



## DESIGN GUIDELINES

[WWW.BLACKHAWKONThERIVER.COM](http://WWW.BLACKHAWKONThERIVER.COM)

# TABLE OF CONTENTS

<b>1. THE DESIGN PHILOSOPHY</b>	4
<b>2. SITE PLANNING GUIDELINES</b>	6
2.1 LOT FEATURES PLAN	6
2.2 SITE ANALYSIS	7
2.3 BUILDABLE ENVELOPE	7
2.4 SITE COVERAGE	8
2.5 ENHANCED AREA	9
2.6 SITE WORK	9
2.7 GRADING AND DRAINAGE	9
2.8 ACCESS DRIVES	10
2.9 GARAGES	11
2.10 ON-SITE PARKING	12
2.11 UTILITIES	13
2.12 ELECTRICAL AND MECHANICAL EQUIPMENT	13
2.13 SOLAR PANELS	14
2.14 WALLS AND FENCING	15
2.15 OUTDOOR STORAGE AND TRASH RECEPTICLES	16
2.16 ANTENNAE AND SATELLITE DISHES	16
2.17 SIGNAGE AND ADDRESS IDENTIFICATION	16
2.18 SITE LIGHTING	16
2.19 SWIMMING POOLS, SPAS, OR HOT TUBS	17
2.20 BASKETBALL GOALS	17
2.21 PLAY STRUCTURES	17
2.22 HOMESITE RESTRICTIONS	17
2.23 GUEST HOUSES	17
<b>3. ARCHITECTURAL DESIGN</b>	18
3.1 DIVERSITY AND CONTINUITY	18
3.2 BUILDING SIZE	19
3.3 PREFABRICATED BUILDING	19
3.4 HEIGHT OF STRUCTURES	19
3.5 BUILDING MASSING	19
3.6 ASYMMETRY AND ORGANIC COMPOSITION	20
3.7 FOUNDATIONS	20
3.8 EXTERIOR MATERIALS	20
3.9 ROOFS	21
3.10 ENTRANCES	22
3.11 PORCHES, TERRACES, DECKS	22
3.12 AWNINGS AND ROLL DOWN EXTERIOR WINDOW COVERINGS	22
3.13 CHIMNEYS AND OUTDOOR FIRES	22
3.14 EXTERIOR COLORS	23
3.15 WINDOWS, SKYLIGHTS, DRAPERIES AND SHUTTERS	23
3.16 BUILDING PROJECTIONS	23
<b>4. LANDSCAPE GUIDELINES</b>	24
4.1 NATURAL AREA	24
4.2 ENHANCED AREA	24
4.3 RECOMMENDED PLANT LIST	24
4.4 FIRE PREVENTION THINNING	25
4.5 WATER FEATURES	25
4.6 NOXIOUS WEEDS	25
<b>5. CONSTRUCTION REGULATIONS</b>	26
5.1 GENERAL CONTRACTOR OR CONSTRUCTION MANAGER	26
5.2 BUILDABLE ENVELOPE AND FENCING REQUIREMENT	26
5.3 OSHA COMPLIANCE	26
5.4 CONSTRUCTION SITE PLAN AND CONSTRUCTION TRAILERS	26
5.5 CONSTRUCTION TRASH RECEPTACLES AND DEBRIS REMOVAL	27
5.6 SANITARY FACILITIES	27
5.7 CONSTRUCTION ACCESS	27

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

5.8 VEHICLES AND PARKING AREAS	27
5.9 CONSERVATION OF NATIVE LANDSCAPE	28
5.10 EROSION CONTROL	28
5.11 EXCAVATION MATERIALS AND BLASTING	28
5.12 DUST AND NOISE CONTROL	28
5.13 MATERIAL DELIVERIES	28
5.14 FIREARMS	28
5.15 ALCOHOL AND CONTROLLED SUBSTANCES	29
5.16 FIRES AND FLAMMABLE MATERIALS	29
5.17 PETS	29
5.18 PRESERVATION OF PROPERTY	29
5.19 PROTECTION OF SUBDIVISION IMPROVEMENTS AND RESTORATION OF PROPERTY	29
5.20 CONSTRUCTION SIGNAGE	29
5.21 DAILY OPERATION	30
5.22 SITE VISITATIONS	30
5.23 CONSTRUCTION INSURANCE REQUIREMENTS	30
<b>6. DESIGN REVIEW PROCEDURES</b>	31
6.1 OPTIONAL PRE-PRELIMINARY DESIGN SUBMITTAL	31
6.2 PRELIMINARY DESIGN SUBMITTAL	31
6.3 FINAL DESIGN SUBMITTAL	31
6.4 DEFERRAL OF MATERIAL OR COLOR SELECTION	32
6.5 SITE INSPECTION	32
6.6 FINAL DESIGN REVIEW	32
6.7 RESUBMITTAL OF PLANS	32
6.8 COMMENCEMENT OF CONSTRUCTION	33
6.9 INSPECTIONS OF WORK IN PROGRESS	33
6.10 SUBSEQUENT CHANGES	33
6.11 FINAL RELEASE	33
6.12 NON-WAIVER	33
6.13 APPEAL OF DRC DECISION	34
6.14 RIGHT OF WAIVER	34
6.15 EXEMPTIONS	34
6.16 DESIGN REVIEW FEE	34
6.17 ADDITIONS, MAJOR LANDSCAPE, EXTERIOR REMODELS, AND REFINISHING	35
<b>7. ARCHITECTURAL REVIEW COMMITTEE ORGANIZATION</b>	35
7.1 ADDRESS OF ARCHITECTURAL REVIEW COMMITTEE	35
7.2 RESIGNATION OF MEMBERS	35
7.3 DUTIES	35
7.4 MEETINGS	35
7.5 COMPENSATION	35
7.6 AMENDMENT OF DESIGN GUIDE	35
7.7 NON-LIABILITY	35
7.8 ENFORCEMENT	36
7.9 SEVERABILITY	36
7.10 DELEGATION OF AUTHORITY	36
7.11 DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS	36
<b>APPENDIX A – RECOMMENDED PLANT LIST</b>	37
<b>APPENDIX B – TYPICAL LANDSCAPE PLAN</b>	40
<b>APPENDIX C – LOT FEATURES PLANS</b>	41
<b>PRELIMINARY DESIGN REVIEW CHECKLISTS</b>	41
<b>FINAL DESIGN REVIEW CHECKLIST</b>	
<b>CONSTRUCTION CHECKLIST</b>	
<b>ADDITIONS, MAJOR LANDSCAPE, EXTERIOR REMODELS, AND REFINISHING REQUEST FORM</b>	

## 1. THE DESIGN PHILOSOPHY

A wildflower meadow, Quaking Aspen groves, views of the Central Idaho Mountains, and the Payette River are the source of the natural beauty that will become Blackhawk on the River. We intend the community to be a large-scale work of art where the people, structures, native landscape, flora, and fauna blend harmoniously. The development of home sites at Blackhawk on the River begins with a respect and consideration for the natural environment. Architecture and landscape in all their subtle detail must work in harmony with Blackhawk on the River's natural setting.

These Design Guidelines have been created to help our residents share in this philosophy. Particularly, the design guide is intended to provide direction to home site Owners for the design of their dwellings, and to ensure compatibility within the unique environment of Blackhawk on the River. It is not the purpose of these Guidelines to create look-alike dwellings or suggest that they all have identical colors and materials, but to create a harmonious architectural approach that is sympathetic to the incredible natural setting.

The Architectural standards and design criteria set forth in these Design Guidelines may be viewed by the individual home site Owner at large, as the tool that will protect, preserve, and enhance this special environment over time. It is expected that the design of each dwelling will be tailored to the unique features of each individual home site. No preconceived designs suited for other environments or landscape will be permitted. Each design must begin with a thorough site evaluation and consider the site's topography, sun angles, view corridors, relationships to ridgelines, native landscape, and other homes. It is only after a complete understanding of these natural characteristics that a home site Owner and their architect or designer can begin a home site design.

In order to assist each Owner in an environmentally sound and aesthetically compatible design of their dwelling, a comprehensive Design Review Process has been established pursuant to these Design Guidelines. This process provides each Owner the opportunity to draw upon the expertise and knowledge that has been acquired during the planning and development of Blackhawk on the River. Since the preservation and enhancement of the unique landscape are of primary concern, the Design Review Committee (DRC) has been established and charged with the responsibility of ensuring that these principles are adhered to throughout all phases of development.

For this reason, the Design Review Process has been established, encompassing the following phases:

1. The **optional Pre-Preliminary Design Review**, where a home site Owner may get DRC feedback on initial design ideas and proposals before beginning the formal Design Review Process.
2. The **Preliminary Submittal**, at which time the Design Review Committee will review

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

conceptual plans to ensure conformance with the Design Guidelines before the Owner finalizes their design. Refer to the Pre-Design checklist in Appendix.

3. The **Final Submittal**, at which time the Design Review Committee will review all documents as requested in the Final Design checklist, included in the Appendix.
4. The **Preconstruction Conference**, where required, during which the builder will review the construction regulations with a representative of the DRC to ensure understanding of, and future compliance with, these regulations. Additionally, they will submit a Construction Plan, included in the Appendix.
5. The **Final Inspection** of the will be performed by a representative of the Design Review Committee to determine whether actual construction has been completed in strict compliance with the approved plans and Design Guide. Fund deposit will be returned when all conditions, including landscaping, have been satisfied by the DRC.

The Design Review Process was developed to provide adequate checkpoints throughout the design and development phases, so that time and money are not wasted on plans and designs which do not adhere to the Design Guidelines or to the overall principles of Blackhawk on the River, or which may be inappropriate or of improper configuration for their specific homesite setting. Therefore, it is extremely important that the design steps of the review process be followed in their entirety, and in correct sequence. This process is a proven and streamlined one and will not result in time delays, provided each Owner adheres to the intended spirit of the Guidelines, namely, a site-sensitive approach to the development of his or her homesite within the Blackhawk on the River community.

The Design Review Committee specifically reserves the right to make subjective, as well as objective, determinations of whether the goals of the Design Guidelines have been met. These Design Guidelines may include requirements and limitations that are more restrictive than the provisions of the Declaration of Covenants, Conditions and Restrictions for Blackhawk on the River, and the Notes that are included on the recorded plats for Blackhawk on the River. In such instances, the terms, provisions, restrictions and procedures of the Design Guidelines shall control.

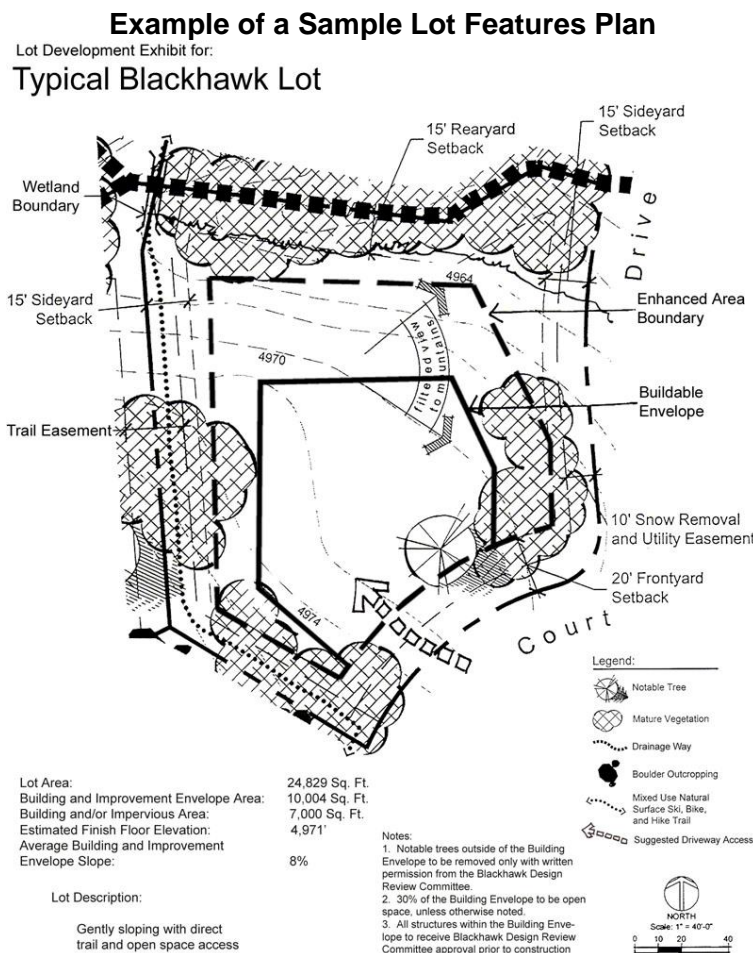
The Design Review Process is intended to be completed and approved prior to submission to Valley County for a building permit. The Blackhawk on the River Design Review Process is independent of the Valley County technical plan review process and is solely intended to enforce the Design Guide. Each homesite Owner bears the responsibility for the proposed dwelling's adherence to Blackhawk on the River's Design Guidelines and bears the additional responsibility for the proposed structure's adherence to county zoning and building codes as well.

