

# **DESIGN AND DEVELOPMENT GUIDELINES**

(Third Amended, Restated and Adopted October 2, 2014)

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MARY ANN TRUSSELL, SUMMIT COUNTY RECORDS FEE 405.00 BY HIGH COUNTRY TITLE

The Third Amended and Restated Design and Development Guidelines amend and restate in their entirety the Second Amended and Restated Design and Development Guidelines recorded in the office of the Summit County Recorder October 17, 2012, as Entry No. 955352, in Book 2151, at Page 1828, as previously amended by the First Amendment to said Second Amended and Restated Design and Development Guidelines recorded October 17, 2012, as Entry No. 955364, in Book 2151, at Page 1952, the Second Amendment to said Second Amended and Restated Design and Development Guidelines recorded September 18, 2013, as Entry No. 979411, in Book 2207, at Page 828, and the Third Amendment to said Second Amended and Restated Design and Development Guidelines recorded April 11, 2014, as Entry No. 993151, in Book 2235, at Page 656, which amended and restated in their entirety the Amended and Restated Design and Development Guidelines recorded in the office of the Summit County Recorder on June 10, 2010, as Entry No. 900312, in Book 2035, at Pages 877-942, as previously amended by the First Amendment to said Amended and Restated Design and Development Guidelines recorded June 14, 2011, as entry No. 924377, in Book 2084, at Pages 546-551, and the Second Amendment to said Amended and Restated Design and Development Guidelines recorded June 22, 2011, as entry No. 925150, in Book 2085, at Pages 987-992.

The Amended and Restated Design and Development Guidelines had previously amended and restated the original Design and Development Guidelines for The Colony at White Pine Canyon recorded in the office of the Summit County Recorder on September 28, 1998, as Entry No. 518626, in Book 1186, at Pages 59-127, and previously amended by the First Amendment to said Design and Development Guidelines recorded September 15, 1999, as Entry No. 548588, in Book 1287, at Pages 734-739, the Second Amendment to said Design and Development Guidelines recorded December 29, 2000, as Entry No. 579437, in Book 1347, at Pages 715-717, the Third Amendment to said Design and Development Guidelines recorded December 28, 2001, as Entry No. 607117, in Book 1424, at Page 857, the Fourth Amendment to said Design and Development Guidelines recorded June 25, 2002, as Entry No. 623051, in Book 1456, at Page 1200, the Fifth Amendment to said Design and Development Guidelines recorded April 11, 2003, as Entry No. 654515, in Book 1525, at Page 1810, the Sixth Amendment to said Design and Development Guidelines recorded June 25, 2003, as Entry No. 663162, in Book 1545, at Page1217, the Seventh Amendment to said Design and Development Guidelines recorded January 26, 2004, as Entry No. 687138, in Book 1595, at Page 1644, the Eighth Amendment to said Design and Development Guidelines recorded March 1, 2006, as Entry No. 770215, in Book 1774, at Page 852, the Ninth Amendment to said Design and Development Guidelines recorded August 24, 2006, as Entry No. 788381, in Book 1812, at Page 701, the Tenth Amendment to said Design and Development Guidelines recorded September 21, 2007, as Entry No. 826013, in Book 1890, at Page 301, and the Eleventh Amendment to said Design and Development Guidelines recorded March 15, 2010, as Entry No. 894026, in Book 2024, at Page 665.

Any and all prior approvals of homes completed, under construction or with approved plans, under any previously adopted versions of the Design and Development Guidelines or otherwise approved by the Site and Architectural Review Committee shall not set precedent and shall not be used as such in future evaluations of Colony homesteads under the Design and Development Guidelines as currently adopted, including but not limited to building massing, roof forms, materials, and lighting.

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## INTRODUCTION

The Colony at White Pine Canyon ("The Colony") is a residential neighborhood that occupies an area of remarkable natural beauty. With its magnificent forests of aspen and fir, its spacious mountain meadows, and its breathtaking views, White Pine Canyon is unique in Summit County. For generations, this stunning alpine terrain was a working ranch, and its unspoiled natural landscape remains the most prominent hallmark of the new community.

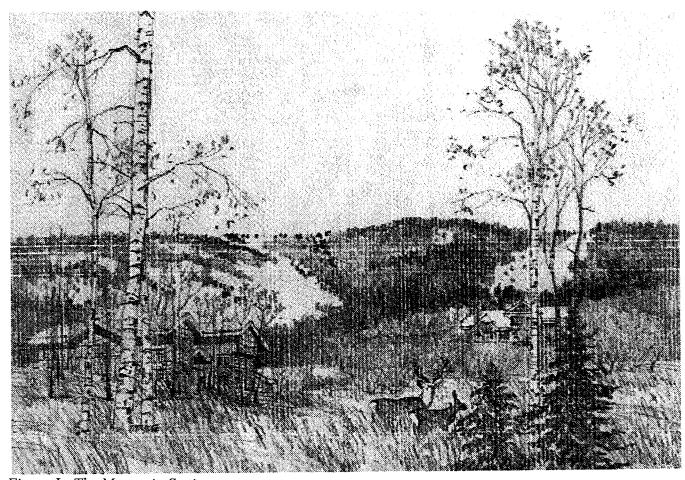


Figure I: The Mountain Setting

In order to preserve the natural beauty of White Pine Canyon and to maintain the rural, mountain character of The Colony, the development has been carefully master planned. Open space corridors have been permanently set aside to preserve creeks, riparian areas, wetlands and wildlife habitat. Road rights-of-way have been cleared to identify the most pleasing and least visually intrusive alignment. The number of individual homesites (referred to as "homesteads") has deliberately been kept at a very low density, primarily to preserve the environmental and visual integrity of the landscape and to allow the integration of a high-quality skiing and recreational experience. Development envelopes have been conceptually identified within each homestead in order that homes will be located only where they are least visible, where they can take maximum advantage of sun and views, and where they fit most comfortably into the natural terrain. The furtherance of these goals is the focus of The Colony's Design and Development Guidelines, sometimes referred to herein as the "Guidelines."

Specifically, the Guidelines are intended to:

- Ensure that development is consistent with the rural mountain character of the setting;
- Minimize the visibility of structures and driveways;
- Encourage design that is complementary to and preserves the natural character of the landscape;
- Protect and enhance property values; and
- Allow maximum design latitude for individual homeowners while adhering to the highest standards of land stewardship and building quality.

The Design and Development Guidelines provide conceptual direction to owners, their design professionals and contractors involved with the siting, design and construction of homes in The Colony. They will be used by The Site and Architectural Review Committee ("SARC") as general criteria to evaluate building plans. They illustrate approaches to site planning and architectural design that are compatible with the natural landscape and the desired character of the community. The overriding intent of the Guidelines is to enable every homeowner to savor the majesty and solitude of White Pine Canyon by ensuring that development is subordinate to its natural surroundings - in essence, to make buildings, through sensitive siting and design, reasonably shielded from one another and to minimize visual impacts to the Snyderville Basin. The Guidelines are to be utilized and enforced in a reasonable and consistent manner by SARC in reviewing, administering, approving, approving with conditions, and/or disapproving all development in The Colony as judicated by the Board of Trustee of the Homeowners Association.

## THE SITE AND ARCHITECTURAL REVIEW COMMITTEE

#### SARC RESPONSIBILITIES

The Site and Architectural Review Committee (SARC) has been created to review sitework and building plans on behalf of the Homeowners' Association of The Colony at White Pine Canyon (the "Association") for their adherence to the Design and Development Guidelines. The members of SARC, and/or the experts who the Board of Trustees of the Association may engage from time to time, either as members of SARC or as professional consultants to SARC, will have expertise in site planning and architectural design. (Please refer to the CC&R's for The Colony at White Pine Canyon for additional information on SARC's responsibilities and procedures.)

SARC is responsible for reviewing all development within The Colony. This includes, but may not be limited to, the following development activities:

- Any sitework, grading, building construction, or other site modification anywhere within The Colony, including all ski resort, open space and trail areas.
- Any renovation, expansion or refinishing of the exterior of an existing structure.
- Any landscape or site modifications to a homestead including areas outside the development envelope where driveways or low impact uses are permitted, or to any other area within The Colony.
- Any changes to the natural landscape, including the clearing of native vegetation and removal of standing trees, anywhere within The Colony.

The specific purpose of SARC review is to ensure conformity with the Design and Development Guidelines. SARC will also assist in explaining and clarifying the Guidelines to applicants and their representatives and will communicate information in a constructive way throughout the review process. SARC's objective is to encourage good stewardship of the land and sensitive architectural expression consistent with the high standards of quality for this unique community.

The SARC review process is not in lieu of but is in addition to the Summit County review process. Any application for a building or site modification permit within The Colony must be reviewed by SARC to determine that it complies with the Design and Development Guidelines, but any such application must also be approved by Summit County. SARC approval is necessary before access to water service is granted to the homeowner by The Association. Proof of a water connection is a prerequisite to the acceptance and approval of a building permit application by Summit County.

## THE SARC REVIEW PROCESS AND SUBMISSION REQUIREMENTS

The SARC review process has been designed to encourage dialogue with homestead owners, their design team, and other affected parties early in the evolution of their plans so that physical factors and aesthetic qualities of the land can be fully understood and sensitively incorporated into the owners' land use concepts. The process is intended to be constructive, not adversarial or unduly restrictive.

Personal participation by the owner in the review process, especially in the early stages, has resulted in significantly improved communication, often allowing for quicker application approval.

To be considered complete, an application for SARC review must include all the information requested on the application form in Appendix A and listed at each step outlined below so that the review process will be as effective and efficient as possible. Owners are encouraged to engage the services of a licensed architect familiar with mountain design for any development activity that involves structures. They also are encouraged to employ a licensed landscape architect for the site design, or someone familiar with high mountain landscape design.

Owners who are starting with an undeveloped homestead are encouraged to begin their design process with a conceptual master plan for the entire site so that proper relationships among all proposed and/or contemplated structures and site amenities can be anticipated, and the cumulative site impacts can be evaluated and minimized. A master plan evolves from a thorough understanding of the constraints and design opportunities unique to each homestead; it is intended to identify where the clustering of structures is desirable, where a separation between them is preferable, and where the access that serves all future facilities can be located to minimize the impact to the landscape. The absence of an effective master plan may affect the owner's subsequent ability to add facilities.

The cost of SARC's review, including the services of any of SARC's planning consultants, shall be covered through a fee for service paid by the applicant. Fees are based on the type of project for which SARC approval is sought and must be paid in full before the review process may commence. The amount of the fee required is subject to periodic adjustment by The Colony Homeowners' Association. Please refer to Appendix B for a current schedule of application fees.

There are three steps in the SARC design review process.

## STEP ONE - THE PRE-PLANNING MEETING

The SARC review process commences with a work session with SARC's designated planning consultants, the homestead owner, and the owner's architect or design professional. The purpose of this meeting is to agree on basic parameters for development of the homestead that fully respond to the desires of the owner and the land use philosophy and operating policies of The Colony and the Global Principles of The Canyons Specially Planned Area (the "Global Principles") to which The Colony is subject (see The Canyons Specially Planned Area Development Agreement). It is vital that the homestead owner and the owner's architect or design professional attend this meeting in order to understand completely the goals of the design review process.

The primary focus of the work session will be an in-depth analysis of the owner's site, its physical constraints, and the particular visual and environmental sensitivities that must guide its development. SARC will review the Design and Development Guidelines with participants, discuss how they apply to the project at hand, and explain the reasoning that determined the development envelope on the owner's homestead. It is very important that this meeting be scheduled *after* the owner has selected a design team so that all of those who will be involved in the planning of the site may attend. Also, it is important that the meeting take place *before* any conceptual plans are drawn for the owner. However, it is required that the owner prepare for the meeting by completing a certified site survey, by gathering images that illustrate the style of building contemplated and by making a preliminary list of the facilities and building elements to be constructed on the site.

The outcome of the work session will be a mutual understanding of the site constraints, the design opportunities unique to the site, the potential visual impacts to neighboring homesteads and to the Snyderville Basin, the possibility of environmental impacts (including the removal of trees and other

vegetation) that may require mitigation, and any other site-specific concerns that the developer and the SARC members may have. It is expected that this early dialogue will give the owner constructive input when he is most able to use it and, in this way, will avoid the adversarial and potentially expensive effort that often attends conventional design review procedures.

At the discretion of SARC, the requirement for this meeting may be waived for applications that concern minor changes to existing structures or landscape.

## SUBMISSION REQUIREMENTS FOR THE PRE-PLANNING MEETING

- A certified site survey of the homestead showing platted property boundaries and, at least within the development envelope and the driveway corridor, topography at two foot (2') contour intervals. The survey must indicate easements, creeks, riparian areas, designated wetlands, mature trees, tree groupings and groves within the area to be developed.
- The certified site survey should also indicate existing and proposed man-made improvements, including utilities, hydrants, power transformers, water meters and valves, retaining walls, bridge and tunnel structures, abutments, and toe of slopes where roads run adjacent to the sites.
- Conceptual Site Analysis Diagram prepared by the Developer.

#### STEP TWO - CONCEPTUAL DESIGN REVIEW

Formal SARC review begins with the owner's submittal of conceptual site and building plans. Conceptual review is intended to provide more detailed direction and guidance to the owner and the owner's design team by the specific identification of any site or development issues and concerns that, in the opinion of SARC, must be resolved.

Conceptual drawings typically indicate overall design and site planning directions but are not intended to fully resolve all technical or design issues. They illustrate (1) the siting of conceptual building program elements; (2) the preliminary resolution of building form and massing; (3) the owner's general thoughts about architectural character, style, and materials; (4) the visual and functional linkages; (5) the view relationships with neighboring sites; (6) the grading required for driveway access and the siting of the building; and (7) the general extent of site disturbance.

#### SCHEDULING A CONCEPTUAL REVIEW MEETING WITH SARC

Upon request by the applicant, a conceptual review meeting of SARC may be scheduled with three weeks advance notice. The conceptual review is an open meeting. At least fourteen (14) days prior to the meeting, individual notices will be sent to all adjacent property owners and a general notice will be posted inviting any interested property owners within The Colony. A complete package of conceptual plans must be submitted to the HOA General Manager no later than one week prior to the scheduled meeting.

The owner and/or his design representative shall make an informal presentation at the meeting to outline the development program and design goals. Feedback from SARC members will be more substantive if the underlying rationale for the applicant's design decisions is well articulated. SARC will evaluate the conceptual plans for conformity with the Design and Development Guidelines and the concepts discussed during the pre-planning meeting.

Within one week following the conceptual review meeting, SARC shall issue a written response to the applicant that records outstanding issues and concerns and summarizes SARC members' comments. If unresolved issues appear to warrant it, SARC may recommend a follow-up meeting with the applicant before SARC's written response and before the plans are submitted for final review (step three).

## SUBMISSION REQUIREMENTS FOR CONCEPTUAL REVIEW

Applicants for conceptual design review shall submit the following:

- A conceptual site/grading plan indicating the proposed boundary of the development envelope, the driveway corridor, and the driveway alignment within it; the location of all planned improvements and structures, including outdoor activity areas, fencing, retaining walls, and water features; all utility lines and any related utility easements required by service providers; and the ski-in/ski-out locations (which, whenever possible, should follow the alignment of existing disturbed areas, e.g., a sewer lateral alignment). The plan shall also indicate the estimated limits of grading and site disturbance within the development envelope and preliminary finish grades and floor elevations at doorways and paved surfaces. Drainage should be clearly depicted through the indication of swales and proposed drainage structures. Format of presentation materials may be at the discretion of the designer, however, one 11 x 17 copy of the plans is required for SARC records.
- All submission requirements for the pre-planning meeting should be incorporated into the plan documents submitted for conceptual review.
- The conceptual site/grading plan shall include the proposed removal of vegetation for forest fire suppression purposes. Fire suppression issues should be discussed with the Park City Fire Service District prior to Conceptual Plan Review. If it is the desire to implement the Fire District's recommendations, the recommendations must be in writing from the District and presented to SARC at the time of Conceptual Plan Review. Removals of vegetation for fire suppression purposes must be considered as part of the Conceptual Plan Review since such removals may impact the visibility and siting of the improvements.
- Conceptual floor plans, roof plans, sections, and elevations of all structures, including accessory buildings. Building plans and elevations shall be at a minimum scale of 1/8 inch = 1 foot, or larger.
- A preliminary landscape plan illustrating concepts for framing or screening important views to and from the structures. The plan should show all trees and other native vegetation to be removed, new plant massings and describe generally the types and quantities of plants (trees, shrubs, ground covers) to be added to the site.
- A description of desired exterior finishes, building and paving materials, and colors.
- A three dimensional model of the building and surrounding topography within the development envelope is strongly recommended, and may be required, as an effective means of evaluating conceptual massing and positioning of the home on the site.

