



BLACK BULL DESIGN GUIDELINES

BOZEMAN, MONTANA
revised as of April 2021

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PREFACE

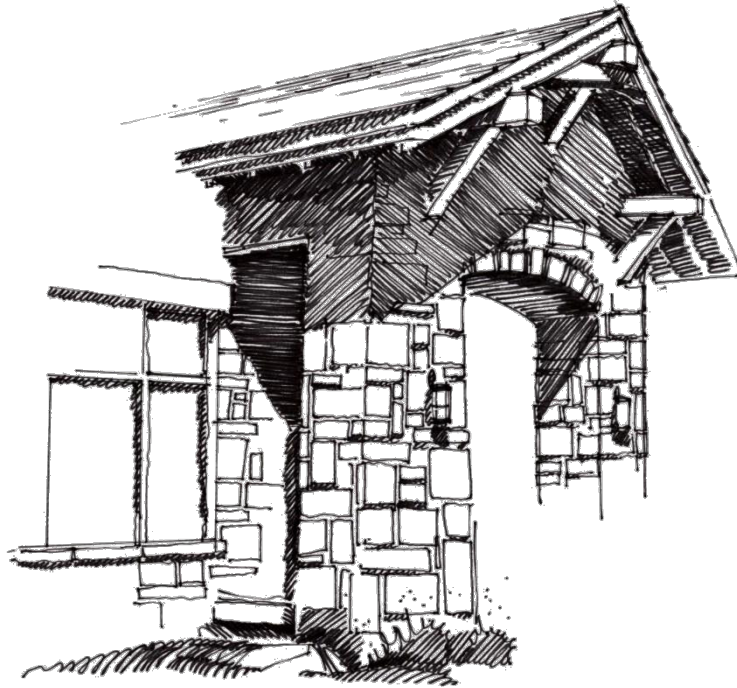
The homes created at Black Bull will benefit from thoughtful attention during design and construction phases; from overall site planning to massing and detailing. The Architecture Review Committee (ARC) will focus on quality and style. Therefore, the architecture of Black Bull is encouraged to be diverse, within certain limits, as defined within these Design Guidelines.

There are rules and guidelines. Little to no exceptions will be given to designs that are poorly thought out or strive to be merely compliant with minimal regard to this set of design requirements.

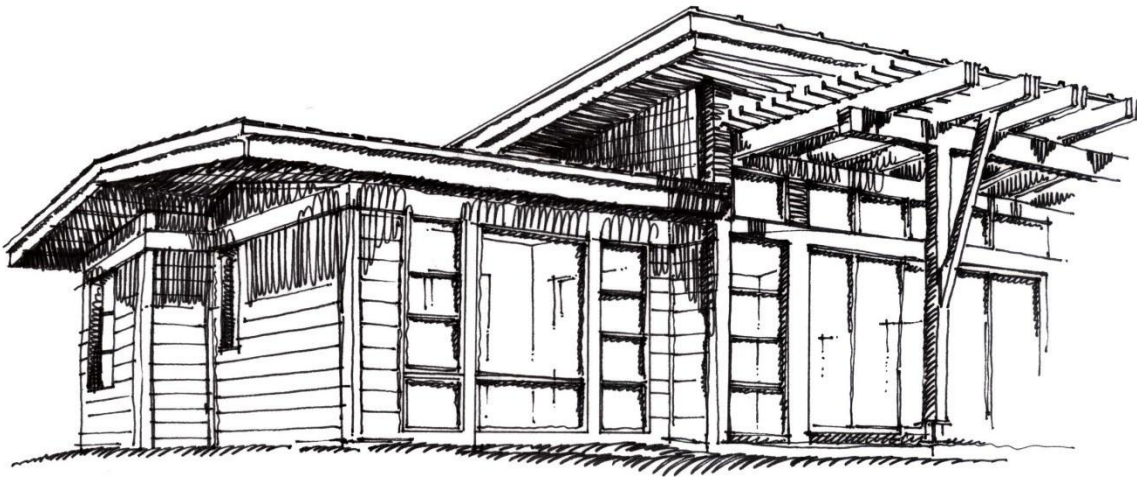
The following illustrations are some examples of acceptable design concepts at Black Bull.



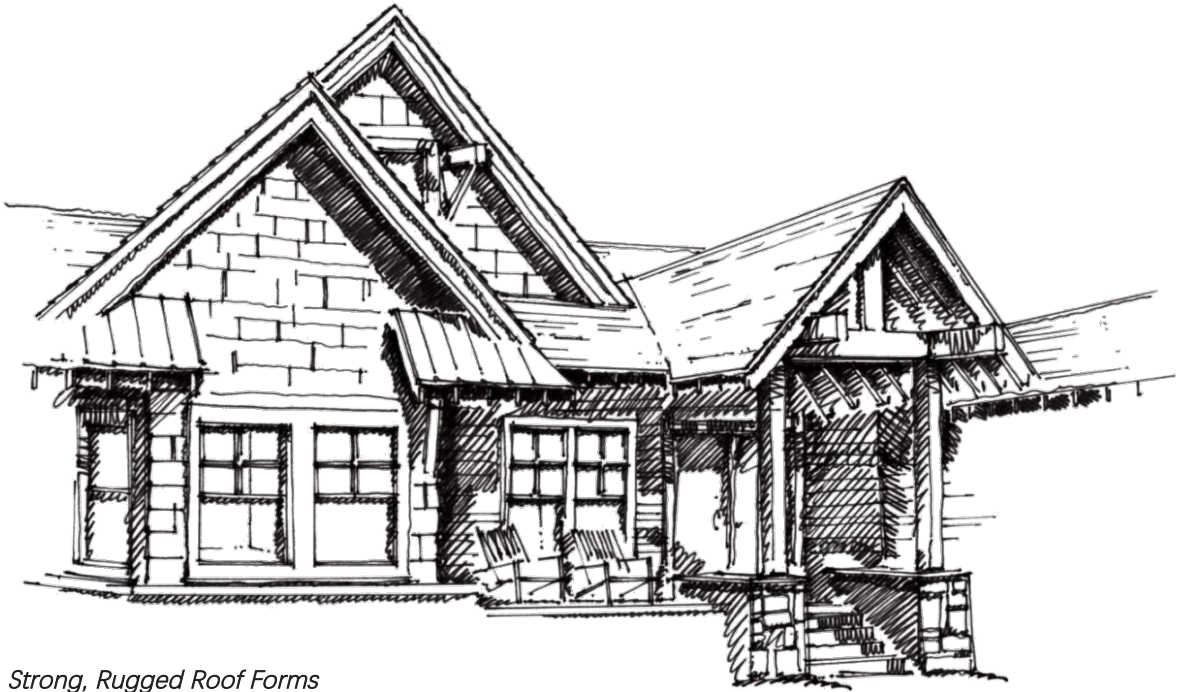
Mountain Architectural Elements with Vertical Expression



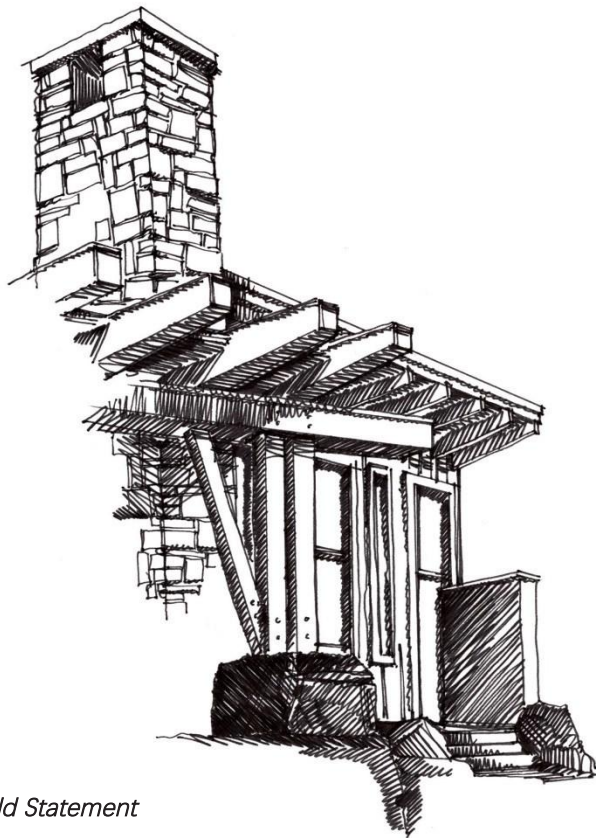
Rugged Stone Home with Simple Massing



Mountain Contemporary Style with Simple Lines



Strong, Rugged Roof Forms



Simple, Bold Statement

INTENT

The intent of the following Design Guidelines is to establish standards to ensure the homes constructed at Black Bull achieve a degree of continuity without diminishing personal taste in choice of building style; to allow as much flexibility as possible while at the same time defining a basic level of quality and consistency of the residential design, which will be consistent with and maximize the quality of the overall Project. It is the desire of these guidelines to help maintain architectural integrity and eclectic designs throughout the Black Bull Community and avoid “tract development” housing types. Design elements should address the direction of current residential trends, incorporating the features and materials that will be laid out in further sections.

The following architectural and design standards and guidelines are intended to complement any applicable Zoning Code and any protective covenants, which govern this Project (“Declaration”), and to clarify the intention for the design of residences for this Project. Specifically, these guidelines set forth design criteria which address the residence design, location, landscaping, and other improvements. The unique design elements of the Declarant, Building Contractor, Architect, and Owners for both the landscaping and the residences will be respected. Individual expression is encouraged, provided they are harmonious with the overall plan of the area and the Project.