## 2. SITE PLANNING GUIDELINES

The climate, terrain and landscape at Blackhawk on the River are all important factors that must be considered in the design of any improvements to properties within the community. It is the intent of the following guidelines to ensure environmentally sound and aesthetically pleasing development at Blackhawk on the River for the mutual benefit and enjoyment of the community.

### 2.1 LOT FEATURES PLAN

To assist the Owner and their architects/designers, a Lot Features Plan for most lots has been generated identifying its important features. Among other things, the Lot Features Plan will indicate the Buildable Envelope and Enhanced Area Boundaries. Refer to Appendix C, or contact the DRC on how to develop a plan if it is not available. As a general guideline, the Building Envelope coverage is about 30% of the lot, and the Enhanced Area Boundary is 10' outside the Buildable Envelope.



This graphic provides general site information that is approximate without warranty, expressed or implied by Blackhawk. This information may be revised by Blackhawk without notice or liability. Topographic information presented should not be relied upon for design or construction.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)



## **2.2 SITE ANALYSIS**

Site planning for individual homesite improvements at Blackhawk on the River relies heavily on the site analysis efforts. The analysis is a method to evaluate the existing conditions on or near the homesite. A topographic survey can be prepared by a registered Civil Engineer or a licensed Land Surveyor if required by the DRC. The location and design of proposed structures must relate to existing terrain and preserve the natural features of the site as much as possible. The design process must consider grade changes, slope, locations of both existing and planned trees, flood plain areas, and the orientation of the proposed improvements to sun, wind, and view sheds. Privacy, to and from, and the impact on adjacent neighbors, nearby rights-of-way, easements, and

A design that grows from the findings of the site analysis helps to shape buildings that are sensitive to their natural surroundings and will enhance the community. Every project shall begin with a Site Plan prepared by the Designer and/or architect. Refer to the Preliminary Submittal Checklist in the Appendix for more details. The following items must be identified and sketched on the Site Plan.

1. Topography and landform
2. Aspect and orientation (sun and shadow patterns)
3. Property boundaries
4. Required setbacks from all boundaries
5. Existing lot features – trees and rocks
6. Snow removal and storage
7. Location of utilities serving the site
8. Grading and Drainage
9. Lot coverage:
  - a. Building Footprint
  - b. Covered Outdoor Areas
  - c. Driveway
  - d. Hardscape

These elements should be further evaluated in terms of design opportunities and design constraints. Design opportunities are those situations where the element in question could positively contribute to the overall project, while design constraints are situations where a specific element might detract or conflict with the overall vision for Blackhawk on the River. The opportunities and constraints identified in the site analysis should be used as design determinants in the design and development stages of the homesite.

## **2.3 BUILDABLE ENVELOPE**

The Buildable Envelope concept is a major component of the philosophy for site planning each individual homesite. The Buildable Envelope is that portion of each homesite within which all the hard improvements, including structures, decks, roof overhangs, walks, landscape improvements, parking, garage back up area, fencing, and all mechanical equipment must be located. The only disturbance allowed outside of the Buildable Envelope is the fourteen-foot maximum width driveway between the road and the residence, and the blending of the built

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

environment with the natural zone (see Enhanced Area). The Buildable Envelope for each homesite is indicated on the Lot Features Plan and is designed to help protect and preserve the landscape features of the homesite as well as critical view corridors and sight lines. The final Buildable Envelope will be determined after the preliminary submittal. In all cases the area of the residence must be constructed within the area of Buildable Envelope shown on the Lot Features Plan. Buildable Envelopes may not encroach on any required minimum setbacks as shown on the Plat. Buildable Envelopes may be adjusted only by authorization from the Design Review Committee and only for the purpose of integrating the house better with the natural contours of the site or other appropriate issues as determined by the DRC.

Should a homeowner purchase two or more adjacent lots, they must first have the approval of Blackhawk on the River HOA and fulfill the CC&R requirements prior to proceeding with their design as well as any other required governmental authorities. Once the requirements have been satisfied, they can submit a request to the DRC to have the buildable envelope combined.

## 2.4 SITE COVERAGE

In addition to the Valley County zoning ordinances, the following minimum side yard setbacks are required:

- Home sites less than 80' wide = 10' minimum on each side with the sum of both side yard setbacks shall equal a minimum of 30% of the lot width
- Home sites 80' to 125' wide = 12' minimum on each side with the sum of both side yard setbacks shall equal a min. of 30% of the lot width
- Home sites greater than 125' wide = 15' minimum on each side with the sum of both side yard setbacks shall equal a min. of 30% of the lot width
- Front yard setback is 20' minimum.
- Rear yard setback is 25' minimum and generally 35' minimum from any wetland areas adjacent to home site.
- Where wetlands encroach into home site, as defined on the Lot Features Plan, a minimum setback of 15' shall be maintained as a riparian zone.

Home site coverage maximums shall be based upon the following calculations:

- Buildings, house, and covered porches ( "footprint" )      100%
- Decks, patios, etc.      50%
- Driveways, walks, etc.      35%

The maximum coverage for home sites is as follows:

- Home sites less than 12,000 square foot      30%
- 12,001 square foot to 30,000 square foot      25%
- Home sites over 30,000 square foot      20%

All square footages are measured to the outside of the wall or the columns defining a covered porch

To determine the lot coverage, calculate the following values and add to determine the total coverage:

- Building/House Footprint      100% of the footprint area = A
  - Decks, patios, walkways, plazas, etc.      50% of the covered area = B
  - Driveways, surface parking, etc.      35% of covered area = C
- Total = A+B+C

Some examples:

- (A) Lot Size = 7,000 square feet  
 House plus garage footprint = 1,800 square feet x 1.00 = 1,800 (A).  
 Patio = 200 square feet x .50 = 100 (B)  
 Driveway and walkway = 300 square feet x .35 = 105 (C)

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)



$A+B+C = 1,800 + 100 + 100 = 2,000$ .

Lot size = 7,000 square feet, maximum value for  $A+B+C = 36\%$  or 2,520

This example meets the coverage requirement.

(B) Lot Size = 15,000 square feet

House plus garage footprint = 3,500 square feet  $\times 1.00 = 3,500$  (A)

Patio and deck = 800 square feet  $\times .50 = 400$  (B)

Driveway and walkway = 600 square feet  $\times .35 = 210$  (C)

$A+B+C = 3,500 + 400 + 210 = 4,110$

Lot size = 15,000 square feet, maximum value for  $A+B+C = 26\%$  or 3,900

This example exceeds the maximum coverage and would not be accepted.

## **2.5 ENHANCED AREA**

The Enhanced Area is that area that lies within the Enhanced Area boundary indicated on the Lot Features Plan. The Enhanced Area is the only area where the Owner can enhance the natural landscape by blending the development occurring within the Buildable Envelope with the Natural Area beyond. Except for access paths, the only construction that can occur in this area is the subtle contouring of the land to blend the built environment with the surrounding natural ground. Refer to Section 4.2 Enhanced Area for guidelines.

## **2.6 SITE WORK**

A very limited amount of excavation or fill will be permitted on any homesites except where specifically allowed by the Design Review Committee due to terrain considerations; every attempt should be made to minimize the use of engineered building pads that appear unnatural. No construction of soil outside of the Building Envelope is permitted unless approved by the DRC. It is understood that some selective pruning or removal of trees and shrubs will be necessary for the improvement of any homesite. The removal of trees and vegetation must be marked on the Landscape Plan and approved by the DRC prior to any cutting of trees or vegetation. Great care must be taken in designing the site improvements around the existing vegetation so that the root systems remain intact and the supply of water is maintained.

## **2.7 GRADING AND DRAINAGE**

Grading and Drainage is an important component of the site planning and careful consideration must be given to address this. Grading and Drainage must be identified on the Site Plan. Surface water for each site is to be managed within the property boundaries and without creating conditions that could lead to soil erosion. In some cases, the Design Review Committee may allow the re-routing of a portion of a drainage way within the boundaries of the Buildable Envelope. This will be considered on a case by-case basis, and it should not be assumed it will be allowed in all cases. In order to be approved, the relocated drainage way must consider the possible loss of vegetation, the visual quality of the drainage way, and the master drainage plan.

Surface drainage upon and across any homesite must be addressed through the implementation of sound construction and grading practices. Any improvement which creates an obstruction to surface flows, snow melt, or groundwater discharge resulting in a back-up of storm waters or an increasing or moving of predevelopment flow onto a neighboring homesite or common area parcel is strictly prohibited.

Ground floor levels should be established at a vertical elevation such that the final placement of backfill, walks, drives, and porches will produce a positive drainage away from the structure in

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

all directions. The inclusion of foundation waterproofing and a perforated pipe foundation drainage system is required.

Where necessary to produce the desired results and in accordance with Valley County requirements, the Design Review Committee may approve minimal grading as well as the use of multiple small retaining walls. However, grading that produces awkward or steep slopes that are not natural in their final appearance will not be approved. Cut and fill slopes may have a maximum ratio of 3:1 horizontal to vertical unless supported by an approved retaining or rock wall.

In addition to basic grading, sloping sites should employ designs that take up the full impact of grading within the dwelling's footprint; the location and design of the proposed structures must relate to the existing terrain. Grade transitions from Buildable Envelopes to setbacks must appear natural. All homesite grading must be limited to construction of driveways and other grading necessary for authorized construction. Due to predevelopment grading on some homesites, corrective grading and blending with surroundings will be allowed. Except for driveway access, erosion control, special landscape conditions described in the Enhanced Area, or utilities, no other grading is allowed outside the Buildable Envelope of any homesite.

No excessive excavation or fill will be permitted on any homesite. On some sensitive sites, grading may not be allowed at all. Every attempt must be made to minimize cut and fill necessary for the construction of a home. Excess fill may not be placed on a homesite; it must be legally disposed of outside of Blackhawk on the River. Constructing retaining walls to level building pads may be utilized only where necessary. Grading must be limited to that reasonably necessary for the construction of a home. Pad grading for the intention of providing concrete slab foundations is prohibited except for garages, terraces, outbuildings and basements.

Excavation or fill must be limited to 4 feet vertically outside of structure where exposed to view, except as approved on driveway excavations. However, the Design Review Committee reserves the authority to disapprove of any exposed excavation or fill transition that is abrupt, awkward or unnatural in appearance.

All cut and filled areas must be immediately re-vegetated with approved plant material or seed mix. Retaining systems are required at vertical cuts. No excavation, fill or removal of trees and other vegetation will be permitted until the applicants' Final Design Review Application has been approved in writing by the DRC and the Preconstruction requirements have been fulfilled.

Grading near the setbacks may not result in abrupt transitions to adjacent homesites or streets. No structures may be constructed on portions of a homesite where the slope exceeds 30 percent. When cuts and fills are required, the maximum slope must be 3 to 1 to allow for natural vegetation, anything steeper than that will require an approved retaining wall unless special conditions exist on the site. Some special soil conditions may require a shallower slope such as 4 to 1.

