



MISSION BAY DESIGN GUIDELINES MANUAL



FLATHEAD LAKE COMMUNITY

**Polson, Montana
April 2021**

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Introduction

Welcome to living in Mission Bay, the City of Polson and the state of Montana.

On behalf of the Mission Bay Community, property owners, and residents; this document has been updated to guide those wanting to build a new home or remodel and update their existing residence here in Mission Bay.

We encourage you to have a working knowledge of this document as you begin, implement and complete new or updated work on homes here in Mission Bay. The document is meant to act as a guide and proposed designs can be reviewed on a case-by-case basis to respect individuality within the framework established in these Design Guidelines.

The local Mission Bay Community Design Review Committee is here to assist, answer questions and guide residents thru all individual and unique design and construction projects located here in our special community we call home.

The Community of Mission Bay

The Property

The Mission Bay Golf Community is located on the south end of Flathead Lake, nestled into a magical space where the spectacular Flathead and Mission valleys come together in the town Polson in Lake County of Northwestern Montana.

Mission Bay enjoys an open lakeside setting with rolling hills affording spectacular vistas of Flathead Lake, the Mission Mountains and the newly reconfigured Polson Country Club - all in a warm, friendly, relaxed Montana environment.

Secluded due to the exclusive access off Highway 35, yet conveniently accessible via highway 93 from Missoula and Kalispell, Mission Bay's location creates the perfect opportunity for golf course living right on the shores of Montana's largest natural lake.

The Community

The Mission Bay Golf Community occupies approximately 175 acres and up to 300 home sites. Convenient access to the 27-hole Polson Bay Golf Course, owned and operated by the City of Polson, is available to all residents. Access to the Mission Bay Community amenities, provided to all residents, will include the private beach on Flathead Lake, walking trails, the Community Center with a tennis court, pickleball courts, swimming pool, spa, fitness center and clubhouse activities.

Mission Bay will provide a diverse product and price range for equally diverse homeowners. Home sites range from approximately 4,000 square foot Golf Court Home sites to 40,000 plus square foot custom home sites. Although diverse, the architectural fabric of Mission Bay will remain consistent for all product segments.

The Purpose of the Design Guidelines

Overview & Intent

There are few creative opportunities that equal the excitement and experience of designing, building or remodeling your own home.

From the initial design sketches, through ground-breaking and construction, to adding the final finishing touches, the process of creating a unique home can be a very rewarding experience.

The Design Guidelines provide a design “theme” for every home within the community of Mission Bay. They are written to inspire innovative and creative home designs, but are not intended to be used as a restrictive set of rules. Drawings and sketches found in this document are conceptual and are open to creative interpretation by design professionals.

These Design Guidelines will remain flexible over time, creating the opportunity to respond to market trends, buyer tastes, property owners’ and community association needs, and economic market cycles.

The Guidelines are a framework that provides the homeowner with a method of directing their builders and designers, while maintaining consistent, quality design throughout the neighborhood. A model is then established for future design modifications or remodels to both the home and property. In addition, the Mission Bay landscape standards become the theme that visually unites the community and its evolving character. These Design Guidelines are the means to preserve the individuality, quality, integrity and enduring value expected by every homeowner.

Organization & Content

The Mission Bay Design Guidelines are organized into six sections:

Section I - Community Overview; provides the overview and vision of the Community, and the intended use of the guidelines.

Section II - Community & Neighborhood Character; provides information regarding themes and features within Mission Bay such as parks, recreation, and golf.

Section III - Architectural Design Manual; illustrates specific descriptions and sketches communicating the Mission Bay style of architecture and their appropriate use.

Section IV - Landscape Design Manual; includes landscape requirements and plant materials.

Section V - Design Review & Approval Process; outlines the procedures to gain approval for home design and construction.

Section VI - Appendix; contains definitions of items frequently used in this document.

The architectural and landscape elements promote cohesiveness throughout Mission Bay. The community landscape standards establish the overall landscape character and theme. Additionally, they act as a catalyst for the development of a community composed of native and ornamental plant materials as well as hardscape finish treatments.

The Design Guidelines, along with the Covenants, Conditions and Restrictions (CC&R’s) are intended to preserve and maintain the inherent qualities of the property. They also support the protection and promotion of property values within the Mission Bay Golf Community.

The successful implementation of the Design Guidelines ensures the Mission Bay Golf Community remains an extension of the natural attraction and stunning beauty of Flathead Lake while securing an exceptional and gratifying environment in which to live and recreate.

Community Planning of Mission Bay

Overview

The goal of the Mission Bay design team is to maintain a lakeside and golf course community that is sensitively integrated into the natural beauty of Flathead Lake and the Mission Mountains.

The team hopes to achieve this goal by developing a land plan that embraces a balance of land uses.

Residential areas have been planned to maximize exposure to the views of the lake and mountains as well as the golf course.

The Community of Mission Bay is the weaving together of neighborhoods into the fabric of the natural landscape.

The open personality of the community is continually reinforced as the natural environment surrounds property owners.

The Mission Bay Homeowners Association

Membership

All Mission Bay property owners are enrolled as members in good standing of the Mission Bay Homeowners Association (MBHA).

Members are thereby subject to the Rules, Regulations, Covenants, Conditions and Restrictions (CC&R's) and By-laws of the Mission Bay Homeowners Association (MBHA) and the Design Review Guidelines.

Please visit the Mission Bay Information Center for more details and copies of all current CC&R's and Mission Bay Homeowners Association By-laws.

Membership and responsibilities of membership similarly extend to all individuals renting or leasing property from Mission Bay property owners, as well as homebuilders purchasing for the purpose of construction of homes. For more information about the Mission Bay approval process please refer to Section V - Design Review and Approval Process.

Community Character

Community Identity & Themes

The personality and identity of Mission Bay is created by the consistent application of traditional architectural themes found throughout the Northwest.

This “Northwestern Traditional Theme” permits a wide range of styles, creating an eclectic community and providing individuality to each neighborhood and the homes they comprise.

The Mission Bay theme is the primary influence that characterizes the community’s lifestyle, amenities, landscape and architecture. Mission Bay:

- Offers traditional charm and substance rather than a contemporary facade of glitz and glamour;
- In design and execution will be a distinctive balance of traditional good taste, timeless character and classic beauty.
- The Northwestern Traditional Theme can be described as an eclectic mixture of traditional architectural styles, which are prevalent within both urban and rural environments throughout the Northwest. Home designs tend to be based on the function of long-term practicality rather than passing trends. The partnership of materials, colors and landscape integrated with the architectural details and elements, cause each home to emerge with a unique but traditional western personality.
- Throughout these guidelines you will find examples and descriptions of various architectural styles that are appropriate or inappropriate applications for Mission Bay. Regardless of what style is chosen, the important factors are a balance of form, massing, scale and siting within the community.

Neighborhood Identity & Themes

- The unifying theme of the community is expressed within each neighborhood through entry monumentation, signage, color palettes and street tree landscaping treatment. The design and management of these elements has been thoughtfully orchestrated to provide a subtle sense of individuality and cohesiveness to each neighborhood of Mission Bay.

DESIGN GUIDELINES
FOR THE COMMUNITY OF MISSION BAY
SECTION II – COMMUNITY & NEIGHBORHOOD CHARACTER

Community Features

Community Parks & Recreation

The Community of Mission Bay provides a variety of recreational opportunities and amenities for the property owners. Future expansion will occur in close conjunction with the building and pace of development for each neighborhood area.

The recreational focal points of Mission Bay are the prestigious 27 hole Polson Country Club (owned and operated by the City of Polson) featuring a pro shop and restaurant and beautiful Flathead Lake.

Nestled on the shore of Flathead Lake near the heart of the community is the Mission Bay Community Beach Park. This facility includes a swimming beach and dock, and a barbecue and picnic area. There will also be a continuous walking loop through the community consisting of trails and roadways.

The Mission Bay Community Center features tennis courts, swimming pool, spa, fitness center and clubhouse.

Golf Course Orientation

Mission Bay Golf Community's scenic setting along the shores of Flathead Lake showcases rolling hills, a willow-lined lake front, expansive Flathead Lake and Mission Mountain vistas, golf course views and frontages - all in a warm, relaxed Montana environment.

These natural attributes have been magnificently married with an exceptionally designed John Steidel 9-hole addition to the renowned Polson Bay Golf Course.

Mission Bay home sites feature spectacular golf course, lake and mountain views while offering amazing values enabling a wide variety of residents to enjoy golf course living.

The Mission Bay Development team has striven to create a land plan with home sites appropriately positioned to take full advantage of golf course views.

Safe landing zones, golf frontage setbacks and proper home siting are designed to optimize site orientation.

Acceptable Architectural Styles

The rich character and personality of Mission Bay is established through the consistent application of the Northwestern Traditional Style in concert with the Mission Bay theme.

The Northwestern Traditional Style can be characterized as a blend of architectural styles typically seen throughout the Northwestern region.

Pure and contemporized versions of the appropriate styles are accepted.

Examples of appropriate architectural styles are:

- Contemporary Folk
- French Country
- English Country
- Craftsman Style
- California Bungalow
- Prairie
- Shingle
- Queen Anne
- Folk Victorian

Inappropriate examples are:

- Colonial
- Spanish
- Italian Renaissance
- Modernistic
- International
- Greek Revival
- Second Empire Victorian
- Log Homes

The primary goal of the Design Guidelines is to create homes with proper balance, form, massing and scale.

The following basic criteria establishes the essential characteristics that will promote and support these goals:

- Balanced massing either symmetrical or asymmetrical.
- Strong roof forms such as gabled, hipped, or shed roof are preferred, various combinations of the three are encouraged.
- Entry statement strong yet proportional with the overall structure.
- Long horizontal masses broken and counter- balanced by strong verticals.
- Front, side and rear covered porches.
- De-emphasis of the garage from the street frontage.
- Reduction of two-story impact at front and rear orientations.
- Detailing indicative of the historical style.
- Harmonious placement of the home with the site and surrounding landscape features.
- Windows and doors should be positioned proportionally on elevation facades to avoid extensive areas of blank walls with no door or window fenestration.
- Colors should be earth tones, paired with accent colors on doors, windows, shutters, etc. as appropriate.

The following pages of this section will serve as a benchmark for the design of the homes within Mission Bay. These guidelines will ultimately enable the Design Review Committee (MBDRC) to ensure the proposed home design will support the desired character of the neighborhood.

Design Criteria

Siting, Massing, Scale & Proportion

The dominance of nature over the built environment is one of the most important traits of the rural/suburban character.

The home should be oriented and designed in response to the individual characteristics of the site and its context. Integration with the topography, trees and vegetation, as well as other natural features of the land are of the utmost importance.

The massing of the home should be organized as a whole and should not appear as a mixture of unrelated forms. The massing of the forms should be established by the element's characteristic of the architectural style.

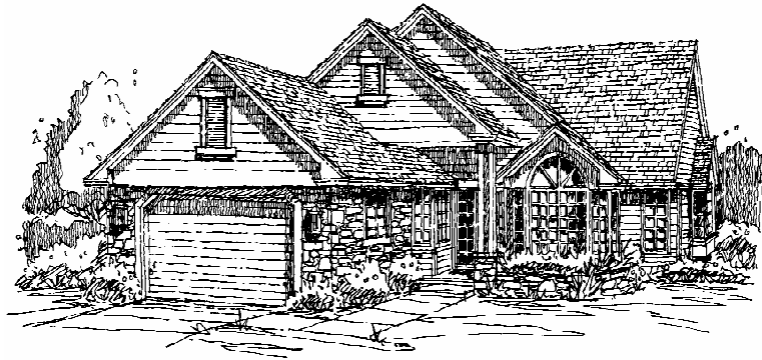
The features and elements of Mission Bay preserve and contribute to the human scale throughout the community. Bulky homes and homes that "overwhelm" the natural setting are not permitted. Specifically, simple two-story box massing with little or no relief (e.g. Colonial, Italian Renaissance, Greek Revival, Spanish, Tudor, etc.) is typically not acceptable.

By adding horizontal interplay to the massing, positive and negative space is kept in careful balance with the overall site, creating a positive expression of the home to the Mission Bay style and the community.

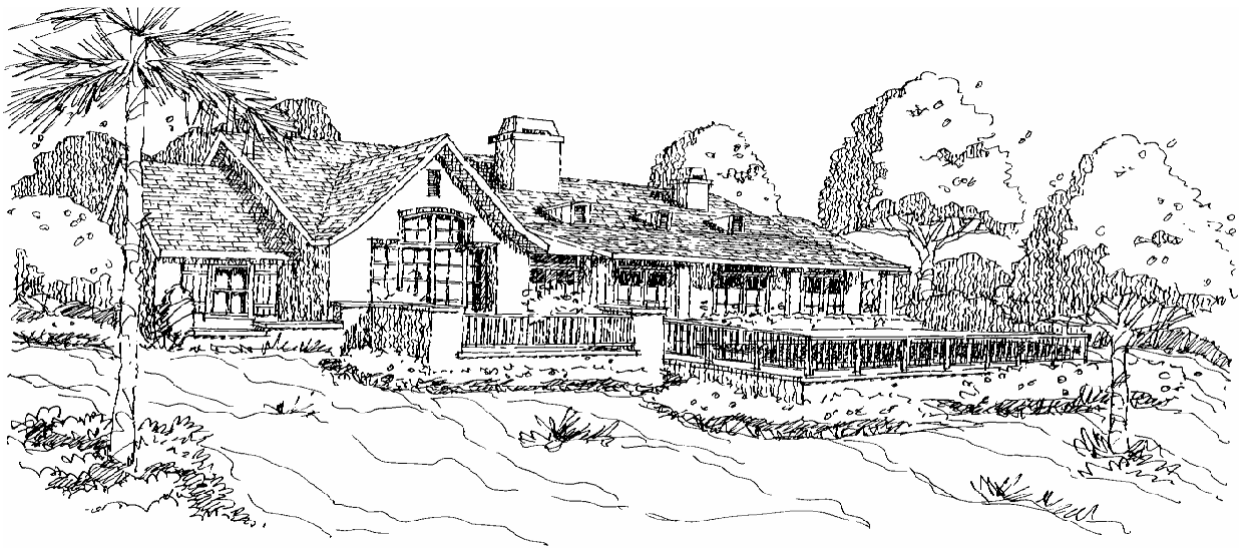
Siting, Massing, Scale & Proportion

The following techniques are appropriate means to achieve proper massing, scale and proportion:

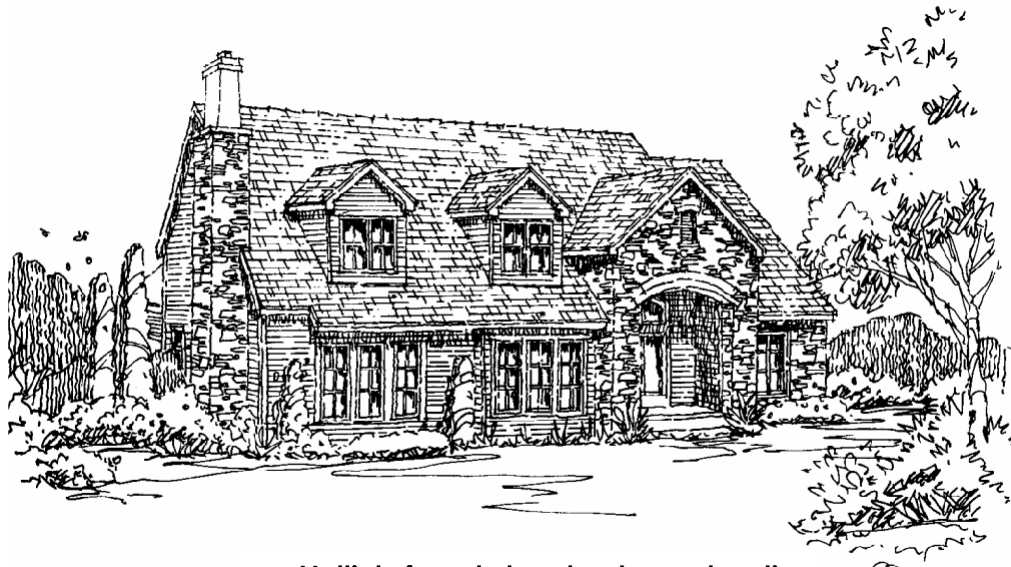
- Mixture of one and two-story components within a two-story home.
- Maximum 35% of total square footage on 2nd floor.
- Varied setbacks for various components of the home such as; garage, second floors, etc.
- Minimum of three facade element breaks at building front elevation.
- Minimum of two facade element breaks at the building rear elevation.
- Homes at one with the land, giving the sense of permanence.
- Mixture of one and two-story homes within a neighborhood.
- Utilization of ell (a wing at right angles) and porches.
- Massing characterized by a series of stepping forms.
- An assemblage of multi-dimensional components.
- Staggered offset wall planes on each façade.
- Staggered offset wall planes on each façade.



