

INTER-OFFICE ORIGINAL TO:  
CITY OF BOZEMAN  
PLANNING DEPARTMENT  
20 EAST OLIVE STREET

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Page: 1 of 20  
05/22/2005 12:00P



Shelley Vance-Gallatin Co NT MISC 140.00

**DESIGN REVIEW GUIDELINES AND REGULATIONS  
OF  
BAXTER MEADOWS MASTER COMMUNITY ASSOCIATION**

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**OF**  
**BAXTER MEADOWS MASTER COMMUNITY ASSOCIATION**

The integration of buildings, improvements and landscape within Baxter Meadows Master Community Association (BMMCA) is essential to the success and appearance of the community. As provided in section 8.1 of the BMMCA Declaration, any and all construction, alterations or improvements, and front yard landscaping shall be subject to advance approval by the BMMCA Design Review Board (DRB). Any deviation from approved plans shall be re-submitted to the Design Review Board for approval. Site Design Regulations serve to protect and enhance the natural landscape, stream corridors, view sheds and natural habitat.

No structures, including residences, outbuildings, accessory buildings, tennis courts, swimming pools, antennas (except as otherwise permitted in this Declaration), flag poles, fences, walls, exterior lighting, landscaping, or any other Improvements shall be constructed, erected, relocated, removed or installed on a Unit or on any lot, nor shall any painting, alteration or change to the exterior of the Improvements, the exterior of a residence, to a Unit or to any lot front yard or to any structure or any attachment to the exterior of a residence (including paint, awnings, patios, decks, or shutters) be commenced unless: complete plans and specifications shall have been first submitted to and approved in writing by the DRB ("Committee") as may be outlined in the Rules and Regulations. Additional written approval may be required by sub Architectural Review Committee administered by any Sub association.

**I. DESIGN REVIEW PROCESS**

**Section 1. Submission of Plans Before Construction.**

No residence, fence, wall, garage, outbuilding or other structure shall be made, erected, altered or permitted to remain upon the properties until written plans and specifications showing the design, nature, kind, color, dimensions, shape, elevations, material, use and location of the same shall have been submitted and approved, in writing, by a majority of the DRB as to compliance with these Covenants, as well as appropriate City of Bozeman review, permitting and fee payment. All plans submitted to the City of Bozeman Building Division must have the Baxter Meadows Design Review Board stamp of approval.

**Section 2. General Requirements.**

Not less than ninety (90) days prior to the anticipated date of construction commencement, Applicant shall submit **two** copies of the required documents (see Form "A" attached) for each design review to the following:

*Deliver or mail to:*

Baxter Meadows Design Review Board (DRB)  
c/o Intrinsic Architecture, Inc.  
428 E. Mendenhall Street  
Bozeman, Montana 59715

Submittals must be labeled with "Baxter Meadows Design Review Board" and specific project title and address.



**2202826**

Page: 2 of 20  
09/22/2005 12:00P

Shelley Vance-Gallatin Co MT MISC 148.00

Upon DRB review, the owner will be notified within ten (10) business days after the start of the review cycle date that the design has been approved, approved with stipulations or disapproved. Applications which are submitted to the DRB incomplete will be returned and may be subject to a re-submittal fee.

The reasons for approval with stipulation and disapproval will be clarified for the owner in writing and/or with drawings. If the DRB does not contact the owner within ten (10) business days of the review commencement date, the application shall be deemed "disapproved".

An application for withdrawal may be made without prejudice, provided the request for withdrawal is made in writing to the DRB.

All variance requests pertaining to the DRB approvals must be made in writing to the DRB. Any variance granted shall be considered unique and will not set any precedent for future decisions.

If an application has been denied, or the approval is subject to conditions that the owner feels are unacceptable, the owner may request a hearing before the DRB to justify his/her position. The DRB will consider the arguments and facts presented by the owner and notify the owner of its final decision within ten (10) days of the hearing.

### **Section 3. Construction Completion.**

If construction of a structure is not commenced within one year after DRB approval, a new DRB application must be submitted. No construction shall be commenced without a valid DRB approval. Any structure to be erected in accordance with an approval so given must be erected and completed within one year from the date of construction commencement. If any structure is commenced and is not completed in accordance with the plans and specifications within one year, the Directors of the Association, at their option, may take such action as may be necessary, in their judgment, to improve the appearance so as to make the property harmonious with other properties and to comply with these Covenants, including completion of the exterior of the combination thereof, or removing the uncompleted structure or similar operations. The amount of any expenditure made in so doing shall be an obligation of the owner. A lien on the property may be recorded and shall be enforceable by an action at law. In lieu thereof, the Association may take such action as is available by law, including an injunction, or action for damages.

