**Residential Design Guidelines**

**For Avalon Village Architectural Review Board**

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**Architectural and Landscaping Improvement Request: Exhibit A**

**Conditions of Approval and Disclaimer: Exhibit A**

**Facing and Adjacent Neighbor Statement: Exhibit B**

**Notice of Completion: Exhibit C**

**Formal Complaint of DC&R’s, Rules, Policies and / or Design Guidelines Violation: Exhibit D**

Effective June 2018 until further notice

Introduction·

Living in a planned community such as Avalon Village offers many privileges. It also involves certain restrictions. In order to preserve the value, desirability, attractiveness, and architectural integrity of Avalon Village, Declarants Codes and Restrictions (DC&R’s), hereafter referred to as DC&R's, have been prepared which authorize the formation of an Architectural Review Board for the single family and clustered home neighborhoods at Avalon Village.

The Architectural Review Board, hereinafter referred to as the "ARB" is charged with the responsibility to review and approve certain proposed exterior improvements to residential dwellings in this community, prior to any submittal to the City of Eugene and/or construction.

The purpose of the ARB and these design guidelines is not to restrict individual creativity or personal preferences, but rather to assure continuity in design which will help preserve and improve the appearance and value of your neighborhood and Avalon Village. The ARB has set up Design Guidelines that define standard acceptable treatments f improvements. In most cases, when the guidelines are followed and complied with, submittal to the ARB can be avoided. However, certain improvements have been deemed substantial and will require submittal to the ARB at all times.

Article 4 Use Restrictions: Architectural Controls and Maintenance Responsibilities:

4.7.2 Duties and Authority: It shall be the duty of the Architectural Review Board to regulate the external design, appearance, location and maintenance of all improvement thereon, whether on a Lot or Common Property, and to regulate use of such Property as described in this Declaration (DC&R’s). Upon conveyance of the first Lot to an Owner, the Architectural Review Board shall adopt general rules to implement the purposes and interpret the covenants of this Article, including but not limited to the design review standards and procedures, rental and leasing regulation and the regulation of animals, parking, antennas, storage and use of recreation vehicles, storage, and use of recreational vehicles, storage and use of machinery, use of outdoor drying lines, trash containers, planting maintenance and removal of vegetation and use and management of common areas.

***ARB Operating Procedures***

Before beginning any addition, alteration, or construction involving the exterior appearance of a home, the homeowner must first review these guidelines to determine whether or not a submittal to the ARB is required. If your improvement plans comply with the guidelines, and do not need ARB approval you may still need a building permit from the City of Eugene. In those instances which these guidelines state that a submittal to the ARB is not required, the ARB shall be deemed to have given approval to the improvements (or alterations) but such approval is conditional on full compliance and continued compliance with these guidelines. The ARB does not assume any responsibility for Homeowners' improvements or the failure to obtain necessary permits.

If your improvement plans are required to be submitted to the ARB in accordance with these guidelines, you must first file an application with the ARB prior to any City of Eugene building permit application. Failure to obtain the approval of the ARB when required will constitute a violation of the DC&R's and may require modification or removal of unauthorized work or improvements at the homeowner's expense.

Once an application for home improvement has been approved by the ARB, the plans must be followed as approved if the home improvements are constructed. Any modification to the approved plans must receive ARB approval prior to construction. It is important to understand that ARB approval is not limited to major alterations such as room additions, but may also include other items, especially when they don't comply with the guidelines.

If submittal to the ARB is required in accordance with these design guidelines, plans must be submitted, even if the identical improvement may have been previously approved for a neighboring property owner. During and evaluation of an application, the ARB will consider the characteristics of the housing type and the individual site, because what may be an acceptable design in one instance may not be acceptable in another. Furthermore, in making its decisions, the ARB may be called upon to consider and balance conflicting interests of parties who would be impacted by such decisions.

