

DRAFT

# WILDROOT

DESIGN GUIDELINES  
Missoula, MT  
June 2, 2023

Prepared for:



PANDO

Prepared By:



## Chapter 1 : Purpose

This Design Guidelines is intended to promote sustainable patterns of development that will encourage people to connect and interact as part of the Wildroot neighborhood and adjacent neighborhoods. The standards within this document provide a framework for design and construction that will allow each project to contribute to the neighborhood and to the long-term goal of complimenting and enhancing the overall Missoula community. The architectural and landscape elements of site design are integral to the overall desired neighborhood patterns.

Rather than dictate specific design styles, the standards are provided to ensure well designed, detailed, and compatible buildings with clear order and comprehensive composition. The goal is to strike a balance between neighborhood harmony and creativity. This document encourages design diversity and contemporary design while providing certain guidance to ensure high standards of design and longevity in property values. Each project should not simply be an exact copy of another building. The fact that a given style or feature of building already exists does not guarantee that it will be approved for construction again.

Exceptions to these Design Guidelines may be granted only based on design merit as determined by the Wildroot Design Review Panel ("DRP") and outlined in Section 6.4. The DRP evaluates all project proposals on the basis of these Design Guidelines. Some of the guidelines are written as broad standards, and the interpretation of these standards and/or departure is at the discretion of the DRP. When using discretion, the DRP shall implement the "intent" of the Design Guidelines and consider the alternatives based on design merit and overall design composition. The DRP is not authorized to grant any exceptions to local land use regulations unless explicitly authorized by the appropriate review agency or agencies.

**Commented [ZG1]:** Kiely/Lance - confirm if you want to be have multiple homes of the same model? If so, this should be modified.

## Chapter 2 : Properties and Projects Subject to Design Guidelines

The Design Guidelines shall inure to and pass with each parcel, tract, lot, or division in Wildroot Subdivision.

Unless specifically excluded, this Design Guidelines shall apply to the entire Wildroot Subdivision (as described in Exhibits X, X, X & X), any property annexed to Wildroot Subdivision, and all improvements.

No improvements shall be made, erected, altered or permitted to remain upon any Lot until (1) the proper Form(s) is/are submitted, (2) any other information required or requested by the DRP is submitted, (3) all fees are fully paid, (4) all required Forms are approved in writing by the DRP, and (5) any applicable City of Missoula review or permitting and/or fee payment(s) has been completed. All plans submitted to the City of Missoula must have the Wildroot Design Review Panel Form B stamp of approval.

"Improvement" shall be construed broadly and includes, but is not limited to, a residence, fence, wall, garage, outbuilding, other structure, or landscaping.

## **Chapter 3 : Relationship to other Documents**

### **3.1 Local Land Use Regulations & Building Codes**

It is the responsibility of the Owner to ensure that all proposed construction shall comply with all laws, rules, and regulations including, but not limited to local Land Use Regulations and the International Building Code as well as other applicable plumbing, electrical, or building codes in effect for the City of Missoula. The Declaration and Bylaws, if any, also apply to all Lots within the Wildroot Subdivision.

All improvements must comply with applicable building codes, land use regulations, and all other laws, rules and regulations of any government or agency under whose jurisdiction the land lies. Local land use regulations can be found online at [ci.missoula.mt.us](http://ci.missoula.mt.us).

Some provisions of the Design manual may be more restrictive, or less restrictive than local land use regulations as a part of the overall Wildroot Subdivision. Where these design guidelines are silent on a particular or specific development standard, the standards of the Missoula Municipal Code currently in effect shall apply. In instances when there are inconsistencies between the other regulations and the design guidelines, the stringent standard applies.

## **Chapter 4 : Wildroot Design Review Panel**

A Panel is hereby established known as the Wildroot Design Review Panel ("DRP").

### **4.1 Function**

The function and purpose of the DRP is to review applications, plans, specifications, materials, samples, and location to determine if the proposed construction conforms to the Declaration and the Design Guidelines.

### **4.2 Membership**

4.2.1 Before the Transfer Date, the Declarant may appoint a Design Review Panel composed of up to three persons. The persons are not required to be Owners or Members of the Association. The persons may serve on the Design Review Panel until he or she resigns or is replaced by the Declarant, whichever occurs first. If no persons are on the Design Review Panel, then the Board of Directors shall act as the Design Review Panel.

4.2.2 After the Transfer Date, the Board of Directors may appoint a Design Review Panel composed of up to three persons. The persons are not required to be Owners or Members of the Association. The persons may serve on the Design Review Panel until he or she resigns or is replaced by the Board of Directors (will we have a Board of Directors???)

whichever occurs first. If no persons are on the Design Review Panel, then the Board of Directors shall act as the Design Review Panel.

4.2.3 The Board of Directors may also engage engineers or other advisors or consultants in the design review process, as necessary.

#### **4.3 Enforcement Powers**

Should any Owner violate or threaten to violate any part of this Design Guidelines, the DRP may attempt to work with the Owner to have the Owner cure the violation in a timely manner, and/or refer the violation or threatened violation to the Board of Directors. Among any other remedy set forth in the Declaration, the Board of Directors has the right to injunctive relief, which requires the Owner to stop, remove, and/or alter any improvements in a manner that complies with the standards established by the DRP.

#### **4.4 Limitation of Responsibilities**

The primary goal of the DRP is to review the Review Applications and the plans, specifications, materials, samples, and location to determine if the proposed construction conforms to the Declaration and the Design Guidelines. The DRP does not assume responsibility for the following:

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

## **Chapter 5 : Design Review Process**

### **5.1 General**

5.1.1 Approval Required to Commence Construction. No improvements shall be made, erected, altered or permitted to remain upon on any Lot until the Owner submits the proper Form to the DRP and the Form is approved in writing by the DRP. An alternative the Design Review process based on timing and volume is allowed for the developer of Wildroot.