### **Section 4. Inspection Procedure.**

Inspections are required to ensure that construction proceeds in compliance with these covenants and the approved drawings. An inspection is required at each of three stages of construction: framing, siding, and landscaping. The owner shall request an inspection of the improvements by the DRB. Owners are responsible for scheduling an inspection accordingly: 1) when the framing is complete; 2) when siding is at a point, prior to completion, to allow the DRB to see the siding and cladding product(s) installed in their planned locations; and 3) when landscaping components (beds, plants, sod, irrigation, and trees) are installed in their planned locations.

The inspections shall only determine compliance with the covenants and approved plans. If the DRB find the improvements were not completed in strict compliance with the covenants and approved plans, the DRB shall notify the owner of the noncompliance within seven (7) days of the inspection request and shall require remedy of the same. The owner shall have seven (7) days



**2202826**

Page: 3 of 20

09/22/2005 12:00P

Shelley Vance-Gallatin Co MT MISC 140.00

from the noncompliance notification to remedy the noncompliance or shall submit a work plan delineating the time frame when the noncompliance will be remedied. The DRB may allow up to forty-five (45) days for the noncompliance to be remedied if the submitted work plan provides adequate justification for the requested time.

No occupancy of the project shall take place prior to written DRB approval, as well as payment of all inspection and review fees, and any outstanding costs, unless otherwise allowed. If the noncompliance is not remedied within seven (7) days of notification and the owner does not provide a work plan within said time, or if the noncompliance is not remedied within the time frame provided in the work plan as approved by the DRB, the DRB may, at their option, remedy the noncompliance. The owner shall reimburse the DRB upon demand for all expenses incurred in connection therewith. If the owner does not promptly repay such expenses, the DRB shall levy an assessment and file a lien against such owner and the improvement in question and the land on which the same is situated for reimbursement and the same shall be enforced and/or foreclosed upon in the manner provided for by law.

No occupancy of the project shall take place prior to written DRB approval as well as payment of both inspections and any outstanding costs, unless otherwise allowed.

#### **Section 5. Liability and Variances.**

Neither the Association, the Declarant, the Directors, the DRB nor the individual members thereof, may be held liable to any person for any damages for any action taken pursuant to these Covenants, including but not limited to, damages which may result from correction, amendment, changes or rejection of plans and specifications, the issuance of approvals, or any delays associated with such action on the part of the Board of Directors.

Further, the Committee may, upon application, grant a variance from the Architectural Regulations, provided that the spirit of these Design Guidelines is complied with. The Committee shall have the duty and power to make the final decision on the granting of the variance, without any liability being incurred or damages being assessed due to any decision of the Committee.

Within all section of these Design Guidelines, when a variance is indicated that it may be granted, the variance must be requested and approved by the DRB and/or the Bozeman City Commission, as applicable, depending on whether the variance is from the Covenants or from the current City Zoning Ordinance or both.

#### **Section 6. Design Review Procedure.**

##### **STEP 1: Construction Design Review.**

In addition to verifying the required setbacks, this review checks the designs for correct interpretation of the Architectural Regulations, checks the construction documents for compliance with the DRB and verifies that the previous DRB recommendations have been incorporated. Conformity to applicable local regulations and building codes, as well as obtaining appropriate permits is the responsibility of the architect and/or builder.

**Forms Required:** Acknowledgement Form

Page 3 of 19

Master Design Review Guidelines\_FINAL.wml



## Form A - Construction Design Review Application

Review Fee: Review Fee: \$300 for each single family and duplex unit projects. Previously approved plans are subject to a design review fee of \$200. Incomplete applications which are returned to Applicant may subject to a \$100 re-submittal fee. Fees are based on each individual property.

### Minimum Drawings Required:

- *Site Plan (1/8" = 1'-0" scale or larger) showing:*
  - North arrow.
  - Property lines and setback lines with dimensions.
  - Building footprints with entry area delineated and overhangs shown as dashed lines.
  - Garden walls, fence lines, location, height and material quality of retaining walls.
  - Water, electric and sewer service.
  - Grading plan.
  - Location of streets.
  - Location, dimensions and materials for walks and drives.
  - Limits of construction activity (no construction, traffic or storage of materials will be permitted beyond these limits).
  - Exterior light locations and type.
  - Location of external equipment (electric meter, location of waste bins, etc.)
  
