



BIG SKY OWNERS ASSOCIATION

Big Sky Architectural Committee Design Regulations

Big Sky Owners Association, Inc. Design Regulations
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0.0 INTRODUCTION

The standards and procedures established by the BSAC are intended to enhance the overall aesthetics of the BSOA's Jurisdiction. The BSOA and the BSAC shall not bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, compliance with building codes and other governmental requirements, and/or the appropriateness of soils, drainage, and general site work. The BSOA and the BSAC shall not be held liable for any injury, damages, or loss arising out of the manner or quality of approved construction on or modifications to an Owner Applicant's Property. In all matters, the BSAC and its members shall be defended and indemnified by the BSOA. In addition, the BSAC relies on information submitted by an Owner Applicant and does not independently verify the accuracy of that information; therefore, the BSAC is not liable for decisions made when it is determined that the basis of those decision was on inaccurate information submitted by the Owner.

It is the Owner's sole responsibility to determine if their project requires approvals or permits from other governmental regulatory agencies or Sub-associations. See Other Approvals for more information located on the Big Sky Owner's Association, Inc website at: www.bigskymt.org: open the Architectural Review tab, click on 'Approval Process,' then click on 'Other Approvals.'

If you have any questions regarding your project or the Design Regulations, please contact the BSAC Coordinator at 406-995-4166.

1.0 DEFINITIONS

Use of capitalized terms in the pages of this website, unless otherwise defined herein, refer to defined terms in the Amended and Restated Bylaws for the Big Sky Owners Association, Inc. dated January 18, 2008 and recorded in the offices of the Clerk and Recorder for Gallatin (Document #2290050, January 25, 2008) and Madison Counties (Document #124479, February 11, 2008) and as subsequently amended.

Adjacent Property or Properties- refers to Property that shares a common boundary with the subject Property, as well as, any Property that is located directly across a street, common area, open space or water course or as determined by the BSAC relative to the type of project proposed.

Association (or commonly referred to as the “BSOA”) - refers to the Big Sky Owners Association, Inc., a Montana nonprofit corporation operating pursuant to §35-2-113, et. seq., MCA, its successors or assigns.

Jurisdiction (or commonly referred to as the “BSOA’s Jurisdiction”) - refers to the jurisdiction of the Association as set forth in the Bylaws, Exhibit A.

BSAC - The Big Sky Architectural Committee.

Big Sky Fire Chief- refers to the chief of the Big Sky Fire Department.

Building Envelope- refers to a designated area as indicated on a Plat or within the Covenants wherein all structures may be built.

Commercial- a structure used primarily for commercial uses, but may contain one or more Dwelling Units.

County- refers to either Gallatin County or Madison County in the State of Montana.

Covenants- refers to a declaration of protective covenants, inclusive of condominium declarations, that are recorded in the Public Records and applicable to real property within the Association’s Jurisdiction.

Designated Project Representative - Anyone authorized by the Property owner of record in writing to represent their interest in an application submitted to the BSOA or presented to the BSAC.

Detached Structures - refers to any other building on the Property that does not share a common wall or common contiguous roof with the main residence or structure. Detached Structures can include but are not limited to: garages, barns guest houses or guest units.

Dwelling Unit - a structure or portion thereof providing permanent cooking, eating, sleeping and living facilities for one family and any resident domestic employee.

Master Sign Plans- refers to a sign plan for a residential or commercial development that is approved by Gallatin County in accordance with the Zoning Regulation.

Multi Family Dwelling – a structure or portion thereof used for occupancy by three or more families living independently of each other in three or more Dwelling Units, that may or may not be subject to the Montana Unit Ownership Act, §70-23-101 et. seq., MCA. Examples of these types of structures in the Association’s Jurisdiction are: Cedar Creek Condominiums, Elkhorn Creek Lodges, and Broadwater I Condominium.

Owner Applicant – One or more Persons submitting an application to the BSAC for review, whom holds the record title to any Unit, Lot, or Tract of land within the boundaries described in Exhibit A of the Amended and Restated Bylaws for the Big Sky Owners Association, Inc., excluding in all cases any Person holding an interest merely as security for the performance of an obligation.

Property- refers to a Unit, Lot or Tract that is within the Association’s Jurisdiction.

Single Family Condominium- a freestanding structure or a duplex consisting of no more than two Dwelling Units that is subject to the Montana Unit Ownership Act, §70-23-101 et. seq., MCA. Examples of these types of structures in the Association’s Jurisdiction are: the Brownstone Condominiums, Fairways at Big Sky, Townhomes at Crail Ranch and the Pinnacle Condominium, but not Broadwater I Condominium.

Single Family Dwelling- one freestanding Dwelling Unit.

Setback(s)- the designated distance from the Property boundary within which no improvements may be built. Setbacks can be established on Plats, in Covenants or the Zoning Regulation. The stricter setback will apply.

Sub-association- refers to the other owner associations (i.e., subdivision or condominium) within the Association’s Jurisdiction.

Utilities – Services delivered to residential and commercial units and dwellings, which include but are not limited to electricity, gas lines, propane tanks, cable television, fiber optics, telephone, water storage and other related services.

Vision Triangle – A triangular area located 30 inches above grade for the purpose of maintaining clear sight of roadway and its motor vehicle traffic, non motorized vehicles and pedestrians. The 3-points of the triangle shall be defined by two triangle corner points, each point located 15-feet from the center line that runs down the middle of the driveway along the front property boundary line and connect to a third point, located 10 feet from the front property boundary towards the roadway.

Zoning Regulation(s) - refers to the zoning regulations adopted for the Gallatin Canyon/Big Sky Zoning District on July 30, 1996 (Gallatin County Commission Resolution 1996-38) and as subsequently amended.

