

**Meadow Lake Country Club Estates  
Homeowners Association, Inc.**

# **Building Standards**

*Guidelines for Building at  
Meadow Lake Community*

**Amended September 24, 2024  
MLCCEHOA, Inc.**

## **Building at Meadow Lake**

**Welcome to Meadow Lake.** The Meadow Lake Community is pleased to work with you as you begin your project as owner or builder in our community. Members of the community's homeowners' association are proud of their community and have set high standards for new construction and renovation projects. This is to maintain the quality and image the community now enjoys. The association's Board of Directors looks forward to your working with its MLHOA General Manager and Architectural Review Board (ARB) as you develop your plans and bring your project to completion. Your participation in the community is welcomed.

**Community Building Standards.** The authority to set and enforce building standards at the Meadow Lake Community is vested in the Meadow Lake Country Club Estates Homeowners Association (MLHOA) governing documents. First, the MLHOA Declaration of Covenants, Conditions and Restrictions (CC&Rs) made October 30, 1985, established the authority of the MLHOA Architectural Review Board (ARB). Later, the community declarant, exercising his rights as defined in Article V, Section 1 of the CC&Rs, and while serving as president of the MLHOA board of directors, on October 15, 2004, signed the MLHOA's Bylaws assigning the ARB to the MLHOA. And finally, in January of 2012, the MLHOA Board of Directors reaffirmed the ARB charter by defining its objective, responsibilities, membership, and recognizing its status as a committee of the MLHOA Board of Directors.

The building standards contained in this document represent the regulatory guidelines for all construction in the Meadow Lake Community subject to the MLHOA CC&Rs. To help owners and their agents effectively and efficiently achieve their construction goals, it is the role of the ARB to provide guidance as it encourages development that protects and enhances the value of all property within the Meadow Lake Community. The ARB, however, may not impose standards that are not explicitly defined in this document, nor may its members pursue agendas at variance with the intent and purpose of this document. Should any owner or builder believe the ARB is in error in its interpretation or application of these standards, an appeal may be submitted to the MLHOA Board of Directors.

Instructions and decisions rendered by the ARB are considered final unless reversed or altered by the association Board of Directors upon appeal. Past regulatory guidelines and ARB decisions or agreements do not have precedence when applying the standards contained in this document to new construction or renovation projects. Members of the association, builders, and their agents may seek assistance when reviewing these standards in the preparation or execution of building plans by contacting the MLHOA General Manager.

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# Building Standards for Meadow Lake Community

## I. INTRODUCTION

Application and interpretation of the Meadow Lake building standards is the responsibility of the Architectural Review Board (ARB), a committee of the MLHOA. The ARB derives its authority from the MLHOA Declaration of Covenants, Conditions, and Restrictions (CC&Rs), the MLHOA's Bylaws, and its charter as promulgated by the association's Board of Directors. No building construction or condominium or residential lots in the Meadow Lake Community is permitted without written approval by the ARB. Construction on commercial lots must first be coordinated with the ARB as outlined in Appendix J. It is the objective of this board to ensure that homes and other buildings constructed in Meadow Lake are aesthetically compatible with the natural landscape and the historical architectural patterns of the community.

**1. Development Philosophy.** The development philosophy of MLHOA is to encourage development that protects and enhances the value of all property within the community, while respecting, to the degree possible, the preferences of the owners of the property being developed. Meadow Lake members must be respectful of their community and its standards in the development and maintenance of their property. The overriding consideration to be made by the ARB is whether or not the proposed structure, its landscape, and any outbuildings, are aesthetically compatible with the landscape and overall attractiveness of the Meadow Lake Community.

**2. Purpose of Design Standards.** The purpose of these standards is to guide the applicant in achieving the desired level of site development consistent with the overall natural and structural image in the Meadow Lake Community. These standards are intended to aid the applicant in achieving a style, character and quality of development conforming to the goals and objectives of the community and its members. Additionally, it is mandatory and the responsibility of the applicant that construction work undertaken in Meadow Lake comply with all existing state and local building codes, plumbing codes, and electrical codes.

**3. Relationship to CC&Rs and Area Zoning Plans.** These design standards shall apply to all properties in the Meadow Lake Community that are developed or renovated after the adoption of this document (see "Introduction," above), and are in addition to the requirements of the State of Montana, ~~and~~ of the International Residential Code (IRC) and International Building Code (IBC) as adopted by the City of Columbia Falls. All standards set forth herein are subject to the criteria established in applicable Federal, State, County or Municipal regulations, wherever criteria are more restrictive.

**4. Scope of Standards.** All construction that is undertaken in the Meadow Lake Community must follow the standards described in this document for single family and multi-family

structures (see Appendix J for commercial properties). The ARB will not approve applications for single-family construction projects that are not consistent with zoning standards set by the City of Columbia Falls. Additional regulations described in the appendices may apply to commercial properties, "Z" lots, Meadow Lake North, The Ridge, and Tamarack Heights.

**5. Amending This Document.** The MLHOA Board of Directors is responsible for this document and may amend it at any time by a majority vote of the Board at a scheduled public meeting.

## **II. REVIEW PROCESS**

It is strongly recommended that an owner retain competent professional services for planning and design. A thorough analysis and understanding of a particular lot, the owner's special needs, and the skill to translate this into building form, as well as the ability to convey to the ARB the concept and design of a proposed residence or other improvements, are all important elements of the design review process. If an owner elects to create his own design and the result is not approved by the ARB, an owner should utilize professional design services. Plans and specifications for any new construction or change to building exterior, landscaping or site must be submitted to the ARB. Lot owners are encouraged to be proactive in the planning of their homes and the ARB welcomes informal discussion by contacting the ARB for a meeting to assist the lot owner in the preparation of their final application.

### **1. Preliminary Review**

1.1. For a preliminary review, the following items must be submitted to the ARB prior to the meeting being scheduled for that purpose:

1.1.1. General site plan including grading and landscaping ideas (1 printed set and 1 electronic PDF copy)

1.1.2. Rough elevations and material suggestions (floor plan ideas optional) (1 printed set and 1 electronic PDF)

1.1.3. Pertinent information in writing or on drawings that allows the ARB to formulate a decision or recommendation.

1.2. No formal action will be taken at the preliminary review. The ARB will provide information to help with the design and building process. If the lot owner is required or requests to come back for additional preliminary reviews, fees may apply.

### **2. Submission of Plans.**

2.1. Plans and specifications for any new construction or change to building exterior, landscaping or site must be submitted to the ARB. The Application for Design Review Form is shown at Appendix A. This form must be filled out completely and signed by the owner. All applications must be complete before they can be accepted and processed by the ARB.

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

2.3. Applications and review materials described below should be delivered to the MLHOA office at 521 Saint Andrews Drive #114, Columbia Falls, MT 59912, or e-mail the MLHOA General Manager at hoamanager@ml-hoa.com. The General Manager will review submitted material and advise applicants if information is missing or needs clarification.

2.4. Owners undertaking projects without ARB approval are subject to fines and penalties (see Appendix X).

2.5. For commercial properties, see Appendix J for guidance pertaining to commercial building standards and the MLHOA architectural review process.

### **3. New Construction.**

3.1 The construction of any structure on vacant property is considered new construction. New construction projects require the completion of Appendix A and compliance with Appendix B.

3.1.1 Architectural Plans clearly identifying all elements of the exterior design must be submitted for approval of new construction. (See Appendix B)

3.1.2 Landscape Plans should encompass the entire lot clearly identifying all elements of the landscape plan, in detail. (See Appendix B)

3.1.3 Topographical Survey:

A topographical survey is required on lots that have elevation variation of more than 2 feet inside the building envelope. Survey must show the building envelope, lot boundaries, and indicate elevations at lot corners at a scale standard in the industry for similar projects.

3.2 Fees and applicable deposits:

3.2.1 ARB Construction Review Fee is \$500.00 and is payable at the scheduled review meeting. The ARB Review Fee for Tamarack Heights is \$750.00.

3.2.2 Road Protection Deposit: \$1,000.00 Required after project is approved by ARB, but prior to the beginning of construction; refundable upon approved completion. The Road Protection Deposit for Tamarack Heights is \$1,500.00. The Road Impact Fee (non-refundable) is \$1,000.00 (See Appendix D)

3.2.3 Completion/Compliance Assurance Deposit: \$10,000.00 Required after project is approved by ARB, but prior to the beginning of construction; refundable upon approved completion. (See Appendix D)

3.2.3.1 Owners, builders, or contractors who have forfeited a

Completion/Compliance Assurance Deposit or any portion thereof, in conjunction with a previous construction project at Meadow Lake, must post a \$50,000.00 surety bond favoring the MLHOA that guarantees compliance with these Building Standards. The bond must be posted prior to start of construction and will be released upon completion of construction as approved by the ARB. (This requirement may be waived by the ARB after 5-years following the offending forfeiture.)



#### **4. Major Remodel.**

- 4.1. A "Major Remodel" is defined as:
  - 4.1.1. A change or addition to the building structure.
  - 4.1.2. A change or addition to the exterior aesthetics, accents, or materials.
  - 4.1.3. Substantial changes to landscape aesthetics or change to grade.
  - 4.1.4. Changes to size or structure of decks, walkways, or patios.
- 4.2. Application requirements; refer to Appendixes A and B
  - 4.2.1. Application Form. Completed and signed (Appendix A)
  - 4.2.2. Site Plans. One set and 1 electronic PDF (Appendix B)
  - 4.2.3. Architectural Plans. (1 Set and 1 electronic PDF) (Appendix B)
  - 4.2.4. Landscape Plans. Should encompass the entire lot. (Appendix B)
  - 4.2.5. Exterior Materials Display Board. Include siding, trim, and samples of materials on an 18" x 24" display board.
  - 4.2.6. Fees and Applicable Deposits include the following:
    - 4.2.6.1. ARB Construction Review Fee: \$500.00 The ARB Review Fee for Tamarack Heights is \$750.00. (*Required with submittal; non-refundable.*)
    - 4.2.6.2. Road Protection Deposit: \$1,000.00. The Road Protection Deposit for Tamarack Heights is \$1,500.00. (*Required after project approved by ARB but prior to the beginning of construction; refundable on approved completion.*)
    - 4.2.6.3. Completion/Compliance Assurance Deposit: \$2,000.00 - 10,000.00, depending on the degree of remodel as determined by the ARB (*Required after project approved by ARB but prior to the beginning of construction; refundable on approved completion.*)
      - 4.2.6.3.1. Owners, builders, or contractors who have forfeited a Completion/Compliance Assurance Deposit, or any portion thereof, in conjunction with a previous construction project at Meadow Lake, must post a \$25,000.00 surety bond favoring the MLHOA, that guarantees compliance with these Building Standards. The bond must be posted prior to start of construction and will be released upon completion of construction as approved by the ARB. (*This requirement may be waived by the ARB after 5-years following the offending forfeiture.*)

#### **5. Minor Remodel.**

- 5.1. A "Minor Remodel" is defined as:
  - 5.1.1. An exterior change, improvement or major repair that does not require construction or changes to structure or its size.
  - 5.1.2. Minor changes or improvement to landscaping.
  - 5.1.3. A normal maintenance project is not considered a "remodel."
- 5.2. A minor remodel has the following application requirements:
  - 5.2.1. Application Form Completed and signed (Appendix A)
  - 5.2.2. A simple diagram of project
  - 5.2.3. Finished samples of new materials
  - 5.2.4. Color chip if paint or stain project
- 5.3. Fees or deposits: No fees or deposits are required for minor remodels.
- 5.4. Minor remodels require ARB review if determined by the General Manager.