5.1.2 DRP Discretion. The DRP has complete discretion to approve, conditionally approve, or deny a Form. At the least, the construction, installation, or alteration shall comply with the Declaration and Design Guidelines<sup>1</sup>; be in harmony with the external design, location, and topography of the surrounding Lots and Wildroot Subdivision; and not be placed on or under any part of said Lot within the common areas and easements reserved as indicated on Exhibit "A," or the common areas and easements reserved and created in the Declaration, except as approved by the DRP.

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<sup>1</sup> The DRP evaluates all project proposals on the basis of the Hillview Design Guidelines. Some guidelines are written as broad standards, and the interpretation of these standards and/or departure is left to the discretion of the DRP. When using discretion, the DRP shall implement the "intent" of the Design Guidelines and consider the alternatives based on design merit and overall design composition.

5.1.3 Information Required. No Form will be deemed submitted until all information required by the Design Guidelines and requested by the DRP, and all fees are provided. Incomplete applications may be returned and are subject to a re-submittal fee.

5.1.4 Submitting Forms. To submit for design review, please email, share a Dropbox link or WeTransfer your application form and associated documents to the following address:

**Wildroot Design Review Panel**  
c/o Pando Holdings  
205 Detroit Street, Suite 200  
Denver, CO 80206

Submittals must be labeled with "Wildroot Design Review Panel" and specific project title and address. Forms A, B, and C, as may be amended from time to time, may be requested from the DRP or may be downloaded from the website at [www.Wildroot.com](http://www.Wildroot.com). Submittals must be under 15 MBs or separated into individual files less than 15 MB.

5.1.5 After the Review. Following DRP review, the Owner will be notified as to whether the application has been approved, conditionally approved, or denied.

5.1.6 Withdrawing Application. An Owner may withdraw an application without prejudice, provided the request for withdrawal is made in writing to the DRP.

5.1.7 Departures. Any request for any departure must be made in writing to the DRP. Any departure granted shall be considered unique and will not set any precedent for future decisions. Departure requests are subject to Section 6.4.

5.1.8 Request for Hearing. If an application is conditionally approved or denied, the Owner may request a hearing before the DRP to justify the Owner's position. The DRP will consider the arguments and facts presented by the Owner and notify the Owner of its decision.

5.1.9 Event of Inaction. If the DRP does not act on or respond to a Form within forty-five (45) days after receiving the Form, the Form shall be deemed denied.

## 5.2 Informal Advice

Prior to beginning the design process, it is recommended that Owners and their designated representatives (such as architects, contractors, etc.) contact the DRP to verify their interpretation of this Design Guidelines. Owners or their designated representatives may, at their option, request a meeting with the DRP to discuss the preliminary plans prior to a full Form A (Sketch Design Review) submittal.

Fee*	Required Documents	Required Submittal Materials (1 digital PDF copy)	Schematic Drawing Checklist
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None (except as noted below)	None	Conceptual plans appropriate for informal discussion	N/A
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\*Note: Additional meetings and/or reviews requested by the Owner and as determined by the DRP to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.

### 5.3 Form A (Required) Sketch Design Review

The Sketch Design Review checks designs for general interpretations of the overall Declaration and Design Guidelines. Form A includes a statement of Acknowledgement. The Lot Owner and/or its designated representative shall take all necessary steps to ensure that they and their employees, subcontractors, agents, suppliers, and others involved in the development of the Lot are familiar with and agree to abide by the Declaration, Design Guidelines, and approved plans.

Note that Form A review must be completed before Form B review can begin.

If a Form B application is not submitted within nine (9) months of Form A review (based on the date of the letter from the DRP approving or conditionally approving the plans) or if the design changes considerably (as determined by the DRP in the DRP's sole discretion), a new full Form A submittal will be required.

Fee*	Required Documents (1 digital PDF copy)	Required Submittal Materials (1 digital PDF copy)	Schematic Drawing Checklist
\$900 – Single Family/Duplex \$1,100 3-8 Units \$1,250 - All Others	Form A (must be signed)	Site Plan (1/16" or 1/8" scale)	North Arrow Property/Setback Lines Easements Sidewalks; Building Footprints; Porches, Stairs, etc; Overhangs (as dashed lines) Parking and recreation areas (where applicable)
		Landscape Plan (1/16" or 1/8" scale)	Schematic Site & Boulevard Landscaping
		Floor Plans (1/8" scale or larger)	Room Use Windows & Doors Overhangs Dimensions Gross SF
		Elevations (1/8" scale or larger)	Porches, balconies Doors, windows

			Materials specified Overall Height (from average grade) Roof Pitches
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\*Notes:

- 1) Fee covers Form A & B; if project does not progress past Form A, a \$250 refund will be provided upon request of the owner.
- 2) Additional meetings and/or reviews requested by the Owner and as determined by the DRP to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 3) Incomplete applications may be returned and are subject to a \$100 penalty.

## 5.4 Form B (Required) Construction Design Review:

The Construction Design Review checks the construction documents for general compliance with the Declaration and Design Guidelines and verifies that the previous DRP recommendations have been addressed. Conformity to applicable local regulations and building codes, as well as obtaining appropriate permits is the responsibility of the Owner and/or the Owner's architect and/or builder.

If a Form B application is not submitted within nine (9) months of Form A review (based on the date of the letter from the DRP) or if the design changes considerably (as determined by the DRP in its sole discretion), a new full Form A submittal will be required.

Fee*	Required Documents (1 digital PDF copy)	Required Submittal Materials (1 digital PDF copy)	Drawing Checklist
Fee paid in Form A	Form B (must be signed) & Green Building Checklist	Site Plan (1/16" or 1/8" scale) All dimensions must be noted.	North Arrow; Property Lines; Setback Lines; Easements; Sidewalk & Street Location; Location, Dimensions, Materials for walks & drives; Building Footprints; Porches, Stairs, etc.; Overhangs (as dashed lines); Fence location & details; Grading Plan; Location and screening of equipment and meters; Limits of construction activity Parking and recreation areas (where applicable)
		Landscape Plan (1/16" or 1/8" scale)	Site landscaping Boulevard Landscaping
		Floor Plans (1/8" scale or larger)	Room Use Windows & Doors Overhangs

		All dimensions must be noted.	Gross square footage for unit and garage
		Elevations (1/4" scale or larger) All dimensions must be noted.	Porches, balconies Doors, windows Materials specified Overall Height (from average grade) Roof Pitches Lights and light fixture details
		Color Rendering	Color rendering of the front elevation and color chips
		Material Samples	As requested by DRP
		Foundation Letter from Engineer	Each project is required to submit a letter from a civil engineer identifying existing ground water elevations, and recommendations for foundation design, footing and first floor elevations.

\*Notes:

- 1) Fees paid with Form A cover both Form A & Form B.
- 2) Form A & Form B may be submitted concurrently.
- 3) Additional meetings and/or reviews requested by the Owner and as determined by the DRP to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 4) Incomplete applications may be returned and are subject to a \$100 penalty.

## 5.5 Form C Changes & Modifications:

Owners may wish to make improvements or modifications to their improvements or property during the initial construction or at a future date. A change may only be executed after DRP approval of Form C. In some cases modifications or changes may also require City of Missoula approval, please ensure all appropriate approvals are obtained prior to construction starting. **Note that any changes or modifications that are made before Form C is submitted, reviewed, and approved will be subject to an increased fee, a fee to be decided by the Board of Directors or the DRP.**

Fee*	Required Documents (1 digital PDF copy)	Required Submittal Materials (1 digital PDF copy)	Drawing Checklist
\$200 (for proposed modifications)	Form C	Any relevant drawings related to proposed change(s)	Any details related to the proposed changes.
\$500 (for "after the fact" modifications, <b>per</b> infraction as			



determined by the DRP)			
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\*Notes:

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

## 5.6 Building Permits & Site Plan Review

All construction projects require a building permit and some projects may require additional review from the City of Missoula. Any plans submitted to the City of Missoula must include the Wildroot Design Review Panel stamp and/or letter of approval. This is a requirement of the Wildroot Homeowners' Association and not the City of Missoula.

Approval by the DRP does not ensure approval by the City of Missoula.

Construction may not commence without obtaining necessary approvals/permits from the City of Missoula and the Wildroot Homeowners' Association. The Wildroot Homeowners' Association will assess significant fines for beginning construction prior to obtaining all required approvals.

## 5.7 Timing of Construction

An Owner has one (1) year from the date of Form B approval to start construction. If construction of a structure is not started within one (1) year of Form B approval, new approval must be obtained. If there are delays due to the City of Missoula review process or other reasons, an extension can be granted by the DRP.

An Owner has two (2) years from the date construction commences to complete construction unless an extension is granted by the DRP. If construction is commenced and is not completed in two (2) years or is not completed in strict compliance with what was approved, then in addition to any other remedy allowed in the Declaration or this Design Guidelines, or at law or in equity, the Board of Directors may, in its sole discretion, take any action that in its judgment is necessary to improve the appearance of the construction or to bring it into compliance with the Declaration, the Design Guidelines, or the approved plans, including completing the exterior, removing the uncompleted structure, or any other action. Consideration will be given to remaining landscaping based on seasonal constraints; however, such landscaping must be completed during the beginning of the next planting season. The amount of any expenditure incurred in so doing shall be the Owner's obligation. In addition, a lien on the Lot may be recorded and enforced by an action at law. The Association may also take such action as is available in the Declaration and by law or in equity, including an injunction and/or action for damages.

## 5.8 Inspections

The DRP reserves the right to inspect the property during any stage of construction. If the DRP determines, in its sole discretion, that discrepancies exist between the construction and approved plans, the Declaration, or the Design Guidelines, the Owner shall immediately

correct the discrepancies or submit a Form C (after the fact changes) for review and approval.

Inspections are required to ensure that construction proceeds in compliance with the Declaration, Design Guidelines, and approved drawings. Inspection fees are included in the design review application fees. The inspections will generally take place when framing is nearing completion, when siding has neared completion and when landscaping has been completed. Owners are responsible for notifying the DRP when a project is ready for review at each stage noted above.

The DRP is empowered to enforce its policy as set forth in the Design Guidelines, in law or equity, to ensure compliance. If the DRP finds the improvements were not completed in strict compliance with the Declaration, Design Guidelines, and approved plans, the DRP shall notify the Owner of the noncompliance, and shall require remedy of the same. The Owner shall have seven (7) days from the notification to remedy the noncompliance or to submit a work plan delineating the time frame when the noncompliance will be remedied, although in no instance shall the timeframe exceed forty-five (45) days. The DRP may allow up to forty-five (45) days for the noncompliance to be remedied if the Form C and corresponding work plan provides adequate justification for the requested time.

If the noncompliance is not remedied, the Board of Directors may, in its sole discretion, remedy the noncompliance. The amount of any expenditure incurred in so doing shall be the Owner's obligation. In addition, a lien on the Lot may be recorded and enforced by an action at law. The Association may also take such action as is available in the Declaration and by law or in equity, including an injunction and/or action for damages.

The owner shall reimburse the DRP for any time spent on an inspection that is above and beyond the average inspection (including multiple phases and buildings staggered construction). the payment shall be based on the hourly fee (approximately \$100/hour).

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

## **5.9 Liability**

Neither the Wildroot Homeowners' Association, the Declarant, the Board of Directors, the DRP, nor the individual member's thereof, may be held liable to any person for any damages for any action taken pursuant to this Design Guidelines, including but not limited to, damages which may result from review, correction, amendment, changes or rejection of plans and specifications, observations or inspections, the issuance of approvals, or any delays associated with such action on the part of the Design Review Panel or Board of Directors.

## Chapter 6: Neighborhood Design Patterns

All development must adhere to the neighborhood patterns described in the following sections (Site, Building, and Landscape). Photos are included for reference only. Note that some provisions of these Design Guidelines may be more restrictive than local land use regulations.

### 6.1 Site

The Site requirements apply to all mixed uses and residential projects. The following site design guidelines are intended to provide a framework for site layouts within Wildroot.

#### Lots and Setbacks

- Buildings shall be located on lots relative to the setback specified in the current Missoula Municipal Code (MMC), including any easements indicated on the final plat that have been filed.
- All residential zone lots shall primarily front the street in the direction of interior lots on the same side of the block. Building on corner lots must address both street frontages. Design considerations should include, but not be limited to: wrapping front porches, variation in wall planes and massing, additional fenestrations, enhanced landscaping, secondary roof forms and integrated backyard screening.

#### Fences & Screens

- No fencing is allowed in street-facing front yards or in required street vision triangles. In specific situations, as determined by the DRP, fences may be permitted in front yard setback. The Maximum height for fences in front yard is 42".
- Materials: fences and gates must be made of wood and have a sealer, pigmented stain or paint applied in order to protect the wood from moisture and UV rays. A fence must have a cap board unless otherwise approved based on design merit. Other material may be considered, however Chain-link, and Split Rail fences are prohibited.
- Height: maximum height for fences in corner side yards shall be four (4) feet. Maximum fence height is six (6) feet in rear and interior side yards.
- Fences that border open space or parkland are allowed to be a maximum of four (4) feet and shall include semi-transparent sections.
- All fences shall be stained or sealed to protect them from weather and elements and to maintain appearance.
- Screen walls, used for patios or hot tubs, are required to meet all setback requirements, and must be aesthetically connected to and appear as an extension of a primary residence wall. Outdoor rooms may be designed to include, but shall not be substantially obscured by screen walls.

- All fence assemblies are required to be maintained for appearance and kept in working order.
- Dog kennels or runs must be attached to a primary or accessory structure, be screened from public streets and adjacent properties, and receive DRP approval for materials and configuration. Chain-link is not permitted. Underground electric fences are encouraged for dogs.
- Utility panel or wire fences must be constructed so that the wire or utility panel is attached and held in place by the fence structure. Staples alone, are not acceptable to attach the wire to the fencing frame.
- Fences may not be installed within City of Missoula watercourse setbacks, but may be used to delineate such setbacks.

#### **Sidewalks**

- Any existing sidewalks in the right-of-way or open spaces that are damaged during construction must be repaired or replaced at the lot owner's expense.
- Sidewalks on homes facing local streets are required to cross the boulevard in line with the sidewalk leading to the front porch.
- Upon the third anniversary of the plat recordation of any phase of the subdivision, any lot owner who has not constructed said sidewalk shall, without further notice, construct within thirty (30) days, said sidewalk for their Lot(s), regardless of whether other improvements have been made upon the lot. Failure to comply may result in the HOA constructing sidewalks and assessing full coordinating and installation costs and apply fines when deemed necessary.

#### **Garbage**

All development Lots shall have covenants and restrictions governing garbage, container locations, and require regular pick-up service. Lots shall require the Owner to retain, pay for, and have regular (at least weekly) garbage service, and provision of adequate garbage facilities and container or containers to serve all tenants or residents of such improvements. The garbage container or containers may be located on the Lot in a location convenient for collection, but must be screened. Such containers must also have a sufficient tight-fitting lid to deter the escape obnoxious odors, and deter entrance by animals. Compost piles are prohibited on all Lots.

#### **Animal & Pets**

All development Lots shall have covenants and restrictions governing animals and pets. No owner, tenant, resident, or guest shall allow any animal to be at large on the Real Property. Animal (pet) waste shall be immediately cleaned-up by the animal (pet) owner, or person responsible for said animal (pet). Such animals (pets) shall not be permitted to become a nuisance or annoyance to the neighborhood nor to wildlife. All animals kept on any Lot shall be properly nourished, and sheltered from the elements in such a manner as shall be consistent with their good health, and shall not be left outside overnight. Wild animals are inhabitants of the area. Pet food should be kept indoors. Each owner or person responsible shall treat and care for such animals in a humane and merciful fashion, so that other persons

in the area shall not be required to tolerate or condone inhumane treatment of the animals. No commercial sales or breeding of any animals shall be permitted.

#### **Vehicles & Parking**

All development Lots shall have covenants and restrictions governing vehicles and parking. There shall be no assembling, repairing or disassembling of vehicles in the street or upon any Lot, unless conducted indoors inside a garage. No mobile homes, trailers, trucks exceeding one (1) ton capacity, unsightly vehicles, or vehicles without current licensing shall be parked or allowed to remain on any of the Lots or the adjoining streets or driveways unless stored in a garage. These provisions are not intended to preclude the entry of construction, maintenance, delivery, moving, or other such service vehicles while they are being utilized in connection with services on or for the Lot.

#### **Nuisances**

No noxious or offensive activity shall be carried on or permitted upon any of Lot or unit, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood; nor shall any premises be used in any way or for any purpose which may endanger the health or safety of any resident or which would be in violation of any statute, rule, ordinance, regulation, permit or other validly imposed requirement of any governmental body. No damage to or waste of the Real Property or any building situated thereon, shall be committed by the owner or any invitee of any owner, and each owner agrees to indemnify and hold harmless other tenants from and against all loss resulting from any such damage or waste caused by him or his invitees.

#### **Sanitary Restrictions**

The tenants of every Lot, and all subsequently divided or created parcels or units shall comply with all laws and regulations relating to water supply, sanitation, sewage, disposal, and air pollution. All habitable improvements shall be connected to public or municipal sewer and water.

#### **Living with Wildlife**

Residents must accept the responsibility of living with wildlife and must be responsible for protecting their vegetation from damage, confining their animals (pets), and properly storing garbage, pet food, livestock feed and other potential attractants. Residents must be aware of potential problems associated with the occasional presence of wildlife such as deer, elk, moose, bear, mountain lion, coyote, fox, skunk and raccoon. Contact the Montana Fish, Wildlife & Parks office in Missoula (3201 Spurgin Road, Missoula, MT 59804) for brochures that can help future residents "live with wildlife." Alternatively, see the Education portion of FWP's web site at [www.fwp.mt.gov](http://www.fwp.mt.gov).

The following covenants are designed to help minimize problems that residents and the Declarant may have with wildlife, as well as helping residents and the Declarant protect themselves, their property and the wildlife that Montanans value.

- There is high potential for vegetation damage by wildlife, particularly from deer feeding on green lawns, gardens, flowers, ornamental shrubs and trees in this subdivision. The Declarant shall be prepared to take the responsibility to protect their vegetation (fencing, netting, repellents) in order to avoid problems. The Declarant may consider landscaping with native vegetation that is less likely to suffer extensive feeding damage by deer.

- Gardens, fruit trees or orchards can attract wildlife such as bear and deer. Fruit bearing trees and shrubs are strongly discouraged in this subdivision because they can regularly attract bears in the fall. Keep produce and fruit picked and off the ground, because ripe or rotting fruit or vegetable material can attract bears, skunks and other wildlife. To help keep wildlife such as deer out of gardens, fences should be 8 feet or taller. Netting over gardens can help deter birds from eating berries.
- Do not feed wildlife or offer supplements (such as salt blocks), attractants, or bait for deer or other wildlife. Feeding wildlife results in unnatural concentrations of animals that could lead to overuse of vegetation and disease transmission. Such actions unnecessarily accustom wild animals to humans, which can be dangerous for both. It is against state law to provide supplemental feed attractants if it results in a "concentration of game animals that may potentially contribute to the transmission of disease or that constitutes a threat to public safety." Also, tenants must be aware that deer might occasionally attract mountain lions to the area.
- Garbage must be stored in secure, bear-resistant containers or indoors to avoid attracting animals such as bears, raccoons, and dogs. If stored indoors, do not set garbage cans out until the morning of garbage pickup, and bring cans back indoors by the end of the day.
- Pets must be confined to the house, in a fenced yard, or in an outdoor kennel area when not under the direct control of the owner, and not be allowed to roam as they can chase and kill big game and small birds and mammals. And in turn, keeping pets confined helps protect them from being preyed upon by wildlife. Under current state law it is illegal for dogs to chase hooved game animals and the owner may also be held responsible.
- Pet food must be stored indoors, in enclosed sheds or in animal-resistant containers in order to avoid attracting wildlife such as bear, mountain lion, skunk, raccoon, etc. When feeding pets do not leave food out overnight. Consider feeding pets indoors so that wild animals do not learn to associate food with your home.
- Barbecue grills should be stored indoors. Keep all portions of the barbecues clean. Food spills and smells on the grill, lid, etc. can attract bears and other wildlife.
- Consider boundary fencing (except as otherwise provided for herein) that is no higher than 3-1/2 feet (at the top rail or wire) and no lower than 18 inches (at the bottom rail or wire) in order to facilitate wildlife movement and help avoid animals such as deer becoming entangled in the fence or injuring themselves when trying to jump the fence.
- Bird feeders attract bears and are strongly discouraged annually from April 1st through the end of November. If used, bird feeders must: a) be suspended a minimum of 20 feet above ground level, b) be at least 4 feet from any support poles or points, and c) should be designed with a catch plate located below the feeder and fixed such that it collects the seed knocked off the feeder by feeding birds. Compost piles can attract skunks and bears and are prohibited unless kept indoors.

## 6.2 Residential Building Elements

The following building design guidelines apply to all residential construction and are intended to promote both building diversity and neighborhood compatibility within a developing neighborhood framework.

#### **Base Element & Foundation**

- A base element is required and must be detailed in such a way to visually and structurally connect the building with the ground. It may appear as a platform or terrace upon which the house stands or as a built extension of the ground integrated with the house above. This element may be masonry, concrete, wood or materials matching trim package. Buildings without a base element may be considered based on design merit.
- Foundation walls shall be exposed a maximum of twelve (12) inches above the ground. Exposed foundation walls shall be built of brick, cast concrete, trimmed with horizontal members, or as otherwise approved by DRP. Concrete foundations exposed more than eighteen (18) inches above grade must have an architectural finish (texture, pattern and/or color).

#### **Walls & Facades**

- All facades of the main building and accessory structures shall be made of similar materials and be similarly detailed.
- Primary materials on a façade may change only at a horizontal band or an inside corner. Consideration will be given to changing materials at a visual block such as a fence.
- Varied building massing is encouraged. No exterior wall plane, unless approved otherwise for design merit, shall exceed thirty-five (35) feet in length without incorporating a minimum twenty-four (24) inch offset or recess in a significant proportion to the overall plane.
- Building walls shall be clad in smooth cut wood shingles, wood clapboard, barn or reclaimed wood, wood drop siding, traditional wood board and batten, fiber cement siding, architectural metal cladding, brick, or stone. Siding shall be painted or stained; pre-finished siding will be considered based on design merit.
- All metal siding should be standing seam or as approved for design merit.
- Brick surfaces shall be set predominantly in a horizontal running bond pattern.
- Stonework shall be natural or approved synthetic stone materials. Dry stack, un-coursed settings with minimal exposed mortar are preferred. Stonework shall not be applied to individual wall surfaces to avoid a veneer-like appearance. It shall continue around corners to an inside corner.
- The color scheme of the house shall be as approved by the DRP based on merit. Color schemes must be discernably varied from the two adjacent properties, in each direction and from the properties across the street. Garish colors are not allowed.
- Exposed exterior wood shall be painted or stained (wood front doors excluded).

- Lap siding shall run horizontally. Maximum lap siding exposure is five (5) inches. Combinations of lap exposure will be considered on a case-by-case basis.
- Trim materials should be of high quality and of appropriate visual size. Exterior trim of at least four (4) inches is required around windows and doors. Corner caps are acceptable. Alternatively, windows may be recessed a minimum of 2 inches from the surrounding surface. Variations on trim width and/or exclusion of trim will be considered based on design merit and overall design composition.

### **Porches**

- For yards facing a public street, the front porch of a residential structure must be built within five (5) feet of the setback line ("build-to" line). The width of the porch on the build-to line must occupy a minimum of thirty percent (30%) of the width of the front façade measured along the build-to line. As an alternative to the typical front porch and to provide additional design diversity, narrower but deeper porches that have the same square footage may also be considered. A minimum six (6) feet of depth is required.
- Buildings on corner lots must address both streets with fronting characteristics as part of the comprehensive composition. Design considerations should include but not be limited to: wrapping front porches, outdoor rooms, variation in wall planes and massing, additional openings and enhanced landscaping.
- Front porches generally must be elevated between one (1) and seven(7) feet above fronting top of curb. Other heights may be considered based on-site conditions and foundation design.
- Porch railings may be opened or closed. If closed, they must be constructed of the same material as the adjacent wall planes.
- Front stoops shall be made of concrete, wood, stone, or brick and must be detailed and integrated into the porch/railing design. If included stair railings must be compatible with the overall stair and porch design.
- The balustrade and the space below porches shall be closed and integrated into a closed band and/or landscaped, interrupted as necessary for drainage.
- No exposed stair or deck framing is allowed.

### **Decks, Patios & Balconies**

- Decks and patios must face only side yards and/or open spaces. Decks and patios may not extend more than forty percent (40%) into any required side setback.
- The space below first floor elevated decks visible from nearby streets or public spaces shall be architecturally detailed and/or landscaped to provide screening.
- Decks, balconies, and terraces shall be designed to enhance the overall architecture of the building by creating variety, layering, and detail on exterior elevations. Covered decks, balconies, and bay windows shall be integrated and composed with the overall building form, rather than placed randomly throughout the building. Terraces shall be



used to integrate the building and landscape by creating a transition between the built and natural character of the site.

#### **Windows & Solar Gain**

- Windows are encouraged meet or exceed Energy Star standards.
- Openings (including windows and doors) shall not be less than fifteen percent (15%) of the wall area, measured on each elevation. Elevation calculations shall include exterior window or door trim.
- Windows shall be wood, wood-clad, fiberglass or vinyl.
- Mirrored glass shall not be used.
- Buildings shall have all openings trimmed in wood bands of minimum four (4) inches nominal width unless approved based on design merit.
- Bay window projections shall be proportionate to the overall composition and are encouraged to extend to the ground or be trimmed appropriately. Cantilevered bays must be visually carried by structural brackets or a water table trim band. Only cantilevered bays may encroach into a setback.

#### **Doors**

- Exterior doors are encouraged to meet or exceed Energy Star standards.
- Traditional sliding glass doors may only be used in yards facing open spaces, rear and side yards.
- Garage doors shall be built of wood, steel, or fiberglass.
- Garage doors shall be de-emphasized in the elevation of the building. If possible, they should be oriented away from the street. If a lot does not have access to an alley and garage doors must face a street, the doors shall be made of a complementary and quality material and have significant detailing contributing to the elevation composition.
- Garages that face the street should be set back behind the front face of the building/Living Space a minimum of four (4) feet.
- Garages and garage doors fronting a street or alley shall be composed with overall site plan and have sufficient detailing contributing to the building elevation.
- Garages that face an alley should be set back either three (3) feet to five (5) feet if no full driveway is proposed or a minimum of eighteen (18) feet to accommodate a full driveway. In no case should the front of the detached garage be more than thirty (30) feet setback from the alley.
- Three car garages are permitted but must be either be side-facing or have one door offset at least 2 feet.

- Other more contemporary and creative approaches to garage doors will be considered based on design merit.

### **Roof**

- The principal roof shall be symmetrical hip or gable from with a pitch between 4:12 to 12:12. Flat roofs are permitted on all buildings if integrated with the design. Flat roofs used as balconies on street facades may be enclosed with solid railings.
- Roof plane continuous length dimensions shall not exceed 40' for single family and duplex structures and 30' for multifamily structures without a significant break. Minimum break shall be no less than twenty percent (20%) of the length roof plane and extend up the roof plane no less than thirty percent (30%) of the height of the roof.
- Asphalt composition shingles are permitted, but must be at least thirty (30) year architectural grade.
- Treated wood shingles are permitted.
- Metal roof materials are permitted but must be designed to protect people and property from significant sliding of snow and ice (not applicable to dormers or similar roof forms that do not drip directly to grade). Metal roofs may be corrugated or standing seam only. Unpainted, galvanized, rusted, brown, grey or rust-red-baked-on finish are all appropriate finishes. Garish colors or shiny materials are not appropriate.
- Natural or synthetic slate roof materials are permitted.

### **Skylights**

- Skylights shall be flat in profile (no bubbles or domes).

### **Roof Mounted Solar Panels**

- Solar panels are encouraged for all projects.

### **Dormers**

- Dormer width shall be proportionate to the overall composition.
- Shed dormers shall have a pitch of at least 3:12. Hip and gable dormers shall have the same pitch as the main roof volume.

### **Eaves**

- Overhanging roof eave and gable end depth shall be no less than twenty-four (24) inches unless approved otherwise based on design merit for a more contemporary style or flat roof. Roof overhang depth on accessory structures must match the main building structure.
- Fascia detail must have a minimum dimension of eight (8) inches nominal unless otherwise approved for design merit. Two-piece fascia detailing is required. Wood

(including Miratec and similar products as determined by the Design Review Committee) is the only acceptable material. Vinyl or metal fascia material is not permitted. As an alternative, exposed rafter tails and entry accents are encouraged if appropriate for the architectural style.

- Soffits shall be wood or fiberboard cement products (including Hardiboard products). Metal or vinyl soffits are not permitted.
- Boxed soffits are allowed when integrated into a suitable architectural style and overall detailing.
- Enclosed soffits are acceptable on more contemporary styles.
- Gutters shall be metal, and of a color and finish that blends with the finish color scheme. Gutters shall be half-round or rectangular and downspouts shall be circular or rectangular.

#### **Chimneys / Roof Vents**

- Chimneys shall be clad in stone, masonry, siding, steel or some other compatible or complementary material.
- Prefabricated metal flues shall be concealed within a chimney unless approved otherwise. Chimney caps may extend above the chimney top per building code requirements.
- Roof protrusions, other than chimneys, shall be arranged to minimize street exposure.
- All roof-mounted equipment shall be integrated into overall design and screened.

#### **Lighting**

- All exterior residential lighting must be dark-sky compliant.
- Recessed or can lighting is encouraged for porches and main entrances for softer lighting conditions.
- The following lighting is prohibited: obtrusive flood lighting, mercury vapor or high-pressure sodium lights, metal halide lights, and clear glass or exposed bulb (non-cutoff) fixtures.
- Pathway lighting is permitted. These types of lights may be attached to the home, along walkways near the ground level, or incorporated into fences. Solar powered lighting is strongly encouraged.

#### **Signage**

- No signs shall be erected on residential properties except to identify the owner and address of the property.
- Typical "For Sale" signs shall be allowed during the sale of a Lot.

- Signage integrated with landscaping may be placed at the main entrances and parks to identify the neighborhood.

#### **House Numbers**

- All numbers shall be of some metallic substance, or porcelain, or may consist of gilt lettering on the inside of a glass transom or door, and shall be distinctly legible and at least three inches high, and all such metal or porcelain figures or lettering shall be in a conspicuous place where the number can be easily seen from the middle of the street.
- Every alley running east and west shall take the number of the street south of it, and every alley running north and south shall take the name of the street or avenue east of it. All alleys shall take the same numbers as the streets or avenues from which they are named, the even numbers being on the south and east sides and the odd numbers being on the north and west sides thereof. **ONLY IF WE HAVE ALLEY-LOADED PRODUCT TYPES**

### **6.3 Landscape (TO BE REVIEWED BY LANDSCAPE ARCHITECT)**

The Landscape requirements apply to all mixed uses and residential projects. The proper use of plant materials adds to a sense of permanence and consistency for a neighborhood while also connecting the built and natural environments. Landscape plans submitted with Form B should outline hardscape elements, fencing, and planting areas with species and quantities listed. Each Owner will be required to meet minimum landscape specifications related to two general categories: boulevard plantings and yard plantings.

#### **Street Boulevard Plantings**

- Individual Lot Owners shall be responsible for landscaping the boulevard area directly adjacent to their property at the time of occupancy and for the maintenance of the boulevard area thereafter.
- To enhance a public street boulevard where present, one (1) tree (minimum two (2) inch diameter caliper) shall be planted per twenty-five (25) feet in the boulevard area. Grass or an approved xeriscape plan must also be installed in the boulevard area directly adjacent to the subject property.
- It is the responsibility of the Owner to contact the appropriate utility companies before digging.

#### **Yard Plantings**

- All properties are required to landscape yards. Yards facing a street must be sod (fescue blend sod is strongly encouraged). Yards facing open space or side yards may be seeded.
- Native, drought tolerant grasses and regional plant materials are encouraged. Lawns should be well maintained, so they thrive and therefore, use fewer resources. Regular fertilizing, aeration, and weekly cutting with a sharp blade are all critical to lawn success.

Lawns should be maintained at about 4-inches as keeping lawns slightly long ensures the soil remains shaded, thereby using less water.

- Mulching, composting, efficient irrigation, harvesting water from roofs, sidewalks, driveways and other impervious surfaces are all encouraged.
- "Xeriscaping" or water-conserving, drought-tolerant landscaping is encouraged. A proposal for a Xeriscape landscape plan must be prepared by a landscape professional. United States Environmental Protection Agency (US EPA) has guidelines available at: <http://www.epa.gov/>.
- Alternative water-conserving designs may be considered based on overall design merit and composition.
- Landscaping within watercourse setbacks on or adjacent to lots within the subdivision may not be mowed or altered.

- **Yards facing a street:**

At least one (1) tree (minimum 2-inch caliper) and two (2) appropriately sized planting beds are required for yards facing a public street. Corner lots are considered to have two (2) separate yards and therefore require a total of two (2) trees (minimum two (2) inch caliper) and two (2) appropriately sized planting beds.

For lots wider than 40' two (2) front yard trees (minimum 2-inch caliper) and two (2) appropriately sized planting beds are required for yards facing a public street.

- **Yards Facing Open Spaces:**

At least one (1) tree (minimum two (2) inch diameter caliper) and two (2) appropriately sized planting beds are required for any yard facing an open space. For lots wider than 40' two (2) front yard trees (minimum 2-inch caliper) and two (2) appropriately sized planting beds are required for yards facing a public street.

- As a minimum requirement all multifamily are subject to City of Bozeman landscape requirements (38.550).
- Planting beds must be composed with the site and the building elevations and shall have a top layer of mulch or earth tone stone (non-white).
- Maximum height of landscaping in required vehicle vision triangles is thirty (30) inches.
- It is the responsibility of the Owner to contact the appropriate utility companies before digging.

## **Vegetation & Solar Gain**

- Special consideration should be given to areas of sun exposure and shade for the planting of trees and large shrubs. Landscaping should allow southern exposures necessary for a home's solar gain in the winter, or that of the neighbors.

### **Hardscapes**

- Selection of hardscape materials should favor natural materials such as untreated wood, stone, or stamped concrete, while balancing the desire for durability. Pressure treated lumber and railroad ties, although re-used, should be avoided for their toxicity.

### **Soil Preparation & Drainage**

- Investment at the soil level provides huge payoff in reduced water and fertilizer use, and plant vigor. Soils should be of the best quality available and improved with imported compost as feasible, especially in lawn areas. In areas where poor soils are unavoidable, homeowners should focus plant selection on species that thrive in such conditions. Runoff from roofs, and hardscapes, and melting snow, should be considered, and should be harvested for landscape use whenever possible.

### **Irrigation Systems & Water Use**

- Underground irrigation systems can use water efficiently, but they must be designed, installed, and operated correctly. They also require regular maintenance.
- Plants with similar water usage, sun and shade requirements and zones with spray heads, rotors or drip systems should be grouped together.
- Plants should be sufficient in number and density to reduce weed growth. A weed mat also inhibits weed growth. Mulch conserves water and shades soil.
- Landscapes do not require as much water during shoulder seasons (May, June, September and October) as in July and August. Watering should be reduced in September and October to prepare vegetation for dormancy. Early morning is the best time (4 am - 9am) to water because watering at night can encourage fungus and disease to grow. Avoid watering between 9 am – 7 pm.
- Water only when the turf requires it. If one leaves distinct footprints when stepping on it or the grass does not spring back, it is time to water. Applying one inch of water (including rainfall) once per week is enough to keep the lawn green throughout the summer.
- Turf grass should be watered using longer run times (15 - 20 minutes) but less often. This allows the grass roots to grow deeper thereby needing less water and becoming more drought and weed resistant. Frequent watering of turf grass causes the root base to remain shallow, causing the grass to brown easily and be more susceptible to drought and weeds.
- When watering trees and shrubs, it is not necessary to water the leaves or the trunk. Instead, place a sufficient number of emitters evenly around the tree or shrub halfway between the trunk and the outer canopy.

### **Fertilizing / Pesticides**

- In careful consideration of streams and wetlands in the area, homeowners that border open spaces or parks with surface water (lakes, streams, wetlands) will only be

permitted to use non-chemical fertilizers / pesticides in required yard setbacks. Organic fertilizers for lawns are readily available, as are corn-based weed suppression substitutes. Non-lawn native and drought tolerant plantings typically require no extra fertilizing at all.

#### **Weed Control**

- As further specified in the Covenants, noxious weeds pose a serious threat to the environment, and property owners should familiarize themselves with and control these weeds on their property. Chemical solutions should be balanced with the threat level of the individual species and the possibility for non-chemical alternative treatments. Under no circumstance should noxious weeds be allowed to flourish or go past the flowering stage and into the seed stage. Weed control is required on both developed and vacant lots and will be enforced in accordance with the Covenants.

#### **Vegetation Removal**

- No landscaping in the right-of-way, parks, open spaces and common areas may be removed without prior permission from the DRP.

#### **6.4 Departures from Neighborhood Patterns**

The DRP encourages unique and creative design that respects the spirit and intent of the Declaration and Design Guidelines. Except as otherwise set forth in Chapter 3, the DRP may, upon application, grant a departure from the Design Guidelines, based on design merit.

The Board of Directors shall have the power to make the final decision on whether to approve, conditionally approve, or deny a departure, without any liability being incurred or damages being assessed due to any decision of the Board of Directors.

**Commented [ZG2]:** Need to answer who makes up the DRP. Initially, developers and eventually a group from the HOA.

Should "Board of Directors" be "DRP"?

#### **Appendix A: Wildroot Master Site Plan**

## Wildroot Design Review

Indicate Form being submitted by checking appropriate box(s):

☐  
☐  
☐

Form A: Sketch Design Review  
Form B: Construction Design Review  
Form C: Application for Change(s)

### Property Information:

Street Address: \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Phase \_\_\_\_\_

All design review correspondence will go to primary contact. Indicate primary contact by checking the appropriate box:

☐ **Owner Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

☐ **Architect Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

☐ **Builder Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

☐ **Landscape Designer Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_



**Departures:**

1. Are any departures from the Wildroot Design Guidelines being requested under this application?

☐ Yes

☐ No

If yes, please describe the departure:

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2. Items submitted (please check):

☐ Review Fee(s) \$\_\_\_\_\_

☐ Colored Elevations

☐ Site Plan Including grading

☐ Floor Plans

☐ Roof Plan

☐ Building Sections

☐ Landscape Plan

☐ Garage Door Cut Sheet (If Applicable)

**Request for Changes (Form C):**

1. Type of Modification

☐ Proposed Modification (C1)

☐ Modification already constructed (C2)

2. Change description and reason for Change  
(Attach specific drawings of proposed changes.)

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**Project Timelines: Please List anticipated completions dates for each Phase.**

Design Review Approval \_\_\_\_\_

Foundation \_\_\_\_\_

City Approval \_\_\_\_\_

Framing \_\_\_\_\_

Break ground \_\_\_\_\_

Siding \_\_\_\_\_

Landscaping \_\_\_\_\_

**Acknowledgement Statement:**

The Lot Owner acknowledges that he/she has received, read and will abide by the Design Guidelines for Wildroot.

As stated in the both the Covenants and Design Guidelines, violations will be remedied by the Wildroot Homeowners' Association whereupon the Lot Owner will be responsible for the cost of the remedy.

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

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**\*FOR OFFICE USE ONLY\***

DATE RECEIVED \_\_\_\_\_ CHECK NUMBER \_\_\_\_\_ CHECK AMOUNT \_\_\_\_\_