

**FIFTH AMENDMENT**

**TO**

**MASTER**

**DEVELOPMENT GUIDELINES**

**FOR**

**TETON SPRINGS**

**GOLF AND CASTING CLUB**

**March 2022**

## TABLE OF CONTENTS

<b>INTRODUCTION.....</b>	<b>3</b>
<b>ARCHITECTURAL DESIGN.....</b>	<b>4</b>
<b>SITE PLANNING AND LANDSCAPE DESIGN.....</b>	<b>13</b>
<b>DEVELOPMENT REVIEW PROCEDURES.....</b>	<b>27</b>
<b>DEVELOPMENT REVIEW COMMITTEE.....</b>	<b>35</b>
<b>CONSTRUCTION AND BUILDER REGULATIONS .....</b>	<b>37</b>

## **INTRODUCTION**

The Development Guidelines have been created to ensure that all improvements at Teton Springs preserve the natural beauty of the mountain valley setting, ensure harmonious residential design, and protect and enhance property values. The Guidelines are intended for use by all persons involved in new buildings or landscapes, as well as subsequent additions or alterations to any property at Teton Springs.

The Development Guidelines are administered and enforced by the Development Review Committee (DRC) in accordance with procedures set forth in this document and the Master Declaration of Protective Covenants (CC&R's). The DRC's role is to provide assistance to homeowners and their chosen design professionals and to ensure that the design process is a satisfying experience.

This document may be amended and supplemented by the DRC. Before submitting plans, the Owner or their representative is required to meet with the DRC to obtain and review a copy of the current Development Guidelines.

The Development Guidelines are supplemental to Teton County Building Codes and the Master Protective Covenants of Teton Springs recorded with the office of the Clerk and Recorder of Teton County. In the event of a conflict between the documents, the more restrictive document shall govern and control.

## 1.0 ARCHITECTURAL DESIGN

Teton Springs provides a wide range of housing choices within a series of interconnecting neighborhoods set in a spectacular landscape. An understanding and respect for the natural resources of the site, as well as an understanding of the area's history and climate, will provide the keys to the successful design of new buildings and landscapes at Teton Springs.

The strengths of the property are the panoramic views of the Snake River Range, Big Hole Range and Teton Range, along with the natural springs and spring creeks within the property.

Teton Springs has been designed to recreate the classic living environment of the Teton Valley for today's lifestyles:

- Traditional friendly neighborhoods
- Rancher's sense of living close to the land and its water.
- Long views to mountain skylines everywhere.
- A sense of community created by a group of families that have sought out this spectacular natural setting and the lifestyle accompanying it.

These qualities are being shaped and protected by the Teton Springs Master Plan and the Development Guidelines. In the Master Plan, layout of roads and streets, open space patterns, distinctive neighborhood settings, golf routing, ponds, waterways, pedestrian trails and the design of infrastructure and streetscapes respond to topography, water, views, and the traditional way of building a place to live on this land. As a result, every home site will share in the sense of connection to the river valley, the mountains, and the history of settlement here.

The Development Guidelines apply that same approach to the individual buildings and landscapes that will be built here.

### **Neighborhood Guidelines**

Individual neighborhood guidelines have been developed for these parcels by the DRC and are available on the Teton Springs HOA website ([link](#))

#### **Mountain Meadows**

Mountain Meadows has been envisioned as the nostalgic neighborhoods of days gone by with "front porch living," rear entry and side entry garages, compact lots, and homes with a western flair.

#### **Forest/Warm Creek Cabins**

The Forest and Warm Creek cabins have been conceived as the "cabin in the woods" closer to nature and its surroundings, blending the rustic western architecture with modern technology and

conveniences.

### **Village and Commercial Area**

The Village and Commercial area lots include the no-residential properties in Teton Springs. These lots are characterized by a western theme that emphasizes individual unique structures which blend together in a pedestrian-scale setting. Guidelines have been developed for this area by the DRC and are available on the Teton Springs HOA website <https://www.tetonspringshoa.com/>.

### **Teton Springs Single Family Residential**

The Guidelines contained in this document pertain to the design of single-family residences in Teton Springs on the Golf Home lots, Golf Estate lots and Ranch Estate lots.

The intent is to create a harmonious sense of spaciousness and living close to the land, in a place where the natural environment dominates the scene. Accordingly, the look of the neighborhood can be characterized as follows:

- Continuity of rolling grasslands, water, and mountain views.
- Trees in natural looking clusters, riparian forms along the drainage ways and water's edges, windbreak forms around houses or groups of houses and groves at "landmark" locations, such as intersections and entries.
- Houses designed to optimize views and utilize natural features found onsite.
- Complex buildings made up of different heights and forms.
- Exterior surfaces that harmonize with the natural landscape as well as provide an outer skin that will withstand the local climate extremes.
- Windows recessed to give an appearance of substantial wall thickness, strength, and durability.
- Textured stained and painted finishes in combination with other materials.
- Broad overhanging pitched roofs with a minimum overhang of 24".
- Typical ranch house details like porches, expansive stone chimneys and strong structural expression.

The design of homes in Teton Springs should work together as a composition of compatible, albeit distinct, architectural solutions. No individual residence should stand so apart in its design as to detract from the visual harmony of the community or compete with the natural character of the site.

It is highly recommended that the owner retains competent assistance from a licensed architect and other licensed design professionals such as a structural engineer, mechanical engineer, civil engineer, and landscape architect to complete the design. The owner and each member of their

design team should also carefully review the Protective Covenants as well as the Development Guidelines prior to commencing the design review process.

### **1.1 General Design Considerations**

It is the intent of Teton Springs to build upon the architectural traditions of the area and allow a diversity of individual architectural expression within an overall unity that characterizes a distinctive community. The Guidelines also seek to ensure that buildings remain subordinate to the grandeur of the surrounding natural landscape.

To express authentic, traditional structural systems and construction techniques and express the ranch house style, structural elements of the wall and roof should be visibly expressed on the exterior of the home. Selected columns, beams, purlins, brackets, rafter tails, trusses, etc. that make up the roof, decks, porches, balconies and building wall structures should be exposed. These elements are to consist of true dimensional lumber (not fabricated or boxed) and finished in rustic natural textures and colors.

Traditional trusses, braces, brackets, column spacing, and sizes should be used where needed to keep the appearance of unsupported spans and cantilevers consistent with the structural properties of the visible logs and/or timbers. Design and detailing of these materials are to result in an authentic-appearing structure.

Location and orientation of building sites provide for the optimization of views to key elements of the landscape such as the mountain ranges, spring creeks and the golf course. Those view opportunities will be an important organizing factor in the architectural design. Consequently, homesites will be required to limit landscaping in designated view corridors.

### **1.2 Building Height**

The maximum height for single-family residential homes is limited to 30 feet.

Single story buildings are not necessarily the best solution. There may be instances where the smaller footprint from a two-story building would provide more ground level view opportunities than would a single-story building of the same square footage. Creative design solutions which seek to maximize views from within each home and the surrounding neighborhood will be considered by the DRC.

### **1.3 Building Mass and Form**

Buildings need to be residential in scale and preferably asymmetrical in form. Exterior volumes should express the nature and organization of interior spaces to provide articulation of walls and roofs.

It is preferred that the second story portion of homes not exceed 60% of the ground floor square

footage including garage area. A minimum of a least three distinct masses will be required on each home. Building walls cannot have an unbroken horizontal length greater than 30 feet. While it is anticipated that building masses will follow natural site contours, nothing in these guidelines shall prohibit a single floor level provided the building height; massing and grading guidelines are met.

The minimum and maximum square footages to be allowed for Ranch Estate, Golf Estate and Golf Home lots are as follows:

- Ranch Estate minimum is 2,800 sq. ft. and maximum is 8,000 sq. ft.
- Golf Estate minimum is 2,400 sq. ft. and maximum is 6,000 sq. ft.
- Golf Home minimum is 2,200 sq. ft. and maximum is 4,000 sq. ft.

Basement space is not included when determining the minimum or maximum square footage of any residence, except in the case of “walk-out” basements. If a residence includes a walk-out basement, the total square footage of the basement shall count toward the minimum and maximum square footage allowances. The garage square footage does not count toward the minimum and maximum square footage allowances.

Buildings are to follow topographic changes through the use of stepped floor levels. This is particularly important for the hillside lots.

#### **1.4 Building Projections**

The use of porches, courtyards, and patios for climate control and/or outdoor living and circulation is encouraged. Such projections must be designed as integral elements of the building using compatible forms and materials.

All roof projections including flues, vents, and other equipment must penetrate the roof behind the ridge and must be compatible in height and material with the structure from which they project and/or painted to blend with the roof color.