- *Floors Plans (1/4" = 1'-0") showing:*
  - Foundation plan dimensioned.
  - Room use labeled and rooms dimensioned.
  - Wall, window and door openings dimensioned.
  - Exterior walls dimensioned.
  - All overhangs of floors and roofs as dashed lines.
  - Gross square footage.
  
- *Elevations & Sections showing:*
  - Each Elevation at 1/4" = 1'-0" with colors rendered of fronting street elevation.
  
- *Landscape Plan:*
  - Including plant listing (name, planting and mature sizes) and their respective locations.
  
- *Material Samples:*
  - As requested by DRB.
  - Siding and trim sample with actual color applied.

### STEP 2: Construction Commencement.

Construction may not commence without the approval of the City of Bozeman Building Division, necessary permits obtained and fees collected. A copy of Form A - Construction Design Review Application bearing the DRB approval letter must accompany City of Bozeman building permit applications.



**2202826**

Page: 5 of 20  
09/22/2006 12:00P

The DRB reserves the right to inspect in the field for compliance during any stage of construction. The DRB is empowered to enforce its policy as set forth in the Baxter Meadows Master Community Declaration by any action, in law or equity, to ensure compliance.

## II. Topography and Features

### 1. Response to Character of Land Form:

Development Areas shall be designated upon all new sites in order to assure that each building site responds to the existing topography, tree masses and adjacent properties. All site plans must indicate surface drainage patterns.

### 2. Relationship to Open Space: Estate Homes

Buildings shall be located in a manner that preserves the character of the open space within the community. When an entirely open site is developed, buildings shall be organized in a cluster that diminishes the scale and impact of the building in the landscape. In addition, indigenous landscape materials shall be introduced to minimize the exposure of the building. Manicured lawns shall be separated from the established native vegetation with landscape materials.

### 3. Stream Corridor Protection:

All buildings and improvements shall maintain a minimum setback of 50 feet from the annual high water line of all streams, rivers, creeks and water courses within all development districts of Baxter Meadows. Uses within the stream setback shall be limited to planting of native riparian vegetation, maintenance of existing non-native vegetation, and the control and maintenance of noxious weeds. The removal of existing native vegetation within the stream shed protection area is not permitted.

## III. Improvements

### 1. Driveways & Parking:

Site access, when entered from the street, shall be perpendicular to the street. Parking areas and garage doors shall not be the primary visual element of any residence. Landscaping materials shall be used to diminish the impact of the entry to the garage. All parking shall be within the lot boundary, off public and private rights-of-way. No driveway or access shall be allowed to encroach into the side yard setbacks other than those on shared driveway easements filed of record.

The construction and maintenance of all driveways and culverts shall be responsibility of the owner. Driveways and parking areas shall be crowned and sloped for adequate drainage and safety.

Driveway and parking surfaces shall be constructed of concrete paving units, stone cobbles, asphalt or concrete. Any other material shall be approved by the BMMCA DRB. Materials shall restrict weed growth and maintain a clearly defined edge between the landscaped area and the driveway surface. Materials shall withstand deterioration from winter snow plowing and erosion.



Driveways shall be limited in width to 14 feet minimum and 16 feet maximum at the intersecting street. Drives can be expanded to 24 feet at turn-around areas and parking structures. Maximum driveway grades shall not exceed 1:20 for the first 20 feet from the roadway, and shall not exceed 1:10 slope beyond.

2. Privacy Screens and Retaining Walls:

Privacy screens may be used in conjunction with a hot tub or sunning deck. The screening shall be consistent with the overall design, construction and materials of the existing building. Privacy screens shall not be taller than the edge of the roof eaves, and shall not be longer than 16 feet in uninterrupted length.

Retaining walls shall be an integral part of the overall design of the site and building. Retaining walls shall not be greater than 4 feet in height, or 24 feet in uninterrupted length. Retaining walls can also be used as a screening device to obscure service areas such as the view of a driveway from the main road. Retaining walls shall be constructed of wood, stone, or approved masonry products, and shall blend into the contour of the existing landscape.

Utility boxes and pedestals owned by utility providers shall not be screened or buffered so as to inhibit access and/or function to such above-grade utility systems.