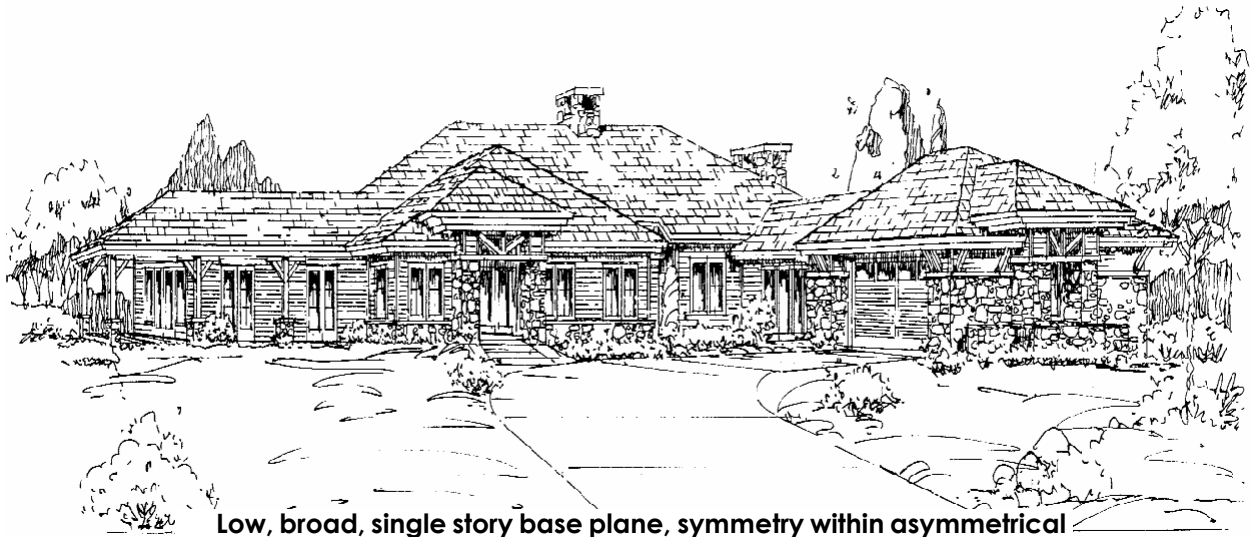
Single story home with stepped front facade



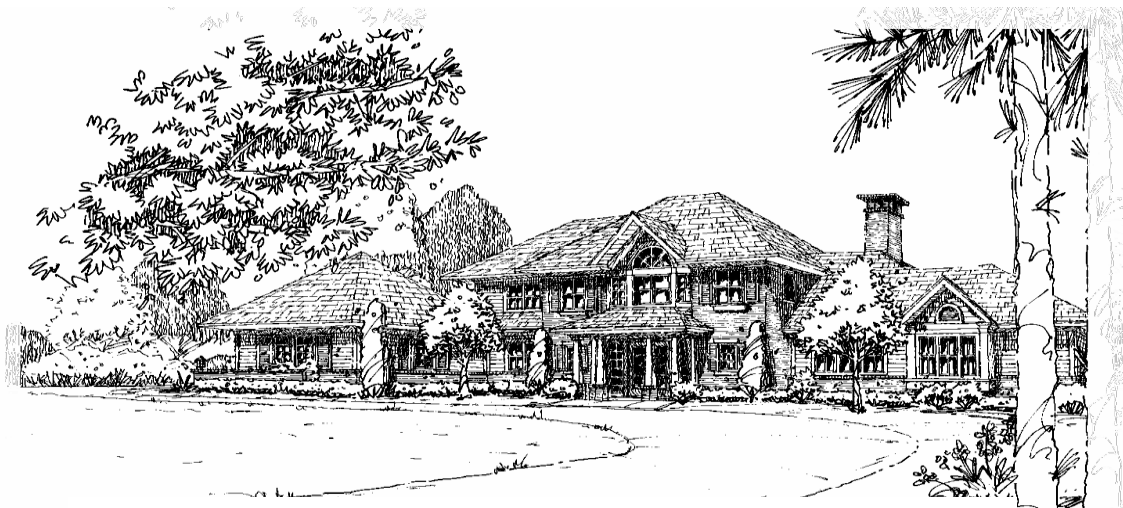
Home & rear patio integrated into the landscape



Multiple façade breaks at rear elevation



Low, broad, single story base plane, symmetry within asymmetrical



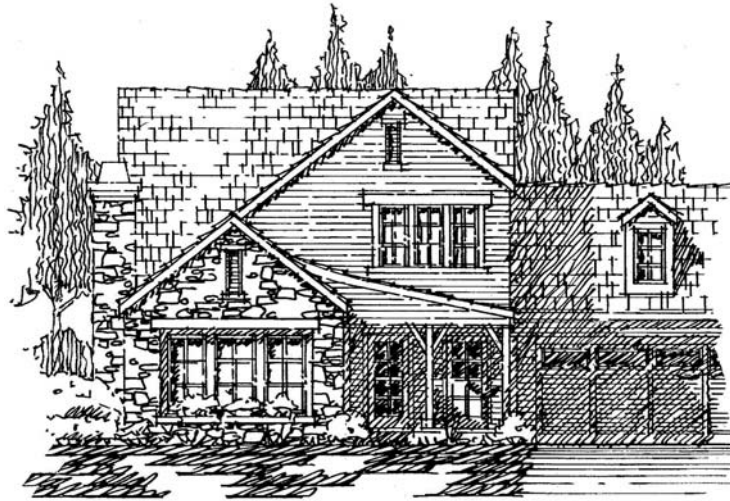
Varied building setbacks provide interest to the building

Roof Form & Configuration

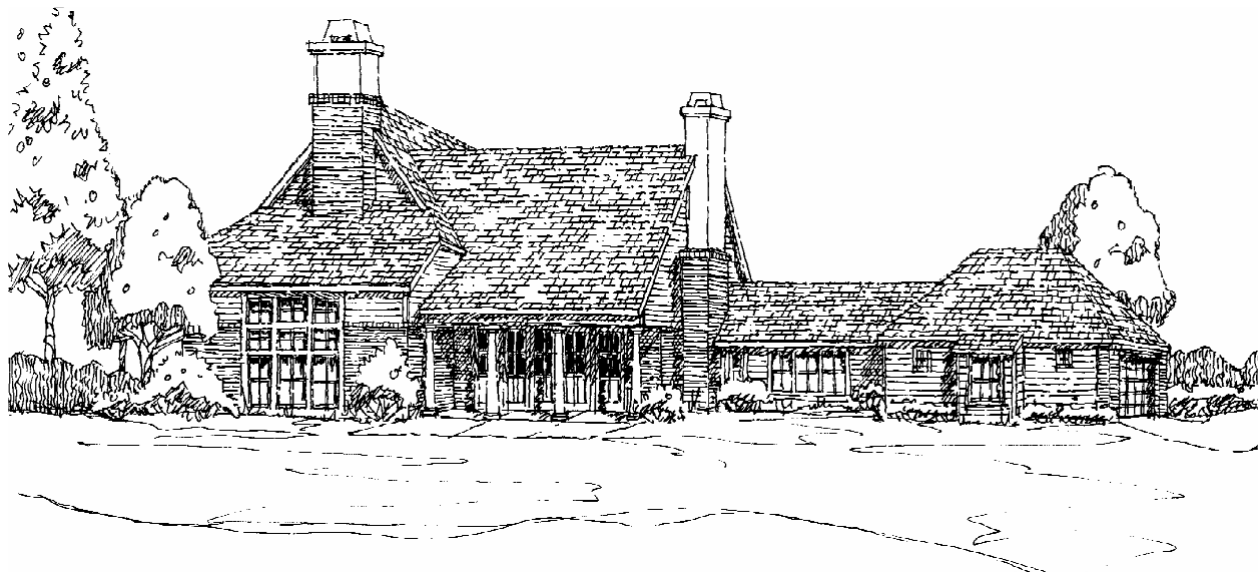
Primary roof forms of gables and hips with multiple combinations.

Shed roofs may be applied to main roof forms at porches, garages and entrances.

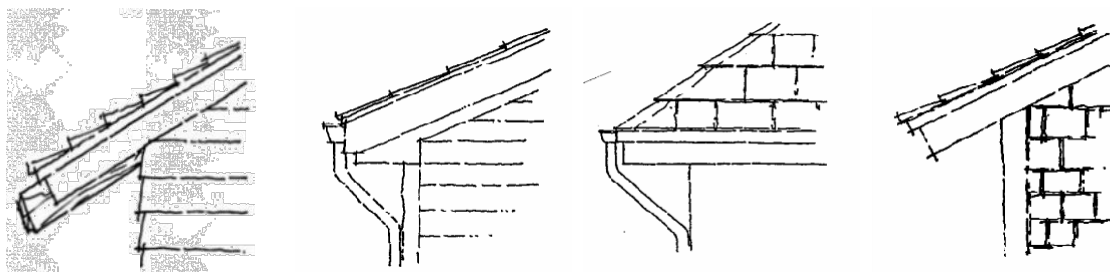
- Primary roof pitches should range from 4:12 to 8:12, secondary roof pitches and gables may be as steep as 12:12, shed roof pitch may be reduced to 3:12 when lower pitches are appropriate. Any proposed roof pitches that exceed these parameters require review and approval by the MBDRC (Mission Bay Design Review Committee).
- Punctuated roof planes with window or vented dormers.
- Minimum of 18" eave overhang.
- Second stories contained within the roof.
- Dutch gables, mansard, gambrel and saltbox forms are inappropriate.



Shed roof at porch



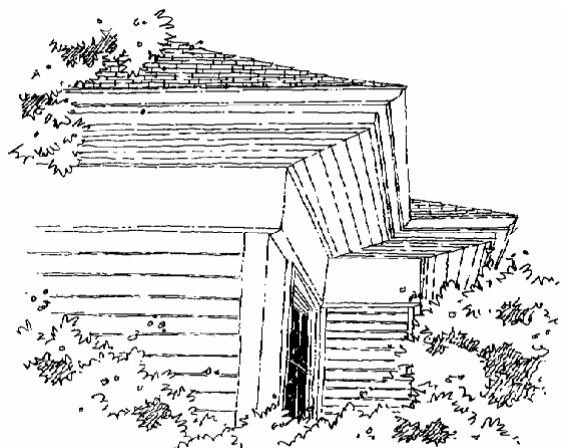
Varied roof massing creates interest



Various fascia & rake profiles



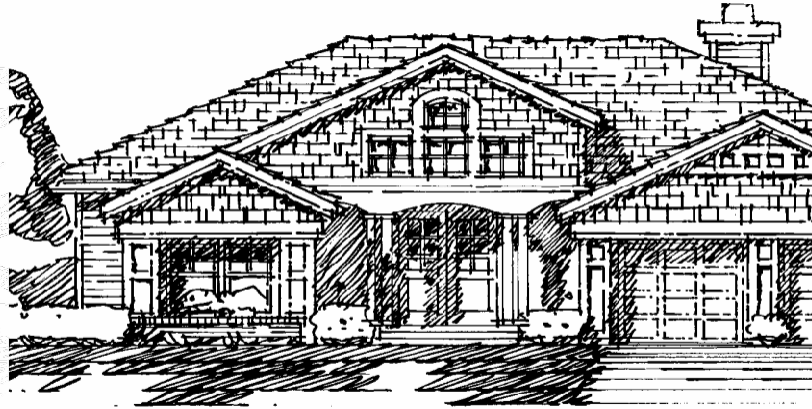
Roof lines punctuated by dormers



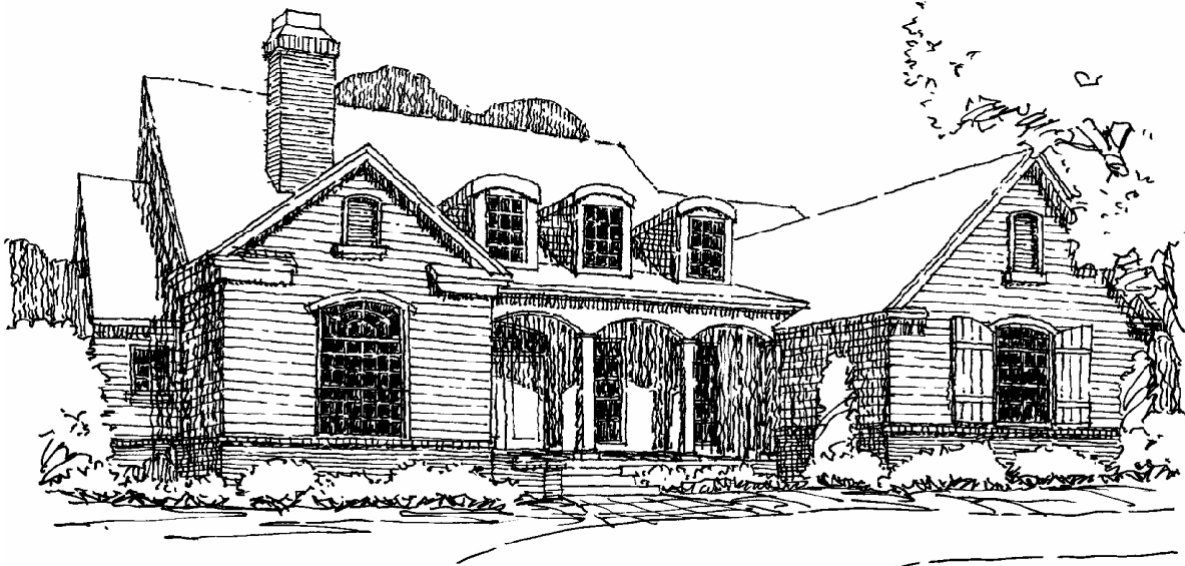
Wood or stucco fascia corbels

Building Exterior Treatment

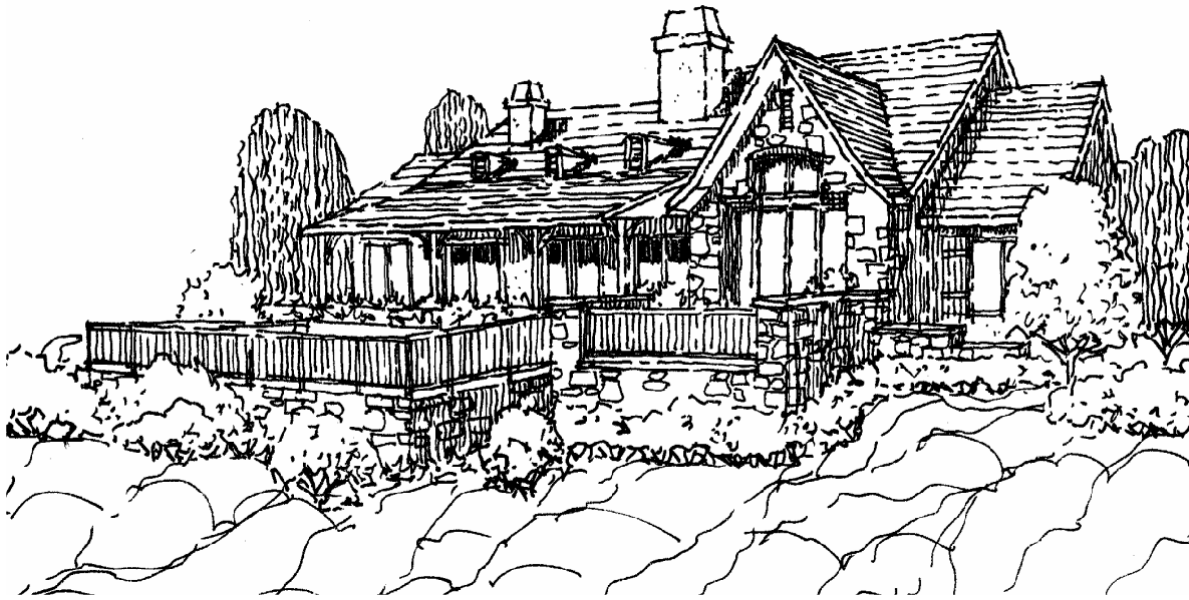
- Use of combinations of various approved finished materials.
- Use of material change (vertical and/or horizontal) to break-up building form and create movement along the façade.
- Dominant material may comprise a maximum of 90% of each primary elevation, except on side and rear elevations limited to one story only, where horizontal eaves intersect the wall plane at plate height.
- Walk-out basement walls should be treated as an extension of the main structure, using materials such as brick to form the base and transition to the ground plane.
- Exposed concrete footings are not permitted to exceed 16" above finished grade.
- Finishes are not to terminate on outside corners; minimum wrap back is 24".



Various materials create the Mission Bay charm



Material change forms foundation of home to



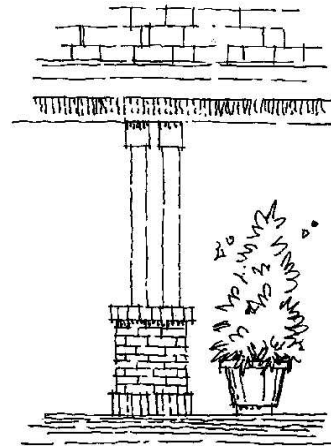
Stone retaining wall penetrates ground plane

Porch & Deck Details

- Limitless opportunities to express individual style.
- Strong horizontal base with ground hugging massing.
- Broad porches with recommended minimum depth of 7'-0" to encourage use and interaction with neighbors.
- Porches may be combined with entry elements.
- A wide variety of column details and materials are encouraged throughout the community.
- Side and rear porch / decks maybe screened or glazed.
- Variety of railing treatments are acceptable including wood & wrought iron (glass or plexi-glass is permitted on rear decks pending approval of the MBDRC).
- Simple 4 x 4 wood columns are prohibited. A minimum of one 6 x 6 singly or massed grouping of 4 - 4 x 4 columns per aggregate column cluster or grouping. See sketches below.
- All exposed wood finishes and detailing must be painted or stained.
- Decks may not encroach set-back lines.



Entry porch, comfortable scale & proportion

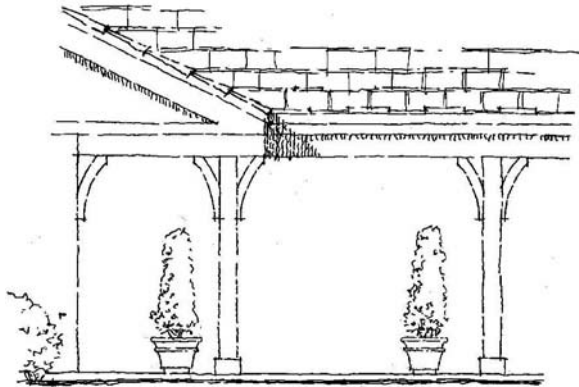


Brick pilaster with wood columns



Porch with strong horizontal base plane

**Covered porch with wood columns and
knee brace**



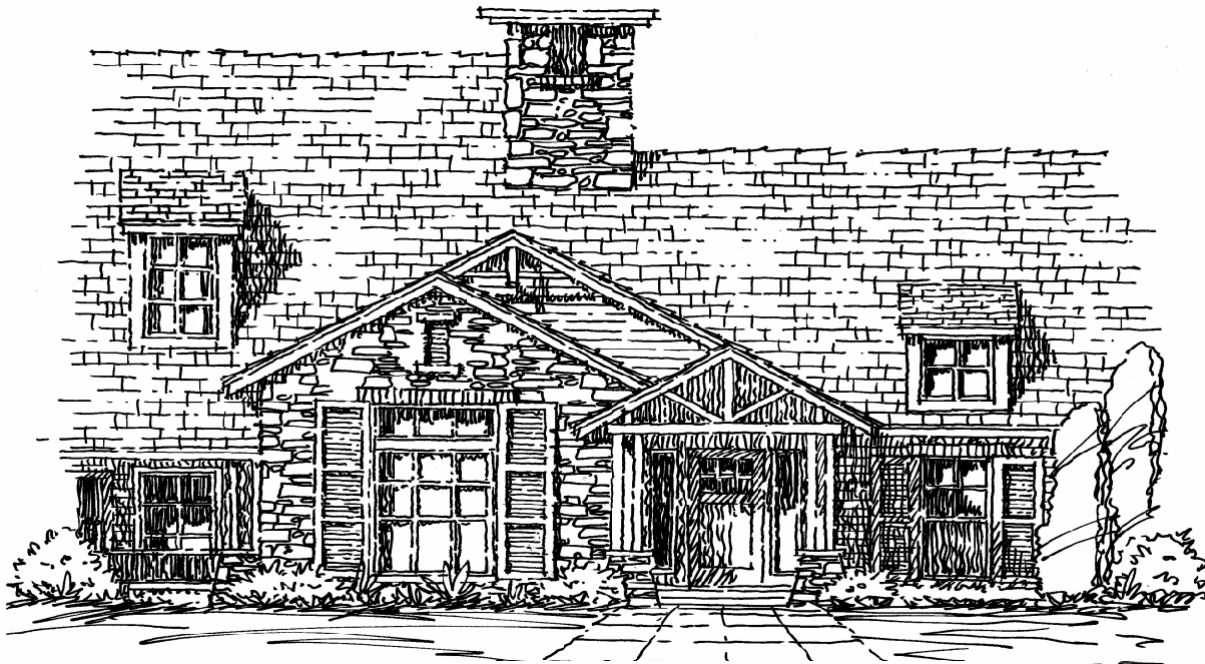
Rear covered deck with brick & wood

Entrance forms

- Symmetrically or asymmetrically located.
- Entries should be a prominent element, inviting and elegant within the home's context.
- Minimum width of 6'-0".
- Maximum height two story (1 & 1 1/2 story preferred).
- Columns of wood, brick, stone, and stucco are encouraged, proportionate with the scale of the entry.
- Side lights and transoms are encouraged at entry doors.



