

# **Architectural Guidelines and Construction Requirements**

**For**

*River Walk*  
**E A G L E**

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**July 14, 2014**

## **ARCHITECTURAL GUIDELINES AND CONSTRUCTION REQUIREMENTS**

The undersigned does hereby agree to apply to the Architectural Control Committee ("ACC") of River Walk Subdivision for approval of a residential dwelling and therewith submits plans, specifications and manufacturers samples.

The undersigned covenants and agrees that any residential dwelling built upon real property which is the subject of this agreement shall be built in accordance with plans, specifications and elevations submitted and approved by the River Walk ACC. The Undersigned specifically agrees to follow these conditions in conjunction with the Declaration of Covenants, Conditions and Restrictions. The ACC reserves the right to grant variances or modify these standards as it deems appropriate.

### **ALL APPROVALS MUST BE IN WRITING. VERBAL OR ANY OTHER TYPE OF APPROVALS WILL NOT BE CONSIDERED VALID OR LEGAL.**

Submittals for new homes shall be accompanied by a check for \$300 for the ACC Review and Inspection Fee. In addition, a \$2,500 completion deposit will be deposited by the applicant or buyer, the purpose of which is to assure completion of the improvements. The deposit will be refunded upon the timely completion of all required improvements as approved by the ACC and within the six month timeframe required in the Lot Purchase Agreement, except as otherwise noted. If the improvements are not completed in a timely manner, the ACC may use the deposits to complete or correct any improvements.

The Developer will provide a refund to Builder of the deposit after satisfactory completion of the improvements.

Prior to the commencement of construction, the Owner or Builder shall obtain written approval of the proposed improvements from the ACC. Such approval may be conditioned upon submittal and approval of the landscape plan and the exterior colors. If construction is commenced prior to such conditional approval or landscaping is not completed in a timely manner as required by the CC&R's and the Architectural Guidelines and Construction Requirements, the Owner, Applicant, or Builder will be subject to a \$500 penalty to be withheld from the ARC Review and Inspection fee to the River Walk Subdivision. Such penalty shall

not relieve the applicant from complying with all requirements of the CC&R's or the Architectural Guidelines and Construction Requirements as contained herein.

All plans must be submitted to Draftech. The ACC requires an 8" X 14" copy of the floor plan, site plan and elevation, as well as a PDF set emailed to Draftech. The buyer will be responsible to have an approved plan set in their file. The deposit fee will be refundable conditioned upon trash cleanup, curb, gutter and sidewalk or need for ACC enforcement. Building, painting or landscaping without prior ACC approvals are subject to an additional \$500.00 fine. All submittals and inquiries will be made to:

Draftech Idaho  
1079 Ancona Ave, Suite 140  
ATTN: Michele Smythe  
Michele@draftechidaho.com  
Phone: 208-887-1751

**CONDITION OF LOT:** The lot owner or builder shall inspect the lot prior to purchase and construction for condition of all utilities, location of property pins, and general conditions and report any defects or damages to the developer. Unless otherwise notified, all improvements shall be considered in good repair and all damages or deficiencies thereafter shall be the responsibility of the lot owner or builder.

The developer or its engineer will relocate missing property pins or sewer markers that cannot be located by ordinary inspection (including light digging to uncover buried pins or markers) prior to closing or commencement of construction. Resetting property pins or sewer markers after possession or beginning of construction or locating existing property pins and sewer markers will carry a minimum charge of \$100 from the developer.

**FOUNDATION:** Minimum 18 inches above sidewalk grade to a maximum of 24 inches above sidewalk grade.

**GRADING/DRAINAGE:** Buyer agrees to complete all finish grading in a manner that will convey all water from sprinklers and storm run-off to the front of the lot and then to the front yard street or in the case of a corner lot the side yard street. All common areas must be considered. Deed Transfer is subject to the condition that grantor shall not be responsible to insure that the finish grade and elevation of this lot is properly constructed so as to prevent the migration of accumulation thereof, of drainage waters from any subdivision common areas or any other adjoining lots within the subdivision. The grantor shall have no liability or responsibility for any damages, which may be caused as a result of the failure of any subsequent owner to provide for the proper drainage from common areas or adjoining lots. Buyer is required to sign off on plan.

