



DESIGN GUIDELINES



Design Guidelines

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1 - REVISIONING PROMONTORY

From its' inception, Promontory has focused on creating a premier community which blends the natural beauty of its mountain setting with excellence in architectural design. To reach this goal a combination of time proven fundamentals of design and the dynamics of new ideas and innovation is essential. As the Community has grown, and seen extraordinary success, these Design Guidelines have been broadened to expand the architectural horizon by continuing to evolve the Design Philosophy, and expand on the design character, as well as streamline and clarify the Review Process.

The evolved design philosophy presented in these revised Design Guidelines will integrate the concept of Elements of Composition as the primary test of a design. The Elements of Composition will allow for a broader expanse of design that will be reviewed not only on quantitative elements such as square footage, height and setbacks, but also on qualitative elements such as the use of shade, shadow, and artistic composition. Together the process will allow for more design freedom with a review process that allows the architect to present his work in a language that is more sympathetic to the Art of Architecture.

The document has been refined to make the process easier to understand for owners and designers through increased clarity and ease of use. Rather than a static document, it is now more accessible to users through its more interactive on-line presentation as well as increased clarity of processes and goals. Below is a brief synopsis:

1. The Design Guidelines section lays out the design requirements for all aspects of the home and site design and includes photographs and drawings to illustrate these goals.
2. The Design Review Procedures section lays out the specific requirements for design submittals and the process of the Design Review Committee in evaluating each submittal.
3. The Appendices have all the forms necessary to move through the entire process as well as supplemental information necessary to identify and clarify the Committee make-up, contact information, definition of terms, and other information which may be required or helpful in moving through the Design Review Process.
4. The Construction Guidelines have been extracted from the Design Guidelines and are now a separate document which is also available on-line or through a Committee Representative.



2 - THE DESIGN PHILOSOPHY and ELEMENTS OF COMPOSITION

For the Promontory Community to continue to achieve a level of architectural excellence appropriate to its mountain setting, the entirety of its architecture and its landscape must work together in harmony. Many interpretations of this character are both anticipated and encouraged in each of Promontory's building structures and throughout each of its neighborhoods. Architectural excellence and unique sophistication are expected in every Promontory design. A consistently unified respect for natural wildlife and for the historic ranch environment so distinct to Promontory's character and vision must be honored as well.

The overall Design Philosophy of Promontory is based more on the excellence of the overall Architectural Composition rather than a series of elements the design can and cannot portray. Even though there are design elements that the design needs to adhere to, the design will be reviewed first on its overall Elements of Composition. The Elements of Composition are those elements which make a design truly excellent. The following 13 Elements of Composition should be evident in each design at Promontory.

Elements of Composition

- 1. Site Integration:** Each Home within Promontory should be properly integrated into the setting. This includes proper siting within the setbacks and building envelop, topographic integration in established floor elevations that respond to the grade, adequate integration of drainage to respond to the existing natural and proposed future flows, and sensitive exterior material finish selection.
- 2. Scale:** All Homes within Promontory must be appropriately scaled relative to the size of the Lot and the vertical massing relative to the site context. In general, the scale for each Home shall be as small as possible.
- 3. Proportion:** Each design element of the Home has an inherent proportional relationship to the other, and to the entire structure. This includes, but is not limited to: windows, doors, fascia details, columns or posts, entry areas, exterior walls, site walls and so on. The goal is for every Home to be well composed and designed with all design elements appearing in proportion to each other and to the whole composition.
- 4. Rhythm:** Rhythm refers to the regular or harmonious recurrence of overall forms, window or door openings, roof or fascia lines, structural support elements, or other shapes, colors, or materials. Architecture should exhibit a semblance of rhythm, including sequence by size, shape or pattern, or even random by proximity or similarity of forms.

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- 5. Balance:** Balance in architectural design is measured by the overall composition of visual forms, the exterior material placement and integration, the proportion of window area to wall mass and the composition of the building masses.
 - 6. Color:** The use of color as a complement to the design and the overall context is extremely important. Homes designed with consideration for color application from the start can use more interesting and sophisticated compositions than designs that apply color at the end of the design process. Promontory seeks to support the use of color beyond the simplified applications, to create a diversity of color use that adds character to individual Homes and to the entire Community while all keeping with the historic palette of colors traditionally used on buildings throughout the Wasatch Range and the Park City area,
 - 7. Texture:** The bright Utah sun reflects a greater amount of light off smooth surfaces, so a rich and varied palette of textures is desired to minimize the reflectivity of walls and roofs. Dramatic or bold texturing must be controlled, as it can be equally disruptive to the visual environment. A random subtle texturing is preferred to a visually distracting repetitive pattern created by unintended texture.
 - 8. Shade/Shadow:** A vital component of design is the use of depth in architectural design and detailing to compensate for the high mountain sun. Without attention to this element of design, a Home may be incompatible with the mountain context. A transitional space or architectural features such as a large roof overhang, or trellis from the outside to the inside, is a necessary component augmenting the visual appeal and livability of the Home. Also, depth in each window or door opening adds value to the perceived quality of the Home.
 - 9. Material Integration:** The Design Guidelines stipulate specific criteria regarding the allowable type and placement of exterior materials. The purpose of this element as part of Design Integrity is to ensure that in addition to providing the correct type and amount, artfulness in overall composition is also achieved. The combination of textures shall be complementary rather than competing. Colors shall be compatible, and their placement must enhance the other elements of Design Integrity such as balance, appropriateness or visual strength.

- 10. Integrity/Visual Strength:** The overall integrity of a design is measured in its visual strength or in how well all the components look and feel when assembled together. A well-composed Home that has excelled in all design elements listed here will have great visual strength.
- 11. Appropriateness:** The degree of diversity of individual design expression will be measured against the stated goals for the overall character of the various neighborhoods within Promontory. Some individual designs may be deemed inappropriate or incompatible with the goals for Promontory and are not necessarily a reflection of the quality of the design. Appropriateness also applies to all other elements listed here with regard to the components being compatible in scale, material, color selection, and so on.
- 12. Artistic Endeavor:** This element recognizes that the criteria presented in these guidelines are not intended to inhibit the overall artistic quality of a design submission. A design submission may be exempted from particular criteria if the design successfully incorporates all other elements contained herein. The exception must not cause an undue negative impact to another individual property or the Community as a whole.
- 13. Sustainable Design:** Any Home built at Promontory should reflect in its architectural composition sustainable design. Many tools are available to designer to achieve sustainable design and the simplest ones should be utilized first. More complex or highly visible technology should be considered last, but when utilized must be artfully integrated.



3 - HOMESITE DESIGN AND PLANNING GUIDELINES

The climate, terrain, and existing vegetation at Promontory are all important factors to be considered in the designing of any improvements to properties within the Community. The following guidelines are intended to ensure environmentally sound and aesthetically pleasing development at Promontory, which will mutually benefit all Promontory members.

3.1 The Building Envelope Concept

The building envelope concept is a major component of the philosophy behind designing and planning improvements on each individual Homesite. The building envelope is the portion of each Homesite within which all improvements; including, but not limited to any and all building projections, structures, decks, walks, landscaping improvements, grading, fencing, and all mechanical equipment, must be located, as this envelope is the only area of the Homesite where alterations or disturbance to the natural landscape (other than the supplemental planting of native vegetation which has been specifically approved by the Committee) may occur. The specific building envelope for each Homesite, as indicated on the building envelope exhibit that is given to each Owner at the time of Lot purchase from the Promontory Developer, is designed to protect and preserve the natural landscape features of the Homesite and preserve views from adjacent Homesites. Limited encroachment outside of the prescribed building envelope may only be considered for approval by the Committee where unique terrain, vegetation constraints, and/or limited Homesite width may warrant such encroachment. Under any of these limited circumstances, such encroachment will still be subject to applicable setback requirements. The Committee may, in its sole discretion, allow reconfiguration of the building envelope.

3.2 Homesite Work

No excessive excavation or fill will be permitted on a Homesite unless the Committee has specifically approved such excavation or fill because of terrain considerations. Ordinarily, the amount of cut and fill must be balanced with the minimal use of retaining walls and engineered building pads.

The clear cutting of vegetation within any building envelope will not be permitted; however, some selective pruning and/or the removal of trees and shrubs is necessary for developing any Homesite. Keep in mind that any cutting of trees or vegetation must be pre-approved by the Committee. If an Owner removes vegetation without Committee approval, such Owner shall be responsible for paying to promptly restore all vegetation removed with materials of like kind and size and shall be subject to a minimum \$2,500.00 penalty fine.

The Committee will closely monitor the design of Homesite improvements around existing vegetation, to ensure that all root systems remain intact and that the water supply to all vegetation is appropriately maintained.

3.3 Grading and Drainage

All grading and drainage work on a Homesite must comply with the approved master grading and drainage plans for Promontory. All Homesite grading and drainage work can only disrupt the Homesite minimally, as the work must not alter natural runoff drainage patterns or create any conditions that could lead to unnecessary soil erosion. In specific cases, the Committee may allow a portion of a drainage way to be re-routed within the Homesite's building envelope, but this allowance should not be assumed in all cases. The Committee may deny moving a drainage way for many reasons, which may include but are not limited to the following: the movement possibly causing a loss of vegetation, however minimal; the movement becoming an eyesore, or the movement causing civil engineering complications. As well, any drainage easements defined on a Recorded Plat may not be relocated without appropriate County approval(s).

Sound construction and grading practices must be used to implement Homesite surface drainage. Any improvement that creates an obstruction to surface flows and/or causes storm water to back up onto a neighboring land tract or Homesite is strictly prohibited.

All ground floor levels on a Homesite should occur at a vertical elevation that allows for the final placement of backfill, walkways, driveways, and porches to produce positive drainage which moves away from the structure in all directions, while such backfill remains within the building envelope (as such envelope is described in Section 3.1 of the Design Guidelines) on the Homesite always. On hillside Homesites, the Committee recommends including foundation waterproofing and a perforated pipe foundation drainage system along the uphill and side hill foundation walls.

For sloping Homesites with a natural grade elevation variation greater than three (3) feet across the footprint of the proposed structure, the Committee requires residential design solutions to incorporate slope considerations, so the structure will step upward or downward with the natural slope. On sloped Homesites, the Committee will not approve any artificial terracing that creates an engineered pad suited to accommodate a "flat" Homesite Design.

When cut/fill operations are required, the slopes must have at least a four to one (4:1) ratio to allow for natural revegetation. If cut and fill slopes are at all steeper than the four to one (4:1) ratio, the Committee will require a pre-approved retaining wall to be built on the slopes.

During the construction phase, all Builder(s) shall take appropriate measures to eliminate erosion. Section 1.9 of Construction Regulations outlines the specific in-the-field grading and drainage requirements which all Owners shall be responsible for ensuring their Builders complete to accomplish effective erosion elimination, and Section 1.9 also explains when those requirements must be met.

3.4 Access Drives

Driveway surfaces are the only improvement allowed outside the building envelope, except for underground utilities servicing the Homesite; thus, driveway designs are carefully analyzed and regulated by the Committee. Each Homesite may be accessed by a single or a shared driveway as detailed below. Circular drives are generally not allowed unless they enter and exit the building envelope at a single point. Access drives shall always be located so they preserve and avoid disturbing important natural features, such as large or significant plant materials, drainage ways, and/or rock outcroppings; and such drives shall always minimize disruption of the existing landscape as well.

The Wildland Fire Program, which is included as Exhibit L of the Development Agreement, mandates the following as related to driveways in Promontory (Driveways exceeding the maximum limits must be approved by the Fire Department.):

“The maximum grade of any driveway may not exceed 10 percent. However, 12 percent grades may be allowed for a maximum of 250 lineal feet. Driveways exceeding these parameters shall be heated. The minimum width of any driveway shall be 12 feet. All driveways over 150 feet whether or not locked by a gate shall include an approved turn-around for emergency vehicles where the driveway meets the building pad and every 400 feet for long driveways. The minimum unobstructed vertical clearance shall be 13 feet 6 inches. unobstructed vertical clearance for any and all driveways shall be 13 feet six (6) inches.”

As well, the graded/paved surface of a single access driveway shall not exceed 14 feet in width where it crosses the road right-of-way, nor shall the driveway exceed this 14-foot width anywhere between its crossing the front setback of the Homesite and its connecting to the street pavement. Shared driveways may be up to 18 feet in paved width in these same areas.

The Committee will closely evaluate every driveway in relation to its applicable building envelope, to all applicable rights-of-way, and to the applicable overall Homesite Design. Driveways and garage

apron areas need to be certain that back up conditions realistically work for large vehicles to avoid driveway conditions that prove unworkable once the owner occupies that house and would need to be later modified.



The Committee must also approve the proposed driving surface of every driveway at Promontory. Driveways are encouraged to be made of colored and exposed aggregate concrete, pavers, decorative concrete systems such as Bomanite, or other pattern/texture methods. No uncolored concrete is permitted. Asphalt is allowed as a driveway material; however, the Committee, in its sole discretion, may require any asphalt drive to have an attractive, finished edge made of concrete, pavers, or another material acceptable to the Committee.



Where necessary, the Owner shall be responsible for installing a concrete or metal culvert pipe (with a diameter of 18 inches or greater) beneath each access driveway—between the road shoulder and the property line—unless otherwise approved by the Committee. In some cases, an 18-inch pipe may be too large to install because of Homesite conditions. If this is the case, the Committee will

consider allowing the following alternative: Instead, the invert flowline of the pipe shall be aligned and sloped so that ditch/drainage way storm flows will continue smoothly and unimpeded beneath the driveway crossing. The exposed ends of the pipe shall be aesthetically finished with stone headwalls, which must be made of a Committee-specified stone type and which must be laid according to the Promontory standard. A construction design detailing the headwall must be supplied to the Committee for pre-approval prior to installation.

