



**ARCHITECTURAL DESIGN GUIDELINES  
FOR COAST TO COAST SUBDIVISION  
(LAGUNA POINTE)  
EAGLE, IDAHO**

**ARTICLE I: ADOPTION AND AMENDMENT**

The Architectural Design Guidelines (“ADGs”) contained herein are promulgated this 16<sup>th</sup> day of April, 2007, by Coast-2-Coast LLC, and the Architectural Design Committee (“ADC”) pursuant to the Restated and Amended Declaration of Covenants, Conditions, Restrictions, and Easements of Coast to Coast Subdivision (“CC&R’s”), recorded in the records of Ada County, Idaho, as Instrument No. 107055600, and may hereafter be amended by Laguna Pointe Home Owners Association, Inc. (the “HOA”). These ADGs are promulgated for Coast to Coast Subdivision, which is commonly known as “Laguna Pointe.”

**ARTICLE II: PURPOSE**

These ADGs shall guide and control the ADC's approval or denial of plans presented to it as required by the CC&Rs. Further, the ADGs are intended to provide property Owners within Laguna Pointe with guidance in designing and planning residential construction, landscaping and related improvements compatible and in harmony with neighborhood design characteristics and to address, to the extent possible, view corridors, drainage patterns, building separation, standard accessories, and proper location of utility facilities and similar elements for the mutual benefit of all residents of Laguna Pointe. It is not the intent of the ADGs to promote rigid homogeneity in architectural character, nor to stifle the development of a broad range of interesting, creative and innovative designs, materials, and construction applications, provided they promote and result in desirable and compatible neighborhood environments, and do not detract from the value or enjoyment of neighboring properties. The authority and discretion to approve or disapprove any plans or specifications submitted to it shall rest exclusively with the ADC appointed by the HOA. The Committee shall consider all such plans and specifications in light of Article IV of these ADGs, but may, in addition, consider such additional circumstances and facts, as it deems appropriate in arriving at its final decision to approve or disapprove any plans.

## ARTICLE III: APPLICATION PROCEDURES AND SUBMITTAL REQUIREMENTS

**3.01 Jurisdiction of the Architectural Design Committee.** All Lots in Laguna Pointe subject to the CC&Rs shall be subject to these ADGs, unless otherwise excepted. The meaning of terms expressly defined in said Declaration shall have the same meaning if used in these ADGs.

**3.02 Application for Approval.** Any Owner proposing landscaping or construction which is subject to the review and approval of the ADC shall submit the following items, to the extent applicable given the nature of the Lot to be developed and the landscaping or construction being proposed, together with such other and additional information as the ADC may request:

(A) **SITE PLAN** at a scale of not less than 1"=20' showing the Lot and including the following information:

1. Property lines and dimensions, as shown on the recorded Plat.
2. Maximum buildable area, as shown on the Lot Plat for the particular Lot, in compliance with front, rear, and side setbacks per City of Eagle Code. Although the Lot Plat prepared by the Developer designates a maximum buildable area that takes into account all setbacks, easements, wetland conservation areas and floodway restrictions, the ADC may further restrict the final footprint of any Building so as to reasonably preserve views of Laguna Lake, other Waterways, the Boise foothills and mountain front, and to keep significant open areas between the improvements from Lot to neighboring Lot. A copy of the Lot Plat prepared by the Developer shall be included with the application as an exhibit to the site plan.
3. Location of all proposed improvements, including the location of the home and any outbuildings, any other permanent structures, including fences, walls, swimming pools and any surface masonry areas, and relationship to property lines. Location of existing structures on adjacent Lots should be indicated. Buildings on any Lot that are partially within the FEMA Floodway shall be set back a minimum of 50 feet from the FEMA Regulatory Floodway as depicted on the FEMA Flood Insurance Rate Maps. Lots that are adjacent to wetlands shall be further restricted from having any building or part thereof constructed in the Wetlands shown on the Wetland Mitigation Plan of the approved Corps of Engineers 404 Permit. No building shall be constructed on any portion of any easement depicted on the Plat. Each Owner or the Owner's builder ("Builder/Owner") is responsible for verifying building setbacks as it relates to the above items.

