

Riverside Village Homeowners Association Permanent Architectural Control Standards

June 2, 2009

SECTION 1: HISTORY

Riverside Village (RV) is one of Boise's finest mature communities. The Riverside Village Homeowners Association (RVHOA) has drafted Architectural Control Standards (Standards or ACS) meant to preserve both the property values and the attractiveness of the area for all residents. These Standards are meant to supplement the Master Declaration of Covenants, Conditions, and Restrictions (CC&Rs) by serving as an easy-to-use reference. If inconsistencies exist between these Standards and the CC&Rs, then the CC&Rs shall govern.

The Architectural Control Committee (ACC) will handle the paperwork and contact with homeowner changes unless there is a variance or denial involved. The RVHOA and ACC welcome any questions and comments and can always be reached if you need to discuss your plans.

This document is to provide guidelines to RVHOA members who plan to make changes to the exterior of their homes or lots. In general, any exterior modification to any home or lot within Riverside Village requires prior approval from the ACC unless specifically exempted in this document. An inadvertent or intentional violation of the Standards or the CC&Rs does not constitute a precedent and does not allow similar future violations.

Every application for change is considered separately with consideration given to its impact on both the Association and your immediate neighbors.

SECTION 2: HOMEOWNER'S RESPONSIBILITY

Maintenance

It is the responsibility of each homeowner to maintain their property in a manner that adds to the overall beauty and harmony of the neighborhood. Each homeowner should take this responsibility seriously, as failure to do so can have a negative impact on the value of his or her property, surrounding properties, and the entire subdivision. There are many areas in and around the home that should be inspected regularly to ensure the property is in good repair. These include, but are not limited to:

- Lawn Care
- Gutters
- Roofs
- Trees & Shrubbery
- Fences
- Paint
- Landscaping
- Driveways & Sidewalks
- Trash Container Storage
- Decks
- Playground Equipment

- Debris & Trash Removal

Maintenance Violations

Whenever a member of the Board or the Architectural Control Committee (ACC) has been made aware that a property has deteriorated to the point that it is affecting the aesthetics of the community, the ACC will be asked to make an inspection of the property. If the ACC finds the property needs maintenance, the homeowner will be notified and told of the specific violation(s). The ACC will also inform the Board of the violation. If the violation(s) are not corrected within a reasonable period of time (as determined by the Board), the Board will take action as described in the CC&Rs, Article X.

SECTION 3: MAKING CHANGES; GETTING STARTED; APPROVAL PROCESS

Before you do any work:

Prior to starting any exterior changes, including landscape changes or construction in Riverside Village, the homeowner must obtain "approval", in written form, from either the Architectural Control Committee (ACC) or the Riverside Village Board of Directors (Board). Submittals for "approval" shall be made on the "Application for Architectural Approval Form" (a copy which is attached to this document) with attachments of all detail drawings and specifications that are necessary to clearly define the proposed exterior change. If you plan to make structural changes (including roofing) to your home, add playground equipment, spas, or anything that will impact the neighbors on either side, then the impact of the proposed change on the adjoining neighbors must be taken into consideration. Please review and coordinate you proposed changes with them.

Exterior Changes

Exterior changes include changes to but not limited to: Roofing, Siding, Paint color, Foundation, Windows, Chimneys, Gutters, Trim/Fascia, Front Door, Garage Door, Any Exterior Door, Shutters, Deck/Patio, Walkways, Driveways, Fencing, Stone and/or Rock, Landscape (trees, bushes, lawn, etc) , Yard Art easily visible from the street, and others as determined necessary by the ACC and/or Board.

