



**ARCHITECTURAL RULES AND GUIDELINES  
VILLAS HOMEOWNERS' ASSOCIATION  
BANBURY MEADOWS**

**SUPPLEMENT TO BANBURY MEADOWS MAIN HOA  
ARCHITECTURAL RULES AND GUIDELINES**

**GENERAL INTRODUCTION AND GUIDELINES**

**5 October 2023  
Rev# 1**

**Authority:** Restated Master Declaration of Covenants, Conditions and Restrictions (CC&R's), Banbury Meadows Homeowners Association, dated 25 January 2008, and paragraphs 1, 2, 2.7 amendment #1 dated 15 April 2012.

**Purpose:** The Restated BBM CC&R's, para #2.7, provides for the Villas HOA to establish and exercise the duties and responsibilities of the Architectural Review Committee (ARC), to review plans and specifications for all improvements constructed upon a Villas lot which are visible above ground (see sections 3.1, 3.29 and 4.1.2 of the CC&R's). It may also establish rules and guidelines setting forth procedures for the required content of the applications and plans submitted for approval. The Villas ARC Rules and Guidelines are not intended to change or conflict with those established by the Main HOA ARC, rather consider the unique differences presented by the Villas/Patio Homes in respect to design, lot size and limited space between residential structures and property lines. The basic guidelines and philosophy of the Main HOA's ARC will be the foundation of the Villas implementation and execution of its Architectural Review program and objectives. The provisions incorporated herein reference Article XI of the CC&R's.

The review and approval or disapproval of ARC Applications & Plans submitted may be based upon the following factors: design and style elements, mass and form, topography, setbacks, finished ground elevations, architectural symmetry, drainage, color, materials, including approved material, physical or aesthetic impacts on other properties, including common areas, artistic conformity to the terrain and other improvements on the property, and any and all other factors which the Villas Architectural Committee, in its reasonable discretion, deems relevant. The requirements for the approval of the architectural design shall apply only to the exterior appearance of the improvements. The architectural rules are not intended to serve as authority to control the interior layout or design of residential structures except to the extent incidentally necessitated by use, size and height restrictions.

**Review Policy:**

- The Villas Board of Directors will also serve as the Villas Architectural Review Committee. This decision has been taken due to the relatively small number of homeowners/members that make up the Association and will serve to expedite and streamline the review and decision process. As a matter of prudence, in the event an ARC Application is submitted by an immediate neighbor of a member of the Board, that Board Member will Recuse themselves from the review and decision process to eliminate any actual or perceived conflict of interest. In the event there is a tie during the voting process, and the review of an ARC Application, the President or Vice President shall cast a second tie breaking vote.
- Once the Board/ARC has voted and rendered a decision on an ARC Application, it shall provide written notification of that decision to the homeowner.
- After a homeowner has been notified of the Board's/ARC decision, it shall be the responsibility of the ARC to follow up with the homeowner to ensure compliance with the Villas HOA ARC Guidelines/Rules and CC&R's.
- The approval/decision rendered on an ARC Application is valid for a period of 6 months and the approved project must be completed within that timeframe. Homeowners unable to complete the project within the 6-month period must resubmit their application requesting an extension along with justification for the delay. Failure to complete the project in a timely manner is subject to HOA levied financial special assessments and penalties (as outlined in 5.5.1.1, CC&R's).
- No request for exception to the CC&R's and ARC Guidelines will be granted unless the request is submitted on the Architectural Review and Approval Form. It is the duty and responsibility of the ARC/Board to ensure each homeowner is provided with the Architectural Review & Approval Form.
- The ARC/Board will (at a minimum) consider the following criteria when deciding to grant/deny an exception to the CC&R's and ARC Guidelines:
  - Color
  - Style
  - Size
  - Location
  - Appropriate screening
  - Impact on neighboring properties and community

The intent of considering the above criteria is to ensure any exception to the CC&R's or ARC Guidelines conforms to and is compatible with the homeowners' residence, the surrounding environment, and the neighborhood at large. In addition, the ARC may also weigh the neighbors' opinions (pertaining to the project) during the review process, however those opinions are not dispositive on whether an exception is granted.