**Submittal and Review Procedures**

1. Review design guidelines to determine if submittal to the ARB is required for your proposed plans.
	1. If submittal is required, prepare two sets of the construction drawings that include the following information on them:
		1. Plan (top) view drawn to an appropriate scale of all improvements including those required by the ARB per the design guidelines. Show overall dimensions. Note on plans those items that are not covered by the design guidelines arid therefore must be approved by the ARB.
		2. Elevation (side) view drawn ton appropriate scale of each side of the improvements. Show overall dimensions.
		3. Location of improvements as it relates to the home and all adjacent property lines including setback dimensions if any.
		4. Description of building materials and colors including brand name and specification name number if any. Show this information on plans.
		5. Any appropriate construction details.
		6. Name and license number of contractor, if applicable
2. Complete Avalon Village's "Architectural and Landscaping Approval Request" form (See Exhibit "A").
3. Sign the "Conditions of Approval and Disclaimer" form (See Exhibit "B'').
4. Complete the "Facing and Adjacent Neighbor Statement" form with appropriate signatures from neighbors on the plans and the form (See Exhibit "C").
5. Keep a copy of the complete application forms for your future reference, and include the following items with your submittal:
	1. Two sets of construction drawings. It is highly recommended that a professional architect, landscape architect, or engineer prepare the construction drawings.
	2. Material samples and color samples if those proposed deviate from the original standards or are new.
	3. No fee will be assessed for the application unless review of the application by the ARB incurs a professional fee.
6. Send all of the information noted above to Avalon Village Homeowners Association to this email address: avhoaquestions@gmail.com
7. The ARB will evaluate all complete applications within 15 days of submittal and will indicate its approval, approval with conditions or denial. One set of construction plans will be sent back to the applicant and one set will be retained for ARB records.
8. The ARB will record the decision as follows:
	1. Approved: A copy of the request form and an approval report or a copy of the plans stamped and signed by the ARB will be returned to the applicant. All use restrictions contained in the DC&R’s shall be in full force and effect and shall control the construction activities of the homeowner.
	2. Approval with Conditions: A copy of the request form and approval report or a copy of the plans stamped and signed by the ARB will be returned to the applicant. The plans will obtain ARB changes or stipulations that shall become a part of the plans and shall represent conditions of approval to be satisfied by the applicant. All use restrictions contained in the DC&R’s shall be in full force and effect and shall control the construction activities of the homeowner.
	3. Denied: If the application is denied, the applicant will be advised of the reason for the ARB’s decision and, if appropriate, will be provided with information or direction needed to receive ARB approval.
9. Send all of the information noted above to Avalon Village Homeowners Association at the following email address: avhoaquestions@gmail.com
10. Upon construction competition, the homeowner shall within 10 days notify the ARB with the “Notice of Competition” form which has been attach for your use (See Exhibit “D”).
11. Upon the receipt of the “Notice of Completion” the ARB will conduct a site observation for plan conformance and will schedule within 30 days of said notice.
12. The ARB shall have the right to review the improvements to confirm that they have been completed and are in conformance with the plans, all ARB approvals and conditions of approval.
13. If the follow site review, the ARB deems the improvements have been installed as approved, a Notice of Conformance will be sent to the homeowner. If following the site review, the ARB deems the improvements have not satisfactorily complied with the approval plans, then the ARB will respond to the homeowner in the following way:
	1. Denial: The ARB will send a Notice of Noncompliance to the homeowner with a request to remedy the noncompliance. This notice will be sent within 30 days after the site review and will specify the particulars of noncompliance. Once the non-compliance is remedied by the applicant, the ARB will review the work again and respond accordingly.
14. Following site review, review and conformance report results will be maintained in the Architectural Modification Log by the ARB. This log is part of the Homeowners Association documents and is available to all HOA member upon request.

**FAILURE TO INCLUDE ALL OF THE INFORMATION REQUESTED WILL CONSTITUTE AN INCOMPLETE APPLICATION. THE APPLICATION WILL BE STAMPED INCOMPLETE AND RETURNED TO THE HOMEOWNER FOR COMPLETION PRIOR TO ARB REVIEW.**

1. The ARB will evaluate all complete applications within 15 days of submittal and will indicate its approval, approval with conditions, or denial. One set of construction plans will be sent back to the applicant and one set will be retained for ARB records.
	1. The ARB will record the decision as follows:
		1. Approved: A copy of the request form and an approval report or a copy of the plans stamped and signed by the ARB will be returned to the applicant. All use restrictions contained in the DC&R's shall be in full force and effect and shall control the construction activities of the homeowner.
		2. Approved with Conditions: A copy of the request form and an approval report or a copy of the plans stamped and signed by the ARB will be returned to the applicant. The plans will obtain ARB changes or stipulations that shall become a part of the plans and shall represent conditions of approval to be satisfied by the applicant. All use restrictions contained in the DC&R's shall be in full force and effect and shall control the construction activities of the homeowner.
		3. Denied: If the application is denied, the applicant will be advised of the reason for the ARB's decision and, if appropriate, will be provided with information or direction needed to receive ARB approval.
2. Upon construction completion, the homeowner shall within 10 days notify the ARB with the "Notice of Completion" form which has been attached for your use (See Exhibit "D").
3. Upon receipt of "Notice of Completion", the ARB will conduct a site observation for plan conformance and will be scheduled within 30 days of said notice.
4. The ARB shall have the right to review the improvements to confirm that they have been completed and are in conformance with the plans, all ARB approvals, and conditions of approval.
5. If following site review, the ARB deems the improvements have been installed as approved, a Notice of Conformance will be sent to the homeowner. If following the site review, the ARB deems the improvements have not satisfactorily complied with the approved plans, then the ARB will respond to the homeowner in the following way:
	1. Denial: The ARB will send a "Notice of Noncompliance" to the homeowner with a request to remedy the noncompliance. This notice will be sent within 30 days after the site review and will specify the particulars of noncompliance. Once the noncompliance is remedied by the applicant, the ARB will review the work again and respond accordingly.
6. Following site review, review and conformance report results will be maintained in the Architectural Modification Log by the ARB. This log is part of the Homeowners Association documents and is available to all HOA members upon request.

**The following guidelines apply to any and all work performed on your home whether ARB approval is required or not:**

* Excess debris shall be removed from the site or property contained on a daily basis.
* Work shall be performed so as to minimize noise, dust, and disruption of neighbors.
* No structure may be erected, constructed, or maintained whether permanent or temporary within in building restricted easement without proper approval from the City of Eugene Planning Department.
* Construction shall be from 7 am. To 7 pm. Only.
* All workers must comply with ARB Rules and Regulations.

*Note on Maintenance*

The following guidelines are for the continued livability and desirability of the Avalon Village neighborhood. However, one of the most important factors in keeping the neighborhood clean and beautiful is regular maintenance. Even the best laid plans and most skillfully constructed home and landscaping improvements will become an eyesore if they are not maintained.

**Landscaping, Hardscaping, & Irrigation**

***Front Yard***

Submittal Requirements

* Changes in previously installed front yard landscaping need not be submitted for approval if they comply with all the front yard landscaping guidelines listed below. If the plan includes changes that do not comply with the guidelines, submittal to the ARB is required.

Guidelines

* The Front Yard is defined as that portion of the yard which is in front of an entryway fence or gate or side yard fence or gate and which is viewable from a public street.
* The root system of ground cover, bushes, and trees must not encroach at maturity on any neighbor's yard or disturb foundations, walls, or sidewalks.
* Sprinklers must be placed so they do not spray adjacent properties or public sidewalks.
* The use of synthetic grass or other synthetic plant material is prohibited.
* No more than 25% of the surface area of the front yard may be used for rock beds of any kind unless approved by the ARB.
* Additional hardscaping is standard gray concrete with standard finish treatments such as broom finish, salt finish, exposed aggregate are acceptable. Colored concrete, stampcrete, brick, rock, and tile finishes are prohibited unless they are approved by the ARB.
* Although the ARB has no obligation to preserve views, it is in everyone's best interest to do so whenever possible. Therefore, trees and shrubs must be selected and placed in a manner which at maturity will not materially and unreasonably interfere with the view of any other homeowner.
	+ It is specifically understood that any front yard landscaping, whether or not specifically approved by the ARB, is subject to the condition that the ARB shall have the right to require a homeowner to remove, trim, top or prune any tree, bush, hedge, or other plant which the ARB finds materially and unreasonably obstruct the view of any other homeowner.

***Rear and Side Yard***

Submittal Requirements

* Approval is hereby given for rear and side yard landscaping and hardscaping to be installed without the plans being submitted to the ARB approval. However, such approval is conditional upon the following: Such improvements shall comply with all of the following read and side yard landscaping and hardscaping guidelines. If all the following guidelines are not met, submittal to the ARB is required.

Guidelines

* Irrigation lines must be subterranean, except drip systems which must be substantially covered. All irrigation must meet UPC (Uniform Plumbing Codes) and have appropriate backflow devices installed.
* There shall be no interference with the-site drainage pattern or form that which exists at the time the overall grading is completed by the developer or which is shown on any plan that may have been previously approved by the ARB. Appropriate drainage must be installed and directed to the street in order to prevent runoff onto adjacent or common area properties.
* Sprinklers must be placed so they do not spray adjacent properties or public sidewalks.
* There shall be no interference with the off-site drainage pattern or from that which exists at the time the overall grading is completed by the developer or which is shown on any plan that may be installed and directed to the street in order to prevent runoff onto adjacent or common area properties.

***Fencing and Walls***

Submittal requirements

* Fencing and wall plans need not be submitted for approval if they comply with the guidelines listed below. If the plan includes features that do not comply with the guidelines, submittal to the ARB is required.
* Any changes in or removal of previously installed fencing must be approved by the ARB.

Guidelines

* Placement of the fence and support structures shall not be outside buyer's legal lot.
* Front yard fencing is not allowed unless approved by the ARB.
* Side yard fences ·may not extend past the adjacent front face of the dwelling unit and may be extended only for the purpose of construction a single side entry gate. In no case shall fencing extend into the City required setbacks.
* No electrified fences are allowed in the front yard.
* The following are not acceptable front yard fence and wall materials:
	+ Galvanized chain link and vinyl covered chain link.
	+ Aluminum or sheet metal.
	+ Chicken wire, barbed wire, or wire mesh.
	+ Plastic webbing, reed, bamboo, or straw-like materials.
	+ Corrugated or flat plastic sheets or panels.

***Patio Covers and Trellises***

Submittal Requirements

* Any patio cover or trellis that does not conform to all of the following guidelines must be submitted to the ARB.
* Any patio cover or trellis that is larger than 15 feet in width and/or 15 feet in depth must be approved by the ARB.

Guidelines

* Patio covers, and trellises shall be of wood or prefabricated metal construction only unless otherwise approved by the ARB.
* The following materials are not acceptable for patio covers and trellises and are not all

inclusive:

* + Plastic
	+ Fiberglass
	+ Plastic webbing, split bamboo, reed, or straw-like materials
* Patio covers and/or trellises must comply with all applicable setback requirements as set forth in the City of Eugene Municipal Code.
* Patio covers, and trellises must be a complimentary color the exterior paint of the home or stained a natural wood color.

***Balconies***

Submittal Requirements

* All balconies must be approved by the ARB.

Guidelines

* Balconies must be made of wood that matches the existing material and color of the dwelling unit.
* No structure may be erected, constructed, or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Eugene Planning Department.

***Exterior Paint***

Submittal Requirements

* Any proposed paint must be approved by the ARB and current color palette choices must be submitted prior to paint application. Color palette can be found at avalonvillagehoa.com

Guidelines

* Paint colors and or schemes must not be similar to any adjacent neighbor.
* Pastel, bright, and fluorescent colors are prohibited.
* Colors should be representative of the architectural style of the neighborhood. All paint must be chosen from the 2017-2018 exterior paint color palette.
* Homeowners should paint their home per industry standard, every ten years.

***Permanent Barbeques***

Submittal Requirements

* Permanent barbeques need not be submitted for ARB approval provided that they conform to the following guidelines.

Guidelines

* Permanent barbeques shall not be located in the front yard
* No structure may be erected, constructed, or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Eugene Planning Department.

***Dog Houses***

Submittal Requirements

* Doghouses need not be submitted for ARB approval provided that they conform to the following guidelines.

Guidelines

* Doghouses shall not be located in the front yard.
* No structure may be erected, constructed, or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Eugene Planning Department.

***Gutters and Downspouts***

Submittal Requirements

* Gutters and downspouts need not be submitted for ARB approval provided they Guidelines.

Guidelines

* Gutters and downspouts must be primed and painted to match existing adjacent surface color.
* Run-off from gutters and downspouts must not drain onto common area landscaping or another lot and must be directed toward the street.

***Flags and Flag Poles***

Submittal Requirements

* Flags need not be submitted for ARB approval provided that they conform to the following guidelines.

Guidelines

* Homeowners may display a single flag of a reasonable size mounted from the exterior wall below the facia of the dwelling unit. Any other flag location must be reviewed by the ARB.

***Exterior Lighting***

Submittal Requirements \_

* Exterior lighting need not be submitted for ARB approval provided that they conform to the following guidelines.

Guidelines

* Exterior lighting is to be directed onto the applicant's property and shall be adjusted or screened to prevent light from falling onto adjacent properties.
* Open or uncovered floodlights or other uncovered lights are not permitted.
* Exterior lights must be housed in fixtures.
* Exterior lighting must be consistent with the style and color of the dwelling unit.

***Room Additions***

Submittal Requirements

* All exterior room or other home additions must be submitted to the ARB for approval.

Guidelines

* Architectural style shall be compatible with that existing.
* Additional rooms shall be compatible in scale, materials, color, and style with existing structure.
* To the extent possible the location of proposed additions shall not materially impair the view or sunlight of adjacent properties. ·
* Roof colors and material must match the existing dwelling. The pitch, scale, and form must be complimentary to the existing dwelling.
* No addition shall exceed the roof height of the existing structure except for chimneys or second story addition on a single-story house.
* Windows, window groupings and doorways shall integrate with existing exterior openings.
* Excess debris shall be removed from the site or properly contained on a daily basis.
* Work shall be performed so as to minimize noise, dust and disruption of neighbors.
* No structure may be erected, constructed, or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Eugene Planning Department.
* Construction shall be from 7am to 7pm only.
* All workers must comply with the Architectural Review Board Rules and Regulations.

***Swimming Pools and Spas***

Submittal Requirements

* Pools and spas need not be submitted for ARB approval provided that they conform to the following guidelines.
* Portable or above ground spas are permitted if they comply with the following guidelines.

Guidelines

* Permanent about ground pools are not allowed if the height of the pool exceeds 4 feet.
* Pool/Spa equipment must be enclosed so as to screen the noise and view disturbances rom adjacent properties. Fencing must be maintained.
* Plumbing lines a spa or pool must be completely concealed or installed underground.
* Drain lines must not drain onto adjacent properties or common area properties.
* Homeowners must obtain certification and approval from a licensed soils engineering professional prior to constructing pools
* No structure may be erected, constructed or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Eugene Planning Department.
* Installation of a pool must comply with County Health Department Requirement.

***Sheds***

Submittal Requirements

* Sheds and/or freestanding structures must be submitted for ARB approval prior to being constructed or erected, only if the structure will be visible from the street. If the structure will be visible from the street; the following guidelines must be followed.

Guidelines

* The color of the shed shall match the color of the dwelling unit.
* Sheds must be located behind the backyard fence line.
* Prefabricated metal or aluminum sheds are subject to approval by the ARB.
* Sheds are limited to one per lot and must not be larger than 120 square feet. Roof height must be such that the shed roof would not be higher than would be of complimentary pitch to the roof of the original dwelling.
* No structure may be erected, constructed, or maintained whether permanent or temporary within any building restricted easement without proper approval from the City of Eugene Planning Department.

***Basketball Hoops***

Submittal Requirements

* Basketball hoops that are portable and are not attached to real property are allowed and need not be submitted for ARB approval. Portable basketball hoops must be screened from public view when not in use.
* Basketball hoops that are attached to real property are allowed and need not be submitted for ARB approval provided that they conform to the following guidelines.

Guidelines

* Backboards must be no larger than 39" high and 54" wide and must be mounted to the house or centered above the garage.
* Backboards may be clear Lucite or comparable material, or wood painted white or painted to match the dwelling unit color. Backboards are to be painted as often as necessary to maintain color. Bright, Fluorescent, and pastel colored backboards are prohibited.
* Hoops must be of standard size with a rope net. Metal or chain nets are prohibited. The net must be kept in repair at all times.
* No basketball hoops will be allowed anywhere in the Isles.

***Screen Doors***

Submittal Requirements

* Screen doors need not be submitted or ARB approval provided that they comply with all of the following guidelines. Screen doors that do not comply with all of the following guidelines must be submitted to the ARB for approval.

Guidelines:

* All screen doors must be installed within the existing door jam.
* Screen doors must be of high quality construction.
* Wire mesh screen doors are prohibited.
* Screen doors must be kept in a maintain condition.

***Window Tinting/Shading/Blinds***

Submittal Requirements

* Window tinting, shading, and blinds need not be submitted for ARB approval provided that they comply with all of the following guidelines.

Guidelines

* Windows may be tinted provided that no reflective materials be used to create a mirror effect from the outside.
* No temporary materials such as paper or foil shall be used for shading purposes.

***Play structures***

Submittal Requirements

* Play structures need not be submitted to the ARB for approval provided they comply with the following guidelines

Guidelines

* Play structures shall not be located in the front yard.
* Play structures shall extend no more that 3 feet above the top of the fence.

***Regulation of Animals***

Guidelines

* NO dogs shall be off leash in Avalon Village.
* Homeowners are required to clean up dog waste.

***Storage of Trash and Recycling Containers***

Trash and Recycling containers must be stored in the homeowner’s garage or backyard. No garbage cans may be placed in common areas or on the side of homes. Trash and recycling container(s) must be brought up from the curb on the evening of your perspective ‘Trash Day’.

***Other Issues***

All possible architectural characteristics have not been covered in these design guidelines. These design guidelines are subject to change, and further restrictions may be imposed at a later date.

Please refer to the DC&R's on any issues not covered in this document (Ex: Satellite dishes, antennas, solar panels, etc.).

Have questions? Go to www.avalonvillagehoa.com / or avhoaquestions@gmail.com