External stone chimneys are encouraged as a major design feature in all neighborhoods.

Free standing external pad-mounted equipment such as required for A/C units, pools and spas, or garbage can storage area, must be integrated into the building through the use of walled or fenced enclosures.

#### **1.5 Ancillary Structures**

All ancillary structures such as garages, storage sheds, guest wings, caretaker units, etc. are to be designed as integral parts or extensions of the main building in terms of material and color, even if they are physically separated.

## 1.6 Roofs

Roofs potentially have the greatest impact upon the overall image of Teton Springs from many public viewpoints, community spaces and individual lots. For that reason, roof design will be one of the most carefully considered elements for design review by the DRC.

Large unbroken expanses of roof (i.e., continuous eave and roof pitch greater than 36 feet) will not be approved by the DRC.

Secondary flat roofs may be considered by the DRC in conjunction with the overall design of the residence. Internal volumes and groups of uses within the residence should be expressed by changes in roof planes fitting the overall design.

The roof pitch, form, color, texture, and reflectivity are all key design considerations to ensure minimal visual impact. In general, roofing materials are to be non-reflective, textured and a variegated dark color. Unit roofing materials such as wood shakes or shingles that meet all applicable fire retarding standards, slate roofs, oxidized copper shingles and composite thick butt asphalt shingles are all encouraged. Oxidized standing seam metal roofs and oxidized corrugated metal roofs may be approved if they are an integral part of the overall building aesthetic. Metal roofs must have a non-reflective surface and a muted dark color.

Broad roof overhangs can create deep shadow lines that reduce the appearance of the wall expanse and add visual interest to the overall structure. A minimum overhang of 2 feet, measured horizontally, is required of sloped roofs. Architectural roof elements and detailing that create varied shadow patterns, visual depth and design interest are encouraged.

Although roof pitches with a minimum slope of 5:12 (5" vertical to 12" horizontal) are typical to Teton Springs, different roof pitches may be approved in conjunction with the complete ensemble of design elements and their overall consistency with the guideline parameters. Curved or arched roofs should have a minimum rise of  $\frac{1}{4}$  the span distance.

Roof-mounted mechanical equipment is prohibited on any roof. Roof-mounted solar collectors may be approved if they are integrated into the structure and do not appear as an add-on unrelated to the overall design. High-tech solar materials should be given consideration for solar applications.

The DRC may determine that there is a negative cumulative effect of many residences having similar roof specifications and subsequently may not approve further use of this specification in a given area.

Roof colors should be selected to be compatible with the surrounding natural landscape and integral to the exterior color palette of the house. Samples of proposed roofing materials and colors will be required for final approval. The range of approved colors are as follows:

- Black
- Dark greens
- Browns
- Grays
- Natural (weathered) Cedar Shingles
- Oxidized metal (copper or steel)
- Due to new roofing materials being developed, additional colors, tones or materials may be approved on a case by case basis, subject to appropriateness, material samples and renderings showing the overall effect and consistency within the context of Teton Springs.

## **1.7 Doors and Windows**

Entries, doors, and windows are visually prominent features and can convey an initial impression of either appropriate or inappropriate design for the setting. To minimize reflectivity and to design window patterns that express western homes, in general, door and windows must be recessed into the outside wall for both aesthetic and functional purposes. Flush mounted nail fin windows should be detailed in such a manner as to meet the desired recessed effect.

Openings for windows and doors are to be appropriate to the structural expression of the building. For example, if windows or doors are located in a stone-faced wall, they should be topped with a properly scaled lintel, header, or arch. In wood or timber structures, properly scaled columns, trusses, and lintels can accommodate larger window openings. All windows and doors are to be designed with sills.

All glass areas are to be recessed and shaded. Specifically, larger areas of glass are to be shaded by projecting roof overhangs, balconies, or porches (decks), so that their visibility and reflections are minimized as seen from off site. Window frames and mullions are to project out beyond recessed glass surfaces to provide further shading and to emphasize the wood and/or stone structure.

Windows chosen from the manufacturer must have a minimum recess of 1-1/2” between the face of the window frame and the face of the glass. It is the intent that these recessed and shaded surfaces and the resultant shadow lines will help to break up and articulate wall planes to minimize visual monotony, add visual strength to the structure and give the appearance of substantial wall thickness and durability.

Large window surfaces are too be subdivided with structural members or mullions or the ganging of smaller window units. The exterior color of the window frames shall be harmonious with the house color palette.

Glass may be coated or tinted to control solar heat gain, but a reflective mirrored appearance will not be approved. All glazing is to be double pane as a minimum for energy conservation.

Sliding windows, horizontal rectangular windows, pop out windows and sliding glass doors will be subject to approval based upon the overall design and consistency with the guideline intent. All exterior hinged doors should be inward swinging due to winter climatic conditions.

The home design should make every effort to minimize the visibility of garage doors from the street, neighbors, and golf course. Garage doors are not to become the dominant architectural element of the façade. The visual impact of the garage doors shall be minimized by the use of overhangs and/or piers that recess the doors, siding and staining the doors to match the exterior siding and/or the use of support walls that separate the individual garage doors to emphasize shadow lines on the recessed door surface and break up the continuum of similar construction materials and color. Garage doors shall be set back from the wall surface a minimum of 12 inches. The exterior finish of garage doors shall be matching wood or metal as opposed to synthetic materials and may contain glass if the glass limits view to the interior contents of the garage. The treatment and color selected for the garage doors must be integrated into the design of the main residence. Single garage doors are preferred but double wide doors will be considered by the DRC on a case by case basis based upon site orientation or constraints. Side entry garages are preferred to those visible from the street or public areas. The garage doors shall be oriented to the secondary street on corner lots. The main entry of the home should be designed as the focal point to greet visitors rather than the garage structure.

## **1.8 Exterior Walls and Finishes**

An excessive vertical or horizontal expanse of a wall plane may visually compete and contrast with the natural surroundings forming a dominant structure that cannot aesthetically blend or harmonize with its setting. To avoid this condition, the guidelines have established a maximum practical unbroken length limit for walls to 30 feet. In addition, wall surfaces shall be articulated for the purpose of adding interest and alleviating visual monotony. A continuous wall plane may be visually broken by one or more of a variety of the design treatments below. The intent of any of these methods of articulation is to create a change in the appearance of the wall's surface, utilizing color, form, depth, material, or textural variations. Strong shadow lines resulting from the different architectural treatments are an effective means to enhance this objective.

The exterior walls of any residence are required to be surfaces with more than one material but not more than three. One material should be dominant over the other(s) and should convey a logical structural relationship. Stone, as well as a variety of alternatives available in various applications of wood, concrete and metal may be considered. Stone is required on every home and should be considered for use on fireplace masses and the base of several building masses. Natural stone is preferred but the use of natural and/or cultured stone veneer will be critically reviewed by the DRC for its natural character and as it relates to the overall design and to the context of Teton Springs. Stucco may be used sparingly and in conjunction with other materials. Stucco, if used, must have a light reflectivity of 40% or less and incorporate appropriate crack control joints and significant textural qualities.

Texture can be introduced into a wall surface such as by the use of shingles, shiplap boards, board and batten, logs and or stone. Jogs or steps in the wall surface, site walls distinguished from the building wall by height and/or alignment, recessed openings, significant non-seasonal vegetation masses, roof overhangs, porches and trellis structures may each add to the articulation of the wall expanse.

Natural finishes and stains shall be used on the majority of exterior materials. Stains and sealers will protect and enhance the intrinsic qualities of the material to which they are applied. Painted surfaces will only be allowed on window and door trim and on exterior doors. Other proposed painted surfaces will be considered on a case by case basis showing substantial merit.

## **1.9 Color**

Exterior wall stains and trim colors must be chosen from a palette of approved colors. These colors have been carefully chosen for their compatibility with the natural environment, their harmony with each other, and the overall aesthetic goals of the Guidelines. A minor amount of accent color on trim work may be considered appropriate by the DRC. Because of the emphasis on natural materials, finishes which complement and enhance the material's intrinsic qualities are encouraged. Colors should complement and blend with, rather than contrast with, the surrounding natural environment. Colors should generally be recessive; particularly those used for roofs and walls. Approved paint and stain colors are:

- Black
- Browns
- Natural wood
- Grays
- Dark greens

## **1.10 Texture**

Textures are to be incorporated throughout a structure in order to create a variety of light and shadow at all scales. Building forms are to be complex, with setbacks, overhangs, porches, and varied rooflines. Walls, roofs, and windows are to be made up of clearly defined smaller elements.