3.5 On-Site Parking

Each Homesite must have an area within the building envelope that accommodates parking for two (2) guest automobiles (by providing each a parking space that is at least 9 by 18 square feet).



Owners possessing buses, non-conventional or oversized trucks, motor homes, campers, boats, trailers, motorcycles, or any other motorized vehicle other than a conventional automobile, shall store or park these vehicles within an enclosed garage, so they are completely hidden from view. Any outside parking of motor homes, buses, or any other large recreational or non-conventional vehicles is prohibited at all times within Promontory, even when loading and unloading.

As a rule, no on-street parking will be permitted at Promontory. Upon written request by the owner of a Lot, the Conservancy may, in its sole discretion and on a case-by-case basis, pre-approve temporary, non-construction related parking and/or on-street parking by guests (i.e. landscaping maintenance, party guests, etc.). Parking for all construction vehicles must be contained on the Homesite where construction is occurring (Refer to Construction Regulations Section 1.7 for further clarification regarding temporary, overflow construction parking). Parking on the street may be ticketed by the

Conservancy and may warrant a fine in the amount the Conservancy, in its sole discretion, deems appropriate. Any such ticket and/or fine will become a lien upon the Lot which the person(s) responsible for the inappropriately parked vehicle are visiting.

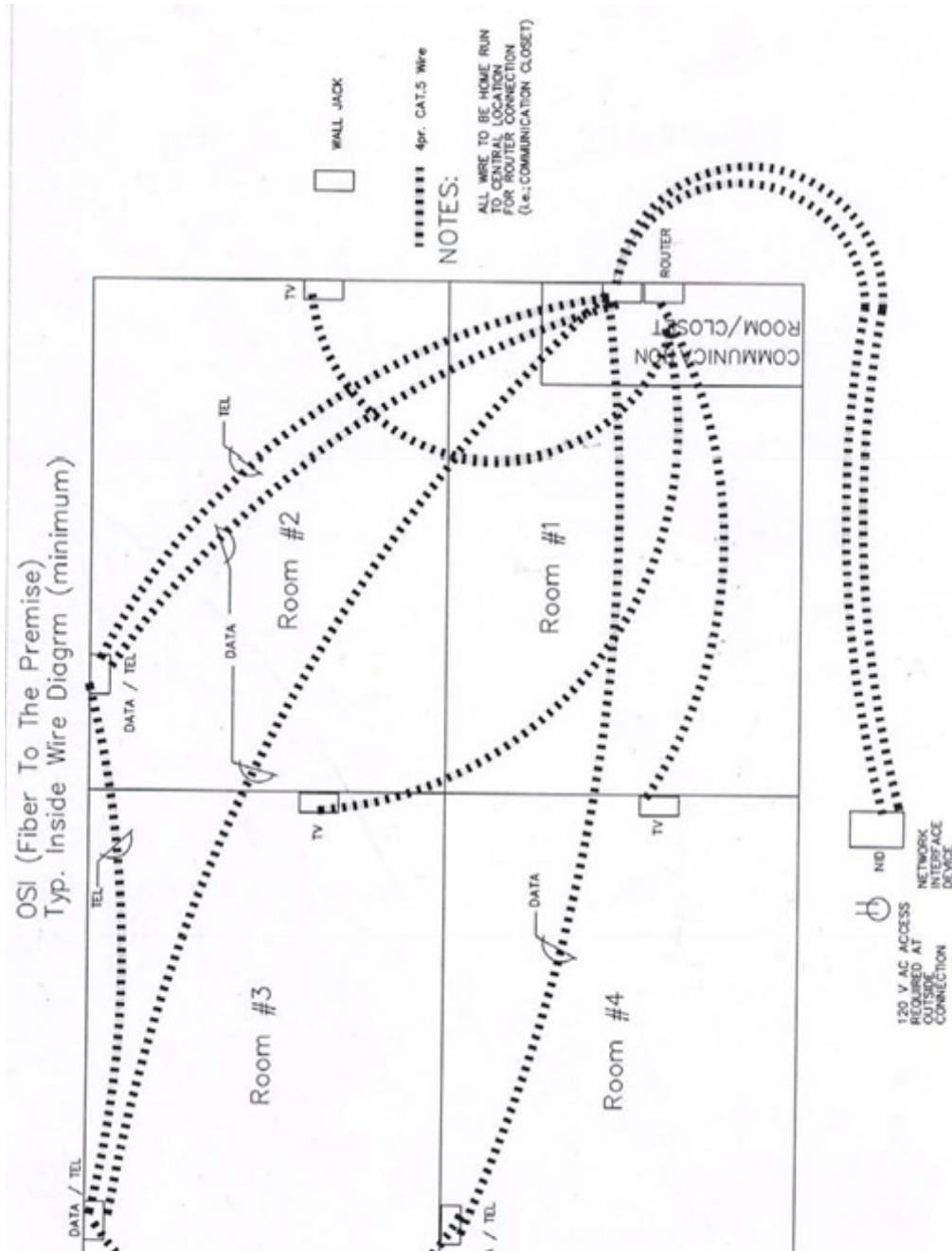
3.6 Utilities

Utility service lines (e.g., water, sewer, gas, electricity telephone and cable) are located in the street right of way or an easement adjacent to the front property line of each Homesite. Each Owner is responsible for extending all utility services from their location adjacent to their homesite to the residence and for making sure this extension is routed, so as to minimize disruption to the natural landscape. Utility trenches may never encroach into any required setback, except where they initially travel from the service tap into the building envelope and must cross the natural area of the Homesite in order to do so. In most cases, this utility access to the building envelope should be located where the driveway enters the property. All utility water readouts shall be located on an exterior building wall or another easily accessible location specified by the Committee so that they provide for seeable reading. All utility boxes should, however, be appropriately buffered and screened (i.e. painted to match the wall surface on which they are mounted and screened with a wall to match adjacent building materials, or surrounded by appropriate screening landscaping as pre- approved by the Committee), so as to prevent direct view from the street, from adjacent Lots, from Open Space(s), and from Common Area(s).



All disturbed areas of the Homesite must be restored as closely as possible to their natural condition. Information regarding utility connection procedures may be obtained by contacting the respective utility companies directly. Owners may contact the Promontory Sales Staff and/or the Promontory Conservancy for utility companies' current contact information.

Each Owner intending to connect his home to technology utility services (including telephone, cable television, telecommunication services, security mechanisms, and/or any other systems for sending/receiving data and other electronic signals) must do so through Promontory's telecommunications carrier, All West Communications, Inc. These Owners must meet or exceed the Promontory Developer's minimum residential wiring system standards, which standards are illustrated below:



The placement of all utility boxes and equipment shall be pre-approved by the Committee. Refer to Section 3.9.

3.7 Walls and Fencing

Walls and fencing are strongly discouraged except for privacy for terraces or dog runs. A homesite that demonstrates a need for walls and/or fences must design them so they are a visual extension of the residence by using similar materials and finishes. In no case will Homesite walls or fences be permitted to arbitrarily delineate the building envelope, although such walls or fences may be used to define pet runs, small yards, courtyards, or terraces that are near the residence for privacy purposes. These privacy or screen walls must not exceed 6 feet in height when measured from existing natural grade; and again, they may not encroach outside the building envelope. Fencing material must be made of wood, metal or stone matching that used on the residence.



Ornamental iron is only allowed to be directly above the retaining wall, and only if it is specifically approved by the Committee. Any fence or wall which is chain link, plain metal, plain concrete block (unless it is veneered with stone), or wire (multiple strand or cyclone) is prohibited, except where such is expressly permitted in the Promontory Ranches.

Retaining walls may not exceed an above-grade height of six (6) feet, when measuring from the lowest grade point (regardless of whether the grade is natural or finished). Where the overall height of retained earth exceeds 6 feet itself, multiple terraced retaining walls must be used. In these multiple terraced walls, each tier must be separated by a six (6) foot planting area. As well, these tiered retaining walls cannot exceed 12 feet above the lowest grade point (regardless of whether the grade is natural or finished). All retaining walls must jog in plane for a depth of at least four (4) feet for every 20 feet they extend in the horizontal direction. No retaining wall can ever exceed a maximum length of 80 feet.

Retaining walls may be constructed of natural boulders, gabion, cast concrete, or of concrete masonry units; however, all the walls' exposed surfaces and edges must be made of stone or stone veneer that will unobtrusively blend in with the natural surroundings. In some cases, Corten steel or equal, veneered or heavy timber wood retaining wall systems may be approved. Certain types of textured concrete block may be allowed if the same block is used on the home as well. However, keystone and/or pre-manufactured retaining wall systems will not be approved.



3.8 Outdoor Storage

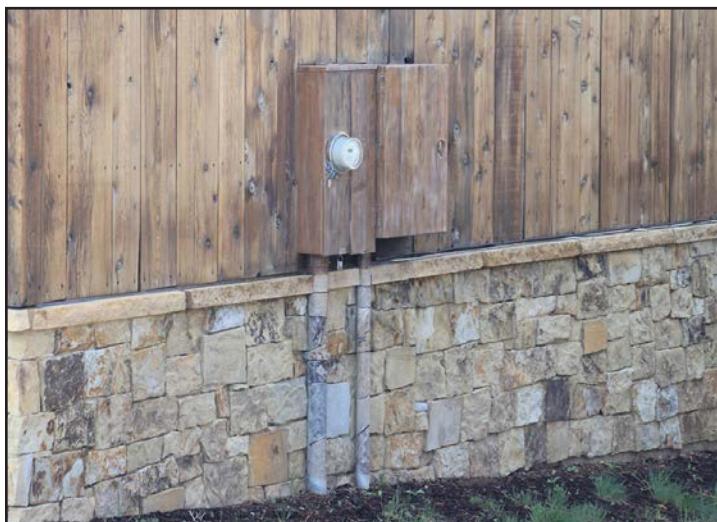
Any outdoor areas which house trash containers, firewood, maintenance/service equipment (i.e. snow blowers, etc.), or overflow home storage must be screened from all adjacent properties by either a wall or a fence. However, firewood alone may be kept in an unscreened, inconspicuous location if it is neatly stacked and if the only covering used for it is a clear plastic sheet.

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

No roof mounting or wall mounting of mechanical equipment will be permitted. Any exterior mechanical equipment utilized must be mounted to the ground adjacent to the residence and must be hidden from view by walls (or a combination of walls and evergreen landscaping that is acceptable to the Committee, in its sole discretion) that are high enough to fully screen such equipment. All parts of the equipment and the enclosure must be contained within the building envelope. This equipment should be situated with the intent of minimizing noise intrusion to any adjacent Homesite(s) and/or those Homesites' outdoor living spaces.

All electrical meters, gas meters, and irrigation meters must be screened from the street, the golf course(s), and all adjacent Homesites with a wall (or a combination of wall and evergreen landscaping that is acceptable to the Committee, in its sole discretion) which is high enough to do so. Every Owner shall be responsible for seeing that he/she and/or his/her Builder contacts the electric company for requirements concerning the placement of such screen walls and any related landscaping that has been pre-approved by the Committee. Non-evergreen landscaping will not be sufficient to satisfy this screening requirement. As well, evergreen landscaping will only be permitted to screen the equipment when it is used along with walls and when it has been specifically pre-approved by the Committee. Screening with proper walls is preferred at Promontory, and such wall screening shall always be required, except in specific cases where the Committee deems evergreen landscaping more appropriate.

The placement of all utility boxes and equipment (attached to a wall or ground mounted) shall be pre-approved by the Committee during Design Review (as part of the landscaping plan submittal, if such equipment is ground mounted) and in the Pre-Construction Conference (Chapter 1 of the Design Review Procedures and Architectural Review Committee Organization) which takes place prior to the construction of any improvements on the Homesite. Such utility equipment shall not be installed by any Owner or Builder until the Committee has approved its specific location on the Homesite, its pedestal mounting (where that is applicable), and any and all landscape buffering required to conceal it from the views of neighboring Homesites, Common Areas, Open Spaces, and roadways.



3.10 Storage Tanks

All fuel tanks, water tanks, or similar storage facilities must be either completely shielded from view by walls (or similar structures) or installed underground. Since natural gas is provided to all lots no fuel storage tanks should be necessary.

3.11 Antennae and Satellite Dishes

No satellite dishes or television/radio aerials or antennas may be installed if they are not fully screened from any roadway, adjacent Homesite(s), golf course(s), Open Space(s), or Common Area(s) or painted to match the adjacent home surfaces. Umbrella coverings over satellite dishes are strictly prohibited, as screen walls must be used to block them from view.

No circular satellite dish may be installed that is larger than 18 inches in diameter, and no oval-shaped satellite dish may be installed that is larger than 20 inches in diameter; unless the Committee specifically pre- approves otherwise. Antennae may only be mounted in locations on homes which are specifically pre- approved by the Committee and all antennae must be painted to match the exterior surface of the home. Unless otherwise approved by the Committee (i.e. in locations where ground mounting is unfeasible or where ground mounting would be more unattractive than building mounting), satellite dishes must be pre- approved by the Committee in size and placement and must be mounted to the ground. All satellite dishes must either be ground-mounted and screened from adjacent Homesites, Common Area(s), Open Space(s), and/or roadway views or must be mounted on the residence in such a location, and be painted so as to minimize visibility from adjacent Homesites, Common Area(s), Open Space(s), and/or roadways.

Removal of trees to improve reception is prohibited. Any and all walls used for screening any satellite dish must be an integral component of the Homesite Design, and such walls must be pre-approved by the Committee. In some cases, a satellite dish may not be approved because of factors such as its proposed location on the Homesite and/or the visual consequences caused by such location (e.g. disruption of the overall street scene or creation of an eyesore to adjacent Homesites, golf course(s), Common Area(s), Open Space(s), roadways, etc.).