**6. Scheduling a Review.** The ARB meets on an as needed basis. Contact the MLHOA General Manager at (406) 897-2765, email [hoamanager@ml-hoa.com](mailto:hoamanager@ml-hoa.com) or visit the MLHOA office to schedule a review.

**7. ARB Plan Review Meeting.** The MLHOA General Manager will notify all applicants of the date and time that the ARB will review their proposals. It is advisable to have the project manager at the meeting to present a proposal and answer questions. The ARB will review proposals to ensure that the regulations described in this document are met. Any standards infractions will be noted in writing. These infractions must be resolved before application approval. The ARB may also make suggestions about the projects. These suggestions are not binding but should be considered as they are intended to help the owner. Suggestions will specify what is required and what is recommended.

**8. ARB On-Site Review Meeting.**

8.1. The purpose of the on-site construction meeting is to compare the plans with the site. The applicant will have the site prepared as follows:

8.1.1. String lines identifying all property boundaries and corners.

8.1.2. String lines showing house and driveway locations.

8.1.3. All trees to be removed outside the house location must be marked. No trees should be removed prior to this meeting except as noted in 8.2.

8.1.4. First floor grade height marked on a stake.

8.2. To complete site set up and simplify the review, the applicant may remove brush and trees less than 4" in diameter three feet above ground.

8.3. An on-site review may be scheduled to immediately follow the plan review meeting if the applicant requests.

**9. Approval of Application for Construction.**

9.1. The approval by the ARB of any plans, drawings, or specifications for any work under the construction standards or other governing MLHOA documents, including a waiver by the ARB, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar plan, drawing, specification, or matter whenever subsequently or additionally submitted for approval.

9.2. Once the ARB approves a submitted application and plan, the MLHOA General Manager will provide the applicant a written notice of approval stating any agreed upon conditions.

9.3. All building standards identified in this regulation, even if not specifically noted on the approval notice, are understood incorporated as part of the approval, and are the responsibility of the owner and builder to follow.

9.4. Following ARB approval, construction may begin when:

9.4.1. All conditions imposed on the project are agreed to in writing.

9.4.2. All fees and deposits are submitted.

9.4.3. The owner is current with association dues and fines.

9.5. Approvals are valid for 12 months.

**10. Rejection, Cancellation, and Resubmission.**

10.1. In the event of rejection by the ARB, a resubmission of the application and plans will follow the same procedure as an original submission.

10.2. If construction has not started within 12 months of the approval date, the ARB will consider the project cancelled. Approved and agreed upon conditions shall be void and the construction review fee forfeited. The ARB will refund deposits.

10.3. To resubmit an application, the applicant must again start the process with a new application. An additional ARB review fee will be required. Deposits are again necessary.

**11. ARB Review of Work in Progress.**

11.1. The ARB may review any work in progress. Not reviewing work during the construction period does not constitute approval by the ARB or compliance with these building standards. Any building that nears maximum square footage numbers will receive additional scrutiny. If deficiencies are found by the ARB, it will give notice and instructions for compliance.

11.2. The ARB reviews construction plans and home sites for compliance with standards contained in this document. It does not review construction plans and home sites for structural integrity, safety, workmanship, financial reasons, or investment return.

11.3. The applicant and associated agents should note that Meadow Lake community (as of October 2006) does not fall within the building inspection jurisdiction of the City of Columbia Falls.

**12. Changes During Construction.**

12.1. After application and plan approval, changes to the construction plan must be submitted to the ARB in writing and with diagrams completed and signed (Appendix A). ARB approval is necessary before work covered by the changes may begin.

12.2. Changes which the ARB may determine "Major" will require follow-on submission to a scheduled ARB plan review meeting.

12.3. Changes the ARB determines "Minor" require only the review and approval of two ARB members. No other review or action is necessary.

12.4. Failure to notify the ARB of a change will generate a non-compliance issue to include potential loss of the Completion/Compliance Assurance deposit, or a portion thereof. (See Section IV, paragraph 2, and Appendix X)

**13. Regulating Construction Activity.** During construction, the homeowner and builder are to minimize the disturbance to neighbors and community as noted elsewhere throughout this document. Additionally, Appendix C (Construction Regulations - Short List) is provided as guidance for this subject. Owners shall advise building contractors and subcontractors of these regulations and post them on site. Owners, contractors, and all trades must follow these requirements. Applicants/owners are responsible for all activity on their property during construction as well as the behavior of associated personnel while on Meadow Lake Community property. The applicant/owner may be cited when these and other community standards are violated. [For additional information see MLHOA Community Standards.]

#### **14. Completion of Construction and Landscaping.**

14.1. Exterior Construction. The ARB will upon request, separate the project review into the exterior construction only, with the landscape review to be completed later.

Occupation of the property prior to ARB final approval of the exterior construction is prohibited. Upon the exterior completion of the project, it is the responsibility of the property owner to notify the ARB and schedule an inspection meeting. With this notification, the lot owner should include a letter of exterior completion and a requested occupancy date. Two or more ARB members, with the MLHOA General Manager, will inspect the property. The property owner and any representative may be present at the inspection. The ARB will bring a copy of the approved plans to the meeting.

14.2. The ARB representatives will review the following items as approved in the construction plans, including conditions specified by the ARB and changes submitted by the applicant and approved by the ARB:

14.2.1. All aspects of exterior construction.

14.2.2. Road damage.

14.2.3. Adjacent site damage.

14.2.5. Compliance with ARB planning standards (Section III).

14.2.6. Compliance with MLHOA CC&Rs and Community Standards.

14.3. Upon ARB approval of exterior completion of the home, the MLHOA General Manager will provide written notice of exterior completion and authorize occupancy. See Appendix D regarding Completion/Compliance guidelines for refunds applicable to exterior completion.

14.4. Landscaping. The ARB will upon request schedule a landscape review meeting. The ARB representatives will review the following items as approved in the landscape and site plans, including conditions specified by the ARB and changes submitted by the applicant and approved by the ARB:

14.4.1. All aspects of the site plan approved at project submission.

14.4.2. Landscaping, drainage, driveway, and sidewalks.

14.4.3. Road damage.

14.4.4. Adjacent site damage.

14.4.5. Compliance with ARB planning standards (Section III).

14.4.6. Compliance with MLHOA CC&Rs and Community Standards.

Upon ARB approval of landscaping completion, the MLHOA General Manager will provide written notice. See Appendix D regarding Completion/Compliance guidelines for refunds applicable to approved landscaping completion.

14.4. Should either the exterior construction review or the landscape review not pass final inspection, the ARB will provide the property owner a written list of the reasons to be signed by the owner and an ARB representative. The following will then apply:

14.4.1 The owner will have thirty (30) calendar days to make any required alterations to the property.

14.4.2. It is up to the property owner to schedule with the ARB any necessary follow-up inspections.

14.4.3. All properties must pass inspection not later than eighteen (18) months from the date construction began. (See also Section III, para 4.9)

14.4.4. No more than 2 follow-up inspections will be granted.

14.4.5. If the property does not pass inspection (or follow-up inspection) within the eighteen (18) month period, the property owner shall forfeit the Completion/Compliance Assurance deposit to the benefit of MLHOA. See Appendix X Fines and Penalties for Violations, Section 2.

*[NOTE: This forfeiture does not satisfy any requirements for completion and compliance with the approved plans or MLHOA governing documents nor be used to repair any project deficiencies. The property owner will still be subject to fines and penalties if the owner continues to not satisfy the requirements.]*

14.5. **No Waiver.** The approval by the ARB of any plans, drawings, or specifications for any work done or proposed, or in connection with any other matter requiring the approval of the ARB under the Building Standards or the CC&R's, including a waiver by the ARB shall not be deemed to constitute a waiver of any right to withhold approval as to any similar plan, drawing, specification, or matter whenever subsequently or additionally submitted for approval.

14.6. **Right to Waiver.** The ARB reserves the right to waive or vary any of the procedures or standards set forth herein.

**15. Fines and Penalties.** See Appendix X, Fines and Penalties.

### III. PLANNING STANDARDS

#### 1. Site Development Standards.

1.1. **Site Coverage.** Each lot shall be subject to the following maximum site use limitations: (*NOTE: 1.1.1. and 1.1.2. calculations must be shown on the site plan.*)

1.1.1. Single family lots, multi-family lots: maximum building footprint is .45 (45%) of total lot square footage.

1.1.2. Maximum coverage with impervious materials: .65 (65%) of total lot square footage (impervious materials are defined as pavement, sidewalks, decks, patios, and building footprint).

1.1.3. Minimum footprint size of any residential structure shall be 1800 square feet in CR-3 Zoning, and 1,400 square feet in CR-4 Zoning, with no more than 600 square feet allocated to garage space. Any size Tamarack Heights residence may be approved by the ARB if, in its opinion, the design would not result in a residence, which would be out of character with the other residences in the subdivision.

1.2. **Building Setbacks.** All setback measurements are to be made from the line of the lot foundation (exception: "Z" lots wherein the setback is to the line of the eaves overhang; see Appendix E). Living space shall not cantilever over the foundation into the setback.

1.2.1. Single family residential R lot setbacks are at least twenty feet (20') from the front line of the lot; twenty feet (20') from the back line of the lot; and fifteen feet (15') from the side lines of the lot.

1.2.2. Multi-unit lot setbacks are at least thirty-five feet (35') from the front line of the lot; ten feet (10') from the back line of the lot; and fifteen feet (15') from the side lines of the lot.

1.2.3. D-lot (Whisper Village) unit setbacks are at least twenty feet (20') from the front line of the lot; ten feet (10') from the back lines of the lot; and eight feet (8') from the sideline of the lot.

1.2.4. Tamarack Heights Single Family residential lot setbacks are at least twenty-five feet (25') from the front line of the lot; twenty feet (20') from the back lines of the lot; five feet (5') from each sideline of the lot, and if a corner lot the corner side setback is fifteen feet (15').

1.2.5. Only stairs, balconies, decks, patios, and sidewalks that are less than 24" above ground level are permitted to encroach up to 30% into setback dimension.