4. The driveway and walkway location, including any proposed turn-arounds and parking areas, and the width, grades, and proposed surface material of each.

5. Additional Site Plan on 8.5 x 11 paper.

**(B) GRADING** – ADC will maintain a copy of the approved Stormwater Drainage Report for Laguna Pointe for review by each Builder/Owner. Design grades within said Stormwater Drainage Report shall not be altered without prior written consent of the ADC, and in particular:

1. Existing grades on the Lot, as well as proposed finished grades of any ground, shall not be significantly altered in a way that would adversely affect adjacent lot owners and/or pond flood storage capacity.

2. Any existing and proposed drainage channels and patterns, swales, culverts, catch basins or subsurface drainage systems shall not be altered.

3. The location on the Lot of the benchmark used to set elevations shall not be altered.

**(C) ARCHITECTURAL DRAWINGS - including, but not be limited to, the following:**

1. Floor plans at a scale of not less than 1/4"=1' showing all floors, garages, lofts and spaces intended to be used or occupied. Indicate room dimensions and square footage of each floor, and finished floor elevations on the main floor.

2. Exterior elevations at a scale of not less than 1/4"=1' showing all exterior elevations and surfaces of the proposed improvements, including finished floor elevation, FEMA base flood elevation, footing elevations, estimated groundwater elevations, the roof and any appurtenances thereto, such as skylights, chimneys and venting, and all proposed finish grades relative to each elevation as indicated on the grading plan.

3. Cross-sections taken through the proposed improvement at its highest point indicating the height of the structure above both natural and proposed grade. Where pertinent, a section should be taken through the structure out to the street indicating grade differential that may exist and how that differential will be handled in gaining access to the proposed improvement.

4. Exterior walls - clearly show the texture, color and type of material, as well as the pattern or direction of any exterior wall surfaces. Also indicate the type, material and color of any trim, doors, windows, fascia, shutters, decking and handrails. **Color and material samples, or photographs of such, for all exterior materials shall be submitted as part of the application.**

5. Roof plan showing roof pitch, valleys, hips, gables and drip lines, materials, color, and the location of any protrusion beyond the surface of the roof, including, but not limited to, chimneys with chase enhancers, parapets, facades, antennas, skylights and solar panels. Color and material samples are required. No flat roofs will be allowed without written permission from the ADC.

6. Exterior lighting should be indicated where it occurs, together with type of fixtures, direction of light to be emitted, and information on whether such lighting is recessed or surface mounted.

7. The ADC may require submission of such additional plans and other information (including models), as it may deem appropriate to the approval process.

**(D) LANDSCAPE DRAWINGS** - All Lots on which any improvements are constructed shall be landscaped in accordance with an approved landscape plan. Landscape plans shall be prepared by a landscape architect or professional landscaping company and shall include:

1. A planting plan at a scale of not less than 1"=20' showing the arrangement of all trees, shrubs, groundcovers, seeded lawn areas, sodded lawn areas, natural grass areas, and areas to be re-vegetated after final grading and construction cleanup. A plant list or other indication of species, variety, size, quantity, spacing and location of all plant materials proposed for use on the project shall be included.

2. An automated irrigation system shall be installed for all landscaped areas.

3. Landscape features such as decks, retaining walls, privacy screens, awnings, canopies, gazebos, benches, steps, etc., shall be clearly delineated on the plans in sufficient detail to adequately demonstrate their finished location and appearance.

4. A site drainage plan consistent with the drainage plan provided by the ADC will be provided to demonstrate the ability to retain all

site drainage for the rear half of the home site to the subject site. Drainage for the front half of the home site can flow into the existing drainage swales.

5. Landscaping lighting fixtures shall be clearly delineated on the landscape drawings indicating location, type of fixtures, height and material.