## **PROCEDURES:**

- The Villas Architectural Review Committee/Board will meet as often and as necessary to review ARC Applications.
- The ARC approval does not waive or modify any code requirements from the City of Eagle or any other governmental agency.
- Application Submittal: All ARC application forms and plans (and required supporting documentation/technical details) must be sent to Development Services, Inc., 9601 W. State Street, Ste. 201, Boise, ID 83714, Tel # 208-939-6000.
- Setbacks and building elevations must conform to all applicable governmental laws and regulations (see Sect. 4.1.3 and 4.1.4 of the CC&R's). The Villas ARC/Board of Directors shall have no liability resulting from the approval of any plans, setbacks, heights or building elevations that are not in conformance with applicable laws and regulations.

**Approvals/Disapprovals:** The ARC will use its reasonable effort to promptly respond with its evaluation, conditions and final decision to the plans submitted. In the event the homeowner wishes to make modifications to their ARC Application or project plans, after approval, they must resubmit the application/plans to the ARC and receive approval for all modifications prior to any changes being made. Projects started or completed before the submission of an ARC Application must still be reviewed (after the fact) by the ARC/Board and a decision rendered. Applications submitted after the fact are subject to changes, adjustments (and possible disapproval) based on the final review and findings of the ARC and Board of Directors.

## **Specific Design Considerations:**

- **Roofing:** Roofing material must be compatible with the surrounding homes and be one of the following two shingles approved for use in the Villas Community:
  1. **Owens Corning Tru-Definition/Duration, Brownwood Color, Shingle:** An example of the shingle can be found at the following website: <https://www.owenscorning.com/en-us/roofing/shingles/trudefinition-duration?color=brownwood>
  2. **GAF Timberline HDZ, Hickory Color, Shingle:** An example of this single can be found at the following website: <https://www.gaf.com/en-us/products/timberline-hdz>

These shingles are similar in appearance and are made of the same materials, Asphalt and Fiberglass. They have similar warranties and guarantees of resistance to wind, rain, and hail. Both shingles are compatible with the Villas Tuscan Architectural Theme (earthen tones) and are compatible with all the Villas-approved exterior house paint colors. The homeowner shall submit an application to the ARC for review/approval and include the shingle brand name, color, and specifications prior to installation. Homes are to have a roof pitch of not less than 5/12 or as approved by the ARC. Variance of roof pitches for porches and patio covers may be considered by the ARC. Alternative brand-name roofing shingles can be considered if they meet these specifications and colors.



