

ARROWHEAD CANYON ESTATES HOMEOWNER'S ASSOCIATION

SUBDIVISION NO. 1, 2, 3

Boise, Idaho

ACC RULES/ACC STANDARDS

February 2019

**ARROWHEAD CANYON ESTATES HOMEOWNER'S ASSOCIATION  
ACC RULES/ACC STANDARDS**

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These ACC Rules/ACC Standards are promulgated in furtherance of the Master Declaration of Covenants, Conditions, Restrictions and Easements for Arrowhead Canyon Estates Homeowners Association, Subdivision No. 1,2,3 recorded September 21, 2006 as instrument #106150997, Ada County, Idaho. The definitions set forth in the Master Declaration apply to these rules and standards.

**I. Rules**

**A. Application for Approval of Improvements**

No person shall commence any building improvements on a Lot or any landscape improvements without having first obtained the approval of the ACC. A person shall request the approval of the ACC by completing an application on the form provided by the Association:

TYPE OF IMPROVEMENTS	FEE
New Building construction and associated landscaping, Exterior remodel, home addition or pool	\$1,000
Additional landscaping or landscape alterations, fencing, exterior paint change only, kennel dog run, extended driveway or patio, shed, built-in BBQ, decking, sports court	\$ 400

The fee is intended to cover the cost of reviewing the application for conformance with these Rules and Standards and the Master Declaration and to stand as security to insure compliant completion of the approved improvements. In the event the ACC does not engage a compensated party to review the application and the improvements are completed in compliance with these Rules and Standards and the Master Declaration, one hundred percent of the application fee shall be refunded to the applicant. In the event the improvements are not completed in compliance with these Rules and Standards and the Master Declaration, then the ACC may retain the fee until the Applicant has brought the improvements into compliance and, failing the Applicant bringing the improvements into compliance in a timely manner, the ACC may contract with appropriate parties to enter the Applicant's property to correct the nonconforming improvements and may apply the retained fee to the costs of bringing the improvements into compliance. The ACC shall have no obligation to pay interest on the fees and shall have no obligation to segregate the fees from other Association funds.

Applications will be considered received on the first Monday (excluding legal holidays) following actual receipt of a complete application packet. No application packet is complete until all required copies and drawings are received.

**B. Notification of Approval or Denial of Improvements; Inspections**

Applications will be considered in light of the Standards set forth herein. The ACC will notify the applicant in writing of approval or denial of an application, or request for more information to make improvements no later than forty five days following the ACC's receipt of the application. Any conditional approval will clearly state the conditions. Any denial will identify the reasons for denial with particularity.

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As required by Section 5.12 of the Master Declaration, a site plan indicating the proposed grading and drainage of a Lot must be approved by the ACC before any construction of Improvements is initiated. Lot grading shall be kept to a minimum and Buildings are to be located for preservation of the grade(s) approved by the Grantor so long as the Grantor owns any Lot and the ACC thereafter, and any grade(s), beams or swales should be an integral part of the grading design. Subject to the requirements of any governmental entity having jurisdiction thereof, water may drain or flow into adjacent streets but shall not be allowed to drain or flow upon, across or under adjoining Lots or Common Areas, unless an express written easement for such purpose exists. The owner of a Lot which drains upon, across, or under an adjoining Lot or Common Area shall be liable for any damage caused thereby and shall promptly take all action and make all modifications necessary to correct such non-permitted drainage. Notwithstanding the foregoing, roof gutters on all structures must direct all roof run-off into a drainage system approved by Boise City. Certain Lots have been approved for on-site retention of roof drainage and other Lots have been approved with a requirement that roof drainage be directed to drainage facilities maintained by the Association. Each lot is required to comply with these requirements imposed by Boise City or such other requirements as Boise City may impose on construction. For Lots whose roof drainage is directed to a drainage system maintained by the Association, the Owner of each such Lot shall be responsible to maintain the service line for the Lot's drainage from the point of entry of the service line exclusive to the Lot to its connection with the drainage system's mainline. The ACC will inspect all Lots immediately prior to and following installation of improvements to insure compliance with the foregoing.