1.2.6. Stair balconies and decks located 24" above ground level or higher are prohibited from encroachment into the setback dimension.

1.2.7. Driveways and walkways require a minimum setback from lot lines of three feet (3') within the 20' setback (except "Z" lots as cited below).

1.2.8. Zero-lot line setbacks are at least 20' from the front line of the lot; 10' from the back line of the lot; no setback from the designated zero lot-line boundary; and 10' from the other or remaining sideline of the lot.

1.2.9. Z-lot - Special Guidelines: Construction on "Z" Lots. (See Appendix E)

1.2.10. S-lot - Special Guidelines: Construction at the Ridge (See Appendix F)

**1.3. Driveways and Off-Street Parking.** Driveways, walkways and other approaches to buildings must appear aesthetically acceptable to the ARB. All residents shall have a minimum of two off-street parking spaces.

1.3.1. One of the parking spaces must be enclosed within a garage.

1.3.2. All driveways and parking areas will be hard surfaced with asphalt, concrete, paver stones, or other similar materials consistent with other neighborhood driveways.

1.3.3. All driveway and parking areas will be designed to minimize disturbance on the lot and adjacent properties.

1.3.4. Driveway widths shall be limited as much as possible where they intersect the street. The desired width at the street is 24 feet (24').

1.3.4.1. Special Guidelines for Construction at the Ridge. See Appendix F.

1.3.4.2. Special Guidelines for Construction at Tamarack Heights. See Appendix H.

1.3.5. Driveways that intersect the street in more than one location are discouraged.

1.3.6. Driveway grade should not exceed 15%.

1.3.7. All site plans submitted for review must detail for culverts at each driveway access crossing roadside ditches.

**1.4. Grading and Drainage.** Building a home on a site will cause changes to grade and drainage. Structures, driveways, and other elements should be incorporated to minimize disturbance to natural terrain.

1.4.1. Grading must prevent additional water from draining to adjacent lots.

1.4.2. Cut and fills must feather out for a natural appearance.

1.4.3. Retaining walls should hide stepped foundation exposure.

1.4.4. Temporary erosion control devices must be used to protect neighboring properties from erosion and runoff during the construction period.

1.4.5. Owners may not undertake any activity which will materially affect the contours or appearance of grades or drainage without written ARB approval.

1.4.6. A grading and drainage plan is required with the construction plan. It should include natural drainage, storm water drainage, road swale drainage, and any other water drainage issue that may exist for the lot or neighboring properties.

1.4.6.1. Gutter placement that collects all water runoff from roof surfaces are required.

1.4.6.2. Special Guidelines for Construction at Tamarack Heights. See Appendix H.

1.4.7. It is the responsibility of the owner/developer to design structures so that water drainage or water table changes do not impact structures of adjacent properties. To mitigate for such occurrences, avoiding subterranean structures and/or incorporating special water removal systems may be necessary. Direct drainage questions to the MLHOA General Manager.

1.4.8. High Water Mitigation. For new construction and major renovation projects, building sites subject to high sub-surface water or surface water emanating from natural causes, structure and landscape plans must mitigate to preclude damage.

**1.5. Outbuildings and Accessory Structures.** Only one building may be constructed on a residential lot. Not permitted are the following structures:

1.5.1. Detached garages.

1.5.1.1. Exception: Tamarack Heights detached garages are permitted but must be constructed within the building envelope setbacks as specified in Section III, para. 1.2.4.

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

1.5.2. Separate apartments.

1.5.3. Tree houses and permanent structure children's playhouses.

1.5.4. Garden or storage structures.

1.5.5. Exception: R lot gazebos and hot tub rooms where appropriate.

## **2. Architectural Standards.**

**2.1. Architectural Design Theme.** The architectural theme for the Meadow Lake community reflects the thoughtful integration of structures with the forest and mountain environments. In general, low-profile structures which are integrated with the natural terrain and vegetation are encouraged. The use of wood, stone, and earth tone finishes contribute to this theme. There are special requirements for residential construction at The Ridge home sites. (See Appendix F.)

2.1.1. Designs that create structures with attractive sides of high quality are preferred.

2.1.2. Buildings should include various offsets and projections in all walls giving architectural relief.

2.1.3. Wall masses that have some architectural relief in either projections or indentations are favored.

2.1.3.1. Each residence must be composed of multiple masses with each mass distinguished by a minimum vertical and horizontal offset of two (2) feet.

2.1.3.2. At least two distinct masses, with a maximum of 35' dimension along any given wall plane, must be visible on each building elevation and the size of each must be in proportion to the overall scale of the residence.

2.1.4. Exterior materials, finishes and design should accommodate Montana's extreme weather patterns.

**2.2. Roofs.** Roofs are an important design element that can contribute to the overall appearance of the structure. They may include:

2.2.1. Material of architectural style shingles, concrete tiles, or composites.

2.2.2. Metal roofing as an accent. (Note: The ARB may approve Tamarack Heights metal roofing materials with non-glossy finish.

2.2.3. Roof slopes between 4:12 and 12:12 pitch. Roof pitches lower than 4:12 or higher than 12:12 may be approved to complement architectural design.

2.2.4. Gable style or hip style

2.2.5. Overhangs a minimum of twelve inches (12").

2.2.5.1. Overhangs. Special Guidelines at the Ridge. (See Appendix F.)

2.2.6. Overhangs that do not extend more than twenty-four (24") into a setback.

2.2.7. *NOT PERMITTED: Reflective materials.*

2.2.8. *NOT PERMITTED: Flat roof, geodesic, or barn style roofs.*

**2.3. Exterior Materials.** Exterior material must conform to the overall structure as well as that of the adjoining neighborhood design. There must be multiple textures to each elevation. These textures may include:

2.3.1. Wood or wood-like siding with accent material such as stone, stucco, brick or log.

2.3.2. Accent material that is no more than 49% of total wall area per elevation.

2.3.3. Multiple materials, styles and finishes that break up the building form and prevent a plain appearance.

2.3.4. Stonework that penetrates the ground plane so as not to appear as veneer.

2.3.5. Accents that end at inside corners, if possible.

2.3.6. Finished walk-out basement exterior walls when these walls are an extension of main structure.

2.3.7. Exposed foundation not exceeding eight inches (8").

2.3.8. *NOT PERMITTED: Full log homes or homes with vinyl siding*

2.3.9. Special Guidelines at the Ridge: See Appendix F.

2.3.10. Special Guidelines for Tamarack Heights. (See Appendix H.)

**2.4. Colors.** Exterior colors should consist of the following ranges (for example: brown to include rusts, sepias, sands, tans and buffs, and certain olive and gray tones).

2.4.1. Trim or accents may include other more prominent colors.

2.4.2. Multiple colors that complement each other and accent materials contributing to the aesthetic appeal of the structure are preferred.

2.4.3. Galvanized or metal accessories (i.e., fireplace terminations or vents) must be painted or enclosed to minimize appearance.

2.4.4. Building accents, vents, gutters, porches, railings, decks, and exterior stairways must harmonize in color with other structure finishes.

2.4.5. *NOT PERMITTED: Reflective colors.*



**2.5. Building Heights.** The recommended maximum height for single family structures is thirty-five (35) feet. Deviation from this standard may be considered by the ARB.

**2.6. Foundations.** Exposed sono tube and/or concrete must be minimized on all elevations.

2.6.1. Concrete foundations exposed more than 8” above grade must have an architectural finish (texture, pattern, and/ or metal cladding).

2.6.2. Foundation steps down a hill should use retaining wall to maintain a maximum foundation exposure of eight inches (8”).

2.6.3. Retaining walls must not reveal unfinished exposed foundation concrete of more than eight inches (8”).

**2.7. Lighting.** Landscape lighting and exterior home lighting must only serve the functional requirements of safety, security, identification, and illumination of architectural features. All exterior lighting must be installed in aesthetically acceptable locations, and no exterior lighting should exceed 175 watts per lamp. Colored lights will not be allowed for exterior lighting.

2.7.1. A light structure should consist of a low-profile design of wood, stone or aesthetically appropriate metal material.

2.7.2. Down-lighting is desired.

2.7.3. Light standards should be separated sufficiently to create isolated "pools of light" on the pavement, rather than a continuous, saturated condition.

2.7.4. Home address numbers should be lit during dark hours to accommodate emergency responders.

2.7.5. Meadow Lake requires all residences and buildings to have curbside lighting on a light post. Specifications include:

2.7.5.1. Post height: minimum sixty inches (60”).

2.7.5.2. Location: beside driveway, at property line, near road.

2.7.5.3. Power: permanent and controlled by photocell, maintained by owner.

2.7.5.4. Light bulbs installed in MLHOA fixtures are replaced by MLHOA.

2.7.6 Lights on motion detectors for the purpose of security illumination are allowed. These lights shall not illuminate adjacent properties and shall only stay lit for a maximum of 5 continuous minutes. Security lights of any type or location must still meet the requirements of shielding the light sources. The light sources should not be visible from neighboring property. If problems with these lights occur, the ARB reserves the right to demand that the fixtures be disconnected. Care must be taken to avoid setting off the motion detector by the motion of vegetation, and the movement of wildlife. Generally, the motion detector’s range should be limited to the building envelope area. These lights will not be allowed to operate for the purpose of general illumination.

2.7.7 Special Guidelines at the Ridge: See Appendix F.

**2.8. Satellite Dishes and Antennas.** Cable service is preferred over a technology requiring satellite dishes. Antennas are not authorized. Specifications for the satellite dish user require a meeting between the MLHOA General Manager and the installer, as well as the following requirements:

2.8.1. Dish size: may not exceed twenty inches (20”) in diameter.

2.8.2. Location: least obtrusive location from public view; must receive ARB approval before installation.

2.8.3. Dish wiring: hidden from view or installed inside wall.

2.8.4. Dormant dishes will be removed within 30 days of contract end/use.

**2.9. Mechanical Equipment and Utilities Boxes.** The visibility from curbside of exterior mechanical equipment and utility meters must be minimized according to the following guidelines:

2.9.1. Utilities boxes must be screened, structurally hidden from view, or hidden by landscaping, and painted to match siding or trim.

2.9.2. It is preferred that AC units and generators be screened with fence or landscaping.

**2.10. Solar Applications.** The use of passive and active solar designs should not create any adverse visual impact upon any portion of the community. All designs require review by the ARB before plan approval.

**2.11. Fences.** Fences must be minimized.

2.11.1. It is preferred that fences complement the house design, that fences not enclose the perimeter of the lot, and that fences not run along the golf course boundary.