Symmetrical entry in combination with front porch



Wood columns & beams bring prominence to



1 1/2 story brick entry massed with front porch & second floor



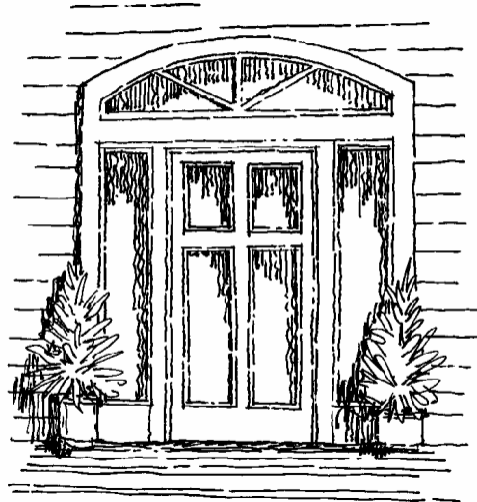
Two story gabled entry

Doors & Windows

- Window projections and window and door detailing patterns should be compatible in scale with the house and the architectural character.
- Window transoms must be proportionate in the wall plane; Large wall planes with undersized windows and minimal detailing are inappropriate.
- Careful attention to the proportion of wall surface height between the top of window/transom to fascia, rake and soffit should be considered.
- Window and door treatment characteristics include;
 - Half and soft (flattened) arch
 - Multi-paned
 - Oversized shutters, matching window shape
 - Bowed or angled bays
 - Stucco, brick, wood and quoin window and door surrounds
 - Planters or pot shelves
 - Doors with lintels and border stone surrounds
 - Accent windows in various shapes (round, oval, hexagonal)
 - Accent colors applied at entry doors
 - Window trim colors should be the same thru out.



Shed dormer window



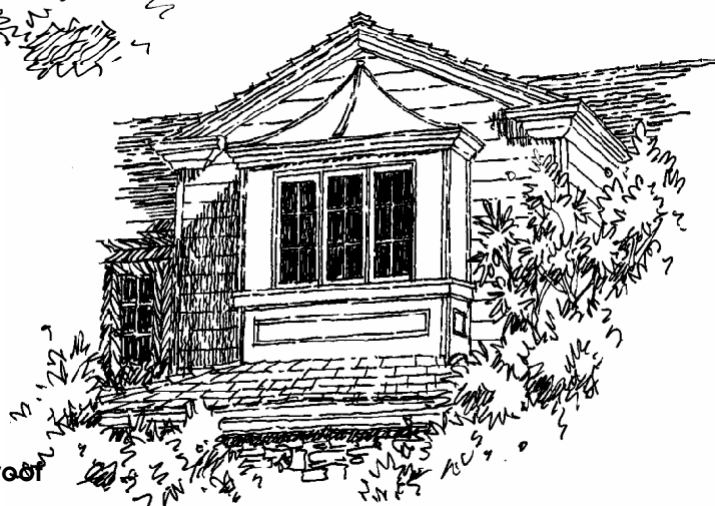
Entry door with side lights & transom



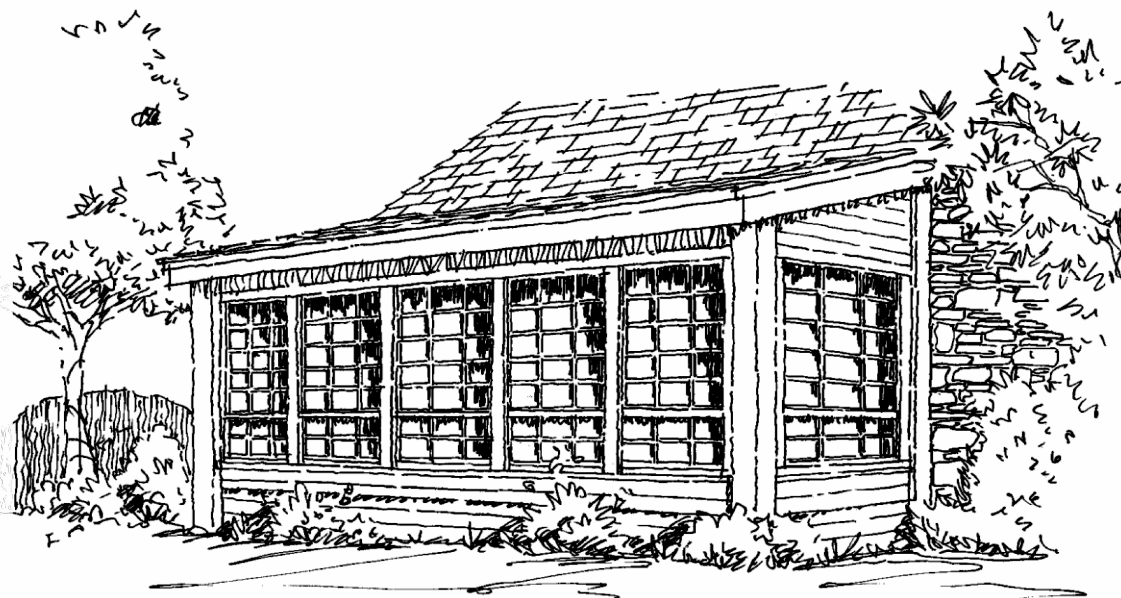
Consistent architectural window style



Shutters, lintels & accent window



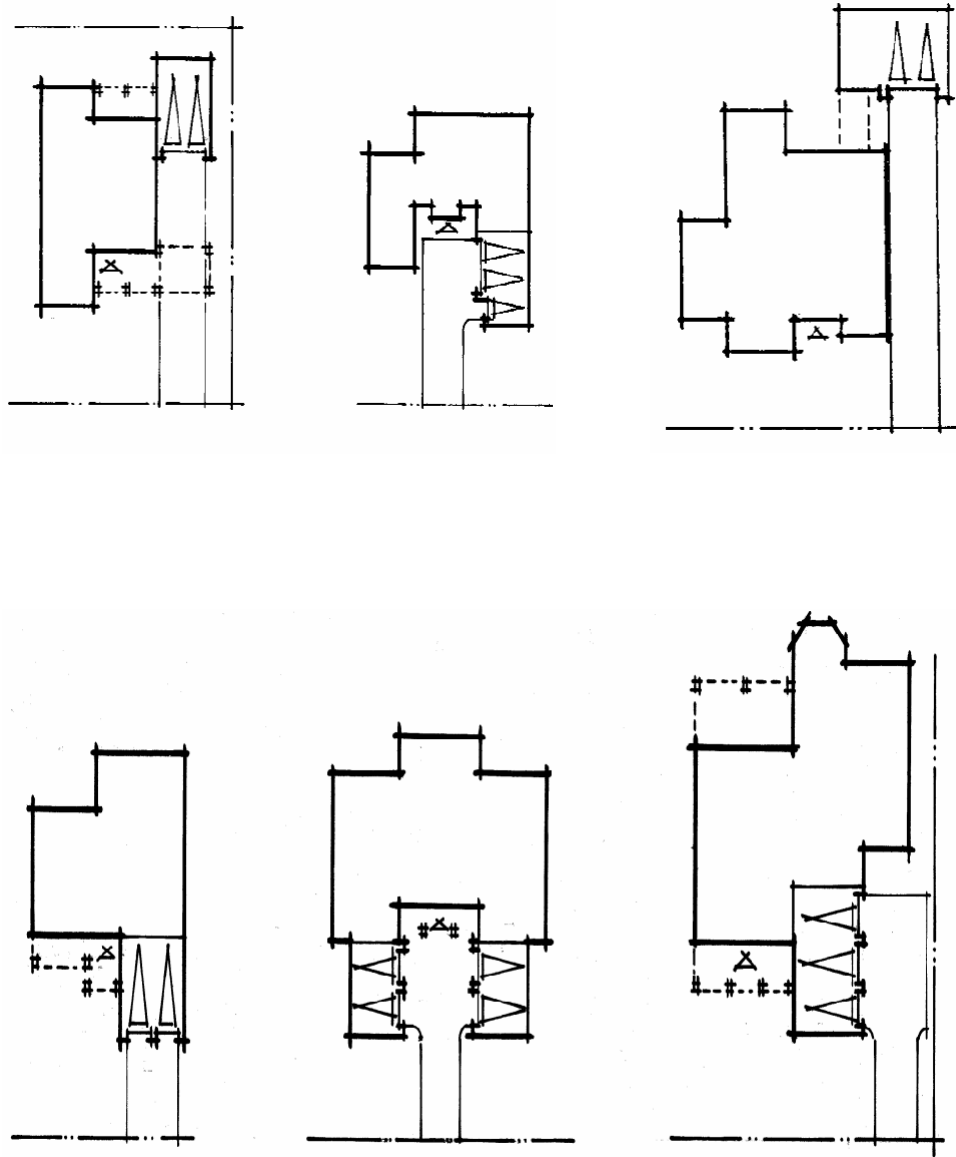
Detailed window bay with copper roof



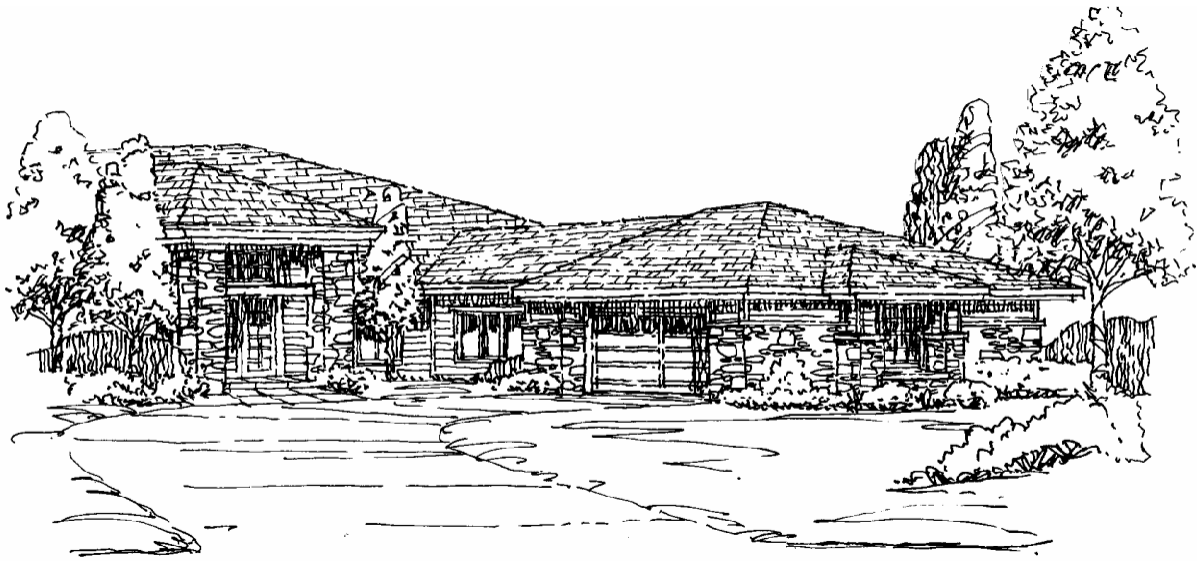
Windows creating a light & airy sunroom

Garages & Accessory Buildings

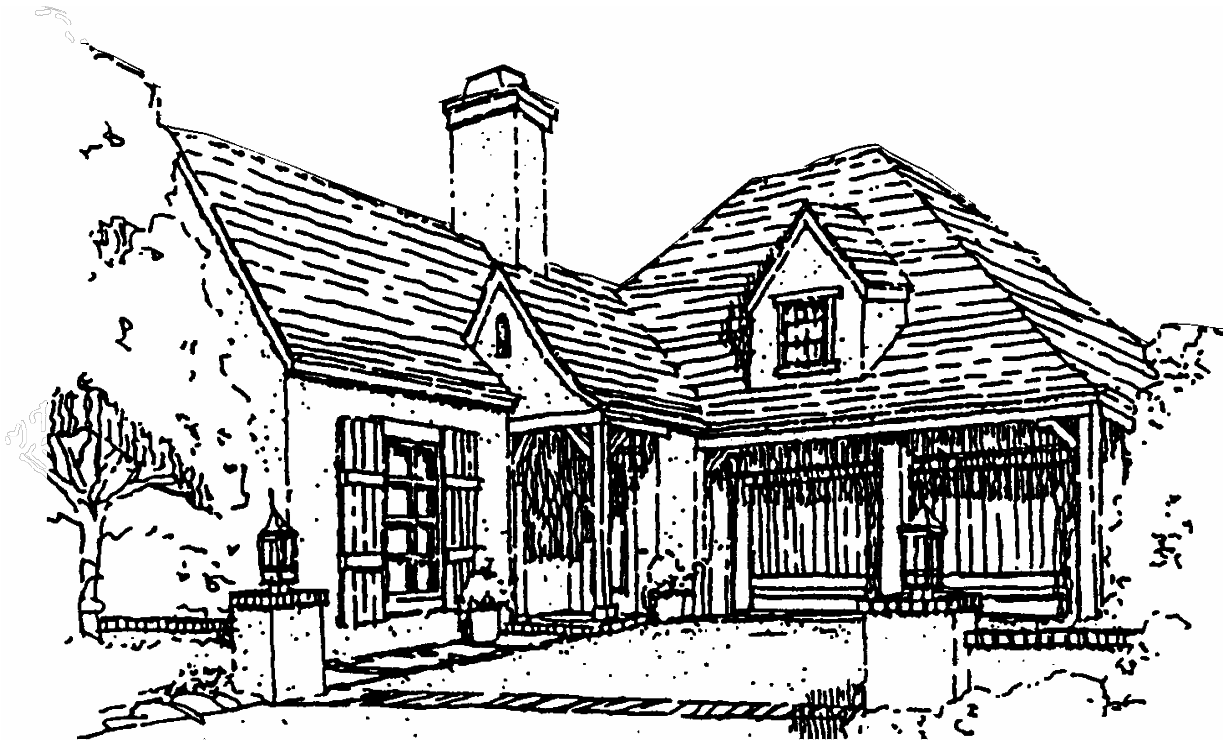
- Garages may be integrated into the main structure or connected to the home through use of a breezeway, patio, garden room or other similar elements.
- Integrated garages should be visually removed to reduce the impact onto the street scene.
- Each garage may have a separate bay or maximum double bay façade.
- Rear, three and four-car tandem, split design and subterranean garages are permitted.
- In conditions with three or four car garages, no more than two doors may exist on the same plane and no more than one double door and one single door or three single doors on front elevation may face the street.
- Third (and fourth) garage doors must be offset by a minimum of three feet (3'-0")
- Split and/or separate garage doors are encouraged.
- All garages must be fully enclosed, carports (for the purpose of permanent parking) are prohibited, however porte-cocheres are permitted.
- Smaller "golf cart" doors are considered single garage doors.
- A variety of garage entry conditions are encouraged;
 - Split garages with motor court configuration
 - Front load
 - Side load
 - Deep garages with abundant amenities
 - Subterranean rear or side entry
 - Tandem
 - Rear lot location
 - Semi-detached
- To ensure a low profile from the street, the maximum garage plate height at the front or side yard setback shall be nine feet (9'-0") from the finish garage pad to the plate line.
- Golf cart parking is permitted within garages, cart doors are required to match the design of garage doors.
- Accessory buildings or out-buildings are permitted within Mission Bay custom and production neighborhoods, with the provision that all structures meet the required setback standards. Requirements for accessory buildings are:
 - Structures must maintain a one-story profile
 - Uses include sheds and detached garages.
 - Stand alone or be connected to the main dwelling by a breeze-way or walled-in porch
 - Structurally and visually compatible with the main dwelling
 - Design must reflect the selected architectural style
 - Any accessory buildings must be approved by the MBDRC



Various garage plan configurations



Side entry garage with motor court

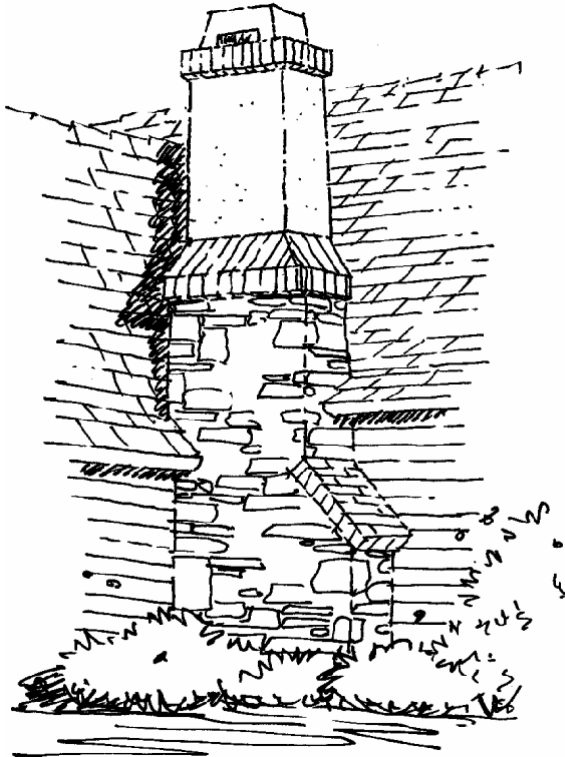


Rear garage lot location

Distinctive Details & Features

The Mission Bay Style includes a variety of traditional details and features due to the wide range of architectural styles found throughout the region. Examples of these include:

- Roof dormer vents in various shapes and sizes
- Louvered vents at gable ends
- Lighting fixtures
- Gutters and downspouts in aluminum, copper, etc.
- Quoins in brick, stucco and combinations of brick and stucco
- Trellises
- Chimneys in brick, stucco and siding
- Stucco & wood corbels
- Wainscoting which transitions material change
- Keystones in brick & pre-cast concrete
- Shutters (wood, vinyl and aluminum are acceptable)
- Knee braces at columns and cantilevered elements
- Frieze boards



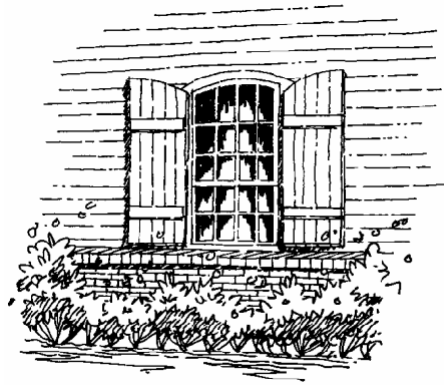
Combination stone, brick & stucco



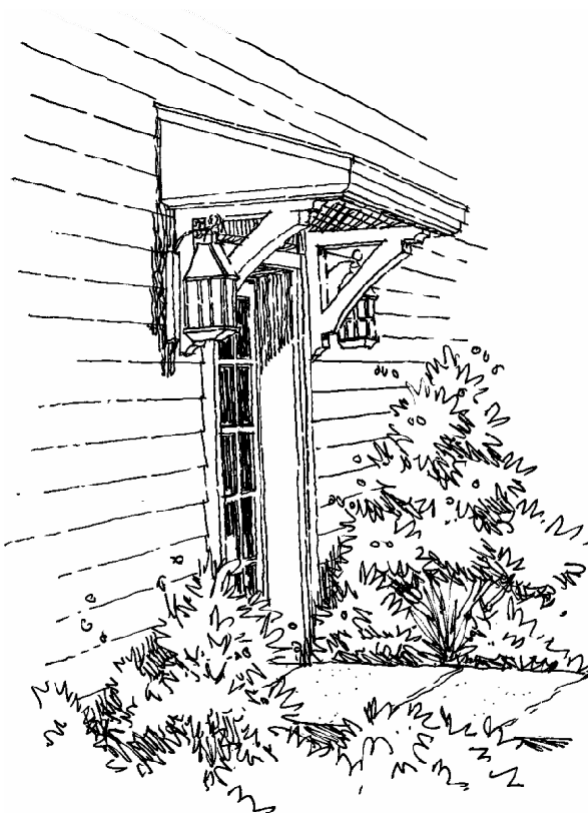
Gable end vent



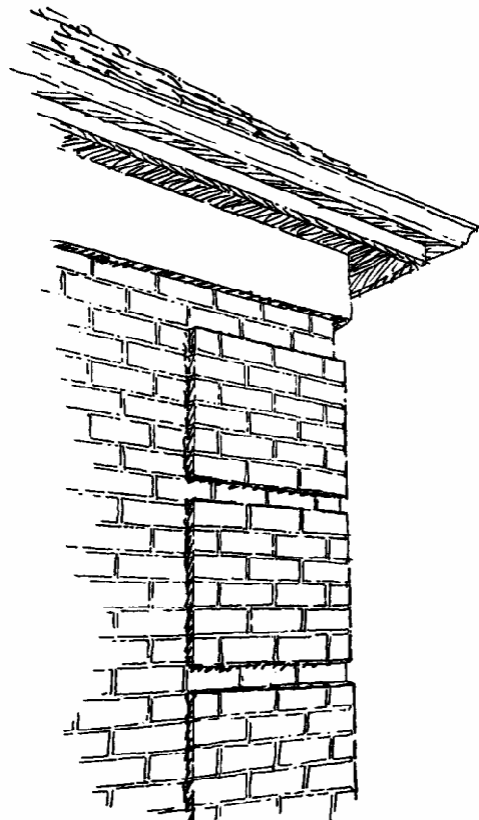
**Ornamental iron work used in
a variety of applications**



**Wood shutter
accents**



Wood knee brace & decorative lighting



Brick quoins

Materials & Color

Building Materials

Building materials are an important element in maintaining the overall community character of Mission Bay. The imaginative use of materials can be combined to create unique designs and distinctive individual identity to each home.

