

Mission Bay Preserve



Design Guidelines Manual Polson, Montana

Mission Bay Preserve's location creates the perfect opportunity for casual country living on Montana's largest lake.

September 30, 2020
Copyright 2020
Mission Bay Preserve HOA

TABLE OF CONTENTS

SECTION I: COMMUNITY OVERVIEW	1
Welcome	1
The Design Guidelines	3
Purpose	3
Organization & Content	3
Community Planning of Mission Bay Preserve	4
The Mission Bay Preserve Homeowners Association	4
SECTION II: COMMUNITY CHARACTER	5
Community Identity & Themes	5
Two Distinct Neighborhoods & Criteria	5
Community Features	6
SECTION III: ARCHITECTURAL DESIGN	7
Acceptable Architectural Styles	7
Design Criteria	8
Siting, Massing, Scale & Proportion	8
Roof Form & Configuration	11
Building Exterior Treatment	14
Porch & Deck Details	17
Entrance Forms	20
Doors & Windows	22
Garages and Accessory Buildings	25
Distinctive Details & Features	28
Materials & Color	30
Materials	30
Colors	33
Site Planning Criteria	34
Site Planning Principle-The Meadows	34
Setback Requirements-The Meadows	34
Setback Requirements-The Ridge	34
Maximum site coverage	35
Maximum building height	35
Ratio of first to second floor square footage	36
Minimum home square footage	36
Driveway Standards	36
SECTION IV: LANDSCAPE DESIGN	38
Community Landscape Concept	38
Overview	38

Neighborhood Landscape Concept	38
Overview-The Meadows	38
Overview-The Ridge	38
Neighborhood Streets	39
Turf & Shrub Areas	39
Neighborhood Trees	39
Shrubs	40
Residential Landscape Requirements	41
The Ridge	41
The Meadows	42
Site Preparation & Grading Standards	43
Site Grading	43
Finish Grading	44
Import & Export	44
Surface Drainage	45
Retaining Walls	45
Erosion Control	45
Driveways	45
Construction Activity	45
Drainage Easements	46
Site Uses & Elements	46
Residential Walls & Fences	46
Irrigation	47
Swimming & Spa Pools	47
Sundecks, Patios & Swimming Pool Decks	48
Patio Structures	48
Window Boxes and Raised Planting Beds	48
Playground Equipment	48
Mailboxes	48
Newspaper Boxes	48
Private Recreational Facilities	48
Yard Sculptures and Landscape Features	48
Greenhouses	49
Composting Bins	49
Mechanical Equipment & Propane Tanks	49
Exterior Lighting Standards	49
Water and Electric Meters	50
Mechanical Equipment	50
Clotheslines	50
Pets	50
Underground Wiring	50
Signage	50
House Numbers	51
SECTION V: DESIGN REVIEW AND APPROVAL PROCESS	52
Design Review Process	52
Governing Jurisdictions	52
Jurisdictional Review & Approval	53
Projects Requiring Review by the MBPDRC	53
Mission Bay Preserve Design Review Committee Membership	53

Mission Bay Preserve Submittal Address	54
Design Review Submittal Requirements	54
Design Review & Approval Flowchart	55
Submittal No. 1: Conceptual Design	56
Submittal No. 2: Schematic Design	58
Submittal No. 3: Working Drawings	59
Report back to the MBPDRC after the Building Permit is Issued	61
Approval for Changes After Construction Begins	61
Notice of Completion	62
Builder and Contractor Approval	62
Deposits & Insurance	62
Construction Information	64
Construction Activities	64
Lot Clearing & Grading	64
Landscape Construction	64
MBPDRC Application for review	65
SECTION VI: APPENDIX	68

SECTION I: COMMUNITY OVERVIEW

Welcome

The Community of Mission Bay Preserve

Welcome to living in the Mission Bay Preserve, the City of Polson, and the state of Montana.

On behalf of the Mission Bay Preserve Community, property owners, and residents, this document has been updated to guide those wanting to build a new home or remodel and update their existing residence here in the Mission Bay Preserve.

We encourage you to have a working knowledge of this document as you begin, implement, and complete new or updated work on homes here in the Mission Bay Preserve. The document is meant to act as a guide, and proposed designs can be reviewed on a case by case basis to respect individuality within the framework established in these Design Guidelines.

The local Mission Bay Preserve Community Design Review committee is here to assist, answer questions, and guide residents through all individual and unique design and construction projects located here in our special community we call home.

The Property

The Mission Bay Preserve is located on the south end of Flathead Lake. It is nestled into a spectacular space where the picturesque Flathead and Mission Valleys come together in the town of Polson in Lake County of Northwestern Montana.

Mission Bay Preserve enjoys an open lakeside setting with expansive, gently sloping meadowland along the lakeshore and eastern side, and a dramatic sloping ridge affording spectacular lake and mountain vistas along the western side. Secluded due to the exclusive access off Highway 35, yet conveniently accessible via Highway 93 from Missoula and Kalispell, Mission Bay Preserve's location creates the perfect opportunity for casual country living on Montana's largest natural lake.



Mission Bay Preserve Classic Beauty

The Community

Upon completion, the Mission Bay Preserve will consist of 82 individual home sites occupying over 300 acres.

The community is being created to appeal to a wide variety of owners and lifestyles.

Whether someone is looking for a permanent, seasonal or vacation home, they will be able to find just what they are looking for at Mission Bay Preserve.

Mission Bay Preserve has been divided into two neighborhoods based on the distinct characteristics of the property. In **The Meadows** (Phase I, Lots 24-37), home sites range from 1.5 to 4.5 acres in size and building envelopes have been designated to highlight and protect the view potential of each site. In **The Ridge** (Phase II A, B & C, Lots 101-119, 201-212, 301-309 and Orchard Phase I & II, Lots 1-24), home sites range from .3 to 1.7 acres in size and building envelopes have been carefully sited along the contours to maximize views of Flathead Lake and the surrounding Mission Mountains.

The Mission Bay Preserve enables residents to preserve the uncrowded, unspoiled natural beauty and unsurpassed recreational amenities of the Flathead Lake area for themselves and their families forever.



Two neighborhoods: The Meadows and The Ridge

The Design Guidelines

Purpose

There are few creative opportunities that equal the excitement and experience of designing, building or remodeling your own home. From the initial design sketches, through groundbreaking and construction, to adding the final finishing touches, the process of creating a unique home can be a very rewarding experience.

The purpose of these Design Guidelines is to provide a design "theme" for every home within Mission Bay Preserve. They are written to inspire innovative and creative home designs and are not intended to be used as a restrictive set of rules. The drawings and sketches found in this document are conceptual and are open to creative interpretation by design professionals. These Design Guidelines will remain flexible over time, creating the opportunity to respond to market trends, buyer tastes, property owners and community association needs, and economic market cycles.

The Design Guidelines are provided to assist you and the design team from the initial design phase of a home through the final design review phase. The guidelines will also serve as a model for future design modifications or remodels to a home and property. The intent is to provide a viable framework from which homeowners can direct their builders and designers, while maintaining a high level of quality design and construction throughout the community. Additionally, the Mission Bay Preserve landscape standards create a theme that continues to visually unite the community, thereby supporting the community's unique character.

These Design Guidelines provide a means to preserve the individuality, quality, integrity and enduring value expected by every homeowner.

Organization & Content

The Mission Bay Preserve Design Guidelines are organized into six sections:

Section I - Community Overview

Section II - Community & Neighborhood Character

Section III - Architectural Design

Section IV - Landscape Design

Section V - Design Review & Approval Process

Section VI - Appendix

Section I provides the overview and vision of the Community, and the intended use of the guidelines. Sections II through IV detail the character of the Community. Each section contains specific design elements and standards that serve the entire community. Section V describes the design review and approval process. Section VI is an appendix of the definitions of terms used in this document.

The architectural and landscape elements promote a sense of cohesiveness throughout Mission Bay Preserve. The community landscape standards establish the overall landscape character and theme. Additionally, they act as a catalyst for the development of a community composed of native plant materials as well as ornamental plant material and hardscape finish treatments.

The Design Guidelines, along with the Covenants, Conditions and Restrictions (CC&R's) are intended to preserve and maintain the inherent qualities of the property. They also advocate the protection and promotion of property values within the Mission Bay Preserve Community.

The successful implementation of the Design Guidelines will guarantee the continuation of the natural appeal of Mission Bay Preserve as a desirable environment in which to live.

Community Planning of Mission Bay Preserve

The Mission Bay Preserve team of design and planning experts has worked diligently to establish a community that not only reflects the surrounding natural elements, but also is respectful of the pristine environment in which it is being created. The land plan embraces a balance of land uses with a keen eye to view perspectives and the maximization of open spaces and natural land features such as hills, ridges and meadowlands.

The Mission Bay Preserve Homeowners Association

All Mission Bay Preserve property owners are enrolled as members in good standing of the Mission Bay Preserve Homeowners Association (MBPHA). Members are thereby subject to the Rules, Regulations, and Covenants, Conditions and Restrictions (CC&R's) and By-laws of the Mission Bay Preserve Homeowners Association (MBPHA).

Please visit the Mission Bay Information Center for more details and copies of all current CC&R's and Mission Bay Preserve Homeowners Association by-laws. The membership and responsibilities of membership similarly extend to all individuals leasing property from Mission Bay Preserve property owners, as well as home builders who purchase for the purpose of construction of production or custom homes. For more information about the Mission Bay Preserve approval process please refer to Section V – Design Review and Approval Process.

SECTION II: COMMUNITY CHARACTER

Community Identity & Themes

The personality and identity of Mission Bay Preserve is created by the consistent application of traditional architectural themes found throughout the Northwest, Montana ranchlands and the northern Rocky Mountains.

This “handcrafted” rustic theme is heavily influenced by the native stone and timbers found throughout the natural landscape. This theme permits a wide range of styles, sizes and finishes creating an eclectic community and providing individuality to each neighborhood and the homes they comprise.

The community's casual, carefree, recreational oriented lifestyle and amenities will be echoed and enhanced by the architecture of the individual homes.

The design and execution of every home will be a distinctive balance of traditional good taste, timeless character and classic beauty.

The home designs tend to be based on the function of long-term practicality rather than passing trends. The partnership of materials, colors and landscaping integrated with the architectural details and elements will cause each home to emerge with a unique but traditional American personality.

Throughout these guidelines you will find examples and descriptions of various architectural styles that are appropriate or inappropriate applications for Mission Bay Preserve. Regardless of what style is chosen, the important factors are a balance of form, massing, scale and siting within the community.

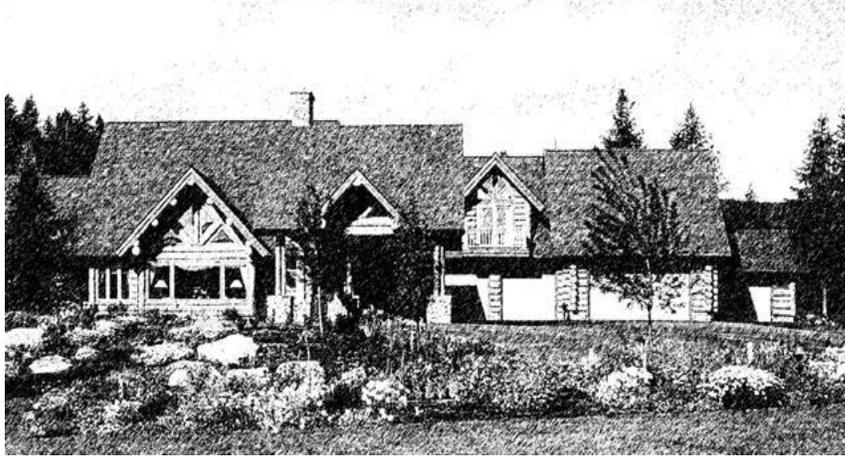
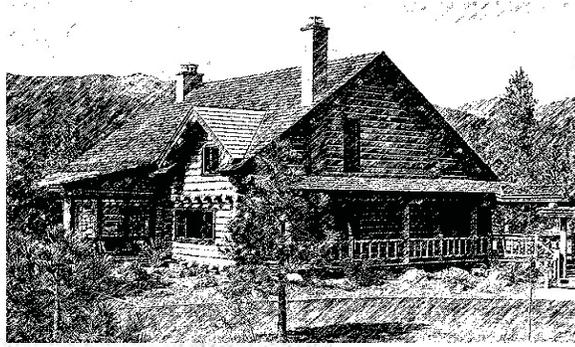
Two Distinct Neighborhoods & Criteria

As noted earlier, there are two distinct neighborhoods in Mission Bay Preserve: **The Meadows** and **The Ridge**. While the majority of these Design Guidelines apply to both neighborhoods, there are some sections where characteristics like lot size or site topography require different criteria for each neighborhood. In these instances, the specific design criteria for each neighborhood will be addressed separately.



Log home style in the perfect setting

Classic Mission Bay
Preserve



Community Features

Community Parks & Recreation

Mission Bay Preserve provides a variety of recreational opportunities and amenities for the property owners. The recreational focal points of Mission Bay Preserve include the beach park and boat house, the fishpond, the clubhouse, tennis courts and swimming pool, the walking trails and the lakeshore wetlands.

Lake & Wetlands Orientation

The Mission Bay Preserve Development team has made every effort to create a land plan with home sites appropriately positioned to take full advantage of lake and mountain views

Pedestrian Trail System

The neighborhoods and open spaces are interlinked by an extensive pedestrian trail system. The trail system provides several functions within the community of Mission Bay Preserve. Each trail provides a convenient and safe "short-cut" connection for residents between neighborhoods and recreational amenities. These trails migrate down hillsides enabling people to enjoy the lake and mountain views and the community's environmentally rich natural habitat.

SECTION III: ARCHITECTURAL DESIGN

Acceptable Architectural Styles

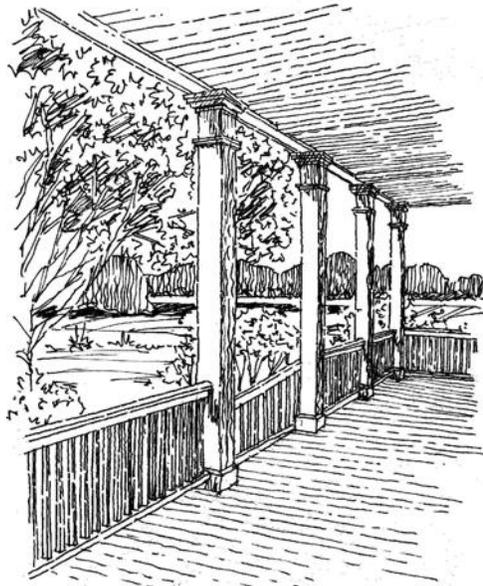
The rich character and personality of Mission Bay Preserve is established through the consistent application of the Northwest Traditional Style in concert with the Mission Bay Preserve theme. The Northwest Traditional Style can be characterized as a blend of architectural styles typically seen throughout the Northwest and Midwest regions. Examples of appropriate architectural styles are:

- The Great Camp Style
- Mountain Houses
- French Country
- English Country
- Prairie
- Craftsman
- Bungalow
- Log
- Ranch

Pure and contemporized versions of the appropriate styles are accepted.

Inappropriate examples are:

- Spanish
- Colonial
- Tudor
- Contemporary Folk
- Italian Renaissance
- Modernistic
- International
- Greek Revival
- Second Empire Victorian
- Shingle
- Queen Anne
- Folk Victorian



Porch vistas of Mission Bay Preserve

The primary goal of the Design Guidelines is to create homes with proper balance, form, massing and scale. The following basic criteria establishes the essential characteristics that will promote and support these goals. Words identified with an asterisk (*) are defined in the Appendix of this document:

- Balanced massing* either symmetrical or asymmetrical
- Strong roof forms either gabled*, hipped* and shed* are preferred, various combinations of the three are encouraged
- Entry statement strong yet proportional with the overall structure
- Long horizontal masses broken and counterbalanced by strong verticals
- Front, side and rear covered porches
- De-emphasis of the garage from the street frontage
- Reduction of two-story impact at front and rear orientations
- Detailing indicative of the historical style
- Windows and doors of appropriate position and proportion within their facade elevation.
- Harmonious siting of the home with the site and surrounding landscape features
- Colors of soft earth tones, paired with rich accent colors on doors, windows, shutters, etc. as appropriate

The following pages of this section will serve as a benchmark for the design of the homes within Mission Bay Preserve. These guidelines will ultimately enable the Mission Bay Preserve Design Review Committee (MBPDRC) to ensure that the proposed home design will support the desired character of the neighborhood.

If you do not have personal experience designing in one of the architectural styles approved for the Preserve, we strongly advise you to obtain the design services of someone who does have this experience. When interviewing possible designers, ask to look at their portfolio of previous work, to ensure that they have designed buildings that you like in one of the approved styles. Also, if you do not have personal experience with construction in Montana's climate, we strongly advise you to hire a contractor who does have this experience.

Design Criteria

Siting, Massing, Scale & Proportion

The dominance of nature over the built environment is one of the most important traits of the rural character. The home should be oriented and designed in response to the individual characteristics of the site and its context. Integration with the topography, trees and vegetation, as well as other natural features of the land are of the utmost importance.