3. Walkways, Paths and Trails:

Walkways, paths and trails introduce places for pedestrians within the built and natural environment. The size and character of such paths shall respond to the surrounding buildings and site in the form of material, scale and configuration. Paving units, stone, textured or exposed aggregate concrete and wood shall be the only acceptable materials. Detailed drawings of paths shall be required as a part of the Final Plan review requirements.

### III. Utilities and Site Details

1. Utilities:

All utilities (natural gas, electric, telephone and television cable) shall be installed underground. No antenna or satellite dish shall be installed on any structure, lot or Unit so that it is visible from any street. 18" satellite dishes shall not be required to be screened from adjacent lots. Larger satellite dishes are not permitted.

Meters shall be placed in a location so as to be accessible to the meter reader and yet not visible from adjoining roadways. All conduit wires servicing the meter shall be beneath the exterior wall sheathing or enclosed. Meters, transformers and other utility boxes shall be concealed with landscaping.

2. Radon:

Radon gas is a hazard found in all soil types throughout the country, and should be anticipated in Baxter Meadows. The owner and architect shall contract an EPA certified installer who shall be responsible for introducing mitigation measures into the design of the building, conducting appropriate tests for radon, and activating the system if necessary.



3. Wood Storage:

Firewood shall be stored outdoors shall be stacked in an enclosed area, such as a garage, covered porch, or structure designed for the storage of wood, so as to be invisible to neighboring owners and the street frontage. Such structures shall be architecturally compatible with the material and color of the primary structure, and shall be integrated into the design of the building.

4. Garbage and Refuse Disposal:

Trash, garbage and other waste shall not be kept except in sanitary containers. All equipment, garbage cans, wood piles, compost piles or storage piles shall be screened or concealed from view of other dwellings and Common Areas. Sanitary containers may be placed on the street curb for collection only on collection days.

#### IV. Landscape Controls

1. Definitions:

Caliper: The diameter of the trunk measured six inches above ground level up to and including four inch caliper size, and measured twelve inches above ground level if the measurement taken at six inches above ground level exceeds four inches. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

Corner Lot: A lot located adjacent to two public streets where those two streets intersect at a perpendicular angle.

Mulched Bed: An area within a yard with no turf and 3" minimum depth landscape mulch. Landscape mulches include but are not limited to river rock (typ) or landscape bark (i.e. shredded cedar) (typ) etcetera, separated or contained by appropriate edging material (aluminum, metal, or similar).

Yard: A space on the same lot with a principal building, which is open and unoccupied from the ground upward or from the ground downward other than by steps, walks, terraces, driveways, lamp posts and similar structures, and unobstructed by structures.

Yard, Front: A yard extending across the full width of the lot between two side lot lines the depth of which is the least distance between the street right-of-way and the front building line.

Yard, Rear: A yard extending across the full width of the lot between the two side lot lines and between the rear line and a parallel line tangent to the rear of the principal building and the depth of which is the least distance between the rear lot line and the parallel line.

Yard, Side: A yard extending between the front building line and the rear building line, the width of which is the least distance between the side lot line and the nearest part of the principal building.

2. Installation:

Street Trees: Baxter Meadows Development shall control the installation of street and boulevard trees.





**Sodding:** Sodding of front yards shall be the responsibility of the builder. On any yards where sodding has not been provided by the builder, the homeowners are responsible for sodding or seeding within one (1) year of property purchase.

**Mulched Beds:** Front yards will be installed with 4-8 shrubs within a mulched bed and shall be the responsibility of the builder. In addition, each home will have a meandering 18"-24" min. wide mulched bed around its perimeter in the rear and side yards to reduce water and mowing damage to the architectural siding.

**Trees:**  
Trees installed by homeowner are to be planted within property lines. Prior to planting, a utility line locator service must locate utility lines.

Trees must not be planted in front yards where they may conflict with utility lines.

The minimum required installation shall be (3) small shade trees of 1-2" caliper or one 5' high conifer (evergreen). Recommended species include: Ash (Fraxinus), Honeylocust (Gleditsia Triacanthos), Linden (Tilia), Locust (Robinia Pseudoacacia), Maple (Acer), Mountain Ash (Sorbus Aucuparia), Oak (Quercus), Walnut (Juglans Nigra). Installation shall be the responsibility of the builder. The required installation of a shade tree within 18 months of purchasing property in Baxter Meadows may be substituted for one non-canopy tree (evergreen/conifer). The non-canopy tree must have a min. height of 5'. Heights are measured from the top of the root ball to the plants highest point. Trees installed by homeowners may be planted in front, side or rear yards as long as they are not in conflict with the utility lines and are on the owner's property.