Examples of the approved color palette and manufacturer materials are available through the Mission Bay Design Review Committee. Additional materials may be permitted but are subject to review and approval by the MBDRC as described in Section V, Submittal and Approval Process.

- **Exterior Wall Surfaces**

A combination of materials and/or finishes is encouraged. To ensure the general character of Mission Bay, earth tones, natural finishes and off-white colors are the most appropriate.

Appropriate Materials include:

- Natural stone such as sandstone, limestone, granite and flagstone; alternative stone selections will be subject to MBDRC approval. Simulated, faux or stucco stone is permitted in earth tone colors.
- Rubble, ashlar and flagstone stone cuts with joints raked, pointed or dry stack stone.
- Brick in earth tones is appropriate; white, gray and red with white and pure gray are inappropriate.
- Stucco in finishes and treatments to include smooth sand, light hand troweled and light dash coat (staging marks between coats of stucco, due to scaffolding and construction techniques must be avoided and should be cause for rejection in the field).
- Lapped, tongue and groove, ship lapped wood, board and batten, cement board siding, wood fiber, pre-painted metal, and vinyl siding.
- Wood fascia, rakes, frieze and trim.
- Exposed wood timbers & columns.
- Pre-cast concrete or carved stone lintels and border stones (limited use primarily at entries).
- Re-sawn wood shingle wall materials.
- *Any metal needs to be approved by the Design Review Committee.

Inappropriate Materials include:

- Exposed concrete.
- Traditional or ‘stacked’ logs.
- Reflective finishes such as mirrored glass, aluminum, or polished metal.
- Laced (Spanish and adobe stucco finishes).
- Pressure treated wood such as columns, deck surfaces and railings, etc. (must be painted).

- **Roof Material**

Appropriate Materials include:

- Asphalt (Architectural profile, 25-year min.), slate and concrete flat tile shingles.
- “Decrabond” metal shingles.
- Monochromatic roof shingles are not permitted; combinations of earth tones in browns and gray are preferred.
- Use of copper, tern, zinc, etc. will be allowed as accents (bay/bow widows, porticos, finials) subject to MBDRC approval.

Inappropriate Materials include:

- Terra cotta barrel roof tiles
- Flat roofs
- Gravel set in an asphalt pitch
- Asphalt sheets
- “S” tile or other types of tile
- All other roofing materials not mentioned are prohibited

• **Paving Materials (Sidewalks and driveways)**

Appropriate Materials include:

- Natural stone (including but not limited to; sandstone, limestone, granite and slate)
- Flagstone
- Cobblestone
- Exposed aggregate concrete (natural stone color)
- Natural stone unit pavers
- Colored concrete (natural stone color)
- Stamped or etched concrete (natural stone color)
- Concrete
- Wire cut brick
- Fired clay pavers
- Pre-cast concrete pavers
- Turf block, grass-crete or equivalent
- Interlocking concrete paver
- Predominately black or gray colored pavement
- Asphalt

Inappropriate Materials include:

- Common gravel and polished stone,
- Glazed ceramic tile and composite tile

• **Chimneys**

- Brick, stone, stucco and siding, alone or in combinations are acceptable
- Exposed metal flues are not acceptable
- Caps must be painted to complement the home

• **Skylights**

Appropriate Materials include;

- Designed as an integral part of the roof
- Glazing must be clear, solar bronze, or white
- Framing material must be bronze or color to match the roof

Inappropriate Materials include:

- Reflective glazing
- Natural aluminum framing

- **Windows, Doors and Garage Doors**

- Wood or wood clad (aluminum or vinyl) windows are encouraged. Painted aluminum and vinyl are permitted.
- Natural aluminum is prohibited.
- All tinted glazing will be subject to the approval of the MBDRC.
- Wood, metal and vinyl tilt-up, barn style and sectional roll-up garage doors are permitted
- Garage door colors should blend into the overall color scheme to de-emphasize the prominence of the door

- **Patio Walls**

- Patio walls are to be compatible with the materials, color & style of the home to which they are attached.
- Patio walls should be no taller than four feet (4'-0") above the finished floor level on the main floor of the house.

- **Flashing and Sheet Metal**

- All flashing and sheet metal must be colored to match adjacent material

- **Vents**

- All vent stacks and pipes must be colored to match the adjacent roof or wall material.
- Vent stacks should be grouped on the side or rear of the roof when possible.
- Vents should not extend above the ridge line.

- **Antennas**

- Home owners may not install, or cause to be installed, any television, radio or citizen band (CB) antenna, satellite dish larger than 24 inches in diameter, or other electronic receiving or broadcasting device on the exterior of any house or structure. Exceptions are to be made on a case-by-case basis by the MBDRC.
- Ground or structure mounted satellite dishes must be appropriately placed, subject to the review of the MBDRC.
- Any such installation must be in compliance with all applicable ordinances.
- All homes should be pre-wired for cable TV reception.

- **Solar**

- Solar panels are to be integrated into the roof design, with the same roof slope paralleling the roof and mounted directly to the roof surface.
- Panels and frames must be bronze anodized or match the roof color.
- Natural aluminum frames are prohibited.
- Solar equipment; such as pumps, tanks, etc., are to be screened from the view of adjacent lots and public streets.
- Solar panels integrated into the actual roof shingle are allowed upon review of the actual sample.

Colors

Color acts as a theme-conveying element reflective of the Mission Bay style.

Earth tones, off-white, or neutral in nature, blended naturally with the setting are to be used as predominant colors.

Individual design expression through the use of accent colors is encouraged on specific elements such as entry doors, window frames, window trim, door trim, shutters or portions of exterior siding materials when there is a change of siding material type.

Examples of changes would be when siding changes from any combination of shiplap – shake – board and batten – tongue and groove, etc. Such changes in color would be pending approval of the MBDRS.

A wide range of trim and accent colors are permitted on houses to add variety and character to the community. They are to be consistent with the context of the architectural theme of each residence.

The approved sample Color Palette list may be found in Section VI, Appendix. Additional colors, which are in the range of the approved color palette may be permitted, but are subject to review and approval by the MBDRS as described in Section V, Submittal and Approval Process.

Color Palette

Color boards reflecting examples of approved colors and materials permitted for use in Mission Bay are available for viewing upon request at the Mission Bay Information Center. Samples selected are from product lines available locally.

Additional colors, within the same general color ranges, are permitted pending approval of the Mission Bay Design Review Committee

Color Palette Mix

- Residences should have a minimum of two (2) colors and maximum of seven (7) colors/finishes.
- Field or base color for areas to receive paint, including wood, factory finished metal or vinyl siding or pre-painted siding – can have up to two (2) colors – a predominant base color and an accent color. If a stained wood siding is used on the house, it would count as a “color” in the field or base color definition.
- Brick, stone masonry, or simulated stone masonry can have up to one (1) color on the exterior – natural tone.
- Trim colors that are field painted or pre-finished siding material - can be one (1) color.
- Accent colors that are field painted or pre-finished for doors, shutters, garage doors – can be one (1) color.
- Naturally finished or stained wood elements; such as beams, trusses, doors, corbels, knee braces – can have only one (1) stain color.
- Colors for soffits and rain gutters and downspouts, as well as garage doors that are pre-finished metal, should match one of the other colors already used for either base field, accent or trim color outlined above.
- Window frames typically come pre-finished from the factory and are made of metal or fiberglass or a composite material that is a cladding material over wood. In the case of window frames and pre-manufactured door frames for sliding glass doors, French doors, etc. – one (1) color is to be used on all window frames and door frames throughout.
- Roof shingles must be one (1) color with some allowance for variation in color and texture. Colors may range from tans, browns, greys, darker grays, grey – greens, etc. Blue shingle roofs are inappropriate. Accent roofing for awnings over door and window openings, or for dormers penetrating the roof plane, can be metal – but must be a natural color of metal vs. a primary color or non-earth tone.

*Exceptions require approval from the Design Review Committee.

Site Planning Criteria

Setback Requirements

All buildings and structures shall be set back from street or road right-of-way lines and from the periphery of the community to comply with the following standards:

Building Setback Limits

- The specific front, side and rear setback standards for the building envelope vary, depending on the lot location.
- Please refer to the Residential Development Setback Standards table on the following page and the diagrams on subsequent pages.

Additional site development standards that are constant, and do not vary from lot to lot, are as follows:

Maximum site coverage

- The maximum area that may be covered by buildings, driveways and other impermeable surfaces shall be 35 percent of the total acreage of the site for detached, single family lots, and 55 percent for Townhomes, Cottages and Patio Homes.

Maximum building height

- Single-family attached or detached, duplex and condominium dwellings shall not exceed 28 feet above natural grade at the point in the lot center where diagonals intersect.

Final Plat Map

The Final Plat Map, provided by Mission Bay with purchase of property, controls all setbacks and easements. If there are conflicts between the plat map and these guidelines, the plat map will be the governing document.

Minimum Home Square Footage

In Mission Bay, All home sites require a minimum home livable square footage of 1,600 Sq. Ft. for single story (Custom I) homes and 2,000 Sq. Ft. for two story (Custom II) homes.

Minimum livable square footage calculations do not include garages, porches, or unfinished basements and unfinished attics.

In Mission Bay Village, All home sites require a minimum home livable square footage of 1,400 Sq. Ft. for single story (Custom I) homes and 1,800 Sq. Ft. for two story (Custom II) homes.

Patio Home and Townhome home sites require a minimum livable square footage of 1,200 Sq. Ft.

Driveway Standards

Driveway is required to be a minimum of twelve feet (12'-0") in width at the narrowest point.

Driveway tie-in to the street must be made at the back of the curb, regardless of the surface used.

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Mission Bay Residential Development Setback Standards

LOT TYPE	SIZE W X D*	FRONT YARD	SIDE YARD** MIN./TOTAL	REAR YARD
CUSTOM I (Single story) Min. Home Size 1600 Sq. Ft.	± .25 to 1.0 Acre* (± 11,000 to 14,500 SF)	30'	10' / 20' **	On Golf Course: 30-45' Other: 10'
CUSTOM II (Two story) Min. Home Size 2000 Sq. Ft.	± .25 to 1.0 Acre* (± 11,000 to 14,500 SF)	30'	10' / 20' **	On Golf Course: 30-45' Other: 10'
PATIO HOMES Min. Home Size 1200 Sq. Ft.	± 60' x 100' (± 6,000 SF)	20'	5' / 10' **	On Golf Course: 30-45' Other: 10'
TOWNHOMES Min. Home Size 1200 Sq. Ft.	Max. Density 6 Units/Acre	20'	0-5' / 5' **	On Golf Course: 30-45' Other: 10'

Front Yard Setback Zone:

- Long non-articulated facades are highly discouraged, particularly on highly visible front, side and rear facades.
- Non articulated is defined as a noticeable absence of windows, doors or other elevation elements that are not included in the overall elevation.
- Side entry and rear entry garages are encouraged.
- Second floor projections are not permitted to cantilever or extend across setback lines.
- With the exceptions of decks, second floor projections are not permitted to cantilever or extend beyond the lower floor's envelope more than three feet (3'-0").

Rear Yard Setback Zone:

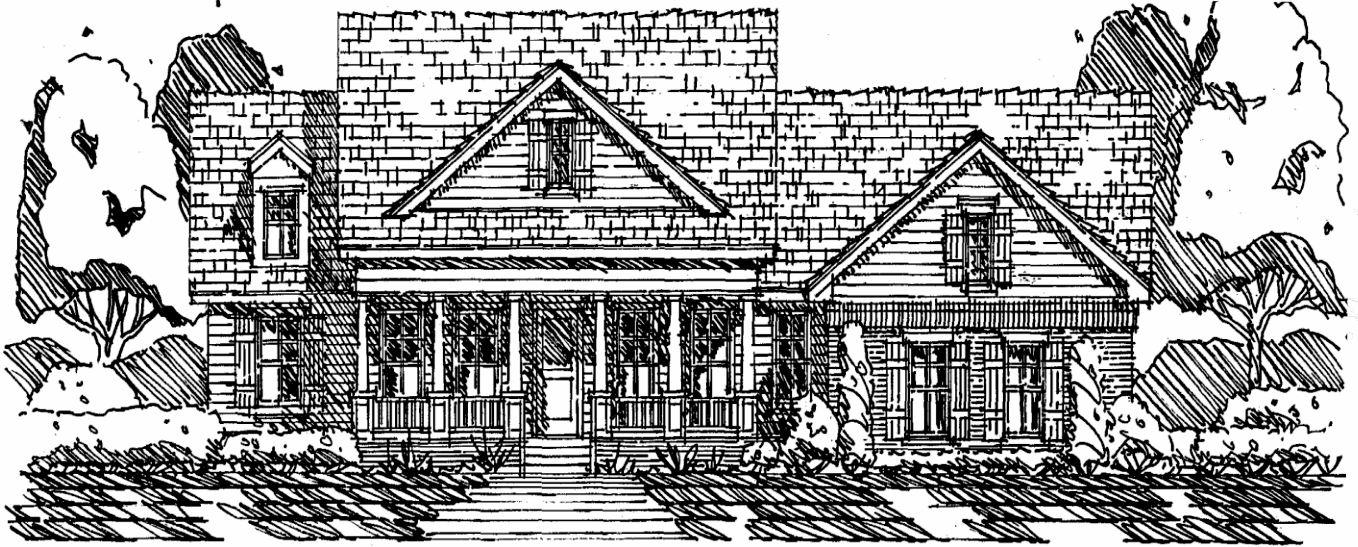
- The Rear Setback Zone, "Zone B", has been established with two setback dimensions: Those on the golf course, and all others.

Mission Bay Lot Specific Criteria

Lot Type: Custom I (Single Story)

- **Lot Size: \pm .25 to 1.0 Acre**
 - Minimum Home Size: 1600 Sq. Ft. – this calculation is to include livable area as heated or air-conditioned finished space and does not include porches, garages, attics or unfinished basements.
- **Front Yard Setback:**
 - 30' Minimum
 - Please review Front Setback criteria information on page III-33.
- **Side Yard Setback:**
 - 10' Minimum
 - 20' Total
- **Rear Yard Setback:**
 - 30 - 45' Minimum for lots adjoining Golf Course
 - 10' Minimum for other lots
 - Please review Rear Setback Zone Criteria information on page III-33.

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Front

Mission Bay Lot Specific

Lot Type: Custom II (Two Story)

- **Lot Size: \pm .25 to 1.0 Acre**
 - Minimum Home Size: 2000 Sq. Ft. – this calculation is to include livable area as heated or air-conditioned finished space and does not include porches, garages, attics or unfinished basements.
 - Maximum 35% of total square footage on 2nd floor
- **Front Yard Setback:**
 - 30' Minimum
 - Please review Front Setback Zone criteria information on page III-33.
- **Side Yard Setback:**
 - 10' Minimum
 - 20' Total
- **Rear Yard Setback:**
 - 30 - 45' Minimum for lots adjoining Golf Course
 - 10' Minimum for other lots
 - Please review Rear Setback Zone Criteria information on page III-33.

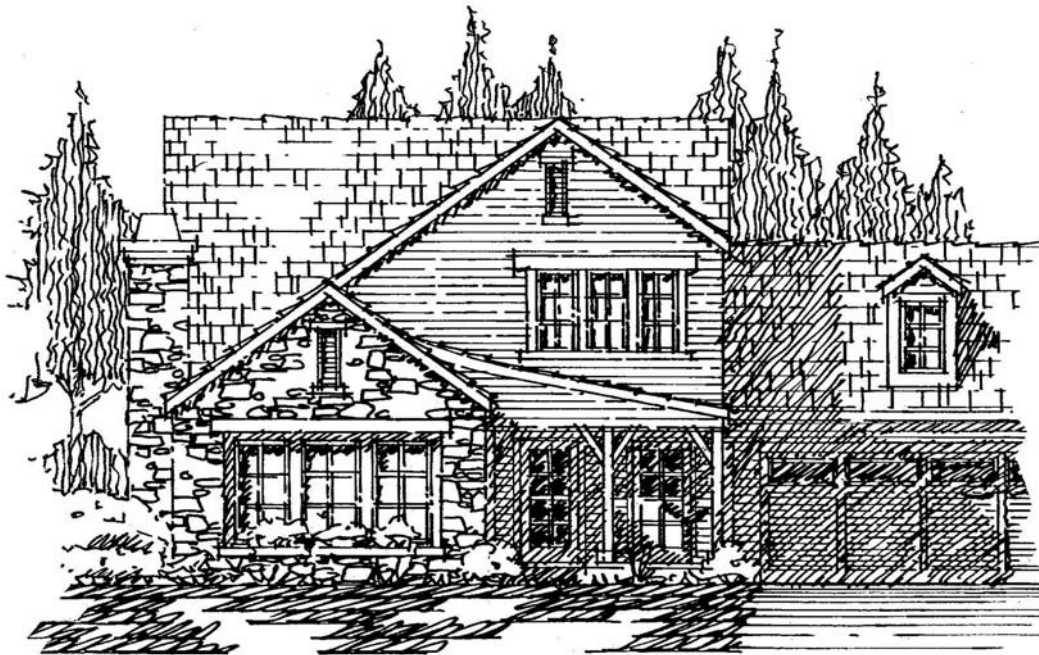


Front Elevation

Mission Bay Lot Specific

Lot Type: Patio Homes

- **Lot Size: $\pm 60' \times 100'$**
 - Minimum Home Size: 1200 SQ. FT. – this calculation is to include livable area as heated or air-conditioned finished space and does not include porches, garages, attics or unfinished basements.
- **Front Yard Setback:**
 - 20' Minimum
 - Please review Front Setback Zone criteria information on page III-33.
- **Side Yard Setback:**
 - 5' Minimum
 - 10' Total
- **Rear Yard Setback:**
 - 30 - 45' Minimum for lots adjoining Golf Course
 - 10' Minimum for other lots
 - Please review Rear Setback Zone criteria information on page III-33.