3.12 Signage and Address Identification

All Promontory addresses will be identified according to a standard scheme. All Owners shall be responsible for installing, at the individual Owner's expense, one (1) standard Promontory address identification sign, containing address numbers only, which is visible from the street. Additional

illustrations, graphics, logos, street names, owner names, and/or other images are not allowed. Details about the standard to be used for such address identification for every residence (i.e. numeral type, color, and placement on the Homesite) are as follows:

1. The numbers shall be made of high cast metal and contrast with the background, shall be subject to Fire Department approval, and shall be three (3) to four (4) inches in size.
2. The numbers shall be flush mounted directly to the wall, by using threaded studs set in adhesive between the wall and the letters.
3. In lieu of address numbers being attached to the home, a landscape address boulder may be allowed, if pre-approved by the Committee. The boulder shall be native in appearance, be located within the building envelope for the lot, and (at its smallest dimension) be as wide and deep as it is tall, to avoid a “tombstone” -like appearance. The boulder must also be cushioned into and made integral with the grade and landscape on which it sits and shall include adjacent landscaping to soften its appearance (size, type, and location to be approved by the Committee). The address numbers, if not clearly etched into the boulder, shall comply with the above requirements. The committee will review requests for address boulders based on the context of the neighborhood so that the boulders do not appear unnatural. If too many lots have similar boulder conditions not every lot will be allowed to have one.

The Owner shall be responsible for indicating compliance with the above Committee specifications before Final Approval on his/her Homesite Design will be granted, and such Owner shall install the approved address identification prior to the Committee granting Final Release on a Homesite. No additional signage of any kind will be permitted, except for the temporary construction sign provided by each Builder and/or directional signs provided by the Developer. Real estate sale and/or lease signs are prohibited. Installation of any kind of driveway markers is prohibited as well.



3.13 Lighting

The Developer may employ a low level, uniform street lighting scheme for safety purposes (except where a higher level of lighting is required for public safety in the judgment of the County Engineer). For the purpose of maintaining a dark sky, no additional lighting (with the exception of soft halo lighting on street addresses identification where such lighting is specifically pre-approved by the Committee) may be installed by the Owner anywhere which is outside of the building envelope or adjacent to the street right-of-way.

Additional site lighting is permitted within a building envelope, provided such lighting does not result in any kind of excessive glare toward the street, toward neighboring properties, or toward the viewshed from U.S.-40 and/or I-80. All exterior lighting sources must have a low level, subdued intensity; must be fully shielded; must be facing downward; and must be pre-approved by the Committee.

All external light fixtures must have frosted or heavily seeded glass, so that the light source (i.e. the bulb) is not visible at all. Security lighting must also be shielded in the same way and may only be installed if it is connected to a timed motion detector. No wall wash type of lighting is ever permitted at Promontory.

3.14 Swimming Pools, Spas, and/or Hot Tubs

If any swimming pools, spas, or hot tubs exist on the Homesite, they must be designed so they appear as a visual extension of the residence (by using walls or decks), and they must be shielded from view. All pools and spas must be constructed according to County regulations. As well, if the hot tub is above-ground, it must be completely buffered, either by being recessed or concealed from view by walls that are an integral part of the Homesite Design. All pool/spa-related equipment (i.e. pumps, motors, and heaters) must be fully screened from street views and from adjacent Homesite, golf course, roadway, Open Space, and/or Common Area view(s). Any installation of a pool, spa, and/or related equipment is subject to pre-approval by the Committee and shall be undertaken in strict compliance with all conditions established by the Committee.

3.15 Tennis, Sport Courts, and Basketball Goals

Due to the extensive area required for tennis or other hard-surfaced sport courts, such courts will not be permitted. Wall-mounted or free-standing basketball goals may be allowed adjacent to patios and/or driveways, but they must be pre-approved by the Committee.

On every freestanding basketball goal, support posts must be painted so they blend unobtrusively into the surrounding visual background, and the backboard must be clear. Portable basketball hoops must always be stored inside the garage when they are not being used.

3.16 Play Structures

On a case-by-case basis, play structures, trampolines, swing sets, slides, or other such devices may be allowed if they are proposed to and pre-approved by the Committee, in its sole discretion. Such structure(s) must be placed within a fenced section of the rear yard and must not exceed a height of 8 feet. The Committee will only approve the structure(s) if they are constructed and finished with materials which complement their design in type and color and if such structure(s) follow the intent of the Guidelines. Generally, materials such as timber or darkly colored, powder-coated steel will be approved for the structure(s) if such structure(s) are in an inconspicuous portion of the building envelope; are largely screened from adjacent street, Open Space, and neighboring Homesite views; and are compatible with the overall Homesite Design. Plastic and/or brightly colored/finished materials will generally not be approved for such structure(s).

3.17 Approved Plant List

The Committee has approved a list of plants and trees deemed to be inherently compatible with Promontory's natural landscape, including both indigenous and non-indigenous species. Landscaping of all Promontory areas is expressly limited to these enumerated species. When grasses are used, they must be a type which is enumerated in the Approved Plant List as well, and they may not become a dominant component of the landscape. Any grassy area(s) must be shaped in some organic manner, rather than simply being rectangular or square- shaped; must be shielded from any roadway, Common Area(s), Open Space(s) and/or neighboring Homesite views to the extent possible; and must be edged with natural wild grasses so they blend naturally back into the native surroundings. In other words, the edges of these areas must be naturalized, and they shall not transition directly into the native landscape.

COMMON NAME	BOTANICAL NAME
EVERGREEN TREES	
Rocky Mountain Juniper	<i>Juniperus scopulorum</i>
Colorado Spruce	<i>Picea pungens</i>

COMMON NAME	BOTANICAL NAME
DECIDUOUS TREES	
Rocky Mountain Maple	<i>Acer glabrum</i>
Boxelder	<i>Acer negundo</i>
Thinleaf Alder	<i>Alnus tenuifolia</i>
Shadblow Serviceberry	<i>Amelanchier canadensis</i>
Common Hackberry	<i>Celtis occidentalis</i>
Beechleaf Mountain Mahogany	<i>Cercocarpus montanus</i>
Desert Willow	<i>Chilopsis linearis</i>
Narrowleaf Cottonwood	<i>Populus angustifolia</i>
Aspen	<i>Populus tremuloides</i>
Chokecherry	<i>Prunus virginiana melanocarpa</i>
Gambel Oak	<i>Quercus gambeli</i>
Smooth Sumac	<i>Rhus glabra</i>
Staghorn Sumac	<i>Rhus typhina</i>
Rose Locust	<i>Robinia neomexicana</i>
EVERGREEN SHRUBS	
Greenleaf Manzanita	<i>Arctostaphylos patula</i>
Emerald Green Manzanita	<i>Arctostaphylos santii</i>
Running Serviceberry	<i>Amelanchier stolonifera</i>
Curleaf Mountain Mahogany	<i>Cercocarpus ledifolius</i>
Silverberry	<i>Eleagnus commutata</i>
Mormon Tea	<i>Ehnedra viridis</i>
Red Yucca	<i>Hesperaloe parviflora</i>
Common Juniper	<i>Juniperus communis</i>
Utah Juniper	<i>Juniperus osteosperma</i>
Rocky Mountain Juniper	<i>Juniperus scopulorum</i>
DECIDUOUS SHRUBS	
Alder	<i>Alnus incana</i>
Saskatoon Serviceberry	<i>Amelanchier alnifolia</i>
Utah Serviceberry	<i>Amelanchier utahensis</i>
False Indigo	<i>Amorpha fruticosa</i>
Big Sagebrush	<i>Artemisia tridentata</i>
Mountain Big Sage	<i>Artemisia tridentata vaseyana</i>
Wyoming Big Sage	<i>Artemisia tridentata wyomingensis</i>
Martin Ceanothus	<i>Ceanothus martinii</i>
Tobacco Brush	<i>Ceanothus veluntinus</i>

COMMON NAME	BOTANICAL NAME
DECIDUOUS SHRUBS (Continued)	
Rubber Rabbitbrush	<i>Chrysothamnus nauseosus</i>
Douglas Rabbitbrush	<i>Chrysothamnus viscidifloris</i>
Red Osier Dogwood	<i>Cornus sericea "Baileyi"</i>
Western Hazlenut	<i>Corylus cornuta californica</i>
Cliffrose	<i>Cowania mixicana stansburiana</i>
Winterfat	<i>Eurotia lanata</i>
Rock Spirea	<i>Holodiscus domosus</i>
Shrubby Cinquefoil	<i>Potentilla fruticosa</i>
Alpine Currant	<i>Ribes alpinum</i>
Mountain Mahogany	<i>Cercocarpus montanus</i>
Woods Rose	<i>Rosa woodssii</i>
Blue Elderberry	<i>Sambucus caerulea</i>
Elderberry	<i>Sambucus canadensis</i>
Buffaloberry	<i>Shepherdia argentea</i>
Mountain Snowberry/Coralberry	<i>Symphoricarpos oreophilus</i>
PERENNIALS	
Hollyhock	<i>Alcea rosea "Chater's Double"</i>
Filigree Daisy	<i>Anthemis marschalliana</i>
Rocky Mountain Columbine	<i>Aquilegia caerulea</i>
Western Columbine	<i>Aquilegia formosa</i>
Prickly Poppy	<i>Argemone munita</i>
Poppy Mallow, Wine Cups	<i>Callirhoe involucrata</i>
Native Bluebells	<i>Campanula rotundifolia</i>
Bachelor Button	<i>Centaurea dealbata "Rosea"</i>
Keys of Heaven, Red Valerian	<i>Centranthus ruber</i>
Chicory	<i>Cichorium intybus</i>
Western Virgins Bower	<i>Clematis ligusticifolia</i>
Trailing Daisy	<i>Erigeron flagellaris</i>
Sulphur Flower	<i>Eriogonum umbellatum</i>
Stork's Bill	<i>Erodium circutaruim</i>
California Poppy	<i>Eschscholzia californica</i>
Blue Fescue	<i>Festuca ovina glauca</i>
Blanket Flower	<i>Gaillardia aristata</i>
Burgundy Blanket Flower	<i>Gaillardia grandiflora</i>
Dwarf Blanket Flower	<i>Gaillardia grandiflora "Goblin"</i>
Chilean Evens, Prairie Smoke	<i>Geum triflorum</i>

COMMON NAME	BOTANICAL NAME
PERENNIALS (Continued)	
Curlycup Gumweed	<i>Grindelia squarosa</i>
Snakeweed	<i>Gutierrezia serothae</i>
Common Sunflower	<i>Helianthus annuus</i>
Hairy Goldenaster	<i>Heterotheca villosa</i>
New Mexico Hops	<i>Humulus lupulus neomexicanus</i>
Yellow Flax	<i>Linum flavum compacta</i>
Blue Flax	<i>Linum lewisii</i>
Blackfoot Daisy	<i>Melampodium leucanthum</i>
Beebalm, Horsemint	<i>Fistulosa</i>
Mexican Evening Primrose	<i>Oenotheria berlandieri</i>
Penstemon	<i>Penstemon barbatus</i>
Firecracker Penstemon	<i>Penstemon eatonii</i>
Pine Leaf Penstemon	<i>Penstemon pinifolius</i>
Rocky Mountain Penstemon	<i>Penstemon strictus</i>
Rock Goldenrod	<i>Petradoria pumila</i>
Mexican Hat	<i>Ratibida columnifera</i>
Wooly Mullein	<i>Verbascum bombyciferum "Arctic Summer"</i>
Common Mullein	<i>Verbascum thapsus</i>
GROUND COVERS	
Kinnikinnick	<i>Arctostaphylos uve-ursi</i>
Creeping Oregon Grape	<i>Mahonia repens</i>
Dwarf Mountain Lover	<i>Pachistima canbyi</i>
Mountain Lover	<i>Pachistima myrsinites</i>
GRASSES	
Western Wheatgrass	<i>Agropyron smithii "Arriba"</i>
Western Wheatgrass	<i>Agropyron smithii rosanna</i>
Mountain Brome	<i>Bromus marginatus</i>
Mountain Brome	<i>Bromus Carinatus</i>
Mutton Bluegrass	<i>Poa fendleriana</i>
Idaho Fescue	<i>Festuca idahoensis</i>
Sheep Fescue	<i>Festuca ovina</i>
Creeping Red Fescue	<i>Festuca rubra</i>
Perennial Ryegrass	<i>Lolium perenne</i>

3.18 Prohibited Plants

Unless a plant is approved by the Committee and specifically listed in the Approved Plant List, such plant is prohibited. Requests by Owners to add plants they feel are worthy of consideration to this Approved Plant List may be made to the Committee. But again, it will be the ultimate decision of the Committee, in its sole discretion, to choose to honor such request. Any plant which is not specifically listed in the Approved Plant List shall be prohibited on Promontory Homesites, except on a case- by-case basis, where the Committee has pre-approved such plant as part of the Landscape Plan which was submitted for the Homesite.

3.19 Homesite Restrictions

Except for compounds which result from the combined development of two (2) or more Homesites, no more than one (1) residence may be constructed on any Homesite. Other outbuildings (i.e. detached garages) may be constructed, but only if they are a visual extension of the main residence. Such “complexes” are always subject to Committee pre-approval.