### **C. Appeal to Board**

An applicant whose application receives conditional approval may appeal the conditions of approval to the Board. An applicant whose application is denied may appeal the denial to the Board. All such appeals will be handled in accordance with Section 11.12 of the Master Declaration.

### **D. Modification of Rules**

These rules may be modified by the ACC at any time, subject to Board approval. Such modifications will be effective thirty (30) days following approval by the Board; provided, however, any modification to these rules cannot conflict with the Master Declaration. All Applicants should request a copy of the current rules from the ACC prior to submitting an application.

### **E. Penalty for Construction Prior to Receipt of Approval**

Any person who commences construction of an improvement prior to receipt of approval required by these rules or fails to complete the construction of improvements in the time prescribed by the approval or the Master Declaration may be subject to a fine of \$50.00 per day for each day the violation continues. Such fine may be withheld from the application fee.

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## **II. Design Standards**

### **A. Minimum Square Feet**

All single-level homes shall have a minimum of 2,400 square feet of finished space exclusive of unfinished basements, garages, storage rooms, covered patios, etc. All two story homes shall have a minimum of 2,800 square feet of finished space exclusive of unfinished basements, garages, storage rooms, covered patios, etc. The ACC may require additional square feet of finished space depending on compatibility with existing homes or otherwise in its discretion.

### **B. Exterior Elevations**

Exterior elevations shall be evaluated on the overall character, depth, and balance of the design. The use of boxed windows, dormer windows, covered entries and other significant jogs in exterior walls is encouraged. Large expanses of flat, unbroken surfaces are discouraged. Double gables over the entire width of a three car garage are discouraged. Stacked rooms over garages shall incorporate a change in the front plane of the garage as to avoid large unbroken vertical surfaces.

Pitched roofs and broken roof lines are encouraged. Mixing different roof pitches on the same elevation is discouraged. Roof vents and other ventilation pipes shall be located on the rear elevation except where practicable, shall be painted to match or blend with the roof color, and shall otherwise be installed in an inconspicuous location and manner. Roof pitch variations such as porches to add value to the elevation or to provide adequate egress out of the second floor are permitted.

### **C. Exterior Finishes and Colors**

#### **1. Brick, stone or stucco**

Subject to compatibility with the overall architectural style and design, all homes, except as noted below, shall be required to incorporate brick, stone or stucco in the exterior finish. Architectural and aesthetic balance shall be a primary concern in determining how much brick, stone or stucco will be required. In most cases, brick, stone or stucco will be required to wrap the building corners a minimum of twenty-four (24) inches. A minimum wainscoting of materials (i.e. 24" high) at the garage or under windows will not be accepted. Construction balance and continuity of materials will be required. Brick, stone or stucco colors shall be compatible with the exterior paint colors selected and approved by the ACC. The requirement for use of brick, stone or stucco on the exterior elevation may be waived for homes with design influences that do not lend themselves to the incorporation of those materials (such as colonial and craftsman designs). The ACC may require upgraded siding, additional landscaping, or other design elements at its discretion.

#### **2. Siding**

Eight inch (8") true lap siding only; no other siding will be permitted.

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**3. Roof Color**

Asphalt roof colors in Arrowhead Canyon shall be Charcoal, Black, or Brown.

**4. Roof**

Asphalt roofs shall be of Celotex Presidential or Elk forty (40) year architectural shingles in a color approved by the ACC. Acceptable colors are Charcoal, Black, or Brown.

Slate or Tile roofs will need to be approved on an individual basis by the ACC. Samples of the material and color shall be submitted.

**5. Fascia**

Roof fascia shall be a minimum of 8 x 1 ¼ inches in width. Gables shall incorporate stacked trim detailing. Rain gutters, where used, shall run the entire length of the fascia.

**6. Address Plats**

Address plats or numbers shall be metal construction as approved by the ACC and shall be sized and located per Boise City requirements.

**D. Garage and Driveways**

Interiors of garages shall be sheet rocked, taped, sanded and painted or textured.

Driveways shall not extend more than one (1) foot past the edge of the garage doors and shall be minimized at the curb where practical to provide additional space for landscaping. No dirt or gravel driveways shall be allowed, including side yards.

