



TAMARACK HEIGHTS

AT MEADOW LAKE



**Tamarack Heights at Meadow Lake
Homeowners Association, Inc.**

**Tamarack Heights
at
Meadow Lake Homeowners Association, Inc.
COMMUNITY STANDARDS,
DESIGN STANDARDS, &
CONSTRUCTION REGULATIONS**

Amended September 14, 2013

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1. INTRODUCTION

Architectural review for improvements at Tamarack Heights at Meadow Lake (TH) arises from the Declaration of Restrictive Covenants, Conditions, and Restrictions for the subdivision. Improvements within TH are also subject to review and approval under the Declaration of Covenants for Meadow Lake Country Club Estates. Architectural review pursuant to the TH Declaration will be performed by the Declarant, its nominee, or Declarant may assign review responsibilities to the Meadow Lake Architectural Review Board (Meadow Lake ARB). All plans for improvements must be approved by Declarant, or its nominee, and the Meadow Lake ARB.

1.1 Development Philosophy

The development philosophy of TH is to encourage development that protects and enhances the value of all property within the community, giving appropriate consideration to the impact of a particular development, while respecting, to the degree possible consistent with such protection, the preferences of the owners of the property being developed.

1.2 Purpose of the Design Standards

The purpose of these Standards is to guide the Applicant in achieving the desired level of site development consistent with the overall design concept for TH. These Design Standards are intended to aid the Applicant in achieving a style, character and quality of development conforming to the goals and objectives for TH.

1.3 Relationship to CC&R's and Zoning Plan

Whenever these Design Standards are more restrictive than the Declaration of Restrictive Covenants, Conditions and Restrictions, these Standards shall prevail. The Applicant should refer to the Declarant, its nominee, or the Meadow Lake Architectural Review Board (ARB or Meadow Lake ARB) if it has been assigned Declarant's review responsibilities, for information on specific requirements. The goal of these Standards is to ensure development of a high quality community, thereby protecting and enhancing

the investment of all those locating within TH.

These Design Standards shall apply to all properties in TH that are developed after the adoption of this document, and are in addition to the requirements of the International Residential Code (IRC) and/or International Building Code (IBC) as adopted by the State of Montana. All standards set forth herein are subject to the criteria established in the applicable Federal, State, County or Municipal regulations, whichever criteria are more restrictive. In addition to approval of plans by the ARB, it may be necessary for the owner to comply with City of Columbia Falls regulations prior to commencement of construction.

1.4 Residential Design Standards

The residential component of the TH community will occupy the majority of the developed project. Carefully planned Design Standards will help to keep the physical impacts of residential development at a minimum, while enhancing the quality of life for those living in the community. The standards listed below are applicable to all residential development except where noted.



2. COMMUNITY STANDARDS

2.1 Purpose

To preserve the natural beauty and overall appearance of the community, the following standards shall be enforced. All restrictions as established by the Declaration of Restrictive Covenants, Conditions and Restrictions of Tamarack Heights at Meadow Lake shall be incorporated into this section by reference. While design criteria enforced by the Meadow Lake ARB are not specifically incorporated into this section, they are applicable to Tamarack Heights at Meadow Lake.

2.2 Exterior Changes

All changes to the exterior of a residence must be approved by the ARB. Changes include but are not limited to new paint colors, all exterior materials including roofing materials, additions, alterations, accessory structures, fences, and grading and significant landscape changes.

2.3 Maintenance

All residences and lots shall be maintained in an appropriate manner. Exterior building materials shall be painted and/or stained regularly to prevent excessive weathering and decay. All landscaping shall be maintained and replaced as necessary in accordance with

the Landscape Standards.

Failure to maintain the exterior of a residence or grounds will result in an issuance of noncompliance to the owner of said residence or grounds. In the event an Owner fails to correct this issue, the TH Homeowners Association (THHOA) may make repairs and improve the appearance in a reasonable manner. The direct cost plus an administrative surcharge equaling 50% of the direct cost shall be assessed against the owner of the residence or lot upon which the work is executed and billed to the property and may become a lien on the property if not paid in full in 30 days. (see Section 9.2 for notification policy)

2.4 Signage

Except for the Declarant and its agent, all security, pool, construction, financing, for sale and other similar signs utilized for advertising are prohibited within TH. The only exceptions are the address markers described in Section 3.7, the temporary construction sign described herein and the standardized open house signs approved by the ARB. The following should be displayed on temporary construction sign:

- ☐ General Contractor
- ☐ Contact Party
- ☐ Daytime Telephone Number
- ☐ After Hours Telephone Number if Different
- ☐ Street Address

The TH HOA may elect to provide address marker signs.

2.5 Garbage, Refuse, and Firewood

All garbage or refuse shall be kept within an enclosed portion of the building. On days of trash collection, closed trashcans shall be permitted at the point of collection. Trashcans may not be put outside before 6:00 a.m. on the day of pick-up, which will not occur before 10:00 a.m. No exterior portion of any Lot shall be used to store garbage, landscape material, refuse, or any other such material, or containers therefore. Firewood storage is permitted as long as it is neatly stacked or stored in an unobtrusive manner. Violations could result in monetary penalties. (See Section 9.2)

2.6 Pets

No animals of any kind shall be raised, bred or kept on any property excepting that dogs, cats and other approved domestic animals not in excess of two (2) may be kept and raised in any single residence, but not for commercial purposes. Permitted animals must be confined to a leash while being exercised by their owners when not on there own property and not allowed to run at large.

Pet owners in TH must abide by Flathead County pet laws concerning leash laws and dogs at large. Pet owners are required to pick up pet waste in accordance with Flathead County pet laws. When violations occur TH HOA may intervene to quarantine dogs until authorities can respond.

2.7 Recreational Vehicles

Recreational vehicles, heavy trucks, utility trailers, boats and boat trailers, and unlicensed or inoperable vehicles shall not be stored outside or allowed to remain along roadways on the property, but may be kept on the property if placed in a garage where they are screened from view. Refer to Section 8 – Construction Standards for applicable policies related to construction trailers, parking for work vehicles, etc.

2.8 Compliance

Failure to comply with these guidelines will result in issuance of non-compliance notices and may result in the imposition of applicable fines as defined in Section 9.2.



3. SITE DEVELOPMENT STANDARDS

3.1 Use Restrictions

Each lot shall be subject to the following maximum site use limitations:

Maximum Building Footprint of Single Family Lots is subject to Columbia Falls Area Zoning Ordinance. Zoning Districts CR-3 and CR-4.

Maximum coverage of the building footprint shall not exceed 30% or 35% of total lot square footage respectively within the underlying CR-3 or CR-4 zoning districts.

The coverage of the buildings and impervious surfaces shall not exceed 65% or 70% of the lot square footage in each of the respective zoning districts. (Impervious materials are defined as pavements, sidewalks, decks and patios)

Minimum footprint size of any residential structure in the CR-3 Zone shall be 1800 square feet with multiple garages (no more than 600 square feet allocated to garage space).

Minimum footprint size of any residential structure in the CR-4 Zone shall be 1400 square feet with multiple garages (no more than 600 square feet allocated to garage space).

The second story of any single family home shall not have square footage in excess of 80% of the square footage of the main floor. For the purpose of this document, basements are not considered main floor. “Basement” is defined as that portion of a building partly underground and having at least one-half of its height more than five feet below the

adjoining finished grade.

3.2 Building Setbacks, Building Envelopes and Construction Envelopes

Proposed structures for single family residences shall conform to setbacks established in “Columbia Falls Area Zoning Ordinance” for appropriate zone. Both CR-3 and CR-4 zones are established in TH.

In addition TH will provide a site diagram for each site describing the approved building envelope and CR. The Owner shall place the structure within the building envelope or setbacks whichever are more restrictive. Site disturbance shall be confined to the established Construction Envelope.

Projections from a building including stairs, balconies, chimney flues, decks, etc. should be contained within the Building Envelope. Only stairs, balconies, decks, patios and sidewalks that are less than 24” above ground level are allowed to encroach into the setback.

Driveways and walkways require a minimum setback from lot lines of three (3) feet.