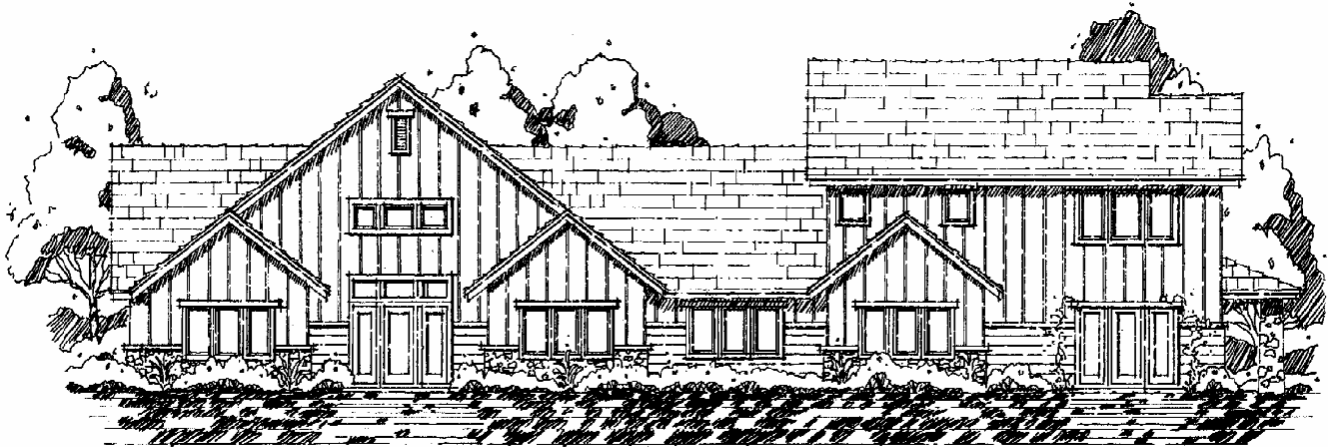


Front Elevation

Mission Bay Village Lot Specific

Lot Type: Townhomes

- **Lot Size: To be determined by final plats**
 - Minimum Home Size: 1200 Sq. Ft. – this calculation is to include livable area as heated or air-conditioned finished space and does not include porches, garages, attics or unfinished basements.
- **Front Yard Setback:**
 - 20' Minimum
 - Please review Front Setback Zone criteria information on page III-33.
- **Side Yard Setback:**
 - 0 - 5'' Minimum
 - 5' Total
- **Rear Yard Setback:**
 - 30 - 45' Minimum for lots adjoining Golf Course
 - 10' Minimum for other lots
 - Please review Rear Setback Zone criteria information on page III-33.



Front Elevation

Mission Bay Village Lot Specific

Lot Type: “A” and “B” (Single Story or two story)

- **Lot Size: 5,979-21,610 S.F.**
 - Minimum Home Size: 1400 Sq. Ft. – this calculation is to include livable area as heated or air-conditioned finished space and does not include porches, garages, attics or unfinished basements.
- **Front Yard Setback:**
 - 20’, (10’ Minimum in some cases)
 - Please review Front Setback Zone criteria information on page III-33.
- **Side Yard Setback:**
 - 10’ Minimum
 - 20’ Total
- **Rear Yard Setback:**
 - 15’ Minimum
 - Please review Rear Setback Zone Criteria information on page III-33.

Community Landscape Concept

Overview

The Community Landscape Concept promotes the opportunity to integrate each home into the natural beauty of the surroundings.

The concept relies on the use of indigenous and compatible plant materials.

Plantings should be in natural groves or masses, with occasional singular plantings to reflect the natural landscape.

– lengthy expanses of shrubbery or trees planted in a straight line or hedge are to be avoided.

The approved listing of community trees, found later in this section, uses trees that are native to the area or have naturalized over the years.

The successful residential landscape gracefully transitions from the design elegance of the built environment, to the inherent lakeside qualities of the region.

The community landscape of Mission Bay seeks to stand apart from any fabricated development landscapes.

The general theme is achieved by establishing a landscape concept firmly connected to the beauty of the region.

This is enhanced with splashes of startling and vivid colors found in the ornamental trees.

Trees, shrubbery that have distinct accent colors in Spring, Summer and Fall Seasons are encouraged as accents to the natural green colors of indigenous trees. Shrubs and plantings.

These colors provide visual accents to emphasize the distinctive seasons.

All home design plans must include a professional, detailed Landscape Plan to receive final approval on a design concept as a whole, and be permitted to start construction.

Landscape installation can be deferred if the reason is due to growing season considerations.

However, approval of a home design to commence construction without an accompanying landscape and site plan, including topography, sidewalks, patios and driveways, and retaining walls if applicable – will not be allowed.

Community Plant Palettes

The Community Landscape Concept is strengthened by the structure of community plant palettes. The tree palette contains types of large shade trees, coniferous evergreen trees, and smaller ornamental trees for use as visual accents. The shrub palette contains deciduous and coniferous evergreen shrubs that grow well in Montana, and add shape and visual interest to yard-scapes.

Furthermore, within the boundaries of each property, there are multiple landscape zones with specific requirements. These requirements are addressed later in this section.

Identity & Individuality

While the need for community identity and uniformity is encouraged, the allowance for each homeowner's or builder's style of design is strongly supported.

These guidelines warrant a thorough review and need to be understood by all parties involved with the property.

The guidelines should be viewed as a tool or framework in which to design and not as a design constraint.

Plant materials and hardscape elements not specifically listed may be substituted subject to the review and approval of the Mission Bay Design Review Committee.

All substitutions shall be in keeping with the overall theme of Mission Bay.

Street Planting Concept

The street tree landscape concept seeks to soften the general streetscape of each of the neighborhoods, reminiscent of the classic neighborhoods of our traditional northwestern cities.

Located at key focal points, such as entries or view opportunities, subtle but distinct variations of plant material are encouraged to highlight the landscape and amenity.

Planting concepts are to be simple and informal with a variety of plant materials used throughout the community.

Neighborhood Landscape Concept

Overview

The landscape concept at Mission Bay focuses primarily on the use of trees and lawn, accented with shrub plantings at the neighborhood level.

The visual foundation of a distinctive neighborhood is the trees.

Trees provide the most visual and memorable impact of a residential area.

They are also the largest, most important and frequent element surrounding the home.

These can serve many functions in a neighborhood from shading in hot summers to blocking cold winter winds or undesirable views.

Lawn & Shrub Areas

Shrubs, planted in masses, provide visual interest at any time in the year.

They can display seasonal changes, expressed through their dynamic qualities, such as color.

Grass and lawn areas can also provide a multitude of functions in the landscape.

In contrast to shrub plantings, grass and lawn areas create a visual base plane from which all other elements of the landscape arise.

All shrub areas must be kept free of weeds and debris.

Window Boxes and Raised Planting Beds

Window boxes for natural perennial or annual flowers are permitted. Window box material and attachment to the residences need to blend with the existing colors and materials on the residence. Plant species/materials need to be maintained just like a shrub bed or planting bed at ground level.

Grass, Ornamental Grass, Shrubs, Ground Cover, Trees, Ornamental rock, Mulch Guidelines, and Irrigation

At Mission Bay, the neighborhood landscape concept should maintain a proportional relationship of grass and lawn areas to shrub areas, planting beds, and any areas with ornamental landscape rock or gravel that is used for mulch or for limiting the amount of irrigated planting beds & lawn areas.

The following guidelines of percentages will apply to lawn, planting beds and ornamental landscape rock areas. All percentage guidelines apply individually, as separate considerations, for front, side and back yards.

- **50 % minimum to 80% maximum** of all lot area not covered by dwelling unit or paved driveways, sidewalks & patios or decks must be covered with irrigated grass.
All lot area not covered by dwelling unit or paved driveways, sidewalks & patios or decks and irrigated grass must be covered with planted bed areas and/or ornamental landscape rock. The ornamental landscape rock or mulch material **must** be covered by spreading shrubbery, ground covers and trees.

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- Browns Lakeview Tracts and select Mission Bay lots have different percentage allowances for grass. Lots impacted include the following: Lots 5-S through 13-S, Lots 25-29 on Hawk Drive, Lots 30-38 on Mission Bay Drive. For these lots only, there is a required 30 foot (30') circumference for grass surrounding the home. The rest may be maintained (mowed, weeded) native grasses.

Ornamental grasses are considered a plant material – ground cover, and not counted as grass.

Trees may be positioned in both grass and bed areas.

Ornamental landscape rock or mulch materials used must be natural in color.

White rocks, black lava rock, red lava rock are not indigenous to this part of Montana & therefore not appropriate.

Bark mulch must harmonize with soil coloring vs using red dyed bark.

Irrigation

Areas that feature introduced landscaping, such as grass, trees, shrubs and/or ground cover, must utilize an irrigation system for watering during dry months.

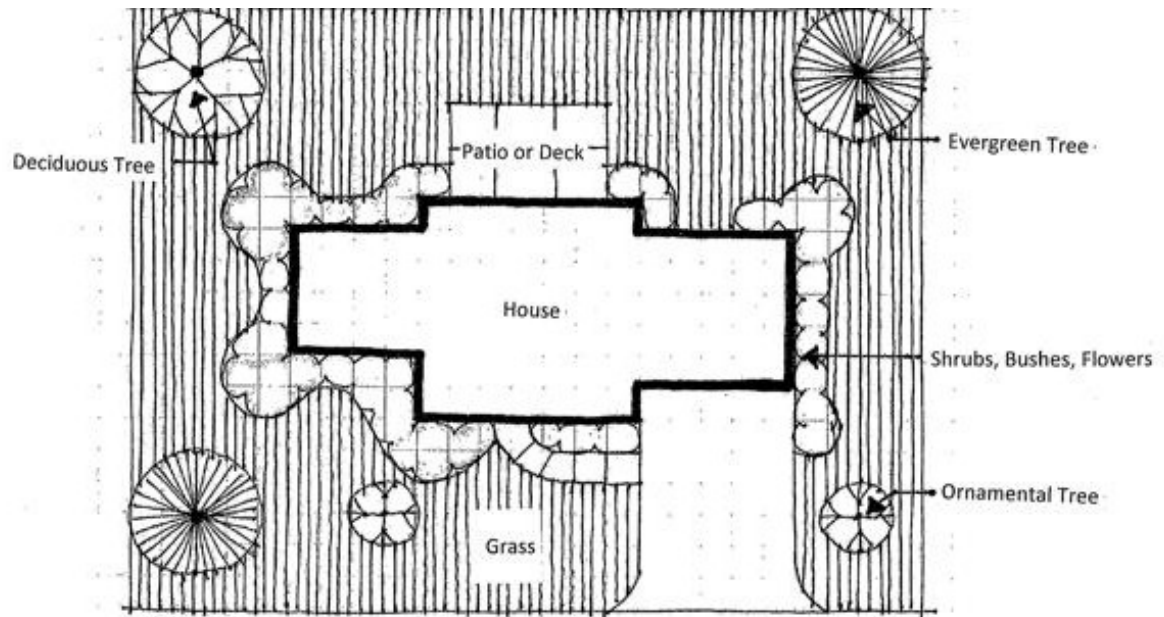
In order to conserve water, an irrigation system provides a more efficient use of water than hand sprinklers.

All-natural areas remaining in their existing condition shall not be irrigated.

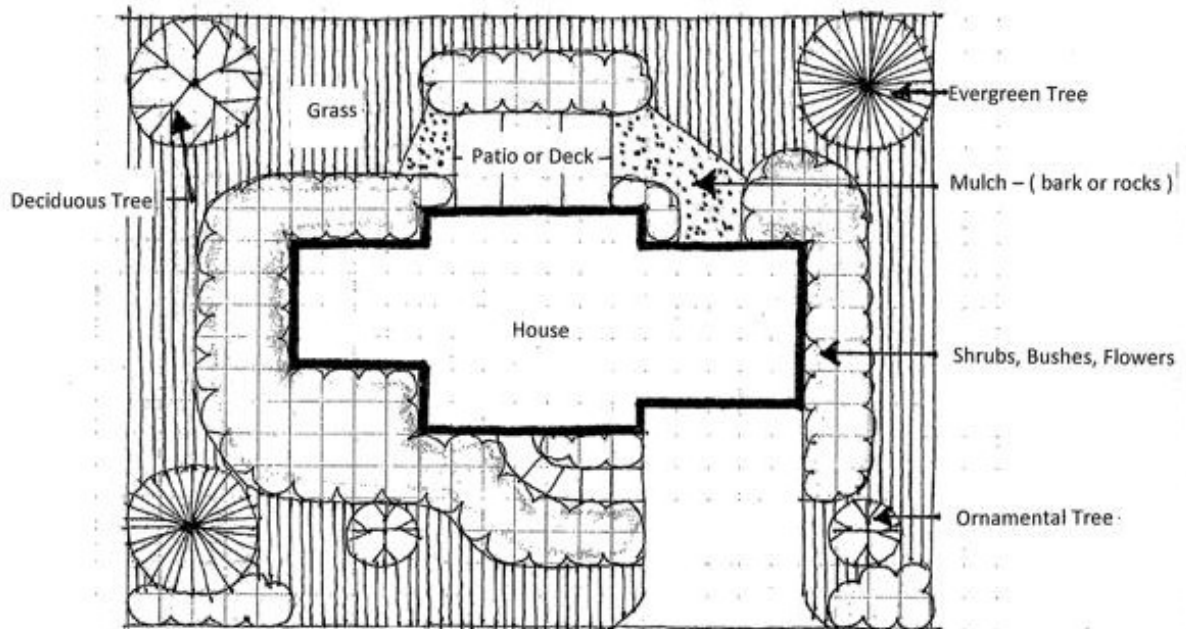
Landscape areas that require irrigation must conform to the following:

- Buried PVC sprinkler system or the utilization of drip irrigation systems. Drip irrigation systems are required to maximize water application and minimize weed growth in planting beds that include shrubbery, annual flowers or perennial flowers and plants
- Sprinklers and nozzles selected to provide water to the landscape must be compatible with their respective soils, slopes, exposure, orientation and plant types;
- Utilization of an automatic control system;
- No overthrowing of irrigation water onto public roadways, sidewalks, neighboring homes, or trails is permitted.

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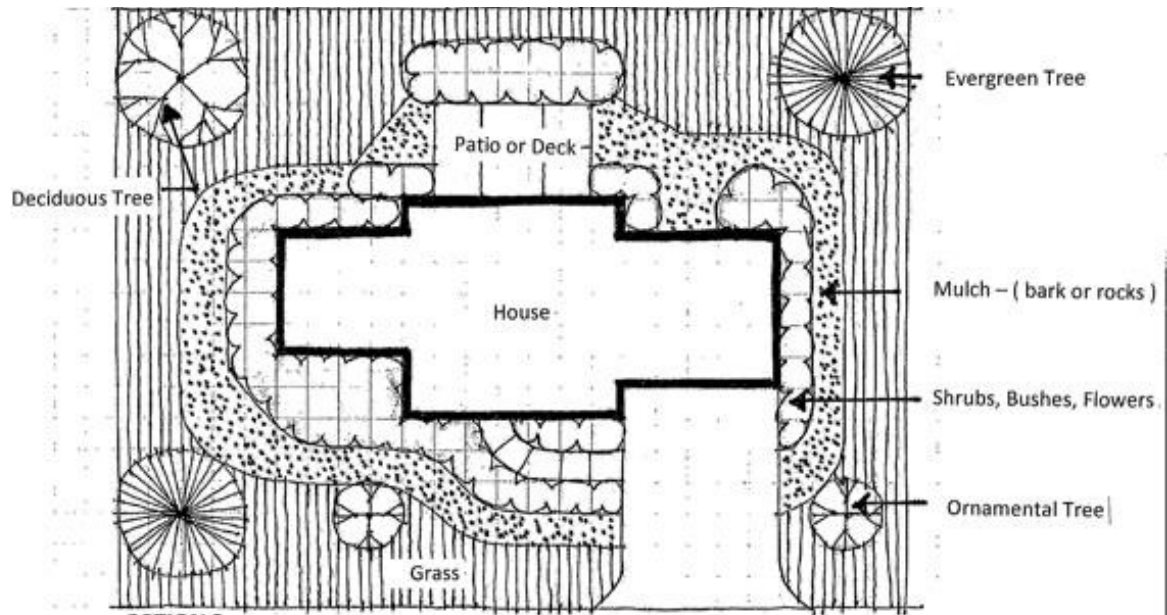


OPTION 1
80% Grass
20% Shrubs, Bushes, Flowers



OPTION 2
50% Grass
50% Shrubs, Bushes, Flowers

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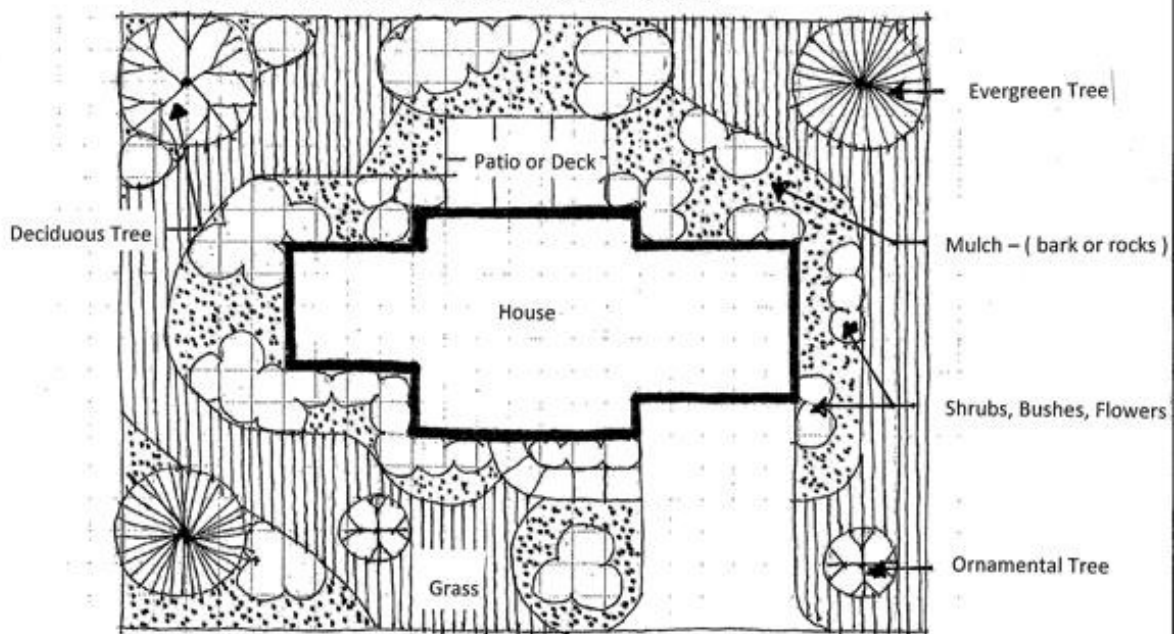


OPTION 3

50% Grass

25% Shrubs, Bushes, Flowers - (continuous plantings & irrigation)

25% Mulch - (bark or rocks - continuous plantings & irrigation)



OPTION 4

50% Grass

25% Shrubs, Bushes, Flowers - (multiple plantings & irrigation)

25% Mulch - (bark or rocks - multiple plantings & irrigation)

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The success of grass areas relies on the appropriate selection and mixes of grass for the desired purpose and use. Normally, a mix of rye grass, bluegrass and fescues provides for a well-rounded grass blend. This is a seasonally hardy blend, of a pleasing color of green and resistant to the common pests and diseases. In all situations, it is recommended that each property owner consult with a qualified landscape architect or nursery for their specific needs. Each property owner should consider their unique soil conditions, sun exposure and other constraints that will influence the success of their residential lawn areas.