**CONSTRUCTION AND JOBSITE MAINTENANCE:** Upon commencement of construction, the construction of the improvements shall be diligently pursued in accordance with the ACC approved plans. The builder or lot owner agrees to the following terms and conditions during construction.

- If construction is not completed within 180 days from the date construction commences and builder is not diligently pursuing completion (with no activity on site for 30 days), the ACC/Association shall have the option to require the Owner and/or the builder to return the lot to its original condition within twenty (20) days. If Owner/builder has not returned the lot to its original condition within the timeframe required, the ACC/Association has the right to immediately access the site and return the lot to its original condition at the owners/builder's expense, for which it may use the completion deposit.
- Construction shall not begin prior to 7:00 AM or continue after sunset. No inappropriate language, shouting, or other inappropriate behavior will be allowed. Radios or other music must be kept to a minimum volume. The lot owner or builder shall be responsible for maintaining the jobsite in an orderly manner. Construction equipment and construction material shall be contained within the lot boundaries and shall not be placed on streets and sidewalks. All vehicles will be parked within the lot boundaries or on public streets adjacent to the lot and shall not block traffic, mailboxes, or otherwise interfere with existing home owners. Jobsite trash or debris that may be scattered by wind shall be properly contained in a dumpster or by other means. Construction sites shall be free of debris prior to each weekend. Lot owners and builders who fail to maintain the lot in an orderly

manner or who allow construction debris to clutter surrounding properties may be subject to appropriate action from the River Walk Homeowners Association.

- Power and water must not be used from existing dwellings without permission from the owner.
- Streets shall remain free from dirt, gravel, or other excavation material and shall be maintained by the owner or builder in a clean and orderly manner.
- Contractors and Subcontractors must obey the speed limit within River Walk Subdivision. No speeding or unsafe driving.
- No animals to be on the job site at any time during construction.
- A trash container will be on the job site at the start of construction, throughout construction and emptied weekly so as not to cause unsightliness and/or the possibility of overflow, at the builders' expense. All trash should be picked up daily and put in dumpster.
- No sidewalks, driveways, mailboxes or streets will be blocked at any time.
- No signs of any kind other than the lot sign approved by the developer.
- Street traffic must be able to pass in both directions at all times.
- No materials may be dropped off or stored in the public streets.
- No use of other lots in the area for parking, storage of materials or dumping of debris.
- All complaints will be conveyed to the Builder, who is responsible for compliance with these guidelines. The Builder is responsible to the developers of River Walk and the River Walk Homeowners Association for the compliance of their contractors and subcontractors with these jobsite guidelines. It is important that the River Walk experience be a positive one for builders, contractors, residents and their families.

**HOME SQUARE FOOTAGE:** Square footage minimum is 2,000 square feet for a single story home and 2,400 square feet for a two-story home exclusive of basements, garages, storage rooms, covered patios, etc.

**FASCIA REQUIREMENTS:** Shall be a minimum of 8" width for horizontal and 10"-12" for gabled ends. Stacked gable ends are preferred.

**EXTERIOR ELEVATIONS:** Transitional two-story or one-story homes are required on corner lots with adjacent common lots. The single-story portion of the home is to be located adjacent to the side street and is to be approved by the ACC.

**EXTERIOR FINISH REQUIREMENTS:** Each dwelling unit shall have 25% exterior stone, brick or stucco on each elevation or a combination of such brick, stone, manufactured or stone.

In most cases, brick, stone or stucco will be required to wrap the corners a minimum of 24". Brick, stone, and stucco colors shall be compatible with the exterior paint colors selected and approved by the ACC. Darker brick shades are encouraged. White or gray brick are not permitted. **See approved stucco colors at the end of this document.**

The requirement for the use of brick, stone, or stucco on the exterior elevation may be waived for homes with Colonial, Craftsman or other design influences that do not lend themselves to the incorporation of those materials. The ACC may require upgraded siding, additional landscaping, or other design elements at its discretion.