The use of architectural detailing including columns, brackets, corners, rafter tails, corbels, eaves, railings, and doors will provide approvable micro-textural elements.

Materials are to appear closer to their natural state rather than manufactured in appearance. Rough, rather than smooth, textural quality materials will more likely meet with DRC approval.

Appropriately scaled unitary materials such as stone, lumber, logs, etc. are considered appropriate for all homes.

## **1.11 Resource Conservation**

Teton Springs encourages environmentally friendly practices through the selection of "green" building materials.

Teton Springs encourages the use of appropriate passive energy technologies and the utilization of products made from recycled materials. The DRC will actively support the use of additional resource conservation measures in the design of all new homes in ways that are compatible with the intent of the Development Guidelines.

### **1.12 Solar Applications**

Solar applications are encouraged by the DRC. However, they must be integrated into the design of the building and/or its landscape and should not appear as an add-on unrelated to the overall design. Non-reflective components are to be used wherever possible.

### **1.13 Golf Course Homesites**

As is the case with all golf course properties, the potential hazard of golf balls must be considered when designing a residence. The homesite owner is responsible for a home design that mitigates the hazards of living on the golf course.

The DRC and Developer are not responsible for any damage or injuries that can and may occur when a home is constructed adjacent to the golf course.

### **1.14 Exterior Lighting**

All exterior lighting installed or maintained on any residential unit or on any Improvement located on a lot shall be placed so that the light source is screened or shielded from the residence on any other lot, from any other Unit, and from the Master Common Areas. No light shall be emitted from any part of the Common Interest Community (including any lot or unit) which is unreasonably bright or causes unreasonable glare. Without limiting the generality of the foregoing, no spotlights, floodlights, or other high-intensity lights shall be permitted within the Common Interest Community without the prior written approval of the DRC. The Master Development guidelines may contain standards for exterior lighting including, without limitation, standards for hue and intensity. It is the intent of the Teton Springs community to support the Dark Skies Initiative to the extent possible by eliminating excessive lighting while providing a safe residential environment.

### **1.15 Fireplaces / Fire Pits**

Due to the fire hazard potential exterior fireplaces and/or fire pits are not allowed on properties adjacent to the Targhee National Forest. Fireplaces and/or fire pits on other properties not adjacent to the Targhee National Forest may be approved at the discretion of the DRC. For pollution reduction and air quality in Teton Valley wood-burning fires, indoor and outdoor, are not permitted in/on Teton Springs residential properties. Indoor and outdoor fireplaces and fire pits are limited to propane fuel only. Plans for exterior propane-fired fire pits addressing the location and landscaping elements shall be submitted to the DRC for approval.

## **2.0 SITE PLANNING & LANDSCAPE DESIGN**

The native landscape at Teton Springs is of a remarkable quality consisting of grassy meadows, natural springs and spring creeks and the evergreen and aspen covered hillsides that form the western backdrop to the project.

The Landscape Guidelines have been formulated to ensure that the natural beauty of the site is enhanced by the addition of landscape elements within the residential homesites.

The Guidelines contain recommendations for homeowners and builders regarding the installation of landscape architectural elements. The recommendations provide a framework through which the design details of each residence will work together to create a sense of harmony throughout the Teton Springs community.

An extensive list of appropriate plant material has been formulated to provide a basis for plant selection compatible with the mountain valley environment of Teton Springs.

Suggested use of herbicides and pesticides with an emphasis on limited applications of these chemicals through appropriate planting, maintenance, and watering practices as recommended by the DRC.

### **2.1 General Design Considerations**

Landscape is a major component in the establishment of Teton Springs's community image. Homesite owners should plan on budgeting at least 10% of their construction budget for landscaping. The siting of buildings and the design of the landscape surrounding them is as critical as the architecture of the buildings themselves. The site design and residence must work in unison to create a ranch vernacular of buildings set into an agrarian landscape. The employment of licensed landscape architects is strongly encouraged for proper landscape design and expedited approval.

The following landscape concepts are recommended to enhance the ranch vernacular:

- Provide continuity of rolling grasslands, water, and mountain views.
  - Vegetation planted in clusters of like species
  - Vegetation ecosystems created to compliment the adjacent native environment
  - Agrarian patterns of vegetation, such as hedges, wind rows, and orchards
  - Landscape elements used to define spaces and frame views.
- Incorporate site design elements to cohabitate with agrarian patterns of vegetation, such as hedges, wind rows and orchards.
- Respect neighboring view corridors

- Use landscape elements to define spaces and frame views.
- Plant trees and shrubs in natural looking clusters of like species, riparian forms along the drainage ways water's edges, forms around houses, and groves at "landmark" locations, such as intersections and entries.
- Create planting designs and plant species to match and/or compliment adjacent native vegetation.
- Screen outdoor service areas and other improvements from adjacent lots and off-site views.
- Minimize areas of intensive irrigation. Limit the use of non-native plant materials to outdoor living areas immediately adjacent to the house, and obtain the approval of the DRC – refer to Section 2.6 for a list of native plants.

## **2.2 Building Envelopes**

Each homesite has a defined building envelope memorialized on the Final Plat and is independent of the Teton County minimum setbacks. The building envelope is recorded on the building envelope map with Teton County and establishes reasonable front yard, side yard, and rear yard setbacks. These conditions comprise the three-dimensional volume within which all structures must be built. Roof overhangs are allowed to extend beyond the building envelope.

## **2.3 Combining Lots**

If an owner owns two contiguous homesites and wants to combine the homesites into a single homesite with a reconfigured building envelope, the owner may do so upon approval by the DRC. When combining homesites, the owner should consider that while joining two or more homesites may provide more open space, a relocated building envelope may also have an adverse impact on the views and privacy of other nearby homesites or common areas and therefore may not be approved by the DRC.

The plat for the newly configured single homesite must also be approved by Teton County and recorded by Teton County.

All expenses associated with recording the new homesite and pursuing any required government approvals are the responsibility of the owner.

## **2.4 Site Design**

The site design of each residence shall blend with the overall mountain valley setting of Teton Springs. To the extent possible, all landscape improvements should incorporate, rehabilitate, and enhance existing vegetation, utilize indigenous species, and minimize areas of intensive irrigation.

All landscape plans should respond to and integrate the landscape designs, grading plans, and plant materials of adjacent residential homesites, community spaces and streetscape.

New plantings must respect view easement restrictions, screen any potentially intrusive uses from view, and help define use areas within the homesite.

Refer to Section 2.6 for the comprehensive list of native plant materials.

Evergreen trees and shrubs should be used where visual screening is an important functional requirement of the landscape. However, care should be exercised in the placement of evergreen trees to avoid compromising the solar access requirements of both the home and adjacent properties. Also, placement of trees and shrubs in close proximity to the home should allow for maturation without adversely affecting the vegetation's health or growth or the home itself. Long term growth and maintenance should be considered when developing the landscape plan.

Synthetic or artificial plant materials such as "astroturf" or imported exotic inorganic materials such as "white rock" or "lava rock" will not be approved by the DRC in any location potentially visible from off-site.

***Landscape Planning Areas.*** Each residential site can be considered in three zones: front yard, side yard, and back yard. The front yard is the public face of the residence, the side yard defines and separates adjacent residences, and the back yard is the private outdoor living space but may also be visible from public spaces such as the golf course or open space.

***Front Yard.*** The front yard landscape design should provide continuity along the streetscape, compliment the vegetation planted in the right-of-way and form a welcoming entrance to the residence. Landscape elements shall be used to enhance the residence's architectural design, soften long expanses of the facade, and screen utilities and parking. Graceful transitions shall be made between lawn/garden spaces and native/xeriscape spaces.

Bluegrass sod shall be placed in the front yard along the entire front property line to create a continuity between the right-of-way sod and the private residence. Native seed areas will be allowed in the front, side and back yard zones. All seeded areas, shrub beds, and gardens visible from off-site shall be maintained in a clean, weed free condition. Vegetation may not be used to form a wall that hides the residence from the street. Low undulating landforms shall be permitted provided they blend with existing grade, do not exceed a slope of 4 feet horizontally to 1 foot vertically, and do not affect offsite drainage. Play structures and outbuildings are not permitted in the front yard zone.

***Side Yard.*** The side yard landscape design should provide privacy and screening between adjacent residences. The DRC will consider long term effects to the owner's homesite and adjacent properties when evaluating the design. Large stature trees that encroach on neighboring properties, block views, or create substantial shade may not be approved.

Utilities and service areas are permitted in the side yard provided they are physically screened from off-site view. All seeded areas, shrub beds, and gardens visible from offsite shall be maintained in a clean, weed free condition. Due to the narrow cross section of most side yards, landforms will only be permitted by special review.

**Back Yard.** The backyard landscape design should provide private outdoor spaces and continuity with adjacent uses such as golf course rough, open space areas, or undisturbed native areas. Landscape elements shall be used to compliment the architecture of the residence especially if the residence is visible from public spaces.

Property lines that adjoin public spaces with sod shall have bluegrass sod placed along the entire property line to create a continuity between the public space and the private residence. Property lines that adjoin public spaces with native areas shall recreate the native environment along at least 50% of property line to create a continuity between the public space and the private residence. All seeded areas, shrub beds, and gardens visible from offsite shall be maintained in a clean, weed free condition. Vegetation may not be used to form a wall that hides the residence from the public spaces.

Low undulating landforms shall be permitted provided they blend with existing grade, do not exceed a slope of 4 feet horizontally to 1 foot vertically, and do not affect offsite drainage. Play structures and outbuildings shall be permitted if sufficiently screened from offsite view and should maintain overall materials and aesthetics of the home design.

## 2.5 Minimum Planting Requirements.

**Developed Lots:** Each residence is required to plant a minimum number of trees and shrubs based upon the size of the lot upon which the residence sits. New trees and shrubs are to be a mix of sizes that will blend naturally into the surrounding vegetation. Consideration will be given for existing trees and should be so noted on the landscaping plan.

### **The formula for minimum quantities of trees to be planted is as follows:**

Half the square footage of the lot size (SF x .5) shall be the basis for the formula. Tree numbers will be rounded up to the next whole number.

- **Ranch Estate Lots:** 1 tree per 1,000 SF of gross lot size  
*Example:* (3.01 acres x 43,560 SF) X .5 = 65,557.8 SF; 65,557.8 SF ÷ 1,000 = 66 trees
- **Golf Estate Lots:** 1 tree per 500 SF  
*Example:* (.5 acre x 43,560 SF) X .5 = 10,890 SF; 10,890 SF ÷ 500 = 22 trees
- **Golf Home Lots:** 1 tree per 500 SF  
*Example:* (.3 acre x 43,560 SF) X .5 = 6,534 SF; 6,534 SF ÷ 500 = 13 trees

**Cabin Lots:** 10 trees - 7 Aspen trees and 3 Evergreen trees

Cabin owners may plant trees in the common area immediately adjacent to their cabin. Maintenance of these trees will be the responsibility of the cabin owner.

**The formula for minimum quantities of shrubs to be planted is as follows:**

Half the square footage of the lot size (SF x .5) shall be the basis for the formula. Shrub numbers will be rounded up to the next whole number.

- **Ranch Lots:** 1.5 per 1,000 SF of gross lot size  
*Example:* (3.01 acres x 43,560 SF) X .5 = 65,557.8 SF; (65,557.8 SF x 1.5) ÷ 1,000 = 98 shrubs
- **Golf Estate Lots:** 1.5 shrubs per 500 SF  
*Example:* (.5 acres x 43,560 SF) X .5 = 10,890 SF; (10,890 SF x 1.5) ÷ 500 = 33 shrubs
- **Golf Home Lots:** 1.5 shrubs per 500 SF  
*Example:* (.3 acre x 43,560 SF) X .5 = 6,534 SF; (6,534 SF x 1.5) ÷ 500 = 20 shrubs
- **Cabin Lots:** 20 shrubs  
Cabin Owners may plant shrubs in the common area immediately adjacent to their cabin. Maintenance of these shrubs will be the responsibility of the cabin owner.

**In addition to the above requirements,** all lots with golf course frontage are required to plant a minimum of 8 additional trees between the structure and the golf course.

**All trees and shrubs shall meet the minimum size requirements below:**

**Trees:**

- **Deciduous Trees:** 50% of the mix shall be a minimum 3” caliper and 50% shall be 4” caliper or larger.
- **Evergreen Trees:** 50% of the mix shall be at least 10’ tall and 50% shall be at least 14’ tall or taller.
- The use of large specimen trees is preferred in areas close to the house to help blend the building with the site.

**Shrubs:** 50% of the mix shall be a minimum of 5-gallon containers and 50% shall be 7-gallon or larger.

Once the minimum sizes and planting requirements are met, smaller trees and shrubs may be planted. Plantings of flowering annuals or perennials will not be counted towards the minimum planting requirements. All plants shall meet the standards of the American Nurseryman Association.

All landscape berms must be set-back a minimum of 5’ from the property line.

Once landscape installation of the DRC-approved landscape plan is complete, the DRC reserves the right to review size and condition of all plant material and may require replacement or addition. Should the owner be found in non-compliance of this section of the Guidelines, the DRC may lien the property and retain the Performance Deposit per the Master Covenants Article 4.17 and Master Development Guidelines Section 3.14.

**Undeveloped Lots:** On lots that have been acquired for the purpose of more green space, landscaping is highly recommended. A landscaping plan is required and must be approved by the DRC. When planning the landscape design, no more than 50% of the lot can be lawn; natural plantings that blend with the landscaping on adjacent lots is highly encouraged.

## 2.6 Native Plant List

The following is the comprehensive list of approved native plant materials. The DRC will consider plants not listed below and may approve their use if they are compatible with the climate and the aesthetic objectives of Teton Springs.

### **Deciduous Trees:**

Narrowleaf Cottonwood (seedless)  
Quaking Aspen  
European Mountain Ash  
Amur Maple  
Hawthorn  
Crabapple (varieties)

### **Evergreen Trees:**

Colorado Spruce  
Lodgepole Pine  
Scotch Pine  
Limber Pine  
Bristle Cone Pine  
Mugo Pine (small tree)

### **Shrubs:**

Chokecherry  
Serviceberry  
Native rose  
Snowberry  
Currant  
Red Twig Dogwood (varieties)  
Caragana (Siberian Pea Shrub)  
Potentilla (varieties)  
Honeysuckle  
Sumac  
Lilac  
Spirea  
Bittersweet

### **Evergreen Shrubs:**

Dwarf Mugo Pine  
Globe Blue Spruce  
Montgomery Spruce

## **2.7 Right-Of-Way Landscaping**

Developer installed landscaping in the right-of-way generally consists of sod, shrubs, and trees planted in clusters along the street. Irrigation systems, sidewalks and paths may also be present in this zone. Owners are not allowed to install or alter landscaping in this area.

Due to the importance of the right-of-way landscape features, any damage caused to this area by the owner or owner's operators shall be repaired in a timely fashion by the owner utilizing materials and construction techniques to match existing landscape elements. The owner shall notify the Teton Springs Master Association of any damage that has occurred to the landscape elements within 24 hours of the occurrence. The disturbance shall be temporarily repaired or made functional within 24 hours and permanently repaired within 2 weeks of the disturbance. If damage to the landscape elements is not repaired within 2 weeks, the Master Association shall perform the repairs and subsequently charge the owner for all costs incurred.

## **2.8 Private Residence Irrigation**

Each residence is required to install and maintain an underground controlled irrigation system. The Master Association will provide untreated irrigation water for use on a fee basis. A stub service will be provided on the rear lot line and the lot owner will be responsible for installation of a standard tap facility and water meter.

Due to the dry climate in Idaho, lawn areas, trees, shrubs, and gardens will require permanent irrigation throughout the summer. Native seed areas and xeriscape gardens will require irrigation for the first few years to establish the plant material. Irrigation may be removed from these areas upon establishment of healthy sustainable plant material.

## **2.9 Right-Of-Way Irrigation**

An underground irrigation system is installed in the street right-of-way. This system consists of mainline and electric cables placed approximately 30 inches below grade, lateral lines approximately 12 inches below grade, valve boxes placed at grade, electronic control clocks set above grade, and pop-up irrigation heads placed at grade. Damage caused to any part of the irrigation system jeopardizes the functioning of that irrigation zone and thus effects the health of the streetscape plantings in that area.

Due to the importance of the right-of-way irrigation system, any damage caused to this system by owner or owner's operators shall be repaired immediately by the owner utilizing materials and construction techniques to match the existing system. The owner shall notify the Teton Springs

Master Association immediately of any damage that occurred so that the zone may be turned off until it is repaired. The owner shall repair the system to full working condition within 24 hours of occurrence. If damage to the system is not repaired within 24 hours, the Master Association shall perform the repairs and subsequently charge the owner for all costs incurred.

New driveway construction will occur over the existing irrigation system. The owner shall locate the driveway to effect as few irrigation heads as possible. Driveways will not be allowed over valve box or control clock locations except by DRC approval. Teton Springs will be responsible for relocating valve boxes and control clocks with the costs to be paid for by the owner.