Residential Landscape Requirements

Property Landscape Zones Overview

The following residential landscape design criteria is provided to enhance the definition of each home site. The primary goal is to protect and maximize individual property values through the implementation of a minimal but generous landscape treatment. Landscaping is required to the edge of roads at front and back of residential property. Fallen or dead trees must be replaced. These criteria must be followed to successfully receive the approvals required by the Mission Bay Design Review Committee.

Front Yard/Streetscape Zone Requirements

Definition: The Front Yard/Streetscape Zone is the area nearest to the neighborhood street, normally at the front of the property.

This area stretches from the front of the home to the street. On corner lots this zone also extends down the side of the property parallel to the street.

Landscape Requirements:

- Minimum Two (2) Neighborhood Shade Trees (two-inch min. caliper) per lot
- Minimum Two (2) Ornamental Accent Trees per lot

Homeowners are encouraged to plant a combination of drought tolerant perennials or plants in planting beds that do not require significant amounts of irrigation.

Drip irrigation systems for planting beds that feature shrubbery, seasonal annual flowers and seasonal perennial plants and flowers is required to facilitate conservation of water as a natural resource and assist the property owners relative to utility rates charged locally for the use of irrigation.

Planting beds for shrubbery, flowers and perennials are encouraged to have some method to control or mitigate weeds in the form of mulch, decorative ornamental landscape rock gravel applications, ground cover plantings or weed mat below mulched materials.

Soil amendments and chemical treatments for either fertilizer or weed control that are utilized on planting areas and turf areas should be consistent with locally used chemicals that are considerate of and sensitive to runoff into the Lake.

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Side/Rear Yard Requirements

Definition: The Side/Rear Yard is the largest of the landscape areas. It includes the transitional side yard area and “backyard” area whether bordering the golf course or adjacent lots.

Landscape Requirements:

- Minimum of Two (2) Shade Trees (two-inch min. caliper) per lot;
- Minimum of Two (2) Ornamental Accent Trees per lot;
- On corner lots, landscaping is required to extend past property lines into street right-of-ways to the edge of the street or sidewalk.

Neighborhood Tree Palette

The visual identity of the neighborhoods at Mission Bay are characterized by the tree menu of Neighborhood Shade / Street Trees and smaller Ornamental Accent Trees.

The following trees are appropriate for the community of Mission Bay:

Neighborhood Shade / Street Trees

All tree species that grow well in this part of Northwestern Montana are acceptable:

- All Maple Tree varieties
- Ohio Buckeye Tree
- All Hackberry Tree varieties
- All Ash Tree varieties
- All Honey Locust Trees
- All Linden Tree varieties

Ornamental Accent Trees

- All varieties of Fir trees
- All varieties of Birch trees
- All varieties of Hawthorn trees
- All varieties of Crabapple trees
- All varieties of Spruce trees
- All varieties of Pine trees
- All varieties of Cedar trees
- All varieties of Hemlock trees
- All varieties of Tamarack trees
- All varieties of Larch trees
- All varieties of Chokecherry trees
- European Bird cherry trees

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Shrubs

The following shrub specimens are appropriate in the community of Mission Bay:

Deciduous Shrubs – that grow well in Northwestern Montana

All varieties of Serviceberry
All varieties of Chokecherry
All varieties of Barberry
Siberian Pea shrub (windbreak & privacy applications only)
All varieties of Caragana
All varieties of Dogwood
All varieties of Cotoneaster
All varieties of Euonymus
All varieties of Forsythia
All varieties of Hydrangea
Cheyenne Privet (for hedges)
All varieties of Honeysuckle
Mock orange Minnesota
Snowflake
All varieties of Ninebark
All varieties of Cinquefoil
All varieties of Lilacs
All varieties of Spirea
All varieties of Potentilla
All varieties of Sand Cherry
All varieties of Plum that grow well in Montana

All varieties of Sumac
All varieties of Currant
All varieties of Rose that grow well in Montana

Dwarf Blue Arctic Willow
Indian current Coral berry Summer Glow Tamarisk
All varieties of Viburnum
All varieties of Cranberry bush
All varieties of Weigela
Buffaloberry

Coniferous (evergreen) Shrubs that grow well in Montana

Oregon Grape
All varieties of Spruce
All varieties of Pine
All varieties of Yew
All varieties of Arborvitae
All varieties of Hemlock
All varieties of Cedar
All varieties of Larch
All varieties of Kinnikinnick
All varieties of Junipers

Site Preparation & Grading Standards

Site Grading

Site grading should conform to the existing topography to preserve the natural character of the area and to maintain the delicate system of natural drainage patterns and wetlands.

Additional on-site grading should maintain the natural existing form of the terrain.

Grading should produce graceful contours, rather than sharp angles, by providing transition at the top and toe of slopes.

Retaining Walls

In some instances, it may be necessary to provide retaining structures to protect trees near roadways and other graded areas. Such retaining structures should have a natural appearance using natural materials, such as; stone, wood ties, split face block, etc., and be terraced whenever possible.

Finish Grading

Water must be applied as necessary during site grading to provide optimum moisture content to the soil.

Planting areas are not to be graded when their moisture content is so great that excessive compacting occurs, or so little that dust is formed and dirt clods do not break up.

Final grading of planting areas shall include light rolling, raking and handwork.

This is necessary to achieve the desired contour, the flow line patterns and to ensure evenly finished surfaces with proper drainage.

Import & Export

On hillside Home sites, property owners are encouraged to retain a civil engineer to calculate excavation requirements for their property. A balanced cut and fill on each property are highly recommended. In the event that soil must be imported or exported from the property, the property owner will be responsible for this cost. For clean fill dumpsites check with the MBDRC for specific locations. Import soils scheduled for use as landscape topsoil may be subject to an agricultural soil analysis at the discretion of the MBDRC. Should the MBDRC determine that specific sites would require fill, property owners and builders will be notified of this need and be permitted to deposit clean fill at appropriate locations.

Surface Drainage

The surface drainage system shall consist primarily of on-grade pervious systems. Hardscape materials are permitted when no other options are available. The use of underground storm drains should be minimized. Drainage of individual properties must work with the existing topography and be directed toward the natural open space or drainage swale systems, developed in conjunction with the roadways.

Community landscape areas and amenities must be protected during all construction operations through the use of fencing or other barriers. Streetscape materials damaged by construction will be replaced by the Mission Bay Homeowners Association at the property owner's expense. Adequate provision must be made to prevent any surface waters from damaging public or private property, or to excavations and fill slopes, both during and after construction.

DESIGN GUIDELINES
FOR THE COMMUNITY OF MISSION BAY
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Erosion Control

Temporary and permanent erosion control measures are required as a part of the construction process on all building sites.

These are intended to prevent the erosion of soil at Mission Bay.

The placement of barriers such as erosion fabric fences, straw bales, or curb-like diversions along the perimeter of construction areas are considered temporary measures to prevent excessive run-off and to protect neighboring properties.

Run-off from construction areas must be directed away from any sensitive natural areas.

Permanent measures include the use of plant material to hold soil in place and the proper grading of the site.

Drainage facilities shall use natural systems wherever possible.

Pervious surfaces rather than hard surfaces are encouraged to promote ground percolation.

Driveways

Each property owner shall be responsible to extend his or her driveway to the back of the rolled curb provided by the developer.

Any curb damage and subsequent repairs, due to driveway construction, is the responsibility of the property owner. If no street paving is in place at the time of the driveway construction, the finish surface for the driveway should be terminated at the property line with a temporary surface extended to the proposed street.

The driveway must be extended to the curb once the street is paved.

Minimum driveway width is twelve feet (12'-0"), maximum width shall be that width sufficient to accommodate a three (3) car garage access.

Construction Activity

Exterior construction activity of all types, including but not limited to; grading, planting, boring and building, shall be limited to the hours between 7:00 AM and 6:00 PM, Monday through Friday.

Such activity on Saturday and Sunday is permitted only between 9:00 AM and 5:00 PM with MBDRRC approval.

Written notification and approval are required from adjacent property owners within 100' for any proposed weekend construction activity seven days in advance of the activity.

Time frame for completion of construction projects, once given approval, from start to finish, is 12 months (1 year).

An extension may be granted with a request from the homeowner/contractor and the approval by the MBDRRC.

Landscaping completion time frame is to be no longer than 90 days after the main home structure is finished and certificate of occupancy has been issued.

Extensions may be necessary if the residence is completed during the Fall and Winter months of no growing season.

An extension may be granted after a written request from the homeowner or contractor has been approved by the MBDRRC.

Compliance deposits are not returned or refunded until the individual projects are in complete compliance.

Drainage Easements

Natural or existing drainage pathways are not to be obstructed.

All site improvements must avoid or bridge such pathways without obstruction.

Site Uses & Elements

Residential Walls & Fences

The design of fencing and walls must be carefully considered in the context of the overall community. All walls and fences will be subject to review and approval by the Mission Bay Design Review Committee.

Fences and walls are most aesthetically pleasing when used in conjunction with plant materials and landscape techniques to reinforce the site's character.

Fences around the property are not allowed., however, fences and/or short walls around patio areas are allowed within the following guidelines:

Private fencing and walls within each residential lot are subject to the following requirements:

- Design and material use must be compatible with the home site layout and usage;
- No walls or fences are permitted along property lines where they would encompass the entire lot or a portion thereof;
- Front yard patio wall/fences are permitted within the front yard, provided they comprise a maximum of 15% of the front yard area. These "patio areas" must appear to be an extension of the home. Maximum height is four feet (4'-0")
- Small walled or fenced-in areas are permitted within the side/rear yard, provided they comprise a maximum of 25% of the side/rear yard area. These "patio areas" must appear to be an extension of the home. Approval of MBDRC is required in each case;
- Open wire or woven mesh, chain link, chicken wire, aluminum, sheet metal, plastic, fiberglass, reed or straw-like materials or other similar fencing materials are prohibited;
- Materials listed in the approved material palette are examples of accepted fence and wall materials;
- Barbed wire or deterrent security devices are not permitted;
- Non-climbable wrought iron fencing is permitted only around spa areas and must be secured by a latch or lock attached to a self-closing childproof gate. All local codes and governing conditions must be adhered to;
- All private fencing and wall areas should be adequately landscaped to mitigate the negative visual impact of the fencing material;
- Walls and/or shrub planting screens are required around trash areas, mechanical equipment and propane tanks;
- Walls located on sloping terrain may step or follow the grade, however, no portion of the footing or foundation may be exposed;
- Existing community fencing may not be altered without the review and written approval of the MBDRC.
- In Mission Bay Village only, fence elements are permitted as accents in front and side/rear yards. Maximum height is four feet (4'-0").

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Monumentation

All homes must have one individual monument located at or near the point where the driveway intersects the street. These monuments may not exceed 5 feet in height and 9 square feet in base area, and must be designed and constructed of materials compatible with the exterior of the home.

Monuments must contain the house number, are required to have lighting to illuminate the number.

All monuments will be subject to review and approval of the Mission Bay Design Review Committee.

Mail and Newspaper boxes

All mailboxes within the Mission Bay Community will be provided by the developer in gangs or “clusters”. The number of boxes per gang or cluster will be determined by the Postal Service. Cluster locations will also include large parcel box structures, and in the case of Golf Villas and Golf Court Homes, newspaper boxes. These clusters will be designed and constructed of materials that are compatible with the overall Mission Bay design theme.

All newspaper boxes must be contained in monuments.

Freestanding newspaper boxes on metal posts or poles are not permitted.

Spa Pools

Spas must be fully integrated into the existing site terrain and landscape design of the property and must meet local codes and governing conditions.

Backwash water, from spas, is not permitted to be discharged into any part of the sewer system, wash over or erode adjoining property.

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Porches, Decks & Patios

All porches and decks are subject to building setbacks as described in Section III.
Patio may extend into setbacks as long as there are no structural elements above ground level.

Decks must be compatible with the terrain of the site.
Expanses of deck or terrace must not create reflective glare to neighboring properties.

Decks and patios must be designed utilizing materials, textures, patterns and other elements that are consistent with the home's architectural style.
Pressure treated elements used for these elements must be approved by the MBDRRC.

Patio Structures

Patio structures, trellises and gazebos must be built within the building envelope as defined by the minimum setbacks of the property.
Patio structures must be consistent with the architectural expression of the residential structure and constructed of compatible materials.

Underground Wiring

All exterior wiring is to be installed underground.
All electric transformers and pedestals, and phone and cable TV pedestals shall be screened from view with landscape elements.

Clotheslines

Outside clotheslines are not permitted within the Community of Mission Bay.

Pets

All pets are to be contained within the owner's property or be leashed.

Dog Kennels

Dog kennels of any brand must be approved by the Design Review Committee. These must be screened from view from streets and neighbors. Landscaping must be used to screen kennel from neighbors and street views.
Kennel location is to be at rear or side yard only.
All locations and landscaping must be approved by MBDRRC.
The maximum size is 8' x 8'.
All other fencing for dog kennels is prohibited.

Playground Equipment

All playground equipment, structures, etc. are subject to prior review and approval of the MBDRRC.

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Exterior Lighting Standards

Decorative architectural night lighting is required for each residence in Mission Bay.

At least one pedestrian light post, wall mounted or recessed light fixture is required near or directly on the entrance of each home.

Lighting fixtures must have internal reflectors to minimize the spread of light outside the lighted area, and shall be shielded to prevent any spill-over onto adjacent properties.

In addition, each residence shall be required to have one primary light at or near the point where the driveway intersects the street. In the case of Custom Home sites, this lighting may be provided in one of three ways:

- A single light on a post not to exceed six feet (6' 0") in height, or
- A single light on an individual monument as described earlier in this section, or
- Up lighting from landscape lighting on a tree or large shrub. This form of lighting may be used in conjunction with one of the other two.
- Up lighting for yard sculptures or other landscape ornamental features would be approved on a case-by-case basis.
- Up lighting on the residence or floodlighting would also be reviewed on a case-by-case basis. Any lighting solution should avoid causing unnecessary light to pool over into other residences or the neighborhood in general.

In the case of Golf Villas and Golf Court homes, this lighting shall be provided in the form of a small wood or metal fixture not to exceed three feet (3' 0") in height.

This fixture must also display the house number.

The primary light located at the street, and at least one other exterior light must operate on a light sensor so that the lights are activated at night even when the home is not occupied. It is the responsibility of the owner to replace these lights as needed.

If the lights need to be replaced during an owner's absence, it will be done by the Mission Bay Homeowners Association at the property owner's expense.

Lights would be "hard-wired" to the main house electrical panel vs. solar activated lights.

Exterior lights activated by motion sensors are not allowed.

Freestanding street-light fixtures have been selected for specific locations in each neighborhood.

The developer is responsible for installation of any future street-lights.

With the exception of street-light fixtures installed by the developer along Montana Landing, no Metal Halide or other "Farm" type area lights are allowed within the Community of Mission Bay

Gas and Electric Meters

Gas and electric meters are to be appropriately screened with landscape plant materials or enclosed in cabinets that are a part of the primary residence architecture.

Conformance with all utility and building code standards must be addressed.

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Yard Sculptures and Landscape Features

- Yard Sculptures and landscape features will be reviewed and approved or rejected on a case-by-case basis.

Greenhouses

- Greenhouses will be reviewed and approved or rejected on a case-by-case basis.

Composting Bins

- Composting Bins are prohibited in Mission Bay.

Mechanical Equipment & Propane Tanks

All air conditioning, heating equipment and soft water tanks must be screened from view and, if appropriate, be insulated for sound attenuation. Window or roof mounted air conditioning units are prohibited.

All propane tanks must be buried if larger than 125-gallon size.

Any propane tanks that are not buried must be painted the same color as the residence and screened from view. Landscape planting is preferred.

Propane tanks that are leased should be screened with reviewed landscaping. Propane tanks that are owned and above ground should be painted to match the house or screened with reviewed and approved landscaping.

Signage

The following sign information is intended to provide an initial framework to begin the design process. It outlines only the key features of the approved signage standards for Mission Bay. Please confer with your sales consultant or the Mission Bay Design Review Committee regarding further clarification of design intent.

Advertising Signage

“For Sale” signs are only permitted if they are of a size, shape and material approved in advance by the MBDRC. No other advertising signs of any type are permitted.

Temporary Signs

Temporary signs are prohibited on all properties. The exception to this is during construction, when one identifying the general contractor and one sign identifying the architect of a building may be placed at the building site. These signs may be up to ten square feet (10 SF) in size, and must be taken down at completion of construction. All such signs must be approved by MBDRC.

Street Signs

Signs identifying the various streets within Mission Bay will be installed at all appropriate intersections by the developer.

Special Event Signage

For special events of public interest, one sign, not exceeding twelve square feet (12 SF) in area or six feet (6'-0") in height, may be located at the site of the event and is subject to the approval of the MBDRC. All event signage shall be removed within 24 hours of the close of the event.

House Numbers and Owner/Occupant Signs

Two sets of house address numbers, not to exceed one square foot per set, are permitted per dwelling unit. One of these shall be adequately lighted to offer identification and visibility from the street or curbside location. In addition, one sign of no more than two square feet in area, identifying the owner or occupant of the dwelling may be attached to the home. Back lighted address numbers or owner/occupant signs shall be strictly prohibited. The Mission Bay Design Review Committee encourages the use of metal (e.g., bronze or copper) or wood for numerical and owner/occupant identification.

Design Review of Plans

Governing Jurisdictions

The first step for any construction for a new residence or exterior alterations that would require a city building permit would be to go thru the Mission Bay Design Review Committee review process and receive approval. The Mission Bay permit promotes compliance with the Declaration of Covenants, Conditions and Restrictions (CC& R's) and controls the harmony of external design with surrounding structures and topography.

The second step for any construction for a new residence or exterior alteration that would require a city building permit would be to submit such drawings and plans to the City of Polson Building Department. Upon receiving both a Mission Bay permit and a City of Polson Building Permit, construction can proceed.

Mission Bay Submittals

Submittal of plans and specifications for the construction or installation of any improvements within Mission Bay is to be made to the Mission Bay Design Review Committee at the following address:

Mission Bay Design Review Committee
P.O. Box 129
Polson, Montana 59860
Telephone: (406) 883-1730

The Mission Bay Design Review Committee may, upon written or proper notice, change the address for the submittal of plans and specifications.

The MBDRC shall only review, approve and/or disapprove submitted plans and specifications regarding style, exterior design, appearance, location and compliance with the provisions set forth in these Design Review Guidelines and requirements included in the CC&R's.