Stucco exterior shall incorporate appropriate articulation, such as 6" trim around windows, 12" intermediate horizontal bands at 2-story elements, belly bands, frieze boards, etc. In general, if stucco is used on the front elevation it shall also be used on the side and rear elevations.

**ROOF REQUIREMENTS:** Roofs shall be a minimum of 4 ½ pitch, unless otherwise approved by the ACC. All roofs shall be comprised of 30-year architectural shingles, tile, ornamental copper or slate or slate replications or other materials in darker tones as may be approved by the ACC.

**CHIMNEY REQUIREMENTS:** Chimneys may be restricted for size and location. All full height chimneys shall have an architectural metal chimney cap that fully encloses the chimney pipes and painted to match the roof color as approved by the ACC.

**ADDRESS PLAQUES:** Address plaques or numbers shall be metal construction as approved by the ACC and shall be sized and located per Eagle City requirements.

**SETBACK REQUIREMENTS:** No improvements may be constructed or maintained on a Lot within the building setback lines as follows as established by the City of Eagle.

Single Level: 5' side yard; 20' front yard; and 20' rear yard  
Two Story: 7.5' side yard; 20' front yard; and 20' rear yard

**CONCRETE RESTRICTIONS:** Concrete areas including driveways and walkways shall be accented with curved, brick or Stone pavers, textured or stamped concrete. The driveway area between curb and sidewalk shall be textured or stamped concrete.

**GARAGES AND GARAGE DOOR:** Shall be designed when possible with side entry doors. 12" recessed garage door will be required. When possible, garage doors shall not be the predominate feature of the front elevation. When side entry garage doors are not possible, a maximum of two garage doors may face the street. Interiors of garages shall be sheet rocked, taped, sanded and painted or sheet rocked, taped, sanded and textured. Wood trim around doors and windows shall be painted.

**DETACHED STORAGE FACILITIES:** All vehicles, trailers, tools, and equipment shall be stored out of view in enclosed structures. A maximum of one (1) detached storage facility such as a storage shed, shall be of the same construction, finish, and color as proposed and approved for the house. Size and location may be restricted. Any such structure shall be placed on a concrete pad in a location approved by the ACC and shall not be allowed to encroach on the setback area. Metal storage sheds or other dissimilar structures are prohibited. The ACC encourages the storage of boats, RV's, camp trailers and other similar vehicles or trailers in offsite storage facilities.

**WINDOW REQUIREMENTS:** All window frames shall be of the anodized type, vinyl, wood, metal or better. Colors are to be black, almond or champagne. Any other color must be approved by ACC.

**MAILBOXES:** Mailbox clusters will be provided by the developer. No exceptions or substitutions are permitted unless otherwise approved in writing by the ACC.

**BASKETBALL EQUIPMENT:** Basketball backboards shall not be permitted on the roof or walls of the dwelling. Basketball standards with glass or Plexiglas backboards may be installed on fixed poles adjacent to a driveway but are encouraged to be installed in less prominent areas such as rear or side yards. Moveable basketball standards are not permitted.

**PORTABLE TOILET:** Developer agrees to provide a portable toilet during construction. All builders will be charged a set fee at lot closing for use of the toilets.

**DUMPSTER:** Builder to provide a 4' x 8' box or dumpster to contain any and all debris. Jobsite must be kept cleaned and maintained and the dumpster emptied as needed.

**SIGNAGE REQUIREMENTS:** All signs for the marketing of newly constructed homes within River Walk shall be in accordance with the theme and design established by the ACC. Each newly constructed home shall be allowed one sign.

All signs for marketing of existing homes within River Walk shall be standard real estate marketing signs not to exceed four (4) square feet. Unprofessional signs, as determined in the sole discretion of the ACC, shall be prohibited.

Signs may be erected in common areas for the advertising of community events approved by the River Walk Homeowners Association, subject to review by the ACC. All other signs are prohibited without the prior written consent of the ACC and are subject to removal by the Association.