Except insofar as its duties may be extended with respect to a particular area by the Association, the Declarant or Architectural Review Committee (ARC), created by the Declaration, shall review and approve or disapprove all plans and specifications submitted to it for any proposed improvement.

No construction or structural alteration of any improvement or any work affecting the external appearance of any improvement shall be made, erected, altered, placed or permitted to remain upon the Lot until a site plan, floor plans, elevations, trim details, specifications and landscaping showing the design, location, material(s), and color(s) together with the name of the contractor has been submitted to and such site plan and specifications are approved in writing by the ARC.

Definitions and Conflicting Language

Unless otherwise defined herein, capitalized terms shall have the definition provided in the Declaration. In the event any of these design guidelines and standards conflict with the Declaration, the design guidelines and standards in this document shall prevail.

Requirement for Approval of Plans

See Article VI of the Declaration.

Membership of the Architectural Review Committee

See Article VI of the Declaration.

PROCESS

Standards for Review

It shall be the applicant's responsibility to ensure that all proposed construction shall comply with the Uniform Building Code (or the code currently enforced by the Gallatin County or the State of Montana), National Plumbing Code, the National Electrical Code, and the Design Guidelines. All plans must be harmonious with the overall plan for the Project. All plans, materials and specifications must be suitable to the site, adjacent properties and the neighborhood. All improvements must be compatible with the surrounding properties so as to not impair or degrade property aesthetic or values.

Approval or Disapproval by the Committee

Upon receipt of a complete application, the ARC has thirty (30) business days to approve or disapprove the location, construction design, landscaping, and materials used for the residence, followed by a seven (7) day period upon the applicant's request for a response. The thirty (30) day time period will not start until after the detailed site plan, floor plans, roof plans, trim details, project specifications, color samples, sample materials and landscaping plans have all been submitted to the ARC along with a completed BBARC checklist. If the ARC feels that insufficient plans, project specifications, color samples, sample materials or landscaping plans have been submitted either by the Lot Owner or the Owner's representative, then the ARC may notify the Owner in writing of the incomplete submittal. If the ARC sends such notice of an incomplete submittal, the Owner will have thirty (30) days to resubmit a completed submittal. Upon re-submittal of the complete application, the ARC will then have an additional thirty (30) days to review the re-submittal. If the Owner does not receive a response from the ARC within thirty (30) days of receiving notice the application is complete, the Owner may request, in writing, a response and the ARC shall then have seven (7) days to respond. Any plans, specifications, samples, and proposals approved shall then permit the Owner to commence construction in accordance with said plan, but any deviation from said plan which, in the judgment of

the ARC, is also: a) a deviation of substance from either the Design Guidelines; b) the requirements of the Declaration; or c) a detriment to the appearance of the structure or to the surrounding area, shall be promptly corrected to conform with the submitted plan by the Owner or corrected by the Association at the Owner's expense. The ARC is not responsible for review or approval of code issues. The Owner and the Owner's building team are responsible for Code compliance.

Any final decision of the ARC may be appealed in writing to the Declarant or the Board. Any such appeal must be submitted in writing to the Declarant or the Board within fifteen (15) days after the date the appealing Member receives notice of the final decision by the ARC. The written notice of the appeal shall specifically state the appealing member's grounds for appeal. The Declarant or the Board may adopt and promulgate procedures and grounds for appeals. The decision of the Declarant or the Board, with respect to all appeals, shall be final and determinative.

Inspection of Work

Upon the completion of any Improvement, if the ARC finds that such work was not done in compliance with all approved plans and specifications submitted or required to be submitted for its prior approval, it shall notify the Owner and the Association of such noncompliance, and shall require the Owner to remedy the same. If, upon the expiration of seven (7) business days from the date of such notification, the Owner has failed to commence to remedy such noncompliance or reached agreement with the ARC on a plan for such remedy, the Association shall determine the nature and extent of noncompliance thereof and the estimated cost of correction or removing the same. The Association shall notify the Owner in writing of the estimated cost of correction or removal. The Owner shall then only have five (5) days to commence such remedy and thirty (30) days to complete such remedy, unless the ARC extends such time period.

If the Owner still does not comply with the Association's ruling within such designated period, the Association, at its option, may either remove the non-complying improvement or remedy the noncompliance, and the Owner shall reimburse the

Association upon demand for all expenses incurred in connection therewith. If such expenses are not promptly repaid by the Owner to the Association, the Association shall levy an assessment and file a lien against such Owner and the Improvement in question and the land on which the same is situated for reimbursement and the same shall be enforced and/or foreclosed upon as set forth in the Declaration.

The ARC may inspect all work in progress and give notice of noncompliance as provided above.

Compliance Deposit

Each contractor must submit a compliance deposit of \$15,000 for each property prior to receiving final approval from the ARC to ensure compliance with the ARC guidelines and CC & R's. This deposit must be received before any construction can begin. Deposits will be returned, without interest, after the final construction compliance inspection has been completed and signed off by the ARC. At the final walkthrough, the ARC representative will confirm that the project adheres to the previously approved plans and or variances. Any fines levied for noncompliance with the guidelines set forth by the association and the ARC will be deducted prior to the release of the compliance deposit.

Design Submittal

See Article VI of the Declaration.

All Design Submittals shall include all items on the BBARC checklist as well as the detailed materials listed below. If a submittal is missing any of the required items, the ARC shall deem the submission incomplete and will not begin work until all materials are presented.

1. Site plans including landscaping, walks and decks, existing & proposed topography and drainage patterns. (Scale: 1/8" = 1-0' or similar engineering scale)

2. Complete Construction Drawings signed by *licensed architect*. One set shall be submitted to the ARC for approval (digital format is preferred). This includes floor plans, exterior elevations of all sides, roof plan, building sections, specifications, electrical/lighting plan, construction details, structural plans & details, all fire protection systems including a separate drawing describing the fire protection system. (Scale 1/4" = 1-0')
3. Samples of all exterior materials with their respective color proposals in an adequate size to evaluate properly. Preliminary digital submittals are acceptable with the understanding that physical material samples may be requested at a later date. Upon receipt of the plan package, the fire protection authority having jurisdiction shall be notified to review the fire protection system.
4. A review fee will be required at the time of submission of all the design submittal documents and materials. The Owner shall submit the required design review fee to the ARC. It shall be the duty of the Association to establish the amount of the design review fee. The purpose of the design review fee shall be to defray the Association's cost of review of all proposed site plans and specifications submitted to them. The current review fee total will be calculated at \$2 per SF based on the livable square footage. For example, a house planned at 3,200 SF shall have a design review fee of \$6,400. Payment of the initial design fee provides for a reasonable amount of time spent by the ARC committee to provide final approval. If a submittal is of poor quality or requires additional ARC work beyond what is deemed reasonable, the homeowner will be billed at \$500.00/hr. for additional time. There will be a \$500.00 review fee for ARC landscape reviews, minor remodels and exterior home modifications. If remodel review time exceeds 2 hours, additional ARC work will be billed at \$250.00/hr. Checks for the design review fee shall be payable to ***Bridger Basin Homes***.
5. The Design Review Fee is non-refundable.

6. Should the applicant and designer wish to have their project reviewed in the schematic stage to determine the appropriateness of their design, a preliminary review is encouraged. No additional review fee will be required, and any requested changes by the ARC can be more effectively incorporated into the final design.

Start of Construction

No construction work shall be initiated without a building permit or Land Use permit issued by appropriate governing authority (if such permits are required) and without written approval of the plans by the ARC. All building construction and landscaping must conform to both the final approved plans by the Gallatin County Planning Office, if required, and the ARC. Storage of anything on the Lot prior to construction is completely forbidden, unless permission is obtained in writing from the ARC.

It should be noted by the general contractor that all parties shall respect the integrity of the properties surrounding the construction area. Vehicles may not drive across adjacent lots or common areas to access the construction site. Fill materials, building materials and debris shall not encroach onto adjacent lots.

General contractor shall abide by requirements set forth by the Montana Department of Environmental Quality during the construction process including the prevention of dirt and mud, silt, or other debris from entering the drainage swales and nearby water ways such as ponds, creeks and ditches. This includes properly installed straw wattles to protect these areas from contamination.

As a consideration for club members, no construction (interior or exterior) will be permitted on Sundays.

Dogs are not permitted on the construction site unless owned by Homeowner.

ARC PROCEDURE

ARC Review Procedures

A complete set of construction documents must be submitted to the ARC for approval. The BBARC checklist and Black Bull project information form must also be included with the submittal. Plans can be submitted at any time during the month. The ARC will have up to 30 days to review the proposed plans. No requests for rushed reviews will be accepted.

Pre-Construction

It is the Owner's/Builder's responsibility to make certain the site is staked prior to construction in order to determine that the building site falls within designated setbacks (site staking to include all major corners of the house, driveway, property lines and setbacks – work to be done by a civil engineer or licensed surveyor). A signed and stamped certification letter from the civil engineer or licensed surveyor verifying correct property staking standards shall be sent to the ARC prior to start of construction.

Pre-Construction Checklist

- COMPLETE SET OF ARC-APPROVED CONSTRUCTION DRAWINGS
- \$15,000 COMPLIANCE DEPOSIT
- SITE IS STAKED AS OUTLINED ABOVE
- LOT IDENTIFICATION SIGN WITH ADDRESS
- COPY OF COUNTY APPROVED LAND USE PERMIT

Notification of Completion and Final Release

Upon completion of the project, the contractor must contact the appropriate representative at Black Bull, who will arrange a meeting for a final walk through between a representative from the ARC and the contractor. At this time, the ARC representative will review the plans to ensure that the building was constructed as designed and that all aspects of completed construction are in compliance with the

previously approved plans. Discrepancies between submitted plans and completed construction are subject to a Notice of Non-Compliance and fines may be assessed accordingly and deducted from the compliance deposit. The ARC reserves the right to require that any unapproved changes be rebuilt as originally specified in the approved drawings. Pending approval of the final project, the ARC will submit written notice that will serve to indicate that funds remaining in the compliance deposit be released to the General Contractor or Owner.