## **2.8 ACCESS DRIVES**

Only a single driveway may access each homesite. Suggested driveway locations will be identified on the Lot Features Plan. Access drives shall be located to preserve and avoid

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

important natural features, such as large or significant plant materials, drainage ways, rock outcroppings, and to minimize disruption of the existing landscape. The Design Review Committee encourages shared driveways to flag-lots. Additionally, homeowners need to consult Valley County Ordinances that govern driveways.

The graded or paved surface of an access drive shall not exceed 14 feet in width where it crosses the road right-of-way and the front setback of the homesite and continue with the 14' width to the street paving. Driveways may widen once inside the Buildable Envelope to allow for proper maneuvering space. Driveway surfaces and certain landscaping are the only improvements allowed outside the Buildable Envelope, except for underground utilities servicing the homesite. Some limited encroachment may be considered where unique terrain, vegetation constraints, or limited homesite width may warrant. The proposed driving surface is subject to approval by the Design Review Committee. Driveways are encouraged to be colored exposed aggregate concrete, gravel, pavers, stamped or colored concrete, natural stone, or other pattern and texture methods. Asphalt drives will be permitted but must be maintained properly. No uncolored concrete is permitted.

A 12-inch concrete or metal culvert drainage pipe shall be installed where necessary beneath each access driveway, between the road shoulder and the property line, unless otherwise approved by the Design Review Committee. This pipe should be shown on the Site Plan. The invert flow line of the pipe shall be aligned and sloped so that ditch/drainage storm flows will continue smoothly and unimpeded beneath the driveway crossing. The exposed ends of the pipe shall be aesthetically finished with stone headwalls. The stone headwalls shall be noted on the Landscape Plan.

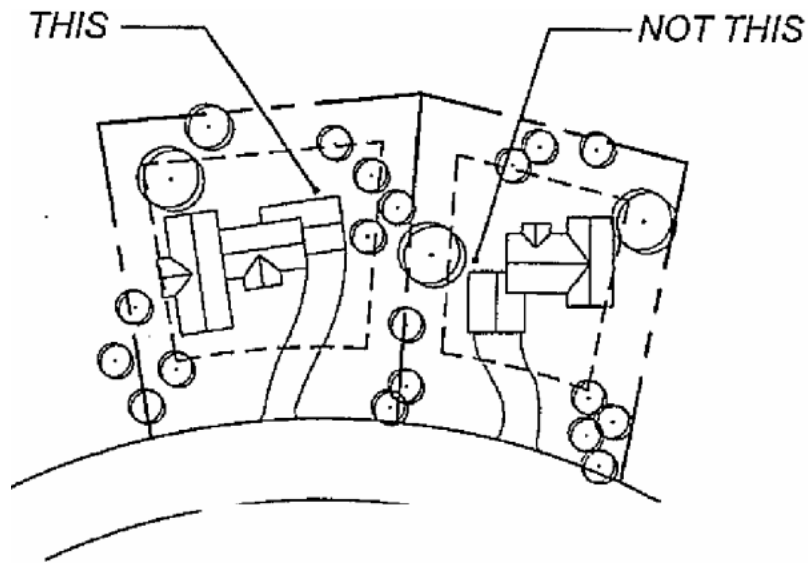
Snow storage and removal location must account for two guest parking spaces.

## **2.9 GARAGES**

Driveway access and garage location lend significant shape to the design and placement of the home. One of the greatest contributors to negative feelings about residential subdivisions is the often-present row of garage doors aligned along the street with oversized driveways leading to them. Every effort must be made to keep this from being the prevalent view at Blackhawk on the River. In order to minimize the impact on the community, garage doors may not face the street, water features, or any other common area. Two exceptions to this would be if a side-entry garage would require grading with more disturbance than a front-facing garage or if site restrictions limit building orientation. The garage may be placed in a separate structure with or without an enclosed connection to the main house. Where possible, locate the driveway where it requires the least amount of cut or fill. Overhangs above the doors and significant architectural detailing also must mitigate the visual impact of the garage doors. The front entry for people should appear dominant over the entry for vehicles. The intent of these requirements is to minimize and direct views from community areas away from vehicular components of the home.

For homesites with insurmountable obstacles and for homesites that can accommodate a garage in the rear portion of the property, the preferred solution is to recall a carriage house behind the main house. Only those designs that clearly place the mass of the home significantly closer to the street than the garage will be considered.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)



Significant landscaping and planting, in combination with a meandering driveway, may be approved as a solution for difficult homesites by the Design Review Committee.

Garages for each residence are required, either attached or detached, accommodating at least two automobiles. Carports are prohibited unless integrated into the overall architecture of the home and the contents screened from view. Garage doors shall not dominate the residence when viewed from the street, especially in areas visible from rights-of-way, common areas, and adjacent homesites. Design submittals with the garage door(s) as a primary focal point from the street will be rejected. Garage doors must relate to the remainder of the house's design elements. Glazing in garage doors should be provided to reduce the impact of the doors on the rest of the community. The garage doors should be either the same color as the body of the house; or a slightly darker shade of the same color. In either case, they should not be lighter or dark enough to call attention to themselves. Garages must not present closed or unarticulated facades.

Where three or more garage bays are planned, care must be taken in the design of the garage door plane. More than two doors are not allowed in the same plane. The third (and fourth) door(s) must occur in a secondary building plane, offset by a minimum of 32 inches from the primary front wall of the garage, to avoid a continuous uninterrupted wall of three or more garage doors. The Design Review Committee requires single-bay doors, to present a smaller-scale appearance relative to the rest of the structure. Typical garage doors should not exceed 10' in width or 9' in height. Oversize RV garage doors have a maximum height of 14' tall. They are expected to be integrated into the massing and roof design of the garage and recessed a minimum of 12". Some exceptions to the single bay door requirement may be granted when the applicant can demonstrate that the scale of a double-width door is proportional to the rest of the house's design, and is in keeping with the scale of the rest of the neighborhood streetscape or it is not physically possible to use a single bay door.

## **2.10 ON-SITE PARKING**

Each homesite must have an area for the parking of two guest automobiles within the Buildable

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

Envelope. Homeowners who possess trucks, buses, motor homes, campers, boats, trailers, motorcycles, or any other motorized vehicle other than a conventional automobile, must store or park such vehicles within an enclosed garage so they are completely hidden from view.

## **2.11 UTILITIES**

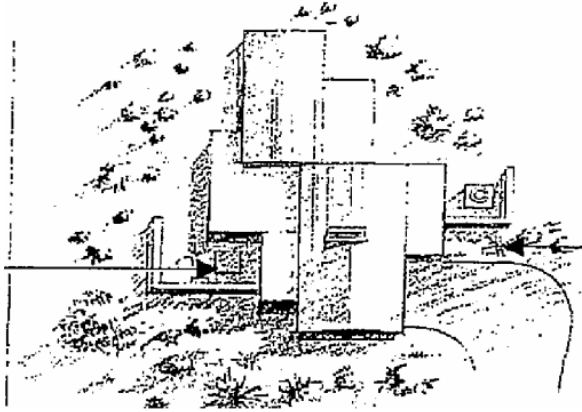
Utility services are generally stubbed to the front property line of each homesite. In some cases, on downhill lots, sewer may be located at one of the rear corners of the lot within a utility easement. Sewer, electricity, telephone and cable television service locations are clustered (usually with those of one adjacent homesite) in a utility easement located on one of the front corners of each homesite. The extension of services from these stub locations to the residence shall be the responsibility of each Owner and shall be routed to minimize disruption to the natural landscape. Utility trenches may not encroach into any required setback except where they cross the front natural area of the homesite between the service tap and the Buildable Envelope. All disturbed areas of the site must be restored to their natural condition as nearly as possible. Information regarding connection procedures may be obtained by contacting the respective utility companies.

Natural gas service is not available at Blackhawk on the River. Only underground propane tanks are allowed.

## **2.12 ELECTRICAL AND MECHANICAL EQUIPMENT**

No roof mounted or wall mounted mechanical equipment will be permitted. Any exterior mechanical equipment utilized must be ground mounted adjacent to the residence and hidden from view by walls of enough height to fully screen it and buffer sound as well. The equipment and enclosure must be contained within the Buildable Envelope and shown on the Final Design Plan. Equipment reference would include: heat pumps, generators, air condensers, or any other electrical or mechanical device on the exterior of the home. Equipment must be placed with consideration to the adjacent homesite, in order to minimize noise intrusion on the outdoor living spaces.

Mechanical equipment must be screened from the street, common areas, and adjacent homesite with a screen wall or enough landscaping and noted on the Landscape Plan. Power panels must be recessed, and a foundation sleeve must be used so the power feed is within the wall. Contact the utility companies for requirements concerning placement of the screen wall. All utilities must be located underground thus no overhead power lines are permitted.



As shown in the diagram, screen electrical meters, propane meters, mechanical equipment and irrigation controls.

### **2.13 SOLAR PANELS**

Solar panel installations are allowed in BHOTR with approval by the DRC. These guidelines apply to all solar energy devices including without limitation solar panels and their associated components, solar tubes, solar skylights, or other solar energy devices.

The Blackhawk HOA supports adoption of clean energy sources and offers the following guidance to ensure consistency with design and aesthetics and is not designed to frustrate or discourage the installation of solar energy systems.

#### **1. Approval of Installations**

A) 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 Architectural Committee prior to such installation. Submit the following with the application:

- a. A diagram “drawn to scale” by the licensed contractor installing the system showing where the system will be installed on the roof;
- b. Material to be used and/or manufacturer’s description of the system, photos and/or pictures of the system and color of the system. Drawings showing the location and number of collectors, the attachment to the roof structure, and the location of exterior system components;

B) Homeowners should consider all existing structures, landscaping and impact on neighbors.

C ) The Homeowner is entirely and solely responsible for knowing what permits may be required, and obtaining any such permits before installation begins.

D) Homeowners are urged to check with their home builder or insurance company prior to installation of devices for how such installation may affect their roof warranty or other aspects of their structure. Neither the DRC nor the HOA Board of Directors is liable to the property owners from roof damage or for effects to roof warranties.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)



## 2. Types

A) Only commercially or professionally made devices are allowed. "Home made" devices will not be permitted due to the safety and aesthetics aspects of such devices.

B) Ground-mounted solar panels are not permitted.

## 3. Location and Placement

Pursuant to changes in Idaho Code, the HOA is permitted to direct and guide the position of the solar installation only insofar as it does not effectively prohibit the installation of a solar energy system.

## 4. Construction and finish

A) If possible, all frame work, supporting structures, covers, piping, insulation and related equipment shall blend with the current roof color. All components of the solar system should be integrated into the design of the home. The color of the solar system components should generally conform to the color of the roof shingles to the extent practical.

B) Any glass, plastic or metal panels must be treated to minimize reflection or glare.

C) No exposed unpainted metal or materials (such as pipe insulation) is to be used.

Pursuant to changes in Idaho Code, the HOA is permitted to direct and guide the position of the solar installation only insofar as it does not effectively prohibit the installation of a solar energy system.

## 4. Construction and finish

A) If possible, all frame work, supporting structures, covers, piping, insulation and related equipment shall blend with the current roof color. All components of the solar system should be integrated into the design of the home. The color of the solar system components should generally conform to the color of the roof shingles to the extent practical.

B) Any glass, plastic or metal panels must be treated to minimize reflection or glare.

C) No exposed unpainted metal or materials (such as pipe insulation) is to be used.

## 2.14 WALLS AND FENCING

Site walls or fences must appear as a visual extension of the residence, using similar materials and finishes. In no case will site walls or fences be permitted to arbitrarily delineate the Buildable Envelope. It is understood that such walls or fences may define pet runs or small yards, courtyards or terraces near the residence for the purpose of privacy. No fence may outline the property line. Privacy or screen walls must not exceed six feet in height, measured from existing natural grade, and they may not encroach outside the Buildable Envelope.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

Fencing material must be of wood or stone. The use of other material is subject to approval by the Design Review Committee. Chain link, metal, plain concrete block (unless veneered with stone), wire fencing, brightly colored, or shiny materials are prohibited.

