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Aspen Meadows

BRIAN HEAD

DESIGN AND DEVELOPMENT GUIDELINES

ASPEN MEADOWS – OF THE MOUNTAIN



A PLANNED MASTER COMMUNITY
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INTRODUCTION

Aspen Meadows, a master-planned mountain resort community, located just under the highest peak, at 11,312' (Brian Head Peak) in Iron County, Utah in Brian Head, Utah is a special collection of lands that occupies an area of remarkable natural beauty and local historical reference. With its magnificent forests of aspen and fir, its spacious mountain meadows, and its breathtaking views, Aspen Meadows is unique to the mountain ranges of Brian Head and the Markagunt Plateau.

The project is envisioned as a legacy, multi-decade, master-planned resort and residential neighborhood development that occupies an area comprising of nearly 2,000 acres. Alpine lands with unique soul, sights and solitude, never before seen by most visitors to this region of southern Utah previously, and destined to, triple the skiable acres of the Brian Head Resort from 650 skiable acres to just over 2,000 skiable acres and provide the greater Brian Head community and visitors, the addition of new ski lifts, ski trails, and snowmaking, servicing the expanded terrain. A thoughtfully designed quasi-public-private ski-in/ski-out community comprised of residential, commercial, recreational, resort, and civic uses.



Figure I: The Mountain Setting of Aspen Meadows

HISTORY

For generations, this stunning alpine terrain was home to many pioneer cabins first established as a result of the Federal Homestead Act of 1862, signed by President Abraham Lincoln, granting Americans up to 160-acre plots of public land expanding the western territories. These first residents who settled the upper mountain regions of Iron County within and surrounding Aspen Meadows, included such prominent local family names such as “Burton, Lyman and Adams”, as well as many others.

For the past 60 years, this land has been privately held and passed on by each of the past three ownership groups of the Brian Head Resort, dating back to Burt Nichols in the early 60’s, hence the locals’ favorite memories of, “Burt’s Road to Nowhere” which is known as Aspen Meadows Drive today and will continue to honor this additional name right from Burt’s time.



Figure 2: The Original “Lyman” Pioneer Cabin Homestead, located in Pioneer Neighborhood, east of Christmas Tree Ski Lift and just above Middle Earth

VISION

Established in 2022, Aspen Meadows is best known for its large open spaces, mature aspen and fir tree stands, rolling benches, open alpine meadows, high-altitude ski terrain and summer grazing grounds. The vision for Aspen Meadows, is now poised to connect with the future growth of Iron County and discovery of Brian Head, Brian Head Resort and adjoining Cedar Breaks National Monument. Its alpine lands are found to be especially ideal for skiing and riding with its combination of north-facing and northwest-facing slope aspects, excellent for snow retention, minimal wind scour and minimal to late afternoon sun exposure. Plans include expanding summer and winter activities overall for the avid outdoor enthusiast and resident alike. Sustainable growth will come through passion in thoughtful design, market absorption, and long-term investment placed in additional ski lifts, ski trail expansion, resort connectivity, snowmaking capacity, hiking and biking trails, alpine ski villages and security-inspired gated neighborhoods comprising of custom luxury mountain homes, stunning homesites, townhomes, condominiums, planned unit developments, modern mountain cabins and ranches.

SUSTAINABILITY

Aspen Meadows values the importance placed in sustainable master planned development practices, beginning with careful and deliberate management of its own natural resources found existing on-site throughout the entire property. This belief in design and sustainable land use is one of the project's core values in its visioning process and is referred to as, "*Aspen Meadows – Of the Mountain*".

The use of locally available and indigenous earth materials provides many advantages for the community in large. These native materials come directly from the local lands of Aspen Meadows, as seen in stone, rock, top soils, and tree-based products from within our own tree harvesting goals. These combined resources through their "reuse", help provide a variety of finished construction aggregates and materials used, seen in precious materials such as sands, gravels, crushed stone, crushed road base, crushed sub base, and wood chips, applied to specific site developments, roads and utility infrastructure.

These construction practices "reduce" energy costs related to initial-transportation and material costs. Reduced transportation costs overall on the project provides benefits through a purposeful, "recycling" of the natural materials, native to the area, helping to further eliminate "waste" in landfills, and further "reverses" transportation costs incurred, thus a lighter impact on the land in general.



Figure 3: Sustainable operations, harvesting materials on mountain within one of two stone operations. This site is Stone Pit #1, located on Peak Drive, looking northeast within the Southeast Neighborhood

As the images previously and below demonstrate, a variety of best practices are applied within the ongoing sustainable construction practices in place at Aspen Meadows. Portions of land are planned and set aside during specific phasing stages of construction by neighborhood and area, for the purposes of; reclaiming and storage of top soils, tree re-use grinding operations for the creation of both, commercial-grade and residential-grade wood chips for land revegetation purposes, two separate stone pit and stone crushing operations for the production of a variety of aggregates, for utilities, site work and roads including, the production of 1.25" minus road base aggregates, 4" minus road sub-base aggregates, and medium, large and extra-large rock landscaping boulders, planned for use back into the lands seen in retention walls, ski bridges, and a variety of other applications throughout the community.



Figure 4: Revegetation process shown started on old mountain roads being restored back to a natural state of the land with top soils reclaimed directly from the site. Location: Southeast Neighborhood looking back south towards Brian Head Peak at sunset

DESIGN GUIDELINES

In order to preserve the natural beauty of Brian Head and to maintain the rural, mountain character of Aspen Meadows, the development has been carefully master planned with specific Design Guidelines and Design Principles. Open space corridors have been permanently set aside to preserve open meadow viewsheds, creeks, riparian areas, wetlands and wildlife habitat. Road rights-of-way have been designed and cleared to identify the most pleasing and least visually intrusive alignment supported with strategically placed roundabouts which assist the traveler in easily finding their destination while discovering the unending scenic views of the iconic southern Utah red and white Navajo sandstone rock views seen to the north, throughout Aspen Meadows.



Figure 5: View north, overlooking Long Meadow from Christmas Tree Neighborhood above

These Design Guidelines and Design Principles extend to the number of individual home sites (referred to as “Homesites”) which have deliberately been kept at a very low density, per planned neighborhood, primarily to preserve the environmental and visual integrity of the landscape and to allow the integration of a high-quality skiing and recreational experience. “Development Envelopes” have been conceptually identified within each Homestead, within each neighborhood, in order that homes will be located only where they are least visible, where they can take maximum advantage of sun and views, and where they fit most comfortably into the natural terrain. The furtherance of these design objectives and goals is the focus of Aspen Meadows’s Design and Development Guidelines, referred to herein as the “Design Guidelines.”

Specifically, the Design Guidelines are intended to:

- Establish a development consistent with the rural mountain character of the setting. A belief of sustainable land use and innovative design. Ensuring the project visioning and core values support the Brian Head community overall. Referred as, “*Aspen Meadows – Of the Mountain*”.
- Be helpful and informative to the future homeowner in their new home lot purchase, prior to the selection and closing of a specific lot within a specific neighborhood, as differences in building heights, massing allowed, secondary buildings allowed such as, identification of all development envelopes, guest houses, barns, etc., will vary neighborhood to neighborhood and review of the Design Guidelines prior, helps ensures the chosen new home site meets their desired needs.
- Minimize the visibility of structures and driveways;
- Encourage an ever evolving, Mountain Contemporary design of “today”, that is sensitive to the land use of “tomorrow”, complementary to, and preserves the natural character of the landscape;
- Protect and enhance property values;
- Allow maximum design latitude for individual homeowners while adhering to the highest standards of land stewardship and building quality; and
- Celebrate design and architecture which respects the outdoors, family, community and the environment, as first discovered and preciousely held in Brian Head by all homeowners.

ARCHITECTURAL STYLE – MOUNTAIN CONTEMPORARY

“Architectural style” is many times found to be a more limiting term and what is preferred is “architecture”, which is first, “authentic”, to its own site. The Aspen Meadows development plan is inspired by the emergence of today’s “Mountain-Contemporary” style and growth seen throughout today’s Intermountain Western Mountain Resort Communities in Utah, Nevada, Colorado, Wyoming and Montana.

Many of today’s leading high-altitude mountain architects have envisioned new home plans which have successfully combined aesthetics, massing and design principles which create long-lasting and sustainable home designs. An inspired second-home, ski-in/ski-out architectural-vocabulary that has carefully considered their own unique site development decisions, sun exposures, visual and material choices, including smart-energy solutions and ultimately have arrived at well-sited mountain homes, designed and built to experience an authentic sense of arrival to the land’s high mountain alpine plateau environment and landscape. (see Definitions for more information on Mountain Contemporary.)

DESIGN PRINCIPLES

Elements of Aspen Meadows’ Mountain Contemporary Design Principles include:

- Architecture elevated. authentic, purposeful, functional;
- Inspiration in sustainable design. Thoughtful and creative home designs;
- Simple, akin to Scandinavian-influenced design, timeless and of today;
- Listening to the developments’ own DNA, the project’s core values, the land;
- Vision in harmony with the unique Southern Utah mountain region;
- Patience for careful site choice, material selections and landscaping elements which respond well to the existing site topography;
- Indigenous, sensitive and appropriate design taking into consideration the environmental and climatic conditions and elevations found existing between 9,600’ to 10,500’;
- Building foundations and ridgelines which are stepped to follow the land’s natural slope;
- Designs which incorporate architectural landscape extensions such as battered foundations, low walls and terraces with horizontal lines and ruggedness of the land’s existing natural features;
- Natural building materials such as stone, wood, concrete, naturally finished metals, authentic and local to the Southern Utah site or comparable Intermountain Western resort regions;
- Well-proportioned building massing and detailing;
- Designs with sustainable building goals, providing advanced energy efficiency and conservation achieved through advanced home systems via choices made in electricity, gas, wastewater, water, heating and natural cooling solutions, applying high performance systems, including water collection, solar, battery storage, low-voltage, radiant, and low-pressure applications;
- Focus on conservation of existing tree stands, design to key views, maintain privacy to others;
- Low water conservation practices and usage in outdoor landscaping plans;

- Lighting requirements specific with Dark Sky advanced community best practices and planning;
- Building heights purposely allowed to be kept low to the ground in varying neighborhoods, preserving privacy and key viewsheds;
- Roofs broad, low-pitched with deep overhangs, providing shade at windows, entries, porches;
- Ridgelines kept low, fragmented and stepped reflecting the rolling topography; and
- Building massing with emphasize on the indoor-outdoor relationship using clusters of room-sized volumes, outdoor rooms, and/or separate building wings for strong connection to the outdoors from all logical spaces. Separate building masses attached by arcades or breezeways.

The Design and Development Guidelines provide conceptual direction to both, individual homeowners, specific-site developers, merchant builders, and their design professionals and contractors involved with the siting, design and construction of homes or neighborhood developments in Aspen Meadows. They will be used by The Site and Architectural Review Committee (“SARC”) as general criteria to evaluate individual building homesites and/or selected residential and commercial development neighborhood site plans throughout Aspen Meadows. They illustrate approaches to site planning and architectural design that are compatible with the natural landscape and the desired character of the community.

The overriding intent of the Design Guidelines is to enable every individual homeowner, to enjoy and experience the majesty and solitude of Brian Head by ensuring that the development is subordinate to its natural surroundings - in essence, to make buildings, through sensitive siting and design, reasonably shielded from one another and to minimize visual impacts to the greater Aspen Meadows’ landscape.

ASPEN MEADOWS MOUNTAIN ZONING

The Design Guidelines are subject locally to the Land Use Code and Zoning ordinances adopted within the Brian Head township and as required within the Brian Head planning department, (referred to as “Brian Head Township Zoning”) along with specific regulations overlaid on all development within Aspen Meadows, (referred to as “Aspen Meadows Mountain Zone or Mountain Zoning”), which is an overlay of zoning applicable only to the Aspen Meadows community.

These two land use codes, Brian Head Township Zoning and Aspen Meadows Mountain Zoning land use conditions and codes, include more detailed requirements for site conditions, setbacks, building heights, density, uses, etc., in the overall Aspen Meadows’ community. These conditions, are purposely ones, which either, meet or exceed, existing code and zoning criteria and as approved within the Master Annexation and Development Agreement with Brian Head Township and Aspen Meadows.

SITE ARCHITECTURAL REVIEW COMMITTEE (SARC) DESIGN REVIEW

The Design Guidelines are to be utilized, implemented and enforced in a reasonable and consistent manner by the Site Architectural Review Committee (SARC) and its members, with design review in evaluating, administering, approving, approving with conditions, and/or disapproving all forms of development envisioned in Aspen Meadows as judicated by the Board of Directors of the Master Association for Aspen Meadows.

THE SITE AND ARCHITECTURAL REVIEW COMMITTEE

SARC RESPONSIBILITIES

The Site and Architectural Review Committee (SARC) has been created to review sitework and building plans on behalf of the Board of Directors for the Master Association of Aspen Meadows (the “Master Association”) for their adherence to the Aspen Meadows Design and Development Guidelines (the “Design Guidelines”). The members of SARC, and/or the experts who the Board of Directors of the Master Association may engage from time to time, either as members of SARC or as professional consultants to SARC, will have expertise in site planning and architectural design. Please refer to the Master Declaration of Covenants, Conditions, Easements and Restrictions (CC&R’s) for Aspen Meadows – A Planned Master Community for additional information on SARC’s responsibilities and procedures.

SARC is responsible for reviewing all residential and commercial development within Aspen Meadows. This includes, but may not be limited to, the following development activities:

- Any sitework, grading, building construction, or other site modification anywhere within Aspen Meadows, including all planned residential homesites, neighborhoods, commercial operations, ski villages, ski resort operations, ski trails, snowmaking, water facilities, public trails, civic uses and open spaces planned.
- Any renovation, expansion or changes to the exterior of an existing structure.
- Any landscape or site modifications to a homesite including areas outside the development envelope where driveways or low impact uses are permitted, or to any other area within Aspen Meadows.
- Any changes to the natural landscape, watersheds, including the clearing of native vegetation and removal of standing trees, anywhere within Aspen Meadows.

The specific purpose of SARC review is to ensure conformity with the Design and Development Guidelines. SARC will also assist in explaining and clarifying the Design Guidelines to applicants and their representatives and will communicate information in a constructive way throughout the review process. SARC’s objective is to encourage good stewardship of the land and sensitive architectural expression consistent with the high standards of quality for this unique mountain community.

The SARC review process is not in lieu but is in addition to the Brian Head Township review process. Any application for a building or site modification permit within Aspen Meadows must be reviewed by SARC to determine that it complies with the Design and Development Guidelines, but any such application must also be approved by the Brian Head Township planning department. Written SARC approval is necessary before access to water service and sewer service is granted to the homeowner by the Association. Proof of a water and sewer connection agreement is a prerequisite to the acceptance and approval of a building permit application by Aspen Meadows and the Brian Head Township.

SARC COMPLEMENTARY REVIEW PROCESS - PRIOR TO LOT PURCHASE

A complementary SARC initial review meeting is made available to all interested buyers who have gone under written contract with earnest money received and during their due diligence period, *prior to a new homesite lot purchase*. This initial review meeting has been designed to encourage early, initial dialogue by a representative member of the SARC with potential owners, their design team, and other affected parties, prior to an acquisition and closing of their new homesite lot, early in the evolution of their plans so that the basic physical factors and aesthetic qualities of their chosen homesite lot meets their needs.

Required review: Review of the (a) Aspen Meadows Design and Development Guidelines, (b) the Aspen Meadows Mountain Zoning Requirements, and (c) Chapter 9 – Land Management Code with Chapter 7 – Zone District Regulation requirements 9-7-1: R-1 Single Family Residential section.

These guidelines combined; (Design Guidelines, Mountain Zoning Requirements and Chapter 7 – Zone District Regulations) for design and zoning requirements for Single Family Homes are applicable to most new home lots within Aspen Meadows for informative information provided to the end buyer. All three (3) documents are required reading prior to this initial review meeting for the benefit of the buyer.

SARC REVIEW PROCESS AND SUBMISSION REQUIREMENTS - AFTER LOT PURCHASE

The SARC review process and submission requirements after a new homesite lot purchase, has been designed to encourage dialogue with new lot owners, their design team, and other affected parties early in the evolution of their plans so that physical factors and aesthetic qualities of the land can be fully understood and sensitively incorporated into the owners' further refined land use concepts. The process is intended to be constructive, not adversarial or unduly restrictive.

Direct personal participation by the end home owner in the review process, especially in the early stages, has resulted in significantly improved communication, often allowing for quicker application approval.

To be considered complete, an application for SARC review must include all the information requested on the application form in Appendix A and listed at each step outlined below so that the review process will be as effective and efficient as possible. Owners are encouraged to engage the services of a licensed architect familiar with mountain design that involves structures. They also are encouraged to employ a licensed landscape architect for the site design, or individual familiar with mountain landscape design.

Owners who are starting with an undeveloped homesite are encouraged to begin their design process with a conceptual master plan for the entire site so that proper relationships among all proposed and/or contemplated structures and site amenities can be anticipated, and the cumulative site impacts can be evaluated and minimized. A master plan evolves from a thorough understanding of the constraints and design opportunities unique to each homesite; it is intended to identify where the clustering of structures is desirable, where a separation between them is preferable, utilities, and where the access that serves all future facilities envisioned can be located to minimize the impact to the landscape. The absence of an effective master plan may affect the owner's subsequent ability to add facilities.

The cost of SARC's review, including the services of any of SARC's planning consultants, shall be covered through a fee for service paid by the applicant. Fees are based on the type of project for which SARC approval is sought and must be paid in full before the review process may commence. The amount of the fee required is subject to periodic adjustment by Aspen Meadows Master Association. Please refer to Appendix B for a current schedule of application fees. Application fees are subject to change without notice.

There are three steps in the SARC design review process.

STEP ONE – THE PRE-PLANNING MEETING

The SARC review process commences with a work session with SARC'S designated planning representative or consultants, the owner, and the owner's architect or design professional. The purpose of this meeting is to agree on basic parameters for development of the homesite that fully respond to the desires of the owner and the land use philosophy and operating policies of Aspen Meadows of which Aspen Meadows is subject. It is vital that the owner and the owner's architect or design professional attend this meeting in order to understand completely the goals of the design review process.