2.0 PROFESSIONAL SERVICES

2.1 Licensed Architect

Each Owner Applicant shall retain the services of a licensed architect for the development of architectural drawings and specifications for habitable space. The preparation of architectural drawings and specifications are to be supervised and stamped by that architect. Minor alterations and improvements or non habitable additions do not require an architectural stamp. Owner Applicant shall provide proof that the project Architect is insured against professional negligence, errors and omissions with a limit of liability of not less than \$1 million.

2.2 Licensed Land Surveyor

Each Owner Applicant shall retain the services of a licensed land surveyor to identify property boundaries and the building footprint whenever new construction is being proposed or if the existing building footprint will be expanded. The Owner Applicant is responsible for providing the BSAC with a letter from the licensed land surveyor upon completion of the above services and prior to beginning any construction. The written letter shall confirm identification of property boundaries and building footprint and execution of staking as it relates to the designated building setbacks or envelope.

2.3 Engineer

Each Owner Applicant shall retain the services of a Montana state licensed structural engineer to oversee preparation of construction drawings when an out-of-state licensed architect is retained for the development of architectural drawings and specifications. Prior to beginning construction, the Owner Applicant is responsible for providing the BSAC with a letter from the engineer licensed to practice in the state of Montana upon completion of the above services and prior to beginning construction. Owner Applicant shall provide proof that the structural engineer is insured against professional negligence, errors and omissions with a limit of liability of not less than \$1 million.

3.0 SITE DESIGN

Site design should take into consideration existing property and neighborhood features including but not limited to: topography, existing trees and vegetation, solar orientation, views, adjacent buildings, streams and natural habitat. Buildings should be located in a manner that develops the least environmentally sensitive portion of the site. Building locations should minimize the impact of cut and fill for roads, buildings, paths and other site improvements. All buildings should be placed to preserve existing tree masses so as to minimize the impact to existing vegetation and ground cover. Projects consisting of more than one building should take building massing, the building site, grouping of buildings, and building orientation to one another into consideration, while allowing for adequate space between the buildings for fire protection and emergency service access. In addition, individual buildings should be located in a manner that preserves the character of the open space in the development and wherever

possible should be located adjacent to existing tree masses rather than in the center of an open site, so long as a defensible space is maintained.

The site design is illustrated on the Site Plan shall be submitted to the BSAC for all new construction projects or when the building foot print is proposed to be modified. When substantial landscaping features such as berms and clusters of vegetation are proposed to be added and/or removed from a site without modifying the building footprint, a Landscape Plan is reviewed by the BSAC.

3.1 Streams and Wetland Protection

Property within the BSOA's Jurisdiction may contain streams, rivers, creeks, water courses and/or wetlands (collectively called water features). It is the Owner Applicant's responsibility to ensure that improvements and work done on the Property are in compliance with all regulatory requirements (including but not limited to permitting and Setback requirements). Water features must be indicated on the Site Plan or Landscape Plan.

3.2 Property Boundaries, Setbacks and Building Envelopes

All work must be performed on the Owner Applicant's property on which approval is granted by the BSAC. All buildings and improvements of a permanent nature shall be confined to within the Setbacks or Building Envelope. It is the sole responsibility of the Owner Applicant to submit plans showing the most restrictive Setback or Building Envelope requirement. Roof overhangs may encroach into Setbacks up to two feet.

For Commercial and Multi-Family Dwellings the parking may encroach up to ten (10) feet within the front or rear yard Setbacks only, and shall be out of public and private right-of-ways.

3.3 Building Envelope Amendments and Setback Variances

Amendments to platted Building Envelopes must be applied for and approved by the applicable County. Owners may request feedback from the BSAC to any proposed amendment to a platted Building Envelope during Pre Sketch-Plan Review. If required by the applicable County for the proposed amendment to the Building Envelope, the BSAC will provide to the County a copy of the approved meeting minutes from the Sketch Review. Prior to Final Review the Owner Applicant must submit a copy of the recorded plat showing the amended Building Envelope.

Variances to Setbacks established in the Zoning Regulations shall be applied for with Gallatin County. Owners may request feedback from the BSAC to any proposed Setback variance during Sketch Review. If required by Gallatin County for the Setback variance, the BSAC will provide to Gallatin County a copy of the approved meeting minutes from the Sketch Review. Prior to Final Review, the Owner Applicant must submit the approved variance application showing the amended Setbacks.

Variations to Setbacks as prescribed in the Covenants shall be amended in accordance with the procedures established in those Covenants. If those Covenants do not provide a procedure to grant a variance to those Setbacks then a variance shall not be granted.

3.4 Land Form: Grading, Cut/Fill and Drainage

All grading and other changes to the landscape should blend in with the surrounding natural environment. All cut and fill areas should feather into the natural topography within the Property. The extent of the cut and fill shall be limited to four (4) foot intervals to assure minimal changes to the landscape. All site grading will provide adequate drainage around the building and should not allow drainage to flow onto Adjacent Properties. It is the responsibility of the property Owner Applicant to ensure surface run-off design complies with all applicable local, county, state and federal regulations.

3.5 Site Disturbance

Any disturbance to a site including but not limited to grading, tree/vegetation removal, landscaping, geotechnical work and utility installation. Proposed disturbance to a site must obtain review and approval through the BSAC. Site work will be evaluated based on the area (square foot and/or % of site) proposed to be disturbed, number and percentage of trees/vegetation to be removed and overall degree of disturbance. Site restoration may be required which may include new plantings, re-grading, seeding or anything deemed necessary to remediate the property and/or easements.

3.6 Retaining Walls

It is required that retaining walls of permanent construction (i.e. poured wall or concrete) not encroach into Setbacks or be built outside the Building Envelope unless otherwise approved by the BSAC. Retaining walls shall not be greater than four (4) feet in height, and twenty-four (24) feet in uninterrupted length. All retaining walls should relate to and blend in with the surrounding natural environment.