Structural retaining walls may not exceed a height of four feet above natural grade unless otherwise approved. Multiple terraced retaining walls must be utilized where the overall height of retained earth exceeds six feet. Where multiple retaining walls are used, a four-foot planting area must separate each tier. Tiered retaining walls cannot exceed twelve feet above natural grade. An exception to this would be in the case of uphill rear terraces where a cut is necessary. If the wall is fully screened by the house, it may not need to be terraced. This will be resolved on a case-by-case basis.

Retaining walls may be constructed of cast concrete or concrete masonry units; however, all exposed surfaces and edges must be stone veneer, or stacked rock so to blend unobtrusively with its natural surroundings and appear to grow out of the ground in an authentic way. The retaining wall must not have a veneered look. Maximum height of stack rock walls is four (4) feet above finish grade unless otherwise approved by a licensed engineer and built per applicable codes.

## **2.15 OUTDOOR STORAGE AND TRASH RECEPTICLES**

All outdoor trash receptacles must have animal deterrent lids. Outdoor areas housing trash receptacles, recycle bins, maintenance or service equipment such as snow blowers, etc., or overflow storage shall be screened or concealed from all adjacent properties by a wall or fence conforming to Section 2.13.

## **2.16 ANTENNAE AND SATELLITE DISHES**

Antennas or satellite dishes mounting location must be given careful consideration to be placed where it is an unobtrusive location and screened where possible. They are to be noted on the Landscape Plan.

## **2.17 SIGNAGE AND ADDRESS IDENTIFICATION**

All homes will be required to be marked per county code requirements. If there is a Structural Entry Marker, it must be included in the Landscape Plan. If it has lighting, then it must also comply with the Dark Sky ordinance.

## **2.18 SITE LIGHTING**

Site lighting is permitted within the Buildable Envelope, provided such lighting does not result in excessive glare toward the street or neighboring properties. All exterior lighting must be of a low-level subdued intensity with the source of light fully shielded and directed downward. Security lighting must also comply with the shielding requirement and be connected to a timed motion detector. Harsh interior light such as created by lighted skylights is prohibited due to its effect on the dark sky. All exterior lighting must comply with Valley County's "Dark Sky" ordinances.

All exterior lighting must be approved by the Design Review Committee and included in the Design Review Submittal. During the Final Inspection, the lighting installation will be reviewed to ensure that it is compliant.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

## **2.19 SWIMMING POOLS, SPAS, OR HOT TUBS**

Swimming pools, spas, or hot tubs, if any, must be designed as a visual extension of the residence using walls or decks and must be shielded from view. All pools and spas must be constructed according to Valley County regulations. All pumps, motors, and heaters must be fully screened from view from the street, adjacent homesites, the common areas, or public areas. Additionally, the noise must be dampened from adjacent homesites and the common areas.

## **2.20 BASKETBALL GOALS**

Basketball hoops must be permanently located. They must be noted on the Landscape Plans and approved by the DRC. Support posts of a freestanding basketball hoop shall be painted to blend unobtrusively with its visual backdrop surrounding, and the backboard must be clear. Portable basketball hoops are not allowed.

## **2.21 PLAY STRUCTURES**

Play structures, in-ground trampolines, swing sets, slides, or other such devices must be shown on the Landscape Plans. Ideally, they are in the rear yard areas, or approved location. They are constructed and finished with materials which are complementary to the structure, are limited in height to eight feet or less, and for which the colors of the equipment are in keeping with the intent of these guidelines. Generally, timber and dark colored, powder coated, steel structural components are allowed, and plastic (especially brightly colored plastic) is not. Special consideration must be made to shield the view from the street, adjacent homesites, and the common or public areas. Additional noise screening should be considered from adjacent homesites and the common areas.

## **2.22 HOMESITE RESTRICTIONS**

No more than one residence may be constructed on any homesite. Should a homeowner purchase two or more adjacent lots, they must first have the approval of Blackhawk on the River HOA and fulfill the CC&R requirements prior to proceeding with their design as well as any other required governmental authorities. Once the requirements have been satisfied, they can submit a request to the DRC to have the buildable envelope combined.

The Design Review Committee must approve the new Buildable Envelope. The height and visual impact of larger houses on combined lots will be assessed by the Design Review Committee on a case-by-case basis and may result in special restrictions.

Other out-buildings such as detached garages may be constructed, provided they are a visual extension of the main residence. Such "complexes" are subject to approval by the Design Review Committee and any other Valley County code requirements.

## **2.23 GUEST HOUSES**

Guest Houses are permitted with county approval on each Blackhawk on the River lot. All Guest Houses must be within the Buildable Envelope and the square footage of the Guest House will be counted toward the total maximum.

### **3. ARCHITECTURAL DESIGN**

The first aesthetic objective of every home at Blackhawk on the River should be to allow the buildings to fit quietly into the existing landscape. The goal is to create appealing and interesting structures that are subtle and complementary to the dominant beauty of the mountain setting and not overpower it. The second aesthetic objective should be to design all structures so that they relate to human scale; homes must be designed to not be overwhelming. While there is no one Blackhawk on the River style, there is a unifying philosophy of design. Homes should reflect regional traditions and respond to the unique character design requirements of the mountain climate. Rather than prescribing a specific formula, the guidelines and requirements are intended to foster a thoughtful and comprehensive approach to creating a well-designed community. All materials and effects at Blackhawk on the River are to be genuine. Development of spaces for the enjoyment of outdoor living is encouraged. Porches, overhangs, trellises, and the softness of shade and shadow as a result of articulated massing and details are all desirable features. Homes that lack well-designed proportions or appropriate functional detailing will not be approved. The desire is for as much subtle expression as imagination, topography, and continuity will allow. At the same time, the play of light and shadow should be used to enrich the built environment.



#### **3.1 DIVERSITY AND CONTINUITY**

The principal objective of the Design Guidelines is to add elements of architectural richness and variety to individual dwellings without allowing exceedingly flashy, ostentatious or attention-grabbing designs. The world's most admired neighborhoods enjoy the unique character created by a patina of time. Where houses have been built individually or changed over the years, the resulting diversity moves beyond that normally achieved with standard plans and elevations. To recreate this richness, the Design Review Committee anticipates a complex harmony in the design and construction of houses to be built within each area of the Blackhawk on the River Community. This rich diversity also requires some architectural continuity. This continuity with other homes in Blackhawk on the River must be considered by the architect or designer and will be examined by the Design Review Committee when reviewing applications. Homes that have well-developed outdoor spaces and use neutral, natural colors for all materials will be considered as the basis from which to provide continuity. Further design continuity can be

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

achieved through form, height, massing, materials, colors and other design patterns. The goal is to create subtle homes that complement their surroundings, allowing the mountain setting to remain the dominant image.

### **3.2 BUILDING SIZE**

A home's main floor must have a minimum of 1,800 square feet of habitable space; however, the intent is that the natural landscape remains the dominant visual image. This setting can only be maintained if the built homes and landscape remain subservient and blend into the natural landforms and existing landscape. In keeping with this philosophy, a maximum size as a percentage of lot size is imposed to assure a proper balance of open space within Blackhawk on the River.

### **3.3 PREFABRICATED BUILDING**

No building that is constructed off-site and requires transportation to any homesite, whole or in partial assembly will be permitted; this includes mobile homes, stock modular buildings, or any other structure requiring transportation and set up in a partially completed state. However, structures that are assembled off-site and completely disassembled for transportation, including log structures, structural insulating panels (SIPs), or custom designed modular buildings, may be permitted. The aesthetic merits of any such structures are subject to review and approval by the Design Review Committee.

### **3.4 HEIGHT OF STRUCTURES**

Valley County ordinances and the Blackhawk on the River Design Guidelines limit allowable heights. While the building height restrictions may help protect views, this is not their purpose. The overall full development appearance of the Community is the overriding concern. There will be a 35' maximum building height as measured from any point in the house to the natural grade directly below it. Chimneys may exceed these heights. It is the intent of this Design Guide that roof forms for homes on sloping sites step down with the grade to integrate with the natural setting. The height criteria are to avoid construction of houses that are out of scale. Beyond the height criteria, the Design Review Committee will render individual judgments with respect to the overall scale of the proposed design in relation to its location and all surrounding uses. The process does not seek to impose generalized criteria where more specific insights can be demonstrated to result in a better solution. The Committee has the right to impose a height restriction less than what is stated herein, if it believes it is necessary due to specific site conditions.

### **3.5 BUILDING MASSING**

Building masses are required to step down to lower heights at the perimeter of the structure. If used at all, two-story wall massing should be minimized. Designers who propose structures with more than one level should be certain that there is a difference in the areas contained on each level. Due to their usually boxy, massive appearance homes with similar floor areas on two levels will not be approved. Although small cantilevered elements may be considered, significant volumes over negative space must be avoided. Homes that favor the lower floor area will be more successful in meeting the requirements. Offsets or indentations in wall planes create visual interest and add depth via shadow lines. No building wall may extend more than 20 feet in height without an offset in the vertical plane of at least two feet. No single-story building wall may extend more than 30 feet in length, without an offset of at least two feet. No

two-story building wall may extend more than 20 feet in length without an offset of at least two feet.

### **3.6 ASYMMETRY AND ORGANIC COMPOSITION**

Although pattern and rhythm are encouraged, large areas of symmetrical massing are discouraged. Gable ends are an example of a portion of a building that might tolerate symmetry; however, the masses about either side of that gable need to be substantially differentiated from each other. A smaller gable end centered on a large gable will generally not be approved. Larger homes are particularly discouraged from the use of symmetry as an organizing principle of design because this symmetry can lead to the creation of a home that appears formal or institutional, rather than residential.

Although historical precedent provides some symmetrical examples, it is important to keep in mind that the homesites at Blackhawk on the River are not to be developed independently of their neighbors and may not be designed as stand-alone monuments. For this reason, a more organic composition is preferred; one that can coexist within view of other well-designed residences.

### **3.7 FOUNDATIONS**

Foundation walls must step down with the grade change so that an exposed surface does not exceed a vertical height of 8" above finish grade. Exposed concrete surfaces greater than 8" tall are not allowed. These surfaces must be clad with stone or other material approved by the DRC. Stone cladding must be continued to a point at least 6" below grade so that the supporting structure is not exposed.

Where the vertical distance from the underside of a ground floor wood deck structure (along its perimeter edge) exceeds 30 inches above finish grade below, the deck edge must be skirted with wood siding to screen the cavity beneath the deck or have a special quality that would allow viewing the structure acceptable. Foundation walls that occur under a skirted deck such that they are no longer visible are exempt from the facing requirements stated above.

### **3.8 EXTERIOR MATERIALS**

All exterior materials should be judged to help in the blending of the homes into the landscape. Exterior material should generally be natural material that blend and are compatible with the native landscape. The predominant exterior materials should consist of wood or stone, including wood shingles, beveled wood shakes or tongue-in-groove board siding, board-an-board, board and batt, or logs. The use of stucco will only be allowed in very limited quantities and only when it is integrated into the design. Plywood siding is prohibited unless the applicant can demonstrate to the Design Review Committee that the specific proposed application would result in a finished appearance indistinguishable from an individual board siding application.

The use of metal siding, except for the use under eave areas up to 4' to protect from water dripping on guttered areas, including aluminum, fiberglass siding, vinyl siding, or asbestos siding is prohibited. All exterior surfaces including gutters, chimneys and their covers, and window frames are to be finished or painted. Unfinished metallic exterior surfaces are not permitted unless they are copper or Cor-ten steel. The use of masonry block as an exterior finish material, and brick will not be allowed. Simulated or cultured stone will not be allowed.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)



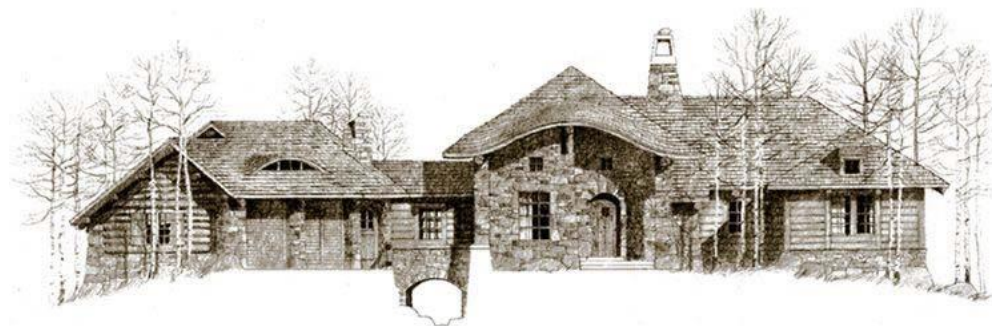
Other materials may be considered that are not listed. All exterior materials are to be submitted on the Final Design Review Checklist and are to be approved by the DRC.