**EXTERIOR LIGHTING:** In order to maintain a well-lit streetscape and promote neighborhood safety, each home shall provide front yard exterior lighting by one of the following methods:

- A front yard light pole with a 60-watt bulb shall be installed within 10 feet of the front property line. The light shall have a photosensitive switch that automatically activates the light in the evenings. The light pole will be installed in a masonry or stucco base consistent with the exterior material selection for the home.
- A minimum of two wall mounted lights (non-glare fixtures or soffit lights) with a 60-watt bulb shall be installed at the front of each home in a location that will provide light to the front yard and adjoining street. The



lights shall have photosensitive switches that automatically activate the lights in the evenings.

- Other approved lighting includes normal entrance lights on porches, garages, and other entries to the home providing they do not exceed 100 watts each. High watt fixtures intended for lighting back yard play areas may be permitted with the approval of the ACC. Such fixtures must be mounted in an unobtrusive manner and shall not illuminate neighboring properties and shall not be operated at late hours that cause a nuisance to neighboring property owners.

**LANDSCAPE:** Landscape plans must be submitted separately to Developer:

Level 3 Development  
P.O. Box 832  
ATTN: Mike Dixon  
mike@level3devco.com  
Phone: 208-941-6024

Landscaping must be installed by the Builder or Owner within thirty days, weather permitting, after completion of residential dwelling. The following are landscape requirements for each lot.

**FRONT YARD:** Sod is required for front yard.

(5) 5 gallon shrubs, (5) 2 gallon shrubs, (7) 1 gallon shrubs  
(1) 8' Conifer tree, (2) 1.5 Caliper deciduous trees

**REAR YARD:** Rear yard can be seeded.

(5) 5 gallon shrubs, (5) 2 gallon shrubs, (5) 1 gallon shrubs  
(1) 8' Conifer "or" (1) 1.5 Caliper deciduous tree

**SIDE YARD FACING STREETS:** Sod is required for side yard facing street.

(5) 5 gallon shrubs, (10) 2 gallon shrubs  
(2) 8' Conifer trees "or" (2) 1.5 Caliper deciduous trees

**LANDSCAPING MAIN YARD:** Within thirty (30) days after substantial completion or occupancy of the Dwelling Unit located thereon, whichever is earlier, each Lot shall be fully landscaped in accordance with a landscape plan submitted to and approved by the ACC prior to commencement of any

landscaping work, which landscape plan shall show, in addition to any other information requested or required by the ACC, the location, type and size of trees, plants, ground cover, shrubs, berms and mounding, grading, drainage, sprinkler system, fences, driveways, parking areas, and walkways. In addition to the foregoing, each Lot shall have fully automatic underground sprinklers in the front, rear and side yard and all turf area shall be comprised of rolled sod and/or seed (see specifics above). All planting beds shall be installed with a minimum of 1" minus bark mulch or 1" rock with filter fabric. Boulders to be basalt or sandstone material.

**FENCING:** All rear lot line fencing on Block 1, Lots 1-16; and Block 2, Lots 2 and 3; and the side yard fencing of Block 2, Lot 6 to be installed by Developer. The actual price of the fencing on each of these lots will be added to the published retail lot price. Each lot will be required to install side yard and rear yard fencing to the specifications shown at the end of this document titled "Fencing Exhibit A". If Developer is not installing rear fencing on rear lot lines it is the responsibility of the Builder to install such fencing per specifications shown in Exhibit A. The Developer will install all wrought iron fencing. Any side yard wrought iron fencing required as shown on the site landscape plan approved by the City of Eagle will be installed by the Developer at no pass through costs other than the rear wrought iron fencing on the Boise River lots.

**COLORS:** Exterior colors may be submitted separately and written approval obtained from the arc prior to installation/application.

**SOILS ENGINEER RECOMMENDATIONS:**

- Builders/property owners are encouraged to retain a geotechnical engineer to evaluate and confirm that subsurface conditions are acceptable for home construction.
- If a geotechnical engineer is retained his recommendations are to be followed. The following recommendations assume no site specific investigation was completed.
- Bearing pressures of up to 1500 psf are available for foundation design.
- Structural Fill is present on the building lots within this development. Compaction testing of foundation supporting soils is recommended to confirm the structural fill was properly compacted.
- Structural fill is to be compacted to at least 95% of the maximum dry density as determined by ASTM D-1557, Modified Proctor.