**3.03 Architectural Review Process.** Builder/Owner shall obtain a preliminary review of any proposed construction or landscaping from the ADC, prior to the final review process. The purpose of the preliminary review is to give the Owner, or its representatives, an opportunity to discuss specific design concerns with the ADC, obtain interpretations and answers to questions concerning the ADGs, or other relevant information, and to allow the ADC the opportunity to provide feedback and direction toward architectural compliance. This preliminary approval by the ADC shall not obligate the ADC to approve final plans and specifications for the project after a formal submittal as provided for in paragraph 3.02 immediately hereinabove. The information, plans and specifications provided to the ADC at the preliminary review stage shall include sufficient information and graphic representations to allow the ADC to be helpful in the development of an acceptable construction plan.

**3.04 Fees.** The application for preliminary design review, which shall then include final approval of any landscaping or construction plan, shall be accompanied by a fee in an amount of Seven Hundred Fifty Dollars (\$750.00) (“Application Fee”), and from time-to-time amended as deemed necessary by the HOA.

If a Ten Thousand Dollar (\$10,000.00) Compliance Deposit was not collected at the Closing of the owner’s purchase of the lot, such Compliance Deposit shall be due at the time the plans are submitted to the ADC. The Builder/Owner will forfeit its Compliance Deposit if (i) the Builder/Owner commences construction without first obtaining approval of its plans and specifications from the ADC, or (ii) constructs the improvements in significant variance with the approved plans and specifications. The ADC will be entitled to utilize the Compliance Deposit or part thereof to pay for any corrective measures (associated with construction, design and landscaping that are not consistent with the approved submittal) not made by the Builder/Owner. Any one Builder/Owner who is building on two or more Lots will submit a maximum Compliance Deposit of Twenty Thousand Dollars (\$20,000.00). This combined Compliance Deposit shall be reduced to Ten Thousand Dollars (\$10,000.00) at the time the Builder/Owner is issued a satisfactory final inspection on all but one of the Builder/Owner’s lots. Any unused portion of said Compliance Deposit will be refunded upon a satisfactory final inspection by a representative of the ADC.

**3.05 Application Form.** Application for approval by the ADC shall be completed on forms provided by said Committee, and shall be signed by the

builder and the Owners of title to the Lot on which the proposed improvements will be constructed or installed.

**3.06 Where to Submit.** Until the development is substantially built out, the Developer has the authority and has elected to appoint members of the ADC. Plans shall be submitted to:

Coast 2 Coast, LLC  
1676 Streampointe Ln.  
Eagle, ID 83616  
Office: 208-938-2933  
Office Fax: 208-938-2936

#### ARTICLE IV: REVIEW AND APPROVAL

**4.01 Complete Submittal.** The ADC will not be required to commence its review of the application unless and until the submittal application consists of a complete submittal form and the application fee, and includes a complete submittal of the required plans and specifications.

**4.02 Review.** In reviewing the application and the plans and specifications submitted therewith and in reaching a decision, the ADC will use its best efforts and judgment to assure that all improvements shall produce and contribute to an aesthetically complementary design and appearance and be of the quality required to maintain a high quality residential development. The ADC may, in its discretion, require the builder to furnish additional materials beyond those required herein.

**4.03 Notification of Action.** Upon receipt of a completed application for approval, the ADC shall have thirty (30) days in which to complete its review, and to notify the applicant, in writing, of its decision to approve or disapprove. If the application is not approved, the reasons will be stated. In the event that the ADC fails to approve or disapprove any plans or specifications requested within thirty (30) days after receiving an application therefore, together with all additional information, plans or specifications requested by the ADC, approval of the ADC shall conclusively be deemed to have been given. A conditional approval shall set forth with particularity the conditions upon which the application is approved and the builder shall be required to affix a copy of said conditions to the working drawings or blueprints which are to be kept on the job site during the entire course of the work to which said plans relate.

**4.04 Inspection.** Submittal of an application authorizes the ADC to make onsite inspections of the Lot on which the improvements are being constructed. The Builder/Owner shall notify the ADC when the improvements have been completed, allowing the ADC to inspect and confirm that the improvements were completed in compliance with approved plans and specifications.

**4.05 Expiration of Approval.** Except as herein provided to the contrary for landscape completion, after approval of any development plan, the applicant shall commence the improvements within six (6) months, and shall complete them within eighteen (18) months from start of construction. Failure to do so will cause the approval to expire unless, prior to expiration, the applicant petitions for, and receives, an extension from the ADC, which may be granted, in the sole discretion of the ADC.