3.3 Driveways and Off-Street Parking

All residences shall have a minimum of two off-street parking spaces. One of these parking spaces must be enclosed within a garage and one additional off-street surface parking space shall be provided. All driveways and parking areas shall be hard surfaced with asphalt, concrete, paver stones, or other similar materials as approved by the ARB.

All driveway and parking areas shall be designed to minimize disturbance on the lot. Large parking areas shall be screened with landscaping and located on the lot to limit the visibility of large paved areas from the street and adjacent residences. Driveway widths shall be limited as much as possible where they intersect the street, and in no instance shall the width at the street be larger than 20 feet. All driveway areas must be completed within twelve (12) months of the start of construction and prior to the release of the compliance/completion assurance instrument (see Section 7.6).

All site plans submitted for review should include detail for culverts at each driveway or access crossing roadside ditches, if needed.

3.4 Dog Runs

Dog runs should be incorporated within the design of the structure, completely concealed from view by landscaping year-around, and are subject to review by the ARB.

3.5 Fences and Walls

Fences and walls may be used for privacy, to delineate the Private Areas from the rest of the Building Envelope, and as screening for cars and service areas of the Residence. They should be a visible extension of the architecture of the Residence, and must be located within the Building Envelope. The colors of exterior walls must conform to the same color standards as described in Section 5.18. Privacy or screen walls exceeding 3 feet in height from the lowest Natural Grade adjacent to the outside wall must be approved by ARB.

Fences are not allowed on boundary lines.

3.6 Lighting

The following lighting criteria have been carefully considered. The intent of these criteria is to create a unified, natural effect, which will not interfere or compete with the nighttime views.

Site lighting is defined as lighting mounted on the building, ground, and trees or on site walls for the purpose of providing security, decorative accent or functional lighting to outdoor spaces. Building mounted lighting is defined as lighting attached into or onto building walls, ceilings, eaves, soffits or fascias.

- ⑩ Site lighting must be directed downward onto vegetation or prominent site features and may not be used to light walls or building elements. Up lighting more than 45 degrees above the horizontal is prohibited and lighting aimed between zero and 45 degrees above horizontal must be directed toward the interior of the lot upon which it is located.
- ⑩ All exterior lighting must provide for significant shielding to ensure that light sources and lamps are not visible from other properties, from roads or from off-site; no bare lamps will be permitted. Recessed lights in exterior soffits, eaves, or ceilings shall have the lamp recessed a minimum of 3" into the ceiling. Only incandescent lamps with a maximum wattage of 60 watts will be allowed for exterior lighting unless specific approval is received from the ARB. Low voltage lighting is recommended since these fixtures are typically small and can be easily concealed within the native vegetation. Colored lights will not be allowed for exterior lighting.
- ⑩ No lighting will be permitted in natural areas or outside the areas enclosed by patio or building walls. Site lighting must be confined to areas enclosed by walls or be in the immediate vicinity of the main entrance or outdoor living spaces of the residence.
- ⑩ Community fire hydrants, mailboxes, and signs may be illuminated, provided that the light source is significantly shielded. These lights are not subject to curfew.
- ⑩ Adjacent to the front door one light fixture shall be placed which illuminates the house number. This fixture (maximum 60 watts) shall be controlled by a photoelectric cell so that it emits light during daily periods of darkness. In the event the front door is not clearly visible from the street an alternate position may be approved by the ARB.
- ⑩ Lights on motion detectors for the purpose of security illumination are prohibited but

may be allowed subject to specific approval of the ARB if the lights so activated do not illuminate adjacent properties. If allowed by the ARB, these lights will only be allowed to operate on a motion detector and stay lit for a maximum of 5 continuous minutes. Security lights of any type or location must still meet the requirements of shielding the light sources and the light sources may not be visible from neighboring property. If problems with these lights occur, the ARB reserves the right to demand that the fixtures be disconnected. If allowed, care must be taken to avoid setting off the motion detector by the motion of vegetation and the movement of wildlife. Generally, the motion detector's range should be limited to the Building Envelope area. These lights will not be allowed to operate for the purpose of general illumination.

- ⑩ There shall be a curfew on exterior lighting (with the exception of house numbers) during the hours of 10 p.m. to 6 a.m. It is recommended that a timer be used to achieve this standard. Exterior lighting may be operated after 10 p.m. if the area being illuminated is in use.
- ⑩ Holiday lighting is allowed, however, every effort should be made to mount such displays in locations that are not obtrusive to, or damaging to the natural environment. All holiday lighting should be in place for only seven (7) days prior to Thanksgiving and fifteen (15) days after the New Year's Holiday.

3.7 Owner Identification or Address Marker

Street and number designation if detached from the house, shall be of an integrated design complimentary to the home. Location of marker must be designated on plans at time of final application. Design of the marker must be submitted for review and approval prior to installation. Lighted number is required on home in all instances (See Section 3.6).

The marker may contain:

- ⑩ Owner Name
- ⑩ Street Address

3.8 Grading and Drainage

Grading will be necessary in the course of community development as roads; buildings and other improvements are constructed. A grading plan that illustrates existing and proposed contours cut and fill areas and all existing plant material within the subject area shall be included with each submission to the ARB for review. Grading should be designed to blend into the natural landscape. Structures, driveways and other constructed elements shall be designed to minimize disturbance of the natural terrain. Existing or natural drainage patterns should be utilized whenever possible. Disturbed areas shall be kept to an absolute minimum to reduce impacts on the surrounding environment. All grading for each lot shall be confined to that lot and shall be designed to prevent additional water from draining onto adjacent lots. Grading shall be curved and undulating to create a rolling, natural appearance. No sharp or squared contours will be permitted. Cuts and fills should be feathered into existing terrain and supported by appropriate retaining wall.

Conservation and protection of topsoil, vegetation, rock formations and unique landscape features should occur whenever possible. Retaining walls may be used instead of or in combination with slopes to encourage terracing. Walls shall be constructed of materials

that are harmonious with the adjacent structure(s) and the indigenous materials of the site. Exposed poured concrete retaining walls or CMU are not allowed. Exposed cut or fill slopes must be restored so that the finished product blends smoothly with the surrounding terrain and architecture. Native rock and/or native plant material shall be used to prevent erosion and create visually pleasing treatments. Incongruous treatments are prohibited.

Temporary erosion control devices shall be installed during construction as necessary on each lot to prevent erosion and run-off onto adjacent properties or right-of-ways and to permit the installation of all required landscaping. In addition, adequate areas for snow storage located on the lot shall be provided during the winter months.

All plans and specifications for the construction and improvements on a lot, and the actual construction of such improvements, shall maintain all drainage easements and rights-of way within the properties clear and unobstructed. All disturbed areas of the site shall be re-vegetated and restored in a manner consistent with these regulations.

Aside from the removal of brush, dead, diseased and dangerous trees, dead vegetation and immature trees (no more than a 4" diameter at 12" above the ground) no lot owner may undertake any activity on a lot which will materially affect the contour or appearance of that lot without the express written consent of the ARB.

3.9 Outbuildings and Accessory Structures

The use of outbuildings is prohibited. The design and location for all accessory structures, including hot tubs, playhouses, and the like, must be approved by the ARB. Accessory structures shall be located on the lot to minimize visibility from adjacent properties and in some instances shall be screened with landscaping. Accessory structures are not permitted to be placed in the building setbacks. No more than two accessory structures shall be permitted on a lot to avoid excessive clutter of the TH environment.

3.10 Detached Garages

For the purpose of this standard a detached garage shall not be considered an accessory structure. All detached garages shall be constructed within the Building Envelope

3.11 Antenna and Satellite Dishes

Radio, television antenna, and satellite dish installations on single family or primary residences are subject to the following guidelines:

- A. The size of the dish may not exceed 20 inches in diameter.
- B. All antenna locations must receive approval from the ARB prior to installation.
- C. Large or unsightly antennas may be rejected at discretion of ARB

3.12 No Visible Storage Tanks

All private fuel tanks, water tanks, or similar storage facilities shall be shielded from view from adjacent lots, streets or common areas by walls, structures, landscape or shall be located underground with all visible projections screened from view for adjacent lots, streets and common areas.

3.13 No Freestanding Flagpoles

Freestanding flagpoles are not allowed. Displaying a single National or State flag is permitted if it is hung from a pole bracket mounted on the residence or if it is suspended from a roof overhang.