- **Chimneys:** Exterior surfaces of the chimney must be stucco (same color as primary house color) or natural stone (the same stone type used as accents on the front of the house).
- **Roof Metals:** All metal flashing, chimney caps, roof jacks and other miscellaneous roof metals shall be painted to blend in with roof material, including aged roof materials.
- **Exterior Walls and Trim:** Stucco siding is the only exterior wall covering permitted in the Villas Community. The only exterior wall or column accent features that can be considered are natural stone/rock or high-quality synthetic rock/stone and must be reviewed and approved by the ARC before installation.
- **Exterior House Colors (Walls and Trim):** The main exterior house and trim colors are restricted to those contained in the Villas Resolution/Policy, Subject: Approved Exterior House Colors and Painting Guidelines, Rev #2, dated 9 July 2021. This Resolution can be found on the HOA's Website Site:  
<https://www.banburymeadows.org/>.
- **Soffits:** Metal or wood Soffits are acceptable.
- **Fascia:** Fascia must be wood and be a minimum of 1-1/4" X 8" (tru-lap).
- **Main Entrance Door:** Must be stained natural wood, not painted. Subject to ARC review and approval, colored/stained glass accent window(s), limited in size and number, may be incorporated into the front door design.
- **Exterior Windows and Doors:** Must be wood, white/off-white, bronze clad and bronze anodized metal are approved for windows, door frames, skylights and garden windows. Mill-finished aluminum windows or doors are not acceptable. Exterior doors and door frames must be painted either in the approved primary house or trim color.
- **Main Garage Doors:** Main garage doors cannot have windows or painted artwork designs or any architectural design accents on the surface of the garage door panels. The main garage door must be made of aluminum/metal (panels) painted the same as the house primary or trim color.
- **HVAC Units:** Must be screened from view from the street and golf course with a permanent wall to match the house or 4' evergreen shrubberies (or other ARC approved plants).
- **Gutters and Down Spouts:** All gutters and down spouts are to be continuous and shall be painted/colored to blend in with the surface to which they are attached. Unless otherwise approved by the ARC, the color must be the same house or trim color. Down spouts must empty into underground lines which redirect water to underground collection pits or street property lines and not empty/drain onto the surface of the ground between houses.
- **Exterior Lighting:** Yard lighting is not permitted. Soffit or low voltage yard decorative/accent lighting is permitted subject to the review and approval of the ARC and Board. This includes and is not limited to exterior security lighting which must not invade or create excessive light pollution for neighboring properties. Motion detector activated exterior lighting is strongly recommended for systems remaining on after 11 PM each night.



- **Mailboxes and Posts:** The location of mailboxes has been determined by the U.S. Postal Service. The standards and mailbox/post specification has been established by the HOA to assure uniformity and only these standards and mailboxes are to be used. Other than residential house numbers, mailboxes cannot be decorated or modified in anyway. The maintenance of all mailboxes and posts (painting and repair), is the responsibility of the homeowner. The recommended repair company to service mailboxes/posts is posted to the HOA's Website.
- **Service Yards:** Garbage cans, trash/recycle containers, firewood areas, and all other exterior improvements are to be screened so they cannot be visible above ground from the street or surrounding homes. Consideration must be given to the placement of all heat pumps, AC compressors or any non-generating equipment so that they are not a nuisance to the surrounding properties.
- **Pergolas/Arbors:** Must be made of substantial wood beams and cross members, stained dark brown and designed to be compatible with the main house architecture and those Pergolas/Arbors located throughout the Villas Community. Pergolas/Arbors constructed of aluminum or steel (with a dark brown wood textured surface) **can be considered for the back/rear yard patios only.**
- **Water Features/Ponds:** Must be made of high-quality stone and masonry craftsmanship, size/mass is subject to ARC's review based on location and square footage of front or back yards. Must not be constructed or located within the HOA's five (5) foot easement/setback from the back yard property line (main irrigation line easement).
- **Birdbath Type Water Features:** Custom and Prefab Units must be made of high-quality materials and subject to height and mass requirements established by the ARC when considering location, square footage of front/rear yard and line-of-sight view from streets and adjacent properties.
- **Driveways and Sidewalks:** Must be constructed of standard gray concrete, staining or stamped designs of driveways must be pre-approved by the ARC. Sidewalks, adjacent to public streets, must remain standard gray concrete color and design.
- **Exterior Window Shades:** Fixed hooded or horizontal exterior window shades extending away from the home are not permitted in the Villas Community. However, vertical roll down/up shades, limited to the space inside the window frame is authorized. The shade must be made of long-lasting all-weather material and its color must match the house exterior primary or trim color (at the point it is attached to the house).
- **Fencing:** Fencing is only permitted/authorized in the Villas back/rear/side yards. Fencing **MUST** be wrought iron style design and constructed of black wrought iron, aluminum, or steel. Fencing cannot be more than 6 feet tall, and two (2) access gates must be installed, one on each side of the house, and they cannot be locked during HOA Lawn Care Service Days. Fencing must not extend past the front plane of the house, or side plane if on a corner lot. Fencing cannot be installed beyond A/C units on side yards, the fence must stop/terminate at least four (4) feet before the A/C Unit (to allow for Landscaper and Emergency Service access) The fence style or design must be of non-view obstruction (3.5 to 4 inches between vertical slats/rails) and cannot be made of vinyl or wood. Additional add-on heavy duty wire type barrier fencing along bottom of the main fencing (small dog, or puppy barrier) must be made of black or dark green heavy gage steel or aluminum material, not more than 3 feet high, and be reviewed and approved by the ARC/Board prior to installation.