The primary focus of the work session will be an in-depth analysis of the owner's site, its physical constraints, and the particular visual and environmental sensitivities that must guide its development. SARC will review the Design Guidelines with participants, discuss how they apply to the project at hand, and explain the reasoning that determined the development envelope on the owner's homesite. It is very important that this meeting be scheduled *after* the owner has selected a design team so that all of those who will be involved in the planning of the site may attend. Also, it is important that the meeting take place *before* any conceptual plans are drawn for the owner. However, it is required that the owner prepare for the meeting by completing a certified site survey, by gathering images that illustrate the style of building contemplated and by making a preliminary list of the facilities and building elements to be constructed on the site.

The outcome of the work session will be a mutual understanding of the site constraints, the design opportunities unique to the site, the potential visual impacts to neighboring homesites and to adjoining Brian Head neighborhoods, if any, the possibility of environmental impacts (including the removal of trees and other vegetation) that may require mitigation, and any other site-specific concerns that the developer and the SARC members may have. It is expected that this early dialogue will give the owner constructive input when he or she is most able to use it and, in this way, will avoid the adversarial and potentially expensive effort that often attends conventional design review procedures.

At the discretion of SARC, the requirement for this meeting may be waived for applications that concern minor changes to existing structures or landscape.

SUBMISSION REQUIREMENTS FOR THE PRE-PLANNING MEETING

- A certified site survey of the homesite showing platted property boundaries and, at least within the development envelope and the driveway corridor, topography at two-foot (2') contour

intervals or better. The survey must indicate easements, creeks, riparian areas, designated wetlands, mature trees, tree groupings and groves within the area to be developed.

- The certified site survey should also indicate existing and proposed man-made improvements, including utilities, hydrants, power transformers, water meters and valves, retaining walls, bridge and tunnel structures, abutments, and toe of slopes where roads run adjacent to the sites.
- A copy of the Site Plan per individual Homesite lot prepared by the developer.

STEP TWO – CONCEPTUAL DESIGN REVIEW

Formal SARC review begins with the owner's submittal of conceptual site and building plans. Conceptual review is intended to provide more detailed direction and guidance to the Owner and the Owner's design team by the specific identification of any site or development issues and concerns that, in the opinion of SARC, must be resolved.

Conceptual drawings typically indicate overall design and site planning directions but are not intended to fully resolve all technical or design issues. They illustrate (1) the siting of conceptual building program elements; (2) the preliminary resolution of building form and massing; (3) the Owner's general thoughts about architectural character, style, and materials; (4) the visual and functional linkages; (5) the view relationships with neighboring sites; (6) the grading required for driveway access and the siting of the building; and (7) the general extent of site disturbance.

SCHEDULING A CONCEPTUAL REVIEW MEETING WITH SARC

Upon request by the applicant, a conceptual review meeting of SARC may be scheduled with three weeks advance notice. The conceptual review is an open meeting. At least fourteen (14) days prior to the meeting, individual notices will be sent to all adjacent property owners and a general notice will be posted inviting any interested property owners within Aspen Meadows. A complete package of conceptual plans must be submitted to the development offices of Aspen Meadows, no later than one week prior to the scheduled meeting.

The owner and/or his/her design representative shall make an informal presentation at the meeting to outline the development program and design goals. Feedback from SARC members will be more substantive if the underlying rationale for the applicant's design decisions is well articulated. SARC will evaluate the conceptual plans for conformity with the Design and Development Guidelines and the concepts discussed during the pre-planning meeting.

Within one week following the conceptual review meeting, SARC shall issue a written response to the applicant that records outstanding issues and concerns and summarizes SARC members' comments. If unresolved issues appear to warrant it, SARC may recommend a follow-up meeting with the applicant before SARC's written response and before the plans are submitted for final review (step three).

SUBMISSION REQUIREMENTS FOR CONCEPTUAL REVIEW

Applicants for conceptual design review shall submit the following:

A conceptual site plan with grading plan indicating the proposed boundary of the development envelope, the driveway corridor, and the driveway alignment within it; the location of all planned improvements and structures, including outdoor activity areas, fencing, retaining walls, and water features; all utility lines and any related utility easements required by service providers; and the ski-in/ski-out locations (which, whenever possible, should follow the alignment of existing disturbed areas, e.g., a sewer lateral alignment). The plan shall also indicate the estimated limits of grading and site disturbance within the development envelope and preliminary finish grades and floor elevations at doorways and paved surfaces. Drainage should be clearly depicted through the indication of swales and proposed drainage structures. Format of presentation materials may be at the discretion of the designer, however, one 11" x 17" color copy of the plans is required for SARC records.

- All submission requirements for the pre-planning meeting should be incorporated into the plan documents submitted for conceptual review.
- The conceptual site/grading plan shall include the proposed removal of vegetation for forest fire suppression purposes. Fire suppression issues should be discussed with the Brian Head Town offices for Public Safety / Fire Department prior to Conceptual Plan Review. If it is the desire to implement the Public Safety / Fire Department's recommendations, the recommendations must be in writing from the Public Safety's offices and presented to SARC at the time of Conceptual Plan Review. Removals of vegetation for fire suppression purposes must be considered as part of the Conceptual Plan Review since such removal may impact the visibility and siting of the improvements.
- Conceptual floor plans, roof plans, sections, and elevations of all structures, including accessory buildings. Building plans and elevations shall be at a minimum scale of 1/8 inch = 1 foot, or larger, provided the sheet size does not exceed 24"x36".
- A preliminary landscape plan illustrating concepts for framing or screening important views to and from the structures. The plan should show all trees and other native vegetation to be removed, new plant groupings added by massing and describe generally the types and quantities of plants (trees, shrubs, ground covers) to be added to the site.
- A description of desired exterior finishes, building and paving materials, and colors.
- A simple foam block study model or computer-generated study model of the building within the development envelope is strongly recommended, though not required, as an effective means of evaluating conceptual massing and siting of the house.

In addition to all drawings and materials listed above, the applicant shall survey and stake the corners and ridgelines of the proposed structures, the centerline and edges of the proposed driveway, and the limits of site disturbance. Staking shall indicate the actual height of the proposed structures by means of story poles where required by SARC and the most visual portion of the structure(s) highlighted with an green marking by the developer for ease of recognition from off-site or from an adjoining road. Each stake shall be numbered. A staking plan superimposed on the site plan shall be submitted showing the

location and number of each stake. Conceptual approval shall not be given to the applicant prior to the review of the staking by SARC. SARC shall conduct an on-site review of the staking in conjunction with the Conceptual Plan Review and prior to written approval of the Conceptual Plan.

STEP THREE – FINAL PLAN REVIEW

SCHEDULING THE FINAL MEETING WITH SARC

Final plan review cannot occur prior to receipt of written approval from SARC of conceptual plans. Upon request by the applicant and with at least three (3) weeks advance notice, a final review meeting of SARC will be scheduled. The final review by SARC is an open meeting. At least fourteen (14) days prior to the meeting, individual notices will be mailed to all adjacent property owners. A complete package of final plans must be submitted to the development offices of Aspen Meadows no later than one week prior to the scheduled meeting.

It is strongly recommended that the Owner's design team attend the final plan review to present the plans. SARC will review the construction drawings and final site plans for conformity with the Design and Development Guidelines and determine whether all outstanding issues discussed in previous review sessions have been resolved.

Within fourteen (14) days of the meeting, SARC shall either approve, approve with conditions, or disapprove the final plan, or extend the approval date by issuing a request for further information. The notice of approval shall be in writing and will be sent to the applicant and the Brian Head Township planning office. If an application is denied, the applicant may resubmit a revised plan at any time. Subsequent review may be subject to the payment of an additional fee.

SUBMISSION REQUIREMENTS FOR FINAL REVIEW

The final submission package shall respond to issues raised by SARC in earlier phases of review and shall include the materials listed below:

- Final site plan at a scale of 1 inch = 20 feet, indicating layout and dimensions of the development envelope, all building and accessory elements, the driveway, all utilities, and all landscaped areas. All utility or other easements must be surveyed and clearly indicated on the plan with bearings and distances, which dimensions must correspond to a legal description.
- Final building floor plans, roof plans, sections, and elevations at a scale of 1/8 inch = 1 foot.
- Final grading and drainage plan.
- Conceptual landscape plan detailing all plantings by species, size and quantity. Native, low-water plant species are strongly recommended (a list of approved species suited to the microclimates found in Brian Head is included in Appendix C). A Final Landscape Plan (including an irrigation plan, water source and estimated water usage) shall be submitted by the applicant prior to 4-way inspection and is subject to the review and approval of SARC. Submittal of the Final Landscape Plan, and its review by SARC, is deferred until this point to ensure that

the ultimate landscape improvements address and mitigate all areas disturbed in the construction process.

- Final material samples, specifications, product cut sheets, and color samples for all exterior finishes.
- Construction details, sections and elevations as needed to illustrate design intent and any accessory elements such as swimming pools, spas and other outdoor facilities.
- Exterior lighting plan, with cut sheets or details of all fixtures.
- Details of proposed entry monument and/or gates, if any.
- Development phasing plan, if appropriate.
- A Construction Mitigation Plan showing limits of disturbance fencing, silt control fencing, construction staging areas, topsoil storage areas, proposed construction parking areas, construction entrance detail, tree protection, dust control, etc.
- An Erosion Control Plan which complies with Brian Head Township requirements.
- A revised study model is not required but would be helpful in the final review.

In addition to the above, the applicant may be required to provide staking of the site in addition to that required at Conceptual Plan Review if SARC determines that there have been material changes to the proposed structures since conceptual approval.

ZONES AND PERMITTED USES

HOMESITE ZONES

Each Aspen Meadows lot parcel is referred to as a “Homesite” and is comprised of three zones:

- (1) The development envelope zone;
- (2) The driveway corridor zone; and
- (3) The natural open space zone.

HOMESITE LOT PARCEL TYPES AND SIZES

Each Homesite lot parcel size overall envisioned in Aspen Meadows is comprised of three lot types:

New Home Lots: *Just under 1 acre to 2 acres.*

Estate Home Lots: *2 acres to 5 acres.*

Ranch Lots: *5 acres and larger.*

A mix of Homesite lot parcel “types” and Homesite lot “sizes” in acres, will purposely exist in various neighborhoods envisioned throughout the development based on utility conditions, privacy goals, recreational amenities, circulation walking paths for each neighborhood, slope conditions and viewsheds.

CONCEPTUAL HOMESITE – SPECIFIC SITE PLANS BY LOT

A Conceptual Homesite Site Plan (“Site Plan”) has been prepared by the developer to reflect the analysis for each Homesite to highlight the site-specific constraints, easements, elevations, viewsheds, and opportunities that should be considered in site planning and to define the general location of the development envelope and a possible location for the driveway corridor. Site Plans are available for all adjoining lots, for all adjoining owners, to best understand neighboring impacts upon request.



Figure 6: Homesite Zones

THE DEVELOPMENT ENVELOPE ZONE

Homesites identified on Site Plans and within Aspen Meadows have been designed to optimize views and solar access, facilitate driveway access, tie-in to utilities, and to encourage development that conforms to the natural terrain with minimal grading. Within all site plans, are Development Envelope Zones, for each Homesite, where all structures are intended.

The property boundaries of each homesite have been determined with the objective of promoting the rural, mountain character of the community, the key components of which are maximum visual separation and privacy between Homesites within various planned neighborhoods and minimal visibility

of development as viewed, from outside the Aspen Meadows community, from the adjoining viewsheds and as seen from the recreational trails within the Aspen Meadows community.

In some areas of Aspen Meadows, where the topography is gentler, there are natural or manmade amenities such as mountain ponds, recreational planned areas and meadows among various planned neighborhoods. These features may be the focal point or represent the prominent view shed for multiple homesites that may look upon each other; therefore, in these instances the ability or requirement to have visual separation between structures does not always exist.

Some Homesites do not have significant elevation differences from surrounding and/or adjacent properties. These designated sites are identified on the phase plat and individual site plans. The planting of vegetation in some view corridors may be prohibited to protect neighbor's view corridors.

An individual site plan for each lot has been prepared by the developer to suggest the best location for the center of the development envelope for most planned neighborhoods, with new home lots and estate home lots sizes ranging from approximately 1 acre up to 5 acres in most cases and larger ranch lot sizes ranging from approximately 5 acres and larger. This center point identified in a "development envelope" of each lot is approximate and has been located in the field and is designated by a green marking as each neighborhood and phase is introduced by the developer. However, in consideration of the size of larger Homesite and the desire to provide the Owner with reasonable design flexibility, SARC may consider proposals for alternative development envelopes on any lot, provided it can be adequately demonstrated by the applicant that the alternative location accomplishes the objectives of the Guidelines. If SARC and the Owner cannot agree that the alternative development envelope accomplishes the planning objectives of the Guidelines, then the conceptual development envelope indicated on the individual site plan will constitute the default location. Once a development envelope has been established, the owner then must abandon all other possible development envelopes.

There are a few cases where SARC has no discretion to adjust building envelopes based on utilities, size of lot, ski bridges, roadways, waterways, etc.; these lots are designated on recorded plats and/or specific site plans. For these specific lots all structures must be constructed within the building envelope.

In order to maintain a defined edge between improvements and the natural environment, all structures and site improvements except the driveway should be contained within the development envelope. This includes the primary residential structure, guest house, barn and other accessory buildings, and all ancillary facilities such as patios, decks, dog runs, gardens, lawns, paved areas, pools, and other recreational facilities.

DEVELOPMENT ENVELOPE SITE COVERAGE

An owner generally is not permitted to exceed 20,000 square feet of total site coverage within the development envelope, or no more than 25% of any total individual lot size measured in square feet overall and is permitted a minimum of 2,000 square feet of total site coverage to begin design within any development envelope. These coverage amounts are intended to minimize visual impacts, enhance and environmental impacts, caused by the construction of impervious surfaces and the effect of other changes to the natural landscape, such as established meadows, protected viewsheds, open space areas and drainage patterns.

“Total site coverage” of the development envelope is defined to include the footprint of all structures, all impervious terraces, roof overhangs, decks, patios, pools, outdoor living and entertainment spaces, and all other impervious surfaces, including paved recreation areas, sport courts, and hard surfaced indoor and outdoor parking spaces. The driveway, up to the point where it widens in front of the garage, is not included in the total site coverage of a development envelope since the area contained within in the driveway will be determined largely by topography and will vary in length from one homesite to another. Exceptions to the total site coverage limit, other than those previously approved by the developer at platting, may be requested and may be approved by SARC provided the development area is not visible from off-site and the proposed improvements to the site otherwise comply with the Design Guidelines and Design Principles.

Consideration by SARC of a request for an exception to total site coverage, shall be based on established criteria, including, but not limited to the following: overall lot size, topography, siting, visual impact, design, building materials, and the improvements proposed to mitigate the impacts of the increased site coverage, including, but not limited to, landscaping and drainage improvements. Exceptions generally would be appropriate only on the largest Homesites within Aspen Meadows; provided, however, total site coverage on any one Homesite shall not exceed 40,000 square feet.

THE DRIVEWAY CORRIDOR ZONE

The location, alignment and size of the driveway corridor zone will be determined during the design and approval process. Suitable driveway alignments have been identified for all Homesites, but the Owner may request to modify the location of the corridor and the point of access from the main road provided it is clear from the plans that the change does not exacerbate site impacts, considerations to adjoining lot owners, and provided it is approved by SARC. The dimensions of this zone shall not exceed the disturbed area of site work required for driveway construction.

THE NATURAL OPEN SPACE ZONE

This zone encompasses all areas of the Homesite that are outside the development envelope and the driveway corridor. Except for land and forest management, maintenance of roads and common facilities, and utility construction, no development activity is permitted in this zone. Land management activities such as, wildlife habitat enhancement, revegetation, reforestation, slope and creek bank stabilization, and selective thinning of trees pursuant to the recommendation of a forest management plan or for fire mitigation or suppression purposes may only be undertaken with the approval of the Master Association Management of Aspen Meadows.

THE DEVELOPMENT ENVELOPE PERMITTED USES

A development envelope has been initially established for each Homesite in Aspen Meadows, but an alternative location may be asked to be considered and approved during the design review process if SARC reasonably determines that the Design Guidelines and the Design Principles are not compromised by approval of the alternative location.

Permitted uses within the development envelope:

- A single-family home
- A guest house (generally not to exceed a total footprint of 2,500 square feet)
- Barns and accessory out-buildings, including care-taker quarters (the square footage of which is left to the reasonable discretion of SARC based on its determination of the appropriate Total Site Coverage of any development envelope.)
- Recreational facilities such as swimming pools and spas
- Building pad grading approved by SARC
- Low-level site lighting not visible from off-site
- Approved fencing
- All uses listed under driveway corridor below

THE DRIVEWAY CORRIDOR ZONE PERMITTED USES

Permitted activities within the driveway corridor:

- Vegetation removal and revegetation with native plants (see Appendix C)
- Road bed grading and paving
- Entry monuments as defined by the Guidelines
- Drainage improvements and erosion control measures
- Retaining walls and other slope stabilization measures
- Utility service extensions
- Low-level lighting to illuminate the required street address monument

THE NATURAL OPEN SPACE ZONE

Permitted uses within the natural open space zone:

- Hiking, biking, ski ways, ski trails and within the ranch neighborhoods, equestrian trails
- Pastures and meadows
- Ponds
- Picnic areas and roofed picnic shelters without walls

Prohibited uses within any areas of a Homesite:

- Site work or grading not approved by SARC and Brian Head Township
- Buildings of any kind, except picnic shelters as stated above
- Fencing (except as allowed in the fencing section)
- Exterior lighting (except as allowed in the lighting section)
- Clothes lines or clothes poles
- Tents, Yurts, or Fabric structures of a permanent nature
- Vegetation removal, except as approved by SARC

DESIGN STANDARDS

These Design Guidelines address both site planning and architectural design. Site planning standards apply to site improvements, the siting of structures, and modifications of the natural landscape within the driveway corridor and the development envelope. Architectural design standards apply to the design, form, massing, and character of structures in the development envelope.