3.14 Barbecues, Firepits and Fireplaces

Built-in barbecues, firepits and/or fireplaces must be contained within the rear yard patio or courtyard. Chimney elements must be sited to avoid obstructing views from adjacent properties. Also, caution must be exercised to avoid the proximity of smoke to neighboring Residences. The chimney element of such improvements must set back a minimum of 10' from any side or rear view fence panel. Gas and wood burning units will be allowed only as permitted by environmental regulations.

3.15 Basketball Hoops and Other Recreational Facilities

Basketball hoops and backboards may be installed on any Residence, when approved in advance by the ARB. The installation of such items will be subject to any stipulations imposed by the ARB. Particular attention will be given to the visual and acoustic privacy of adjacent Lots, as well as color and visibility of its location. Lighting of the hoop and backboard, or other recreational facilities, is not permitted.



4. LANDSCAPE STANDARDS

4.1 Introduction

Tamarack Heights is a development that not only adjoins the Meadow Lake Golf Course, but also the forested foothills that buttress the north end of the Flathead Valley and lead up to the North Fork of the Flathead River and on up to Glacier National Park. Good landscaping in a new development such as Tamarack Heights represents a balance between the native landscape of northwest Montana and the myriad of domestic plants that will thrive in this particular climatic zone. It is important to respect and conserve native plants and landscapes where at all possible and to compliment them with the wide palette of perennials, shrubs and trees that we have at our disposal from local nurseries and other landscape outlets. At Tamarack Heights we are not out to re-invent the landscape of Northwest Montana but instead to compliment it with the tasteful landscaping and finishing of disturbed building sites.

The Meadow Lake Golf Course is an important asset to our community. Maintaining tree lined fairways, natural transitions from the golf course to homeowner lots and a positive aesthetic view from the golf course, should be important factors in a landscape plan. Lots that border the golf course will receive higher scrutiny in their landscape plan and may be judged to a higher standard. An important consideration is to limit the removal of large trees to maintain a more natural appearance and provide some protection from errant golf shots



All applications shall include a complete landscape plan, presented on a scaled site plan (1/8"=1'-0" or 1"=10' recommended) of the lot complete with proposed contours. Proposed plant materials, groundcovers, hardscapes, edging and other proposed materials shall be clearly identified on the plan that is submitted. The landscape design on each of the lots should provide a suitable setting for the dwelling unit and associated garage along with other site components. Landscaping should be focused on the building envelope area and on the attractive integration of the driveway and site as viewed from the adjoining roadway.

4.2 Typical Landscape Treatment

A typical landscape treatment may include:

- ☐ areas of turf-grass lawn (bluegrass or turf type tall fescue)
- ☐ well defined beds of deciduous and evergreen shrubs
- ☐ perennial ground covers and/or annual flowers
- ☐ landscape edging and mulch
- ☐ deciduous shade and ornamental trees
- ☐ evergreen trees
- ☐ landscape mounds and landscape boulders
- ☐ native plant material areas or clusters
- ☐ underground automatic sprinkler systems on all areas formally landscaped

Note: A recommended list of perennials, shrubs and trees is included in Appendix "F".

Landscape designs are intended to compliment, enhance and provide a pleasing aesthetic setting for the structure. The landscape layout should utilize landscape plant materials to create variations in color, texture, size and shape. Landscape plant materials and manmade elements, if used, should be arranged to create an attractive and pleasing composition. The landscape design should pay particular attention to the appearance of the site from the roadway. Front yards and yards along roadways must be landscaped with a balanced palette of domesticated and native plant arrangements. Sod is the recommended treatment for turf-grass areas. To avoid sod edges and other perimeters that

follow lot lines it is recommended that a meandering border of native groundcovers, shrubs and trees be preserved or created between residential lot lines.

4.3 Native Area Landscape Alternative

A native area is a portion of the lot protected from disturbance during construction and left to remain in a natural condition. Native areas are representative of natural plant communities typical in northwest Montana. For example, the back portion of steep lots and areas adjacent to existing native open space areas along with lot to lot buffers are appropriate for native area landscape treatment. It is recommended that landscape treatments be discussed and explored with the ARB at the preliminary meeting prior to initial site planning.

4.4 Man-made Elements

Man-made elements, including sculpture, play equipment; water features and similar items or apparatus are subject to review by the ARB. Generally, man-made elements should blend with and complement the natural landscape or be of a material that is compatible with the materials used on the outside of the residence.

4.5 Landscaping Adjacent to the Street

Proposed front yard landscape treatment should be extended to the edge of the roadway shoulder to include the roadside swale or parkway and should be consistent and compatible with surrounding areas and lots. Use of both domesticated and native plant areas are encouraged as long as the design meets the approval of the ARB.

4.6 Landscape Maintenance

In order to protect the appearance, character and quality of the Tamarack Heights community, it is necessary to enforce a minimum standard for landscape maintenance. Sod/turf-grass areas should receive sufficient irrigation to remain in a healthy and green condition. Turfgrass should not be allowed to grow to a height taller than 4" between mowing. Weeds, including but not limited to dandelion, thistle, knapweed and clover should be suppressed by regular mowing, herbicide applications or hand removal to limit weed infestation. Trees, shrubs and ground covers should receive sufficient irrigation to remain in a healthy, growing condition. Landscape materials should be properly pruned, when appropriate, to improve appearance, correct defects and remove dead or diseased wood. Plant materials that are diseased or infested should be treated by the owner to control the spread of the disease or infestation or promptly removed. Landscape materials originally proposed on the approved site landscape plan that have died or are in poor condition shall be replaced by the owner. Replacement material should meet all conditions set forth elsewhere in these regulations. Weed control and removal of dead, dangerous or diseased trees is mandatory on all vacant lots and homeowners association open space areas. This includes the Flathead County and Montana State list of noxious weeds such as knapweed, Russian thistle and Canadian thistle.

Wildflower areas should be minimized in front yard or street side yard locations. Wildflower areas should receive sufficient irrigation to promote plant growth and flowering and to compete with weed species. Wildflower areas should be mowed once each fall to aid in seed dispersal, control weeds, and improve winter appearance. Weeds

should be controlled by spot application of herbicides or hand removal to limit the infestation and control their spread. Native areas should receive regular maintenance to control weed infestations through the proper application of herbicides or by hand removal.

4.7 Wildfire Protection

In Montana, summer typically brings the fire season—the result of low rainfall, high temperatures, low humidities, and summer thunderstorms. Nevertheless, major wildfires can occur at any time of the year. Varied topography, semi-arid climate, and numerous human-related sources of ignition make this possible. But Tamarack Heights residents can readily protect lives, property, natural resources, and scenic beauty and greatly facilitates the work of fire suppression organizations by application of the guidelines below.

The forested and vegetated slopes of the Tamarack Heights site are the essence of this mountain setting. It is important to the overall character and quality of the Tamarack Heights environment that this vegetation be maintained. Yet at the same time trees, brush and dense undergrowth are the primary fire hazards. The vegetation can ignite readily, burn with intense heat, and promote rapid spread of fire. Vegetation must be managed so as to reduce exposure of structures to flames and radiant heat during a wildfire. The reduction of flammable vegetation and other hazards around buildings provides a “defensible space” for firefighters and residents.

To accomplish the dual objectives of maintaining fire safety while protecting sensitive native vegetation, a fuel modification program should incorporate a combination of fire-resistant building materials, setbacks for combustible construction, irrigated buffer zones, and graduated fuel modification zones. A minimum amount of native vegetation should be selectively thinned and dead material removed to control the heat and intensity of wild land fires in order to preserve the overall quality of the natural areas to the greatest possible extent.

The proposed fuel modification is subdivided into three zones of Defensible Space. The Zones are described in dimensions relative to the building or combustible structure location, not to property line. The concentric zones are described below.

Zone 1 This well-irrigated area encircles the structure for at least 30 feet on all sides, providing space for the fire suppression equipment in the event of an emergency. Plants should be limited to carefully spaced fire resistant tree and shrub species.

Zone 2 Fire resistant plant materials should be used here. Plants should be low-growing and the irrigation system should extend into this section.

