

Bella Vista Home Homeowners Association  
ARCHITECTURE & DESIGN  
GUIDELINES

# INTRODUCTION

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## **PROJECT BACKGROUND**

Bella Vista is a Master Planned Community that emphasizes an active lifestyle for a variety of residents.

## **VISION OF THE COMMUNITY AND DESIGN GUIDELINES**

### **PURPOSE**

These Architecture & Design Guidelines are intended to assist future home Builder/Owner, their designer, architect, builder, contractor and/or landscape professional to understand the guidelines regarding the allowable uses and site restrictions in the community of Bella Vista. These guidelines are intended to ensure that Bella Vista is developed and maintained to the highest practical aesthetic standards. The Architectural Control Committee (ACC) has been established pursuant to Bella Vista CC&Rs for Bella Vista in order to implement and administer the Architecture & Design Guidelines. The ACC exists for the purpose of maintaining the quality design development and in overseeing appropriate building and property use throughout the community. The ACC will review submittals and make rulings that, in all cases, supersede the City of Medford. In addition to establishing an overall aesthetic for Bella Vista, the intent of these Rules & Design Guidelines is to ensure that all homes across a broad range of price points maintain a level of design quality that is compatible throughout the entire community and protect the value of all homes and lots.

Included in this document are the Construction Approval Process, Submittal Requirements and the Architectural Design Guidelines. The application of these Architecture & Design Guidelines shall be subject to the approval of the ACC which shall also approve the installation of all buildings, fences, landscaping (including water features), exposed solar heating, air conditioning, mechanical equipment, antennas, satellite dishes, utility meters, and all other exposed site and building components. No improvement shall be commenced, erected, placed or altered on any lot until the construction plans and specifications showing the nature, shape, heights, materials, colors and proposed location of the improvement have been submitted to and approved in writing by the ACC.

It is the intent and purpose of these guidelines to assure quality of workmanship and materials and harmony of external design with the existing improvements with respect to topography and finished grade elevations as well as compliance with the setback requirements contained in applicable governmental development code standards.

The ACC is not responsible for determining compliance with structural and building codes, solar ordinances, zoning codes or any other governmental regulations, all of which are the responsibility of the applicant. The procedure and specific requirements for review and approval of construction may be set forth in updated Design Guidelines adopted from time to time by the ACC.

# CONSTRUCTION APPROVAL PROCESS

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The application of these Design Guidelines shall be subject to the approval of Bella Vista Architectural Control Committee (ACC) which shall also approve the installation of all buildings, fences, landscaping (including water features), exposed solar heating, air conditioning, lighting, mechanical equipment, antennas, satellite dishes, utility meters, and all other exposed site and building components. The application for “Preferred Builders” may vary. (See application review process).

Exceptions to the Design Guidelines shall be considered on an individual basis, and granted based on architectural merit. The ACC reserves the right to amend or alter the Design Guidelines as needed.

All construction is subject to all codes and ordinances as adopted by the State of Oregon, Jackson County, the City of Medford, and all other pertinent regulations. The most stringent regulations shall apply in the event of a conflict.

## ACC APPLICATION AND SUBMITTAL REQUIREMENTS

The Construction Submittal Form and Application is available through Crystal Lake Community Management, Inc. 541-617-7006, [Community@CrystalLakeCM.com](mailto:Community@CrystalLakeCM.com) or online at [www.CrystalLakecm.com](http://www.CrystalLakecm.com) at the Bella Vista website. The login is HOA and password is Neighbor with a capital N.

## RESPONSIBILITIES

It is the responsibility of each Bella Vista preferred builder member, landowner and/or his agent(s) to read and understand the Declaration of Covenants, Conditions and Restrictions (CC&Rs) for Bella Vista; ACC Construction Submittal Form and Application; and these Design Guidelines.

## ARCHITECTURAL CONTROL COMMITTEE

### *General*

Bella Vista Board of Directors has established the Bella Vista ACC to implement and administer these Design Guidelines. The ACC shall exercise the functions for which it is given responsibility by Bella Vista, as provided in the Declaration of CC&Rs for Bella Vista and for the modifications, circulation, and enforcement of its rules governing the use and maintenance of home sites and the improvements thereon.

### *Committee Membership*

The ACC shall consist of at least three persons who shall be appointed by Bella Vista Board of Directors. Members of the ACC may be removed and replaced at any time by Bella Vista Board of Directors. Except as otherwise provided herein, any quorum of members of the ACC shall have the power to act on behalf of the ACC without the necessity of a meeting and without the necessity of consulting the remaining members of the ACC.