SITE PLANNING STANDARDS

Every Homesite in Aspen Meadows has unique natural features and character that should be preserved and reinforced. It is these natural attributes that provide the strongest clues for design form. When used for inspiration, they are essential tools to achieve buildings and site improvements that are integral to the natural landscape and uniquely well suited to an individual site. This is the most important goal of Aspen Meadows's site planning guidelines.



Figure 7: Site Planning Guideline

DRAINAGE

Natural drainages that traverse the Homesites generally shall be maintained in their original condition, although SARC may grant exceptions if it reasonably determines that the quality of the overall site plan is improved by such an exception and that adequate mitigation measures have been included to ensure the quality of the natural drainage is not compromised by the change. Eroding areas must be stabilized and revegetated promptly to avoid siltation damage to the surrounding environment and to maintain high water quality in area creeks, streams and ponds.



Figure 8: Grading and Drainage

If it is proposed that construction and development will obstruct or redirect natural drainage patterns, surface run-off should be carefully redirected to existing streambeds or new swales designed to look natural. Swales may be required above new cut or fill slopes to protect them from erosion. Subsurface drainage systems are not recommended in this climate.

Paved and impermeable surfaces should be minimized. Concentrated drainage onto neighboring properties in excess of pre-existing, naturally occurring volumes is not permitted.

Where driveways must cross creeks or other natural (perennial or intermittent) drainages, bridges are recommended rather than culverts. Culverts may only be used with SARC approval and the approval of the Utah State Division of Natural Resources, as applicable. The exposed intake and outfall ends must be screened with stone and cobble to make them more natural in appearance.

DRIVEWAYS AND PARKING

Access driveways and surface parking areas will have significant impacts on any mountain site. These necessary functional elements must be located to limit disturbance of vegetation, avoid unnecessary cuts and fills, and minimize their visibility. The primary goal in planning the driveway is to work with, not against, variations in the natural topography and to avoid scars on the land that would be difficult to revegetate or restore to a natural appearance.

The maximum grade on driveways shall not exceed 12% slope and should conform in all respects to the driveway requirements of the Brian Head Township. Among other things these requirements state that

no driveway can have more than a total of two hundred fifty feet (250') at twelve percent (12%). The first twenty feet (20') from the edge of any paved surface shall not exceed five percent (5%) slope.

Minimum driveway widths typically shall range from a minimum of twelve feet (12') allowed, to an average of fifteen feet (15') of driving surface except in the case of extremely long driveways, where the Brian Head Public Safety / fire department may require a wider dimension to provide, in emergencies, passing for emergency vehicles. Aspen Meadows regulations specify that all driveways, whether or not locked with gates, must provide approved turn-outs for emergency vehicles where the driveway meets the building pad and every two-hundred feet (200') for longer driveways.

Paving of driveways on any development Homesite under construction is recommended but not required to be completed at time of completion of the home. Paving is required within a one-year period, beginning on the date of receiving the certificate of occupancy for the home. If the driveway will not be paved for any extended period of time during multi-year construction cycles, special care must be taken to provide proper drainage and to control erosion and dust.

All reasonable efforts shall be made to minimize the visual impact of driveways and to screen them from interior neighborhood circulation roads and major roadways and drives with earth berm landscaping techniques. Driveways should intersect the main road as close to a right angle as possible and curve as soon as practical to avoid exposing a long linear view of the drive from the main road. (Not possible in all cases and exceptions allowed.)

All homesites must provide for their own parking requirements within their development envelopes and driveway corridors. No parking will be permitted along the roads or common driveways within the community. Parking along the road or common driveways for large special events, such as family reunions, weddings, home tour events, developer sponsored launches, community events, concerts, must be approved in advance by the Master Association management. Each Homesite must provide one parking space per bedroom, at least two of which must be covered parking spaces in a garage attached to the main house or in a separate structure. For guest homes, one parking space per bedroom, and one or more which must be covered parking space(s) in a garage attached to the guest home or in a separate structure. To minimize impervious surfaces, paving of large areas for parking is not encouraged; gravel, unit paving on prepared under base and sand, and other materials are recommended.

Exterior parking of accessory vehicles of any type, such as Side-by-sides, ATV's, RV vans, boats, trailers, travel trailers, mobile homes, truck campers, recreational vehicles, or tractors, is prohibited everywhere within Aspen Meadows. Indoor RV storage spaces are envisioned in the future development plans within the light industrial area of Aspen Meadows and outdoor storage spaces will be considered to be made available based on demand on a monthly rental fee basis.

ENTRY GATES AND MONUMENTS

While it is not encouraged, Owners are permitted to install entry gates and/or entry monuments provided they are at a distance from the road adequate to make them relatively inconspicuous. The design and location of the gates and monuments must be approved by SARC. Owners who choose to install gates

must provide turn-around space outside the gates where visitors who arrive at locked gates would otherwise be required to back out onto the main road or down a long or narrow drive. Gates are required to be located in, at least fifteen feet (15') from the edge of the main road right-of-way, that the distance between gateposts be four feet (4') wider than the finished driveway width, and that the gates open inward only. If electronically operated, the gates should be equipped with a receiver to permit emergency services and snow-plow operators to access the property with a transmitter. If the gates are locked, an approved lock box must be installed with record on file with Master Association offices.

FENCING

There are two categories of permitted fencing: fencing that is within the development envelope and fencing elsewhere within the Homesite.

Fencing outside the development envelope is generally permitted only along the main roads and open meadow edges. Three basic fence types, illustrated below, have been designed for use in these areas. If an owner desires to install a fence outside his/her development envelope, they must select from one of these three types and obtain SARC approval to construct it. The fencing should be coordinated with existing fence designs found within the immediate neighborhood.

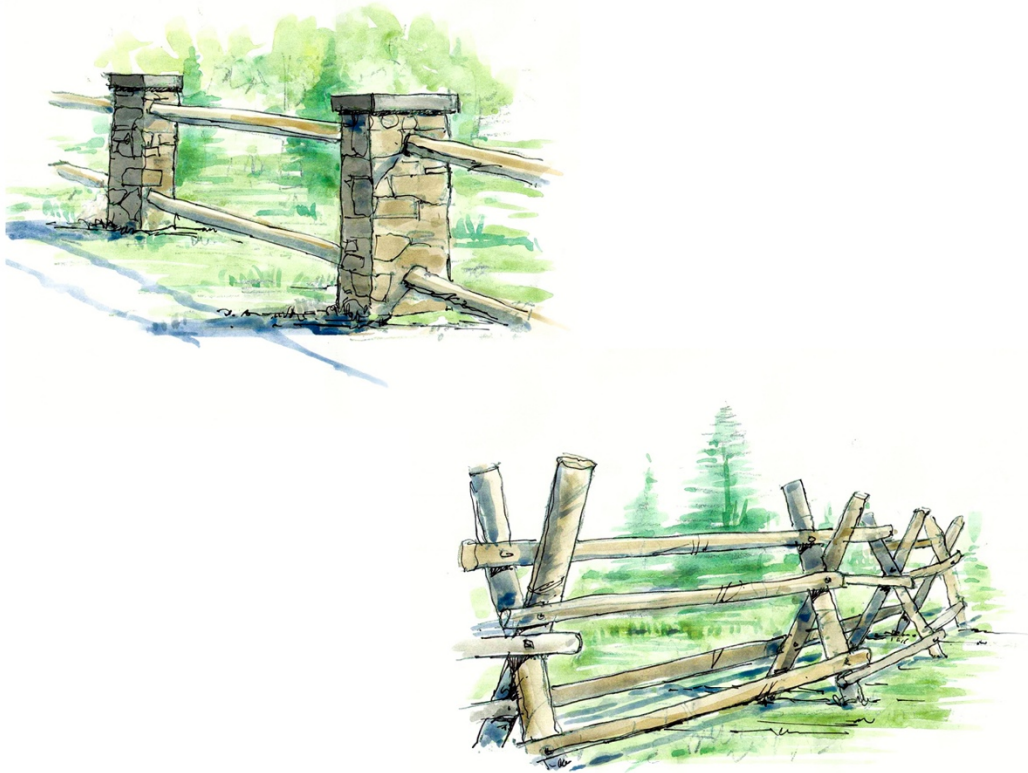


Figure 9a: Approved Rail Fencing Designs

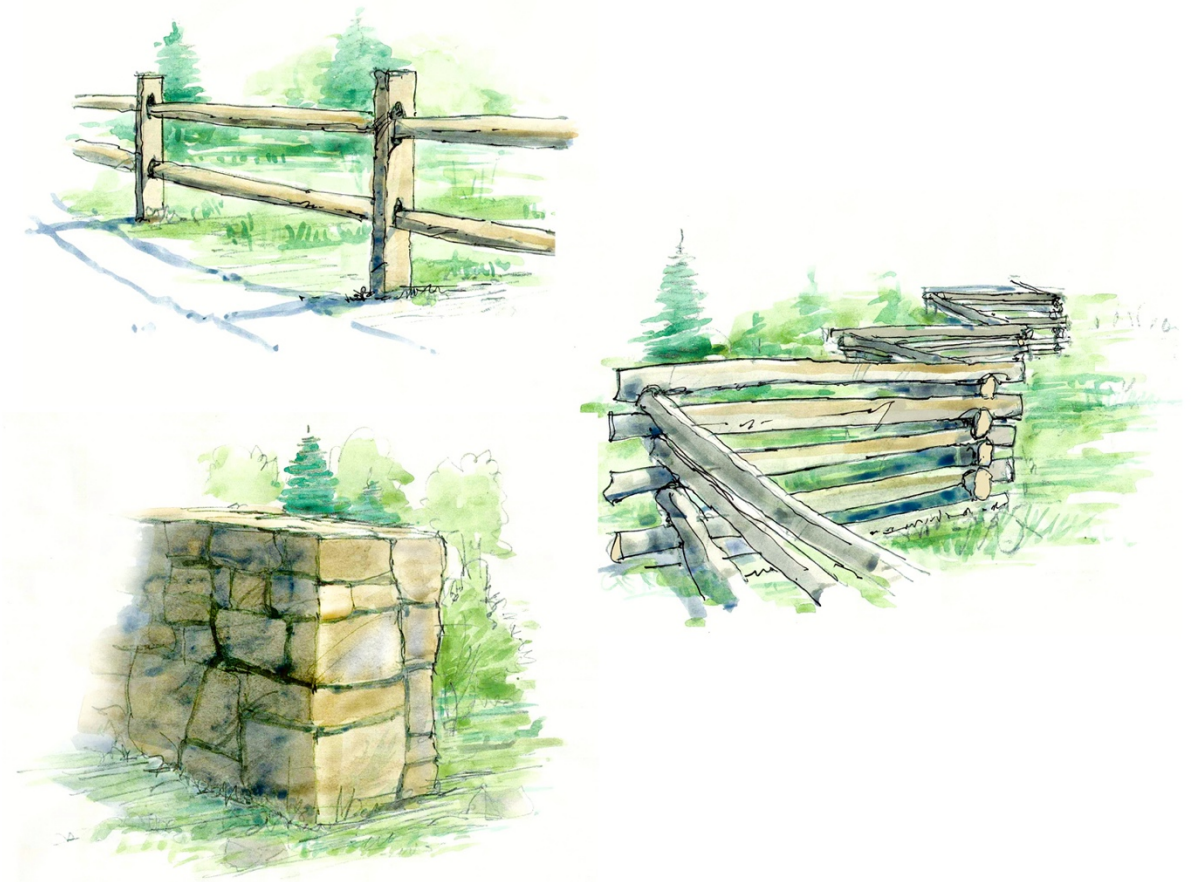


Figure 9b: Approved Rail Fencing Designs

Within the development envelope, fencing, garden walls, dog runs, privacy walls and corrals must appear as an architectural extension of the building and be constructed of the same or compatible materials or be selected from one of the three approved rail fencing designs. Perimeter and lot line fencing is prohibited.

No fencing of any kind is permitted within the driveway corridor.

GRADING

The objective in site grading shall be to preserve the integrity and form of the natural landscape by responding sensitively to existing topography and maintaining the natural pattern of drainages, washes and creek beds. All work on any site must be done in a manner that minimizes disruption to natural ecosystems and the alteration of existing topography. Development envelopes have been identified in locations that generally avoid important natural features and steeper slopes, thus facilitating sensitive siting and reducing the amount of grading that will be necessary to construct buildings and site improvements.

Grading at all times shall be consistent with the provisions of the Brian Head Township and the Aspen Meadows Mountain Zoning development code (the “Code”) which, from time to time, may be amended.

As set forth in the Mountain Zoning Code, “Natural Grade” shall be defined as the elevation of the natural ground before any development, excavation and/or filling, and “Finished Grade” shall be defined as the elevation of the finished ground after any proposed development, excavation, and/or filling. (Refer to the “Code” and the Section on “Building Form, Height and Massing” in these Guidelines for application of grade definitions to structure height.)

Since the primary objective of Aspen Meadows’ Design and Development Guidelines is to minimize the off-site visual impact of structures, in those instances in which it is clear that exceptions to the general intent of this Section are needed to reduce visual impact, SARC may approve or require significant alterations to the natural landform under and within the footprint of a structure to lower the Finished Grade if the result would be to reduce apparent height, mass and visual impact.

Building on slopes steeper than a 30% gradient is prohibited; provided, however, exceptions may be approved by SARC if: (a) SARC reasonably determines that the portions of the proposed development site that exceed 30% are peripheral and limited in area and the average slope of the development site is under 30%, and (b) Brian Head Township regulations otherwise permit such exceptions.

Grading shall occur only within the development envelope and the driveway corridor. In exceptional circumstances, grading elsewhere may be permitted when approved by SARC, or when the work is carried out by the Master Association as part of its land management responsibilities.

As much as possible, cut and fill grading quantities should balance to minimize heavy truck traffic to the construction site.

All lot development must generally conform to the existing landform. Grading shall be minimized. The extent of any grading shall be approved by SARC based on a determination not only of its impact on the natural landform and existing vegetation but also on the determination of the visual impacts that may result from grading.

The maximum gradient allowed on cut and fill slopes shall not exceed 2:1. However, because soil on fill slopes as steep as 2:1 is difficult to protect from erosion, it is recommended that these slopes be gentler in gradient wherever the terrain permits (3:1 is a more workable maximum gradient for successful revegetation). All approved cut and fill slopes shall be revegetated by the placement of topsoil and plant materials appropriate for slope stabilization within the time frame specified by SARC. When slopes are greater than 3:1, SARC require soil stabilization mats.

Topsoil should be separated from other excavated material and stockpiled on site for later re-use.

Newly constructed berms, or earth forms, if used to screen parking or accessory elements, must appear as natural landforms. Side slopes typically should not exceed 3:1, and the sides and top of the berm should undulate.

LIGHTING

Outdoor and indoor lighting will be carefully reviewed to assure that the neighboring properties are protected from direct light sources and that all residents and guests may enjoy the night sky. Exterior site lighting will be approved where it is necessary for safety and easy identification of driveway and building entries and then, only when it has been determined by SARC that such lighting (a) cannot be seen, or (b) the impacts to nearby homes within the Aspen Meadows community or Brian Head Town has been adequately mitigated. (Please refer to the Brian Head Township development code for limitations in addition to those outlined below.)

Exterior lighting will not be permitted anywhere outside the development envelope and the driveway access corridor. In the driveway corridor, one low-intensity light with a hidden source is allowed where the entry drive intersects the main road for the sole purpose of locating the entry and illuminating the rock street address monument. Additional low-wattage lights are permitted along the driveway wherever needed to illuminate curves. Pole-mounted lights are discouraged but may be permitted within the development envelope when it is determined by SARC that the propped fixtures are a full cut-off variety that directs all light downward.

Within the development envelope, the illumination of vegetation or structures with up-lights will be approved only if not visible from off-site. Fixtures should shield the lamps so that the light source cannot be seen.

PLANTING

The emphasis in landscape design throughout Aspen Meadows shall be to create the appearance of an undisturbed natural landscape. Planting compositions that echo natural vegetative patterns and plant species that are indigenous to the local area are required everywhere outside the development envelope and strongly recommended within it.

Meadows, both natural and man-made, are a major organizing element of the Aspen Meadows landscape. They provide great spatial variety and interest, superb distant views, improved wildlife habitat and reduced wildfire risk. Existing meadows and the forest and shrub vegetation that defines their edges are fundamental to the natural character of the site and must remain undisturbed. Where forest trees are thinned and new, man-made clearings are developed to open views, the resulting landscape should continue the pattern of natural forest breaks, with feathered meadow edges and a gently sloping ground plane of grasses and wildflowers. To preserve the meadows as an essential landscape feature, no new planting or removal of existing vegetation will be allowed outside the development envelope or the driveway corridor except as approved by SARC for landscape restoration, wildlife habitat improvements or the enhancement of trails, ski trails and ski ways.

No tree removal is permitted anywhere within a homesite without SARC approval. SARC may approve some thinning of forest trees within a primary view corridor from the main house but will not allow clearing where forest cover is essential for screening of views from neighboring homesteads or for preserving key viewpoints and scenic open space viewsheds. Mature forest specimen trees within the

development envelope and the driveway corridor must be identified on a site survey; SARC will not approve their removal unless there are no feasible alternatives. Trees deemed unhealthy may be felled with SARC approval (see Appendix D, Tree Removal Procedures).

Removal of vegetation for fire management purposes should be discussed with the Aspen Meadows Master Association at the time of Conceptual Plan Review. Removal of vegetation pursuant to the requirements of Aspen Meadows Fuel Reduction Plan must be considered as part of the Conceptual Plan Review since such removals may impact the visibility and siting of the improvements. All disturbed areas that are not paved or graveled shall be revegetated with appropriate native plant materials from the approved plant list in Appendix C. Owners are encouraged to utilize plant materials that require little water other than that initially required for their establishment and to use slope-stabilizing shrubs and ground covers on new cut and fill banks.