Zone 3 Place low-growing plants and well-spaced trees in this area, remembering to keep the volume of vegetation (fuel) low.

Zone 4 This furthest zone from the structure is a natural area. Thin selectively here and remove highly flammable vegetation.

Buildings placed in a wooded setting should take special precautions to create your “firewise” structure, remember that the primary goals are fuel and exposure reduction. Use construction materials that are fire-resistant or non-combustible whenever possible. Use shingles such as Class-A asphalt, slate or clay tile, metal, or cement and concrete products for roof. Prevent sparks from entering your home through vents, by covering exterior attic and underfloor vents with wire mesh no larger than 1/8 of an inch.

Any structure attached to the house, such as decks, porches, fences and sheds should be considered part of the house. These structures can act as fuses of fuel bridges, particularly if constructed from flammable materials. If you wish to attach an all-wood fence to your home, use masonry or metal as a protective barrier between the fence and house. Prevent combustible materials and debris from accumulating beneath patio deck or elevated porches; screen underneath or box in areas below the deck or porch with wire mesh no larger than 1/8 of an inch

5. ARCHITECTURAL STANDARDS

5.1 Architectural Design Theme

The architectural theme for the TH community reflects the thoughtful integration of structures with the mountainous environment of Northwest Montana. In general, structures, which are integrated into the natural terrain and vegetation, are encouraged.

5.2 Authentic Architecture

These guidelines are intended to emulate Northwest Montana’s legacy of architectural character so appropriate to the environment, climatic conditions, and forested setting. The Lodges of Glacier National Park with their steep sheltering roofs, rugged stone foundations and plentiful use of wood in supporting and wrapping the structure exemplify this.



Tamarack Heights seeks to continue this Northwest Montana heritage to create buildings that blend with our wooded environment.

The core ingredients log, heavy timber, wood and stone establish a palette of materials for the architect to draw from. Care should be taken to create four-sided architecture with equally attractive sides.

Building forms, materials and colors must blend with and complement rather than compete with the natural landscape. Emphasis on natural materials and muted colors is essential. In order to create an intimate residential scale and not dominate the natural landscape, long, unbroken walls and roofs should be avoided. Vertical and horizontal offsets need to be included. Architectural forms shall be softened by the inclusion of

chimneys, balconies, bay windows, appropriate entrance treatments, and other such devices.

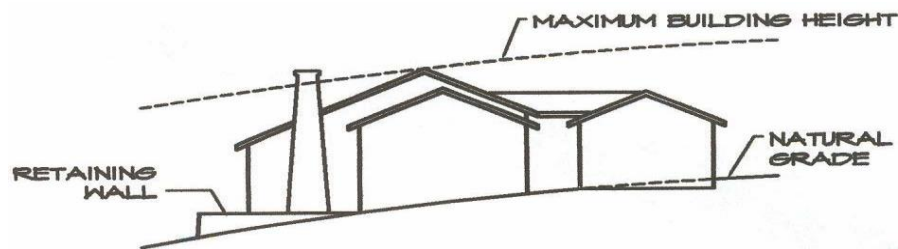
The style of the subdivision would be considered to have mainly wood buildings so those units complement each other rather than compete with each other. Buildings, which are primarily brick or stucco, are discouraged. Log Homes are permitted in Phase I, Phase X, Phase Y only. Vinyl or metal, as a primary surface treatment, is prohibited. Garages should be coordinated with the design of the structure.

5.3 Building Sizes

It is expected that residences will contain at least 1,800 square feet, in CR-3 Zoning or 1,400 square feet, in CR-4 Zoning with no more than 600 square feet allocated to garage space. Any size residence may be approved by the ARB if, in its opinion, the design would not result in a residence, which would be out of character with the other residences in Tamarack Heights.

5.4 Building Height

On single family structures the recommended maximum height is measured from the highest point on any ridge, peak or corner of any structure, projected in a vertical line to the natural existing grade directly below. Roof projections like chimney flues may be allowed to penetrate maximum building height. See diagram below.



Retaining walls and other walls not directly supporting a Residence or Structure, except screen walls, shall not exceed 6 feet in height, measured from the lowest Natural Grade (measured on the outside of the wall) adjacent to the wall. Use multiple walls not over 6 feet in height and incorporate a 6 foot separation between walls to be softened by landscaping.

Retaining walls, which directly support a Residence or Structure, will be considered part of the elevation and will therefore be included in the overall height restrictions as listed above and reviewed by the ARB accordingly.

The ARB intends to discourage, and has the right to prohibit, the construction of any Residence or Structure, which would appear excessive in height when viewed from the street, or other Lots anywhere in TH.

The design of the structures for the two distinct neighborhoods in TH must comply with the following height restrictions:

TH -- CR-3 maximum height is 35' irrespective of chimneys from natural grade at foundation wall.

TH -- CR-4 maximum height is 35' irrespective of chimneys from natural grade at foundation wall.

Detached garages will have a maximum height of 20' and may not have any exterior stairs constructed to access any living space built in the attic of the garage.

Walls not directly supporting a Residence or Structure, except screen walls, shall not exceed 8 feet in height, measured from the lowest Natural Grade (measured on the outside of the wall) adjacent to the wall. The appearance of such walls over 6 feet in height must incorporate a 6-foot separation between walls to be softened by landscaping. Screen and freestanding walls may not exceed 4 feet in height measured from the lowest Natural Grade adjacent to the wall.

5.5 Massing

Each Residence must be composed of multiple masses with each mass distinguished by a minimum vertical and horizontal offset of two (2) feet. At least two distinct masses, with a maximum of 35' dimension along any given wall plain, must be visible on each building elevation and the size of each must be in proportion to the overall scale of the residence.



5.6 Roofing

All roofs shall be of a material, texture, and color approved by the. Dormers and other roof projections may be permitted as long as the overall appearance of the structure is not compromised in the opinion of the ARB. The overall appearance of the Residence will be an important consideration. Overhead screens, shade covers, patio roofs, and other similar structures shall be constructed of materials and colors to coordinate with the main roof. All vents and other roof penetrations and projections shall be colored to match the finished roof material color. No mechanical equipment of any kind will be permitted on roofs.

Roofs should be constructed of architectural style shingles, concrete tiles, “Woodruff” and composite shingles. Other roofing materials including metal may be approved by the ARB when special circumstances are shown. A flat non-glossy finish is required.

Roof ridgelines shall be an important consideration during the design review process. Pitched rooflines may not extend more than 40 feet without either a horizontal or vertical change in direction. The overall roof structure must be compatible with the character of the neighborhood and neighboring structures. The roofing material must be of a color to

complement the exterior color scheme of the residence.

The placement of various pipes and vents that penetrate the roof should be considered. Combine them in the attic space and project through roof in a common enclosed stack when possible. Where practical, place stacks on the roof away from the side of greatest visibility. All roof vents are to be colored to match the dominant roofing material.

Skylights shall be flat in profile (no bubbles or domes).

Skylights and solar panels shall be applied parallel and flat to the roof and are not to be on any roof parallel to the street.

Dormers are encouraged in order to hold roof masses down. Shed, gable and eyebrow dormers are permitted.

Fascia detail must have a minimum dimension of 7" unless otherwise approved for design merit. Two-piece fascia and/or exposed rafter tails are strongly encouraged. Vinyl fascia material is not permitted.

Soffits – may not be vinyl.

Gutters shall be built of copper or painted metal of a color and finish that blends with the finish color scheme.

Gutters shall be half-round or rectangular and downspouts shall be circular or rectangular.

Chimneys shall be clad in stonework or stucco. Exceptions will be considered based on design merit. Minimum size be at least 30" x 30".



Prefabricated metal flues shall be concealed within a chimney. Chimney caps may extend above the chimney top per building code requirements.

It is strongly encouraged that chimneys emerge from the highest roof volume.

5.7 Exterior Materials

Exterior materials shall conform to and be in harmony with the external design of neighboring structures and the overall design of improvements described throughout these guidelines. The approval of exterior materials, including types, color, texture and durability, and the extent of the use of any single material or combination of materials, shall be solely at the discretion of the ARB.