ELEMENTS OF COMPOSITION

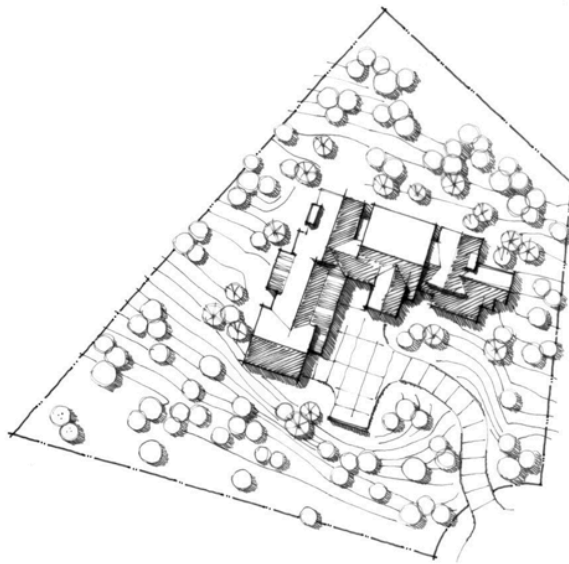
In an effort to achieve the highest level of design integrity for homes at Black Bull, each project submitted for review will be evaluated in accordance with the following elements of composition and will ultimately be subject to the discretion of the ARC for acceptance:

1. *Site Integration:*

Each residence within Black Bull must be integrated into its particular site. This includes: proper location within setbacks, easements, and other governing restrictions, well designed and thought-out floor plans, appropriate massing with regards to existing grades and natural features, adequate integration of drainage responding to existing and proposed surface water flows, and appropriate and thoughtful use of exterior materials.

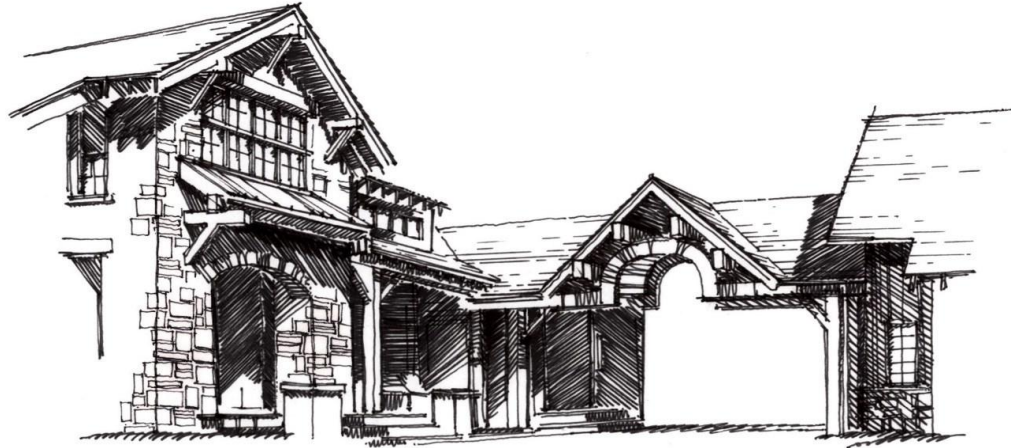
2. *Design Concepts:*

- a. Articulation of main entrances. Each residence shall have a clearly defined main entrance that is articulated by roof and building massing as well as landscaped design elements such as sidewalks, planting, lighting elements, etc. The main entrance shall face the street.
- b. Orientation of residences. Each residence shall be oriented to the unique environment of the Project. The residence may be additionally oriented to distant views.



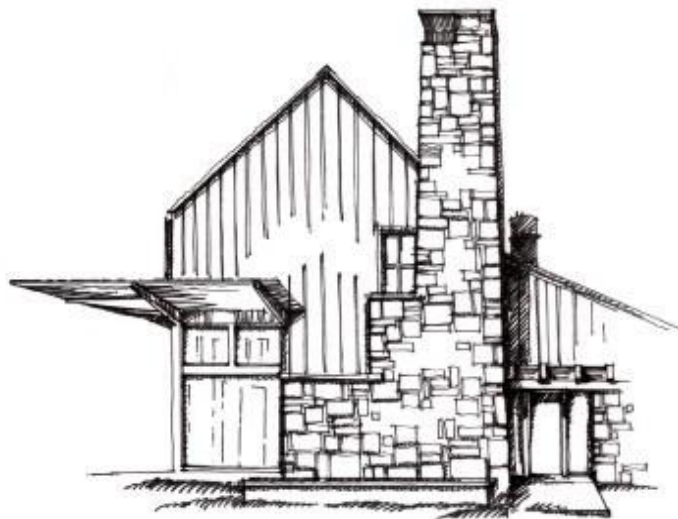
3. *Scale:*

Homes should be appropriately scaled relative to the property with regards to vertical massing and overall home size. Generally speaking, the scale for each home shall be as small as possible while remaining consistent with the Owner's lifestyle needs, as well as design concept and style. Site features are to be taken into consideration as well.



4. *Proportion:*

Each design element should be inherently proportional to the overall structure. This applies to roofs, windows, doors, details, posts and columns, facia, entry areas, exterior walls, and site walls. This is true for the programmatic elements of a residence as well. For example, a Great Room volume should appear visually dominant over a bedroom suite. The intent is to make certain all elements of a home shall be in pleasing proportion to each other and the composition as a whole.



5. *Rhythm:*

Rhythm refers to the overall continuity between a project's massing and detailing. Architecture should exhibit a distinct rhythm in regard to component size, shape, and patterns within the recurrence of overall forms such as window and door openings, roof lines, structural support elements, colors, and materials.



6. *Balance:*

Balance is the overall composition of visual forms; the integration and placement of exterior materials, proportion of window areas to wall mass, and the composition and arrangement of different building masses.

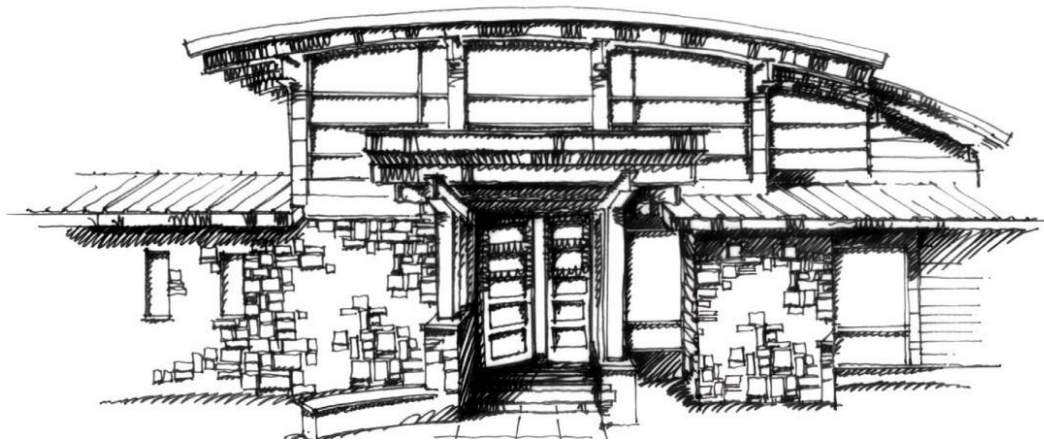


7. *Color:*

The use of color should be an integral part of a project's design and a key component in the project's overall context. The colors used must be muted earth tones and also harmonize and complement the surrounding site and neighboring residences; the goal is to create a diversity of color that adds charm to the entire community. Trim colors should demonstrate only subtle color changes from the main body of the building. Limited use of bolder accents may be used if demonstrated to the ARC to be compatible with the character of the development.

8. *Texture:*

Keeping in mind the propensity for smooth surfaces to reflect sunlight, it is imperative a project's design incorporate a rich and varied palette of textures on roof and wall surfaces to minimize reflectivity. Dramatic, overly-done textures should be avoided however, since they can be distracting visually. Subtle textures are preferred.



9. *Shadow:*

An important part of architectural design is the use of shadow. Without attention to this component of design, a home will appear less visually interesting and out of context with its surroundings. Shadow and depth can be attained through the use of transitional architectural space or features such as covered walkways, depth in door and window openings, trellis or overhang elements, and use of materials.



9. *Material Integration:*

It is the responsibility of the design professional to produce design decisions that respond to the particular characteristics of the site while simultaneously complying with the Black Bull ARC Guidelines. The intention of this element is to ensure that while providing the appropriate amount of an exterior material, artfulness in overall composition will be achieved as well. Colors, combinations of textures and materials, should all be complimentary, harmonious, and balanced with regards to appropriateness and visual strength.

10. *Visual Strength:*

Visual strength refers to how well a design's structural components look and feel when assembled. A home that is well composed and has excelled in all design elements listed in this section will achieve visual strength.



DESIGN GUIDELINES

Minimum and Maximum Building Sizes

Minimum. 1,800 square feet, excluding garage, on a single level. For Multiple level units, the ground floor level (street level) shall be a minimum of 2,000 square feet, excluding garage, with total minimum square footage on all levels of 2,700 square feet.

Maximum. Maximum sizes shall be governed by lot size. For lots of 11,000 sq. ft. or less, maximum square footage shall not exceed 3,500 sq. ft., excluding garage.

For lots of 11,001 sq. ft. to 21,780 sq. ft., maximum square footage shall not exceed 5,500 sq. ft., excluding garage.