### *ACC Purpose & Architectural Guidelines*

The ACC exists for the purpose of maintaining the high standards in design and overseeing appropriate building and property use in Bella Vista. The ACC reviews submittals and makes rulings that, in all cases, supersede the City of Medford and/or others. In addition to establishing an overall aesthetic for Bella Vista, these Design Guidelines are a framework for building design and are consistent with the master plan COPD/PUD-approved documents.

### ***Preparation for Review Submittals***

1. The applicant must first prepare for the review. This preparation shall include:
  - a. Contact Crystal Lake Community Management, Inc. at [Community@CrystalLakeCM.com](mailto:Community@CrystalLakeCM.com) or (541) 617-7006 to receive a copy of the Bella Vista Design Guidelines. The most recent copy will be available online at [www.CrystalLakecm.com](http://www.CrystalLakecm.com) at the Bella Vista website. The login is HOA and password is Neighbor with a capital N.
  - b. Request a current copy of the Bella Vista ACC Construction Submittal Form and Application. The most recent copies will be available online at [www.CrystalLakecm.com](http://www.CrystalLakecm.com).
  - c. Read and understand the Bella Vista CC&Rs, Design Guidelines, and the ACC Construction Submittal Form and Application. The most recent copies will be available online at [www.CrystalLakecm.com](http://www.CrystalLakecm.com).
2. The second aspect is formation of your complete proposal. This normally includes formation of your building concept in consideration of the Bella Vista Design Guidelines, all codes and ordinances as adopted by the State of Oregon, Jackson County and the City of Medford, and all other pertinent regulations. The most stringent regulations shall apply in the event of a conflict.
3. The third aspect is the ACC review. *After a complete and accurate application is received* the ACC will complete the review within a 30 day period, and submit a report of their findings to the applicant.

### ***The ACC Review***

ACC meetings are closed—only ACC members and a representative(s) of Bella Vista may be present at the ACC meeting when your project is reviewed.

### ***Following the ACC Review***

After the ACC meeting a review the Review Application Comments is prepared, listing any ACC comments, requirements, concerns or conditions of approval. A copy of this application will be provided for your design and construction agent(s).

The builder/owner(s) must respond to the ACC review comments in writing prior to any construction activity done on site. Additionally, if there are specific areas of concern or a requirement for more information, the builder/owner may be required to meet with a representative of the ACC to discuss these issues and/or deliver revised drawings or provide the supplemental information before the ACC will issue a final approval allowing construction to begin.

Excavation and construction may begin only after: 1) All issues (if any) are resolved; 2) a final ACC approval has been granted.

### ***Appeals***

Appeals to the ACC will be considered by the ACC based on merit of the request and must be registered within 14 days of ACC written decisions.

### ***ENFORCEMENT***

As provided by the Bella Vista CC&Rs, the Bella Vista Architectural Control Committee (ACC) and/or its representative(s) shall be authorized, upon receipt of an application and submittal to build, to make onsite inspections of the lot or home site and proposed construction at any time.

As provided by the Bella Vista CC&Rs, any breach of the CC&Rs shall subject the breaching party to any and all legal remedies, including damages or the destruction, removal or the enjoining of any offending

improvement or condition. In the event that a builder/owner fails to comply, the ACC and/or its authorized representatives may proceed with enforcement as provided for in these Design Guidelines and the Bella Vista CC&Rs.

### ***Refundable Construction Deposits***

At the sole discretion of the ACC, a builder, contractor or design professional is required to submit a construction deposit prior to beginning work at the project site. The construction deposit shall be in addition to the application fee required by the Design Guidelines. The construction deposit, in whole or in part, at the discretion of the ACC shall be forfeited if a finding is made by the ACC that the builder, contractor or design professional has violated any provision of the Design Guidelines or the CC&Rs and refuses to remedy the situation within 90 days of notification. Upon onsite inspection (s) and approval, the construction deposit shall be released to the builder, contractor or design professional within 14 days of written notice by the ACC of the satisfactory completion of the last home applied for.

### **NON-CONFORMING USES**

If a builder/owner has any improvement, condition or use not in compliance with the Design Guidelines as adopted and amended, even though said improvements existed prior to the adoption or amendment of these rules, the builder/owner will be granted a reasonable time as determined by ACC from the date of notification by the ACC to modify or remove the non-conforming improvement, condition, or use.

### **NON-WAIVER**

Consent by the ACC to any matter proposed to it or within its jurisdiction, or failure by the ACC to enforce any violation of the Design Guidelines shall not be deemed to constitute a precedent or waiver impairing the ACC's right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent or to enforce any subsequent or similar violation of these Design Guidelines.