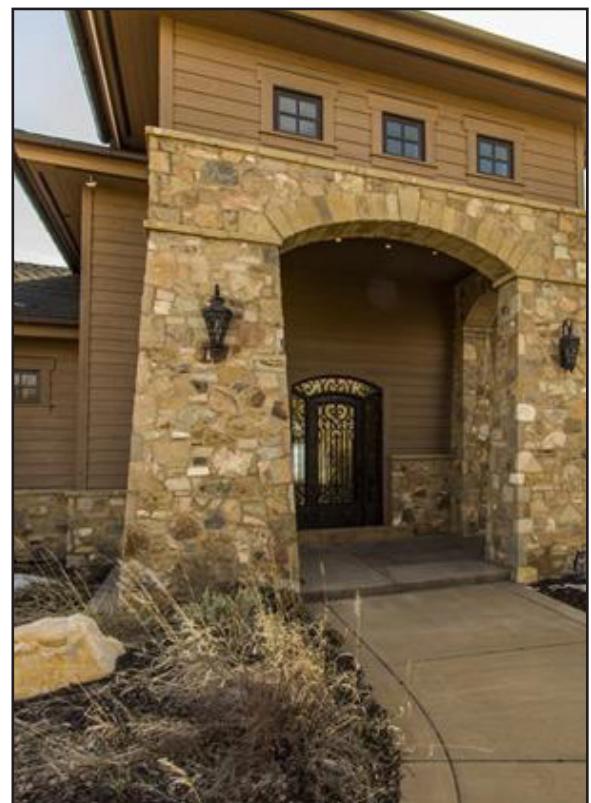
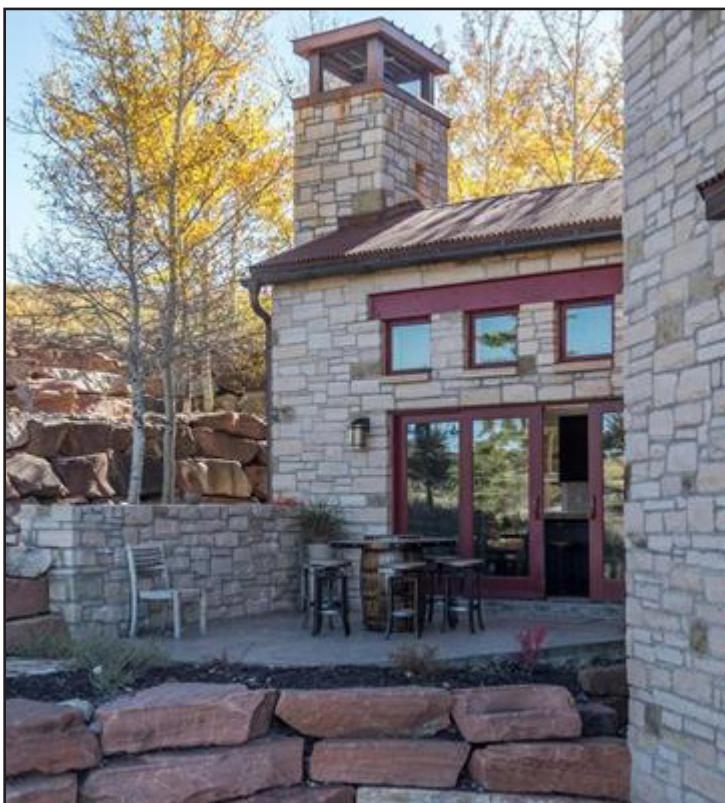
3.20 Fire Prevention Thinning

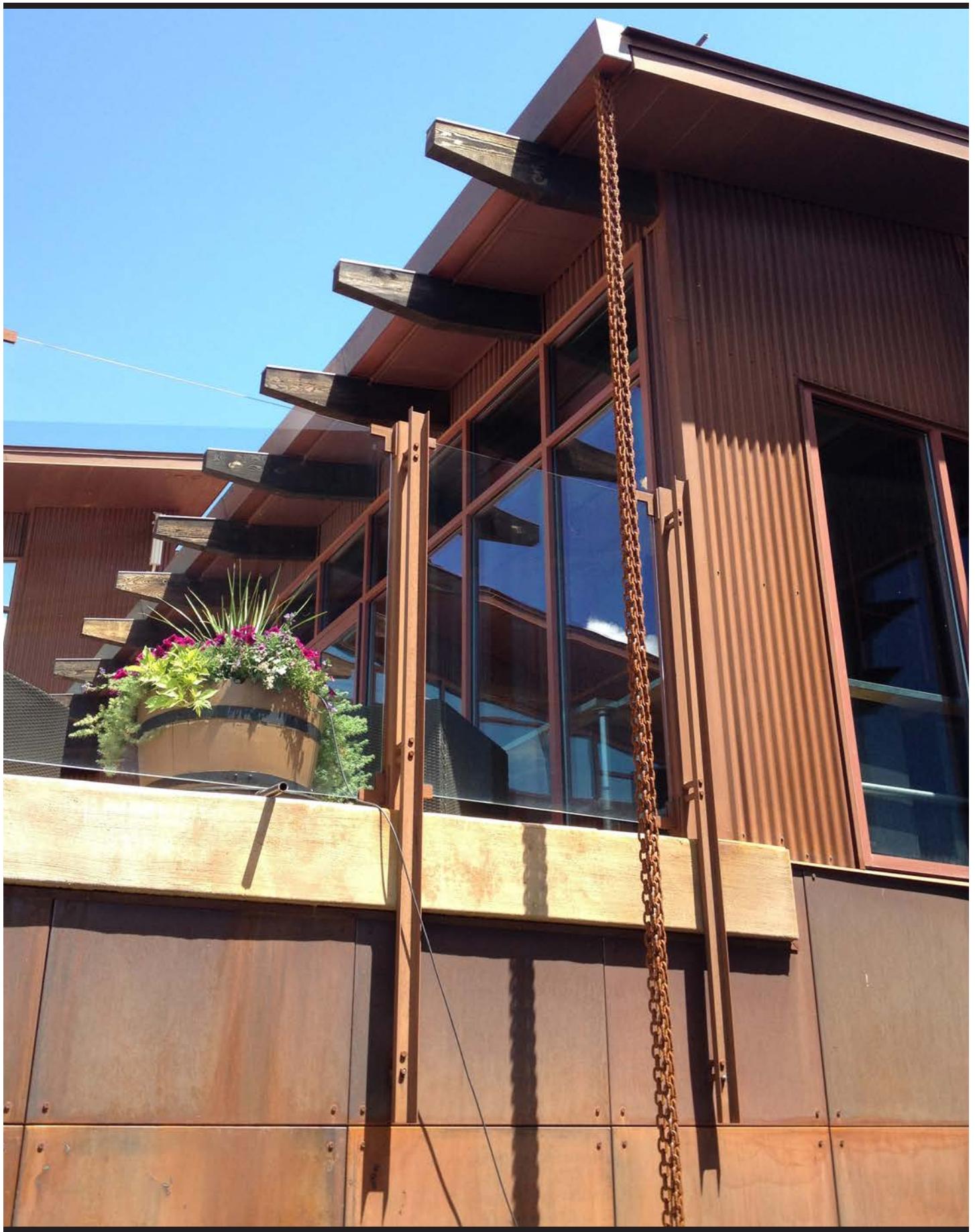
The Transitional Area of the Homesite is defined as the area (either inside or outside of the building envelope) where fire prevention thinning is required by the Wildland Fire Program for Promontory or where other applicable fire prevention regulations may occur. Removing native vegetation down to raw earth for the purpose of fire prevention thinning is not allowed at Promontory, except where otherwise required by the Fire Department. When native vegetation is removed within the Transitional Area, it must always be replaced with such landscape material as is listed in Section 3.17.

3.21 Fire Department Restrictions

Please note that the Fire Department and the County require homes to use noncombustible exterior material for a height of at least four (4) feet anywhere the home touches natural and/or finished grade, except where the material is immediately above a hard-surfaced patio and/or driveway. This requirement does not mean only the base 4 feet of the home can be the same noncombustible material. The material must be integrated vertically into the design so as to not give the appearance that house has been ‘dipped in to a material’.







4 - ARCHITECTURAL DESIGN STANDARDS

The following architectural design standards are meant to reinforce and help define the concepts described within the Elements of Compositions in addition to complying with certain requirements of the County.

4.1 Building Size

The goal of all Owners, Architects, and Builders who are designing and constructing homes within Promontory should be to create the highest quality homes within the smallest possible volume, without depriving Owners of a legitimate need for space. The natural land forms which are currently dominant at Promontory should remain that way. The existing quiet mountain repose and natural harmony so unique to Promontory can only be maintained if all constructed homes, improvements, and landscaping remains subservient to and naturally blends into existing landforms and landscape.

Under this philosophy, Promontory imposes a maximum home size to ensure that a proper balance of Open Space and native land always remains within the Community. The County's zoning requirements have designated (as noted on the applicable Recorded Subdivision Plats) certain Lots within Promontory as Estate (Base Density) Lots which require custom homes to have a minimum building size of 3,500 square feet of Enclosed Livable Space. If not designated as such, then custom residences in Promontory shall have a minimum of 2,500 square feet of Enclosed Livable Space, unless otherwise indicated on the applicable Recorded Subdivision Plat. Within the villages of West View and on other Plats where indicated, certain lots which are less than one (1) acre in size will be designated as Incentive Density Lots and will be subject to a lower maximum size limits (for example 4,000 square feet of Enclosed Livable Space in West View) with the exception that Incentive Density Lots within Wapiti Canyon, West Hills & Deer Crossing will be subject to a maximum size limit of 8,000 square feet of Enclosed Livable Space. Other Subdivision Plats may indicate some or all Incentive Density Lots as having maximum and minimum Enclosed Livable Space limitations which are greater than 4,000 square feet and 2,500 square feet, respectively (i.e. 8,000 maximum and 3,500 minimums, etc.) All residences on Estate (Base Density) Lots and on Incentive Density Lots of one (1) acre or larger in size have a maximum size limitation of 8,000 square feet of Enclosed Livable Space.

All Owners shall be responsible for adhering to all square footage limitations required by these Guidelines and all applicable Governing Documents, and/or the applicable Recorded Plat.

Should an Owner wish to build a home that exceeds 8,000 square feet on an Estate (Base Density) Lot or on an Incentive Density Lot which is at least one (1) acre in size, such Owner may only do so by purchasing an adjacent Estate (Base Density) Lot or an adjacent Incentive Density Lot which is at least one (1) acre in size and combining both Homesites into one. If this occurs, the proposed consolidated building envelope shall be established by Committee, and shall be subject to approval by the

Committee, the Board, and the County (where County approval is applicable). In cases where the new proposed building envelope crosses the Recorded Lot line between the two (2) Lots, additional approvals from the County may be required. For every added Estate (Base Density) Lot and for every added Incentive Density Lot which is at least one (1) acre in size, 4,000 square feet may be added to the 8,000-square foot maximum size for the total Enclosed Livable Space of the home.

Thus, by purchasing two (2) adjacent Lots which are each designated as either an Estate (Base Density) Lot or as an Incentive Density Lot that is at least one (1) acre in size, an Owner could build one (1) home on the two (2) adjacent Lots which has a maximum limit of 12,000 square feet of Enclosed Livable Space. If an Owner purchases two (2) adjacent Lots, with one (1) of the Lots being subject to a maximum limit of 4,000 square feet of Enclosed Livable Space and one (1) of the Lots being subject to a maximum limit of 8,000 square feet of Enclosed Livable Space, such Owner could follow the same process to combine the Homesites and therefore build one (1) home on the two (2) adjacent Lots which has a maximum limit of 10,000 square feet of Enclosed Livable Space. In the same light, if an Owner purchases two (2) adjacent Lots which, according to their Recorded Plat, are each subject to a 4,000-square foot maximum of Enclosed Livable Space; this new consolidated building envelope would allow such Owner to build one (1) residence on the two (2) adjacent Lots, which residence has a maximum size limit of 6,000 square feet of Enclosed Livable Space.

While separate “guest houses” are not permitted on Homesites at Promontory under the Community’s zoning requirements, the Committee may require and/or allow a particular Owner who submits plans for a large residence to reduce the consolidated massing of his/her proposed home by separating the home into two (2) or more building structures which are joined together by an architectural element. For example, a separate garage mass, which is attached to the main building mass by a covered walkway, could incorporate a separate living area above it. Similarly, a main residence mass could be connected by a covered walkway to a ground-level guest suite.

Most importantly though, every Owner intending to build a home at Promontory shall be responsible for correctly completing the Design Review process and for properly submitting the complete proposal for his/her Homesite Design to the Committee for all required reviews and approvals. In this spirit, Design Review ensures that Homesites within Promontory always maintain an unmatched level of architectural expertise, as well as ensuring that they adhere to both County and Community standards and requirements.

4.2 Prefabricated Buildings

Buildings which are constructed off-site (either in whole or partial assembly) and so require transportation as such to a Homesite will not be permitted at Promontory. These buildings may include but are not limited to the following: mobile homes, stock modular buildings, and any other structure requiring transportation and set up in a partially completed state. Structures assembled off-site and then completely disassembled for transportation (i.e. log-system homes) may be permitted. Any and all such structures are subject to the Committee's architectural and aesthetic review and prior approval.