On sites with a natural slope of a half story or more, the location for the building should not be flattened out with abrupt cuts and fills on either side; the land should be contoured smoothly around the building, so it feels like it grows out of the land. Sites with a natural slope of a story or more should consider a walk-out lower floor. See details in "Site Grading" below.

The massing of the home should be organized as a whole and should not appear as a mixture of unrelated forms. The massing of the forms should be established by the elements characteristic of the architectural style.

In particular, all of the approved architectural styles are composed of a number of simple rectangles in plan, each with its own simple roof form. Typical examples include (see these and others in the photos and diagrams below): one or more large gable or hip roofed shapes running in one direction, intersected by one or more gabled or hip roof shapes running in the other direction; or, several rectangular forms standing separately from each other, linked by smaller roofed rectangles; or, a number of roofed rectangles standing around a central courtyard. These basic forms are then elaborated for visual interest by adding any number of smaller rectangles with their own roof forms. Examples are porches, decks, bay windows, and slight projections on the plan, each with its own simple roof shape. These can be shed roofs, or gables or hips.

Also, the Preserve's required architectural styles always have the highest mass at or near the center of the house. Typically, one main gable or hip roof stands higher, and the intersecting roofs stand a little lower. Or, in the case of Prairie Style or Craftsman Style, the roof ridge might remain the same height all around, maybe dropping down at the ends with bays or porches attached. Sometimes, the main and highest mass can be concentrated a little off-center, balanced by a longer and lower form beside it.

Placing the most significant mass near the center conveys the idea of the heart of the home at the middle, sheltered by surrounding smaller spaces. This also conveys a deeply satisfying feeling of a large hat sitting over the home, protecting it from the elements. The power of this is one of the significant reasons why these have become valued traditional house forms.



Siting of home is critical to the success of the home site and community

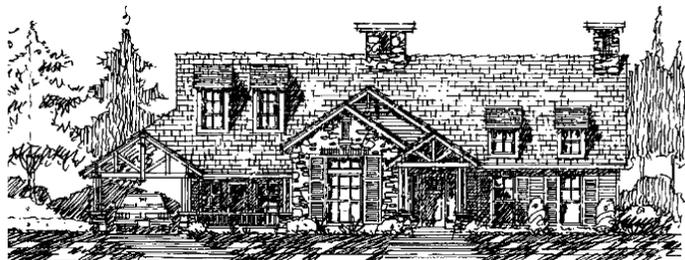
The features and elements of development preserve and contribute to the human scale throughout the community. Homes that "overwhelm" the natural setting are not permitted. Specifically, simple two-story box massing with little or no relief (ex.; Colonial, Italian Renaissance, Greek Revival, etc.) is typically not acceptable. By adding horizontal interplay to the massing*, positive and negative space is kept in careful balance with the overall site, creating a positive expression of the home within the Mission Bay Preserve community.

Positive & negative recesses combined with windows accentuate a simplistic form



The following techniques are appropriate means to achieve proper massing, scale and proportion:

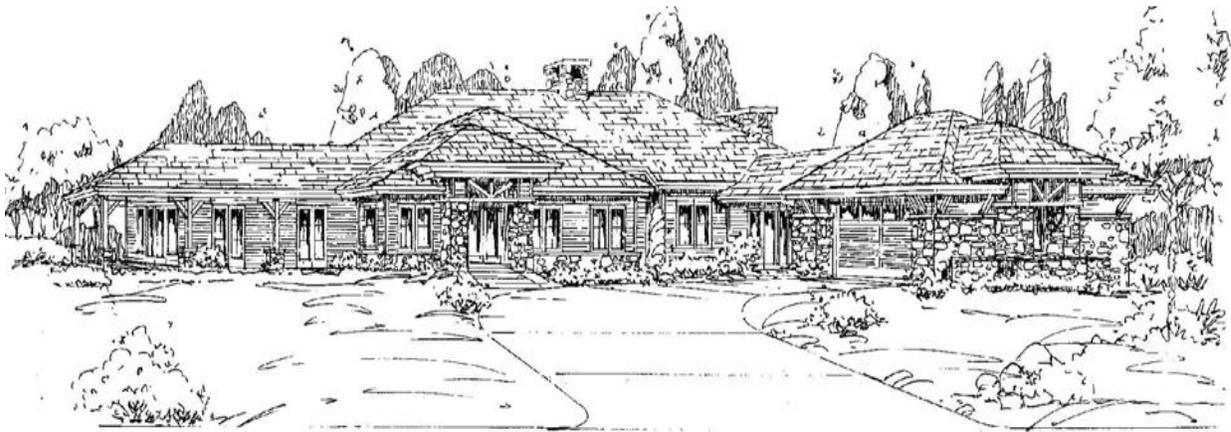
- Mixture of one- and two-story components within a two-story home
- Varied setbacks for various components of the home such as; garage, second floors, etc.
- Utilization of ells* and porches
- Staggered offset wall planes on each façade*
- Mixture of one- and two-story homes within a neighborhood
- Interconnecting of out-buildings, where permitted, with the main house
- Massing* characterized by a series of stepping forms
- An assemblage of multi-dimensional components
- Homes at one with the land, giving the sense of permanence
- Minimum of three façade* element breaks at building front façade
- Minimum of two façade* element breaks at building rear
- Sensitivity to design and siting of the home among various ecological elements
- A minimum of 65% of the main floor square footage and maximum 35% on the second floor of two-story homes is permitted. For a walk-out basement design on a sloping site, the top floor with the entrance is considered the main floor.



Two-story house with one-story massing



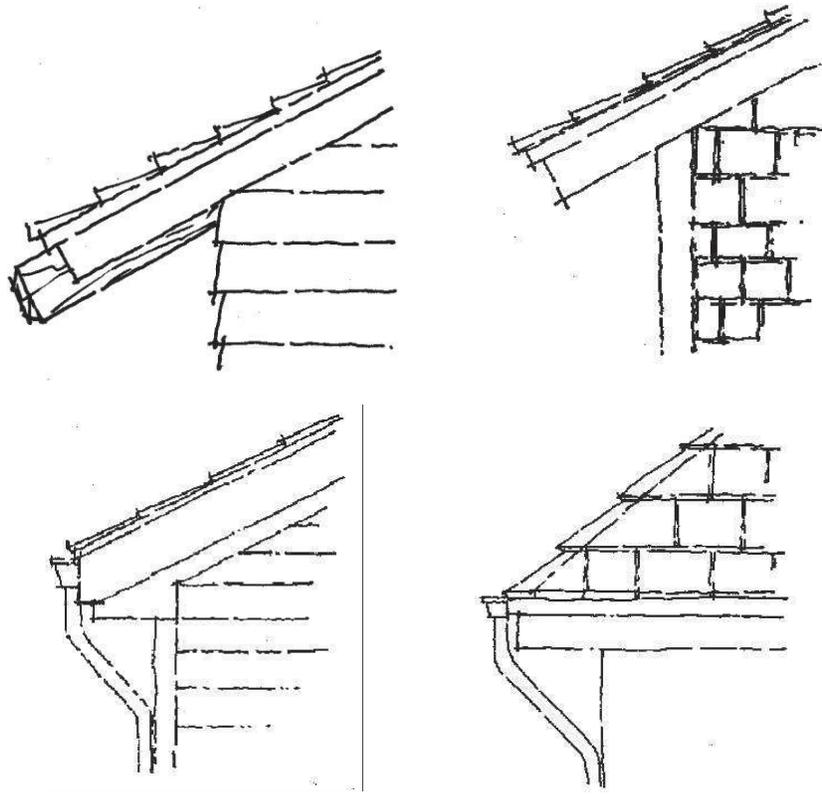
Home & rear patio integrated into the landscape



Low, broad, single story base plane, symmetry with an asymmetrical massing

Roof Form & Configuration

- Primary roof forms of gables* and hips* with multiple combinations
- Shed roofs* may be applied to main roof forms at porches, garages and entrances
- Primary roof pitches* should range from 4:12 to 8:12, secondary roof pitches and gables may be as steep as 12:12, shed roof pitch may be reduced to 3:12 when lower pitches are appropriate. Any proposed roof pitches that exceed these parameters require review and approval by MBPDRC
- Punctuated roof plans with window or vented dormers
- Minimum of 12" eave overhang
- Second stories contained within the roof
- Dutch gables*, mansard*, gambrel* and saltbox* roof forms are inappropriate
- Roof materials of slate, dimensional architectural shingles, steel (approved brand, gauge and color), copper (accents), and rubber
- Cupolas*, etc. have a max. 24" sq. in plan



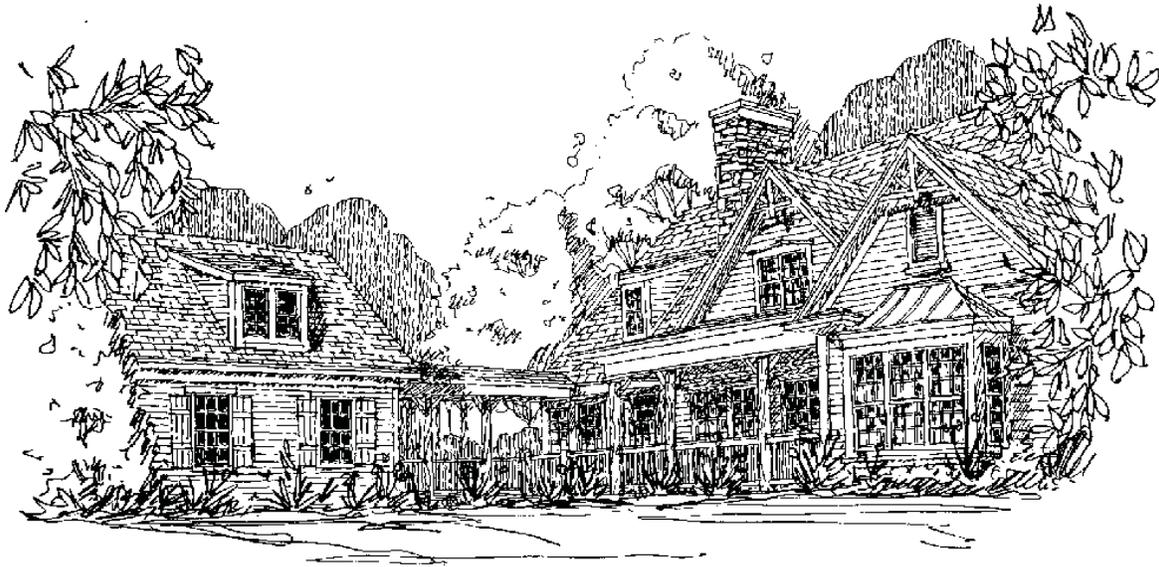
Various roof fascia & rakes



Log knee brace supporting roof



Shed dormer window



Eclectic combination of roof forms



Log detailed gabled dormers



Gabled roof dormers over porch



Multiple buildings with hip roof forms



Multiple planes and angles break up long expanses

Building Exterior Treatment

- Combinations of the various approved finished materials
- Use of material change (vertical and/or horizontal), including windows and doors, to break- up building form and create movement along each façade*
- Exposed concrete footings are not permitted to exceed 6" above finished grade

- Stone and brick, where applied should penetrate the ground plane, so as not to appear as a veneer
- Finishes are not to terminate on outside corners, minimum wrap back is 24" Min.



Strong horizontal material pattern



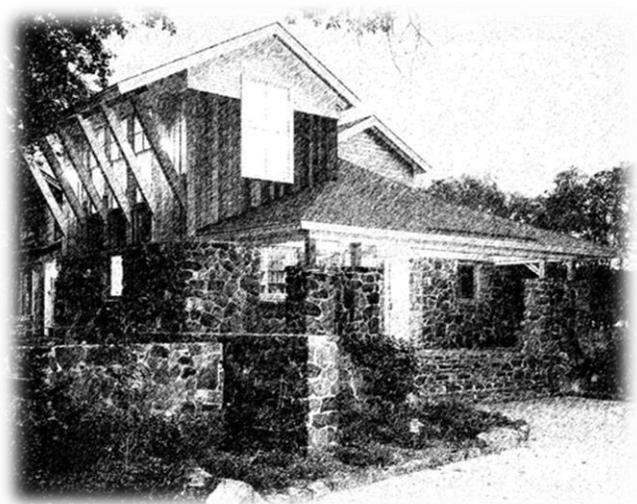
Unique detailing of various materials



Vertical & horizontal siding accentuate the massing



Simple building forms with appropriate finishes



Contemporary styling in a rustic mode



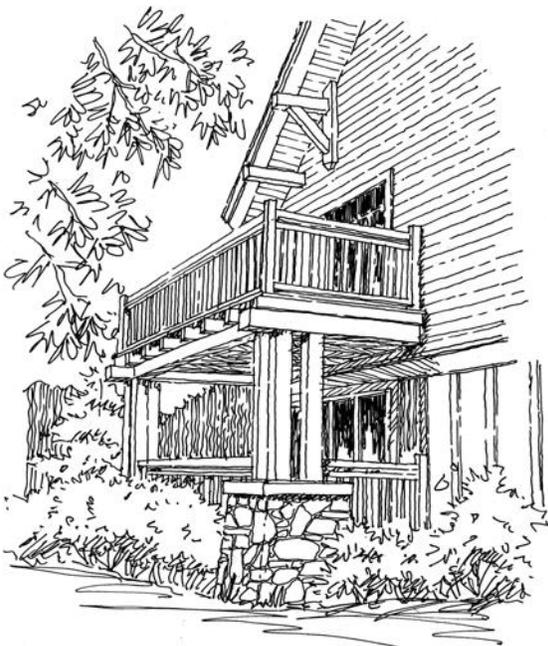
Material combination of shake, stone and board & batten



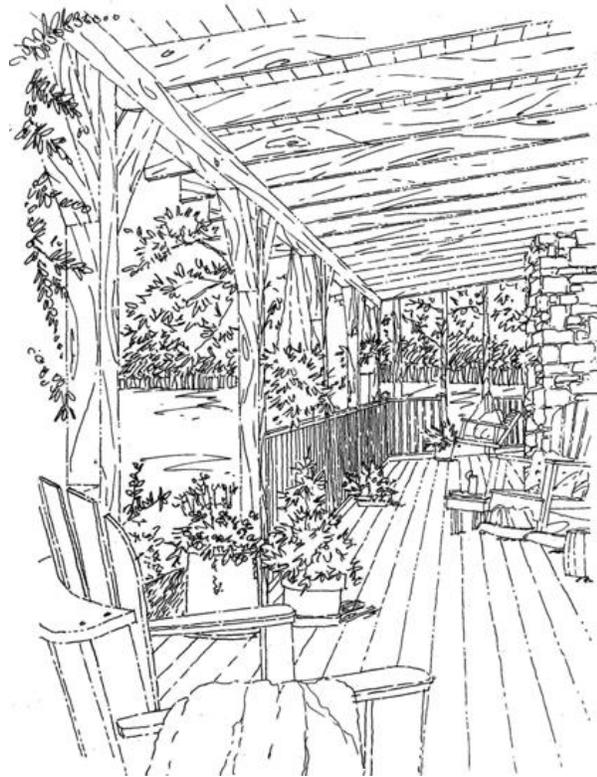
Trellis components create a unique entry massing

Porch & Deck Details

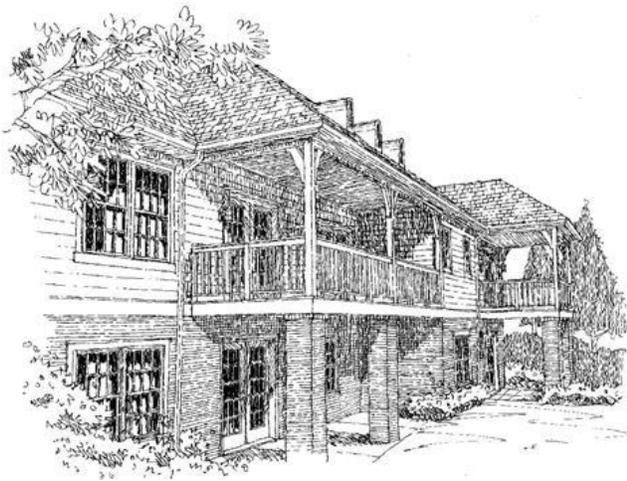
- Limitless opportunities to express individual style
- Strong horizontal base with ground hugging massing*
- Broad porches with minimum depth of 7'-0", including non-covered areas.
- Porches may be combined with entry elements
- While a variety of column details and materials is encouraged, column treatment should remain consistent
- Side and rear porch/decks may be screened or glazed
- Railings are preferred to be wood or simple wrought iron (heavily ornate wrought iron is not permitted), unless approved by the MBPDRC
- Deck support or porch columns must be in proportion to the application. Simple 4 x 4 wood columns are not permitted. Minimum 6 x 6 wood columns accentuated with trim, knee braces*, etc. or columns in stone are strongly encouraged
- All exposed wood finishes and detailing must be painted or stained