### **SEVERABILITY**

If any section, subsection, paragraph, sentence, clause, or phrase of these Design Guidelines is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of these Design Guidelines.

## **SUBMITTAL REQUIREMENTS**

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### ***Complete and Accurate Submittals***

A complete submittal ensures the most expedient review and approval process; refer to the Bella Vista Homeowners Association Architectural Control new construction request form for details. Information missing from a submittal and/or inaccurate drawings may delay the review and approval process, as the ACC will not review an incomplete submittal.

### **Miscellaneous**

As provided by the Bella Vista CC&Rs, the Bella Vista ACC and/or its representative(s) shall be authorized, upon receipt of an application and submittal to build, to make onsite inspections of the lot or home site and proposed construction at any time.

Violation(s) of these Design Guidelines that are discovered during an inspection will be forwarded to the lot or home site builder/owner(s). The ACC and/or its representative(s) shall provide written notice of noncompliance to the lot or home site builder/owner(s) fails to comply within this time period, the ACC

and/or its authorized representatives may proceed with enforcement as provided by the Bella Vista CC&Rs and the Design Guidelines.

### ***City Building Requirements***

The City of Medford requires that a building permit be obtained prior to beginning construction of any improvement or making additions or changes to an existing structure. Please verify all City of Medford regulations with the planning & building departments.

### ***Utilities***

All connections from trunk lines to individual structures must be underground.

## **GENERAL DEVELOPMENT GUIDELINES**

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### **Ancillary (Detached) Buildings** (i.e. Garages, Sheds, and Non-Habitable Structures, etc.)

All ancillary buildings shall be evaluated on an individual basis. If allowed, these structures shall be designed and be cohesive with the main residence.

### **Accessory Dwelling Units (ADU):**

Accessory Dwellings may be allowed with ACC review and written approval and shall conform to the City of Medford & Bella Vista PUD approvals as well as the following procedures and conditions:

- Preliminary review of the Accessory Dwelling's location on the site as well as its exterior elevations and ADU parking are required.
- Some Accessory Dwelling submittals may not be approved if the ACC determines the building does not conform to the architecture of the primary building, it is too massive or for other reasons determined by the ACC to be nonconforming to the site, neighborhood, or other relevant circumstances.
- The Accessory Dwelling shall have at least one off-street hard surface parking space (minimum size: 8' wide x 20' long) in addition to the required spaces for the main resident.
- The Accessory Dwelling's height shall be compatible within the neighborhood and shall comply with all height restrictions and setbacks noted herein.
- A maximum of one Accessory Dwelling unit is allowed per lot or homesite.

### **Adjacent Private Property**

Adjacent property, if not owned by the same owner/builder, may not be used for access to or as a parking or staging area for any construction site without Builder/Owner's written approval. Adjacent property may not be used as a parking area or staging area by any contractor or subcontractor working on the lot or home site. In the event of damage to adjacent property, the offending property owner(s) and/or their agent(s) will be held responsible for restoration of the adjoining affected property and/or may result in a partial forfeiture of the ACC deposit.

It is imperative to keep adjoining properties free of construction litter. Weekly clean up is required. If adjacent properties are owned by the same owner/builder, they must provide a landscape buffer to minimize auto, bike and pedestrian conflicts.

### **Animal Runs and Animal Restraint Areas**

All animal runs and animal containment areas must receive prior ACC review and written approval before they are built. These areas shall be situated on a lot or home site so as to be concealed or screened from view from roadways and neighboring properties and must comply with fencing guidelines. (See Fencing)

### **Awnings**

Awnings may only be allowed on builders temporary model homes and must be approved prior to installation.

**Buildable Area:** *see Bella Vista PUD Approval*

**Building Setbacks:** *see Bella Vista PUD Approval*

### **Other Setbacks**

Certain architectural features may (please verify with city staff) project into required setbacks as follows: cornices, canopies, eaves, belt courses, sills, or other similar architectural features. All encroachments must comply with all applicable codes and ordinances.

**City Requirements:** *see Bella Vista PUD Approval*

**Decks/Gazebos/Pergolas/Trellis/Hot Tubs** must be approved by the ACC prior to installation.

### **Burning**

The open burning in a container or otherwise of construction or yard debris is not permitted at any time on any lot or home site in Bella Vista.

### **Chimneys (Fireplaces)**

Wood burning stoves or gas fireplaces are allowed per ACC approval and shall conform to the City of Medford & Bella Vista PUD approvals. Vertical chimneys with metal flue's must have a decorative cap on the top to cover the metal flue. Direct flues projecting from the side of the home are permitted.

### **Concrete**

It is the responsibility of each lot or home site builder/owner to ensure that concrete suppliers washout on their lot or home site(s) only. If a common lot is used by a Preferred Builder, it must be ODEQ compliant and contained with the owned property.