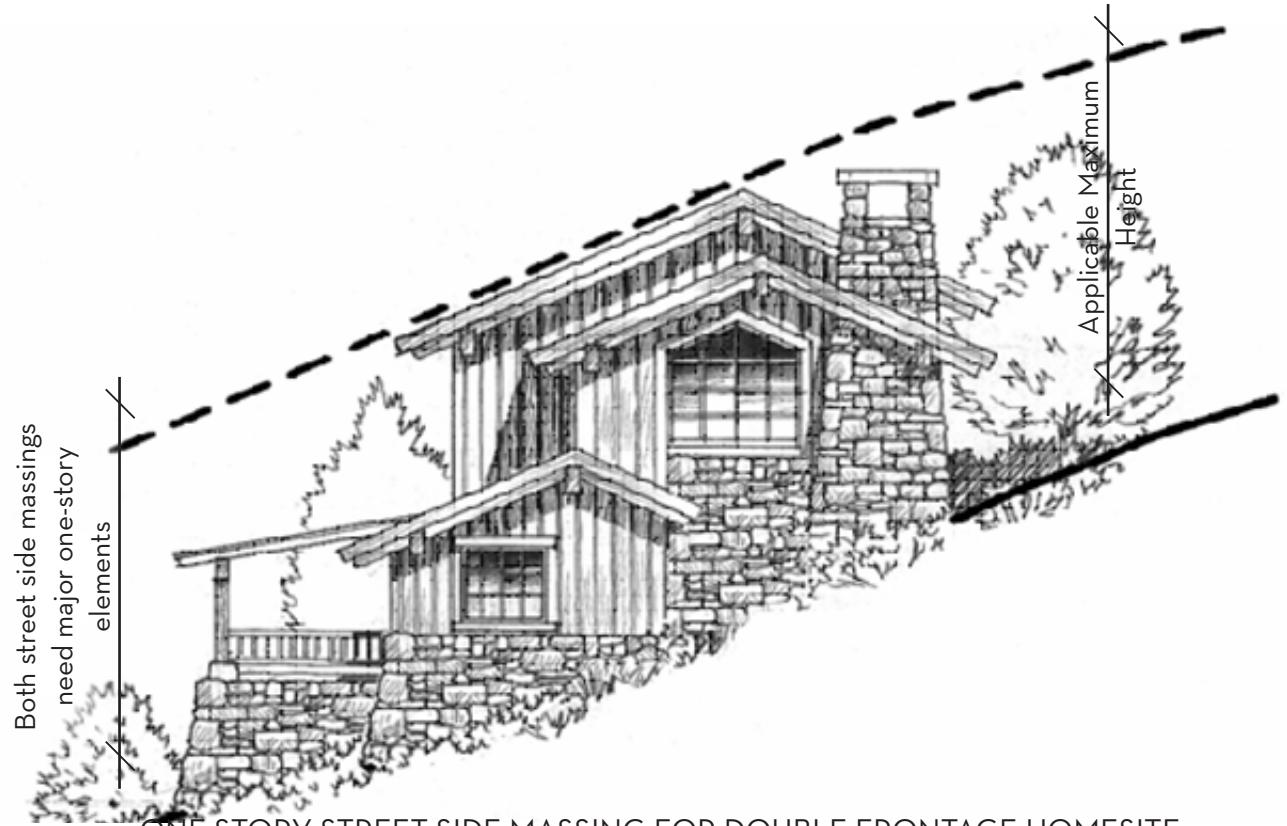
4.3 Height and Massing of Structures

Promontory's building height restrictions are set to comply with County ordinances, the Development Agreement, the Governing Documents, and these Guidelines. These building height restrictions are not meant to protect any view from any lot. Their primary purpose is to create and maintain the overall development appearance of the Promontory Community. For this purpose, Homesites within a designated Retention and/or a Ridgeline Area may have stricter height and/or massing requirements (which are fully explained in this section) because a large range of views from U.S.-40 and/or I-80 concentrate mainly on these Homesites.

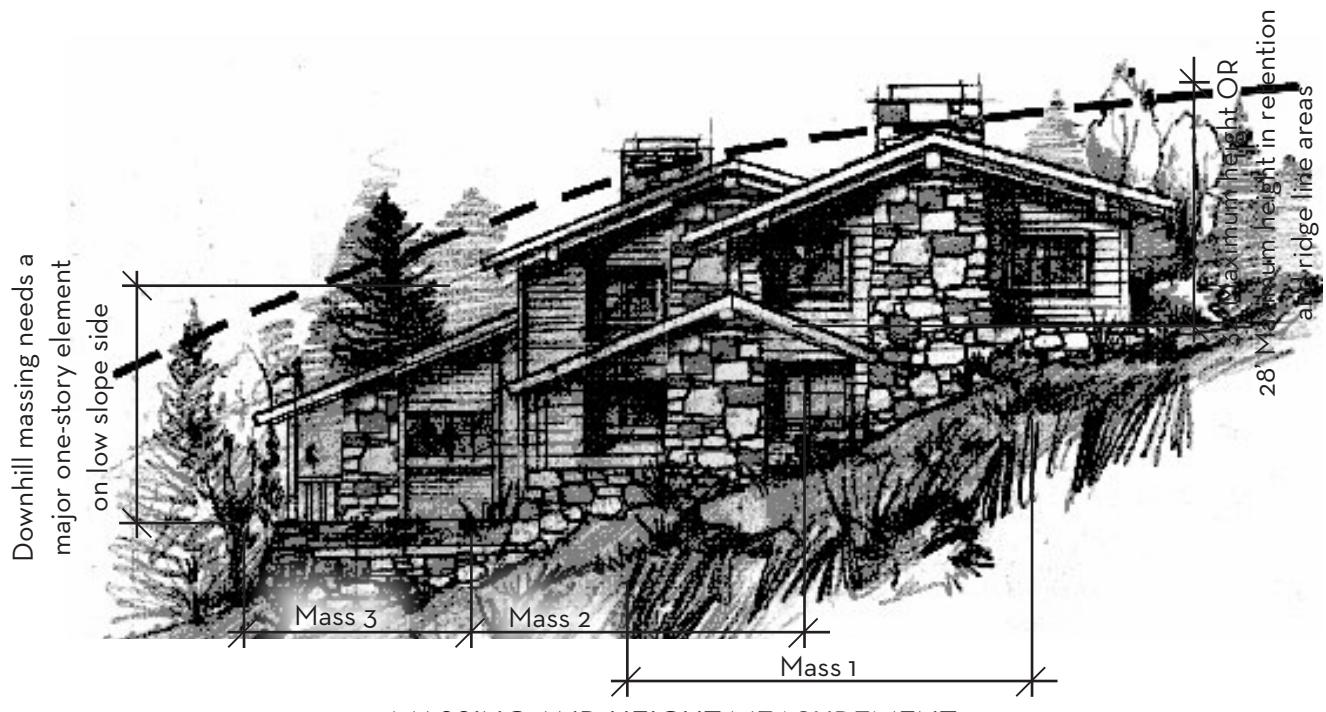
Promontory homes cannot exceed a true vertical height of 32 feet, except in Retention or Ridgeline Areas where the maximum is 28 feet or whatever height may be achieved without breaking the ridgeline when viewed from the designated locations on U.S.-40 and I-80, whichever is less. This maximum height limit is applied to the highest point on the structure, excepting chimney elements, when that point is measured from the original natural grade directly below it.

The Guidelines intend for roof forms on sloping Homesites to step down with the grade, so that these homes integrate with, rather than disrupt, the natural landscape. However, the Committee may allow some Homesites to exceed the height requirement if, for example, the average slope across the Homesite exceeds 15 percent, and if the part of the home that exceeds the maximum height is a limited, unobtrusive, ridge projection which sits at the downslope terminus. The Committee will make this allowance on a case-by-case basis after it has carefully considered factors such as the slope of the Homesite and the overall Homesite Design; however, all allowances such as this are subject to County approval.

SLOPING AND SINGLE-STORY MASSING



ONE STORY STREET SIDE MASSING FOR DOUBLE FRONTAGE HOMESITE



MASSING AND HEIGHT MEASUREMENT



Section 4.6 explains specific roof design criteria (i.e. pitch ratios, structural shapes, material types, venting requirements, etc.) for Promontory Homesites.

The primary purpose of the home height criteria at Promontory is to avoid the construction of homes that are too tall. Beyond these specific height limits, the Committee will evaluate every Homesite Design in relation to its location on the landscape, to neighboring Homesites, to surrounding roadways, to adjacent Common Area and Open Space views, etc. These height restrictions are not meant to impose generalized criteria where, in some cases, more specific consideration and insight might propose a more fitting solution for a home's actual design and functionality. The Committee specifically reserves the right to impose a height restriction less than that which is stated herein, if the Committee believes such restriction is necessary within the conditions of a specific Homesite or even a specific group of Homesites.

Offsets or indentations in wall planes create visual interest and add depth via shadow lines. Therefore, the following massing requirements are established to ensure that proper depth and visual variety exist on all Promontory Homesites. Massing requirements for Homesites at Promontory are the following:

1. Height Offset Requirement

- Homes at Promontory may never have a building wall which extends more than 20 feet in height without an offset of at least two (2) feet.

2. Length Offset Requirement

- Homes at Promontory may never have a single-story building wall extending more than 30 feet in length without an offset that extends for the full height of the one-story wall, of at least two (2) feet; and Promontory homes may never have a two-story building wall extending more than 20 feet in length without an offset that extends for the full height of the two-story wall of at least two (2) feet.

3. Massing Requirement

- Every home within Promontory must have a minimum of three (3) distinct masses which are differentiated both vertically and horizontally by a minimum of four (4) feet,

unless the home is specifically granted an exception by the Committee. In certain instances, the Committee, in its sole discretion, may require a Homesite Design to be comprised of more than three (3) masses. See proper massing example.

4. Separation Requirement

- Once a home exceeds 6,000 square feet of Gross Total Area or in other certain instances, the Committee, in its sole discretion, may require a Homesite Design to divide a portion of its masses by using a narrow corridor or a covered walkway (which walkway and/or corridor is at most eight (8) feet wide and one (1) story in height), a detached garage, or another type of properly permitted out-building.

5. Corner Homesite Single-Story Massing Requirement

- Homes on Promontory Homesites situated at the intersection of two (2) or more roads must have single-story elements adjacent to all of those streets on the home structure, unless such Homesite Design has been specifically pre-approved by the Committee to have otherwise.

4.4 Foundations

All unfaced visible surfaces of concrete masonry and/or concrete foundation walls and piers must be finished with mortar-wash and must be painted to blend unobtrusively with adjacent materials. The Committee, in its sole discretion, may consider the use of either exposed aggregate concrete or textured concrete block (with a pre-approved integral or applied color) rather than mortar-wash appliqué.

Foundation walls must always step down with the grade change, so that the wall's exposed surface never exceeds a vertical height of eight (8) inches above finished grade (when measured where the wall is most greatly exposed). Material which covers the foundation wall must always be in the same plane as the wall.

Where the vertical distance of any ground floor wood deck structures exceeds 30 inches above the finished grade below it (measured from the underside of the structure, along its perimeter edge),

the deck edge must be skirted with a stone wall, wood latticework, or wood siding which screens the cavity beneath the deck. Foundation walls that occur under a skirted deck (so that they are not visible at all) are exempt from the facing requirements stated in this section.



4.5 Exterior Wall Materials

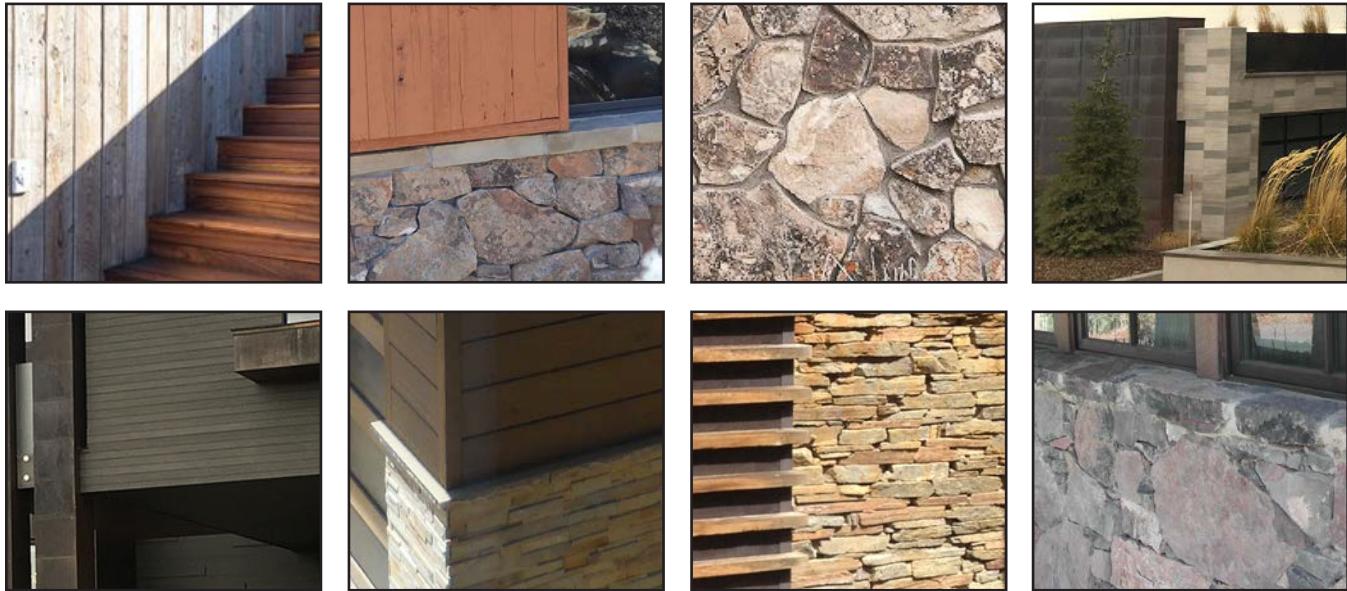
The Promontory Community encourages the use of many different materials that are consistent with and help appropriately broaden the emerging architectural grammar of Promontory. In keeping with the spirit of furthering the architectural grammar and staying true to the Elements of Composition, exterior materials used on every Homesite should generally be made of natural elements and shall be both compatible with, and complimentary to, the native landscape. Material selections must take into account the context of the individual lot as well as the adjacent lots so there is diversity in materials in the street scene. Our goal is not just to make sure a house is well designed, but also the neighborhood in total is well design. Each house makes up a piece of that overall composition.