3.7 Utility Installation

Utilities should be installed underground with the exception of satellite dishes, antennas, and fire department connections. The location of utilities is subject to BSAC review and approval. All above ground utilities should be installed in the least obtrusive locations to avoid visibility from other lots or the street with the exception of Fire department connections which shall be in an area that is not obstructed and is easily accessible by emergency services. Meters should be placed in a location that is not visible from adjoining roadways or properties. Screening of such meters may be required. Meters, transformers and other utility boxes shall be concealed with landscaping, landscaping walls or in an accessible recessed enclosure designed into the exterior wall of the structure.

3.8 Walkways, Paths and Trails

All walkways, paths, sidewalks and trails must be located within the Property. Walkways, paths, sidewalks and trails of a permanent nature (i.e. poured wall or concrete) require permitting from other regulatory agencies. It should be clearly indicated whether the walkway, path or trail is of permanent nature or of a more temporary nature (i.e., gravel or pavers) and is indicated on the Site Plan or Landscape Plan. Walkways, paths or trails of permanent nature (i.e. poured concrete) shall not encroach upon setbacks.

3.9 Parking, Driveways and Culverts

The construction and maintenance of all parking, access drives and culverts is the responsibility of the Owner. Access drives and parking areas shall be crowned and/or sloped for adequate drainage. Property access should be perpendicular to the adjacent road. Where a cut and or fill is required to maintain grade, cut and fill areas shall not be greater than four (4) feet in height and twenty-four (24) feet of uninterrupted length. The maximum allowable slope for a driveway should be ten percent (10%). Culverts must be a minimum of twelve (12) inches in diameter with flared ends. Written approval from the Big Sky Fire Department for all driveways that exceed 75 feet in length or contain a curve radius less than 30 feet shall be required prior to Final Approval being granted by the BSAC.

Unless other materials are permitted in the Covenants, access drives, driveways and parking surfaces shall be constructed of concrete paving units, asphalt or concrete. Access drives, driveways, and parking surface materials should restrict weed growth and maintain a clearly defined edge between the landscaped area and the driveway surface and should withstand deterioration from the winter snow plowing and erosion.

3.9.1 Single Family Dwellings and Single Family Condominiums

Single Family Dwellings and Single Family Condominiums are required to have three (3) parking spaces, one (1) of which shall be a garage enclosure. All non-enclosed parking areas shall be within the Property and shall not encroach into Setbacks or be built outside of the Building Envelope. Driveways shall be a minimum width of fourteen (14) feet and sixteen (16) feet minimum flare at the front property line or intersecting street. Drives can be expanded to twenty-four (24) feet at turn-around areas and parking area.

3.9.2 Commercial and Multi-Family Dwellings

Parking areas should be placed adjacent to or behind buildings, rather than facing any adjacent public or private right-of-ways. Parking areas should be broken into small lots with a maximum of twenty to forty (20 - 40) spaces, and should not be the primary visual element of any Site Plan and shall incorporate landscaping to help break up expanses of hard surfaces. Paved parking may encroach ten (10) feet within the front or rear yard Setbacks. All driveways and parking areas should respect existing land forms and vegetation. Driveway widths should be wide enough to accommodate the flow of traffic.

Proposed parking for Multi-Family Dwelling developments shall contain at least one and one half (1.5) parking spaces per dwelling unit or more if required by Covenants, the Zoning Regulation or any other applicable regulatory agency. Parking for Commercial developments shall meet the parking requirements for the Covenants, Zoning Regulation or all other applicable regulatory agencies. Documentation from all applicable regulatory agencies may be required as determined by the BSAC on a case-by-case basis.

3.10 Snow Removal and Storage Area

Big Sky is a heavy snowfall area. Snow storage areas of sufficient size to accommodate snow removed from roofs, walkways and drives shall be provided and shown on the Site Plan.

3.11 Detached Structures

Detached Structures that are permitted by Covenants and any applicable zoning regulations will be reviewed by the BSAC. The design and materials of the Detached Structures should be consistent with the overall design and construction materials of the main residence or building as well as the natural environment.

3.12 Landscaping, Plant Use, Installation, Irrigation and Restoration

Landscaping within the BSOA should transition developed areas to the native landscape within the community. Through effective use of planting, architectural elements can be softened and blended into the land forms and vegetation of the Property. New plant materials should coordinate with existing plant patterns. Plants should be chosen to withstand the extreme temperature and moisture conditions found at Big Sky. It is highly recommended that a qualified landscape architect or contractor who is familiar with local conditions and flora be consulted.

Where formal or groomed planting gives way to the natural landscape, transitions should be achieved through the use of natural materials such as boulders, perennials, wildflowers, shrub beds, or through elements such as pathways or roads. Transitions may also be achieved with contouring of grade. Edge transitions should not be left to a line of cut and uncut grass. Where sod or turf gives way to the natural landscape, an informal edge should be created to tie with the natural line created by existing vegetation. It is recommended grasses be natural, native, and drought hardy specific to Big Sky. All seed mixes should be weed-free certified.

Naturalized landscaping for screening is encouraged. Planting should be used effectively to screen yards and decks for privacy and glare from light sources. Plants located in snow storage areas or in areas of snow and ice shedding should be able to withstand the accumulated snow loads. All plant species shall be indicated on the Landscape Plan. Landscaping near the edge of the Property boundaries should be planted so as to not interfere with a Vision Triangle.

Landscaping within easements is discouraged and is done so at the Owner Applicant's risk.

An automatic, timed, underground irrigation system or drip irrigation system is recommended for landscaped areas that contain trees, shrubs, sod, and flower beds. A suitable size irrigation system which will ensure establishment of the landscaping vegetation shall be installed.