### **Drainage**

Provisions for the disbursement of roof, gutter, lot or home site, landscape, walkway and driveway drainage are the property Builder/Owner's responsibility. Builders/Owners are responsible for independent professional review of their drainage risk factors and specific on-site solutions.

Changes to natural drainage patterns due to any site changes or improvements shall not increase or concentrate runoff onto adjacent home sites, open spaces or amenities. Natural drainage patterns are defined as the condition of the lot or home site as it existed at the time it was initially purchased from the Declarant.

During periods of high precipitation and/or high snowmelt or other conditions or combinations of conditions, there may be significant amounts of surface runoff in the natural drainage patterns. All improvements shall be designed and constructed to avoid potential damage from all surface runoff. Builders must follow the City of Medford guidelines for containment on each individual lot.

## **Driveways and Walkways**

Preferred Builders and Owners are responsible for “final” repair of all driveway cuts, concrete breakage of curbs, sidewalks or sidewalk aprons abutting their lots or home sites prior to the release of the refundable construction deposit. Material, color and location must be approved by the ACC prior to application. All must be of solid hard surfaces and approved by the ACC prior to installation.

## **Duplication**

Diversity of street view architecture, determined solely by the ARC, is the intent of this standard. Physical separation of duplicate designs is essential and required, refer to Exhibit A. Duplication of floor plans and use of the same front façade design in any phase may be allowed if they are four (4) lots away from another or across the street, subject to ARC review and approval. In cases where similarity in building design or appearance is deemed inappropriate by the ARC, modifications to the home may be required to eliminate similarities. To further enhance the street view the longest street facing wall must be staggered a minimum of two (2) feet from the longest street facing wall of the adjacent lots, refer to Exhibit B.

## **Excavation**

Each building site shall be developed with minimal modification of the existing topography. All excavation spoils must be removed from the site if the spoils create an adverse effect on adjacent lots owned by others and/or geotechnical conditions require doing so. All areas disturbed during construction must be restored to their original appearance and/or in accordance with an approved landscape plan. Natural area restoration includes replanting native grasses and other native plant materials, and redistributing mulch covering raw earth. Landscaping shall be designed to minimize the visual impact of excessively sloped areas caused by fill for parking lots and around the foundations of buildings.

## **Exterior Colors and Stains**

All exterior colors for homes, sheds, trim etc., are subject to review and approval by the ACC for both original painting and subsequent repainting. Colors appropriate to the character and style of the building and the overall theme of the community are strongly recommended. Bright body colors will generally not be acceptable. Care should be taken to avoid duplicating colors of nearby structures, especially between houses on abutting lots or home sites between homes on a block frontage. Color packages maybe repeated if they are four (4) lots away from another or across the street. Natural wood siding and natural shakes must be stained or treated.

## **Exterior Walls, Trims & Design Treatment**

In the design of homes, which propose the use of a composite of exterior materials, consideration shall be given to appropriate balance, both in terms of the amount of each material, as well as the specific areas of their use. Some homes may be required to have other visible architectural elements to enhance design.

Several things must be considered during the design process to effectively address specific site conditions. Careful selection of roof pitches and roof massing can lessen the perception of height and overall building massing. Stepping the building profile also reduces the building mass, and will be encouraged through the design review process. Reducing story heights at the end of the building adjacent to neighboring properties can substantially soften end conditions. Prudent use of materials may be effective tools to reduce the height and mass (i.e., masonry wainscoting, base trim boards, frieze boards, windows, and belt courses are a few design alternatives for effectively eliminating long, tall, or otherwise uninterrupted walls).

Building designs must be compatible with the context of the surrounding built environment. Building site Builder/Owner and/or their agents are strongly encouraged to review ACC files of structures on adjoining sites to aid in window placements and other conditions on side elevations.



The ACC encourages and may require projecting bays, and all other architectural features to be coordinated on complimenting sides of the building. Integrating architectural elements around the building will enhance it as a whole and should augment the architectural character of the building.

Exterior material treatment used on the building walls shall be continuous and consistent on elevations in order to achieve a uniform and complete design and avoid a “vener” look. Exterior siding material must be carried down to as close to grade as the manufacturer will allow. Only eight inches of exposed foundation is permitted. The ACC will take additional care to review the siding details, including but not limited to, materials, application, scale, massing, proportionality to posts, corbels, cornices etc. All must be approved by the ACC prior to installation.

