



**THE
CROSSING 2**
AT BAXTER MEADOWS

Design Regulations

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DRAFT**



Design Regulations

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Article 1: Purpose

These Design Regulations are intended to allow for a broad range of designs to create an interesting and quality neighborhood. Rather than dictate specific design styles, these regulations are provided to assist architects and owners in designing buildings that are compatible and have clear order and comprehensive composition. The rules and restrictions contained within this document are intended for the protection and enjoyment of all residents and visitors in The Crossing 2.

Diversity of architectural design is encouraged. The fact that a particular style of building already exists in The Crossing 2 does not guarantee that it will necessarily be approved for construction again. Exceptions to these Design Regulations may be granted only on the basis of design merit as determined by The Crossing 2 Design Committee (CDC) and as outlined in Section 6.4 of this Design Regulations. The CDC is not authorized to grant any exceptions to City of Bozeman requirements. It is the responsibility of the property owner to ensure that all proposed construction shall comply with all laws, rules, and regulations including, but not limited to the Bozeman Unified Development Code (UDC) and the International Building Code (IBC) as well as other applicable energy, plumbing, electric, or building codes. The Crossing 2 Covenants (on file at the Clerk & Recorder's Office) and The Crossing 2 Bylaws also apply to all properties within The Crossing 2.

Article 2: Properties and Projects Subject to Design Regulations

These Design Regulations shall apply to all properties as described in Exhibit A, and all development placed or erected thereon, unless otherwise specifically accepted herein. Design Regulations shall inure to and pass with each and every parcel, tract, lot or division.

Additional properties and phases may be annexed to The Crossing 2 by recording a Declaration including a legal description of the land to be annexed and any additional requirements or exceptions.

No residence(s), fence, wall, parking space, garage, shed, outbuilding or other structure shall be made, erected, altered or permitted to remain upon the properties until written plans and specifications showing the design, nature, kind, color, dimensions, shape, elevations, material, use and location have been submitted and approved, in writing, by the CDC, as well as appropriate City of Bozeman review, permitting and fee payment. All plans submitted to the City of Bozeman Planning Department or Building Division must have The Crossing 2 Design Committee Form B stamp of approval. It is the responsibility of the property owner to ensure that he/she has the most recent copy of the Design Regulations. An application shall be processed consistent with the Design Regulations that are in effect thirty (30) days prior to CDC receipt of a complete Form A submittal.

Article 3: Relationship to other Documents

3.1 Local Land Use Regulations

All zoning, land use regulations and all other laws, rules and regulations of any government or agency under whose jurisdiction the land lies are considered to be part of these Design Regulations by reference and enforceable hereunder; and all of the owners of said lands shall be bound by such laws, rules and regulations. The Bozeman Unified Development Code can be found online at www.bozeman.net.

In the event there is a conflict between the Covenants, Design Regulations and any land use regulations, the most restrictive provision shall control.

3.2 Covenants

All properties in The Crossing 2 are also subject to The Crossing 2 Covenants which are on file at the Clerk & Recorder's Office.

3.3 Bylaws

The procedures and processes for The Crossing 2 Community Association are outlined in a separate document entitled "Bylaws of The Crossing 2 Community Association, Inc." which is authorized by the filing of the Covenants. The Association Bylaws have a separate provision for amendments.

Article 4: The Crossing 2 Design Committee

A Committee is hereby established known as the "The Crossing 2 Design Committee" (CDC).

4.1 Function

The function and purpose of the CDC is to review applications, plans, specifications, materials and samples in order to determine if a proposed project conforms to these Design Regulations. To that end, no structure shall be erected or altered until municipal, CDC and any other required approvals have been obtained and review processes completed.

4.2 Membership

The CDC shall consist of a Design Liaison from the Board of Directors, another designee from the Board of Directors and an architect or urban designer. The CDC may also engage other professional services or other advisors in the review process at the CDC's sole discretion.

4.3 Scope of Responsibilities

The CDC has the right to exercise control over all construction in The Crossing 2. The architect/urban designer member of the committee shall conduct all design reviews (Form A, Form B & Form C) and inspections (Form D) with consultation, as desired or necessary, from the other members of the CDC.

4.4 Enforcing Powers

Should a violation occur, the CDC has the right to an injunctive relief, which requires the owner to stop, remove, and/or alter any improvements in a manner that complies with the standards established by the CDC. Approval by the CDC does not relieve an owner of his/her obligation to obtain any government approvals. If such approvals are required and are not obtained by the owner, the CDC and/or the applicable government agency may take whatever actions are necessary against the owner to force compliance.

4.5 Limitation of Responsibilities

The primary goal of the CDC is to review the submitted applications, plans, specifications, materials, and samples in order to determine if the proposed structure conforms to these Design Regulations. The CDC does **not** assume responsibility for the following:

- The structural adequacy, capacity, or safety features of the proposed structure or improvement.
- Soil erosion, ground water levels, non-compatible or unstable soil conditions.
- Compliance with any or all building codes, safety requirements, and governmental laws, regulation or Codes.

Article 5: Design Review Process

All development plans shall be reviewed and approved with the procedures established by The Crossing 2 Design Committee. Submit (deliver or mail) two copies of the required documents for each design review to the following:

The Crossing 2 Design Committee (CDC)
c/o Intrinsic Architecture, Inc.
111 North Tracy Avenue
Bozeman, Montana 59715

Submittals must be labeled with "The Crossing 2 Design Committee" and specific project title and address. Form A, Form B, Form C and Form D are available at the end of this document.

Upon CDC review, the owner will be notified within ten (10) business days of a complete submittal that the design has been approved, approved with stipulations or disapproved. Incomplete applications may be returned and are subject to a re-submittal fee.

The reasons for approval with stipulation and disapproval will be clarified for the owner in writing and/or with drawings.

All variance requests pertaining to the CDC approvals must be made in writing to the CDC. Any variance granted shall be considered unique and will not set any precedent for future decisions. Variance requests are subject to Section 6.4.

If an application has been denied, or the approval is subject to conditions that the owner feels are unacceptable, the owner may request a hearing before the

CDC to justify his/her position within five (5) days. The CDC will consider the arguments and facts presented by the owner and notify the owner of its decision within five (5) days.

Request for withdrawal of an application may be made without prejudice, provided the request for withdrawal is made in writing to the CDC.

Fees may be increased on an annual basis as determined by the CDC and the Board of Directors.

5.1 Informal Advice

Prior to beginning the design process, it is recommended that lot owners and their designers contact the CDC to verify their interpretation of these codes. An owner or representative may request a meeting with the CDC to discuss preliminary plans prior to a full Form A (Sketch Design Review) submittal.

Fee*	Required Documents	Required Drawings (2 copies)	Schematic Drawing Checklist
None	None	Conceptual plans appropriate for informal discussion	n/a

*Note: Additional meetings and/or reviews requested by the owner and as determined by the CDC to be above and beyond the standard review process are subject to standard hourly fees in addition to the Design Review fee and must be paid prior to further reviews.

5.2 Form A: Sketch Design Review

This review checks the designs for general interpretations of the overall Design Regulations. Form A includes a statement of Acknowledgement. It is expected that the Lot Owner and/or General Contractor will take all necessary steps to ensure their employees, subcontractors, agents, suppliers, and others involved in the development of the lot are familiar with and agree to abide by the covenants, Design Regulations, and approved plans.

Note that Form A review **must be** completed before Form B review can begin. If a Form B application is not submitted within six months of Form A review (based on the date of the letter from the CDC) or if the project design changes considerably (as determined by the CDC), a new full Form A submittal will be required.

Fee*	Required Documents	Required Drawings (2 paper copies plus digital copy in PDF format)	Schematic Drawing Checklist
\$200	Form A (must be signed)	Site Plan (1/16" or 1/8" scale)	North arrow; property lines; setbacks; easements; sidewalks; building footprints; porches, stairs, eaves (as dashed lines), etc.
		Landscape Plan (1/16" or 1/8" scale)	Schematic site landscaping
		Floor Plans (1/8" scale or larger)	Room uses labeled; windows & doors; overhangs; dimensions; gross square footage for residence & garage (outside wall)
		Elevations (1/8" scale or larger)	Porches; balconies; doors; windows; materials; overall height (from average grade); roof pitches
		Roof Plan (1/8" scale or larger)	Dimensions roof pitches

*Notes:

- 1) Additional meetings and/or reviews requested by the owner and as determined by the CDC to be above and beyond the standard review process are subject to standard hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 2) Incomplete applications may be returned and are subject to a \$100 penalty.

5.3 Form B: Construction Design Review

This process is to review the construction documents for compliance with these Design Regulations and verifies that the previous Form A CDC recommendations have been addressed. Conformity to applicable local regulations and building codes, as well as obtaining appropriate permits is the responsibility of the owner's architect and/or builder.

Note again that Form A review **must be** completed before Form B review can begin unless specifically exempted by the Board of Directors. If a Form B application is not submitted within six months of Form A review (based on the date of the letter from the CDC) or if the project design changes considerably (as determined by the CDC), a new full Form A submittal will be required.

Fee*	Required Documents	Required Drawings (2 paper copies plus digital copy in PDF format)	Drawing Checklist
\$350 Note: this fee includes inspections	Form B (must be signed)	Site Plan (1/16" or 1/8" scale) All dimensions must be noted.	North arrow; property lines; setbacks; easements; sidewalk & street location; dimensions; materials for walks & drives; building footprints; porches, stairs, eaves/overhangs (as dashed lines); fence locations & details; grading plan; location and screening of equipment and meters; limits of construction activity
		Landscape Plan (1/16" or 1/8" scale)	Site landscaping & boulevard landscaping
		Floor Plans (1/8" scale or larger) All dimensions must be noted.	Room uses labeled; windows & doors; overhangs; dimensions; gross square footage for residence & garage

		Elevations (1/4" scale or larger) All dimensions must be noted.	Porches; balconies; doors; windows; all materials must be specified including eaves and soffits; overall height (from average grade); roof pitches; lights and light fixture details & specifications
		Color Rendering or Color Board	Color rendering of the front elevation with color chips or color board
		Material Samples	As requested by CDC
		Roof Plan (1/8" scale or larger)	Dimensions roof pitches

*Notes:

- 1) Additional meetings and/or reviews requested by the owner and as determined by the CDC to be above and beyond the standard review process are subject to standard hourly fees in addition to the Design Regulations fee and must be paid prior to issuance of approval.
- 2) Incomplete applications may be returned and are subject to a \$100 penalty.

5.4 Form C: Changes & Modifications

It is anticipated that owners may wish to make improvements or modifications to their buildings or property during initial construction or at a future date. A change may be executed after CDC approval of Form C: Application for Change(s).

All modification requests must be made in advance. **Note that any modifications that are made prior to Form C review and approval will be subject to an increased fee.**

Fee*	Required Documents	Required Drawings (2 paper copies plus digital copy in PDF format)	Drawing Checklist
\$100 minor modifications (fences, sheds landscaping, porches, patios, decks)	Form C	Any drawings (site plan, landscape plan, elevations; materials) related to proposed changes	Any details related to the proposed changes.

\$200 for major modifications (additions, garages)			
\$500 for "after the fact" modifications			

*Notes:

- 1) Additional meetings and/or reviews requested by the owner and as determined by the CDC to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 2) Incomplete applications may be returned and are subject to a \$100 penalty.

5.5 Form D: Inspections

The CDC reserves the right to inspect in the field for compliance during any stage of construction, while declarant reserves the right to waive this requirement on a case-by-case basis. The CDC is empowered to enforce its policy as set forth in the Design Regulations, in law or equity, to ensure compliance.

An inspection is required to ensure that construction proceeds in compliance with these covenants and the approved drawings. **The builder/owner shall request an inspection of the improvements by the CDC with a Form D.** Builders/owners are responsible for scheduling an inspection during construction generally after framing but during siding installation:

Fee*	Required Documents	Inspection Stage
None	Form D	Inspection

*Notes:

- 1) Additional meetings and/or reviews requested by the owner and as determined by the CDC to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 2) Occupying a structure without arranging an inspection is subject to a \$500 penalty.

The inspection shall only determine general compliance with the covenants and approved plans. If the CDC finds the improvements were not completed in strict compliance with the covenants and approved plans, the CDC shall notify the owner of the noncompliance within five (5) days of the inspection request and shall require remedy of the same. The

owner shall have five (5) days from the noncompliance notification to remedy the noncompliance or shall submit a work plan delineating the time frame when the noncompliance will be remedied. The CDC may allow up to forty-five (45) days for the noncompliance to be remedied if the submitted work plan provides adequate justification for the requested time. The owner may also propose to modify the approved plans with an “after-the-fact” Form C application in accordance with Section 5.4.

If the Form C is not approved, or the noncompliance is not remedied within five (5) days of notification and the owner does not provide a work plan within said time, or if the noncompliance is not remedied within the time frame provided in the work plan as approved by the CDC, the CDC may, at their option, remedy the noncompliance. The owner shall reimburse the CDC upon demand for all expenses incurred in connection therewith. The owner shall also pay the CDC for any time spent on an inspection that is above and beyond the average inspection. Payment shall be based on the standard hourly fees of the CDC. If the owner does not promptly repay such expenses, the CDC shall levy an assessment and file a lien against such owner and the improvement in question and the land on which the same is situated for reimbursement and the same shall be enforced and/or foreclosed upon in the manner provided for by law.

No occupancy of the project shall take place prior to the completion of all required inspections or as otherwise specified by the CDC.

5.6 Site Plan Review & Building Permits

Some projects may require Site Plan Review from the City of Bozeman and all construction projects require a building permit. Any plans submitted to the City of Bozeman for Preliminary Site Plan Review or Building Permits must include The Crossing 2 Design Committee stamp of approval. Note this is a requirement of The Crossing 2 and not necessarily the City of Bozeman.

Construction may not commence without the approval of the City of Bozeman, necessary permits obtained and fees collected. Approval by the CDC does not guarantee approval by the City of Bozeman.

5.7 Timing of Construction

Any structure to be erected in accordance with an approval so given must be erected and completed within one (1) year from the date of approval. If construction of a structure is not commenced within one year after approval, new approval must be obtained. Consideration will be given to remaining landscaping or painting based on seasonal

constraints; however such improvements must be completed during the beginning of the next planting season.

If any structure is commenced (including excavation) and is not completed in accordance with the plans and specifications within one year, the Directors of the Community Association, at their option, may take such action as may be necessary, in their judgment, to improve the appearance so as to make the property harmonious with other properties and to comply with these Covenants, including completion of the exterior of the combination thereof, or removing the uncompleted structure or similar operations. The amount of any expenditure made in so doing shall be an obligation of the owner. A lien on the property may be recorded and shall be enforceable by an action at law. In lieu thereof, the Association may take such action as is available by law, including an injunction, or action for damages.

5.8 Liability

In passing upon all such plans and specifications, the CDC shall take into consideration the suitability of the proposed building or other structure and the materials of which it is to be built to the lot upon which it is to be erected, its harmony with the surroundings and the effect of the building on other structures, as planned, as viewed from adjacent or neighboring lots. The committee shall use reasonable judgment in passing upon all such plans and specifications, but shall not be liable to any person for its actions in connection with submitted plans and specifications, unless it is shown that the committee acted with malice or wrongful intent.

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

Article 6: Community Design Patterns

The following sections (Site, Building, and Landscape) outline the desired residential neighborhood patterns for The Crossing 2 .

6.1 Site

The following site Design Regulations are intended to provide a framework for the overall neighborhood. All uses, setbacks, lot coverage, accessory structures, parking, drive accesses, etc. are governed by the Bozeman Unified Development Code. Note that these Design Regulations may be more restrictive than the city Codes including but not limited to the site characteristics listed below.

(a) Setbacks, Building & Parking Locations

- Buildings shall be located on lots relative to the setbacks specified in the current Bozeman Unified Development Code and any easements indicated on the final plats or separate documents that have been filed. If a utility easement is greater than the required setback, the utility easement shall apply.
- Davis Lane, a minor arterial has a 25-foot setback requirement. This requirement is being met with an open space buffer; therefore, the individual lot setbacks are still 20 feet for rear yards and 5 feet for side yards.
- Buildings on **double frontage lots and/or corner lots** must meet an elevated architectural standard to adequately address multiple street frontages. Design considerations must reflect overall comprehensive composition and include but not be limited to: wrapping front porches, covered rear or side porches, variation in wall and roof planes as specified on Page 15, variation in materials, additional fenestration, secondary roof forms, enhanced landscaping, and integrated backyard screening. All corner lots shall front the street in the direction of interior lots on the same side of the block.
- Street accessed garages must be located a minimum of 20 feet back from the front property line PLUS a minimum four (4) feet back from the front porch measured from the front column line or equivalent. Side-facing garages are exempt from the additional setback. Third bays will be considered with a minimum additional two foot offset and appropriate screening and driveway design.

- Trash containers shall be located within a garage or adjacent to or within the parking area and shall be screened from public view with durable materials that complement the overall design scheme of the property.

(b) Accessory Structures

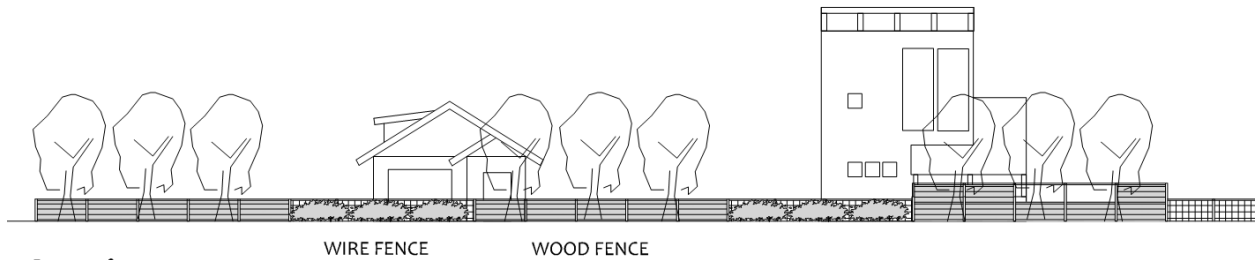
- The following uses are permitted either as attached to the main house or as an outbuilding: garage, workshop, artist studio, sauna, pool house equipment enclosure, gazebo, and conservatory.
- Home based businesses in accessory structures must receive prior approval from both the CDC and the City of Bozeman.

(c) Accessory Dwelling Units

- Accessory Dwelling Units (ADUs) are permitted over detached garages on lots with adequate lot area, lot width, appropriate zoning, etc.
- No more than one of the dwellings (principal dwelling or ADU) may be rented by non-owners at the same time.
- One additional off-street parking space is required for an ADU.
- Only one ADU may be created per lot.
- ADUs must conform to size restrictions for their respective zoning districts, as outlined in the Bozeman Unified Development Code.

(d) Fences

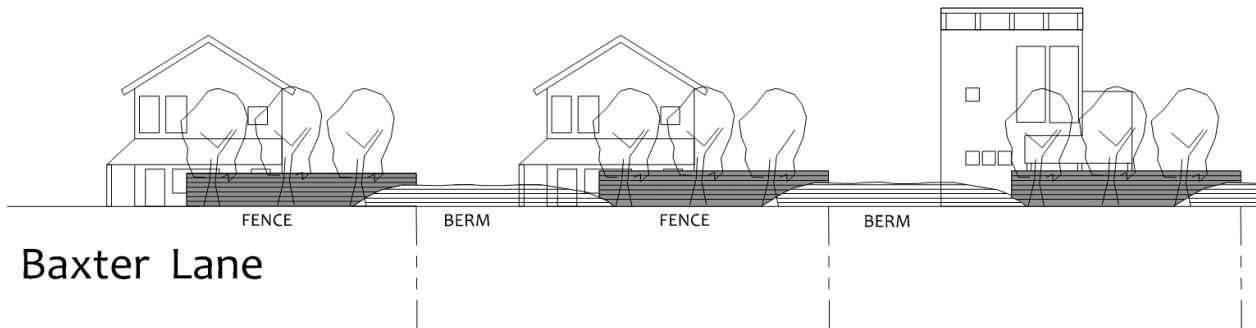
- All fence designs and locations must be approved by the CDC.
- No fences are allowed in front yards.
- No fences are allowed in required vehicle vision triangles.
- Height: maximum height for fences in corner side yards shall be 4 feet. Maximum fence height is 6 feet in rear and side yards.
- As required by City of Bozeman preliminary plat conditions of approval, fences bordering open space or parkland shall not exceed 4 feet in height and shall include semi-transparent sections. The design of such fences will be determined by the CDC to ensure consistency based on the concepts shown below.



Davis Lane

FENCE NOTES (Preliminary)

1. VARY FENCE BETWEEN WOOD AND "WELDED WIRE MESH"
2. TOP RAIL OF WWM FENCE IS METAL
3. WOOD FENCE SECTIONS UTILIZE HORIZONTAL PLANKING
4. WOOD FENCE HEIGHT CAN BE VARIED ACCORDING TO OWNER REQUEST
5. WOOD SECTIONS FOR INCREASED PRIVACY
6. VEGETATION IS USED TO ESTABLISH PATTERN AND SENSE OF PLACE



Baxter Lane

FENCE NOTES (Preliminary)

1. VARY FENCE BETWEEN WOOD AND EARTH BERMS
2. WOOD FENCE SECTIONS UTILIZE HORIZONTAL PLANKING
3. WOOD FENCE HEIGHT CAN BE VARIED ACCORDING TO OWNER REQUEST
4. WOOD SECTIONS FOR INCREASED PRIVACY
5. GAPS IN FENCE MAINTAINS SIGHT LINES TO BRIDGER MOUNTAINS

- Any fence or wall constructed so as to have only one elevation "finished," which shall be defined as not having its supporting members significantly visible, shall be erected such that the finished elevation of the fence is exposed to the adjacent property, alley or street.
- Fences shall not terminate within 3 feet of house or garage building corners unless integrated with wall design.
- All fence assemblies are required to be maintained for appearance and kept in working order.
- Dog kennels or runs must be attached to a primary or accessory structure, be screened from public streets and adjacent properties,

and receive CDC approval for materials and configuration. Chain-link is not permitted.

- Materials: fences and gates must be made primarily of wood and have a sealer, pigmented stain or paint applied in order to protect the wood from moisture and UV rays. If appropriate to the design, the fence must have a capboard. Other materials such as metal may be considered as shown in the fence details above; however, chain-link fences are prohibited.

(e) Driveways/Parking

- Front driveways shall be of concrete, brick or concrete pavers.
- Driveway and apron center lines must intersect perpendicular to the sidewalk and street and may not exceed 24 feet in width measured at the front right of way line to accommodate parking in front of garage doors. Additional pavement interior to the lot will be considered to access a third bay.
- Driveway and parking areas shall be planned to provide for appropriately sized snow storage areas that do not interfere with, or stack snow on, landscape plantings.
- Parking shall be provided in accordance with the most recent version (whatever is adopted at the time of Form B submittal) of the Unified Development Code: "If parking stalls within the interior of an individual residential garage are counted toward a development's required parking needs, then they shall meet the standard parking stall width of nine feet and the standard parking stall length of 20 feet with a minimum of one foot clear on all exterior sides of the stall."

(f) Sidewalks

- Sidewalk installation timing is subject to the requirements identified in the Covenants.
- Sidewalks on single family homes are encouraged to cross the boulevard in line with the sidewalk leading to the front porch.

6.2 Building

The following building Design Regulations are intended to promote building diversity and neighborhood compatibility. All building heights, encroachments, etc. are governed by the Bozeman Unified Development Code. Note that these Design Regulations may be more restrictive than the city Codes including but not limited to the building requirements listed below.

(a) Color

- Certain color and material palettes have been pre-approved by the CDC. Other colors and materials may be considered on a case-by-case basis.

(b) Foundations

- Foundation walls shall be exposed a maximum of 18-inches above the ground unless they are integral with an approved design scheme. Concrete foundations exposed more than 18-inches above grade must have an approved architectural finish (texture, pattern and/or color).
- Due to the potential of high ground water, it is not recommended that residential dwellings or commercial structures with full or partial basements be constructed without first consulting a professional engineer licensed in the State of Montana and qualified in the certification of residential and commercial construction.

(c) Walls & Facades

- All facades of the main building and accessory structures shall be made of similar materials and be similarly detailed.
- Varied building massing is encouraged. No residential exterior wall plane shall exceed 44 feet in length without incorporating a minimum 24-inch offset or recess (including foundation unless otherwise approved) in a significant proportion to the overall plane.
- Primary materials on a façade may change only at a horizontal band or an inside corner.
- Building walls shall be clad in smooth cut wood shingles, wood clapboard, wood drop siding, wood board and batten, fiber cement siding, factory primed composite wood (not including fiberboard wall siding products), brick, or stone. Siding shall be

painted or stained, pre-finished siding will be considered based on design merit. Alternative materials such as architectural metal cladding, stucco or synthetic stucco with a smooth or roughcast (pebbled) finish, will be considered based on design merit.

- Lap siding shall be run horizontally. Maximum lap siding exposure is 7-inch. Combinations of lap exposure will be considered on a case-by-case basis.
- The color palette of the body of the house shall be as approved by the CDC based on color scheme merit. All trim, frames, doors, and windows shall be in a compatible or accent color. Color schemes must be varied from the two adjacent properties, in each direction and from the properties across the street. Attached dwelling units are exempted from each other.
- Exterior wood shall be painted or stained with solid pigment or semi-transparent stain (wood front doors excluded).
- Stonework shall be natural or approved synthetic stone materials. Dry stack, un-coursed settings with minimal exposed mortar are preferred. Stonework shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance.
- Brick surfaces shall be set predominantly in a horizontal running bond pattern.

(d) Porches

- Front porches are required on residential structures. Minimum depth shall be 6 feet and minimum width shall be at least 20 percent of the fronting elevation width.
- Main entry doors are required to be composed with the porch design.
- Porch supports shall be built of stone, masonry, concrete, or wood. Column base piers shall be no less than 16 x 16-inch square and wood columns shall be no less than 8-inches square. Column groupings must have an outer minimum dimension of 10-inches. Tapered columns may not be smaller than 7 x 7-inches at the top. Columns shall match or be similar in design on all elevations of a structure.

- Porch railings may be opened or closed. If closed, they must be constructed of the same material as the adjacent wall planes.
- Front stoops shall be made of brick, concrete, stone, or wood and must be detailed and integrated into the porch/railing design. Required stair railings must be compatible with the overall stair and porch design.
- The space below porches is encouraged to be closed, detailed, and integrated into the design, interrupted as necessary for drainage. If open, landscape screening shall be required.
- Exterior stairs visible from nearby streets or public spaces are required to show stepped horizontal walls, except that diagonal handrails may be attached thereto.
- Front porches are intended to allow for interaction with the street, therefore, front porch screens and glazing are not recommended.

(e) Decks & Patios

- Decks and patios must face only rear and side yards. Covered porches may wrap side yard facades when composed and integrated with overall design.
- Lower level decks are encouraged to be skirted or appropriately landscaped. Decks which are not practical to skirt should be designed so that the underside of the deck is integrated with the design of the building. Exposed anodized aluminum joist hangers will be allowed, so long as they are not visible from adjoining streets and properties. If lattice is used, wood lattice is required with a maximum of 1-1/2-inches space between strips. Said lattice shall be applied in a non-diagonal design, between and not concealing deck supports. Landscaping may also be used. Upper level decks must be integral to the design and over first floor space.
- Decks, balconies, and terraces shall be designed to enhance the overall architecture of the building by creating variety, layering, and detail on exterior elevations. Covered decks, projecting balconies, and bay windows shall be integrated and composed with the overall building form, rather than placed randomly throughout the building. Terraces shall be used to integrate the building and landscape by creating a transition between the built and natural character of the site.

(f) Windows

- Window and door patterns and reveals should be carefully studied to create interest, variety and consistency. Unless otherwise approved for design merit, windows and doors shall not exceed 50 percent of the wall area, and not less than 10 percent, measured on each elevation. Elevation calculations shall include exterior window trim.
- The design and location of exterior windows should respond to the solar orientation of the building. Energy considerations should be addressed in the building design.
- Windows shall be made of painted or stained wood or clad in metal, fiberglass, or higher-grade vinyl.
- Windows must match in material, design and be overall proportional to one another on all elevations.
- Window muntins should be or appear to be true divided lights. (If snap-ins are used, models with exterior components are preferred).
- Buildings with wood exteriors shall have all openings trimmed in wood bands of minimum 4-inches nominal width. Large scale windows and doors shall be recessed or trimmed a minimum of 6 inches in exterior wall surfaces.
- False shutters are not permitted.
- Mirrored glass or glass block shall not be used.
- Bay window projections shall be proportionate to the overall composition and are encouraged to extend to the ground. Cantilevered bays must be visually carried by structural brackets or a water table trim band. Only cantilevered bays without useable floor area may encroach into a setback.

(g) Doors

- Typical sliding glass doors may only be used in walls facing the side or rear yards.
- Garage doors are encouraged to include windows where appropriate to the design and be built of wood, wood composite, or steel. Aluminum and fiberglass doors are discouraged.

- Garage doors shall compliment the design and color scheme of the building.
- Garages shall be clearly subordinate to the dwelling.
- All garage doors are encouraged to be separated for each vehicle. If doors are not separated, garage doors must be appropriately detailed to enhance their appearance.
- Three car garages are permitted but must **either** be side-facing or have one door offset at least 2 feet.

(h) Roofs

- Roof materials above occupied areas of buildings, or in areas exposed to the sun, mechanical vents, and heat from adjacent chimneys shall be carefully selected to address the freezing and thawing cycle common to most roof designs. Cold roof systems with adequate ventilation and insulation are recommended.
- Materials shall be selected for their quality, durability, appearance and maintenance characteristics. Pitched roofs shall be clad with treated wood shakes or shingles, natural or synthetic slate, asphalt random tab shingles, pre-finished metal roofing, other similar materials and complimenting color approved by the CDC. Other roofing products will be considered based on overall composition, unique detailing and design merit. All roof flashing vents, hoods, and roof accessories shall be copper or a pre-finished metal that blends with the color of the roofing material selected.
- The principal roof shall be a symmetrical hip or gable form with a pitch between 6:12 and 10:12. Other roof designs will be considered based on design merit as determined by the CDC.
- Flat roofs comprising less than 30 percent of the total roof area are permitted. Flat roofs used as balconies on street facades shall be enclosed with solid railings and integrated with the design, unless otherwise approved based on design merit.
- Caution should be taken in design to minimize shedding of snow and ice toward driveways, sidewalks, porches, decks, balconies, or any other areas which may be damaged or cause injury.

- Ridge plane and fascia continuous length dimensions shall not exceed 48 feet for single household structures, 40 feet for detached garages.
- The term “integrated roof planes” shall mean roof surfaces (planes) that intersect exterior walls at mid-stories. Integrated roof planes contribute to the composition of an overall roof and building design by helping to break down the scale, height, and massing of a multi-story structure.

(i) Skylights

- Skylights shall be flat in profile (no bubbles or domes).
- Skylights shall not be visible to the fronting street.
- When designing the location of skylights, consideration should be given to both the interior and exterior appearance of the unit. Locations should also be coordinated with window and door locations. Skylights shall be located away from valleys, ridges, and all other areas where drifting snow may hinder the performance and safety of the unit. Skylights should be of high quality, insulated, double pane construction.

(j) Solar/Photovoltaic Panels

- Solar panels shall be applied parallel and flat to a roof, while exceptions will be considered by the CDC on a case-by-case basis.

(k) Dormers

- Dormer width shall be proportionate to the overall composition.
- Shed dormers shall have a pitch of at least 5:12. Hip dormers shall have the same pitch as the main roof volume.

(l) Eaves / Soffits / Gutters

- Eaves may be encroached by a bay window or windows for no more than half of the running length of each façade, cumulatively.
- Overhanging roof eave and gable end depth shall be no less than 16-inches. Roof overhang depth on accessory structures must match the main building structure.
- Fascia shall be constructed of wood or metal. Eave fascia detail must have a minimum total face dimension of 7-inches unless otherwise approved for design merit and composition. Two-piece

fascias are encouraged if appropriate to the architectural style. Exposed rafter tails are also encouraged if appropriate for the architectural style.

- Soffits shall be constructed of wood or metal. Boxed soffits are prohibited except when integrated into a specific architectural style.
- Gutters shall be built of painted metal of a color and finish that blends with the finish color scheme. Gutters shall be half-round or rectangular and downspouts shall be circular or rectangular.

(m) Chimneys / Roof Vents / Equipment

- All roof-mounted equipment shall be integrated into overall design and screened. Vents projecting from the roof shall be painted to match overall roof material color. Roof top equipment and vents other than chimneys and plumbing vent stacks shall not face a public street.
- Chimneys shall be clad in stone, brick, stucco, siding or some other compatible/complementary material, while exceptions will be considered based on design merit on a case-by-case basis.
- Chimney caps may extend above the chimney top per building code requirements. All chimney forms shall relate to the overall building.
- It is strongly encouraged that chimneys emerge from the highest roof volume.
- Exterior antenna, satellite receivers (dish) or aerial shall not be located on a street facing elevation and be screened or landscaped as approved by the CDC.
- Chimneys shall be at least 30 x 30-inches.

(n) Lighting

- Exterior Lighting: All exterior residential lighting must be dark-sky compliant.
- All exterior lighting must be free of glare and shall be fully shielded so that no light rays are emitted by the installed fixture at angles above the horizontal plane. No lighting shall shine beyond a

property's lot line. Indirect light, meaning direct light that has been reflected or has scattered off to other surfaces, may be considered.

- Recessed or can lighting is encouraged for porches and main entrances for softer lighting conditions.
- The following lighting is prohibited: obtrusive flood lighting, mercury vapor or high-pressure sodium lights and clear glass or exposed bulb (non-cutoff) fixtures.
- Street Lighting: The Crossing 2 Subdivision will light street and significant pedestrian intersections. Special Improvement Lighting Districts will be formed to fund and maintain street lighting.

(o) Signage

- No signs, placards, or notices shall be erected, placed, maintained or permitted to remain on any part of any land in The Crossing 2 , except such signs as have been approved by the CDC for identification of residences, streets, parks or areas, places of business, or other commercial uses. Signs must also be constructed to comply with the Bozeman Sign Code.
- Typical "For Sale" signs shall be allowed during the sale of a lot.
- Signage integrated with landscaping may be placed at the main entrances to the subdivision to identify the subdivision and/or neighborhood.

6.3 Landscape

The proper use of plant materials adds to a sense of permanence and consistency for a neighborhood while also connecting the built and natural environments. Each site owner will be required to meet minimum landscape specifications related to two general categories: boulevard plantings and yard plantings. Properties are also subject to City of Bozeman Unified Development Code landscape requirements as a minimum.

(a) General Requirements

- All required and approved landscaping must be completed within two (2) months of occupancy when planting season allows, and no later than six (6) months after occupancy if winter prohibits completion.
- Commencing with the transfer of any land in The Crossing 2 from Declarant, the Owner shall cause all the land to be maintained in a neat appearance at all times. Grass shall be cut and trees, bushes and hedges shall be trimmed at such intervals as are necessary to maintain the attractiveness of The Crossing 2.

(b) Street Trees & Boulevard Plantings

- Individual lot owners shall be responsible for the landscaping the boulevard area directly adjacent to their property at the time of occupancy and for the maintenance of the boulevard area thereafter.
- Irrigated turf grass and minimum 2-inch caliper trees shall be planted at a density of one tree per 50 feet (rounded to the nearest whole number) in the boulevard area exclusive of areas used for street pavement, curbs, gutters, sidewalks or driveways.
- Maximum height of landscaping in required vehicle vision triangles is 30-inches.
- The planting hole shall be at least twice the diameter of the root ball, the root flare of the newly planted tree must be visible and above ground and there shall be a mulch ring 3-4 feet in diameter around each newly planted boulevard tree.
- All boulevard plantings must follow City of Bozeman requirements for street tree permits, species selection, and spacing. Owners are

required to obtain City of Bozeman boulevard tree planting permit prior to planting.

- It is the responsibility of the Owner to contact the appropriate utility companies before digging.

(c) Yard Plantings

- A total of 3 trees (minimum 2-inch caliper) are required per property including: 1 front yard tree, 1 side yard trees and 1 rear yard tree. Note that this requirement is in addition to the required boulevard trees described in Section (b).
- A total of 3 appropriately sized planting beds are required per property including: 2 for the front yard and 1 for the rear yard. All planting beds must be composed with the site (including suitably sized beds and plant quantities) and the building elevations and shall have a top layer of mulch or earth tone stone (non-white). Shrub planting sizes must be a minimum size of 5 gallon.
- Front yards and corner side yards are required to have turf (sod) installed where lawns are planned. Seeding is not acceptable for front yards or corner side yards. Seeding is acceptable for rear and side yards only.
- Property owners determine their own gardens, perennials, native grasses and/or ground covers in the rear yard.
- "Xeriscaping" or water-conserving, drought-tolerant landscaping will be considered by the CDC on a case-by-case basis. A proposal for a xeriscape landscape plan must be prepared by a landscape professional and must meet local land use requirements for 75 percent "live vegetation."
- Maximum height of landscaping in required vehicle vision triangles is 30-inches.
- It is the responsibility of the Owner to contact the appropriate utility companies before digging.

(d) Vegetation Maintenance & Removal

- Maintenance (including irrigation and replacement) of required vegetation is the responsibility of the property owner.

- No mature landscaping may be removed without prior permission from the CDC.

6.4 Variations from Community Patterns

The Crossing 2 Design Committee (CDC) may, upon application, grant a variation from the Design Regulations, based on design merit. The CDC shall have the duty and power to make the final decision on the granting of the variation, without any liability being incurred or damages being assessed due to any decision of the CDC.

Variations must be requested in writing and approved by the CDC and/or the Bozeman City Commission, if applicable, depending on whether the variation/variance is from the Covenants or from the current City Unified Development Code or both. The Committee may only grant a variation from the Design Regulations provided that compliance with the spirit of the regulations is maintained.

Any variations from the regulations shall be considered unique and will not set any precedent for future decisions. The Committee, in reviewing and considering an application for a variation, shall consider the nature of the hardship claimed, the impact on the adjacent lot owners, the impact on The Crossing 2 and proposed mitigations for the impacts. The Committee shall have the duty and power to make the final decision on the granting of the variation, without any liability being incurred or damages being assessed due to any decision of the Committee.

Article 7: Amendments

Amendments to The Crossing 2 shall only be made by The Crossing 2 Design Committee but must meet minimum standards established by the "Design Review Guidelines and Regulations of Baxter Meadows Master Community Association."

Any amendments to the Design Regulations will be on file with The Crossing 2 Design Committee and The Crossing 2 Community Association.

A submittal shall be processed consistent with the Design Regulations in effect 30 days prior to CDC receipt of a complete Form A submittal.

No improvements that were constructed and approved in accordance with the Design Regulations shall be required to be changed because such standards are thereafter amended.

Article 8: Definitions

The words and terms used in this document shall be defined as in the latest edition of the City of Bozeman Unified Development Code and the Covenants. If not defined in the UDC or covenants, words and terms shall have their customary dictionary definitions.

Exhibit A

Legal Description of The Crossing 2

[to be inserted]

Exhibit B: Forms



Form A: Sketch Design Review

Property Information:

Street Address: _____

Lot _____ Block _____ Phase _____

Owner Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Architect/Designer Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Builder Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Landscape Designer Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

(Page 1 of 3)

Information:

1. Are any variances from The Crossing 2 Design Regulations being requested under this application?

- Yes
- No

If yes, please describe the variance:

2. Items submitted (please check):

- Review Fee
- Site Plan
- Floor Plans
- Roof Plan
- Elevations
- Landscape Plan
- Digital Copy of Submittal (PDF)

Acknowledgement Statement:

Owner acknowledges that he/she has received, read, and will abide by the Declaration of Protective Covenants and Restrictions for The Crossing 2 .

Violations of the Declaration of Protective Covenants and Restrictions and/or addenda will be remedied by The Crossing 2 Property Owners Association whereupon the Lot/Home Owner will be responsible for the cost of the remedy.

I (We) _____ am/are the owner(s) of record of Lot ____, Block ____, Phase _____ of The Crossing 2 Subdivision. I/We have read these requirements and understand their implications. Furthermore, I (we) have been given sufficient opportunity to discuss any questions we may have regarding these requirements with a member of The Crossing 2 Design Committee. My (Our) signature(s) below is/are evidence of my/our intent to comply with these requirements.

Owner Signature: _____ **Date:** _____

Printed Name: _____

Applicant Signature: _____ **Date:** _____

Printed Name: _____



FORM B: CONSTRUCTION DESIGN REVIEW APPLICATION

Property Information:

Street Address: _____

Lot _____ Block _____ Phase _____

Owner Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Architect/Designer Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Builder Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Landscape Designer Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

(Page 1 of 2)

Information:

1. Are any variances from The Crossing 2 Design Regulations being requested under this application?

- Yes
- No

If yes, please describe the variance:

2. Items submitted (please check):

- Review Fee
- Site/Grading Plan
- Floor Plans
- Roof Plan
- Elevations & Sections
- Samples & Cut Sheets
- Rendered Elevation
- Landscape Plan
- Digital Copy of Submittal (PDF)

Signature: _____ **Date:** _____

Printed Name: _____



FORM C1/C2: APPLICATION FOR CHANGE(S)

Property Information:

Street Address: _____

Lot _____ Block _____ Phase _____

Owner Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Architect/Designer Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Builder Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Landscape Designer Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

(Page 1 of 2)

Information:

1. Type of Modification

- Form C1 – Proposed Modification
- Form C2 – Modification Already Constructed

2. Change Description and reason for change:

(Attach specific drawings of proposed change.)

3. Items submitted (please check):

- Review Fee
- Plans/Elevation
- Details/ Samples
- Digital Copy of Submittal (PDF)

Signature: _____ **Date:** _____

Printed Name: _____



FORM D: APPLICATION FOR INSPECTION

Property Information:

Street Address: _____

Lot _____ Block _____ Phase _____

Owner Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Architect Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Builder Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

Landscape Designer Information:

Name: _____

Mailing Address: _____

Telephone: _____ FAX: _____

Email: _____

(Page 1 of 2)

Certification:

I do hereby certify that the contracted structure on said lot conforms to the codes and the construction documents as approved by the CDC. All site work, landscaping, cleaning, removal of temporary utilities, and repair of damage to rights-of-way and/or common areas have been implemented.

Signature: _____ **Date:** _____

Printed Name: _____

For CDC use only:

<p>Date of inspection: _____</p> <p><input type="radio"/> Approved as noted in letter <input type="radio"/> Denied as noted in letter</p> <p>CDC Signature: _____</p> <p>If denied, subsequent inspection date(s): _____</p> <p><input type="radio"/> Approved as noted in letter <input type="radio"/> Denied as noted in letter</p> <p>CDC Signature: _____</p>