In the event that irrigation heads are affected by driveway construction, the owner shall install new irrigation heads located to maintain the previous irrigation pattern. The owner is also responsible to place a 6-inch PVC sleeve under the entire width of the new driveway at a depth of 12 inches below grade. This sleeve is necessary to accommodate future repairs or adjustments to the irrigation lateral line and shall be shown on landscape or site plan.

The materials and construction techniques to be used in the irrigation repair are as follows:

1. Mainline: 4" to 6" (match existing) ring seal 200 PVC installed 12" below grade. Fittings to be deep socket solvent weld. Flood trenches to ensure soil compaction and minimize future settling of trenches.
2. Electrical Wiring: Match existing wiring, meet all applicable codes.
3. Lateral Line: 1" or 1.5" (match existing) Class 200 PVC installed 12" below grade. Fittings to be deep socket solvent weld. Flood trenches to ensure soil compaction and minimize future settling of trenches.
4. Spray Head: Match existing spray heads, same manufacturer, product, and volume. Match existing irrigation patterns to ensure double coverage and eliminate dry zones. Care shall be taken to avoid over spray onto hard surfaces such as paths or street.

The owner is required to have the Master Association's approval of right-of-way irrigation adjustments prior to issuance of Certificate of Occupancy.

## **2.10 Site Grading and Drainage**

Site grading shall be used to provide adequate drainage within the homesite, as well as enhance the aesthetic qualities of the residence. Due to the ranch character of the neighborhood, imposed severe grade changes and steep berms are discouraged. Existing vegetation and site features shall be protected from potential damage from site grading.

Surface drainage shall not drain to adjoining homesites or open spaces except as established by natural drainage patterns, nor cause a condition that could unnaturally lead to off-site soil erosion on open spaces. Wherever practical, natural drainage courses should be protected, and existing

drainage patterns maintained. New drainage ways are to be designed to appear and function like natural drainage ways. Impervious surfaces are to be minimized and excessive cut and fill is discouraged. Grading is not permitted outside the property line.

All topsoil disturbed by grading operations must be stockpiled within the construction area and reused as a part of the site restoration/landscape plan.

Grading is to be designed a combination of cuts, fills, and occasional retaining walls that protect existing vegetation and blend into and/or appear to be extensions of existing natural landforms. Whenever possible natural slopes are preferable to structures. Retaining walls, where visible from off site, are to be built of rock or stone, and/or treated timber. Structures exceeding four feet in height should be battered and stepped to include ample planting pockets. Slopes should not exceed a slope of three feet horizontally by one foot vertically unless there are extenuating circumstances. Disturbed areas are to be revegetated and blended into the surrounding environment.

Developing a proper drainage plan will be the responsibility of the owner. Ensure that when driveways intersect streets that any existing road shoulder drainage patterns are maintained. Any drainage damage that may occur from one homesite to other homesites or common areas because of a change in natural conditions will be the responsibility of the owner of the homesite that caused the unnatural drainage flow. Approval of a drainage plan by the DRC does not make the Committee liable or responsible to the owner or others with respect to the adequacy of the engineering or otherwise, but merely implies compliance with the intent of these Guidelines and with design aesthetics. Committee approval does not eliminate or reduce the obligation of the owner to comply with all legal requirements and be responsible for all damages arising from changes in natural conditions.

## **2.11 Vehicle Access/Driveways**

The street scene of Teton Springs has been carefully planned to include certain street trees and landscape features. The interruption of this landscape feature can have a significant impact on the appearance and character of the site. Only one driveway entrance is allowed for each homesite. Lots located at the corner of a collector street, a residential street, or a cul-de-sac, shall have the driveway access from the subordinate street.

To ensure minimal visual impact and disturbance, the alignment of residential driveways should generally follow the contours of the land and avoid, to the greatest extent possible, the removal of distinctive site features such as washes or drainage ways, trees, shrubs and irrigation. Driveway alignments should be curvilinear from the roadway to the home to soften the visual appearance of the drive, allow for landscaping to provide additional screening of vehicle areas and to accommodate any utilities located at the lot corner when adjacent to the driveway.

Maximum driveway widths are limited to 16 feet except as approved for parking and turn around areas and all driveway edges must be setback a minimum of 2 feet from the side property line. Any

damage done to the landscaping and irrigation in the street right-of-way that may occur during the construction of the driveway must be repaired at the owner's expense. (See Section 2.9 Right-of-Way Irrigation for more information.) Required drainage across driveways must be integrated into the design of the drive or apron. Additionally, consideration must be given to the location, orientation and screening capacity of adjacent building envelopes and public areas relative to potential visual impacts from exposed road pavement, headlight glare, traffic disturbance and general loss of privacy.

Driveway paving materials may vary as they relate to individual architecture but should always maintain a finished purposeful quality and be of a singular material. These areas shall have a dull, non-reflective surface and color that blend well with the natural surroundings. Uncolored concrete may not be used. Stamped concrete, colored exposed aggregate concrete, colored concrete, flagstone, and black asphalt, are all approved materials. Feature strips of separate materials and special aggregates in exposed aggregate concrete will be reviewed on a case by case basis.

Where driveways cross the bike path, the owner shall replace the path surface within the drive area with the new driveway material. The owner shall "saw cut" the path to create a straight smooth edge on each side of the drive. The new drive surface shall be flush with the path to adjoin the "saw cut" edges.

Should a drainage culvert be necessary for a driveway approach, the DRC will require a standard culvert design.

## **2.12 Parking**

Each single-family residence shall include at least two parking spaces in an enclosed garage. The garage may be attached to the residence or detached as a separate building. Except where lot dimensions prohibit, locating the garage towards the rear of the homesite, or turning the garage door away from the street is required to lessen the dominance of garage doors on the street. Additionally, each single-family residence shall provide space on site to accommodate at least two parked cars for guests. Guest parking will not be allowed within the roadway easements.

Guest parking areas may be constructed from any of the materials that are acceptable as driveways and may be part of the driveway or located on an adjacent area. Turf pavers may be used as guest parking areas.

Parking spaces are to be located behind the front face of the residence where the site and the architecture permit or be substantially screened from view with appropriate landscape material. Except during such special events, residents and guests are required to park within their homesites.

Outdoor parking or storage of boats, trailers, motor homes, buses, campers, and trucks over one ton is forbidden.

### **2.13 Site Utilities**

All site utilities are to be installed underground in alignments that minimize grading, tree clearing, and other physical impacts on the homesite. To the extent possible and with the approval of the utility company, utility boxes are to be located and/or screened so that they are not visible from offsite.

Satellite dishes smaller than 18" in diameter are permitted, but their location and proposed screening must be approved by the DRC.

### **2.14 Exterior Service Areas**

Outdoor work/storage areas and outside equipment such as mechanical equipment must be completely screened from offsite views by using walls and/or fences and incorporating them into the building design. In addition to screening, garbage can storage areas must also be made inaccessible to wildlife.

### **2.15 Fences, Walls, and Gates**

In order to preserve a continuous rural character, no fences, walls, or gates will be approved along the front property line or within the front yard setback. In addition, on corner homesites, fences, walls or gates will not be allowed along the side yard property line adjacent to the street. Perimeter fences along other side and rear yards are permitted on the Ranch Estate lots only, however, these fences shall be limited to buck and rail unpainted fence. The DRC may approve the addition of a black wire mesh to the fence to provide animal control, however additional landscape screening may be required.

Site walls, privacy fences or screen walls that are a visual extension of the architectural design of the residence will be permitted within the building envelope and within the side yards that do not abut streets. They may be used to separate the private areas from the rest of the building envelope and/or as a screening element for parking and service areas otherwise visible from other homesites or public areas. These walls may be used to articulate horizontal and vertical building planes. The standards that shall apply to the use and treatment of site wall are listed below:

- Freestanding site walls and fences shall have a maximum exposed height of 6'-0" measured from the lowest natural grade adjacent to the wall.
- Site walls may not be used to delineate property lines or buildings envelopes. Site walls are typically used for screening and/or defining outdoor living spaces.
- The colors of the walls must be compatible with the residential exterior walls and conform to the same exterior color requirements.
- Finish materials on all site and building walls must be continued down to finished grade so as to

eliminate exposed or unfinished foundation walls.

- The objective to minimize site disturbance suggests balanced cut and fill grading solutions, and thus, in turn, reduces the need for tall retaining walls. However, if retaining walls are required, they may not exceed a height of 6 feet for a fill slope condition, and not more than 8 feet in a cut slope condition.
- Terraced retaining walls must be offset horizontally by sufficient distance to support viable plant materials.
- No site wall may continue in an unbroken plane for more than 30 linear feet.

All site walls, privacy fences and screen walls must be approved by the DRC.

## **2.16 Terraces, Paths, Hardscape Areas**

Patios, terraces, paths, and outdoor stairs shall transition smoothly between the natural topography and the building. Natural materials such as stone, and wood are recommended for these elements.

## **2.17 Exterior Landscape Lighting**

In order to maintain a rural character and to preserve the views to the night sky, exterior lighting is to be minimized. Lighting should be used to meet the requirements of safety and easy identification of entrances and buildings. Exterior lights should be compatible with the design of the residence. Lights whose sole function is to floodlight a building or its yard will not be permitted.

Subdued landscape accent lighting may be incorporated into the landscape design. The light source shall not be visible from offsite with the exception of lantern style fixtures. Low wattage bulbs or frosted glass should be used in lantern type fixtures to soften the impact of the point source of light.

Uplights and flood lights will not be permitted if visible from neighboring properties or public spaces. Lighting within exterior courtyards or private back yard spaces may include uplighting and other design accent lighting provided it does not impact other property or public spaces. Down lights or path lights may be used to light paths and terraces. Down lights may not be placed higher than five feet from the ground to avoid the appearance of a flood light. Recessed can lights in exterior soffits cannot be higher than ten feet above exterior grade.

In general, light sources and all conduit and junction boxes should be concealed, and the lowest wattage bulb for any given application is recommended. Lamps over 75 watts may not be approved. Lamps should be color-corrected metal halide, LED, or incandescent. Sodium vapor, mercury vapor, or other “colored” lights are not permitted. Decorative Christmas lighting is permitted between December 1 and January 7.

In order to allow each owner, the flexibility and freedom to creatively resolve unique conditions, the DRC will ultimately consider the acceptability of each installation and its resultant light levels and

visual effects on surrounding properties on a case by case basis. However, low key, down lighting will be strictly enforced.

### **2.18 Lawn Ornament, Sculpture, Flag Poles**

Lawn ornaments and sculpture shall only be permitted in private areas immediately adjacent to the residence. These elements may not be placed to be intentionally visible from offsite. Landscape lighting associated with such elements will only be allowed by special review.

Flag poles and similar structures will not be allowed in the landscape. Flags may be hung on structures mounted to the residence provided they do not extend further than 5' from the residence and the flag is not greater than 3'x5' in size.

### **2.19 Tree Removal**

The removal of existing trees and shrubs on homesites is to be avoided but may be approved by the DRC where necessary to accommodate a new structure. Clearing for view corridors and solar exposure may be considered by the DRC provided it does not increase the visual impacts on adjacent homesites, public spaces, or offsite visibility of the house.

### **2.20 Landscape Structures and Play Equipment**

Landscape structures such as gazebos or sheds and play equipment such as basketball hoops with backboards or jungle gyms are permitted with the approval of the DRC. Typically, the DRC will approve those structures that are located behind the front plane of the residence and are not obtrusive to adjacent homesites, the street, or other community amenity areas.

In general, the same guidelines that apply to architecture apply to landscape structures and play equipment. In order to minimize their visual impact, landscape or play structures visible from offsite should be of muted tone natural materials such as stained wood. Brightly colored play structures potentially visible from offsite must be effectively screened or they will not be approved.

Swimming pools, hot tubs, and spas should be designed to be visually connected to the residence through the use of privacy fences, walls, or courtyards. All supporting mechanical equipment must be screened. Pools, hot tubs, and spas must be constructed and fenced according to all applicable State and local agency regulations.

### **2.21 Address Markers**

Address markers for all homes and cabins, excepting homes on Ranch Estates sites, shall be of a standard type and shall be obtained from the Homeowner's Association. A fee shall be paid during the DRC process to the HOA for the purchase of the approved marker. Upon completion of construction of the home or cabin, the HOA will deliver to the owner, the address marker to be mounted in the area located on the approved elevation plan submitted to the DRC. The marker must

have downlighting as approved on the elevation and/or exterior finishes plan submitted to the DRC.

Due to the depth of the Estate sites along Targhee Trail, homes constructed on Ranch Estates sites will be required to have a marker installed on the lot at a point near where the driveway intersects with Targhee Trail. This marker must have downlighting provided by the owner. The location of the monument and marker, as well as proposed lighting, must be shown on the site plan and be approved in advance by the DRC.

For reasons of visibility in emergency situations, landscape planning must also address the marker's visibility from the street as the landscape elements mature for each of the above locations. Additionally, lighting should be maintained in good working order and should be controlled by an automatic, photocell-controlled switch.

### 3.0 DEVELOPMENT REVIEW PROCEDURES

This section provides a guide to the design review process for the Teton Springs community. The process involves a series of meetings between the owner, their design professionals, and the DRC. It begins with an informal introductory meeting and concludes with the completion of construction. Along the way are a series of meetings, or check points, designed to ensure a smooth and efficient review of the new home design or improvements to an existing home.

The DRC is committed to assisting owners through the design review process and has a variety of educational. As opposed to a “regulatory review agency,” the DRC should be thought of a member of the owner’s design team.

#### 3.1 Design Review Process

Improvement plans will be carefully reviewed by the DRC to ensure that the design is compatible with both Teton Springs as a whole, and to the particular homesite. This design review process must be followed for any of the following improvements:

- Construction of all new buildings;
- The renovation, expansion or refinishing of the exterior of existing buildings including repainting with the same color as previously approved by the DRC; and
- Major site and/or landscape improvements except for replacement of plant species similar to those previously approved by the DRC.

The DRC evaluates all development proposals on the basis of the Teton Springs Guidelines. Most of the Guidelines outlined in this document are written as relatively broad standards and the interpretation of these standards is left up to the discretion of the DRC.

Other development standards are more definitive, or absolute design parameters and it is the intention of this design review process to ensure that all improvements comply with these absolute standards.

The design review process takes place in four steps:

1. Pre-submission conference
2. Preliminary design review
3. Final design review, and
4. Inspections

Any improvement, as described above, will require, and must be preceded by the submission of an application package accompanied by an application fee and the required plans and specifications describing the proposed improvements. **Incomplete applications will not be accepted by the DRC.**

It is strongly encouraged that the Owner retain assistance from a competent, licensed architect to accelerate the approval process and additional assistance from other licensed design professionals such as a civil engineer and a landscape architect is strongly encouraged. The owner and their chosen consultant(s) should also carefully review the Master Declaration of Protective Covenants (CC&Rs) as well as the Development Guidelines prior to commencing the design review process.

Having secured final design approval from the DRC, the Owner will also have to meet all the submittal and approval requirements of the County of Teton to obtain a building permit.

### **3.2 Pre-Submission Conference**

Prior to the preparation of any materials for formal DRC review the Owner and his consultant(s) are required to meet with representatives of the DRC for a Pre-submission conference. The purpose of the meeting will be:

1. To discuss the particular characteristics and any restrictions on development of the homesite;
2. To review any preliminary building program the owner may choose to offer; and
3. To ensure that the owner understands the requirements, fees, and schedule of the design review process.

This informal review is intended to offer guidance prior to initiating any investment in preliminary design and is a very important step in the overall process.

### **3.3 Preliminary Design Review**

After the pre-submission conference in order to continue the process, the owner may initiate preliminary design documents, together with the appropriate fee.

A checklist of the required preliminary development documents includes:

- Site plan
- Site topography (if warranted by significant variations)
- Floor plans
- Elevations
- 3D renderings
- Outline of exterior materials, finishes and colors
- Preliminary landscape plan, considering adjacent properties and view corridors
  - This preliminary review step in the process is intended to avert wasted time and professional fees that result from pursuing a design solution which is in conflict with the standards contained in these Guidelines.

**Staking.** The owner will be responsible for staking the location of corners of the proposed buildings and all other major improvements upon submittal of the preliminary review documents. Any trees to be removed and/or protected must also be properly tagged.

**Preliminary Design Review Meeting.** Upon receipt of the required documents and staking of the property, the DRC will notify the owner of the scheduled meeting date to review the preliminary development documents. The DRC will review and comment on the application at the meeting, allow time for discussion, and subsequently provide the owner with a written record from the meeting.

The comments of the DRC on the preliminary submittal shall be advisory only and shall not be binding upon either the owner or the committee. Additional preliminary review meetings may be necessary to review corrected and/or new materials. Corrected materials must be provided to the DRC a minimum of five (5) working days prior to the next regularly scheduled meeting.

### **3.4 Final Design Review**

Within one year of preliminary design review the owner shall initiate the final design review process by submitting a written application together with the required final development documents and the appropriate fee.