Figure 10: Landscape Guidelines

The design and scale of newly landscaped areas must reflect and integrate well with the natural mountain landscape. New plantings should complement native plant communities and should be visual extensions of existing vegetation masses and edges. Plant groupings (massing) should look natural in form, scale, and position on the land. Plant species shall be selected from the approved plant list, except in limited areas near the primary residence, where non-natives are permitted. Care should be taken to choose plant materials, whether native or not, that are well-suited to the high alpine elevations of Aspen Meadows and its microclimatic variations found in sunlight, soil, and moisture conditions in the locations where they will be intended to be placed.

A mix of sizes for newly planted trees is desirable to emulate natural patterns of forest growth. Minimum height for new coniferous trees intended to fulfill SARC conditions of approval shall be at least six feet (6'), with a minimum caliper of two inches (2''), but the number and size of all trees shall

be shown on the final landscape plan approved by SARC and shall be selected from the approved plant list.

Within the development envelope, plantings in areas immediately adjacent to the residence are not restricted and may include ornamental plants that are not native to the local area. However, because the natural landscape is considered the most important character-giving feature of Aspen Meadows, manicured or groomed yards and lawns shall be enclosed by building, walls or natural screening elements so that they are visible only from within the Owner's own Homesite.

A layer of mulch at least three inches (3") deep is recommended in all plant beds to reduce evaporation of moisture from the soil.

For local resources for trees, native plantings, Utah-based seed companies, and forestry or landscaping professionals, contact SARC or the Aspen Meadows development office.

PETS AND WILDLIFE

On certain Homesites, specifically within the Ranch neighborhoods, horses may be permitted if the Homesite has been designated for the keeping of horses as provided in Section 4.1 of the Declaration of Covenants, Conditions and Restrictions for Aspen Meadows. The Association shall strictly limit the number of horses permitted on any Homesite, which number may vary depending on the size, location and special circumstances relating to the specific Homesite involved. The riding of horses shall be permitted only on designated trails created by the developer and in other areas, along with storage and boarding of same which the Declaration specifically designates its location(s), or which from time to time the Master Association, Developer, and/or Declarant may designate for such use.

Animal barns may not be located closer than sixty feet (60') from any dwelling. A Low Impact Permit must be approved by either Brian Head Township and/or Iron County to authorize construction of a barn and/or associated corrals for animals.

Dog runs and animal pens are recommended to be enclosed and covered to protect pets from predators. To protect birds and wildlife, dogs and cats must be accompanied and on a leash at all times when outside the immediate residence compound. Homeowners with home designs with the additional installation of "dog-flap" entrances for their pets are reminded of the potential of larger predators in the mountains entering a residence by these means, such as mountain lions, bears, coyotes, and large birds of prey and should take notice of the importance of consistent and clear visibility to all outdoor spaces while their loved ones are outside. Small footprints of planned fenced-in pet lawn play areas with approved railing or approved pet-retaining style fencing that appears as an extension of the residence may be considered. Owners are subject to fines by the Master Association for all free-roaming pets.

All outdoor trash containers must be of approved, animal proof designs. All trash containers must be kept in completely enclosed structures. Homeowners are required to exercise reasonable judgment and take reasonable measures to avoid creating attractive nuisances for wild animals.

PONDS

Owners may be permitted to construct ponds and other water features on their Homesite if the design does not cause visible scars, excessive grading, unacceptable removal of forest vegetation, or instability of slopes. Water features must be natural in appearance. It is recommended that banks be planted with native species that provide attractive riparian habitat. Dams should be placed where their length and height can be minimized and they do not appear artificial in form.

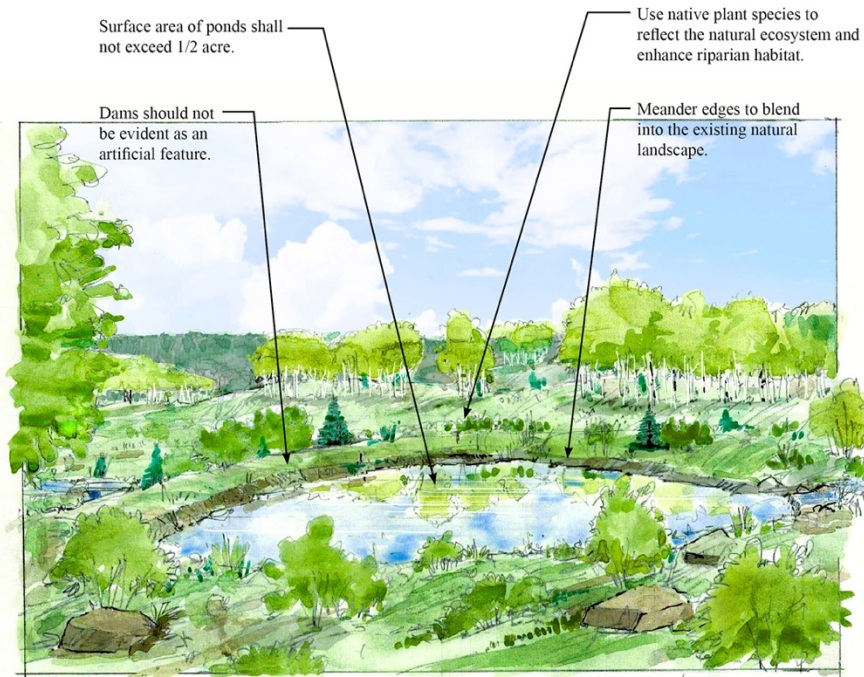


Figure 11: Ponds

The Central water system may not be used as the source of water for a pond unless the pond water is re-circulated. To prevent unnecessary water loss, all ponds shall be lined. Engineered drawings are required for any pond or decorative pool and must be submitted to SARC for approval. The Owner shall be responsible for purchasing from the water service provider adequate water to supply the pond and ensure adequate water levels and circulation in order to prevent stagnation or unsightly conditions.

RETAINING WALLS

All retaining walls must be approved by SARC. Wherever possible, retaining walls should appear to be an extension of the foundation walls of the residence and are subject to the same criteria relative to color, materials, and durability as the building itself. If not connected to the residence, walls should be constructed of architectural materials compatible with those employed in the residence. Otherwise, natural stacked stone walls are preferred. Stone walls should appear to be structural, not veneered, and deep-raked mortar joints are preferred. Sedimentary sandstones, indigenous to the Brian Head area, are strongly recommended. Unfaced, poured-in-place concrete may be used with SARC approval. Concrete block, brick and railroad ties are discouraged and any use of these materials would require specific SARC approval.

The maximum total vertical exposure of approved walls shall not exceed eight feet (8') unless SARC determines that an exception is warranted because of extraordinary circumstances or unavoidable topographic constraints. Where walls taller than eight feet (8') would be required to solve a grading issue, terracing with multiple walls is recommended, with a designed planting-area of at least thirty inches (30") between each wall section.

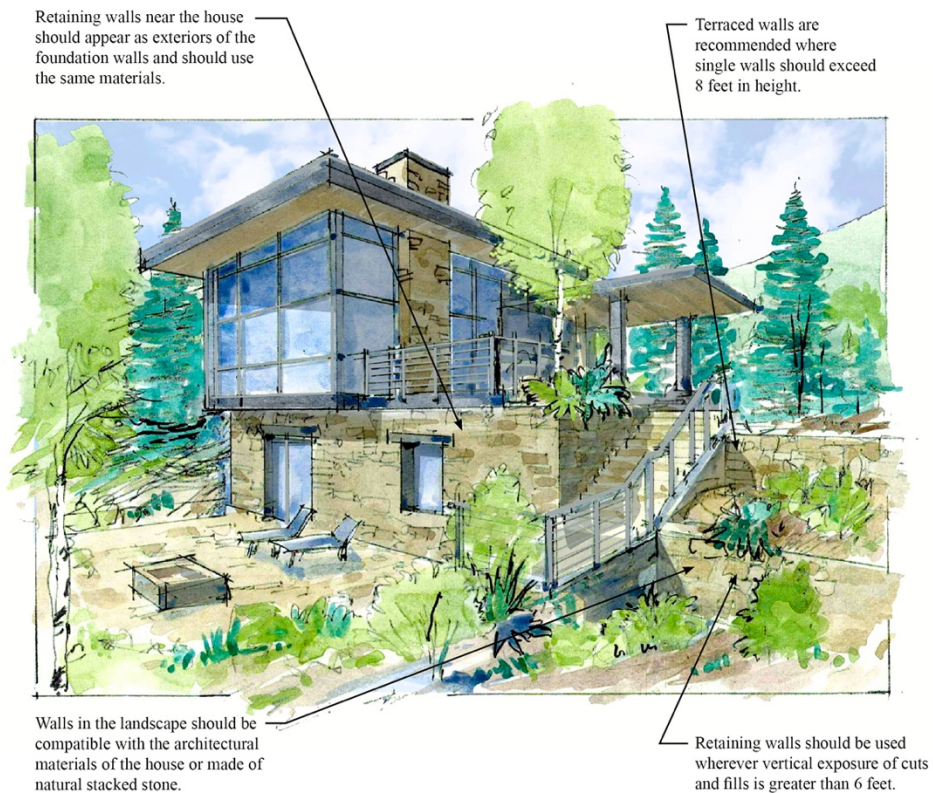


Figure 12: Retaining Walls

SETBACKS

The boundaries of the development envelope, at a minimum, must respect all Brian Head Township and setback requirements. However, since the hallmark of these Guidelines is to ensure, through sensitive siting of development, the enjoyment of the natural landscape, and the privacy of each Owner, setbacks may substantially exceed Brian Head Township standards within the Aspen Meadows Mountain Zoning and wherever SARC reasonably determines it is possible or appropriate to do so. Unless an exception is granted by SARC based on a determination that peculiar site conditions warrant an exception, setbacks should be sufficient to preserve a forested buffer between any proposed development and the vantage point of another Owner or the public from which the proposed development potentially may be viewed. As such, general setback requirements may vary for each Homesite at the sole discretion of SARC. It is required by SARC that all structures are setback from community ski trails and ski ways a minimum of forty feet (40') as called out in the Mountain Zoning requirements. The final setback requirements shall conform to the limits of the final development envelope approval by SARC. In general, Owners and SARC shall refer to the recorded plat and the individual site plans for each Homesite for any specific setback requirements.

SEWAGE DISPOSAL

All building sites within Aspen Meadows will be served by a traditional and/or low-pressure sanitary sewer system with individual grinder stations, as a part of the Brian Head Township wastewater system. Lot owners will be required to pay the requisite sewer connection fees imposed by the Master Association and sign a written water and sewer agreement, prior to commencement of construction. The location and alignment of sewer laterals and grinder stations must be reviewed and approved by SARC.

The use of an individual sewage disposal (septic) system(s) may be permitted for temporary or remote, nonresidential or residential and agricultural use purposes for the development use only by either the developer, declarant and/or the Master Association, such as remote outfitter barns, equestrian centers, equestrian boarding, ranches, etc., and then only with the approval of SARC. If a septic system is permitted, The developer, declarant and/or the Master Association will be required to meet all standards for the installation of such systems established by the Brian Head Township and Iron County.

MONUMENT SIGNAGE

Aspen Meadows has developed a unifying motif of natural stone monuments and retaining walls that occur throughout the community. Owners will be required to install an approved natural rock stone address monument at their driveway entries. Stone sand blasting is performed only by the developer's approved stonemason for uniformity and the design of which must generally conform to this natural stone motif. Owners are allowed one light illuminating their individual stone address monument and shall be responsible for clearing snow in front of the stone address monument in order to facilitate identification for visitors and emergency vehicles. All monument signs shall conform to six-inch (6") number size and approved project font of the Aspen Meadows' chosen font called "Luxury" and only list the numerical street address and Aspen Meadows logo mark (both provided by the developer by their chosen stonemason). Sandblasted logo (approx. 18" to 20" tall) and street address shall utilize reflective paint and the logo mark and lettering color will be limited to either one of two chosen Aspen Meadows colors from either "green or white" at the discretion of SARC. Due to higher precipitation during the winter months, which does not allow the paint to adhere to the stone properly, scheduling for onsite stone sandblasting is best completed between April 15th and October 15st and is coordinated through the Aspen Meadows development office.



Figure 13: Address Signage

TRAIL SIGNAGE

All trail markers for private and public parks, walking, hiking, equestrian, trailheads or skiing trails within Aspen Meadows and “Private Property - No Trespassing” signs may be posted and maintained by the Master Association, the Brian Head Resort, or Brian Head Township, or the Developer. The location, number and design of all signs to be erected within Aspen Meadows must be approved by SARC and/or the Master Association management.

REAL ESTATE SIGNAGE

Signs advertising property for sale, re-sale, lease, rent, vacation rentals, and all other signage are prohibited everywhere within Aspen Meadows, with only the developer and/or declarant exempt.

CONSTRUCTION SIGNAGE

A single, temporary sign identifying a project construction site shall be provided by the Master Association management for each Owner during the construction period. The builder shall be responsible for installation and removal of the sign in accordance with Master Association rules.

SWIMMING POOLS

Owner shall be responsible for purchasing from the water service provider adequate water for the operation of any swimming pool.

Pool fencing (as required by the State of Utah) shall be approved by SARC and should emulate the architectural character of the home.

UTILITIES

Applicants shall provide a site utilities and drainage plan which conforms to the following standards:

- All utility lines shall be underground.
- All utility alignments shall be approved by SARC and should be contained within the driveway corridor or the development envelope unless an exception is shown on the developer’s improvement plans for the phase in which the Homesite is located, or an exception approved by SARC. An exception may impose special restrictions on vegetation removal and construction methodology to prevent excessive damage to existing vegetation or other improvements. Water connections to be outside all paved driveway entrance areas and not be placed within paving area of driveways when possible. Any approved utility alignments that do not follow the driveway corridor must be revegetated with native plantings to restore them to a natural appearance, unless

such alignment is proposed as a trail, ski trail, ski way or other improvement and is shown on the approved site/grading plan.

- All above-ground utility appurtenances shall be approved by SARC and must be screened from view and sited according to guidelines for service and emergency access provided by each utility. Outdoor, wall mounted electrical transformers and low-pressure sewer outdoor stations shall be located where they are not visible from the main road but easily assessable to service providers, and should be screened from view with vegetation, stone walls, or berms and earth forms. Satellite dishes, if approved by SARC, shall be coated with a non-reflective black finish. Aspen Meadows is serviced with underground high-speed fiber for internet and cable tv service.
- Gas meters and the connections thereto should be protected from exposure to pressure against them from accumulated snow and ice, whether from drifting or falling from structures above. To mitigate the risk of a rupture and possible explosion, SARC strongly advises Owners to consult with the local gas company for site specific guidance as to how to best protect the gas meter and connections in their particular circumstances.

WATER CONSERVATION AND IRRIGATION

Water is extremely scarce in Southern Utah as well as throughout the Intermountain West and must not be wasted. The total annual supply locally is limited. Aspen Meadows provides its own water sources from its own wells, either in service, or planned, which are located in the Long Meadow and Middle Earth sections of Mid-Mountain in Aspen Meadows, and/or located in high mountain with water source from the Salt Pile Well within the upper sections of the Southeast neighborhood of Aspen Meadows. All wells are managed and serviced, under the Annexation and Development Agreement with the Brian Head Township as its water service provider. Each homesite will be allowed to consume water from that connected water supply system up to a maximum amount of water allowed the owner for both culinary and irrigation use. All homes must be equipped with a water meter, and owners will be subject to fines for excessive water use as determined by Brian Head Township, acting as the community water service provider.

All methods of water conservation are strongly recommended to reduce to a minimum the amount consumed by each Homesite. For all outdoor watering systems, only drip or spray irrigation systems are permitted which originate off Aspen Meadows's central water supply as the source. A soil monitoring device or rainfall detection system that automatically shuts off irrigation when adequate soil moisture levels are attained is encouraged on all systems.

The central water supply for Aspen Meadows shall be the usual source of water for outdoor irrigation or other outdoor water features envisioned within the development envelope. Rain, Roof or above ground water or natural springs sources providing year-round or limited water seasonally, may be allowed to be used for purposes of outdoor water usage within any development envelope plan, with SARC approval.



Figure 14: New Aspen Meadows well in Long Meadow

WILDFIRE MANAGEMENT

Wildfire is always a serious hazard in a high-elevation alpine mountain environment, particularly in relatively remote, semi-arid areas with mature forest cover. It is required that Aspen Meadows's fuel reduction standards be incorporated into the Owner's plans at an early stage of site planning and design. Additionally, it is recommended that the Brian Head Township / Public Safety Fire Marshal's wildfire mitigation standards shall be included in the preliminary site design drawings. Generally, the following standards will apply:

- Fire hydrants within a development envelope, in addition to those constructed on Aspen Meadows roadways, are required by the Brian Head Township and must be installed in accordance with the town's Public Works departments specifications. The fire flow requirements for Aspen Meadows are established by the Brian Head Township Public Safety department (see Fire Protection section in Architectural Design Standards below).
- Owners should refer to sections in these Guidelines entitled Conceptual Plan Review and Plantings for requirements related to the removal of vegetation for wildfire management purposes.
- Specific Fuel breaks in native vegetation may be required by the Brian Head Township Public Safety department within zero to one-hundred feet (0' - 100') of structures, depending upon the rated severity of wildfire risk in that vicinity. Fuel breaks must be in place prior to occupancy. All fuel breaks are to be maintained by the owner; failure to do so may necessitate maintenance and a special assessment by the Master Association on the individual lot owner.

- A certificate of compliance must be obtained from the Brian Head Township planning department before a building permit is issued.
- Prior to any construction using combustible materials, the surrounding area within four hundred feet (400'), measured from the closest edge of any proposed (or permanent) structure, shall be cleared of all dead, medium and high hazard vegetative fuels in a manner consistent with the tree removal procedures as outlined in Appendix D of these Guidelines.