The BSAC requires that all areas disturbed during the building process, including installation of utilities, be restored to their natural state or landscaped to a degree that is acceptable to the BSAC. Sowing of wild grass seed over a disturbed area may not be sufficient enough to restore the land. It is the Owner Applicant's responsibility to restore and landscape their Property to a level satisfactory to the BSAC prior to the release of the Performance Deposit.

A Landscape Plan is required to be submitted to the BSAC when the planting or clearing of any vegetation or the installation of landscape features is planned with the exception of the removal and replacement of dead plants using plants that are the same or similar type.

3.13 Lighting

The Montana night sky filled with stars is one of the great benefits of Big Sky. Therefore, lighting shall meet the intent of Dark Sky lighting. All fixtures must have full cut-off shield with no upward glare or visible bulb. See Exhibit A. Exterior lighting should be subdued and limited in number of fixtures and direct lighting shall not radiate out or up from the Property. Area lighting shall have concealed light sources and shall be all white lights. Clear or seeded glass is prohibited. Flood, blinking, and moving lights are prohibited. Temporary holiday ornamental lights are allowed but may be subject to review upon complaint of obtrusiveness and should be removed or turned off on a seasonal basis.

The proposed locations of exterior light fixtures shall be shown on the Floor Plans, Landscape Plan or Exterior Elevation, or 3-D renderings. Locations of the product are subject to BSAC review and approval. A lighting cut sheet is required for Final Review.

3.14 Signage

All signs (inclusive of posters, banners, displays, and advertisements) must comply with these general sign requirements, the applicable, specific requirements as listed below, and all applicable Covenants, Master Sign Plans and the Zoning Regulations. Signs should be finished in subdued earth tone colors with a matte or flat finish that harmonizes with the existing building or the proposed building(s) and the surrounding environment. A request for any other type of color will be subject to BSAC approval on a case-by case basis. Signs should be posted so as to not interfere with a roadway Vision Triangle. All proposed signs for Multi-Family Dwelling, Single Family Condominium, and Commercial developments must receive the applicable Sub-association approval prior to receiving BSAC approval. The BSAC may require written proof of Sub-association approval.

Unless otherwise noted in the description of an individual type of sign, the location of the sign shall be indicated on the Site Plan, Landscape Plan, or Exterior Elevations (for surface mounted signs). Product cut sheets or schematics of each sign including the dimensions, materials and colors are reviewed by the BSAC during Final Review. All signs shall be located within the Property.

Lighting for signage shall be governed by Section 3.12.

3.14.1 Single Family Dwelling

Construction Sign- One (1) master sign for construction of a Single Family Dwelling may be posted during the term of construction, but shall be removed when construction is substantially complete. The construction sign shall not be bigger than six (6) square feet. The content of the sign shall be limited to information pertaining to the project, contractor, developer, architect, bank and landscaper. The proposed sign shall be reviewed by the BSAC during Final Review. Pricing, inaccurate or misleading information is not permitted on this sign.

Address Identification- All Single Family Dwellings shall have surface mounted addresses which shall include the address number designated by the corresponding County. These numbers shall be shown on the Exterior Elevations, in the Project Application or indicated on the Site Plan and illustrated on a product cut sheet or separate drawing. The address number and lettering shall be constructed of materials that contrast to the background of the sign and shall be at least four (4) inches in height and one-half (1/2) inch wide in stroke. There shall also be at least a space of two (2) inches between the lettering and the background material. The address identification sign shall be readily visible to emergency vehicles and shall be located at least within forty (40) feet of the edge of the adjacent road. When the surface mounted address numbers are not clearly visible from the adjacent road or the surface mounted numbers are located over forty (40) feet from the adjacent road, a free-standing identification sign is required. Free-standing identification signs shall be located in an approved location on the Property that is acceptable to all emergency response agencies. Address Identification signs (either surface mounted or free standing) shall not be larger than two (2) square feet in area and shall be situated between four (4) and five (5) feet above the ground on the exterior of the Single Family Dwelling or if free standing, on a secure post. Address identification shall be reviewed and approved by the Big Sky Fire Chief.

Real Estate and Auction- Real estate and auction signs for Single Family Dwellings need not be approved by the BSAC but shall be posted by the Owner Applicant or the Owner Applicant's designated real estate agent on the Property for which the real estate sign is advertising. There is a limit of one (1) real estate sign per Single Family Dwelling which shall not be larger than five (5) square feet in size. Real estate signs must be removed upon closing of the sale or listing expiration.

3.14.2 Multi-Family Dwelling and Single Family Condominium

Construction Sign- One (1) master sign for construction of a Multi-Family Dwelling or Single Family Condominium development may be posted during the term of construction, but shall be removed when construction is substantially complete. The construction sign shall not be bigger than nine (9) square feet. The content of the sign shall be limited to information pertaining to the name and street address of the project, contractor, developer, architect, landscaper, bank and appropriate logotypes and symbols. The proposed sign shall be submitted for review and approved by the BSAC during Final Review. Pricing, inaccurate or misleading information is not permitted on this sign. Any additional proposed signage shall be approved by the BSAC.

Monument Sign- Multi-Family Dwellings and Single Family Condominium developments shall have an identification sign for the entire development. The sign content shall contain the name of the development. The size of the sign shall be no larger than twenty-eight (28) square feet, five (5) feet in height above finished grade and should be placed no less than five (5) feet from the Property line or Vision Triangle. Lettering on the sign shall be at least eight (8) inches high and one and one half (1½) inches wide in stroke. Signs should be harmonious with the building architecture, the location and the surrounding environment. The sign size, height and lettering size may be increased upon recommendation by the Big Sky Fire Chief and with approval from the BSAC. The sign shall be clearly visible to emergency vehicles from the adjacent road at all times.