Building walls shall be clad in smooth cut wood shingles, wood clapboard, wood drop

siding, wood board and batten, fiber-cement siding, faux stone, or stone. Siding shall be painted or stained, prefinished siding will be considered based on design merit. Log construction shall be complimented by stone, wood shingles, stucco or wood siding. Alternative materials such as architectural metal cladding, stucco or synthetic stucco with a smooth or roughcast (pebbled) finish will be considered based on design merit. Composite wood (Canoxel or Color-Lok) or vinyl is not allowed for siding or soffits.

Exterior wood shall be painted or stained (wood front doors excluded).

Siding shall be run horizontally, or vertically; but, never diagonally. Maximum lap siding exposure is 10" for stain finishes or 6" for painted finishes, unless approved otherwise for design merit by ARB.

Stonework shall be natural or approved synthetic trim stone materials. Dry stack, uncoursed settings with minimal exposed mortar are preferred. Stonework shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance. Masonry shall continue around corners to and terminate at inside corners.

The following criteria shall apply to masonry use:

Faux or natural stone must conform to the natural shades of the area.

1. Blending of faux stone colors is encouraged to gain a greater sense of richness and capture the variation found in natural stone.
2. Brick is not allowed
3. Concrete block is not allowed
4. Masonry shall wrap masses in their entirety
5. Applied cut stone tiles are acceptable. (Faux Stone or thin-stone)
6. Stone grouting thickness should be understated in proportion to the stone thickness, or not visible, as in the case of ledge stone applications.

5.8 Windows

Windows should be carefully located and detailed to add substantialness to the residence. The plane of the glass should be recessed from the exterior wall face, with suitable solid trim of not less than 5" in width. Trimless metal windows at the face of the wall will not be permitted.

Windows shall be made of painted or solid stained wood, clad in vinyl or metal, or be a higher-grade vinyl window package. All exposed aluminum sash and framing shall be approved anodized color painted or vinyl coated. Exposed mill finish aluminum, including window screens, is not permitted. Metal finishes on solariums and green houses are included in this category.

Windows shall be placed such that:

- ⑩ Single window units shall be no closer to another window than the width of the window.
- ⑩ A window unit is no closer to a corner than ½ the width of the window unit.
- ⑩ For multiple attached window units, the space between groups shall be no less than a single window unit width.
- ⑩ Glass shall be clear and free of color. Mirrored glass shall not be used.

- ⑩ Buildings shall have all openings trimmed in wood bands of minimum 4" nominal width. Alternative trim will be considered based on design merit.
- ⑩ Bay window projections shall be wide enough to accommodate 3 windows and extend to the ground or be visually carried by a water table trim band. Structural brackets must visually carry cantilevered bays or a water table trim band.
- ⑩ False shutters are not permitted.
- ⑩ Front doors shall be made of solid wood. Complimenting wood storm/screen doors are encouraged. Exceptions will be considered based on design merit.
- ⑩ Traditional sliding glass doors may only be used in back and side yard locations.

5.9 Garages

Every effort should be made to minimize the impact of the garage and garage door(s). Careful siting and driveway orientation can ensure that the visibility of the garage is minimized from the street and adjacent lots. Garages should normally be set back and oriented away from the street if possible. Detached garages are permitted. In an effort to minimize garage impact, no more than two garage stalls will be allowed adjacent to each other. All garage doors shall be single bay (maximum 10 feet wide 9 feet tall) type. If additional garage space is needed it must be separated from the other garage bays.

Garage doors shall be of a carriage style and shall be built of wood, steel, or fiberglass. Alternative doors will be considered based on design merit.

5.10 Porches

Front porches are encouraged on residential structures to allow interaction with the street. Porch railings are encouraged. Porch screens and glazing are not permitted.

Main entry doors are to be composed with the porch design and recessed a minimum of 5' from the primary façade of a single family house or duplex.

Porch supports shall be built of stone, masonry, concrete, or wood. Column base piers shall be no less than 16" x 16" square and wood columns shall be no less than 8". Column groupings must have an outer minimum dimension of 10". Tapered columns may not be smaller than 7" x 7" at the top. Columns shall match or be similar in design of all elevations of a structure.

The balustrade and the space below porches shall be enclosed and/or finished to match the siding of the soffits.

Front stoops shall be made of brick, concrete, stone, or wood and must be detailed and integrated into the porch/railing design. Stair railings are highly encouraged and must be compatible with the overall porch/railing design.

Flower boxes and planters shall be made of materials compatible with adjoining finishes.



5.11 Decks

Decks, balconies, and terraces shall be designed to enhance the overall architecture of the building by creating variety, layering, and detail on exterior elevations. Covered decks, projecting balconies, and bay windows shall be integrated and composed with the overall building form, rather than placed randomly throughout the building. Terraces shall be used to integrate the building and landscape by creating a transition between the built and natural character of the site.

The space below first floor elevated decks visible from nearby streets or public spaces shall be enclosed with wood lattice having a maximum of 1 ½" space between strips. Said lattice shall be applied between and not concealing deck supports.

Decks must face only rear and side yards. Decks in side yards may not extend more than 36" from the side yard-facing façade or be more than 24" above existing grade or more than 36" into any required side yard.

5.12 Foundations

The foundation visually and structurally connects the building with the ground. It may appear as a platform or terrace upon which the house stands or as a built extension of the ground integrated with the house above.

On slopping grades, siding shall remain at least 1'-0" above grade, and the upper edge of the water table shall remain level, stepping down the slope in increments of 4' or less.

Concrete foundations exposed more than 18" above grade must have an architectural finish (texture, pattern and/or color).

5.13 Mechanical Equipment/Utility Meters

Any exterior mechanical equipment and utility meters shall be either incorporated into the overall dwelling or be permanently enclosed by material approved by the ARB. Mechanical equipment should be blocked from view from adjacent property. All meters and utility equipment must be accessible to service personnel, yet screened from view.

5.14 Service Yard

Walls or adequate planting are required as screening for a service yard, if any, to enclose above-ground garbage and trash containers, mechanical equipment and other outdoor maintenance and service facilities, which must be of sufficient height so equipment may not be visible from a neighboring lot.

5.15 Guest House

Guest houses are not permitted.

5.16 Greenhouses

Greenhouses must be attached to the Residence and be ARB approved.

5.17 Awnings

Awnings may be retractable or fixed and require ARB approval. Awning overhang colors must complement the Residence exterior.

5.18 Colors

Exterior finishes shall have a flat, non-glossy appearance, and colors shall tend to grays, gray-greens, browns and other earth tones. Exterior trim shall be stained or painted so as to compliment the adjoining finishes.



6. DESIGN REVIEW PROCESS

Construction plans and homesites shall be reviewed for compliance with applicable covenants and design standards. Written approval by the Declarant, or its nominee, shall precede review by the ARB for compliance with Meadow Lakes' requirements. Construction plans and homesites are not reviewed for structural integrity, safety, workmanship or financial return.

6.1 Purpose

These Design Standards have been adopted to ensure that the TH community develops in an overall consistent manner. The ARB shall review all proposals for construction and ensure that such proposals meet the intent not only of the Standards but the development philosophy of the TH community and Meadow Lake Resort. The ARB also has the authority to interpret the Standards in the event the Standards may not be explicit in a given instance. The TH HOA may also amend the Standards. Refer to TH Declarations for detailed descriptions of the following items.

6.2 Architectural Review Board (ARB)

To ensure the orderly marketing and development of the property, plans for all building construction and site improvements must be reviewed and approved by the Declarant, or its nominee, and the Meadow Lake ARB before any on-site construction commences.

6.3 Composition of Committee

Composition of ARB is set forth in the Declaration of Covenants, Conditions and Restrictions of Meadow Lake Country Club Estates, and presently has five members.

6.4 Review by Committee

No building, home, dwelling unit, structure or any attachment to an existing structure, whether a residence, an accessory building, a tennis court, a swimming pool, fence, wall, barrier, exterior lighting facility, athletic facility, or other similar improvement or attachment or sign shall be constructed upon the properties without approval of the ARB. No alteration of the exterior or a structure shall be made and no change in the final grade or the installation of any landscaping shall be performed unless complete plans and specifications are submitted for ARB review. The ARB shall exercise its best judgment that all attachments, improvements, construction, and alterations to structures on lands within the properties conform to and harmonize with existing surroundings and structures. Said plans and specifications must show all items requested on the ARB checklist, and must be complete in all respects, (see Sections 7.3 and 7.4).