ARCHITECTURAL DESIGN STANDARDS

VISUAL IMPACT

One primary objective of Aspen Meadows's architectural guidelines is to minimize visual impacts of development from other Homesites, and from adjoining neighborhoods within Aspen Meadows and adjoining subdivisions within Brian Head, through sensitive massing, colors, and selection of materials. Aspen Meadows's architectural design standards focus on how buildings meet the ground, work with natural grades and harmonize with the natural alpine character of the Brian Head landscape. These Guidelines govern architectural elements and are designed to achieve the architectural goals through appropriate building massing, roof form, and the color and reflectivity of materials. Within these general parameters, they are intended to give owners and their architects as much flexibility as possible to design living environments that suit the owners' individual needs and tastes. Design goals include home designs which start with the sustainable design belief of "Aspen Meadows – Of the Mountain", found within the "Mountain Contemporary" greater vernacular of Architectural style preferred.

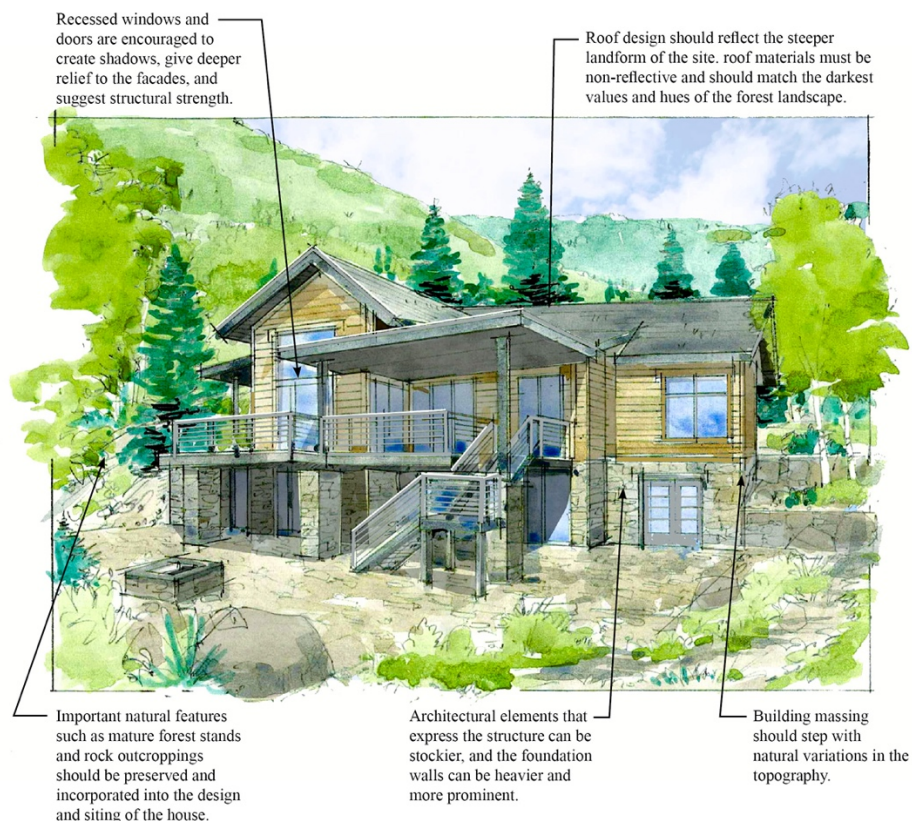


Figure 15: Homes on Forested, Sloping Sites

ARCHITECTURAL THEME AND STYLE

As introduced early on within these Design Guidelines, “Architectural style or theme” can many times be found to be a more limiting exercise placed artificially on any design professional, and as noted previously, we prefer Architecture which is first, “authentic” to the discovery of a home to its own site.

That belief stated, these Design Guidelines do not mandate “one” limiting or specific, identifiable architectural style or theme but the “Mountain Contemporary” theming and style as one preference, would be recommended and will become known and seen throughout the planned Aspen Meadows community as the highly prevalent Architectural style and modern inspired theme experienced within.

Also stated previously within the Design Principles, owners are required to design with “materials and forms” that reflect the natural characteristics of the site and its climate in order to create places intimately connected with nature or thoughtful home designs “of the mountain”. Imitation of non-indigenous styles or themes that are closely identified with other geographies is strongly discouraged.

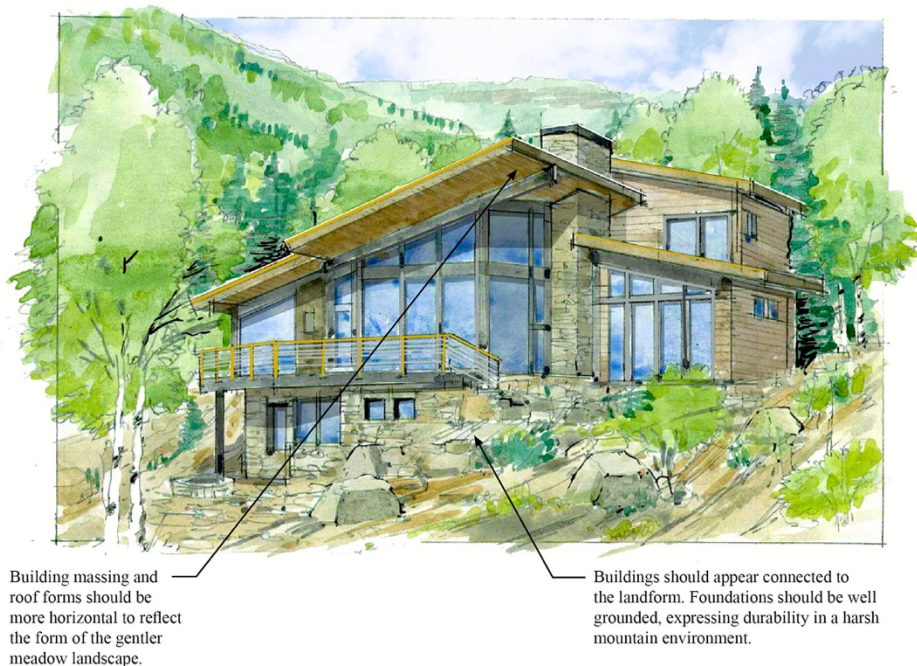


Figure 16: Homes on More Open Sites

Where the Owner’s development plan anticipates multiple structures within the development envelope, the buildings should be unified by a consistent vocabulary of architectural design elements, materials, and colors. Building compounds shall be organized in such a manner as to minimize their site disturbance and visual impact.

BUILDING FORM, HEIGHT AND MASSING

It is essential that buildings in Aspen Meadows appear harmonious with their mountain environment and that they allow the natural landscape to dominate the distant views of the community. Important natural

features, such as mature forest stands and rock outcroppings, should be preserved and used as organizing elements in the siting and massing of buildings. Building massing and landscape elements should reflect natural variations in the topography and use these to create drama and privacy.

In no event shall the height of any single-family residential structure exceed standards as set forth in the Aspen Meadows Mountain Zoning requirements for single family homesites (“Mountain Zoning”) for their intended neighborhood area, which, from time to time, may be amended by the Master Association.

The Mountain Zoning height requirement provides that a single-family home structure in a residential zone, such as the Aspen Meadows Southeast Neighborhood, Christmas Tree Neighborhoods, Founders Neighborhoods, may not exceed thirty-six feet (35’) in height as measured from “Natural Grade” or “Finished Grade,” whichever is lower. (See the Aspen Meadows Mountain Zoning Guide for all heights allowed by neighborhood and by building type and the Section on “Grading” in these Guidelines for definitions of grade.)

Maximum allowable building heights may vary from site to site and from neighborhood to neighborhood depending upon: (a) the scale of natural features; (b) the height, density, or openness of forest cover; and (c) the visibility of the building site from a distance and adjoining Homesites. On certain Homesites, where a gentler landform, clearings in the tree cover, or more open vistas make development more visible from adjacent sites, long, unbroken two-story building elements will be discouraged by SARC and lower form and profile structures will be encouraged to more appropriately reflect the natural aspects of the site and to reduce the overall massing of the structure. On other Homesites, increased excavation under the footprint of a structure may be required by SARC to “sink” or lower the structure into the ground and to reduce its apparent height.

SARC is specifically empowered to require modifications to the form or massing of a structure or to a proposed development envelope, and/or to restrict building heights if, in its reasonable discretion, SARC determines that (a) the structures would be visually intrusive; or (b) the high point of a proposed structure located within the primary view corridor of an adjoining homesite is less than ten vertical feet (10’) below the existing grade at the center of the development envelope of the adjoining homesite, or ten vertical feet (10’) below the lowest habitable level of an adjacent existing structure as previously approved by SARC or as shown in the homesite, main site plan prepared by the developer.

ADJOINING HOMESITES

Site specific design criteria and existing conditions for all lots are identified on approved individual homesite - main site plans provided by the developer. Prior to purchasing or building on any one Homesite, it is the sole responsibility of the Owner to understand the conditions that have been placed on the adjoining and surrounding Homesites. Copies of all adjoining lot homesite - main site plans are available for all buyers and owners to review upon request.

HOMESITE - MAIN SITE PLAN SURVEYS

Owners are responsible for having a homesite - main site plan survey completed, showing existing grades and intended site improvements and this survey shall be completed by a certified field surveyor. The survey is required to be provided by the individual lot Owner for the pre-planning meeting, as step one of the SARC review process.

BUILDING FOUNDATION WALLS

Buildings must be genuinely subordinate to the natural landscape and should appear to grow out of the landform, never perched or suspended above the site. In well-grounded buildings, the foundation defines the exterior perimeter of both indoor and outdoor living spaces and sets the character of the transition between nature and the built environment. Solid materials that express durability in a harsh climate are a key element in the architecture of mountain environments.

Exposed foundation walls for residences at Aspen Meadows must be constructed of durable materials such as masonry, stone, or heavy timbers. Exposed concrete is allowed in a limiting fashion. Split face concrete block, aluminum siding, and brick are not permitted. Wood paneling is not allowed at ground level because it deteriorates more quickly in a high-altitude climate.

Because they do not appear connected to the ground, exposed posts and cross-bracing are not permitted as the means to support building projections. However, knee bracing, large timbers, and substantial stone columns that are part of the architectural vernacular are permitted as the structural support for projecting elements.

Foundations for garden fences and walls shall employ the same materials as the buildings, strengthening the architectural connection among the various built elements as well as their connection to and reflection of the natural landscape.

ENERGY CONSERVATION

Owners are strongly encouraged to respect the harsh winter climate in the design of their residences and to utilize all possible energy conserving technologies. Among the methods Owners may wish to consider are:

- Proper siting and the use of heat-retaining materials to maximize passive solar gain and radiation;
- Active solar systems, where reflection is controlled. Where solar panels can be reasonably concealed;
- Thermopane glazing and the reduction of window area on the north and northwest-facing elevations when possible;
- Super insulated or cold roof design;
- Wall insulation of a minimum R-30 value;

- Innovative heating systems, such as radiant floor elements;
- Electronically controlled and programmable thermostats;
- Airlock entries and vestibules key in high-alpine areas;
- Avoidance of wind-exposed sites;
- The use of trees as windbreaks and deciduous trees on south-facing elevations;
- Fuel-efficient and gas fireplaces;
- Water-conserving toilets and flow-restricted faucets.

EXTERIOR WALLS AND WINDOWS

Continuous flat wall planes shall be avoided. Building elevations visible from off-site should be horizontally and vertically stepped to avoid large uninterrupted wall surfaces that would be distracting, out of place, and overly visible in the landscape. Recessed windows and doors are also encouraged to create shadow effects and provide deeper relief within the facades. Complex wall surfaces are encouraged to help anchor large structures more effectively to the ground.

Building materials should be reflective of the natural surroundings. Allowed exterior materials include stained or natural wood, stone, shingles, and logs. With SARC approval, stucco may be used as a subordinate material but only when used in combination with other allowed natural materials. Large unbroken surfaces of stucco are prohibited. Other materials proposed by the owner may be considered by SARC.

Exterior walls and window treatments shall match the medium color and values of the immediate natural landscape. Careful detailing of window treatments is encouraged. Untreated aluminum or metal window frames are prohibited. Exterior window trim shall be in scale with the building façade. Mirrored glass windows are not permitted. Color samples are required at final plan review.

FIREPLACES, CHIMNEYS, FLUES, AND ROOF VENTS

The number and type of fireplaces and other fuel-burning appliances in any residence must conform to Iron County guidelines. Owners are encouraged to install gas or fuel-efficient fireplaces.

Chimneys shall be clad in natural stone or other inflammable material approved by SARC.

Flues and roof vents shall be non-reflective if exposed or enclosed with materials compatible with the building.

Any fireplace or fuel-burning appliance must be equipped with approved spark arresters or screens on stovepipes and chimney outlets that are hidden from view.

Roof-top equipment and vents that project through the roof must be grouped and concealed. Vents should be located near the roof ridge or protected by a cricket so that snow shedding from the roof cannot shear them off. All vents shall be colored to match the surrounding roofing material.

FIRE PROTECTION

- Materials: All roof materials must meet U.L. listed Class A fire ratings.
- Water Distribution: The minimum size of main lines for the central water system will be eight inches (8") in diameter and will be sized larger if flows and velocities dictate. Fire hydrants will be installed in accordance with the Brian Head Township / Public Works department and Public Safety Fire department requirements.
- Water Supply to Homesites: Homesites will be provided with a water line stub at the lot line that will be a minimum of one and a half inches (1 ½") in diameter. The service line to the residence may need to be larger to provide adequate flow and pressure to meet the recommended fire sprinkler demands in some cases.
- Automatic Fire Sprinkler Systems: All commercial structures must be constructed with a fire sprinkler system installed as required by Brian Head Township and approved by Brian Head Public Safety Fire department requirements. In some instances, commercial building exteriors will be fire sprinkled depending on the wildfire hazard rating, types of vegetation, fuel break clearing limits, slope gradients, and orientation or types of building materials being used.

ROOF DESIGN

From a distance, roofs are often the most visible architectural element of a building. In a rural setting, where it is desirable to minimize the presence of development, design decisions regarding roof form, line, and color are extremely important.

Roof design should complement the massing of the structure and the forms of the adjacent landscape. Primary roof pitches shall be based on a determination by SARC as to the appropriate pitch for the environment in which the structure is located. At the discretion of SARC, flat roofs may be approved in certain cases if they will not be visible above.

Homes situated on meadows or flatter sites are encouraged to have roofs with predominate pitches less than five (5) in twelve (12). Secondary roof planes with less pitch are encouraged.

Large unbroken expanses of roof area shall not be permitted. Long, uninterrupted ridgelines are strongly discouraged and will not be permitted unless SARC determines that other building elements make the ridgeline less conspicuous. This determination will be handled on a case-by-case basis, with visibility from a distance being the primary criterion.

Eave lines that project beyond the building walls are recommended in order to minimize reflections from glazing, create shadow patterns on the building walls, and protect south-facing interior spaces from glare caused by the low angle of the winter sun.

Roof materials must be non-reflective, with color values and hues that match the darkest values and hues of the natural landscape in the immediate vicinity. Roofs that hold snow are required, as they will be less visible in winter. Wooden shingles are not allowed. Standing-seam metal roofs may not be used as the primary roof material but may be used in limited circumstances, such as a trim, accent, or contrast feature. If used, it should generally not exceed twenty percent (20%) of the total roof area. Given the specific location and characteristic of a site, SARC may impose reasonable restrictions on the roof design and materials. Samples of the roofing material are required as part of the submittal package.

CONSTRUCTION MANAGEMENT STANDARDS

LICENSING

Builders must be licensed contractors with bonding and/or insurance as mandated by the State of Utah.

COMPLIANCE DEPOSITS

Each Owner is responsible for any damage caused to roads, ditches, fences, trails, natural drainage courses, utilities, Master Association property, or other Homesites or property during the construction of improvements or other activities on his/her Homesite. Each Owner is also responsible for any damage caused by utility cuts in roads, washouts and runoff damage caused by failure to install culverts properly and to repair any such damage in a timely manner. From time to time, the Master Association may adopt rules and regulations to enforce these provisions, including the requirement for security deposits at the time of approval by SARC to ensure the repair of any damage caused to Aspen Meadows roads, infrastructure, or violations during construction activity performed at the direction of an Owner.

MANAGEMENT OF CONSTRUCTION ACTIVITY

Efficient management of construction activity is necessary in order to minimize site disturbance and protect each Owner's privacy and views. Construction personnel are the responsibility of the owner. The Owner must provide his/her contractors with handouts explaining construction regulations specific to Aspen Meadows. See Appendix E "Construction Regulations" for a complete list of construction rules and regulations.

PROTECTION OF THE CONSTRUCTION SITE

Plans detailing fugitive dust control measures, temporary erosion control measures, and staging locations and procedures during construction are required for approval by SARC before application for a

building permit may be submitted to Brian Head Township planning department and before construction may begin.

To avoid unnecessary damage to the landscape, construction fencing mitigations approved by SARC, such as snow fencing or chain link fence must be erected around the area within the development envelope that will be affected by construction. The fenced area of disturbance must be the minimum required for the SARC approved construction activity and must be defined on the site plans that are submitted to SARC for review. In addition, the contractor must clearly flag all trees to be retained and erect a protective barrier around them at the dripline (see Appendix D, Tree Removal Procedures). The contractor shall not allow the movement or cleaning of any equipment within this protective barrier and will be responsible for replacing any damaged vegetation with plants of equal value.

The contractor is responsible for disposing of excess dirt and vegetation cleared from the building site and is expected to keep the community's main roads clean. Unpaved access points must be watered for dust control during construction. Construction site entrances must be graveled to reduce airborne dust and to stop the travel of mud, dirt and debris from leaving the site, and entering onto paved interior roads within each neighborhood and the main Aspen Meadows Drive (Burt's Road to Nowhere).

PROTECTION OF INFRASTRUCTURE, EASEMENTS, AMENITIES, ETC.