Predominant exterior wall materials shall either be wood tongue-in-groove board siding, board-on-board, board and batten, horizontal wood lap siding, or free edged boards, native stone, concrete, specialty masonry concrete block, or steel panels, in addition to the glass for the windows. Logs may only be used on exterior walls if they are combined with an ample amount of one (1) of the materials listed above. The Committee will never approve any home which is completely made of logs.

Each home must include a significant amount of stone, concrete, or specialty concrete masonry, such as board formed concrete, on its exterior surface so that it conveys a sense of visual strength as one would expect a home in the mountains to have. The Committee, in its sole discretion, generally requires a minimum of 25 percent of the exterior wall surface of the home (excluding windows and door openings) to be made of stone, concrete or specialty masonry. As every Promontory Homesite Design will be uniquely tailored to its own Homesite conditions, architectural theme, etc., the Committee will make the final decision as to whether this required stone minimum is met on each

Homesite Design as such applicable Plans are appropriately submitted. The stone used may either be native or cultured (i.e. El Dorado); but regardless, the stone type must be evaluated and pre-approved by the Committee.

In its sole discretion, the Committee may consider and pre-approve an additional stone type, if an Owner and/or his/her Architect proposes such during the Design Review process.



Plywood siding is prohibited on Promontory homes unless an Owner or such Owner's Architect can sufficiently demonstrate to the Committee that the finished appearance of the proposed siding would be indistinguishable from an individual board siding application.

Stucco may never be a predominant exterior surface material, but it can be used as a secondary material should it be consistent with the design intent. In its sole discretion, the Committee may approve the use of a limited amount of stucco veneer. But these limited amounts shall only be used along with another approved exterior wall material, and the stucco shall never as a main exterior wall component.

All uniformly colored and textured surface finish, metal siding (excepting copper left to patina and Corten, cold or hot rolled steel), fiberglass siding, vinyl siding, and/or asbestos siding are prohibited as well. On a case-by-case basis, the Committee will consider and pre-approve certain high-quality composition siding products if the Committee decides such products would be virtually indistinguishable from their natural wood counterparts.

All proposed composition siding products must have a porous wood-grained surface which is suitable

for the application of traditional stains and/or paints and must have a Committee pre-approved color.

All exterior surfaces, including, but not limited to gutters, roof vents, and window frames must be properly finished or painted. Corten, hot and cold rolled steel wall surfaces left to rust and copper or zinc wall surfaces left to patina may be allowed but other unfinished metallic exterior wall surfaces must be reviewed with the Committee.

The Committee will consider proposals to use large scale brick or textured specialty masonry block as an exterior finish material on a case-by-case basis.;

To bring a broad range of exterior wall materials to Promontory the following images represent some of what is considered appropriate at Promontory. Other materials will certainly be considered should they be approved as appropriate to the context of the house.

4.6 Roofs, Trellises, and Awnings

The roofline of each Promontory home shall be responsive to the plan form in a creative way and should be evolved simultaneously as the plan form takes shape. Roofs should not be an afterthought once the plan has been created. They should also be responsive to the context of the home, and work in harmony with it, so they become integrated into the overall context of the neighborhood and of Promontory in general, and not be discordant. Roofs need to be designed to be effective for their use as sheltering the house from the elements of snow, rain, sun and wind, as such must be shown to do so as the home is reviewed.

The following architectural standards regarding roofs on Promontory Homesites should be followed as part of the Elements of Composition:

- 1. Roof Lines and Massing:** At Promontory, asymmetrical roof designs are preferred over symmetrical roof structures, unless the design is such that it is considered appropriate to the Elements of Composition.
 - Under this intent, any long main roof lines need to be broken by lateral roof/massing elements. This ensures compliance with the Section 4.3 triple massing requirement (i.e. homes having at least three (3) distinct masses differentiated both vertically and horizontally by a minimum of four (4) feet), and it also prevents any linear awkwardness that could be present in typical roof designs. The Committee will carefully evaluate all roof ridge lengths in relation to the overall home design massing to achieve

compliance with this section, and in its sole discretion, may require roof lines to be broken or offset by further massing (in addition to the minimums required herein).

- At Promontory, the roofs of all two (or more) story homes shall include single-story elements. Higher masses in the roof design should generally occur toward the center, with the lower profiles occurring toward the outer portions of the home. At no time can the highest point of a home be at any of the outside walls. Roof Pitches: Residences at Promontory should generally be designed with pitched roofs due to the snow. Pitched roofs with the minimum pitch ratio allowed being five (5) feet in 12 (5:12) and the maximum pitch ratio allowed being 12 feet in 12 (12:12) with generally be the norm. At its discretion, the Committee may approve a certain roof design which contains a lower slope ratio, provided the design contains an appropriate mix of more steeply pitched roof compositions along with these low slopes. If the Committee, in its sole discretion, approves a roof with a pitch lower than 5:12, the roof must be entirely composed of copper, Corten, or zinc.

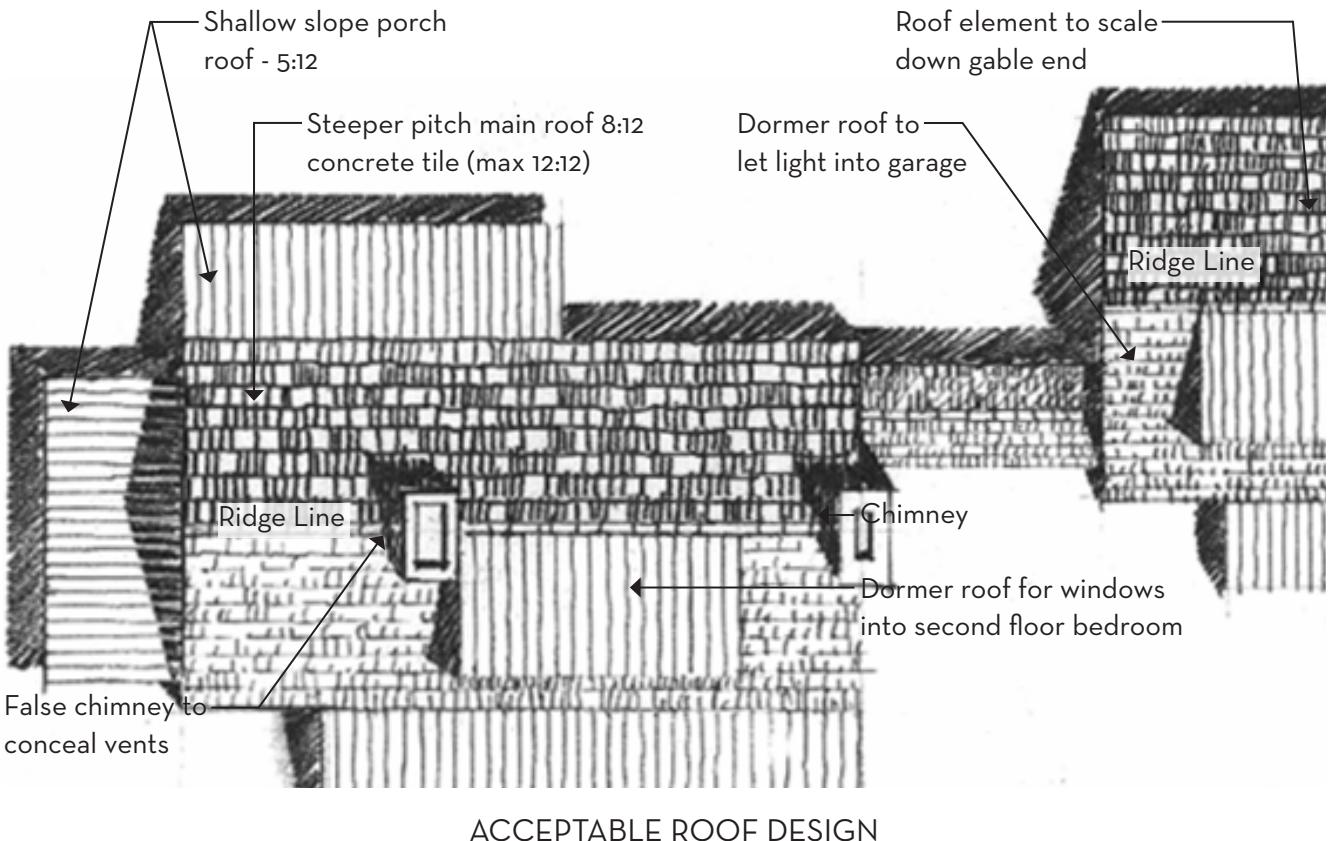
2. Flat Roofs: At its discretion, the Committee may approve flat roofs with very shallow pitches which are proposed for Promontory homes.

- Flat Roofs must be appropriate to the surrounding context of the lot. Flat roof designs should only be engineered with careful consideration regarding the heavy snowfalls that often occur in Promontory's mountain environment.
- The flat roof surface must be comprised of a living-green roof, pavers, and/or Corten or equal, copper or zinc—or a combination thereof. Green roof proposals must demonstrate that they will be appropriate to the landscape zone they are in at Promontory.
- Due to wind and sun conditions green roofs do not survive in several areas in Promontory, as such the landscape architect should confirm the likelihood of a healthy environment for the roof.
- Ballasted roof surfaces are generally not allowed on custom homes. The Committee, in its sole discretion, may approve specific types and/or mixtures of dark colored ballasted rock for all or for a portion of flat roof custom home designs on a case by case basis.

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- 3. Prohibited Roof Forms:** At Promontory, mansard roofs, dome shapes, and/or other roof forms that do not properly resolve themselves are strictly prohibited.
- 4. Encouraged Roof Forms:** The Committee strongly encourages the use of gables, hips, shed roofs, and the use of dormers or clerestories that are appropriate to the main roof form to create roof forms appropriate to Promontory homes.
- Roof overhangs shall be found on all roof edges of Promontory homes, and shall extend on all sides for a minimum length of three (3) feet for roof slopes ranging from a 5:12 to a 12:12 pitch and four (4) feet for roof slopes which are less than 5:12.
 - In its sole discretion, the Committee may approve the absence of overhangs on certain roof designs, if the Committee deems such is appropriate to the architecture and design of the home.
 - Covered terraces and/or covered porches are strongly encouraged at Promontory as well, and such terraces and porches must always be fully integrated into the architecture and design of the home structure.

The following images illustrate a variety of desired roof forms.

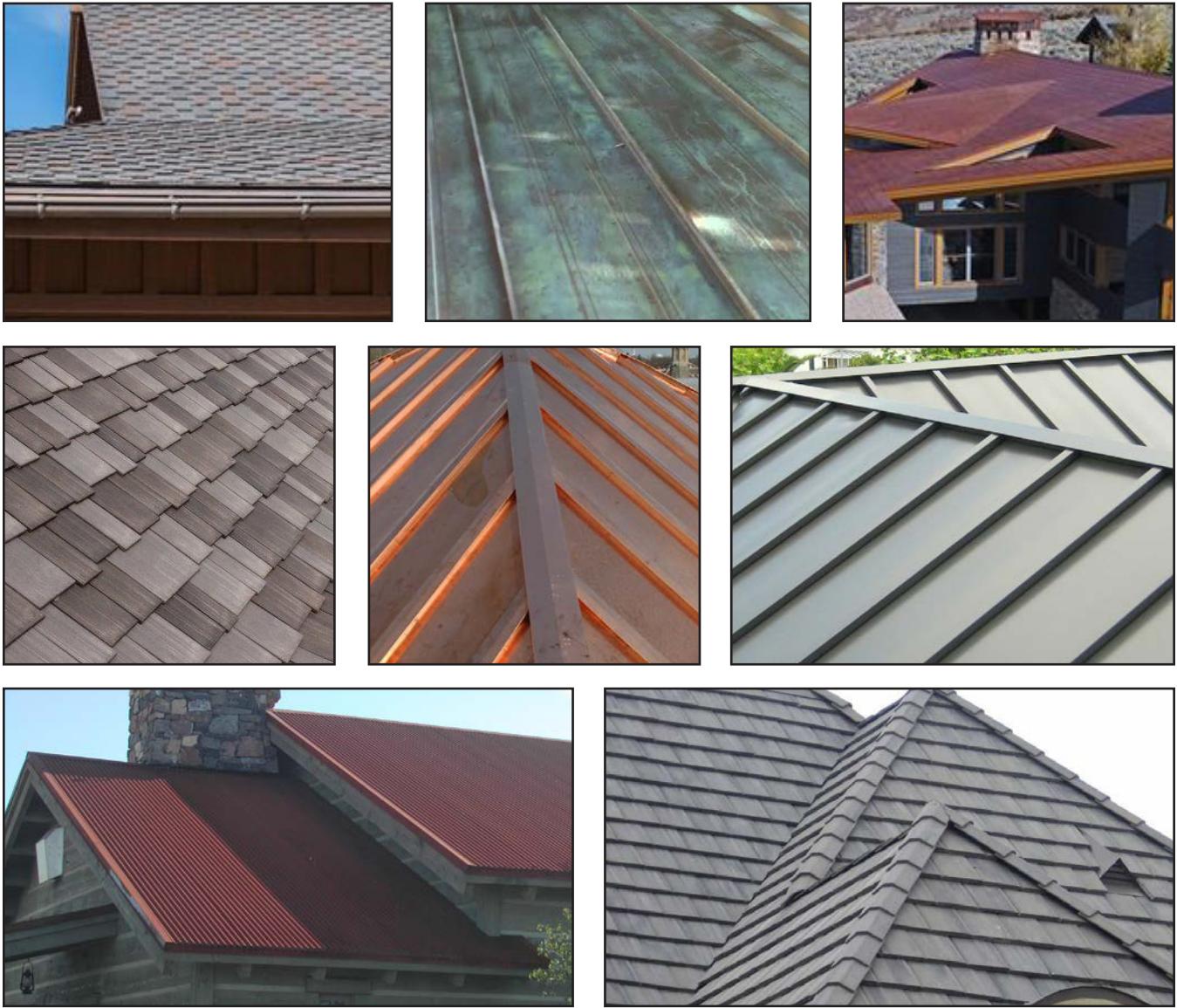




Every Homesite Design submitted to the Committee must include a detailed roof penetration plan, which depicts all roof penetrations, including plumbing and mechanical vents, as well as all chimneys. The plan should show all the small plumbing vents grouped together in small chimneys as much as possible. As well, the plan should show how the large mechanical vent will be concealed in a false stone chimney. This roof penetration plan must be submitted and reviewed by the Committee prior to Final Approval.