6.5 Meetings

ARB meets regularly, but on no set schedule. Deadline for submission is 4:00 p.m., ten (10) days prior to any scheduled meeting date. If submission is received after the deadline, the submission will be heard at the next scheduled meeting. Incomplete submissions will not be placed on agenda. All scheduled and special meetings of the ARB shall be open to Tamarack Heights at Meadow Lake property owners, however days, times and agendas of meetings are subject to change, so please call the ARB office or consult Meadow Lake website 48 hours prior to meeting date to confirm.

The ARB will post scheduled meeting days on the Meadow Lake website fourteen (14) days in advance of meetings.

6.6 Duties

The ARB shall approve or disapprove all final applications within three (3) days after official review, unless they are found to be incomplete or not in compliance with TH at ML Design Standards. Limitations may be placed on the number of applications to be considered at each meeting.

6.7 Vote

With the Declarant or his agents' written consent, the plans will be placed before the ARB for a vote. A majority of the ARB members is required to approve or disapprove a proposed improvement. Written opinions of absent ARB members, which have been received prior to the meeting, will be considered when making final approval decisions.

6.8 Records

The ARB shall maintain written records of all applications submitted to it and of all action taken by it thereon. Such records shall be available to owners for inspection at reasonable business hours.

6.9 Compensation

As authorized by the ML Master Home Owners Association, members of the ARB may receive monetary compensation for services rendered. Professional consultants and/or support staff retained by the ARB shall be paid such compensation as determined by the ARB and approved by the Board of Directors of the Meadow Lake Master Home Owners Association.

6.10 Duration, Revocation and Amendment

These Design Standards and Regulations may be amended or revoked in writing by Declarant at any time during the period of Declarant's control, as defined in the TH Declaration, and after Declarant's control concludes by an instrument approved in writing by a majority vote of the Board of Directors of The TH HOA and the Architectural Review Board. Such amendment or revocation shall be effective when duly recorded; provided, however, that any amendment or revocation must comply with the Statutes of Montana and the resolutions and ordinances of the County of Flathead.

6.11 Non-liability

The Declarant, its nominees, the TH HOA and ARB, their members or designated representatives, shall not be liable to any person or entity for any damage, loss or injury suffered or claimed on account of (a) approval or disapproval of plans, drawings and specifications, (b) the construction or performance of work, whether or not pursuant to approved plans, drawings and specifications.



7. DESIGN REVIEW PROCEDURES

7.1 Submission of Plans

It is strongly recommended that an Owner retain competent professional services for planning and design. A thorough analysis and understanding of a particular lot and the Owner's special needs and the skill to translate this into building form, as well as the ability to convey to the ARB the concept and design of a proposed residence or other improvements, are all important elements of the design review process. If an Owner elects to do his own design and the result is not approved by the ARB, the ARB has the right to require that an Owner thereafter utilize professional design services that have been qualified by the ARB.

Plans and specifications for any new construction or change to building exterior, landscaping or site should be submitted to the ARB. Lot owners are encouraged to be

proactive in the planning of their homes and the ARB welcomes informal discussion at any regularly scheduled meeting to assist the lot owner in the preparation of their final application.

No residence, fence, wall, garage, outbuilding or other structure shall be made, erected, altered or permitted to remain upon the properties until written plans and specifications showing the design, nature, kind, color, dimensions, shape, elevations, material, use and location of the same shall have been submitted and approved, in writing, by Declarant, or its nominee, as to compliance with these Standards and Regulations and TH Declaration, and Meadow Lake ARB, as well as appropriate City of Columbia Falls review, permitting and fee payment. All plans submitted to the City of Columbia Falls Building Division must have the TH and Meadow Lake stamps of approval.

7.2 Fees & Deposits

A list of applicable fees or deposits for review under the TH Declaration and these Standards and Regulations follows (Note: a separate fee schedule may exist for review under the Meadow Lake standards):

- 7.2.1. New Construction Application Fee
 - \$750/submission (non-refundable)
 - 7.2.2 Road Protection, Regulation & Compliance Deposit
 - \$1500 – applies to new or renovation construction projects (see refund policy below)
 - 7.2.3 Remodel with Construction (i.e., any material change involved) (Section 7.12)
 - \$200/submission (non-refundable)
 - 7.2.4 Minor Remodel without Construction
 - No fee (Section 7.12)
 - 7.2.5 Completion/Compliance Assurance Instrument
 - See Section 7.7 for options and instructions
 - 7.2.6 Water & Sewer District Hook-up Fee & Meter Charge
 - Part of post-approval requirement; contact the Water & Sewer District for fees.
- Refunds of the Road Protection, Regulation & Compliance Deposit will be processed upon receipt of Statement of Satisfactory Completion Inspection (Section 7.11), AND verification of full payment of all fines or penalties that may have been assessed during the project. This may include fines levied by the Master Homeowners Association for violations of the Meadow Lake CC&R's during the construction process. The ARB reserves the right to attach up to \$1,500 of this deposit for settlement of fines or penalties.

7.3 Preliminary Reviews

For a preliminary review, the following items must be submitted to the ARB by 4 p.m. ten (10) days prior to any scheduled meeting:

1. General site plan including grading and landscaping ideas (2 sets and 1 electronic copy DWF or PDF)
2. Rough elevations and material suggestions (floor plan ideas optional) (2 sets

- and 1 electronic copy DWF or PDF)
3. Pertinent information in writing or on drawings that allows the ARB to formulate a decision or recommendation.

No formal action will be taken at the preliminary review. The ARB will provide information to help with the design and building process. If lot owner is required



or requests to come back for additional preliminary reviews, fees may apply.

The ARB will not schedule a meeting for the sole purpose of hearing details related to preliminary reviews. All reviews will be heard at regularly scheduled meetings, if time allows within the regular agenda.

7.4 Application for New Construction

Any applicant submitting plans for approval to the ARB shall be responsible for the verification and accuracy of all lot dimensions, grade, elevations, and the location of the key features of the natural terrain. Each applicant shall certify to the accuracy thereof before the ARB will undertake its review.

Construction documents (working drawings) and specifications are to be in accordance with the final design and plans approved by the ARB. Clearing, grading, or construction shall not commence until all the above requirements are satisfied.

The following documents and information are to be submitted for Application for New Construction

- 7.4.1 Completed and Signed Application
- 7.4.2 Application Fee (Section 7.2)
- 7.4.3 Site Plan (2 sets and 1 electronic copy DWF or PDF) Site plans may require a topographical survey (Section 7.4.7). Site plans and landscape plans should not be combined onto one plan. Site plan must illustrate the following:
 - A. Location, Lot #, Block #, Filing #
 - B. Scale: 1"=10'-0", 20'-0" or 1/8"=1'-0"
 - C. Site Use Calculations (in sq. ft), to include calculations for total site area, building footprint area, and impervious materials area (Section 3.1)
 - D. North arrow
 - E. Required setbacks (Section 3.2)
 - F. Building location (include any decks, walks, etc.) and the location of all other major structures
 - G. Building envelope (area of the lot to be disturbed during the construction process)

- H. Parking areas and number of spaces provided (Section 3.3).
- I. Driveway and sidewalks patio and material used.
- J. Topographical survey, if needed (see 7.4.7 for more details)
- K. Utility connections from point of origin to structure include water, sewer, gas, phone, electric, cable and meter locations on building)
- L. Finished floor elevations, including garage

7.4.4 Landscape Plan (Section 4). (2 sets and 1 electronic copy DWF or PDF)
The landscape plan should illustrate the following:

- A. Location, Lot #, Block #
- B. Scale 1' = 10'-0" or 1/8" = 1'-0"
- C. Location and species of trees, shrubs, plants, native/natural, and turf-grass areas, decorative edging, stone pathways, man-made structures, etc.
- D. Landscape lighting (Section 3.6)
- E. Existing grades and proposed grading and drainage (Section 3.8)
- F. Defensible Space Plan for Wildfires

7.4.5 Architectural Plans (2 sets and 1 electronic copy DWF or PDF) - must include the following:

- A. Dimensioned Floor Plans: 1/4" = 1'-0" scale
 - 1. All overhangs and roofs dashed lines
 - 2. Gross square footages per floor (Living space, garage)
- B. All Building Elevations: 1/4" = 1'-0" scale
 - 1. Materials and color schedules, noted or rendered on one elevation
 - 2. Existing and proposed grade lines
 - 3. Building height
- C. Foundation Plan: 1/4" = 1'-0" scale
- D. Roof Plan: 1/8" = 1'-0" scale
- E. Exterior lighting on building

7.4.6 Exterior products, colors and finishes

The applicant must supply samples of finish materials with finish colors identifying the manufacturer's name, color, and/or number. These products should include siding, trim, fascia, soffit, roof material, and rock. Siding, trim and fascia should be finished with actual paint or stain color. Colors or finishes should be indicated for window, flashings, doors, decks and deck railing. Each product should be identified.