### 3.9 ROOFS

The roofline of each house must create its own pleasing relationship to the street, other common areas, and to its adjacent structures when viewed from all directions. The overall profile and articulation of the roof should be sufficiently irregular to break up anything that would otherwise appear too boxy or discordant with the landscape or neighboring structures. Expansive roof structures shall be articulated by way of gable or shed dormers. Overhangs shall be provided at all roof edges and must be 2' 6" or more on primary roofs. Asymmetrical roofs are preferable to those that are obviously symmetrical. Covered terraces or porches must be fully integrated into the design of the house. Smaller eaves may be permitted for secondary roof elements.

The roofs of all two-story homes should include single-story elements that help scale the two-story elements back to the ground. For both one and two-story residences, the roof profile should be richly varied, including individual masses of sufficient size, in plan and elevation to convey the desired result. The higher masses should generally occur toward the center, with the lower profiles occurring toward the outer portions of the house.

All residences at Blackhawk on the River should predominately be pitched/gabled roofs. The dominant roof form must have a minimum pitch of five feet by twelve feet and a maximum pitch of ten by twelve. Portions of the roof may be less to achieve the desired Architecture. Dormers and stepped roof liners are encouraged to eliminate large roof planes. Flat roofs, with very shallow pitches will be allowed when combined with pitched roofs. No mansard will be allowed.



Roofs shall have a Class-A roof covering or a Class-A roof assembly. Preferred roof materials include slate, flat concrete tiles, permanent non-reflective metal roofs, or heavyweight three dimensional thick-butt asphalt shingles. Wood shakes and shingles are allowed only if fire retardant treated and part of a Class-A assembly. Most pre-finished metal roofs are considered too reflective and will be prohibited.

Cor-ten (i.e. rusting steel) or copper roofing is encouraged as metal roofs of choice. Copper roofs must be allowed to turn brown or patina. No permanent shiny copper will be allowed. If asphalt shingles are used, a metal drip edge detail must be used to finish the edge appearance. The use of asphalt shingles of standard or medium thickness, any types of barrel or "s" tiles, asphalt roll roofing, or reflective metal surfaces is prohibited.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

All roof vents for mechanical equipment, water heaters, or attic venting are encouraged to be incorporated into a chimney. If not incorporated in the chimney, then they must be on the rear side of the roof and painted to match the adjacent roofing color.

### **3.10 ENTRANCES**

Entrances proportioned to convey a sense of human scale are more appropriate than those with exaggerated dimensions. Any grandeur should be experienced upon entering the house, not worn on its exterior facade. Entries that are too ornate, monumental, or imposing will not be approved. Entrances that are a part of covered front terrace or porch are preferred. In general, two-story entrances are not allowed. Porte-cocheres will only be approved on homesites large enough to permit the required vehicle turning movements, without encroaching into the side setbacks.

### **3.11 PORCHES, TERRACES, DECKS**

Although not required, front porches are strongly encouraged. A core element of the Blackhawk on the River concept is the utilization of the covered front porch or front-facing terrace. Properly designed, this can augment the traditional, more private use of the backyard. The historic front porch or landscape terrace assists this effort in four ways:

1. The focal point of the house becomes the people-oriented entrance, rather than the more typical garage-dominated streetscape.
2. An enhanced sense of entry is achieved without being monumental.
3. There are often excellent views from the front of the house. A space for limited seating, with the benefit of a low wall and an overhanging roof, facilitates being able to take advantage of views.
4. The living area of the house is made to feel larger by opening to the front yard and street with an indoor/outdoor space.

### **3.12 AWNINGS AND ROLL DOWN EXTERIOR WINDOW COVERINGS**

The use of awnings, canvas or other similar materials, are not allowed. Additionally, roll down exterior window coverings are also not allowed.

### **3.13 CHIMNEYS AND OUTDOOR FIRES**

Well-proportioned chimney masses can be used as sculptural features complimenting the overall qualities of the house. Chimneys lend themselves to a variety of angular and rounded forms that can enliven the three-dimensional quality and profile of the overall design.

To preserve the high air-quality at Blackhawk on the River, all residences are encouraged to utilize propane log fireplaces, rather than standard wood burning fireplaces or pellet stoves. Only one interior woodburning fireplace will be allowed per homesite.

Due to the extreme fire danger usually present in this timbered mountain region, all chimneys, must be equipped with a U.L or I.C.B.O. approved spark arrestor. Exposed metal flues will not be approved. Spark arrestors must be fully concealed by using a chimney cap detail. Outdoor fire pits and permanently installed barbeques must be indicated on the Landscape Plan and approved by the Design Review Committee.

### **3.14 EXTERIOR COLORS**

The color of exterior materials must generally be subdued to blend with the natural landscape. It is the intent at Blackhawk on the River to preserve the appearance of the natural landscape and preclude the use of colors that would appear out of place and, therefore, offensive to the eye. Earth tones are recommended, although accent colors that are used judiciously may be permitted. In no case will colors approaching the primary range (red, blue, white and yellow) be permitted, nor will drastic contrasts in value (light to dark) be allowed. This applies to both paint and stain. White may only be used as an accent or "trim" color; "light-gray" siding stains that approach white or off-white in appearance will not be allowed. Garage and exterior doors are not considered "trim".

Proposed colors must be demonstrated to the Design Review Committee in a sample format that adequately depicts the hue, tone and shade of the proposed color in the Final Review Checklist. Sample swatches on the actual siding material are to be submitted. The Design Review Committee may require the color selection to be applied to an area of the house prior to approval.

### **3.15 WINDOWS, SKYLIGHTS, AND SHUTTERS**

Windows should not appear as openings cut into the side of a box, but rather as architectural features recessed, projected, or bordered by projecting trim that provide a shadow pattern and reduce reflectivity. The window frames must not be white or off-white.

All facades must be treated with the same attention to detail given to the front or street elevation. All facades shall contain some degree of doors, windows, or other openings in the walls. Octagons, circles, hexagons, and triangles insensitively placed, will not be approved. Window heads must be shaped to match rooflines or remain level. No scissor truss windows will be permitted with slopes not matching the roofline. Scissor trusses can only be used if not visible from outside. Skylights must be placed on the roof in an organized pattern that compliments the roof design. They must not be placed arbitrarily. All skylights must be low profile flat type. Bubble type or dome skylights are prohibited. Skylights will not be allowed to be up-lit from the interior.

### **3.16 BUILDING PROJECTIONS**

All projections from a residence or other structure including, but not limited to, chimney flues, vents, flashing, louvers, gutters, downspouts, utility boxes, porches, railings and exterior stairways shall match or compliment the surface from which they project or must be painted or stained an approved color to blend unobtrusively with adjacent materials. All building projections must be contained within the Buildable Envelope.

## **4. LANDSCAPE GUIDELINES**

As homes are designed and built within Blackhawk on the River, care must be taken to preserve the rugged natural beauty intrinsic to this site. The native vegetation and unique site features are the fabric that weaves together a cohesive and distinct character for the community. Trees, natural vegetation, and other site features should be incorporated and utilized to enhance the overall appearance of the home. Since the plant species permitted for revegetation is limited, and the growth process long, every method to preserve existing vegetation must be employed. Landscaping considerations should be considered at the Site Planning Phase.

Blackhawk on the River's landscaping concept may be envisioned as a series of concentric planting zones around a home. The Enhanced Area is considered transitional, as the landscape blends back to the natural vegetation in the Natural Area. The line of interface between the zones should occur along a soft edged irregular line.

On homesites without existing natural vegetation, additional plant material may be required in the Natural Area or Enhanced Area by DRC. A Landscape Plan must be submitted during the Final Review process and approved by DRC.

### **4.1 NATURAL AREA**

The Natural Area is that portion of the homesite that lies outside of the Enhanced Area boundary identified on the Lot Features Plan, and must remain natural in appearance, or revegetated to the standards outlined in this section. Revegetation may occur only when rehabilitating disturbed areas. Only approved plants may be used in the Natural Area. In addition, the density and mix of any added plant material in the natural area will be required to approximate the density and mix found in the general area. Refer to Appendix A: for a Natural Area Plant List and Appendix B: Typical Landscape Design.

### **4.2 ENHANCED AREA**

The Enhanced Area is that portion of a homesite within the Enhanced Area Boundary identified on the Lot Features Plan, within which an Owner may enhance the landscape. Care must be taken during the siting of the residence on the homesite to allow planting space for perimeter landscaping to occur without necessitating encroachment outside the Enhanced Area Boundary. When turf is used, it may not be a dominant component of the landscaping. All areas of the homesites which were disturbed by construction activity must be restored and revegetated, and must be appropriately tended, until the natural vegetation is re-established. Refer to Appendix A for an Enhanced Landscape plant list.

### **4.3 RECOMMENDED PLANT LIST**

The Design Review Committee has provided a list of plants and trees deemed to be compatible with the natural landscape, including indigenous and non-indigenous species. Valley County is hardiness zone 5a/5b. Consideration for plant selection should include deer resistant, hardiness and non-invasive. Such plants are listed in an Appendix A to this Design Guide. All plants selected must be submitted in the Final Application Checklist and shown on the Landscape Plan.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

#### **4.4 FIRE PREVENTION THINNING**

Fire prevention thinning may occur in the Enhanced Area of the homesite. Removal of the native vegetation down to raw earth for the purpose of fire prevention thinning is not allowed.

#### **4.5 WATER FEATURES**

Pond or water features must be shown on the Landscape Plan and approved by the DRC.

#### **4.6 NOXIOUS WEEDS**

It shall be the responsibility of the Owner to control noxious weeds on their property, in accordance with Idaho Code Title 22, Chapter 24 (22-2407). For help with identification, control methods, and spray equipment contact the Valley County Weed Control.

## **5. CONSTRUCTION REGULATIONS**

The preservation of the natural areas of Blackhawk on the River is critical to the community. In order to ensure that the natural area of each homesite is preserved to the maximum extent possible and the nuisances inherent to any construction process are kept to a minimum, the following regulations shall be strictly enforced during the construction period of all improvements at Blackhawk on the River. The Owner of a homesite shall be responsible for violations of the Design Guide, including construction regulations contained therein, by any contractor, subcontractor, agent, or employee performing any activities on behalf of the Owner within Blackhawk on the River, whether located on the homesite or elsewhere within Blackhawk on the River.

### **5.1 GENERAL CONTRACTOR OR CONSTRUCTION MANAGER**

The General Contractor or Construction Manager Qualifications Builders will have prior experience in home building for a period of at least 2 years prior to commencement on construction at Blackhawk on the River. It may be required to submit evidence that they have sufficient knowledge, experience, equipment and financial resources to perform all obligations for the construction process. They must have a general contractors/construction management license from the State of Idaho and follow all state guidelines and regulations with permitting, rules, bond requirements and insurance.

### **5.2 BUILDABLE ENVELOPE AND FENCING REQUIREMENT**

The Buildable Envelope, which is the limit of development on each homesite, is also the area within which all construction activities related to the improvements must be confined. To this end, the approved area of disturbance must be staked and clearly identified during the full duration of construction. Construction fencing enclosing the Buildable Envelope must extend for the full street frontage so no contractors or suppliers park in the natural area.

When a utility trench does not follow the driveway, the trench area must have a construction fence no wider than 8 feet along the route, on each side, and be fully revegetated wherever the natural area is disturbed.

### **5.3 OSHA COMPLIANCE**

All applicable Occupational Safety and Health Act (OSHA) regulations and guidelines must be observed at all times.

### **5.4 CONSTRUCTION SITE PLAN AND CONSTRUCTION TRAILERS**

As part of the Final Design Review, a Construction Site Plan must be prepared and approved which indicates construction access, parking areas off the street, sanitary facilities, concrete wash out area, trash drum/dumpster, material storage, and approved access drives, for construction activities on any homesite.

A construction trailer or portable field office may be located on the building site within the Buildable Envelope, clear of all setbacks. The type, size and color of any portable office must be approved by a representative of the Design Review Committee as part of the Construction Site Plan. The field office may not be placed on-site earlier than two weeks prior to the actual onset of continuous construction activity. At the same time, the provision of temporary power and

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)



telephone may be installed. The construction trailer must be removed upon completion of the project.

### **5.5 CONSTRUCTION TRASH RECEPTACLES AND DEBRIS REMOVAL**

Owners and builders shall clean up all trash and debris at the end of each day; an approved trash receptacle with a closed lid must always remain on site for this purpose to contain all lightweight materials or packaging. The receptacle must be positioned on the site alongside the access drive, clear of side and rear setbacks, adjacent road right(s)-of-way and neighboring properties. Trash receptacles must be emptied on a timely basis to avoid overflow of refuse; disposal shall be at a suitable off-site facility. Owners and builders are prohibited from dumping, burying, or burning trash anywhere on the homesite or in Blackhawk on the River. Heavy debris, such as broken stone, wood scrap, or similar items must be removed from the site immediately upon completion of the work of each trade that has generated the debris.

All concrete washouts, from both trucks and mixers, must occur within a contained area of the Buildable Envelope of the homesite in a location where it will be ultimately concealed by structure or covered by backfill. Concrete washout in road rights-of-way, setbacks or on adjacent properties is strictly prohibited.

During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore or detriment to other homesites or open space. Any clean-up costs incurred by the Design Review Committee or the Association in enforcing these requirements shall be *payable* by the Owner. Dirt, mud, or debris resulting from activity on each construction site shall be promptly removed from public or private roads, open spaces and driveways or other portions of Blackhawk on the River.

### **5.6 SANITARY FACILITIES**

Each Owner or builder shall be responsible for providing adequate sanitary facilities for construction workers. Portable toilets must be located within the Buildable Envelope, and shown on the Construction Site Plan, clear of all setbacks and in a discreet location approved on site by the DRC.

### **5.7 CONSTRUCTION ACCESS**

The access drive approved by the DRC will be the only construction access to any homesite.

### **5.8 VEHICLES AND PARKING AREAS**

Construction crews will not park on, or otherwise use, undeveloped portions of homesites or open space. All vehicles shall be parked within an area approved by the DRC. During very busy construction periods involving multiple trades, such that all construction vehicles cannot be confined to the site proper, the overflow vehicles may be temporarily parked along the shoulder of the roadway in locations and for time periods solely as approved by the DRC. During these periods the road must allow continual unconstrained access by normal traffic and emergency vehicles, including fire trucks and snow removal equipment. Where parking on the shoulder occurs, all damage to the shoulder and landscape must be repaired by the contractor. Vehicles may not be parked on neighboring homesites, in nearby driveways or on open space. Changing oil or vehicle maintenance is prohibited.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

### **5.9 CONSERVATION OF NATIVE LANDSCAPE**

Trees and all-natural areas that are to be preserved must be marked and protected by flagging, fencing, or barriers. The DRC shall have the right to flag major terrain features or plants which are to be fenced for protection. Any trees or branches removed during construction must be promptly cleaned up and removed from the construction site.

### **5.10 EROSION CONTROL**

During construction, measures must be taken to eliminate erosion. All measures utilized must comply with Valley County ordinances.

### **5.11 EXCAVATION MATERIALS AND BLASTING**

If any blasting is to occur, the Design Review Committee must be notified two weeks in advance and appropriate approvals must be obtained from Valley County. Blasting may only be done by licensed demolition personnel, with all requisite insurance coverage as mandated by county and state statutes, specific to their blasting activity at Blackhawk on the River. The Design Review Committee shall have the authority to require in writing documentation of anticipated seismic effects, with confirmation such effects will not be injurious to other persons or properties, public or private, and that all appropriate protection measures have been utilized.

All excess material resulting from blasting, as well as all other excess excavation materials, must be promptly removed.

### **5.12 DUST AND NOISE CONTROL**

The contractor shall be responsible for controlling dust and noise from the construction site, including the removal of dirt and mud from public or private roads that is the result of construction activity on the site.

The sounds of radios or any other audio equipment used by construction personnel must not be audible beyond the property perimeter of any homesite; repeated violations of this provision will precipitate a total prohibition of any on-site use of radios or audio equipment during construction.

### **5.13 MATERIAL DELIVERIES**

All building materials, equipment and machinery required to construct a residence on any homesite at Blackhawk on the River must be delivered to and remain within the Buildable Envelope of each homesite, clear of all setbacks. This includes all building materials, earth-moving equipment, trailers, generators, mixers, cranes and any other equipment or machinery that will remain at Blackhawk on the River overnight. Material delivery vehicles may not drive across adjacent homesites or common area parcels to access a construction site.

### **5.14 FIREARMS**

The possession or discharge of any type of firearm by construction personnel on any construction site, homesite, common area parcel or right-of-way at Blackhawk on the River is prohibited.

### **5.15 ALCOHOL AND CONTROLLED SUBSTANCES**

The consumption of alcohol or use of any controlled substance by construction personnel on any construction site, homesite, common area parcel or right-of-way at Blackhawk on the River is prohibited.

### **5.16 FIRES AND FLAMMABLE MATERIALS**

Careless disposition of cigarettes and other flammable materials, as well as the build-up of potentially flammable materials constituting a fire hazard, are prohibited. At least two 20-pound ABC-Rated Dry Chemical Fire Extinguishers shall always be present and available in a conspicuous place on the construction site. No on-site fires are allowed, except for small, confined, attended fires for the purposes of heating masonry water.

### **5.17 PETS**

If a contractor brings a pet, they must keep them on the lot, clean up after them, and ensure they don't bark excessively and disturb neighbors.

### **5.18 PRESERVATION OF PROPERTY**

The use of, or transit over, any other homesite, common area or amenity is prohibited. Similarly, the use of or transit over the natural area or setbacks outside the Buildable Envelope of any homesite is prohibited. Construction personnel shall refrain from parking, eating, depositing of rubbish or scrap materials (including concrete washout) on any neighboring homesite, common area parcel, or right-of-way.

### **5.19 PROTECTION OF SUBDIVISION IMPROVEMENTS AND RESTORATION OF PROPERTY**

Each Owner shall be responsible for the protection of all subdivision improvements, roadways, common areas, or improvements of any other homesite which may be damaged by the activities of such Owner's contractor, subcontractor, agents, or employees.

Upon completion of construction, each Owner and builder shall clean his construction site and repair all property which has been damaged, including but not limited to, restoring grades, planting shrubs and trees as approved or required by the Design Review Committee, and repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing. In addition, the Owner and general contractor shall be held financially responsible for site restoration, revegetation and refuse removal necessitated on any and all adjacent properties as a result of trespass or negligence by their employees or sub-contracted agents.

### **5.20 CONSTRUCTION SIGNAGE**

Temporary construction signs shall be limited to one sign per site. This sign is intended for job site identification only. Therefore, it must be located within the Buildable Envelope, facing the street frontage of the homesite. The sign shall contain the general contractor's name and phone number, building permit number, and street address.

The construction sign may not be erected on a site earlier than two weeks prior to the onset of continuing construction activity and must be removed within two weeks of the issuance of a certificate of occupancy by the County, or immediately upon the passage of 30 calendar days without significant construction activity.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

### **5.21 DAILY OPERATION**

Daily working hours for each construction site shall be from 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 7:00 p.m. on Saturday. Noisy activity is prohibited on Sunday of each week, particularly during the summer period of high Owner/visitor occupancy.

### **5.22 SITE VISITATIONS**

Due to the inherent danger associated with an active construction site, visitors to any site should be limited to those persons with official business relating to the construction activity, such as construction workers and tradesmen, building officials, security staff, Design Review Committee, sales personnel, and the Owner.

### **5.23 CONSTRUCTION INSURANCE REQUIREMENTS**

All contractors and sub-contractors must post evidence of insurance with their homesite Owner, prior to entering the construction premises. Confirmation shall be evidenced in the form of a valid Certificate of Insurance naming both the homesite Owner and Blackhawk on the River Community Association, Inc. The required insurance must provide coverage not less than the applicable limits of coverage relating to comprehensive general liability, automobile liability and workmen's compensation. The minimum limits of liability shall not be less than \$500,000 each for general liability and automobile liability. General liability coverage shall contain provisions for contractual liability and broad form property damage. The certificate shall provide for 30-day notice to the certificate holders in the event of cancellation or material change in the limits of coverage.

## **6. DESIGN REVIEW PROCEDURES**

Site sensitive, site-specific design shall be fundamental at Blackhawk on the River. Design drawings should evolve from the careful and thorough analysis of a site's specific setting and features. Therefore, Owners and/or their designers should refrain from approaching a site with a predetermined design expecting to "make it fit", with little regard to natural constraints. Blackhawk on the River has established this review procedure to assist the applicant through the design process in its appropriate sequence.

Plans and specifications shall be submitted to the Design Review Committee in accordance with the following conference and submittal requirements and review procedures.

### **6.1 OPTIONAL PRE-PRELIMINARY DESIGN SUBMITTAL**

A home site Owner may seek a Pre-Preliminary Design Review by the DRC before beginning the formal Design Review Process. The purpose of the Pre-Preliminary Design Review is to identify planned design features that are or may be inconsistent with the Design Guidelines before the home site Owner incurs costs associated with the preparation of materials that comprise the preliminary design submittal.

### **6.2 PRELIMINARY DESIGN SUBMITTAL**

The Design Review Committee will review conceptual plans to ensure conformance with the Design Guidelines before the Owner finalizes and engineers their design. Refer to the Pre-Design checklist in Appendix. The submittal shall consist of electronic documents and one set of prints, which shall be retained by the DRC.

To summarize, these are the relevant items:

1. Site Plan (scale 1" = 20' minimum) showing the property, location of the proposed Building Envelope, the residence and all buildings, driveway, parking area, existing and proposed topography, grading, drainage, and snow removal, proposed floor elevations, existing trees, all clusters of native shrubs, and special terrain features to be preserved.
2. Floor Plans (scale 1/4" = 1' minimum) showing proposed finished floor elevations.
3. All exterior elevations (scale 1/4" = 1' minimum) showing both existing and proposed grade lines, plate heights, ridge heights, roof pitches and a preliminary indication of all exterior material and colors.
4. Preliminary Design Checklist with fees paid.

### **6.3 FINAL DESIGN SUBMITTAL**

When the final design is complete, its submittal for consideration must include the following exhibits. Refer to the Final Design checklist in Appendix. Review by the DRC will not commence until the submittal is complete. The submittal shall consist of electronic documents and one sets of prints, which shall be retained by the DRC.

1. Site Plan (scale 1" = 20' or 1/8" = 1' minimum) showing the property, location of the proposed Building Envelope, all setbacks and coverage, the residence, all decks, buildings, driveways, parking area, exterior lighting, existing and proposed topography, grading, drainage, and snow removal, proposed floor elevations, building footprint, and eave line.
2. Landscape Plan showing size, spacing and type of all proposed plants, irrigation system, all decorative materials or borders, and all preserved plants, complete new plant listing,

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

and a revegetation plan. Refer to Appendix B for an example of Blackhawk minimum planting standards.

3. Final Building Plan (scale 1/4" = 1' minimum) including floor plan, elevations, roof heights, building sections, and exterior material selections.
4. Construction Site Plan as described in paragraph 5.3 and per construction checklist.
5. Final Design Checklist with fees paid.