Promontory mandates compliance with the carefully contemplated standards regarding roofing materials. Owners shall be responsible for submitting proper proof of compliance with the following standards as part of the Design Review process:

- 1. Permitted Roofing Materials:** Roof materials which are permitted at Promontory include the following: weathered Corten steel (i.e. rusting steel), copper (which can naturally turn brown or patina), zinc (which is allowed to naturally patina), architectural grade fiberglass/composite shingles, slate, concrete shake tiles, textured concrete flat tiles, and certain other low reflectivity tiles



- 2. Prohibited Roofing Materials:** The following roof materials are prohibited at Promontory: asphalt shingles with a standard or medium thickness, all types of barrel or "S" tiles, all asphalt roll roofing, and any permanent shiny copper or other blatantly reflective metal surfaces. As well, wooden shake shingles and/or other flammable roofing materials are prohibited at Promontory, due to Fire Department regulations. Thus, pre-finished metal roofs will be too reflective and will be prohibited unless the Committee specifically evaluates and pre-approves them.
- 3. Material Specifications:** All architectural grade fiberglass shingles must be heavy-weight (i.e. they must have a minimum weight of 355 pounds per square), three-dimensional,

thick-but asphalt shingles. The shingles must be placed so they are randomly staggered, so they portray a wood shake look, and so they have plenty of depth to create shadow. If such architectural grade fiberglass shingles are used as a roofing material, the Committee will require the roof to also have a significant amount of copper left to patina or Corten steel to accentuate and sophisticate the roof design and structure. The actual amount of copper, zinc or Corten steel accenting which is required on a particular roof will be decided by the Committee on a case-by-case basis; but generally speaking, the Committee will require a 25 percent minimum of such accenting to occur on roofs at Promontory. In addition, an edge cap detail, as approved by the Committee, must be used to properly finish the edge appearance.

4. **Trellises** are encouraged as a way to extend the roof form over entries and terraces and give sun protection. They must be detailed in a way to assure the committee of their longevity as trellises detailed with too small of framing members tend to twist and turn over time.
5. **Awnings** are prohibited in all cases.

4.7 Entrances

Entrances on Promontory homes should be designed in a human scale proportion, rather than having exaggerated dimensions. Thus, no entry may exceed a single-story height. Appropriate grandeur should certainly be experienced after entering Promontory homes, but not extravagantly worn on their exterior façade. At Promontory, clean lines on restrained and understated entries are much more appropriate than entryways which are too ornate, monumental, or imposing (which entries the Committee will not approve).

Trellised entries can be used as a pleasing and welcoming transition area between indoor and outdoor space. Promontory prefers and encourages home entrances that are part of a covered front terrace or porch.

Since there is typically only one (1) driveway entrance per Homesite, porte-cochères will only be approved on Homesites which are large enough to have these structures and to still allow for the required turning movements set out in Section 3.4 without encroaching into any side setbacks.

4.8 Porches, Terraces, and Decks

Promontory strongly encourages using a covered front porch or front-facing terrace as a core structure on every home. This feature helps “relax” the street side of the home and makes it feel less like a home one finds in a more urban area. If it is properly designed, a front terrace can be both an architectural asset and an augmenting element which encourages the traditional, more private use of the backyard.

The historically-based front porch/landscaped terrace concept will enhance Promontory homes in the following four (4) distinct ways:

1. The focal point of the home (as viewed from the streetscape) will become the people-oriented entrance, rather than the typical garage-dominated design being seen on the front side of the home.
2. The home's entryway will become an architectural asset without being monumental or intrusive.
3. A sitting area with the benefits of a low wall and an overhanging roof can automatically be created on the home's front exterior. This front porch or terrace can easily become an ideal area for enjoying the exceptional view of the landscape that is so often only visible from the front of the Homesite.
4. The home's living area immediately feels more spacious as this terrace or porch creates an easy indoor/outdoor transition which opens naturally toward the front yard and streetscape.

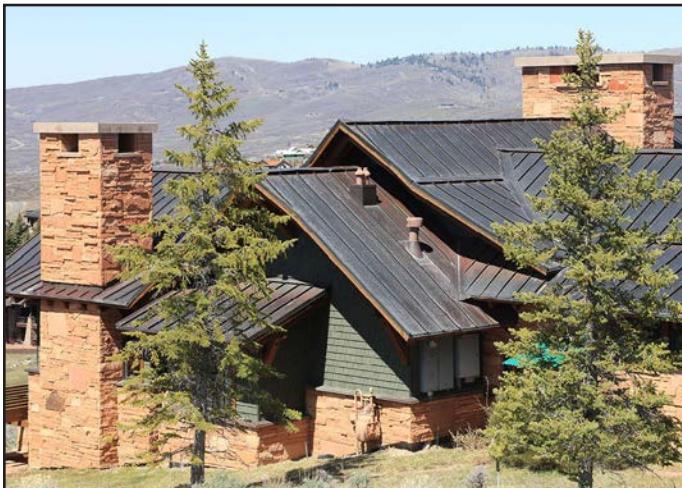


4.9 Chimneys

Well-proportioned chimney masses can and should be used as sculptural features which complement the architectural quality of every home at Promontory.

Unique chimney designs are encouraged at Promontory, as chimney structures can lend themselves to having a variety of angular and rounded forms. The Committee encourages Promontory homes to have carefully contemplated chimney structures which greatly enliven the three-dimensional quality and the architectural profile of the overall Homesite Design.

To preserve the high quality of the mountain air at Promontory, all Owners are encouraged to utilize natural gas or propane log fireplaces in their homes, rather than using standard wood burning fireplaces and/or stoves.



Due to the extreme fire danger usually present in this high desert and mountain region, all chimneys, including outdoor fireplaces, must be equipped with a U.L.-approved or an I.C.B.O.-approved spark arrestor. All metal spark arrestors must be completely concealed from view and buffered by a sufficient chimney cap screening (i.e. black mesh, etc.) and detail. Exposed metal flue pipes will not be approved by the Committee.

4.10 Outdoor Fireplaces and Fire Pits

All open outdoor fireplaces and fire pits are prohibited at Promontory unless they use natural gas or propane. Portable barbecues will only be permitted if they have lidded cookers. All permanently installed barbecues must be pre-approved by the Committee.



4.11 Exterior Colors

Preserving the appearance of the natural landscape is a primary goal in the Promontory Community and maintaining this focus will always play a critical part in the approval of exterior colors for Promontory Homesites. Therefore, on homes at Promontory, the colors of the exterior materials must be subdued enough to blend in with the natural landscape and they must compliment the surrounding nativity, rather than disturb it. The Committee highly recommends using earth tones on homes' exterior surfaces; however, the Committee, in its sole discretion, may approve the use of other accenting colors (if the colors are consistent with the Homesite Design, and if such colors are used judiciously and with restraint). The composition of color for the community is very important in considering the Elements of Composition. In selecting color, it is not only important to look at colors pleasing to the homeowner's desire, but also to look at the overall context of the setting of the Homesite. We are not trying to promote a community that is too brown or too dark, but one that in context of the full community composition is interesting and naturally colorful.

Colors which approach the primary range (blue, white, and yellow) are prohibited at Promontory, and colors that have drastic light-to-dark contrasts in value and hue are prohibited as well. In certain cases, the Committee may approve white as an accent or "trim" color; however, "light-grey" siding stains which approach white or off-white in their appearance are prohibited. Garage doors and/or exterior doors are not considered "trim."

All exterior colors must be proposed to the Committee in a sample format which sufficiently depicts the actual hue, tone, and shade of the proposed color in its final application. The Committee requires any color selection which is part of a Homesite Design to be applied to a sunny area of the home prior to Final Approval.

As the Committee will only approve exterior colors which match and compliment the natural coloration of the summer and winter landscapes at Promontory, Owners, Architects, and Builders are encouraged to consult the Committee when formulating color proposals and when seeking appropriate examples of exterior colors. Most importantly, in every Promontory color proposal submitted, all colors must fall within a Light Reflectance Range (LRV) of 15 to 35.

4.12 Windows, Skylights, Draperies, and Shutters

Windows on Promontory homes should have proper architectural detailing and have an overall composition that is orderly. Windows should not appear as openings which are randomly cut into the elevation; but rather, all windows should be carefully designed so that they add depth and detail by being appropriately recessed, projected, or bordered by projections that provide a shadow pattern and reduce reflectivity. The Committee encourages consideration of the use of divided light detailing to properly scale a window. More contemporary designs will still want to consider divided light detailing to break up large unbroken panes of glass.



While elevations may differ on various sides of a Homesite, windows on every side of the home must be treated with equal attention to detail (i.e. the same attention given to the front/street side as is given to the rear side). All facades on a home shall have a sufficient degree (which required degree

will be determined by the Committee, in its sole discretion, on an individual basis, depending on the particular Homesite Design and home size) of doors, windows, or other wall openings. Windows that are either insensitively placed and/or poorly designed will not be approved by the Committee. Window heads shall either be designed so they follow roof lines or so they remain level. The Committee shall not approve scissor truss windows with slopes which do not match the roofline of the home.

All skylights shall be positioned on the roof in an organized pattern which aesthetically compliments the roof design, rather than being placed arbitrarily. All skylights shall be flatly shaped and shall have a low profile. Bubble-type skylights, or circular tube type skylights are prohibited at Promontory.

Window panes and/or skylight lenses shall not be highly reflective. Skylight lenses must be clear, grey, or bronze in color. No white skylight lenses or window panes are allowed at Promontory, and window or skylight frames which are made of reflective material which is left unfinished is strictly prohibited. This restriction especially applies to aluminum frames which must be anodized or finished with baked enamel.

All shutters and/or drapery linings which may be visible from outside of the home must be neutrally or earth-tone colored. The Committee prefers that shutters/drapery linings be either black or other earth tones, as is required on exterior wall surfaces of Promontory homes. If a light color is preferred, earth tones (i.e. those marketed as beige, taupe, cream, ivory, etc.) should be used. The Committee will consider the shade of tinting and glazing in windows combined with the drapery colors when reviewing and evaluating proposals. Colors marketed as “white,” which is defined as the absence of color, will never be approved by the Committee unless they are obscured by tinted glass which the Committee determines, in its sole discretion, is dark enough to eliminate unwanted contrast/reflectivity and make the shutters/ drapery linings appear colored. Pre-approval by the Architectural Review Committee is required for any shutter/drapery addition to a Promontory home.

4.13 Building Projections

On Promontory Homesites, all projections from homes or other Homesite structures including, but not limited to vents, flashing, louvers, gutters, downspouts, utility boxes, porches, railings, and exterior stairways shall either identically match the color of the surface from which they project, or they shall be painted/stained with color(s) which are pre-approved by the Committee, so that such projections unobtrusively blend in with adjacent surfaces.



Most importantly, as stated in Section 3.1, all building projections shall be contained within the building envelope.

4.14 Garages and Garage Doors

Every Promontory home shall have a garage (which can be either attached or detached) which accommodates at least two (2) automobiles. Carports are strictly prohibited at Promontory. Garages and/or garage doors shall not visually dominate the exterior elevations of the residence as viewed from the streetscape, neighboring Homesites, Common Areas, and/or Open Spaces. The Committee will not approve any Homesite Design submittal which depicts the garage/garage door(s) as a visual focal point in any way. Garage doors shall not face the street unless the Committee pre-approves such a garage design based on factors such as specific Homesite topography making it impossible to design the garage for side entry.

As Promontory makes it a priority to avoid becoming a typical residential community which has streets aligned with rows of unattractive garage doors and oversized driveways, the Committee requires that all Homesite Designs genuinely strive to minimize the visual dominance of garage doors. The Committee will not approve proposed Homesite Designs which do not take effective measures toward this garage minimization goal. Owners shall be responsible for seeing that their particular Homesite Design(s) take measures toward garage mitigation, which measures include but are not limited to the following:

1. Side garage entries (which are out of direct streetscape view)

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2. Garage door overhangs and/or piers that serve to recess the doors by providing an extra softness of shade and shadow
 3. Significant architectural detailing (i.e. wood carriage doors or another carefully articulated design, rather than a simple horizontal line design) on the garage doors to add visual appeal and to mitigate the feeling of a dominating garage.

To most effectively eliminate the potential view of garage doors from the street, the Committee requires one (1) of the following on Promontory Homesite Designs:

1. The garage is a separate structure from the home
2. The garage is made part of a separate structural mass (with or without an enclosed connection to the main part of the home)
3. The garage entrance is completely out of street view.