### **Exterior Lighting**

It is the intent of this architectural standard to result in subdued and/or indirect lighting on lots or home sites. Outside lighting shall be designed to prevent unnecessary light spillage onto adjoining lots, public streets, or into private residences, and no high output exterior lighting, including, but not limited to mercury vapor and halide lights, may be installed without the specific approval of the ACC and City of Medford. Further, the intent is meant to acknowledge dark sky concerns and to prevent lighting that is directed offsite, shines onto neighboring lots or home sites or up into the sky and shall be consistent with the City of Medford lighting standards. No exterior lighting may be installed or maintained on any lot, except as originally installed by the builder of the home and security and fire alarms without the prior consent and approval of the ACC.

Information regarding the design, number and location of all exterior lighting fixtures is required for ACC review and written approval, including (but not limited to) exterior wall, pendant, architectural accent, driveway, walkway and landscape lighting. Lighting submittals require an actual sample or legible drawings and/or catalog cuts for the review process.

The size and design of light standards and fixtures shall be considered by the ACC in its review of plans.

In cases where the grade differential is such that portions of the building are elevated above the adjacent property or right of- way, exterior light fixture(s) may require additional shielding to prevent glare or light spill off property.

Seasonal holiday lighting and decorations are permissible if consistent with any applicable rules and regulations and if removed within thirty (30) days after the celebrated holiday.

Driveway, walkway and landscape lighting must be included with the landscape plan. All exterior light fixtures installed without ACC review and written approval must be removed.

Reflecting the intent of this standard, the exterior lighting requirements should eliminate glare, minimize annoyance to adjacent property Builder/Owner and passersby, and to avoid lighting impacts from the building site as viewed from a distance. To this end, the guidelines are as follows:

- All exterior fixtures are subject to ACC review and written approval regarding their location, number and wattage.
- All fixtures must have downward-directed light sources which are shielded as approved by the ACC. Up to two fixtures may be in exception to this standard.
- No fixture shall glare onto adjacent properties.
- Each live voltage fixture is limited to a maximum of 60 watts. Low voltage fixtures may not exceed 20 watts. Colored lamps are prohibited.
- Driveway, walkway, porch, landscape and all other decorative light fixtures are subject to ACC review and written approval regarding their location, number and wattage.

## **Exterior Masonry & Stucco**

The use of stucco and/or masonry materials may be exempt from the one treatment look. Many times these materials may be used in conjunction with other approved siding materials to enhance the architectural style, scale, and appeal of all sides of a building. When masonry is used on the front of a building and it extends to any front corner, it must extend at least 18” around the adjoining side elevation. All masonry must extend to as close to finish grade as manufacturer allows. All exterior rock ornamentation and masonry on the home shall be submitted to the ACC prior to installation and shall be reviewed for product type, placement and color.

## **Fencing**

Fencing guidelines and fence approved colors and/or stains will be provided by ACC on an overall community basis and shall be strictly enforced as approved by ACC. Updates and additions to the approved fencing types and colors may occur on a phase by phase basis. All new construction fencing as well as that added after occupancy must be approved by the ACC prior to installation.

All fences require specific review and written approval from the ACC before they may be installed. A fence is defined as a structural or ornamental barrier separating one exterior space from another. The intent is to create good neighbor fences, enhance "streetscape" appeal and atmosphere, and make the alleys “people friendly”. This allows the home Builder/Owner to view activities in the alley and not create a dark box-like rear entry to garages.

The heights or elevations of any fence shall be measured from the existing natural grade of the property at or along the applicable points or lines. “Natural grade” is defined as the site topography which exists at the time a lot or homesite is sold to the first owner by the project developer or builder; fill material subsequently brought to a site does not modify this original grade. The ACC will evaluate each condition on an individual basis. ***Lots 70, 72-84 must have decorative iron fencing, not to exceed four (4) feet in height.***

## **Flagpoles**

Flagpoles, flags and banners require prior ACC review and approval before they may be installed. Size of flag, height and color of the pole, dimensions and placement of banners are also subject to ACC approval.

## **Garages**

Garage conversions to living space are prohibited. Third bays on alley-fed lots or home sites may be required to be offset. Builder/Owner are strongly encouraged to minimize the massing and visual impact of the garage. The space between the top of the garage door(s) and the roof and/or the second floor plate line shall be kept to a minimum.

## **Garbage and Trash Removal**

Builders/Owners are responsible for their own garbage and trash removal during and after construction. Construction sites must be kept clean from trash and construction debris. Construction sites that are not kept clean (at least weekly removal of trash and construction debris) may be subject to the ACC action of having the trash and construction debris picked up, disposed of and billed to the builder/lot owner. The cost of the removal and disposal of the trash and construction debris shall be the responsibility of the builder/owner(s).