Address Identification for Multi Family Dwellings- Each dwelling unit in a Multi-Family Dwelling development shall have surface mounted addresses. Verification of correct address numbers with the corresponding County is the responsibility of the Owner. These numbers shall be shown on the Exterior Elevations. Lettering shall be constructed of contrasting materials at least four (4) inches in height and one-half (1/2) inch wide in stroke. Address identification shall be reviewed and approved by the Big Sky Fire Chief.

Address Identification for Single Family Condominiums- All Single Family Condominiums shall have surface mounted addresses. Verification of correct address numbers with the County is the responsibility of the Condominium Association. These numbers shall be shown on the Exterior Elevations. Lettering shall be constructed of contrasting materials at least four (4) inches in height and one-half (1/2) inch wide in stroke. The address identification sign shall be readily visible to emergency vehicles and shall be located at least within forty (40) feet of the edge of the adjacent road. When the surface mounted address numbers are not clearly visible from the adjacent road or the surface mounted numbers are located over forty (40) feet from the adjacent road, a free-standing identification sign is required. Free-standing identification signs shall be acceptable to all emergency response agencies. Address Identification signs (either surface mounted or free standing) shall not be larger than two (2) square feet in area and shall be situated between four (4) and five (5) feet above the ground on the exterior of the Single Family Condominium or if free standing on a secure object such as a post or boulder feature. Address identification shall be reviewed and approved by the Big Sky Fire Chief.

Real Estate and Auction - Real estate and auction signs for an individual dwelling unit in a Multi-Family Dwelling or Single Family Condominium development need not be approved by the BSAC but may be posted by the Owner Applicant or the Owner Applicant's designated real estate agent on the Property for which the real estate sign is advertising. There is a limit of one (1) real estate or auction sign per dwelling unit and sign shall not be larger than five (5) square feet in size. Real estate and auction signs must be removed upon closing of the sale or listing expiration. Signs placed in common areas within the Sub-association may require Sub-association approval prior to installation. Real estate signs or auction signs larger than five (5) square feet in size for an entire Multi-Family Dwelling or Single Family Condominium development are subject to BSAC approval on a case-by-case basis. These signs shall be removed at the closing of the sale, auction or listing expiration.

3.14.3 Commercial

Construction Sign- One (1) master sign for construction of a Commercial building may be posted during the term of construction, but shall be removed when construction is substantially complete. The construction sign shall not be bigger than six (6) square feet. The content of the sign shall be limited to information pertaining to the name and street address of the project, contractor, developer, architect, landscaper, bank and appropriate logotypes and symbols. The proposed sign is reviewed by the BSAC during Final Review. Pricing, inaccurate or misleading information is not permitted on this sign.

Monument Sign- Commercial developments shall have an identification sign for the entire development. The sign content shall contain the name of the development. The size of the sign should be in proportion to the development but is subject to the review and approval of the BSAC. The sign shall be placed no less than five (5) feet from any Property line or Vision Triangle. Lettering on the sign shall be at least eight (8) inches high and one and one half (1.5) inches wide in stroke. The sign size, height and lettering size may be increased upon recommendation by the Big Sky Fire Chief and with approval from the BSAC. The sign shall be clearly visible to emergency vehicles from the adjacent road at all times.

Address Identification- All Commercial units shall have surface mounted addresses. Verification of correct address numbers with the County is the responsibility of the Commercial building Owner. These numbers shall be shown on the Exterior Elevations. Lettering shall be constructed of contrasting materials at least four (4) inches in height and one-half (1/2) inch wide in stroke. Address identification shall be reviewed and approved by the Big Sky Fire Chief.

Business Identification- Signs for the identification of individual businesses will comply with all applicable Covenants, Master Sign Plans and/or the Zoning Regulation and will be reviewed by the BSAC on a case-by-case basis.

Real Estate- Real estate signs for a Commercial unit need not be approved by the BSAC but may be posted by the Owner Applicant or the Owner Applicant's designated real estate agent on the Property for which the real estate sign is advertising. There is a limit of one (1) real estate sign per Commercial unit and said sign shall not be larger than five (5) square feet in size. Real estate signs must be removed upon closing of the sale or listing expiration. Signs placed in common areas within the Sub-association may require Sub-association approval prior to installation.

Any other type of Real estate signs or auction signs that is not listed above is subject to BSAC approval on a case-by case basis prior to installation.

3.14.4 Road Identification

The BSAC reviews road identification signs that are within the BSOA's Jurisdiction. Road identification signs within condominium and commercial developments should be consistent and harmonious with the theme of the developments. Developers of subdivisions will be required to fabricate and install new street signs and traffic safety signs within the new subdivision.

3.14.5 Temporary Signs and Banners

Signs or banners are temporary in nature when posted for a maximum of two (2) weeks. All temporary signs must be reviewed by Staff and in some instances, approved by the BSAC. These signs shall be no larger than five (5) square feet in size, and shall be placed on the Property of which the sign promotes but should not interfere with a Vision triangle. There is a limit one (1) temporary sign per Single Family Dwelling, Multi-Family Dwelling, Single Family Condominium and Commercial unit. Temporary signs placed within the common areas of the Sub-association may require Sub-association approval prior to installation. Special circumstances for temporary signage will be submitted and reviewed by the BSAC on a case-by-case basis.

3.14.6 Other

Other signs such as exterior directories and information will be reviewed by the BSAC on a case-by-case basis. Signs will be reviewed for need, location, visibility and compatibility with the surrounding environment.

3.15 Site Accessories

Site accessories may be placed or built on the Property only when allowed by Covenants, the Zoning Regulation, and/or County. The design and materials of site accessories should be consistent with the overall design and construction of the main residence or building as well as the natural environment. Plans for site accessories are reviewed by the BSAC on a case-by-case basis and shall be indicated on the Site Plan or Landscaping Plan. Specific regulations for some of the more common site accessories include, but are not limited to, those listed below.