**E. Accessory Buildings**

All accessory buildings (such as guesthouses, pool houses, storage buildings and children's playhouses) shall be constructed of and roofed with materials like the materials and roofing of the dwelling, shall incorporate features complimentary to the dwelling and shall be finished with similar colors and designs. All greenhouses shall incorporate features complimentary to the dwelling. The design, location and construction materials of any accessory buildings must be approved by the ACC prior to construction. No accessory building shall be allowed if the square footage of the Lot covered by building improvements shall exceed ten percent (10%) of the Lot area. The ACC encourages the storage of boats, RVs, camp trailers and other similar vehicles or trailers in off-site storage facilities.

**F. Fences**

The ACC shall approve the design, material and location of any fence proposed to be constructed on any lot. A submittal for fence approval shall include a site plan showing the location of fencing proposed and shall include set-back dimensions and designate the type and height of fence proposed. Wood fencing is not allowed. Wrought iron fencing is required. Color shall be black for wrought iron. Courtyard walls constructed of brick, stone, stucco or masonry material matching or complementing the approved exterior finish of the house and not exceeding three (3) feet in height may be allowed in front yards with written ACC approval of location, design, and materials.

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## **G. Landscaping**

A landscape plan shall be prepared and submitted to the ACC for approval. The ACC will encourage and may require landscaping additional to the minimum standards established in the Master Declaration. The ACC will consider how the proposed landscaping blends with and promotes the overall aesthetics of the site in conjunction with structures. The use of berms in clustered planting groups such as garden beds with trees, shrubs, and flowers will be encouraged.

Exterior mounted utility meters, heat pumps, air conditioners and other such equipment shall be properly screened from view of the street and surrounding homes by landscaping or fencing. All landscaping shall be irrigated with an automatic underground sprinklersystem.

Landscaping of front, rear and side yards is required to the following minimum standards:

1. An automatic underground sprinkler system;
2. A sod element encompassing at least 20% of the front yard (excluding driveway);
3. No less than three (3) trees of not less than three inches (3") caliper in the front yard; corner lots must also have not less than two (2) trees of not less than three-inch (3") caliper in side yards within ten feet from the street.
4. Each front yard shall have a minimum of 12 shrubs, sized two gallons or larger (or equivalent). The side yards of corner lots shall have a minimum of 8 shrubs, sized two gallons or larger (or equivalent).
5. All retaining walls shall be of stone or masonry products, samples of which shall be provided to the ACC with the application for approval

Variances to the landscape requirement set forth above may be granted in case of a lot with narrow street frontage or unusual topography.

## **H. Exterior Lighting**

In order to maintain a well-lit streetscape and promote neighborhood safety, each home may provide front yard exterior lighting of monumental style.

Wall mounted or canned recessed lights each with a minimum 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 streets.

Exterior lighting may be waived by the ACC due to proximate location of street lights. Additional exterior lighting near entry ways, porches, garages and patios are acceptable provided that they are not of unreasonable illumination nor cast light on adjacent properties, as determined by the HOA Board.

Driveway lighting shall be optional. If desired, it must be of monumental style only to match the home. No post lighting will be approved.



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**I. Mailboxes**

No free-standing mailbox will be constructed or installed on any Lot without the ACC's prior written approval. An ACC-approved mailbox and post shall be installed at the Owner's expense at the location approved by the Boise postmaster.

**J. Basketball Hoops and Skate Ramps**

No basketball backboards shall be attached to any house. All basketball backboards shall be of glass or fiberglass and mounted on poles fixed in the ground adjacent to the driveway or on a portable stand. Any skate ramps must be stored in a garage or behind a fence when not in use. No skate ramp or basketball hoop shall be placed in an area where their use will cause interference with other's use of the street or sidewalk.

**K. Solar Energy Devices**

These rules, regulations and guidelines apply to all solar energy devices (photovoltaic systems) including without limitation solar panels and their associated components, solar tubes, solar skylights, or other solar energy devices (collectively referred to in this Rule as "devices" or "systems" or "equipment") which due to installation and use location are or may become visible from neighboring property. The Association, via the Architectural Control Committee (ACC), can approve or deny any solar equipment/system at its full discretion.

**1. Permits, inspections and notifications**

City of Boise - All projects to install photovoltaic panels and modules will comply with all permitting and inspection requirements set forth by the City of Boise. The homeowner or professional installer is responsible for securing all necessary permits and proof of required inspections as well as any associated fees.

Idaho Power - The homeowner or professional installer is responsible for coordinating with Idaho Power to ensure photovoltaic system installation is feasible at the homeowner's location.

**2. ACC Approval of Installations**

Detailed plans for installation and placement of any solar panel / energy device must be submitted to the Architectural Committee for review and receive written approval from the ACC prior to such installation. An illustrated drawing of the proposed system, which depicts the materials to be used, and drawings showing the location and number of collectors, the attachment to the building structure, screening elements including landscaping and the location of exterior system components, shall be submitted with the Architectural Request. Device brochures and/or images must be part of the submittal.

**3. Types**

Ground-mounted solar panels and roof-mounted solar panels or solar shingles will be considered. Only commercially or professionally made devices will be considered. "Homemade" devices will not be permitted due to the safety and aesthetics aspects of such devices. No wind turbines allowed.

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**4. Location/Placement**

Ground-Mounted Solar Panels

The equipment must be installed in the rear yard with no portion of the equipment visible from the street or adjacent homes. The equipment must be screened from view via landscaping or naturally occurring land features. Screening must meet all the conditions of the CC&R's and be part of the ACC approval. Ground-mounted solar collectors shall be within the setback lines in accordance with City of Boise, HOA CC&R's and concealed from neighbor's view.

Roof-Mounted Solar Panels

Roof-mounted solar panels on the roof surfaces facing the requestor's back yard are preferred provided that the panels can be sufficiently screened from neighboring properties.

Solar panels should be flush mounted to the roof (no panels mounted at an angle) and the height of the system including racking and solar panels from roof should be no more than 6".

Visibility of devices and their components must be minimized from public view, and will be required to be screened from neighboring property in a manner approved by the Architectural Committee.

**5. Construction/Finish**

Panel installation must be uniform and in a fixed array size, ie. 5x3, 2x4, etc. and not missing panels due to roof chimneys, pipes or vents.

All roof mounted equipment, excluding the face of the solar panel, must match or blend with the color of the roof material. Exposed surfaces such as any frame for panels but excluding the exposed collector panel face itself must be factory painted (or color anodized) to match or blend with, or the color of the materials used must match or blend with, the surface on which it is mounted.

Support racking should be recessed and hidden underneath the solar panels and any visible racking must match or blend with the surface on which it is mounted.

All plumbing/conduit lines shall run inside the house and roof cavity. Any conduit visible on the roof or exterior of the house shall be painted to match or blend with, or the color of the materials used must match or blend with, the color of adjacent roof material and walls.

Aluminum trim, if used and visible, should be color anodized or otherwise factory color treated to blend into the surroundings.

**III. Construction Guidelines**

**A. Property Lines**

It is the responsibility of the lot owner or builder to insure property pins and utility markers are properly located.

**B. Excavation**

Excavators are required to contact Dig Line at 342-1585 prior to commencing excavation on any lot. Lots shall be excavated in a manner that will not impact neighboring lots. Excess dirt shall be removed from the subdivision and may not be deposited or dumped on other lots or vacant ground in the subdivision.

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**C. Drainage**

Subject to the requirements of any governmental entity having jurisdiction thereof, water may drain or flow into adjacent streets but shall not be allowed to drain or flow upon, across or under adjoining Lots or Common Areas, unless an express written easement for such purpose exists. The owner of a Lot which drains upon, across, or under an adjoining Lot or Common Area shall be liable for any damage caused thereby and shall promptly take all action and make all modifications necessary to correct such non-permitted drainage. Notwithstanding the foregoing, roof gutters on all structures must direct all roof runoff into a drainage system approved by Boise City. Certain Lots have been approved for on-site retention of roof drainage facilities maintained by the Association. Each Lot is required to comply with these requirements imposed by Boise City or such other requirements as Boise City may impose on construction. For Lots whose roof drainage is directed to a drainage system maintained by the Association, the Owner of each such Lot shall be responsible to maintain the service line for the Lot's drainage from the point of entry of the service line exclusive to the Lot to its connection with the drainage system's mainline.

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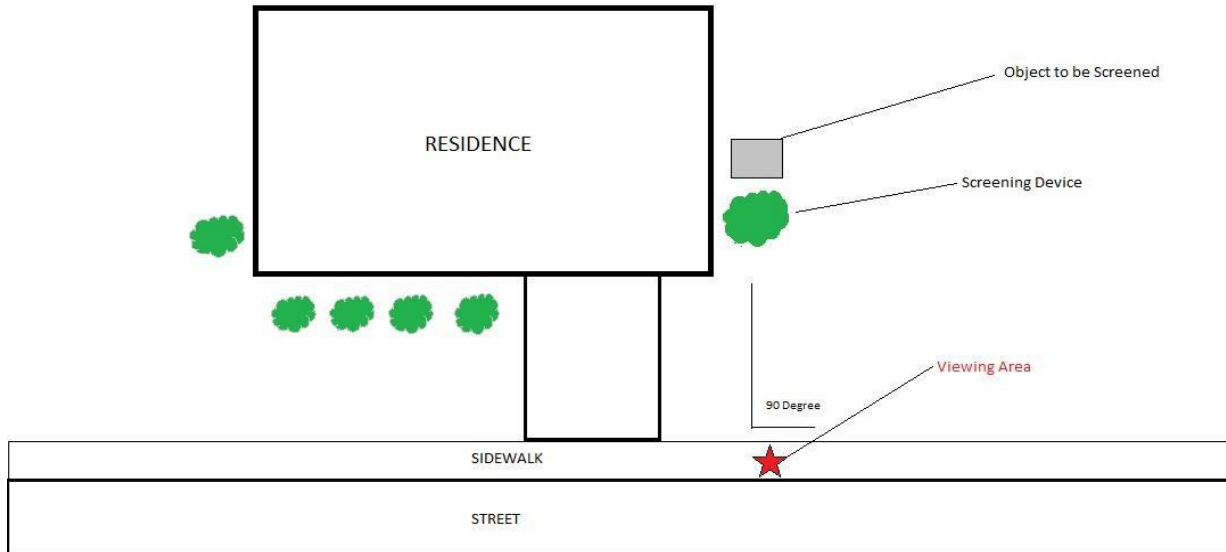
**D. Job Site Maintenance**

A lot owner is responsible for maintaining the job site in an orderly manner. Temporary toilets, construction equipment, and construction material shall be contained within the lot boundaries and shall not be placed on street and sidewalks. All vehicles associated with construction shall be parked within the lot boundaries or on public streets adjacent to the lot and shall not block traffic or otherwise interfere with existing homeowners. Job site trash or debris shall be properly contained in dumpsters 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 property shall be subject to a fine to be withheld from the application fee in an amount to be determined by the ACC in its discretion. No dogs or loud music shall be allowed on job sites. All concrete spoils shall be handled on the lot, unless the Association provides a designated spot for such spoils. Streets shall remain free from dirt, gravel, and other excavation material and shall be maintained by the Lot owner in a clean and orderly manner.

**IV. Definitions**

**A. Screened from View**

Screened from view (CC&R Rule 5.15.d) is defined as an object being reasonably obstructed from view (>80% coverage) by an approved screening device (i.e. plant, tree, shrub, fence, lattice, etc.) when viewed at a 90-degree angle from the adjacent sidewalk facing the residence. The ACC shall approve the screening device to be used. If a plant, shrub or tree is being used as a screening device, coverage will be determined based on the foliage coverage during non-winter months. See diagram below for example:



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**B. Temporary Purpose**

In order to clarify the CC&R document, Section 5.17, where "...the parking thereof in the driveway on the Lot or in a public right-of-way within the subdivision, other than for *temporary purposes* is prohibited," a temporary purpose is defined such that the vehicle parked in said areas must get reasonable and regular use.

These Rules and Standards are adopted by the Architectural Control Committee of Arrowhead Canyon Estates Homeowners Association, Inc. as of May 2016 and shall remain in effect until amended or the earlier expiration of the Master Declaration.

**Arrowhead Canyon Estates Homeowners Association, Inc.  
Architectural Control Committee**