Trash collection and recycling services are available through local providers. Trash cans and recycle bins, which are taken to the alley or street on pick-up day must be returned to their screened areas or the garage within 24 hours. Trash cans and recycle bins must be stored in an area that is not visible from the street or adjoining lots or home sites. (Also see Service Yards for screening information).

Burning or dumping of garbage, landscape debris or trash anywhere in Bella Vista is prohibited.

## **Grading**

To the maximum extent feasible, all grading on the building site shall conform to existing topography and must be approved by the ACC at the time of construction and/or landscaping review. For purposes of drainage, grading must slope away from structures on a lot or home site, but be retained on the individual lot through the use of swales and detention ponds (see Drainage).

## **Gutters and Downspouts (See Drainage)**

All gutters and downspouts will be reviewed by the ACC. Gutters are recommended and may be required on some buildings. All gutters and downspouts shall be designed as a continuous architectural design feature. Exposed gutters and downspouts shall blend in with the surface to which they are attached.

All drainpipes connected to downspouts must be concealed from the view of neighboring properties. In addition, this drainage must be accommodated on the Builder/Owner's property per city code. The addition of swales, French drains, or other types of drywell systems must be used to accommodate gutter drainage on the lot.

Prefinished metal gutters, painted metal downspouts, and roof flashing are acceptable materials for Bella Vista.

## **Heating and Cooling Systems**

All exterior elements of heating and/or cooling systems must be screened behind a fence.

## **Landscaping**

As part of the vision for Bella Vista, the ACC wants to encourage a variety of plant sizes and colors, with a combination of deciduous and evergreen trees to be strategically located. Landscaping of the front yard shall be in place prior to or at the time of home completion, with the back yard completed within 6 months of occupancy per the Bella Vista CC&Rs. The ACC may approve an extension for landscape completion due to inclement weather.

## **Mailboxes**

Individual mailboxes are prohibited. Group mailboxes are provided throughout Bella Vista.

Keys for the mailboxes may be picked up at the U.S. Post Office.

## **Metals and Plastics**

All exterior metals and plastics (vents, flashing, gutters, etc.) must be screened from view, painted or treated to blend in with the adjacent surrounding material. All utility meter housings must be painted to match the body color of the building.

**Parking and Screening** A minimum of two (2) off street parking (including garage) places shall be required for each single-family lot or homesite.

No parking whatsoever shall be allowed in access easements and alley rights-of-way. It is each Builder/Owner's responsibility to insure that their guests, invitees, and lessees abide by this condition.

No more than two (2) recreational vehicles of all types or recreational vehicle trailers of all types are allowed to be stored unenclosed on a lot or homesite at any given time.

Except as may otherwise be provided in the rules and regulations of the Association, boats, trailers, motorcycles, campers or other recreational or commercial vehicles or equipment with a gross vehicle weight in excess of 9,000 lbs. are prohibited from overnight parking on public or private streets, or on any portion of the Property with the following exceptions. (1) Within areas that may be designated for such purpose by the Board of Directors, (2) Within the confines of an enclosed garage, (3) Placed behind lot fencing with no portion of the vehicle projecting beyond the fencing.

If there is no rear or side fencing and the vehicle could be seen from a roadway outside the Lot other than from the front yard, or by an adjoining lot owner, then the vehicle must also be screened from view with fencing from that direction as well. Vehicles with a height in excess of 13' 6" from ground to top shall not be parked within the Property except under exception 1 or 2 above. Vehicles may not be used for storage of materials for more than forty-eight (48) hours without approval from the ACC. All enclosures must be designed and constructed to be architecturally consistent with the home. The ACC must approve all such vehicle/trailer enclosures prior to construction.

### **Pets**

During any construction all contractors, subcontractors and affiliated trades workers shall restrain dogs by tether or by confining them to their vehicles within the lot or home site boundaries and clean up after the dog to keep the site clean.

### **Water Features, Play Equipment, Swing Sets, Sport Courts, Trampolines, etc.**

Plans must be submitted for review prior to installation. Height of the structure cannot exceed 14' or the height of the home on all single story residences. Installation shall be allowed in the back yard of the lot but shall not be installed over easement areas. Due to its nature, impact and visibility, the ACC may require review and acceptance by the surrounding home Builder/Owner. Play Equipment is required to be screened with approved trees/vegetation along any shared property lines as well as along adjacent streets, pathways or open spaces.

### **Retaining Walls**

Retaining walls in any portion of the yard must be approved by the ACC prior to installation. Application must include product type, placement, and color. Prefabricated, CMU, and block type walls are strongly discouraged when visible from street, paths and open spaces. \* "Preferred" Builders may apply for general approval to be used, as needed, on multiple sites owned by the "Preferred" Builder.