- Inspection prior to concrete placement must conform that no soft, deflecting or saturated areas are present at the time of foundation construction.
- Low-density foundation backfill has been shown to be a major contributing factor to water accumulating in crawlspaces throughout the Treasure Valley. Homebuilders are encouraged to properly backfill all foundations. This is especially critical on lots where compacted fills are present below the foundation such as within this development.
- For homes with crawlspaces, it is recommended that the construction joint between the footing and the stem wall be sealed with asphalt-based mastic.
- Soils containing organic materials, frozen masses, or expansive clay are not recommended for backfill. The use of these materials may result in voids or flow paths allowing surface water to enter the crawlspace.
- For homes with slab on grade floors, a vapor barrier is recommended. Floor manufacture's recommendation for vapor barrier and mastic selection is to be followed.
- Both exterior and interior slab of grade concrete is to be placed atop a properly inspected, compacted, and verified subgrade. A granular mat consisting of at least six inches of compacted,  $\frac{3}{4}$  minus road base is recommended below all flatwork.
- Foundation elevation and site grading must promote drainage away from the foundation. Unless the local code is more stringent, a minimum of FIVE percent (5%) slope for the first ten feet from the residence is recommended.
- Complete roof gutters are recommended with down spouts directed away from foundations and not on to foundation backfill soils.
- Landscaping should be designed to promote drainage away from foundations.
- Flowerbeds and landscaped areas must be designed such that irrigation water and roof runoff is not retained against foundations.
- This subdivision is located within the Treasure (Boise) Valley of Southwestern Idaho. This is a high desert region with minimal annual rainfall, (< 15 inches per year). The proper selection of grasses, bushes, and trees that thrive in such conditions will also prevent over application of irrigation water.

- Proper design and maintenance of sprinkler systems is required. Excessive watering may lead to water entering the crawl space or basement. Drip type sprinkler heads should be used in flowerbeds near foundations.
- Lawn area sprinklers should not spray toward foundations or cause water to accumulate near foundations.
- Due to the presence of high groundwater, subsurface construction such as basements, swimming pools, lowered patios, and any other below grade structure are not allowed without retaining and independent geotechnical engineer.

**DISCLOSURE:** Transfer of the property is subject to the condition that seller shall not be responsible to insure that the finish grade and elevation of this lot is properly constructed so as to prevent the migration of accumulation thereon, of drainage waters from any subdivision common areas or any other adjoining lots within the subdivision. The seller shall have no liability or responsibility for any damages, which may be caused as a result of the failure of any subsequent owner to provide for proper drainage from common areas or adjoining lots.

The UNDERSIGNED, further agrees to furnish the ACC with the following documents and personal property:

- Two complete set of Architectural plans and documents, including 8" x 14" reductions.
- Manufacturer's color sample for all exterior colors including colors for siding, trim, roof coverage, masonry, etc. and so labeled.

The UNDERSIGNED specifically understands and agrees that the approval of plans, specifications, elevations and other documents required to be submitted is at the sole discretion of the ACC or their designated representatives. Furthermore, the UNDERSIGNED, has read, understands and agrees to abide by all of the information and requirements contained in these guidelines.

Buyer Signature:	Builder Signature:
By: _____	By: _____
Date: _____	Date: _____
Print Name: _____	Print Name: _____
	Print Title: _____
Phone #: _____	
Fax #: _____	Company Name: _____

Email: _____	Phone #: _____
	Fax #: _____
	Email: _____

## **Approved Stucco Colors (Dryvit)**

#104	Dover Sky
#105	Suede
#106	Pearl Ash
#108	Manor White
#110	Van Dyke
#111	Prairie Clay
#112	Sandalwood Beige
#113	Amarillo White
#117	Colonial Tan
#142	Spectrum Brown
#381	Monastery Brown
#383	Honey Twist
#454	Stone Gray
#456	Oyster Shell

## FENCING EXHIBIT A