#### **6.4 DEFERRAL OF MATERIAL OR COLOR SELECTION**

An applicant may wish to delay the confirmation of landscaping intentions (if any) and final color or stonework selections until some point in time after the start of construction, in order to better visualize landscape considerations, or to test an assortment of potential colors with actual material intended for use. The DRC will cooperate with the applicant in this regard, provided that no landscape work may be started, nor color or material applied, until such time as the Committee has had the opportunity to review and consent to the final selections. Material and color selection must be provided to the DRC by 90 days after the final approval.

We advise that the resubmittal occur before the placement of any orders for materials to avoid potential restocking costs in the event of denial of the submitted item(s). Landscape plan shall be approved and conform with the minimum typical standard Blackhawk Community guidelines prior to Final Certificate of Occupancy application, and Material Board requirements shall be submitted for review and approval by the DRC prior to final framing inspection approval.

Further, the provision stated here shall be a condition of Final Design Approval; therefore, application of any material, coating or finish without the requisite resubmittal to the DRC shall have the effect of voiding the approval in its entirety.

#### **6.5 SITE INSPECTION**

As soon as the submission of final plans is complete, a representative of the DRC will inspect the homesite to determine that the conditions as depicted in the final submittal are accurate and complete.

#### **6.6 FINAL DESIGN REVIEW**

DRC will review the plans and respond in writing no later than 30 days after a submittal is complete. Members of the Design Review Committee will not discuss results of reviews over the telephone with an Owner or his Architect or Builder, and no Owner, Architect or Builder shall have the right to attend any meeting of the DRC unless specifically requested by the DRC.

Any response an Owner may wish to make regarding the results of a Design Review must be addressed to the DRC in writing. The Design Review Committee's approval of the final design is valid for twelve months.

#### **6.7 RESUBMITTAL OF PLANS**

In the event of any disapproval by the DRC of either a Preliminary or Final Submittal, a resubmission of plans should follow the same procedure as an original submittal. An additional Design Review fee shall accompany each such submittal as required by the DRC.



## **6.8 COMMENCEMENT OF CONSTRUCTION**

Upon receipt of final approval from the DRC, and having satisfied all Valley County review processes, the Owner shall satisfy all conditions and commence the construction or any work pursuant to the approved plans within one year from the date of such approval. If the Owner fails to begin construction within this time period, any approval given shall be deemed revoked.

The Owner shall, in any event, complete the construction of any improvement on his homesite within one year after commencing construction thereof, except and for so long as such completion is rendered impossible or would result in greater hardship to the Owner due to labor strikes, fires, national emergencies or natural calamities. Any extension must be approved by the DRC. Final landscaping should be completed within 1 year of the final home completion.

If the Owner fails to comply with this schedule, the Design Review Committee shall have the right to either have the exterior of the improvement completed in accordance with approved plans or remove the improvement, with all expenses incurred to be reimbursed to the DRC by the Owner.

## **6.9 INSPECTIONS OF WORK IN PROCESS**

The DRC may inspect all work in progress and give notice of noncompliance. Absence of such inspection or notification during the construction period does not constitute an approval by the DRC of work in progress or compliance with this Design Guide.

## **6.10 SUBSEQUENT CHANGES**

Additional construction or other improvements to a residence or homesite, changes during construction or after completion of an approved structure, including landscaping and color modifications must be submitted to the DRC for approval prior to making such changes or additions.

## **6.11 FINAL RELEASE**

Upon completion of any residence or other improvement, the Owner shall give written notice of completion to the DRC. Within 10 days of such notification, a representative of the DRC shall inspect the residence or other improvement for compliance. If all improvements comply with this Design Guide, the DRC shall, in recordable form, issue a written approval to the Owner, constituting a final release of the improvements by the DRC, said release to be issued within 30 days of the Final Inspection. If it is found that the work was not done in strict compliance with approved plans or any portion of this Design Guide, the DRC may issue a written notice of noncompliance to the Owner, specifying the particulars of noncompliance, said notice to be issued within 30 days of the Final Inspection.

The Owner shall have 30 days from the date of notice of noncompliance within which to remedy the noncompliance portions of his improvement. If, by the end of this time period the Owner has failed to remedy the noncompliance, the DRC may act to remove the noncompliance improvements as provided for in this Design Guide, including, without limitation injunctive relief or the imposition of a fine.

## **6.12 NON-WAIVER**

The approval by the DRC of any plans, drawings or specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

similar plan, drawing or specification subsequently or additionally submitted for approval. Failure to enforce any of this Design Guide shall not constitute a waiver of same.

#### **6.13 RIGHT OF WAIVER**

The DRC reserves the right to waive or vary any of the procedures set forth herein at its discretion, for good cause shown.

#### **6.14 APPEAL OF DRC DECISION**

The Owner has a right to appeal a decision of the DRC to the Board of Directors. The decision of the Board of Directors in accordance with the CCRs is final.

#### **6.15 EXEMPTIONS**

Utility and maintenance buildings, structures, and cabinets located on nonresidential tracts are exempted from this Design Guide. However, the DRC will endeavor to attain as high a level of conformance with these standards as is practical for these types of facilities.

#### **6.16 DESIGN REVIEW FEE**

Upon submission of the Preliminary Checklist, an application fee of \$3,000 will be due. Of that, \$1500 will be returned after this phase if the Owner decides to not move forward in the Design Review Process.

At the Final Review Design stage, an additional \$7,000 is due upon submission of the Final Review Checklist. After construction and the Final Inspection when all conditions, including landscaping have been satisfied by the DRC \$8,000 of the total \$10,000 will be reimbursed to the Owner.

#### **6.17 ADDITIONS, MAJOR LANDSCAPE, EXTERIOR REMODELS, AND REFINISHING**

At any time after the Final Inspection, a minor or major remodel, paint/stain change, major landscape or hardscape changes, any additional structure, patio or feature that would be required to be reviewed and approved during the Design Review Process will need to be submitted to the DRC. The DRC shall have the discretion to determine the level of detail required for the submittal based upon the complexity and the impact of the improvement as well as any associated fees for their review. Excluded approval would include re-painting/staining the exterior the same color, minor planting changes, and removal of unhealthy trees.

## **7. DESIGN REVIEW COMMITTEE (DRC)**

### **7.1 ADDRESS OF DESIGN REVIEW COMMITTEE**

#### **COA C/O DRC**

Blackhawk on the River  
PO Box 1585  
McCall, Idaho 83638

### **7.2 RESIGNATION OF MEMBERS**

Any member of the Design Review Committee may, at any time, resign from the Design Review Committee upon written notice delivered to the Board.

### **7.3 DUTIES**

It shall be the duty of the DRC to consider and act upon such proposals or plans related to the development of Blackhawk on the River that are submitted pursuant to this Design Guide to enforce the Design Guide, and to amend this Design Guide when, and in a manner deemed appropriate by, the DRC.

### **7.4 MEETINGS**

The DRC shall meet from time to time as necessary to properly perform its duties. The vote resulting in the majority of the members shall constitute an act by the DRC. The DRC shall keep on file all submittals and copies of all written responses to Owners to serve as record of all actions taken.

### **7.5 COMPENSATION**

Unless authorized by the Association, the members of the DRC shall not receive any compensation for services rendered. All members shall be entitled to reimbursement for reasonable expenses incurred by them in connection with the performance of their duties. Professional consultants and representatives of the DRC retained for assistance in the review process shall be paid such compensation as the DRC determines.

### **7.6 AMENDMENT OF DESIGN GUIDE**

The DRC may, from time to time and at its sole discretion, amend or revise any portion of the Design Guide. All such amendments or revisions shall be appended to and made a part of the Design Guide. Administrative changes may be made in like manner by the DRC; the DRC for consideration by the Board of Directors of the Homeowner's Association may recommend changes of a substantial nature. Once approved, it will be recorded with Valley County.

### **7.7 NONLIABILITY**

Neither the DRC, any member thereof, nor the developer, shall be liable to the Association or to any Owner or other person for any loss or damage claimed on account of any of the following:

1. The approval or disapproval of any plans, drawing and specifications, whether defective.
2. The construction or performance of any work, whether pursuant to approved plans, drawings, and specifications regardless of any inspections by the DRC during construction.
3. The development or manner of development of any property within Blackhawk on the River.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

Every Owner or other person, by submission of plans and specifications to the DRC for approval, agrees that he will not bring any action or suit against the DRC, any of its members, nor the developer, regarding any action taken by the DRC.

Approval by the DRC of any improvement at Blackhawk on the River only refers to the Blackhawk on the River Design Guide and in no way implies conformance with local government regulations. It shall be the sole responsibility of the Owner to comply with all applicable government ordinances or regulations, including but not limited to zoning ordinances and local building codes.

## **7.8 ENFORCEMENT**

The DRC may, at any time, inspect a homesite or improvement and, upon discovering a violation of this Design Guide, provide a written notice of non-compliance to the Owner, including a reasonable time limit within which to correct the violation. The DRC may also record a notice of violation after the expirations of the time limit. If an Owner fails to comply within this time period, the DRC or its authorized agents may enter the homesite and correct the violation at the expense of the Owner of such homesite; said expense to be secured by a lien upon such homesite, enforceable in accordance with the Declaration.

In the event of any violation of this Design Guide, the DRC may, at its sole discretion and in addition to restoration expenses, impose without limitation a punitive fine, commensurate with the severity of the violation.

In the event the DRC deems it necessary to retain legal counsel in connection with the enforcement of this Design Guide, the Owner against whom such enforcement is sought shall be liable for all legal fees and other out-of-pocket expenses incurred by the DRC or the Blackhawk on the River Community Association, Inc. in enforcing the Design Guide.

## **7.9 SEVERABILITY**

If any provision of the Design Guide, or any section, clause, sentence, phrase or word, or the application thereof in any circumstance, is held invalid, or unenforceable, the validity of the remainder of this Design Guide, and of the application of any such provision, section, sentence, clause, phrase or word in any other circumstances, shall not be affected thereby, and the remainder of the Design Guide shall be construed as if such invalid or unenforceable part were never included therein.

## **7.10 DELEGATION OF AUTHORITY**

The DRC may delegate any or all its Design Review responsibilities to one or more of its members, acting as a subcommittee of the DRC, and/or a professional design consultant(s) retained by the DRC on behalf of the Association. Upon such delegation, the actions of such members or consultant(s) shall be equivalent to action by the Committee as a whole.

## **7.11 DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS**

This Design Guide is promulgated pursuant to the terms and conditions of the Declaration of Covenants, Conditions, and Restrictions for Blackhawk on the River. However, in the event of any inconsistency between the provisions of this Design Guide and the provisions of such Declaration, the more restrictive of the two provisions shall apply.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

## APPENDIX A: PLANT LIST

The following list contains recommended plants for use at Blackhawk on the River. This list is not all inclusive but should be used as a starting point for selecting plants. All the plants are native to Idaho, the goal is to integrate the new home sites into the existing native vegetation. Two categories of planting material are identified. The first list, Native Landscape Area, includes plants that are native to Idaho and commercially available. The first list also contains Core Trees that will provide the “backbone” or “structure” for nearly every planting scheme. The second list, Enhanced Landscape Area, includes plants that are native to Idaho in addition to other species that look similar to native species. Requirement for specific homesites may be restrictive depending on landscape indigenous to the immediate site and the location of the site within the community. When selection for trees and plant are considered, the hardiness, deer resistance, and non-invasive as well as plant growth should all be considered.

### NATIVE LANDSCAPE AREA

The Native Area is the boundary that borders the site and must remain natural in appearance or revegetated with only the approved plants listed below. The plants listed in this category are appropriate for use in all parts of the homesite, if they have been identified on the Landscape Plans and approved by the DRC.