Any possible disturbance of infrastructure required during construction (such as roads, guardrails, utilities, bridges, etc.), easements, amenities, etc., will require the prior approval of, and be subject to conditions set by SARC. All such permitted disturbances must be completed by October 15th and be restored to Aspen Meadows development standards at the cost of the Owner.

Snow removal and deicing procedures for the roads within Aspen Meadows are either private roads or public roads. Snow removal and deicing procedures for Aspen Meadows Drive (Burt's Road to Nowhere) is public and performed by Brian Head Township Public Works department. Snow removal and deicing procedures for the interior, private neighborhood roads within Aspen Meadows are private and performed by the Master Association and HOA of Aspen Meadows. Snow removal and deicing on infrastructure within Aspen Meadows is the responsibility of the Aspen Meadows Master Association and neighborhood HOA. Neither Owners nor builders are permitted to place salt or ice control chemicals on HOA managed roads within Aspen Meadows or Aspen Meadows Drive. The HOA has the exclusive responsibility to determine where and when such chemicals may be used, in accordance with the Infrastructure Remediation Agreement and Aspen Meadows's adopted development standards. Lots under construction will not receive special treatment relative to these standards. Any additional methods of snow removal or traction control to accommodate the construction phase of a project are the responsibility of individual homeowners and must receive prior approval from the HOA.

COMPLIANCE WITH TOWN AND COUNTY REQUIREMENTS

Applicants may be required to meet additional Brian Head Township or Iron County construction regulations as a condition of obtaining a building permit. The requirements of either, Brian Head Township, Iron County or SARC, whichever are more stringent, shall govern construction activity.

REGULATED LIGHTING GUIDELINES

GOALS

Lighting goals and their regulated lighting guidelines are core beliefs of the development and which are held seriously by the SARC. In order to preserve and protect the unique nature and qualities of the Aspen Meadows community, it is essential that thoughtful consideration be given to the issue of lighting, both exterior and interior lighting that affect the natural surroundings. If not properly regulated, lighting could have a substantial effect on the rural, forested environment on each neighborhood. Light pollution and the disturbing glare that emanates from unshielded, direct light sources negatively impact on privacy and separation that are the distinguishing characteristics of Aspen Meadows.

A primary goal of the Design Guidelines is to ensure, to the degree reasonably possible, that all Aspen Meadows residents enjoy their privacy and separation free from the trespass of light from their neighbors and also enjoy the magnificence of an undiminished night sky.

The lighting regulated by these Design Guidelines (“Regulated Lighting”) is defined to include all exterior and interior illumination within the Development Envelope and the Driveway Access Corridor emanating from: (a) any light source attached to the exterior of a structure, (b) any light source on the interior of a structure that may be viewed from the exterior; and (c) any other exterior light sources, including but not limited to those intended to illuminate the exterior landscape, structures, driveway monuments, driveway corridors, terraces, breezeways, patios, decks and recreational uses at night.

Light pollution (“Light Pollution”) is generally considered to be wasted light, or light that does nothing to promote nighttime safety, utility, or security. Any lighting that produces “hot spots,” glare, clutter or light trespass, and/or that wastes energy, money or resources, is considered to consist of and contribute to Light Pollution. Light Pollution of any type is inconsistent with the protective covenants of these Design Guidelines and is not permitted.

To be consistent with these Design Guidelines, all types of lighting should be designed to meet both building code and safety requirements and the reasonable lighting objectives of the Owner (to the extent those objectives are consistent with the intent and goals of these Design Guidelines) *with the minimum amount of lighting needed to achieve those requirements and objectives without redundancy or overlap, i.e., without proliferation of different light source fixtures intended to light the same object or area, or to light the same object or area excessively.*

REQUIREMENTS FOR LIGHTING PLANS

In order to demonstrate consistency with the intended goals, it shall be the responsibility of each applicant for development within Aspen Meadows to provide lighting design plans that address all Regulated Lighting. To assist the applicant in this process, these Guidelines include provisions relating to the placement, specifications and standards for Regulated Lighting. Lighting design plans shall include accurate and comprehensive lists and descriptions of all Regulated Lighting and shall be submitted to SARC for approval at Final Plan Review. SARC also may request, and the applicant shall

supply, any other information that may be reasonably necessary to fully evaluate the consistency of the proposed plans with these Design Guidelines.

All lighting design plans shall include the following information listed below:

1. The precise locations of all Regulated Lighting sources.
2. The specifications and manufacturer's cut sheet for each fixture indicating housing, trim selection, lamping type, wattage and beam distribution, lens and louver specifications and color temperature.
3. A brief description, when required, of how Regulated Lighting fixture locations and specifications meet the objectives of the Guidelines.

In addition, SARC may require an operational sample of any proposed fixture in order to assess its consistency with the Design Guidelines.

Changes, additions or modifications to SARC approved lighting plans, including lighting fixtures, shall require subsequent approval from SARC.

GENERAL LIGHTING POLICIES AND PROHIBITIONS

With regard to Regulated Lighting, the following policies must be adhered to:

- a) Lighting will not be permitted anywhere outside the Development Envelope and the Driveway Access Corridor.
- b) In the Driveway Access Corridor, one low-intensity light (with a hidden source) will be permitted where the drive intersects the main road for the purpose of illuminating the address monument at the driveway entry. Additional low-wattage lights may be permitted with approval of SARC along the Driveway Access Corridor wherever needed to illuminate difficult or dangerous curves.
- c) The light source in any and all Regulated Lighting fixtures must be shielded so that the bulb cannot be seen from any angle (except from the surface of the object or area it is intended to illuminate), in order to avoid Light Pollution.
- d) Clear glass lenses on any lighting fixture are prohibited, except on natural gas lamps that have a modest flame.

The use of the following lighting solutions are prohibited in Aspen Meadows:

1. Mercury vapor and low-pressure sodium lights;
2. Searchlights;
3. Laser lights and similar high intensity lights;
4. Floodlights;
5. Lights that illuminate a roof or awning;
6. Landscape down lighting, commonly known as "moonlighting";

7. Lights that blink, move or change intensity;
8. Exposed neon, exposed LED or similar exposed lights;
9. Pole mounted lights that are high enough to expose the light source as seen from offsite; and
10. Outdoor court lights.

TYPES AND DESIGN OF LIGHTING

Lighting typically falls into ten (10) specific types or layers of illumination that apply to all Regulated Lighting. Each type of illumination is intended to accomplish a specific lighting requirement and objective in a sensitive and efficient manner. A Glossary of Terms to assist the Owner or applicant is provided and incorporated herein. The descriptions and the guidelines for each type of illumination are set forth below:

Interior Illumination

Interior illumination refers to the lighting that is used to illuminate the interior of a structure that may be visible from the exterior of the structure through window glazing. Examples of such illumination include, but are not limited to: ceiling can lights, chandeliers, table lamps, floor, and the like.

All interior illumination shall be directed to areas within the structure. Unshielded, direct light sources that may be viewed through windows from any angle are prohibited. Shielding of any exposed light source on interior lighting fixtures (whether decorative or functional) is required. Recessed surface fixtures, whether fixed or adjustable, shall be of such a design that will permit the light source to be directed away from windows, and shall have adequate lensing and louver-design to minimize visibility from the exterior.

Architectural Illumination

Architectural illumination refers to the subtle highlighting of important and distinctive architectural features of the home or other structures. Examples might include wood, stone, metal or plaster columns, archways, medallions, address markers, concealed cove illumination in porte cocheres', large eave projections, overhangs above patios, doorways and entries.

Architectural highlighting shall be kept to a minimum and should illuminate only the most important features of the home. Surface mounted architectural exterior lighting fixtures shall not protrude from the wall surface more than ten (10) inches. All architectural exterior lighting sources shall be shielded and louvered with a maximum wattage of twenty (20) watts.

View Illumination

View illumination refers to the subtle highlighting of important exterior landscape areas as seen from the interior of a home from areas such as the windows at the front entry, great room, dining room, family room, living room, and guest suites. Examples of view illumination techniques include eave lighting for

patio or deck illumination, (e.g., small, louvered, low-wattage fixtures build into walls as low to the walking surface as possible to provide deck or patio wash lighting) and low-wattage fixtures to subtly illuminate a prominent tree.

View illumination shall be kept to a minimum on the exterior eaves of the residence. All eave lighting fixtures shall be recessed, i.e., flush (or inset) with the underside of the structure. The maximum lighting trim aperture shall be four (4) inches in diameter. The fixture shall include an adjustable interior gimble lamp that shall be a minimum of one and one half (1 ½) inches from the bottom of the trim and underside of the structure. All exterior eave lighting fixtures are required to have a one half (½) inch minimum thickness hex louver or honeycomb baffle below the lamp in order to direct the light straight down to its intended object and not dispersed into the field of view from adjoining properties or roadways. Maximum wattage for a view lighting fixture shall be a 40-watt, MR 16 lamp or equivalent.

Decorative Illumination

Decorative illumination refers to wall sconces, column pilaster lanterns, pendant or any other surface mounted decorative lighting.

Decorative lighting fixtures, including but not limited to, sconces flanking main entry doors, flanking garage doors, and flanking on right or left of any exterior doors, shall be kept to a minimum on the exterior of the home and all other structures. Pendant lighting fixtures shall have a hidden light source and be kept to a minimum and shall not be permitted in areas that would permit the light source to be seen from offsite and would generally be restricted to a main entry and/or porte cochere. All decorative lighting fixtures shall have a fully shielded lamp or provide similar cut off mechanism in order to eliminate any offsite viewing of the light source. Maximum wattage of a decorative fixture shall be a 40-watt A 15 lamp.

Safety Illumination

Safety illumination refers to subtle exterior path lighting, walkways, stepping stone areas, exterior steps, stairways, driveways and the like.

Safety illumination shall be kept to a comfortable minimum with a maximum allowable wattage per fixture of twenty (20) watts. Illumination shall be directed down precisely onto, and shall not be permitted to be dispersed above or beyond, the intended object such as a walkway, stairway, entry, address monument or driveway.

Holiday Illumination

Holiday illumination refers to any temporary exterior lighting effects added to the home or grounds for the period between Thanksgiving and Christmas.

Holiday illumination shall be tasteful and kept to a minimum under the following guidelines:

- Lighting that blinks, moves or changes in intensity is prohibited.
- Mini lights in trees are to be kept to a reasonable minimum.
- Period of use is from November 15th to January 15th of the following year.

Landscape Illumination

Landscape illumination refers to subtle illumination of trees, flowerbeds and other low level planting, and areas intended for exterior, nighttime use.

Landscape illumination shall be kept to a minimum and shall be consistent with the following guidelines:

- All outdoor lighting shall be fully shielded and louvered to eliminate visibility from offsite.
- Escape of light to the sky shall be minimized.
- Up lighting of trees shall utilize low voltage, single source, 20-watt maximum shielded and louvered fixtures and be as low to grade as possible, shall be focused solely on the intended object, and shall be no more than thirty-five feet (35') from the main residence and generally not at more than three locations unless otherwise approved by SARC.
- Landscape down lighting is prohibited.
- All lighting conduits, fixtures and remote low voltage transformers shall be as inconspicuous as possible.
- The recommended turn-on time is dusk and the recommended turn-off time is midnight.

Pool, Spa, Fountain and Other Water Feature Illumination

Water feature illumination refers to the subtle illumination of swimming pools, exercise pools, hot tubs, Jacuzzis, reflecting pools, streams, waterfalls, fountains and water sculptures.

All water feature exterior lighting fixtures shall be mounted underwater and kept to a minimum. Underwater fixtures for exterior pools and spas shall have a maximum of 100-watts; all other water feature fixtures shall have a maximum of 20-watts.

Special Features Illumination

Special features illumination refers to the illumination of sculptures, flagpoles, statues and similar outdoor objects.

Lighting of special features shall be kept to a minimum and fixtures shall consist of a low voltage single source shielded and louvered fixture with a maximum of 20-watts.

Special Events Illumination

Special events illumination refers to subtle exterior temporary lighting for birthday, wedding, anniversary, charity events, developer sponsored events and home shows.

Special event illumination shall be kept to a reasonable minimum and shall be allowed only by special permit issued by the Aspen Meadows Master Association.

GLOSSARY OF TERMS

Ambient Lighting – The general character and overall level of illumination in particular area.

Direct and Upward Light Emission (Up-lighting) – Light rays that are emitted from a fixture that are above a horizontal plane intersecting that light source or fixture.

Direct and Downward Light Emission (Down-lighting) – Light rays that are emitted from a fixture that are below a horizontal plane intersecting that light source or fixture.

Glare – Brightness in the field of view that is sufficiently greater than the amount to which the eye is adapted, causing annoyance, discomfort or loss of visual performance and visibility.

Laser Lights – A laser source light, or any similar high intensity light, used for outdoor advertising or entertainment, when projected above the horizontal plane.

Light Source – Any man-made light source or collection of light sources that produce light by any means.

Light Trespass – Light rays produced by a lighting fixture that travel beyond the boundaries of the property on which it is located.

Lighting Fixtures – A complete unit consisting of a light source together with housing and parts designed to distribute and aim light and located either inside or outside a structure.

Low Voltage – Operating at 24 volts or less.

Nuisance Lighting – Includes, but not limited to, glare, light trespass and skyglow.

Outdoor Lighting – The nighttime illumination of an outside area or object, or any man-made light emitting onto an object outdoors.

Searchlight – A mobile or fixed projector designed to produce an approximately parallel beam of light which is aimed above the horizontal plane, the use of which included, but is not limited to, advertising for special events.

Shielded – A lighting fixture having a configuration of the housing or optics that prevents a direct view to the light source from any angle other than from the surface of the object or area the light is intended to illuminate.

Skyglow – The adverse effect of brightening of the night sky due to man-made lighting.

REFERENCES

The Problem of Light Pollution, International Dark-Sky Association, Information Sheet 1, May 1996.

Light Pollution – Theft of the Night, International Dark-Sky Association, Information Sheet 90, October 1993.

Residential & Dusk to Dawn, International Dark-Sky Association, www.darksky.org, January 2004.

Landscape Lighting, International Dark-Sky Association, www.darksky.org, January 2004.

Dark Sky Planning – Guidance & Best Practices, by the International Dark-Sky Association, and Utah Workforce Services Housing & Community Development July 2020, <https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/2020/08/Dark-Skies-Issue-Guide-7-27-2020.pdf>

APPENDIX A: RESIDENTIAL APPLICATION FORM

ASPEN MEADOWS SITE AND ARCHITECTURAL REVIEW COMMITTEE (SARC)

Homesite Number: _____ Homesite

Neighborhood: _____

Application Date: _____

Application Fee: _____

Check the appropriate box(es) for this application.

TYPE OF REVIEW	PRE-PLANNING MEETING	CONCEPTUAL DESIGN REVIEW	FINAL PLAN REVIEW
New Single-Family Residence			
New Accessory Structure <ul style="list-style-type: none">• Guest House• Barn• Other (specify)			
Structure Renovation	N/A		
Site/Landscape Modification	N/A		
Miscellaneous (specify)			

GENERAL SUBMITTAL INFORMATION

- An application will be deemed complete and accepted only after all information requested below on the Checklist for Plan Evaluation is provided to the Site and Architectural Review Committee (SARC).
- Plans must conform to all provisions of the Master Declaration of Covenants, Conditions, Easements and Restrictions for Aspen Meadows – A Planned Master Community, Master Association (“CC&R’s”) and the Design and Development Guidelines (the “Design Guidelines”).
- The appropriate fee must accompany the application (see attached Schedule).
- Please contact a SARC representative with any questions about the application or the Aspen Meadows development offices.

As the owner of above-referenced homesite, I hereby authorize this application and I acknowledge that I have read and will comply with all the provisions contained in the Aspen Meadows Master Association CC&R’s and the Aspen Meadows Design Guidelines including the Construction Management Standards of Aspen Meadows (contained in the Design Guidelines).

Owner’s Signature: _____

Printed Name of Signatory: _____

Date: _____

SECTION I ~ CONTACT INFORMATION

- A. Name of Owner(s): _____
Mailing Address: _____
Telephone: () _____ Email: _____
- B. Name of Applicant: _____ Firm: _____
Relationship to Owner: _____
Mailing Address: _____
Telephone: () _____ Email: _____
- C. Name of Architect: _____ Firm: _____
Mailing Address: _____
Telephone: () _____ Email: _____

SECTION II ~ PROJECT DATA

- A. Lot Acreage: _____
- B. Development Envelope Acreage: _____
- C. Proposed Floor Area: _____ sq. ft.
- Primary Unit: _____ sq. ft.
Secondary Unit: _____ sq. ft. (not to exceed 2,500 sq. ft.)
Accessory Unit: _____ sq. ft.
Accessory Unit: _____ sq. ft.
Garages: _____ sq. ft.
Undeveloped: _____ sq. ft.
Total: _____ sq. ft.
- D. Number of Bedrooms, all units: _____
- E. Number of Covered Parking Spaces: _____
Number of Uncovered Parking Spaces: _____
Total Parking: _____
- F. Number of Kitchens: _____
Number Bathrooms: _____
Number of Fireplaces: (a) Gas: _____
(b) Wood Burning: _____
- G. Maximum Slope of Driveway: _____% (First 20 feet of driveway is _____% slope)
(Last 20 feet of driveway is _____% slope)

SECTION II ~ PROJECT DATA (CONTINUED)

H. Proposed Building Height: _____ feet.
(Submit drawing of building height calculations drawn over building elevations.)

I. List of Materials

Building	Type of Material	Specifications, Product Color
Roof (Pitch is _____)	_____	_____
Other Wall Materials	_____	_____
Utility Meters	_____	_____
(locate on plans)		
Fascia	_____	_____
Soffits	_____	_____
Windows	_____	_____
Window Trim	_____	_____
Exterior Doors	_____	_____
Garage Doors	_____	_____
Door Trim	_____	_____
Hand or Deck Rails	_____	_____
Flues, Caps	_____	_____
Flashings	_____	_____
Chimney Enclosures	_____	_____
Trash Enclosures	_____	_____
(locate on plans)		
Greenhouses	_____	_____
Exterior Lighting Fixtures	_____	_____
(attach cut sheets)		
Gutters	_____	_____

SECTION III ~ STRUCTURE RENOVATION

A. Describe structure(s) and proposed renovations:

B. Plan Requirements:

- 1.) Submit photographs or previously approved plans.
- 2.) Submit plans electronically.
- 3.) Submit two (2) full-size 24" x 36" sets and two (2) 11"x 17" reduction sets of plans as appropriate.