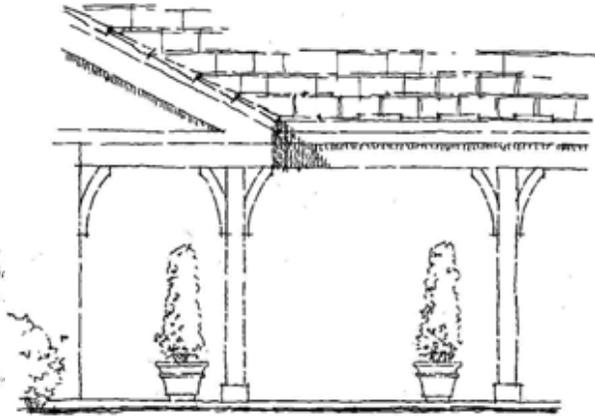
Deck over lower porch



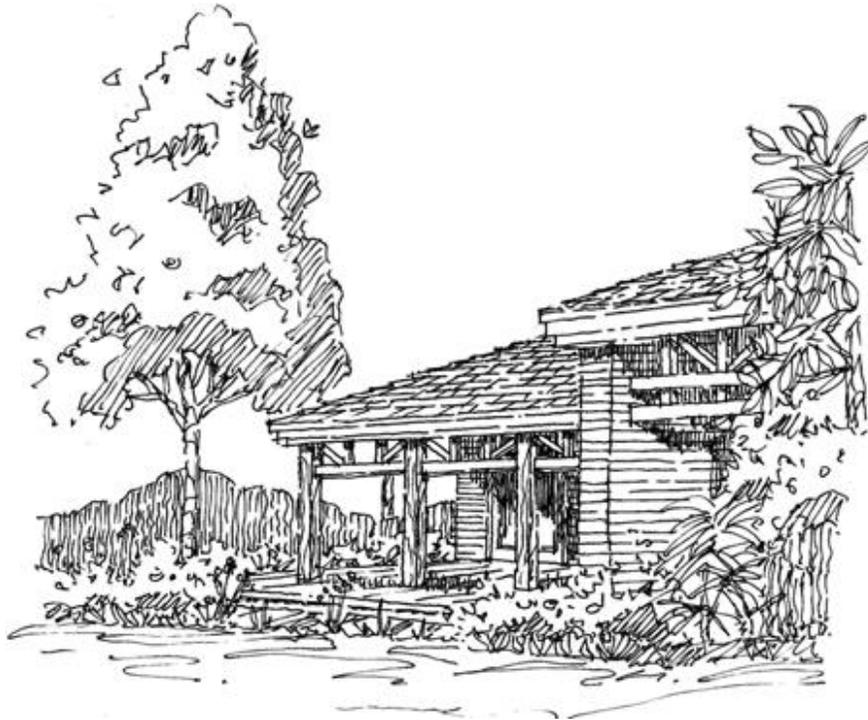
Rustic Deck treatment



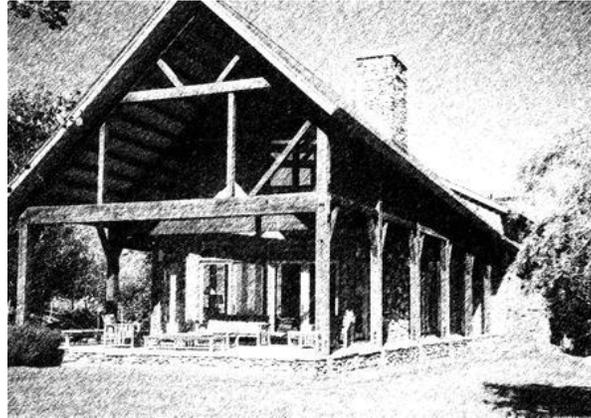
Rear covered deck with brick & wood columns



Wood columns & knee brace



Wrap-around porch creates strong horizontal base plane



Post & Beam porch designed as an extension of the home's main structural design



Rustic log porch and column detail



Porch used to anchor the home on a sloping home site



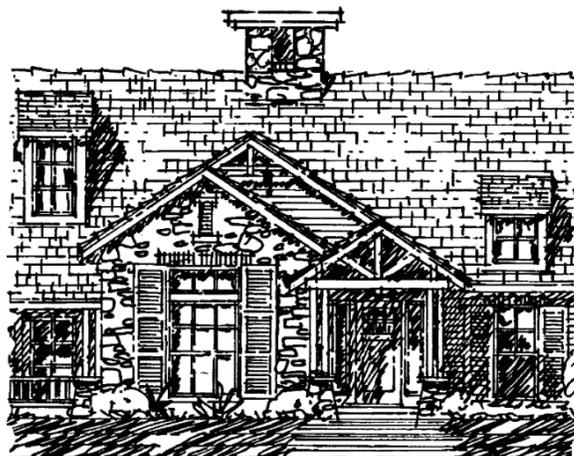
Second floor rusticated deck



Hand hewn log feature from Camp Style design

Entrance Forms

- Symmetrically or asymmetrically located
- Entries should be a prominent element, inviting and elegant within the home's context
- Minimum width of 6'-0"
- Maximum height 1 ½ story
- Columns of wood, brick and stone are encouraged, proportionate with the scale of the entry
- Side lights and transoms* are encouraged at entry doors



Wood columns & beams enhanced with Stone bring prominence to the entry



Symmetrical stacked entry elements



Stone entry porch arch



Log entry detailing as the common design characteristic



One-story log entry design creates an inviting, comfortable experience

Doors & Windows

- Window projections and window / door detailing patterns should be compatible in scale with the house and the architectural style. Large wall planes with undersized windows and minimal detailing are inappropriate
 - Window header* heights should adjust with varying plate heights:
 - 8'-0" plate: 6'-8" header height min.
 - 9'-0" plate: 8'-0" header height min.
 - 10'-0" plate: 8'-0" header height min. with or without transom* glass
- Window sill* heights, at front facades, should adjust with varying plate heights:
 - 8'-0" plate: 1'-8" sill
 - 9'-0" plate: 2'-0" sill
 - 10'-0" plate: 2'-0" sill
- Window and door treatment characteristics include:
 - Half and soft (flattened) arch
 - Multi-paned
 - Oversized shutters, matching window shape and proportions
 - Bowed or angled bays
 - Stone, brick, wood and quoin* window and door surrounds
 - Front doors with sidelights and transoms*
 - Planters and pot shelves
 - Doors with lintels* and border stone surrounds
- Window transoms* must be proportionate in the wall plane. Careful attention to the proportion of wall surface height between the top of window/transom* to fascia*/rake* should be considered
- Accent windows in various shapes (round, oval, hexagonal, etc.)
- Accent colors applied at entry doors are encouraged



Windows shaped to conform to the roof profile



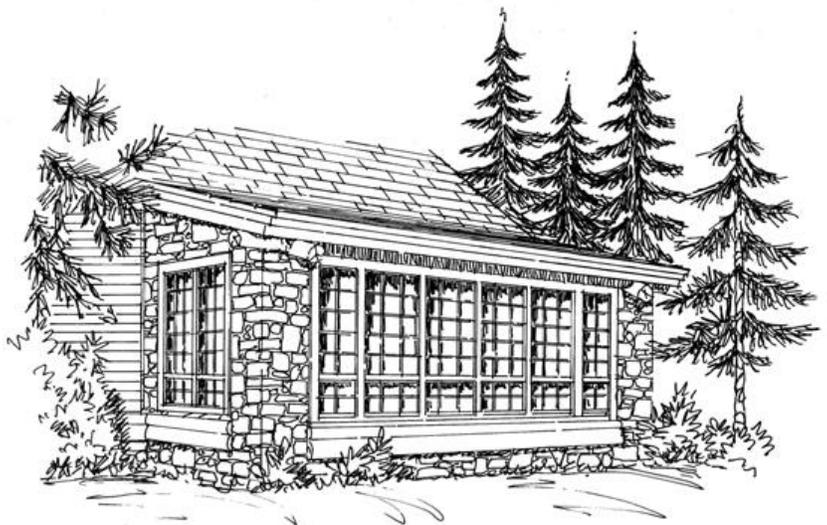
Shed-roofed Window bay



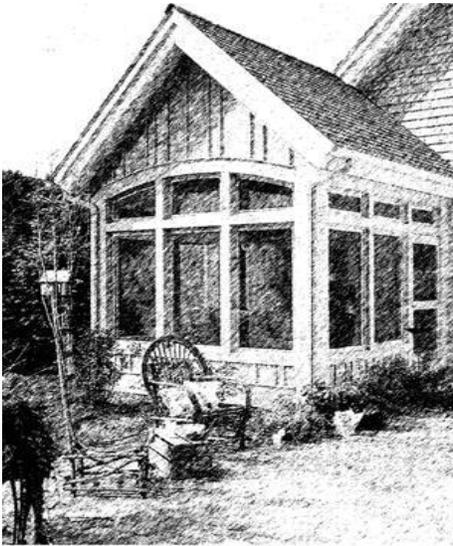
Entry door with side lights & transom



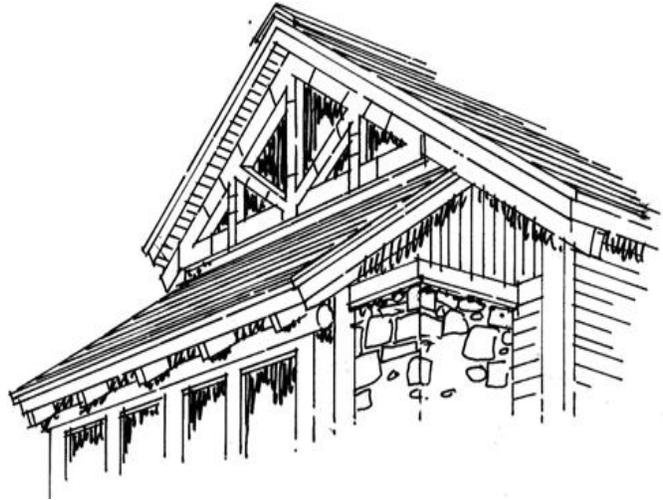
Shutters Accenting windows



Glazed room extension



Fully glazed window bay



Glazing integrated into structural detailing



Entry door with stained glass accent

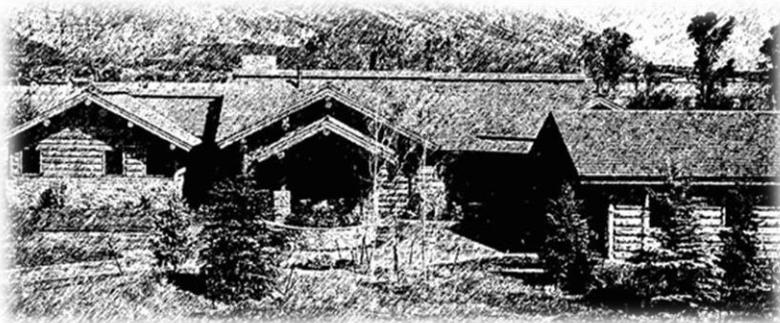
Garages and Accessory Buildings

Garages

- Minimum 2 car garages are required for all homes
- Garages may be detached, integrated into the main structure, or connected to the home through the use of a breezeway, garden room or other similar elements
- Integrated garages should be visually removed to reduce the impact onto the street
- Garages may have a separate bay or maximum double bay facade
- Rear, three/four-car tandem, split design and subterranean garages are permitted
- For three or four car garages, no more than two double, double and single or three single garage doors may exist on the same plane
- Third (or fourth single) garage doors must be offset by a minimum of two feet (2'-0")



Garage located towards the rear of the home site

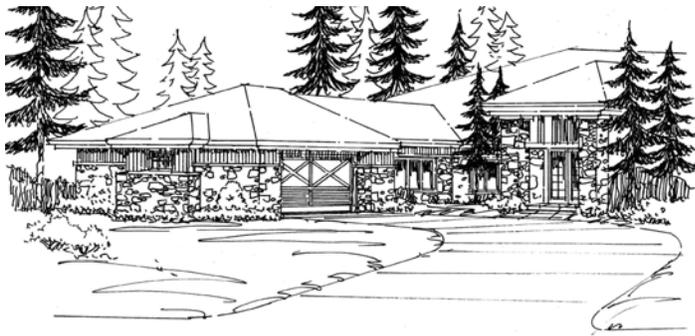


Side-in driveway

- Split and/or separate garage doors are encouraged
- All garages must be fully enclosed, carports (for the purpose of permanent parking) are prohibited, however porte-cocheres are permitted
- A variety of garage entry conditions are encouraged:
 - Split garages with motor court
 - Front load
 - Side load



Semi-detached garage



Side entry garage

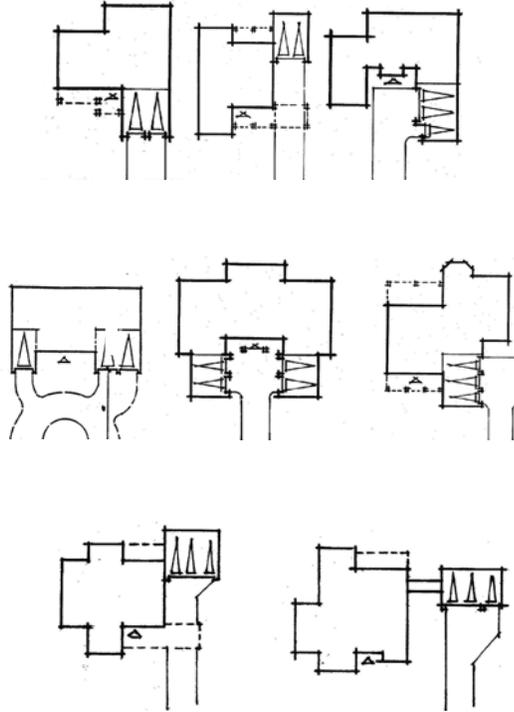


Off-set front entry 3 car garage

- Deep garages with abundant amenities
- Subterranean rear or side entry
- Tandem
- Rear lot location
- Semi-detached (with breezeway)
- To ensure a low profile from the street, the maximum garage height at the front elevation shall be nine feet (9'-0")

Accessory Buildings

- One accessory building, other than a detached garage, is permitted on any home site. All structures must meet the required setback standards and be within the building envelope.
- Other requirements for accessory buildings are:
 - Structure must maintain a one-story profile
 - Uses include as storage facility, detached garage, guest house, pool house
 - Stand alone, or are connected to the main dwelling by a breezeway or walled-in porch
 - Structurally and visually compatible with the main dwelling
- Design of accessory buildings must reflect the selected architectural style of the home



Various garage plan configurations



Garage connected by breezeway

Distinctive Details & Features

The Northwestern Style includes a variety of traditional details and features due to the wide range of architectural styles found throughout the region. Examples of these include:

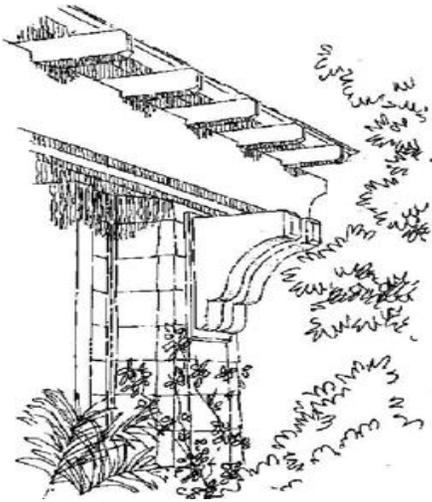
- Roof dormer* vents in various shapes and sizes
- Louvered vents* at gable* ends
- Lighting fixtures
- Gutters and downspouts in painted aluminum, copper, etc.
- Quoins* in brick, stone and combinations of stone and brick
- Trellises*
- Chimneys in stone, brick, stucco and siding
- Wood corbels*
- Finials*, weathervanes, etc.
- Wainscoting which transitions material change
- Key stones
- Wood shutters
- Knee braces* at columns and cantilevered* elements
- Frieze boards*