For lots of 21,781 sq. ft. to 32,670 sq. ft., maximum square footage shall not exceed 8,500 sq. ft., excluding garage.

For lots exceeding 32,670 sq. ft., maximum square footage shall be 12,000 sq. ft.

The ARC may grant a deviation from the size requirements if the designer can demonstrate that additional square footage on that lot is designed in a manner that does not seem inappropriate to existing houses (or future houses that would meet the square footage requirements) in the immediate neighborhood.

Height Limits. Maximum roof heights will be 32 feet. Measurement of building height shall be in the manner shown in the illustrations below, depicting measurement from street level to the highest point of the roof structure.



Exterior Walls

The exterior walls are one of the most important aesthetic elements in the building design and will reflect the image of the entire subdivision. Elements of specific concern are scale, proportion, texture and color. The scale and proportion of the exterior walls must have inherent interest and diversity, and harmonize with the high-quality nature of the development. All buildings will be of new construction and there will be no log, manufactured, mobile, pre-assembled, or modular buildings allowed.

1. **Materials.** The materials that are acceptable to provide the desired look and texture are stone and brick, timber beams and wood siding (painted or stained). If determined appropriate by the committee, properly selected and laid cultured stone will be allowed. Use of stucco or E.I.F.S. including fiber cement siding (James Hardie siding) or other composite material products is not allowed unless identified upon submittal and conditions of use are approved by the ARC. An actual sample must be provided to the ARC for consideration. The ARC will consider other building materials on the market that maintain the natural aesthetic character of the subdivision.
2. **Concrete.** Exposed concrete shall be limited to a maximum of 8 inches from the bottom of the siding to the finish grade. Exposures of more than 8 inches shall be covered by shrubs, masonry veneer, textured concrete surfaces such as exposed aggregate or synthetic stucco. Board form concrete may be considered as an appropriate material but must be presented to the ARC for approval.
3. **Wall Form.** No wall shall consist of a single finish treatment for more than 14 horizontal feet without interruption by a wall projection, window*, wall corner, wall recess, porch or other architectural form that **adds interest** or an acceptable design change/feature to break up the exterior façade. **Adding a standard window does not meet this requirement.*
4. **Windows and Doors.** Windows are important architectural elements and therefore are required to be designed in a manner consistent with the residential area of the subdivision. Additionally, projections and recesses, and divided light windows are encouraged to accentuate a residential feel.
 - a. All windows shall be of double or triple glazing.
 - b. Low "E" coatings are permitted. No mirrored glass or heavily tinted glass will be allowed.
 - c. Clad wood windows are required.

- d. Unclad wood, vinyl, composite windows are not acceptable. Metal-clad, wood, and metal windows are acceptable.
 - e. All exterior doors, including garage doors, must be submitted for approval.
 - f. The patterns, sizing, symmetry (or asymmetry) of windows and doors determines the scale and feel of a building. The ARC will require that the following aspects be carefully addressed in the window and door design:
 - 1. Consistency of types and shapes.
 - 2. Special shapes used for “feature” windows in appropriate areas.
 - 3. Use of window patterns consistent with the design and massing of the structure.
 - 4. Consistent use of window forms in conjunction with adjacent window forms.
5. **Garages.** Each may have a maximum of 3 garage doors. Only 2 doors may face toward the street on any residence. Painted metal doors are not an acceptable garage door within the Black Bull community. The cladding shall be a natural material in keeping with the primary material pallet. For a more modern look, glass and higher quality metal doors will be considered. Synthetic wood materials are not allowed.

Roofs

Roofs are a major element in the building design and therefore will be emphasized by the Committee.

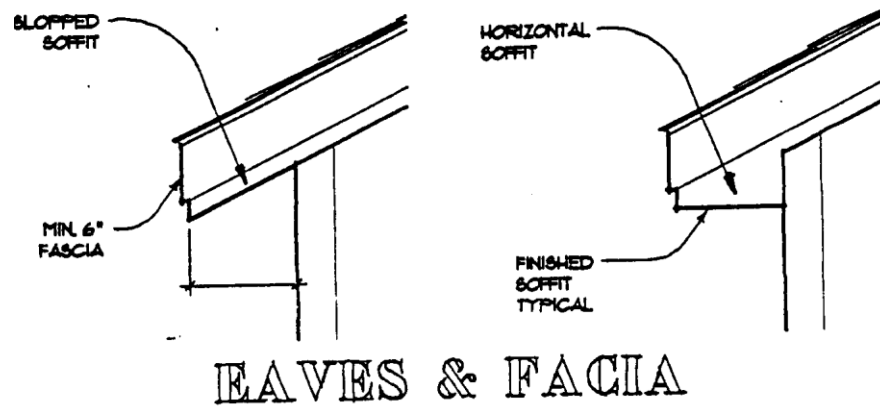
1. ***Shape and Form.*** Early structures in Gallatin Valley responded to the severe climate with traditional roof forms that dealt with the sometimes-heavy snow loads. It is the intention of these guidelines to require traditional gable, hip, and shed roof designs used in creative and aesthetically pleasing combinations. The traditional forms not only help establish the rural feel desired, but also make the structure more practical for the owners. Secondary roof forms are highly recommended in designs for the Project. These are particularly useful to give proper scale to large roof masses.

In addition, no roof ridge line shall extend more than forty feet (40') without interruption by an intersecting roof line, secondary roof structure, or step-down roof in order to break up the overall roof mass. For further illustration, see drawing below. A variance to this requirement can be applicable with submittal and approval from the ARC on a case by case basis. See illustration on page 25.



2. **Roof Pitches.** The minimum roof pitch shall be 6:12 for the major components of any roof. Minor components and secondary roof structures, such as shed roofs and dormer roofs may have pitches as low as 4:12 (3:12 if determined appropriate by the ARC).
 - a. Under certain special circumstances the roof design may incorporate, as a minor component of the overall roof design, a flat roof (<3:12 if determined appropriate by the ARC).
3. **Secondary Roof Structures.** Skylights, chimneys, and solar collectors are not considered secondary roof structures. Dormers and most other secondary roof structures are encouraged, both to add interest and scale to major roof areas and to make habitable use of space within the roofs. Dormers and other secondary roofs may have gable, hip, or shed forms and may be stacked in multiple forms. When designing the location of skylights, consideration should be given to the exterior appearance of the unit. Locations should also be coordinated with window and door locations. Skylights shall be located away from valleys, ridges, and all other areas where drifting snow and snow ice may hinder the performance and safety of the unit. Solar collectors can be very unsightly, and therefore, shall be integrated into the overall roof design, and shall be placed parallel with the slope of the roof or wall of the building.
4. **Eaves, Soffits, and Facia.** All major roof components shall have a minimum horizontal eave projection of 30 inches measured from the finished wall. Minor roof structures may have a reduced eave projection as necessary to maintain proper proportion for a specific architectural effect demonstrated to the ARC. Eaves may have a horizontal or angled return to the wall. Soffits shall be required to cover all

rafter tails and rough framing material except where framing members are finished and protected from exposure. For further illustration, see the following drawing:



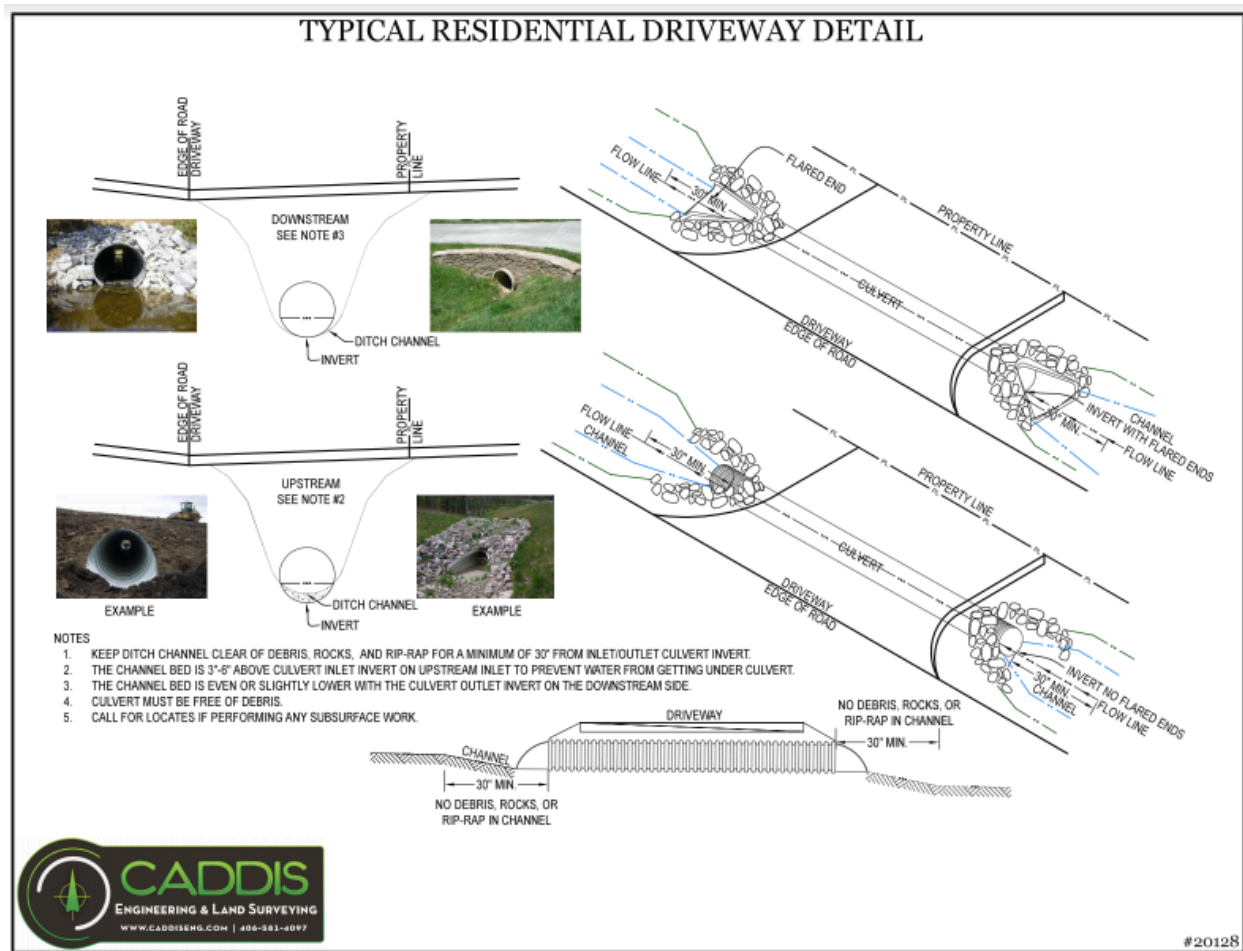
5. **Gutters, Downspouts, and Flashing.** Gutters and downspouts are allowed, but they must be of a color and finish that blends with the finish colors of the structure. Unpainted gutters, downspouts or flashing will not be allowed. Flashing materials shall be of copper or anodized sheet metal.
6. **Equipment and Ventilating Roof Projections.** Should roof-mounted equipment be needed, it shall be integrated into the overall roof design and screened. All roof mounted HVAC equipment will be screened from view with an architectural element consistent with the design of the building and oriented away from the street side of the building. Other non-roof mounted equipment shall likewise be screened from view either with architectural elements such as approved fencing or with the use of landscaping.
 - a. All Metal Chimney Caps must be painted flat black. No other color is allowed.
7. **Fire Protection.** Residences that are 3,600 square feet or larger are required to have a sprinkler fire suppression system. This sprinkler fire suppression system should comply with code requirements, designed and engineered (with appropriate stamps and signatures), and installed in accordance with the current edition of the appropriate National Fire Protection Standard for the building and its use, and must