SECTION IV ~ SITE/LANDSCAPE MODIFICATION

A. Describe proposed site/landscape modifications:

B. Plan Requirements:

- 1.) Submit photographs or previously approved plans.
- 2.) Submit two (2) full-size sets 24" x 36" and two (2) 11"x17" reduction sets of plans as appropriate.

SECTION V ~ MISCELLANEOUS REVIEW

A. Describe review requested:

B. Contact SARC representatives for plan requirements.

CHECKLIST FOR PLAN EVALUATION

NECESSARY INFORMATION ON ALL DRAWINGS

- ☐ Homesite number and neighborhood (Lot & Address), date, and scale
- ☐ North Arrow

NECESSARY INFORMATION ON ALL SITE PLANS

- ☐ Existing and proposed contours at two-foot (2') intervals
- ☐ All Property Lines
- ☐ Proposed Limits of the development envelope and the driveway corridor
- ☐ Driveway Grades
- ☐ Existing mature trees to be retained and removed
- ☐ Wetlands, creeks and drainages, if any
- ☐ Existing and proposed utilities, including any known easements
- ☐ Limits of site disturbance
- ☐ Footprints of all proposed structures and other site improvements
- ☐ Exterior lighting locations
- ☐ Calculation of total impervious site coverage (min 2,000 & not to exceed 20,000 sf)
- ☐ Proposed finish grades and ground floor elevations
- ☐ Building heights above existing grade (not to exceed 35 feet)

NECESSARY INFORMATION ON BUILDING PLANS

- ☐ Proposed finish floor elevations on main or each level
- ☐ Roof ridge heights above existing grade (in section)
- ☐ Building dimensions for all structures
- ☐ Floor area calculations for the primary structure, guest house, and out-buildings

CHECKLIST OF SUBMISSION REQUIREMENTS FOR PRE-PLANNING MEETING

- ☐ Completed application form (Appendix A)
- ☐ Fee \$ _____ (see Appendix B)
- ☐ Certified Site Survey (Required) and Developer's Individual Site Plan

CHECKLIST OF SUBMISSION REQUIREMENTS FOR CONCEPTUAL DESIGN REVIEW

- ☐ Plan drawings: two (2) sets of 24 x 36 or 30 x 42 prints and two (2) sets of 11 x 17 reductions for each of the following:
 - ☐ Conceptual site/grading plan
 - ☐ Conceptual building floor plans
 - ☐ Conceptual roof plan
 - ☐ Conceptual building sections and elevations
 - ☐ Conceptual landscape plan
 - ☐ Description of preliminary choices of finishes, materials, and colors
 - ☐ Massing Model (optional)

CHECKLIST OF SUBMISSION REQUIREMENTS FOR FINAL PLAN REVIEW

- ☐ Updated application form

- ☐ Compliance deposits
- ☐ Plan drawings: two (2) sets of 24 x 36 or 30 x 42 prints and two (2) sets of 11 x 17 reductions for each of the following:
 - ☐ Final site plan
 - ☐ Final grading plan
 - ☐ Preliminary landscape plan
 - ☐ Final building floor plans
 - ☐ Final roof plan
 - ☐ Final building sections and elevations
 - ☐ Construction details as necessary to illustrate design intent for buildings, site features and accessory elements, including entry monuments and gates
 - ☐ Exterior lighting plan
 - ☐ Development phasing plan, if applicable
 - ☐ Construction staging plan
 - ☐ Temporary erosion control and tree protection plan
 - ☐ Final material samples, specifications, product cut sheets, and color samples
 - ☐ Revised massing model (optional)
- ☐ Subsequent to final approval, the applicant shall provide two (2) complete sets each of plans, which shall be (2) 24 x 36 and (2) 11 x 17 for filing and record keeping.

CHECKLIST FOR EVALUATING SITE PLAN

VISIBILITY AND SETBACKS

- ☐ All site improvements contained within the development envelope
- ☐ Minimal visibility of primary structures from a distance
- ☐ No intrusion of structures into neighbors' primary view corridors
- ☐ 40-foot setback from natural wetland edges
- ☐ 100-foot setback from natural streams

DRIVEWAYS

- ☐ Alignment minimizes cuts and fills and disturbance of natural vegetation
- ☐ Safe point of access from road
- ☐ Driveway width (minimum 12 feet with average 15 feet)
- ☐ Driveway gradient (maximum 12%)
- ☐ Driveway gradient (maximum 5% in first 20 feet from road)
- ☐ Emergency vehicle turnout at building pad and every 200 feet

PARKING

- ☐ One parking space per bedroom required for all residences and guest homes
- ☐ Two parking spaces covered, attached or detached garage; One or more for guest home
- ☐ No excessively large paved areas

GRADING AND DRAINAGE

- ☐ Grading blends into natural terrain and reflects natural landforms
- ☐ No development on slopes steeper than 30%

- ☐ Grading and Conservation Plan required for development on slopes over 15%
- ☐ No grading outside the development envelope and the driveway corridor
- ☐ No cut and fill slopes steeper than 2:1 (3:1 recommended for fill slopes)
- ☐ No cut or fill slopes with vertical exposure greater than 6 feet
- ☐ Cut and fill qualities balance
- ☐ Screening berms / earth forms / natural in form
- ☐ Minimal disturbance to natural drainages
- ☐ Drainage swales integrated into natural landforms
- ☐ Drainage resolved on-site; no concentrated drainage onto neighboring properties
- ☐ Bridges and culverts indicated where necessary

RETAINING WALLS

- ☐ Walls over four feet (4') in height certified by a civil or structural engineer
- ☐ No walls over eight feet (8') in height
- ☐ Walls attached to building foundations preferred
- ☐ Stone or other facing materials compatible with architecture of the house
- ☐ No concrete block, brick or railroad ties; raw poured-in-place concrete suitable

UTILITIES AND WASTE DISPOSAL

- ☐ Stone or other All utilities lines underground
- ☐ Utilities within the driveway corridor, or alternate alignment to be approved
- ☐ Utility easements indicated on site plan
- ☐ Transformers and other above-ground utility boxes in a screened location
- ☐ Satellite dishes screened and non-reflective black (if applicable)
- ☐ Sewer low-pressure system design certified by civil engineer or installer
- ☐ Review of Aspen Meadows guidelines to utilities
- ☐ Water and Sewer agreement
- ☐ Trash receptacles screened, enclosed, and animal proof

PLANTING

- ☐ All disturbed areas adequately revegetated with native plants
- ☐ Transition from structured to natural landscape well detailed
- ☐ No non-native plant species outside the development envelope
- ☐ Species appropriate for microclimate conditions
- ☐ Planting design compatible with patterns in natural vegetation
- ☐ Minimum conifer size six feet (6'), with 50% over eight feet (8') in height
- ☐ Minimum caliper size of deciduous trees 1 ½ inches, with 50% over 2 inches
- ☐ Thinning of vegetation outside the development envelope only with approval
- ☐ Removal of existing trees only with approval
- ☐ Lawn area minimized and contained within the immediate are of the residence

WATER

- ☐ Water connection approved by SARC
- ☐ Water meter required
- ☐ Drip or spray irrigation systems only, soil moisture monitoring device required

- ☐ Ponds and other water features naturalistic in appearance
- ☐ Dams well integrated into natural terrain (if applicable)
- ☐ Ponds and decorative pools certified by civil engineer or certified installer
- ☐ Ponds no larger than ½ acre nor capacity greater than 1 ½ acre-feet
- ☐ Water source for all uses identified and total annual consumption estimated

EXTERIOR LIGHTING

- ☐ No direct light sources visible from off-site vantage points
- ☐ No site lighting outside the development envelope and the driveway corridor
- ☐ No floodlights or “moonlighting”

FENCING, SIGNAGE AND GATES

- ☐ Materials to match the architecture of the residence or an approved rail fence design
- ☐ No fences along the driveway
- ☐ Address rock monument ordered with Aspen Meadows’ stone motif
- ☐ Address rock monuments no larger than four feet (4’) in any direction
- ☐ Entry gates set back from road and four feet (4’) wider than driveway
- ☐ Gates operable in owners’ absence for emergency and snowplowing

PETS

- ☐ Horses permitted only with SARC approval
- ☐ Barns located more than sixty feet (60’) away from any dwelling
- ☐ Brian Head Township and/or Iron County Low Impact Permit for barns and corrals
- ☐ Trash area completely enclosed

CHECKLIST FOR EVALUATING BUILDING DESIGN

ARCHITECTURAL VOCABULARY

- ☐ Building compounds unified by consistent architectural elements and materials

BUILDING FORM, HEIGHT, AND MASSING

- ☐ Building siting and massing responsive to natural topography
- ☐ Maximum building height thirty-five feet (35’); lower on open, flatter neighborhoods
- ☐ Structures not visually prominent from adjoining homesites or Brian Head

ROOFS

- ☐ No large, unbroken expanses of roof area
- ☐ No long, uninterrupted ridgelines
- ☐ Non-reflective roof materials
- ☐ Colors that blend with those of the natural landscape
- ☐ Entries, pedestrian areas and parking areas protected from snow shedding

WALLS AND WINDOWS

- ☐ Wall planes stepped and layered to avoid large, uninterrupted façade
- ☐ Detailing of windows and doors to give relief to the façade

- ☐ Natural building materials (stone, wood, logs, shingles)
- ☐ Stucco use limited; only in combination with other materials
- ☐ Colors to blend with those of the natural landscape
- ☐ No untreaded aluminum or metal window frames; no mirrored glass
- ☐ Foundation walls of durable materials, preferable stone or timbers
- ☐ Overhead decks well supported no exposed posts

ENERGY CONSERVATION, FIREPLACES, CHIMNEYS AND VENTS

- ☐ Energy conservation measures incorporated into building plans
- ☐ Number and type of fireplaces indicated on plans
- ☐ Fireplaces in compliance with Brian Head township and Iron County standards
- ☐ Chimneys of inflammable material, preferable stone or masonry
- ☐ Non-reflective flues and vents
- ☐ Vents concealed and protected from damage by snow creep and snow shedding

FIRE PROTECTION AND WILDFIRE MANAGEMENT

- ☐ Roof materials rated as U.I. Class A or approved by Brian Head Public Safety Fire Dept.
- ☐ Main water lines eight inches (8") minimum diameter
- ☐ Water service lines to individual residences 1 ½ inches minimum diameter
- ☐ Fuel breaks from within 0 to 100 feet of structures as called out by Fire Dept.

CONSTRUCTION MANAGEMENT CHECKLIST

- ☐ Construction staging and material storage areas identified on site plan
- ☐ Temporary erosion control measures specified on site plan
- ☐ Topsoil storage area identified on site plan
- ☐ Trees to be retained and construction/tree protection fencing identified on site plan

APPENDIX B: ASPEN MEADOWS SARC APPLICATION FEES

Effective: January 1, 2023

All SARC fees and security deposits are subject to change without notice and may be adjusted at any time at the discretion of the Aspen Meadows Master Association. SARC fees are due in full at time of application and are non-refundable for any reason, including the re-sale of a Homesite - lot site and are not transferable to a new site purchaser. SARC security deposits are due at time of SARC approval and all construction starts. Additional fees will be due with Brian Head Township, separate from SARC, and due at time of application and approval for construction and grading permit activities.

SARC application fees:

No charge for initial SARC complementary review – prior to a site purchase. Time required: 30 + minutes generally with Aspen Meadows development office visit w/SARC representative. This SARC review was completed on: _____ with _____
Homesite - Site Number # _____
Neighborhood _____
Prospective Site Purchaser _____ from _____

\$2,000 for SARC management for primary structure(s) involving a main home design within a development envelope, with a minimum of 2,000 square feet or more permitted of total site coverage, or in combination with a guest home under 2,500 square feet, and/or barn structure.

\$1,000 for SARC management for guest homes only with a footprint under 2,500 square feet

\$500 for SARC Pre-purchase Consultation Management Fee for prospective site purchasers who may obtain additional SARC input prior to the purchase or sale of a homesite after a complementary review, including a site visit. Time required: Two-three hours generally with a detailed review of site plan w/field visit with SARC representative, board member or consultant.

\$300 for minor amendments or additions to previously approved plans.

SARC fees are fixed and generally will not be exceeded except in very unusual circumstances where significantly greater amounts of SARC time are consumed by repeated unresponsive submittals and/or construction activities inconsistent with the Design and Development Guidelines, where **an additional SARC fee of \$500 would apply, for coverage of additional time, if incurred.** SARC fees cover time and travel costs incurred of professionals who make up the SARC staff, board members and consultants.

A SARC security deposit of \$1,000 is fixed and due at time of SARC homesite design approval and all construction starts, is refundable 30 days after completion of a homesite receiving a certificate of occupancy, and generally will not be applied to any cost of the SARC process unless a Violation of the Aspen Meadows Construction Rules & Regulations occurs and is cited by the Master Association. (See Appendix E: Construction Rules & Regulations, Rule #21, Schedule of Violations.)

APPENDIX C: COMMERCIALLY AVAILABLE NATIVE PLANTS

COMMON NAME

BOTANICAL NAME

EVERGREEN TREES

White Fir	<i>Abies concolor</i>
Alpine Fir	<i>Abies lasiocarpa</i>
Rocky Mountain Juniper	<i>Juniperus scopulorum</i>
Colorado Spruce	<i>Picea pungens</i>
Colorado Blue Spruce	<i>Picea pungens glauca</i>
Lodgepole Pine	<i>Pinus contorta latifolia</i>

DECIDUOUS TREES

Rocky Mountain Maple	<i>Acer glabrum</i>
Bigtooth Maple	<i>Acer grandidentatum</i>
Boxelder	<i>Acer negundo</i>
Shadblow Serviceberry	<i>Amelanchier canadensis</i>
Common Hackberry	<i>Celtis occidentalis</i>
Narrowleaf Cottonwood	<i>Populus angustifolia</i>
Aspen	<i>Populus tremuloides</i>
Chokecherry	<i>Prunus virginiana melanocarpa</i>
Smooth Sumac	<i>Rhus glabra</i>
Staghorn Sumac	<i>Rhus typhina</i>
Black Locust	<i>Robinia pseudoacacia</i>
Peachleaf Willow	<i>Salix amygaloides</i>

DECIDUOUS SHRUBS

Emerald Green Manzanita	<i>Arctostaphylos santii</i>
Silverberry	<i>Eleagnus commutate</i>
Common Juniper	<i>Juniperus communis</i>
Utah Juniper	<i>Juniperus osteosperma</i>
Rocky Mountain	<i>Juniper Juniperus scopulorum</i>
Saskatoon Serviceberry	<i>Amelanchier alnifolia</i>
Utah Serviceberry	<i>Amelanchier utahensis</i>
Douglas Rabbitbrush	<i>Chrysothamnus viscidifloris</i>
Red Osier Dogwood	<i>Cornus sericea 'Baileyi'</i>
Winterfat	<i>Eurotia lanata</i>
Rock Spirea	<i>Holodiscus dumosus</i>
Shrubby Cinquefoil	<i>Potentilla fruticose</i>
Alpine Currant	<i>Ribes alpinum</i>
Wood Rose	<i>Rosa woodsia</i>
Coyote Willow	<i>Salix exigua</i>
Elderberry	<i>Sambucus Canadensis</i>
Buffaloberry	<i>Shepherdia argentea</i>
Mountain Ash	<i>Sorbus scopulorum</i>
Mountain Snowberry/Coralberry	<i>Symphoricarpos oreophilus</i>

COMMON NAME**BOTANICAL NAME****PERENNIALS**

Hollyhock
Rocky Mountain Columbine
Western Columbine
Native Bluebells
Chicory
Trailing Daisy
Sulphur Flower
Stork's Bill
Blanket Flower
Burgundy Blanket Flower
Dwarf Blanket Flower
Chilean Evers, Prairie Smoke
Common Sunflower
Blue Flax
Beebalm, Horsemint
Penstemon
Firecracker Penstemon
Rocky Mountain Penstemon
Rock Goldenrod
Common Mullein

Alcea rosea 'Chater's Double'
Aquilegia caerulea
Aquilegia Formosa
Campanula rotundifolia
Cichorium intybus
Erigeron flagellaris
Eriogonum umbellatum
Erodium cicutarium
Gaillardia aristata
Gaillardia grandiflora
Gaillardia grandiflora 'Goblin'
Geum triflorum
Helianthus annuus
Linum lewisii
Monarda fistulosa
Penstemon barbatus
Penstemon eatonii
Penstemon strictus
Petroragia pumila
Verbascum Thapsus

GROUND COVERS

Kinnikinnick
Dwarf Mountain Lover

Arctostaphylos uva-ursi
Pachistima canbyi

GRASSES

Crested Wheatgrass
Bluebunch Wheatgrass
Streambank Wheatgrass
Western Wheatgrass
Pubescent Wheatgrass
Big Bluestem
Purple Three-awn
Little Bluestem
Nodding Brome
Mountain Brome
Native Brome
Canada Wildrye
Great Basin Wildrye
Mammoth Wildrye
Blue Oat Grass
Bluebunch Wheatgrass
Slender Wheatgrass

Agropyron cristatum
Agropyron inerme
Agropyron riparium
Agropyron smithii rosanna
Agropyron trichophorum
Andropogon gerardii
Aristida purpurea
Avena scoparius
Bromus lanatipes
Bromus marginatus
Bromus pumpelliana
Elymus canadensis
Elymus cinereus
Elymus giganteus
Elymus glaucus
Elymus spicatus
Elymus trachycaulus

COMMON NAME**BOTANICAL NAME****GRASSES**

Idaho Fescue	<i>Festuca idahoensis</i>
Sheep Fescue	<i>Festuca ovina</i>
Creeping Red Fescue	<i>Festuca rubra</i>
Perennial Ryegrass	<i>Lolium perenne</i>
Eski Sainfoin	<i>Onobrychis viviparva</i>
Indian Ricegrass	<i>Oryzopsis hymenoides</i>
Alpine Bluegrass	<i>Poa alpina</i>
Alkaligrass	<i>Puccinellia distans</i>
Bottlebrush Squirreltail	<i>Sitanion hystrix</i>
Little Bluestem	<i>Schizachyrium scoparium</i>
Alkali Sacaton	<i>Sporobolus airoides</i>
Sand Dropseed	<i>Sporobolus cryptandrus</i>
Needle Grass	<i>Stipa</i>
Needle and Thread	<i>Stipa comata</i>
Indian Rice Grass	<i>Stipa hymenoides</i>

APPENDIX D: TREE REMOVAL PROCEDURES

Because Aspen Meadows aspires to retain the appearance of an undisturbed natural landscape, tree removal is not permitted for any new construction, major or minor renovation or site or landscape modification anywhere within a Homesite without SARC approval. Further, Owners shall comply with the Landscape Plan requirements as may be amended from time to time, including, but not limited to the following procedures:

PRE-PLANNING

All existing forest edges should be indicated on the certified site survey that is prepared before the pre-planning meeting. Significant trees should be located on the survey and approximate radius of the outermost branches should be recorded. No excavation or fill should be proposed within the branching radius of a tree that is to be preserved.