Temporary fencing of any kind is not authorized unless preapproved by the ARC/Board for a specific purpose and limited period of time.

- **Retaining or Accent Walls:** Must be made of Stucco (color matched to house primary or trim color) or natural stone. They cannot exceed 18 inches in height and 8 inches in width. The wall must also comply with property line setbacks and not be built within the 5-foot easement along HOA main irrigation lines. Retaining walls cannot be built between homes or within side yards.

**Villas Landscaping and Lawn Care:** An ARC Application and Design Plan (with a list of materials to be used) must be submitted to the HOA ARC for written approval prior to any/all improvements or modifications to residential yards, landscaping, or irrigation systems (including drip lines):

- **Sod:** All front and back yard areas must be sodded unless a variance/exception is granted by the ARC.
- **Landscaping plant minimums:**

**Front Yard -**

- Sodded
- 2 - Class 1 trees
- 1 - Class II trees (minimum 2.5 caliper)
- 10 – 5-gallon shrubs

**Rear Yard –**

- Sodded
- 1 – 6ft Evergreen tree
- 1 – Class I tree
- 1 – Class I or class II tree
- 5 – 5-gallon shrubs

**Side Yards (between houses) –**

- Ground cover only; Black/grey gravel, small river rock, dark brown or black wood chips (no permanent turf/grasses, plants, trees, or irrigation). Ground cover vegetation, which is draught resistant and low water consuming, and a limited number of small potted plants (with driplines), are permitted when approved by the ARC.

**Note:** Side yard development is restricted due to access requirements by the HOA landscaper, fire and emergency services and potential flooding caused by irrigation systems, which can enter residential crawl spaces. A very small number of Villas properties, with larger side yards, can request and be considered for the installation of plants and small trees/bushes when reviewed and pre-approved by the ARC/Board and HOA Landscaper.

- **Villas Residential Irrigation –**

The initial/original installation of Villas Residential Irrigation Systems (at the point of connection from the HOA Main Line), water lines, valves, timers, etc., was the responsibility of the homeowner. Once installed the Villas HOA and HOA contracted landscaper is responsible for its basic operation, maintenance, and repair (Section 2.7.2, BBM HOA CC&R's, dated 12 April 2010).

- The operation of the Villas Residential Irrigation System is the responsibility of the HOA Landscaper, which includes setting timers.
- Each residential timer must be installed on the exterior side or back yard wall of the home (normally by the garage exterior side door).
- To maintain its proper operation, the HOA Landscaper is authorized to lock the exterior irrigation timer access panel to prevent unauthorized access. Should this become necessary, the Landscaper will provide a copy of the Control Panel Door Key to the Villas ARC/Board of Directors.
- The basic setup of the Irrigation System, lines, valves, filters, irrigation heads, etc., cannot be modified or expanded without the approval of the ARC and HOA Landscaper, this includes the addition of driplines.
- Subject to seasonal weather conditions, the irrigation system will be turned on around the 15<sup>th</sup> of April and turned off during the last two weeks of October by the HOA Landscaper.

- **Lawn Care -**

The Villas HOA contracted Landscaper is responsible for the basic Lawn Care of each residence, see Villas Lawn Care & Landscaping Services List dated 12 December 2022, which can be found on our Website; <https://www.banburymeadows.org/>, under homeowner information.