7.4.7 Topographical Survey

A topographical survey is required on lots that have elevation variation of more than 2 feet inside the building envelope.

Survey must show building envelope, lot boundaries and indicate elevations at lot corners at a scale standard in the industry for similar projects.

7.4.8 Completion/Compliance Assurance

Upon final approval of the project request, to assure that the project is completed on time and in compliance with all standards, the property owner is required to provide a financial instrument in the amount of \$10,000 per unit on all new construction. This financial instrument may be in the form of a performance bond, an irrevocable letter of credit, a cash deposit held in escrow, or a Certificate of Deposit. The ARB needs an indication in writing of which instrument the builder/owner intends to use. Detail information on Completion/Compliance Assurance can be found in Section 7.7.

7.4.9 Time Schedule

Lot owner will provide an approximate time schedule indicating starting



and completion dates of construction, utility hook-up, completion of landscaping work and anticipated occupancy date.

7.4.10 Site set up

Lot owner needs to “set up” the site at the time of application submittal. This allows the ARB to review the site before, during or after the ARB meeting. The following items should be identified.

1. Stringline identifying all property boundaries
2. Stringline for house location
3. Identify proposed driveway access points
4. Identify all trees outside of house location for removal
5. Identify on a stake, the finished first floor grade height

7.5 Approval of Application for Construction

Once the ARB has voted and approved the plans the following conditions must be met before construction can begin:

- 1) All fees and deposits have been paid
- 2) Any and all conditions imposed on the project are agreed to in writing.
- 3) The owner is current with his association dues.
- 4) Defensible Space Plan approved by Columbia Falls Fire Chief.
- 5) Pre-construction meeting with the site set up (Section 7.4.10) with ARB member.

Plans approved and stamped by the ARB will be provided to the owner within 2 business days of the approval meeting and/or receipt of complete “post approval checklist”. All TH Architectural Standards, even if not specifically noted on the stamped plans, are understood to be incorporated as part of the approval. Final approvals are valid for 12 months. If construction is not started within that 12-month period, all approvals shall be void and the plans shall be resubmitted to the ARB. All fees submitted shall be forfeited and the re-submission will be subject to the then current ARB fees.

7.6 Resubmission of Plans

In the event of rejection by the ARB, a resubmission of the plans should follow the same procedure as an original submission. An additional ARB review fee may be required.

7.7 Completion/Compliance Assurance

As part of the “post approval checklist” to assure that the project is completed on time and in compliance with all standards, the property owner is required to provide a financial instrument in the amount of \$10,000 per unit on all new construction. This financial instrument assures completion and compliance of the projects including, but not limited to, landscaping, driveway, exterior building or any other improvement to the lot as defined in the approved plan.

For multi-unit buildings, the amount of the financial instrument shall be \$10,000 for the first unit and \$5,000 for each additional unit.

At the property owner’s discretion, this financial instrument may be any one of the following:

1. A Performance Bond in the amount of \$10,000 for a single unit building (or appropriate amount for a multi-unit building)
2. An Irrevocable Letter of Credit from a financial institution in the amount of \$10,000 for a single unit building (or appropriate amount for a multi-unit building)
3. A Cash Deposit held in trust at an escrow company in the amount of \$10,000 for a single unit building (or appropriate amount for a multi-unit building)
4. A Certificate of Deposit, with the Meadow Lake HOA as beneficiary in the amount of \$10,000 for a single unit building (or appropriate amount for a multi-unit building)

7.8 ARB Visitation of Work in Progress

The ARB may visit any and all work in progress, at their own risk, and give notice of non-compliance. Absence of such inspection and notification during the construction period does not constitute either approval by the ARB of the work in progress or compliance with these Design Standards or the CC&R’s. Any building that nears maximum square footage numbers will receive additional scrutiny.

7.9 Plans and Building Inspections

The ARB reviews construction plans and homesites for compliance with its own

applicable covenants and standards. It does not review construction plans and homesites for structural integrity, safety, workmanship or financial return.

Meadow Lake Resort (as of October 2006) does not currently fall within the building inspection jurisdiction of the City of Columbia Falls. The Homeowner/Builder shall confirm jurisdiction with the City of Columbia Falls.

7.10 Changes During Construction

After project approval has been granted construction, landscaping, or other improvements and/or changes must be submitted in writing with diagrams to the ARB for approval prior to making such changes and/or improvements. Minor changes may be agreed to by two ARB members. Major changes (as determined by the ARB members) will require submission to scheduled ARB meetings. The ARB will review these requests at regularly scheduled meetings, providing complete information for the change and/or improvement is submitted by 4 p.m. the Thursday before the meeting. Additional review fees may be required for significant or multiple changes during new construction.

Not notifying the ARB of change may cause a non-compliance issue at completion causing loss of Completion/Compliance Assurance.

7.11 Completion of Construction

Upon completion of the project, it is the responsibility of the property owner to notify the ARB in writing to schedule a final inspection meeting. With this notification the lot owner should include the letter of completion/occupancy from the Building Inspector. At least two ARB members or an ARB administrative assistant will inspect the property. The property owner and any of his/her representatives may be present at the inspection. The ARB will bring a copy of the approved plans to the meeting.

The ARB will review the following items:

1. All aspects of construction complete to plans approved by ARB.
2. Landscaping, site work and drainage, driveway and sidewalks completed to plans approved by ARB.
3. Review for road damage.
4. Review for adjacent site damage.
5. Review for compliance of ARB standards.
6. Review for compliance with Meadow Lake Resort CC&R's.

Upon approval of the above items the home owner/representative and ARB member will sign a statement of satisfactory completion. The property owner will then be released from the Completion/Compliance Assurance financial instrument associated with the project and be refunded the Road Protection, Regulation and Compliance Deposit.

If the property does not pass inspection, the property owner will be given a written list of the reasons for failure at the meeting. Both, the property owner and the ARB member will sign this list. Generally, thirty (30) days will be allowed to make any alterations to the property before another inspection will be scheduled. Again, it is the responsibility of the property owner to contact the ARB to schedule a follow-up inspection meeting. The property owner will be granted only two inspections. All properties must pass inspection no later than eighteen (18) months from commencement of construction. If the property

does not pass inspection within the eighteen- (18) month period, or after two scheduled inspections, which ever comes first, the property owner shall forfeit his/her financial instrument to the benefit of MLR HOA. This forfeiture does not satisfy any requirements for completion and compliance with the approved plans and HOA documents. The property owner will still be subject to fines and penalties if the requirements are not met.

The MLR HOA Board of Directors may grant extensions when the reason(s) for not passing inspection is deemed beyond the property owner's control. Any multiple unit projects must create new MLR monthly dues accounts to the proper owners at the time of the ARB final inspection.

7.12 Major and Minor Remodels

There can be a wide range of changes that a remodel can cover. From adding living space to building a deck or fence, to exterior painting or a substantial change in landscaping. The ARB requirements for an application to make these changes will adjust according to the degree of remodel, i.e.; adding to living space may require the same amount of info as a new construction project. Painting the exterior may only require a letter and color samples. As a guide the ARB will look at remodels in two categories.

7.12.1 Major Remodel with construction of existing structure

Fees for changes and/or improvements with construction required (i.e. additions, deck alterations, re-roofing, change of grade, etc.), the property owner will be required to pay a non-refundable \$200 construction fee, a \$1500 road construction, regulation and compliance deposit, and establish a completion/compliance assurance financial instrument (see Section 7.7) ranging from \$1,500 to \$10,000.