A checklist of required final development documents include:

- Site plan
- Landscape plan (see below)
- Floor plans
- Exterior elevations
- Perspective elevations and rendered model in color
- Construction specifications for exterior materials and colors
- Samples of exterior materials and colors

**Landscape Plan Requirements.** The landscape plan shall include landscaping and hardscaping elements that enhance the aesthetic and functionality of the outdoor spaces of the house. The plan shall be consistent with the DRC guidelines. The plan shall be submitted to the DRC in PDF (digital) format and shall include all of the following elements, if applicable:

- Name, lot number and address of the project
- Name of the landscape architect who prepared the plan
- North arrow and scale bar with scale noted

- Property lines, easements and building envelope
- Utilities
- Hardscape features labeled or noted, including but not limited to driveway, parking areas, patios, walkways, walls, water features and buildings
- Existing and proposed topography with grading features and erosion control measures shown
- Existing vegetation
- Plans prepared with symbols used to represent plant materials, each labeled or keyed for species and planted sizes
- List of plant materials used with botanical name, common name, quantity and planted size
- Ground covers identified, type of edging, type of irrigation, and location of site lighting if applicable

***Final Design Review Meeting.*** Upon receipt of the required documents, the DRC will notify the owner of the scheduled meeting date of review the final development documents. The DRC will review and comment on the application at the meeting, allow time for discussion, and subsequently provide the owner with a written record from the meeting.

Additional final review meetings may be necessary to review corrected and/or new materials. Corrected materials must be provided to the DRC a minimum of five (5) working days prior to the next regularly scheduled meeting.

***Final Design Approval.*** The DRC will issue final design approval in writing within fifteen (15) days of a vote for approval at a final design review meeting. Final design approval is site specific and should not be construed to establish precedent for other sites.

If the decision of the DRC is to disapprove the submission, the committee shall provide the owner with a written statement of the basis for such disapproval to assist the owner in modifying or redesigning the project so as to obtain the approval of the committee.

### **3.5 Resubmittal of Plans**

In the event that the final submittal is not approved by the DRC, the owner will follow the same procedures for a resubmission as for original submittal. An additional design review fee may be required for each resubmission as required by the DRC.

Upon receipt of final approval from the DRC, the owner has 6 months in which to commence construction. If more than 6 months elapse, the owner must resubmit plans to the DRC for re-review. The purpose of this guideline is that the Design Guidelines may be amended from time to time and the DRC reserves the right, in their sole discretion, to apply any new or amended guideline to a home that has not begun construction within 6 months of receipt of their final approval. An additional design review fee may be required for a re-review as required by the DRC.

### **3.6 Appeals Procedure**

The owner has the right to appeal decisions made by the DRC. The owner can initiate such an appeal procedure by submitting in writing a document stating the reason for the appeal. The DRC will set a meeting date to review the appeal and notify the owner of such date. The owner or representative must be present at the meeting to review the appeal. The DRC will render a decision at a scheduled meeting and provide the reasons for denying or approving the appeal in writing within fifteen (15) days.

The owner also has the right, as a last resort, to appeal to the Executive Board of the Teton Springs Master Association if they consider that all the established avenues of communication with the DRC have been exhausted.

### **3.7 Building Permits**

The owner may apply for all applicable building permits from the County of Teton only after receiving final design approval from the DRC. Prior to the start of actual construction, the lot owner will be required to pay a utility fee to Teton Springs.

### **3.8 Subsequent Changes**

Additional construction, landscaping or other changes in the improvements that differ from the approved final design documents must be submitted in writing to the DRC for review and approval prior to making changes.

### **3.9 Work in Progress Inspections**

During construction, the DRC or its authorized representative has the right to check construction to ensure compliance with approved final design documents. These inspections are specified in Section 3.13 of this document. If changes or alterations have been found which have not been approved, the DRC will issue a Notice to Comply. Failure by the DRC to provide the Notice to Comply shall not be deemed a waiver or release of the committee's right to enforce any provisions of these Guidelines.

### **3.10 Notice to Comply**

When as a result of a construction inspection the DRC finds changes and/or alterations that have not been approved, the DRC will notify the owner within three (3) days of the inspection describing the specific instances of non-compliance and will require the owner to comply or resolve the discrepancies or cease construction until resolution has been achieved.

### **3.11 Certificate of Compliance**

Upon completion of work, the owner must request a Certificate of Compliance. The DRC will make a completion inspection of the property within twenty-one (21) days of the request, and if the DRC determines that the improvements have been completed in accordance with the DRC approval, a Certificate of Compliance will be issued within seven (7) days of inspection. If it is found that the work was not done in compliance with the approved final development documents, the DRC will issue a Notice to Comply within three (3) days of inspection.

### **3.12 Non-Liability**

Neither the DRC nor any member or employee will be liable to any party for any action, or failure to act with respect to any matter if such action or failure to act was in good faith and without malice.

### **3.13 Development Review Schedule**

The DRC meets the third Wednesday of the month. Submissions are due the Wednesday before by 10:00 am mountain time. Incomplete submission will not be accepted by the DRC. Please refer to the Master Development Guidelines, Section 3.0 for development review procedures.

### **3.14 Application Fees**

In order to defray the expense of reviewing plans and related data, and to compensate any consulting architects, landscape architect, and other professional, the Covenants establish submission fees payable each time an application is made to the DRC. These fees shall be paid prior to the Pre-submission Conference.

1. New Construction
  - a. \$7,500.00
  - b. This fee covers a total of three meetings, the Pre-Submission, Preliminary Design Review and Final Design Review.
2. Remodel
  - a. \$1,000.00
  - b. This fee covers a total of three meetings, the Pre-Submission, Preliminary Design Review and Final Design Review.
3. Landscape and Small Architectural Changes
  - a. \$350.00
  - b. This fee covers a total of three meetings, the Pre-Submission, Preliminary Design Review and Final Design Review.

#### 4. Additional Meetings

- a. \$1,000.00 per additional meeting after three meetings
- b. This fee shall be paid prior to each additional meeting

These fees are subject to revision annually.

### **3.15 Performance Deposit**

After the DRC approves an owner's Final Design, and prior to commencing construction activity, the Owner shall deliver a Performance Deposit to the DRC, as security for the Owner's full and faithful performance of the construction activity in accordance with its approved final plans, the Master Development Guidelines and Master Declaration of Protective Covenants, Section 4.17.

The amount of the Performance Deposit shall be \$25,000, \$22,500 refundable and \$2,500 is non-refundable. The non-refundable portion is an HOA impact fee.

The DRC shall administer each Performance Deposit as follows:

- a. The DRC shall hold the Performance Deposit as security for the owner's full and faithful performance of its construction activity in accordance with its approved final plans, the Master Development Guidelines and Section 4.17 of the Master Declaration of Protective Covenants. No interest will be paid on the Performance Deposit to the applicant or owner.
- b. The DRC may use, apply or retain the whole or any part of a Performance Deposit to the extent required to reimburse the DRC for any cost which DRC may incur, or may be required to incur, by reason of an owner's non-compliance in respect of the Master Development Guidelines and Section 4.17 of the Master Declaration of Protective Covenants. The DRC shall be entitled to a fee in an amount equal to 15 percent of the amount of any costs incurred by DRC to cure any non-compliance by an owner, which fee may be paid from the Performance Deposit. If the amount of the Performance Deposit is not sufficient to cure any such non-compliance by an owner, DRC may apply the Performance Deposit in a manner which best mitigates the effects of such non-compliance. In addition, DRC may use, apply, or retain the whole or any part of a Performance Deposit to pay to DRC any fine imposed by DRC. The DRC may impose a fee of \$100 against the owner for the first violation of any non-compliance. For each subsequent violation of that same term or condition, DRC may impose a fee in twice the amount of the fee imposed against the owner for the owner's last violation of that same term or condition. The owner shall pay any fee imposed under this term within five days after the owner receives written notice thereof.
- c. The DRC's decision to use the Performance Deposit as permitted hereunder shall be at the sole and absolute discretion of the DRC.

- d. If DRC so uses part or all of the Performance Deposit as set forth in subparagraph (b) above, then the owner shall, within five days after written demand therefore from DRC, pay DRC the amount used to restore the Performance Deposit to its original amount. Neither the owner nor any other party shall have any rights of any kind or nature against DRC, its officers, agents, employees, directors or attorney arising out of DRC use of the Performance Deposit, unless DRC is grossly negligent, or intentionally acts in bad faith.
- e. DRC shall be under no obligation of any kind or nature to take any action to comply with all regulations pertaining to the construction activity.
- f. Any part of the Performance Deposit not used by the DRC as permitted by subparagraph (b) above shall be returned to the owner within 30 days after the issuance of a certificate of compliance for the home by the DRC. No portion of the Performance Deposit shall be returned to the owner upon the DRC's issuance of a temporary certificate of compliance. The DRC may condition its issuance of a temporary certificate of compliance upon its receipt from the owner of funds sufficient to increase the amount of the Performance Deposit to an amount equal to that portion of the construction activity that remains to be completed.