#### TREES

<b>Botanical Name</b>	<b>Common Name</b>
Abies Grandis	Grand Fir
Abies Lasiocarpa	Subalpine Pine
Acer Glabrum	Rocky Mountain Maple
Ainus Incana	Mountain Alder
Betula Occidentalis	Water Birch
Carix Occidentalis	Tamarack
Picea Engelmannii	Engelmann Spruce
Picea Pungens 'Green'	Colorado Spruce
Pinus Contorta 'Latifolia'	Lodgepole Pine
Pinus Ponderosa	Ponderosa Pine
Populus Tremuloides	Quaking Aspen
Populus Trichocarpa	Black Cottonwood
Prunus Virginiana	Black Chokecherry
Pseudotsuga Menziesii	Douglas Fir
Salix Scouleriana	Scouler Willow
Sorbus Scopulina	Rocky Mountain Ash
Ulmus Pumila	Siberian Elm

## SHRUBS

<b>Botanical Name</b>	<b>Common Name</b>
Amelanchier Alnifolia	Western Serviceberry
Arctostaphylos Uva-Ursi	Kinnikinnick
Cornus Alba 'Sibirica'	Sibirican Tartarian Dogwood
Cornus Stolonifera	Red Osier Dogwood
Crataegus Douglasii	Black Hawthorn
Holodiscus Discolor	Oceanspray
Mahonia Repens	Creeping Oregon Grape
Physocarpus Capitatus	Pacific Ninebark
Physocarpus Malvaceus	Ninebark
Ribes Aureum	Golden Currant
Rosa Nutkana	Nootka Rose
Rosa Woodsii	Wood's Rose
Rubus Sanguineum Nootka Rose	Red Flowering Currant
Rubus Spectabilis	Salmonberry

## HERBACEOUS PERENNIALS & FERNS

<b>Botanical Name</b>	<b>Common Name</b>
Aquilegia	Colombine
Asarum Caudatum	Wild Ginger
Dicentra Cucullaria	Dutchman's Breeches
Dryopteris Austriaca	Mountain Woodfern
Dryopteris Filix-Mas	Male Fern
Lupinus Polyphyllus	Lupine
Lupinus Sericeus	Silky Lupine
Polystichum Munitum	Sword Fern
Smiliciana Racemosa	False Solomons Seal
Syntherisma Missurica 'Major'	Mountain Kittenails
Thalictrum Dasycarpum	Purple Meadowrue
Viola Nuttalli	Nuttall's Viola Penstemon

## ENHANCED LANDSCAPE AREA

All material found in the Native Landscape Area list may be also be used in the Enhanced Landscape Area. The following selection of plants is appropriate for use only in landscape areas that have a direct relationship with the home. When designing the Enhanced Landscape, one of the primary considerations must be to minimize the impact of foreign species on the Native Landscape where it can be viewed from rights of way and other common areas. For this reason, special care must be exercised in the selection and placement of the taller species on the list. The Enhanced Landscape must be contained within clear boundaries, beyond which no non-native species are allowed. Care must be taken to ensure that this boundary is easily maintained over time. Additional plants may also be considered that are commercially available, hardy, and deer resistant.



## **TREES**

<b><u>Botanical Name</u></b>	<b><u>Common Name</u></b>
Acer Platanoides	Norway Maple
Acer Saccharinum	Silver Maple
Betula Papyrifera	Paper Birch
Juniperus Scopulorum	Rocky Mountain Juniper

## **SHRUBS**

<b><u>Botanical Name</u></b>	<b><u>Common Name</u></b>
Acer Ginala	Ginala Maple
Erica Carnea	Heather
Mahonia Aquifolium	Oregon Grape
Pachystima Myrsinites	Pachystima
Pinus Mugho	Mugo Pine
Pinus Sylvestris	Scotch Pine (Dwarf Nana)
Potentilla Fruticosa	Shrubby Cinquefoil
Rhus Giabra	Smooth Sumac
Ribes Niveum	Snow Currant
Spiraea Dougkasii	Douglas Spiraea
Symphoricarpus Albus	Snowberry
Viburnum	Cranberry, Mohician, Blue Muffin

## **HERBACEOUS PERENNIALS AND GRASSES**

<b><u>Botanical Name</u></b>	<b><u>Common Name</u></b>
Agropyron Spicatum	Bluebunch Wheatgrass
Calamagrostis Acutiflora	Karl Foerster
Echinacea Purpurea	Coneflower
Festuca Idahoensis	Idaho Fescue
Fragaria Vesca Bracteata	Wild Strawberry
Helictotrichon Sempervirens	Blue Avena Grass
Koeleria Platycarpa	Evergreen Kittentails
Nepeta Faassenii	Catmint
Poa Spp.	Bluegrass
Salvia Sylvestris	May Night
Viola Canadensis	Canada Violet

\*Design provided by Franz Witte Landscape Contracting



## APPENDIX C: LOT FEATURES PLAN

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)



## PRELIMINARY DESIGN REVIEW CHECKLIST

Block \_\_\_\_\_ Lot \_\_\_\_\_ Applicant Name \_\_\_\_\_

Builder's Name & Company Name \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_ Email \_\_\_\_\_

Date \_\_\_\_\_ Date Reviewed \_\_\_\_\_ Date Returned \_\_\_\_\_

Digital Plans to DRC \_\_\_\_\_  
 Completed Checklist \_\_\_\_\_  
 Application Fee \_\_\_\_\_

Site Plan (scale at 1" = 20' minimum scale)

- Lot Coverage Calculations. Refer to Section 2.4
  - a. Building Footprint \_\_\_\_\_
  - b. Covered Outdoor Areas \_\_\_\_\_
  - c. Driveway \_\_\_\_\_
  - d. Hardscape \_\_\_\_\_
- Total: \_\_\_\_\_
- All Setbacks \_\_\_\_\_
- Existing Lot Features: trees, rocks \_\_\_\_\_
- Topography – Existing & Proposed \_\_\_\_\_
- Grading & Drainage \_\_\_\_\_
- Snow Removal and Storage \_\_\_\_\_
- Parking \_\_\_\_\_

Building Design (scale 1/4" = 1' minimum scale)

- Floor Plans with sqft of each floor plate indicated \_\_\_\_\_
- Subfloor/slab elevations relative to existing grade \_\_\_\_\_
- Elevations or 3D model images \_\_\_\_\_  
 (graphically indicate relationship of structure to existing proposed topography)

Fee Structure: \$3,000 Due with application, payable to Blackhawk On the River HOA, C/O Design Review Committee and addressed to property management company. Refer to Fee Structure, Section 6.15 for details.

Submit a Digital Copy and 1 Hard Copy AND Fee to the DRC C/O COA

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)



## FINAL DESIGN REVIEW CHECKLIST

Block \_\_\_\_\_ Lot \_\_\_\_\_ Applicant Name \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_ Email \_\_\_\_\_

Builder's Name, Company Name and License# \_\_\_\_\_

Date \_\_\_\_\_ Date Reviewed \_\_\_\_\_ Date Returned \_\_\_\_\_

Digital Plans to DRC \_\_\_\_\_  
Completed Checklist \_\_\_\_\_  
Application Fee \_\_\_\_\_

Final Site Plan (scale at 1" = 20' or 1/8" = 1' minimum scale)

- Lot Coverage. Refer to Section 2.4
  - a. Building Footprint \_\_\_\_\_
  - b. Covered Outdoor Areas \_\_\_\_\_
  - c. Driveway \_\_\_\_\_
  - d. Hardscape \_\_\_\_\_
- Total: \_\_\_\_\_
- All Setbacks \_\_\_\_\_
- Existing Lot Features: trees, rocks \_\_\_\_\_
- Topography – Existing & Proposed \_\_\_\_\_
- Area of Disturbance/Access \_\_\_\_\_
- Grading & Drainage \_\_\_\_\_
- Snow Removal and Storage \_\_\_\_\_
- Parking \_\_\_\_\_
- Building Footprint/Eave Line \_\_\_\_\_
- All Decks, Driveways, etc \_\_\_\_\_
- Site Lighting \_\_\_\_\_
- Exterior Mechanical Equipment location \_\_\_\_\_

Final Building Design (scale 1/4" = 1' minimum scale)

- Floor Plans with sqft of each floor plate indicated \_\_\_\_\_
  - All Decks, Walks, Etc \_\_\_\_\_
  - All Secondary Buildings \_\_\_\_\_
- Elevations \_\_\_\_\_
  - All Roof Heights \_\_\_\_\_

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)

- Chimney Caps \_\_\_\_\_
- Windows & Doors \_\_\_\_\_
- Eave Trim/Details \_\_\_\_\_
- Lighting \_\_\_\_\_
- Max Roof Height \_\_\_\_\_
- Building Sections \_\_\_\_\_
  - Longitudinal \_\_\_\_\_
  - Transverse \_\_\_\_\_
  - Topo-existing/Proposed \_\_\_\_\_
- Outline Specifications \_\_\_\_\_
  - Exterior Color Sample \_\_\_\_\_
  - Exterior Material Samples:
    - Siding \_\_\_\_\_
    - Roofing \_\_\_\_\_
    - Windows \_\_\_\_\_
    - Fascia \_\_\_\_\_
    - Trim \_\_\_\_\_
    - Beams \_\_\_\_\_
    - Chimney Cap \_\_\_\_\_

Final Landscape Plans (as applicable)

- Existing Trees, Vegetation, Rocks \_\_\_\_\_
- New plant location, spacing, design \_\_\_\_\_
- Walls and Fences \_\_\_\_\_
- Plant Listing: Natural and Enhanced \_\_\_\_\_
- Revegetation Plan \_\_\_\_\_
- Screening of Mechanical Equipment \_\_\_\_\_
- Location of Antenna or Satellite \_\_\_\_\_
- Structural Entry Signage \_\_\_\_\_
- Site Lighting \_\_\_\_\_
- Swimming Pool/Hot Tub/Spa \_\_\_\_\_
- Basketball Goal/Play Structure \_\_\_\_\_
- Fire Pit \_\_\_\_\_
- Water Feature/Pond \_\_\_\_\_
- Buried Propane Tank \_\_\_\_\_

Fee Structure: \$7,000 Due with application, payable to Blackhawk On the River HOA, C/O Design Review Committee and addressed to property management company. Refer to Fee Structure, Section 6.15 for details.

Submit a Digital Copy and 1 Hard Copy AND Fee to the DRC C/O COA

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)





## CONSTRUCION CHECKLIST

Block \_\_\_\_\_ Lot \_\_\_\_\_ Applicant Name \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_ Email \_\_\_\_\_

Builder Company Name \_\_\_\_\_ License# \_\_\_\_\_

Builder Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Builder Address: \_\_\_\_\_ Email: \_\_\_\_\_

Alternate Contact Name: \_\_\_\_\_ Number: \_\_\_\_\_

Date \_\_\_\_\_ Date Reviewed \_\_\_\_\_ Date Returned \_\_\_\_\_

Refer to Section 5 of the Design Guide for more details

### Construction Site Plan:

- Parking Identified \_\_\_\_\_
- Construction Access \_\_\_\_\_
- Parking off Street \_\_\_\_\_
- Sanitary Facility Location \_\_\_\_\_
- Concrete Wash Out Area \_\_\_\_\_
- Trash Drum \_\_\_\_\_
- Material Storage \_\_\_\_\_
- Job Trailer (if applicable) \_\_\_\_\_
- Erosion Control Plan \_\_\_\_\_
- Approvals for Blasting (if applicable) \_\_\_\_\_
- Evidence of Insurance \_\_\_\_\_
- Evidence of Permits \_\_\_\_\_

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)



## ADDITIONS, MAJOR LANDSCAPE, EXTERIOR REMODELS, AND REFINISHING REQUEST FORM

Block \_\_\_\_\_ Lot \_\_\_\_\_ Applicant Name\_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_ Email \_\_\_\_\_

Date \_\_\_\_\_ Date Reviewed \_\_\_\_\_ Date Returned \_\_\_\_\_

Updates:

Remodel \_\_\_\_\_

Major Landscape

New Paint/Stain Color \_\_\_\_\_

Description of changes\_\_\_\_\_

[illegible]

With application, provide as detailed submittal information as you have available. The committee will review, advise if a fee is required and if additional information is required for approval.

Submit a Digital Copy to the DRC for approval.

[WWW.BLACKHAWKONTHERIVER.COM](http://WWW.BLACKHAWKONTHERIVER.COM)