2.11.2. Driveway gates are not permitted.

**2.12. Dog Runs.** Applicants with canine pets should consider incorporating a dog run in the design plan for their home. Use the following guidelines in the design:

2.12.1. Incorporate a dog run in the structural design.

2.12.2. Conceal the dog run from curbside, neighbor structures, and golf course view.

2.12.3. Use house structure, fencing and landscaping to conceal the dog run.

2.12.4. Include utility service (water, lighting) in design for pet care and dog run maintenance.

**2.13. Signage and Street Numbers.**

2.13.1. Townhouse/condominium identification signs should be located at primary entrances consistent with the general character of the project.

2.13.2. For houses, the location of street number designations and associated lighting are required and should be identified in the architectural or landscape design.

2.13.3. Tamarack Heights: See Appendix H.

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

**2.15. Tamarack Heights. Garages, Decks, Foundations, Etc.** See Appendix H.

**2.16 Awnings.**

2.16.1. Awnings may be retractable or fixed and require ARB approval.

2.16.2. Awning overhang colors must complement the Residence exterior.

### **3. Landscape Standards.**

#### **3.1. Introduction.**

3.1.1. The formal landscape treatment on all lots should provide a suitable setting for the home and neighboring properties. Low maintenance landscaping is

acceptable when done appropriately. Please note that "low" maintenance is not "no" maintenance. Normal maintenance requirements should be considered when designing a landscape plan. Irrigation is recommended in all areas. Landscaping should have many varying elements to create a full and interesting appearance and should not appear sparse or plain.

3.1.2. The Meadow Lake Golf Course is an important asset to our community. Maintaining tree lined fairways, natural transitions from the golf course to homeowner lots, a positive aesthetic view from the golf course, and a weed free environment are important factors in a landscape plan. Lots that border the golf course will receive higher scrutiny in their landscape plan. One consideration is the limited removal of trees for maintaining a more natural appearance and providing added protection from errant golf shots.

3.1.3. Tamarack Heights. (See Appendix H)

**3.2. Roadway View.** The landscape design should attend to the roadway view of the site. In particular:

3.2.1. Front yards and yards along roadways should be fully landscaped with formal treatments.

3.2.2. Front yard ground cover should consist of no more than 70% of one covering element.

3.2.3. If 70% of front yard is more than 2000 square feet, then that area will include varying materials to prevent a sparse or plain appearance.

3.2.4. Formal bedding area should border the structure.

3.2.5. Front yard landscaping treatment must extend to the edge of the roadway to include the roadside swale or parkway and should be consistent and compatible with surrounding areas and lots.

3.2.6. Road swales should be landscaped in rock to aid water drainage and allow for snow berms.

3.2.7. Bedding areas must use ground cloth to prevent weed growth.

3.2.8. Use landscape elements to hide or break up large home elevations.

3.2.9. Use landscape elements to hide utility boxes.

3.2.10. Match or merge landscape edges along adjacent lots where possible.

3.2.11. Landscaping should look aesthetically pleasing upon completion and not require growth time to achieve that look.

**3.3. Formal Landscape Treatment.** A formal landscape treatment may include:

3.3.1. Areas of turf-grass lawn (bluegrass or turf type tall fescue)

3.3.2. Well-designed beds of deciduous and evergreen shrubs.

3.3.3. Perennial ground covers and/or annual flowers.

3.3.4. Landscape edging and mulch.

3.3.5. Deciduous shade and ornamental trees.

3.3.6. Evergreen trees.

3.3.7. Underground automatic sprinkler system serving formal landscape areas.

**3.4. Native Area Landscape Alternative.**

3.4.1. A native area is a portion of the lot protected from disturbance during construction and left to remain in a natural condition. Native areas are representative of natural plant communities typical in northwest Montana. For example, the back portion of steep lots and areas adjacent to existing native open space areas along with lot-to-lot buffers are appropriate for native area

landscape treatment. It is recommended that landscape treatments be discussed and explored with the ARB at the preliminary meeting prior to initial site planning.

3.4.2. Wildflower areas should be minimized in front yard or street side yard locations. Wildflower areas should receive sufficient irrigation to promote plant growth and flowering and to compete with weed species. Wildflower areas should be mowed once each fall to aid in seed dispersal, control weeds, and improve winter appearance. Weeds should be controlled by spot application of herbicides or hand removal to limit the infestation and control spread. Native areas should receive regular maintenance to control weed infestations through proper application of herbicides or by hand removal.

3.4.3. Native plant areas may include:

3.4.3.1. Areas on street side locations (must be kept to a minimum).

3.4.3.2. Back portion of steep lots and areas adjacent to native open spaces.

3.4.3.3. Border edging must be used to separate natural from formal areas and prevent overgrowth into formal areas.

3.4.3.4. Re-vegetating a native area requires a combination of field grass, low hardy shrubs, organic mulch to fertilize growth, and trees.

3.4.3.5. Re-vegetated areas will require maintenance, weeding, and irrigation.

**3.5. Landscape Grading and Drainage.** Landscape grading will blend to natural terrain, neighbor properties and structures.

3.5.1. A varied, rolling terrain is preferred.

3.5.2. Where appropriate, a drainage swale along the road is required.

3.5.3. If necessary, install a draining culvert under driveway to maintain flow in the drainage swale.

3.5.4. Maintain drain slope away from the home.

3.5.5. Gutter down spouts should drain away from the house and be five feet (5') in length at ground level.

3.5.6. Perimeter drainage around the foundation base is recommended to help keep crawlspace or basement dry.

3.5.7. Maintain or control natural drainage to prevent damage to neighboring properties.

3.5.8. Consider snow plowing and snow storage along driveways and roadways in landscape design.

**3.6. Retaining Walls.** Use retaining walls when ground slope is inappropriate or to improve the appearance of the home and landscaping.

3.6.1. Retaining walls may hide stepped foundation and allow for terrace slopes.

3.6.2. Use material natural in appearance when constructing a retaining wall (i.e., stone or Allan block).

3.6.3. Indicate material, size, height, and location of retaining wall on landscape plans.

3.6.4. Not Permitted: cinder blocks, exposed concrete, railway ties, logs and treated timbers.

**3.7. Man Made Elements.** Man-made elements, including bird baths, sculptures, play equipment, flag poles, flags, water features, and similar apparatus are subject to review

by the ARB. Generally, man-made elements should blend with and compliment the natural landscape or be of a material that is compatible with the materials of the structure. Indicate location of features in the landscape plan.

3.8 **Special Guidelines for Meadow Lake North Construction.** (See Appendix G.)

3.9 **Special Guidelines for Tamarack Heights Construction.** (See Appendix H.)

3.10. **Special Guidelines for Construction at The Ridge.** (See Appendix F.)

#### **4. Construction Activity Regulations.**

4.1 **Purpose.** This section is intended to convey an atmosphere of mutual respect between the ARB, Homeowners, and their Contractors throughout the construction process. To protect the natural landscape of each lot and the living environment on the neighboring properties during any construction activities, the regulations below will be enforced during the construction phase.

4.1.1. These regulations are a part of the construction contract document specifications for each residence or other improvements on a lot.

4.1.2. All owners, builders and other persons involved in such projects are bound by these regulations.

4.1.3. Any violation by such persons will be deemed to be a violation by the owner of the lot or residence on which the construction activity is occurring.

**Note: It is the responsibility of the Homeowner to ensure their contractor complies with all construction activity regulations.**

#### **4.2. Ownership Responsibilities.**

All owners are responsible for the conduct and behavior of their agents, representatives, builders, contractors, and subcontractors in the Meadow Lake Community.

4.3. **Construction Trailers, Portable Field Offices, Etc.** Construction trailers are to be used only as offices and tool storage. Sleeping on the property is not permitted.

4.4. **Debris and Trash Removal.** Owners and builders shall provide adequate facilities for trash storage and removal. Trash and debris must be removed from each construction site on a regular basis to a dumping site located out of the Meadow Lake Community.

4.4.1. In addition, debris and/or trash is expected to be removed from the site as the phases of construction are completed and prior to commencement of next phase. **Example:** Site excavation, form setting, concrete pouring, framing, roofing, siding, etc....

4.4.2. Lightweight material, packaging, and other items, shall be covered, stored, or weighted down to prevent the wind from blowing materials off the construction site.

4.4.3. Owners and builders are prohibited from dumping or burning trash anywhere on the lot or community.

4.4.4. Project personnel are not permitted to dispose of trash or debris in any refuse container located on the community that is not specifically designated for the construction project.

4.4.5. Project managers must keep the site neat and properly policed to prevent it from becoming a public eyesore or impacting other lots and open space.

4.4.6. Owners and builders are required to keep clean the public streets that are impacted by the work site (this includes mud and other debris).

4.4.7. Contractors may be fined if their workers or other persons associated with the project are found littering anywhere in the Meadow Lake Community.

*[NOTE: Owners and project managers should notify all construction personnel of this provision.]*

**4.5. Utilities and Sanitary Facilities.**

4.4.1 A temporary electrical support panel may be established on the worksite to accommodate use of the utilities for construction purposes. In no case will utilities be connected from adjoining properties.

4.4.2 Each project must include adequate on-site sanitary facilities for construction workers. Portable toilets or similar temporary toilet facilities must be located only on the site itself or in areas approved by the MLHOA General Manager. These facilities must be serviced frequently for sanitary reasons.

**4.6. Vehicles and Parking Areas.** There is no overnight parking on the public/private roads or bike paths at Meadow Lake Community. Construction crews may not park on, or otherwise use, other lots, open space, or sidewalks. No vehicle should have maintenance work done on any community site other than in the case of emergencies. Construction vehicles necessary for the project should be parked out of the normal flow of the road systems within the community.

4.6.1. Construction related parking is restricted to one side of the street. The appropriate side of the street will be identified to the contractor during the ARB project approval process.

4.6.2. Construction crews may not park on, or otherwise use, other lots, open space, or sidewalks.

4.6.3. If a vehicle should need required maintenance work done on any community site other than in the case of emergencies, inform the MLHOA General Manager.

4.6.4. Construction vehicles necessary for the project should be parked out of the normal flow of the road systems within the community.

**4.7. Conservation of Landscape Material.** Damaging, scarring, disturbing or littering developed properties, open space, undeveloped lots, roads, sidewalks, driveways, and/or other improvements is prohibited. If such damage occurs, repair and restoration must be prompt and done at the expense of the person causing the damage, the builder, or the owner of the construction site. Upon completion of construction, each owner and builder shall ensure the construction site is clean and all property repaired. This includes, but is not limited to, restoring grades, reseeding, planting shrubs and trees, repair of streets, driveways, pathways, drains, sidewalks, culverts, ditches, signs, lighting, fencing, and/or other improvements or utilities.

**4.8. Restoration or Repair of Other Property.** Damaging, scarring, disturbing or littering developed properties, open space, undeveloped lots, roads, sidewalks, driveways, and/or other improvements is prohibited. If such damage occurs, repair and restoration must be prompt and done at the expense of the person causing the damage, the builder, or the owner of the construction site. Upon completion of construction, each owner and builder shall ensure the construction site is clean and all property repaired. This includes, but is not limited to, restoring grades, reseeding, planting shrubs and trees, repair of streets, driveways, pathways, drains, sidewalks, culverts, ditches, signs, lighting, fencing, and/or other improvements or utilities.

**4.9. Construction Access.**

4.9.1. The only approved construction access to a work site during the time a residence or other improvements are built is the approved driveway for the project unless the MLHOA General Manager approves an alternative access point.

4.9.2. Construction vehicles serving Tamarack Heights will enter and exit the community using Meadow Lake Drive, unless otherwise directed by the MLHOA General Manager.

4.9.3 Contractors for projects located at the community other than Tamarack Heights and Saint Andrews Drive East should consult the MLHOA General Manager for an assigned entry/exit route for construction vehicles through the community. (See Appendix C).

**4.10. Length of Construction Time. Approval for construction of a home is given on the condition that the exterior of the home will be completed within twelve (12) months of construction start.**

4.10.1 All construction, once started, must be completed with due diligence.

4.10.2. No construction proposal forecasting a project of more than twelve (12) months may commence without prior written approval by the ARB.

4.10.2.1. In the absence of such approval, failure to complete construction within twelve (12) months will constitute a violation of these regulations.

4.10.3 Landscaping should be completed within the twelve (12) months from the project construction start date. If the scheduled project completion deadline falls during the winter months between October thru May, landscaping must be completed by June 30 of the year following the project construction date.

4.10.4. To ensure construction on approved projects occurs with all due diligence, fines may be levied. The ARB will direct the MLHOA General Manager to levy a fine of \$1000.00 for each month in excess of the projects scheduled completion date.

4.10.4.1. This fine will be deducted from the completion compliance deposit.

**4.11. Fire Extinguishers.** All construction sites must have a ten (10) pound ABC fire extinguisher. Under no circumstances may access to any fire hydrant located in the community be blocked.

**4.12. Pets.** Construction workers are not permitted to allow pets to run free on the site or be a nuisance in any way. Animal waste must be removed daily. MLHOA requires all pets to be leashed when off an owner's property. This applies to construction workers and visitors as well as owners/residents.

*(NOTE: The owner must advise the contractor of this requirement prior to commencement of construction.)*

**4.13. Construction Hours.**

4.14.1. Site development and exterior construction activity is limited to the hours between 8:00 AM and 7:00 PM, Monday through Friday, and from 9:00 AM until 5:00 PM on weekends and holidays. *(NOTE: The MLHOA General Manager may grant exceptions to this rule.)*

4.14.2. When the building is dried-in and closed-up, interior construction activity inside the structure is not limited.

**4.14. Dust and Noise Control.** The contractor shall be responsible for controlling dust and noise emanating from the construction site. Though construction work is of its own nature noisy, unnecessary noise must be controlled. Radios with loud sound are not

permitted. Noise will be judged from the lot line.

**4.15. Construction Sign.** One construction sign is required during construction. *(NOTE: Meadow Lake does not permit any signage indicating a property is for sale.)* The construction sign must be removed once construction is completed (this might occur before the MLHOA General Manager issues a written notice of completion to the owner). Review below signage requirements:

- 4.15.1. The construction sign **MUST** provide the following information:
  - 4.15.1.1. Contact phone number for project.
  - 4.15.1.2. Name of person to contact in an emergency.
  - 4.15.1.3. Street address of building site/location.
- 4.15.2. A construction sign **MAY** also include the following:
  - 4.15.2.1. Name of builder/contractor.
  - 4.15.2.2. Builder's business location and contact information.
- 4.15.3. Sign construction requirements:
  - 4.15.3.1. Made of weatherproof material.
  - 4.15.3.2. Size not to exceed 60" x 48".
  - 4.15.3.3. Golf course presentation not permitted.

#### **IV. GENERAL POLICIES**

**1. Responsible Agent.** All owners are responsible for the conduct and behavior of their agents, representatives, builders, contractors, subcontractors, and associated employees while they are in the Meadow Lake community. All personnel associated with an approved project are bound by the guidelines and regulations contained in this document. The property owner will provide MLHOA an address and phone number where the owner can be reached when not in residence at Meadow Lake.

**2. Fines and Penalties.**

2.1. Should the owner, or contractor fail to ensure construction on approved projects are completed with all due diligence, fines may be levied per paragraph 4.10.4 of this document. The ARB will direct that the MLHOA General Manager levy a fine of \$1000.00 for each month in excess of the project's scheduled completion date.

2.1.1. This fine will be deducted from the completion compliance deposit.

2.2. Should an owner, owner agents, contractors, or subcontractors be found in non-compliance with any other ARB regulatory requirements at any time, the homeowner shall receive verbal or written notice from the MLHOA General Manager of such non-compliance. For each issue, the owner will have seven (7) days to correct the problem (problems relating to garbage cans, litter, trailers, pets, and parking must be corrected within 24 hours of notice). Fines and penalties during construction will follow the policies found in Appendix X

2.2. Homeowners who undertake a change to their property without obtaining ARB approval, shall immediately be found in non-compliance and subject to a fine up to \$1,500.00 or the direct costs to MLHOA incurred as a result of the enforcement of the non-compliance, whichever is greater. Direct costs include but are not limited to staff time, outside consultants, contractors, legal fees, and any other reasonably incurred expenses. In addition, the ARB may assess a \$50.00 per day non-compliance fine until the issue of non-compliance is corrected.



2.3. Fines are due and payable at time imposed. Any unpaid fines at the end of a project will be recovered by lien against the property or deducted from the Road Protection or Completion/Compliance Assurance deposits.

**3. Appeals.** Any applicant may appeal in writing or in person an issue of non-compliance, deadlines, policies, fines, penalties, or regulation. Appeals may be submitted to the MLHOA General Manager for consideration by the ARB. The MLHOA's Board of Directors may consider all subsequent appeals. Waivers may be granted should delays in construction occur or problems arise due to weather or other extenuating circumstances beyond the property owner's control.

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# **APPENDIX A**

## **Meadow Lake Architectural Review Board**

### **APPLICATION FOR DESIGN REVIEW**

**LEFT INTENTIONALLY BLANK FOR INSERTION OF NEW APPLICATION FORM**

**PLEASE CONTACT MLHOA OFFICE FOR APPLICATION**

# **APPENDIX A**

## **Meadow Lake Architectural Review Board**

**LEFT INTENTIONALLY BLANK FOR INSERTION OF REVIEW CHECKLIST  
PLEASE CONTACT MLHOA OFFICE FOR CHECKLIST**

# APPENDIX B

## PLAN SUBMITTAL REQUIREMENTS - NEW CONSTRUCTION

### 1. General.

The following documents and information are to be submitted for New Construction Design Review.

- 1.1. Completed and signed Application for Design Review form - Appendix A
- 1.2. Application fee - \$500.00 for Meadow Lake with exception - Tamarack Heights fee is \$750
- 1.3. Site Plan (Scale 1" = 10') One set and 1 electronic PDF to include the following.
  - 1.3.1 Location, Lot #, Street Address
  - 1.3.2 North Arrow
  - 1.3.3 Site Use Calculations in square feet, to include calculations for total site area, building footprint area, and impervious materials area.
  - 1.3.4 Required Setbacks (Section III, 1.2.)
  - 1.3.5 Building location include any decks, walks, etc. and the location of all other major structures.
  - 1.3.6 Building Envelope Area of the lot, and parking areas.
  - 1.3.7 Driveway, sidewalk, and patio material used.
  - 1.3.8 A Topographical survey is required on lots that have elevation variation of more than 2 feet inside the building envelope. The survey must show the building envelope, lot boundaries, and indicate elevations at lot corners at a scale standard in the industry for similar projects.
  - 1.3.9 Utility connections from point of origin to structure including water, sewer, gas, phone, electric, cable, and meter locations on building.
  - 1.3.10 Finished floor elevations, including garage.
  - 1.3.11 Drainage diagram showing site drainage patterns after construction.
  - 1.3.12. Defensible Space Plan.
  - 1.3.13. Structure and landscape plans mitigating for natural high surface and sub-surface water conditions.

### 2. Landscaping Plan (One set and 1 electronic PDF)

The landscape plan should encompass the entire lot. The plan should include the following:

- 2.1. A scale diagram (1" = 10' Scale) of lot and home, driveway, patio, etc.
- 2.2. Location of all plantings
- 2.3. Bedding area locations and materials to be used.
- 2.4. Ground cover materials
- 2.5. Retaining wall location and materials and estimated height
- 2.6. Irrigation information
- 2.7. A listing of all plantings including species, quantity and size being used.
- 2.8. Location of existing trees that will not be disturbed.
- 2.9. Other landscaping features, i.e. boulders, etc.

- 2.10. Driveway streetlight location
- 2.11. Landscape lighting
- 2.12. Defensible space plan for wildfires
- 2.13. Rock address sign

### **3. Architectural Plan (One set and 1 electronic PDF)**

Architectural plans must illustrate or provide information for the following:

- 3.1. Dimensioned floor plans, all floors (1/4" = 1' -0" Scale)
- 3.2. All overhangs and roofs as dashed lines.
- 3.3. Gross square footages per floor (Living space, garage).
- 3.4. Foundation Plan (1/4" = 1' -0" Scale)
- 3.5. Roof Plan (1/8" = 1' -0" Scale)
- 3.6. Gutter and Drainage Plan.
- 3.7. Building Elevations
  - 3.7.1 Material and color schedules, noted on one elevation.
  - 3.7.2 Existing and Proposed grade lines.
  - 3.7.3 Building height.
  - 3.7.4 Exterior lighting on building.
  - 3.7.5 Location of street numbers on building or sign rock.

3.8. Hand drawn changes to plans are discouraged, and if present will require the dated signature on the plan of an ARB member and the project manager.

### **4. Exterior Materials Display Board**

Attach the following items to a 18" x 24" display board.

- 4.1. Front elevation on 11" x 18" colored in finish color.
- 4.2. Exterior materials finished with proposed finishes and including all forms of siding, trim, fascia, soffit, rock or any other siding accent.
- 4.3. Pictures of garage door, front door, exterior lighting fixtures, window colors, and address rock if used.
- 4.4. Deck and deck railing materials and pictures of roof material

### **5. Completed Review Checklist (Included in New Construction Packet)**

### **6. On-Site Construction Review**

After plan approval, an on-site review is required. The following items must be in place prior to this review:

- 6.1. String line identifying all property boundaries and corners.
- 6.2. String line the house footprint and driveway locations
- 6.3. Identify all trees outside the house footprint designated for removal.
- 6.4. Clearly identify on a stake the first-floor grade height
- 6.5. Fees and Applicable Deposits (See Section II, Paragraph 3.2 and Appendix D)

**7. Construction may begin upon approval of all items as documented in approval letter from MLHOA General Manager**

# APPENDIX C

## CONSTRUCTION REGULATIONS - SHORT LIST

*Owners shall advise building contractors and subcontractors of these regulations and post them on site.*

- 1. Purpose** - To assure that the natural landscape of each lot is not damaged and that the living environment on neighboring properties is not compromised during any construction activities, the following construction regulations will be enforced during the construction. These regulations are a part of the construction contract document specifications for each residence or other improvements on a lot and all builders, owners, and any other persons will be bound by these regulations. Any violation by a builder or subcontractor shall be deemed to be a violation by the owner of the lot.
- 2. Construction Trailers, Portable Field Offices, etc.** - Construction trailers are for day use only as offices and tool storage. They will be located on the construction lot.
- 3. Debris and Trash Removal** - Owners and builders shall provide adequate trash storage and debris removal on a regular basis by a vehicle covered with a tarp. Owners and builders are prohibited from dumping, burying, and burning of trash. The construction site must be always kept neat. Debris or mud on public streets affected by any site must be promptly removed. Damage to curb, gutter or sidewalks must be repaired at owner expense. Construction activity debris and/or trash is expected to be removed from the site as the phases of construction are completed. Example: Site excavation, form setting, concrete pouring, framing, roofing, siding, etc.
- 4. Sanitary Facilities** - Each owner and builder shall be responsible for providing adequate sanitary facilities for construction workers. Portable facilities must be located only on the site itself or in areas approved by the ARB.
- 5. Vehicles and Parking Areas** - There is no overnight parking on the public/private roads or bike paths in the Meadow Lake ~~resort~~ Community.
  - 5.1. Construction related parking is restricted to one side of the street. The appropriate side of the street will be identified to the contractor during the ARB project approval process.
  - 5.2. Construction crews may not park on, or otherwise use, other lots, open space, or sidewalks.
  - 5.3. No vehicle should have maintenance work done on any community site other than in the case of emergencies. Inform the MLHOA General Manager should repairs become necessary.
  - 5.4. Construction vehicles necessary for the project should be parked out of the normal flow of the road systems within the community.
- 6. Speed Limits** - The posted speed limit in Meadow Lake is 15 mph.
- 7. Conservation of Landscape Material**- *see* Building Standards (Section III, para 4.6)
- 8. Restoration or Repair of Other Property** - Owners and builders shall clean, repair, and restore all public/private property, which is damaged, scared, disturbed, or left untidy as required by the ARB.
- 9. Construction Access** - Construction access is only by the approved driveway during the time a residence or other improvements are being built unless the ARB approves an alternative access point.
- 10. Fire Extinguishers** - All construction sites shall have a 10-pound ABC fire extinguisher and provisions

should be made not to block fire hydrants.

**11. Pets** - Construction workers are not permitted to let pets run free on the site or cause any nuisance. **MLHOA and Flathead County require all pets to be leashed when off owner property, and under the owner's control when on property. If construction workers violate this policy, the owner of the property is subject to fines.**

**12. Ownership Responsibility** - All owners will be responsible for the conduct and behavior of their agents, representatives, builders, contractors, and subcontractors in the Meadow Lake Community.

**13. Construction Hours** - Site development and exterior construction activity will be limited to 8:00am-7:00pm Monday through Friday and from 9:00am-5:00pm on weekends and holidays.

**14. Dust and Noise Control** - Contractor is responsible for controlling dust and noise from the construction site (Judged from the lot line). Loud radios with sound extending beyond the project lot line will not be tolerated.

**15. Construction Sign** - One construction sign is required during construction and must be removed once construction is completed.

**16. Access Routes to the Community** - Enter and exit routes for **Tamarack Heights** is Meadow Lake Drive; for all other sites use St. Andrews Drive East (including Oakmont Lane for Whisper Village).

*Fines may be levied for violations of regulations.*



# APPENDIX D

## EXPLANATION OF FEES AND DEPOSITS

### 1. Road Protection, Regulation and Compliance

1.1 As part of "post approval requirements" to ensure Meadow Lake roads are returned to original condition, construction regulations were followed, and fines paid, the property owner is required to provide a deposit of \$1,000.00 for Meadow Lake with exception for Tamarack Heights the deposit is \$1,500. A separate Road Impact Fee (non-refundable) of \$1,000 will be assessed for each new build and Major Remodel project.

1.2 After completion of the building project, the ARB will review for road damage and require repair, if necessary, before deposit return. Road cuts or damage to curb, gutter, or sidewalk must be repaired at owner expense or receive a notice of non-compliance. If the road damage is not repaired, the deposit will be used to complete repair. Additional fines may be required if substantial damages exist.

1.3 Fines incurred during the construction process must be paid as specified in Appendix X Failure to pay the fines may result in use of this deposit to meet that obligation.

1.4 The road deposit, or portion thereof, will be returned upon ARB approval of final completion.

### 2. Completion/Compliance Assurance

2.1. As part of "post approval requirements" to ensure project completion on time and in compliance with all standards, the property owner is required to provide a financial instrument in the amount of \$10,000.00 on new construction. This financial instrument is a commitment to project completion and compliance, including, but not limited to, landscaping, driveway, exterior building, or any other improvement to the lot as defined in the approved plan.

2.2 Should the owner or contractor fail to ensure construction on approved projects are completed on time, fines may be levied per paragraph 4.9.4 of this document. The ARB will direct that the MLHOA General Manager ~~to~~ levy a fine of \$1000.00 for each month in excess of the project's scheduled completion date.

2.2.1. This fine will be deducted from the completion compliance deposit.

2.3. Owners, builders, or contractors who have forfeited a Completion/Compliance Assurance Deposit, or any portion thereof, in conjunction with a previous construction project at Meadow Lake, must post a \$50,000.00 surety bond favoring the MLHOA, that guarantees compliance with these Building Standards. The bond must be posted prior to start of construction and will be released upon completion of construction as approved by the ARB. (This requirement may be waived by the ARB after 5-years following the offending forfeiture.)

2.4. For multi-unit buildings, the amount of the financial instrument shall be \$10,000.00 for the first unit and \$5,000.00 for each additional unit.

2.5. At the property owner's discretion, this financial instrument may be any one of the following in an amount appropriate for the project:

2.5.1. Bond naming MLHOA as beneficiary from an MLHOA approved financial institution.

2.5.2. Irrevocable Letter of Credit naming MLHOA as beneficiary from an MLHOA approved financial institution.

2.5.3. Cash deposit held by MLHOA in a Federally insured account.

2.5.4. Upon ARB approved exterior completion a maximum of \$7,500 will be returned to the owner. Upon ARB approved landscaping and site drainage completion a maximum of \$2,500 will be returned to the owner. If there are unresolved issues with either type of these completions the deposits will be held until resolved. If the owner fails to comply the deposits will be forfeited.

# APPENDIX E

## SPECIAL GUIDELINES: CONSTRUCTION ON "Z" LOTS

This document provides regulatory guidance and information for "Z" lots in the Meadow Lake Community and is derived from "Z" lot deeds, MLHOA CC&Rs, MLHOA Building Standards, and general building codes. The guiding principle for the regulation is *north property may have benefit use and enjoyment of property to the north wall of the south property even though it may cross the property line*. However, for lots 52Z through 55Z, this principle is reversed favoring the south property.

### **The following considerations apply when building or renovating a "Z" lot structure:**

1. Home requires a minimum two-foot jog away from zero lot line in house design (see diagram).
2. The edge of the roof and overhang may be built to zero property line.
3. Vents (except for crawl space vents), utility boxes, mechanical unit AC should not be located on "Z" property line wall.
4. Windows or other openings cannot be placed on "Z" line wall.
5. Windows that do not face directly to "Z" lot line, but would allow view to the zero lot side (especially on second floor), are not permitted.
6. Decks or patios built within 6' of "Z" lot line corner of house must have a full privacy wall built the entire length of deck. The privacy wall may be an extension of the building using the same finishes as the siding of the home. It should be a minimum of 6' tall.
7. Extension of deck, patio along "Z" lot lines also require extension of privacy wall or adding a privacy wall or fence to protect the privacy of property to the north (see diagram).
8. Fences extending beyond house or deck extension may jog back to property line (see diagram).
9. North home may landscape, build decks and patio following requirements of MLHOA Building Standards. *NOT ALLOWED: attachments (decks, railings, planters, etc.) to the north wall of the "Z" lot home.*
10. The privacy requirements are continued when building occurs next to an undeveloped "Z" lot property.

# APPENDIX F

## SPECIAL GUIDELINES: CONSTRUCTION AT THE RIDGE

There are special requirements for residential construction at The Ridge home sites. The purpose of these guidelines is to support having a higher quality appearance in this more visible location. Due to this "perched" location and surrounding roads, it is required all elevations of a home reflect higher standards. To achieve this, the following additional guidelines are added to the existing MLHOA Building Standards, Section III.

*[NOTE: The four (4) elevations must have equally appealing architectural appearances. There should also be more architectural detailing to improve aesthetics. Use of architectural design and enhancements to break up large exterior walls is required.]*

**Section III, 1.2. Building Setbacks:** Proposed structures for "S" lots (The Ridge) units are located fifteen feet (15') back from the front line of lot; fifteen feet (15') back from the back of line of lot; and ten feet (10') back from the lot's side lines.

**Section III, 1.3. Driveways and Off-Street Parking:** Driveway widths are limited to fifteen feet (15') at intersection with the street. The driveway can gradually widen as it approaches a structure.

**Section III, 2.2. Roofs:** All roof dimensions should have a minimum overhang of 24". Exception: secondary roof areas (dormers), or roof areas already under a 24" overhang.

**Section III, 2.3. Exterior Materials:** Exterior siding material must have a natural wood appearance with a semi-transparent stain look. The use of cement composite or wood composite siding is allowed when finished with the semi-transparent stain look. Solid stain may be used on trim. Rock work as an accent is encouraged but should not exceed 49% coverage of exterior walls. Accents should wrap outside wall corners, fully returning to the inside corners. Brick and stucco may have limited use as an accent. Logs are not allowed.

**Section III, 2.7. Lighting:** Exterior light fixtures are limited to a maximum of 60 watts per lamp. Meadow Lake requires the use of a curbside light on a post (usually by the driveway). "S" kits can have their choice of light fixtures to match their exterior decor. ARB has final approval of all exterior light fixtures.

**Section III, 3. Landscape Standards:** The Ridge home sites will require formal landscaping on all front yard and side yard areas. Only portions of back yard hillsides may be in "natural" state.

# **APPENDIX G**

## **SPECIAL GUIDELINES: CONSTRUCTION AT MEADOW LAKE NORTH**

The landscaping in the front of each home, between the home, and the adjoining street(s) of Meadow Lake North must be predominantly grass and irrigated by automatic sprinkler system. Lawns must be seeded or have sod laid. This landscaping must be completed no later than 30 days after completion of the home, weather permitting. Consult the MLHOA General Manager should these requirements not be achievable for weather reasons.

# APPENDIX H

## SPECIAL GUIDELINES: CONSTRUCTION AT TAMARACK HEIGHTS

The building standards specified in the MLHOA Building Standards are applicable to all lot, residential and commercial construction occurring in the Tamarack Heights Subdivision.

This Appendix H contains standards supplementing the MLHOA document and are specific to Tamarack Heights Phase I building projects. (Note: For owners within the Tamarack Heights Phase I Subdivision, should their subdivision's CC&R guidelines/standards exceed those of MLHOA then their subdivision's requirements will apply.)

Owners and developers of Tamarack Heights Phase I are encouraged to consult the MLHOA General Manager for guidance regarding these standards or submit an appeal to the association's board of directors should circumstances warrant.

<u>List of Subjects</u>	<u>Page</u>
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3. Building Heights	36
4. Foundations	36
5. Street Numbers	36
6. Garages	36
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8. Decks	37
9. Flagpoles	37
10. Service Yard	37
11. Greenhouses	37
12. Landscape Treatment	37
13. Driveways	37

### **1. Exterior Materials.**

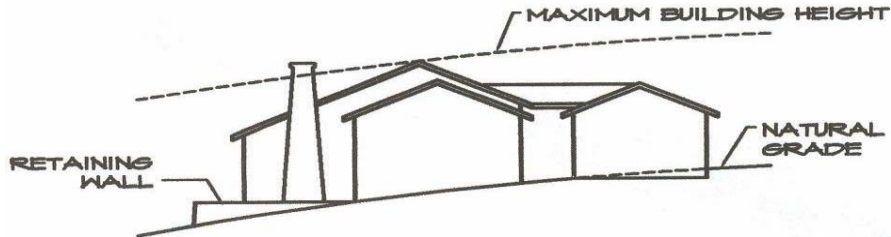
- 1.1. Architectural metal cladding is permitted.
- 1.2. Masonry shall return around corners a minimum of 24".
- 1.3. Faux or natural stone must conform to the natural shades of the area.
- 1.4. Structural brackets must visually carry exteriors.

### **2. Windows.**

- 2.1. Windows shall be made of painted or solid stained wood, clad in vinyl or metal, or be a higher-grade vinyl window package. All exposed aluminum sash and framing shall be approved anodized color painted or vinyl coated. Metal finishes on solariums and green houses are included in this category.
- 2.3. Glass shall be clear but may be smoked or tinted. Mirrored glass shall not be used.

### 3. Building Heights.

3.1. On single family structures, the recommended maximum height is measured 35' from the highest point on any ridge, peak or corner of any structure, projected in a vertical line to the natural existing grade directly below. Roof projections like chimney flues may be allowed to penetrate maximum building height. See diagram below.



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

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

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

3.5 Detached garages. See paragraph 6.

### 4. Foundations.

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

4.2. On slopping grades, siding shall remain level, stepping down the slope in increments of 4' or less.

### 5. Street Numbers.

5.1. Street number designation shall be displayed on a sign rock located at driveway entrance.

### 6. Garages.

6.1. Every effort should be made to minimize the impact of the garage and garage door(s).

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

6.3. All garage doors shall be single bay (maximum 10 feet wide 9 feet tall) type.

### 7. Porches.

7.1. Front porches are encouraged on residential structures to allow interaction with the street. Porch railings are encouraged.

7.2. Porch screens and glazing are not permitted.

7.3. Porch supports shall be built of stone, masonry, concrete, or wood. Wood columns shall be no less than 8". Concrete columns must have an architectural finish

(Texture, pattern, and/ or metal cladding).

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

**8. Decks.**

Decks, balconies, and terraces shall be designed to enhance the overall architecture of the building by creating variety, layering, and detail on exterior elevations.

**9. Flagpoles.**

9.1. Freestanding flagpoles are not allowed.

9.2. Displaying a single National or State flag is permitted if it is hung from a pole bracket mounted on the residence or if it is suspended from a roof overhang.

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

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

**12. Landscape Treatment.** Landscape designs are intended to compliment, enhance and provide a pleasing aesthetic setting for the structure. The landscape layout should utilize landscape plant materials to create variations in color, texture, size and shape. Landscape plant materials and manmade elements, if used, should be arranged to create an attractive and pleasing composition. The landscape design should pay particular attention to the appearance of the site from the roadway. Formally landscaped areas integrated with natural state areas to provide a balance between structured and natural landscaping is desired. Sod is the recommended treatment for turf-grass areas. To avoid sod edges and other perimeters that follow lot lines it is recommended that a meandering border of native groundcovers, shrubs and trees be preserved or created between residential lot lines. Typical landscape treatment:

12.1. Areas of turf-grass lawn (bluegrass or turf type tall fescue)

12.2. Well defined beds of deciduous and evergreen shrubs

12.3. Perennial ground covers and/or annual flowers

12.4. Landscape edging and mulch

12.5. Deciduous shade and ornamental trees

12.6. Evergreen trees

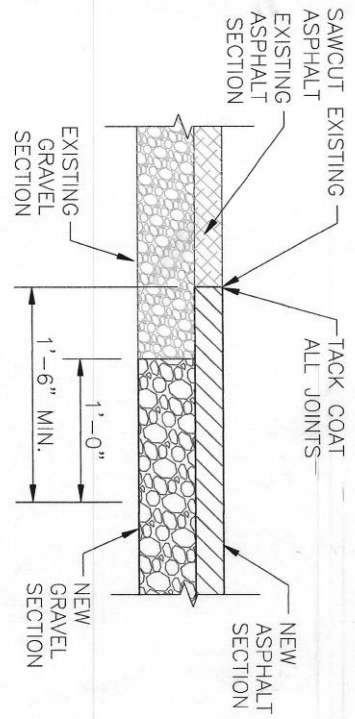
12.7. Landscape mounds and landscape boulders

12.8. Native plant material areas or clusters

12.9. Underground automatic sprinkler systems on all areas formally landscaped

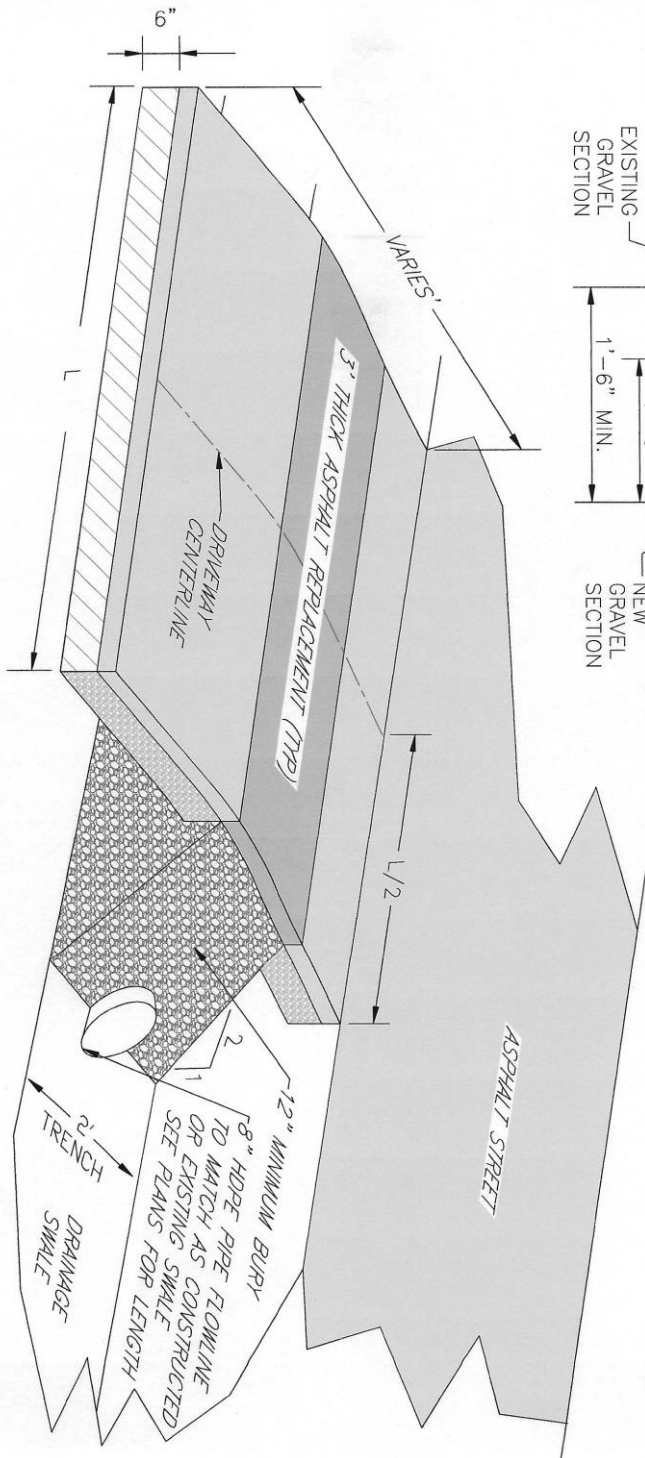
**13. Driveways.** Driveway Approach for building on west side of Gleneagles Drive. Driveway approach will comply with construction requirements provided by TD&H Engineering schematic as provided herein.





NOTES:

1. TRENCH BACKFILL TO BE 1 1/2" MINUS CRUSHED GRAVEL PLACED IN 8" LIFTS, EACH LIFT COMPACTED TO 95% OF ASTM D698.



NOT TO SCALE

MEADOW LAKE HOA  
COLUMBIA FALLS, MONTANA  
DRIVEWAY APPROACH  
CONSTRUCTION DETAIL

**TD&H**  
Engineering  
400 W. 152nd • Idahoengineering.com  
409 CORPORATE DR. SUITE 101 • KRAEHL, MONTANA 59911

DRAWN BY:	DJK	SHEET
DESIGNED BY:	TLS	
QUALITY CHECK:	N/A	
DATE:	07.11.2018	
JOB NO.:	KRA240	
CAD NO.:	KRA240 DRIVEWAY	

**C1.0**

# APPENDIX I

## Meadow Lake Utility Connection Information

**Meadow Lake County Water & Sewer District** 406-897-3540

*Water/Sewer Connection:* Emergencies: 406-261-4810

494 St. Andrews Dr.

Columbia Falls, MT 59912

<http://www.meadowlakemontana.com/waterDistrict.cfm>

**Flathead Electric** 406-751-4483

*Electrical Connection:*

2510 US HWY 2 East

Kalispell, MT 59901

<https://www.flatheadelectric.com>

**Evergreen Disposal** 406-257-1739

*Garbage Collection:*

55 West Valley Drive

Kalispell, MT 59901

<https://www.evergreengarbage.com>

**Northwestern Energy** 800-608-8340

*Natural Gas Connection:*

406-751-2210

890 N. Meridian Rd

Kalispell, MT 59904

<https://www3.northwesternenergy.com/home>

**Spectrum Cable** 888-406-7063

*TV, Phone, Internet Provider:*

2292 US 93

Suite 102

Kalispell, MT 59901

<https://www.spectrum.net>

**Centurylink** 855-900-9499

*Phone, Internet Provider:*

2292 US 93

Suite 102

Kalispell, MT 59901

<https://www.getcenturylink.com/customer-service>

**UDIG** 800-551-8344

*Utility Line Location:*

<https://www.montana811.org/>

406-755-8344

# APPENDIX J

## SPECIAL GUIDELINES: CONSTRUCTION OF COMMERCIAL PROPERTY

1. It is recognized by the MLHOA Board of Directors that construction of commercial property may require guidelines unique to a proposed project. Whereas the standards appearing in the MLHOA Building Standards are designed primarily for residential lots and structures, the board of directors has provided the following guidelines for commercial activities:

1.1. Once a commercial property is programmed for construction or major renovation, the developer will notify the MLHOA General Manager via an ARB application that a project is proposed (see Appendix A).

1.2. The MLHOA General Manager will schedule a meeting with the developer or agent to discuss the scope of the project and plans that may have been developed.

1.3. The MLHOA General Manager will next schedule a joint meeting with the ARB and developer or agent to examine the project proposal and define design review procedures appropriate for the construction project.

1.4. Following approval of a design review plan by both the developer and the ARB, the ARB will broadly interpret the agreed upon guidelines and standards.

2. With the cooperation and participation of both parties, the design review plan that evolves will fulfill the needs of the developer while concurrently serving the interests of the Meadow Lake community. Through this process it is anticipated the construction guidelines developed for the commercial project will allow for flexibility while accommodating the unique aspects of commercial development at Meadow Lake community. The goal of the MLHOA in this architectural review process is to protect and enhance the community and the value of member owned properties.

# Appendix X

## Fines and Penalties for Violations of the CC&R's, Community Standards, Building Standards, and other MLHOA Policies

### 1. Authority (CC&Rs Article VI, Section 2)

1.1. The MLHOA has the authority to set and collect fines and impose other penalties as appropriate for violations of its governing documents. This authority is found in the CC&Rs, Article VI, Section 2 (Enforcement), which states: The Association, the Architectural Review Board or any owner shall have the right to enforce, by a proceeding at law or in equity, all covenants, conditions and restrictions now or hereafter imposed by the provisions of this Declaration. The method of enforcement may include proceedings to enjoin the violation, to recover damages or both. Failure of the Association, Architectural Review Board or by an owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.”

### 2. Fines

2.1. Fines: The MLHOA has set the following fine structure for violations of provisions stated in the subject governing documents.

#### ARB - Construction

2.1.1. First Offense: Warning

2.1.2. First repeat of offense: \$100

2.1.3. Second repeat of offense: \$200

2.1.4. Third repeat of offense: \$500

2.1.5. Fourth and subsequent repeat violations of an offense: \$1,000 each

#### BIM - Reminder Letter of Community Standards

2.1.6 - First repeat of offense – Warning

2.1.7 - Second repeat of offense - \$200.00

2.1.8 - Third repeat of offense: \$500.00

2.2. Administration: fines will be administered by the MLHOA and will be assessed with MLHOA fees for residential, lot and business owner resort members. Owners who rent or lease their properties are responsible for their tenants and will be fined/penalized for tenant violations.

2.2.1. Should the owner, or contractor fail to ensure construction on approved projects are completed with all due diligence, fines may be levied per paragraph 4.10.4 of this document.

The ARB will direct that the MLHOA General Manager levy a fine of \$1000 for each month in excess of the project's scheduled completion date.

3.1. Penalties: The MLHOA reserves the right to assess unspecified penalties against owners of residences, lots, businesses, or other members of the MLHOA (including timeshare owners). Penalties assessed against timeshare owners will be done in coordination with MLDC.

### 4. Collection

4.1. Collection of fines and penalties will normally occur through monthly or quarterly assessments levied to the owners or by forfeiture of deposits submitted for construction activities. Failure to pay fines may also result in a lien against the MLHOA member's property. Settlement of non-financial penalties will occur as circumstances dictate and in coordination with applicable parties.

Approved by Board of Directors on September 27, 2022

# APPENDIX Z

## SUMMARY OF BUILDING STANDARDS AMENDMENTS

1. Merger of Meadow Lake Building Standards and Tamarack Heights Building Standards Documents.
  - 1.1. The MLHOA Board of Directors approved the merger of these documents on September 30, 2017. The purpose of this merger was to combine into one document, the requirements of the Meadow Lake Building Standards, while incorporating pertinent Tamarack Heights requirements.
2. Update of construction road access to Tamarack Heights
  - 2.1. The MLHOA Board of Directors approved the change in the construction access to Tamarack Heights on December 9, 2017. The purpose of this change was to include Meadow Lake Drive as an approved construction access to Gleneagles Trail. The MLHOA had requested from the Flathead County Commissioners and the Flathead County Roads and Bridges Department, that the “No Thru Trucks” restriction on Meadow Lake Drive be lifted. The Flathead County Commissioners approved that request on November 6, 2017, as reported to the MLHOA, by the Director of Public Works, for Flathead County.
3. Update of the Appendices Section
  - 2.1. The MLHOA Board of Directors approved on March 17, 2018, the addition of a summary Appendix Z, to the Appendices section. This appendix will detail the changes made to the Building Standards.
4. Update 10/19/2019:
  - Section III 4.4 to Utilities and Sanitary Facilities Section
  - Add: 4.4.1. Utilities. Residential utilities to include a minimum of electric and water services will be connected within 45 days of start of construction. A temporary utilities support panel may be established on the worksite to accommodate use of the utilities for construction purposes. In no case will utilities be connected from adjoining properties.
  - Renumber: 4.4.2. Sanitary Facilities. [same, no change]
  
  - Section III, paragraph 1.4 Grading and Drainage, paragraph 1.4.6.
  - Revise: 1.4.6. A grading and drainage plan is required with the construction plan. It should include natural drainage, storm water drainage, road swale drainage, and any other water drainage issue that may exist for the lot or neighboring properties.
  - Add: 1.4.6.1. *Gutter placement that contains all water runoff from roof surfaces is required.*
  - Add: 1.4.6.2. *Special Guidelines for Construction at Tamarack Heights See Appendix H.*
5. Update 10/19/2019 (Continued) - Appendix H, List of Subjects,
  - Add 13. *Driveway Approach for building on west side of Gleneagles Drive. Driveway approach will be in compliance with construction requirements provided by TD&H Engineering schematic as provided herein: [attach TD&H Engineering sheet C1.0]*
6. Update Office Phone and Manager Email 1/29/2021.

7. Update 3/23/2021: III Planning Standards

**Add: Note: It is the responsibility of the Homeowner to ensure their contractor complies with all construction activity regulations.**

**4.2. Ownership Responsibilities.**

All owners are responsible for the conduct and behavior of their agents, representatives, builders, contractors, and subcontractors in the Meadow Lake Community.

4.4 .....

Add: 4.4.1. In addition, debris and/or trash is expected to be removed from the site as the phases of construction are completed and prior to commencement of next phase. **Example:** Site excavation, form setting, concrete pouring, framing, roofing, siding, etc....

Add: 4.6.1. Construction related parking is restricted to one side of the street. The appropriate side of the street will be identified to the contractor during the ARB project approval process.

Revise: 4.6.3. No vehicle should have maintenance work done on any resort site other than in the case of emergencies. Inform the MLHOA General Manager should repairs become necessary.

Add: 4.10.4. To ensure construction on approved projects occurs with all due diligence, fines may be levied. The ARB will direct the MLHOA General Manager to levy a fine of \$1000.00 for each month in excess of the projects scheduled completion date.

Add: 4.10.4.1 This fine will be deducted from the completion compliance deposit.

**2. Fines and Penalties.**

Add: 2.1. Should the owner, or contractor fail to ensure construction on approved projects are completed with all due diligence, fines may be levied per paragraph 4.10.4 of this document. The ARB will direct that the MLHOA General Manager levy a fine of \$1000.00 for each month in excess of the projects scheduled completion date.

Add: 2.1.1. This fine will be deducted from the completion compliance deposit.

Appendix C Construction Regulations - Short List

**Revised: 3. Debris and Trash Removal** - Owners and builders shall provide adequate trash storage and debris removal on a regular basis by a vehicle covered with a tarp. Owners and builders are prohibited from dumping, burying, and burning of trash. The construction site must be kept neat at all times. Debris or mud on public streets affected by any site must be promptly removed. Damage to curb, gutter or sidewalks must be repaired at owner expense. Construction activity debris and/or trash is expected to be removed from the site as the phases of construction are completed. Example: Site excavation, form setting, concrete pouring, framing, roofing, siding, etc...

**Revised: 5. Vehicles and Parking Areas** - *There is no overnight parking on the public or private roads or bike paths at Meadow Lake resort.*

5.1. Construction related parking is restricted to one side of the street. The appropriate side of the street will be identified to the contractor during the ARB project approval process.

5.2. Construction crews may not park on, or otherwise use, other lots, open space, or sidewalks.

5.3. No vehicle should have maintenance work done on any resort site other than in the case of emergencies. Inform the MLHOA General Manager should repairs become necessary.

5.4. Construction vehicles necessary for the project should be parked out of the normal flow of the road systems within the community.

**Appendix D Explanation of Fees and Deposits**

**2. Completion/Compliance Assurance**

Added: 2.2. Should the owner, or contractor fail to ensure construction on approved projects are completed on time, fines may be levied per paragraph 4.9.4 of this document. The ARB will direct the MLHOA General Manager to levy a fine of \$1000.00 for each month in excess of the projects scheduled completion date.

2.1.1. This fine will be deducted from the completion compliance deposit.

8. Update Utility Connection Information 11/15/2021.

9. Appendix X – Separate fines and penalties into an ARB schedule and a BIM schedule 9/27/2022.

10. Complete ARB workshop review. Changed all occurrences of HOA and MLCCEHOA to MLHOA. Updated Completion/Compliance area regarding construction projects by splitting the ARB review into exterior construction completion review and landscaping completion review. Setting the approved exterior construction review deposit refund to \$7,500 (all or nothing). Setting the approved landscape review deposit to \$2,500 (all or nothing). Holding full road deposit till completion of building project.

11. Application fees and Road Damage Protection Deposits – The Road Damage Deposit for Tamarack Heights was updated to \$1,500. The ARB Application Fee was updated for Tamarack Heights to \$750 as allowed by the Tamarack Heights Community and Building Standards. The Board of Directors approved a new Road Impact Fee (non-refundable) to be assessed to each new build and major remodel. Board of Directors meeting 9/24/2024.