



Amended Design Guidelines

Community Preservation Association

Hideout Canyon, Utah
January 2024

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1.0 DEFINITIONS

Capitalized Terms, unless otherwise defined herein, shall have the meaning set forth in the Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for the Community Preservation Association for Hideout Canyon (the "Master Declaration").

1. Architect: A licensed Architect approved by the Committee engaged by an Owner to provide professional architectural services, advise, and assist the Owner in the Design Review process.
2. Committee Member: Any member of the Committee or DRC.
3. Committee Representative: The Committee Member or designated individual who is authorized by the Committee to act on behalf of and/or represent the Committee as a whole.
4. Contractor(s): An Owner's general contractor (including all of such Contractor's personnel, subcontractors, agents, suppliers, and another Person working in conjunction with the construction of improvements to Owner's Lot).
5. Damage: Damage caused to the Site or to any neighboring Lot, Open Space(s), Common Area, golf course, roadway(s), public rights-of-way, or any other property within Hideout Canyon by the Owner and/or the Owner's Architect(s), and/or Contractor(s) during construction on the Site, as well as any defect, problem, disturbance, or damaging effect caused by noncompliance with or violation of these Design Review Guidelines or of the Governing Documents or by nonconformance to state or local laws, ordinances, and regulations (including building ordinances and/or zoning requirements).
6. Design Review: The comprehensive architectural review process authorized by the Master Declaration by which an Owner submits plans for any construction and/or landscaping on a Site within the Project.
7. Design Review Committee: The "Committee" or the "DRC" consisting of three (3) to five (5) members, appointed by the Association's Board of Directors and as more fully set forth in Section 9.1 herein.
8. Developer: Mustang Development, LLC, a Utah limited liability company and its successors and assigns, referred to in the Master Declaration as the "Declarant" for the Project.
9. Performance Deposit: The deposit of funds intended to cover the Association's expenses in conforming construction, landscaping, and/or other improvements to the requirements of the Design Guidelines, more fully defined in Section 8.12 herein.
10. Performance Deposit Agreement: The two-part agreement, as more fully defined in section 8.12 herein and attached as Exhibit E, accompanying the Performance Deposit.
11. Plans: All site plans, floor plans, elevations, drawings, specifications, models, depictions and/or other plans submitted as part of Design Review.
12. Site: The specific Lot or real property within the Project undergoing Design Review
13. Survey: A technical, topographical study of a Site by a Licensed Surveyor required as part of the Design Review application process.

2.0 PHILOSOPHY & OVERVIEW

Hideout Canyon is situated on land with unparalleled natural beauty. When the natural beauty of Hideout Canyon is combined with great architecture and thoughtful design, a truly exceptional mountain community will result. These Design Guidelines have been established to ensure the Developer's vision of residential and commercial development with the highest level of quality and craftsmanship. Adhering to these guidelines in conjunction with a formal Design Review process will protect Hideout Canyon and its Owners now and in the future.

To assist each Owner in the design process, these are the steps to be taken, in order:

1. **Contractor Selection and Approval:** Owner selects a Preferred Contractor (defined in Section 3.1 below) or obtains DRC approval of Contractor.
2. **Architect Selection and Approval:** Owner selects a licensed Architect and submits the Architect's name to the Committee. The Committee maintains a list of pre-approved and preferred Architects, which the Owner may choose from, or the Owner may choose to submit an Architect not on the list for consideration. If the Owner's Architect is not on the pre-approved list, the Owner must obtain Committee approval of the Architect.
3. **Landscape Architect Selection and Approval:** Owner selects a licensed Landscape Architect and submits the Landscape Architect's name to the Committee. The Committee must review and approve. The Committee shall keep a list of all approved Landscape Architects.
4. **Pre-Submittal Questions:** In addition to or as an alternative to the Optional Pre-Design Conference, an Owner and/or Architect may submit specific questions that they would like to have answered by the Committee prior to preparing and/or submitting the Preliminary Design Submittal.
5. **Site Evaluation:** Contractor and/or Architect's review of Site with Owner to view and assess distinct geographic features, existing vegetation to be preserved, view corridors, slope, solar orientation, and other features that may impact design and/or landscaping.
6. **Preliminary Design Submittal:** Owner presents conceptual Plans for review by the Committee to ensure conformance with the Design Guidelines before Owner finalizes the Plans. Payment of the Design Review Fee is due before Preliminary Review can occur.
7. **Final Plan Submittal:** Owner submits insurance verification and final construction documents to confirm that they are consistent with the previously approved preliminary Plans. Payment of the Compliance Deposit is required at this time.
8. **Pre-Construction Conference:** Contractor will meet and review construction rules with the Committee Representative to ensure understanding and compliance.
9. **Mock-Up:** Contractor will provide on-site mock-up of proposed exterior materials for Committee review prior to installation on exterior of home.
10. **Final Inspection:** Upon completion of construction and/or landscaping, Owner shall request a final inspection by the Committee Representative to determine whether actual construction, landscaping, and/or other improvements have been completed in strict compliance with the Design Guidelines.
11. **Additions, Renovations and Revisions:** Changes to existing, completed homes at Hideout Canyon, including additions, remodeling, renovations, or landscape changes or additions must also be submitted.
to the DRC for review and approval prior to undertaking. The CPA management company keeps an application for such revisions on file, or an application may be found on the CPA website. A complete application along with the plans, details, and fees must be submitted prior to a DRC Review

The Design Review process outlined above is a mandatory part of home building at Hideout Canyon. The Design Review process was developed to help ensure the Owner's design adheres to the Design Guidelines and that time.

and money is not wasted on non-conforming Plans. It is required that an Owner retain a licensed Architect for planning and design to ensure a thorough analysis and understanding of the Site, as well as to provide the ability to communicate to the Committee the concept and design of a proposed residence or improvement.

Consistent with the Master Declaration and the Utah Community Association Act, Utah Code § 57-8a-109, the Association has established and adopted a Design Review Fee for review and approval of Plans. Owners are also required to post a Performance Deposit with the Committee. Owners seeking review and approval of a Final Plan Submission must be current on all Assessments. The Committee will not review a Final Plan Submission from any Owner with a delinquent account.

The Design Review process is independent of and separate from the application process for obtaining a building permit from the city. Final Plans approved by the Committee are required by the city for issuance of a building permit. The Hideout Canyon Design Review process is independent of and separate from the City's plan review process. The Association's Design Review process is solely intended to enforce the Design Guidelines. Each Owner bears the responsibility for the proposed dwelling or structure's adherence to the Design Guidelines and bears the additional responsibility for adherence to City zoning and building codes. Consistent with Section 8.9 of the Master Declaration, the Committee is not responsible for: (i) determining that construction or construction documents conform to applicable zoning, building codes, ordinance or land-use regulation; (ii) the accuracy or content of any construction documents or specifications prepared by any Architect engineer or other Person; (iii) construction means, methods, technique, sequences, procedures, safety-precautions or for any subsequent loss, damage, or failures due to soil or any other natural or man-made conditions that may exist; or (iv) any failure to carry out construction in accordance with plans or specifications.

The Design Guidelines and the Design Review process contained herein shall apply to all residential and commercial construction in the Project, subject to the exemptions in Section 8.2 and 8.11 of the Master Declaration; provided, however, that construction in progress and Final Plans submitted prior to the adoption of these Design Guidelines shall be governed by the design guidelines in effect at the time of submission.

3.0 DESIGN REVIEW PROCEDURES

To assist the Owners and Committee in an efficient and productive design review process, the Association has established the following review procedures:

CONSTRUCTION FLOW PROCESS

3.1 *Contractor Approval*

- All construction shall be performed by a preferred Contractor or an approved Contractor. Preferred Contractor: A Contractor previously approved and designated by the Committee as a preferred Contractor for building within the Project. A list of Preferred Contractors may be obtained from the Committee by written request.
- Approved Contractor: A Contractor may be approved by the DRC based on current state license, professionalism, experience, reputation, financial ability to complete the construction project, and adequate insurance, as determined by the Committee in its discretion. The DRC may approve a Contractor on a provisional status for one specific project or for several projects. Owner Contractors are generally discouraged in Hideout Canyon; however, if an Owner is a licensed contractor or has substantial prior construction experience and can demonstrate the competence to manage a project of the proposed size and scope, then the Committee will consider this request. An Approved Contractor who no longer meets the criteria for approval or who fails to comply with the Design Guidelines and/or construction rules may be disqualified from further building projects in Hideout Canyon.
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3.2 *Architect Selection and Approval*

To preserve the natural beauty of Hideout Canyon and to enhance development of the Project and protect property values, Owners are required to use licensed Architects when planning and designing their Sites. Like Contractors, an Owner's Architect must be approved by the Committee before any Design Review meetings are held and before any Site Plans are submitted. Designers who do not hold an Architect's license will not be approved. An Approved Architect who no longer meets the criteria for approval or who fails to comply with the Design Guidelines and/or construction rules may be disqualified from further building projects in Hideout Canyon. Landscape Architects will be held to the same standards and pre-approval process.

3.3 *Site Evaluation*

The initial step in any building design is an evaluation of the Site. The Owner should engage the appropriate professionals to conduct a site evaluation in accordance with Section 4 of these Design Guidelines. A survey should be completed by a licensed land surveyor.

3.5 *Preliminary Design Submittal*

Each owner must complete and submit with their preliminary design submittal the Design Review fee, Design Review Application, and Owner's Declaration, which are attached as Exhibit C hereto. A Design Review Submittal checklist is provided for the Owner for convenience purposes only, which is attached as Exhibit B herein.

1. The Preliminary Design Submittal will consist of one (1) set of prints that will be retained by the Committee. Review of the Plans will not take place until a complete package is submitted. For the submittal to be complete, it must contain the following exhibits: Proof of good standing provided by the Association.
2. Site plan (scale at 1" = 10' or 1" = 8') showing the following:
 - A. entire Lot or property;
 - B. location of the building envelope or proposed building envelope;
 - C. the dwelling and/or other structure, driveway, or parking area;
 - D. existing and proposed topography;
 - E. proposed finished floor elevations;
 - F. all existing trees, all clusters of native shrubs; and
 - G. special terrain features to be preserved.
3. Survey done by a licensed professional land surveyor showing the following:
 - A. Site boundaries and dimensions;
 - B. topography (2 feet contours or less); and
 - C. major terrain features, including all trees, edge of pavement or curb, and utility locations.
 - D. Survey (scale at 1" = 10' or 1" = 8')
4. Floor plans (scale at 1/4" or 1/8" = 1'-0")
 - A. Floor plans shall show proposed finished floor elevations.
 - B. Tabulation of square footage of each floor, including a breakdown of the square footage with sufficient detail showing how the Design Review Fee was calculated.
5. All exterior elevations showing the following:
 - A. Both existing and proposed grade lines;
 - B. Plate heights, ridge heights, roof pitch; and
 - C. A preliminary indication of all exterior materials and colors.
6. The Committee may request a 1/8" "white model" showing accurate topography. A computer model may be submitted instead of an actual model.
7. Any other drawings, materials, or samples requested by the Committee.

3.6 Preliminary Design Review

The Committee will review the Plans and respond to Owner no later than forty-five (45) days after a submittal is complete. A Committee Member or the Committee Representative will not discuss design or Plan review or determinations of the Committee with an Owner or an Owner's Contractor or Architect over the telephone. Questions, requests for reconsideration, or other responses an Owner would like to make regarding review determinations by the Committee must be in writing and delivered to the Committee via U.S. Mail or by email, if the Owner has elected to use the electronic processing and has signed the term of use form. Hand delivered documents will not be accepted. The Committee's approval of a preliminary design is valid for twelve (12) months. Should the Owner fail to receive a response by the Committee within forty-five (45) days after submittal of their Plans, the Owner shall have responsibility to address the Committee in writing demanding a response from the Committee regarding the approval or disapproval of their Plans.