be approved by the “fire protection authority having jurisdiction.” Garages are exempt from the square footage.

Site Development and Landscape Guidelines

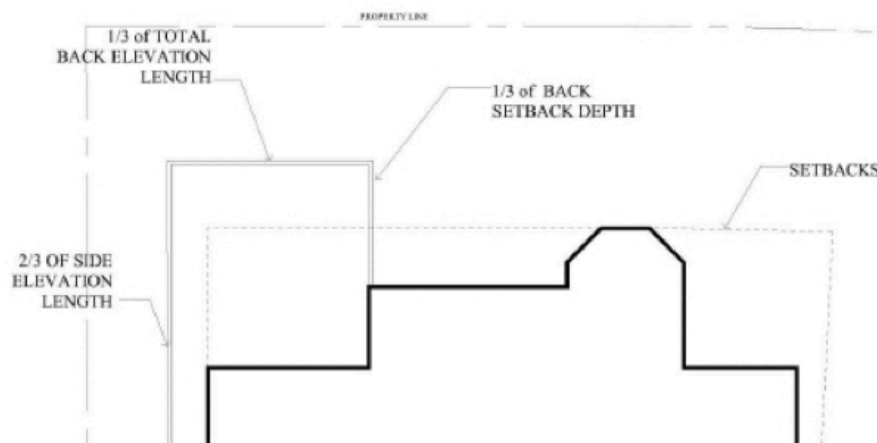
All site/landscape improvements shall be reviewed and approved by the ARC prior to commencement of construction or alteration. Minor adjustments after initial construction such as adding additional trees or shrubs/beds can be expressed in writing or with a hand sketch with proposed additions explained. Minor is defined by less than 20% modification to the original plan and/or plantings. Any changes above “minor adjustments” as defined shall be required to provide a complete plan of proposed changes from a qualified landscape company. Please refer to ARC landscape requirements for approved plant material and minimum size requirements that still apply to any and all landscape improvements. If the improvements include any hardscape material such as patios, walkways or outdoor living areas, a scaled drawing showing proposed improvements along with materials proposed must be submitted and approved prior to the start of construction.

1. ***Setbacks and Easements.*** With the exception of fences and privacy screens as described in these guidelines, no building or structures shall be erected, placed, constructed or remodeled so as to be less than twenty-five (25) feet from the front or rear lot lines or within fifteen (15) feet from a side lot line, except that corner lots shall have a thirty (30) foot requirement from the side and front lot lines contiguous to parks, open areas, or roads. Roof overhangs and steps shall be allowed to encroach into setbacks no more than thirty (30) inches.
2. ***Driveways and Culverts.*** With regards to driveways, all driveways and parking areas shall be surfaced with asphalt or concrete. Driveways shall not encroach into side yard setbacks. Driveways are to bisect the setbacks in a perpendicular manner whenever possible. With regards to culverts, the following detail provided by Caddis Engineering are the required culvert specifications. These specifications will be strictly enforced and construction compliance approval will be withheld until the ARC deems the proper installation has been completed. See page 28.



3. **Fences and Privacy Screens.** One of the primary goals of the Project is to create an atmosphere that is open and expansive. Lot fencing will not be allowed in this subdivision unless approved by the ARC for specific reasons demonstrated by the applicant. Privacy screening and fencing for screening of mechanical equipment only will be allowed. Fencing should be only as high as necessary to screen the area or equipment in question and will in no instance exceed 6 feet (6') in height unless specifically approved in writing by the ARC. Walls and fences must be an integral part of the residence. Materials allowed must be the same as the privacy screening discussed below.
4. **Decks and Patios.** Decks and patios shall consist of natural materials. Synthetic and composite materials are not allowed.

5. **Kennels.** In general, kennels are discouraged in favor of the “invisible fence” system. A kennel shall not exceed 300 sf. ft. Kennels or dog runs must be placed within the area allowable for side or rear yard fencing. Kennels shall be integrated into the dwelling (attached) to avoid isolation and to provide as much aesthetic appeal as possible. Kennels shall not be higher than six (6) feet in height and must be built using the same building materials as Privacy Screening. Kennels must be kept clean and free from obnoxious odors or undue barking dogs. Chain link kennels are not allowed. All kennels and dog runs must be approved by the ARC.
6. **Privacy Screening.** Privacy screens will be allowed but must be constructed of wood siding, stucco, brick, or stone, and they shall be an integrated part of the main building. Privacy Screening shall not exceed into more than 1/3 of the required setback on the front or sides, nor more than 1/3 of the setback on the rear elevation, nor be more than 1/3 the width of the structure on the front, side, or rear elevation. Plans for privacy screening must be submitted and approved by the ARC. (Refer to image below)



7. **Exterior Lighting.** See the Declaration. Additionally, all lighting for the buildings and walk areas shall be concealed or recessed into the structure where possible. Also, where wall mounted fixtures or bollard type lighting for pedestrian circulation areas are required, all lighting will be of a type that has the luminaire of the fixture shielded from view from any angle with the exception of the area

intended to be illuminated. A high quality illuminated house number is also required. The ARC preferred vendor and signs can be found at <https://qualarc.com/address-plaques/serrano-standard> or <https://qualarc.com/address-plaques/the-edgewood>. No permanent colored lighting will be permitted. Exceptions may be made for seasonal decorations as a temporary condition.

Florescent fixtures are to be fitted with “warm” lamps.

8. ***Utilities.*** All utilities including, but not limited to, natural gas, electricity, telephone and cable TV shall be located underground.
9. ***No Storage Sheds.*** Storage needs should be anticipated in the planning stage and will be required to be an integral part of the design of the building.
10. ***Fire Pits.*** No wood burning fire pits allowed.
11. ***Temporary Structures.*** No temporary structures, trailers, campers, motor buildings, tents, shacks, or similar structures shall be used at any time on the lot. During construction, a temporary construction trailer may be allowed.
12. ***Construction Materials.*** Storage, Clean Up, and Debris. Upon request, a summary of acceptable procedures and guidelines can be provided to the Owner and/or General Contractor prior to construction commencing. Construction materials shall not at any time prior to or during construction be placed or stored in the street or placed anywhere else so as to impede, obstruct or interfere with pedestrians within the street right of way. Construction materials shall be removed from the entire Lot within thirty (30) days of substantial completion of construction.
13. ***Construction Sites and Surrounding Road.*** Shall be kept clean, neat, and well organized, keeping all dirt, mud, concrete cleaned up daily. Any construction debris shall be the responsibility of the Building Contractor and Owner and shall be kept

clean and properly stored. If construction debris blows onto another Owner's lot, it is the responsibility of the Owner's Contractor to clean it up immediately. If not conforming, Black Bull will clean and charge Lot Owner. No dumping is allowed on any non-under construction lot. There is no onsite dumping in Black Bull. All contractors are responsible for haul off of materials. Contractors shall be aware of the annoyance of excessively loud radios and music disturbing the neighboring properties, and take steps to mitigate this problem. Of particular concern to the Declarant is street cleanliness. Any construction debris, and most especially dirt, gravel, rocks, and concrete which find their way into the street shall be removed by the end of every business day. Owners are highly encouraged to notify their Building Contractors in writing of this important condition prior to signing their construction contract with them.

14. *Grading and Drainage.* It is the Owner's responsibility not to alter grades in such a way that would affect the overall drainage pattern of each individual lot. It is however, encouraged that grading be used to create a private garden(s). Mounding and earth berms are encouraged if they fit into the homeowner's landscape design and accommodate prescribed lot drainage and are natural in appearance per ARC approval. Grading plans indicating drainage must be submitted to the ARC with the landscape package for review and approval. All grading plans which change a lot's drainage pattern should be prepared by a landscape architect, soils engineer, or a civil engineer to ensure proper design.