### **Satellite Dishes and Antennas**

No exterior satellite receivers or transmitters, television antennas, radio antennas, or other receiving device shall be placed on any lot or home site or home without the prior consent of the ACC. Whenever possible, they shall be installed on the rear of the structure and not on the roof so that it minimizes visibility from the street or front of the residence and may not exceed 18" in diameter. Refer to the pre-approved location/placement, should a placement be needed that is not pre-approved, ACC approval prior to installation is required.

### **Service Yards/Trash Enclosures**

When not provided by other structures, each building shall have a screened service yard enclosing garbage, recycling, and trash containers, landscape debris, outdoor maintenance equipment and so forth. Service yards may be detached from the building and must be screened from view of other buildings or roadways. Service yards must be constructed and designed to be compatible with the style of the adjacent apartment building and/or neighboring properties. Chain link enclosures are prohibited but solid fencing may be used.

### **Setbacks and Easements (See Bella Vista PUD Approval and Recorded Plat)**

## Signs and Flags

No signs shall be erected or maintained on any lot except signs which were approved as to appearance and location by the ACC prior to installation.

All signs are considered 'Short Term' signage and are to be used only during the construction or sale of a residential home or home site and must be removed upon occupancy or when the sale is complete, unless part of a "Preferred" Builder's sales and marketing plan.

"For Sale" signs are allowed on any improved lot or homesite. For purposes of this document, an improved lot or homesite is deemed to be any lot or homesite with a foundation constructed for a unit.

- Each sign must be professionally constructed and installed. Signs are to be installed parallel to the front property line. Each sign must be installed on its own post. Signs are not permitted to be placed in windows (With the exception of Neighborhood Watch, Home Security, Pet Safety and Block Home Signs) or attached to fencing, trees or other structures. Temporary or external bracing is not permitted.  
Each sign must be placed on the Builder/Owner's Lot only, unless part of a "Preferred" Builder's sales and marketing plan.
- Off-site signage is prohibited. The grade at the sign location may not be built up for the purpose of increasing the height of the sign. All signs must be placed so as not to cause additional cost to landscape maintenance. The sign must not obstruct 'clear vision'.
- Signage is limited to one sign per dwelling, which may contain sale information, realtor and/or Owner information. Two signs will be allowed during the construction period only.
- No "For Sale" signs are allowed on unimproved lots or home sites, except for those installed by Declarant or approved by the ACC as part of the "Preferred" Builder's sales and marketing plan.
- No "For Rent" signs allowed.
- Open house signs or sandwich boards are permitted (on the subject lot or homesite) during the course of an open house event but must be removed at the conclusion of the open house event and/or whenever the house is not "staffed". The open house signs shall be limited in size to 18" x 24".
- Directional signs may not be used without prior ACC approval. Open House signs may be displayed during the actual hours of the open house only.
- Offsite signage within the development is not permitted without prior ACC approval.
- All signs must be removed upon occupancy or when the sale (closing) is complete.
- Declarant is exempt from these sign requirements.

### **Builder/Contractor/Architect/Designer Signs:**

- One sign, identifying the builder/general contractor or lender, is permitted during the course of construction.
- The sign must be single-sided and may include the builder's logo, company name and phone number and be of his/her own design and choice of colors.
- Architect/designer identification may be incorporated into this sign but may not be a separate sign attached to the builder sign.
- Builder signs shall be limited in size to 18" x 24" installed with a single or double post no higher than 42" above the immediately adjacent ground pJackson and must be placed parallel to the address street.
- Builder signs may be placed after ACC's written approval for the lot or homesite construction has been received.
- No builder/architect information boxes are permitted.

### **Skylights and Solar Devices**

All glass, plastic or other transparent skylight or solar devices shall be subject to ACC review and approval. Clear, bronze or gray glazing is required. White or other colored skylights are prohibited. Flat skylights are preferable to domes.

Solar collectors are encouraged at Bella Vista; however, the collectors must be flat to the roof. In addition, the mechanical portion of the system must be contained within the structure and not positioned on the roof. Preliminary and final ACC approval is required for all solar collection systems.

### **Staging Area**

Each construction approval submittal must designate an adequate materials staging area, subject to approval by the ACC. Each staging and construction area must be kept clear of trash and debris. Weekly cleanup is required. Construction materials and equipment may not be stored or staged in any right-of-way or easement.

### **Tree Preservation Guidelines**

We want to take great care to preserve as many trees as possible so as to enhance the overall character of the community and maximize the value of those building sites which do have existing trees. The approved City's tree preservation plan must be followed.