The MBDRC shall not be responsible for reviewing and/or approving any improvement plans and specifications for: engineering design, structural engineering and safety, or for compliance with applicable zoning, building, or other county, state, or federal laws, ordinances, or policies.

Along with obtaining all necessary approvals from the Design Review Committee as set forth in the CC&R's and these Design Guidelines, each owner is obligated to obtain all necessary governmental approvals.

Plans and specifications are to be prepared in accordance with all applicable governmental laws and regulations affecting the use of the property and the improvements thereon.

Proposed home plans shall include a professional detailed landscape plan drafted by an architect, engineer or a commercial drafting service. All plans must comply with both City of Polson Building Department requirements and MBDRC Requirements outlined in this Document.

DESIGN GUIDELINES
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Mission Bay Design Review Committee Membership

The Mission Bay Design Review Committee will be appointed by the Board of Directors of the Mission Bay Homeowners Association, as set forth in the Bylaws of the Association.

The MBDRC requires of a minimum of three individuals and a maximum of five individuals for any given design review process or meeting to conduct business. These individuals would be property owners and residents that are in the community a sufficient amount of the year to participate in Design Review matters as they arise.

Design Reviews are to be dated upon submittal and dated when comments are completed and returned to the property owner.

There should never be less than 3 committee members reviewing a design submittal reviewing a design submittal. Review comments and summary are to be in written form.

Meetings with property owners shall be summarized in writing and distributed to the property owner as well as the committee members at time of review.

Deviations, Substitutions and Variances to any part of the Design Guidelines will be reasonably considered on a case-by-case basis at the time of submittal.

If a property owner does not flag or highlight a specific or intended variance at the time of submittal and clearly indicates a desire for approval of that variance, then the written language of the Design Guidelines Document will govern.

The Mission Bay Board of Directors reserves the right to amend, change or revise any or all of the requirements contained in this Community Design Guideline Document at any time.

Design Review & Approval Procedure

By way of illustration, but without limitation, the following improvements require submission to the Mission Bay Design Review Committee for approval:

- New construction or installation including: dwellings, accessory buildings, garages, fences, retaining walls, steps, awnings, canopies, poles, trellises, patio overheads or decks, gazebos, sun decks, wind screens, fountains, landscape yard ornaments and sculptures, spas, hot tubs, recreation apparatus, exterior lighting and/or sound systems and solar energy systems.
- Any site construction or dwelling unit construction requiring a building permit from the City of Polson.
- Installation or modification of landscape, hardscape, trees, shrubs, plants, irrigation or drainage systems, recreation areas and surface drainage revisions.
- Subsequent changes or other improvements to the property after completion of the initially approved and/or constructed structure, landscaping, etc. must be submitted through the same design review procedure for approval by the MBDRC.

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Jurisdictional Review & Approval

Approval of any project by the Mission Bay Design Review Committee does not waive the requirement for permits from the City of Polson, Lake County, the State of Montana or any other governmental or quasi-governmental agency having jurisdiction in Mission Bay, nor does the obtaining of all required permits from the City of Polson, Lake County, the State of Montana or any other governmental or quasi-governmental agency having jurisdiction in Mission Bay waive the need for the Mission Bay Design Review Committee approval.

The Mission Bay Design Review Committee will not knowingly approve a project that violates jurisdictional building or zoning codes.

The MBDRRC takes no responsibility for plan's conformance to any criteria other than these Mission Bay Design Guidelines.

Design Review Submittal Requirements

Any submittal for the construction or installation of any improvement, including but not limited to architectural or landscape to the MBDRRC must be in duplicate, and shall be initiated with an Application for Review.

The Application, provided by the Mission Bay Design Review Committee must include the following items:

- Property owner's name
- Mailing address
- Business and residence telephone numbers (including area code)
- Property number(s) of proposed construction
- Address of site(s)
- Name, address and telephone number of architect, designer or owner's representative (e.g., landscape architect or designer, engineer or contractor)
- Name, address and telephone number of contractor
- List of drawings enclosed

- Refer to the Review Form found at the end of this section.

Please refer to the Review Form found at the end of this section.

A non-refundable submittal fee of \$250.00, or as determined by the MBDRRC, is required for the review of submitted documents for approval.

A non-refundable submittal fee of \$25 to review work not requiring a building permit, such as landscape alterations will be required for approval prior to start of construction, to ensure compliance with Mission Bay Design Guidelines.

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Pre-Construction Reviews of Designs

Three (3) submissions are typically required for custom home and production home review and approval by the Mission Bay Design Review Committee.

Please refer to the flowchart graphic of typical process and steps.

The initial concept meeting and preliminary design workshop are required in the review and approval process.

This meeting should be held informally with the MBDRRC Representative at the beginning of the design process.

The Property Owner and the MBDRRC Representative will meet to discuss the design review process.

The preliminary design workshop will be held after the Property Owner and his/her architect or designer has developed a design concept, prior to its evolution into a complete Schematic Design package.

The MBDRRC encourages the attendance of the builder at all meetings throughout the Design Review Process.

Submittal Phases or Steps

The **first** submission will include Schematic Design plans.

The **second** will include the final Construction Drawings and professional, detailed Landscape Plan, provided there is approval of the first submission with authorization to proceed.

The **third** submission is for the Mission Bay Design Review Committee Staff Representative to review the local building and zoning department's comments.

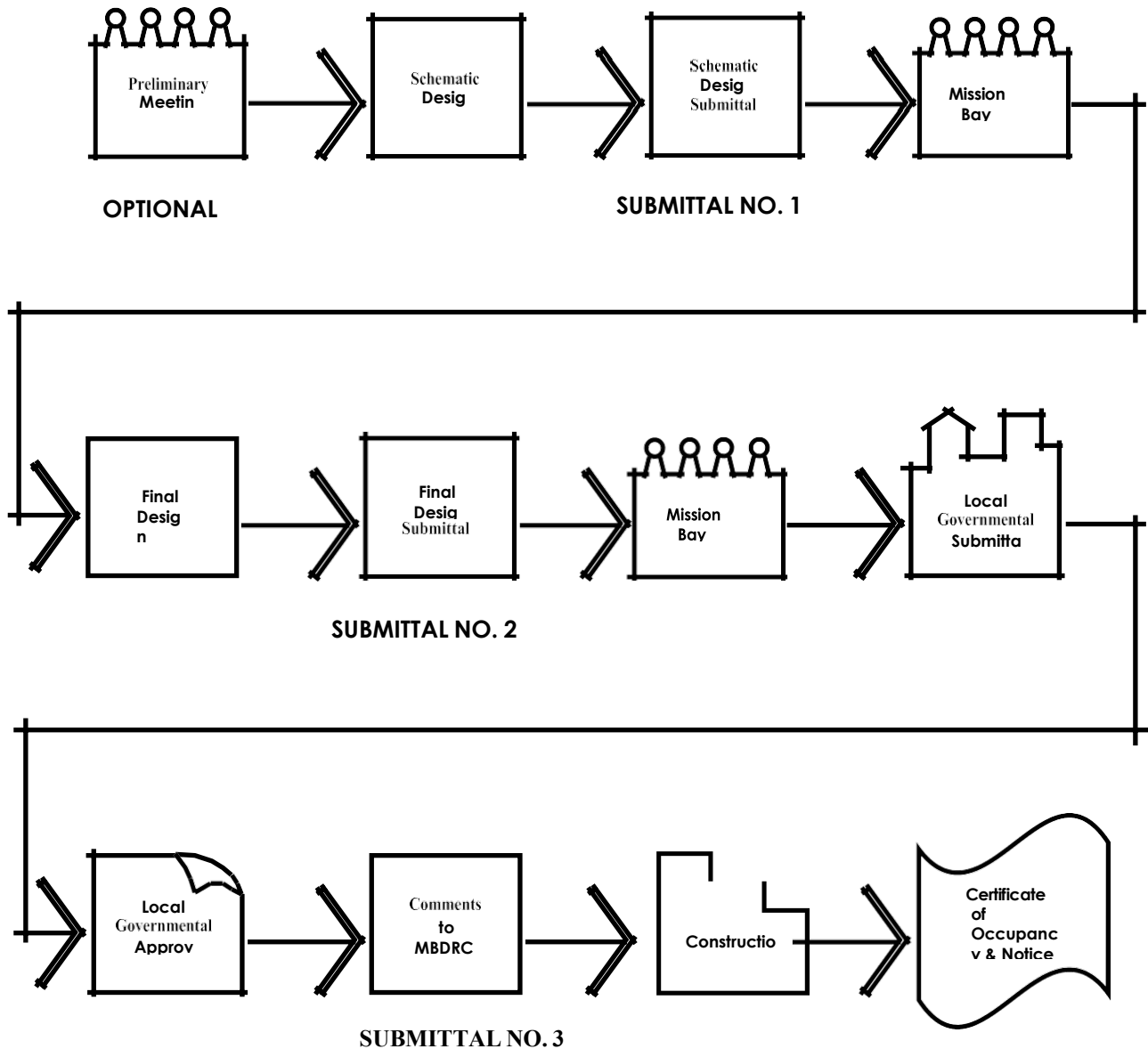
Upon completion of the review and approval process, one (1) set of each submission is to be retained by the Mission Bay Design Review Committee, and one (1) set is to be turned over to the owner.

All submissions must be determined to be complete before the MBDRRC will commence review of plans.

Submissions that are not complete, as determined by the MBDRRC, will be promptly returned to the owner.

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Design Review & Approval Flowchart



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Deposits & Insurance

Owners shall, at the time of obtaining all required building and improvement permits, pay to the Mission Bay Homeowners Association or their agent through escrow the following deposit:

1. Two thousand five hundred dollars (\$2,500.00) to assure the proper clean-up of dirt and debris and repair of any damage to the landscaping, private streets and entry gates/monumentation within Mission Bay caused by the Property Owners or agents in the construction of their custom or production home. The \$2,500.00 deposit will also be held until landscaping is complete. All landscaping is to be completed within ninety (90) days of the issuance of the Certificate of Occupancy or one hundred dollars (\$100.00) per week thereafter will be deducted from the deposit. At the written request of the owner, the MBDRC may extend the 90-day limit based on seasonal weather constraints. Such extension shall be in writing, and shall specifically establish the new completion date. Any refunds due the owner will be distributed after the issuance of the Certificate of Occupancy by the City of Polson, completion of landscaping and a written request by the owner to the Board of Directors and the Mission Bay Design Review Committee. The Mission Bay Design Review Committee will have the discretion to approve the release of the respective deposits after determining that any damage caused by owners in the construction of their custom or production home has been repaired and all landscaping has been completed.
2. Prior to the commencement of construction, the Property Owner shall purchase and require his or her contractor to purchase general and automobile liability insurance and shall maintain and cause contractors to maintain such insurance. This Certificate of Insurance in the amount not less than one million dollars (\$1,000,000.00) must be maintained for the entire period of time necessary to construct the owner's residence or residential addition/renovation, until the issuance of the Certificate of Occupancy. Each liability insurance policy shall contain the following clauses:
 - a) "This insurance shall not be canceled, limited in scope of coverage, or non-renewed until thirty (30) days written notice has been given to:"

The Board of Directors
Mission Bay Design Review Committee
P.O. Box 129
Polson, Montana 59860
Telephone: (406) 883-1730
 - b) "This insurance policy, which names the Mission Bay Homeowners Association, and Mission Bay Design Review Committee as additional insured, is primary and any insurance maintained by such additional insured shall be non-contributing."

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Preliminary Meeting & Design Workshop

Prior to the submittal of preliminary plans to the Mission Bay Design Review Committee, the Property Owner, architect or designer, and builder are invited to meet informally with the Mission Bay Design Review Committee Staff Representative.

The intent of this review of the Design Guidelines is to clarify any questions related to the review process. The Property Owner or Owner representative should contact the MBDRC to set up this initial meeting.

As part of this preliminary meeting, a design workshop may be held with the Property Owner, the architect or designer, builder, and the Mission Bay Design Review Committee Staff Representative prior to completion of the Schematic Design package.

This workshop is intended to be an informal session where the preliminary conceptual design is presented to the MBDRC Staff Representative.

The Representative will then determine if the conceptual design meets the intent of these Design Guidelines.

Conceptual plans should include the following drawings and exhibits presented in a loose format:

1. Conceptual Property Plan/Grading Plans providing building envelope and building footprint criteria.
2. Conceptual Floor Plans providing building square footage and appurtenant structure location.
3. Conceptual Elevations and Sections of exterior elevations/sections for all proposed buildings.
4. Conceptual Landscape Plan with identification of planting zones as they relate to the plot plan and architecture, indicating the placement of fences, walls and amenities.

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Submittal No. 1 Schematic Design submittals must include 2 sets of the following:

Plot Plan or Site Plan: Min. Scale 1" = 10'-0"

1. Show Property lines accurately, including length, angles, and amount of curve.
2. Show all buildings, structures, fences, walks, setbacks, sidewalks, slopes and street right-of-way contiguous to the Property.
3. Show required building envelope setbacks.
4. Summarize the square footage of the first floor, second floor, garage, covered decks/porches and basement.
5. Drawings to include specifications of materials and the color and height of all fences and retaining walls. Heights of the top of wall should be shown in relation to adjacent ground elevations.
6. The plot plan should clearly indicate the location of the proposed construction, including location and heights of existing fences, walls and structures.
7. Driveways and walkways.

Landscape Plan: Min. Scale 1" = 10'-0"

1. The submittal is required to include a professional, detailed Landscape Plan.
2. The plan should include: trees, shrubs, fences, walls, trellises, arbors, gazebos, drainage, grading, mechanical equipment and propane tanks.

Preliminary Grading Plan: Min. Scale 1" = 10'-0"

1. Show existing contours and the proposed drainage concept.

Floor Plan: Min. Scale 1/8" = 1'-0"

1. Indicate all walls, columns, openings and any conditions or feature that will affect the exterior design of the building.
2. Scale accurately all items and parts of plans and details, including balconies, decks, atriums, garages, accessory buildings, square footage of total living area of residence, pools, recreation areas and patio covers.
3. Include notes on all exterior items that cannot be clearly noted on the elevations.

Elevations: Min. Scale 1/8" = 1'-0"

1. Provide exterior elevations to scale of all proposed buildings. All horizontal elevation points must be shown on the elevations (i.e., ridgelines, balconies, terraces, etc.).
2. Generally, all finish materials, colors and textures should be identified as to product and location.

Other Documents:

1. Other documents may be required or deemed necessary by the Mission Bay Design Review Committee to clarify issues.
2. Perspective, isometric, or renderings are additional drawings that are not required; however, they may assist the MBDRC to understand the proposed design.

Review of Submittal No. 1

When the Mission Bay Design Review Committee has determined that all requirements for Submittal No. 1 have been met, the Design Review Committee must, within twenty-one (21) days, meet and either approve or disapprove the proposed improvements. The MBDRC will provide written notice to the owner of the date, time and place of the review meeting. Failure by the MBDRC to act within this twenty-one (21) day period will constitute approval of the submittal Number 1. Should the MBDRC disapprove any submittal, the owner has the right to appeal the decision to the Board of Directors of Mission Bay Homeowners Association pursuant to the CC&R's.

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Review of Submittal No. 1 (continued)

Prior to the submittal of preliminary plans to the Mission Bay Design Review Committee, the Property Owner, architect or designer, and builder are invited to meet informally with the Mission Bay Design Review Board Staff Representative to review the intent of the Design Guidelines and to clarify any questions related to the review process. The Property Owner or Owner's representative should contact the MBDRC to set up this initial meeting.

A preliminary design workshop will be held between the Property Owner, the architect or designer, builder, and the Mission Bay Design Review Committee-prior to completion of the Schematic Design package. This workshop is intended to be an informal session where the preliminary conceptual design is presented to the MBDRC. The Representative will then determine if the conceptual design is meeting the intent of these Design Guidelines.

Submittal No. 2:

Final working drawings must include 2 sets of the following:

Working Drawings: Min. Scale $\frac{1}{4}" = 1'-0"$

1. Drawings shall include any revisions required by the Mission Bay Design Review Committee after review of Submittal No. 1.
2. The drawings shall be fully dimensioned and include the following drawings;
 - a) Floor Plans
 - b) Foundation Plans
 - c) Roof Plan
 - d) Sections
 - e) Elevations
 - f) Details.
3. Written specifications for all work.

Roof Plan: Min. Scale $\frac{1}{4}" = 1'-0"$

1. Show plans of all proposed roofs with slope pitches and roof heights above finish grade adjacent to the structure.
2. Indicate all materials.
3. Indicate any unusual conditions or construction requirements.

Exterior Colors & Finishes:

1. Prior to selection of color scheme, please refer to the color discussion on page III-18.
2. All colors and materials must be provided on a sample board or on an elevation sheet. The sample board or elevation sheet must clearly indicate which color(s) and material(s) will be used on each portion of the building. Patio Homes must be uniform colors. All colors and materials must be identified with a manufacturer's name and list number/name. Colors must be painted on the proposed finish surface material, with a size of at least 12" x 12". A sample of the roofing material, stone and/or brick must also be provided.

Grading Plan: Min. Scale $1" = 10'-0"$

1. A plan that indicates contours, flow lines, drainage patterns existing and proposed finished grades.
2. Finish grade changes (cut & fill requirements) accompanied by a grading plan.

Landscape Plan: Min. Scale $1" = 10'-0"$

1. Show type, size and location of all plant materials and be consistent with the landscape standards set forth in these Design Guidelines.

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2. Show all fences, walls, trellises, arbors and gazebos, their location, material and color.
3. The plan should also include drainage, slope stabilization and mechanical equipment.
4. Driveways and walkways, including materials.

Amenity Plans: Min. Scale 1" = 10'-0"

1. Plans for other detached amenities must include plans for drainage, mechanical equipment and construction in conformance with these Design Guidelines and the CC&R's.

Review of Submittal No. 2

When the Mission Bay Design Review Committee has determined that all requirements for Submittal No. 2 have been met, the MBDRRC must, within twenty-one (21) days, meet and either approve or disapprove the proposed improvements.

The MBDRRC will provide written notice to the owner of the time, date and place of the meeting. Failure by the MBDRRC to act within this twenty-one (21) day period will constitute approval of the submittal Number 2.

Should the MBDRRC disapprove any submittal, the owner has the right to appeal the decision to the Board of Directors of Mission Bay Homeowners Association pursuant to the CC&R's.

This review will include, but not be limited to: a determination of whether the submittal is consistent with Submittal No. 1; itemized reasons for any discrepancies if plans are not approved; and the review and approval or disapproval of all plans.

Upon the MBDRRC approval of Submittal No. 2, owners should diligently proceed to submit their plans and specifications to the appropriate Building and Planning Departments for approval and issuance of grading and building permits.

The owner must provide a copy of all building and/or grading permits to the MBDRRC.

Submittal No. 3

Upon issuance of grading and building permits by the local Building and Planning Departments, the Property Owner shall submit copies of the Building and Planning Department's comments and required changes (if any). The purpose of Submittal No. 3 is to give the MBDRRC the opportunity to review and acknowledge their comments and conditions of approval and any required changes to the final construction plans.

Any proposed changes or deviation from the approved plans occurring during construction must be submitted to the Mission Bay Design Review Committee for approval, prior to the commencement of such changes.

The review of the submittal shall be in accordance with the procedures and time periods used for review of Submittal number 2.

NOTE: The Mission Bay Design Review Committee members will make periodic checks of construction progress based on approved home plans.

Failure to submit proposed changes or deviation from the approved plan to the MBDRRC during construction may result in the following penalties:

1. Revocation of the existing Design Review Committee approval
2. Termination of ongoing site construction
3. Forfeiture of the owner's \$2,500 deposit, and
4. Payment of all fees and costs which may be incurred by the Design Review Committee.

The MBDRRC is under no obligation to approve proposed changes to the approved plan. The Committee shall

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review any proposed changes pursuant to the pertinent design guidelines set forth in the preceding sections of the manual. Construction cannot resume except pursuant to an approved plan.

Additional information regarding the Design Review Approval Process by the Mission Bay Design Review Committee:

- Representatives of the Design Review Committee are available by appointment to inform or clarify for property owners prior to a submittal to ensure a better understanding of the process and requirements.
- When a property within Mission Bay is sold to a new owner – whether it is bank foreclosed owned property, vacant land or occupied with a dwelling unit at any stage of completion – representatives of the existing property owner and representatives of the new property owner confirm in writing the transfer of the Design Guidelines and the CC&R's for Mission Bay, as part of the property ownership transfer.
- When a property within Mission Bay is leased to an occupant, representatives of the existing owner acting as the 'landlord' and representatives of the new occupant acting as the 'tenant' confirm in writing the transfer of the Design Guidelines and the CC&R's for Mission Bay, as part of the property rent/lease agreement.

Notice of Completion and Construction Duration

From the time construction starts with ground-breaking and until notice of completion, the owner has 18 consecutive months to file a notice of completion for the entire project. This would include structural residence building, patios, sidewalks, driveways, decks, landscaping and all site work, and exterior painting. This would apply to both new residence and remodel / renovation construction. If an owner feels they need to file an extension, one request will be considered on an individual situation basis; with seasonal weather conditions being the primary factor for consideration.

After completion of all improvements to the Property and after issuance of the Certificate of Occupancy, the owner shall submit written Notice of Completion to the Mission Bay Design Review Committee indicating that all improvements to the Property are complete and are in conformance with the approved plans and specifications. Upon receipt of the letter, the MBDRC must inspect the improvements within fifteen (15) days. After inspection, the MBDRC must notify the owner of either final approval of the improvements or noncompliance with the approved plans and specifications. Failure by the MBDRC to notify the owner of any noncompliance within thirty (30) days after completion of the inspection will constitute an approval of the improvement(s).

With the Notice of Completion, the owner shall also have the right to request that any remaining refundable portion of their deposit be released by the MBHA Board of Directors after the inspection and final approval of the improvements by the MBDRC. The owner shall also have the right at this time to request permission to release any insurance policies that have been held against the Property.

Builder and Contractor Approval

Upon reviewing Application for Review, the MBDRC will notify the Owner and the Builder/Contractor as to the Builder/Contractor's approval or denial to build in Mission Bay. If at any time information is brought to the attention of the MBDRC, MBHA or Northwest Holdings, L.L.C. indicating any impropriety on the part of a Builder/ Contractor, deemed not to be in the best interest of the community or the property owners, the Builder/Contractor may be denied permission to work in the Mission Bay Community.

MISSION BAY DESIGN REVIEW COMMITTEE APPLICATION FOR REVIEW

Ownership Data

Property Owner's Name: _____

Current Mailing Address: _____

Telephone Numbers: Business / Day () _____ - _____

Residence / Evening () _____ - _____

Property number(s) of proposed construction: _____

Address of site(s): _____

Architect / Designer Data

Architect / Designer Data: _____

Mailing Address: _____

Telephone Numbers: Business / Day () _____ - _____

Contractor / Builder Data

Contractor / Builder Name: _____

Mailing Address: _____

Telephone Numbers: Business / Day () _____ - _____

Contractor's License No. _____

Landscaper: _____

Mailing Address: _____

Telephone Numbers: Business / Day () _____ - _____

Contractor's License No. _____

Application Fee: A non-refundable application fee of \$250.00 is required by the Mission Bay Design Review Board at the time of Submittal Number 1.

Security and Performance Fee: A deposit of \$ 2,500.00 is due upon approval of submittal No. 2. The undersigned understand that the Mission Bay Design Review Committee has the right to enforce strict compliance with the terms of this approval and the approved documents. Non-Compliance by the undersigned shall result in the forfeiture of the \$2,500.00 deposit and the Committee may in addition employ any remedy allowed by law to ensure compliance including specific performance and the recovery of attorney fees. Upon satisfactory completion of the project and final review and approval of the MBDRB, the \$2,500 fee shall be refunded to the owner.

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Acknowledgement: As a Mission Bay lot owner intending to build, I/we have read and reviewed with my contractor, landscaper and/or agent the current Mission Bay Design Guidelines, Covenants, Restrictions and fully understand the requirements set forth as they pertain to this application. All work will be completed in conformance with the approved documents and application. I/we understand there are also state penalties for non-compliance. Any change to any building or landscaping associated with this application shall be resubmitted to the Design Review Board and approval obtained prior to construction of any and all modified plants. Owner, Contractor, and Landscaper are all parties to this document, governed by the terms hereof, and all parties must attend the final review and submit this completed document.

Owner Signature: _____ Date: _____

Contractor Signature: _____ Date: _____

Landscaper Signature: _____ Date: _____

Mission Bay Design Review

Committee Home Site Number: _____

Date & Time Received: _____

Received By: _____

Receipt of \$250.00 submittal fee: _____

Receipt of \$2,500.00 deposit: _____

Application For: _____

MISSION BAY DESIGN REVIEW COMMITTEE APPLICATION FOR REVIEW

Home Program and Areas

Architectural Style: _____
No. of Bedrooms: _____
No. of Baths: _____
Finished Living Area 1st Floor: _____
Finished Living Area 2nd Floor: _____
Finished Living Area Basement: _____
Garage Area: _____
Covered Deck/Porch Area: _____
Uncovered Deck/Porch Area: _____
Unfinished Area: _____
Patio Area: _____
Lot Coverage: _____

Material, Finishes & Color

Item	Material	Color
Foundation	_____	_____
Retaining Wall(s)	_____	_____
Exterior Finish:	_____	_____
Stone	_____	_____
Brick	_____	_____
Siding	_____	_____
Vertical Shakes	_____	_____
Stucco	_____	_____
Trim	_____	_____
Fascia /Rake	_____	_____
Roofing	_____	_____
Doors:	_____	_____
Front	_____	_____
Other	_____	_____
Garage	_____	_____
Windows Deck	_____	_____
Railing	_____	_____
Additional Items:	_____	_____

Design Review Committee Comments:

Construction Information

Construction Activities

- During construction the lot must be kept clean of trash and construction debris. The contractor will monitor all construction activities for compliance. A fully enclosed, solid sided waste dumpster with a minimum three (3) cubic yards is required on all construction sites. The dumpster must be emptied when full
- All construction activities and materials are restricted to the lot for which the permit was issued.
- Staging areas for building materials must be kept clear of the road right-of-way and common properties, unless the developer has granted prior approval.
- The washing-out of concrete trucks on Mission Bay Homeowners Association property is strictly prohibited. This includes roads, ditches, road right-of-way, common property and adjoining lots. Any necessary washing-out should be performed on the lot where construction is taking place with no runoff to adjacent properties or roadways.
- Should blasting be required for site excavation, the MBDRRC must be notified and approve the schedule well in advance.
- All backfill material placed in utility trenches between street-
- side service connections and residences shall be fully compacted. All backfill material placed against foundation walls shall be compacted to the maximum extent allowed by the Universal Building Code.
- It will be the responsibility of homeowners to enforce with their builders and construction crew, all rules regarding dogs and speed limits within Mission Bay.

Lot Clearing

- Lot clearing is prohibited prior to the issuance a building permit and MBDRRC approval.
- All proposed tree clearing shall be reviewed by MBDRRC to assure the retention of as many native trees and flowering plants as practical.
- Dead, diseased and downed trees and low hanging limbs that are a safety hazard may be removed with the approval of the MBDRRC.
- All debris shall be removed from the lot within fifteen (15) days of Certificate of Occupancy.

Landscape Construction

- Where applicable, existing desirable trees, shrubs and native vegetation within the site of construction or adjacent sites must be protected and preserved, to enhance the natural setting desired within Mission Bay.
- Stockpiling building materials within the drip line of trees to be preserved is prohibited.
- Ground disturbance within the drip line of any trees must be approved by MBDRRC.

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Utilities

The following are examples of utility providers servicing the Mission Bay Community:

- Water & Sewer:
City of Polson
106 1st Street East
Polson, MT 59860
(406)883-8201
- Polson Fire Dept:
106 1st Street East
Polson, MT 59860
(406)883-8220
- Electricity:
Mission Valley Power
10 3rd Avenue East
Polson, MT 59860
(406)883-7900
- Propane:
Northern Energy
200 7th Ave W
Polson, Mt 59860
(406) 883-2408
1-800-683-0742

Cenex
808 Main Street
Polson, Mt 59860
(406) 883-4725

Polson Propane
63101 Highway 93
Polson, MT 59860
(406) 883-3588

Axmen Propane
16440 Frontage Rd
Frenchtown, MT 59834-9411
(406)626-2490
- Telephone:
Century Tel (formerly PTI Communications)
290 N. Main
Kalispell, MT 59901
(406)758-1000
(888)835-2305
- Cable Television:
Bresnan Communications
333 1st Ave E Kalispell
MT 59901
(406)-755-7200
1-800-824-1984
- Satellite Dish:
Dish Network
2347 South Ave W.
Missoula, MT
(406)721-3662
- Cable Television Internet and phone:
Charter Communications
charter.net
National Phone 1-800-398-6313
1-877-747-3669
Comcast Cable 1-866-922-0069
- Garbage:
Republic Services
64372 US HWY 93
Ronan, MT 59864
(406)676-4330
- Solid Waste:
BFI Disposal
1007 11th St. E.
Polson MT 59860
(406) 883-1117
- Polson Bay Golf
Course:(406)883-8230

Appendix:

For the purpose of these Community Design Guidelines, certain words, terms, and phrases are to be used and interpreted as defined below. Words used in the present tense shall include the future tense; words in the singular number include the plural and the plural the singular; the term “shall” always be mandatory and not directory; and the word “may” is permissive. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied.”

Definitions of general terms: The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout these Design Guidelines. Terms not herein defined shall have the meaning customarily assigned to them or such as the context may imply.

ACCESS: The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

ACCESSORY BUILDING: A subordinate building, the use of which is incidental to that of a main building and located on the same lot therewith.

ACCESSORY USE: A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings and located upon the same lot therewith.

ADVERTISING: Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used, or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures or on buildings, structures, milestones, signboards, wallboard, roof board, frames, supports, fences, or other manmade structure. Any such advertising shall be considered a structure within the meaning of the word “structure” as utilized herein.

AGENCY: City of Polson, Planning and Zoning.

ALTERATION: As applied to a building or structure, a change or rearrangement in the structural parts or an enlargement, whether by extending a side or by increasing its height, or structural changes, other than repairs, that would affect safety. The term “alter” in its various modes and tenses and its practical forms, refers to the making of an alteration.

AREA, BUILDING: The total area taken on a horizontal plane at the main grade level of the principal building and all necessary buildings exclusive of uncovered porches, terraces, and steps.

AVERAGE GROUND ELEVATION: The elevation of the mean finished grade at the front of the structure.

BASEMENT: A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half of its height is above the average ground elevation.

BUFFER ZONE: A zone of vegetative cover sufficient to restrict significant movement of soil resulting from land-disturbing actions in the immediate vicinity of watercourses in the reservoir area, including manmade or natural drainage ways.

BUILDING: Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, mobile homes, and similar structures whether stationary or movable.

BUILDING AREA OF A LOT: That portion of a lot bounded by the required rear yard, side yards, and the building setback line.

BUILDING CODE(S): The most recent edition of the Uniform Building Code.

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

BUILDING SETBACK LINE: A line delineating the minimum allowable distance between the property lines and a building on a lot, within which no building or other structure shall be placed except as otherwise provided.

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BUILDING SETBACK LINE, FRONT: A line delineating the minimum allowable distance between the street right of way, or if an official future street right of way has been established, from that future street right of way line and the front of a building on a lot and is parallel to or concentric with the street right of way.

BUILDING SETBACK LINE, REAR: A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

BUILDING SETBACK LINE, SIDE: A line delineating the minimum allowable distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line.

COMMON SPACE: Land in a residential district that is held in common ownership by the landowners of that residential development district and used for amenity or recreational purposes.

COVERAGE: The lot area covered by all building located thereon, including the area covered by all overhanging roofs.

DEVELOPER: Any individual, firm, corporation, association, partnership, or other entity involved in the development of land for itself, Agency, or others.

DISTRICT: Any section or sections of the area lying within the transferred land.

DWELLING: A building or part thereof used as for habitation.

ELEVATION: A flat scale drawing of the front, rear, or side view of a building. Also, a height relative to a station point regarding grade.

FAMILY: One or more persons related by blood, marriage, or adoption, or a group of not to exceed five persons not all related by blood, marriage, or adoption, occupying the premises and living as a single housekeeping unit not operated on a for-profit basis, as distinguished from group occupying a boarding or lodging house or similar dwelling for group use. A family shall not be deemed to include domestic servants employed by said family.

FLOOD: A temporary rise in water levels or an accumulation of water runoff, resulting in inundation of areas not ordinarily covered by water.

FLOOD, 100-YEAR: A flood having a 1 in 100 (1%) chance of being equaled or exceeded in any one-year period.

FLOOR AREA: The sum of the gross floor area for each of the several stories under roof, measured from the exterior limits or faces of a building or structure.

FRONTAGE: All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all the property abutting on one side between an intersecting street and the dead end of the street.

GRADE, FINISHED: The completed surfaces of lawns, walks, and roads brought to grades as shown on plans or designs.

HEIGHT OF BUILDING OR STRUCTURE:
Not to exceed 28 feet above natural grade at the point in the lot center where diagonals intersect.

INNOVATIVE ON-SET WASTEWATER SYSTEMS: Any subsurface wastewater disposal system which is an alternative to conventional rectangular trench, gravity-fed distribution design.

LAND-DISTURBING ACTIVITY: Any land-disturbing activity including cutting, filling, borrowing, stockpiling, or other activity where material or ground cover is removed or altered.

LOT or HOMESITE: A piece, plot, or parcel of land in one ownership, which may include one or more lots or record, occupied or to be occupied by one principal building and its accessory buildings, including the open spaces required under these standards.

LOT, AREA: The total surface land area included within lot lines.

LOT, CORNER: A lot of which at least two adjoining sides abut their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than 135 degrees.

LOT, DEPTH: The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

LOT, FRONTAGE: That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

LOT, INTERIOR: A lot other than a corner lot.

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LOT LINE: The boundary dividing a given lot from the street, an alley, or adjacent lots.

LOT, WIDTH: The width of a lot at the building setback line measured at right angles to its depth.

MINIMUM FLOOR ELEVATION: The lowest

elevation permissible for the construction, erection, or other placement of any floor, including a basement floor.

OPEN SPACE: An area on the same lot with a main building which is open, unoccupied, and unobstructed by structures from the ground to the sky except as otherwise provided in these standards.

OWNER: The person in whom or which is vested the ownership, dominion, or title of property so far as the law permits.

PARKING SPACE: An off-street space available for parking one motor vehicle and having an area of not less than 200 square feet exclusive of passageways and driveways giving access thereto and having access to a street or alley.

PERSON: "Person" includes a firm, partnership, corporation, joint venture, or Federal, State, or local agency, as well as an individual.

PLANS AND SPECIFICATIONS: A site plan, design drawings, specifications, grading, access, landscaping plans and designs, or any other document, drawing, or literature which illustrates, describes, or otherwise interprets the plan of development proposed for any structure, site, or subdivision designated for development.

PLAT: A map or representation on paper of a piece of land subdivided into lots with streets, alleys, etc., usually drawn to scale.

PRINCIPAL USE: The specific primary purpose for which land or a building is used.

PUBLIC ROAD: A road or highway over which the public has the right of passage.

PUBLIC USE: Public parks, schools, and administrative, cultural, and service buildings, not including public land or buildings, devoted solely to storage and maintenance of equipment and materials.

PUBLIC WATER: A municipal, community, or utility district water treatment and distribution system of a type approved by the State Department of Public Health and the Public Service Commission.

RECREATIONAL VEHICLE: Travel Trailer, Motor Home, Boat or Watercraft See **TRAVEL TRAILER**.

RESIDENTIAL DEVELOPMENT: The comprehensive and orderly development of land designated for such purposes, either by subdivision or planned unit development.

RIGHT OF WAY: The right of passage imposed by law or convention through which one has the right to pass or drive through the estate of another.

ROADWAY: The actual road surface, including necessary road shoulders and drainage facilities, ditches, curbs, and gutters, which is used to transport motor vehicles.

SIGN OR OTHER ADVERTISING DEVICE:

Any structure or part thereof or device attached thereto or represented thereon which shall display or include any letter, words, model, banner, flag, pennant, insignia, or any representation used as, or which is in the nature of, an announcement, direction, or advertisement. The word "sign" does not include the flag, pennant, or insignia of any nation, State, city, or other political unit.

SIGN, OFF-PREMISE: A remote sign relating to a product, service, or establishment that is on the premises to which the sign is referring.

SIGN, ON-PREMISE: A sign relating to a product, service, or establishment that is on the premises on which the sign is located.

SITE: Any tract, lot, or parcel of land or combination of tracts, lots, or parcels of land which is in one ownership or is continuous and in diverse ownership where grading, construction, or development is to be performed as part of a unit, subdivision, or project.

SPECIFICATIONS: See PLANS AND SPECIFICATIONS.

STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above or any portion of a building between the topmost floor and the roof which is used for human occupancy in which the floor area with 8 feet or more head clearance equals 50 percent or more of floor area of the next story below. Provided it is not used as a dwelling unit, a top floor in which the floor area with 8 feet or more of head clearance equals less than 50 percent of the floor area of the story next below shall be a "half-story." A basement shall be considered as a story if more than half of its height is above the average ground level from which the "height of a building" is measured or if it is used for commercial purposes.

STREET: SEE ROADWAY

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STRUCTURE: Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including, among other things, signs, billboards, and fences. Structure shall also mean any fill, diversion dam, or other manmade thing or device which affects or alters the natural flow of surface waters upon or across any natural or artificial stream, wash, or drainage channel.

SUBDIVISION: The division of a tract or parcel of land into two or more lots, plots, sites, or other division of land for the purpose of sale or building development, whether immediate or future, including the re-subdivision of such tract or parcel.

TRANSOM: The window placed directly over a window or door, may be a fixed or operable window.

TRAVEL TRAILER: A vehicular, portable structure designed as a temporary dwelling for travel, recreation, and vacation uses.

USE: The purpose under these standards for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

WATERCOURSE: Any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, or wash in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel, bed, or banks subject to inundation by reason of overflow or surface water.

YARD: An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings from the ground to the sky except as otherwise provided in this resolution, provided that accessory buildings may be located in a rear yard.

YARD, FRONT: The yard extending across the entire width of the lot between the nearest part of the principal building, including porches, and the front lot line.

YARD, REAR: The yard extending across the entire width of the lot between the nearest part of the principal building, including porches, and the rear lot line.

YARD, SIDE: The required space unoccupied, except as herein provided, measured between the side lot line and the nearest point of the principal building and between the front yard and the rear yard.