3.15.1 Basketball Hoops, Playgrounds, Outdoor Seating Areas and Storage Units

The installation of basketball hoops, playgrounds, outdoor seating areas and storage units are reviewed by Staff and in some instances may require the approval of the BSAC.

3.15.2 Dog Houses, Kennels and Dog Runs

Dog houses, kennels and dog runs should be placed in an inconspicuous area away from the direct view of Adjacent Properties and public or private right-of-ways. All dog houses, kennels and dog runs should be screened with vegetation or other approved building materials (see information regarding Privacy Screens) and are reviewed by the BSAC for size, color, materials and location.

3.15.3 Exterior Fireplaces

Exterior Fireplaces are considered only when permitted by Covenants. There shall be no exterior fireplaces except exterior propane, natural gas or wood burning fireplaces (as described herein). It is the sole responsibility of the Owner Applicant to obtain all other necessary permits by other regulatory agencies, including, but not limited to, the Big Sky Fire Chief prior to the installation of all exterior fireplaces.

When allowed by Covenants, Single Family Dwellings and Single Family Condominiums may have only one exterior wood burning fireplace per dwelling unit. The exterior wood burning fireplace shall have a foundation. The materials of the fireplace are subject to review. Spark arrestors shall be provided around the mouth of the chimney, as well as with any fireplace exposing open flame or emission thereof. Exterior fireplaces are prohibited for Multi-Family Dwellings or Commercial buildings.

3.15.4 Fences and Walls

In general, fences and walls are discouraged in the BSOA's Jurisdiction; however, they can provide important transition and continuity between architecture and public spaces. Site retaining walls may be used for landscape terracing to improve site development. Fencing and walls may only be built where permitted by and in accordance with Covenants and as approved by the BSAC.

3.15.5 Garbage Storage

All exterior refuse disposal containers (i.e., communal compactors or dumpsters for Commercial or Multi-Family Dwellings) shall be bear proof and screened or concealed from view of other dwellings and common areas. Locations and design of garbage enclosures, garbage cans and privacy screens are subject to BSAC approval and must be included on the Site Plan or Landscape Plan. All individual refuse containers (i.e., containers provided by the waste disposal company for personal individual use) shall be stored within the confines of a dwelling or a garage except when placed outside on the day designated for garbage collection.

3.15.6 Hot Tubs

Hot tubs shall have a cover and should be placed in an inconspicuous area away from the direct view of Adjacent Properties and public or private right-of-ways, and should be screened using vegetation or other approved building materials. See information regarding Privacy Screens.

3.15.7 Portals and Entrance Gates

Portals, entrance gates and other rustic structures constructed to identify or mark the entrance to a Property, residence or drive are permitted only on a Property greater or equal to ten (10) acres.

Portals and entrance gates should be constructed of natural materials, such as log, timber, or stone. Portals and entrance gates shall have an unobstructed width of twenty (20) feet and portals shall have a vertical clearance of sixteen (16) feet to accommodate fire apparatus. The top connecting member of the portal shall not exceed twenty (20) feet in height, as measured from the road crown to the top of the portal. Portals and entrance gates must be installed on the Property and may not be installed within the area designated as a public or private right-of-way.

Signs, which may contain words, symbols, brands or residence address numbers, may be attached to the portal provided they conform to the vertical clearance requirements and are proportionate to the portal. Signs must be specific to the Property on which they are located. Portal signs are reviewed by the BSAC on a case-by-case basis prior to installation.

A Landscape Plan shall be included with all requests for approval of portal and gates. It is the sole responsibility of the Owner Applicant to obtain all necessary approvals by other regulatory agencies prior to installing a portal or entrance gate. All portals and entrance gates shall meet requirements as set forth by any applicable local, county, state and federal regulations. See lighting requirements for illumination of portals and gates.

3.15.8 Privacy Screens

Privacy screens for hot tubs, sunning decks, equipment, garbage containers, compost piles, temporary storage, dog kennels, dog runs, dog houses and parking should be consistent with the overall design, construction and materials of the existing or proposed building. Privacy screens should not be taller than the edge of the roof eaves of the existing or proposed building and shall not be longer than sixteen (16) feet in uninterrupted length. The use of vegetation is encouraged for full or partial privacy screening and may be taller than roof eaves.

3.15.9 Tennis Courts

Tennis courts, where permitted, may be located on the Property provided they are adequately screened. Tennis courts are subject to any other applicable requirements of these Regulations.

3.15.10 Wood Storage

Firewood should be screened from view when visible from public or private right-of ways or Adjacent Properties. See information regarding Privacy Screens.

4.0 INTERIOR BUILDING FORM

4.1 Square Footage

Minimum and maximum square footage requirements are regulated by specific Covenants and, where applicable, the County. The Owner Applicant is responsible for confirming that their project conforms to all applicable Covenants and/or Zoning Regulations.

4.2 Interior Fireplaces and Wood burning stoves

Interior fireplaces and wood burning stoves should be of efficient design and comply with all applicable local, county, state and/or federal requirements. Manufactured wood burning fireplaces and stoves should have a catalytic converter. Wood burning fireplaces or stoves should not be the primary source of heat for a dwelling.

Spark arrestors shall be provided around the mouth of the chimney, stove pipe or vent as well as with any heater, stove or fireplace exposing open flame or emission thereof.

5.0 EXTERIOR BUILDING FORM

Exterior Building Form should take into consideration existing property and neighborhood features including, but not limited to: topography, solar orientation, views, adjacent buildings and natural habitat. Recommendations in the following section are based on traditional mountain architectural aesthetics. Exceptions to the following guidelines may be requested as outlined in Section 7.2 of these guidelines.