**4.06 Limitations on Architectural Design Committee Approval.** In considering and approving any application for architectural design review, the ADC does not consider, and assumes no responsibility for, the following:

- (A) The structural capacity of the proposed improvements, nor the suitability of any proposed materials, building techniques or other aspects of the improvements relating to habitability or suitability for the intended purpose of the Owner;
- (B) Compliance with any applicable building codes, or any other statutes, ordinances, rules or regulations promulgated and made applicable to the applicant's Lot by any city, county, state or federal government, or any agency, department, bureau or other political subdivision thereof;
- (C) Suitability of the proposed site of any improvements in relation to manmade or natural hazards, including, without limitation, geological instability, ground compaction, drainage or flood hazards.

**4.07 Building Timeline.** Buyer agrees to commence construction by completing, at a minimum, the installation of the foundation for the improvements on the Subject Lot no later than the earlier of six (6) months following ADC approval, or the second year anniversary of the Closing Date, and to diligently pursue construction, completing the same by obtaining an occupancy permit no later than eighteen (18) months after starting construction. Notwithstanding the construction start time, the Buyer shall at all times control the growth of any natural grasses and weeds on the Subject Lot by spraying, cultivating, or otherwise removing such vegetation before the weeds have grown to more than six inches (6") in height. All timelines are Lot-specific and are to be followed regardless of ownership or transfer thereof. If any Builder/Owner is in default of this timeline, the Grantor will have the option at the Grantor's own discretion to purchase said Lot or Lots back at the original price less closing costs and fees.

Notwithstanding these building timeline requirements, Lots that are accessed in the gated portion of the community are conditionally exempt from these construction timeline requirements.

Certain landscaping requirements shall be applicable to all Lot Owners of Laguna Pointe regardless of construction timetable. These landscaping requirements shall commence within sixty (60) days of the date a Certificate of Occupancy (“C of O”) has been granted by the City of Eagle for either adjacent neighboring lot. A landscape plan will be required to be submitted to ADC for approval. These plans shall include significant berming and/or landscaping on the frontage and side adjacent to the Lot that has received C of O to enhance the general aesthetic beauty of Laguna Pointe and the adjoining Lot or Lots. Landscaped areas are to be maintained and irrigated on a regular and consistent basis.

## ARTICLE V: DESIGN CRITERIA

**5.01 Building Types.** The ADC shall not approve any design or construction style which it finds in its discretion to be extreme or eccentric to the point of detracting from the aesthetics of the neighborhood, or which could diminish the value or enjoyment of neighboring properties, including, without limitation, "A-frames", "mineshaft houses", "Bauhaus", "round", or "oval" shaped homes. Multiple uses of house plans for homes with the same or similar exterior elevations or appearances within Laguna Pointe are discouraged and may be allowed only if the ADC determines, in its sole discretion, that the exterior of any such proposed house, when viewed from any street, Lake Laguna, or common area, has been made to appear significantly different from any similar houses in the subdivision through such means as altering roof types or lines; adding, deleting or significantly altering porches, windows, doors; significantly altering exterior materials and colors; or the reversal or “flipping” of the house plan.

**5.02 Scale and Orientation of Buildings.** It is important that the mass and orientation of any building relate to human scale and harmonize with the area in which it is situated, and existing natural features. Minimum square footage requirements shall be: the enclosed living space of the ground floor of the primary residence structure (excluding decks, patios, covered walkways, and garages) shall not be less than 2,800 square feet. If home is of a two-story design, the total square footage of living space shall not be less than 3,200 square feet, and such two-story dwellings shall have no less than 2,000 square feet on the ground floor. THE OWNER (OR HIS/HER BUILDER) SHOULD REVIEW THESE ARCHITECTURAL DESIGN GUIDELINES. THE ADC SHALL CONSIDER THE ADVERSE AFFECT OF DWELLINGS SIZE MINIMUMS AND MAXIMUMS AND HEIGHT RESTRICTIONS ON OTHER RESIDENTIAL LOTS WITHIN THE DEVELOPMENT IN GRANTING OR WITHHOLDING ITS APPROVAL OF THE PLANS AND SPECIFICATIONS.