In addition to all drawings and materials listed above, SARC may require the applicant to survey and stake the corners and ridgelines of the proposed structures, the centerline and edges of the proposed driveway, and the limits of site disturbance. Staking shall indicate the actual height of the proposed structures by means of story poles where required by SARC and the most visual portion of the structure(s) highlighted with an orange marking disc for ease of recognition from off-site. Each stake shall be numbered. A staking plan superimposed on the site plan shall be submitted showing the location and number of each stake. Conceptual approval shall not be given to the applicant prior to the review of the staking by SARC. SARC shall conduct an on-site review of the staking in conjunction with the Conceptual Plan Review and prior to written approval of the Conceptual Plan.

#### STEP THREE - FINAL PLAN REVIEW

#### SCHEDULING THE FINAL MEETING WITH SARC

Final plan review cannot occur prior to receipt of written approval from SARC of conceptual plans. Upon request by the applicant and with at least three (3) weeks advance notice, a final review meeting of SARC will be scheduled. The final review by SARC is an open meeting. At least fourteen (14) days prior to the meeting, individual notices will be mailed to all adjacent property owners and a general notice will be posted inviting any interested property owner within The Colony. A complete package of final plans must be submitted to the HOA General Manager no later than one week prior to the scheduled meeting.

It is strongly recommended that the owner's design team attend the final plan review to present the plans. SARC will review the construction drawings and final site plans for conformity with the Design and Development Guidelines and determine that all outstanding issues discussed in previous review sessions have been resolved.

Within fourteen (14) days of the meeting, SARC shall either approve, approve with conditions, or disapprove the final plan, or extend the approval date by issuing a request for further information. The notice of approval shall be in writing and will be sent to the applicant and to the Summit County Community Development Department. If an application is denied, the applicant may resubmit a revised plan at any time. Subsequent review may be subject to the payment of an additional fee.

#### SUBMISSION REQUIREMENTS FOR FINAL REVIEW

The final submission package shall respond to issues raised by SARC in earlier phases of review and shall include the materials listed below:

- Final site plan at a scale of 1 inch = 20 feet, indicating layout and dimensions of the development envelope, all building and accessory elements, the driveway, all utilities, and all landscaped areas. All utility or other easements must be surveyed and clearly indicated on the plan with bearings and distances, which dimensions must correspond to a legal description.
- Final building floor plans, roof plans, sections, and elevations at a scale of 1/8 inch = 1 foot.
- Final grading and drainage plan.
- Conceptual landscape plan detailing all plantings by species, size and quantity. Native, lowwater plant species are strongly recommended (a list of approved species suited to the

microclimates found in White Pine Canyon is included in Appendix C). A Final Landscape Plan (including an irrigation plan, water source and estimated water usage) shall be submitted by the applicant prior to 4-way inspection and is subject to the review and approval of SARC. Submittal of the Final Landscape Plan, and its review by SARC, is deferred until this point to insure that the ultimate landscape improvements address and mitigate all areas disturbed in the construction process.

- Final material samples, specifications, product cut sheets, and color samples for all exterior finishes.
- Construction details, sections and elevations as needed to illustrate design intent and any accessory elements such as swimming pools, spas and other outdoor facilities.
- Exterior lighting plan, with cut sheets or details of all fixtures.
- Details of proposed entry monument and/or gates, if any.
- Development phasing plan, if appropriate.
- A Construction Mitigation Plan showing limits of disturbance fencing, silt control fencing, construction staging areas, topsoil storage areas, proposed construction parking areas, construction entrance detail, tree protection, dust control, etc.
- An Erosion Control Plan which complies with Summit County requirements.
- A revised study model may be required by SARC.

In addition to the above, the applicant may be required to provide staking of the site in addition to that required at Conceptual Plan Review if SARC determines that there have been material changes to the proposed structures since Conceptual approval.

## **ZONES AND PERMITTED USES**

#### **HOMESTEAD ZONES**

Each homestead is comprised of three zones: (1) the development envelope; (2) the driveway corridor; and (3) the natural open space zone. A conceptual site analysis diagram has been prepared by the developer for each homestead to highlight the site-specific constraints and opportunities that should be considered in site planning and to suggest the general location of the development envelope and a possible location for the driveway corridor.

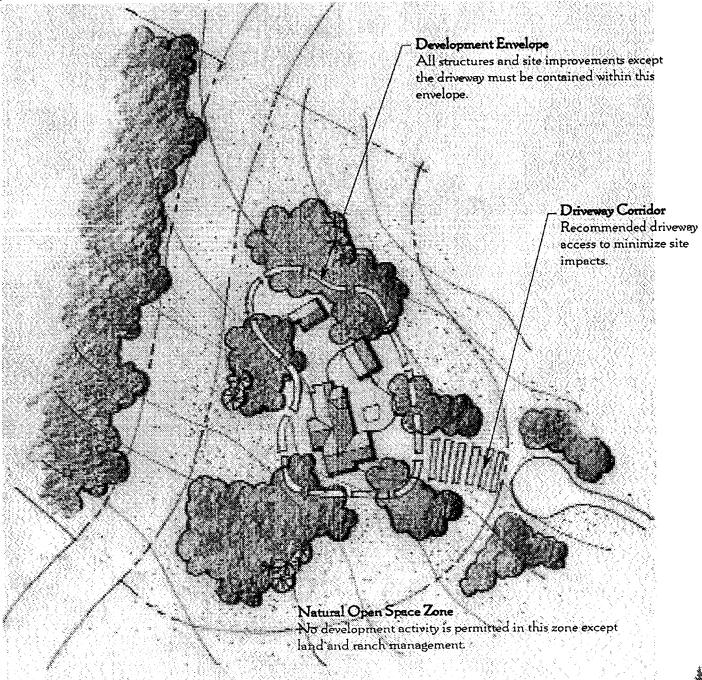


Figure 2: Homestead Zones

#### THE DEVELOPMENT ENVELOPE

Homesteads within The Colony have been designed to optimize views and solar access, facilitate driveway access, and to encourage development that conforms to the natural terrain with minimal grading. The property boundaries of each homestead have been determined with the objective of promoting the rural, mountain character of the community, the key components of which are maximum visual separation and privacy between homesteads and minimal visibility of development as viewed both from outside The Colony and from the recreational trails in White Pine Canyon.

In some areas of The Colony where the topography is gentler there are natural or manmade amenities such as lakes and meadows. These features may be the focal point or represent the prominent view shed for multiple home sites that may look upon each other; therefore, in these instances the ability or requirement to have visual separation between structures does not always exist.

Some home sites do not have significant elevation differences from surrounding and/or adjacent properties. These designated sites are identified on the phase plat and site analysis diagram. The planting of vegetation in some view corridors may be prohibited to protect neighbor's view corridors.

A conceptual site analysis diagram for each lot has been prepared by the developer to suggest the best location for the center of the development envelope. This point has been located in the field and is designated by an orange marking disc. However, in consideration of the size of the homesteads and the desire to provide the owner with reasonable design flexibility, SARC may consider proposals for alternative development envelopes on any lot, provided it can be adequately demonstrated by the applicant that the alternative location accomplishes the objectives of the Guidelines. If SARC and the owner cannot agree that the alternative development envelope accomplishes the planning objectives of the Guidelines, then the conceptual development envelope indicated on the site analysis diagram will constitute the default location. Once a development envelope has been established, the owner then must abandon all other possible development envelopes.

There are a few cases where SARC has no discretion to adjust building envelopes; these lots are designated on recorded plats and site analysis diagrams. For these specific lots all structures must be constructed within the building envelope.

In order to maintain a defined edge between improvements and the natural environment, all structures and site improvements except the driveway should be contained within the development envelope. This includes the primary residential structure, guest house, barn and other accessory buildings, and all ancillary facilities such as dog runs, gardens, lawns, paved areas, pools, and other recreational facilities.

An owner generally is not permitted to exceed 20,000 square feet of total site coverage within the development envelope. This limitation is intended to minimize visual impacts, and environmental impacts, caused by the construction of impervious surfaces and the effect of other changes to the natural landscape and drainage patterns. "Total site coverage" is defined to include the footprint of all structures, all impervious terraces, and decks, and all other impervious surfaces, including paved recreation areas and hard surfaced parking spaces. The driveway, up to the point where it widens in front of the garage, is not included in the total site coverage since the area contained in the driveway will be determined largely by topography and will vary in length from one homestead to another. Exceptions to the total site coverage limit, other than those previously approved by the developer at platting, may be requested and may be approved by SARC provided the development area is not

visible from off-site and the proposed improvements to the site otherwise comply with the Guidelines and Global Principles. Consideration by SARC of a request for an exception to Total Site Coverage shall be based on established criteria, including but not limited to the following: lot size, topography, siting, visual impact, design, building materials, and the improvements proposed to mitigate the impacts of the increased site coverage, including, but not limited to, landscaping and drainage improvements. Exceptions generally would be appropriate only on the largest Homesteads within the Colony; provided, however, total site coverage on any one Homestead shall not exceed 40,000 square feet. Specific exceptions have been approved for Homesteads 126 and 127, each of which is permitted 40,000 square feet of total site coverage.

#### THE DRIVEWAY CORRIDOR

The location, alignment and size of the driveway corridor will be determined during the design and approval process. Suitable driveway alignments have been identified for all homesteads, but the owner may modify the location of the corridor and the point of access from the main road provided it is clear from his plans that the change does not exacerbate site impacts and provided it is approved by SARC. The dimensions of this zone shall not exceed the disturbed area of sitework required for driveway construction.

#### THE NATURAL OPEN SPACE ZONE

This zone encompasses all areas of the homestead that are outside the development envelope and the driveway corridor. Except for land and forest management, maintenance of roads and common facilities, and utility construction, no development activity is permitted in this zone. Land management activities such as, wildlife habitat enhancement, revegetation, reforestation, slope and creek bank stabilization, and selective thinning of trees pursuant to the recommendation of a forest management plan or for fire mitigation or suppression purposes may only be undertaken with the approval of the Association Management.

#### **PERMITTED USES**

#### THE DEVELOPMENT ENVELOPE

A development envelope has been initially established for each homestead in The Colony, but an alternative location may be approved during the design review process if SARC reasonably determines that the Guidelines and the Global Principles are not compromised by approval of the alternative location.

Permitted uses within the development envelope are:

- A single-family home
- A guest house (generally not to exceed a total footprint of 2,500 square feet)
- Barns and accessory out-buildings, including care-taker quarters (the square footage of which is left to the reasonable discretion of SARC based on its determination of the appropriate Total Site Coverage)

- Recreational facilities such as swimming pools and spas
- Building pad grading approved by SARC
- Low-level site lighting not visible from off-site
- Approved fencing
- All uses listed under driveway corridor below

#### THE DRIVEWAY CORRIDOR

Permitted activities within the driveway corridor include:

- Vegetation removal and revegetation with native plants (see Appendix C)
- Road bed grading and paving
- Entry monuments as defined by the Guidelines
- Drainage improvements and erosion control measures
- Retaining walls and other slope stabilization measures
- Utility service extensions
- Low-level lighting to illuminate the address monument

#### THE NATURAL OPEN SPACE ZONE

#### Permitted uses:

- Hiking, biking and equestrian trails
- Pastures and meadows
- Ponds
- Picnic areas and roofed picnic shelters without walls

#### Prohibited uses:

- Site work or grading not approved by SARC
- Buildings of any kind, except picnic shelters as stated above

- Fencing
- Exterior lighting
- Vegetation removal, except as approved by SARC

## **DESIGN STANDARDS**

These Guidelines address both site planning and architectural design. Site planning standards apply to site improvements, the siting of structures, and modifications of the natural landscape within the driveway corridor and the development envelope. Architectural design standards apply to the design, form, massing, and character of structures in the development envelope.

#### SITE PLANNING STANDARDS

Every homestead in The Colony has unique natural features and character that should be preserved and reinforced. It is these natural attributes that provide the strongest clues for design form. When used for inspiration, they are essential tools to achieve buildings and site improvements that seem integral to the natural landscape and uniquely well suited to an individual site. This is the most important goal of The Colony's site planning guidelines.

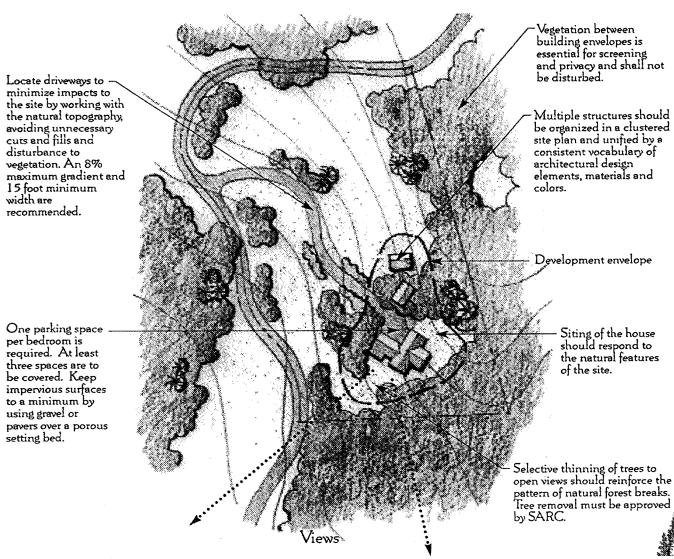


Figure 3: Site Planning Guideline

#### **DRAINAGE**

Natural drainages that traverse the homesteads generally shall be maintained in their original condition, although SARC may grant exceptions if it reasonably determines that the quality of the overall site plan is improved by such an exception and that adequate mitigation measures have been included to insure the quality of the natural drainage is not compromised by the change. Eroding areas must be stabilized and revegetated promptly to avoid siltation damage to the surrounding environment and to maintain high water quality in area streams.

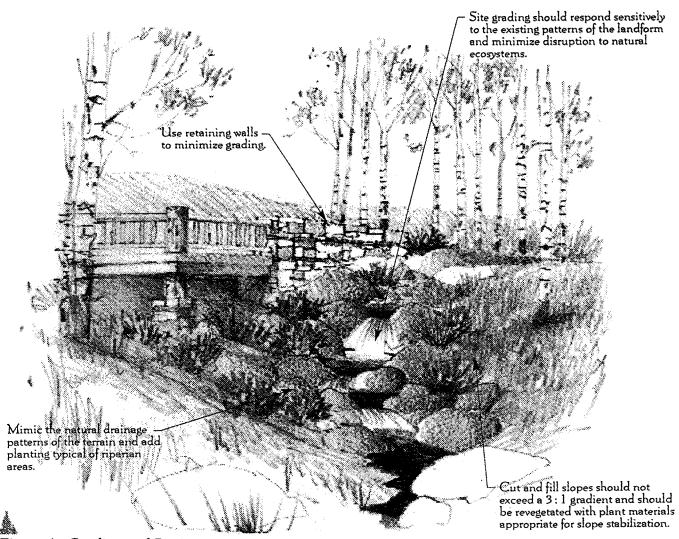


Figure 4: Grading and Drainage

If it is proposed that construction and development will obstruct or redirect natural drainage patterns, surface run-off should be carefully redirected to existing streambeds or new swales designed to look natural. Swales may be required above new cut or fill slopes to protect them from erosion. Subsurface drainage systems are not recommended in this climate.

Paved and impermeable surfaces should be minimized. Concentrated drainage onto neighboring properties in excess of pre-existing, naturally occurring volumes is not permitted.

Where driveways must cross creeks or other natural (perennial or intermittent) drainages, bridges are recommended rather than culverts. Culverts may only be used with SARC approval and the approval of the Utah State Division of Natural Resources, as applicable. The exposed intake and outfall ends must be screened with stone and cobble to make them more natural in appearance.

#### DRIVEWAYS AND PARKING

Access driveways and surface parking areas will have significant impacts on any mountain site. These necessary functional elements must be located to limit disturbance of vegetation, avoid unnecessary cuts and fills, and minimize their visibility. The primary goal in planning the driveway is to work with, not against, variations in the natural topography and to avoid scars on the land that would be difficult to revegetate or restore to a natural appearance.

The maximum grade on driveways shall not exceed twelve percent (12%) slope and should conform in all respects to Summit County driveway requirements. Among other things these requirements state that no driveway can have more than a total of two hundred fifty feet (250') of length at twelve percent (12%) slope and the overall average length must not exceed ten percent (10%) slope. The first twenty feet (20') from the edge of the paved surface of the road shall not exceed five percent (5%) slope.

Minimum driveway width typically shall be fifteen feet (15') of driving surface except in the case of extremely long driveways, where the Park City Fire Service District (PCFSD) may require a wider dimension to provide, in emergencies, passing for emergency vehicles. County regulations specify that all driveways, whether or not locked with gates, must provide a PCFSD approved turn-out for emergency vehicles where the driveway meets the building pad and every two-hundred feet (200') for longer driveways.

Paving of driveways is recommended but not required unless specified by PCFSD. If the driveway will not be paved, special care must be taken to provide proper drainage and to control erosion and dust.

All reasonable efforts shall be made to minimize the visual impact of driveways and to screen them from White Pine Canyon Road with earthforms and landscaping. Driveways should intersect the main road as close to a right angle as possible and curve as soon as practical to avoid exposing a long linear view of the drive from the main road.

All homesteads must provide for their own parking requirements within their development envelopes and driveway corridors. Each homestead must provide one parking space per bedroom for the main home and/or guest home, consistent with County requirements, at least two of which must be covered parking spaces in a garage attached to the main house or in a separate structure. Guest homes are only required to have two covered parking spaces, either attached to the guest home or in a separate structure. Frequently used exterior parking spaces must be located in areas which will minimize the visibility of cars from adjacent roadways, ski runs and surrounding residences. To minimize impervious surfaces, paving of large areas for parking is not encouraged; gravel, unit paving on sand, and other materials are recommended.

No parking will be permitted along the roads or common driveways within the community. Parking along the road or common driveways for large special events, such as weddings, must be approved in advance by the Association management. Exterior parking of accessory vehicles, such as vans, boats, trailers, mobile homes, recreational vehicles, or tractors, is prohibited everywhere within The Colony.

#### ENTRY GATES AND MONUMENTS

While it is not encouraged, owners are permitted to install entry gates and/or entry monuments provided they are at a distance from the road adequate to make them relatively inconspicuous. The design and location of the gates and monuments must be approved by SARC. Owners who choose to install gates must provide turn-around space outside the gates where visitors who arrive at locked gates would otherwise be required to back out onto the main road or down a long or narrow drive. Summit County requires that gates be located at least fifteen feet (15') from the edge of the main road right-of-way, that the distance between gateposts be four feet (4') wider than the driveway, and that the gates open inward. If electronically operated, the gates should be equipped with a receiver to permit emergency services and snow-plow operators to access the property with a transmitter, if the gates are locked, an approved lock box must be installed.

#### **FENCING**

There are two categories of permitted fencing: fencing that is within the development envelope and fencing elsewhere within the homestead.

Fencing outside the development envelope is generally permitted only along the main roads and meadow edges. Three basic fence types, illustrated below, have been designed for use in these areas. If an owner desires to install a fence outside his development envelope, he must select from one of these three types and obtain SARC approval to construct it. The fencing should be coordinated with existing fences in the immediate neighborhood.

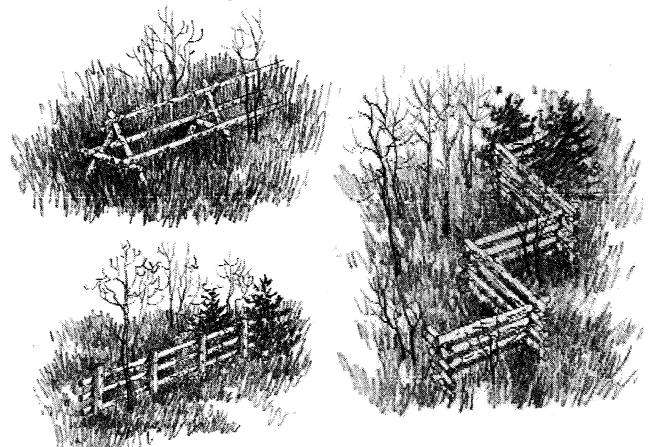


Figure 5: Approved Rail Fencing Designs

Within the development envelope, fencing, garden walls, dog runs, privacy walls and corrals must appear as an architectural extension of the building and be constructed of the same or compatible materials or be selected from one of the three approved rail fencing designs. Perimeter and lot line fencing is prohibited.

No fencing of any kind is permitted within the driveway corridor.

#### **GRADING**

The objective in site grading shall be to preserve the integrity and form of the natural landscape by responding sensitively to existing topography and maintaining the natural pattern of drainages, washes and creek beds. All work on any site must be done in a manner that minimizes disruption to natural ecosystems and the alteration of existing topography. Development envelopes have been identified in locations that generally avoid important natural features and steeper slopes, thus facilitating sensitive siting and reducing the amount of grading that will be necessary to construct buildings and site improvements.

Grading at all times shall be consistent with the provisions of the Snyderville Basin Development Code adopted by Summit County (the "Code") which, from time to time, may be amended. As set forth in the Code, "Natural Grade" shall be defined as the elevation of the natural ground before any development, excavation and/or filling, and "Finished Grade" shall be defined as the elevation of the finished ground after any proposed development, excavation, and/or filling. (Refer to the Code and the Section on "Building Form, Height and Massing" in these Guidelines for application of grade definitions to structure height.)

Since the primary objective of The Colony Design and Development Guidelines is to minimize the offsite visual impact of structures, in those instances in which it is clear that exceptions to the general intent of this Section are needed to reduce visual impact, SARC may approve or require significant alterations to the natural landform under and within the footprint of a structure to lower the Finished Grade if the result would be to reduce apparent height, mass and visual impact.

Building on slopes steeper than a 30% gradient is prohibited; provided, however, exceptions may be approved by SARC if: (a) SARC reasonably determines that the portions of the proposed development site that exceed 30% are peripheral and limited in area and the average slope of the development site is under 30%, and (b) County regulations otherwise permit such exceptions.

Grading shall occur only within the development envelope and the driveway corridor. In exceptional circumstances, grading elsewhere may be permitted when approved by SARC, or when the work is carried out by the Association as part of its land management responsibilities.

As much as possible, cut and fill grading quantities should balance to minimize heavy truck traffic to the construction site.

All lot development must generally conform to the existing landform. Grading shall be minimized. The extent of any grading shall be approved by SARC based on a determination not only of its impact on the natural landform and existing vegetation but also on the determination of the visual impacts that may result from the grading.

The maximum gradient allowed on cut and fill slopes shall not exceed 2:1. However, because soil on fill slopes as steep as 2:1 is difficult to protect from erosion, it is recommended that these slopes be gentler in gradient wherever the terrain permits (3:1 is a more workable maximum gradient for successful revegetation). All approved cut and fill slopes shall be revegetated by the placement of topsoil and plant materials appropriate for slope stabilization within the time frame specified by Summit County and SARC. When summit slopes are greater than 3:1, both SARC and Summit County require soil stabilization mats.

Topsoil should be separated from other excavated material and stockpiled on site for later re-use.

Newly constructed berms, if used to screen parking or accessory elements, must appear as natural landforms. Side slopes typically should not exceed 3:1, and the sides and top of the berm should undulate.

#### **PLANTING**

The emphasis in landscape design throughout The Colony shall be to create the appearance of an undisturbed natural landscape. Planting compositions that echo natural vegetative patterns and plant species that are indigenous to the local area are required everywhere outside the development envelope and strongly recommended within it.

Meadows, both natural and man-made, are a major organizing element of The Colony landscape. They provide great spatial variety and interest, superb distant views, improved wildlife habitat and reduced wildfire risk. Existing meadows and the forest and shrub vegetation that defines their edges are fundamental to the natural character of the site and must remain undisturbed. Where forest trees are thinned and new, man-made clearings are developed to open views, the resulting landscape should continue the pattern of natural forest breaks, with feathered meadow edges and a gently sloping ground plane of grasses and wildflowers. To preserve the meadows as an essential landscape feature, no new planting or removal of existing vegetation will be allowed outside the development envelope or the driveway corridor except as approved by SARC for landscape restoration, wildlife habitat improvements or the enhancement of trails.

No tree removal is permitted anywhere within a homestead without SARC approval. SARC may approve some thinning of forest trees within a primary view corridor from the main house but will not allow clearing where forest cover is essential for screening of views from neighboring homesteads or for preserving key viewpoints from the Snyderville Basin below. Mature forest specimen trees within the development envelope and the driveway corridor must be identified on a site survey; SARC will not approve their removal unless there are no feasible alternatives. Trees deemed unhealthy may be felled with SARC approval (see Appendix D, Tree Removal Procedures).

Removal of vegetation for fire management purposes should be discussed with the Ranch Manager at the time of Conceptual Plan Review. Removal of vegetation pursuant to the requirements of The Colony Fuel Reduction Plan must be considered as part of the Conceptual Plan Review since such removals may impact the visibility and siting of the improvements. All disturbed areas that are not paved or graveled shall be revegetated with appropriate native plant materials from the approved plant list in Appendix C. Homeowners are encouraged to utilize plant materials that require little water other than that initially required for their establishment and to use slope-stabilizing shrubs and ground covers on new cut and fill banks.

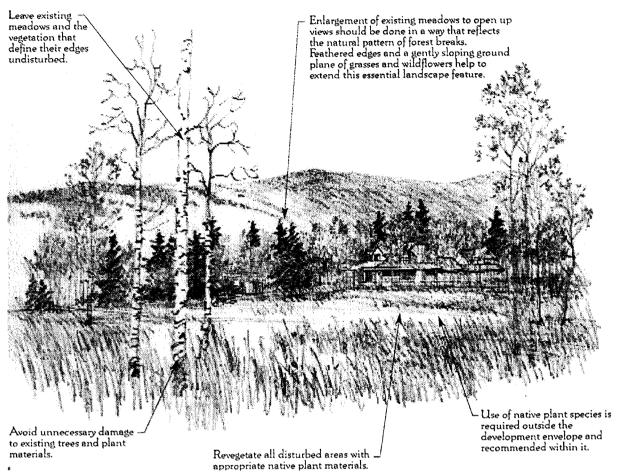


Figure 6: Landscape Guidelines

The design and scale of newly landscaped areas must reflect and integrate well with the natural mountain landscape. New plantings should complement native plant communities and should be visual extensions of existing vegetation masses and edges. Plant massings should look natural in form, scale, and position on the land. Plant species shall be selected from the approved plant list, except in limited areas near the primary residence, where non-natives are permitted. Care should be taken to choose plant materials, whether native or not, that are suited to the microclimatic variations in sunlight, soil, and moisture conditions in the locations where they will be placed.

A mix of sizes for newly planted trees is desirable to emulate natural patterns of forest growth. Minimum height for new coniferous trees intended to fulfill SARC conditions of approval shall be at least six feet (6'), with a minimum caliper of two inches (2"), but the number and size of all trees shall be shown on the final landscape plan approved by SARC and shall be selected from the approved plant list.

Within the development envelope, plantings in areas immediately adjacent to the residence are not restricted and may include ornamental plants that are not native to the local area. However, because the natural landscape is considered the most important character-giving feature of The Colony, manicured or groomed yards and lawns shall be enclosed by building, walls or natural screening elements so that they are visible only from within the owner's own homestead.

A layer of mulch at least three inches (3") deep is recommended in all plant beds to reduce evaporation of moisture from the soil.

#### PETS AND WILDLIFE

On certain homesteads, horses may be permitted if the Homestead has been designated for the keeping of horses as provided in Section 7.7 of the Declaration of Covenants, Conditions and Restrictions for The Colony at White Pine Canyon. The Association shall strictly limit the number of horses permitted on any Homestead, which number may vary depending on the size, location and special circumstances relating to the specific Homestead involved. The riding of horses shall be permitted only on trails and in other areas which the Declaration specifically designates, or which from time to time the Association may designate for such use.

By County regulation, animal barns may not be located closer than sixty feet (60') from any dwelling. A Low Impact Permit must be approved by Summit County to authorize construction of a barn and/or associated corrals for animals. (See Snyderville Basin Code, Section 4.19, Special Site Design Requirements.)

Dog runs and animal pens must be enclosed and covered to protect pets from predators. To protect birds and wildlife, dogs and cats must be accompanied and on a leash at all times when outside the immediate residence compound. Owners may be subject to fines by the Association for free-roaming pets.

All outdoor trash containers must be of approved, animal-proof designs. All trash containers must be kept in completely enclosed structures. Homeowners are required to exercise reasonable judgment and take reasonable measures to avoid creating attractive nuisances for wild animals.

#### **PONDS**

Owners may be permitted to construct ponds and other water features on their homestead if the design does not cause visible scars, excessive grading, unacceptable removal of forest vegetation, or instability of slopes. Water features must be natural in appearance; it is recommended that banks be planted with native species that provide attractive riparian habitat. Dams should be placed where their length and height can be minimized and they do not appear artificial in form.

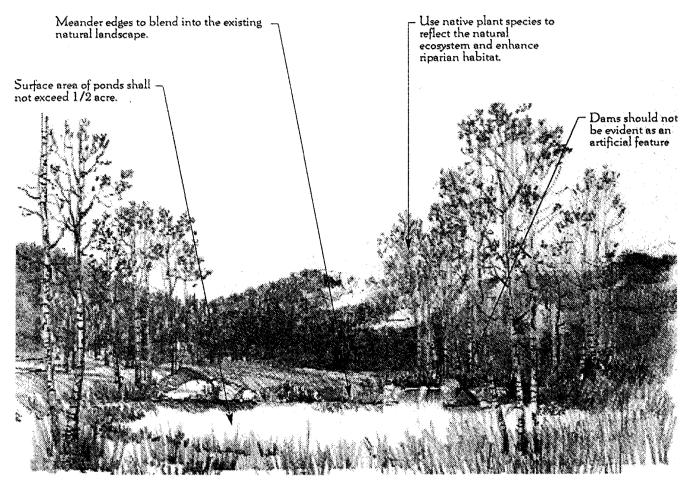


Figure 7: Ponds

The Central water system may not be used as the source of water for a pond unless the pond water is re-circulated. To prevent unnecessary water loss, all ponds shall be lined. Engineered drawings are required for any pond or decorative pool and must be submitted to SARC for approval. The owner shall be responsible for purchasing from the water service provider adequate water to supply the pond and ensure adequate water levels and circulation in order to prevent stagnation or unsightly conditions.

#### RETAINING WALLS

All retaining walls must be approved by SARC.

Wherever possible, retaining walls should appear to be an extension of the foundation walls of the residence and are subject to the same criteria relative to color, materials, and durability as the building itself. If not connected to the residence, walls should be constructed of architectural materials compatible with those employed in the residence. Otherwise, natural stacked stone walls are preferred. Stone walls should appear to be structural, not veneered, and deep-raked mortar joints are preferred. Sedimentary sandstones, indigenous to the White Pine area, are strongly recommended. Unfaced, poured-in-place concrete, concrete block, brick and railroad ties are discouraged and any use of these materials would require specific SARC approval.

The maximum total vertical exposure of approved walls shall not exceed eight feet (8') unless SARC determines that an exception is warranted because of extraordinary circumstances or unavoidable topographic constraints. Where walls taller than eight feet (8') would be required to solve a grading

issue, terracing with multiple walls is recommended, with a plantable area of at least thirty inches (30") between each wall section.

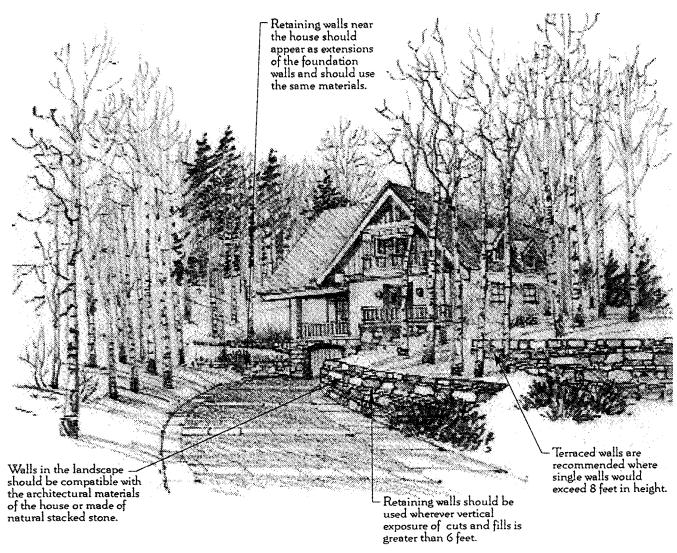


Figure 8: Retaining Walls

#### **SETBACKS**

The boundaries of the development envelope, at a minimum, must respect all Summit County setback requirements. However, since the hallmark of these Guidelines is to insure, through sensitive siting of development, the enjoyment of the natural landscape, and the privacy of each owner, setbacks should substantially exceed Summit County standards wherever SARC reasonable determines it is possible to do so. Unless an exception is granted by SARC based on a determination that peculiar site conditions warrant an exception, setbacks should be sufficient to preserve a forested buffer between any proposed development and the vantage point of another owner or the public from which the proposed development potentially may be viewed. As such, general setback requirements will vary for each homestead. Summit County standards, contained in the Snyderville Basin Development Code, as the same may be amended from time to time, provide for a forty-foot (40') setback from any jurisdictional wetland and a fifty-foot (50') setback from the centerline of any year-round natural stream. It is recommended by SARC that all structures are setback from ski trails forty feet (40'). The final setback

requirements shall conform to the limits of the final development envelope approval by SARC. In general, owners and SARC shall refer to the recorded plat and the site analysis diagram for any specific setback requirements.

#### SEWAGE DISPOSAL

All building sites within The Colony will be served by a sanitary sewer system. Lot owners will be required to pay the requisite sewer connection fees imposed by the Snyderville Basin Water Reclamation District. The location and alignment of any sewer lateral must be reviewed and approved by SARC.

The use of individual sewage disposal (septic) systems may be permitted for temporary or remote, non-residential purposes, and then only with the approval of SARC. If septic systems are permitted, owners will be required to meet all standards for the installation of such systems established by Summit County.

#### **SIGNAGE**

The Colony has developed a unifying motif of natural stone monuments and retaining walls that occur throughout the community. Owners will be required to install an approved natural rock address monument at their driveway entries, the design of which must generally conform to this natural stone motif. Owners shall be responsible for clearing snow in front of the stone address monument in order to facilitate identification for visitors and emergency vehicles. All monument signs shall conform to six inch (6") number size and Benquait font and only list the numerical street address and/or Colony logo. Sandblasted logo (approx. 19" tall) and street address may utilize reflective paint and the color will be Colony Green. Due to higher precipitation during the winter months, which does not allow the paint to adhere to the stone properly, onsite sandblasting is best completed between April 15<sup>th</sup> and October 1<sup>st</sup>.

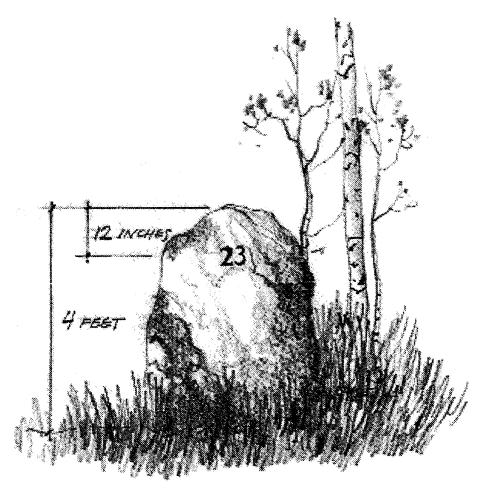


Figure 9: Address Signage

Trail markers for private and public trails within The Colony and "No Trespassing" signs may be posted and maintained by the Association, the ski resort, the Snyderville Basin Recreation District or its designated representative. The location, number and design of all signs to be erected within The Colony must be approved by SARC and/or the Association management.

Signs advertising property for sale and all other signage are prohibited everywhere within The Colony. A single, temporary sign identifying a project construction site shall be provided by the Association management for each owner during the construction period. The builder shall be responsible for installation and removal of the sign in accordance with Association rules.

#### **SWIMMING POOLS**

The owner shall be responsible for purchasing from the water service provider adequate water for the operation of any swimming pool.

Pool fencing (as required by the State) shall be approved by SARC and should emulate the architectural character of the home.

#### **UTILITIES**

Applicants shall provide a site utilities and drainage plan which conforms to the following standards:

- All utility lines shall be underground.
- All utility alignments should be contained within the driveway corridor or the development envelope unless an exception is shown on the developer's improvement plans for the phase in which the homestead is located, or an exception approved by SARC. An exception may impose special restrictions on vegetation removal and construction methodology to prevent excessive damage to existing vegetation or other improvements. Any approved utility alignments that do not follow the driveway corridor must be revegetated with native plantings to restore them to a natural appearance, unless such alignment is proposed as a ski trail or other improvement and is shown on the approved site/grading plan.
- All above-ground utility appurtenances shall be approved by SARC and must be screened from view and sited according to guidelines for service and emergency access provided by each utility. Electrical transformers shall be located where they are not visible from the main road and should be screened from view with vegetation, stone walls, or earthforms. Satellite dishes, if approved by SARC, shall be coated with a non-reflective black finish.
- Gas meters and the connections thereto should be protected from exposure to pressure against them from accumulated snow and ice, whether from drifting or falling from structures above. To mitigate the risk of a rupture and possible explosion, SARC strongly advises owners to consult with the local gas company for site specific guidance as to how to best protect the gas meter and connections in their particular circumstances.
- Concurrent with the construction of the first structure on the homesite, a two inch (2") conduit must be installed (in addition to the phone line conduit) from the street to the home, guest home or barn for the future accommodation of wire or fiber that may be installed in the community.

#### WATER CONCERNS AND IRRIGATION

Water is extremely scarce in Utah and must not be wasted. The total annual supply is limited by the service agreement between The Colony and its water service provider. Each homestead will be allowed to consume water from that central water supply system up to a maximum amount of water purchased by the owner for both culinary and irrigation use. All homes must be equipped with a water meter, and owners will be subject to fines for excessive water use as determined by the water service provider.

All methods of water conservation are strongly recommended to reduce to a minimum the amount consumed by each homestead. Only drip or spray irrigation systems are permitted if The Colony's central water supply is used as the source. A soil monitoring device or rain fall detection system that automatically shuts off irrigation when adequate soil moisture levels are attained is required on all systems.

The central water supply for The Colony shall be the usual source of water for irrigation or other water features within the development envelope; however, private water wells may be allowed in locations approved by SARC. If a well is contemplated, it is the responsibility of the homeowner to secure the

water rights, to obtain the necessary permits from the State Engineer at the Utah State Division of Water Rights, and to drill the well, all at the homestead owner's costs.

#### WILDFIRE MANAGEMENT

Wildfire is always a serious hazard in a high-elevation mountain environment, particularly in relatively remote, semi-arid areas with mature forest cover. It is required that The Colony's fuel reduction standards be incorporated into the owner's plans at an early stage of site planning and design. Additionally, it is recommended that the Fire Marshal's wildfire mitigation standards be included in the preliminary site design drawings. Generally, the following standards will apply:

- Fire hydrants within a development envelope, in addition to those constructed on Colony roadways, may be required by the Park City Fire Service District (PCFSD), and must be installed in accordance with PCFSD specifications. The fire flow requirements for The Colony are established by the PCFSD (see also Fire Protection section in Architectural Design Standards below).
- Owners should refer to sections in these Guidelines entitled Conceptual Plan Review and Plantings for requirements related to the removal of vegetation for wildfire management purposes.
- Fuel breaks in native vegetation may be required by the PCFSD within thirty to one-hundred feet (30' 100') of structures, depending upon the rated severity of wildfire risk in that vicinity. Fuel breaks must be in place prior to occupancy. All fuel breaks are to be maintained by the owner; failure to do so may necessitate maintenance and a special assessment by the Association equal to cost plus twenty percent (cost + 20%). (Refer to Snyderville Basin Development Code.)
- A certificate of compliance must be obtained from the PCFSD before a building permit is issued.
- Prior to construction with combustible materials, the surrounding area within four hundred feet (400'), measured from the closest edge of any proposed (or permanent) structure, shall be cleared of all dead, medium and high hazard vegetative fuels in a manner consistent with the tree removal procedures as outlined in Appendix D of these Guidelines.

## ARCHITECTURAL DESIGN STANDARDS

The primary objective of The Colony's architectural guidelines is to minimize visual impacts of development from other homesteads and from the Snyderville Basin through sensitive massing, colors, and selection of materials. The Colony's architectural design standards focus on how buildings meet the ground, work with natural grades, and harmonize with the natural alpine character of the White Pine Canyon landscape. These Guidelines govern architectural elements and are designed to achieve the architectural goals through appropriate building massing, roof form, and the color and reflectivity of materials. Within these general parameters, they are intended to give owners and their architects as much flexibility as possible to design living environments that suit the owners' individual needs and tastes.

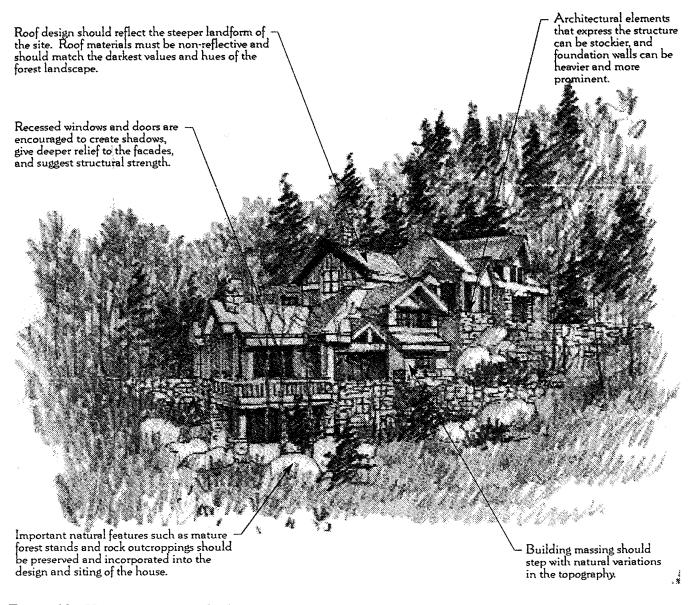


Figure 10: Homes on Forested, Sloping Sites

#### ARCHITECTURAL THEME AND STYLE

These Guidelines do not mandate an identifiable architectural style or theme. Instead, owners are required to design with materials and forms that reflect the natural characteristics of the site and its climate in order to create places intimately connected with nature. Imitation of non-indigenous styles that are closely identified with other geographies is strongly discouraged. (Please refer also to the Snyderville Basin Development Code, Architectural Regulations for All Structures. Where the provisions of the Code are more restrictive, they shall take precedence over The Colony's Guidelines.)

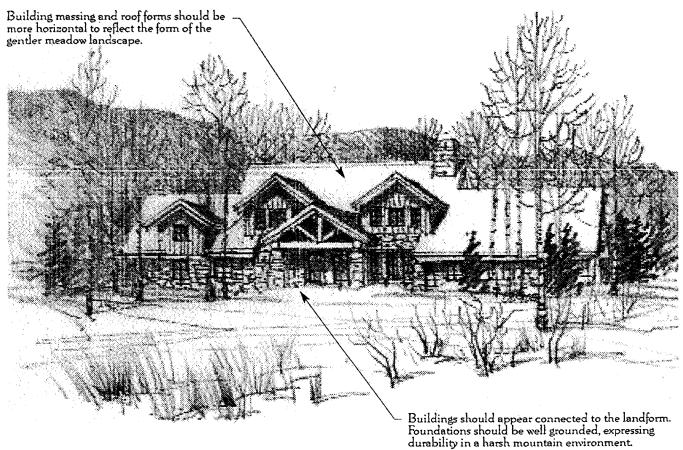


Figure 11: Homes on More Open Sites

Where the owner's development plan anticipates multiple structures within the development envelope, the buildings should be unified by a consistent vocabulary of architectural design elements, materials, and colors. Building compounds shall be organized in such a manner as to minimize their site disturbance and visual impact.

## BUILDING FORM, HEIGHT AND MASSING

It is essential that buildings in The Colony appear harmonious with their mountain environment and that they allow the natural landscape to dominate the distant views of the community. Important natural features, such as mature forest stands and rock outcroppings, should be preserved and used as organizing elements in the siting and massing of buildings. Building massing and landscape elements should reflect natural variations in the topography and use these to create drama and privacy (see Figures 1, 10 and 11).

In no event shall the height of any structure exceed Summit County standards as set forth in the Snyderville Basin Development Code (the "Code") which, from time to time, may be amended. Currently, the Code provides that a structure in a residential zone, such as The Colony, may not exceed thirty-two feet (32') in height as measured from "Natural Grade" or "Finished Grade," whichever is lower. (See the Code and the Section on "Grading" in these Guidelines for definitions of grade.)

Maximum building heights may vary from site to site, depending upon: (a) the scale of natural features; (b) the height, density, or openness of forest cover; and (c) the visibility of the building site from a distance and adjoining homesteads. On certain homesteads, where a gentler landform, clearings in the tree cover, or more open vistas make development more visible from adjacent sites, long, unbroken two-story building elements will be discouraged by SARC and lower form and profile structures will be encouraged to more appropriately reflect the natural aspects of the site and to reduce the overall massing of the structure. On other homesteads, increased excavation under the footprint of a structure may be required by SARC to "sink" the structure into the ground and to reduce its apparent height.

SARC is specifically empowered to require modifications to the form or massing of a structure or to a proposed development envelope, and/or to restrict building heights if, in its reasonable discretion, SARC determines that the structures would be visually intrusive to the primary view corridors as described by the site analysis diagram of surrounding homesites.

Prior to purchasing or building on one of these designated lots, it is the sole responsibility of the owner to understand the conditions that have been placed on the surrounding homesteads. Comprehensive site analysis diagrams are available for all property owners to review.

All existing grades and site improvements shall be confirmed by a certified field survey required for the pre-planning meeting, step one of the review process.

#### **BUILDING FOUNDATION WALLS**

Buildings must be genuinely subordinate to the natural landscape and should appear to grow out of the landform, never perched or suspended above the site. In well-grounded buildings, the foundation defines the exterior perimeter of both indoor and outdoor living spaces and sets the character of the transition between nature and the built environment. Solid materials that express durability in a harsh climate are a key element in the architecture of mountain environments.

Exposed foundation walls for residences at The Colony must be constructed of or clad with durable materials such as masonry, stone, or heavy timbers. Exposed, architectural concrete may be considered on a case by case basis by SARC. Split face concrete block, aluminum siding, and brick are not permitted. Wood paneling is not allowed at ground level because it deteriorates more quickly in a high-altitude climate.

Because they do not appear connected to the ground, exposed posts and cross-bracing are not permitted as the means to support building projections. However, knee bracing, large timbers, and substantial stone columns that are part of the architectural vernacular are permitted as the structural support for projecting elements.

Foundations for garden fences and walls shall employ the same materials as the buildings, strengthening the architectural connection among the various built elements as well as their connection to and reflection of the natural landscape.

#### **ENERGY CONSERVATION**

Owners are strongly encouraged to respect the harsh winter climate in the design of their residences and to utilize all possible energy conserving technologies. Among the methods owners might wish to consider are:

- Proper siting and the use of heat-retaining materials to maximize passive solar gain and radiation;
- Active solar systems, where solar panels can be reasonable concealed from important views including adjacent homes, ski lifts and roadways within The Colony;
- Thermopane glazing and the reduction of window area on the north- and northwest-facing elevations:
- Super insulated or cold roof design;
- Wall insulation of a minimum R-30 value:
- Innovative heating systems, such as radiant floor elements;
- Electronically controlled and programmable thermostats;
- Airlock entries and vestibules;
- Avoidance of wind-exposed sites;
- The use of trees as windbreaks and deciduous trees on south-facing elevations;
- Fuel-efficient and gas fireplaces;
- Water-conserving toilets and flow-restricted faucets.

#### EXTERIOR WALLS AND WINDOWS

Continuous flat wall planes shall be avoided. Building elevations visible from off-site should be horizontally and vertically stepped to avoid large uninterrupted wall surfaces that would be distracting, out of place, and overly visible in the landscape. Recessed windows and doors are also encouraged to create shadow effects and give deeper relief to the facades. Complex wall surfaces are encouraged to help anchor large structures more effectively to the ground. (Refer also to Snyderville Basin Development Code, Architectural Regulations.)

Building materials should reflect the natural surroundings. Allowed exterior materials include stained or natural wood, and stone, shingles, and logs. With SARC approval, stucco may be used as a subordinate material but only when used in combination with other allowed natural materials. Large THE COLONY AT WHITE PINE CANYON PAGE 31 DESIGN AND DEVELOPMENT GUIDELINES 01004552 Page 35 of 71 Summit County

unbroken surfaces of stucco are prohibited. Other materials proposed by the owner may be considered by SARC however, the use of manufactured or synthetic materials for exterior wall surfaces is discouraged and may be prohibited at SARC's discretion.

Exterior walls and window treatments shall match the medium color and values of the immediate natural landscape. Careful detailing of window treatments is encouraged. Untreated aluminum or metal window frames are prohibited. Exterior window trim shall be in scale with the building façade. Mirrored glass windows are not permitted. Color samples are required at final plan review.

## FIREPLACES, CHIMNEYS, FLUES, AND ROOF VENTS

The number and type of fireplaces and other fuel-burning appliances in any residence must conform to Summit County guidelines. Owners are encouraged to install gas or fuel-efficient fireplaces.

Chimneys shall be clad in natural stone or other inflammable material approved by SARC.

Flues and roof vents shall be non-reflective if exposed or enclosed with materials compatible with the building.

Any fireplace or fuel-burning appliance must be equipped with PCFSD approved spark arresters or screens on stovepipes and chimney outlets that are hidden from view.

Roof-top equipment and vents that project through the roof must be grouped and concealed. Vents should be located near the roof ridge or protected by a cricket so that snow shedding from the roof cannot shear them off. All vents shall be colored to match the surrounding roofing material.

#### FIRE PROTECTION

- Materials: All roof materials must meet U.L. listed Class A fire ratings.
- Water Distribution: The minimum size of main lines for the central water system will be six inches (6") in diameter and will be sized larger if flows and velocities dictate. Fire hydrants will be installed in accordance with the Park City Fire Service District (PCFSD) requirements and not more than two hundred feet (200') from any structure on a homestead.
- Water Supply to Homesteads: Homesteads will be provided with a water line stub at the lot line that will be a minimum of one and a half inches (1 ½") in diameter. The service line to the residence may need to be larger to provide adequate flow and pressure to meet the fire sprinkler demands. Line size will be determined by a professional fire suppression design firm or PCFSD.
- <u>Automatic Fire Sprinkler Systems:</u> All structures must be constructed with a modified 13-D fire sprinkler system installed as required and approved by the PCFSD. In some instances, building exteriors will be fire sprinkled depending on the wildfire hazard rating, types of vegetation, fuel break clearing limits, slope gradients, and orientation or types of building materials being used.

#### **ROOF DESIGN**

From a distance, roofs are often the most visible architectural element of a building. In a rural setting, where it is desirable to minimize the presence of development, design decisions regarding roof form, line, and color are extremely important.

Roof design should complement the massing of the structure and the forms of the adjacent landscape. Primary roof pitches shall be based on a determination by SARC as to the appropriate pitch for the environment in which the structure is located. At the discretion of SARC, flat roofs may be approved in certain cases if they will not be visible from above.

Homes situated on meadows or flatter sites are encouraged to have roofs with predominate pitches less than five (5) in twelve (12). Secondary roof planes with less pitch are encouraged.

Large unbroken expanses of roof area shall not be permitted. Ridgelines should be appropriately interrupted in response to the overall scale and proportionate massing of a structure so as not to appear excessive in length. Long, uninterrupted ridgelines are strongly discouraged and will not be permitted unless SARC determines that other building elements make the ridgeline less conspicuous. This determination will be handled on a case-by-case basis, with visibility from a distance being the primary criterion.

Although the high point of a roof is typically set back some distance from the perimeter of the building footprint, shed or gable roof forms may result in the high point of the roof occurring at the outside edge of a building. SARC may determine that a flat or shed roof form (sloping in any direction), is compliant with and complimentary to the proposed architectural style of the home. The need to limit potential visual impacts of tall or massive exterior walls and expanses of glass on adjacent homesteads will be a primary consideration by SARC in evaluation of any such proposals. The use of flat or shed roofs will not be allowed specifically for the purpose of maximizing outward views from a home, to the extent that the building mass disproportionately shifts the massing to the exterior face of the building.

Eave lines that project beyond the building walls are recommended in order to minimize reflections from glazing, create shadow patterns on the building walls, and protect south-facing interior spaces from glare caused by the low angle of the winter sun.

Roof materials must be non-reflective, with color values and hues that match the darkest values and hues of the natural landscape in the immediate vicinity. Roofs that hold snow are encouraged, as they will be less visible in winter. Wooden shingles must be approved by the Fire Marshal. Standing-seam metal roofs may not be used as the primary roof material but may be used in limited circumstances, such as a trim, accent, or contrast feature. If used, it should generally not exceed twenty percent (20%) of the total roof area. Given the specific location and characteristic of a site, SARC may impose reasonable restrictions on the roof design and materials. Samples of the roofing material are required as part of the submittal package.

## CONSTRUCTION MANAGEMENT STANDARDS

## CONTRACTOR LICENSING AND INSURANCE

Builders must be licensed contractors in the State of Utah. The contractor must carry at least one million dollars (\$1,000,000) in general liability insurance. The contractor must have their insurance carrier provide a certificate of insurance naming the Owner and The Homeowners Association for The Colony at White Pine Canyon.

## **COMPLIANCE DEPOSITS**

Each owner is responsible for any damage caused to roads, ditches, fences, trails, natural drainage courses, utilities, Association property, or other homesteads or property during the construction of improvements or other activities on his homestead. Each owner is also responsible for any damage caused by utility cuts in roads, washouts and runoff damage caused by failure to install culverts properly and to repair any such damage in a timely manner. From time to time, the Association may adopt rules and regulations to enforce these provisions, including the requirement for deposits at the time of approval by SARC to ensure the repair of any damage caused to The Colony infrastructure during construction activity performed at the direction of an owner.

## MANAGEMENT OF CONSTRUCTION ACTIVITY

Efficient management of construction activity is necessary in order to minimize site disturbance and protect each owner's privacy and views. Construction personnel are the responsibility of the owner. The owner must provide his contractors with handouts explaining construction regulations specific to The Colony. See Appendix E "Construction Regulations" for a complete list of construction rules and regulations.

## PROTECTION OF THE CONSTRUCTION SITE

Plans detailing fugitive dust control measures, temporary erosion control measures, and staging locations and procedures during construction are required for approval by SARC before application for a building permit may be submitted to the County and before construction may begin.

To avoid unnecessary damage to the landscape, snow fencing or chain link fence must be erected around the area within the development envelope that will be affected by construction. The fenced area of disturbance must be the minimum required for the SARC approved construction activity and must be defined on the site plans that are submitted to SARC for review. In addition, the contractor must clearly flag all trees to be retained and erect a protective barrier around them at the dripline (see Appendix D, Tree Removal Procedures). The contractor shall not allow the movement or cleaning of any equipment within this protective barrier and will be responsible for replacing any damaged vegetation with plants of equal value.

The contractor is responsible for disposing of excess dirt and vegetation cleared from the building site and is expected to keep the community's main roads clean. Unpaved access must be watered for dust control during construction. Construction site entrance should be graveled to reduce airborne dust.

## PROTECTION OF THE COLONY INFRASTRUCTURE, EASEMENTS, AMENITIES, ETC.

Any disturbance of infrastructure (such as roads, guardrails, utilities, bridges, etc.), easements, amenities, etc., will require the prior approval of, and be subject to conditions set by, SARC. All such permitted disturbances must be completed by October 15<sup>th</sup> and be restored to The Colony standards at the cost of the lot owner.

Snow removal and deicing procedures on infrastructure within The Colony are the responsibility of The Colony HOA. Neither owners nor builders are permitted to place salt or ice control chemicals on HOA managed roads within The Colony. The HOA has the exclusive responsibility to determine where and when such chemicals may be used, in accordance with the Infrastructure Remediation Agreement and The Colony's adopted standards. Lots under construction will not receive special treatment relative to these standards. Any additional methods of snow removal or traction control to accommodate the construction phase of a project are the responsibility of individual homeowners and must receive prior approval from the Ranch Manager.

## COMPLIANCE WITH COUNTY REQUIREMENTS

Applicants may be required to meet additional Summit County construction regulations as a condition of obtaining a building permit. The requirements of Summit County or SARC, whichever are more stringent, shall govern construction activity.

## REGULATED LIGHTING GUIDELINES

## **GOALS**

In order to preserve and protect the unique nature and qualities of The Colony, it is essential that thoughtful consideration be given to the issue of lighting, both exterior lighting and interior lighting that affect the natural surroundings. If not properly regulated, lighting could have a substantial effect on the rural, forested environment of The Colony. Light pollution and the disturbing glare that emanates from unshielded, direct light sources negatively impact on privacy and separation that are the distinguishing characteristics of The Colony. A primary goal of these Guidelines is to ensure, to the degree reasonably possible, that all Colony residents enjoy their privacy and separation free from the trespass of light from their neighbors and also enjoy the magnificence of an undiminished night sky.

The lighting regulated by these guidelines ("Regulated Lighting") is defined to include all exterior and interior illumination within the Development Envelope and the Driveway Access Corridor emanating from: (a) any light source attached to the exterior of a structure, (b) any light source on the interior of a structure that may be viewed from the exterior; and (c) any other exterior light sources, including but not limited to those intended to illuminate the exterior landscape, driveway corridors, patios and decks.

Light pollution ("Light Pollution") is generally considered to be wasted light, or light that does nothing to promote nighttime safety, utility, or security. Any lighting that produces "hot spots," glare, clutter or light trespass, and/or that wastes energy, money or resources, is considered to consist of and contribute to Light Pollution. Light Pollution of any type is inconsistent with the protective covenants of these Guidelines and is not permitted.

To be consistent with these Guidelines, all types of lighting should be designed to meet both building code and safety requirements and the reasonable lighting objectives of the Owner (to the extent those objectives are consistent with the intent and goals of these Guidelines) with the minimum amount of lighting needed to achieve those requirements and objectives without redundancy or overlap, i.e., without proliferation of different light source fixtures intended to light the same object or area, or to light the same object or area excessively.

Please refer to the Snyderville Basin Development Code for limitations in addition to those outlined above.

## REQUIREMENTS FOR LIGHTING PLANS

In order to demonstrate consistency with the intended goals, it shall be the responsibility of each applicant for development within The Colony to provide lighting design plans that address all Regulated Lighting. To assist the applicant in this process, these Guidelines include provisions relating to the placement, specifications and standards for Regulated Lighting. Lighting design plans shall include accurate and comprehensive lists and descriptions of all Regulated Lighting and shall be submitted to SARC for approval at Final Plan Review. SARC also may request, and the applicant shall supply, any other information that may be reasonable necessary to fully evaluate the consistency of the proposed plans with these Guidelines.

All lighting design plans shall include the information listed below:

1. The precise locations of all Regulated Lighting sources.

- 2. The specifications and manufacturer's cut sheet for each fixture indicating housing, trim selection, lamping type, wattage and beam distribution, lens and louver specifications.
- 3. A brief description, when required, of how Regulated Lighting fixture locations and specifications meet the objectives of the Guidelines.

In addition, SARC may require an operational sample of any proposed fixture in order to assess its consistency with the Guidelines.

Changes, additions or modifications to SARC approved lighting plans, including lighting fixtures, shall require subsequent approval from SARC.

## GENERAL LIGHTING POLICIES AND PROHIBITIONS

With regard to Regulated Lighting, the following policies must be adhered to:

- (a) Lighting will not be permitted anywhere outside the Development Envelop and the Driveway Access Corridor.
- (b) In the Driveway Access Corridor, one low-intensity light (with a hidden source) will be permitted where the drive intersects the main road for the purpose of illuminating the address monument at the driveway entry. Additional low-wattage lights may be permitted with approval of SARC along the Driveway Access Corridor wherever needed to illuminate difficult or dangerous curves.
- (c) The light source in any and all Regulated Lighting fixtures must be shielded so that the bulb cannot be seen from any angle (except from the surface of the object or area it is intended to illuminate), in order to avoid Light Pollution.
- (d) Clear glass lenses on any lighting fixture are prohibited, except on natural gas lamps that have a modest flame.

The use of all the following are prohibited:

- 1. Mercury vapor and low-pressure sodium lights;
- 2. Searchlights;
- 3. Laser lights and similar high intensity lights;
- 4. Floodlights:
- 5. Lights that illuminate a roof or awning;
- 6. Landscape down lighting or "moonlighting";
- 7. Lights that blink, move or change intensity;
- 8. Exposed neon, exposed LED or similar exposed lights;
- 9. Pole mounted lights that are high enough to expose the light source as seen from offsite; and
- 10. Outdoor court lights.

## TYPES AND DESIGN OF LIGHTING

Lighting typically falls into ten (10) specific types or layers of illumination that apply to all Regulated Lighting. Each type of illumination is intended to accomplish a specific lighting requirement and objective in a sensitive and efficient manner. A Glossary of Terms to assist the owner or applicant is provided and incorporated herein. The descriptions and the guidelines for each type of illumination are set forth below:

## Interior Illumination

Interior illumination refers to the lighting that is used to illuminate the interior of a structure that may be visible from the exterior of the structure through window glazing. Examples of such illumination include, but are not limited to, ceiling can lights, chandeliers, table lamps, and the like.

All interior illumination shall be directed to areas within the structure. Unshielded, direct light sources that may be viewed through windows from any angle are prohibited. Shielding of any exposed light source on interior lighting fixtures (whether decorative or functional) is required. Recessed surface fixtures, whether fixed or adjustable, shall be of such a design that will permit the light source to be directed away from windows, and shall have adequate lensing and louvering to minimize visibility from the exterior.

## Architectural Illumination

Architectural illumination refers to the subtle highlighting of important and distinctive architectural features of the home or other structures. Examples might include wood, stone, metal or plaster columns, archways, medallions, address markers, concealed cove illumination in porte cocheres, large eave projections, overhangs above patios, doorways and entries.

Architectural highlighting shall be kept to a minimum and should illuminate only the most important features of the home. Surface mounted architectural exterior lighting fixtures shall not protrude from the wall surface more than ten (10) inches. All architectural exterior lighting sources shall be shielded and louvered with a maximum wattage of twenty (20) watts.

## View Illumination

View illumination refers to subtle highlighting of important exterior landscape areas as seen from the interior of a home from areas such as the windows at the front entry, great room, dining room, family room, living room and guest suites. Examples of view illumination techniques include eave lighting for patio or deck illumination, (e.g., small, louvered, low-wattage fixtures build into walls as low to the walking surface as possible to provide deck or patio wash lighting) and low-wattage fixtures to subtly illuminate a prominent tree.

View illumination shall be kept to a minimum on the exterior eaves of the residence. All eave lighting fixtures shall be recessed, i.e., flush (or inset) with the underside of the structure. The maximum lighting trim aperture shall be four (4) inches in diameter. The fixture shall include an adjustable interior gimble lamp that shall be a minimum of one and one half (1½) inches from the bottom of the trim and underside of the structure. All exterior eave lighting fixtures are required to have a one half (½) inch minimum thickness hex louver or honeycomb baffle below the lamp in order to direct the light straight down to its intended object and not dispersed into the field of view from adjoining properties or roadways. Maximum wattage for a view lighting fixture shall be a 40-watt, MR 16 lamp or equivalent.

## **Decorative Illumination**

Decorative illumination refers to wall sconces, column pilaster lanterns, pendant or any other surface mounted decorative lighting.

Decorative lighting fixtures, including but not limited to, sconces flanking main entry doors, flanking garage doors, and flanking on right or left of any exterior doors, shall be kept to a minimum on the exterior of the home and all other structures. Pendant lighting fixtures shall have a hidden light source and be kept to a minimum and shall not be permitted in areas that would permit the light source to be seen from offsite and would generally be restricted to a main entry and/or porte cochere. All decorative lighting fixtures shall have a fully shielded lamp or provide similar cut off mechanism in order to eliminate any offsite viewing of the light source. Maximum wattage of a decorative fixture shall be a 40-watt A 15 lamp.

## Safety Illumination

Safety illumination refers to subtle exterior path lighting, walkways, stepping stone areas, exterior steps, stairways, driveways and the like.

Safety illumination shall be kept to a comfortable minimum with a maximum allowable wattage per fixture of twenty (20) watts. Illumination shall be directed down precisely onto, and shall not be permitted to be dispersed above or beyond, the intended object such as a walkway, stairway, entry, address monument or driveway.

## Holiday Illumination

Holiday illumination refers to any temporary exterior lighting effects added for the winter holiday season.

Holiday illumination shall be tasteful and kept to a minimum under the following guidelines:

- Lighting that blinks, moves or changes in intensity is prohibited.
- Mini lights in trees are to be kept to a reasonable minimum.
- Period of use is from November 15<sup>th</sup> to January 31<sup>st</sup> of the following year.
- A single color of lights is allowed per homestead.
- Lights will be turned off every night by 10:00 pm.
- Lighting is limited to trees only. Structure lighting, i.e. rooflines, fascia, is prohibited.

## **Landscape Illumination**

Landscape illumination refers to subtle illumination of trees, flowerbeds and other low level planting, and areas intended for exterior, nighttime use.

Landscape illumination shall be kept to a minimum and shall be consistent with the following guidelines:

- All outdoor lighting shall be fully shielded and louvered to eliminate visibility from offsite.
- Escape of light to the sky shall be minimized.
- Up lighting of trees shall utilize low voltage, single source, 20-watt maximum shielded and louvered fixtures and be as low to grade as possible, shall be focused solely on the intended object, and shall be no more than thirty-five feet (35') from the main residence and generally not at more than three locations unless otherwise approved by SARC.
- Landscape down lighting is prohibited.

- All lighting conduits, fixtures and remote low voltage transformers shall be as inconspicuous as possible.
- The recommended turn-on time is dusk and the recommended turn-off time is midnight.

## Pool, Spa, Fountain and Other Water Feature Illumination

Water feature illumination refers to the subtle illumination of swimming pools, exercise pools, hot tubs, Jacuzzis, reflecting pools, streams, waterfalls, fountains and water sculptures.

All water feature exterior lighting fixtures shall be mounted underwater and kept to a minimum. Underwater fixtures for exterior pools and spas shall have a maximum of 100-watts; all other water feature fixtures shall have a maximum of 20-watts.

## **Special Features Illumination**

Special feature illumination refers to the illumination of sculptures, flagpoles, statues and similar outdoor objects.

Lighting of special features shall be kept to a minimum and fixtures shall consist of a low voltage single source shielded and louvered fixture with a maximum of 20-watts.

## Special Events Illumination

Special events illumination refers to subtle exterior temporary lighting for birthday, wedding, anniversary, charity events and home shows.

Special event illumination shall be kept to a reasonable minimum and shall be allowed only by special permit issued by The Colony Homeowners Association.

#### **GLOSSARY OF TERMS**

Ambient Lighting – The general character and overall level of illumination in particular area.

**Direct and Upward Light Emission (Up-lighting)** – Light rays that are emitted from a fixture that are above a horizontal plane intersecting that light source or fixture.

**Direct and Downward Light Emission (Down-lighting)** – Light rays that are emitted from a fixture that are below a horizontal plane intersecting that light source or fixture.

Glare – Brightness in the field of view that is sufficiently greater than the amount to which the eye is adapted, causing annoyance, discomfort or loss of visual performance and visibility.

Laser Lights – A laser source light, or any similar high intensity light, used for outdoor advertising or entertainment, when projected above the horizontal plane.

**Light Source** – Any man-made light source or collection of light sources that produce light by any means.

**Light Trespass** – Light rays produced by a lighting fixture that travel beyond the boundaries of the property on which it is located.

**Lighting Fixtures** – A complete unit consisting of a light source together with housing and parts designed to distribute and aim light and located either inside or outside a structure.

Low Voltage – Operating at 24 volts or less.

Nuisance Lighting – Includes, but not limited to, glare, light trespass and sky glow.

Outdoor Lighting – The nighttime illumination of an outside area or object, or any man-made light emitting onto an object outdoors.

**Searchlight** – A mobile or fixed projector designed to produce an approximately parallel beam of light which is aimed above the horizontal plane, the use of which included, but is not limited to, advertising for special events.

**Shielded** – A lighting fixture having a configuration of the housing or optics that prevents a direct view to the light source from any angle other than from the surface of the object or area the light is intended to illuminate.

Sky glow – The adverse effect of brightening of the night sky due to man-made lighting.

## REFERENCES

The Problem of Light Pollution, International Dark-Sky Association, Information Sheet 1, May 1996.

Light Pollution – Theft of the Night, International Dark-Sky Association, Information Sheet 90, October 1993.

Residential & Dusk to Dawn, International Dark-Sky Association, www.darksky.org, January 2004.

Landscape Lighting, International Dark-Sky Association, www.darksky.org, January 2004.

City of Santa Barbara Outdoor Lighting Ordinance, www.darksky.org/sbolodg.html, Resolution No. 97.149, November 2003.

# APPENDIX A: RESIDENTIAL APPLICATION FORM

## THE COLONY AT WHITE PINE CANYON SITE AND ARCHITECTURAL REVIEW COMMITTEE (SARC)

Homestead Number:			
Application Date:	,		
Application Fee:			
Check the appropriate box(es) for this	application.		
TYPE OF REVIEW	PRE-PLANNING MEETING	CONCEPTUAL DESIGN REVIEW	FINAL PLAN REVIEW
New Single-Family Residence			
New Accessory Structure			
Guest House			
Barn			
• Other (specify)			
Structure Renovation	N/A		
Site/Landscape Modification	N/A	···	
Miscellaneous (specify)			
<ul> <li>An application will be deemed below and on the Checklist for Review Committee (SARC).</li> <li>All plans must conform to the Colony at White Pine Canyon (the "Guidelines").</li> <li>The appropriate fee must acconol Please contact a SARC representation.</li> </ul>	I complete and accepted Plan Evaluation is proposed provisions of the Cove (the "CC&R's") and the mpany the application entative with any quest	enants, Conditions and he Design and Develop (see attached Schedule ions about the applicat	Architectural Restrictions of The oment Guidelines e).
read and will comply with all of the provisi Construction Management Standards of T. 35).	ions contained in the CC&	R's and the Guidelines in	icluding the
Owner's Signature:		······································	
Printed Name of Signatory:			
Date:			

## **SECTION I ~ CONTACT INFORMATION**

A. Name of Owner(s): Mailing Address:		
Telephone: (	)	Fax: ( )
B. Name of Applicant: Relationship to Own Mailing Address:	er(s):	Firm:
Telephone: (	)	Fax: ( )
C. Name of Architect: Mailing Address:		
Telephone: (	)	_ / \
SECTION II ~ PROJE	CT DATA	
A. Lot Acreage:		
B. Development En	velope Acreage:	
C. Proposed Floor A	area:	sq. ft.
Primary Unit: Secondary Unit: Accessory Unit: Accessory Unit: Garages: Undeveloped: Total:		sq. ft. sq. ft. (not to exceed 2,500 sq. ft.) sq. ft.
D. Number of Bedro	ooms, all units:	
E. Number of Cover Number of Unco Total Parking:	red Parking Spaces: vered Parking Spaces:	
F. Number of Kitch Number of Bathr Number of Firep	ooms:	g;
G. Maximum Slope	of Driveway:%	(First 20 feet of driveway is % slope) (Last 20 feet of driveway is % slope)

## **SECTION II ~ PROJECT DATA (CONTINUED)**

. List of Materials		
Building	Type of Material	Specifications, Product Color
Roof (Pitch is)		
Other Wall Materials		
Utility Meters		
(Locate on plans)		
Fascia		
Soffits		
Windows		
Window Trim		
Exterior Doors		
Garage Doors		
Door Trim		
Hand or Deck Rails		
Flues, Caps		
Flashings		
Chimney Enclosures		
Trash Enclosures		
(Locate on plans)		
Greenhouses		
Exterior Lighting Fixtures		
(Attach cut sheets)		
Gutters	esemble to the second s	
TION III ~ STRUCTURE R	ENOVATION	
A. Describe structure(s) an	d proposed renovations:	

- quirements:
  - 1.) Submit photographs or previously approved plans.
  - 2.) Submit two (2) full-size sets and five (5) 11" x 17" reduction sets of plans as appropriate.

## SECTION IV ~ SITE/LANDSACPE MODIFICATION

	Describe proposed site/landscape modifications:
B.	Plan Requirements:
	<ol> <li>Submit photographs or previously approved plans.</li> <li>Submit two (2) full-size sets and five (5) 11" x 17" reduction sets of plans as appropriate.</li> </ol>
ECT	TION V ~ MISCELLANEOUS REVIEW
	Describe review requested:

## **CHECKLIST FOR PLAN EVALUATION**

NECESS	AR	Y INFORMATION ON ALL DRAWINGS
		Homestead number (Lot & Address), date, and scale North arrow
NECESS	AR	Y INFORMATION ON SITE PLANS
		Existing and proposed contours at two foot (2') intervals
		All property lines
		Proposed limits of the development envelope and the driveway corridor  Driveway grades
		Existing mature trees to be retained and to be removed
		Wetlands, creeks and drainages, if any
		Existing and proposed utilities, including septic field and utility easements
		Limits of site disturbance
		Footprints of all proposed structures and other site improvements  Exterior lighting locations
		Calculation of total impervious site coverage (not to exceed 20,000 sq. ft.)
		Proposed finish grades and ground floor elevations
		Building heights above existing grade (not to exceed 32 feet)
NECESS	AR	Y INFORMATION ON BUILDING PLANS
		Proposed finish floor elevations on each level
		Roof ridge heights above existing grade (in section)
		Building dimensions for all structures
		Floor area calculations for the primary structure, guest house, and out-buildings
CHECKI	LIST	Γ OF SUBMISSION REQUIREMENTS FOR PRE-PLANNING MEETING
		Completed application form (Appendix A)
		Fee \$ (see Appendix B)
		Certified site survey and Developer's site analysis diagram
CHECKI	LIST	Γ OF SUBMISSION REQUIREMENTS FOR CONCEPTUAL DESIGN REVIEW
		Plan drawings: one (1) set of 24 x 36 or 30 x 42 prints and five (5) sets of 11" x 17"
		reductions for each of the following:
		Conceptual site/grading plan
		<ul><li>Conceptual building floor plans</li><li>Conceptual roof plan</li></ul>
		<ul> <li>Conceptual roof plan</li> <li>Conceptual building sections and elevations</li> </ul>
		<ul> <li>Conceptual landscape plan</li> </ul>
		<ul> <li>Description of preliminary choices of finishes, materials, and colors</li> </ul>
		<ul> <li>Massing model (optional)</li> </ul>

## CHECKLIST OF SUBMISSION REQUIREMENTS FOR FINAL PLAN REVIEW ☐ Updated application form ☐ Compliance deposits □ Plan drawings: one (1) set of 24 x 36 or 30 x 42 prints and five (5) sets of 11" x 17" reductions for each of the following: Final site plan Final grading and drainage plan Final landscape plan Final building floor plans Final roof plan Final building sections and elevations Construction details as necessary to illustrate design intent for buildings, site features and accessory elements, including entry monuments and gates Exterior lighting plan Development phasing plan, if applicable Construction staging plan Temporary erosion control and tree protection plan Final material samples, specifications, product cut sheets, and color samples Revised massing model (optional) □ Subsequent to final approval, the applicant shall provide three (3) complete sets of plans, one of which shall be 24 x 36, and one (1) additional site plan. CHECKLIST FOR EVALUATING SITE PLAN VISIBILITY AND SETBACKS ☐ All site improvements contained within the development envelope ☐ Minimal visibility of primary structures from a distance □ No intrusion of structures into neighbors' primary view corridors □ 40-foot setback from wetland edges □ 100-foot setback from natural streams **DRIVEWAYS** ☐ Alignment minimizes cuts and fills and disturbance of natural vegetation ☐ Safe point of access from road □ Driveway width (minimum 15 feet) ☐ Driveway gradient (maximum 12%)

## **PARKING**

☐ One parking space per bedroom required

□ Driveway gradient (maximum 5% in first 20 feet from road)
 □ Emergency vehicle turnout at building pad and every 200 feet

☐ Three parking spaces covered for main house, two for guest home, attached or detached garage

□ No excessively large paved areas

GRADING A	ND DRAINAGE
	Grading blends into natural terrain and reflects natural landforms
	No development on slopes steeper than 30%
	Grading and Conservation Plan required for development on slopes over 15%
	No grading outside the development envelope and the driveway corridor
	No cut and fill slopes steeper than 2:1 (3:1 recommended for fill slopes)
	No cut or fill slopes with vertical exposure greater than 6 feet
	Cut and fill qualities balance
	Minimal disturbance to natural drainages
	Drainage swales integrated into natural landforms
	Drainage resolved on-site; no concentrated drainage onto neighboring properties
	Bridges and culverts indicated where necessary
RETAINING	WALLS
	Walls over four feet (4') in height certified by a civil or structural engineer
	No walls over eight feet (8') in height
	Walls attached to building foundations preferred
	Stone or other facing materials compatible with architecture of the house
	No concrete block, raw poured-in-place concrete, brick or railroad ties
HTILITIES A	ND WASTE DISPOSAL
	All utility lines underground
	Utilities within the driveway corridor, or alternate alignment to be approved
	Utility easements indicated on site plan
	Transformers and other above-ground utility boxes in screened location
	Satellite dishes screened and non-reflective black
	Specific location of septic system approved by Summit County Health Department (if
	applicable)
	Septic leach field located in low-visibility area within the development envelope (if
	applicable)
	Trash receptacles screened, enclosed, and animal proof
PLANTING	
	All disturbed areas adequately revegetated with native plants
	Transition from structured to natural landscape well detailed
	No non-native plant species outside the development envelope
	Species appropriate for microclimate conditions
	Planting design compatible with patterns in natural vegetation
	Minimum conifer size six feet (6'), with 50% over eight feet (8') in height
	Minimum caliper size of deciduous trees 1 ½ inches, with 50% over 2 inches
	Thinning of vegetation outside the development envelope only with approval
	Removal of existing trees only with approval
	Lawn area minimized and contained within the immediate area of the residence

WATER		
		Water connection approved by SARC
		Water meter required
		Drip or spray irrigation systems only; soil moisture monitoring device required
		Ponds and other water features naturalistic in appearance
		Dams well integrated into natural terrain
		Ponds and decorative pools certified by civil engineer
		Ponds larger than 10,000-gallon capacity on wells only
		Water source for all uses identified and total annual consumption estimated
	Ц	Well permit application filed (if well water proposed as the source)
EVTEDIO	ът	ICUTDIC
EXTERIO		IGHTING  No direct light gayrage visible from off site years on sinte
		No direct light sources visible from off-site vantage points  No site lighting outside the development envelope and the driveway corridor
		No floodlights or "moonlighting"
		100 Hoodinghts of Mooninghting
FENCING	. SI	GNAGE AND GATES
121(011(0	, ~. □	Materials to match the architecture of the residence or an approved rail fence design
		No fences along the driveway
		Design for address signage compatible with Colony's stone motif
		Address monuments no larger than four feet (4') in any dimension
		Entry gates set back from road and four feet (4') wider than driveway
		Gates operable in owners' absence for emergency and snowplowing
PETS		
		Horses permitted only with SARC approval
		····
		Summit County Low Impact Permit required for barns and corrals
		Dog runs and animal pens enclosed and covered
		Trash area completely enclosed

## CHECKLIST FOR EVALUATING BUILDING DESIGN

ARCHITI	ECT	URAL VOCABULARY  Building compounds unified by consistent architectural elements and materials
BUILDIN	IG F	FORM, HEIGHT, AND MASSING
DOILDIN		Building siting and massing responsive to natural topography
		Maximum building height thirty-two feet (32'); lower on open, flatter sites
		Structures not visually prominent from adjoining homesteads or Synderville Basin
ROOFS		
		No large, unbroken expanses of roof area
		Non-reflective roof materials
		Wooden shingles permitted only if approved by Fire Marshal
		Entries, pedestrian areas and parking areas protected from snow shedding
WALLS	4 NT	O WINDOWS
WIIDES I		Wall planes stepped and layered to avoid large, uninterrupted façade
		Detailing of windows and doors to give relief to the façade
		Natural building materials (stone, wood, logs, shingles)
		Stucco use limited; only in combination with other materials
		Colors to blend with those of the natural landscape
		No untreated aluminum or metal window frames; no mirrored glass
		Foundation walls of durable materials, preferable stone or timbers
		Overhead decks well supported; no exposed posts
ENIEDON		NICEDIA TION FIDERIA CEG. CHR OVENC AND VENER
ENERGY		ONSERVATION, FIREPLACES, CHIMNEYS AND VENTS
		Energy conservation measures incorporated into building plans
	_	Number and type of fireplaces indicated on plans
		Fireplaces in compliance with County standards
		Chimneys of inflammable material, preferably stone or masonry Non-reflective flues and vents
		Approved spark arresters or screens on chimney outlets  Vents concealed and protected from damage by snow creep and snow shedding
	ш	vents conceated and protected from damage by show creep and show shedding
FIRE PRO	OTE	CTION AND WILDFIRE MANAGEMENT
		Roof materials rated U.L. Class A or approved by PCFSD
		Main water lines six inches (6") minimum diameter
		and but the mentioned to mentioned to mentioned the mentioned the mentioned the mentioned to mentioned the mentioned to mentioned the mentioned the mentioned to mentioned the mentio
		Fire sprinkler system required in all structures
		Plans and water mains approved by Fire Marshal; certificate of compliance obtained
		Fire hydrants no more than two hundred feet (200') from any dwelling
		Required fire hydrant must be operational prior to any combustible materials being
	_	stored on site (typically framing)
		Minimum fire flow 1,000 gallons per minute for a duration of two (2) hours at a residual pressure 20 psi
		Fuel breaks within 90 to 100 feet of structures

# CONSTRUCTION MANAGEMENT CHECKLIST ☐ Construction staging and material storage areas identified on site plan ☐ Temporary erosion control measures specified on site plan ☐ Topsoil storage area identified on site plan ☐ Trees to be retained and tree protection fencing identified on site plan

## APPENDIX B: SARC APPLICATION FEES

Revised: October 2, 2014

Fees may be adjusted at any time at the discretion of The Colony Homeowners Association.

## SARC application fees:

- \$8,000 for structure(s) in the first phase of construction reviewed by SARC;
- \$6,000 for structure(s) in each future phase of construction reviewed by SARC; and
- Addition/Remodel: \$1,000 minimum. SARC will appoint a committee member as soon as the process begins. The committee member will notify the owner with an estimate of the SARC fees based on reviewing the scope of work.

SARC fees are fixed and generally will not be exceeded except in very unusual circumstances where significantly greater amounts of SARC time are consumed by repeated unresponsive submittals and/or construction inconsistent with the Design and Development Guidelines.

For projects that extend beyond 18 months from ground breaking to Certificate of Occupancy, a \$300/month fee will be assessed beginning with the 19<sup>th</sup> month to cover these increased costs.

Minor amendments or additions to previously approved plans: \$500 deposit then charged hourly.

Hourly rates for SARC review:

**SARC Staff** 

\$125 per hour

**SARC Board Members** 

\$125 per hour

**Construction Site Security Fee:** 

\$200 per month

Accrues from the building permit issue date until the property passes its final SARC inspection (exclusive of landscaping).

**Pre-Process Consultation Fee:** 

\$500.00

Prospective site purchasers may obtain SARC input prior to the purchase of a homestead.

## **APPENDIX C:** COMMERCIALLY AVAILABLE NATIVE PLANTS

## **COMMON NAME**

## **BOTANICAL NAME**

## **EVERGREEN TREES**

White Fir Abies concolor Alpine Fir Abies lasiocarpa Rocky Mountain Juniper Juniperus scopulorum Colorado Spruce Picea pungens

Colorado Blue Spruce Picea pungens glauca Lodgepole Pine Pinus contorta latifolia Limber Pine

Pinus flexillis

Douglas Fir Pseudotsuga menziesii

## **DECIDUOUS TREES**

Rocky Mountain Maple Acer glabrum

Bigtooth Maple Acer grandidentatum Boxelder Acer negundo

Thinleaf Alder Alnus tenuifolia

Shadblow Serviceberry Amelanchier canadensis Common Hackberry Celtis occidentalis Beechleaf Mountain Mahogany Cercocarpus montanus Desert Willow Chilopsis linearis Narrowleaf Cottonwood Populus angustifolia

Populus fremontii Fremont Cottonwood Aspen Populus tremuloides

Prunus virginiana melanocarpa Chokecherry Gambel Oak Quercus gambeli

Smooth Sumac Rhus glabra Staghorn Sumac Rhus typhina

Rose Locust Robinia neomexicana **Black Locust** Robinia pseudoacacia Peachleaf Willow Salix amygaloides

## **EVERGREEN SHRUBS**

Greenleaf Manzanita Arctostaphylos patula Emerald Green Manzanita Arctostaphylos santii Running Serviceberry Amelanchier stolonifera Curleaf Mountain Mahogany Cercocarpus ledifolius Silverberry Eleagnus commutata Mormon Tea Ephedra viridis

Red Yucca Hesperaloe parviflora Common Juniper Juniperus communis Utah Juniper Juniperus osteosperma Rocky Mountain Juniper Juniperus scopulorum

## **COMMON NAME**

## **BOTANICAL NAME**

## **DECIDUOUS SHRUBS**

Alder Alnus incana

Saskatoon Serviceberry Amelanchier alnifolia
Utah Serviceberry Amelanchier utahensis
False Indigo Amorpha fruticosa
Big Sagebrush Arternisia tridentata

Mountain Big Sage Artemisia tridentata vaseyana Wyoming Big Sage Artemisia tridentata wyomingensis

Martin Ceanothus

Tobacco Brush

Rubber Rabbitbrush

Douglas Rabbitbrush

Chrysothamnus nauseosus

Chrysothamnus viscidifloris

Cornus sericea 'Baileyi'

Western Hazelnut

Cliffrose

Cowania mexicana stansburiana

Winterfat Eurotia lanata

Rock Spirea Holodiscus dumosus
Shrubby Cinquefoil Potentilla fruticosa
Alpine Currant Ribes alpinum
Wood Rose Rosa woodsii
Booth Willow Salix boothii
Coyote Willow Salix exigua

Blue Elderberry Sambucus caerulea
Elderberry Sambucus Canadensis
Buffaloberry Shepherdia argentea
Mountain Ash Sorbus scopulorum

Mountain Snowberry/Coralberry Symphoricarpos oreophilus

## **PERENNIALS**

Hollyhock Alcea rosea 'Chater's Double' Filigree Daise Anthemis marschsalliana

Rocky Mountain Columbine
Western Columbine
Prickly Poppy
Argemone munita
Poppy Mallow, Wine Cups
Native Bluebells
Campanula rotundifolia

Bachelor Button Centaurea dealbata 'Rosea' Keys of Heaven, Red Valerian Centranthus ruber

Chicory Cichorium intybus Western Virgins Bower Clematis ligusticifolia Trailing Daisy Erigeron flagillaris Sulphur Flower Eriogonum umbellatum Stork's Bill Erodium circutarium California Poppy Eschscholzia californica Blue Fescue Festuca ovina glauca Blanket Flower Gaillardia aristata

THE COLONY AT WHITE PINE CANYON DESIGN AND DEVELOPMENT GUIDELINES

#### **COMMON NAME**

#### **BOTANICAL NAME**

Burgundy Blanket Flower Gaillardia grandiflora

Dwarf Blanket Flower Gaillardia grandiflora 'Goblin'

Chilean Evens, Prairie Smoke
Curlycup Gumweed
Snakeweed
Common Sunflower
Hairy Goldenaster
Geum triflorum
Grindelia squarosa
Gutierrezia sarothae
Helianthus annuus
Heterotheca villosa

New Mexico Hops Humulus lupulus neomexicanus

Yellow Flax Linum flavum compacta

Blue Flax Linum lewisii

Blackfoot Daisy Melampodium leucanthum

Beebalm, Horsemint Monarda fistulosa Mexican Evening Primrose Oenotheria berlandieri Penstemon Penstemon barbatus Firecracker Penstemon Penstemon eatonii Pine Leaf Penstemon Penstemon pinifolius Rocky Mountain Penstemon Penstemon strictus Rock Goldenrod Petradoria pumila Ratibida columnifera Mexican Hat

Wooly Mullein Verbascum bombyciferum 'Arctic Summer'

Common Mullein Verbascum thapsus

#### **GROUND COVERS**

Kinnikinnick Arctostaphylos uva-ursi

Creeping Oregon Grape Mahonia repens
Dwarf Mountain Lover Pachistima canbyi
Mountain Lover Pachistima myrsinites

## **GRASSES**

Crested Wheatgrass Agropyron cristatum
Bluebunch Wheatgrass Agropyron inerme
Streambank Wheatgrass Agropyron riparium

Western Wheatgrass Agropyron smithii 'Arriba' Western Wheatgrass Agropyron smithii rosanna **Pubescent Wheatgrass** Agropyron trichophorum Big Bluestem Andropogon gerardii Purple Three-awn Aristida purpurea Little Bluestem Avena scoparius **Nodding Brome** Bromus lanatipes Mountain Brome Bromus marginatus Native Brome Bromus pumpelliana Elymus canadensis Canada Wildrye Great Basin Wildrye Elymus cinereus Mammoth Wildrye Elymus giganteus Blue Oat Grass Elvmus glaucus

## **COMMON NAME**

Bluebunch Wheatgrass Slender Wheatgrass Idaho Fescue

Sheep Fescue Creeping Red Fescue Perennial Ryegrass

Eski Sainfoin **Indian Ricegrass** Alipne Bluegrass

Alkaligrass

Bottlebrush Squirreltail

Little Bluestem Alkali Sacaton Sand Dropseed

Needle Grass

Needle and Thread Indian Rice Grass

## **BOTANICAL NAME**

Elymus spicatus Elymus trachycaulus Festuca idahoensis Festuca ovina

Festuca rubra Lolium perenne

Onobrychis viviaefolia Oryzopsis hymenoides

Poa alpinum

Puccinellia distans Sitanion hystrix

Schizachyrium scoparium

Sporobolus airoides Sporobolus cryptandrus

Stipa

Stipa comata Stipa hymenoides

## APPENDIX D: TREE REMOVAL PROCEDURES

Because The Colony aspires to retain the appearance of an undisturbed natural landscape, tree removal is not permitted anywhere within a homestead without SARC approval. Owners are encouraged to respect this goal by adhering to the following procedures:

## PRE-PLANNING

All existing forest edges should be indicated on the certified site survey that is prepared before the preplanning meeting. Significant trees should be located on the survey and approximate radius of the outermost branches should be recorded. No excavation or fill should be proposed within the branching radius of a tree that is to be preserved.

#### **CONCEPTUAL PLANS**

Within the development envelope and the driveway corridor, conceptual site and grading plans should indicate all significant trees that will likely be removed to accommodate the construction of building and the driveway. Outside the development envelope, selective thinning of forest trees to create or enlarge meadows, if proposed, should also be indicated on the site plan, but will only be approved by SARC for the purpose of enhancing views in the primary view corridor or for meadow and wildlife habitat improvement, trails, and forest regeneration. Where forest vegetation is essential to screen one neighbor from another, tree removal is not permitted.

#### FINAL PLANS

Final site plans must identify mature trees that will be removed or preserved within all disturbed areas. A final construction management plan must indicate where protective fencing is to be installed and should include provisions for temporary tree protection, maintenance during construction, and any permanent protective improvements such as tree wells and root aeration systems.

#### SITE INSPECTION

In conjunction with SARC's final plan review, an on-site field visit will be scheduled to inspect staking of the building and the area of disturbance. In preparation for this site inspection, the owner must flag all trees that will be removed and, in a different color, all trees to be protected during construction. SARC will review the flagging on site with the owner and, in its sole discretion, will approve or disapprove the proposed tree removals.

#### CONSTRUCTION

Flagging on the trees to be saved is to be left in place for the duration of the construction process. Contractors will be liable for damage to any trees that were to be saved. SARC or its representative may visit the site during construction to verify that the sitework is proceeding in compliance with the approved plans.

# APPENDIX E: CONSTRUCTION REGULATIONS

The Colony Construction Rules and Regulations are as follows:

- 1. Limits of Disturbance (LOD) must be established with orange plastic fencing prior to any site work occurring and be maintained through the course of construction. SARC or the Ranch Manager shall inspect the site for compliance with this requirement prior to the commencement of construction and periodically during the course of construction. The placement of seasonal ski fence in areas where construction activity is adjacent to ski runs may be required in addition to or in lieu of the standard LOD fencing. This requirement will be determined by the Ranch Manager on a case-by-case basis and the placement and maintenance of this fence will be the responsibility of the lot owner.
- 2. Construction vehicle access beyond The Colony gate may be denied during and after periods of heavy snowfall until roads have been adequately cleared to allow safe travel within The Colony. Four wheel drive vehicles may be allowed to enter The Colony during these periods, at the discretion of the HOA, if properly equipped for safe travel on snow covered roads. Notification of limited access or gate closure may be obtained by calling the gatehouse attendant at (435) 658-5095.
- 3. The contractor is responsible for erecting any required and/or allowed construction signs and displaying the building permit. (One construction sign is provided by the HOA for installation by the contractor when the project begins.)
- 4. Contractors are responsible for being familiar with and complying with The Colony Fire Prevention Plan.
- 5. Construction staging and storage of building materials shall take place only within the limits of disturbance and building materials must be delivered directly to the construction site. The staging area, all construction materials, and trash disposal bins shall be located in as compact an area as possible close to the approved building site, wherever they are the least visible.
- 6. Construction dumpsters are required on all job sites to keep the work site clean. No stockpiling of debris is permitted outside of these containers and there will be no storage of containers in roadways or shoulders at anytime. Dumpsters are to be emptied regularly or as needed and must be removed when construction is completed or halted for more than thirty (30) days. At any time HOA Management may require a builder to cleaning up construction debris that is found beyond the LOD boundary.
- 7. The contractor may maintain a small job office on the site until thirty (30) days after completion of the permanent structure.
- 8. Construction site vehicles, equipment and employee vehicles will park within the designated parking area only, as determined at the pre-construction meeting and designated on the construction mitigation plan. No overnight parking at anytime. No construction vehicles may park on roads outside the areas specified, nor is trespassing by workers permitted outside these areas.

- 9. The general contractor is responsible for providing and regularly servicing temporary, enclosed chemical toilets at the construction site, preferable screened from view and located away from neighbors. Such facilities must be removed when construction is completed or construction is halted for more than thirty (30) days.
- 10. No firearms or unchained dogs shall be allowed on construction sites.
- 11. Noise from radios and other similar electronic devices shall not be audible more than two-hundred feet (200') from the center of the construction site.
- 12. Utility installations or interruptions in traffic on SARC roadways shall be coordinated with the Ranch Manager. Intermittent safe traffic flow is to be maintained during periods of temporary interruption.
- 13. Damage to existing roadways, landscaping or other Colony infrastructure shall be repaired at the expense of the lot Owner responsible for the damage, whether the damage was done by a contractor or individual.
- 14. Alteration of vehicular guardrail to accommodate a construction project on any lot must be done in strict compliance with established Colony infrastructure standards and requires prior approval of the HOA/Ranch Manager.
- 15. No construction work may start before 7:00 a.m. or continue after 7:00 p.m. Please keep deliveries and large equipment (including Dump, Transport, Pumps, Cranes and other loud trucks) to an 8:00 a.m. start time for the courtesy of current residents, if possible. No construction work is to be conducted on Sundays or the following holidays: New Year's Eve, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas Eve, and Christmas Day. Interior finish work will be allowed after hours and only with written approval by the HOA/Ranch Manager.
- 16. Concrete trucks will not be allowed to wash out in roadways and shoulders. The lot builder will be responsible to provide a wash site for the trucks within the limits of disturbance, and at no time allowing the material to leave the limits of disturbance.
- 17. All deliveries will conform to the above construction hours. If any staging, including but not limited to cranes, concrete trucks and material deliveries, occupies one third of the road width or more, you will be required to employ flaggers during this process.
- 18. Ski trails are closed to all construction activity. Access may be obtained only with the written approval of the HOA/Ranch Manager. During the months of Nov. 1<sup>st</sup> through June 1<sup>st</sup>, there will be no access for construction or adjacent excavation that would affect the ski trail due to the ski season.
- 19. Snow removal and storage will only be allowed within the limits of disturbance unless blown beyond the LOD fence. At no time will the builder be allowed to remove or place snow on roadways, shoulders, adjacent lots or open space.
- 20. All roadway speed limits and regulations are strictly enforced as posted.

21. Violations to The Colony Construction Rules and Regulations will be subject to fines as allowed by the CC&R's and assessed through the HOA. The owner's security deposit will be the first source of payment for any assessment. Non-compliance assessment items shall be as follows:

Warning	\$0
First Violation	\$100
Second Violation	\$200
Third Violation	\$400
Fourth Violation	\$800
Fifth Violation	\$1,500
Subsequent Violations	\$2,500 and closure of job site until appropriate remediation occurs

## APPENDIX F: SPECIAL DESIGN REQUIREMENTS FOR LOTS 238, 239, 241, 242 AND 243

An objective of the Design and Development Guidelines is to minimize the off-site visual impacts of structures. Due to the visible location of five (5) lots along the Pinecone ridge area, Lots 238, 239, 241, 242 and 243 (the "Pinecone Lots"), the design and building requirements for the Pinecone Lots shall comply with the requirements and restrictions outlined below, in addition to the requirements of the Design and Development Guidelines. These requirements and restrictions are required by and shall conform to the terms and provisions of that certain Amendment to the Amended and Restated Development Agreement for The Canyons Specially Planned Area ("Canyons SPA") that was approved and adopted by the Board of County Commissioners of Summit County, Utah on September 8, 2010, pursuant to Ordinance 739-A and recorded in the Office of the Recorder on March 29, 2011 in Book 2075 at Page 380. The below requirements and restrictions shall not be amended, unless and except to the extent that Ordinance 739-A of Summit County stated above are amended. Additionally, these requirements should be viewed and interpreted in conjunction with the corresponding The Colony at White Pine Canyon Phase 4E Pinecone Ridge subdivision plat recorded in the office of the Recorder. For the purposes of the Pinecone Lots the following shall apply:

- 1. <u>No Cut Zone</u>: Grading, landscaping and other hardscaping shall be allowed within the Limits of Disturbance, the Development Envelope, and driveway corridor. Excavation and/or cutting to the existing natural topography shall be prohibited within the "No Cut Zone". However, filling shall be permitted.
- 2. <u>Limits of Disturbance Zone within 40' Ridge Setback</u>: Grading, landscaping and other hardscaping shall be allowed within the Limits of Disturbance Zone within 40' Ridge Setback, including improvements such as walls, steps, water features, pools, spas, art, fire pits, seating, and other similar improvements, insofar that such grading, landscaping (not including vegetation), hardscaping and improvements shall not interrupt the plane of a line beginning at the Ridgeline and ending twenty (20) feet above existing grade along the Development Envelope boundary line (40' Ridge Setback)</u>. Above grade structures, including but not limited to sheds, gazebos and similar items, shall be prohibited within the Limits of Disturbance Zone within 40' Ridge Setback. This terms of this paragraph are specific to the Limits of Zone within 40' Ridge Setback only and shall in no way apply to and/or restrict the limits of disturbance as that term is defined and typically used throughout the Design and Development Guidelines.
- 3. 40' Ridge Setback: Structures shall be subject to a forty (40) foot setback from the ridgeline as shown on Exhibit B.5.11 to the Canyons SPA, attached below. The ridgeline has been established in the field by survey and staked for permanent reference. The Development Envelope for each Pinecone Lot is shown on Exhibit B.5.11. The ridge side edge of each Development Envelope corresponds to the forty (40) foot setback from the ridgeline. Development Envelopes may be modified pursuant to the other provisions of the Design and Development Guidelines and by other rights of IMA as the Developer so long as they comply with this forty (40) foot setback requirement.