Design Documents

The property owner is responsible for ensuring that all plans, documents, and submittals are prepared in accordance with the Standards and CC&Rs and that they satisfy Garden City building codes and all other governing codes, rules and regulations. In order to constitute a completed application, the following must be provided:

1. The Board or ACC may require, at their option, a complete set of 0.25"=1.0' readable and understandable layouts and elevations, including a lot site plan
2. Kinds and colors of building materials used on the exterior must be defined (samples are required if different from the existing structure).
3. Types and sizes of plantings. The site map must identify location.
4. A courtesy letter (drafted by the ACC or Board) will be sent to neighbors on ANY side of the property that will be affected by the proposal. The letter will give information to the neighbors about the change(s) and the name of a person on the ACC or Board to contact if they have concerns about the change(s).

5. All permits required for building code enforcement.

SECTION 4: BUILDING PERMIT PROCESS - RVHOA & GARDEN CITY*

It is recommended the applicant present plan(s) to the ACC first, particularly if there are issues regarding design or site layout. Approval by the ACC or the Board is conditional on the successful local government permitting process. Then the applicant can apply to Garden City for permits.

Garden City permits are required for any construction that alters the footprint of the home, adds new floor space, or that encloses previously open patios or decking. The website for Garden City is www.gardencityidaho.org; go to land Use Planning and Building Departments. The phone number is (208) 472-2921.

Approval from the Board/ACC will not be issued until all design documents have been completed and approved. No construction can be initiated without building permit approvals if required.

**Any changes in electricity, plumbing, or roofline require Garden City Building Permits.*

SECTION 5: WHAT HAPPENS AFTER YOU SUBMIT YOUR APPLICATION FOR CHANGES TO THE ACC?

ACC Approval or Recommendation to the Board for Variance Approval

The Homeowner shall be notified of the Architectural Control Committee's decision, signed by two (2) ACC members, within two weeks from the date of a completed submission with all drawings and specifications. (See "Design Documents" above).

Approval

If the application is within the latitude provided by the CC&Rs and Standards the application will be approved. Approval is good for only 6 months. Variances require Board Approval

If the application falls outside the allowances of the CC&Rs or the Standards, but in the opinion of the three (3) ACC members the Application has merit, the Application should be reviewed by the Board for approval. The ACC will refer the application request to the Board for Variance Approval. The Board will review and vote on the application at the standard scheduled Board meeting. If time is a consideration, a special board meeting can be called to consider the application.

Denial

If the ACC finds a proposed change is not allowed in the CC&Rs and the Standards, then the ACC will deny the application while stating the rule/reason that prohibits such changes. The applicant has the following options at this point:

- Modify the content of the request and resubmit to the ACC.
- Apply for an appeal hearing in writing to the Secretary of the Board of Directors. The Board of Directors will hear the appeal in the normally scheduled Board meeting. The ACC will notify neighbors who are likely to be affected and meet with them to solicit their opinions and invite them to the Board meeting to provide input. The applicant for the appeal will receive notification in writing of the outcome of the request within 7 days of the meeting.

Inspection

The applicant must pass all inspections and approvals as outlined for the construction by the city. In addition, the ACC will also perform inspections as noted in the CC&Rs, Article X, Section 10.12 to insure the accepted plan is being implemented.

SECTION 6: ARCHITECTURAL CONTROL REGULATIONS

The following is a list of design, construction, rules and landscaping standards (Architectural Control Regulations) for Riverside Village. Construction of a new home must be completed within one year and all remodel construction projects must be completed within 6 months.

Construction Buildings

No buildings or structures are to be erected on any lot for the purpose of a temporary construction/human shelter or storage of construction materials.

Building Height

Building heights will be controlled by the ACC/Board to prevent the adverse impact that might be imposed on sensitive areas or air and light requirements of other properties. As an example, the construction of two-story homes on corner lots is prohibited.

Roofs

The roofing materials that may be used are:

1. Cedar wood shakes and shingles
2. Grey, light weight concrete tiles
3. Grey slate tile
4. Asphalt combination "presidential style" TL-Ultimate triple layer 480-lbs/sq. ft. shingles, Country Grey color.

In all cases, the grey color of the material must closely match the color, texture, and shape of weathered wood shakes and shingles. Physical samples of any of the products, along with a color brochure indicating the proposed selection and color, must be submitted to the ACC for approval before installation.

Exterior Lighting

Written applications for permanent changes in decorative and/or landscape lighting must be submitted to the ACC.

Only generally accepted entrance lights on porches and garages shall be allowed. Mercury vapor lamps are considered a nuisance and are not allowed. Colored lights are prohibited.

Decorative lighting for holiday purposes is allowed between November 1st and January 31st when it must be removed.

Exterior Walls and Trim

Wood and Hardboard siding with stain and paint in approved colors (brick or stone in earth tone colors) are acceptable for exterior use. Exterior color and material treatment used shall be continuous and

consistent on all elevations to achieve a uniform appearance. Colors shall be compatible with surrounding homes and must have the approval from the ACC. All reflective metal such as chimney stacks, flashing, exhaust vents and pipes shall be painted a dark brown as close as possible to the color specified as "Dark Brown" on the Sherwin Williams stains paint chart.

Windows and Doors

Wood, PVC, white clad and bronze anodized metal are approved for all windows, doorframes, and skylights. Colors must be coordinated and approved. Mill finished aluminum windows are not acceptable, nor can they be installed and later painted. All glass, plastic or other transparent skylights and garden windows shall be treated to eliminate reflective glare.

Gutters and Downspouts All gutters and downspouts are to be continuous in nature and shall be colored to blend with the surface to which they are attached.

Mailboxes

Only the standardized Riverside Village Mailboxes are approved. Mailboxes are maintained by RVHOA. Covers or additions to the mailboxes are prohibited.

Service Items

Each homeowner should screen such service items as garbage and trash containers, firewood, hoses, bicycles, etc. so that it cannot be seen from the street or surrounding homes. Consideration shall be given to the placement of all heat pumps, compressors, spas and hot tub equipment, etc. so that they don't create a visual or audible nuisance to surrounding homes.

Utilities

Connection to all utilities must be underground. Materials must conform to the State of Idaho Electrical and Plumbing codes and must be inspected by the proper governmental agency.

Landscaping - Yards

Visible from Riverside Drive and from Nature Path: All homes that have front, back or side yards visible from Riverside Drive or the Nature Path are to conform to the standards for "front yards".

Front Yards: A front yard is defined as that area between the front property line and the plane of the face of the building, or intercepting side yard fence or wall. The front yard area is to be landscaped in a professional manner with sod, bushes, and trees and must be maintained to a high standard. Dead plants must be replaced in a timely manner and with ACC approval. Desert style landscaping is not consistent with the natural appearance of the association and surrounding area generally, but proposals will be reviewed on a case by case basis.

Rear Yards: A rear yard is defined as the areas that are not visible from the street. Rear Yard landscaping must be similar to the front yard and well maintained at all times.

Side Yards: Requirements for side yards shall be compatible and typical of those required for front yards. All service items shall be screened using landscaping. Fences or large landscaping cannot obstruct pedestrian easements.

Decorative Exterior Items

The ACC must approve any materials or items to be placed or displayed on the homeowner's property that can be viewed by neighbors or the public from either the street or the nature trail. Examples of such items include, but are not limited to; statuary, sculptures, fountains, arbors, gazebos, wall or ceiling hangings, pots, etc. In addition to the foregoing, the ACC/ Board reserves the right to require any homeowner to remove any decorative item, even if it does not fall within the parameters described above, upon the occurrence of the following two conditions:

1. The ACC or Board Members receive complaints.
2. The majority of the Board members determine that the item in question is inappropriate for the area or violates the CC&R.

Fences

Fences or walls visible from Riverside Drive are disallowed and will require variance approval. Homes on Long Lake and the Nature Path have some restrictions that must be addressed before approval. Each home is considered on an individual basis. See CCR 4.19 for further clarification.

No fencing, hedges or boundary wall shall exceed (six) 6 feet in height. All fencing shall be constructed of wrought iron and all screening walls shall be constructed of brick/stone/wood unless otherwise approved. Fencing is to be confined to only rear and side yards and shall not extend beyond the front of the residential dwelling. Fence placement must give consideration to adjacent homes and obstruction of views. Some fences may require landscape screening to cover and soften the rigid lines. Fences cannot obstruct public easements.

Dog pens must not be visible by neighbors or the public. All dog pens must be screened using landscaping to obscure the unsightly view from neighbors and the public. Dog pens must be confined to the rear yard, be a minimum of 5 feet from the side yard property line, and protrude no farther than 10 feet into the rear yard from the residence. These additional restrictions upon dog pens are intended to avoid placing undue burden upon neighbors.

Fences are not allowed in the back yards of lots bordering Long Lake. This is in order to maintain the "open" and "natural" view that all Long Lake residents enjoy and to comply with CC&R 4.20 (e) for flood protection purposes.

CC&Rs 4.20 (e) also clarifies the placement of fences on lots that border the Nature Trail.

Signs

Real Estate Signs

Not more than two (2) "for sale" or "for rent" sign of standard size (approx. 2'x2') shall be allowed on any building lot at anyone time and shall be maintained and kept in an upright position at all times. Streamers, flags and other like advertising devices are not permitted. Homeowners must instruct their real estate agent that they cannot place directional or other signage in any location other than in the yard of the home for sale. Signs on Riverside Drive and other common areas are not allowed and will be removed.

Political Signs

Homeowners may place one standard size (approx. 2'x2') political sign on their lot for the month before the election date and must remove the signage the day after the election. Signs are not allowed on common area.

Contractor, painter, or signage advertising services are prohibited.

Waterways

Homeowners may not place fountains or mechanical devices or equipment in the waterways and ponds adjacent to Riverside Drive or on Long Lake. These ponds and waterways are to be maintained by the RVHOA in a natural looking and aesthetically pleasing condition at all times.

Swimming is not allowed in these ponds.

Children's Equipment/Sports Equipment

Basketball stands, tetherball stands, trampolines, nets, children's toys and other sports equipment must be shielded from neighbor and public view. After use, the equipment must be moved and stored out of sight. Tents must be removed after 48 hours.

Antennas and Satellite Dishes

Homeowners must obtain ACC approval for antennas and satellite dishes and place electronic equipment out of public view. If optimal placement of the equipment for reception, as advised by the installer, is in the public's view, the Homeowner will shield using landscaping and hide it from view as much as possible. Except if it prohibits the reception of a clear signal as required by FCC regulations.

Recreational Vehicles. Boats. Trailers. Cars. Commercial Vehicles. etc.

Recreational Vehicles: may be parked only temporarily in front of a residence or in the driveway while the Homeowner is preparing it for use and/or cleaning. Temporary is defined as being no longer than 48 hours per occurrence and occurrences can be no more frequent than once per month. Riverside Village does not provide a storage site for these vehicles, autos, boats, etc. and homeowners must use off site storage facilities.

Guest Recreational Vehicles: Recreational Vehicles that are not owned by a Riverside Village resident are not allowed within Riverside Village over night.

Automobiles: must be garaged or parked in the driveway and not on the street. Allowances are made for temporary parking to accommodate construction, occasional visitors, and etc. under the judgment of the ACC/Board. Neighbor complaints will weigh heavily in violation decisions.

Commercial vehicles: must be parked in the garage at all times.

Garage doors:

Garage doors should be closed. The ACC must approve all changes to garage door style or color.

Animals:

Small household pets that do not unreasonably bother or constitute a nuisance to others may be kept provided that they are not kept, bred, or maintained for any commercial purpose. Dogs and other similar pets shall be on a leash when not confined to an owner's lot. Owners must pick up after their dog. Dogs left in a fenced yard for hours at a time get lonesome and start barking and/or digging. People with yards bordering the Nature Path should take care not to leave their animal untended for long periods of time. Barking, lunging, and yelping dogs detract from the beauty of our subdivision