- a. Positive drainage shall be maintained away from all surrounding property lines and on-site buildings.
- b. Surface drainage swales within lots are to be directed towards the drainage swales at the street or to existing, natural drainage courses on site.
- c. Retaining walls to be less than 4' in height. Walls shall be noted on grading/landscape plan with height and proposed materials which shall tie into the architectural building materials. All retaining walls are to be reviewed and approved prior to construction.

15. ***Stream Side Lots.*** Lots with existing stream courses must adhere to setback restrictions defined by the Army Corps of Engineers. No grading or manicured landscaping is allowed within the setback boundaries defined on the Lot. No structures are permitted within the setback boundaries, including walking bridges crossing the streams. Stepping stones placed next to the stream are permitted.

16. ***Hardscaping and Structures.*** Hardscape features such as patios, walkways or courtyards shall be labeled on the site/landscape plan with proposed materials. Special consideration should be given to drainage and storm water management of hardscape surfaces. Any outdoor living amenities such as pergolas, outdoor kitchens and grills, gas fire pits, etc. must be within the building envelope and designed to be complimentary to the house. Details or elevations shall be provided with dimensions of all elements and proposed materials. Hardscape plans for proposed improvements is required to be submitted to the ARC for both new construction and homes currently in place within the community.

Landscaping

Landscaping is required to enhance the value of the property and aesthetics of the site. These guidelines are intended to promote creativity while giving the lot owner a conceptual pattern for how residential sites can be landscaped to enrich the environment and value of the whole Black Bull community while also providing continuity. The entire site shall be landscaped and maintained, including up to the actual edge of the road. Landscape, grading and irrigation system type with projected irrigation water usage calculations shall be submitted and approved by the ARC. Irrigation head location and line layout is not required. As a landscape plan is developed, consideration must be given to surrounding neighbors concerning view corridors such as mountain ranges, golf course views and sun penetration to their site. Consider the height of trees at maturity and screening areas of the residence such as utilities, parking spaces, hot tubs, etc. Owners shall maintain the transition from the formal landscaping around the buildings and the Open Space areas that will be maintained according to the Open Space Management Plan. Lots adjacent to the golf course require special consideration with respect to how the proposed plantings will influence visibility for golf play and safety for the lot's resident, as well as the appropriate landscape transition between building foundation plantings and lawn and the open green belt characteristics of the golf course.

In no case shall the mown turf area of the landscaping exceed 10,000 square feet and sod must be installed for all turf areas. A permanent underground sprinkler system will be required with automatic timer controller. Irrigation system timers/clocks are required to be on the exterior of the home as part of the ARC approved landscape plan. Smart irrigation practices such as drip irrigation systems, appropriate zoning and moisture/weather sensors should be implemented to reduce overall water use. Native seed must be hydro-seeded or drill seeded. The use of straw mulch for seed establishment is prohibited. Temporary irrigation is recommended for establishment of native seeding (especially for seeding in summer months) for up to two years and shall be zoned separately. Landscaping must be completed within sixty (60) days of occupancy, weather, and season permitting.

Landscaping Maintenance: Lawns and landscaping shall be maintained in a manner that shall not detract from the appearance and value of the adjoining lots or diminish the aesthetics of the subdivision. Infractions will be dealt with as set forth in the Declaration. The intent of this provision is to ensure that every lot in the project is maintained in a uniform manner.

Landscaping Requirements for Individual Residences

Each proposed residence will provide a Landscape Plan prepared by a landscape professional for review and approval by the ARC. Plans shall be a minimum scale of 1" = 20' with property lines, building footprint and setbacks shown. Landscape plans to show all foundation and perimeter plantings, any existing vegetation, irrigation system plans, lighting, hardscape, and any other landscape elements. Landscape lighting shall be low voltage and clearly shown on the plan with descriptions. All proposed vegetation to be listed in a plant schedule/table with Botanical Name, Common Name, installed size and quantity.

In addition to the landscape requirements of the ARC, the following foundation plantings will be required for every eight (8) linear feet of foundation wall, the owner will be required to provide and plant as a minimum one (1) small ornamental tree, one (1) evergreen shrub, or one (1) deciduous shrub as defined in the Black Bull Design Guidelines. This landscape plan will be designed to soften the transition between the building and the landscaped lot and will be consistent with the approved landscape plan of the Project. Landscaped beds shall be edged with metal edging and mulched with rock mulch or shredded bark mulch of a natural color. A photo of mulch material must be submitted.

Rear yards shall be designed to be consistent with the palette of the golf course. Landscape around the golf course helps frame the playable areas of the course and trees are located at property lines to define views. The rear yard landscape should be designed as an extension of the golf course landscape and all plant material should be

complimentary to the existing plants. See typical landscape Plan Exhibits A-1 to A-4 for examples.

There will be a minimum of eight (8)* trees and fifty (50) shrubs planted per lot. The trees and shrubs are to be within the following minimum size requirements.

Evergreen Trees

8' in height

Use of mixed and larger sizes encouraged.

Deciduous Shade Trees

2" trunk caliper, measured 6" above base of trunk

Shrubs

5-gallon container – unless property owner elects to provide a total number of plantings that *greatly exceeds* the minimum number required and smaller sized shrubs are considered sufficient. In this instance, shrub sizes to be reviewed on a case by case basis.

*Aspen. All aspen trees are to be planted in clusters of a minimum of five (5) trees. Each cluster will be counted as one (1) tree to lot calculation.

There will be a minimum of eight (8) trees required per lot and all trees must meet minimum size requirements listed above. Twenty Five percent (25%) of the required trees must be evergreens. Trees are encouraged to be planted in clusters rather than regular intervals around the property and shall be a variety of sizes. Shrubs and perennials shall be used to provide a transitional mass from the tree clusters to the lawn surfaces. Perennials and ornamental grasses are encouraged for seasonal color and will be reviewed per project. Deciduous trees and shrubs can be placed on the southern and western sides to provide shade in the summer months and allow sun to penetrate to the building during the winter months. Additionally, for each building built directly adjacent to another building, one (1) large canopy or one (1) large non-canopy tree shall be provided for every thirty feet (30') of adjacency. In the event that a large tree is inappropriate, two (2) small ornamental trees may be substituted. Definitions for

plantings are defined in Exhibit A. Upon initial installation, trees needing temporary support until roots have established will use wooden tree stakes. No steel posts will be allowed. The remaining balance of the lot square footage shall be tree and shrub plantings and clusters with edged beds, and areas of natural grass from the golf course landscape palette as defined above. See Appendix A for approved tree and shrub species.

The landscape plan may propose a reduction in the number of trees required based on special circumstances such as properties adjacent to the proposed site are fully vegetated and provide enough screening between residences or meeting requirements would significantly impair a view or other special constraints. Each proposed reduction in plantings will be evaluated on a case by case basis.

APPENDIX A – Approved Plant Material

TREES

Evergreen Trees

Botanical Name	Common Name	Description
<i>Juniperus scopulorum</i> spp.	Rocky Mountain Juniper	Pyramidal tree, drought tolerant, bluish color, deer resistant
<i>Picea pungens</i>	Colorado Spruce	Deer resistant, easily transplanted, windbreaks and screening
<i>Picea engelmannii</i>	Engelmann Spruce	Narrow, densely pyramidal tree, a more native looking spruce
<i>Pinus aristata</i>	Bristlecone Pine	Slow growing, irregular habit, good accent plant, protect from wind
<i>Pinus flexilis</i>	Limber Pine	Five-needle pine, windbreaks and screening, more susceptible to disease
<i>Pinus nigra</i>	Austrian Pine	Deer eat lower branches, dense long needles
<i>Pinus ponderosa</i>	Ponderosa Pine	Large growing, nice cones, Montana's state tree
<i>Pinus sylvestris</i>	Scotch Pine	Character tree with showy red bark
<i>Pseudotsuga menziesii</i>	Douglas Fir	Very large growing native tree, attracts butterflies

Ornamental Trees

Botanical Name	Common Name	Description
<i>Acer ginnala</i> 'Flame'	Amur Flame Maple	Fall Color and interesting bark, irregular habit
<i>Acer tataricum</i> 'GarAnn'	Hot Wings Tatarian Maple	Scarlet-red color in midsummer, more tolerant of alkaline soils
<i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	Autumn Brilliance Serviceberry	Four season tree with uniform habit, orange-red fall color
<i>Crataegus</i> spp.	Hawthorn	Deer resistant, flowers slowly and not too large
<i>Malus</i> spp.	Crabapples	Variety of pink, red, or white flowers - showy spring
<i>Prunus maackii</i>	Amur Chokecherry	Excellent four season tree, interesting bark and yellow fall foliage
<i>Prunus nigra</i> 'Princess Kay'	Princess Kay Plum	Early white spring flowers, orange to maroon fall color
<i>Prunus virginiana</i> 'Canada Red'	Canada Red Chokecherry	Easy to grow, summer purple leaves, suckers freely
<i>Pyrus ussuriensis</i> 'Bailfrost'	Mountain Frost Pear	Hardest of the pears, showy spring flowers and great fall color
<i>Syringa reticulata</i>	Japanese Tree Lilac	Slow growing, deer resistant, good small ornamental tree