### **5.03 Roof Design.**

- (A) Shape: The following roof types are not permitted: Mansard, zero-roof overhangs, domed, flat and A-frame unless otherwise approved.



- (B) Overhangs: Roof overhangs generally protect walls and wall openings from the elements, and contribute to a building's character and longevity. Roof overhangs of less than 12" horizontally from the exterior wall are not permitted.
- (C) Surfacing Materials: Roof surfacing materials are important as a means of blending residential structures with the character of the area in which they are situated. Roofs shall be tile roofs or forty-five or fifty year architectural style shingle roofs. The shingles on roofs for homes and other buildings on the Private Streets shall be further limited to tile, or tile like material, and the type of tile shall be subject to ADC approval. Other roof materials may be considered by the ADC on a case by-case basis, taking into account such things as reflectivity, color, texture and compatibility with other roofs in the immediate area. All roof ridges are to be completed with a raised ridge and/or ridge caps, unless otherwise approved by ADC in writing. Copper roofing accents are permitted. Exterior roof construction of tarpaper, metal or gravel is prohibited.
- (D) Flashing: All roof flashing, vents, gutters and downspouts must be of a color or treated with a color harmonious with the roof and upper wall surfacing. Bright materials must be treated to reduce glare, unless otherwise approved by the ADC in writing.

**5.04 Roof Projections and Appurtenances.** Roof projections and appurtenances such as dormers, clerestories, skylights and light wells may create interesting and pleasant interior spaces, but their location on the roof can create unsightly or confusing interruptions in roof lines and appearances. Skylights should generally not extend to the eave line, nor should they project excessively above the roof surface. Only chimneys with chase enhancers, which are constructed of wood, stucco, concrete or masonry, and which are compatible with the building on which they are attached, shall be permitted, and no chimney caps, extensions or flashings shall be constructed of reflective metal materials. Roof-mounted solar collectors, satellite dishes, and similar appurtenances shall, to the extent possible, be screened from view of adjacent Lots and streets, and shall be reviewed and approved or disapproved on a case-by-case basis by the ADC. All plans and specifications that are submitted shall show clearly the location, materials and appearance of all roof projections and appurtenances.

**5.05 Fascias, Soffits and Vents.** Vinyl and metal-clad vents, fascias and soffits shall be permitted, if the color and materials proposed are non-reflective, and compatible in color and texture with the remainder of the structure. Roof and attic vents shall also be shown on building elevations, indicating the type, size, location and proposed design. Roof and attic vents shall be located on the back side of the roof whenever possible. A combination of ridge, soffit and dormer vents are preferred, and metal vents and vent caps projecting from the roof surface are discouraged. All fascias shall be a minimum of one (1) inch by eight (8)

inches in width and to be at minimum two-tired, unless otherwise approved by the ADC.

**5.06 Exterior Wall Materials and Colors.** Changes in exterior wall materials can lend visual interest to a building, while the use of too many materials can make the wall visually discordant. The predominant tones should tend toward earthy hues, and the use of bright and/or dramatic accent colors on the exterior wall surfaces are discouraged, and may not be approved by the ADC. The ADC is encouraging the use of stucco, stone and timber exteriors. Vinyl, aluminum, steel, wood composite, and concrete composite siding products and materials are not permitted. Exterior siding materials may be of natural wood, stone, brick or stucco. In the case of homes built on lake fronting lots, if a façade of stone, brick, stucco or other masonry material is proposed for the front or other elevation facing a street, the facade shall be used consistently and continuously on all elevations of the Dwelling, and the predominate siding material shall be continuous around all sides of the dwelling unit. This requirement is due to the fact that the rear elevations and side elevations of the residences will be seen from the lake just as the front elevation of the residences are visible from the street side.

**5.07 Window Penetrations.** The ADC is encouraging the use of wood-clad windows. The ADC may, however, allow the use of other materials on a case-by-case basis.

**5.08 Driveways, Patios and Walkways.** Driveways shall be constructed of concrete, masonry pavers or such other hard surface material as may be approved by the ADC. No driveways shall be constructed of asphalt and gravel or concrete blocks. The construction of driveways over the Roadside Swales shall include installation of a 6 inch PVC sleeve around the irrigation line placed in the Roadside Swales by the Developer. Driveways shall be designed in a manner providing off-street parking for at least two (2) vehicles. Walkways, driveway borders, patios, and porches made of concrete will be created with a stamped, textured and/or colored appearance, unless otherwise approved in writing by ADC.

**5.09 Detached Storage Facilities and Equipment.** Detached storage facilities, if permitted by the ADC, shall be of the same construction, finish and color as proposed and approved for the house, and integrated architecturally with the design of the residence and constructed at the time the residence is constructed. Any such structure shall be placed on a concrete pad in a location approved by the ADC and shall not be permitted to crowd a neighboring property, or interfere with the view of any neighboring property owner. Metal storage sheds or other similar structures will not be approved. Small trailers and garden equipment may be stored in areas entirely screened from view in all directions, provided that the location and construction of such screening is approved by the ADC. Any vehicle, trailer, boat, camper, or any other equipment which projects

above or beyond the approved screening shall not be permitted for storage on the lot. The ADC encourages the storage of these items in offsite storage facilities.

**5.10 Walls.** The construction of non-boundary walls, such as retaining walls, courtyard walls and privacy walls, may be permitted subject to approval of the ADC and subject to meeting all of the requirements set forth in Section 5.23 of the CC&R's. Walls, if permitted, shall be constructed of brick, stone, or stucco complementing the approved exterior finish of the house. Prior to the construction of any fence or walls, plans shall be submitted to and approved in writing by the ADC. The submittal shall locate the fence or wall on the lot's site plan and shall designate the wrought iron fence and/or wall style and color and height of fence/wall proposed.

**5.11 Utility Appurtenances.** All utility meter panels, utility boxes, furnaces, heating units, air conditioning units, heat pumps and similar utility appurtenances shall be screened or fenced from view, and shall be located away from visibility from the street wherever possible. All plans submitted to the ADC for residential structures shall include the location of such utility appurtenances, and the proposed method of screening.

**5.12 Pet Enclosures.** All dog runs, pens, and other pet enclosures shall be immediately adjacent to the dwelling, and landscaped or otherwise screened or fenced to obscure them from view from Lots on either side of the Dwelling with the pet enclosure, or adjacent streets. All such pet enclosures shall receive approval by the ADC prior to construction.

**5.13 Exterior Lighting.** Exterior lighting can detract from the quality of living within Laguna Pointe, by obliterating night views and interfering with the use and enjoyment of neighboring property. All such lighting should be discrete, illuminating only the feature that the lighting is intended to light. In general, light sources should be shielded and directional, and the light source should not be visible from neighboring properties or adjoining streets. Lighting of large areas should only occur where it is absolutely required for safety considerations, and should be of limited duration, i.e., such area lighting should be motion sensitive so as to automatically turn off. All exterior lighting shall require the approval of the ADC prior to installation, and all plans submitted for approval shall show clearly the location, and type of light fixtures proposed, together with any other information which may be helpful to the ADC in reviewing the application. Each Dwelling shall have at least one entry light that may be either attached to the Dwelling in the vicinity of the front door and/or a stand alone monument driveway approach light. The monument driveway light(s) shall be installed on masonry bases approximately 2' long by 2' wide by 30" high, plus an appropriate cap. The masonry material should match the predominant masonry product used on the exterior of the Dwelling. These monument driveway lights should be installed with a photosensitive switch that automatically activates it from dusk to dawn, unless otherwise approved by the ADC in writing.

**5.14 Signs.** No more than one (1) sign shall be permitted on any Lot at any one time, and no signs shall be placed by an Owner, or its agents, on common area or on any Lot belonging to another. Signs shall conform to the specifications set forth by the ADC and shall be properly maintained at all times and be kept in an upright position. Any Builder who has purchased a Lot for the construction of a new home may advertise the Lot by utilizing a “Laguna Pointe” sign of the size and design designated and made available by the ADC.

**5.15 Mailboxes.** All mailboxes and mailbox stands shall conform in a size and style to one that will be approved by the ADC. The original stand and mailbox shall be provided by the Developer, but installed by the builder at the time the Dwelling is constructed, pursuant to the installation specifications provided by the Developer. Notwithstanding the foregoing, the mailboxes for the residences on the Private Streets east of the Private Gates shall be located in mailbox banks outside of the Private Gates. The original set of mailbox banks and mailboxes shall be supplied by the Developer. Thereafter, maintenance of the mailbox banks shall be the responsibility of the Association.

**5.16 Sprinkler System.** Owner/Builder shall install an automatic underground sprinkler system sufficient to irrigate all lawns and landscaping, but shall not be installed within any portion of the FEMA Regulatory Floodway. The sprinkler system shall be designed so as to prevent any overspray beyond the borders of the lot, particularly preventing overspray onto sidewalks and road areas.

**5.17 Landscaping.** All landscaping shall conform to the approved landscape plan and shall contain the minimum requirements for each Lot on which a residence has been proposed.<sup>1</sup> All landscaping shall be completed within thirty (30) days after completion of the primary residence and in any event prior to occupancy, weather permitting. Special consideration and extensions will be granted from December 1 to April 1 upon written approval of the ADC. Landscaping shall, at the minimum, include the following:

**Tree count** (tree types and sizes must be defined on the landscape plan submitted for approval)

Front yard: Minimum of 3 deciduous trees and 3 evergreens

Back yard: Minimum of 2 deciduous trees and 2 evergreens

**Tree Size** (the following are MINIMUM size requirements)

Deciduous: 3-inch caliper minimum

Evergreen: 8 feet high minimum

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<sup>1</sup> The front yard of a Lot is defined as that area between the front property line and the plane of the surface of the residential building facing the front property line.

**Shrub count/size** (shrub types and sizes must be defined on landscape plan submitted for approval)

Front yard: 12 shrubs at a minimum size of 5-gallons,  
8 shrubs at a minimum size of 10 gallons,  
5 shrubs at a minimum size of 15 gallons  
Back yard: 12 shrubs at a minimum size of 5-gallons  
Corner lot: 12 shrubs at a minimum size of 5-gallons  
Side yard: 12 shrubs at a minimum of 5-gallons

### **Lawn**

Front yard: Full sod (Hydro seed may be approved on a case-by-case basis by ADC.)

Back yard: Full sod (Hydro seed may be approved on a case-by-case basis by ADC.)

### **Lake Shore**

On the lake-facing portion of a Lot, sand is required from the shoreline to the top of slope (as initially installed by the Developer) of Lake Laguna, unless otherwise approved by ADC. If the ADC approves any altering of the slope by the construction of a retaining wall so that a flatter sandy beach can be created, the width of the sandy beach should still run from the shoreline back into the Lot the same or similar distance to where the top of the slope would have been prior to installation of the retaining wall. Sand must be landscape grade, washed sand, and must meet a minimum depth requirement of six (6) inches. Sand installation shall be completed within thirty (30) days after completion of the primary residence and in any event prior to occupancy, weather permitting. Special consideration and extensions will be granted from December 1 to April 1 upon written approval of the ADC.

**Planter Beds** (types and sizes must be defined on the landscape plan submitted for approval)

Front Yard: 20% minimum  
Back Yard: 15% minimum  
Corner Lot/Side Yard: 20% minimum

**5.18 Fencing.** Fencing is not a requirement, but if installed it shall be wrought iron.

**Height:** maximum five (5) feet; minimum four (4) feet or as otherwise approved by the ADC in writing

**Style:** Black or as approved by ADC in writing

**Privacy Screens:** At the discretion of the ADC; to be approved by the ADC in writing.

**5.19 Setbacks.** Building setbacks shall, at a minimum, comply with the relevant zoning classifications established for Laguna Pointe by the City of Eagle in its approval of the development as follows:

**Zone R2:** Lots 1-14, 19-24, and 44-48 Block 1

**Front Setback:** 30 feet from property line (25 feet on homes with garages that are not forward facing)  
**Rear Setback:** 30 feet from property line  
**Side Setback:** 10 feet  
**Side Setback/Corner Lot:** 20 feet

**Zone RE:** Lots 25-34, 36-40, 42, and 43 Block 1

**Front Setback:** 25 feet from edge of pavement of private roads, or 50 feet from property line, whichever is greater.  
**Rear Setback:** 30 feet  
**Side Setback:** 20 feet  
**Side Setback/Corner Lot:** 35 feet

**Zone MU:** Lots 16, 17, and 49 Block 1

**Front Setback:** 20 feet  
**Rear Setback:** 20 feet  
**Side Setback:** 7.5 feet  
**Side Setback/Corner Lot:** 20 feet

**Floodway Setback: Fifty (50) feet**

**Lake-Facing Portion of a Lot:** No structure and/or fence shall be permitted to be constructed from top of slope to high water mark of Lake Laguna.

**Easements:** No structure and/or fence shall be permitted to be constructed over any easements, including, without limitation, the easements shown on the recorded plat of the subdivision, the individual lot plat provided by the Developer, and the easements described in Article IV of the CC&Rs.

**Wetlands:** No structure or accessory structure shall be permitted within the delineated wetlands or wetland mitigation areas, as shown on the Wetland Mitigation Plan of the Approved Corps of Engineers 404 Permit.

**Views:** The ADC may further restrict the final footprint of all buildings so as to reasonably preserve use and open areas between neighboring lots.

**5.20 Foundations and Basements.** Each Lot Owner is aware that groundwater levels rise during irrigation months, and that shallow groundwater exists in Laguna Pointe. Each Lot Owner shall design their buildings to prevent the accumulation of water in crawl spaces.

Basements may be permitted provided their plans and specifications have been approved in writing by the ADC; and provided further that the Residential Lot Owner will be required to execute an indemnity holding the Declarant and Association harmless from any claims resulting from the Lot's suitability for installation of a basement. Lot Owners should obtain certification from an engineer that the Lot is suitable for installation of a basement, which certification should take into consideration the water table and geotechnical soil tests.

Exterior grades shall slope a minimum of 5 percent for a distance of 10 feet from the exterior foundation walls per IBC Chapter 18. Bottom of footing elevations relative to groundwater elevations, along with soil bearing capacities, shall be established by a geotechnical engineer per IBC Chapter 18. All foundations shall be designed in accordance with IBC Chapter 18 and/or City of Eagle Building Requirements.

Each Lot Owner is required to install a full perimeter foundation drain on every Dwelling, per IBC Chapter 18. Written or photo evidence or visual approval by a member of the ADC is required prior to backfilling the perimeter foundation drain.

**5.21 Height and Elevations.** Current City of Eagle zoning requirements prohibit structures taller than 35 feet from grade. All top of foundation elevations for any Building must be a minimum of 2 feet above the FEMA regulatory base flood elevation. Owner or builder should review City of Eagle Ordinances restricting height and elevations, as ADC approval does not assume that the Owner's plans for construction complies with the City of Eagle's building requirements.

**5.22 Garages.** All garages should be of "Side Entry", "Side Load", or "Rear Load" (Rear Load must have written ADC approval). Front entry garages are discouraged, but may be approved by the ADC on a case by case basis with proper screening. Garage doors will be required to have some architectural detail (such as faux paint, hardware, "carriage style" doors, windows, etc.). RV garage doors will be allowed as long as they are in matching appearance to the standard size garage doors. Garage interiors are to be taped and painted at minimum.

**5.23 Accessory Structures.** Separate garages/shops may be submitted to the ADC for approval. The architecture of any approved detached building must be

consistent with primary dwelling in aesthetic appearance and must be located in such a manner as to not adversely impact adjoining properties.

**5.24 Docks.** If the construction of a Dock is permitted on the Lot, pursuant to the CC&R's, the ADC reserves the right to restrict the location, size, type of materials and design elements of the Dock, and to require that the installation of any Dock does not adversely impact either the adjoining properties or the aesthetics of the shore line.