CONCEPTUAL PLANS

Within the development envelope and the driveway corridor, conceptual site plan and grading plans should indicate all significant trees that will likely be removed to accommodate the construction of building and the driveway. Outside the development envelope, selective thinning of forest trees to create or enlarge meadows, if proposed, should also be indicated on the site plan, but will only be approved by SARC for the purpose of enhancing views in the primary view corridor or for meadow and wildlife habitat improvement, trails, ski trails, ski ways, or common area improvements and forest regeneration. Where forest vegetation is essential to screen one neighbor from another, tree removal is not permitted.

FINAL PLANS

Final site plans must identify mature trees that will be removed or preserved within all disturbed areas. A final construction management plan must indicate where protective fencing is to be installed and should include provisions for temporary tree protection, maintenance during construction, and any permanent protective improvements such as tree wells and root aeration systems.

SITE INSPECTION

In conjunction with SARC's final plan review, an on-site field visit will be scheduled to inspect staking of the building and the area of disturbance. In preparation for this site inspection, the owner must flag all trees that will be removed and, in a different color, all trees to be protected during construction. SARC will review the flagging on site with the owner and, in its sole discretion, will approve or disapprove the proposed tree removals.

CONSTRUCTION

Flagging on the trees to be saved is to be left in place for the duration of the construction process. Contractors will be liable for damage to any trees that were to be saved. SARC or its representative may visit the site during construction to verify that the site work is proceeding in compliance with the approved plans.

APPENDIX E: CONSTRUCTION RULES & REGULATIONS

Aspen Meadows Construction Rules and Regulations are as follows:

1. Limits of Disturbance (LOD) must be established with orange plastic fencing prior to any site work occurring and be maintained through the course of construction. SARC shall inspect the site for compliance with this requirement prior to the commencement of construction and periodically during the course of construction. The placement of seasonal ski fence in areas where construction activity is adjacent to ski runs may be required in addition to or in lieu of the standard LOD fencing. This requirement will be determined by SARC on a case-by-case basis and the placement and maintenance of this fence will be the responsibility of the lot owner.
2. Construction vehicle access beyond Aspen Meadows gates and entrances may be denied during and after periods of heavy snowfall until roads have been adequately cleared to allow safe travel within Aspen Meadows. Four-wheel drive vehicles may be allowed to enter Aspen Meadows during these periods, at the discretion of the Master Association, if properly equipped for safe travel on snow covered roads. Notification of limited access or any gate or entrance closure may be obtained by calling the development office at 435.901.2500.
3. The contractor is responsible for erecting any required and/or allowed construction signs and displaying the building permit. One construction sign is provided by the Master Association for installation by the contractor when the project begins identifying the contractor's license # and emergency cell # contact, address, site lot number and the site owner's formal last name.
4. Contractors are responsible for being familiar with and complying with the Aspen Meadows Fire Prevention Plan including all Emergency Contact Numbers and all aspects of the Design and Development Guidelines.
5. Construction staging and storage of building materials shall take place only within the limits of disturbance and building materials are only allowed to be delivered directly to the construction site. The staging area, material laydown areas, all construction materials, and trash disposal bins shall be located in as compact an area as possible close to the approved building site, wherever they are the least visible.
6. Construction dumpsters are required on all job sites to keep the work site clean. No stockpiling of debris is permitted outside of these containers and there will be no storage of containers in roadways or shoulders at any time. Dumpsters are to be emptied regularly or as needed and must be removed when construction is completed or halted for more than thirty (30) days. At any time the Master Association Management may require a builder to clean up construction debris that is discovered to be found beyond their site or construction boundary area.
7. The contractor may maintain a small job office or trailer on the site up until thirty (30) days after completion of the permanent structure.
8. Construction site vehicles, equipment and employee vehicles will park within the designated parking area only, as determined at the pre-construction meeting and designated on the construction mitigation plan. No overnight parking at any time. No construction vehicles may park on roads outside the areas specified, nor is trespassing by workers permitted outside these

areas. These requirements include all contractors and sub-contractors, and all related construction equipment, trailers, portable tool or storage units, will not be allowed to park or remain on the street and all sites must be designed to accommodate all construction-related vehicles and deliveries. Heavy equipment deliveries to be well managed to traffic (see #17).

9. The general contractor is responsible for providing and regularly servicing temporary, enclosed chemical toilets at the construction site, preferable screened from view and located away from neighbors. Such facilities must be removed when construction is completed or construction is halted for any reason, for more than thirty (30) days.
10. No firearms or unchained dogs shall be allowed on construction sites.
11. Noise from radios and other similar electronic devices shall not be audible more than two-hundred feet (200') from the center of the construction site.
12. Utility installations or interruptions in traffic on Aspen Meadows roadways shall be coordinated with SARC. Intermittent safe traffic flow is to be maintained during periods of temporary interruption.
13. Damage to existing roadways, landscaping or other Aspen Meadows infrastructure shall be repaired at the expense of the lot Owner responsible for the damage, whether the damage was done by a contractor, sub-contractor or individual.
14. Alteration of vehicular guardrail to accommodate a construction project on any lot must be done in strict compliance with established Aspen Meadows infrastructure standards and requires prior approval by SARC or the Master Association.
15. Brian Head at the elevations from 9,600' to 10,500' within Aspen Meadows is recognized as a short season build cycle and no construction work therefore may start before 7:00 am but may continue up to and after 7:00 pm, especially in the summer months as needed. Please keep deliveries and large equipment (including Dump, Transport, Pumps, Cranes and other loud trucks) to an 8:00 a.m. start time for the courtesy of current residents when possible. No outside construction work is to be conducted on the following holidays including: New Year's Eve, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas Eve, Christmas Day and all Federal or Utah State recognized holidays. Interior finish work will be allowed after hours, but only with written approval by SARC or the Master Association.
16. Concrete trucks will not be allowed to wash out in roadways and shoulders. The lot builder may be responsible to provide a wash site for the trucks within the limits of disturbance, and at no time allowing the material to leave the limits of disturbance. The developer will provide wash sites located and identified within each neighborhood for use to control post-waste.
17. All deliveries will conform to the above construction hours. If any staging, including but not limited to cranes, concrete trucks and material deliveries, occupies one third of the road width or more, you will be required to employ flaggers during this process.
18. Ski trails are closed to all construction activity. Access may be obtained only with the written approval of SARC or the Master Association. During the months of Nov. 1st through June 1st,

there will be no access for construction or adjacent excavation that would affect the ski trail due to the ski season.

19. Snow removal and storage will only be allowed within the limits of disturbance unless blown beyond the construction fencing. At no time will the builder be allowed to remove or place snow on roadways, shoulders, adjacent lots or open space.
20. All roadway speed limits and regulations are strictly enforced as posted.
21. Violations of Aspen Meadows Construction Rules will be subject to fines as allowed by the CC&R's and assessed through the Master Association. The owner's construction security deposit required and paid at time of their SARC application, will be the first source of payment for any assessment. Non-compliance assessment fees shall be charged as follows:

Schedule of Violations:

Initial Warning	First security deposit in place of \$1,000 and \$0 fine
First Violation	\$250 to \$500 depending on severity of first violation or period of time of non-compliance to initial warning
Second Violation	\$500 and, shut down of job site , and second security deposit of \$2,500 due prior to start-up of job site
Third Violation	\$1,000
Subsequent Violations	\$2,500 and immediate closure of job site until appropriate remediation occurs

APPENDIX F: DEFINITIONS

DEFINITION OF TERMS

Aspen Meadows – shall be all areas that are covered by Aspen Meadows Master Declaration of Covenants, Conditions, Easements and Restrictions for Aspen Meadows – A Planned Master Community (CC&R’s).

Aspen Meadows Mountain Zoning – shall be an overlay of zoning regulations and land use codes which meet or exceed existing Brian Head township standards and as approved within the Master Annexation and Development Agreement with Brian Head Township and Aspen Meadows.

“Aspen Meadows – Of The Mountain” – an expression, or short statement capturing the project’s spirit, core values, fundamental beliefs and philosophical guiding principles applied within the careful visioning and master-planning design process to the development of the Aspen Meadows community.

Architectural Projections – shall mean any projections beyond exterior walls such as fascia, roof rafters, eaves, poles, posts, columns, balconies, wing walls, fireplaces, bay windows, etc.

Balcony – shall mean an extension of the residence which is accessible from the second story with cantilevered supports. Such space shall be further classified as a non-livable space.

Basement – shall mean a livable floor having at least fifty percent (50%) of each of the perimeter walls below grade.

Board of Trustees – shall mean the Board of Trustees of Aspen Meadows Master Association.

Building Envelope – shall mean the area of residential or commercial property bound by setback lines.

Building Footprint – shall mean the Lot area within a homesite development envelope covered by structures including the interior and the exterior spaces such as living area, garage, covered patio, porch, and porte co-chere.

Building Height – shall mean the distance from natural grade to the top of the highest building element.

Conceptual Master Plan – shall be an overall, master-planned overlay of development data land use conceptual design mapping as approved within the Master Annexation and Development Agreement with Brian Head Township and Aspen Meadows.

Dark Sky – shall mean the volunteer dark sky guidelines and lighting initiatives for Aspen Meadows.

Declarant – shall mean Plumb Investment LC and G & P Ranch & Goliath Properties LLC.

Declarant Exempt – shall mean the declarant is exempt from the provisions of these Design Guidelines.

Declaration – shall mean the Master Declaration of Covenants, Conditions, Easements and Restrictions for Aspen Meadows – A Planned Master Community .

Development Control Map – shall mean the control map designed by neighborhood, from the project’s overall Conceptual Master Plan Map that is provided by SARC designating residential neighborhoods, building site and building envelope limits, commercial development, maximum footprint area, finish building heights, planned recreational amenities, ski villages and other commercial, civic planned land uses and/or restrictions placed on the land use for Aspen Meadows.

Development Envelope – shall mean within each Aspen Meadows lot parcel or “Homesite” are three (3) zones, of which, the main development zone is a “Development Envelope” zone, where all structures are intended, identifying contained development area allowed for all structures and site improvements relating to residences including primary residential structure, guest house, barn and other accessory buildings and all ancillary facilities such as patios, decks, dog runs, gardens, lawns, paved areas, pools and other recreational facilities (except the driveway – see definition of Driveway Corridor) with defined and restricted development standards allowed.

Driveway Corridor – shall mean within each Aspen Meadows lot parcel or “Homesite” are three (3) zones, of which, the second primary zone is a “Driveway Corridor” zone, which is the contained area allowed for all driveways and related paving or road site improvements servicing all driveway accesses to residences and related structures with defined and restricted development standards allowed.

Design Guidelines – shall mean the Design and Development Guidelines for Aspen Meadows.

Four-Way Inspection – shall mean an inspection to ensure the overall construction and heights are per the approved Homesite plans by the SARC, all roof penetrations are appropriately located and all exterior lighting is positioned compliant with the Design Guidelines.

Homesite – shall mean each Aspen Meadows individual lot parcel; referred to as a “Homesite”.

Homesite Zone – shall mean within each Aspen Meadows lot parcel site plan or “Homesite” is comprised of three zones, of (1) The Development Envelope, (2) The Driveway Corridor, and (3) The Natural Open Space Zone, each intended for defined and restricted development standards allowed.

Homesite Land Parcel Types and Sizes – shall mean each Aspen Meadows lot parcel total size in average acreage considerations comprised of three types, of (1) New Home Lots: Just under 1 acre to 2 acres, (2) Estate Home Lots: 2 acres to 5 acres, and (3) Ranch Lots: 5 acres and larger.

Homesite Site Plans – shall mean each Aspen Meadows land parcel lot shown within a conceptual Homesite Site Plan (“Site Plan”) which has been prepared by the developer to reflect the analysis of the land and site for each Homesite to highlight site-specific constraints, easements, elevations, viewsheds, and opportunities that should be considered in site planning and to define the general location of the development envelope and a possible location for the driveway corridor. Site Plans are available for all adjoining owners, to best understand neighboring impacts upon request.

Living Area – shall mean floor area square footage calculations by way of spaces located within the exterior building walls of a residence, excluding garage, porch, patio, exterior stairs and storage or mechanical equipment area accessible from garage or exterior of the building. Interior stairs shall be counted as living area only on the first floor.

Mountain Contemporary – shall mean an ever emerging, evolving and timeless, Architectural Style which is respectful and authentic to its high-altitude site and inspired from a multitude of new mountain home designs, ranches, and second-home residences with strong applications of future mountain homes with the use in collections of natural or reclaimed materials combined with today’s desired, high-end luxury amenities – a respected blend of Western-Traditional with a dominant blend of New Modern, Scandinavian, Nordic, Contemporary together with the ageless Rustic hues and influences’ of yesterday. Low massing forms and sustainable elements defining interior and exterior experiences carefully chosen and seen throughout today’s Intermountain Western Mountain Resort Communities in Utah, Nevada, Colorado, Wyoming and Montana.

Mountain Resort Development – shall mean all areas as designated within the CC&R’s. Refer to section Article 15: Mountain Resort Development of Declaration.

Natural Open Space – shall mean within each Aspen Meadows lot parcel or “Homesite” are three (3) zones, of which, the third primary zone is the “Natural Open Space” zone, which is the zone which encompasses all remaining areas of the homesite that are outside the development envelope and driveway corridor, solely intended for no development.

Neighborhood – shall mean any of the areas designated by name planned within Aspen Meadows such as: Christmas Tree Neighborhood, Founders Neighborhood, Pioneer Neighborhood, Southeast Neighborhood, or any other area that may be designated by the Development Control Map.

Neighborhood Association or Sub-Association – shall mean any association formed in Aspen Meadows other than the Master Aspen Meadows Association.

Owner – refer to section 1.38 of the Declaration. For purposes of site plan design review processing the applicant having a power of attorney to represent the owner shall be defined as the owner.

Private Yard Spaces – shall mean any yard on a residential homesite lot that is hidden by walls or structures and is generally (more closed) not visible to the greater public from adjacent areas.

Public Yard Spaces – shall mean any yard on a residential homesite lot that is not hidden by walls or structures and is generally (more open) visible to the greater public from adjacent areas.

SARC Committee – shall mean the Aspen Meadows Site Architectural Review Committee (SARC).

SARC Review Process – shall mean the Aspen Meadows Site Architectural Review Committee (SARC) review process for “new home design review and submission process”, for all new homesite designs, including (step one) the pre-planning meeting, (step two) the conceptual design review and (step three) the final plan review and approvals.

Terrace – shall mean an extension of the residence accessible from the second story which has supports extending to the ground. Such area is further classified as non-livable area for living area square footage calculations.

Walk-out basement – shall mean a livable floor having at least fifty percent (50%) of the total area of the perimeter walls below grade. Additionally, the walls with a door must be at least thirty inches (30”) below grade.

ONLINE RESOURCES

REFERENCES

The Problem of Light Pollution, International Dark-Sky Association, Information Sheet 1, May 1996.

Light Pollution – Theft of the Night, International Dark-Sky Association, Information Sheet 90, October 1993.

Residential & Dusk to Dawn, International Dark-Sky Association, www.darksky.org, January 2004.

Landscape Lighting, International Dark-Sky Association, www.darksky.org, January 2004.

Dark Sky Planning – Guidance & Best Practices, by the International Dark-Sky Association, and Utah Workforce Services Housing & Community Development July 2020, <https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/2020/08/Dark-Skies-Issue-Guide-7-27-2020.pdf>

IN WITNESS WHEREOF, Declarant has executed this instrument as of the date first set forth above.

DECLARANT:

G & P RANCH, LLC, a Utah limited liability company

By: _____

Name: _____

Its: _____

GOLIATH PROPERTIES LLC, a Utah limited liability company

By: _____

Name: _____

Its: _____

PLUMB INVESTMENT LC, a Utah limited liability company

By: _____

Name: _____

Its: _____

STATE OF UTAH)

: ss.

COUNTY OF _____)

On the _____ day of _____, 2023, personally appeared before me _____, the _____ of G & P RANCH, LLC, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company.

NOTARY PUBLIC

Residing at: _____

My Commission Expires:

STATE OF UTAH)

: ss.

COUNTY OF _____)

On the _____ day of _____, 2023, personally appeared before me _____, the _____ of GOLIATH PROPERTIES LLC, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company.

NOTARY PUBLIC

Residing at: _____

My Commission Expires:

STATE OF UTAH)

: ss.

COUNTY OF _____)

On the _____ day of _____, 2023, personally appeared before me _____, the _____ of PLUMB INVESTMENT LC, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company.

NOTARY PUBLIC

Residing at: _____

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION