

# BADGER BAY

GEORGETOWN LAKE, MONTANA

DESIGN GUIDELINES

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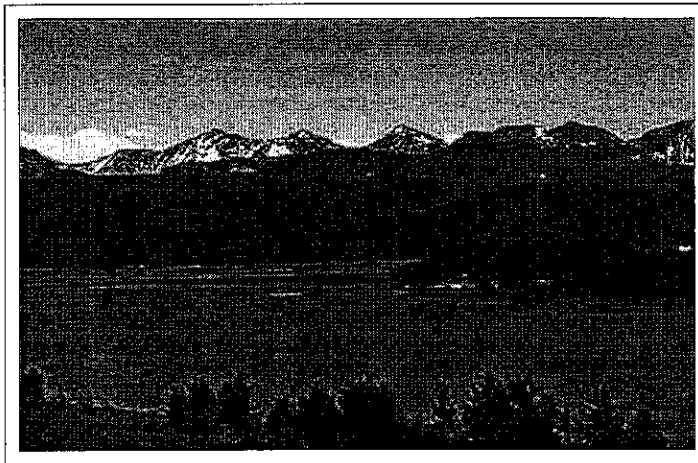
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## SECTION 1 DEVELOPMENT OVERVIEW

### 1.1 Description of the Site

Badger Bay is a residential community that is to be designed to the highest standards and respectfully developed on a beautiful site located on Georgetown Lake in western Montana. Georgetown lake is surrounded by National forests with the Flint Creek Mountain Range to the north and the Pintler Mountain Range to the south.

Architectural design of every residence, as outlined in these Guidelines, ensures that each residence will match its site and express the dreams of its owner, while working within the Badger Bay aesthetic appropriate to the beautiful western Montana setting. The beauty of each individual residence and associated outbuildings will establish the community as a unique locale within the greater context of Georgetown Lake.



*Piney Point on Georgetown Lake, Montana.*

The site includes 144 acres of lakeshore meadows, woodlands and over 6500 linear feet of lakeshore. The property is located on historic Piney Point, which is the main peninsula on Georgetown lake and provides the site with 360 degree views.

### 1.2 Purpose of the Guidelines

#### 1.2.1 Overview

The Badger Bay Design Guidelines have been compiled to guarantee that residents of both Piney Point and the greater Georgetown Lake area are able to enjoy the exceptional beauty of the lake. The Guidelines specifically articulate what is expected in the design of each new residence and its outbuildings, in order that all buildings will contribute to making Badger Bay an outstanding place to live. The Guidelines intend to preserve open space as much as possible, and include specific guidelines to ensure existing vegetation and natural grades remain undisturbed wherever possible. Building envelopes have been designated for each parcel to ensure that views are preserved. These Guidelines will not only protect and enhance the natural beauty of the site, but are also intended to increase property values for all residents of Badger Bay.

These Guidelines have been compiled by the Architectural Control Committee (ACC). All homes will be reviewed by the ACC and are subject to the same approval process (as described later in the Guidelines). The ACC is committed to the Guidelines and will review each submission for its conformity to the intent of the Guidelines. Any design style appropriate for the western Montana setting and that meets the Guidelines' overall requirements of quality, detailing and connection to the land will be considered for approval.

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### 1.2.2 Goals of the Design Guidelines

- **Protect and enhance the environment and the natural beauty of the site.**

Preserve existing drainage patterns

Retain existing topography through careful road placement and design, and building design that is subordinate to the existing topography.

Preserve open meadows by limiting introduced plant species and developed areas

Preserve existing trees and vegetation by limiting developed areas and introduced plant species

- **Enhance property values of all residences**

Lot sizes are very generous, ensuring ample space between home sites for privacy and to retain character of site

Guidelines mandate high quality materials

Guidelines outline a uniform quality for architectural styles

- **Blend new improvements into site**

Materials and building styles to respond to place

Colors to be compatible with surroundings and rural character of site

Buildings to be nestled into site - set back from lake, no building to be viewed against sky, and buildings to be subordinate to topography

### 1.3 Additional Codes and Covenants

- All building is subject to State and local jurisdictions having authority
- Refer to covenants for additional restrictions relative to development and maintenance of lots within Badger Bay

## SECTION 2 SITE DESIGN

### 2.1 Overview

The following chapter outlines all standards for site design, including grading, setbacks and building location, parking and driveway design, retaining wall design, landscaping, fencing and entry markers, landscape lighting, flagpoles, mailboxes, signage, garbage enclosures, and mechanical/electrical screening and buffering.

All decisions regarding the site design and landscaping for each residence should minimize impact on the site and reinforce the high quality rural aesthetic of Badger Bay.

#### 2.1.1 Site Design Goals:

- Minimize intrusion into natural vegetation & ecology
- Ensure design solutions that consider and are subordinate to topography
- Preserve maximum open area contiguous within and between adjacent sites.
- Design for view from, and across, lake as well as view from site.
- Protect existing mature trees.

### 2.2 Site Grading and Drainage

#### 2.2.1 Goals:

- Blend new improvements into the site
- Preserve drainage patterns
- Minimize cut and fill. Exposed cut and fill shall blend with existing grade.
- Natural topography to be preserved
- Return existing topsoil to match surrounding soil conditions.

#### 2.2.2 Guidelines:

- New grading shall be limited to the Building Envelope as indicated on the plat except at driveways, septic

system and locations approved by the Architectural Control Committee. See Setbacks and Building Siting for Building Envelope definition.

- Cut and fill areas should be minimized. Retaining walls are preferred over exposed cut and fill slopes to minimize the impact of new improvements on the existing topography. Exposed cut and fill banks must blend with natural grade. Maximum height change of cut and fill areas is 4'-0" vertical height change except where the fill area matches adjacent grades. Areas with height changes over 4'-0" shall have a retaining wall conforming to the Retaining Wall design parameters outlined below (Section 2.6). See guideline below and sketches this page for more information on cut and fill slopes.
- Exposed cut and fill banks with slope greater than 3 units horizontal to 1 unit vertical are not allowed. See sketch below for more information.

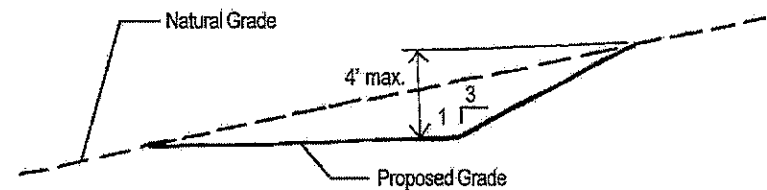


Figure of approved cut slope

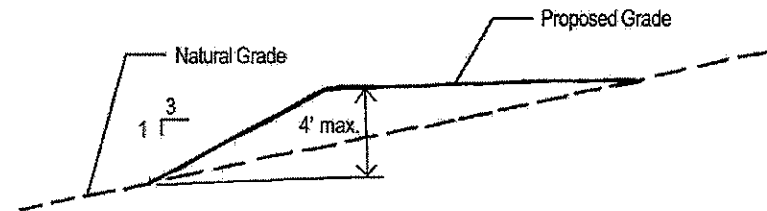


Figure of approved fill slope

- Exposed cut and fill banks outside the Building Envelope must be re-seeded with approved seed mix (see guideline 2.7.2). Additional planting of native species indigenous to the area is recommended. Further, the ACC recommends that native rocks and other native site elements be installed at exposed cut and fill slopes to blend new improvements into the site.

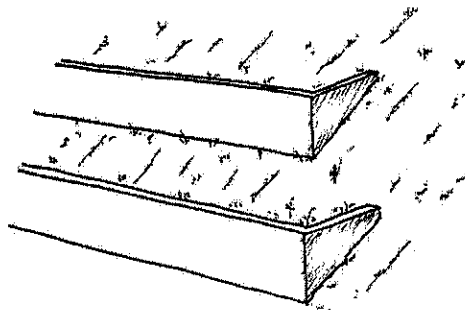
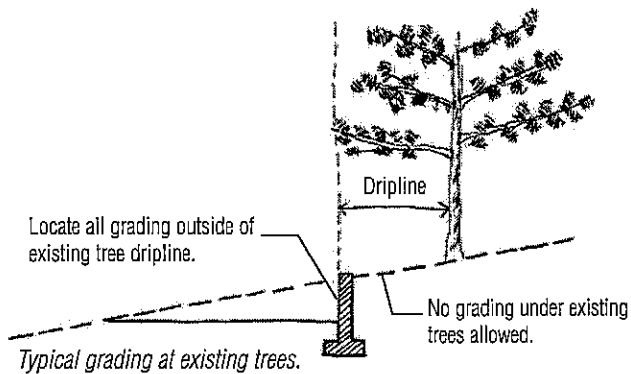


Figure of approved retaining wall end treatment.

- Ends of retaining walls shall return to grade. The ACC recommends that native vegetation or native rocks be placed at ends of walls help reduce the impact of improvements on the existing site.
- Existing surface drainage patterns are to remain intact where possible. Existing grade at trees to remain to be left undisturbed. See sketch below for more information.



- Where culverts are required for drainage, culverts are to blend with surrounding areas. Steel or concrete culverts may be used, however exposed ends shall be shielded from sight by plantings of approved species native to the area. Native rocks or other native site elements may be installed at culvert ends to match the character of the surrounding area.
- Follow construction guidelines Section 5.15 below for more information topsoil installation.
- Swales shall have a maximum depth of 18" from the surrounding grade. Swale slopes shall not exceed the slope allowed for cut and fill areas outlined above. Swales outside the Building Envelope must be approved by the ACC.

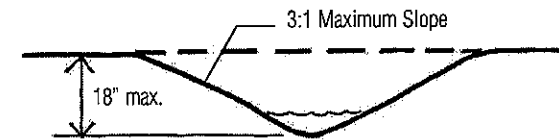


Figure of approved drainage swale

## 2.3 Setbacks and Building Siting

### 2.3.1 Goals:

- Maximize privacy.
- Minimize the visibility of improvements from common areas and the lake.
- Minimize the improvement's impact on the site.
- Maintain existing trees, vegetation, forests, and open meadows.
- Natural topography is to be preserved, buildings to work with existing site slopes.

### 2.3.2 Guidelines:

- **Building Envelope:** This is the portion of each lot as indicated on the plat in which all improvements must be located. These include all building footprints, terraces, decks, pools/water features, pet enclosures, and garages. Only driveways, associated earthwork and retaining walls, and entry markers may be located outside the Building Envelope. The Building Envelope acts as a limit beyond which no construction activity is allowed. Variations from this will be considered on an individual basis by the Architectural Control Committee. The Building Envelope indicated on the plat is not intended to be the building footprint.

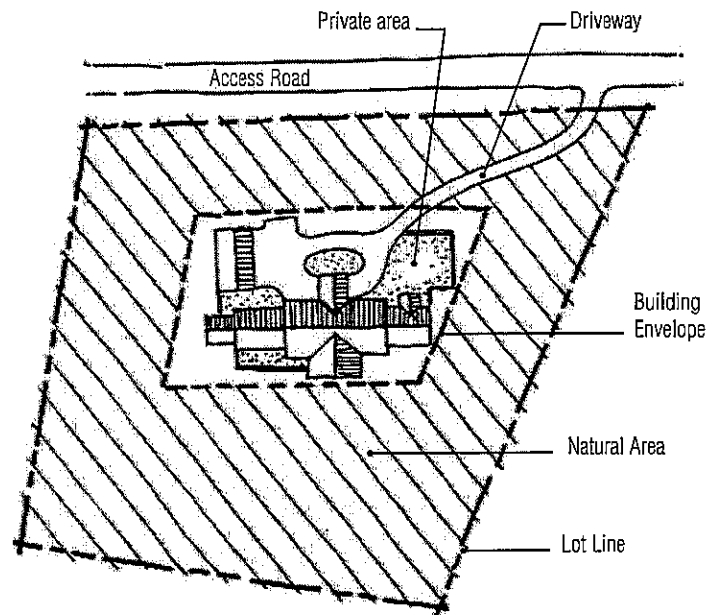
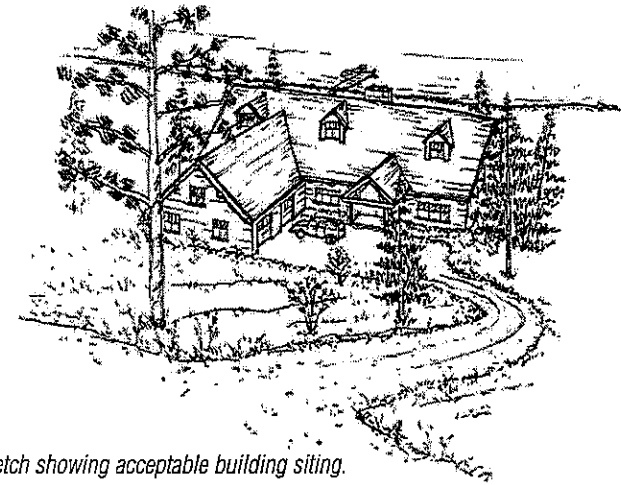


Figure of Building Envelope and Natural Area.

- The long axis of buildings shall be oriented parallel to the existing slope where possible to minimize the building's impact on the site. Where site constraints make it impossible for the long axis of the building to be parallel with the existing site slope, floor and roof levels should step with the underlying topography.



Sketch showing acceptable building siting.

- Buildings are to be located to minimize their impact when viewed from off-site and from the lake. Buildings should be located at the edge of treed areas or within treed areas where possible. For lake front lots, follow the minimum setbacks identified on the plat. Greater setbacks are encouraged. Where possible, a foreground of trees should remain between the shoreline and the building.
- New improvements should be subordinate to the existing topography. Buildings should be located and designed to minimize cut and fill.
- Should an owner wish to purchase multiple lots to site a single residence, the owner may use a designated Building Envelope on one of the aggregated lots or may request designation of a new homesite from the Architectural Control Committee.



## 2.4 Septic and Drain Field Design

### 2.4.1 Goals:

- Minimize tree removal.
- Return site vegetation to pre-existing state.
- Plan system maintenance to minimize disturbance of vegetation for routine maintenance.

### 2.4.2 Guidelines:

- Disturbed areas shall be re-seeded with approved seed outlined in the Landscaping section below (Section 2.7).
- Finish grade to match existing conditions to the extent possible to reduce the impact of the improvements on the site.
- Septic systems must follow state and local regulations.
- Septic tank location shall be located for ease of maintenance. Maintenance to be conducted from drives and other hard-surfaced areas.

## 2.5 Parking and Driveway Design

### 2.5.1 Goals:

- Minimize view of paved areas from off-site.
- Use high quality materials. Stone or other pavers preferred.
- Minimize cut and fill and minimize grade change between driveway and existing topography. Work with topography to route driveways to minimize vertical distances between driveway approach and parking areas.
- Minimize tree removal for driveways.
- Sharing driveways is encouraged to reduce grading disturbance.

### 2.5.2 Guidelines:

- All parking areas, turnarounds and other driving areas (other than drive access) shall be located within the Building Envelope as indicated on the plat.
- Parking should be screened from view from adjacent sites to the greatest extent possible. Lake front lots to have parking areas concealed from lake view by buildings, retaining walls, or landscaped areas. Minimize exterior parking spaces and distribute / nestle spaces between buildings. Exterior parking area is limited to 4 cars outside of garage parking, including spaces behind garage doors. See sketch below for more information.
- Buildings shall be sited so that garages and parking areas do not face access road and are not directly off of an access road except at lots 45-50 where this relationship is required by the topography.

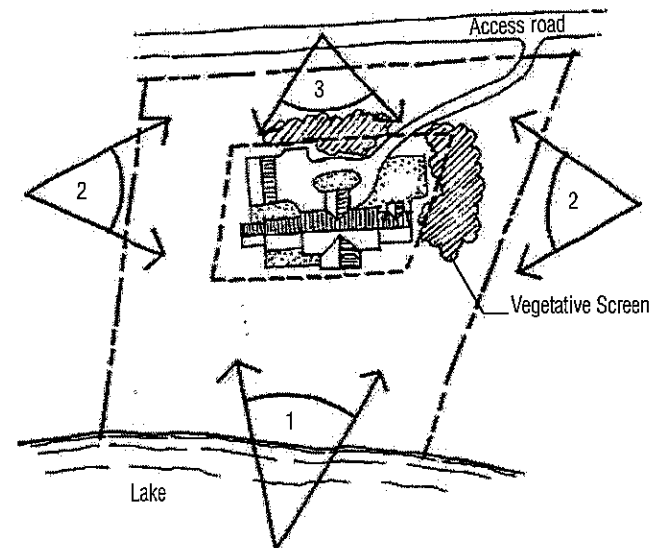


Figure showing screening of parking area.  
Numbers in view cone represent priority of screening view.



*Sketch showing acceptable parking and side loaded garage layout.*

- Driveway design to be unobtrusive: 10'-14' width recommended for drive surface. Approved materials: dark colored pavers, crushed gravel, colored and pigmented asphalt and pigmented concrete. All other materials to be reviewed by Architectural Control Committee.
- Retaining walls are recommended at cut and fill areas along driveways.
- Provide area for snow removal/storage. Indicate area(s) on site plan.
- No curbs are allowed except as required for storm drainage.

## 2.6 RETAINING WALLS

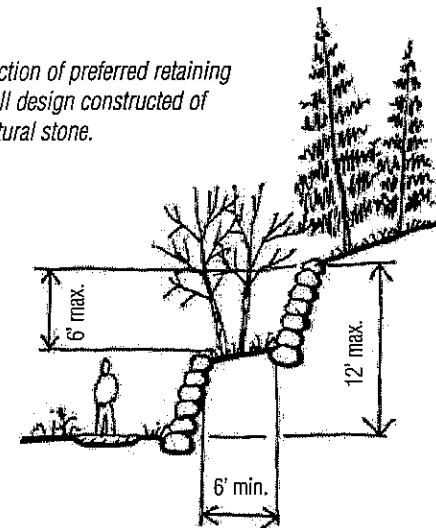
### 2.6.1 GOALS:

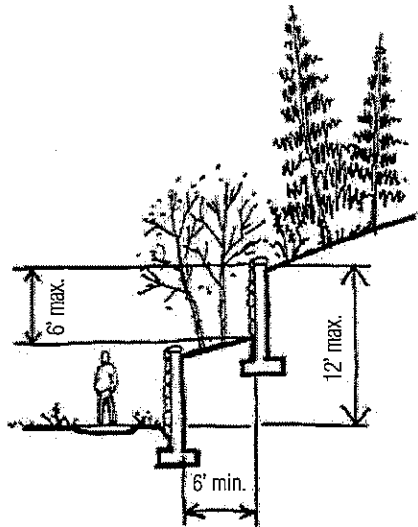
- Minimize visual impact of cut and fill slopes through the use of retaining walls.
- Blend walls with site through material selection and design.

### 2.6.2 Guidelines:

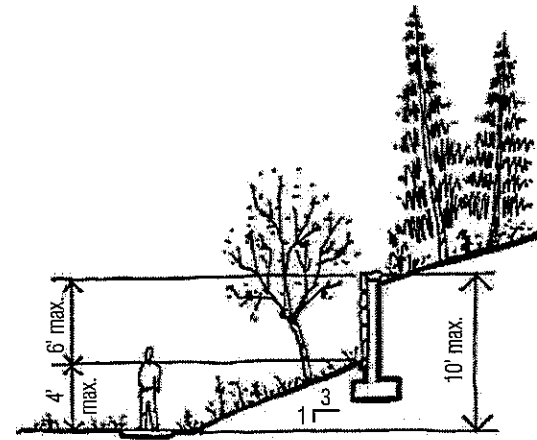
- Retaining walls are required at areas that do not meet the guidelines for exposed cut and fill slopes in section 2.2 above.
- Retaining Walls: 6'-0" height maximum, battered encouraged. Structural stone or masonry approved. Non-structural stone or masonry allowed as long as it does not appear to be a veneer. Plain poured in place concrete retaining walls may have a maximum height of 4'-0"; 6'-0" high permitted with stone or masonry facing.
- Multiple retaining walls must be used at grade changes over 6'-0" and may be used to handle grade changes up to 12'-0" in total height. Multiple retaining walls may be terraced and must be separated by no less than 6'-0" horizontally. See sketches this page for more information.
- Tops of walls to be no more than 18" above the uphill native grade.
- Retaining walls within Building Envelope as indicated on the plat shall complement the building design.

*Section of preferred retaining wall design constructed of natural stone.*

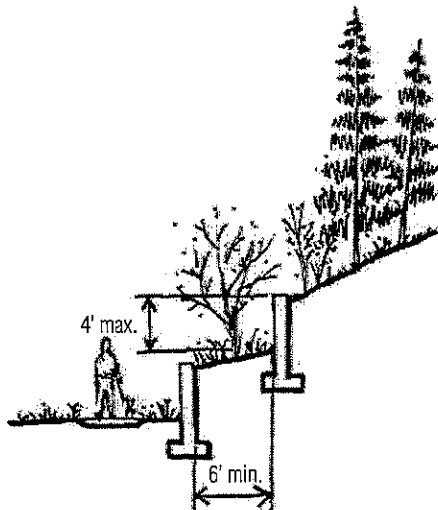




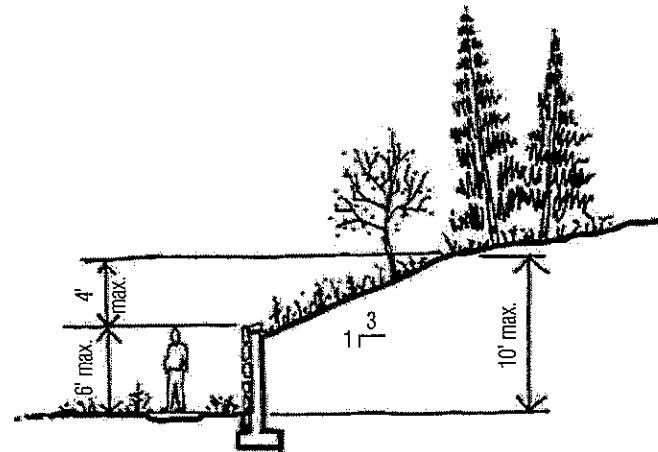
Section of permitted stone faced concrete retaining wall and maximum allowed retaining height.



Section of approved stone faced concrete retaining wall with 3 to 1 fill bank.



Section of allowed concrete retaining wall.



Section of approved stone faced concrete retaining wall with 3 to 1 cut or fill bank.

## 2.7 Landscaping

### 2.7.1 Goals:

- Preserve and protect existing vegetation
- Remediate site disturbance during construction to natural condition.
- Maximize area of site with native vegetation.
- Keep non-native vegetation close to buildings.

### 2.7.2 Guidelines:

- The Natural Area is the portion of the lot which lies outside of the Building Envelope. The Natural Area shall remain undisturbed in its natural condition (forest, meadow, etc.) or be returned to native groundcover with approved seed mix. See sketch in Section 2.3 above for Natural Area and Building Envelope diagram.
- Existing vegetation, particularly mature trees, shall be preserved. Improvements shall be designed to preserve and protect existing vegetation from impact by new improvements.
- Non-native and/or irrigated landscaped areas are to be of limited area and to be completely located within the Building Envelope as indicated on the plat. These landscaped areas shall be largely shielded from view from off-site and adjacent parcels by buildings, walls, or native plantings.
- Vegetable gardens only as permitted by covenants and must be within the Building Envelope and follow the guidelines for non-native plantings above.
- New trees and shrubs planted in the Natural Areas are to be native to the Georgetown lake area and spaced to match patterns of similar vegetation on Piney Point.
- Approved grass/groundcover seed mix for all disturbed areas in the Natural Areas is : Montane Grasses Mix; Seeding rate: 2 lbs/1000 sq ft by Western Native Seed, P.O. Box 188, Coaldale, CO 81222; Phone: (719) 942-3935; FAX: (719) 942-3605; Email: info@westernnativeseed.com

## 2.8 Fencing and Entry Markers

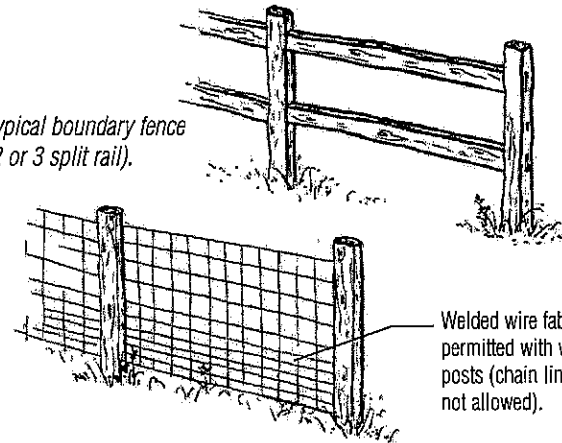
### 2.8.1 Goals:

- Minimize impact of site fences.
- Preserve open meadow and open forest character of site.

### 2.8.2 Guidelines:

- Fencing is not allowed at property lines, except at the west border of Lots 1 and 42, and north border of lots 42-46 and 51. Property line fencing is limited to 2 or 3 split rail type fence with a maximum height of 3'-6". See sketch below of typical boundary fence.
- Fencing along lakeshore boundary is strictly prohibited.
- Approved fencing is limited to areas immediately adjacent to the house as required for small children and pets. All fencing must be located within the Building Envelope with a maximum fencing limit of 100 linear feet.
- All fencing to be for enclosure purposes.
- Property line fencing where approved is not intended for the purpose of containing children, pets and privacy screening.

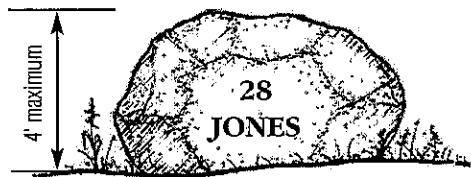
Typical boundary fence  
(2 or 3 split rail).



Approved fence for building envelope (not allowed at property lines).

- Underground electronic pet retaining perimeter fences are permitted and encouraged.
- No fence within the Building Envelope may exceed 4'-0" in height and lower fences are encouraged.
- All fencing to be "Good Neighbor Fencing" (finished side facing out with the framing side facing your property).
- Fencing is encouraged to be used in conjunction with retaining walls, building walls and natural elements to create a cohesive natural looking design while limiting fencing required.
- Fencing to be concealed from lake views where possible.
- Fence design shall be appropriate for the rural setting and shall use natural materials such as wood and stone. Chain link fencing is not permitted. Fencing to be wooden, open and rural in nature (2 or 3 split rail, post rail, horizontal board, etc.)
- Fencing at hot tubs must match exterior of building and be connected to the house. A privacy screen is permitted around the hot tub only. 6'-0" maximum height.
- Not approved fencing materials: Chainlink, Picket fences, concrete block, wrought iron, brick and formal hedges.
- Incorporating plant materials to cover at least 50% of the structural components at plant maturity is highly recommended.
- Entry markers to be limited to 4' in height and are to be constructed of stone and/or wood. Entry marker design

*Sketch of approved natural entry marker.*



shall complement building design, be incorporated into the natural landscape and shall include natural elements. Cast metal or sand-blasted stone letters for address and name are approved (6" maximum height). Entry marker design is to be reviewed by the Architectural Control Committee concurrent to building review.

## 2.9 Landscape Lighting

### 2.9.1 Goals:

- Preserve dark sky by complying with International Dark Sky Association lighting guidelines.
- Allow minimum lighting for safety.

### 2.9.2 Guidelines:

- Landscape lighting shall conform to International Dark Sky Association Lighting Zone LZ1. See appendix for more information.
- One low level light is permitted at drive entry to illuminate a number or name on an entry marker.
- Lighting fixtures and design should complement building design or be concealed from view.
- Pole mounted lighting discouraged to minimize light spilling onto adjacent parcels.
- Lighting and fixtures to be shielded from adjacent parcels and from off-site. Cut-off type fixtures shall be used.

## 2.10 Flagpoles

- Freestanding flagpoles are not permitted. Temporary flags may be mounted to the side of a residence but the flag must not exceed any adjacent ridge height of the residence. No permanent flags are permitted.

## 2.11 Mailboxes

- All mail boxes will be located at kiosk at main entry to the development.

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**2.12 Signage**

- Signage is not permitted except for street address and name at entry markers, or building facade, and as specified within covenants.

**2.13 Garbage Enclosures**

**2.13.1 Goals:**

- Minimize visual impact of garbage containers.
- Prevent wildlife interface problems.

**2.13.2 Guidelines:**

- Garbage shall be stored either indoors or in protected containers outside. If stored outside, containers must be screened from view from all angles and must be sufficiently protected to eliminate wildlife intrusion.

**2.14 Mechanical/Electrical Equipment Screening**

- Pad mounted mechanical equipment, transformers, etc. are not permitted unless screened from view from adjacent parcels and lake view by buildings, retaining walls, or landscaped areas.
- Roof mounted mechanical equipment, etc. is not allowed unless screened from view by other roof forms. All roof mounted equipment is subject to approval by the Architectural Control Committee.

**2.15 Exterior Storage**

- Exterior storage of vehicles, recreational vehicles, grills, lawn equipment, wood piles, etc. is strongly discouraged and should be on a temporary basis only. Items stored outside shall be completely screened from adjacent parcels, public areas, and the lake. Screening shall be accomplished by the buildings themselves, by walls that complement the building design, or native plantings sufficient to screen the stored item(s).
- Carports, whether temporary or permanent, are not permitted.
- Porte cochere's are permitted at entry facades. Materials and size must complement building design.

## SECTION 3 BUILDING DESIGN

### 3.1 Overview

The following chapter outlines all standards for building design, including massing and form, elevation design, roof design, porches and trellises, windows and doors, skylights, building materials, exterior lighting, antennae/satellite dishes, and solar panels.

All decisions regarding building design should reinforce the high quality rural aesthetic of Badger Bay.

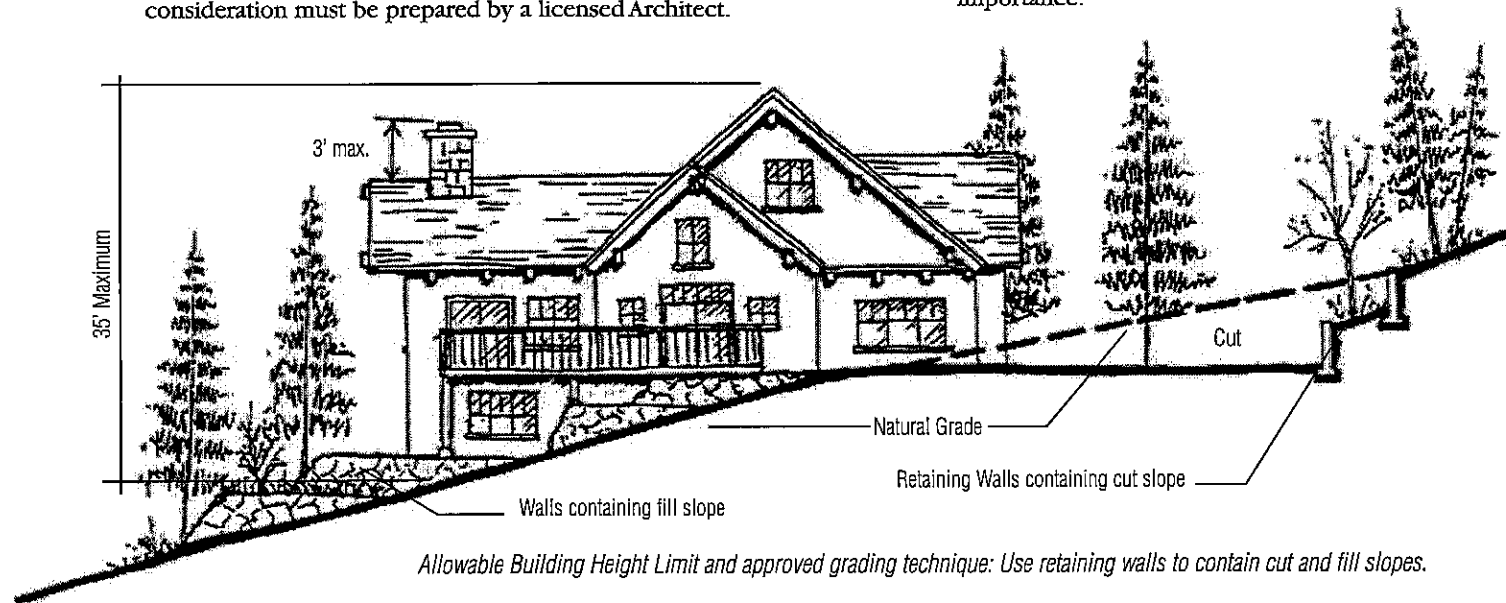
#### 3.1.1 Building Design Goals:

- Buildings shall utilize natural materials to harmonize with surroundings.
- Architecture designed to relate to natural landscape.
- Design for topography of site.
- All submissions for Architectural Control Committee consideration must be prepared by a licensed Architect.

### 3.2 Massing and Form

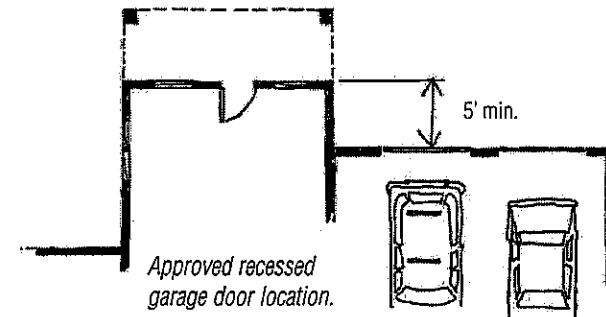
#### 3.2.1 Goals:

- Minimize visual impact of buildings by ensuring that large building masses are broken down into a series of smaller volumes.
- Buildings shall be nestled into the site to follow the existing topography.
- Reduce or eliminate the amount that buildings extend above adjacent ridgelines or treelines when viewed from the lake.
- Badger Bay is designed to ensure the highest building standards and to respectfully develop the site to maintain the beauty of the site for the future. Therefore, no minimum or maximum foot print size is required. Highest quality of design and materials is of paramount importance.

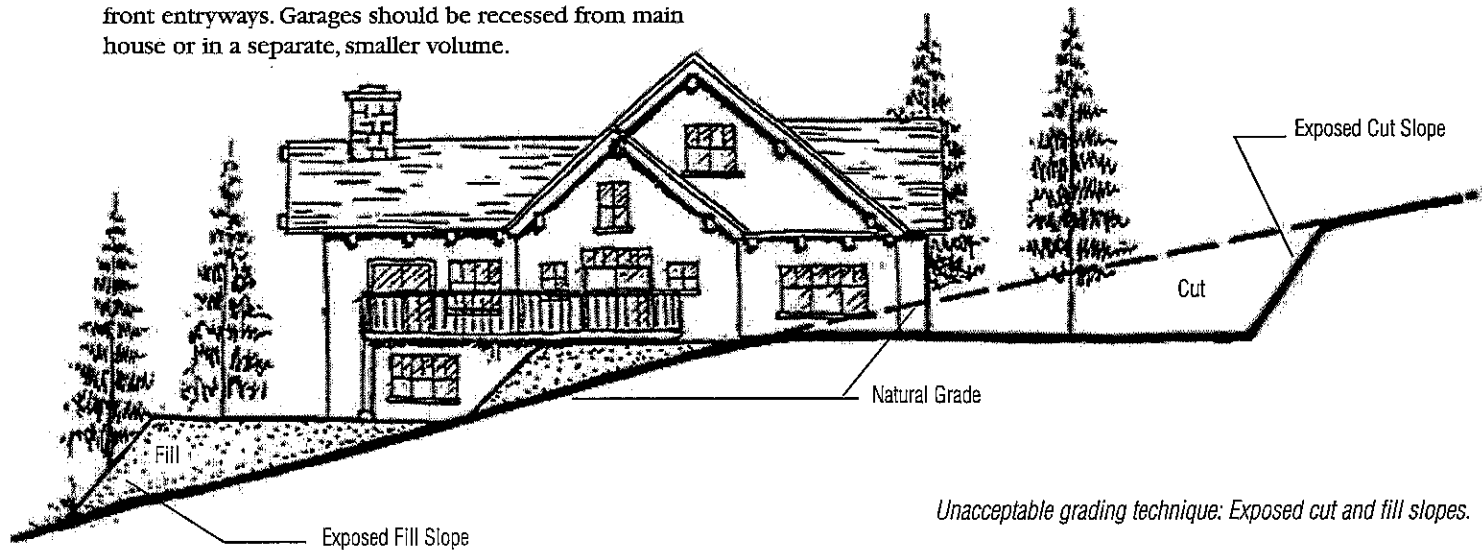


### 3.2.2 Guidelines:

- 35'-0" foot height limit measured from lowest existing native grade at building perimeter to highest point on the roof. Chimney may be no higher than 3'-0" above adjacent ridge. See sketch on previous page for more information.
- Buildings that are viewed against the sky are strongly discouraged. Buildings at ridgelines with treelines providing a back drop will be permitted.
- Applicants with ridgeline lots (lots 20-30 and lots 44-50) shall submit a sketch (or sketches) at the Schematic Design Review and Construction Document Review stages showing the roof line in relation to the ridgeline when viewed from the lake.
- Forms that minimize overall height of structure are encouraged, with second stories that are contained within the roof of the main level, or lower levels that are tucked below the main level where topography permits.
- Residences to be designed with pedestrian friendly front entryways. Garages should be recessed from main house or in a separate, smaller volume.



- Forms that connect floor levels directly with native grade are encouraged.
- Building forms must not have any wall planes in excess of 24'-0" height or 32'-0" in length.
- If the garage door(s) and primary entry door face the same direction, the garage doors shall be recessed from the front facade at least 5'-0".





- Long axis of building shall be parallel to the existing slope where possible. See Setbacks and Building Siting above for more information.
- Detached garages are encouraged to be connected to the main house by highly articulated trellises or breezeways.
- Garages that are set into the hillside or that are under living areas are encouraged.

### 3.3 Exterior Materials

#### 3.3.1 Goals:

- High material quality.
- Uniform architectural quality.
- Material, colors, and building styles to respond to place.

#### 3.3.2 Guidelines:

- Roofing: dark earth tone of asphalt shingle, metal roofing, slate, or concrete tile. Colors by approval. Flashing: dark tone metal or raw copper. Gutters and downspouts: dark tone metal, raw copper, or concealed. Delta rib profile metal roof is not permitted.
- Siding: stone (local or indigenous only), wood, brick, concrete (at foundation walls only), log siding, stucco (in gable ends only). Painted fiber-cement siding in shingle or bevel siding profile. No vinyl permitted. "Heavy" materials (masonry) should be located below "lighter" materials (wood, stucco, etc.). Colors by approval. See Elevation Design section below for more information.
- Windows: wood or clad wood windows. Colors by approval. Approved manufacturers include Pella, Marvin, Anderson, and Pozzi, others by approval of the ACC. Reflective glazing is not permitted. Toned or speciality glazing may be permitted with approval of the ACC.
- Exterior Doors: Wood or clad wood. Entry door to be wood. Approved manufacturers for french doors

include Pella, Marvin, Anderson and Pozzi, others by approval of the ACC. French doors are encouraged, sliding doors are discouraged.

- Porch roof structure: Exposed timber or log construction encouraged.
- Decking: Cedar, Redwood, Trex, or equal (stain or material color by approval of the ACC).
- Terrace materials: stone, masonry, stained and textured concrete.
- Chimneys: masonry or native stone encouraged. No exposed concrete or concrete block permitted. Spark arrestors required.

### 3.4 Elevation Design

#### 3.4.1 Goals:

- Minimize visual impact of buildings by ensuring that building masses will be broken down.
- Ensure high articulation of building facades for visual interest.

#### 3.4.2 Guidelines:

- Long walls (greater than 20'-0" in length) shall have bays, porches, or other elements that project or recede for visual interest and shadow.
- Vents/mechanical grilles shall either be carefully composed and integrated in the building elevation design or concealed from view from adjacent parcels.
- Surface mounted electrical or mechanical appurtenances (meters, etc.) shall be concealed from view from adjacent parcels.

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### 3.5 Roof Design

#### 3.5.1 Goals:

- Roof forms shall be broken up to maintain appropriate scale.
- Roof design shall acknowledge snow country location: 70 psf roof design live load.

#### 3.5.2 Guidelines:

- Primary roofs shall have steep pitches to relate to the snow country climate.
- Provide porch roofs or locate decks and entries, etc. at gable ends to minimize snow sliding onto entry areas.
- Dormers and roof monitors are encouraged to break up the roof mass.
- Roof penetrations (vents, flues, etc.) shall be grouped together and shall be concealed from view from adjacent parcels and from the lake. Roof penetrations shall be constructed or finished to blend into roof color.

### 3.6 Porches, Terraces, and Trellis Design

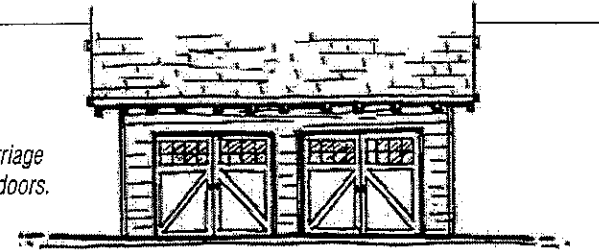
#### 3.6.1 Goals:

- To create outdoor 'rooms' as an extension of interior living spaces.
- To complement building design and consider topography.

#### 3.6.2 Guidelines:

- Porches and terraces on grade are encouraged.
- Trellises are encouraged.
- Decks or porches overhanging ground floor living areas are discouraged.
- Porches and terraces should step to follow the topography.

*Approved carriage style garage doors.*



### 3.7 Window and Door Design

#### 3.7.1 Goals:

- Windows and doors should create a strong connection to the exterior and should frame views.
- Design to complement building design and to minimize reflective glare to other residents and the lake.

#### 3.7.2 Guidelines:

- Door and window style to be consistent throughout all construction on a building parcel.
- Clip-in muntin bars are not permitted. Simulated or true divided lites are required if windows are to be multi-lite.
- Shutters are not required, but if incorporated into the design, shutters must be functional.
- Windows with smaller lites and multi-window units are strongly encouraged over large sheets of glass, particularly at lake view, to reduce reflectivity.
- Doors, especially the entry door, must be of the highest quality.
- All garage doors shall be 12'-0" wide or less and 9'-0" maximum height. Larger doors to be reviewed by the ACC. Wood carriage type doors (overhead or swinging operation) with glass lites at the top of the door are approved, all other garage doors by approval of the ACC.
- Lo-e coatings must be selected to minimize color shift and reflectivity.

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### **3.8 Skylight Design**

#### **3.8.1 Goals:**

- Minimize the impact of skylights on adjacent residents and the nighttime sky.

#### **3.8.2 Guidelines:**

- Bubble type skylights are not permitted.
- Flat, non-reflective glazing is required.
- Interior lights may not be pointed upwards through a skylight.
- Flashing and frames shall match roof color or roof flashing color.
- Skylights are not permitted on roofs visible from the lake.
- Dormer or clerestory designs are preferred over skylights.

### **3.9 Exterior Lighting**

#### **3.9.1 Goals:**

- Preserve dark sky by complying with International Dark Sky Association lighting guidelines.
- Allow for minimum lighting for safety.

#### **3.9.2 Guidelines:**

- Exterior lighting shall conform to the International Dark Sky Association Lighting Zone LZ1. See appendix for more information.
- Low voltage light fixtures with concealed sources are highly recommended. Exposed light fixtures shall complement building design.
- Cut-off type fixtures are required.
- All lighting must be contained within the Building Envelope indicated on the plat except as outlined in the Landscape Lighting section under Site Design.

### **3.10 Antennae/Satellite Dishes**

- See covenants for more information.
- Satellite dishes and antennae are to be hidden from view from other parcels and from the lake.

### **3.11 Solar Panels**

- Solar panels shall blend with the roof and shall be integrally designed into the roof.
- Solar panels are to be hidden from view from other parcels and from the lake.

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## **SECTION 4 ACCESSORY STRUCTURES**

### **4.1 Overview**

The following chapter outlines all standards for accessory structures, including detached garages, guest houses, boat houses, docks and piers, and storage.

#### **4.1.1 Accessory Structures Goals:**

- Accessory structure design shall complement building design.
- Accessory structures shall be subordinate to the main structure.

#### **4.1.2 Accessory Structures Guidelines:**

- Accessory structures must be located within the Building Envelope.

### **4.2 Detached Garages**

#### **4.2.1 Goals:**

- Detached garages shall complement the main building design.
- Detached garages shall be subordinate to the main structure.
- Detached garages shall blend into the site.

#### **4.2.2 Guidelines:**

- Set detached garages into the hillside where possible to minimize visual impact of garage and to ensure that the garage is subordinate to the main structure.
- No detached garage shall have larger than an 800 square foot footprint.
- A trellis or breezeway connection to the main structure is encouraged.

### **4.3 Guest Houses**

- Not permitted.

### **4.4 Boat Houses**

- Not permitted.

### **4.5 Docks and Piers**

- See covenants for more information.

### **4.6 Storage**

- Detached storage structures are not permitted.
- Carports, whether temporary or permanent, are not permitted.

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## **SECTION 5 DESIGN REVIEW PROCESS**

### **5.1 Overview of the Architectural Control Committee**

The following chapter outlines the purpose and structure of the Architectural Control Committee (ACC), including its membership. This chapter also describes the Design Review Process.

#### **5.1.1 Purpose of the ACC**

- Review proposals for conformity to the Design Guidelines and Covenants.
- The ACC shall amend the Design Guidelines as necessary.
- The ACC shall perform duties as outlined in the Covenants or as directed by the Badger Bay Homeowner's Association (BBHA).
- The ACC may appoint a committee to perform functions of the ACC.
- The ACC shall not review for integrity of design in regard to engineering or any applicable building codes.
- The ACC shall inform the BBHA for conformity of proposals to the Design Guidelines and Covenants.
- The ACC shall review all denied proposals after changes have been made to the design to address areas of nonconformity.
- ACC decisions will be written and final.

#### **5.1.2 Rights of the ACC**

- The ACC may waive requirements of the Design Guidelines on an individual basis should there be hardships that prevent compliance with the Guidelines. The ACC may interpret the Guidelines for an applicant as necessary.
- The ACC will make recommendations to the BBHA for non-conformance to the Design Guidelines. BBHA will administer and enforce all penalties.
- The ACC shall review all denied proposals after changes have been made to the design to address areas of nonconformity.

#### **5.2 Requirements for Design Professionals**

- The Architect, Landscape Architect, Surveyor must be licensed and in good standing in the State of Montana.

#### **5.3 Design Review Process**

##### **5.3.1 Goals:**

- The Design Review process shall be uniform and fair for all applicants.

##### **5.3.2 Guidelines:**

- Each of the following activities require Design Review:
  - Construction of any new building or structure.
  - Construction of roads, driveways, paths and all sitework.
  - Construction of fences, patios, enclosures, etc.
  - Renovation or expansion of any exterior element of any building.
  - Refinishing the exterior of any built element.
  - Site or landscape improvements except for replacement of approved plant species or landscape changes within the Building Envelope.

- Each of the above improvements require an application, performance bond, and application fee. All required information must be included with each application before the ACC will review the proposal.
- The performance bond for any reviewed construction shall be for a minimum of \$25,000.00. The bond shall be carried until final completion of the project and must be purchased through a licensed bonding agent.
- The owner shall obtain assistance from a licensed architect and licensed general contractor for all work other than minor projects as outlined below. Additional licensed professionals, such as landscape architects, civil, electrical and structural engineers are highly recommended.
- The owner and consultants shall review and attempt to conform to the Design Guidelines, Covenants, and Design Review Process prior to initiating the review process.
- The Design Review Process must be completed in the order outlined below:
  - Initial Submission
  - Schematic Design Review
  - Construction Document Review
  - Preconstruction Conference
  - Construction Observation
  - Final Approval
- The Design Review process for minor projects (fences, walls, finish colors, etc.) shall be completed in the order outlined below:
- Construction Document Review
- Final Approval

#### **5.4 Design Review Approval and Appeal**

- Approval of each step shall be by majority of the ACC.
- An applicant may request clarification or amendment of ACC conclusions.
- An applicant may appeal an ACC decision. Appeal requirements and procedure will be determined on an individual basis.
- The ACC may reasonably deny any application at any stage of the Design Review process. Should this happen, the applicant shall submit revised drawings or specs, or may initiate the appeals procedure outlined below.
- The ACC shall issue a Certificate of Compliance upon successful completion of the final approval and release the bond to the applicant.

#### **5.5 Initial Submission**

##### **5.5.1 Goals:**

- Applicant shall be familiarized with the process and the ACC shall be familiarized with the applicant's anticipated schedule.
- The applicant shall initiate interpretations of the Design Guidelines as they relate to the specific site.
- A design professional shall prepare application and be familiar with the Guidelines and Covenants.

##### **5.5.2 Applicant Requirements:**

- Post Bond as outlined on the application form.
- Complete and submit application.
- Include anticipated project schedule with anticipated review and inspection dates.

##### **5.5.3 ACC Requirements:**

- The ACC shall review submitted material and respond within seven (7) days of receipt of material.

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## 5.6 Schematic Design Review

### 5.6.1 Goals:

- Integration of building to site based on a survey prepared by a licensed surveyor and conformance with Design Guidelines recommendations and requirements.
- To review the proposed project's location, integration and design for the particular site, access road locations and design, and retaining wall locations.

### 5.6.2 Applicant Requirements:

- Architect and/or owner to submit site design and elevation sketches for review. Plans and elevations to be detailed enough to indicate topography (at 1' intervals) and to address grading, massing, and building envelope considerations outlined in sections 2.1-2.6 and 3.2 and 3.5.
- The Building Envelope shall be staked for review concurrently to applicant submission. Applicant shall mark trees to be removed and to remain.
- Applicant shall include the completed application and checklist.

### 5.6.3 ACC Requirements:

- The ACC shall review submitted material and respond within twenty (20) days of receipt of material or Building Envelope staking, whichever is later.
- For disapproval, the ACC will provide the applicant with the basis for disapproval.

## 5.7 Construction Document Review

### 5.7.1 Goals:

- To ensure that the design meets the Design Guidelines and the covenants.
- To review the final material selections and colors, and final building and site location.

## 5.7.2 Applicant Requirements:

- The applicant shall submit a full set of Construction Documents and a color board for exterior materials and finishes before bidding.
- Exterior lighting fixtures and locations must be indicated. Cut sheets should be included for each light fixture.
- Applicant shall submit supporting information for International Dark Sky Association compliance.
- For disapproval, the ACC will provide the applicant with the basis for disapproval.
- Applicant shall include the completed application and checklist.

## 5.7.3 ACC Requirements:

- The ACC shall review submitted material and respond within twenty (20) days of receipt of material.
- For disapproval, the ACC will provide the applicant with the basis for disapproval.

## 5.8 Preconstruction Conference

### 5.8.1 Goals:

- To minimize the impact of construction activity on existing topography, landscape, and adjacent owners.

### 5.8.2 Applicant Requirements:

- The applicant shall stake building footprint, staging areas, temporary construction fencing, access points, and scheduled working hours.
- The applicant may schedule the Preconstruction Conference at any time after approval of the Construction Documents. The applicant must schedule the conference at least fourteen (14) days prior to the conference date.

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- 5.8.3 ACC Requirements:**
    - The ACC shall outline outstanding items from the preconstruction conference within five (5) days of the conference.
  - 5.9 Construction Observation**
  - 5.9.1 Goals:**
    - To verify the conformance of construction with the approved Construction Document and Preconstruction Conference applications.
  - 5.9.2 Procedures:**
    - Construction Observation should be scheduled when materials and finishes are on site and under construction.
    - The applicant must schedule the observation date at least fourteen (14) days prior to the observation date.
  - 5.9.3 ACC Requirements:**
    - The ACC shall outline outstanding items from the observation date within five (5) days of the observation date.
  - 5.10 Final Approval**
  - 5.10.1 Goals:**
    - To ensure completed work conforms to the submitted Construction Documents.
  - 5.10.2 Applicant Requirements:**
    - Landscaping, site work, and all exterior finishes must be installed and finished. The ACC will examine access roads and site for further site remediation required to limit the impact of the improvements on the site.
    - The applicant must schedule the inspection date at least fourteen (14) days prior to the inspection date.

- 5.10.2 ACC Requirements:**
  - For disapproval, the ACC will provide the applicant with a Notice to Conform.
  - For approval, the ACC will issue a Certificate of Compliance within fourteen (14) days of the inspection. Concurrent with issuance of the Certificate of Compliance, the ACC will release the bonds to owner and contractor.
- 5.11 Resubmittal**
- 5.11.1 Goals:**
  - To ensure that the design meets the Design Guidelines and the covenants, and to address issues that arose during the Design Review process.
- 5.11.2 Applicant Requirements:**
  - The applicant must resubmit the entire packet with an additional application fee unless otherwise stated by the ACC. The timeline for the approval will start over for the applicable stage.
- 5.12 Notice to Comply**
- 5.12.1 Goals:**
  - To notify the applicant of non-conformance without commencing the Resubmittal process.
- 5.12.2 Procedures:**
  - The ACC will notify the owner of disapproval and will furnish the owner with remedies for compliance and a timeline to complete work.
- 5.13 Certificate of Compliance**
- 5.13.1 Goals:**
  - To provide each applicant with an approval document to formally complete the Design Review process.



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**5.13.2 Procedures:**

- Upon satisfactory Final Approval, the ACC will provide the applicant with a Certificate of Compliance to complete the review process. Bonds shall be returned to the owner with the Certificate of Compliance.

**5.14 Submittal Requirements**

- See application for requirements.

**5.15 Contractor and Construction Guidelines**

**5.15.1 Goals:**

- Safety.
- Minimize impact on site and residents.
- Reduce construction noise and site disturbance.

**5.15.2 Procedures:**

- Contractors required to supply ACC proof of insurance and registration prior to start of construction.
- Construction work limited between the times of 8:00 am to 6:00 pm.
- Construction trailers, equipment and storage of materials must all be located on the building site unless approved by the ACC.
- Contractor to clean up all exterior work areas at the end of each day.
- Contractor parking is not allowed on access roads. Car pooling is encouraged.
- Construction sign listing Contractor name, address and phone number shall be clearly visible from the access road.
- Construction staging areas are limited to the areas shown on the Construction Documents. Additional staging areas will not be permitted.

- Contractor responsible for supplying sanitary facilities for all employees.

Portable facilities must be placed so that they are screened from the adjacent property Owners and the lake.

- Tree protection fencing must be installed prior to starting of construction.

All areas damaged during construction must be restored to their native condition prior to ACC final approval.

- Contractor responsible for repairing any grading and or drainage problems due to natural or construction processes (eg: erosion, tire ruts, etc.)
- Employee pets will not be allowed on the construction site.
- Security for construction materials is the responsibility of the Contractor. Temporary fencing may be installed around the staging area to protect the storage of materials. 6' maximum height.
- Contractors required to supply ACC proof of insurance and registration prior to start of construction.

**5.16 Review Forms Submittal Procedure**

**5.16.1 Procedures:**

- Send all forms, information and fees to:

John Crowley  
President  
Washington Development  
101 International Dr.  
Missoula, Montana 59808