Shade Trees

Botanical Name	Common Name	Description
<i>Acer platanoides</i>	Norway Maple	Deer resistant, creates heavy shade, large leaves
<i>Acer rubrum</i> 'Northwood'	Northwood Red Maple	Excellent orange/red colors, good sun scald protection
<i>Aesculus glabra</i>	Ohio Buckeye	Character tree with great fall color, palmate leaves
<i>Fraxinus americana</i> 'Calypso'	Calypso Ash	Hardy White Ash with purple fall color, large growing shade tree
<i>Gleditsia triacanthos</i> var. <i>inermis</i>	Thornless Honeylocust	Deer resistant, small leaves with good texture
<i>Populus tremula</i> 'Erecta'	Swedish Columnar Aspen	Narrow columnar tree, good for screening and tight locations
<i>Populus tremuloides</i>	Quaking Aspen	Golden fall color, spread by suckering, recommended to plant in groupings
<i>Quercus macrocarpa</i>	Bur Oak	Slow growing large canopy tree with good form
<i>Sorbus aucuparia</i>	European Mountain Ash	Fast grower, white flowers and orange fruit with an upright form
<i>Tilia</i> spp.	Linden	Large canopy trees with good growth habit
<i>Ulmus americana</i> 'Lewis & Clark'	Prairie Expedition Elm	Hardy elm with good Dutch Elm Disease resistance

SHRUBS

Evergreen Shrubs

Botanical Name	Common Name	Description
<i>Juniperus horizontalis</i> spp.	Creeping Juniper	Deer resistant, hardy low growing
<i>Juniperus sabina</i> spp.	Savin Juniper	Good ground cover, various form and color options
<i>Picea abies</i> 'Nidiformis'	Bird's Nest Spruce	Slow growing dwarf plant
<i>Picea abies</i> 'Pendula'	Weeping Norway Spruce	Specimen plant with a weeping habit, dark green foliage
<i>Picea pungens</i> 'Globosa'	Dwarf Globe Blue Spruce	Deer resistant, globe shaped evergreen
<i>Pinus mugo</i> spp.	Mugo Pine	Deer will eat, textural shrub with a variety of size options

Deciduous Shrubs

Botanical Name	Common Name	Description
<i>Acer ginnala</i> 'Bailey Compact'	Bailey Compact Amur Maple	Dense growth habit with good fall color
<i>Amelanchier</i> spp.	Serviceberry	Showy understory shrubs and small trees
<i>Arctostaphylos uva-ursi</i>	Bearberry	Reportedly deer resistant, slightly taller than native Kinnikinnick
<i>Aronia melanocarpa</i>	Black Chokeberry	Deep maroon fall color, purple/black fruit
<i>Berberis thunbergii</i> spp.	Japanese Barberry	Deer resistant, varieties available
<i>Cornus</i> spp.	Dogwood	Native shrubs, some flowering and have great winter interest
<i>Cotoneaster lucidus</i>	Peking Cotoneaster	Hardy shrub with excellent maroon fall color and black fruit
<i>Euonymus alata</i> 'Compactus'	Dwarf Burning Bush	Exceptional red fall color, good winter interest
<i>Hydrangea arborescens</i> 'Annabelle'	Annabelle Hydrangea	Good in shady areas, enormous white globular flower clusters
<i>Philadelphus</i> spp.	Mockorange	Large fountain-like shrubs with fragrant flowers in spring
<i>Physocarpus opulifolius</i> spp.	Ninebark	Seasonal interest with flower clusters, colorful foliage, peeling bark
<i>Potentilla fruticosa</i> spp.	Potentilla	Easy to grow shrubs with a variety of flowering options
<i>Prunus x cistena</i>	Purpleleaf Sand Cherry	Glossy maroon foliage, good accent plant
<i>Rhus</i> spp.	Sumac	Mass plantings, fall color, and groundcovers
<i>Ribes alpinum</i> 'Green Mound'	Dwarf Alpine Currant	Hardy plant with glossy green foliage, tolerates shade
<i>Rosa</i> spp.	Shrub Roses	Deer resistant, variety of flowering and size options
<i>Salix purpurea</i> 'Nana'	Dwarf Blue Leaf Arctic Willow	Fast growing textural shrub with blue-green foliage and purple stems
<i>Spiraea</i> spp.	Spirea	Deer resistant, variety of flower colors and sizes available
<i>Symphoricarpos albus</i>	White Snowberry	Native plant with bluish-green foliage, white berries in fall
<i>Syringa</i> spp.	Lilacs	Fragrant spring flowers, some drought tolerant
<i>Viburnum</i> spp.	Viburnum	Hardy, large growing, bird food

*** Any proposed shrubs/trees not on Approved Plant List may be submitted with photo and description for approval.

PERENNIALS & ORNAMENTAL GRASSES

These will be reviewed on a per project basis. Plants should be hardy to Zone 3/4 and appropriate to the area. Drought tolerant and/or native species are encouraged.

NATIVE SEED

Native Seed Mix

Botanical Name	Common Name	% of Mix
<i>Bromus inermis</i>	Smooth Brome grass	40%
<i>Pascopyrum smithii</i>	Western Wheatgrass	25%
<i>Festuca idahoensis</i>	Idaho Fescue	20%
<i>Lolium perenne</i> ssp. <i>Multiflorum</i>	Annual Ryegrass	10%
<i>Poa secunda</i> ssp. <i>Canbyi</i>	Canby Bluegrass	5%
Seeding Rate: 25 lbs/acre		

EXHIBIT A - 1**SHRUB MASSINGS**

Shrubs, grasses and ornamental trees to be selected to harmonize with each other and to provide color and textural contrasts.

TREE PLANTING AND UNDERSTORY COMPOSITION

Pines and canopy trees have raised canopies that are enhanced with understory planting. Coniferous and deciduous shrub material to be used to complete groupings.

Aspen groves in the rear yard that extend from the golf course require deciduous shrub planting as an understory.