3.7 Final Plan Submittal

A Final Plan Submittal must follow within twelve (12) months of the Committee's approval of the preliminary design. Review by the Committee will not commence until the Final Plan Submittal is complete. A Design Review Submittal Checklist is provided for the Owner for convenience purposes only, which is attached as Exhibit B herein. When the final design is complete, its submittal for consideration must include the following exhibits:

1. Site plan (scale at $1" = 10'$ or $1" = 8'$) showing the following:
 - A. exterior lighting and associated light spread;
 - B. entire property;
 - C. location of the building envelope;
 - D. the residence and all buildings, driveway, or parking area; all building elements, including extending roof eaves, must be contained within envelope;
 - E. existing and proposed topography;
 - F. finished floor elevations;
 - G. all protected plants or special terrain features to be preserved;
 - H. trees to be removed;
 - I. all utility sources and connections;
 - J. Site walls;
 - K. proposed satellite TV dish/receiver location;
 - L. verification of water lateral size;
 - M. physical verification of location and depth of sewer lateral;
 - N. note on drawing calling for pressure regulator valve;
 - O. verification of water and sewer lateral size.
2. Floor plans (scale at $1/4" = 1'-0"$)
 - A. The floor plans must show finished floor elevations.
 - B. Tabulation of each floor square footage
3. Roof plan (scale at $1/4" = 1'-0"$)
 - A. The roof plan must show all roof pitches.
4. Building section (scale at $1/4" = 1'-0"$ or larger)
5. The building section must show existing and proposed grade lines. All exterior elevations (scale at $1/4" = 1'-0"$). Exterior elevations must show:
 - A. both existing and proposed grade lines;
 - B. location of broadband receiver, gas and electric meter, satellite TV dish/receiver if mounted on home;
 - C. plat heights, roof pitch;
 - D. an indication of exterior materials and colors;
6. Samples and literature illustrating and describing all exterior materials.
7. Complete landscape plan (scale at $1" = 10'$ or $1" = 8'$) showing the following:
 - A. Size and type of all proposed plants;
 - B. irrigation system;
 - C. all decorative materials or borders; and
 - D. and all retained plants.
8. Construction Site plan as described in the Construction Regulations.

9. The Committee will review the plans and respond no later than forty-five (45) days after a submittal is complete. Results of reviews will not be discussed over the telephone by Committee Members with an Owner, Architect, or Contractor. Also, no one, other than Committee Members will meet to discuss a submittal unless specifically requested by the Committee.
10. A \$1500.00 non-refundable Construction Fee is required prior to final Approval.
11. Approval of a Final Plan Submittal is valid for one (1) year from the date of the approval.

3.8 Site Observation

Once the submission of Final Plans is complete, a Committee Representative may, at the Committee's sole discretion, observe the Site to determine that the conditions as depicted in the Final Plan submittal are accurate and complete. A Site observation by a Committee Representative does not assure, guarantee, or warrant that the Site complies with the Final Plan submittal, zoning, building codes, City ordinance, or land-use regulations.

3.9 Re-submittal of Plans

Should the Committee disapprove either a Preliminary or Final Submittal, resubmission of Plans should follow the same procedure as an original submittal.

"If an application is in the Design Review process and has not received the final approval within one (1) year from the date of the original submittal, the application will be considered expired, and the applicant must re-submit plans to the Design Review Committee as a new submittal, including Design Review Fees (unless otherwise extended by the Design Review Committee)."

3.10 Pre-construction Conference

Prior to commencing construction, the Contractor may request to meet with a representative of the Committee to review construction procedures and coordinate his/her activities in Hideout Canyon. The Committee may also call such a conference. The decision whether to hold or not hold a Pre-construction Conference is at the Committee's sole discretion. A Pre-construction checklist is attached hereto as Exhibit E.

3.11 Commencement of Construction/Mock-Up Option

Upon Final Plan Submission approval from the Design Review Committee, and issuance of a building permit by the city, the Owner may commence construction. Construction pursuant to an approved Final Plan Submittal must commence within one (1) year from the date of the approval.

Construction commenced pursuant to an expired Final Plan approval may be shut down by the Committee.

The Committee, at its option and in its sole discretion, may require completion of the exterior of any uncompleted dwelling or other structure in accordance with the expired approval or may require the owner to remove all unauthorized improvements and construction and to restore the Site to its original condition, including revegetation. The Owner or appointed Contractor, at the sole discretion of the DRC, may be required to provide an on-site Mock-Up of exterior materials for DRC review prior to installation on the exterior of the home. The DRC will conduct an inspection of the Mock-Up within one (1) week of notice by the Owner that the mock-up is complete.

3.12 Performance Deposit

Along with the Final Plan Submittal, the Owner shall deposit \$20,000.00 into an escrow account pending the completion and cleanup of all improvements described in the final approved plans and constructed on the Owner's Lot pursuant to the terms stated in the Performance Deposit Agreement included in Exhibit E. A supplemental Owner's Declaration form may also be required to be signed and submitted, whereas the Owner agrees the home will be built according to the DRC-approved plans, and any cost associated with addressing any deviations from approved plans will be borne by the Owner.

3.13 Observation of Work in Process

The Committee may observe all work in progress and give written notice of noncompliance. The absence of such an inspection or notification during the construction period does not constitute an approval by the Committee of work in progress or compliance with the Design Guidelines. Any observation does not release the Owner from the obligation to comply with the approved Final Plans and the construction rules.

3.14 Subsequent Changes/Expiration of Plans and/or Approvals

Any changes or additions to an approved Final Plan must be submitted to the Committee for review and approval prior to making such changes or addition. Submittals must include approved application for additions/modifications and the applicable design review fee (application can be found on CPA website or management office). Changes that do not affect the dwelling or structure's exterior, the building envelope, the Site, or specific parameters covered by the Design Guidelines do not need to be submitted for approval. Design review submittals in process which remain idle and inactive for a period of one (1) year or more will be considered expired by the Committee. If the applicant chooses to return at a future date, they will need to start the process over again and pay the applicable fees. In addition, design Plan final approvals issued by the Committee will also expire in one (1) year if no activity has occurred on constructing the home.

3.15 Notice of Completion and Final Release

Upon completion of the construction and/or landscaping project, the Owner shall give written notice of completion to the Committee, together with an as-built Auto CAD or XML file showing the final approved elevations, floor plans and site and landscape plans. Construction of a dwelling shall not be considered completed until all approved improvements are in place, including landscaping.

Within forty-five (45) days of the Committee's receipt of the Notice of Completion, a Committee Representative shall inspect the dwelling or other improvement for compliance. If all improvements comply with the Design Guidelines, the Committee shall issue a written approval to the Owner, constituting a final release of the improvements by the Committee. The release shall be issued within thirty (30) days of the Final Inspection and may be recorded.

If it is found that the work was not done in strict compliance with approved Final Plans or any portion of the Design Guidelines, the Committee may issue a written notice of noncompliance to the Owner, specifying the particulars of noncompliance. The notice of noncompliance shall be issued within thirty (30) days of the Final Inspection.

The Owner shall have thirty (30) days from the date of notice of noncompliance to remedy the noncompliant items. If, by the end of the 30-day period, the Owner has failed to remedy the noncompliance, the Committee may take action to remove or remediate the non-compliant items including, without limitation, seeking an injunction, and imposing fines.

3.16 Non-waiver

3.13 Observation of Work in Process

The Committee may observe all work in progress and give written notice of noncompliance. The absence of such an inspection or notification during the construction period does not constitute an approval by the Committee of work in progress or compliance with the Design Guidelines. Any observation does not release the Owner from the obligation to comply with the approved Final Plans and the construction rules.

3.14 Subsequent Changes/Expiration of Plans and/or Approvals

Any changes or additions to an approved Final Plan must be submitted to the Committee for review and approval prior to making such changes or addition. Submittals must include approved application for additions/modifications and the applicable design review fee (application can be found on CPA website or management office). Changes that do not affect the dwelling or structure's exterior, the building envelope, the Site, or specific parameters covered by the Design Guidelines do not need to be submitted for approval. Design review submittals in process which remain idle and inactive for a period of one (1) year or more will be considered expired by the Committee. If the applicant chooses to return at a future date, they will need to start the process over again and pay the applicable fees. In addition, design Plan final approvals issued by the Committee will also expire in one (1) year if no activity has occurred on constructing the home.

3.15 Notice of Completion and Final Release

Upon completion of the construction and/or landscaping project, the Owner shall give written notice of completion to the Committee, together with an as-built Auto CAD or XML file showing the final approved elevations, floor plans and site and landscape plans. Construction of a dwelling shall not be considered completed until all approved improvements are in place, including landscaping.

Within forty-five (45) days of the Committee's receipt of the Notice of Completion, a Committee Representative shall inspect the dwelling or other improvement for compliance. If all improvements comply with the Design Guidelines, the Committee shall issue a written approval to the Owner, constituting a final release of the improvements by the Committee. The release shall be issued within thirty (30) days of the Final Inspection and may be recorded.

If it is found that the work was not done in strict compliance with approved Final Plans or any portion of the Design Guidelines, the Committee may issue a written notice of noncompliance to the Owner, specifying the particulars of noncompliance. The notice of noncompliance shall be issued within thirty (30) days of the Final Inspection.

The Owner shall have thirty (30) days from the date of notice of noncompliance to remedy the noncompliant items. If, by the end of the 30-day period, the Owner has failed to remedy the noncompliance, the Committee may take action to remove or remediate the non-compliant items including, without limitation, seeking an injunction, and imposing fines.

3.16 Non-waiver

The approval by the Committee of any plans, drawings, or specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any other Plan, drawing, or specification subsequently or additionally submitted for approval. Failure to enforce any of the Design Guidelines in any instance shall not constitute a waiver of the Committee's enforcement right.

3.17 Right of Waiver

Pursuant to Section 8.10 of the Master Declaration, the Committee may authorize a variance for noncompliance with any Design Guidelines or other provision of the Association's Governing Documents when circumstances such as topography, natural obstruction, hardship, esthetic or environmental considerations may require, subject to City approval. The Committee's grant of a variance in any instance shall not operate to waive any of the Design Guidelines, the Master Declaration, Rules, or any provision therein in any other instance. A variance granted by the Committee does not relieve the Owner of any obligation to comply with applicable zoning, building code, ordinance, or other land-use regulation.

3.18 Design Review Fee

Consistent with the Utah Community Association Act, Utah Code § 57-8a-109 and Section 8.1 of the Master Declaration, an architectural review fee of \$1.20 per square foot will be charged, based on the gross square footage of all constructed areas, which include the living space, garage, storage, decks, patios, and any other space or floor area constructed on the Site. A check for the Design Review Fee, made payable to the Community Preservation Association, should be mailed to Community Preservation Association, P.O. Box 682182, Park City, Utah 84068. Architectural review fees will also be charged for resubmittals, remodels, and additions at a \$1.20 per square foot fee of the remodeled/added area. The full architectural review fee will be charged at the time of the Final Plan Submittal and must be received before the DRC can begin its review.

3.19 Additions, Renovations and Revisions

Any additions, renovations or revisions made to existing homes require DRC review and approval. Submittal materials should include a completed application, plans, specifications and details. Application fees are also required to be submitted prior to DRC review. The application for additions, renovations and revisions can be obtained from the HOA management company, or the CPA website.

