

# Streamside

ON THE BOISE

## ARCHITECTURAL GUIDELINES Table of Contents

ADOPTION AND APPROVAL..... 1

Part I – Design Guidelines

1. INTRODUCTION AND OVERALL GOALS..... 2

2. SCALE AND PROPORTION OF DWELLINGS ..... 2

3. GROUP DESIGN..... 3

4. SITE..... 3

4.1 Building Envelope..... 3

4.2 Entry Statements..... 3

4.3 Driveways..... 4

4.4 Privacy Screens / Fencing..... 4

4.5 Accessory Buildings and Service Yards..... 4

4.6 Mail Boxes..... 4

4.7 Heating, Air Conditioning/Mechanical..... 4

4.8 Utilities..... 4

4.9 Excavation and Grading..... 5

4.10 Solar Considerations..... 5

5. Exterior Appearance..... 5

5.1 Exterior Walls and Trim..... 5

5.2 House Numbers..... 6

5.3 Garages..... 6

5.4 Windows..... 6

5.5 Roofs..... 6

5.6 Roof Vents and Mechanical Projections from Roof..... 6

5.7 Chimneys..... 6

5.8 Gutters and Downspouts..... 7

5.9 Exterior Lighting..... 7

6. Riparian Areas..... 7

6.1 Riparian Area Overview..... 7

6.2 Riparian Area Protection During Construction..... 7

6.3 Existing Riparian Plants..... 7

7. Landscaping..... 8

7.1 Overview and Areas Defined..... 8

7.2 Irrigation..... 8

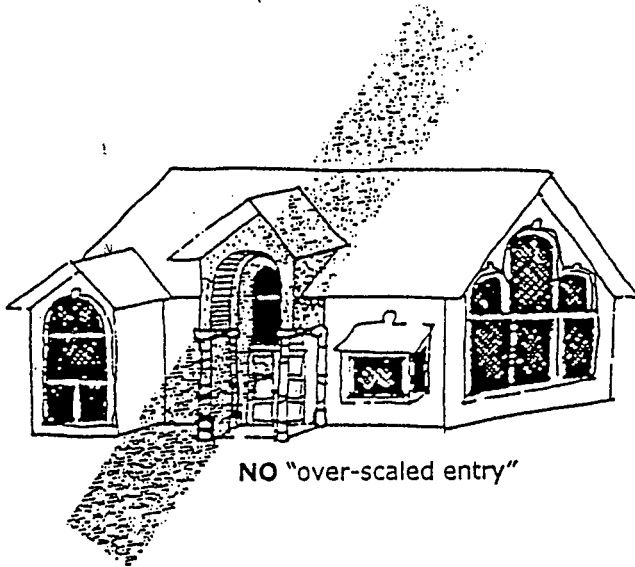
7.3 Lawn Area..... 8

7.4	Trees.....	8
7.5	Grading .....	8
7.6	Solar Encroachment.....	8
7.7	Vegetation.....	8

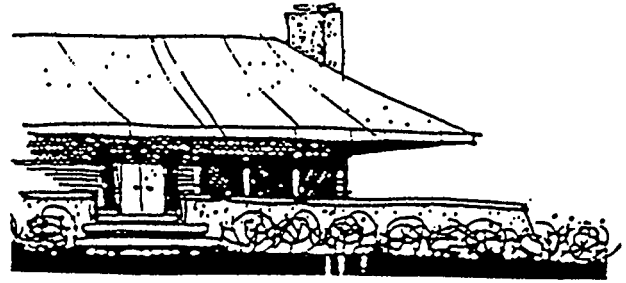
Part II: Submittal Procedures

8.	Submittal Procedures Overview.....	9
8.1	Architectural Committee Representative.....	9
8.2	General Requirements.....	9
8.3	Cost of Review Process.....	9
9.	Pre-Design Meeting.....	9
9.1	Purpose and Requirements.....	9
10.	Conceptual Review Meeting.....	9
10.1	Purpose and Requirements.....	9
11.	Preliminary Design Submittal Meeting.....	10
11.1	Purpose and Requirements.....	10
12.	Final Submittal Meeting.....	11
12.1	Purpose and Requirements.....	11
13.	Final Construction Approval.....	12
13.1	Condition of Approval.....	12
13.2	Final Construction Approval Expiration.....	12
14.	Final Inspection and Construction Deposit Refund.....	12
14.1	Owner Notification .....	12
15.	Appeal.....	12
15.1	Remedy .....	12
16.	Violations.....	12
	Exhibit "A" Riparian Philosophy.....	13
	Exhibit "B" Riparian Plant List.....	14
	Exhibit "C" Streamside Owner Information Form.....	16
	Exhibit "D" Streamside Construction Deposit Agreement.....	18

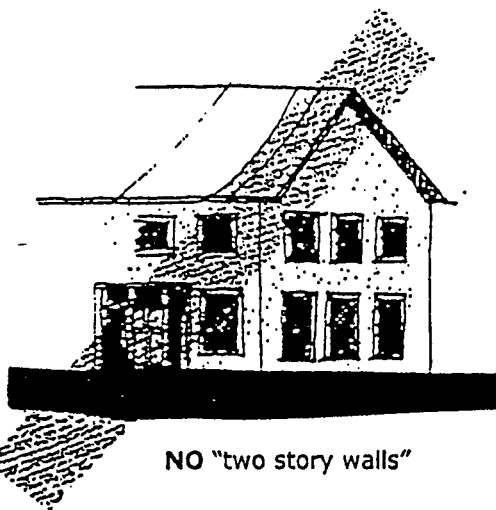
Large gable ends of two story houses should be modified with projections or recesses, rather than windows alone to allow the ends to step down.



NO "over-scaled entry"



YES "strong horizontal elements"



NO "two story walls"



YES "step down elements"

### **3. GROUP DESIGN**

Any Builder owning more than one lot may submit the complete group design for the approval process.

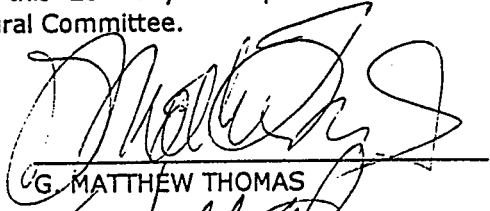
### **4. SITE**

4.1 Building Envelope. All improvements must be contained within the building envelope identified on the Final Plat.

ARCHITECTURAL GUIDELINES  
For Streamside Subdivision

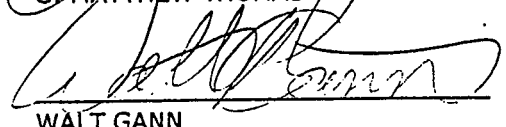
ADOPTION AND APPROVAL

These Streamside Architectural Guidelines dated this 25<sup>th</sup> day of September 1998 are hereby adopted and approved by the Streamside Architectural Committee.




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G. MATTHEW THOMAS



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WALT GANN



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WILLIAM C. SELVAGE

# ARCHITECTURAL GUIDELINES For Streamside Subdivision

These Architectural Guidelines are effective this 25<sup>th</sup> day of September 1998, pursuant to Section 10.3.2 of the Amended & Restated Declaration of Covenants, Conditions and Restrictions for Streamside Subdivision with First Amendment thereto ("Declaration"), and replaces and supersedes in its entirety all previous Streamside Architectural Guidelines. All terms used within this document shall have the same meaning as set forth in the Declaration.

## Part 1: Design Guidelines

### **1. INTRODUCTION AND OVERALL GOALS**

These Guidelines have been carefully prepared to protect the special qualities of Streamside Subdivision and enhance property values. They are not meant to limit imagination, creative design or the personal needs of the individual homeowner. Mindful placement of each home is needed within this sensitive, rural, transitional setting, to encourage the continuation and protection of the flora and fauna along the Boise River.

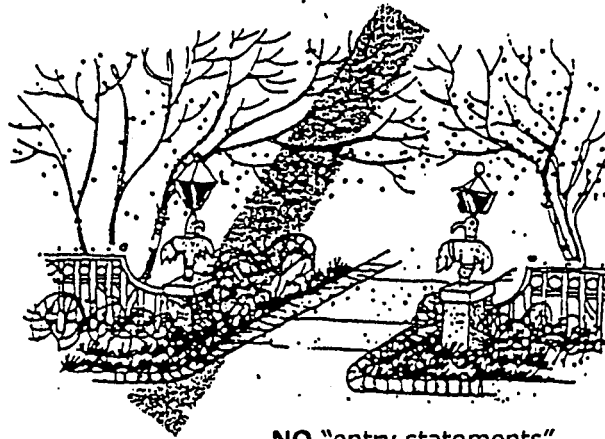
All structures and appurtenances shall be required to express character associated with an "organic" design. This is defined as uniting site and structure to enhance the existing natural character of the area. Designs which attempt to emulate "period" or classical architectural orders will not be accepted. However, true replications are acceptable.

To achieve the image and perception of a high-quality community design, detail and appearance should convey a sense of solid, substantial construction. The design must be consistent on all sides. Facade treatments that are associated with hastily built, or obviously inexpensive construction materials will not be approved. Examples of this include; thin fascia boards, exposed rafter tails, untrimmed doors and windows (unless required to obtain a legitimate and consistent architectural design). Dwellings with exterior walls of "logs" will be subject to specific scrutiny with regard to acceptability. Designs must incorporate other natural materials such as rock or stone in a manner that reduces the impact of an all log structure. Pre-fabricated, modular or factory built housing is not permitted.

### **2. SCALE AND PROPORTION OF DWELLINGS**

There are no minimum or maximum size limitations for homes in the Streamside Subdivision. The building envelope within each home site has been designed to provide large open areas between residential structures. It is important that dwellings are sized to the lot and consideration is given to existing or future neighboring homes. The proportion of houses should be a natural element sitting on the site; understated in a horizontal fashion to blend into the existing surroundings, rather than a protruding, vertical, over-scaled element. Offsets (both vertical and horizontal) are encouraged in preference to houses with long, tall, two story unbroken walls or roofs abutting minimum setbacks. Large blank walls should be avoided. It is usually more effective to have fewer, but larger, horizontal and vertical offsets rather than a series of small jogs. This design objective is at the heart of creating strong mass with offsetting voids (shade and shadows).

4.2 Entry Statements. Entryway, walkway and driveway statements are not permitted.



NO "entry statements"

4.3 Driveways. Each lot will be limited to one driveway, except for shared driveway accesses or lots with appropriate road frontage. Driveways are to be a maximum of 12 ft wide at the curb and widened to the size of the garage. They must be at least 5 ft from side property lines unless shared by an adjoining home site. A minimum of two parking places (double car garage) will be required. Parking bays are not allowed. All driveways shall have a wearing surface of asphalt or concrete. Other hard surface materials such as exposed aggregate or brick are permitted as long as other such materials are consistent with the design of the building improvements. Driveways are to be properly graded to ensure correct drainage. Reference should be made to the Final Plat, as some lots are restricted to the placement of driveways.

4.4 Privacy Screens / Fencing. Privacy screens should be treated as an architectural extension of the home, both in its design and materials and is to be kept within the building envelope. Perimeter fencing is not allowed. Fences may be allowed at the discretion of the Architectural Committee if determined that the fencing will be consistent with the overall intent and purpose of the Declaration and Design Guidelines. Fencing shall not extend into any Riparian Easement Area, Waterway, Boise River Riparian Area, Conservation Easement Area, Common Area or in the front or side yards.

4.5 Accessory Buildings and Service Yards. No detached accessory buildings or storage sheds are allowed unless located within the building envelope. This also applies to play houses, playground equipment, pools, pool slides, diving boards, hot tubs, spas or similar items. Such structures cannot extend higher than 5 ft above the finished graded surface of the lot. Patio covers or gazebos (both attached and detached from the house) shall be constructed of the same materials as the residential structure. Dog houses or dog runs shall be placed within the building envelope. They must be screened from view so as to not be visible from common areas or adjacent home sites and have a concrete floor surface. Service yards to enclose trash containers, firewood, bicycles or other items shall be attached to the residence, have a concrete floor surface and be screened from view as described in 4.4 above.

4.6 Mail Boxes. To achieve a consistent design, all mailboxes and stands will initially be provided by the developer. Specialty mail boxes or stands will not be allowed. If replacement is required due to damage, it must be identical to the original.

4.7 Heating, Air Conditioning / Mechanical. All heating and cooling systems or other mechanical equipment must be screened from view from any adjoining property, street or common area, by the use of approved materials or landscaping.

4.8 Utilities. Prior to closing, an on-site meeting will be held to accept the lot condition

and identify the utility connections. All connections from trunk lines to the individual structure must be underground. Exposed plumbing and electrical lines are not allowed. Materials must conform to the applicable codes. Utility meters and panels are to be screened from common areas, streets, neighboring properties and are to be painted to match the material to which they are attached.

4.9 Excavation and Grading. All excavation must be done so as to create a minimum disturbance to the site and surrounding properties. All dirt (not otherwise used) and debris as a result of excavation, must be removed from Streamside Subdivision. No materials shall be placed on adjoining lots. Excavation for utility hook-ups must be restored to its original condition. Basements are not allowed in Streamside Subdivision. FEMA (the federal agency which oversees flood insurance rating and mapping) reviewed specific site data and issued a "letter of correction" to the 1991 (reissue 1995) FEMA Ada County - Eagle City maps. The building envelopes are located in Zone X which is outside the 100 - year flood plain, but within the 500-year flood plain. Owner acknowledges that certain lots contain engineered fill and loose alluvial soils that is prone to compaction under pressure. You should contact a geotechnical engineer regarding the risk of damage posed by engineered fill and loose alluvial soils prior to construction.

4.10 Solar Considerations. Designers must consider solar conditions. Design and placement of a house should take into account the solar impact on neighboring houses (i.e. minimizing structure height near the north property line when a building site lies to the north). If adjacent lots have been developed, owner's architect/designer will be given a copy of the site plan(s) of those lots to use as a guide. Solar collectors or other devices or equipment must not be visible from street or adjacent properties.

## 5. EXTERIOR APPEARANCE

5.1 Exterior Walls and Trim. Wood, local stone, brick, stucco, and masonry sidings are preferred for exterior walls and trims. Vinyl siding will not be approved. Exterior color and material treatment shall be continuous and consistent on all elevations of a residence, to achieve a uniform and complete architectural design and to avoid a "tacked on" or "veneer look". Exterior colors must harmonize within themselves and their surroundings. **All colors** are subject to approval. A Sample Board with the type and color of exterior surfaces must be provided at the preliminary submission.

Material changes should occur at inside corners, at major wall openings, or at changes of planes. Changes at outside corners are not allowed. Nearly every siding material requires joints of some type in order to extend across areas to be covered. The treatment of these joints provides important visual elements. The type, method of treatment, placement of the joints and/or joint covers and method of joint treatment must be indicated on the drawings. Joint treatment (particularly expansion joints in stucco, batts and joint covers used with all types of siding) must be integrated carefully into the overall design of the house.

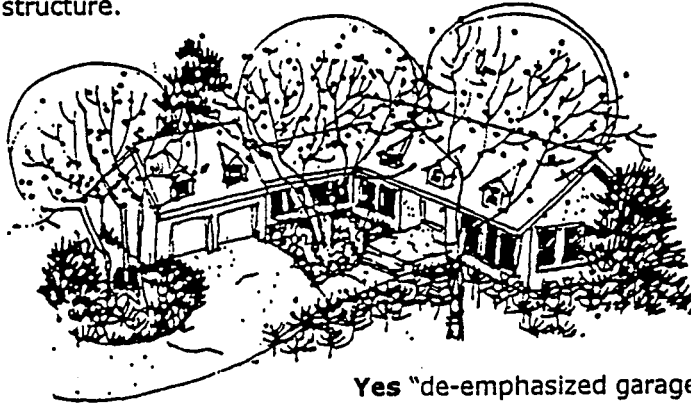
Fascias should be a minimum of 8" deep and should be constructed of material 2" thick. Rafter tails shall be covered with a fascia board and soffit. Large framing members may be left exposed, if part of the design.

No "tacked on elements"



5.2 House Numbers. To further a harmonious design throughout Streamside, the style of house numbers will be restricted to the samples provided by the Architectural Representative. The location on the structure must be approved.

5.3 Garages. Viewed from the street, the main living areas of the house should dominate the garage. The visual impression should be that of a house with a gracious entry, not a garage and driveway. Garages can be de-emphasized by turning 90 degrees to the street and providing landscaping for screening. Garages that are substantially beyond the front plane of the home may not be approved if deemed obtrusive. A minimum of a two-car garage must be provided. Triple car garages or oversized garage bays for RVs are allowed, if deemed compatible with the design consistency of the structure.



Yes "de-emphasized garage"

5.4 Windows. Consistency in type, style, trim and proportion of window areas is a key focus of attention. Windows of differing styles and types scattered over the various faces of the house will not be approved. In general, the window treatment should be approached as a theme that can be repeated with variations. Mirrored glass or any other material that causes a reflective glare will not be approved.

5.5 Roofs. All roof styles are allowed. Wood shakes and shingles, slate (real and synthetic), tile, asphalt or fiberglass shingles (385# minimum) shall be the only approved roof materials. The roof should produce a visual impact of quality and remain consistent from all views. Larger horizontal roof forms and overhangs are encouraged. Roof styles or complimentary architectural forms are also encouraged. Continuous ridgelines should not exceed approximately one half the width of the lot frontage. Entry roofs are to be designed to a pedestrian scale. A change of ridge directions, offsets or major roof projections may be used to break rooflines. Rooflines are the major opportunity for the creative building elements this development is striving to achieve.

5.6 Roof Vents and Mechanical Projections from Roof. All roof vents should be grouped on the face of the roof, opposite to the street approach and cannot exceed two (2) feet in height. Any pipes exceeding 2 ft in height must be located in a chimney chase, compatible designed with the architecture of the house. The location and design of all venting and chases are to be shown on the drawing for final submittal. All reflective or exposed metal chimney stacks, flashings, exhaust vents and pipes must be painted to blend in with surrounding materials.

5.7 Chimneys. All exterior chimneys must be of wood, stone, brick or metal. The color of a metal chimney must blend in aesthetically with the residence. Chimney caps of purely utilitarian design are not be allowed. If necessary they are to be screened by a false cap appropriate to the design of the house. In circumstances where a custom designed false cap is not desired, the Chase Termination Shroud may receive approval.



5.8 Gutters and Downspouts. All gutters and downspouts need to be a continuous architectural design feature. Exposed gutters and downspouts are to be a color that blends in with the attached surface.

5.9 Exterior Lighting. All exterior lighting must be placed so that the visible light does not extend beyond the property. Fixtures must use light bulbs that do not exceed 60 watts. Lighting located at the front or street side of the house may be of a direct type (an exposed bulb or carriage-light type). All other lighting locations, including the landscape, must be indirect with the light source shielded, recessed lights, ground mounted floodlights or otherwise screened by landscaping. Flood lights and spotlights mounted on the exterior surface of the house, on poles, in trees or lighted posts at the driveway entrance are prohibited. Colored lights are only permitted during the Christmas season. In-wall or indirect lighting as an integral design element of the house and landscape is encouraged.

## **6. RIPARIAN AREAS**

6.1 Riparian Area Overview. The final plat should be reviewed for the location of the riparian easement areas within the development. Riparian areas must be identified on the site and landscaping plans. A discussion of Riparian Easement Areas is included as Exhibit "A". No structures of any kind, including outbuildings, fences, dog runs, play equipment or pathways can be constructed in the riparian areas. You may not build, plant or disturb any area within the "Boise River Riparian Area" without prior approval from the US Fish and Wildlife Service. 378-5243 Scott Winkler  
LAW ENFORCEMENT

The Riparian Easement Area and the rear yard transition to the riparian area is very important to the image and character of the house and critical to the protection of fish and wildlife from chemicals or pesticides. The visual appearance of an unfenced rear yard, with manicured lawn flowing into the riparian area is a harmonious transition. The riparian boundary lines (identified on the final plat), and 10 ft on either side of waterways or ponds must be planted with riparian vegetation in a manner that identifies those areas. Any plantings in riparian areas must use the Approved Riparian Plants scheduled in Exhibit "B". These areas are to remain in a natural condition.

Stream bank grasses shall be left to grow naturally (shall not be mowed or if mowed, must be left at a height not less than 18"), and shall incorporate native wildflowers, shrubs or other ornamentals. Incorporating the "wild" riparian easement into a dwelling's landscaping is a challenging prospect. Those plants listed in Exhibit "B" are generally compatible with ornamentals suited for the area. Keep in mind that additional water may be necessary for establishment of new plant material.

Existing trees are to be shown on the landscape plan and can fulfill the tree and other planting requirements that follow, for any newly created or modified riparian areas. These areas should contain three (3) trees, 8-10' in height, for every thousand square feet (1,000 sq. ft.) of riparian area. Trees should be situated in a natural configuration, usually clustered, and located near the stream bank to help shade the fish habitat. Seven (7) shrubs for every thousand square feet (1,000 sq. ft.) of riparian area should be provided. Trees should be protected from possible damage by beavers. Forbs and herbaceous plantings are required in 25% of the area as ground cover and erosion control. A permanent sprinkler system is not required in riparian areas, although additional water is needed for the first summer.

6.2 Riparian Area Protection During Construction. All Riparian, Conservation Easement, and Boise River Riparian areas must be clearly identified on the site plan and staked on the lot prior to construction. These areas must be protected with silt fencing prior to starting construction.

6.3 Existing Riparian Plants. The riparian areas within the development are both natural and man made. They exist at several levels of maturity. Recent riparian plantings and irrigation that may have been provided by the developer must be maintained, protected and incorporated into your landscaping and irrigation plan. Removal or alteration of riparian vegetation will result in decreased wildlife use and ultimately lead to a decrease in the overall quality.

## **7. LANDSCAPING**

**7.1 Overview and Areas Defined.** Landscaping shall be maintained in a healthy and neat appearance at all times. The design should be in harmony with the architectural design of the residence. All yard areas (except the driveways, entry paving and riparian areas previously discussed) are to be landscaped and irrigated with an underground sprinkler system. Any tree or other planted material, that does not survive or is not healthy, shall be replaced immediately. The exact location of all Riparian and Easement Areas must be shown on the landscaping plan with a design in compliance with the above discussion.

Front yards are defined as that area between the front property line and the face plane of the building or the intercepting side yard fence or wall. A rear yard is defined as all areas that are not visible from the street.

The front yard shall act as a transition from the natural / informal roadway area to a more formal landscaping (if desired) near the home. A completely natural landscape is encouraged.

It is the intent that the height of rear yard trees will extend above the roof ridgeline within ten (10) years. This will provide an aesthetic transition from open rear yards to common areas, riparian areas, easement areas, and public open space. Docks, piers or buoys are not allowed. All landscaping is to be installed within thirty (30) days of construction completion.

**7.2 Irrigation.** A careful review of the Streamside Subdivision Pressure Irrigation System Rules, Regulations & Information Guide are needed. This document outlines the required equipment for connections and the maximum water application allowed to ensure your system is in compliance.

**7.3 Lawn Area.** A maximum of sixty percent (60%) of the ground area outside of the "flood-way and riparian areas" may be planted in lawn (sod), the balance shall be developed with fescue or other natural landscape materials. Note: "crew cut" seed may be used for riparian and other natural grassy areas.

**7.4 Trees.** At least one (1) tree shall be planted for every fifteen hundred square feet (1,500 sq ft) of front yard and side yard and back yard areas. A minimum of two and one half inch (2 ½ ") caliper trees (measured six inches above the ground plane) are required for front yards. A minimum of two inch (2 ") caliper trees are required for the back and side yards. Trees cannot be planted closer than ten feet (10') from the street side curb and are to be planted in an informal pattern. The front yard is to be planted with a minimum offset of ten feet (10') between trees. The location of trees in the backyard shall be selected by the Owner, according to their use and privacy needs. Trees should be protected from possible damage by beavers.

**7.5 Grading.** A maximum slope of three to one (3:1) shall be allowed between the building and existing Common Area grade.

**7.6 Solar Encroachment.** Planting cannot interfere with the existing use of solar energy on an adjacent property.

**7.7 Vegetation.** The plants and trees listed in Exhibit "B" are indigenous to the Streamside Subdivision area and have been found to grow well in this location.

# ARCHITECTURAL GUIDELINES For Streamside Subdivision

## Part 2: Submittal Procedures

### **8. SUBMITTAL PROCEDURES OVERVIEW**

8.1 Architectural Committee Representative. An individual shall be appointed by the Architectural Committee, as the Representative and contact for the Design Review Process. The Representative may be contacted through Clegg Investments at 199 N. Capitol Blvd., Suite 500, Boise, Idaho 83702. The phone number is (208) 331-3300, fax number is (208) 331-3636.

8.2 General Requirements. All meetings are required steps in the review process, except the Orientation Meeting. All submittals must have the following information included on them:

- A. "Streamside Subdivision", Lot and Block Number
- B. Street Names
- C. North Arrow
- D. Architect/Designer name and phone number
- E. Owner Name

8.3 Cost of Review Process. The Architectural Review and Approval Process includes; Pre-Design Meeting, Conceptual Design Review Meeting (with one follow up meeting for any revisions), Preliminary Design Submittal Meeting, Final Design Submittal Meeting (with one follow up meeting for any revisions), Onsite Meeting and Final Construction Approval Meeting. The cost of this process is included with the purchase of your home site. It is imperative that the drawings submitted to the Representative be internally consistent with one another, and accurately drawn exactly as the improvement is to be built. A high level of inconsistency and inaccuracy is a common reason for rejection of a submittal. The Architectural Committee is charged with the responsibility of approving specific installations and cannot approve drawings when their deficiencies are apparent. Should there be wasted efforts on the part of the Representative due to lack clarity, accuracy or follow through by the Owner's Architect/Designer, the Owner will be billed on an hourly basis for additional meetings and reviews at the rate of \$65.00 per hour. If a re-submittal is requested for alternations to the original submittal, these same hourly rates will apply. Partial or incomplete submittal packets will not be considered.

### **9. PRE-DESIGN MEETING**

9.1 Purpose. A Pre-Design Meeting with the owner, their designer and the Representative is **mandatory**. The purpose of this meeting is to prevent wasted time and design efforts by ensuring a complete understanding of the Architectural Guidelines and the goals of the Architectural Committee. A completed Owner Information form (Exhibit "C") must be submitted at this meeting.

### **10. CONCEPTUAL REVIEW MEETING**

10.1 Purpose and Requirements. A conceptual design must be submitted for review and comment by the Representative. This will ensure that the concept is within the intent, goals and high standards set forth in the Architectural Guidelines. A graphic presentation of the design concept will be required. The Owner will be able to leave this meeting with either a conceptual approval or an understanding of what revisions need to be made. The submittal packet for this meeting will include:

- \_\_\_\_\_ 10.1.1 - Three (3) Copies of a graphic presentation of the design concepts

## **11. PRELIMINARY DESIGN SUBMITTAL MEETING**

**11.1 Purpose and Requirements.** The Preliminary Design Submittal Meeting will be scheduled for presentation of the design. The submittal package for this meeting will include:

\_\_\_\_\_ 11.1.1 - Three (3) Copies of the Site Plan in a minimum scale of 1"=10' that must include:

- A. Property Lines, Building Envelope, and Dimensions
- B. Set Backs, Easements, Riparian Areas (identify specific areas and silt fencing)
- C. Building Location (House and Garage)
- D. Driveway, Parking Areas, Walks, Patios, Service Yards - Indicate Materials
- E. Location of all Utility Services, Meters, Exterior Mechanical and A/C
- F. Privacy Screening, Fencing - Elevations and Materials
- G. Outdoor Lighting Layout
- H. Existing Tree Locations
- I. Foundation, Type and Finish
- J. Accessory Structures such as Dog Runs, Storage, Service Yards etc.
- K. Staging Area

\_\_\_\_\_ 11.1.2 - Three (3) Copies of the Landscaping Plan in a minimum scale of 1" = 10' that must include:

- A. Property Lines, Building Envelope, and Dimensions
- B. Set Backs, Easements
- C. Riparian Areas Boundary Lines
- D. Treatment and Planting in Riparian Areas
- E. Existing Trees
- F. Sod Areas with Percentage of Lawn area to total site
- G. Planter Areas with type of Surfacing Material
- H. Generic Type of all Trees and Shrubs (indicate the mature canopy of trees)
- I. Screening of Mechanical Equipment and Meters
- J. Berms indicated
- K. Size of Rocks or Boulders to be used
- L. Decks, Patios or Screening
- M. Irrigation System, Connection Point and other requirements as provided in the Streamside Irrigation System Guidelines

\_\_\_\_\_ 11.1.3 - Three (3) Copies of the Building Elevations in a minimum scale of 1/8" = 1'- 0" that must include:

- A. Full Range of Colors and Features of all Exterior Elements identified  
Provide Sample Board
- B. Exterior Siding Materials, Type, Grade and Location - Provide Samples
- C. Exterior Trim, Fascia, Soffit Materials, Type, Grade and Location
- D. Batt and Joint Covers
- E. Exterior Body Finish - Paint, Stains, Brick
- F. Roof Type, Skylights - Type
- G. Gutters/Downspouts - Types, Finish
- H. Roof Mechanical Projections - Type, Finish
- I. Chimney - Type, Style, Material, Cap
- J. Garage Doors - Type, Style, Material, Finish

- K. Exterior Doors-Type, Style, Material, Finish
- L. Windows - Type, Style, Material, Finish
- M. Exterior Lighting - Mounting Heights, Catalog Pictures with bulb wattage
- N. Location of Streamside Specified House Numbers
- O. Floor Elevation to Finished grade on Lot

\_\_\_\_\_ 11.1.4 - Three (3) Copies of the Floor Plan in a minimum scale of 1/8" = 1'- 0" shown exactly as it is to be built (not similar or reversed) that must include:

- A. Exterior and Interior Walls
- B. Door and Window Openings
- C. Room Names
- D. Stairways
- E. Decks, Porches, Patios - Details including railings
- F. Exterior Lighting
- G. Square ft of the Dwelling and Garage

\_\_\_\_\_ 11.1.5 - Three (3) Copies of the Roof Plan in a minimum scale of 1/8" = 1'-0" that must include:

- A. Materials to be used - Provide Sample of Product
- B. Colors - Provide Actual Sample
- C. Flashing
- D. All Mechanical and Attic Venting - Location, Type, Size, Height

You will receive a memorandum of review identifying any required revisions within 10 days of your submittal. Preliminary approval is valid for 6 months from the date the memorandum of review is sent by the Representative.

## **12. FINAL SUBMITTAL MEETING**

12.1 Purpose and Requirement. This will be the final review to obtain construction approval. The submittal package will include 3 copies of all the submittals revised as required from the Preliminary Review with the following additional information:

- \_\_\_\_\_ 12.1.1 - Site Plan
- \_\_\_\_\_ 12.1.2 - Landscaping Plan with Planting Materials, Size and Species
- \_\_\_\_\_ 12.1.3 - Building Elevation Plan and Details
- \_\_\_\_\_ 12.1.4 - Floor Plan
- \_\_\_\_\_ 12.1.5 - Roof Plan
- \_\_\_\_\_ 12.1.6 - Sample Board with all final selections of material and colors
- \_\_\_\_\_ 12.1.7 - Onsite Meeting held to verify the lot is staked with the following:

- A. Riparian Areas
- B. Building Corners
- C. Driveways
- D. Building Envelope
- E. Other Proposed Improvements

The Architectural Committee will Approve, Approve with Conditions, or Disapprove, which will require a revised submittal. Notice of this decision will be in writing and will be mailed within 2 weeks of the onsite meeting. This is not Final Construction Approval.

### 13. FINAL CONSTRUCTION APPROVAL

13.1 Condition of Approval. After the Final Submittal is approved, the Architectural Committee will provide Final Construction Approval immediately after receipt of the following:

- \_\_\_\_ 13.1.1 - Construction Deposit Agreement (Exhibit "D") signed by Owners and Contractor/Builder
- \_\_\_\_ 13.1.2 - Construction Deposit of \$2,000.00 is paid
- \_\_\_\_ 13.1.3 - Building Permit is obtained from the City of Eagle
- \_\_\_\_ 13.1.4 - Construction Schedule is provided to the Representative

SIGNED  
BUILDER &  
ATTN: CATHY  
HAMMAKER WGT  
CASIA & LATAN

13.2 Final Construction Approval Expiration. Final construction approval is valid for 1 year. The Declaration requires that you start construction within 1 year of purchasing your lot, and construction must be completed within 9 months of starting work.

### 14. FINAL INSPECTION AND CONSTRUCTION DEPOSIT REFUND

14.1 Owner Notification. Within 10 days of receiving a final occupancy permit from the City of Eagle, the Owner is to request a final inspection from the Architectural Committee Representative. This final inspection, approval and sign off is needed before the construction deposit can be released. Once final approval is granted, the construction deposit will be refunded within 2 weeks, less any charges.

### 15. APPEAL

15.1 Remedy. If the property owner is not satisfied with any judgment made by the Architectural Representative, he/she may request a review by the full Architectural Committee. This request must be in writing, delivered to Clegg Investments and state the reasons why you are not satisfied.

**16. VIOLATIONS - When an improvement has been built that is in conflict with documents that were submitted and approved by the Architectural Representative, the Architectural Committee shall consider this a violation and withdraw its approval. This will be done whether or not the Architectural Committee or the Architectural Representative might consider the change superior to the construction proposed in the submittal. Approvals shall not be granted by the Architectural Committee after the fact (following construction). When a violation is deemed to have occurred, the matter shall be transferred from the jurisdiction of the Architectural Committee to disposition by the Streamside Homeowner's Association itself, which may or may not require a remedy to the violation.**

Any and all costs incurred during the identification, correction and review of such violations shall be paid for by the Property Owner. Changes to any exterior element that is desired during construction must be submitted to the Architectural Representative in writing. A written approval must be obtained prior to starting any proposed revision.

## EXHIBIT "A"

### STREAMSIDE ARCHITECTURAL GUIDELINES RIPARIAN EASEMENT AREA PHILOSOPHY

Trees, shrubs, grasses and forbs all play an important role in building and maintaining productive streams. As riparian or riverside vegetation, they provide a healthy stream environment, which ultimately benefits people, fish and habitat.

Due to their height and massive root systems, trees provide shade and stream bank stability. Shrubs provide bank cover, localized shade and erosion protection through intertwining root systems. Grasses and forbs form dense vegetation mats, reducing surface runoff and filtering pollutants from nearby urbanized areas.

Sunshine accounts for approximately 95% of all heat input into streams during the midday periods of summer. Certain types of vegetation are needed to control water temperatures. Bank vegetation shades the stream, thereby reducing water temperatures. Grasses and forbs provide overhanging shade but are relatively ineffective in intercepting sunrays. On drain, side channels and other fish and wildlife habitat waterways, trees and shrubs must border the stream to provide effective shading.

Streamside vegetation provides habitat for terrestrial insects. Emergent vegetation such as sedges, rushes and cattails provide important habitat for aquatic insects. Both insect types are important to providing food for fish and other wildlife. Furthermore, leaf litter can provide up to 50% of a stream's nutrient energy supply. This stream detritus is a principle food source for aquatic insects. Leaf fall and other organic matter, are therefore very important in the overall production of the aquatic environment.

Overhanging vegetation provides shelter for both adult and juvenile fish. This cover not only provides a sense of security for the fish, but is also a source of terrestrial insect fall. Without this important aspect of streamside vegetation, trout numbers would be minimal.

Riparian vegetation is also very important for numerous birds, small mammals, reptiles and amphibians. Shrubs and trees are important food sources while also providing essential nesting and den sites. Grasses and forbs provide food, nesting materials and cover for adults and young. Riparian areas provide for diversity in vegetation, without which many wildlife species would vanish.

## EXHIBIT "B"

### STREAMSIDE ARCHITECTURAL GUIDELINES PLANT LIST FOR THE RIPARIAN EASEMENT AREAS

#### TREES

Alder  
Ash, Green  
Amelanchier Oak  
Birch, River  
Cottonwood, Black  
Cottonwood, Fremont  
Crabapple  
Hawthorne  
Honey Locust  
Maple, Box Elder  
Maple, Silver  
Mountain Ash

Mulberry  
Pine, Aspen  
Pine, Ponderosa  
Pine, Lodgepole  
Pine, Austrian  
Russian Olive  
Spruce, Blackhill  
Spruce, Colorado  
Spruce, Engleman  
Sumac  
Willow, Pacific

#### SHRUBS/SMALL TREES

Barberry  
Buckthorn  
Buffaloberry, Russett  
Buffaloberry, Silver  
Ceanothus, Redstem  
Chokecherry, Black  
Cinquefoil, Bush  
Cistena  
Current, Alpine  
Current, Golden  
Dogwood, Redosier  
Elder, Blueberry, Redberry  
Honeysuckle, Utah, Hall's

Maple, Rocky Mountain  
Ninebark, Mallow  
Oregon Grape Repens  
Pachistima, Myrtle  
Raspberry  
Rose, Woods  
Serviceberry  
Snowberry, Mountain  
Snowberry, Western  
Syringa, Mockorange  
Virginia Creeper  
Willow, Purplesoier  
Willow, Scouler



## FORBS - HERBACEOUS PLANTS

Alfalfa, Creeping type  
Anise, Sweet  
Aster  
Baby Blue Eyes  
Birds Eyes  
Black-Eyed Susan  
Buttercup  
Columbine  
Cornflower, Purple  
Coreopsis, Lanceleaf  
Cowparsnip, Common  
Daisy, Oxeye  
Dock, Sorrel  
Fivespot  
Flax, Scarlet  
Geranium, Wild  
Gilia, Blue  
Gooseberry  
Helianthella, Oneflower  
Lifustica, Porter

Lion's Beard  
Lupine, Mountain  
Marigold  
Medick, Black  
Milkvetch, Chickpea  
Nasturium  
Penstemon, "Banderall"  
Rocky Mountain  
Poppy, Iceland  
Primrose, Hooker Evening  
Sweetpea, Perennial  
Showy Golden Eye  
Tidy Tips  
Valerian, Edible  
Wallflower  
Watercress  
Weatherglass  
Wild Strawberry  
Yarrow

## GRASSES

Barley, Meadow  
Brome  
Bulrush  
Canadian Bluegrass  
Canary, Reed  
Fescue, Creeping Red  
Foxtail, Meadow  
Hairgrass, Tufted

Redtop  
Reedgrass  
Squirreltail, Bottlebrush  
Wheatgrass, Bluestem, slender or tall  
Wildrye, Creeping or Great Basin

## GRASS-LIKE PLANTS

Bulrush

**AMENDMENT TO ARCHITECTURAL GUIDELINES FOR  
STREAMSIDE SUBDIVISION**

This Amendment to Architectural Guidelines for Streamside Subdivision (**"Amendment"**) is made effective as of the 17 day of May, 2006, by the Streamside Architectural Committee (**"Architectural Committee"**).

**WHEREAS**, the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Streamside Subdivision, made effective July 14, 1998, was recorded on July 16, 1998 as Instrument No. 98068340, Official Records of Ada County, Idaho, and was amended by that certain Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Streamside Subdivision, made effective August 28, 1998, and recorded on August 31, 1998 as Instrument No. 98083179, Official Records of Ada County, Idaho; and

**WHEREAS**, the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Streamside Subdivision and Amendment thereto identified above are collectively referred to herein as the **"Declaration"**; and

**WHEREAS**, the Declaration encumbers that certain real property located in Ada County, Idaho, commonly known as Streamside Subdivision; as defined in and platted by that certain plat of Streamside Subdivision recorded as Instrument Number 97094160, Book 75 of Plats, at Pages 7750 through 7754, Official Records of Ada County, Idaho; and

**WHEREAS**, the Declaration, at Section 10.1, provides for the creation of the Architectural Committee, and further provides, at Section 10.3.2, that the Architectural Committee may establish rules and/or guidelines setting forth procedures for, and the required content of, the applications and plans submitted for approval; and

**WHEREAS**, the Architectural Committee approved certain Architectural Guidelines dated September 25, 1998 (the **"Architectural Guidelines"**); and

**WHEREAS**, the Architectural Committee now desires to amend the Architectural Guidelines as particularly set out below;

**NOW THEREFORE**, the Architectural Committee amends the Architectural Guidelines as follows:

1. Section 4.4 (**"Privacy Screens / Fencing"**) of the Architectural Guidelines is deleted in its entirety, and the following is substituted therefor:

"4.4 Privacy Screens / Fencing. Privacy screens should be treated as an architectural extension of the home, both in its design and materials and is to

be kept within the building envelope. Perimeter fencing is not allowed. Fences may be allowed at the discretion of the Architectural Committee if determined that the fencing will be consistent with the overall intent and purpose of the Declaration and Design Guidelines. Fencing shall not extend into any Riparian Easement Area, Waterway, Boise River Riparian Area, Conservation Easement Area, Common Area or in the front or side yards. Fences will be made of black wrought iron and be no lower than four (4) feet or higher than five (5) feet above the finished grade surface of the lot.”

2. Section 4.5 (“Accessory Buildings and Service Yards”) of the Architectural Guidelines is deleted in its entirety, and the following is substituted therefor:

“4.5. Accessory Buildings and Service Yards. No detached accessory buildings or storage sheds are allowed unless located within the building envelope. This also applies to play houses, playground equipment, pools, pool slides, diving boards, hot tubs, spas or similar items. Such structures cannot extend higher than 5 feet above the finished graded surface of the lot without the express approval of the Architectural Committee and immediate bordering neighbors. Patio covers or gazebos (both attached and detached from the house) shall be constructed in a manner that is congruous with the design, color and integrity of the house and subdivision, based on the judgment and prior approval of the Architectural Committee. Dog houses or dog runs shall be placed within the building envelope. They must be screened from view so as to not be visible from common areas or adjacent home sites and have a concrete floor surface. Service yards to enclose trash containers, firewood, bicycles or other items shall be attached to the residence, have a concrete floor surface and be screened from view as described in 4.4 above”

3. The second and third paragraphs of Section 6.1 (“Riparian Area Overview”) of the Architectural Guidelines are deleted in their entirety, and the following two paragraphs are substituted therefor:

“The Riparian Easement Area and the rear yard transition to the riparian area is very important to the image and character of the house and critical to the protection of fish and wildlife from chemicals or pesticides. The visual appearance of an unfenced rear yard, with manicured lawn flowing into the riparian area is a harmonious transition. The riparian boundary lines (identified on the final plat), and 6 feet on either side, where feasible, of waterways or ponds must be planted with riparian vegetation in a manner that identifies those areas. Any plantings in riparian areas must use the Approved Riparian Plants scheduled in Exhibit “B”. These areas are to remain in a natural condition.

“Waterway and pond bank grasses shall be left to grow naturally, (if mowed, must be left at a height of at least 6 inches) and shall incorporate

native wildflowers, shrubs or other ornamentals. Incorporating the "wild" riparian easement into a dwelling's landscaping is a challenging prospect. Those plants listed in Exhibit "B" are generally compatible with ornamentals suited for the area. Keep in mind that additional water may be necessary for establishment of new plant material."


4. The fourth paragraph of Section 7.1 ("Overview and Areas Defined") of the Architectural Guidelines is deleted in its entirety, and the following is substituted therefor:

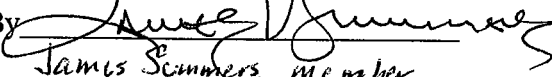
"It is the intent that the height of rear yard trees will extend above the roof ridgeline within ten (10) years. This will provide an aesthetic transition from open rear yards to common areas, riparian areas, easement areas, and public open space. No buoy, pier, dock, jetty, bridges, beaches or any other shore modification or floating equipment shall be placed or extended into any Waterway, Riparian Easement Area, Boise River Riparian Area or Conservation Easement Area. All landscaping is to be installed within thirty (30) days of construction completion."

5. Terms used in this Amendment which are not otherwise defined herein are deemed to have the same meanings as are respectively ascribed to them in the Architectural Guidelines. Except as expressly amended by this Amendment, the Architectural Guidelines remain in full force and effect. In the event of any conflict between the provisions of this Amendment and the Architectural Guidelines, the provisions of this Amendment shall control.

**IN WITNESS WHEREOF**, the undersigned, being all of the members of the Architectural Committee, have executed this Amendment effective as of the date first above written.

**STREAMSIDE ARCHITECTURAL COMMITTEE**

By   
Clint Schuur, Chairman

By   
James Summers, member

By \_\_\_\_\_  
Philip Olson, member