5.1 Building Height

Building heights are established by Covenants and, where applicable, the County. The Owner Applicant shall confirm the height restrictions for their Property with the Covenants, Zoning Regulations and all other regulatory agencies. The height which is the most restrictive shall be used for the design of the building. When the height is not identified by Covenants the height of the proposed building shall be reviewed and is subject to approval by the BSAC. Building height, design and Site Plans for Multi-Family Dwellings, Single Family Condominiums and Commercial buildings shall be reviewed by the Big Sky Fire Department and the BSAC requires their written approval prior to the BSAC granting Final Approval.

When determining the maximum allowable height for a structure please consult the applicable covenants and/or zoning regulations for the height measurement and grade reference point (i.e. 28 feet from average finished grade). Based on that definition, a maximum height measurement should be taken on all 4 elevations and then averaged to determine the overall average height of the structure. See Exhibit B.

Chimneys, cupolas, and other architectural features may exceed the height limitations by no more than four (4) feet for Single Family Dwellings and Single Family Condominiums and six (6) feet for Commercial and Multi-Family Dwelling buildings with the approval of the BSAC.

5.2 Chimneys, Flues and Vents

Chimney forms should relate to the overall building design. Flues shall be enclosed with a chimney cap and fitted with a spark arrestor. Building flues and vents for such functions as ventilation and exhaust should be consolidated into enclosures whenever possible and should be concealed from public view. Exposed metal and plastic flues and vents are allowed but must be concealed; when other options are impractical must be painted or otherwise colored to match the roofing material or dominant surroundings. Chimneys, flues and vents shall be concealed with either stone, stucco, wood or other materials which are reviewed and approved by the BSAC on a case-by-case basis.

Attic openings, soffit vents, foundation louvers, or other direct openings in outside walls, overhangs or roofs shall be covered with non-combustible corrosion-resistant mesh. Chimneys, flues, and vents must comply with all manufacturer's requirements and all applicable local, county, state and federal requirements.

5.3 Decks, Balconies and Terraces

Decks, balconies and terraces should be designed to enhance the overall architecture of the building by creating variety and detail on exterior elevations, while maintaining continuity with the overall building design. Covered decks and projecting balconies shall be integrated with, rather than randomly placed throughout, the building. Decks and terraces should be used to integrate the building and landscape by creating a transition between the built and natural character of the Property. The size of two story columns should be increased to offset the greater height or shall be paired together to diminish a thin visual appearance.

5.4 Entry Definition

Main entrances should be specifically expressed and protected with adequate overhangs.

5.5 Exterior Wall Length

Continuous exterior walls of Single Family Dwellings or Single Family Condominiums shall not exceed forty (40) feet in length without a change in direction or design element change. Continuous exterior walls of Commercial and Multi-Family Dwellings shall not exceed fifty (50) feet in length without a change in direction or design element change. Functional architecture incorporated into the design to create the change in direction, such as an alcove or bay in the exterior wall, is recommended when breaking up uninterrupted exterior wall lengths.

5.6 Exterior Windows and Doors

Windows, door patterns and reveals should be carefully designed to create interest and variety while maintaining continuity of size, shape, orientation and placement throughout a given building. Window and door locations should be carefully considered to avoid being obscured by accumulating snow. Windows and doors shall be constructed of natural, stained or painted wood, prefinished metal clad wood or vinyl. Mirrored glass is prohibited.

5.7 Roof Code Requirements

It is the sole responsibility of the Owner Applicant to ensure their roof meets all applicable local, county, state and federal requirements regarding snow loads and fire safety.

5.8 Roof Design

The architecture within Big Sky should complement and respond to the natural qualities of the mountain landscape. When refining roof forms, consideration should be given to the prevention of excessive snow build-up, snow shed and ice damming. It is recommended that roofs should be sloped to avoid driveways, sidewalks, porches, decks, balconies or any other areas that may be damaged. Cold roof systems with adequate ventilation and insulation are recommended.

5.9 Roof Length

Single Family Dwelling roofs or Single Family Condominium roofs shall not exceed forty (40) feet in length without a change in direction or design element change. Commercial and Multi-Family Dwelling roofs shall not exceed fifty (50) feet in length without a change in direction or

design element change. Roof length is measured at the overhang and must be dimensioned on the Exterior Elevations. Functional architecture incorporated into the design to create the change in direction, such as a chimney is recommended to help break up uninterrupted roof lengths.

5.10 Roof Overhangs, Fascias and Slopes

It is recommended that all roofs have overhangs of at least two (2) feet and all fascias be a minimum of ten (10) inches. Roof slopes should complement the overall design and aesthetics of the building and will be reviewed on a case-by-case basis.

5.11 Service and Garage Doors

Service and garage doors should be de-emphasized in the elevation of the building and, when possible, shall be screened from view. Garage doors shall be recessed a minimum of six (6) inches in an exterior wall and shall be subdivided with secondary materials. Loading docks should not be visible from Adjacent Properties, and should be recessed and screened.

5.12 Skylights and Solar Panels

The exterior appearance of the building should be taken into consideration when the location of skylights and solar panels is determined. The location of skylights and solar panels should be coordinated with window and door locations. Free standing solar panels shall be reviewed on a case-by-case basis. It is recommended that solar panels be integrated into the overall building design.

6.0 MATERIALS

When choosing materials for building in Big Sky, architects and Owners should select materials of an appropriate quality and durability for harsh northern mountain conditions. Synthetic and composite materials which minimize the need for repairs and maintenance should be considered whenever an Owner Applicant is contemplating opaque finishes or high maintenance areas. Materials, colors and design for all structures and features in the BSOA's Jurisdiction should be harmonious with the surrounding Property and compatible with Adjacent Properties.

6.1 Exterior Wall Materials

The character of the building exterior should be simple in order to harmonize and compliment the surrounding environment of the Property. Natural materials and subdued colors should be used on the main body of the building. Exterior trim can be more colorful and may contrast with the main body in order to add visual interest to the predominant neutral tones. The BSAC may consider materials not listed below that maintain the aesthetic continuity of Big Sky.