4.0 SITE DEVELOPMENT

- The primary goals for both the Site and building are to ensure that the natural beauty of Hideout Canyon remains undiminished, and to preserve existing views where possible. As it relates to the Site, it is important to preserve the existing character of the Site and make sure the dwelling or other structure visually and physically adapts to the Site. Designs should emphasize the following: Human scale Proximity to the ground so that the buildings "hug" the ground, rather than dominate the Site.
- Massing the building to varying heights to create an interesting elevation.
- Adaptation to the Site in every conceivable way, including its severe climate, its terrain, its pattern of shade and sunlight, its trees and vegetation.
- Orientation of the home to street fronting Lot where possible.
- Homes should have a prominent main entry/front door area visible from the street.

4.1 Site Evaluation

The initial step in any building design is an evaluation of the Site. The objective of Site evaluation is to identify the Site's problems and opportunities. Areas considered include:

1. The Site's land mass features — ridges, slopes, etc.
2. Existing vegetation
3. Existing grades
4. Solar orientation

The Site evaluation should make use of relevant consultants — Architects, licensed surveyors, civil engineers, soils engineers, landscape architects, solar consultants, geologists, and other specialists, as required. It should draw on topographic surveys, Site photos, soils reports, and any other documentation helpful to forming an accurate picture of the Site's real condition.

This evaluation, together with any additional back-up documents requested, shall be submitted to the Committee.

4.2 Preservation of Existing Landforms

Sites at Hideout Canyon have their own unique landform features. Whenever possible, these existing features should be preserved and reinforced by new construction. The objective is to fit the dwelling and other structures to their respective Sites in a way that leaves the natural massing and features of Hideout Canyon intact, treating the buildings as an integral part of the Site, rather than as isolated objects at odds with their surroundings.

4.3 Preservation of Existing Site Vegetation

Existing concentrations of vegetation are one of Hideout Canyon's amenities and an important part of its ecosystem. Whenever possible, these concentrations shall be preserved and reinforced by construction. The objective is to work with what exists, adding new vegetation that is compatible with the indigenous plant life of Hideout Canyon. New vegetation introduced should be xeriscape-type plantings that require little or no irrigation to sustain and should blend in seamlessly with existing vegetation as much as possible.

4.4 Preservation of Significant Views

Two kinds of views are important at Hideout Canyon:

1. Views from a Site
2. Views through a Site to features beyond

Both kinds of views shall be preserved to the greatest extent possible. The objective is to create as many opportunities for views as possible, within the constraints posed by the Site. The emphasis is on views from the Site; however, the adverse impact of new construction on existing home views should be minimized as much as possible. Notwithstanding anything to the contrary herein, unobstructed views are not guaranteed and nothing in these Design Guidelines shall be construed to provide any view easement to any Owner.

4.5 Building Size

Dwellings constructed on the Sites at Hideout Canyon must be between 2,000 square feet and 10,000 square feet (depending on neighborhood and size of the Lot) of enclosed livable space unless otherwise noted below. Generally, the main level should be where the largest percentage of livable square footage is located, and the second level may not be larger than two-thirds (2/3) the size of the main level. On flat or uphill lots, the ground floor will typically be considered the main level.

Enclosed livable space is defined as all livable areas of the home, excluding the garage (up to 500 sq. ft.), storage (up to 150 sq. ft.), and mechanical rooms. Mechanical space must be of a reasonable size needed to accommodate mechanical equipment only and may not include additional storage space. Internal walls, closets, chases, staircases, etc. are not excluded when measuring the enclosed livable square footage. Crawl space exemptions may be considered at the sole discretion of the DRC.

Details of building sizes allowed by neighborhood are listed below:

Phase 1 – Overlook Village

- Sites: T1-T8, Sites 1-30
- Sites: 36-39: 2,800–4,500 square feet
- Sites: 31-35: 3,000–4,500 square feet

Phase 2 – Glistening Ridge

- Lots 2-15: 4,500–8,500 square feet
- Lots 23-53: 4,500–8,500 square feet
- Lots 16-17: 3,300–4,500 square feet

Phase 4 – Glistening Ridge

- Sites R-1-R-18: 3,300–4,500 square feet

Phase 5 – Silver Sky

- Sites 50-75: 3,000–5,000 square feet

Phase SH 1 – Soaring Hawk

- Lots 1-47: 2,000–3,500 square feet

Phase SH 2 – Soaring Hawk

- Lots 48-108, Lots 141-154: 2,000–3,500 square feet

*** Two or more Soaring Hawk lots joined together by an Owner through, and approved plat amendment process will be eligible for a 25% increase in density.

Golden Eagle

- Lots from all Phases: 3,200–7,000 square feet
- Two or three Golden Eagle lots joined together by an Owner through, and approved plat amendment process will be eligible for a 25% increase in density.
- Four or more Golden Eagle lots joined together by an Owner through, and approved plat amendment process will be recognized as a “Golden Eagle Ranchette” and eligible for the following square footage allotments (subject to Town of Hideout and Wasatch County Fire District approvals):
- Main House: 3,200-9,000 square feet
- Guest House: 2,000 square feet minimum and maximum of 50% square footage of the main house (main house must be constructed first)
- Detached Garage: Up to 2,000 square feet allowable.
- Auxiliary Structure: Up to 1,000 square feet allowable

*** More details on Golden Eagle Ranchettes can be found in Section 6.12.

Phase FM – Forevermore

- Sites 1-13: 3,500–8,000 square feet
- Note: Sites 1, 2, 3, 4 and 5 have a rear setback. All permitted structures shall be set back from the rear property line a minimum of forty (40) feet.

Phase 8a– Reflection Ridge

- Lots 1-12: 3,500–5,500 square feet

Phase 8a– Reflection Lane

- Lots 1-9: 5,000–10,000 square feet*

*Note: Enclosed livable space of over 10,000 square feet may be considered by the Committee on a case- by-case basis; particular attention may be given to the placement of dwelling and other structures, massing, design, preservation of land features and existing vegetation, and impact of over-sized dwelling or other structure on neighboring Lots.

46 Building Height

Building height is limited by the Design Guidelines and the City. Except for Soaring Hawk, a building can be no higher than thirty-five (35) vertical feet above the original natural grade, or final finished grade, *whichever is lower*. In Soaring Hawk, a building can be no higher than thirty-two (32) vertical feet above the original natural grade, or final finished grade, *whichever is lower*.

Height restrictions are also important to avoid construction of too-tall structures which may unnecessarily impede the views of others. The Committee reserves the right to impose stricter height limitations if, in the Committee’s discretion, a lower building height is necessitated by the overall scale of the proposed design in relation to its location, surroundings use, or specific Site conditions, irrespective of City height restrictions.

4.7 Prefabricated Buildings

Buildings that are constructed off-site and require transportation to any Site at Hideout Canyon, in whole or partial assembly, are prohibited. This includes log homes, mobile homes, stock modular homes, or any other structure requiring transportation and set up in a partially completed state.

4.8 Location of Construction

Dwellings and other construction should be placed on their respective Sites in a way that creates a carefully scaled relationship between buildings and Site features. In general, construction is to be placed in one of three locations: (i) within tree masses; (ii) at the edge of tree or land masses overlooking open space; and out in the open; or (iii) in areas devoid of trees. The objective is to give each building a sense of unity with its Site and surroundings, and to scale each building so it does not dominate the Site.

4.9 Predominant Roof Shape

The predominant roof shape should be gable form. Roof shape is important in terms of organizing the massing of buildings, especially at the edges of trees or land masses, or in the open. The objective in determining roof shape is to establish a visual order to the building. In general, the predominant roof shape is set by the initial buildings in each area of Hideout Canyon. In visually adjacent building groups and clusters, a single roof shape should predominate. The predominance of one roof shape (e.g., a gable roof) helps to relate to adjacent buildings.

4.10 Night Lighting

Good night lighting is important for safety, but good lighting is often equated with copious amounts of lighting, which can obliterate night views and interfere with people's rest. The objective is to provide night lighting discretely, illuminating only what needs to be lit. As such, all exterior light sources must be shielded and directionally pointed downward, and in compliance with the *Model Lighting Ordinance of the International Dark-Sky Association*.

Final submittal for review by the Design Committee should include an indication of how night lighting is to be provided and shielded from direct view. This should be shown in the Final Plan, with accompanying specifications and any other material necessary to aid an evaluation by the Committee.

5.0 EXTERIOR DESIGN

5.1 Building Follows Contours

The placement of buildings at Hideout Canyon should respect existing landforms. Placement should follow contours and fit the dwelling or other structure into existing land massing, rather than ignoring or dominating these forms.

5.2 Continuing the Lower Wall to the Ground

The sense or impression of a dwelling should be that its walls continue down to the ground to give a feeling of solidity and repose. Undue eroding of the building form should be avoided (i.e., wall surfaces continue downward). The dwelling should appear to rest solidly on the ground. But the appearance of solidity cannot come at the expense of visual interest; multistory vertical walls that lack visual interest are prohibited.

5.3 Scale of Building

It is important that the massing of buildings at Hideout Canyon be scaled in such a way that they relate to the relative size of the Lots located there, and harmonize with the area and its natural features, particularly when buildings are located at tree or land mass edges or in the open. As Soaring Hawk Lots are generally smaller than other Lots in the community, the relative scale of dwellings and associated massing should be smaller.

Except for Soaring Hawk, no unbroken expanse of building mass may exceed thirty-five (35) feet for any dwelling. In Soaring Hawk, no unbroken expanse of building may exceed thirty (30) feet. When the 35-foot limit is reached (or the 30-foot limit in Soaring Hawk), one of the following must occur:

1. The building mass must bend.
2. The wall line must be offset a minimum of five (5) feet (four (4) feet in Soaring Hawk); the Committee, at its discretion, may consider offsets of less than this if other visual breaks are incorporated in the design to meet said intent; or
3. The roofline should shift up or down at least five (5) feet (four (4) feet in Soaring Hawk) or take on a different ridge alignment.

The buildings must not become overpowering. Changing the planes of walls, changing direction, and providing some variety in the roof form provide diversity and visual interest.

5.4 Roof Slopes

Roofslopes at Hideout Canyon should be between 3/12 and 8/12.

Roofs with greater or lesser slope will generally be prohibited but may be considered by the Committee on a case-by-case basis if the design meets the overall intent of the design guidelines.

5.5 Roof Shape

The following roof types are permitted at Hideout Canyon:

1. Partial hip roof
2. Gable roof
3. Full hip roof

The following roof types are not permitted:

1. Conical roof
2. Mansard roof
3. Fake Mansard roof
4. Gambrel roof
5. Curvilinear roof (including Barrel Vault)
6. Domed roof
7. Full flat roof

Roofs should maintain a minimum of seven (7) feet of separation from the finished grade. It should be clear, when looking at the building, that the function of the roof is to provide a covering for the buildings, and not to be a major element in the building's horizontal massing (i.e., the roof is not to be a substitute for a wall). Roofs descending from the ridge of the predominant main roof must have the same slope. They need not be the same length, however. Dominant roof forms are to be fragmented with open ended gables.

The following roofs are discouraged, but permitted under certain conditions with DRC approval:

- Shed roofs — Allowed if attached to buildings whose predominant roof shape is one of the types permitted without restriction. They are also allowed in the case of minor, freestanding out-buildings. However, a shed roof in any out-building over ten (10) feet in height is discouraged. Shed roofs cannot be the predominant roof shape in a building.
- Joined shed roofs — Discouraged but may be considered by DRC if overall aesthetic meets intent of design guidelines.
- Partial flat roofs — Unacceptable as the predominant roof shape of a building. They may be considered in moderation as a minor (1/12 pitch or greater) roof shape on buildings with an acceptable predominant roof shape.

5.6 Roof Overhangs and Fascia

Roof overhangs protect walls and wall openings from rain and snow and contribute to a building's character. Roof overhangs may not be boxed in. Except for Soaring Hawk, roofs should overhang walls a minimum of thirty-six (36) inches. In Soaring Hawk, roofs should overhang walls a minimum of twenty-four (24) inches. Roof overhangs less than these required minimums need Committee approval. Roof overhangs must be contained entirely within the Owner's property. Roof fascia should be a minimum of 12" thick. Aluminum may not be used to cover the soffit or fascia.

5.7 Roof Surfacing Material

Roof surfacing materials are important as a means of blending the new construction to the existing character of the area. Careful selection of these materials can help to relate the buildings to their surroundings, while the wrong color and texture can make the building garish and distracting. From a functional standpoint, the choice of materials depends on the slope and assembly of the roof. The objective is to choose roof surfacing materials that help the building blend with its Site and its climate conditions, and which are also functionally appropriate.

The following metals can be used as roof surfacing materials without coating or other finish:

1. Copper (must be allowed to oxidize and turn bronze)
2. Zinc (flat finish)
3. Terne
4. Natural rusted metal

The following metals can be used for roof surfacing if color coated with an approved color:

1. Aluminum (thicker gauge) – may not be used for soffit or fascia.
2. Steel (minimum 24-gauge steel)

The following masonry tiles may be used as roof surfacing materials if of an approved color:

1. Ceramic tiles
2. Concrete tiles
3. Slate

The use of architectural grade asphalt-composition shingles is allowed. All roofing shall be non-reflective. "Green" roofs do not work well in this climate and are not allowed.

Roof murals are not permitted. All roof flashing must be of a color harmonious with roof and upper wall surfacing. All types of barrel or “s” tiles, asphalt roll roofing, or reflective metal surfaces are prohibited.

5.8 Roof Appurtenances

Roof appurtenances — dormers, clerestories, skylights — create interesting, pleasant interior spaces. Their location on the roof is critical to avoiding an over-decorated, visually confusing appearance.

1. Dormers can have the following shapes:
 - A. Shed dormer
 - B. Gable dormer
 - C. Hip dormer
2. Swooped dormers are not permitted. Dormers can be placed at the roof eave or within the field of the roof.
3. Ornaments like finials, scroll work on ridge or barge and eave boards, or decorative turrets are discouraged.
4. Snow diverters and retainers may be necessary installations on roofs. They should be handled as an integral part of the roofscape.
5. Rooftop access stairways, elevator shafts, vent shafts, mechanical equipment areas, antennae, etc., shall be confined within the roof and within roof dormers, and shall not protrude from the roof to form awkward-looking appurtenances. Cold roof ridge ventilators are permitted.
6. Skylights may only be incorporated with Committee approval; skylights may not be highly reflective and must be placed flush against the roof. They should not extend to the eave line. Bubble type sky lights or those that protrude from the roof are prohibited.
7. A minimum of one chimney is required. Chimneys made of stone with masonry-finished flues are permitted. A flat top is preferred, and side venting of flue (with a flat cap and spark arrestor) is recommended. Exposed metal chimneys are not permitted. The chimney must be visible from the front elevation/street.
8. Chimney caps are to be submitted to the Committee for approval.
9. Clerestories should be placed within the field of the roof and cannot extend to the eave line.
10. Exposed flashing color and material must be submitted to the Committee for approval.
11. All pipe penetrations are to be painted to match flashing or roofing.

5.9 Protected Lower Wall

The lower portions of exterior walls should be protected from extreme weathering and staining because of snow accumulation. Snow accumulation varies throughout Hideout Canyon. Generally, the lowest four (4) feet (in some locations the lowest 8+ feet) of exterior walls should be surfaced in rock. Stone should be installed in such a way that it projects beyond the other exterior wall materials.

Approved materials include:

1. Stone — natural or full veneer stone only (thin veneer is not permitted)
2. Other natural materials in minor recessed areas, as approved by the Committee.
3. Steel may be allowed in limited applications only with Committee approval.

Under no circumstances should these lower walls be surfaced with:

- Concrete block with stucco finish
- Concrete with an exposed aggregate Bush hammered or sandblasted finish, or with a stucco dash coat.
- Wood or plywood
- Aluminum or plastic siding
- Asphalt composition, transite, shakes, or tiles
- Brick
- Cultured Stone

5.10 Upper Wall Materials

The upper wall materials should convey a sense of human scale and warmth. The character they convey should be consistent with the natural mountain environment, and not express urban or industrial styles. The upper wall material can differ from that of the lower portion of the wall or be of the same material.

Upper walls can be surfaced in the following materials:

1. Stone – natural or full veneer stone only (thin veneer is not permitted)
2. Stucco
3. Stained natural wood siding or wood shingles. Painted wood siding requires specific approval from the DRC.
4. Steel, twenty (20) gauge or thicker (as approved by the Committee).

The upper wall may not be made of following materials:

1. Brick
2. Ceramic tile
3. Plastic siding
4. Aluminum siding
5. Simulated stone or brick
6. Asphalt or hardboard siding
7. Hardboard siding

5.11 Number of Wall Materials

Changes in wall material can lend visual interest to a building; too many changes can make the wall visually discordant. The objective is to create walls that are interesting, but not in competition with their surroundings. Individual walls can be surfaced with up to three (3) different materials. No more than three (3) different materials are permitted, unless specifically approved by the Committee. No Final Plans for a dwelling will be approved with fewer than two (2) wall materials.

5.12 Openings

Window, door, and porch openings are an essential element of a building's form and appearance. It is important that the building walls give the impression of thickness and substance. Openings in any wall should seem incidental to the wall itself. The wall shouldn't appear to be simply infill between these elements.

Openings in walls should be designed so they read as singular apertures in the wall surface, rather than continuous bands of horizontal or vertical surface.
Rectilinear wall openings are preferred.

5.13 Color Palette

All exterior colors should harmonize with Site and surrounding buildings.

For exterior colors, the predominant tone should tend toward warm, earthy hues — whether in the natural patina or weathered color of the wall surface itself, or the color of the paint, stain, or other coating. Bright and dramatic colors are prohibited.

5.14 Windows

Windows may be constructed of wood, aluminum, or fiberglass. Metal or metal-covered windows are permitted if coated with an approved finish. Vinyl windows are not permitted. The use of fiberglass is discouraged and may be utilized only with Committee approval.

Windows should generally be rectangular or square in shape. Triangular shaped windows that follow the slope of the roof are discouraged and may be used only with Committee approval. Circular, elliptical, and arch-formed windows are not permitted. Where possible, doors should open onto exterior areas that receive sunlight.

Windows should be generally of the same style and pattern and not appear to be placed randomly.

5.15 Doors and Door Openings

Exterior doors, including front doors, should be comprised of quality wood or metal, and should complement the other exterior materials and colors found on the home. Fiberglass and aluminum doors are not allowed. Door openings separate two completely different environmental conditions. Door openings should be protected from wind and from overhanging or drifting snow.

5.16 Garage Doors

Garage doors should be comprised of quality wood or metal, and should complement the design, other exterior materials, and colors found on the home. Glass panels should not comprise more than fifty (50) percent of the garage door surface. All details and specifications of garage doors must be presented to the Committee for approval prior to installation. Garage door height may not exceed eight (8) feet.

5.17 Balconies, Decks and Exterior Stairs

The design of balconies and decks should be simple. The use of long vertical or horizontal bands of balcony space is discouraged. Deck columns should have dominant stone bases when structural supports run to the ground. Deck materials should generally consist of wood and/or metal. Eco-friendly materials such as Trex or equivalent will be considered with Committee approval. Decks and patios should be primarily situated in the rear yard area and should not be located on side yard areas and on side Lot lines. Front yard decks and patios require specific Committee approval.

Exterior staircases should incorporate materials and finishes that match those of the home. Staircases must be contained within building pads and outside setback areas. Exterior spiral staircases are not permitted.

6.0 MISCELLANEOUS ITEMS

6.1 Outdoor Storage

Outdoor storage areas shall be screened from all adjacent properties by a wall or fence. If allowed by the city, firewood may be stored in an unscreened area, if it is neatly stacked in an inconspicuous location. If the firewood is covered, only transparent plastic sheeting is allowed. All storage tanks must be shielded from view by walls or structures or installed underground.

6.2 Mechanical Equipment, Electrical Meters, Gas Meters, and Irrigation Meters

No roof-mounted or wall-mounted mechanical equipment will be permitted. Any exterior mechanical equipment must be ground-mounted adjacent to the residence, and hidden from view by walls, landscaping, or the grade of the Site to screen it. All electrical junction boxes should be similarly screened. The equipment and enclosure must be contained within the building envelope. Any equipment should be placed so that it does not impose noise and aesthetic intrusions on the outdoor living spaces. To the extent that the utility codes allow, all electrical meters, gas meters, and irrigation meters must be screened from the street and adjacent Site.

6.3 Antennae and Satellite Dishes

The proposed location of the TV satellite and the broadband receiver should be shown on the final submittal drawings and must be approved by the Committee prior to installation. These items should be in such a manner and location that offers the best visual screening, while still being able to receive an adequate signal.

All other satellite dishes and television/radio antennas must be fully screened from the road, adjacent Sites, and any public areas.

6.4 Solar Applications and Other Structures

Passive solar design is encouraged. Active solar applications must be approved by the Committee. If allowed, all hardware must be integrated in the structure or landscaping of a Site and not be visible from other Owner's properties or from the road. Non-reflective materials and finishes are strongly preferred. Specification information and physical samples must be submitted for all proposed solar applications to be considered.

6.5 Outbuildings, Doghouse, and Flag Poles

Outbuildings, dog houses and runs, flag poles, and permanently installed recreational equipment must be approved by the Committee.

6.6 Changes or Additional Construction

All changes or additions to the approved Final Plans before, during, or after the construction must first be approved by the Committee.

6.7 Exterior Furnishings and Sound Systems

All outdoor furniture and sound systems must conform to the color standards set forth by these Design Review Guidelines for home exterior colors. Exterior audio speakers built into the home are prohibited.

6.8 *Swimming Pools, Spas, or Hot Tubs*

Any swimming pool, spa, or hot tub must be designed as a visual extension of the dwelling using walls or decks and must be shielded from off-Site view. All pools and spas must be constructed according to City and other applicable governmental authority regulations and must be approved by the Committee. All pumps, motors, and heaters must be fully screened from view from the street, adjacent Sites, or public areas. Exposed hot tub and spa finish materials must be non-reflective and match the approved finish materials and colors of the home.

6.9 *Sport Courts, Tennis Courts, and Basketball Goals*

Due to the extensive clearing required by tennis courts and other sport courts, such courts will not be permitted. Wall-mounted or free-standing basketball goals may be allowed, subject to Committee approval. Support posts of a freestanding basketball goal shall be painted to blend unobtrusively with its visual backdrop surrounding, and the backboard must be clear. Portable basketball hoops must be stored in the garage when not in use.

6.10 *Play Structures*

Play structures, swing sets, slides, or other such equipment are only allowed with Committee approval. If approved, only timber and dark-colored coated steel structural components are allowed. Bright colors of any kind are prohibited. Site placement of play structures and play equipment requires Committee approval, but should generally be located close to the home, inside the building envelope.

6.11 *Fireplaces*

Only one (1) wood-burning fireplace is allowed per residence, and any other fireplaces proposed for the home must be natural gas. All fireplace installations require Committee approval and must be compliant with Hideout Town Code and Building Code requirements.

6.12 *Golden Eagle Ranchettes*

Golden Eagle Ranchettes are recognized and created when four (4) or more contiguous lots at Golden Eagle are combined together through an approved plat amendment process. The Ranchettes have the following characteristics, allowances and restrictions:

- Only recognized when four (4) or more contiguous Golden Eagle lots are joined through a plat amendment. The plat amendment process and cost are the responsibility of the Owner. The same Owner must own all four (4) or more of the lots under consideration for a Ranchette lot.
- Ranchettes may contain a main house, guest house, detached garage and outbuilding. Square footage allowances for each type of structure may be found in Section 4.5.
- House and outbuildings are subject to review and approval through the design review process and any applicable Town of Hideout and/or Wasatch County Fire District reviews and approvals.
- Buildings should be clustered on Ranchette lot as much as possible, subject to layout of lot and topographical or other characteristics. Existing setbacks will be applied to combined lot.
- One main entry drive should be incorporated into each Ranchette lot (subject to Fire District approval).
- HOA dues for each of the original lots utilized in a combined Ranchette lot remain the responsibility of the Owner. DRC fees must be paid for each building proposed.
- Ranchette properties must be surrounded by rustic fencing, to be reviewed and approved by the DRC.
- Existing easements must be recognized and maintained by Owner of individual or Ranchette lots.
- All other design requirements found in these design guidelines must be complied with.

7.0 LANDSCAPE DESIGN

7.1 General Site Character

The natural landscape at Hideout Canyon is one of its most important amenities. People reside here because Hideout Canyon is natural, scenic, and unspoiled. Development and construction must not detract from the natural beauty. The newly proposed landscaping should be of a xeriscape-type and blend with the natural setting and native plants as much as possible. Irrigation should be minimal and temporary as much as possible. Fire-wise planting concepts and placement are encouraged; landscape plans should comply with the Utah Division of Forestry, Fire and State Lands standards and City ordinance.

7.2 Re-vegetation

While every Site in Hideout Canyon should seek to minimize the impact of construction on the existing landscape, some disruption is inevitable. Correcting any damage done in the development process will require re-vegetation. This revegetation should, to the greatest extent possible, recreate the earlier character of the Site, using indigenous plants and trees. New plantings should blend in with the existing landscape, so that several years hence, all traces of the disruption will have disappeared. Approved landscaping should be installed in a timely manner as soon as home construction is completed, not to exceed six (6) months (to account for possible adverse seasonal conditions).

7.3 Landscape Massing

New plant materials should be in a way that respects existing planting patterns. Trees, shrubs, and ground cover are usually found in groups of similar species. New planting should follow the patterns characteristic to the Site and should, as much as possible, harmonize with them.

Species native to Hideout Canyon are described in the appendix. Species used in the planting plan must come from the approved plant list. The use of ornamental plants is restricted to areas with limited public visibility (i.e., enclosed courtyards). The use of grass sod in specific small, contained areas with limited public visibility may be considered but requires approval from the Committee. The use of quality artificial sod/synthetic grass may be considered in limited applications.

7.4 Solar Orientation and Preservation of View Corridors

It is critical that new plantings take the sun and the views of others into account, so that existing patterns of sunlight and existing view corridors are not obscured by new planting. This includes not planting larger trees that could block view corridors located on either side of homes.

As a rule, approved evergreen varieties should be placed on the north and east sides of Sites, deciduous trees on the south and west, to preserve existing sunlight patterns. The impact of planting on adjoining Sites should also be assessed. New planting that proves to unduly interfere with other people's solar access or views may be subject to removal.

7.5 Wildfire Management

The Hideout Canyon area contains several fuel types — predominantly gamble oak, sage, and aspen. The highest fire potential occurs when these fuel types are combined with dense undercover. To reduce the fire hazard around buildings, no woody shrubs should be planted in combination with these plant types next to buildings or under roof overhangs.

7.6 Irrigation

Hideout Canyon should have the least possible impact on available water resources. Water is a potentially scarce resource here and should not be used in a wasteful manner. Continuous irrigation in the dry months is to be discouraged, and the choice of planting materials should make it possible, once the planting is established, for such irrigation to be unnecessary. Drip irrigation should be the method of irrigation. Traditional spray-type sprinklers are prohibited, except for temporary use while plants get established.

7.7 Grading

Grading should have a minimal impact on the Site and its natural setting. Buildings and roads must be fitted carefully to their Sites. Cuts and fills, when required, should conform to good engineering practice, with naturally rounded tops and toes of slopes. Only limited grading will be allowed. Boulder retaining walls are required for transitioning grades; walls may not exceed five feet in height. Also, it is important to protect existing trees/shrubs designated for preservation. These trees/shrubs should be protected from all injury, including grade changes within the tree's drip line.

7.8 Drainage

Each Site has its natural drainage pattern, the result of its topography and vegetation. Whenever possible, this surface drainage pattern should be preserved. Many of the roads and associated storm drains in Hideout are designed to distribute/discharge water onto downhill lots to promote distributed flow and to use the native vegetation to manage storm water. All home designs and construction shall protect the home from storm water flows and direct storm water flows around the home in a manner that promotes distributed flow; the design and construction process should take this into account. Negative drainage impacts on other Sites must be prevented. Storm water shall not be collected for discharge; distributed discharge should be used.

7.9 Paving: Roads, Paths and Other Surfaces

All paved surfaces at Hideout Canyon should have a scale and character that is suitable to the character of the place, responding to climate, terrain, and the palette of natural materials and colors. Paved surfaces should only be used where an unpaved surface is functionally unsuitable. Where paved surfaces are used, the choice of materials and the alignment of the path or road should be based on both aesthetic and functional considerations. Paved surface areas should be minimized in general; however, the width of paved surfaces outside of the building envelope shall be limited to twenty (20) feet or the narrowest width allowed by the building code.

Acceptable paving materials
Include:

- Asphalt
- Concrete
- Brick

Unacceptable materials include:

- Ceramic tile
- Surface applied aggregate coatings.
- Artificial turf
- Concrete block

Combinations of paving materials can lend visual interest, but too elaborate patterns begin to compete with the larger setting. Designs should be simple and straightforward, using one or two different materials. The Final Plan Submittal should include paving patterns and callouts for paving materials. The Committee may request material samples.

7.10 Walls and Fences

Fences will be considered on a case-by-case basis, but the presumption is that little to no fencing will be allowed to be installed on an individual Site. If any fencing is to be approved, it must be unobtrusive and blend into the overall Hideout aesthetic.

Free standing decorative walls are generally prohibited, but an Owner may request the Committee to consider a proposed free-standing decorative wall. If any walls are to be considered, they must be unobtrusive and blend into the overall Hideout aesthetic.

7.11 Landscape Structures and Sculptures

Landscaping often includes outdoor structures such as decks, trellises, and gazebos. If not carefully planned, these structures can detract from the overall appearance of the landscape. These structures should be designed to work as extensions of buildings, rather than as separate elements. Freestanding elements should be avoided. Every effort must be made to give the Site a common character, appropriate to the Hideout Canyon setting.

Decks and trellises should be built of wood or acceptable simulated wood products. Any staining and sealing finishes should enhance the wood grain. All outdoor structures should avoid excessive ornamentation.

Decorative landscape sculptures or other yard art and ornaments are generally discouraged, particularly in front yard areas. Any proposed exterior sculptures, ornaments or other landscaping decorations must be located within the approved building pad and have Committee approval prior to installation.

7.12 Address Markers

Address markers, monuments, and house numbers require Committee approval prior to installation.

7.13 Site Furnishings

Streetlighting, snow poles, and guardrails are subject to review by the Committee.

8.0 CONSTRUCTION REGULATIONS

The following construction regulations serve to limit the impact on other Owners and the natural landscape. Each Owner is responsible for ensuring that all parties involved in construction associated with their Site follow these guidelines. Owners are responsible for any violations that occur on such Owner's Lot or in the course of constructing such Owner's home.

8.1 Building Envelope / Driveways

The building envelope is the limit of development on each Site. It is also the area within which all activities related to the improvements to be constructed must be confined. To prepare the building envelope, it must be temporarily staked and fenced in an appropriate manner during the duration of construction. The fencing defining the building envelope must extend for the full street frontage so no construction personnel park in the natural area. When construction of improvements directly along the edge of a building envelope is necessary, a temporary construction encroachment of up to five (5) feet into the adjacent natural area may be permitted by the Committee. The Owner shall be obligated to re-vegetate the area of such temporary encroachment immediately following construction.

Driveways that extend from the building envelope to the street shall be constructed within a twenty (20) foot wide envelope unless excessive cuts or fills are required to maintain maximum allowed driveway slopes, in which cases the Owner may submit to the Committee, for consideration and approval, a request for a greater width. Fencing shall be placed along each side of the approved driveway envelope. If Site lines at the sidewalk or trail require additional width, the Owner will submit a sightline analysis along with a proposed design with the final submittal.

On some Sites' cuts and/or fill slopes from the road, construction may require grading, retaining walls or general landscaping to blend or transition the Site into the street scape. The Committee may allow or require that the Owner submit a plan that addresses this issue.

Areas outside the approved building envelope that have been disturbed by development infrastructure or that will be disturbed by the extension of utilities to the home (all such existing and future disturbances must be shown on the final design submittal) may be used as part of the construction Site logistics and must be re-vegetated. To use disturbed areas outside of the building envelope, the extent of the areas must be clearly identified on the final submittal along with corresponding remediation landscaping plans. All such uses must be approved by the Committee in advance.

****Required standards for Golden Eagle driveway crossings at storm water shoulder ditches are shown in Exhibit H

8.2 OSHA Compliance

Owners and Contractors are solely responsible for compliance with all applicable Occupational Safety and Health Act (OSHA) regulations.

8.3 Construction Site Plan and Construction Trailers

A construction Site plan must be prepared and approved by the Committee that shows construction access, street parking area, sanitary facilities, and an approved access drive for construction activities.

Portable field offices and construction trailers are discouraged. Any such proposed trailers must be located on the building Site within the limits of disturbance, clear of all setbacks. The type, size, and color of any portable office must be approved by the Committee as part of the construction Site plan. Due to the site constraints of Lots located in the Soaring Hawk neighborhood, construction trailers are prohibited there.

8.4 Trash Receptacles and Debris Removal

At the end of each day, all trash and debris shall be cleaned up and deposited in an approved trash container. The container must always remain on the Site for this purpose. The container must be positioned on the Site.

alongside the access drive, clear of side and rear setbacks, adjacent road right(s)-of-way, and neighboring

properties. Trash containers must be emptied on a timely basis to avoid overflow of refuse. Dumping, burying, or burning trash anywhere on the Site or in Hideout Canyon is strictly prohibited. Heavy debris items, such as stone, wood scrap, or other related items must be removed from the Site immediately upon completion of the work of each trade that has generated the waste material.

Concrete washouts in road rights-of-way are strictly prohibited. Trucks and mixers are to conduct their washouts within the limits of disturbance of the Site in a location where it will be concealed by the building structure or covered by backfill.

During construction, the Site shall be kept neat and shall be responsibly managed to assure it does not become an eyesore or detriment to other Sites or Open Space. Dirt and other debris resulting from construction activity on each Site shall be promptly removed from roads, Open Spaces, and other portions of Hideout Canyon. Any The clean-up costs incurred by the Committee enforcing these requirements shall be payable by the Owner.

8.5 Sanitary Facilities

Adequate sanitary facilities for construction workers must be provided by the Owner and/or Contractor. Portable toilets must be located within the limits of disturbance, clear of all setbacks and in a discreet location. The location of such facilities must be shown on the Construction Plan and approved by the Committee.

8.6 Construction and Material Delivery Access

The Committee may require a Contractor to use specified routes for material deliveries.

8.7 Vehicles and Parking Areas

All vehicles shall be parked within the limits of disturbance or as allowed by the City. All parking on roadways shall comply with City ordinance. Vehicles may not be parked on or in front of nearby homes, driveways, or Open Space. Vehicle maintenance is also prohibited on the Site. Vehicles parked on the street must be limited to one side of the street only, as designated by the Committee, to allow proper access for emergency vehicles.

The Owner of the Site under construction shall be responsible for revegetation of any native vegetation abutting the street that is damaged by any construction-related parking along the street. The Owner of the Site under construction is responsible for any debris along the street frontage.

All accesses off the paved surfaces must be treated such that no mud or dirt is tracked onto the road. All mud must be cleaned off tires before they contact sidewalks trails or paved roads.

8.8 Conservation of Native Landscape

Trees that are to be preserved must be marked and fenced. The Committee shall have the right to identify major terrain features or plants that are to be protected. Any other vegetation removed during construction must be promptly cleaned up and removed from the construction Site. If governmental law, code, or ordinance requires underbrush and/or deadfall to be removed outside of the building envelope, now or in the future, the Owner will submit to the Committee for approval the code requirement along with a plan for approval by the Committee.

8.9 Excavation Materials and Blasting

Should any blasting need to occur in conjunction with construction, the Committee must be notified by the Owner at least fifteen (15) days in advance and appropriate approvals must be obtained from the City prior to blasting. Blasting may only be done by licensed professionals, with all requisite insurance coverage as mandated by the City and state statutes specific to their blasting activity at Hideout Canyon. The Committee may require from the Owner written documentation, including a letter from the Architect or licensed engineer, describing the anticipated seismic effects, with confirmation that any such effects will not injure other persons or properties and that appropriate protection measures have been taken. The Committee may require additional insurance to cover potential damage from blasting to subdivision improvements and Common Areas.

It is the Owner's responsibility to remove excess material resulting from blasting, as well as all other excess excavation materials, from the Hideout Canyon development.

8.10 Dust and Noise Control

Owners and their respective Contractors shall be responsible for controlling dust and noise from the construction Site, including the removal of dirt and mud from roads that is the result of construction activity on the Site.

Radios or any other audio equipment used by construction personnel must not be audible beyond the property perimeter of the Site. The Contractor is responsible for controlling noise levels on Site.

8.11 Other Strictly Prohibited Items and Actions

- Careless disposition of cigarettes and other flammable materials, as well as the build-up of potentially flammable materials constituting a fire hazard, is strictly prohibited. A minimum of two (2) ten-pound ABC-Rated Dry Chemical Fire Extinguishers shall be always present and available on the construction Site.
- On-site fires are strictly prohibited.

8.12 Protection of Subdivision Improvements and Restoration of Property

Owners will be responsible for the protection of all subdivision improvements, roadways, Common Areas, or improvements of any other Lot or property which may be damaged by the activities of the Owner's Contractor, subcontractor, agent, employees, or other parties involved in the construction process.

Once construction is complete, the Owner and Contractor shall clean the Site and repair or replace all improvements, property, or other items which have been damaged by construction. Items of repair include, but are not limited to, restoring grades, planting shrubs and trees as approved or required by the Committee, and the repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting, and fencing.

Additionally, the Owner and Contractor shall be held financially responsible for Site restoration/re-vegetation and refuse removal necessitated on all adjacent properties because of trespass or negligence by their employees on sub-contracted agents.

8.13 Construction Signage

Construction signage will be limited to one (1) sign per Site and not exceed six (6) square feet of total surface area. This sign's purpose is intended for job Site identification only. It must be located within the building envelope and face the street frontage of the Site. The sign can identify the Contractor and Architect by name with address, license number, and telephone number and it may identify the job Site by Site number or Owner's name. The sign may not include logos or marketing related terminology such as "for sale," "available," or "offered by." The sign shall be free standing, not to exceed four (4) feet in height above natural grade. The design and location of the sign within the building envelope will be approved in advance of installation by the Committee.

The construction sign may not be erected on a Site earlier than one (1) week prior to the onset of continuing construction activity and must be removed within one (1) week of the issuance of a certificate of occupancy by City, or immediately upon the passage of thirty (30) calendar days without significant construction activity.

Signs for identifying individual subcontractors are prohibited. Should statute or ordinance require posting to identify licensed trade personnel, the posting shall be where the building permit is displayed.

Attachment of signs or similar material to trees is prohibited.

All signs must comply with the applicable City ordinance.

8.14 Daily Operation

Daily working hours for each construction Site shall be from 7:00 a.m. to 7:00 pm. Construction activity which generates noise audible from the boundaries of any Site, such as hammering, sawing, excavation work, concrete delivery, etc., must be confined to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 7:00 p.m. on Saturday. Noisy activity is prohibited on Sunday of each week, particularly during the summer period of high Owner/visitor occupancy.

8.15 Construction Insurance Requirements

Insurance shall be evidenced in the form of a valid Certificate of Insurance listing the Site Owner, the Developer, and the Association as additional insured. The required insurance must provide coverage not less than the applicable limits of coverage relating to comprehensive general liability and workers' compensation. The minimum limits of liability shall not be less than \$1,000,000 each for general liability. General liability coverage shall contain provisions for contractual liability and broad form property damage. The certificate shall provide for 30-day notice to the certificate holders in the event of cancellation or material change in the limits of coverage.

9.0 DESIGN REVIEW COMMITTEE

9.1 Members

The Committee shall be established and shall operate in accordance with the Master Declaration. Committee Members shall be appointed by the Board as vacancies arise. A current list of the Committee Members shall be maintained by the Association.

9.2 Address of Design Review Committee

The address of the Committee shall be the address established for giving notice to the Committee, unless otherwise specified by the Committee. Such address shall be the place for the electronic submittal of plans and specifications.

Committee contact information:

The Design Review Committee for the Community Preservation Association
C/O Sea to Ski Properties
P.O. Box 682182, Park City, UT 84068
435.940.1020
Email: thoenstine@seatoski.com

- An Owner may elect to use an electronic review process consisting of emails and or web-based tools for submitting applications and plans. An email will be sent back to the Owner with a term of use document that the Owner must sign and return to start the process (if the term of use document is not received within five (5) business days contact the Committee to verify the current email address).

9.3 Resignation of Members

Any Committee Member may, at any time, resign from the Committee upon written notice delivered to the Board.

9.4 Duties

It shall be the duty of the Committee to: (i) consider and act upon such proposals or plans related to construction and landscaping within Hideout Canyon that are submitted pursuant to the Design Guidelines. (ii) enforce the Design Guidelines; (iii) update and amend the Design Guidelines when and in a manner deemed appropriate by the Committee.

9.5 Meetings

The Committee shall meet from time to time as necessary to properly perform its duties. The vote of a majority of the members shall constitute an act by the Committee. The Committee shall keep on file all submittals and copies of all written responses to Owners to serve as record of all actions taken.

9.6 Compensation

Unless authorized by the Association, Committee Members shall not receive any compensation for services rendered. Committee Members shall be entitled to reimbursement for reasonable expenses incurred in connection with the performance of their duties. Professional consultants and representatives of the Committee retained for assistance in the review process shall be paid such compensation as may be agreed to between the consultant or representative and the Committee.

9.7 Enforcement

The Committee may inspect a Site or improvement at any time, and upon discovering a violation of the Design Guidelines, provide a written notice of non-compliance to the Owner, which shall include a reasonable time limit within which to correct the violation. A notice of violation may also be recorded by the Committee after the expirations of the time limit. If an Owner fails to comply within this time period, the Committee or the Association may pursue all enforcement remedies provided by the Association's Governing Documents and Utah law. The cost of any enforcement action may be deducted from the Performance Deposit. .

9.8 Severability

If any provision of the Design Review Guidelines, or any section, clause, sentence, phrase or word, or the application thereof in any circumstance, is held invalid, the validity of the remainder of the Design Review Guidelines, and of the application of any such provision, section, sentence, clause, phrase or word in any other circumstances, shall not be affected thereby, and the remainder of the Design Review Guidelines shall be constructed as if such invalid part were never included therein.

EXHIBIT A: APPROVED PLANT LIST

Evergreen Trees

- | | | |
|----|--------------------------|---|
| 1. | <i>*Abies lasiocarpa</i> | *Sub-Alpine Fir |
| 2. | <i>*Picea pungens</i> | *Colorado Spruce (extremely limited use with DRC approval only) |

Deciduous Trees

- | | | |
|-----|-------------------------------|------------------------|
| 1 . | <i>Acer grandidentatum</i> | Bigtooth Maple |
| 2 . | <i>Cercocarpus ledifolius</i> | Curl Leaf Mt. Mahogany |
| 3 . | <i>Populus fremontii</i> | Fremont Cottonwood |
| 4 . | <i>Populus tremuloides</i> | Quaking Aspen |
| 5 . | <i>Quercus gambelii</i> | Gambel/Scrub Oak |

Shrubs

- | | | |
|-------|----------------------------------|---------------------------|
| 1 . | <i>Amelanchier sp.</i> | Serviceberry |
| 2 . | <i>Artemisia nova</i> | Black Sage |
| 3 . | <i>Artemisia tridentata</i> | Big Sage |
| 4 . | <i>Atriplex canescens</i> | Fourwing Saltbrush |
| 5 . | <i>Cercocarpus intricatus</i> | Little-Leaf Mtn. Mahogany |
| 6 . | <i>Cornus sericea</i> | Red-Osier Dogwood |
| 7 . | <i>Chrysothamnus nauseosus</i> | Rubber Rabbitbrush |
| 8 . | <i>Potentilla fruticosa</i> | Shrubby Cinquefoil |
| 9 . | <i>Prunus virginiana</i> | Chokecherry |
| 1 0 . | <i>Purshia triculata</i> | Antelope Bitterbrush |
| 1 1 . | <i>Rhus glabra</i> | Dwarf Sumac |
| 1 2 . | <i>Ribes aureum</i> | Golden Current |
| 1 3 . | <i>Symphoricarpos oreophilus</i> | Mt. Snowberry |

Perennials

- | | | |
|-------|-------------------------------|----------------------|
| 1 . | <i>Aquilegia sp.</i> | Columbine |
| 2 . | <i>Balsamorhiza Sagittata</i> | Arrowleaf Balsamroot |
| 3 . | <i>Campanula rotundifolia</i> | Bluebells |
| 4 . | <i>Castilleja sp.</i> | Paintbrush |
| 5 . | <i>Delosperma sp.</i> | Ice Plant |
| 6 . | <i>Heuchera sp.</i> | Coral Bells |
| 7 . | <i>Lupinus argenteus</i> | Lupine |
| 8 . | <i>Oenothera sp.</i> | Primrose |
| 9 . | <i>Penstemon sp.</i> | Penstemon |
| 1 0 . | <i>Zinnia grandiflora</i> | Desert Zinnia |

EXHIBIT A: (cont.)

Grasses / Vines / Groundcovers

- | | | |
|----|-------------------------------|-----------------------|
| 1. | <i>Achnatherum hymenoides</i> | Indian Rice Grass |
| 2. | <i>Agropyron smithii</i> | Western Wheatgrass |
| 3. | <i>Bromus sp.</i> | Mountain Brome |
| 4. | <i>Festuca idahoensis</i> | Idaho Fescue |
| 5. | <i>Lolium perenne</i> | Perennial Ryegrass |
| 6. | <i>Mahonia sp.</i> | Creeping Oregon Grape |
| 7. | <i>Opuntia sp.</i> | Prickly Pear Cactus |
| 8. | <i>Pachistima canbyi</i> | Dwarf Mountain Lover |
| 9. | <i>Sorghastrum nutans</i> | Indian Grass |

Turf

*Drought tolerates fescue mix. Sod grass that requires manicuring, cutting and irrigation is not allowed.

*Not found on the Site

EXHIBIT B:

DESIGN REVIEW SUBMITTAL CHECKLIST

- Contractor Selection and Approval
- Architect Selection and Approval
- Optional Pre-Design Conference (Before any design begins)
 - A. Review guidelines
 - B. Answer questions related to process.
- Preliminary Design Submittal
 - A. Completed Application and submittal of the Design Review Fee
 - B. Signed Owner Declaration and Acknowledgement of Design Review Process Requirements
 - C. Site plan survey with topography
 - D. Floor plans
 - E. All exterior buildings elevations
 - F. Model (upon request)
 - G. Supplemental drawings requested in pre-design.
 - H. Design Review fee in verifiable funds and application along with the square footage
 - I. All other items required by the Design Guidelines
 - J. If an application is in the Design Review process and has not received final approval within one (1) year for the date of the original submittal, the application is considered expired and the applicant must resubmit plans to the Design Review Committee as a new submittal, including the Design Review Fee (unless otherwise extended by the Design Review Committee)."
- Final Plan Submittal
 - A. Contractor Selection and Approval
 - B. Complete construction documents
 - C. Time schedule for construction
 - D. \$1500.00 Non-Refundable Construction Fee
 - E. Sample of all exterior materials, colors, and glass specifications
 - F. Landscaping plan
 - G. Exterior lighting plan
 - H. Proof of bond (upon request)
 - I. Performance deposit
 - J. Construction Site plan
 - K. All other items required by the Design Guidelines
- City Building Permit
- Pre-Construction Conference
 - A. The contractor may, at the Committee's sole discretion, request to meet with a representative of the Committee prior to commencement of construction. The contractor must contact the Committee to request a Pre-Construction Conference.
 - B. Approval from the Committee must be obtained prior to bringing in any construction trailer, field office, etc. No construction trailers are allowed in Soaring Hawk.
 - C. Approval from the Committee must be obtained prior to bringing in any construction trailer, field office, etc. No construction trailers are allowed in Soaring Hawk.
- Certificate of Final Approval
 - A. Issued by the Design Review Committee upon completion of construction and all required inspection.

EXHIBIT C:
DESIGN REVIEW APPLICATION

Complete the Information Below

Site Information:

Lot # _____ Site Physical Address: _____

Owner Information:

Owner(s) Name(s): _____

Mailing Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

Architect/Contractor Information:

Architect: _____ Contractor: _____

Firm/Architect: _____ Contractor Firm: _____

Address: _____ Address: _____

City, State, Zip: _____ City, State, Zip: _____

Phone: _____ Phone: _____

Email: _____ Email: _____

Proposed Dwelling/Structure Information:

Enclosed livable area: _____ Square Feet

Enclosed total area: _____ Square Feet

Covered/Under Roof Total _____ Square Feet

Exterior Color(s): (name, number, manufacturer)

Attach all necessary drawings and information.

Applicant:

As Applicant, either as Owner or Owner's Agent, I have read and understand the Design Guidelines and the CC&R's concerning design and construction in Hideout Canyon. I also acknowledge that the Design Review Fee is non-refundable.

Applicant's Signature

Print Name

Date

****Note: All unpaid assessments and other charges assessed to the Owner must be paid in full at the time of Design Review submission. The Committee will not review plans until the Design Review Fee and all Association assessments and charges are paid in full. Contact the Association for proof of good standing. Submit proof of good standing with this application.**

EXHIBIT D:
Acknowledgement of Design Review Requirements

This Acknowledgement of Design Review Requirements (the "Acknowledgement") is made pursuant to the Amended and Restated Master Declaration of Covenants, Conditions, and Restrictions for the Community Preservation Association (the "Association") in Hideout, Utah (the "Master Declaration"). By signing below, you acknowledge the existence of the Declaration as well as the Hideout Canyon Design Guidelines, the Plats, and Rules and Regulations (together, the "Governing Documents"), and the requirements imposed by the Governing Documents on all construction and construction related activities in Hideout Canyon.

Thoserequirements include, but are in no way limited by, the following:

- 1) All construction and landscaping must conform to the Design Guidelines.
- 2) All construction, including any changes to previously approved plans, must be made pursuant to architectural drawings created by a licensed architect.
- 3) All landscaping must be created pursuant to an approved landscaping plan.
- 4) Any failure to abide by the Design Guidelines, undertaking or completion of construction out of compliance with approved plans, or undertaking or completion of landscaping out of compliance to approved plans, will subject you to enforcement action by the Association, which can include fines, cease and desist letters, the filing of a lawsuit, and all other enforcement provisions of the Governing Documents.

For a full list of requirements, please refer to the Governing Documents.

By signing below, you acknowledge you have read and fully understand the requirements of the Design Guidelines and will construct your home only according to the DRC approved plans. Any costs incurred to repair or restore unapproved revisions to approved plans, including DRC member time and attorney's fees, shall be borne by the Owner. You further acknowledge that a failure to follow the requirements of the Governing Documents with regard to your construction shall constitute irreparable harm to the Association and the other Owners within the Association, which cannot be adequately compensated by damages, and explicitly assent and agree that the Association or Committee may pursue injunctive relief, including temporary restraining orders, preliminary injunctions, and a permanent injunction, without security.

Owner Signature: _____

Print Name: _____

Lot Number: _____

Date: _____

EXHIBIT E

PERFORMANCE DEPOSIT AGREEMENT

In compliance with the rules adopted by the Community Preservation Association (the "Association"), the Lot owner (the "Owner") does hereby deposit with the Association's Design Review Committee (the "Committee") for the benefit of the Association the sum of \$20,000.00 (hereinafter referred to as the "Performance Deposit") and agrees to the following terms and conditions:

1. The Performance Deposit shall be held as security against any Damage caused by the acts and/or omissions of Owner and the Owner's Contractor (including their respective personnel, agents, subcontractors, and suppliers) in connection with the construction of improvements on the Owner's Lot.
2. Upon the occurrence of any such Damage, the Declarant or the DRC from time to time, and without prejudice to any other remedy, may use the Performance Deposit to, among other things, (a) repair and/or rectify the Damage, or (b) enforce the Guidelines, the Declaration, and any other rule or regulation thus violated and cure any defect or problem caused by said non-compliance. It is expressly understood that the use of any or all the Performance Deposit shall not be considered a measure of the Damage nor release the Owner from paying additional amounts if the total Damage exceeds the Deposit.
3. Following the use of all or any portion of the Performance Deposit, the Owner shall immediately pay to the Declarant an amount sufficient to replenish the Deposit to the sum initially deposited. Failure to replenish the Deposit within seven (7) days following the delivery of written demand shall be deemed a material breach of the Design Guidelines and the Master Declaration and shall entitle the Association to deny Contractor's access to the community (including any of Contractor's personnel, suppliers, subcontractors, employees, and material men), and (ii) record a notice of lien against the Owner's Lot in an amount equal to any deficiency.
4. Concurrent with the delivery of the Deposit, the Owner shall execute and deliver to the Declarant or the DRC a Notice of Voluntary Lien in the form attached hereto.
5. Neither the Developer, the Association, the Board, nor the Committee or any Committee Member shall be liable to any Owner or any other Person for any loss, damage, or injury arising out of the payment or non-payment of the Performance Deposit funds unless such loss, damage or injury is due to willful misconduct or bad faith.
6. Upon completion of the construction of the improvements on the Owner's Lot pursuant to and in accordance with the Declaration, the Guidelines, the approved plans and specifications, and delivery of the Certification to the Committee, and a final inspection by the Committee satisfactorily indicating that no Damage as set forth in paragraph 1 remains un-remedied and that all construction has been completed pursuant to the approved plans and specifications, including landscaping, the Deposit or any balance thereof shall be returned to the Owner.
7. No interest shall be payable on the Performance Deposit.
8. Should it be necessary to seek injunctive relief or any other legal remedy to enforce Owner to comply with the Design Guidelines or this Performance Deposit Agreement, Declarant shall be entitled to reasonable attorney's fees incurred therein.

Executed on this _____ day of _____, 202____

Owner: _____

Address: _____

EXHIBIT E: (cont.)

NOTICE OF VOLUNTARY LIEN

On _____, 202__, the undersigned, as Owner of Lot _____ of
Hideout Canyon (see legal description attached here to as Exhibit "1"), entered into that certain Performance
Deposit Agreement with Declarant /DRC (circle one), which provides, among other things, that in the event
of the failure of the undersigned to timely replenish the Deposit mandated in the Performance Deposit
Agreement, there shall be recorded this "Notice of Voluntary Lien" in respect of the real property more
particularly described on Exhibit "1" (the "Benefited Property").

The amount due and owing from the undersigned, as of the date of recordation hereof, is \$20,000.00.
(the "Unpaid Deposit"). The undersigned hereby covenant and agree that the Declarant and the DRC shall have
a voluntary, consensual lien upon the Benefited Property in the amount of the Unpaid Deposit, said lien to
continue until such time as Declarant or the DRC receives full payment of the Unpaid Deposit.

The undersigned herewith represents and warrants that, as of the date of execution hereof, the
undersigned own(s) fee simple title to the Benefited Property. This Notice of Voluntary Lien constitutes a
continuing lien upon the Benefited Property and shall continue in full force and effect until released by a
properly recorded instrument executed by Declarant or the DRC.

DATED this _____ day of _____, 202

"OWNER(S)" _____

EXHIBIT E: (cont.)

STATE OF UTAH)
) Ss

County of _____)

On this ____ day of ____, 202__, before me, the undersigned officer, personally appeared.

_____ and _____, known to me to be the person(s) whose name(s)

is (are) subscribed in the foregoing instrument and acknowledged that he/she/they executed the same for the purposes herein contained.

In witness hereof, I hereunto set my hand and official seal.

Notary Public

My Commission Expires:

EXHIBIT E: (cont.)

Exhibit “1”

[attach legal description of the Benefited Property]

EXHIBIT F:

PRE-CONSTRUCTION CONFERENCE CHECKLIST

Pre-Construction Conference Checklist:

- ☐ Review/inspect the approved submittal stamp or letter.
- ☐ Survey stakes
- ☐ Limits of disturbance fence
- ☐ Staging areas
- ☐ Import/ export plan
- ☐ Condition of sidewalks, curb and gutter (must be documented with photographs)
- ☐ General schedule
- ☐ Extension of utilities
- ☐ Required insurance certificates.

EXHIBIT G:

MOCK-UP REQUIREMENT (IF REQUESTED BY THE COMMITTEE)

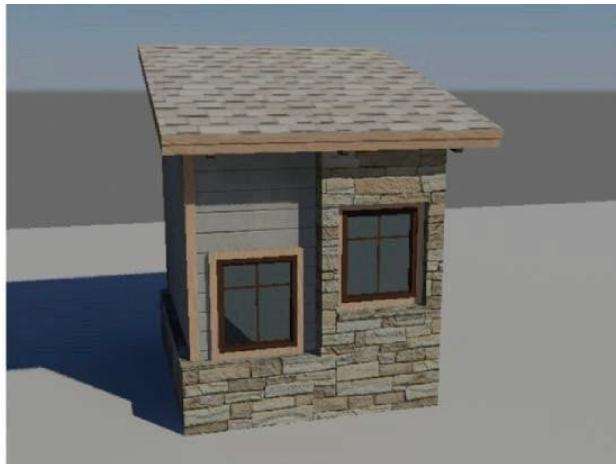
Construct a full-scale mock-up on site that shows all the following:

Size to be a minimum of six feet wide by six feet high.

- Stone material installed as per the Hideout Canyon Design Guidelines.
- All siding materials colored for approval.
- Window sample showing approved clad color and divided light pattern.
- All trim materials colored for approval to include, fascia, corner trim, window and door trim, etc.
- Flashing details.
- Roof and soffit material.
- Show details at all areas where material changes take place.
- Rafters, Purlins, Brackets and Material if different from other trim materials.

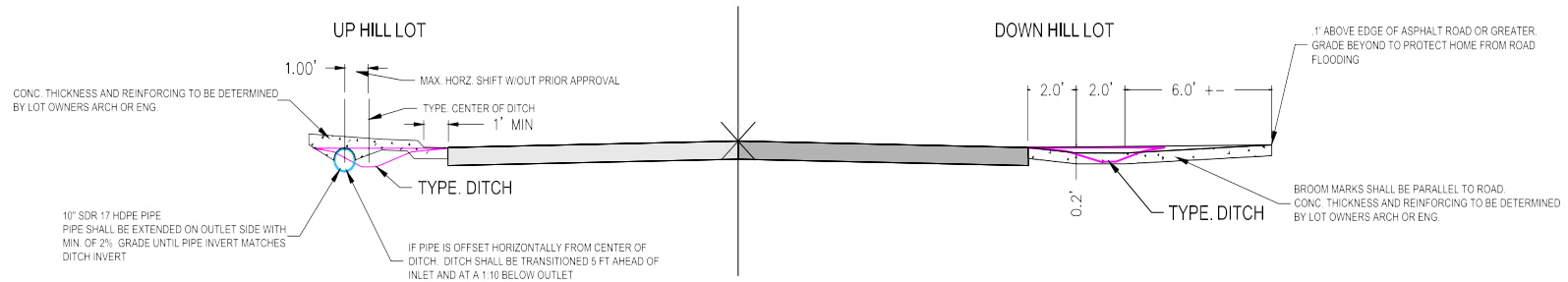
Note: Mock-up must be reviewed and approved by the Hideout Canyon Design Review Committee, prior to application of any exterior materials.

Please see example:

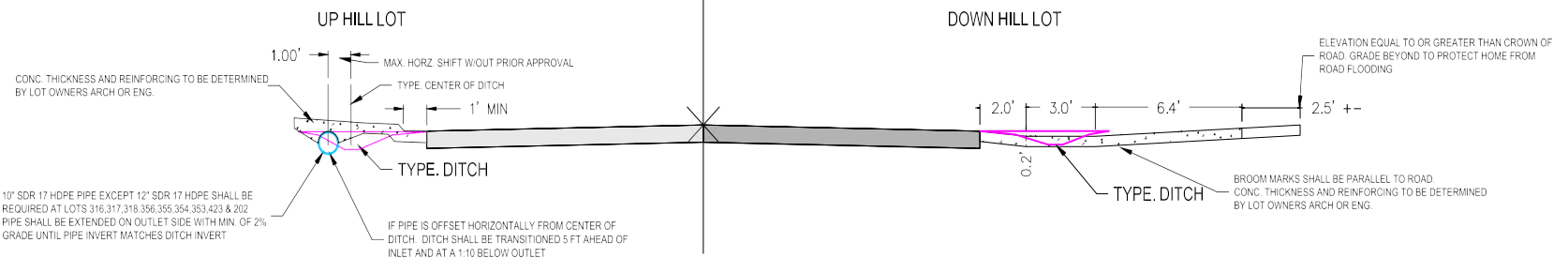


GOLDEN EAGLE & FOX HOLLOW DRIVE WAY CROSSINGS AT STORM WATER SHOULDER DITCHES

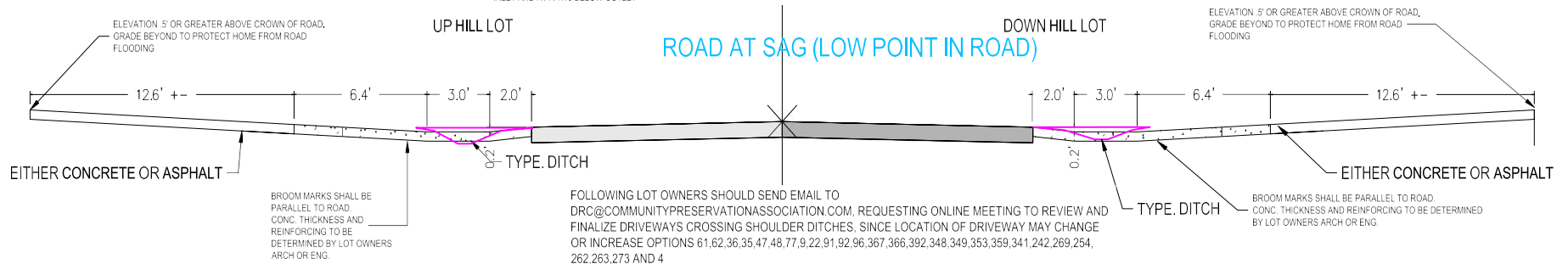
ROAD GRADE GREATER THAN 4%



ROAD GRADE GREATER THAN 2% LESS THAN 4%



ROAD AT SAG (LOW POINT IN ROAD)



GENERAL NOTES:

1. LOT OWNERS MAY SEND EMAIL TO DRC@COMMUNITYPRESERVATIONASSOCIATION.COM TO REQUEST REVIEW OF ALTERNATE SOLUTIONS (COST FOR REVIEW WILL BE PAID FOR BY LOT OWNER)
2. LOT OWNERS ARE RESPONSIBLE FOR PROTECTING THEIR HOME FROM ROAD FLOODING
3. LOT OWNERS ARE RESPONSIBLE FOR VEHICLE CLEARANCES
4. LOT OWNERS ARE RESPONSIBLE FOR COMPLYING WITH FIRE DEPARTMENT APPROVALS
5. TRANSITION DRIVE WATER WAYS WAYS AT UPHILL AND DOWN HILL SIDES INTO SHOULDER DITCHES TO ELIMINATE EROSION AND TO DIRECT FLOW FROM AND BACK INTO THE SHOULDER DITCHES

Standards for Golden Eagle Driveway

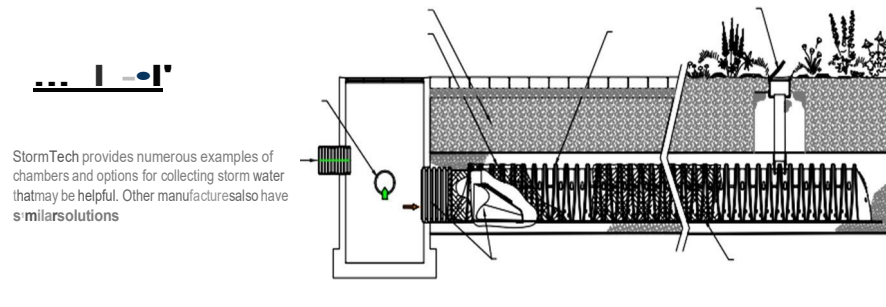
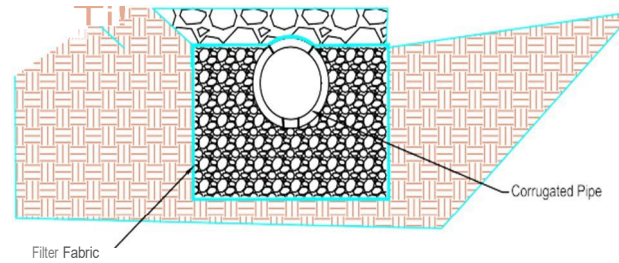
NOTES FOR GOLDEN EAGLE LOT OWNERS:

PRIOR TO SUBMITTING INITIAL BUILDING AND SITE PLANS TO THE DRC AS PART OF THE DRC REVIEW PROCESS:

- THE FOLLOWING LOT OWNERS SHOULD CONTACT THE DRC TO REVIEW AND FINALIZE DRIVEWAYS CROSSING SHOULDER DITCHES, SINCE LOCATION OF DRIVEWAY MAY CHANGE OR INCREASE OPTIONS:
61,62,36,35,47,48,77,9,22,91,92,96,367,366,392,348,349,353,359,341,242,269,254,262,263,273
- THE FOLLOWING LOT OWNERS SHOULD CONTACT THE DRC TO REVIEW AND FINALIZE DRIVEWAYS (12" SDR 17 HDPE MAY BE REQUIRED): 319,318,317,356,355,354,353,

GENERAL NOTES:

- LOT OWNERS MAY CONTACT THE DRC TO REVIEW POTENTIAL ALTERNATE SOLUTIONS (COST FOR DRC REVIEW WILL BE PAID FOR BY LOT OWNER)
- LOT OWNERS ARE RESPONSIBLE FOR PROTECTING THEIR HOME FROM ROAD FLOODING
- LOT OWNERS ARE RESPONSIBLE FOR VEHICLE CLEARANCES
- LOT OWNERS ARE RESPONSIBLE FOR COMPLYING WITH FIRE DEPARTMENT APPROVALS
- TRANSITION DRIVEWAYS AT UPHILL AND DOWN HILL SIDES INTO SHOULDER DITCHES TO ELIMINATE EROSION AND TO DIRECT FLOW FROM AND BACK INTO THE SHOULDER
- DITCHES

[illegible]

- Reusable HOPE frame with replaceable filter options
- Fast, easy installation and removal
- Designed for inlet side of pipe only

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Silt Savers has a Variety of Products that Could be Helpful. Other Manufactures have Similar Products.

1. The details on this sheet are intended to provide a few options for the Design Team to think about as they consider for cost effectiveness solutions.
2. DRC is only primarily interested in the following detailed information. All additional drawing details required by the contract are at the discretion of the Design Team.
- 2.1. Flowing Stormwater can flow over collection devices. Typically, sag conduits and water free falling vertically for at least a short distance is required to effectively collect water. Where grates are used they may be supplemented with short trench drains and perforated pipes. Also a combination on a storm chamber and gravel storage may provide greater collection characteristics. Details should be sufficient to show that flowing water will actually be diverted in the storage shall be provided.
- 2.2. It is important that a first stage volume be protected from silt buildup. Detail notes should indicate how water entering the storage will be protected from silt. Silt collectors will be installed below grates and filter fabric shall be used to protect storage volume from silt infiltration. Also a note indicating "ho", the owner will maintain the system will be included.
- 2.3. Discharge rates are controlled by relatively small orifices (drilled holes). A detail should be provided that shows how the orifice will be protected from clogging. The detail should include provisions for flushing out the discharge pipe and orifice.
- 2.4. Outflow from storage elements should be daylighted into rock apron that runs parallel to contour lines so that over flow spreads out prior to sheet piling.