## **4.0 DEVELOPMENT REVIEW COMMITTEE**

### **4.1 Development Review Committee Membership**

The DRC will consist of a minimum of three members. Each person will hold office until such time as they have resigned, or removed, or a successor has been appointed. members shall be appointed by the Executive Board of Teton Springs.

Any member of the DRC may resign from the DRC at any time upon written notice stating the effective date of the member's resignation to the Association. Any member may be removed at any time by the Executive Board with or without cause.

### **4.2 Functions of the Committee**

The principal functions of the DRC are as follows:

- To consider and act upon such proposals or plans submitted to it in accordance with the Design Review Procedures established in Section 3.0 of these Development Guidelines.
- To amend the Development Guidelines as deemed appropriate with final approval of amendments contingent upon the Executive Board's concurrence.
- To perform any duties assigned to it by the Declarant or the Association as set forth in this document and the Protective Covenants.

The Executive Board may hire or appoint a secretary for the DRC and shall provide appropriate compensation for any such secretarial services. The DRC shall have the right to establish one or more sub-committees to perform one or more of the functions of the DRC.

### **4.3 DRC Meetings**

The DRC will meet monthly or as needed to properly perform its duties. The Committee's actions on matters will be by a majority vote of the Committee. Any action required to be taken by the Committee may be taken without a meeting if a consent in writing, setting forth the action so taken is signed by a majority of the Committee members.

The Committee will keep and maintain a record of all actions taken by it, and report in writing to the Executive Board all final actions taken by the DRC. The powers of this Committee relating to design review will be in addition to all design review requirements imposed by the County of Teton.

### **4.4 Compensation**

The Executive Board has the right to set compensation for DRC members. Compensation may be revoked or changed at any time by the Executive Board with or without cause. Professional consultants retained by the DRC to assist them in carrying out their responsibilities may be paid such

compensation as the DRC determines appropriate.

#### **4.5 Amendment of Development Guidelines**

The DRC may, from time to time and in its sole discretion, adopt, amend and repeal by unanimous vote, rules and regulations to be incorporated into, or amendments of the Development Guidelines which, among other things, interpret, supplement or implement the provisions of the Development Guidelines. All such rules and regulations or amendments, as they may from time to time be adopted, amended or repealed, will be appended to and made a part of the Development Guidelines. Each owner is responsible for obtaining from the DRC a copy of the most recently revised Development Guidelines.

#### **4.6 Non-Liability**

Provided that Committee members act in good faith and without malice, neither the Committee nor any member will be liable to the Association, any owner or any other person for any damage, loss or prejudice suffered or claimed on account of:

- Approving or disapproving any plans, specifications, and other materials, whether or not defective;
- Constructing or performing any work, whether or not pursuant to approved plans, specifications and other materials;
- The development or manner of development of any land within Teton Springs;
- Executing and recording a form of approval or disapproval, whether or not the facts stated therein are correct; and
- Performing any other function pursuant to the provisions of the Development Guidelines or the CC&Rs.

## **5.0 CONSTRUCTION & BUILDER REGULATIONS**

May 1, 2021

### **5.1 Introduction**

To assure that the construction of any improvements on a site will occur in a safe and timely manner without damaging the natural landscape, adjacent lots, or common improvements of Teton Springs including but not limited to roadways, paths, common areas, open space or landscaping and to further assure that there is no disruption of residents or guests or impact the quiet enjoyment of their homes and/or property.

To achieve this intent, these regulations will be enforced during the construction period from the commencement of construction until the Certificate of Compliance has been obtained by the DRC.

Construction will not begin until the Construction Mitigation Plan has been received and approved by the DRC, all fees have been paid, a building permit has been obtained from the County of Teton, all water and irrigation hookup fees have been paid, and a damage performance deposit has been placed with the DRC.

### **5.2 Construction Fence**

All sites must have a construction fence and maintain the fence throughout the entire period of the construction. The fence must be 4-6' high and must be dark green or black with a solid/opaque heavy-duty screen that encompasses the building envelope. The fence must be installed with supports to maintain the structure and height of the fence. The purpose of the fence is to screen the construction and limit the nuisance of trash and disturbance. All materials must be stored inside the construction fence.

### **5.3 Signs**

Architects, contractors, and sub-contractors will not be permitted to display any signs on any lots within Teton Springs.

### **5.4 Vehicles and Parking Areas**

Parking for construction personnel vehicles or machinery can only park on the lot or in the roadway not blocking traffic. Place road mix on-site to prevent tracking dirt and mud on roadways. All tires must remain on street as to not to disturb right away and can only park on one side of the street. This will minimize damage to the existing landscape and adjacent properties. Construction crews will not be permitted to park on adjacent lots or any other unapproved areas.

### **5.5 Storage of Materials and Equipment**

All construction materials, equipment and vehicles must be stored on-site within the fenced

boundary.

### **5.6 Construction Activity Times**

The time of construction will be limited to the period from 7:00 am until 7:00 pm Monday through Friday, 8:00 am until 6:00 pm on Saturdays no Sundays or holidays. Temporary living quarters for the owner, builder, contractor, or their employees will not be permitted.

### **5.7 Construction Trailers/Temporary Structures**

Any owner or builder/contractor who desires to bring a construction trailer or the like to Teton Springs must obtain written approval from the DRC.

### **5.8 Sanitary Facilities**

Sanitary facilities must be provided for construction personnel on-site. The facility must be screened from view from adjacent residences and roads and maintained regularly.

### **5.9 Debris and Trash Removal**

Builder/contractor and all sub-contractors must clean up all trash and debris on, and in the area of the construction site at the end of each day. Trash and debris must be removed from each construction site at least once a week. Keep roadway clean daily from dirt, mud and debris. New builds and remodel projects must obtain and use a construction dumpster.

### **5.10 Excavation, Grading, and Tree Protection**

The builder/contractor will take extreme care during excavation to assure that trees not authorized for removal are not damaged. All trees remaining within an approved construction area must be properly tagged and protected prior to the commencement of any grading operations. Every effort must be made to reduce compaction and/or disturbance within the drip line of all trees located within and outside an approved construction area.

Blowing dust resulting from grading operations must be controlled by watering. During construction, erosion must be minimized on exposed cut and/or fill slopes through proper soil stabilization, water control and revegetation. The builder is responsible for the implementation of all erosion control techniques as may be required by State or local agencies. Grading operations may be suspended by the DRC during periods of heavy rains or high winds. All topsoil disturbed by grading operations must be stockpiled within the construction area and reused as part of the site restoration/landscaping plans.

### **5.11 Damage Repair and Restoration**

Damage and scarring to other property, including open space, adjacent lots, roads, driveways, common areas, landscaping and/or other improvements will not be permitted. If any such damage

occurs, it must be repaired and/or restored promptly at the expense of the person causing the damage or the owner of the lot. Upon completion of construction, each owner and builder will be responsible for cleaning up the construction site and the repair of all property which was damaged, including but not limited to restoring grades, planting shrubs and trees as approved or required by the DRC, and repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing. Any property repair costs as mentioned above, incurred by the DRC or the Association will be billed to the owner. Failure to remedy damage as directed by the DRC may result in a builder being suspended from Teton Springs program or deducted from the damage and performance deposit or performance bond posted by the owner.

### **5.12 Inspections**

In addition to the building inspections required by the County of Teton the following inspections must be scheduled with the DRC:

Final inspection: Call for final inspection between May – October when house and landscaping are complete.

### **5.13 Pets**

Pets belonging to construction personnel are not allowed within Teton Springs.

### **5.14 Noise**

Builders/contractors will make every effort to keep noise to a minimum. Radio sound will be kept at a low level to minimize disturbance to neighbors and wildlife.

### **5.15 Speed Limit**

The speed limit ranges from 15-25MPH, must observe the posted speed limits at all times.

### **5.16 Deliveries**

Deliveries must be scheduled and managed by the builder/contractors as to not block roads, driveways or access to other areas within Teton Springs. Any damage to adjacent lots, common areas, landscaping, open space, unimproved areas or improvements caused by delivery activity, parking or construction activities will be charged to the Owner. This includes damage caused by non-construction vehicles which must partially or completely leave a roadway to avoid construction activity.

**Please be considerate and respectful to other contractors and residents. Please work as a team and contact Grand Teton Property Management at 307-733-0205 if you have questions or concerns.**