6.1.1 Metal

Pre-fabricated metal siding is not an approved material for the main body of the structure. Metal accent materials may be considered by the BSAC on a case-by-case basis.

6.1.2 Natural and Composite Wood Siding

Smooth, rough sawn or log wood siding is an acceptable exterior wood siding material. All wood and composite wood siding shall be painted, stained or sealed. Other types of wood siding may be considered by the BSAC on a case-by-case basis.

6.1.3 Natural Log

Natural log materials should be milled or hand peeled. Log homes may be constructed of custom pre-cut logs off site and restacked on site.

6.1.4 Shingles

Natural and composite shingles should be used only as an accent or detail material within the composition of the exterior finishes. Shingles should not be the dominant exterior material on any building.

6.1.5 Stonework

Rock can be natural or synthetic stone materials. Dry stack settings with minimal exposed mortar are preferred. Stonework should not be applied to individual wall surfaces in a manner that creates a veneer-like appearance. Detailed drawings of all exterior stonework shall be required as a part of the Final Review submittal.

6.1.6 Stucco and Concrete

Synthetic stucco may be permitted provided that the finished surface is adequately textured to obscure the pattern of insulation panels. Synthetic stucco surfaces should not be applied to individual wall surfaces in a manner that creates a veneer-like appearance. Exposed concrete foundation walls between finish grade and exterior wall finish siding shall be a maximum of twelve (12) inches. Foundation wall exposure over twelve (12) inches shall be finished with synthetic textured stucco stained a subdued color in harmony with the building, stone or treated wood that is consistent with the finish of the building .

6.2 Roofing Materials

Durable roof materials capable of withstanding the freeze thaw cycle of the Big Sky environment and carry a Class A rating are required including roof-replacement projects. Owners and architects are strongly encouraged to evaluate fire resistive materials when selecting roof materials. All roof flashing, hood and roof accessories should be copper or a prefinished metal or plastic that blends with the color of the roofing material selected. Acceptable roof materials include: treated wood or composite "wood" shakes or shingles; synthetic shakes or shingles; natural Slate or synthetic "slate" shingles; asphalt random tab

shingle; pre-finished metal roofing of low sheen; and other similar materials as approved by the BSAC.

6.3 Decking Materials

Owners should consider synthetic and fire resistant decking materials. Materials are reviewed on a case-by-case basis.

7.0 VARIANCES AND EXCEPTIONS

7.1 Variances to the Covenants

Where authorized under the relevant Covenants, a variance request may be made to the BSAC. The BSAC will review a variance request in accordance with the review criteria as stated in those relevant Covenants. Any variances which may be granted shall be considered unique and will not set any precedent for future decisions. All variances are considered on a case by case basis specific to the particular applicant, variance requested, and the undue hardship claimed, in addition to those requirements of the Covenants.

7.1.1 Variance Requires Undue Hardship

The BSAC may grant a variance when it is found that strict compliance with the standards outlined in the Covenants will cause undue hardship on the applicant and strict compliance with the Covenants is not essential to the general aesthetic of the properties within the BSOA or the goals and objectives of the BSAC. Each application must contain a complete list of undue hardship(s) claimed to justify the requested variance.

7.1.2 Undue hardship - Definition

To qualify as an undue hardship, strict enforcement of the Covenants must cause severe adverse impact on the applicant and/or the applicant's property based on conditions that are unique or peculiar to the property and not as a result of personal circumstances or circumstances that are general to the neighborhood or community.

7.2 Exceptions to the Design Regulations

The BSAC reserves the right to grant an exception to any provision(s) of the Design Regulations when in its sole discretion, granting an exception to the particular provision(s) of the Design Regulations will not substantially affect the general aesthetic of the immediate area within the BSOA's Jurisdiction. The BSAC shall provide reasons recorded in the minutes for its decisions in deciding to grant an exception to any provision(s) of these Design Regulations.

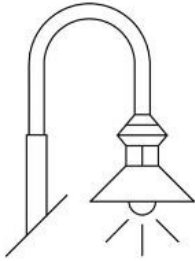
The decision to grant an exception will not in any way apply to any other Property or standards included in this document beyond those for which an exception has been specifically requested.

7.3 BSAC Procedures

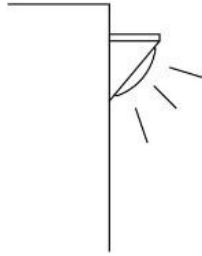
Please see the Big Sky Owners Association, Inc. Board of Directors Resolution: Big Sky Architectural Committee Procedure Resolution for information regarding performance deposits, meetings and approvals, BSAC notification, time for completion and requests for reconsideration (i.e. appeals).

Exhibit A

Not Permitted:



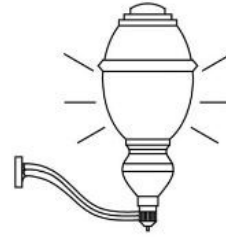
Exposed Bulb



Shining Out and Protruding Lens

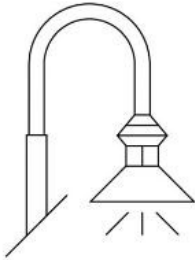


Shining Out and Protruding Lens



Shining Out

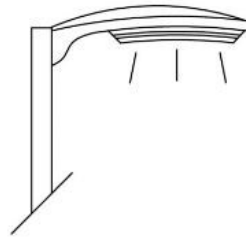
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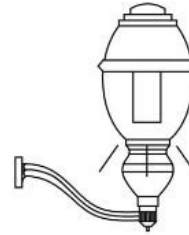
Hidden Bulb



Shining Down and Flat Lens



Shining Down and Flat Lens



Hidden Bulb Shining Down

Exhibit B