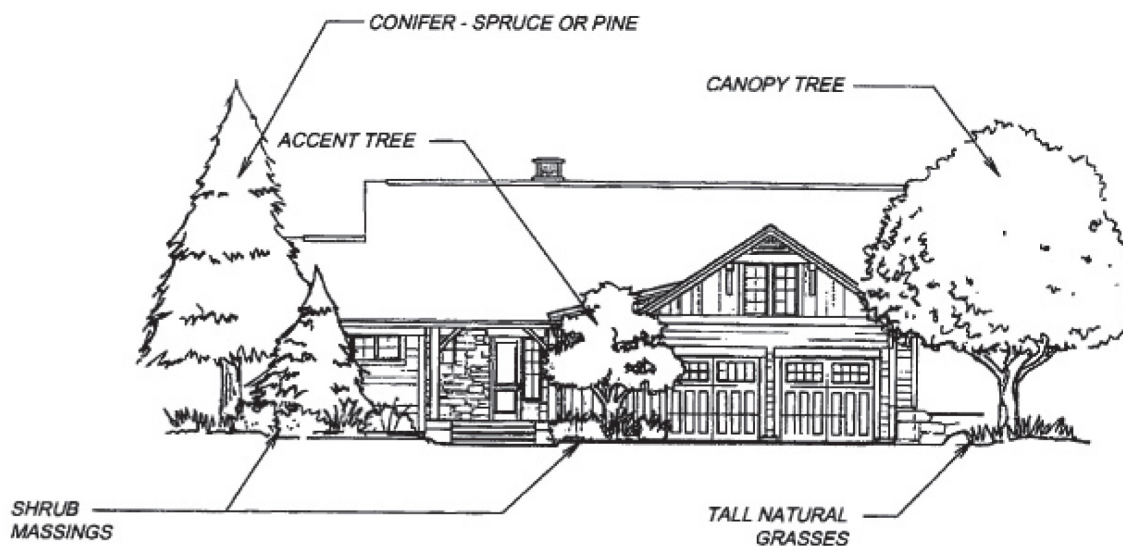
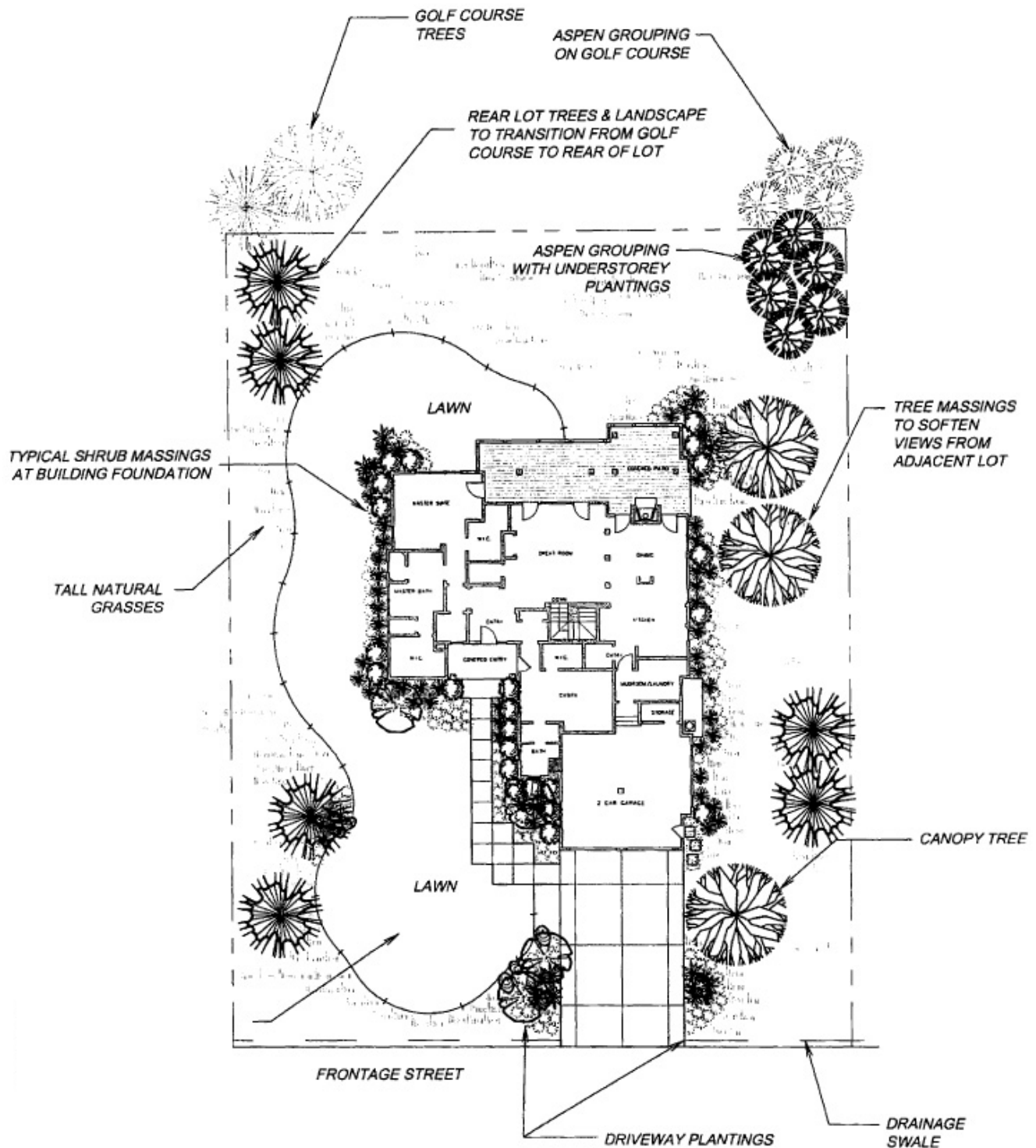
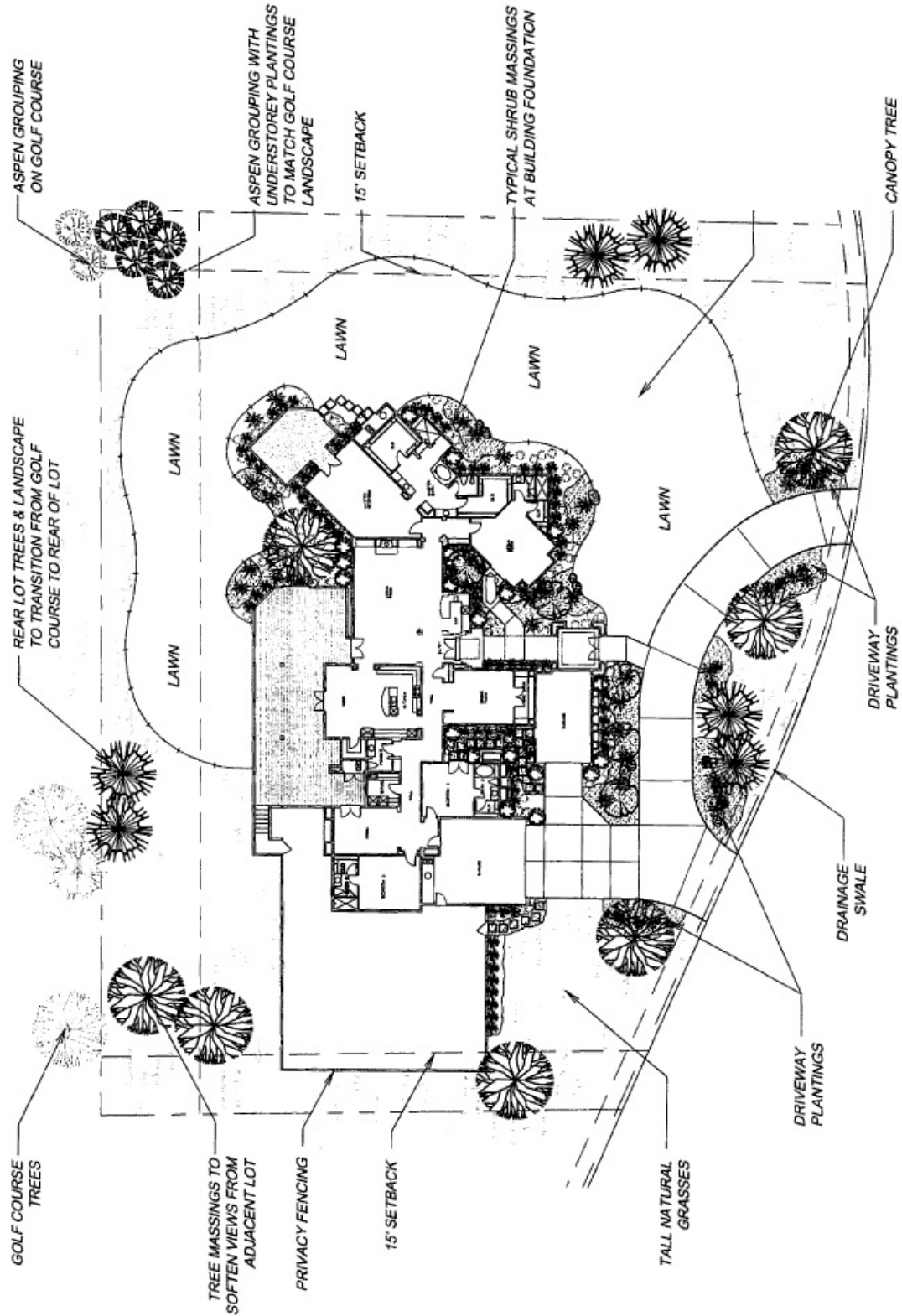


EXHIBIT A - 2

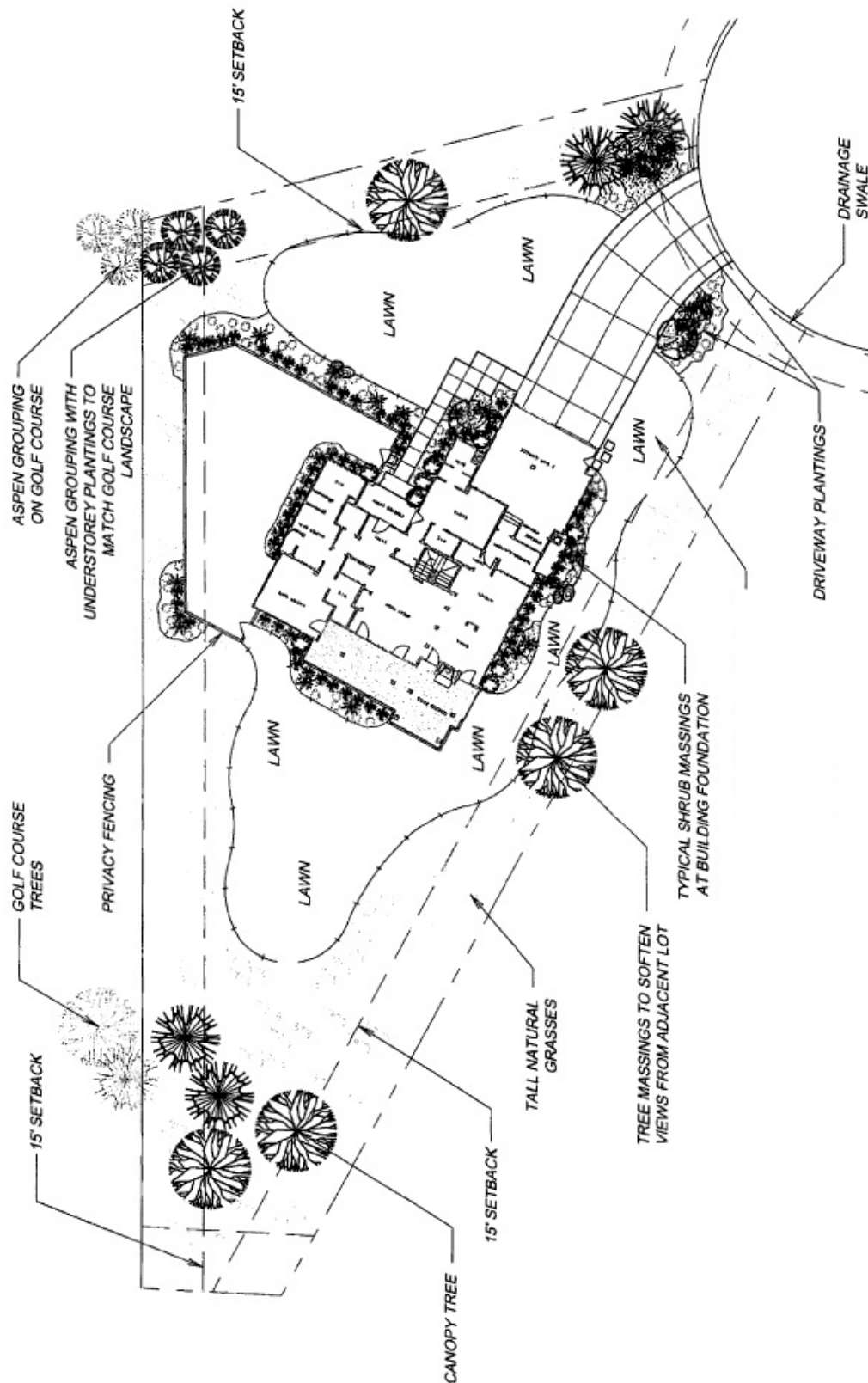


TYPICAL LANDSCAPE PLAN

EXHIBIT A - 3



TYPICAL LANDSCAPE PLAN 2

EXHIBIT A - 4

TYPICAL LANDSCAPE PLAN 3