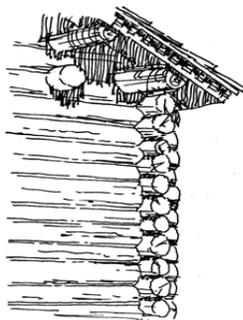
Gable end vents



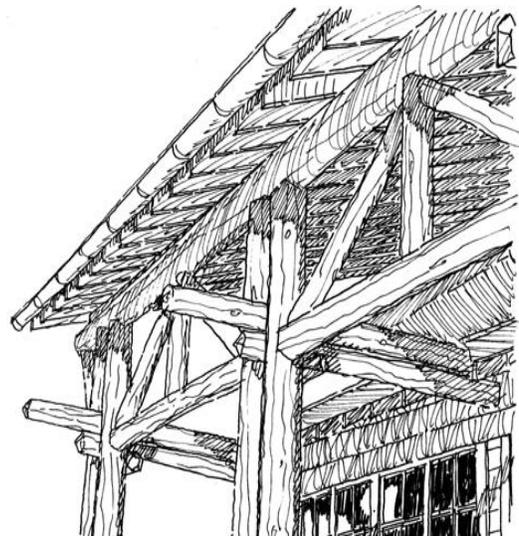
Ornamental iron work



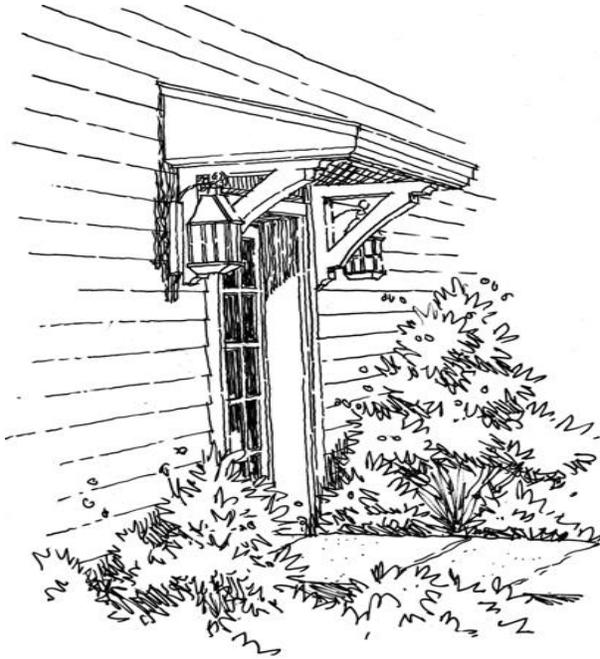
Wood corbels at trellis



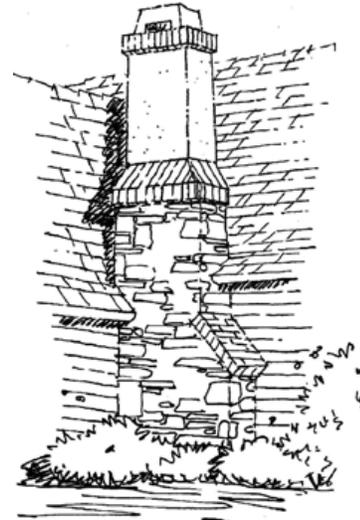
Chinked log construction element



Creative log detailing supporting porch roof



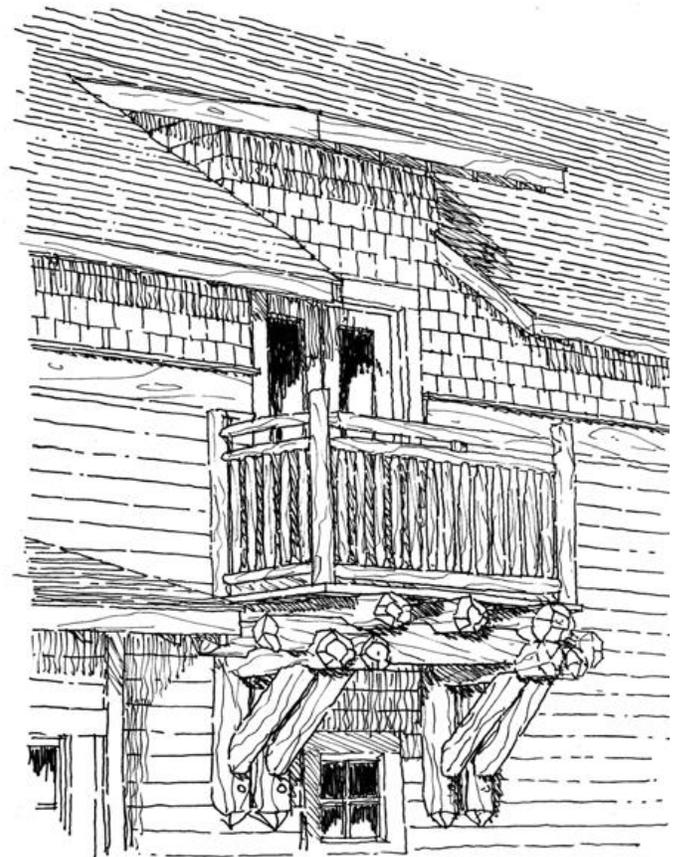
Wood knee bracing & Decorative lighting



Stone Chimney



Natural roof brace accents



Timber Design Balcony

Materials & Color

Materials

Building materials are an important element in maintaining the overall community character of Mission Bay Preserve. The imaginative use of materials can be combined to create unique designs and distinctive individual identity to each home.

Additional materials may be permitted but are subject to review and approval by the MBPDRC as described in Section V, Design Review & Approval Process.

A combination of materials and/or finishes is encouraged. To ensure the general character of Mission Bay Preserve, earth tones, natural finishes and off-white colors are the most appropriate. Sample approved color palettes are available to view/check out, in the Mission Bay HOA office.

Exterior Wall Surfaces:

Appropriate Materials include:

- Natural stone such as sandstone, limestone, granite and flagstone are permitted, alternative stone selections will be subject to MBPDRC approval (simulated, faux or stucco* stone is permitted)
- Rubble, ashlar* and flagstone stone cuts with joints raked, pointed or dry stacked
- Brick in earth tones
- Stucco* is permitted, finishes and treatments; smooth sand, light hand troweled and light dash coat (staging marks between coats of stucco*, due to scaffolding and construction techniques must be avoided and should be cause for field rejection)
- Lapped, tongue and groove, ship lapped wood siding and board & batten*
- Wood fascia*, rakes*, frieze* and trim
- Exposed wood timbers & logs
- Pre-cast concrete or carved stone lintels* and border stones (limited use primarily at entries)
- Wood shake wall materials
- Hardi-Plank* and Hardi Shingles
- Simulated wood decking - Trex or approved alternative

Inappropriate Materials include:

- Brick accents in white, gray and red with white and pure gray
- Exposed concrete
- Vinyl
- Steel or aluminum
- Color-Lock
- Reflective finishes such as mirrored glass
- Laced (Spanish and adobe stucco* finishes)
- Natural finish pressure treated wood such as columns, deck surfaces and railings, etc. (must be stained or painted)

Roof Material

Appropriate Materials include:

- Asphalt (25-year min.), decrabond, slate and concrete flat tile shingles
- Monochromatic roof shingles are not permitted, combinations of earth tones to gray tones are preferred
- Steel (Brand, gauge and color subject to MBPDRC approval)
- Use of copper, terne, zinc, etc. will be allowed as accents (bay/bow windows, porticos, finials), however, they are subject to approval by the MBPDRC

Inappropriate Materials include:

- Flat roofs except at covered porches and entry porticos
- "S" tile
- All other roofing materials not mentioned are prohibited

Windows, Doors and Garage Doors

- Wood windows, painted aluminum, and vinyl are permitted
- Natural aluminum is prohibited
- All tilted glazing will be subject to the approval of the MBPDRC
- Wood tilt-up, barn style and sectional roll-up garage doors are permitted
- Garage door colors should blend into the overall color scheme to de-emphasize the prominence of the door

Paving Materials (Sidewalks and driveways)

Appropriate Materials include:

- Natural stone (including but not limited to; sandstone, limestone, and slate)
- Flagstone
- Exposed aggregate (natural stone color)
- Natural stone unit pavers
- Colored concrete (natural stone color)
- Stamped concrete (natural stone color)
- Concrete
- Wire cut brick
- Fired clay pavers
- Pre-cast concrete pavers
- Interlocking concrete paver
- Predominately black or gray colored pavement
- Asphalt

Chimneys

- Brick, stone, stucco and siding and in combinations are acceptable
- Exposed metal flues are not acceptable
- Caps must be painted to complement the home

Skylights

Appropriate Materials include;

- Designed as an integral part of the roof
- Glazing must be clear, solar bronze, or white
- Framing material must be bronze or color to match the roof

Inappropriate Materials include:

- Reflective glazing
- Natural aluminum framing
- Flashing and Sheet Metal
- All flashing and sheet metal must be colored to match adjacent material

Fencing and Patio Walls

- Within the further restrictions on fences and patios discussed in the Section "Site Uses & Elements", fences and patio walls are to be compatible with the materials, color & style of the home to which they are attached.

Vents

- All vent stacks and pipes must be colored to match the adjacent roof or wall material
- Vent stacks should be grouped on the side or rear of the roof when possible
- Vents should not extend above the ridge line.

Antennas

- Home owners may not install, or cause to be installed, any television, radio or citizen band (CB) antenna, satellite dish larger than 24", or other electronic receiving or broadcasting device on the exterior of any house or structure, exceptions are to be made on a case by case basis by the MBPDRC
- Ground or structure mounted satellite dishes must be appropriately screened subject to the review of the MBPDRC
- Any such installation must be in compliance with all applicable ordinances,
- It is recommended that all homes be pre-wired for cable TV reception

Solar

- Solar panels are to be integrated into the roof design, with the same roof slope paralleling the roof and mounted directly to the roof surface.
- Panels and frames must be bronze anodized or match the roof color.
- Natural aluminum frames are prohibited.
- Solar equipment; such as pumps, tanks, etc., are to be screened from the view of adjacent lots and public streets.
- Solar panels integrated into the actual roof shingle are allowed upon review of the actual sample.
- All Solar applications must be approved by the MBPDRC.

Colors

Color acts as a theme-conveying element reflective of the Mission Bay Preserve style. Subdued colors, off-white and earthy in nature, blend naturally with the rural/ suburban setting and should be used as predominant colors throughout the community. Individual design expressions through the use of rich accent colors are encouraged on specific elements such as; entry doors, windows and shutters.

A wide range of trim and accent colors are permitted on houses to add variety and character to the community. They are to be consistent with the historic context of the architectural theme.

All body or accent colors must be approved by the MBPDRC as part of the review and approval process. See color palettes available for viewing/check out, at the Mission Bay HOA office for color and accent options.



Colors should blend with the natural landscape color of Mission Bay Preserve

Site Planning Criteria

Site Planning Principle-The Meadows

In The Meadows, it is recommended that Mission Bay Preserve homeowners leave a large portion of each home site undisturbed. Limiting excavation and disturbance to minimal areas around construction is important to maintain the pasture-grass ecosystem. Refer to each home sites building envelope and the accompanying information herein regarding site planning development.

Setback Requirements-The Meadows

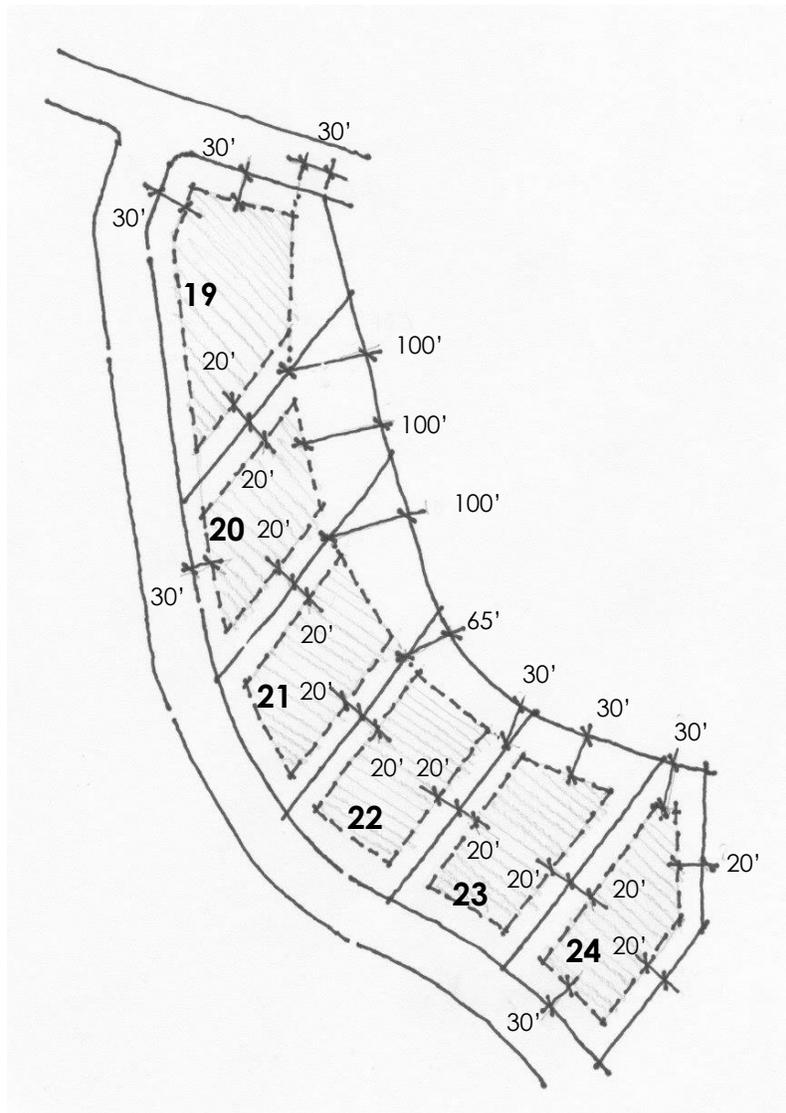
All buildings and structures shall be set back 75 feet from the property line facing a street, and 100 feet from the rear property line. If a property line on the side adjoins another private lot, its setback is 30'. If the side property line adjoins a public space, its setback is 50'. Roof overhangs are normally kept inside the setbacks, although for special circumstances, permission may be sought from the MBPDRC to allow overhangs outside the setbacks.

Setback Requirements-The Ridge

Unless otherwise specified in the lists below, all buildings and structures shall be set back a minimum of 30' from the property line facing a road or roads, and 10' from the side property line. The rear setback shall be a minimum of 15'. In all cases, roof overhangs are normally kept inside the setbacks, although for special circumstances, permission may be sought from the MBPDRC to allow overhangs outside the setbacks.

Exceptions:

1. Lots 202 through 212 shall be set back a minimum of 30' from the property line facing a road or roads, and 10' from the side property lines. A specific setback line has been established to create a green space area on the hill facing Red Tail Drive. Owners of these lots must consult with the HOA to identify their specific rear setback.
2. Lots 19 through 24 have special setbacks to help preserve the view corridors of the houses across the street. These lots shall be set back a minimum of 30' from the property line facing a road or roads, and 20' from the side property lines. The rear setbacks vary according to the lot. See below.



Ridge setbacks on Lots 19-24

Maximum site coverage

The maximum area that may be covered by buildings will be determined by the MBDRS per each home site size, location and configuration. It should be consistent with rural character of Mission Bay Preserve.

Maximum building height

The Mission Bay Preserve design guidelines are intended to maximize the potential for building a variety of house types on each site—like one or two stories, walk-out basements, and so on—while also ensuring that houses do not unduly block the views of other houses behind them.

To this end, there are two different maximum building restrictions, one for sites that do not block other views, and a second for sites that are more in the line of other sites' views. See specifics below.

Chimneys can exceed the maximum building heights.

Please note that some existing buildings approved a number of years ago may have not met these restrictions. But this is not considered to set a precedent for new buildings. These rules become increasingly important as the Preserve begins to approach maximum build-out, so we can maintain a fair balance among the interests of all owners in the neighborhood.

RIDGE

For every site in the Ridge neighborhood not listed below, no structure may exceed 28 feet in height measured from the natural grade at the façade facing the street. This is a horizontal plane. Exceptions are:

1. For lots 11-18, no structure may exceed 26 feet in height from a point on the natural grade at the crossing of diagonals from the four property corners. This is a horizontal plane.
2. For lots 19-24, no structure may exceed 18 feet above elevation of the crown of Pheasant Ridge Road measured at the center of the homesite frontage. This is a horizontal plane. Additionally, no structure shall penetrate a plane 28 feet above undisturbed natural grade anywhere within the building envelope.

MEADOWS

Unless otherwise specified below, no structure may exceed 26 feet in height measured from the natural grade at the façade facing the street. This is a horizontal plane. Exceptions are:

Structures on lots 24, 26, 28, 30, 31, and 33 and are restricted in height because they are in the front of the entire Preserve. Each lot has a maximum height measured in feet above sea level, allowing about a 22' tall structure. The maximum elevations are as follows: lot 24: 2948'; lot 26: 2746'; lot 28: 2946'; lot 30: 2944'; lot 31: 2944'; lot 33: 2944'. These restricted heights are a horizontal plane.

Ratio of first to second floor square footage

As explained in "Siting, Massing, Scale & Proportion" above, a minimum of 65% of the main floor square footage and maximum 35% on the second floor of two-story homes is permitted.

Minimum home square footage

The Meadows: All home sites require a minimum home livable square footage of 2,000 sq. ft. on the main floor.

The Ridge: All home sites require a minimum home livable square footage of 1,600 sq. ft. on the main floor.

Driveway Standards

On sites where significant topography exists, it is recommended that driveways be designed to follow the natural contours. On flatter home sites, driveways should always be curvilinear rather than linear to create a more interesting and varied streetscape. Minimum driveway width is twelve feet (12'-0").

Driveway tie-in to the street must be made with “clean lines” and vertical cuts against the pavement. Regardless of the surface used, a “thickened edge” must be used against the street.

SECTION IV: LANDSCAPE DESIGN

Community Landscape Concept

Overview

The Community Landscape Concept promotes the opportunity to integrate each home into the natural beauty of the surroundings. The concept relies on the use of indigenous and compatible plant materials. Plantings should be in natural groves or masses, with occasional singular plantings to reflect the natural landscape.

The successful residential landscape gracefully transitions from the design elegance of the built environment within the building envelope, to the inherent rural qualities of the region. The community landscape of Mission Bay Preserve seeks to stand apart from any fabricated development landscapes.

Neighborhood Landscape Concept

Overview-The Meadows

The landscape concept within the Residential Zone (see Property Landscape Zones Overview on the following page) in The Meadows focuses primarily on the use of trees and turf, accented with shrub plantings. Landscape outside the Residential Zone may be minimal, and specifically limits tree height to twenty feet (20'-0") at maturity.

The visual foundation of this distinctive neighborhood is the integration of traditional landscape around building envelopes with large areas of open space separating homes.

Native landscape materials, plants, trees, grasses, features, etc. are to be preserved and protected. Consult the MBPDRC prior to the removal of any such items.

Overview-The Ridge

The landscape concept in The Ridge focuses primarily on the use of trees, turf and native grasses over the entire lot, accented with shrubs and planting beds. On home sites over .5 acre in size, low maintenance native grass areas are allowed outside the turf and shrub areas.

Neighborhood Streets

Any fence, landscaping and drainage swale along the neighborhood streets that has been provided by the developer must remain undisturbed.

Turf & Shrub Areas

Shrubs, planted in masses, provide visual interest at any time in the year. They can display seasonal changes, expressed through their dynamic qualities, such as color.

Grass and turf areas can also provide a multitude of functions in the landscape. In contrast to shrub plantings, grass and turf areas create a visual base plane from which all other elements of the landscape arise. At Mission Bay Preserve, the landscape concept in the area immediately surrounding the residences maintains a proportional relationship of grass and turf areas to shrub areas of between 5:1 and 2:1, depending on the size of the area to be landscaped. Essentially, this means that 20% to 50% of the landscaping is allocated to shrub areas.

Approved non-vegetative ground cover in shrub areas includes tilled topsoil, decorative landscape bark, non-white, non-reflective decorative landscape rock and lava rock. All large areas of ground cover are recommended to be rock. All bark application requires specific approval from the MBPDRC. Wherever non-vegetative ground cover other than tilled topsoil is used, weed mat or an approved pre-emergent must be used. All non-vegetative ground cover treatments are subject to MBPDRC approval.

The success of the grass and turf areas relies on the appropriate selection and mixes of turf for the desired purpose and use. Normally, a mix of rye grass, bluegrass and fescues provides for a well-rounded turf blend.

In all situations, it is recommended that each property owner consult with a qualified landscape architect or nursery for their specific needs.

All owners are required to submit an overall landscape plan for review and approval as described in Section V of this document.

Neighborhood Trees

The following trees are appropriate for the community of Mission Bay Preserve:

Neighborhood Shade / Street Trees

(All tree species that grow well in this part of Northwestern Montana are acceptable):

- All Maple Tree varieties
- Ohio Buckeye Tree
- All Hackberry Tree varieties
- All Ash Tree varieties
- All Honey Locust Trees
- All Linden Tree varieties

Ornamental Accent Trees

- All varieties of Fir trees
- All varieties of Birch trees
- All varieties of Hawthorn trees
- All varieties of Crabapple trees
- All varieties of Spruce trees
- All varieties of Pine trees
- All varieties of Cedar trees
- All varieties of Hemlock trees
- All varieties of Tamarack trees
- All varieties of Larch trees
- All varieties of Chokecherry trees
- European Bird cherry trees

Shrubs

The following shrub specimens are appropriate in the community of Mission Bay Preserve:

Deciduous Shrubs that grow well in Montana

- All varieties of Serviceberry All varieties of Chokecherry
- All varieties of Barberry
- Siberian Pea shrub (windbreak & privacy applications only)
- All varieties of Caragana
- All varieties of Dogwood
- All varieties of Cotoneaster
- All varieties of Euonymus
- All varieties of Forsythia
- All varieties of Hydrangea Cheyenne Privet (for hedges)
- All varieties of Honeysuckle
- Mock orange Minnesota Snowflake
- All varieties of Ninebark
- All varieties of Cinquefoil
- All varieties of Lilacs
- All varieties of Spirea
- All varieties of Potentilla
- All varieties of Sand Cherry
- All varieties of Plum that grow well in Montana

- All varieties of Sumac
- All varieties of Currant
- All varieties of Rose that grow well in Montana
- Dwarf Blue Arctic Willow
- Indian current Coral berry Summer Glow Tamarisk
- All varieties of Viburnum
- All varieties of Cranberry bush
- All varieties of Weigela
- Buffalo berry

Coniferous (evergreen) Shrubs that grow well in Montana

- Oregon Grape
- All varieties of Spruce
- All varieties of Pine
- All varieties of Yew
- All varieties of Arborvitae
- All varieties of Hemlock
- All varieties of Cedar
- All varieties of Larch
- All varieties of Kinnickinnick
- All varieties of Junipers

Residential Landscape Requirements

The Ridge

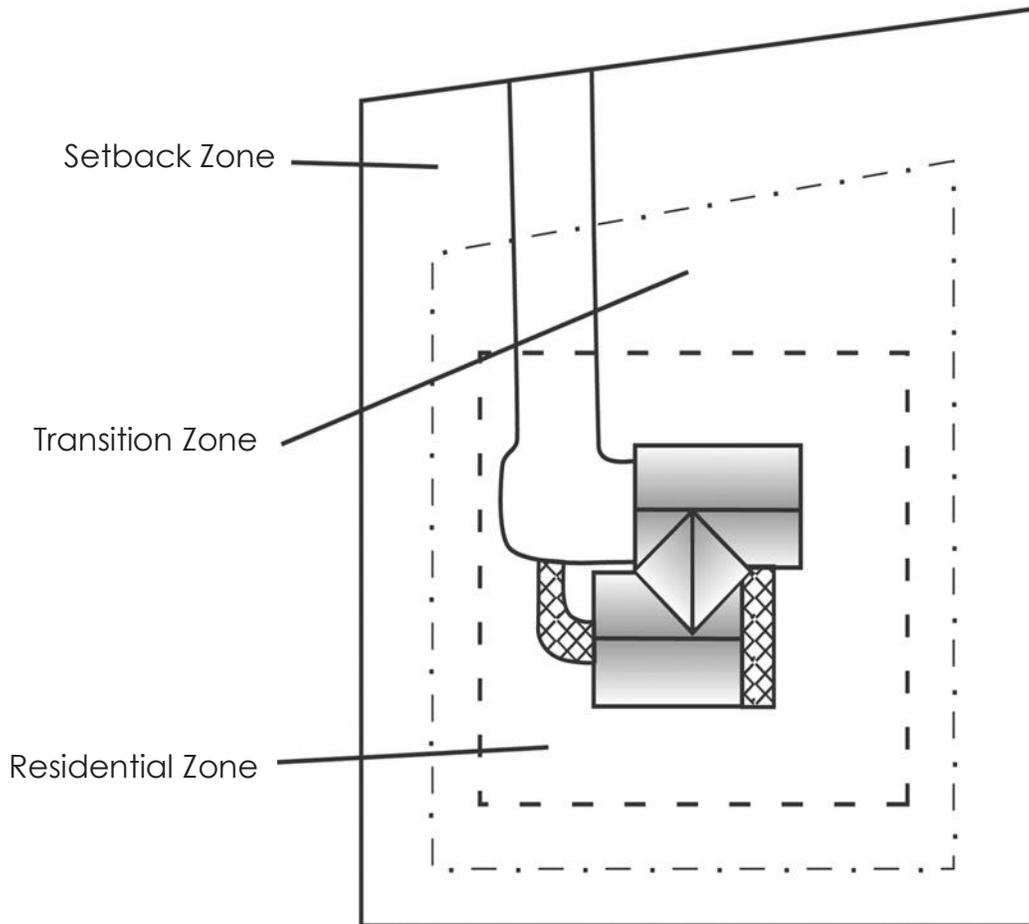
In The Ridge, the entire lot is considered one landscaping zone with the exception of the "200 series" home sites, where an area on the hillside above Red Tail Road on each home site, though private, has been designated for common landscaping, irrigation and maintenance.

Minimum Landscape Requirements:

- Eight primary shade trees (1 ½ inch min. caliper)
- Eight shrubs
- Turf Area to Planting Bed Ratio shall be a maximum of 5:1 and minimum 4:1, up to a total of 50 percent.
- Planting beds must utilize fabric underlayment weed barriers or approved equivalent
- Trees planted in "wind row" or "shelter belt" configurations are not permitted

The Meadows

Sites in the Meadows are divided into three zones: A Residential Zone, a Setback Zone, and a Transition Zone. The purpose of each zone is to maintain a cohesive framework from which the property owners can express their unique tastes and personality. The actual size and configuration of each zone varies depending on the specific property conditions and home size. The following sections describe each of the three zones, and the minimum number of landscape or plant materials they require.



Landscape zones in the Meadows

The Residential Zone

In The Meadows, the Residential zone comprises the traditional front, side and rear yard around the home, and encompasses an area thirty feet (30'-0") out from the home in each direction.

Minimum Landscape Requirements:

- Eight primary shade trees (1 ½ inch min. caliper)
- Eight shrubs
- Turf Area to Planting Bed Ratio shall be a maximum of 5:1 and minimum 4:1, up

- to a total of 50 percent.
- Planting beds must utilize fabric underlayment weed barriers or approved equivalent
- Trees planted in “wind row” or “shelter belt” configurations are not permitted

The Setback Zone

The Setback Zone is defined as the area around the outside edge of the home sites between the exterior property boundaries and the building setback lines. In the area where home sites front along streets, the Setback Zone extends to the street.

Any ground cover not in planting beds, including grasses, fescues, wildflower pasture mixes, etc. must be mowed periodically to a maximum height of 12 inches.

The only landscaping restriction in the Setback zone is that trees are limited to a maximum height of twenty feet (20'-0") at maturity.

Some home sites have additional specific tree planting restrictions pertaining to the Setback Zone. Please contact the MBPDRC for lot-specific Setback Zone criteria.

In some cases, depending on the location of the home within the building envelope, the Residential Zone may overlap the Setback Zone. Should this occur, the tree height restriction in the Setback Zone still applies.

The Transition Zone

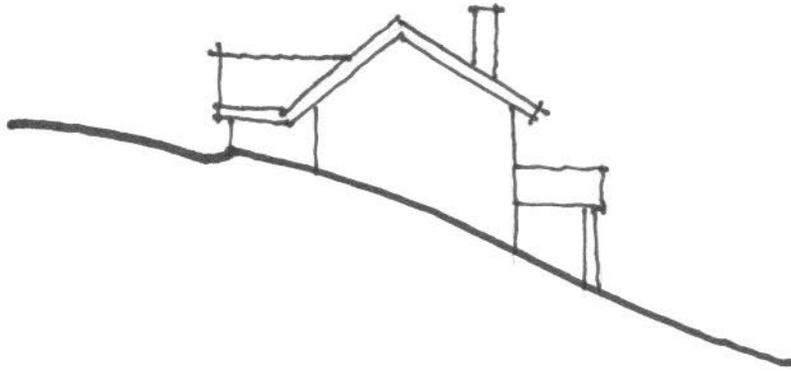
The transition Zone makes up the balance of each home site not included in the Residential or Setback Zones.

Any ground cover not in planting beds, including grasses, fescues, wildflower pasture mixes, etc., must be mowed periodically to a maximum height of 12 inches.

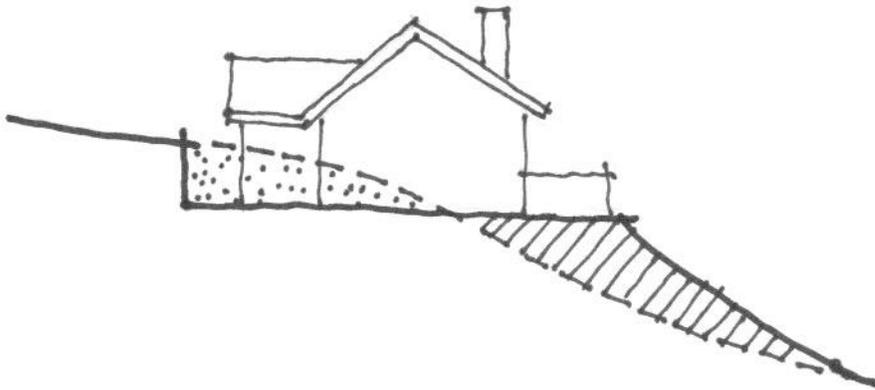
Site Preparation & Grading Standards

Site Grading

Site grading should conform to the existing topography to preserve the natural character of the area and to maintain the delicate system of natural drainage patterns and wetlands. Additional on-site grading should maintain the natural existing form of the terrain. Grading should produce graceful contours, rather than sharp angles, by providing transition at the top and toe of slopes.



Siting of home is to conform to the natural topography when possible.



Excessive cut or fill is not permitted.

Finish Grading

Water must be applied as necessary during site grading to provide optimum moisture content to the soil. Planting areas are not to be graded when their moisture content is so great that excessive compacting occurs, or so little that dust is formed and dirt clods do not break up.

Final grading of planting areas shall include light rolling, raking and hand work. This is necessary to achieve the desired contour and flow line patterns, and to ensure evenly finished surfaces with proper drainage.

Import & Export

Property owners are encouraged to retain a civil engineer to calculate excavation requirements for their property. A balanced cut and fill on each property is highly recommended. In the event that soil must be imported or exported from the property, the property owner will be responsible for this cost. For clean fill dump sites check with the MBPDRC for specific locations. Import soils scheduled for use as landscape topsoil may be subject to an agricultural soil analysis at the discretion of the MBPDRC. Should

the MBPDRC determine that specific sites will require fill property owners and builders will be notified of this need and be permitted to deposit clean fill at appropriate locations.

Surface Drainage

The surface drainage system shall consist primarily of on-grade pervious systems. Hardscape materials are permitted when no other options are available. The use of underground storm drains should be minimized. Drainage of individual properties must work with the existing topography and be directed toward the natural open space or drainage swale systems, developed in conjunction with the roadways.

Property owners should consult with the City of Polson to determine city requirements on storm water management. Their requirements supersede these requirements.

Community landscape areas and amenities must be protected during all construction operations through the use of fencing or other barriers. Streetscape materials damaged by construction will be replaced by the MBPHOA at the property owner's expense. Adequate provision must be made to prevent any surface waters from damaging public or private property, or to excavations and fill slopes, both during and after construction.

Retaining Walls

In some instances, it may be necessary to provide retaining structures to protect roadways and other graded areas. Such retaining structures should have a natural appearance using natural materials, such as; stone, split face block, etc., whenever possible

Erosion Control

Temporary and permanent erosion control measures are intended to prevent the erosion of soil at Mission Bay Preserve. The placement of barriers such as erosion fabric fences, straw bales, or curb-like diversions along the perimeter of construction areas are considered temporary measures to prevent excessive run-off.

Run-off from construction areas must be directed away from any sensitive natural areas. Permanent measures include the use of plant material to hold soil in place and the proper grading of the site. Drainage facilities shall use natural systems wherever possible. Pervious surfaces rather than hard surfaces, are encouraged to promote ground percolation.

Driveways

Each property owner shall be responsible to extend their driveway to the edge of street pavement. All accepted driveway materials are referenced in Section III-24. All repairs due to driveway connection to Minimum driveway width is twelve feet (12'-0") and a maximum width is twenty feet (20'-0") to the point where the driveway flares to accommodate garage access.

Construction Activity

Construction activity of all types, including but not limited to grading, planting, boring and building, shall be limited to the hours between 7:00 AM and 6:00 PM, Monday

through Saturday. Activity on Sunday is strictly prohibited, except for unusual hardship cases. These will be reviewed on a case by case basis and approved by the MBPDRC. Written notification and approval is required from adjacent property owners for any proposed activity seven days in advance of the activity. The street is the responsibility of the property owner. If no street paving is in place at the time of the driveway construction, the finish surface for the driveway should be terminated at the property line with a temporary surface extended to the proposed street. The driveway must be extended to the street's edge once the street is paved.

Driveways should be curvilinear rather than linear to create a more interesting and varied streetscape.

Drainage Easements

Natural or existing drainage pathways are not to be obstructed. All site improvements must avoid or bridge such pathways without obstruction.

Site Uses & Elements

Residential Walls & Fences

Fences around the property are not allowed. Fences and/ or short walls around patio areas are allowed, within the following guidelines.

- The design of fencing and walls must be carefully considered in the context of the rural setting. Fences and walls are most aesthetically pleasing when used in conjunction with plant materials and landscape techniques to reinforce the rural character.
- Perimeter fencing is only permitted where installed by the developer. The only approved perimeter fence is a "Split Rail" fence 4' in height with 6" posts and three 4" rails.



Mission Bay Preserve fence

- Patio wall/fences are permitted within the front, side and rear yards. These "patio areas" must appear to be an extension of the home. The height of these elements is subject to the approval of the MBPDRC.
- The only dog kennels or dog runs allowed are Priefert Canine Enclosures™, or approved alternative. Kennels must be screened from view from streets and neighbors, and locations must be approved by MBPDRC. The maximum size is 10' x 10'. All other fencing for dog kennels is prohibited;

- Barbed wire or deterrent security devices are not permitted;
- Non-climbable wrought iron fencing is permitted only around pool and spa areas and must be secured by a latch or lock attached to a self-closing childproof gate. All local codes and governing conditions must be adhered to;
- All private wall areas should be adequately landscaped to mitigate the negative visual impact of the fencing material;
- Walls and/or shrub planting screens are required around trash areas, mechanical equipment and propane tanks;
- Walls located on sloping terrain may step or follow the grade, however, no portion of the footing or foundation may be exposed;
- Existing community fencing may not be altered without the review and written approval of the MBPDRRC.

Irrigation

Areas that feature introduced landscaping, such as grass, trees, shrubs and/or ground cover, should utilize an individual irrigation system for watering during dry months. It is required that during fire season all areas are regularly watered and/or mowed. In order to conserve water, an individual irrigation system provides a more efficient use of water than hand sprinklers.

Landscape areas including fescue require irrigation that conforms to the following:

Buried PVC sprinkler system or the utilization of drip irrigation systems;

Sprinklers and nozzles selected to provide water to the landscape that are compatible with their respective soils, slopes, exposure, orientation and plant types;

Utilization of an automatic control system;

No overthrowing of irrigation water onto public roadways, sidewalks, neighboring homes, or trails is permitted.

Swimming & Spa Pools

Swimming pools and spas are subject review and approval by the MBPDRRC.

Swimming pools and spas must be fully integrated into the existing site terrain and landscape design of the property. No swimming pool may extend above grade or beyond any slope.

Pool equipment shall be located in a manner that complies with the local codes. Location of the equipment should minimize the impact of reflective glare and noise on neighboring property. Pool designs should be reviewed by a geotechnical engineer.

The pool equipment must be fully enclosed by solid walls and a solid gate that matches the style and color of the home. It may also be placed below grade in an equipment vault.

Pool fencing must comply with the standards described in Residential Walls & Fences (see this section for information) and abide by local governing building codes as required.

Backwash water from swimming pools and spas is not permitted to be discharged into the sewer system.

Sundecks, Patios & Swimming Pool Decks

All exterior decks and terraces should be within the property's building envelope and are subject to the MBPDRC's approval. Decks must be compatible with the terrain of the site. Expanses of deck or terrace must not create reflective glare to neighboring properties.

Decks and patios must be designed utilizing materials, textures, patterns and other elements that are consistent with the home's architectural style. Pressure treated wood used for these elements must be painted or stained.

Patio Structures

Patio structures, trellises and gazebos must be built within the building envelope as defined by the minimum setbacks of the property. Structures built outside the envelope are subject to the MBPDRC 's approval. Patio structures must be consistent with the architectural expression of the residential structure and constructed of compatible materials.

Window Boxes and Raised Planting Beds

Window boxes for natural perennial or annual flowers are permitted. Window box material and attachment to the residences need to blend with the existing colors and materials on the residence. Plant species / materials need to be maintained just like a shrub bed or planting bed at ground level.

Playground Equipment

All playground equipment, structures, etc. are subject to prior review and approval of the MBPDRC.

Mailboxes

Individual mailboxes are not permitted. USPS approved mail box clusters will be provided by the Developer in several locations around the community.

Newspaper Boxes

Colored plastic newspaper boxes on metal posts are not permitted. Newspaper receptacles, if desired, shall be incorporated into the driveway monuments, described later in this section.

Private Recreational Facilities

Private recreational facilities including swimming pools, spas, tennis, basketball and game courts, and ponds shall be subject to review and approval by the MBPDRC. Criteria for review shall include, but not be limited to site grading, fencing, view impact, night lighting and noise.

Yard Sculptures and Landscape Features

Yard Sculptures and landscape features will be reviewed and or approved or rejected on a case by case basis.

Greenhouses

Greenhouses will be reviewed and or approved or rejected on a case by case basis.

Composting Bins

Composting Bins are prohibited in Mission Bay Preserve.

Mechanical Equipment & Propane Tanks

All air conditioning, heating equipment and soft water tanks must be screened from view and, if appropriate, be insulated for sound attenuation. Window or roof mounted air conditioning units are prohibited. All propane tanks must be buried if larger than 125-gallon size. Any propane tanks that are not buried must be painted the same color as the residence and screened from view. Landscape planting is preferred.

Propane tanks that are leased should be screened with reviewed landscaping. Propane tanks that are owned and above ground should be painted to match the house or screened with reviewed and approved landscaping.

Exterior Lighting Standards

Decorative architectural night lighting is required for each residence in Mission Bay Preserve.

At least one pedestrian light post, wall mounted or recessed light fixture is required near or directly on the entrance of each home.

Lighting fixtures must have internal reflectors to minimize the spread of light outside the lighted area, and shall be shielded to prevent any spill-over onto adjacent properties.

In addition, each residence shall be required to have one primary light at or near the point where the driveway intersects the street. In the case of Custom Home sites, this lighting may be provided in one of three ways:

A single light on a post not to exceed six feet (6' 0") in height, or

A single light on an individual monument as described earlier in this section, or

Up lighting from landscape lighting on a tree or large shrub. This form of lighting may be used in conjunction with one of the other two.

Up lighting for yard sculptures or other landscape ornamental features would be approved on a case by case basis.

Up lighting on the residence or floodlighting would also be reviewed on a case by case basis. Any lighting solution should avoid causing unnecessary light to pool over into other residences or the neighborhood in general.

In the case of Golf Villas and Golf Court homes, this lighting shall be provided in the form of a small wood or metal fixture not to exceed three feet (3' 0") in height.

This fixture must also display the house number.

The primary light located at the street, and at least one other exterior light must operate on a light sensor so that the lights are activated at night even when the home is not occupied. It is the responsibility of the owner to replace these lights as needed.

If the lights need to be replaced during an owner's absence, it will be done by the Mission Bay Homeowners Association at the property owner's expense.

Lights would be "hard-wired" to the main house electrical panel vs. solar activated lights. Exterior lights activated by motion sensors are not allowed.

Freestanding street light fixtures have been selected for specific locations in each neighborhood.

The developer is responsible for installation of any future street lights.

With the exception of the street light fixtures installed by the developer along Montana Landing, no Metal Halide or other "Farm" type area lights are allowed within the Community of Mission Bay Preserve.

Water and Electric Meters

Water and electric meters are to be appropriately screened with landscape plant materials or enclosed in cabinets that are a part of the primary residence architecture. Conformance with all utility and building code standards must be addressed.

Mechanical Equipment

All air conditioning, heating equipment and soft water tanks must be screened from view and be insulated for sound attenuation. Window or roof mounted air conditioning units are prohibited.

Clotheslines

Outside clotheslines are not permitted within the Community of Mission Bay Preserve.

Pets

All pets are to be contained within the owner's property or be leashed.

Underground Wiring

All exterior wiring is to be installed underground. Appropriate attention must be paid to screening electric transformers and phone / cable TV pedestals from view with landscape elements.

Signage

The following sign information is intended to provide an initial framework to begin the design process. It outlines only the key features of the approved signage standards for Mission Bay Preserve. Please confer with the MBPDRC regarding further clarification of design intent.

Temporary Signs

Temporary signs are prohibited on all properties. The exception being during construction, contractor and/or builder, landscaper and/or agents are permitted for the construction period and shall be removed at completion of construction.

Obstruction of views

On the corner lot, within the area formed by the center lines of the intersecting or intercepting streets and. A line joining points on such center lines at a distance of seventy-five feet (75'-0" from their intersection, there shall be no obstruction to vision between the height of three and one-half (3'-6" and a height of ten feet (10'-0") above the average grade of each street at the center line thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall.

Street Signs

All street signage will be provided by the Developer. Any modifications or relocation of street signs requires the prior written approval from the NBPNC.

Driveway Monuments

All homes are required to have at least one street side driveway monument located at the point where the driveway intersects the property line nearest the street. This monument may be as simple as an oversize post or a more elaborate entry gate monument designed and constructed of materials compatible with the exterior of the home and accessory buildings. Regardless of design, the driveway monument must incorporate a primary light and house numbers and address must be visible at all times. Monument may include a newspaper receptacle if desired. All driveway monuments are subject to MBPDRC review and approval.

Special Event Signage

For special events of public interest, one sign, not exceeding twelve square feet (12 SF) in area or six feet (6'-0") in height, may be located at the site of the event and is subject to the approval of the MBPDRC. All event signage shall be removed within five calendar days of the close of the event.

House Numbers

Two house number/address signs are required per dwelling unit. One sign of no more than one square foot (1 SF) in area shall be located on either the garage or entry element of the house, whichever is the closest to the street. A second sign shall be incorporated into the driveway monument as described above, and adequately lighted to offer nighttime identification and visibility from the street or curb-side location. Surface mounted address number boxes that are back lighted shall be strictly prohibited. The MBPDRC encourages the use of bronze, copper or approved equal, for numerical identification of the home.

SECTION V: DESIGN REVIEW AND APPROVAL PROCESS

Design Review Process

Governing Jurisdictions

Before any construction can begin, a permit from the MBPDRC (MBPDRC) must be obtained. A Building Permit must also be obtained from the Polson Building Department. The MBPDRC permit will be required prior to the submittal of any plans to the Polson Building Department. The MBDRC permit promotes compliance with the Declaration of Covenants, Conditions and Restrictions (C, C& R's) and controls the harmony of external design with surrounding structures and topography. Under no circumstances will a home owner begin construction without the final approval of the MBPDRC and the Polson Building Department.

The MBPDRC shall only review, approve and/ or disapprove submitted plans and specifications regarding style, exterior design, appearance, location and compliance with the provisions set forth in these guidelines and requirements included in the CC&R's.

The MBPDRC shall not be responsible for reviewing and/ or approving any improvement plans and specifications for: engineering design, structural engineering and safety, or for compliance with applicable zoning, building, or other county, state, or federal laws, ordinances, or policies.

Along with obtaining all necessary approvals from the Design Review Board as set forth in the CC&R's and these Design Guidelines, each owner is obligated to obtain all necessary governmental approvals. Plans and specifications are to be prepared in accordance with all applicable governmental laws and regulations affecting the use of the property and the improvements thereon.

As more houses are built, the current physical appearance of the neighborhood will inevitably change. This may bring houses in closer proximity to each other and may affect existing viewsheds. While these changes may cause some concern for existing homeowners, the role of the Design and Review Committee is only to ensure that new homes meet the established guidelines. The Committee does not serve as a personal advocate or negotiator for existing homeowners who may have a concern about a proposed project's impact on their own home.

If the Committee sees a way that a proposed design might be adjusted within the terms of the design guidelines to reduce some impact on a neighbor, it will make suggestions. However, every new potential homeowner has the same right as those who came before them to build the house of their dreams, as long as it complies with these design guidelines.

Submitted house plans can be made available for view at the Clubhouse by other Preserve homeowners, with the clear understanding that these may be preliminary and subject to change in accordance with the process described below. Also, they can be viewed with the clear understanding that only the Design Review Committee has the authority to insist on changes, and only in accordance with these design guidelines.

Jurisdictional Review & Approval

Approval of any project by the MBPDRC does not waive the requirement for permits from local governing agencies, State of Montana, or any other governmental or quasi-governmental agency having jurisdiction in Mission Bay Preserve. Nor does the obtaining of all required permits from local, State of Montana, or any other governmental or quasi-governmental agency having jurisdiction in Mission Bay Preserve waive the need for the MBPDRC approval.

The MBPDRC will not knowingly approve a project that violates jurisdictional building or zoning codes. The MBPDRC takes no responsibility for plan's conformance to any criteria other than these Mission Bay Preserve Design Guidelines.

Projects Requiring Review by the MBPDRC

By way of illustration, but without limitation, the following improvements require submission to the MBPDRC for approval:

All construction or installation related to new homes and buildings, remodels, and landscaping including: dwellings, garages, retaining walls, steps, awnings, canopies, poles, trellises, patio overheads or decks, gazebos, sundecks, wind screens, game courts, swimming pools, fountains, spas, hot tubs, recreation apparatus, and exterior lighting, sound systems and solar energy systems.

Also included is Installation or modification of landscape, hard scape, trees, shrubs, plants, irrigation or drainage systems, recreation areas or courts and surface drainage revisions.

Subsequent changes or other improvements to the property after completion of the initially approved and/or constructed structure, landscaping, etc. must be submitted through the same design review procedure for approval by the MBPDRC.

For small additions and changes, the MBPDRC may agree on an expedited process after reviewing an initial proposal by the owner.

Mission Bay Preserve Design Review Committee Membership

The MBPDRC will initially be composed of three to five individuals. At such time as one hundred percent of the residential properties are no longer held in ownership by the developer, two of the three Committee positions will be held by residents appointed by the MBPHA. The developer retains the right to appoint one of the three members to the MBPDRC for ten years, following the sale of the last residential property.

The Mission Bay Preserve Homeowners Association Board reserves the right to amend, change or revise any or all of the requirements contained in this Community Design Guideline Document at any time.

Mission Bay Preserve Submittal Address

Submittal of plans and specifications for the construction or installation of any improvements within Mission Bay Preserve is to be made to the MBPDRC at the following:

Mission Bay Preserve Design Review Committee
P.O. Box 129
Polson, Montana 59860
Telephone: (406) 883-5139

The MBPDRC may, upon written or proper notice, change the address for the submittal of plans and specifications.

Design Review Submittal Requirements

All submittals for the construction or installation of any improvement, including but not limited to architectural or landscape, must be made to the MBPDRC. The application, must be submitted on the form provided below.

The approval process consists of three submissions and reviews. Each must be completed and approved before moving to the next. These are:

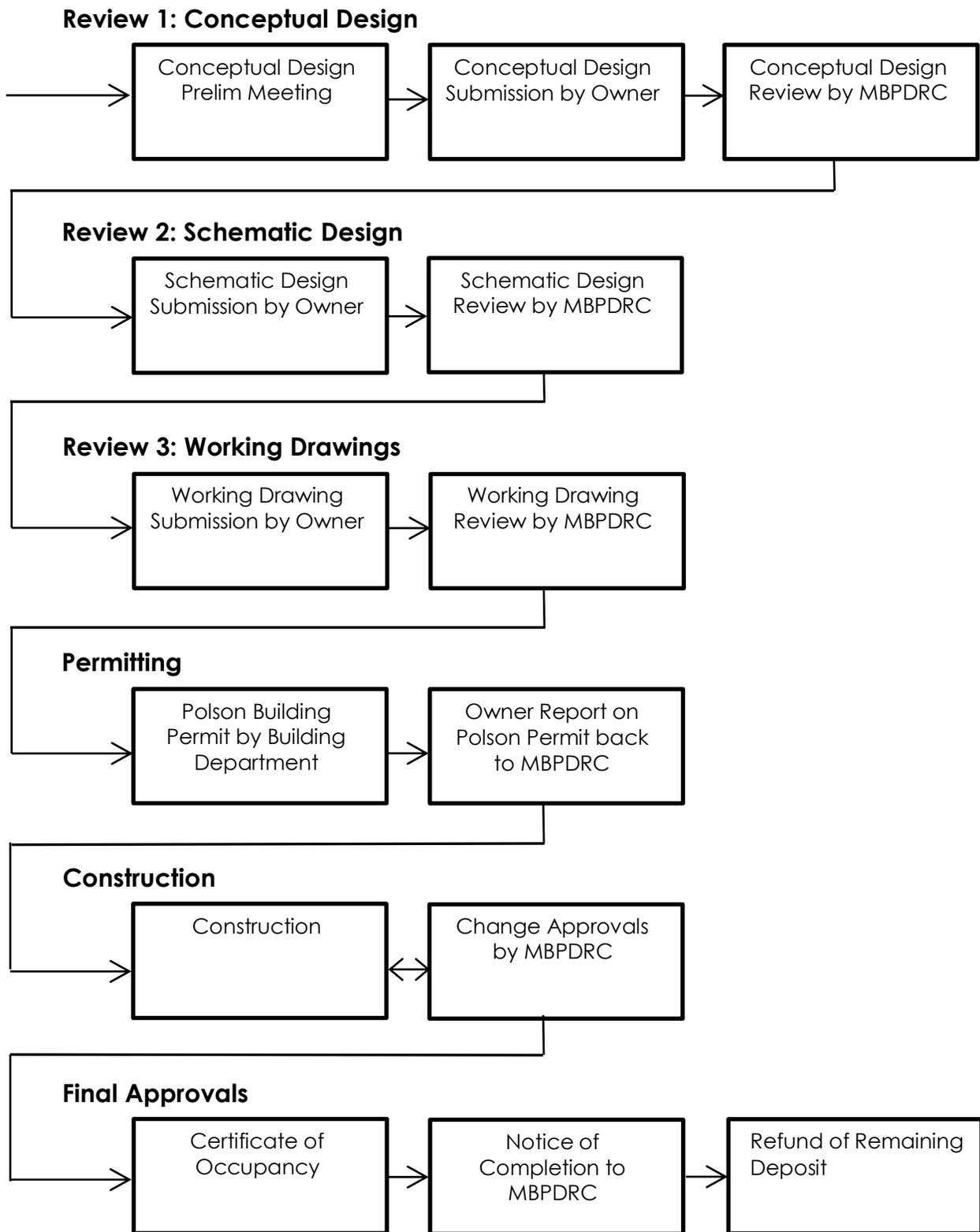
- 1) Conceptual Design
- 2) Schematic Design
- 3) Working Drawings

Each has its own submission requirements, as will be explained below.

A non-refundable submittal fee of \$250.00 is required, or as determined by the MBPDRC, for the review of submitted documents for approval. This is due at the time of the first submission.

The Property Owner, architect/designer, and builder should attend all submission meetings. If the Property Owner cannot attend for any reason, he/she must at least telephone in when the conceptual drawings are presented. This is so the Owner understands the reasoning behind the Committee's views, and possible adjustments can be discussed with all relevant parties.

Design Review & Approval Flowchart



Submittal No. 1: Conceptual Design

Preliminary Meeting

Prior to the submittal of any plans to the MBPDRC, the Property Owner, architect/designer, and builder will meet with the Committee to review the intent of the Design Guidelines and to clarify any questions related to the review process. This can help avoid initial design intentions or concepts that would later be deemed to be out of compliance with the Design Guidelines, and that would therefore incur additional expense to the owner in redoing drawings. The Property Owner or Owner's representative should contact the MBPDRC to set up this initial meeting. The Property Owner or Owner's representative should also meet with the city building department to learn of city requirements concerning construction of a new home.

Conceptual Design submission

The required Conceptual Design submission shows the overall proposed design in its early stages. The major focus of this review is to ensure compliance with the rules regarding the overall siting, massing, scale and proportion, and architectural character. Approval ensures that the design is meeting the intent of these Design Guidelines before the owner invests additional resources in the design's subsequent development.

The Conceptual Design submission will include the following drawings:

Plot Plan/Grading Plan:

Min. Scale 1" = 10'-0"

- Show Property lines accurately, including length, angles, and amount of curve.
- Show all existing buildings, structures, walks, setbacks, sidewalks, slopes and street right-of-way contiguous to the Property.
- Show required building envelope setbacks.
- Show both existing and final contour lines, to indicate: 1) how the building sits on the ground (see "Siting, Massing, Scale and Proportion" in Section III above), and 2) how site drainage will be managed.
- If your lot is 11-18 in The Ridge, show the diagonal lines from the four corners of the lot, and the point and elevation of the natural grade at which they cross.
- If your lot is 19-24 in The Ridge, show the location at the center of the street from which the height limit is measured.
- Show footprint and accurate locations of all proposed structures.
- Show driveway, off street parking, and location of the monument house number sign.
- Summarize the square footage of the first floor, second floor, garage, covered decks/porches and basement. This must indicate that no more than 35% of the total livable floor area is on the second floor, as per section "Siting, Mass, Scale and Proportion in Section II above.
- Show the materials, color and height of all proposed fences and retaining walls. Heights should be noted in relation to adjacent ground elevations.

Landscape Plan:

Min. Scale 1" = 10'-0"

- The plan should show the footprint of all buildings, and then should include: trees, shrubs, walls, trellises, arbors, gazebos, drainage, grading, game courts, pools, pool equipment and mechanical equipment.
- Projects in the Meadows should show the three landscape zones.

Floor Plan:

Min. Scale 1/8" = 1'-0"

- Indicate all walls, columns, openings and any conditions or features that will affect the exterior design of the building.
- Scale accurately all items and parts of plans and details, including balconies, decks, atriums, garages, accessory buildings, square footage of total living area of residence, pools, recreation areas and patio covers.
- Include notes on all exterior items that cannot be clearly noted on the elevations.

Elevations:

Min. Scale 1/8" = 1'-0"

- Provide exterior elevations to scale of all proposed buildings. All horizontal elevation points must be shown on the elevations (i.e., ridge lines, balconies, terraces, etc.).
- Draw the existing and proposed final grades on all the faces of all elevations.
- For all lots in The Ridge and The Meadows whose height is restricted by the height of the elevation facing the street, draw a horizontal line across each elevation at the maximum height allowed. Label this "maximum building height".
- For lots 11-18 in The Ridge, draw a horizontal line across each elevation 26 feet above the natural grade at the crossing of the diagonals of the property lines. Label this "maximum building height".
- For lots 19-24 in The Ridge, draw a horizontal line across each elevation measured 16' above the center crown of Pheasant Ridge at the center of the property line. Also, draw a line 28' parallel to the natural grade. Label these "maximum building height".
- For lots 24, 26, 28, 30, 31, and 33 in The Meadows, draw a horizontal line at the maximum sea level elevation specified for your site. Label it "maximum building height".
- All finish materials, colors and textures should be identified.

Other Documents:

- Other documents may be required or deemed necessary by the Mission Bay Preserve Design Review Board to clarify issues.
- Perspectives, isometrics, or renderings are additional drawings that are not required; however, they may assist the MBPDRC to understand the proposed design.

Review of Submittal No. 1

When the MBPDRC has determined that all requirements for Submittal No. 1 have been met, the Design Review Committee must:

Within twenty-one (21) days, meet and either approve or disapprove the proposed improvements.

The MBPDRC will provide written notice to the owner of the date, time and place of the review meeting.

Failure by the MBPDRC to act within this twenty-one (21) day period will constitute a denial of the submittal. In the event of such a denial due to non-action by the MBPDRC, the homeowner may then request, by mail, formal notification of the status of the submittal.

Failure by the MBPDRC to act within fourteen (14) calendar days of the request for formal notification will constitute an approval of the submittal.

Should the MBPDRC disapprove any submittal, the owner has the right to appeal the decision to the Board of Directors of Mission Bay Preserve Homeowners Association pursuant to the CC&R's.

Submittal No. 2: Schematic Design

Once the Conceptual Design is approved as in the previous section, it can now be developed into a Schematic Design. This shows the design in greater refinement and detail, although not yet at the level of detail required for the required construction Working Drawings described below. The main difference from the Conceptual Design is that these are drawn at a larger scale, showing more detail, and reflecting changes required by the MBPDRC.

These drawings should clearly identify any changes relative to the previously approved Conceptual Design submission, whether they were called for by the Committee, or because the design naturally evolved for other reasons.

The drawings will include at least the following:

Plot Plan/ Grading Plan

Min. scale 1' = 10'-0"

- Same requirements as in Conceptual Design above

Landscape Plan:

Min. Scale 1" = 10'-0"

- Same requirements as in Conceptual Design above

Floor Plan

Min. Scale $\frac{1}{4}$ " = 1'-0"

- Same requirements as in Conceptual Design above

Elevations:

Min Scale $\frac{1}{4}$ " = 1'-0"

- Same requirements as in Conceptual Design above

Review of Submittal No. 2

Same as Review of Submittal No 1 above.

This review will include, but not be limited to: a determination of whether the submittal is consistent with Submittal No. 1; itemized reasons for any discrepancies if plans are not approved; and the review and approval or disapproval of all plans.

Submittal No. 3: Working Drawings

Once the Schematic Design is approved as in the previous section, it can be developed into Working Drawings. These are the drawings that will be submitted to the city building department for approval and must include all information required by them. You must check with the city for their requirements.

These drawings should clearly identify any changes relative to the previously approved Schematic Design submission, whether they were called for by the Committee, or because the design naturally evolved for other reasons.

The Polson Building Department will not approve any projects for construction until they receive notice that the HOA has approved the project. Also, any changes required by the Building Department must be reported back to the Design Review Committee to ensure that the changes conform with the Design Guidelines.

This submission has two parts: 1) the submission and approval of the working drawings themselves; and 2) a report back to the MBPDRC once the City of Polson has issued its building permits, noting any changes required by the city.

Working Drawing Submission

The drawings shall be fully dimensioned and include the following

Site Plan.

Min. Scale 1"=10'-0"

- This must include all of the information required for the Schematic Design submission.
- Indicate flow lines and drainage patterns both existing and proposed.
- Show cut & fill requirements.
- A point must be indicated on the street adjacent to the site, which can be

used as a reference for the height limit. It could be a property line pin, or a water line cover plate, or dimensions to the property lines. Label this "height limit reference point". Its height will be used on the elevations as explained below.

Floor Plans.

Min. Scale $\frac{1}{4}"=1'-0"$

- This must include all of the information required for the Schematic Design submission.

Foundation Plans.

Min. Scale $\frac{1}{4}"=1'-0"$

Sections.

Min. Scale $\frac{1}{4}"=1'-0"$

- Show the existing and finish grades where they are cut by all sections.

Elevations.

Min. Scale $\frac{1}{4}"=1'-0"$

- This must include all of the information required for the Schematic Design drawing submissions.
- A dotted horizontal line must show on each elevation the height of the "height limit reference point" at the street, as described in the Site Plan above.

Roof Plan:

Min. Scale $\frac{1}{4}" = 1'-0"$

- Show plan of all proposed roofs with slope pitches and maximum roof height above natural grade adjacent to the structure and elevation above sea level.
- Indicate all materials.
- Indicate any unusual conditions or construction requirements

Landscape Plan:

Min. Scale $1" = 10'-0"$

- Same requirements as in the Schematic Design submission.
- Show all walls, trellises, arbors and gazebos, their location, material and color.
- The plan should also include drainage, slope stabilization, game courts, pools, pool equipment and mechanical equipment.

Pool Plans:

Min. Scale $1" = 10'-0"$

- Must include plans for drainage, pool equipment and construction in conformance with these Design Guidelines and the CC&R's.

Exterior Colors & Finishes:

- All colors and materials must be provided on a sample board or on an elevation sheet. The sample board or elevation sheet must clearly indicate which color(s) and material(s) will be used on each portion of the building. All colors and materials must be identified with a manufacturer's name and list number/name. Colors must be painted on the proposed finish surface material.
- A sample of the roofing material, stone and/or brick must also be provided.

Written specifications for all work.**Review of Submittal No. 3**

Same as the Review for Submittal No. 1 above.

Should the MBPDRC disapprove any submittal, the owner has the right to appeal the decision to the Board of Directors of Mission Bay Preserve Home Owners Association pursuant to the CC&R's. This review will include, but not be limited to: a determination of whether the submittal is consistent with Submittal No. 2; itemized reasons for any discrepancies if plans are not approved; and the review and approval or disapproval of all plans.

Upon the MBPDRC approval of Submittal No. 3, owners should diligently proceed to submit their plans and specifications to the Polson Building Department for approval and issuance of building permits.

Report back to the MBPDRC after the Building Permit is Issued

Upon issuance of the building permits by the Polson Building Department, the Property Owner shall submit copies of the Building and Planning Department's comments and required changes (if any). The purpose of Submittal No. 3 is to give the MBPDRB the opportunity to review and acknowledge the comments and conditions of approval and any required changes to the final construction plans.

The owner must provide a copy of all building permits to the MBPDRC.

Approval for Changes After Construction Begins

Any proposed changes or deviation from the approved plans occurring during construction must be submitted to the MBPDRC for approval, prior to the commencement of such changes. The review of the submittal shall be in accordance with the procedures and time periods used for review of the previous submittals.

NOTE: the MBPDRC members will make periodic checks of construction progress based on approved home plans.

Failure to submit proposed changes or deviation from the approved plan to the MBPDRC during construction may result in the following penalties:

- Revocation of the existing Design Review Committee approval;
- Termination of ongoing site construction;
- Forfeiture of the owner's \$2,500 deposit; and
- Payment of all fees and costs which may be incurred by the Design Review Committee.

The MBPCRC is under no obligation to approve proposed changes to the approved plan. The Committee shall review any proposed changes pursuant to the pertinent design guidelines set forth in the preceding sections of the manual. Construction cannot resume except pursuant to an approved plan.

Notice of Completion

After completion of all improvements to the Property and after issuance of Certificates of Occupancy, the owner shall submit a letter to the MBPDRC and a copy to the Mission Bay Preserve Home Owners Association Board of Directors indicating that all improvements on the Property are complete and are in conformance with the approved plans and specifications by the MBPDRC. Upon receipt of the letter the MBPDRC must inspect the improvements within fifteen (15) days. After inspection, the MBPDRC must notify the owner of either final approval of the improvement or noncompliance with the approved plans and specifications. Failure by the MBPDRC to notify the owner of any noncompliance within thirty (30) days after completion of the inspection will constitute an approval of the improvement.

In the letter stating that all improvements are complete, the owner shall also have the right to request that any remaining refundable portion of their deposit be released by the Mission Bay Preserve Homeowners Association Board of Directors after the inspection and final approval of the improvements by the MBPCRC. The Owner shall also have the right at this time to request permission to release any insurance policies that have been held against the Property.

Builder and Contractor Approval

Upon review of the MBPDRC Application for Review, the builder and/or contractor will be notified as to their approval or denial to proceed. At the time of the review or any time information is brought to the attention of the MBPDTC or the Mission Bay Preserve Development indicating any impropriety not in the best interest of the community or the property owners, the builder and/or contractor may be denied permission to work in the Mission Bay Preserve Community.

Deposits & Insurance

- Owners shall, at the time of obtaining all required building and improvement permits, pay to the Mission Bay Preserve Homeowners Association or their agent through escrow the following deposit: Two thousand five hundred dollars (\$2,500.00) to assure compliance with the approved development plan and the proper clean-up of dirt and debris and repair of any damage to the landscaping, private streets and entry gates/ or monuments within Mission Bay Preserve caused by the Property Owners or agents in the construction of their custom or production home. The \$2,500.00 deposit will also be held until landscaping is complete. All landscaping is to be completed as approved within ninety (90) days of Certificate of Occupancy. This \$2500.00 deposit or any remaining portion is to be refundable upon completion of the construction of an owner's custom or builder's production homes. Any refunds due the owner

will be distributed after the issuance of a certificate of occupancy by the building department, completion of landscaping and a written request by the owner to the Board of Directors and the Mission Bay Preserve Design Review Board. The MBPDRC will have the discretion to approve the release of the respective deposits after determining that any non-compliance with the approved development plan and/or damage caused by owners in the construction of their custom or production home has been repaired.

For small projects under 200 square feet, the compliance deposit will be \$250. For small projects over 200 square feet, the compliance deposit will be \$1500.

- Prior to the commencement of construction, the Property Owner shall purchase and require his or her contractor to purchase general and auto liability insurance and shall maintain and cause contractors to maintain such insurance. This Certificate of Insurance must be maintained for the entire period of time necessary to construct the owner's residence or residential addition/renovation, and through the time frame to obtain a Certificate of Occupancy, in the amount not less than one million dollars (\$1,000,000.00). Each liability insurance policy shall contain the following clauses:
 - a) "This insurance shall not be canceled, limited in scope of coverage, or non-renewed until thirty (30) days written notice has been given to:

The Board of Directors Mission Bay Preserve Design Review Committee
P.O. Box 129
Polson, Montana 59860
Telephone: (406) 883-5139

- b) "This insurance policy which names the Mission Bay Preserve Home Owners Association, Mission Bay Preserve Design Review Committee and Mission Bay Realty as additional insured is primary and any insurance maintained by such additional insured shall be non-contributing."

Construction Information

Construction Activities

- During construction, the lot must be kept clean of trash and construction debris. The MBPDRC and Mission Bay HOA will monitor all construction activities for compliance. A fully enclosed, solid sided waste dumpster with a minimum three (3) cubic yards is required on all construction sites. The dumpster must be emptied when full. All Porta-Pots must be maintained and removed immediately upon construction completion.
- All construction activities and materials are restricted to the lot for which the permit was issued.
- All weight limits for trucks must be adhered to at all times. There may be times during spring break up when load limits are less; MBPDRC requires all construction hauling for Mission Bay Preserve building sites to adhere to all county regulations during this time.
- Staging areas for building materials must be kept clear of the road right-of-way and common properties, unless prior approval has been granted by the MBPDRC.
- The washing-out of concrete trucks on Mission Bay Preserve property is strictly prohibited. This includes; roads, ditches, road right-of-way, common property and adjoining lots. Any necessary wash-out should be performed on the lot where construction is taking place.
- Should blasting be required for site excavation, the MBPDRC must be notified and approve the schedule well in advance.
- It is the ultimate responsibility of the owner to enforce compliance on the part of all contractors, sub-contractors and employees with regard to all Mission Bay Preserve rules and regulations concerning dogs, speed limits, hours of construction and site clean-up.

Lot Clearing & Grading

- Lot clearing and/or grading is prohibited prior to MBPDRC approval and issuance of a building permit by the City of Polson Building Department.
- All proposed tree clearing shall be reviewed by the developer or the MBPDRC prior to removal to assure the retention of as many native trees and flowering plants as practical.
- Dead, diseased, downed trees or low hanging limbs which are a safety hazard may be removed with the approval of the developer.
- All debris shall be removed from the lot within fifteen (15) days of Certificate of Occupancy.

Landscape Construction

- Existing desirable trees, shrubs and native vegetation within the site of construction or adjacent sites must be protected and preserved, to enhance the natural setting desired within Mission Bay Preserve.
- Building materials are prohibited from being stockpiled within the drip line of trees to be preserved.
- Ground disturbance within the drip line of any trees must be approved by MBPDRC

MBPDRC Application for review

Ownership Data

Property Owner's Name: _____

Current Mailing Address _____

Telephone Numbers: Business / Day () _____

Residence / Evening () _____

Property number(s) of proposed construction _____

Address of site(s): _____

Architect / Designer Data

Architect / Designer Name _____

Mailing Address _____

Telephone Numbers: Business / Day () _____

Contractor / Builder Data

Contractor/Builder name: _____

Mailing Address: _____

Business Phone: () _____ Mobile: () _____

Contractor License Number: _____

Landscaper:

Contractor/Builder name: _____

Mailing Address: _____

Business Phone: () _____ Mobile: () _____

Contractor License Number: _____

Application Fee: A non-refundable application fee of \$250.00 is required by Mission Bay Preserve Design Review Board at the time of submittal No. 1.

Security and Performance Fee: A deposit of \$2,500.00 is due upon approval of submittal No. 3. The undersigned understand that the Mission Bay Preserve Design Review Committee has the right to enforce strict compliance with the terms of this approval and the approved documents. Non- Compliance by the undersigned shall result in the forfeiture of the \$2500.00 deposit and the Committee may in addition employ any remedy allowed by law to ensure compliance including specific performance and the recovery of attorney fees. Upon satisfactory completion of the project and final review and approval of the MBPDRC, the \$2500.00 fee shall be refunded to the owner. (For small projects under 200 square feet, the compliance deposit is \$250. For small projects over 200 square feet, the compliance deposit is \$1500.)

MBPDRC Application for review, page 2

Acknowledgement: As a Mission Bay Preserve lot owner intending to build, I/we have read and reviewed with my contractor, landscaper and/or agent, the current Mission Bay Preserve Design Guidelines, Covenants, Conditions and Restrictions and fully understand the requirements set forth as they pertain to this application. All work will be completed in conformance with the approved documents and application. I/we understand there are also state penalties for non-compliance. Any change to any building or landscaping associated with this application shall be resubmitted to the Design Review Board and approval obtained prior to construction of any and all modified plants. Owner, Contractor, and Landscaper are all parties to this document, governed by the terms hereof, and all parties must attend the final review and submit this completed document.

The Owner, Contractor and Landscaper also agree that all construction activity will be limited to the hours of 7:00 am to 6:00 pm Monday through Saturday; no construction work will be allowed on Sundays.

Owner Signature: _____ Date: _____

Builder/Contractor Signature: _____ Date: _____

Landscaper Signature: _____ Date: _____

Mission Bay Preserve Design Review Committee

Home site Number:

Receipt of \$250.00 submittal fee: _____ Date received _____
 Amount of compliance deposit received: _____ Date received _____

(Normal projects: \$2500;

Small projects under 200 sf: \$250.

Small projects over 200 sf: \$1500.)

Received By: _____

MBPDRC Application for review, page 3

Home Program and Areas

Architectural Style: _____

No. of Bedrooms: _____

No. of Baths: _____

Finished Area: _____

Garage Area: _____

Covered Deck/Porch Area: _____

Uncovered Deck/Porch Area: _____

Unfinished Area: _____

Patio Area: _____

Lot Coverage: _____

Design Review Committee Comments:

Section VI: Appendix

For the purpose of these Community Design Guidelines, certain words, terms, and phrases are to be used and interpreted as defined below. Words used in the present tense shall include the future tense; words in the singular number include the plural and the plural the singular; the term "shall" is always mandatory and not directory; and the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

Definitions of general terms: The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout these Design Guidelines. Terms not herein defined shall have the meaning customarily assigned to them or such as the context may imply.

ACCESS: The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

ACCESSORY BUILDING: A subordinate building, the use of which is incidental to that of a main building and located on the same lot therewith.

ACCESSORY USE: A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.

ADVERTISING: Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used, or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures or on buildings, structures, milestones, signboards, wallboard, roof board, frames, supports, fences, or other manmade structure. Any such advertising shall be considered a structure within the meaning of the word "structure" as utilized herein.

AGENCY: City of Polson, Planning and Building Department.

ALTERATION: As applied to a building or structure, a change or rearrangement in the structural parts or an enlargement, whether by extending a side or by increasing its height, or structural changes, other than repairs, that would affect safety. The term "alter" in its various modes and tenses and its practical forms, refers to the making of an alteration.

AREA, BUILDING: The total area taken on a horizontal plane at the main grade level of the principal building and all necessary buildings exclusive of uncovered porches, terraces, and steps.

ASHLAR: Hewn or squared stone; a thin squared and dressed stone for facing a wall of brick.

AVERAGE GROUND ELEVATION: The elevation of the mean finished grade at the front of the structure.

BASEMENT: A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half of its height is above the average ground elevation or when subdivided and used for commercial activities.

BOARD & BATTEN: Wall construction that gives the appearance of wide vertical strips with intervening recesses or projections by means of (1) wide boards rabbeted on transverse edges and lapped not to the entire width of the rabbet on one side or (2) wide boards alternating with narrow and thin battens, usually fitting into grooves in the wide boards, or (3) wide boards covered at the seams by narrow, usually 2" battens.



BUFFER ZONE: A zone of vegetative cover sufficient to restrict significant movement of soil resulting from land-disturbing actions in the immediate vicinity of watercourses in the reservoir area, including manmade or natural drainage ways.

BUILDING: Any structure having a roof supported by columns or walls.

BUILDING AREA OF A LOT: That portion of a lot bounded by the required rear yard, side yards, and the building setback line.

BUILDING CODE(S): The most recent edition of the Uniform Building Code.

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

BUILDING SETBACK LINE: A line delineating the minimum allowable distance between the property lines and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

BUILDING SETBACK LINE, FRONT: A line delineating the minimum allowable distance between the street right-of-way, or if an official future street right of way has been established, from that future street right of way line and the front of a building on a lot and is parallel to or concentric with the street right of way.

BUILDING SETBACK LINE, REAR: A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

BUILDING SETBACK LINE, SIDE: A line delineating the minimum allowable distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line.

CANTILEVER: A beam, girder, truss, or structural member or surface that projects horizontally beyond its vertical support, such as a wall or column; a projecting bracket used for carrying the cornice or extended eaves of a building.

COMMON SPACE: Land in a residential district that is held in common ownership by the landowners of that residential development district and used for amenity or recreational purposes.

CORBELS: Architectural element that projects from within a wall and corbel supports a weight, especially one that is stepped upward and outward from a vertical surface.



COVERAGE: The lot area covered by all buildings and impermeable surfaces located thereon, including the area covered by all overhanging roofs.

CUPOLA: A rounded vault resting on a usually circular base and forming a roof or a ceiling.

CUSTOMARY HOME OCCUPATION: A gainful occupation or profession conducted by a family member residing on the premises and conducted entirely within the principal dwelling unit.

DEVELOPER: Any individual, firm, corporation, association, partnership, or other entity involved in the development of land for itself, Agency, or others.

DISTRICT: Any section or sections of the area lying within the transferred land.

DORMER: A structure projecting above a sloping roof, usually housing a vertical window. It is not part of the roof structure but is framed separately, and often provides daylight and ventilation for a room located in a garret or loft space.

DRIVEWAY: (THICKENED EDGE): The concrete driveway slab is poured thicker at the edges, to form an integral footing; reinforcing rods strengthen the thickened edge.

DWELLING: A building or part thereof used as for habitation.

ELEVATION: A flat scale drawing of the front, rear, or side view of a building. Also a height relative to a station point regarding grade.

ELL: A secondary wing or extension of a building at right angles to its principal dimension.

FAÇADE: A face of a building, an exterior surface component that helps to define the unique architecture and aesthetics of the building.

FAMILY: One or more persons related by blood, marriage, or adoption, or a group of not to exceed five persons not all related by blood, marriage, or adoption, occupying the premises and living as a single housekeeping unit not operated on a for-profit basis, as distinguished from group occupying a boarding or lodging house or similar dwelling for group use. A family shall not be deemed to include domestic servants employed by said family.

FASCIA: A flat, usually horizontal member of a building having the form of a flat band or broad fillet

FINIALS: A crowning ornament or detail (as a decorative knob).

FLOOD: A temporary rise in water levels or an accumulation of water runoff, resulting in inundation of areas not ordinarily covered by water.

FLOOD, 100-YEAR: A flood having a 1 in 100 (1%) chance of being equaled or exceeded in any one-year period.

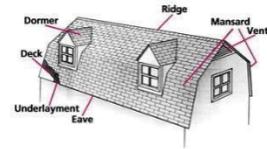
FLOOR AREA: The sum of the gross floor area for each of the several stories under roof, measured from the exterior limits or faces of a building or structure.

FRIEZE BOARDS: A horizontal member connecting the top row of the siding with the underside of the cornice. A decorative band at or near the top of an interior wall below the cornice.

FRONTAGE: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of the street.

GABLES (Gabled Roof): Two sloping planes that meet at a ridge or peak, supported at their ends by two triangular walls known as gables. If the gable is on the façade rather than the back end the building is said to be front-gabled.

GAMBREL: A roof which has two pitches on each side, also called a "mansard" roof. gambrel roof



GRADE, FINISHED: The completed surfaces of lawns, walks, and roads brought to grades as shown on plans or designs.

GREEN AREA: Areas of green land around urban areas to prevent further expansion: they are kept open by severs and normally prevent planning restrictions.

HARDIPLANK: Fiber cement siding; cladding made from a mixture of Portland cement, cellulose or wood fiber material, sand, and other components.

HEIGHT OF BUILDING OR STRUCTURE: The vertical distance from the point, on natural grade, at the center of a lot where the diagonals intersect, to the highest point of the building or structure.

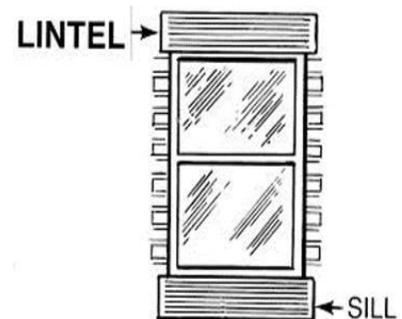
HIPS: The external angle at the junction of two sloping roofs or sides of a roof. The rafter at the angle where two sloping roofs or sides of roofs meet.

HIP ROOF: A roof having sloping ends and sloping sides.

KNEE BRACE: A corner brace; a diagonal member placed across the angle between two members that are joined; serves to stiffen and strengthen a framework so constructed.

LAND-DISTURBING ACTIVITY: Any land-disturbing activity including cutting, filling, borrowing, stockpiling, or other activity where material or ground cover is removed or altered.

LINTEL: Structural horizontal block spanning the space between two vertical supports.



LOT or HOMESITE: A piece, plot, or parcel of land in one ownership, which may include one or more lots of record, occupied or to be

occupied by one principal building and its accessory buildings, including the open spaces required under these standards.

LOT, AREA: The total surface land area included within lot lines.

LOT, CORNER: A lot of which at least two adjoining sides abut their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than 135 degrees.

LOT, DEPTH: The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

LOT, FRONTAGE: That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

LOT, INTERIOR: A lot other than a corner lot. **LOT LINE:** The boundary dividing a given lot from the street, an alley, or adjacent lots.

LOT, WIDTH: The width of a lot at the building setback line measured at right angles to its depth.

LOUVERED VENT: An assemble of sloping, overlapping blades or slats; may be fixed or adjustable, designed to admit air and/or light in varying degrees and to exclude rain and snow; especially used in doors, windows, and the intake and discharge of mechanical ventilation systems.

MANSARD: A roof having two slopes on all sides with the lower slope steeper than the upper one.

MASSING: The overall composition of the exterior of the major volumes of a building especially when a structure has major and minor elements.

METAL HALIDE LIGHTING: An electric-discharge lamp in which the light is produced by the radiation from a mixture of a metallic vapor (e.g. mercury) and the products of the dissociation of halides (e.g. halides of thallium, indium, sodium, etc.)

MINIMUM FLOOR ELEVATION: The lowest elevation permissible for the construction, erection, or other placement of any floor, including a basement floor.

OPEN SPACE: An area on the same lot with a main building which is open, unoccupied, and unobstructed by structures from the ground to the sky except as otherwise provided in these standards.

OWNER: The person in whom or which is vested the ownership, dominion, or title of property so far as the law permits.

PARKING SPACE: An off-street space available for parking one motor vehicle and having an area of not less than 200 square feet exclusive of passageways and driveways giving access thereto and having access to a street or alley.

PERSON: "Person" includes a firm, partnership, corporation, joint venture, or Federal, State, or local agency, as well as an individual.

PITCH: (ROOF) Numerical measure of the steepness of a roof. The roof's pitch is its vertical rise divided by its horizontal span (or "run"). It is typically expressed with the rise first and run second, with the run denominated by the number 12, giving a ration of how many inches of incline there is to each foot of run. For example, 3:12, 4:12, 5:12 and so on.

PLANS AND SPECIFICATIONS: A set of drawings or two-dimensional diagrams used to describe a building and to communicate building instructions. Plans are used in architecture to capture all the geometric features of a site, through design drawings, specifications, grading, access, landscaping plans and designs, or any other document, drawing, or literature which illustrates, describes, or otherwise interprets the plan of development proposed for any structure, site, or subdivision designated for development. The end goal of plans is either to portray an existing place or object, or to convey enough information to allow a builder or manufacturer to realize a design.

PLATE: Beneath a row of studs; a thin flat sheet of material. In wood frame construction, a horizontal board or timber connecting and terminating posts, joists, rafters, etc.

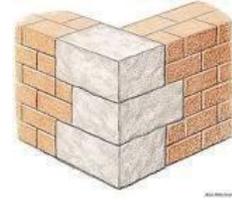
PRINCIPAL USE: The specific primary purpose for which land or a building is used.

PUBLIC ROAD: A road or highway over which the public has the right of passage.

PUBLIC USE: Public parks, schools, and administrative, cultural, and service buildings, not including public land or buildings, devoted solely to storage and maintenance of equipment and materials.

PUBLIC WATER: A municipal, community, or utility district water treatment and distribution system of a type approved by the State Department of Public Health and the Public Service Commission.

QUOINS: Masonry blocks at the corner of a wall.



RAKES: A board or molding along the sloping edge of a gable, covers the edges of the siding. On the roof of an early colonial house, a flat board covering the lower ends of the rafters.

RECREATIONAL VEHICLE: Travel Trailer, Boat or Watercraft See **TRAVEL TRAILER.**

RESIDENTIAL DEVELOPMENT: The comprehensive and orderly development of land designated for such purposes, either by subdivision or planned unit development.

RIGHT OF WAY: The right of passage imposed by law or convention through which one has the right to pass or drive through the estate of another.

ROADWAY: The actual road surface, including necessary road shoulders and drainage facilities, ditches, curbs, and gutters, which is used to transport motor vehicles.

SALTBOX: Steeply pitched and side-gabled with a long rear plane that extends over a lean-to in back.

SETBACK: The minimum distance between a reference line (usually a property line) and a building, or portion thereof, as required by ordinance or code.

SHED ROOF: A roof having a single slope.

SIGN, OR OTHER ADVERTISING DEVICE: Any structure or part thereof or device attached thereto or represented thereon which shall display or include any letter, words, model, banner, flag, pennant, insignia, or any representation used as, or which is in the nature of, an announcement, direction, or advertisement. The word "sign" does not include the flag, pennant, or insignia of any nation, State, city, or other political unit.

SIGN, OFF-PREMISE: A remote sign relating to a product, service, or establishment that is on the premises to which the sign is referring.

SIGN, ON-PREMISE: A sign relating to a product, service, or establishment that is on the premises on which the sign is located.

SITE: Any tract, lot, or parcel of land or combination of tracts, lots, or parcels of land which is in one ownership or is continuous and in diverse ownership where grading, construction, or development is to be performed as part of a unit, subdivision, or

SPECIFICATIONS: See PLANS AND SPECIFICATIONS.

STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above or any portion of a building between the topmost floor and the roof which is used for human occupancy in which the floor area with 8 feet or more head clearance equals 50 percent or more of floor area of the next story below. Provided it is not used as a dwelling unit, a top floor in which the floor area

with 8 feet or more of head clearance equals less than 50 percent of the floor area of the story next below shall be a "half-story." A basement shall be considered as a story if more than half of its height is above the average ground level from which the "height of a building" is measured or if it is used for commercial purposes.

STREET: SEE ROADWAY

STRUCTURE: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including, among other things, signs, billboards, and fences. Structure shall also mean any fill, diversion dam, or other manmade thing or device which affects or alters the natural flow of surface waters upon or across any natural or artificial stream, wash, or drainage channel.

STUCCO: A fine plaster used in decoration and ornamentation (exterior or interior walls)

SUBDIVISION: The division of a tract or parcel of land into two or more lots, plots, sites, or other division of land for the purpose of sale or building development, whether immediate or future, including the re-subdivision of such tract or parcel.

SWIMMING POOLS: An outdoor swimming pool shall be any pool or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth of any point greater than one and one-half feet.

THICKENED EDGE: (For driveways)

TRANSOM: The window placed directly over a window or door; may be a fixed or operable window.

TRAVEL TRAILER: A vehicular, portable structure designed as a temporary dwelling for travel, recreation, and vacation uses.

TRELLIS: A frame of latticework used as a screen or as a support for climbing plants.

USE: The purpose under these standards for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

WATERCOURSE: Any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, or wash in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel, bed, or banks subject to inundation by reason of overflow or surface water.

WINDOW HEADER: The upper horizontal cross member of a window frame.

YARD: An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings from the ground to the sky except as otherwise provided in this resolution, provided that accessory buildings may be located in a rear yard.

YARD, FRONT: The yard extending across the entire width of the lot between the nearest parts of the principal building, including porches, and the front lot line.

YARD, REAR: The yard extending across the entire width of the lot between the nearest parts of the principal building, including porches, and the rear lot line.

YARD, SIDE: The required space unoccupied, except as herein provided, measured between the side lot line and the nearest point of the principal building and between the front yard and the rear yard.