- **Homeowner Lawn Care responsibilities:** Homeowners are required to submit an ARC Application for all lawn and landscaping improvements or modifications made within their property, even if performed by the HOA contracted Landscaper. Lawn care and landscaping maintenance requirements outside the HOA's Lawn Care & Landscaping Service List (referenced above) must be addressed by each homeowner as needed, i.e. refreshing ground cover, replacement or repair of plastic weed barriers, removal of dead or deceased plants and trees, expansion of irrigation system, planting of new turf/grass, plants, bushes or trees, etc.
- **Yard edging of turf/grass, flower bed/tree wells:** Black/dark brown plastic or wood edging is authorized, however concrete or metal edging/curbing is not permitted within the community. Concrete curbing, prefab bricks or natural rock edging in back/rear yards will be considered as a variance/exception to policy when submitted via ARC application to the ARC/Board.
- **Lawn or Yard Art:** When done tastefully, Lawn art in limited quantities can be placed within front and back yards, however lawn art/access pieces taller than 24 inches and placed within the front or back yards must be reviewed by the ARC/Board prior to installation. Furthermore, the ARC/Board reserves the option to review proposed and current lawn art or accent pieces to ensure compliance with the architectural design and/or positive contribution to the



overall appearance of the Villas Community. This also applies to artwork and similar items placed in or hanging from trees and bushes/plants.

- **Maintenance of Banks/Common Area around HOA Waterway and Stream:**

Homeowners living along the banks of the HOA Waterway, located between Chipper Way and Whiff/Colchester, are encouraged to review and become familiar with the BBM Main HOA Resolution/Policy pertaining to the maintenance of the Waterway Banks. The Resolution / Policy can be found on the Banbury Meadows HOA Website (<https://www.banburymeadows.org/>). The policy is located under the Homeowner Information Tab and is titled "Maintenance of Waterway, Stream and Adjacent Banks/Common Area", dated 14 March 2016. Homeowners are reminded they cannot perform any maintenance of any kind (cutting/removal of weeds or grasses, chemical treatment, etc.) of the Waterway Banks unless they follow the instructions and complete (in advance of said maintenance) the process contained in the Main HOA's Resolution/Policy referenced above. Failure to follow this policy can result in Special Assessments and Financial Penalties being issued. If you have any questions or need further details concerning this process, please contact Development Services, Inc., at 208-939-6000.

- **HOA Community Solar Energy Policy:**

The Banbury Meadows Main HOA policy concerning the installation and use of Solar Energy systems within the community can be found in the Main HOA's ARC Rules and Guidelines document dated 14 December 2020. This document is located on the HOA's Website (<https://www.banburymeadows.org/>), under the "Homeowners Information" tab. When submitting a request for the installation and use of Solar Energy Systems, Villas homeowners must continue to use the Villas ARC Application Form to allow the Villas ARC & Board to process the application for review before submission to the Main HOA for consideration.

These architectural rules and guidelines cannot be construed to modify, amend, or in any way vary the terms and conditions of the HOA's CC&R's. These Villas ARC Rules and Guidelines are subject to modification as needed. The ARC/Board of Directors will make reasonable efforts to notify the homeowners of any significant material changes to these guidelines and rules.

**Compliance:** The Villas Board of Directors and ARC are responsible for ensuring the above considerations, guidelines and rules are followed in order to maintain and enhance the appearance of the Villas and Banbury Meadows Community.



**Should you have any questions or need further details concerning these Guidelines or Rules, please contact our Association Manager at Development Services, telephone number 208-939-6000.**

**FOR THE VILLAS BOARD OF DIRECTORS:**

A handwritten signature in black ink, appearing to read "John W. Boyd", is written over the printed name and title.

**1 Enclosure  
Copy of Villas ARC Appl Form**

**John W. Boyd  
Board President, Villas at BBM HOA**

**CF: Each Villas Homeowner  
Villas HOA Manager, Development Services  
Each Villas Board Member**

**Note: This document is Revision #1 of the original policy dated 7 March 2023, the only change or update to that policy pertains to roofing requirements, page #3.**