- 4. <u>Building Heights</u>: Within forty (40) feet of the edge of the Development Envelope closest to the ridgeline, the maximum building height shall be twenty (20) feet above existing grade along the Development Envelope boundary line. This maximum height restriction shall mirror the elevations along the Development Envelope ridge side boundary line. Structures may gain height as the land falls off below this plane away from the Development Envelope boundary line. The maximum building height shall increase to thirty two (32) feet at the line eighty (80) feet behind the ridgeline (forty (40) feet behind the Development Envelope ridge side boundary line) as depicted on Exhibit B.5.11.
- 5. Guest Homes and Ancillary/Accessory Structures: A guest home structure is allowed but must be located with the Development Envelope and subject to the same restrictions as the main home structure. Barns and any other ancillary structures permitted by the Design and Development Guidelines shall be located behind the "Barn and Ancillary/Accessory Outbuilding Setback Line," as depicted on The Colony at White Pine Canyon Phase 4E Pinecone Ridge Subdivision plat. The Barn and Ancillary/Accessory Outbuilding Setback Line represents areas of the Development Envelopes where no portion of a structure is visible from the intersection of Kearns Boulevard and Bonanza Drive in Park City.
- 6. Additional Architectural Considerations: Any structure in front of the Barn and Ancillary/Accessory Out-building Setback Line shall be subject to special planning and design considerations in review and approval by SARC relating to the following issues: the use of tinted windows, minimum three (3) foot overhangs to reduce reflectivity, engagement of a lighting consultant to minimize lighting visible from the intersection of Kearns Boulevard and Bonanza Drive, "cold roofs" with asphalt shingles and/or flat roofs and stepped levels to conform to existing slopes. The Canyons SPA requires that these issues be considered in the design and approval of such structures but does not specify any mandatory design requirements beyond location and height of structures visible from the intersection of Kearns Boulevard and Bonanza Drive in Park City.
- 7. Tree Removal: Tree removal shall not be permitted on any Pinecone Lot without prior SARC approval. Any changes to the natural landscape, including clearing of native vegetation and removal of standing trees must be approved by SARC. Mature specimen trees within the Development Envelope, driveway corridor and Limits of Disturbance shall be identified on a site survey and SARC shall not approve their removal unless there are no feasible alternatives. As required by SARC, all combustible materials in the surrounding area within the 400 foot limits of disturbance of the home shall be cleared of dead trees, as well as medium and high hazard vegetative fuels and trees deemed unhealthy.
- 8. <u>Guidelines</u>: All other Guidelines shall apply, including but not limited to the sections of the Design and Development Guidelines dealing with Architectural Design Standards and Regulated Lighting Guidelines. The objective of the Design and Development Guidelines to minimize visual impacts from the Snyderville Basin shall apply to the Pinecone Lots as viewed from the area of the intersection of Kearns Boulevard and Bonanza Drive of the Park City Basin.

## **VERIFICATION AND ACKNOWLEDGEMENT**

The undersigned hereby verifies that the foregoing is a true and correct copy of the Third Amended and Restated Design and Development Guidelines for The Colony at White Pine Canyon, a residential subdivision in Summit County, Utah, the legal description of which is fully set forth in Exhibit "A" attached hereto and incorporated herein.

IRON MOUNTAIN ASSOCIATES, L.L.C. a Utah limited liability company,

By: WPA, LTD, a Utah limited partnership Its Manager

By: White Pine Associates, Inc., a Utah

Corporation

Its General Partner

By:

Walter J. Brett, President

STATE OF UTAH )
ss
COUNTY OF SUMMIT )

The foregoing Third Amended and Restated Design and Development Guidelines for The Colony at White Pine Canyon was acknowledged before me this 2004 day of October, 2014, by Walter J. Brett, for and on behalf of Iron Mountain Associates, L.L.C., a Utah limited liability company.

SEAL:

NOTARY PUBLIC

MAEMAIR NOTARY PUBLIC - STATE OF UTAH COMMISSION # 665913 COMM. EXP. 05-14-2017

4817-2849-3342, v. 3

## Exhibit "A"

## **LEGAL DESCRIPTION**

All of The Colony at White Pine Canyon - Phase I Final Subdivision Plat, according to the official plat thereof, recorded September 24, 1998 as Entry No. 518278 of the official records in the office of the Summit County Recorder, as amended by that certain plat of The Colony at White Pine Canyon - Phase I Amended Final Subdivision Plat, according to the official plat thereof, recorded March 26, 1999 as Entry No. 534009 of the official records in the office of the Summit County Recorder, and as amended by that certain plat of The Colony at White Pine Canyon Phase 1 Amendment to Lot 7 and Entry Area, according to the official plat thereof, recorded September 20, 2007 as Entry No. 825919 of the official records in the office of the Summit County Recorder, and as amended by that certain The Colony at White Pine Canyon Phase 1 Third Amendment, according to the official plat thereof, recorded August 18, 2010 as Entry No. 905004 of the official records in the office of the Summit County Recorder, and as amended by that certain plat of The Colony at White Pine Canyon Phase 1 Second Amendment, according to the official plat thereof, recorded February 21, 2013 as Entry No. 964016 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon, Phase 1B Final Subdivision Plat**, according to the official plat thereof, recorded January 21, 2004 as Entry No. 686710 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon, Phase 1C Final Subdivision Plat**, according to the official plat thereof, recorded August 16, 2006 as Entry No. 787053 of the official records in the office of the Summit County Recorder.

All of The Colony at White Pine Canyon - Phase II Final Subdivision Plat, according to the official plat thereof, recorded September 10, 1999 as Entry No. 548270, as amended by that certain plat of The Colony at White Pine Canyon Amended Phase II Final Subdivision Plat Adjusting the Boundaries of Lots 52, 53, 54 and 55 Only, according to the official plat thereof, recorded October 6, 2006 as Entry No. 793142 of the official records in the office of the Summit County Recorder, and as amended by that certain plat of The Colony at White Pine Canyon Phase II Amendment to Lot 79, according to the official plat thereof, recorded July 6, 2012 as Entry No. 948558 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon - Phase 3A Final Subdivision Plat**, according to the official plat thereof, recorded December 29, 2000 as Entry No. 579433 of the official records in the office of the Summit County Recorder, as amended by that certain plat of **The Colony at White Pine Canyon Phase 3A Final Subdivision Plat Amendment to Lots 110, 111 and Common Area**, according to the official plat thereof, recorded March 23, 2007 as Entry No. 807898 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon - Phase 3B Final Subdivision Plat**, according to the official plat thereof, recorded December 24, 2001 as Entry No. 606728 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon - Phase 3C Final Subdivision Plat**, according to the official plat thereof, recorded June 10, 2002 as Entry No. 621557 of the official records in the office of the Summit County Recorder, as amended by that certain plat of **The Colony at White Pine Canyon First Amended Phase 3C Final Subdivision Plat**, according to the official plat thereof, recorded September 20, 2007 as Entry No. 825934 of the official records in the office of the Summit County Recorder.

All of The Colony at White Pine Canyon Phase 4A Final Subdivision Plat, according to the official plat thereof, recorded March 1, 2006 as Entry No. 770208 of the official records in the office of the Summit County Recorder, as amended by that certain plat of The Colony at White Pine Canyon Phase 4A Amendments to Lots 161 & 163, according to the official plat thereof, recorded May 6, 2008 as Entry No. 843740 of the official records in the office of the Summit County Recorder, and as amended by that certain plat of The Colony at White Pine Canyon Phase 4A Amendment to Lots 155, 158, 159 & Parcel A, according to the official plat thereof, recorded August 20, 2008 as Entry No. 825909, and as amended by that certain plat of The Colony at White Pine Canyon Phase 4A Amendment to Combine Lots 158 & 160, according to the official plat thereof, recorded September 11, 2009 as Entry No. 882141, and as amended by that certain plat of The Colony at White Pine Canyon Phase 4A Amendment to Lot 154, according to the official plat thereof, recorded January 23, 2014 as Entry No. 988306 of the official records in the office of the Summit County Recorder.

All of The Colony at White Pine Canyon Phase 4B Final Subdivision Plat, according to the official plat thereof, recorded September 20, 2007 as Entry No. 825931 of the official records in the office of the Summit County Recorder, as amended by that certain plat of The Colony at White Pine Canyon Phase 4B Subdivision Amendment to Lots 220 & 221, according to the official plat thereof, recorded June 27, 2008 as Entry No. 848394 of the official records in the office of the Summit County Recorder, as amended by that certain plat of The Colony at White Pine Canyon Phase 4B Subdivision Amendment to Lots 206, 207 & 214, 215, according to the official plat thereof, recorded August 20, 2008 as Entry No. 852910 of the official records in the office of the Summit County Recorder, and as amended by that certain plat of The Colony at White Pine Canyon Phase 4B Subdivision Amendment to Lots 182 & 183, according to the official plat thereof, recorded August 5, 2009 as Entry No. 879569 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon Phase 4D Subdivision**, according to the official plat thereof, recorded March 15, 2010 as Entry No. 894023 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon Phase 4E The Lakes 1 Subdivision**, according to the official plat thereof, recorded June 14, 2011 as Entry No. 924374 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon, Phase 4E The Lakes 2 Subdivision**, according to the official plat thereof, recorded June 22, 2011 as Entry No. 925147 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon, Phase 4E Pinecone Ridge Subdivision**, according to the official plat thereof, recorded October 17, 2012 as Entry No. 955349 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon Phase 4E The Lakes 3 Subdivision**, according to the official plat thereof, recorded October 17, 2012 as Entry No. 955361 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon Phase 4E The Lakes 4 Subdivision**, according to the official plat thereof, recorded September 18, 2013 as Entry No 979408 of the official records in the office of the Summit County Recorder.

All of **The Colony at White Pine Canyon Phase 4E The Lakes 5 Subdivision**, according to the official plat thereof, recorded April 11, 2014, as Entry No. 993123 of the official records in the office of the Summit County Recorder.

## Summit County Tax Serial Numbers:

Phase 1			
CWPC-1-AM	CWPC-2-3-AM	CWPC-3-3AM	CWPC-5-2AM
CWPC-6-2AM	CWPC-6A-2AM	CWPC-6B-2AM	CWPC-6C-2AM
CWPC-7-EA-7-AM	CWPC-7-EA-B-AM	CWPC-8-AM	CWPC-9-AM
CWPC-10-AM	CWPC-11-AM	CWPC-12-AM	CWPC-13-AM
CWPC-14-AM	CWPC-15-AM	CWPC-16-AM	
			CWPC-17-AM
CWPC-18-AM	CWPC-19-AM	CWPC-20-AM	CWPC-21-AM
CWPC-22-AM	CWPC-23-AM	CWPC-24-AM	CWPC-25-AM
CWPC-26-AM	CWPC-27-AM	CWPC-28-AM	CWPC-29-AM
CWPC-30-AM	CWPC-A	CWPC-A1-3AM	CWPC-A2-3AM
CWPC-B-3AM	CWPC-CA-IMP	CWPC-SKI-AM	CWPC-SKI-2AM
CWPC-C-2AM	CWPC-CA-1-AM	CWPC-D-2AM	CWPC-E-2AM
CWPC-F-2AM	CWPC-G-2AM	PP-1	PP-1-A
PP-1-B	PP-1-D		
D1 0			
Phase 2	CIVIDO II 22	OMBO H 22	CIVIDO II AA '
CWPC-II-31	CWPC-II-32	CWPC-II-33	CWPC-II-33-A
CWPC-II-34	CWPC-II-35	CWPC-II-36	CWPC-II-37
CWPC-II-38	CWPC-II-39	CWPC-II-40	CWPC-II-41
CWPC-II-42	CWPC-II-43	CWPC-II-44	CWPC-II-45
CWPC-II-46	CWPC-II-47	CWPC-II-48	CWPC-II-49
CWPC-II-50	CWPC-II-51	CWPC-II-52-AM	CWPC-II-53-AM
CWPC-II-54-AM	CWPC-II-55-AM	CWPC-II-56	CWPC-II-57
CWPC-II-58	CWPC-II-59	CWPC-II-60	CWPC-II-61A
CWPC-II-61B	CWPC-II-62	CWPC-II-63	CWPC-II-64
CWPC-II-65	CWPC-II-66	CWPC-II-67	CWPC-II-68
CWPC-II-69	CWPC-II-70	CWPC-II-71	CWPC-II-72
CWPC-II-73	CWPC-II-74	CWPC-II-75	CWPC-II-76
CWPC-II-77	CWPC-II-77-A	CWPC-II-78	CWPC-II-79-AM
CWPC-II-80	CWPC-II-OS	CWPC-II-SKI	CWPC-II-SKI-1
CWPC-II-SKI-1-AM	CWPC-II-SKI-2	ewie-n-ski	CWI C-II-5KI-I
CWICH SIGI-1-71W	CW1C-II-DICI-2		
Phase 3A			
CWPC-3A-81	CWPC-3A-82	CWPC-3A-83	CWPC-3A-84
CWPC-3A-85	CWPC-3A-86	CWPC-3A-87	CWPC-3A-88
CWPC-3A-89	CWPC-3A-90	CWPC-3A-91	CWPC-3A-92
CWPC-3A-93	CWPC-3A-94	CWPC-3A-95	CWPC-3A-96
CWPC-3A-97	CWPC-3A-98	CWPC-3A-99	CWPC-3A-100
CWPC-3A-101	CWPC-3A-102	CWPC-3A-103	CWPC-3A-104
CWPC-3A-105	CWPC-3A-106	CWPC-3A-107	CWPC-3A-108
CWPC-3A-109	CWPC-3A-111-AM	CWPC-3A-112	CWPC-3A-113
CWPC-3A-A-AM	CWPC-3A-SKI	0.110 311 112	0 11 0 511 115
Phase 3B			
CWPC-3B-114	CWPC-3B-115	CWPC-3B-116	CWPC-3B-117
CWPC-3B-117-A	CWPC-3B-118	CWPC-3B-119	CWPC-3B-120
CWPC-3B-121	CWPC-3B-122	CWPC-3B-123	
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Phase 3C			
CWPC-3C-124-1AM	CWPC-3C-126-1AM	CWPC-3C-127-1AM	CWPC-3C-128-1AM
CWPC-3C-130-1AM	CWPC-3C-131-1AM	CWPC-3C-132-1AM	CWPC-3C-135-1AM
CWPC-3C-136-1AM	CWPC-3C-137-1AM	CWPC-3C-138-1AM	CWPC-3C-139-1AM
CWPC-3C-140-1AM	CWPC-3C-141-1AM	CWPC-3C-142-1AM	CWPC-3C-143-1AM
CWPC-3C-A-1AM	CWPC-3C-B-1AM	<del></del>	<del> </del>

Phase 4A CWPC-4A-155-AM	CWPC-4A-156	CWPC-4A-159-AM	CWPC-4A-160A-AM
CWPC-4A-161-AM	CWPC-4A-162	CWPC-4A-163-AM	CWPC-4A-164
CWPC-4A-165	CWPC-4A-166	CWPC-4A-167	CWPC-4A-168
CWPC-4A-169	CWPC-4A-170	CWPC-4A-171	CWPC-4A-172
CWPC-4A-173	CWPC-4A-174	CWPC-4A-175	CWPC-4A-176
CWPC-4A-177	CWPC-4A-178	CWPC-4A-179	CWPC-4A-180
CWPC-4A-181	CWPC-4A-A-AM	CWPC-4A-B	CWPC-4A-C
Phase 4B			
CWPC-4B-182-AM	CWPC-4B-184	CWPC-4B-185	CWPC-4B-186
CWPC-4B-187	CWPC-4B-206-AM	CWPC-4B-207-AM	CWPC-4B-212
CWPC-4B-213	CWPC-4B-214-AM	CWPC-4B-215-AM	CWPC-4B-216
CWPC-4B-217	CWPC-4B-218	CWPC-4B-219	CWPC-4B-220-AM
CWPC-4B-221-AM	CWPC-4B-A	CWPC-4B-B	
Phase 4D			
CWPC-4D-208	CWPC-4D-209	CWPC-4D-210	CWPC-4D-253
CWPC-4D-254	CWPC-4D-256	CWIC ID 210	CW1 C 1D 255
0110 12 231	CW1C 1D 250		
Phase 4E – The Lakes 1			
CWPC-4ELK-1-233	CWPC-4ELK-1-236	CWPC-4ELK-1-237	CWPC-4ELK-1-240
CWPC-4ELK-1-244	CWPC-4ELK-1-245	CWPC-4ELK-1-246	CWPC-4ELK-1-247
CWPC-4ELK-1-248	CWPC-4ELK-1-249	CWPC-4ELK-1-250	CWPC-4ELK-1-251
Phase 4E – The Lakes 2			
CWPC-4ELK-2-224	CWPC-4ELK-2-226		
Phase 4E - Pinecone Ridg	-0		
CWPC-4EPCR-A	CWPC-4EPCR-B	CWPC-4EPCR-238	CWPC-4EPCR-239
CWPC-4EPCR-241	CWPC-4EPCR-242	CWPC-4EPCR-243	CWFC-4EFCR-239
CWFC-4LFCR-241	CWFC-4EFCR-242	CWFC-4EFCR-245	
Phase 4E – The Lakes 3			
CWPC-4ELK-3-228	CWPC-4ELK-3-229		
Phase 4E – The Lakes 4			
CWPC-4ELK-4-222	CWPC-4ELK-4-223		
D1 4D 65 7 1 -			
Phase 4E – The Lakes 5	ON THE ACT ACCOUNTS	ONTRO ART TO A A A A	OWING AEVE - COC
CWPC-4ELK-5-227	CWPC-4ELK-5-230	CWPC-4ELK-5-231	CWPC-4ELK-5-232
CWPC-4ELK-5-234	CWPC-4ELK-5-235	CWPC-4ELK-5-257	CWPC-4ELK-5-A
CWPC-4ELK-5-B	CWPC-4ELK-5-C		

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