and may assess the Owner for all costs and expenses incurred in connection therewith.

The fact that an owner has scheduled work, arranged financing, entered into a contract for materials or labor, received approval from City & County agencies having jurisdiction, or will suffer alleged hardship, shall not be a basis for Design Committee approval. Projects once begun must be completed as proposed and financial inability to conclude the project will not release an owner from his commitment to complete.

VIII. Fees

A Review Fee will be charged to applicants per following fee schedule. Fees, if any, will cover professional services for preliminary and final plan approval and final field inspection. Additional charges will be assessed if the Design Committee approval process is prolonged by conditions beyond the control of the Design Committee. Also if the services of the Design Review Architect is needed to assist the Design Committee for any individual application, the applicant will be assessed the architect's fee of \$50.00 per hour.

Fee Schedule

Two Story Addition.....	\$ 100.00
Single Story Multiple Addition.....	\$ 75.00
(e.g. Family Room, Bedroom, Lanai, etc.)	
Single Room Addition.....	\$ 50.00
(e.g. Family Room only, Bedroom only, Lanai only, Bath only, Hot House, Trellis, etc.)	
Others	
Swimming Pool/Spa/Solar Heater/Gates/Fences/Walls/Decks/Security Windows/Awnings/Planter Box/ Trash Enclosure/Air Conditioner/Fireplace, etc.....	\$10.00
Repainting, Siding and Reroofing.....	\$10.00
Sidewalks, slabs, Designated Landscape Area modification...	\$10.00

IX. Penalty

In the event of any violation of the provision of this section, the Association may take any and all reasonable steps to restore the lot and/or Improvements (whether constructed by a Declarant or subsequently added) upon which such violation has occurred to their condition existing prior to the violation and may assess the Owner of such Lot for 120% of all costs and expenses incurred in connection therewith. Any damage to the Designated Landscaped Area caused by the Owner of a Lot shall be repaired by contractors or employee hired by Association through its Board and the owner will be assessed for 120% of all cost and expenses incurred in connection therewith.

Note: The Design Committee shall not be bound by any previous decision when reconsidering plans and specifications which may come before the Committee as a result of an owner exceeding the time requirements for completion of any project.

X. Rules and Guidelines

1. Construction Value

There is no limitation regarding the value of homes or improvements on lots in either the custom or private areas. It is recognized, however, that the standards established herein imply moderate to high value.

2. Materials

All materials used for structures shall be termite and fungus free.

Materials shall not be garish by their nature or as a result of their use with other materials. No secondhand or used lumber or other material shall be used in any construction without the approval of the Design Committee.

A mix of materials will be approved only if the materials complement each other. The availability of a material to be used shall not be a basis for approval.

Ownership of or interest in a material distributorship, construction company, or franchise shall not be a basis for approval.

3. Grading

The owner shall accept the condition of the lot as is and shall be responsible for the maintenance of the lot, including wind and water erosion control. All grading, excavation, fill and site work required thereafter shall be done only in accordance with approved drawings and at the expense of the owner.

Fill material shall obtain a grading permit for cuts and fills as required by the ordinance of the City & County of Honolulu, and shall abide by all ordinance requirements.

All graded materials shall be landscaped.

Surface drainage must not be altered or obstructed. Surface runoff shall be dispersed or channeled in a manner to prevent erosion according to approved grading plans.

- A. **Excavation.** Whenever an owner excavates within his lot, it shall be done so as not to adversely affect the drainage of the adjacent properties.
Whenever excavation creates an unstable bank condition, or potentially unstable bank condition, the owner shall take appropriate action to control and retain said embankment. Excavation which in the judgement of the Design Committee, creates a high and unsightly retaining wall may be disapproved.
- B. **Fill.** Whenever an owner seeks to fill his lot, it shall be done so as not to adversely affect adjacent properties.

Whenever fill creates an unstable bank conditions, or potentially unstable bank condition, the owner shall take appropriate action to control and retain said embankment. Fill which, in the judgement of the Design Committee, creates an extremely high and unsightly retaining wall may be disapproved.

Whenever fill or excavation requires the construction of a retaining wall it shall be the owner's responsibility to install and maintain said retaining wall.

Furthermore, whenever fill or excavation causes destruction of existing draining swales or natural drainage patterns, it shall be the owner's responsibility to restore such swales and drainage patterns or to otherwise provide for adequate drainage.

4. Name Plates and House Numbers

All residences must have easily readable house numbers affixed to the dwelling or mailbox.

5. Utility Service

All residential utility, electric, Cable TV and telephone service lines shall be underground.

6. Sanitary ,Water and Air Conditioning Piping

All piping shall be concealed. Landscape is not consider a method of concealment. Air conditioning piping used for split system air condition shall also be concealed by trimwork or place in or behind wall out of the public view.

7. **Ground Termite Treatment**

Soil under all concrete slabs on grade and under all buildings floors, whether on grade or over air space, and all footings and masonry foundation walls shall be treated against subterranean termites.

Chemical used outside of the buildings or in accessible spaces under buildings shall be used with regard for the safety of children, plant life and pets.

8. **Fences and Walls**

A. **Private Areas**

1. **Footing:** Footing for walls and fences including post holes shall be wholly within the owner's lot and shall not encroach upon the adjacent property unless by specific agreement.
2. **Height:** The maximum height of walls and fences shall not exceed the legal limit allowed by City codes and the Royal Kunia Covenants.
3. **Indicating Existing Fences:** All applicants constructing fences/walls must indicate the location, heights and materials of any existing adjacent walls fences on their plans.

B. Maintenance of Median Outside Fence or Wall. Each owner is responsible for maintenance of the grass strip between the back of the curb and the sidewalk adjacent to his lot. This condition of approval for all walls and fences adjacent to the front property lines.

C. Chainlink. No chainlink fence shall be allowed under any circumstance.

Only the Developer Declarant may erect such chainlink fences bordering any drainage canal stream or other waterway, valley, gulch, park, golf course or other perimeter of Royal Kunia.

D. Materials. Sketches of typical walls and fences indicating acceptable materials and combinations of materials are provided in the "Fence and Wall Guidelines" for each specific site. In general, walls and fences containing one or two materials appropriately mixed will be approved and, in general, walls and fences containing more than two materials and those using reflective materials, expanded metal, fiberglass or exotic designs will not be approved.

Imitation rock, veneer, chain link (cyclone fence), or other types of wire fencing will not be allowed.

No more than two materials may be used in a fence or wall surrounding all or a portion of a lot. A combination of two materials will be approved only if they are compatible with each other, for example, items of similar composition but dissimilar texture may be considered as separate materials. Fences with decorative additions, such as small roofs, moongates, etc., will not be approved unless they tie in with the overall design and decoration of the home. Normally, this would be limited to new custom homes or major remodeling of a home and/or landscape plan.

- E. **Good Side Out.** Whenever a fence by the nature of its construction and materials has a "good side" shall face outward from the property towards the adjacent property, adjacent street, etc. The unfinished side shall face inward to the property which may, at the option of the owner, be finished with an approved material.

- F. **Joint Ownership and Maintenance Agreement.** Whenever two adjacent owners desire to jointly construct a fence or a wall along and over the property line, it is recommended that a joint ownership and maintenance agreement be signed.

- G. **Royal Kunia Walls and Fences.** Walls and fences owned by the Royal Kunia Community Association are regulated by the "Fence and Wall Guidelines" for each specific site. This can be found in a separate document entitled "The Declaration of Covenants and Classifications". Refer to this particular document for each specific site for regulations governing the design of fences your lot. This document can be found at the management company for the Royal Kunia Association.

9. **Parking Requirements**

- A. **Single Family Dwelling.** Single family dwelling shall have appurtenant to it covered parking space for not less than two automobile.

10. Maintenance of Public Areas During Construction

Property owners shall keep all public areas clean during periods of construction. No storage of construction materials and equipment will be permitted in public areas when construction has been completed. Materials shall not be stored so as to block or partially block public areas.

11. Additions and Enclosures

A. Rooms. Wherever a room is added, exterior siding, windows and doors shall match the original or existing structure. No jalousie windows permitted. For additional information on roofs, see Item 11. D "Roofs".

B. Lanai Slabs and Walkways. When reviewing a plan for a lanai slab, the Design Committee shall consider the potential covering or enclosing of said lanai to determine if such addition can be made without compromising the exterior appearance of the dwelling. Termite treatment will be required for all lanai slabs.

C. Lanai with Roof. Aluminum, fiberglass and other prefabricated lanai roofs will be approved only if they meet the intent of these rules and regulation in the judgement of the Design Committee. No aluminum, plastic or canvas awning shall be erected so as to be visible from a street. Refer to illustration for "Approved Ways of Designing an Addition's Roof."

D. Roofs

1. Built-up Roofs:

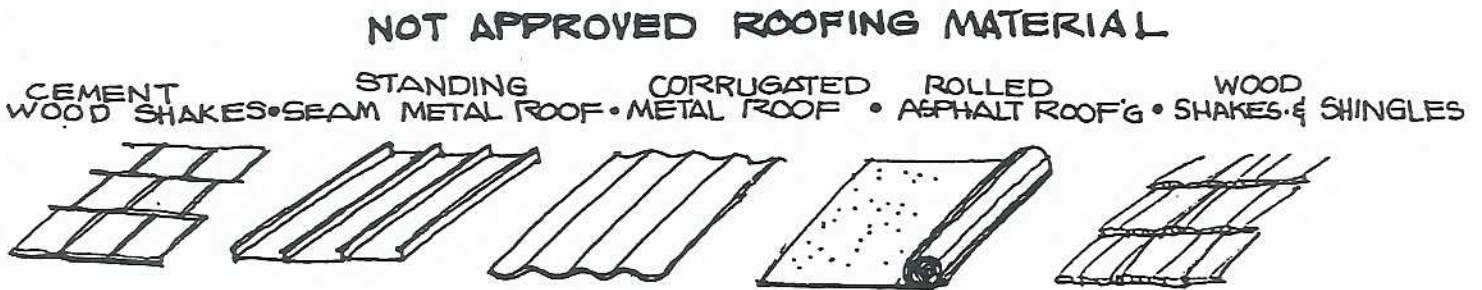
Built-up roofs shall be approximately flat with a slope of not more than 2 to 12 inches. Flat roofs may be finished with built-up or modified Bitumen roofs in colors of tans and browns and grays. Rolled roofing is prohibited.

2. Sloped Roof Material:

All roofs, other than flat roofs, shall be covered with asphalt shingles or other non-flammable material of comparable or better quality and texture. Asphalt shingle roofs shall slope a minimum of 3-1/2" in 12" for eaves and 4 1/2" in 12" for roofs over the main structure. Concrete or clay tile similar to previously approved roof tiles are allowed. Color of the tiles are subject to the Design Committee's approval.

Wood shakes or wood shingles are prohibited.
Standing seam or corrugated metal roofs are prohibited.

3. **Metal, Vinyl, Plastic and Reflective Roofs:**
No metal, vinyl, or plastic roofing material (or wall siding) visible from Neighboring property shall be permitted unless the same is maintained in a non-reflective condition.
Roof materials with reflective finishes will not be approved.



- E. One story Addition Roof Connections:**
For one story additions, connections between existing roofs and new roofs should conform to the illustrations on page 16.
1. The connection between an existing flat roof and a new flat roof addition should conform to Illustration A.
 2. The connection between an existing gable roof and a new flat roof addition should conform to Illustration B. Existing roof corners shall be retained.
 3. The connection in Illustration C between an existing hip roof and a new flat roof is **not an approved connection**. The junction between the hip roof and the flat roof looks very awkward. The proper connection is shown in Illustration D.

4. The connection between an existing pitched roof and an abutting new mansard roof addition should conform to Illustration D. This is the highly recommended connection and roof design when attaching a flat roof to a hip roof.

F. Two Story Additions:

For two story additions, the connection between the existing and the addition should conform to the illustrations on page 18.

1. **A well-designed two story addition will have:**
 - a. Similar roofs form such as gable matching gable, hip matching hip and slope matching slope.
 - b. Sometimes wrapping the first floor roof around the two-story additions better integrates the addition to the existing.
 - c. Adding details such as trims around windows and horizontal trims at floor lines visually reduces the height and adds interest and scale to the addition.
 - d. Not crowding the front property line with a two-story addition makes the home less imposing on the street and more friendly to the public.
 - e. Also if the addition on the second level can be stepped back from the first level or set back further than the minimum sideyard setback this will not crowd the neighboring lot giving the appearance of a friendlier design.
2. **A "not-so-well designed" two story addition will have:**
 - a. Roof forms that do not match the existing roofs.
 - b. A home that fills the entire building envelope crowding the front yard and side yard setbacks without using design elements to mitigate the visual impact to the street and the neighboring lot.
 - c. See pages 17 and 19 for "not-so-well" or unfriendly designs.

ILLUSTRATION A

ATTACHING A NEW
FLAT ROOF TO AN
EXISTING FLAT ROOF.

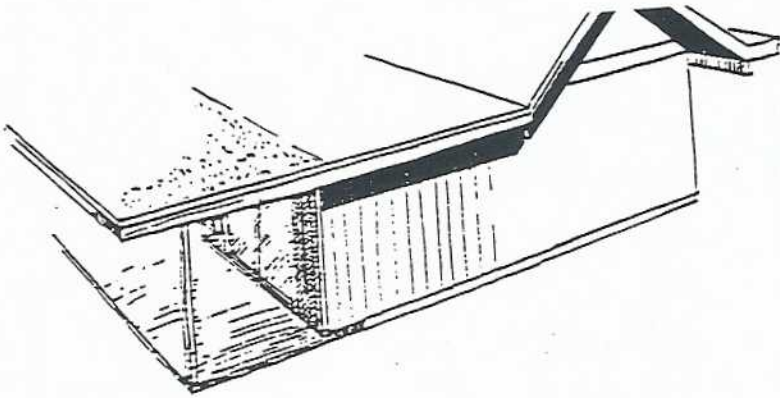


ILLUSTRATION B

ATTACHING A NEW
FLAT ROOF TO AN
EXISTING GABLED
ROOF.

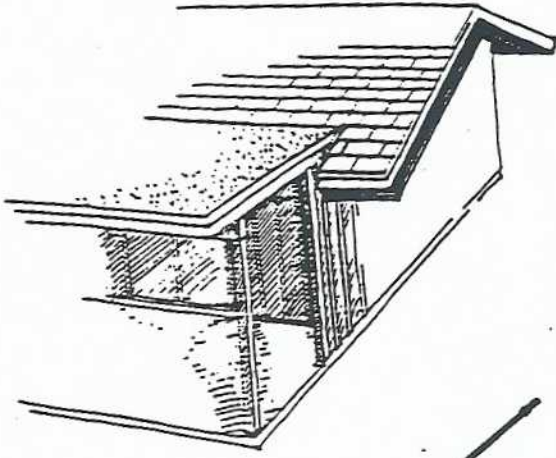


ILLUSTRATION C
THIS ADDITION OF
ATTACHING A NEW FLAT
ROOF TO AN EXISTING
HIP ROOF. IS NOT
APPROVED.

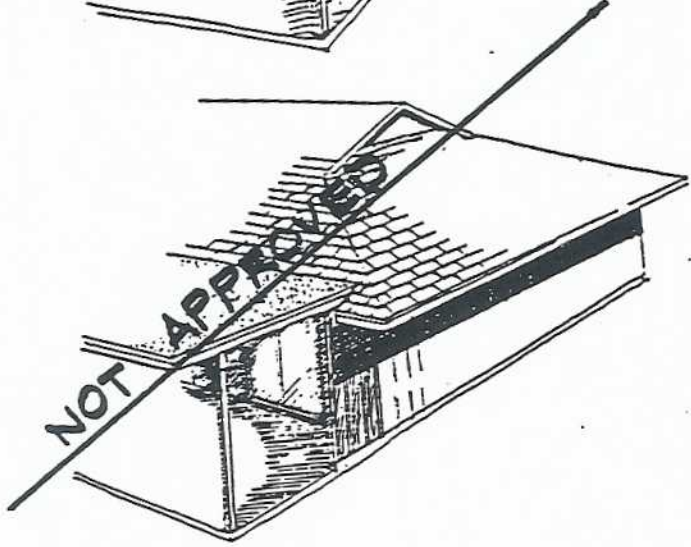
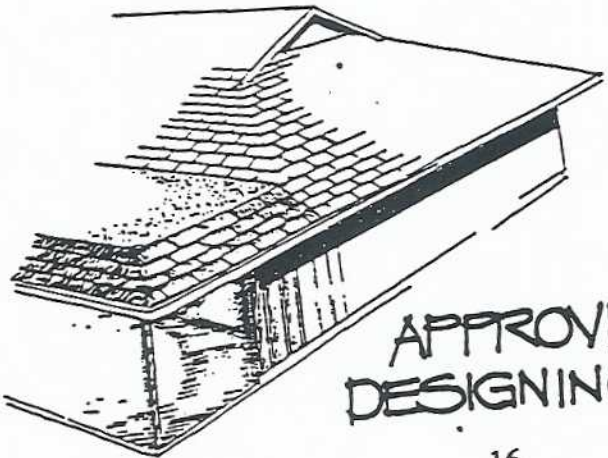
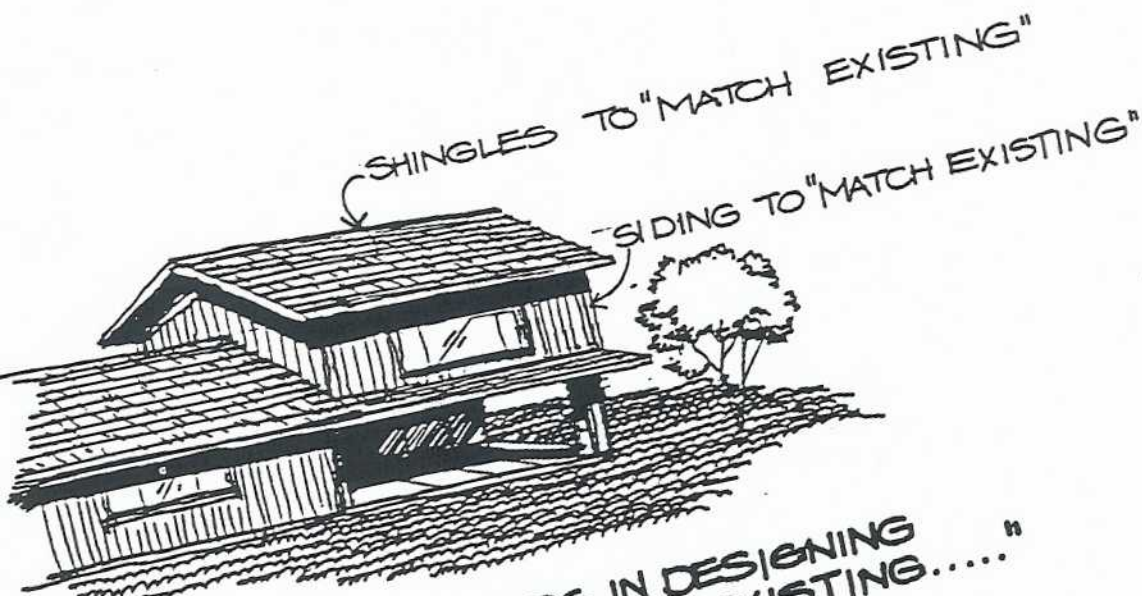


ILLUSTRATION D

ATTACHING A
"MANSARD" TO AN
EXISTING HIP ROOF

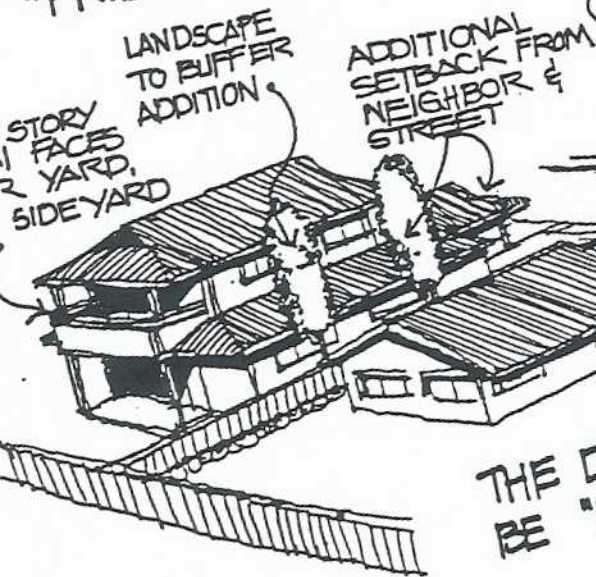


**APPROVED WAYS OF
DESIGNING AN ADDITION'S ROOF**

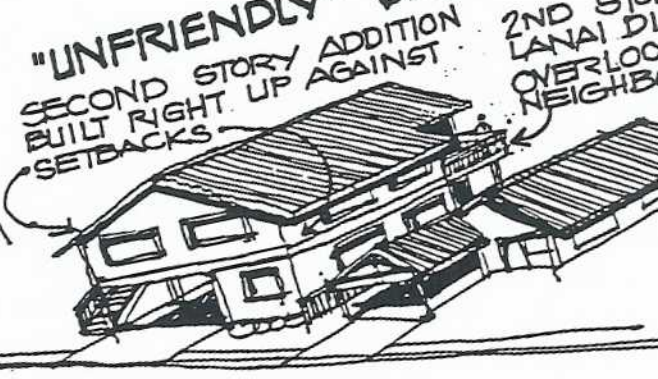


TWO IMPORTANT WORDS IN DESIGNING AN ADDITION ".....MATCH EXISTING....."

"FRIENDLY" DESIGN



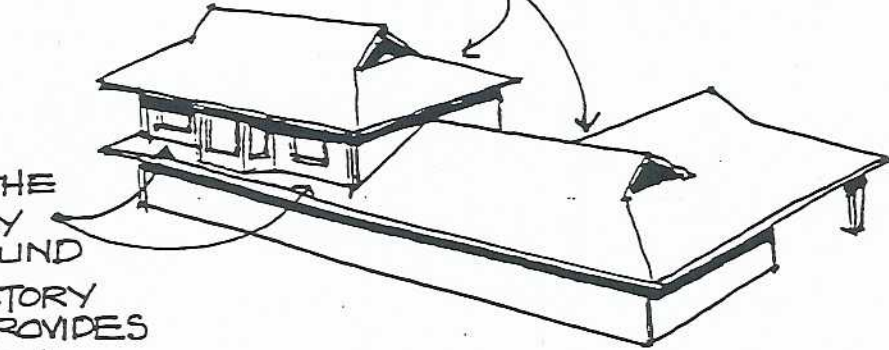
"UNFRIENDLY" DESIGN



THE DESIGN OF YOUR ADDITION BE "FRIENDLY" TO YOUR NEIGHBOR

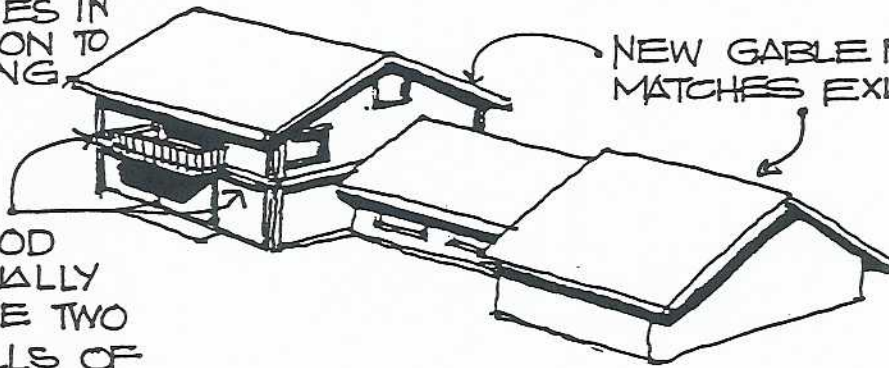
THE ROOF OF THE SECOND
STORY ADDITION MATCHES
EXISTING

CARRYING THE
FIRST STORY
EAVE AROUND
THE TWO STORY
ADDITION PROVIDES
SHADE & RAIN
PROTECTION &
VISUALLY TIES IN
THE ADDITION TO
THE EXISTING.

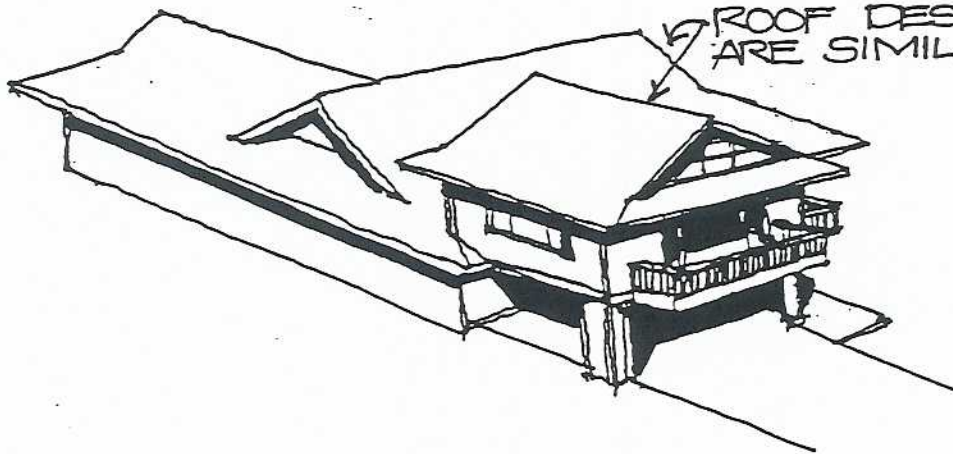


NEW GABLE ROOF
MATCHES EXISTING

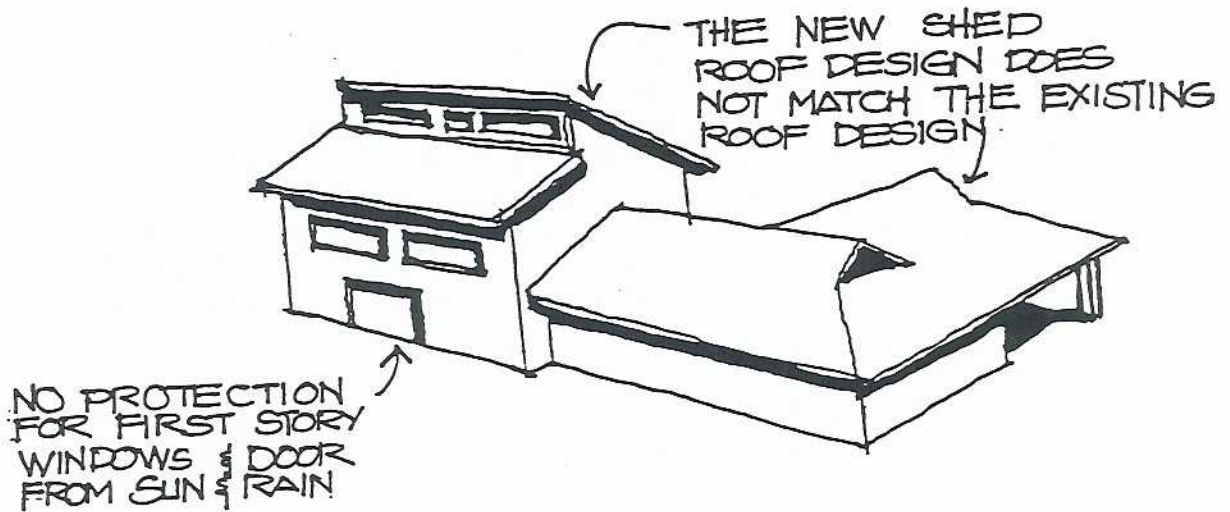
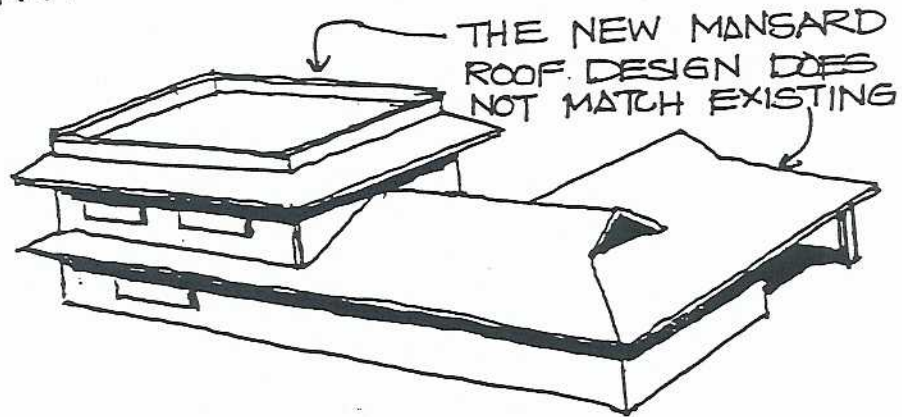
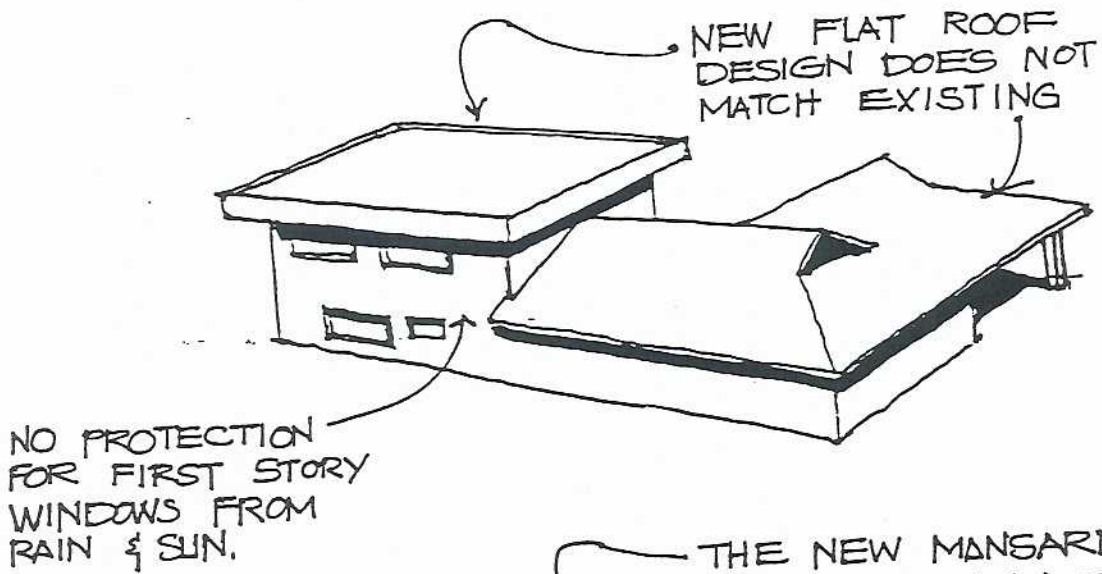
LANAI & WOOD
TRIMS VISUALLY
LESSEN THE TWO
STORY WALLS OF
THE ADDITION.



ROOF DESIGNS
ARE SIMILAR



THREE EXAMPLES OF WELL-DESIGNED
SECOND STORY ADDITIONS



THREE EXAMPLES OF TWO STORY ADDITIONS NOT MATCHING THE EXISTING HOME. REDESIGNS WILL BE REQUESTED IN THESE EXAMPLES.

12. Siding, Veneers and Facades

Certain aluminum and vinyl sidings and veneers may be approved by the Design Committee. All owners desiring to apply exterior siding or veneer must apply to the Design Committee for approval. All applications for new siding must be accompanied by sample color swatches.

13. Painting

- A. Design Committee approval is required in writing for all house painting or repainting. Color samples must be provided with the application for approval. Applications must be submitted for approval even when painting with existing or original colors. Wall color samples must be provided along with trim color samples. Routine maintenance and touch-up painting (less than 10% of the residence) does not require prior approval. All colors must have been formally approved by the Design Committee in writing. Responsibility for closely matching color samples provided to the Design Committee ultimately rests with the owner.
- B. **New addition must be painted to match the existing home.**
- C. **Gloss paint is not an approved finish. Only flat paint, low-luster and semi-gloss finishes are acceptable.**
- D. In all instances whether painting or repainting is performed on any property without the required Design Committee approval on file, complete with color samples, the owner will be assessed a fine in accordance with Design Committee guidelines.

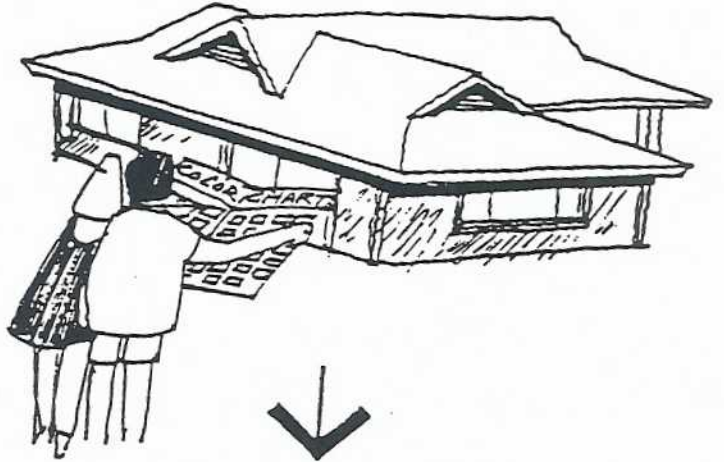
14. Screen Door

- A. Screen doors with reflective material shall not be approved.
- B. They should have decoration that is simple and not "flowery" or gaudy.
- C. The screen door should be painted with a single color to match the trim color of the home.

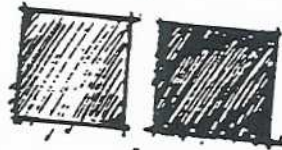
15. Basketball Backboard and Hoop

- A. No permanent basketball backboards and hoops shall be installed on the house or lot. Portable basketball units are permitted only within the lot's driveway. Portable units may not be placed in limited common driveways or on public streets.

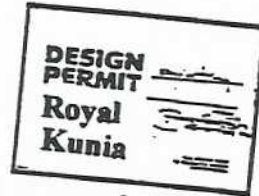
1. SELECT COLORS



2. SUBMIT SAMPLES
INDICATE WALL COLOR
& TRIM COLOR.



3. OBTAIN "REPAINTING
DESIGN PERMIT"

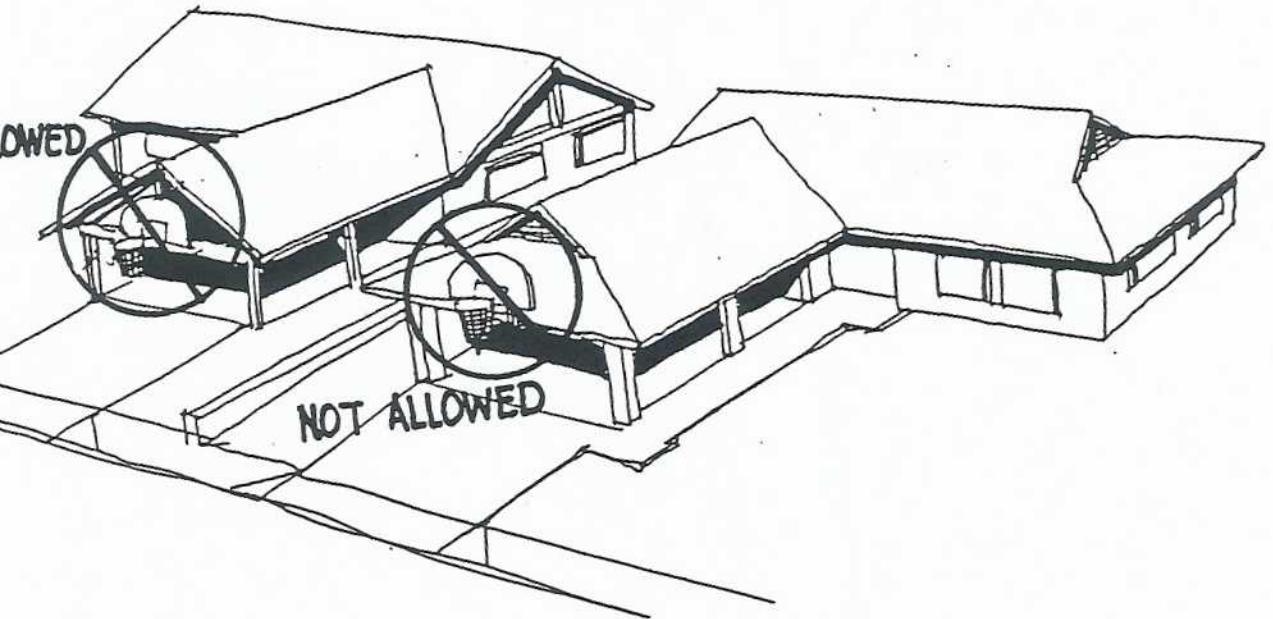


4. POST PERMIT
& REPAINT HOME

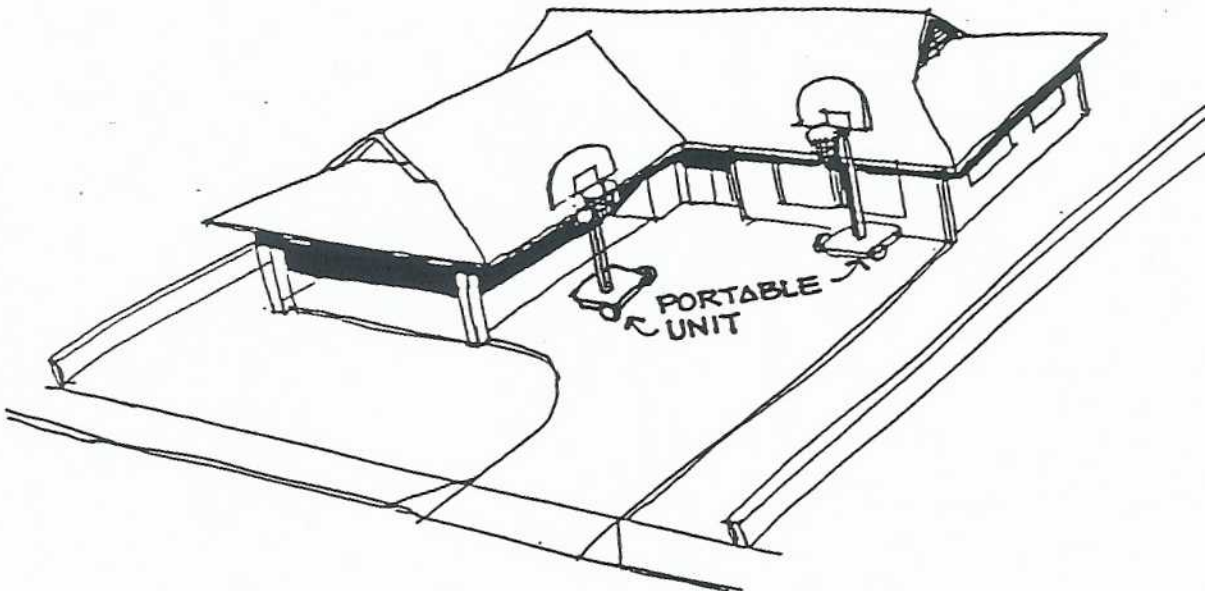


SEEKING APPROVAL FOR REPAINTING YOUR HOME

BASKETBALL BACKBOARD MAY NOT
BE INSTALLED AGAINST THE FRONT
OF A GABLE ROOF GARAGE WALL
OR ON THE HIP OR FLAT ROOF
EAVE OF THE GARAGE ROOF.



THE BASKETBALL BACKBOARD
MUST FACE THE NEIGHBORING LOT
OR STREET.



All applicants will be required to sign the Community Association Liability Waiver form releasing the Association from any liability due to injuries or damage resulting from the playing of basketball. The homeowner will be responsible for signing and submitting the Waiver form on behalf of their tenants.

- B. The basketball units must face the neighboring property or street and be confined entirely within the driveway of the homeowner's property.
- C. Free-standing basketball equipment must be stored away when not in use by homeowners.

16. Swimming Pools

- A. **Pools Above Grade.** Swimming pools constructed above grade (on the ground) may be permitted provided they are not visible from the street or neighboring property.
- B. **Pools Below Grade.** Swimming pools below grade visible from the street will generally be approved provided the owner complies with these rules and guidelines for grading, walkways, drainage, fencing, etc.
- C. **Fences Around Pools.** All applications for approval to construct a swimming pool must be accompanied by an application for fencing around the pool not less than 4 feet 6 inches in exterior height or conforming to the prevailing codes.
- D. **Filter Noise.** Applicants for swimming pools must submit details for abatement of filter and skimmer noise. The pump and motor of the filter and skimmer unit shall be soundproofed in order to prevent nuisance to adjacent properties. The Design Committee shall be held harmless against any and all claims resulting from the maintenance and operation of the filtering unit.
- E. **Access to Lot for Construction of Swimming Pool.** No Royal Kunia, City and County, or private property shall be crossed or disturbed without the expressed written permission from the appropriate owner. A bond may be required to ensure that public or private property utilized is restored to its original condition, including replacement of trees and other landscaping.

F. **Operation in Compliance with Department of Health Requirements and other Regulations.** The applicant shall at all times, comply with all Department of Health rules, codes and regulations concerning the operation of a private pool.

G. **Pool Lighting.** Pool deck lighting sources shall be shielded from the neighboring lots.

17. **Barbecue Pits (Built-in)**

Barbecue pits which are visible from the street or adjacent property shall be submitted to the Design Committee for review and approval.

18. **Dog Houses, Hot Houses, and Storage and Tool Sheds**

Dog houses, hot houses, storage and prefabricated tool sheds and similar structures which are visible from the street or adjacent property shall be submitted to the Design Committee for review and approval. If necessary they must meet all City and County building and zoning codes. They shall be painted in a color complementary to the main dwelling unit. No such accessory structures visible from the neighboring property or street shall be permitted to be made out of plastic, chicken wire or unpainted reflective materials.

No gas tanks will be permitted which are visible from the neighboring property.

19. **Roof Vents and Chimneys**

All owners shall attempt to minimize the adverse appearance of vents by installing them below the ridgeline of the roof and in those portions of the roof facing streets. Fireplace chimneys shall comply with all applicable government codes and regulations and shall be judge on their individual merits.

20. **Gingerbread and Trim**

Scallops, shutters, wrought iron and other such "gingerbread" will be disapproved by the Design Committee when they do not blend in with the architecture of the the dwelling or result in a "tacked-on" appearance or are not characteristic of Royal Kunia.

21. Gutters and Downspouts

Gutters and downspouts will be approved by the Design Committee provided they are non-reflective and painted to match the surfaces to which they are attached. Copper and PVC (plastic) gutters and downspouts are permitted provided they are left unpainted.

22. Holiday Decorations

Decorations for holidays or special occasions are exempt and need not be submitted for approval provided they are not constructed or applied sooner than 30 days before the event and are removed within 15 days after the event.

23. Tents and Temporary Structures

Tents and temporary structures such as lean to's, luau tents, etc., may be erected without Design Committee approval, provided the owner shall not continue to use the structure beyond the special event for which it is planned and shall expeditiously remove the tent or temporary structure after its use.

24. Disposal of Construction Waste and Debris

Each owner shall be responsible for disposing of construction waste and debris, and for keeping the public, private and common areas surrounding his property free of waste and debris at all time during construction.

25. Clothes Drying Areas

No outside clothesline or other outside clothes drying airing facilities shall be permitted except within a fenced service yard and not visible from the street or neighboring properties.

26. Signs

No signs shall be erected or maintained upon any lot except:

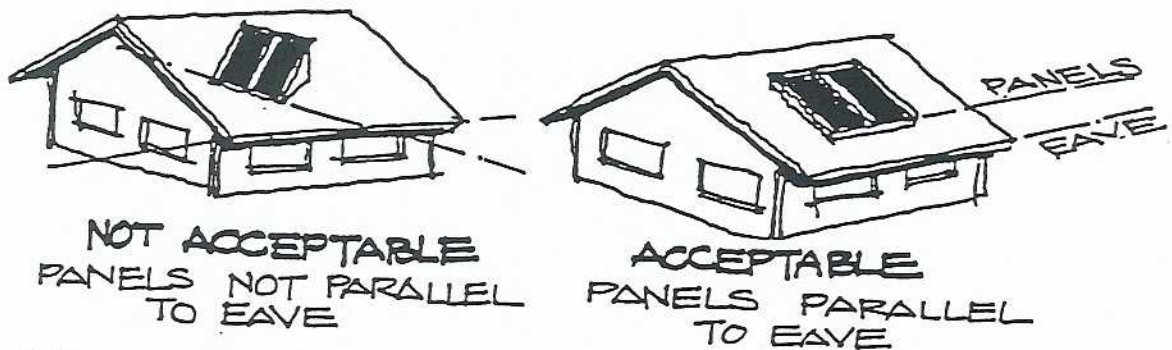
- A. Signs required by legal proceedings.
- B. Residential identification signs of a combined total face area of two (2) square feet or less for each residence.

- C. During construction of any improvement, job identification signs having a maximum face area of six (6) square feet per sign and of the type usually employed by contractors, subcontractors and tradesmen.
- D. Not more than one "For Sale" or "For Rent" sign having a maximum face area of three (3) square feet, such sign to be situated on the premises for sale or rent.
- E. "Beware of Dogs" signs of one (1) square foot or less.

27. Solar Hot Water Panels Installation

All solar collector panel installation require Design Committee approval.

- A. No part of the installation can extend more than 30 inches above any roof surface, flat or sloped.
- B. The collector frame, piping and other accessories in areas visible to the public must be painted a flat black or painted to match the solar panels.
- C. If racks are required for the panels to attain the proper angle, this rack must be painted metal. Enclosures around these racks are not required.
- D. Collectors must be mounted so that its edges are parallel to the edges of the roof. This will make the lines of the collector blend in better with the lines of the home.



SOLAR PANELS SHOULD BE INSTALLED PARALLEL TO THE EAVE OF THE ROOF

28. **Landscaping**

- A. The owner shall, within twelve (12) months after taking occupancy of the dwelling, commence landscaping the lot and thereafter satisfactorily maintain the completed landscaping in accordance with the requirement listed below.
- B. The owner shall landscape the front yard and planting strip(s) between the sidewalk and the street or curb line within twelve (12) months after occupancy. The remaining grounds of the lot shall be landscaped within twenty-four (24) months after occupancy.
- C. What constitute "completed landscaping" shall be decided by the Design Committee. Minimum grading, weeding (removal of all noxious weeds and vegetation), soil preparation, finished seeding or planting of a suitable ground cover, and the planting or emplacement of customary plant and non-plant landscaping materials will be required to a sufficient degree that the majority of the committee members agree that the area or lot in question is a "completed landscape" rather than primarily "dirt and weeds".
- D. All landscaped areas will be maintained in a good and clean condition.
- E. Lots fronting on two streets shall be landscaped along both frontages. Any portion of a lot visible to a street or neighboring property will be maintained in a good and clean condition. Owners of properties with electrical boxes are responsible for insuring that the electrical easement area is kept in a good and clean condition.
- F. What constitute a "good and clean condition" as it pertains to the maintenance of completed landscaping on any lot shall be determined by the good judgement of the majority of the members of the Committee.
- G. Vegetable gardens are not acceptable as landscaping for yard areas or planting strips located along any adjoining street.
- H. No change or alteration (including, but not limited to, landscaping or planting of trees or other vegetation) of the following shall be allowed without the prior approval of the Design Committee: The Designated Landscaped Area, area designated on the Subdivision Map for any Utility purpose ("Designated Utility Area") or any other easement area including, but not limited to, any Landscape Easement or access easement area.

29. Air Conditioners

Air conditioners must have Design Committee approval. No air conditioners will be allowed at the front of the home.

- A. In those cases where air conditioners will be visible from the street or adjacent property, the owner must paint the entire unit in a manner which will blend in with the residence. No bare metal or conspicuous filter elements may be exposed. If the design of the installed air conditioner is such that filter elements may not be painted, the owner is responsible for providing a design acceptable to the Design Committee to screen or otherwise enclose the air conditioner in such a manner that it may be painted to blend with the mounting surface.
- B. All split-system air conditioning compressor units must be screened from the public's view. This screening shall also require Design Committee approval.
- C. All piping required for air conditioning system are required to be enclosed in a wooden molding or box type enclosure and painted to match the exterior color of the home.

30. Applied Solar Tints and Film

All window tinting installations are subject to review and approval. Applications for window tinting should be accompanied by a manufacturer's specification sheet and a minimum 3" x 5" tint sample. Metallic finishes are discouraged. All tinting must be professionally installed. If the tint should change color, it must be removed or replaced with Design Committee approval.

31. No Accessory Structures

No accessory structures or buildings shall be constructed, placed or maintained upon any Lot prior to the construction of the main structure of the residence; provided, however, that the provisions of this paragraph shall not apply to temporary construction shelters or facilities maintained for a reasonable period, which are used exclusively in connection with and during the construction of the main structure of the residence.

32. Trellises

Trellises must be made of wood but can vary in design. All trellises must have Design Committee and City and County approval.

33. Antennas

This Antenna Installation Policy is adopted in conformance with the adopted FCC Antenna Rule (47 C.F. Part 1, Subpart S, Sec. 1.400 et seq.).

Only Antennas covered by the FCC Antenna Rule are permitted at Royal Kunia. Such antennas are the following:

- A. an antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter or less in diameter;
- B. an antenna that is designed to received video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, and that is one meter or less in diameter or diagonal measurement; or
- C. an antenna that is designed to receive television broadcast signals.

Homeowners are requested to notify the Design Committee in writing clarifying the type and location of the antenna. This is not to be construed as an application for approval but only a notification.

All such antennas specified above shall be subject to the following Design Committee Rules:

1. No antennas may be installed in a Lot's Designated Landscaped Area.
2. Antennas shall be installed so as not to be visible from Neighboring Property, except where necessary to obtain acceptable signal reception.
3. Where signal reception requires an antenna to be visible from Neighboring Property, the Lot owner shall install the antenna in the manner and location least visible from Neighboring Property. The Lot owner shall further minimize visibility of the antenna by shielding the antenna from view with potted plants, etc., and painting the antenna to blend in with its background, to the extent possible without unreasonably increasing cost or affecting reception.
4. For safety reasons, including but not limited to the protection of persons and Neighboring Property, antenna installations that extend above the roofline of any dwelling unit shall not be permitted unless necessary to obtain acceptable signal reception.

5. For safety reasons, including but not limited to the protection of persons and Neighboring Property, the installation of any antenna shall not be erected nearer to the lot line than the total height of the antenna structure, nor shall such structure be erected near electric power lines or encroach upon any Neighboring Property, Street, or Common Area.
6. *For safety reasons, including but not limited to the protection of persons and Neighboring Property, prior approval of the Design Committee is required for any antenna that extends more than twelve feet above the roofline.* Such installations shall be permitted only if necessary to receive an acceptable signal and only if the installation addresses all reasonable safety concerns raised by the Design Committee.
7. Antenna installation shall comply with all applicable statutes, ordinances, rules and regulations promulgated by any governmental authority, including, without limitation, the obtaining of any permits required by such authorities unless those statutes, ordinances, rules or regulations have been preempted by the FCC Antenna Rule.
8. The Board of Directors of Royal Kunia Community Association reserves the right to seek a determination from the Federal Communication Commission and/or the Hawaii Federal District Court on whether any restrictions contained in this Antenna Installation Policy are preempted by the FCC Antenna Rule, and further reserves the right to seek waiver of the FCC Antenna Rule to address legitimate health and safety concerns.