**Fencing:**

Any fences installed at the option of an owner shall be no taller than six feet and shall be constructed of wood only. Panel fencing shall have "dog-eared" panels. All owners shall have a locator service locate utility lines prior to digging. Fencing other than that described above must be approved by the Design Review Board prior to installation.

- Maintenance:** Every homeowner shall be responsible for the care of his or her entire lot excluding only the street right-of-way. Maintenance includes lawn care, irrigation and weed control. Mulched beds shall be weed controlled by a consistent spray regime or manual weeding. Pesticides, herbicides, fertilizers, etc. If used shall be applied in strict accordance with the manufacturer's instructions and all applicable laws and in accordance with USDA and the EPA.

Every homeowner shall be responsible for the care of his or her lot excluding areas maintained by the BMMCA or any Sub Association.

- Irrigation Installation and Maintenance:**  
The builder shall be responsible for the installation of irrigation systems within the areas described below. Landscaping plans (including the proposed irrigation equipment to be installed) must be provided to the BMMCA DRB for approval prior to installation. On homes that are irrigated from the BMMCA or any Sub Association system, a list of compatible equipment will be required for installation to ensure proper watering.



The builder shall install separately metered irrigation systems which are controlled by each individual owner. At a minimum, builder shall install front yard piping, heads, and a controller with sufficient capacity for the owner to install an irrigation system in the rear yard. Every homeowner shall be responsible for the maintenance of their entire system excluding only the street right of way.

**II. BUILDING FORM REGULATIONS**

The intent of the following building design regulations are to develop architectural unity within the districts of Baxter Meadows while allowing for the vitality of individual expression.

**A. Building Height**

**1. Residential Buildings:**

Building heights within all residential areas of the BMCPOA shall be limited to a maximum of 38 feet. Building height shall be measured from the highest ridge to the adjacent grade. The maximum building height shall never exceed that stipulated and governed by the City of Bozeman. With the approval of the DRB, chimneys, cupolas and other rooftop architectural features may exceed the given maximum height limitations by no more than 4 feet.

On complex buildings with multiple heights, the building height shall be determined by calculating the highest ridge line of the building, and measuring to the average of the highest and lowest finished grade. The final elevation of the finished surface materials, whether soil, paving, or decking shall be indicated as the finished grade, and shall be shown on the Architect's drawings.

**B. Roof Form**

The architecture within Baxter Meadows shall complement and respond to the natural qualities of Bozeman. The consistency and compatibility of roof shapes, pitches and materials will contribute significantly to the continuity of the character of Baxter Meadows. The following design regulations have been developed to allow for distinct building forms while addressing the character of the entire community. Exterior walls shall not exceed 40 feet in length without a change of orientation such as the introduction of dormers, projected bays, or recesses greater than 2 feet. When refining roof forms consideration shall also be given to the prevention of excessive snow build-up and snow shedding.

**1. Shape and Pitch:**

When examining roof shapes and pitches for buildings within Baxter Meadows, designers should consider the simple shapes and pitches of buildings found within traditional neighborhoods. Gable, hip, and modified hip roofs shall be the only acceptable roof forms. Shed roofs shall not be major roof forms. Mansard roofs, pseudo-mansard roofs, curvilinear roofs, and A-frame roofs shall not be allowed for any roof form.

Variation in orientation of the dominant roof form is essential to the successful design of large buildings. Dominant roof forms shall not exceed 40 feet in length without a change in orientation or introduction of dormers.



Within all Development Areas, roof slopes shall be a minimum of 6:12 and a maximum of 12:12. Secondary roofs may be gable, shed, hip, and modified hip roofs with pitches not less than 4:12 when attached to major building forms. Such roof forms shall be integral to the building or roof form.

Roof protrusions other than chimneys and plumbing vent stacks shall not be located on any roof facing the front or street side of the building.

The BMCPOA DRB [IS THIS THE CORRECT REFERENCE?? OR SHOULD THIS BE MASTER ASSOCIATION?] retains the right to waive the minimum or maximum roof pitch requirement when, in its sole judgment, a lower or steep roof pitch is more appropriate for the design of a building, and does not compromise the integrity of the development district. This privilege may be exercised by the DRB without relinquishing its right to enforce the minimum or maximum requirements on other projects.

2. Entry Definition, Overhangs & Fascia:

Snow in the Bozeman area often builds up on roof surfaces and slides off at irregular intervals. Such slides can damage property, decks, balconies and even injure people. No roof without adequate protection from snow slides shall slope toward driveways, sidewalks, porches, decks, balconies or any other areas that may be damaged or cause injury through the shedding of snow or ice from the roof.

Entrances shall be specifically expressed and protected with adequate overhangs. All roofs shall have overhangs of at least 16 inches. All fascia materials shall be a minimum of 6 inches.

3. Dormers and Secondary Roofs:

Dormers and secondary roofs are often necessary to add interest and scale to major roof areas and to make habitable use of the attic space within the roof. Dormers and secondary roofs shall be gable, shed, hip, and modified hip roofs and may be stacked in multiple forms.

4. Skylights and Solar Collectors:

When designing the location of skylights, consideration shall be given to both the interior and exterior appearance of the unit. Locations shall also be coordinated with window and door locations. Skylights shall be located away from valleys, ridges and all other areas where drifting snow may hinder the performance and safety of the unit. Skylights shall be of high quality, insulated, double pane construction. Roof skylights shall be flat in profile; bubble and dome style skylights shall not be permitted.

Solar collectors shall be integrated into the overall roof design, and shall be placed flush with the slope of the roof or wall of the building. All solar collectors shall be screened or concealed from view of other dwellings and Common Areas.

5. Chimney Composition, Proportion and Materials:

Chimneys, flues and vents can be used to create visual contrast to the dominant roof forms of the buildings within Baxter Meadows. All flues shall be enclosed with a chimney cap and fitted with a spark arrestor. No exposed metal or clay flues shall be allowed. All chimney forms shall relate to the overall building and

shall be covered with stone, stucco or wood siding materials to match exterior finishes of the building.

Building vents and flues for such functions as ventilation and exhaust shall be consolidated into enclosures wherever possible and shall typically be concealed from public view. Place roof penetrations on the rear side of the house whenever possible. All exposed metal shall be painted in a color compatible with the color scheme of the house. Attic openings, soffit vents, foundation louvers, or other direct openings in outside walls, overhangs or roofs shall be covered with non-combustible, corrosion-resistant metal mesh.

6. Exterior Wall Form:

Exterior wall surfaces shall be no longer than 40 feet in length without the introduction of a minimum 4-foot recess, 4-foot projection or change in orientation. Two story exterior wall forms shall be interrupted by minor roof forms.

1. Foundation walls shall be exposed a maximum of eighteen inches (18") above the ground. On sloping grades, siding shall remain at least 1'-0" above grade, and the upper edge of the water table shall remain level, stepping down the slope in increments of 4' or less. see above. Concrete foundations exposed more than eighteen inches (18") above grade must have an architectural finish (texture, pattern and/or color).

**III. MATERIAL AND DETAIL REGULATIONS.**

When choosing materials for buildings in Baxter Meadows, architects should select materials of an appropriate quality and durability in an often harsh northern environment. Synthetic and composite materials which conserve valuable wood resources should be considered whenever a building owner is contemplating opaque finishes or high maintenance areas. The use of materials and colors for all structures in the development districts shall blend into the surrounding site.

The following are the only allowable materials in Baxter Meadows:

A. Roof Materials

Durable roof materials capable of withstanding the freeze thaw cycle of the environment are required. Cold roof systems with adequate ventilation and insulation are recommended. **All roof materials shall carry a Class A or B rating.**

The following are the only acceptable roof materials:

- § Treated wood shakes or shingles
- § Synthetic shakes and shingles
- § Natural and synthetic slate shingles
- § Asphalt random tab shingles
- § Pre-finished metal roofing
- § Other similar materials, as allowed by the DRB
- § All roof flashing vents, hoods, and roof accessories shall be copper or a pre-finished metal that blends with the color of the roofing material selected.

**B. Exterior Wall Materials**

The character of the building exterior shall be kept simple in order to harmonize and compliment the surrounding environment of the site. Natural materials and subdued colors shall be used on the main body of the building. Exterior trim can be more colorful and may contrast with the main body in order to add visual interest to the predominant neutral tones.

Full scale samples of all exterior building materials, including window samples are required in the Final Plan Review.

The DRB shall consider materials not listed below that maintain the aesthetic continuity of Baxter Meadows, including pre-finished composite wood products and synthetic siding materials.

1. Stonework:  
Rock shall be natural or synthetic stone materials. Dry stack settings with minimal exposed mortar are preferred. Stonework shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance and shall continue around corners to an inside corner. Detailed drawings of all exterior stonework shall be required as a part of the final plan submittal.
2. Concrete/Stucco:  
Exposed concrete foundation walls between ground level and exterior wall siding shall be a maximum of 8 inches. Foundation exposure over 8 inches shall be finished with synthetic textured stucco (stained a subdued color in harmony with the building), stone, or treated wood.
3. Wood and Wood Product Siding:  
Smooth or rough sawn wood siding and approved composite wood products shall be the only acceptable exterior wood sheathing materials. All wood siding shall be painted or stained with an opaque stain. Other wood product siding will be considered by the BMHOA on a case by case basis.
4. Shingles:  
Natural and synthetic shingles shall be used only as accent or detail materials within the composition of exterior finishes. Shingles shall not be the dominant exterior material on any building.
5. Natural Log:  
Natural log materials shall be milled or assembled with irregular lengths and diameters. Prefabricated log homes, including prefabricated kit homes of any type, shall not be allowed.
6. Color Schemes:  
The color palette of the body of the house shall be from white, cream, earth tones or as approved by the DRB based on color scheme merit or historical precedent. All trim, frames, doors, and windows shall be in a compatible accent color.





Color schemes must be varied from the two adjacent properties, in each direction. Attached dwelling units exempted from each other.

Exterior color schemes throughout Baxter Meadows shall emphasize the natural tones of the surrounding natural environment and those of a traditional neighborhood development. Large exterior wall surfaces shall be painted or stained with natural tones. Trim and other accenting details of the building may be of a brighter intensity and contrasting color scheme. Color schemes shall emphasize the contrast between basic wall surfaces and accented details. All exterior color schemes shall be reviewed by the DRB as a part of the Plan Review process.

Natural materials and subdued colors shall be used on the main body of the building. Exterior trim can be more colorful and may contrast with the main body in order to add visual interest to the predominant neutral tones.

- 7. Siding.  
Siding shall be run horizontally or vertically, but not at other angles to horizontal.
- 8. Masonry Stonework.  
Stonework shall be natural or approved synthetic stone materials. Dry stack, uncoursed settings with minimal exposed mortar are preferred. Stonework shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance. It shall continue around corners to an inside corner.

**C. Exterior Windows and Doors**

- 1. Scale, Composition and Proportion:  
Windows and doors shall be of a consistent size, shape and orientation throughout a given building. Window and door patterns and reveals shall be carefully studied to create interest and variety.

Large scale windows and doors shall be recessed or trimmed a minimum of 6 inches in exterior wall surfaces. Uninterrupted bands of windows and doors shall not be allowed in any building. Window and door locations shall be carefully considered to avoid being obscured by accumulating snow.

- 2. Solar Orientation and Exposure:  
The design and location of exterior windows shall respond to the solar orientation of the building. The following energy considerations shall be addressed in the building design:

- § Double or triple glazing
- § Neutral density gray solar tinting
- § Openings caulked around windows and doors
- § Weather-stripping
- § Storm windows
- § Entry Vestibules

3. Materials:

Windows and doors shall be constructed of natural, stained or painted wood, or pre-finished aluminum, enamel or vinyl cladding. All glazing shall be framed in walls of stone, stucco or wood. Glass curtain walls shall not be approved in any circumstance. Mirrored glass shall not be used.

Glass storm panels, set within the window sash, may be used within divided-light windows, provided that the storm panel is installed on the interior side of the window. Divided light glass must be authentic appearing.

4. Garage Doors:

Garage doors shall not be oriented toward the street, and shall be de-emphasized in the elevation of the building and screened. Garage doors should be the same color as the building, and shall not be lighter in color than the building. It is encouraged that all garage doors be separated for each vehicle. Single, double-width (14' or larger) garage doors will be considered, however, they must be detailed to appear to be separated for each vehicle.

D. Decks, Balconies, Terraces and Porches:

1. Design:

Decks, balconies, terraces and porches shall be designed to enhance the overall architecture of the building by creating variety and detail on exterior elevations. Covered decks, projecting balconies and bay windows shall be integrated with, rather than randomly placed throughout, the building. Terraces shall be used to integrate the building and landscape by creating a transition between the built and natural character of the site. No deck, balcony or porch shall be used for the storage of any items except normal furniture. No exterior carpeting may be used if it is visible from any neighboring lot or the street. All railings shall be wood or approved wood-like material finished to be compatible with the color scheme of the house.

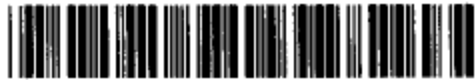
2. Materials:

Low level decks shall be skirted to grade, while providing proper ventilation and access. Decks which are not practical to skirt shall be designed to assure that the underside of the deck is integrated with the design of the building. Exposed metal joist hangers shall not be visible. Posts shall be a minimum of eight inches square, and shall be paired together to diminish a thin visual appearance. The dimensions of two-story columns shall be increased to account for the great height. Materials and colors shall be consistent with the building and surrounding landscape. Front porches are intended to be open to allow for interaction with the street. Screened-in porches and glazing are not permitted. Porch supports shall be built of stone, masonry, concrete, or wood. Column base piers shall be no less than 16" x 16" square and wood columns shall be no less than 8" square. No exterior carpeting may be used if it is visible from any neighboring lot or the street.

E. Night Sky Requirements

The major street intersections on Baxter Lane must be illuminated with lights that meet the City's standard requirements. In addition, all outdoor lighting (residential, commercial or otherwise) shall be free of glare, and shall be fully shielded or shall be indirect lighting. No lighting shall be beyond a property's lot line. No ranch lights or unshielded lights shall be permitted. No mercury vapor lights shall be permitted. For purposes of this paragraph, the following definitions shall apply:

- a. Fully-shielded lights: Outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test expert.
- b. Indirect light: Direct light that has been reflected or has scattered off of other surfaces.
- c. Glare: Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases, causing momentary blindness.
- d. Outdoor lighting: The nighttime illumination of an outside area or object by any manmade device located outdoors that produces light by any means.



IN WITNESS WHEREOF, the Design Review Guidelines and Regulations have been  
executed this 19<sup>th</sup> day of September, 2005.

**Baxter Meadows West, LLC,**  
a Montana limited liability company

Thomas L. Clinton  
Authorized Agent

STATE OF MONTANA        )  
                                      : ss  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on 19<sup>th</sup> of September, 2005, by  
Thomas L. Clinton, as Authorized Agent of Baxter Meadows West, LLC.



Terri Bulbo  
Notary Public for the State of Montana  
Terri Bulbo  
Print Name:  
Residing at: Bozeman  
My Commission Expires: July 31, 2007



**ACKNOWLEDGMENT FORM**

Owner acknowledges that he/she has received, read, and will abide by the Community Declaration for Baxter Meadows Master Community (the "Master Declaration"). Violations of the Master Declaration and/or addenda will be remedied by the Baxter Meadows Master Community Association whereupon the Lot/Home Owner will be responsible for the cost of the remedy.

I (We) \_\_\_\_\_  
am/are the owner(s) of record of Lot \_\_\_\_\_ in Phase \_\_\_\_\_ of Baxter Meadows Planned Unit Development. I/We have read these requirements and understand their implications. Furthermore, I (we) have been given sufficient opportunity to discuss these requirements with a member of the Baxter Meadows Design Review Board (DRB). My (Our) signature(s) below is/are evidence of my/our intent to comply with these requirements.

Signature- Lot Buyer: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_  
Date: \_\_\_\_\_ Signature- Lot Buyer: \_\_\_\_\_

Date: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Signature-Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_  
Email: \_\_\_\_\_



**FORM A:**  
**Construction Design Review Application**

LOT NUMBER, Phase: \_\_\_\_\_

Owner: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_  
Email: \_\_\_\_\_

BUILDER: \_\_\_\_\_  
Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_  
Email: \_\_\_\_\_

ARCHITECT: \_\_\_\_\_  
Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_  
Email: \_\_\_\_\_

LANDSCAPE ARCHITECT: \_\_\_\_\_  
Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

**INFORMATION**

- 1. Are any variances from the Baxter Meadows Code being requested under this application?     Yes     No



If yes, please describe the variance and the reason for it.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Items submitted (please check):

- Review Fee
- Acknowledgement Form
- Site Plan
- Floor Plans
- Roof Plan
- Elevations
- Landscape Concept Plan

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature: \_\_\_\_\_