7.12.2 Minor Remodel Construction

For changes and/or improvements without construction (i.e. painting or significant landscape changes) no fees are required. The project does require ARB review and approval. If you are not sure what the requirements for a remodel application will be, please contact an ARB member for more information.

7.13 Non-waiver

The approval by the ARB of any plans, drawings, or specifications for any work done or proposed, or in connection with any other matter requiring the approval of the ARB under the Design Standards or the CC&R's, including a waiver by the ARB shall not be deemed to constitute a waiver of any right to withhold approval as to any similar plan, drawing, specification, or matter whenever subsequently or additionally submitted for approval.

7.14 Right to Waiver

The ARB reserves the right to waive or vary any of the procedures or standards set forth herein at its discretion, for good cause shown.



8. CONSTRUCTION REGULATIONS

8.1 Builder Eligibility

In order to undertake work for Owners within TH, any Builder, Contractor, or Sub-Contractor must be selected from the ARB--“Registered Builder/Contractor List”. The requirements for inclusion are as follows:

8.1.1 Provide the names, addresses, and phone numbers of the last ten-(10) customers and agree to a customer satisfaction survey, which will be kept on file by the ARB and made available to prospective customers.

8.1.2 The Declarant will supply Meadow Lake ARB with written notification of a Builders approval or disapproval for inclusion on the “Registered Builder/Contractor List”.

8.1.3 All registered builders will agree to provide additional information such as credit information and current financial statements to any prospect on request. Failure to keep information current shall result in suspension from the “Registered Builder/Contractor List”.

8.2 Construction Trailers, Portable Field Offices, etc.

Prior to bringing any construction trailers on to the site, the contractor should receive written approval from the ARB. Construction trailers are to be used only as offices and tool storage. Sleeping on the property is not permitted.

8.3 Debris and Trash Removal

Owners and builders shall provide adequate trash storage facilities. Trash and debris shall be removed from each construction site on a regular basis to a dumping site located off MLR. Lightweight material, packaging, and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site. Article III, Section 10 of the Declaration of Covenants, Conditions and Restrictions for Meadow Lake Country Club Estates states: Open fires are prohibited on the property. Owners and builders are prohibited from dumping, burying, or burning trash anywhere on the lot.

During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore, or affecting other lots and any open space. In addition, owners or builders are required to clean public streets affected by any site work on a specific lot. All mud and other debris tracked onto roadways is to be removed daily. Any road cuts or damage to curb, gutter or sidewalk must be repaired at owner expense.

8.4 Sanitary Facilities

Each owner and builder shall be responsible for providing adequate sanitary facilities for his/her construction workers. Portable toilets or similar temporary toilet facilities shall be located only on the site itself or in areas approved by the ARB.

8.5 Vehicles and Parking Areas

There is no overnight parking on the public/private roads or bike paths in MLR. Construction crews will not park on, or otherwise use, other lots, any open space and sidewalks. No vehicle should have maintenance work done on any MLR site other than routine daily maintenance. Major mechanical repairs and maintenance should be done off of MLR property, and all vehicles and equipment necessary to complete the work should be parked out of the normal traffic flow of the road systems within the community.

8.6 Conservation of Landscape Material

Owners and builders are advised of the fact that the lots and open spaces contain valuable native plants and other natural landscaping materials that should be absolutely protected during construction, including topsoil, rock outcroppings and boulders, and plant materials.

Materials marked on site plans as “native/natural” should not be removed and should be marked and protected by flagging, fencing, or barriers. If any of the above landscape material is damaged/destroyed, the owners and builder must restore to original condition with MLR approved seed or materials.

The ARB shall have the right to flag major terrain features or plants, which are to be fenced off for protection. Any trees or branches removed during construction must be promptly cleaned up and removed immediately from the construction site.

8.7 Restoration or Repair of Other Property

Causing damage, scarring, disturbing, and untidiness to other property, including but not limited to, open space, other lots (even your own), roads, sidewalks, driveways, and/or other improvements will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the person causing the damage or the owner of the lot. Upon completion of construction, each owner and builder shall clean his/her construction site and repair all property which was damaged, including but not limited to restoring grades, reseeding, planting shrubs and trees as approved or required by the ARB, and repair of streets, driveways, pathways, drains, sidewalks, culverts, ditches, signs, lighting, and fencing and/or other improvements or utilities.



8.8 Construction Access

The only approved construction access during the time a residence or other improvements are being built will be over the approved driveway for the lot unless the ARB approves an alternative access point.

8.9 Length of Construction

All construction, once started, should be completed with due diligence. No construction that will take over twelve (12) months to complete shall be commenced without prior written approval from the committee. In the absence of such approval, failure to complete construction within twelve (12) months shall constitute a violation of these regulations. Landscaping must be completed within 18 months of the start date, or by June 15, if the aforementioned completion falls during the winter.

8.10 Fire Extinguishers

All construction sites shall have a 10-pound ABC fire extinguisher present and plainly visible, provisions should be made not to block fire hydrants.

8.11 Pets

Contractors, suppliers and construction workers are not permitted to bring pets on site. The owner shall advise the contractor of this prior to commencement of construction.

8.12 Miscellaneous and General Practices

All owners will be absolutely responsible for the conduct and behavior of their agents, representatives, builders, contractors, and subcontractors in the Meadow Lake Resort community.

8.13 Construction Hours

Site development and exterior construction activity will be limited to 8:00 a.m.-7:00 p.m. Monday through Friday and from 9:00 a.m.- 5: 00 p.m. on weekends and holidays. When building is dried in and closed up, interior construction activity is not limited to these hours. The ARB reserves the right to grant exceptions to this rule when it is in the best interest of all parties.

8.14 Dust and Noise Control

The Contractor shall be responsible for controlling dust and noise from the construction site. Construction noise will be judged from the lot line. Radios and other music devices shall not produce audible sound on site.

8.15 Construction Sign

One construction sign shall be required during construction. The design of the temporary construction sign must comply with Section 2.4. The construction sign shall be removed once construction is completed and occupancy has commenced.



9. ENFORCEMENT

9.1 Non-compliance

Should an owner, or any of his agents, contractors, or subcontractors be found to be out of compliance during or after the period of construction, future submissions by such owner may not be accepted by the ARB for consideration until the issue of noncompliance has been corrected.

9.2 Fines and Penalties

Standard procedure for non-compliance notice and fines - Should a property be found to be in non-compliance with any ARB Rules and Regulations at any time, the homeowner shall receive verbal or written notice from the ARB staff of such non-compliance and be given 7 days to correct it (Garbage Cans, Trailers, and Parking have 24 hours from notice to correct). Fines and penalties during construction will follow the policy of the Tamarack Heights at Meadow Lake Master Homeowners Association.

Any homeowner who undertakes a change to their property without obtaining ARB approval, shall immediately be found in non-compliance and will be subject to a fine in the amount stipulated in Appendix "H" or the direct cost to the Association incurred as a result of the enforcement of the non-compliance, whichever is greater. Direct costs include but are not limited to staff time, outside consultants, contractors, legal fees, and any other reasonably incurred expenses. In addition, the homeowner may be subject to \$50 per day noncompliance fines until the issue of non-compliance is corrected.

The standard procedure for non-compliance notice and fines shall be followed. Delivery of notices shall be made by First Class Mail to the address on the application. Fines are due and payable at time imposed. Any unpaid fines at the end of the project may be recovered by filing a lien against the property or deducted from the Road, Regulation and Compliance Deposit, up to a maximum of \$500.

It shall be the responsibility of each property owner to provide the Tamarack Heights at Meadow Lake Homeowners Association with an address and phone number where they can be reached when they are not in residence at Tamarack Heights at Meadow Lake.

9.3 Appeals

Any homeowner has the right to appeal an issue of non-compliance and any subsequent fines directly to the ARB. The request for appeal must be received by the end of the day on the Thursday prior to the ARB board meeting to be added to the agenda.

10. AMENDMENTS

Amendments of these standards and guidelines may be made by a majority vote of the Board of Directors of the Tamarack Heights at Meadow Lake Homeowners Association, Inc.