### **Trellises, Decks, Porches, Stairs, Stoops, Deck/Porch Skirting, and Balconies**

The front porch areas of lots or home sites are a critical aspect of the house design as well as an integral. On sloping sites or where the front porch is elevated and suspended above grade, the area between the bottom of the patio and the concrete stem wall must be made of the same material as the home and be applied in the same direction, unless otherwise approved by the ACC. Stone masonry and siding are allowed materials for skirting of porches and decks.

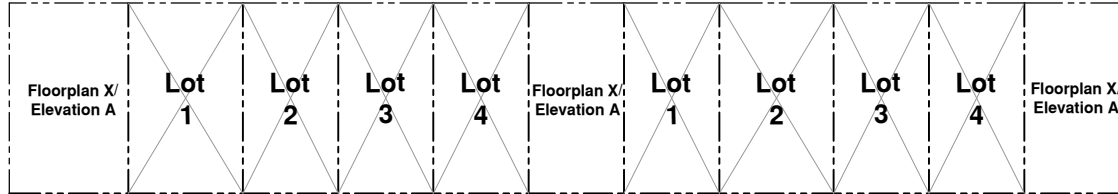
Elevated decks with occupied areas below shall have supports scaled to match the design of the home, but in no case have supports less than 6" x 6" finished dimensions. Built-up wing walls or built-up columns (clad with siding material), both in conjunction with landscape screening are encouraged and in some cases will be required.

### **Utilities and Utility Meters**

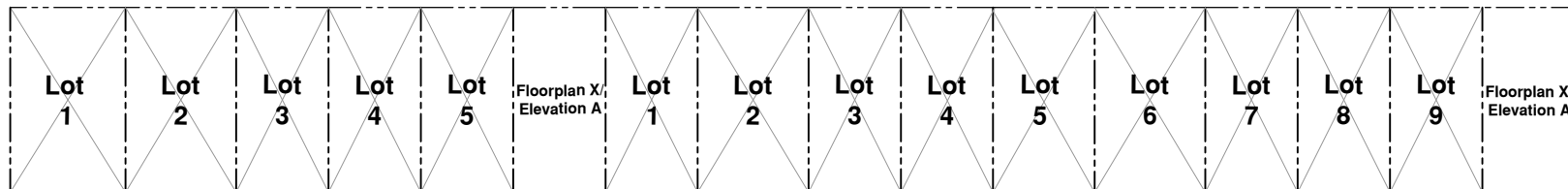
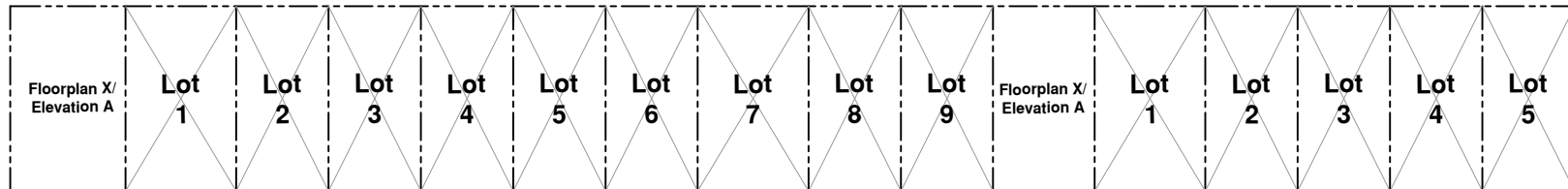
All connections from trunk lines to individual structures must be underground; exposed plumbing, electrical, all other utilities and utility meters and services should be located on a wall perpendicular to the right-of-way.

- All areas of excavation for site utility work must be restored (see Landscaping).
- Exposed wiring or cables entering a home are prohibited.
- All phone and TV cable junction boxes must also be strategically located to minimize the visual impact. Similar consideration should also be used for irrigation control wires. All exposed equipment shall be painted to match the adjacent exterior house color.
- Utility meter shall be installed according to the guidelines provided by the utility companies.

**"EXHIBIT A"**  
**DUPLICATION EXHIBITS**  
**(Only applies to single family detached homes)**



**SAME SIDE OF STREET-when  
Floorplan X/ Elevation A is not built  
across the street**



**ACROSS THE STREET-when Floorplan  
X/ Elevation A is built on both sides of  
street.**

**"EXHIBIT B"**  
**STAGGERING EXHIBIT**

**Longest street facing wall must be staggered a min. of 2' from the longest street facing wall of the adjacent lots.**

NEIGHBORING LONGEST STREET FACING WALL MUST STAGGER A MIN. OF 2' FROM ADJACENT LOTS

LONGEST STREET FACING WALL