If topography or other Homesite constraints make all the above options impossible, then the Committee may pre-approve alternatives to one of the above options, so long as the home portion (rather than the garage) remains as the visually dominant image on the Homesite. For instance, the Committee might approve garage doors which partially face the street if they are placed at a minimum 45-degree angle from the street right-of-way. All Homesite Designs proposing exceptions to typical garage requirements will be evaluated and pre-approved on a case-by-case basis by the Committee, in its sole discretion.

From a design perspective, garage doors must coordinate with and compliment the rest of the home's motif and architectural elements. Garages may never present closed or unarticulated facades. Garage door glazing should serve to minimize the garage doors' appearance. As well, the Committee will not approve large or unbroken masses or structures above garage doors; instead, the Committee expects to see sufficient detailing and/or a change in surface plane to sophisticate the design in the area above the garage doors.

Garage doors shall be either the same color as the main body of the home, or they should be a slightly darker shade of the same color. Regardless, garage doors should never have a hue that is so light or so dark that it causes the garage to draw extra and/or unnecessary attention. As well, the Committee may not approve the use of fluorescent or other highly visible lighting inside a garage if, in its sole discretion, the Committee decides that the light seen from the open garage door(s) and/or

garage door windows would cause an excessive glare to views from neighboring Homesites, roadways, Common Areas, or Open Spaces.



The Committee encourages garages at Promontory to have single-bay doors, rather than double-width doors, to create a smaller-scale garage appearance as it is compared to the rest of the home structure. In its sole discretion, the Committee may approve double-width garage doors if the Owner and/or Architect can sufficiently demonstrate that the size of a double-width garage door structure is proportionally minimal when it is scaled against the rest of the Homesite Design and against the surrounding neighborhood streetscape. At Promontory, single garage doors divided by a substantial column or pier are always encouraged over double-width garage doors.

Regarding garage door placement, when a Homesite Design contemplates three (3) or more garage bays, the Committee specifically requires proof that no more than two (2) doors be in the same plane. The third (and fourth) door(s) must occur in a secondary building plane, offset by a minimum length of 32 inches from the primary front wall of the garage, to avoid a continuous uninterrupted wall of three (3) or more garage doors.

Finally, garage doors may never exceed a maximum height of nine (9) feet. As well, all garage doors must be recessed at least one (1) foot from the face of the closest exterior wall surface.

4.15 Solar Applications and Structures

At Promontory, passive and active solar designs are encouraged. The Committee will only approve solar applications if the Owner demonstrates that the solar hardware is consistent with the home's architectural design, which generally will require an edge to edge design concept, or some other well thought out concept for integrating them into the roof design. Retro-fitting an application of solar panels into an existing roof and/or home design after initial construction is both difficult and rarely successful from a design standpoint. If an Owner anticipates using solar panels, they should be incorporated into the Preliminary Submittal for the Homesite Design, so the Committee can properly review and approve the panels and how they are integrated into the design. While the Committee remains receptive to developing technology pertaining to home materials (i.e. solar shingles and wall

glass), solar panel arrays will not be approved on the ground plane of a home design. Below are examples of solar panels incorporated into a home:



The following images portray solar systems that won't be allowed based on various factors including but not limited to stair stepping panels, ground panels, and scattered roof panels.



4.16 Dog House and Flag Poles

All dog houses, dog runs, flag poles, and other permanently installed recreational equipment must be integrated into the Homesite Design and must be submitted to and pre-approved by the Committee before its construction.

4.17 Changes, Alterations, or Additions

All changes and/or additions to the Committee-approved Plans which occur before, during, and/or after Homesite construction must always be submitted to and approved by the Committee prior to their construction. In general, all changes, alterations and additions must be compatible with the original design. Similar materials and details must be used the changes, alteration and additions are seamlessly blended with the original construction.

4.18 Low Flow Toilets

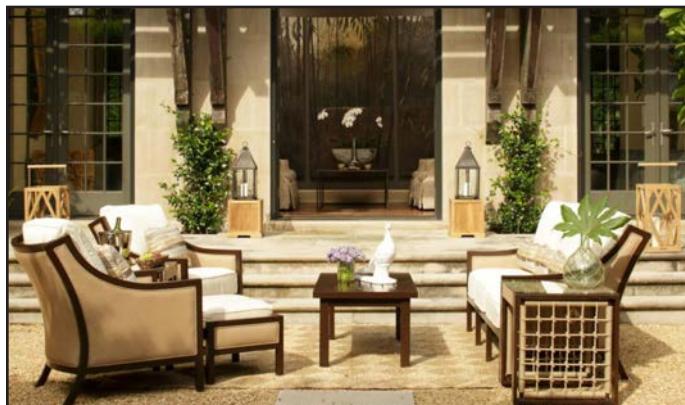
All Promontory homes must use low flow toilets in their design. Low flow is defined as having a maximum of 1.5 gallons per flush.

4.19 Protection Systems

All Promontory homes shall be equipped with alarm systems to monitor fires and to monitor gas leaks. These alarm systems must be monitored and maintained by a reputable service.

4.20 Exterior Furnishings and Sound Systems

All outdoor furniture and/or sound systems must conform to the same color and reflectivity standards established in these Guidelines for a home's exterior colors (See Section 4.10). Any exterior audio speakers must be an integral part of the home and must be concealed (with proper recession or buffering, as approved by the Committee, in its sole discretion) from the views of surrounding Homesites, Open Spaces, golf courses, roadways, and Common Areas. Outdoor speaker music must never be so loud as to disturb occupants of neighboring residences.





5 - LANDSCAPE GUIDELINES

As homes are designed and built within Promontory, care must be taken to preserve the rugged natural beauty that is so intrinsic to the Community's character. Promontory's native vegetation and unique Homesite features will always remain the fabric that weaves together a cohesive, yet very distinct Community.

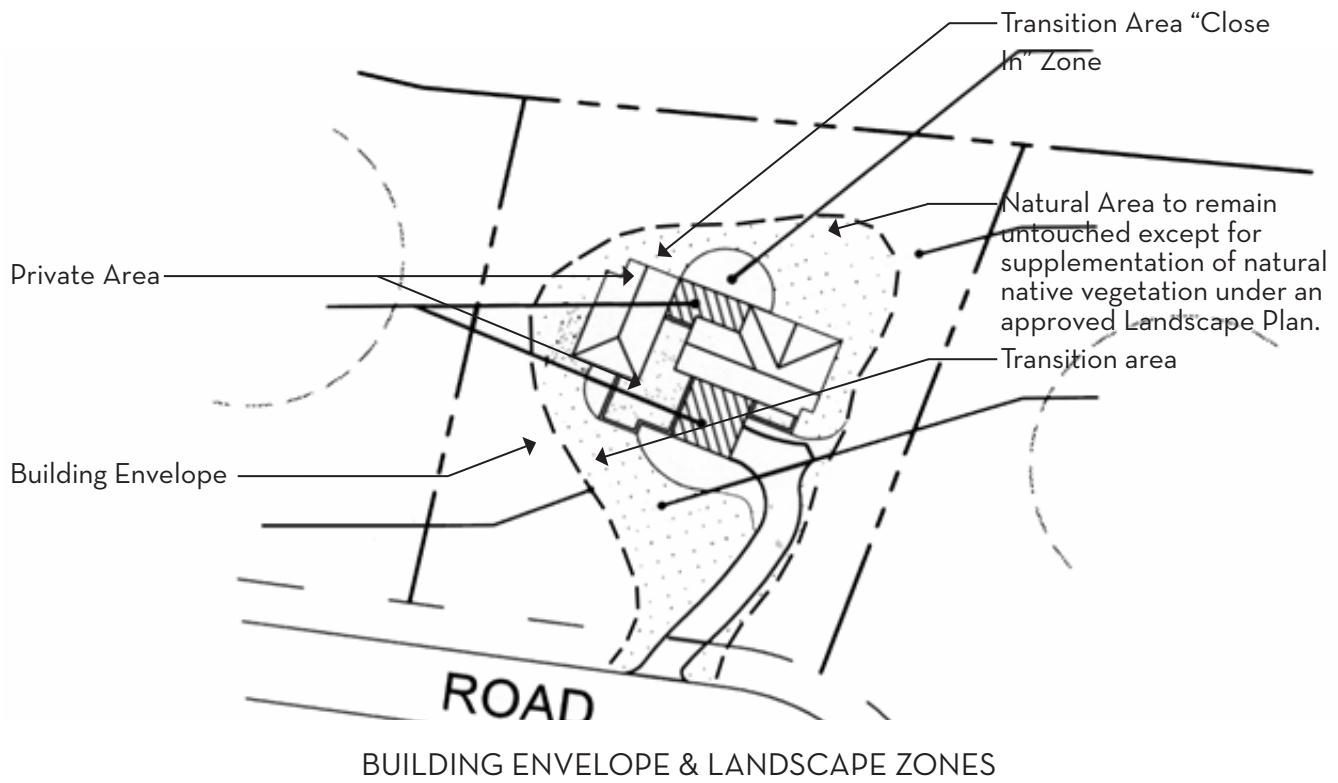
Decisions about placement of the home and any outdoor areas (i.e. patios, etc.) must be sensitive to both the preservation and the continuation of the existing natural environment on the Homesite. Thus, all trees, natural vegetation, and any other Homesite features should help to enhance the overall appearance of the Homesite. Since the plant species that are permitted for revegetation are limited, and since the growth process is long; every method that can somehow preserve existing vegetation must be employed.

All landscaping desires should be carefully considered during the site planning phase of the Homesite Design. Retrofitting a home with what seems like appropriate landscaping after the design has already been created will not likely result in a solution that is fitting for Promontory, nor one that meets the Committee's requirements.

To help enhance the natural beauty of the Homesite(s), it is key to provide a plant palette that blends with the surrounding area and using vegetation from the Approved Plant List (Section 3.17).

Each Homesite has a designated building envelope, which is specifically designed to protect and to preserve the natural features of the landscape. When thinking about the site plan and the landscape design, three (3) zones comprise each Homesite:

1. Natural Area
2. Transition Area
3. Private Area



5.1 Natural Area

The Natural Area is that portion of the Homesite which lies outside of the building envelope and which must remain as a natural area left untouched and undisturbed during construction. On Homesites which already have existing disturbance within the Natural Area, revegetation will be required; and it shall be the Owner's sole responsibility to install this revegetation and to preserve it as such. In other cases, the Landscape Master Plan (Development Agreement; Exhibit J) may require enhanced landscaping within a Homesite's Natural Area for different reasons; and again, it becomes the Owner's sole responsibility to install this revegetation and to preserve it. Thus, the Landscape Master Plan, requires revegetation on certain Lots within Promontory. And in still other cases, the Committee may simply permit this enhanced revegetation on a Homesite at the Owner's discretion.

If revegetation is required or otherwise permitted on a Homesite, the only plants that may be used are those which are indigenous to the general area of development in which the Homesite is located. As well, all Natural Area revegetation (i.e. all added plant material) must have both a density and a mix that match the density and mix of the general area of development as closely as possible.

On Homesites with existing vegetation, permanent irrigation of the Natural Area is not permitted

because indigenous vegetation does not normally require additional water. Permanent irrigation of the Natural Area could lead to disease and death of the native plants, and it could even promote the spreading of undesirable plant species or weeds. However, temporary irrigation of all revegetation (whether it is required or permitted) is allowed.

In an effort to create a more natural and cohesive landscape / streetscape, the Committee may, at its sole discretion, approve additional trees in the natural areas.

5.2 Transition Area

The Transition Area is the portion of a Homesite that is within the building envelope but is still outside the residence or Homesite walls. In the Transition Area, the Owner may enhance the landscape. All areas of Homesites which are disturbed by construction activity must be restored and revegetated; and they must be appropriately tended until the natural vegetation is reestablished and sufficiently nourished. Additional landscaping may also be required in the Transition Area by the Landscape Master Plan.

For Lot-specific requirements about Landscape Master Plan requirements see Section 5.4.

For Owners either wishing to or required to undertake supplementary planting, the Promontory landscaping concept should be envisioned as a series of concentric planting zones around a home. The most formal planting must be situated adjacent to the residence, or as an accent border within six (6) feet of either side of the entry drive or the parking apron. Plant materials in this "Close-In Zone" may be selected from the Approved Plant List described in Section 3.17. As the distance from the home increases, a transitional planting zone may occur between the formalized planting around the residence and the established building envelope. Planting in this transitional zone should be selected from the Approved Plant List in Section 3.17. The landscape shall blend back to the natural vegetation outside the building envelope referred to as the Natural Area. The line of interface between this transitional zone and the natural landscape outside the building envelope may occur along a soft-edged, irregular line which roughly approximates the building envelope line.

Most importantly, special care must be taken during the initial planning for placement of the home on the Homesite, so that sufficient planting space is allowed for any perimeter landscaping (whether it is required by the Committee or simply desired by the Owner) to occur without encroaching outside the building envelope in any area on the Homesite.

At the least, every Homesite's landscape plan must meet the requirements of the Landscape Master Plan (as referred to in Section 5.4) for various Lot types. The Committee must review and approve the

required Homesite landscape plan (such requirement is explained in the Design Review Procedures and Architectural Review Committee Organization), as well as any and all supplemental landscape plans, prior to Final Approval and prior to any landscaping implementation on the Homesite.

5.3 Private Area

The Private Area is the part of the building envelope which is screened from view from adjacent Homesites, the streetscape, golf courses, Open Spaces, and any Common Areas, either by site walls or another structure(s). It is within this Private Area that an Owner may create as varied a landscape as he/she desires, provided that only plants from the Approved Plant List (Section 3.17) are implemented. The Owner may only choose plants other than those from the Approved Plant List if the Committee pre-approves them. Drip irrigation systems are allowed within the Private Area. All Private Area landscape designs must be properly submitted to and pre-approved by the Committee before any landscape is implemented.

5.4 Landscape Master Plan Requirements

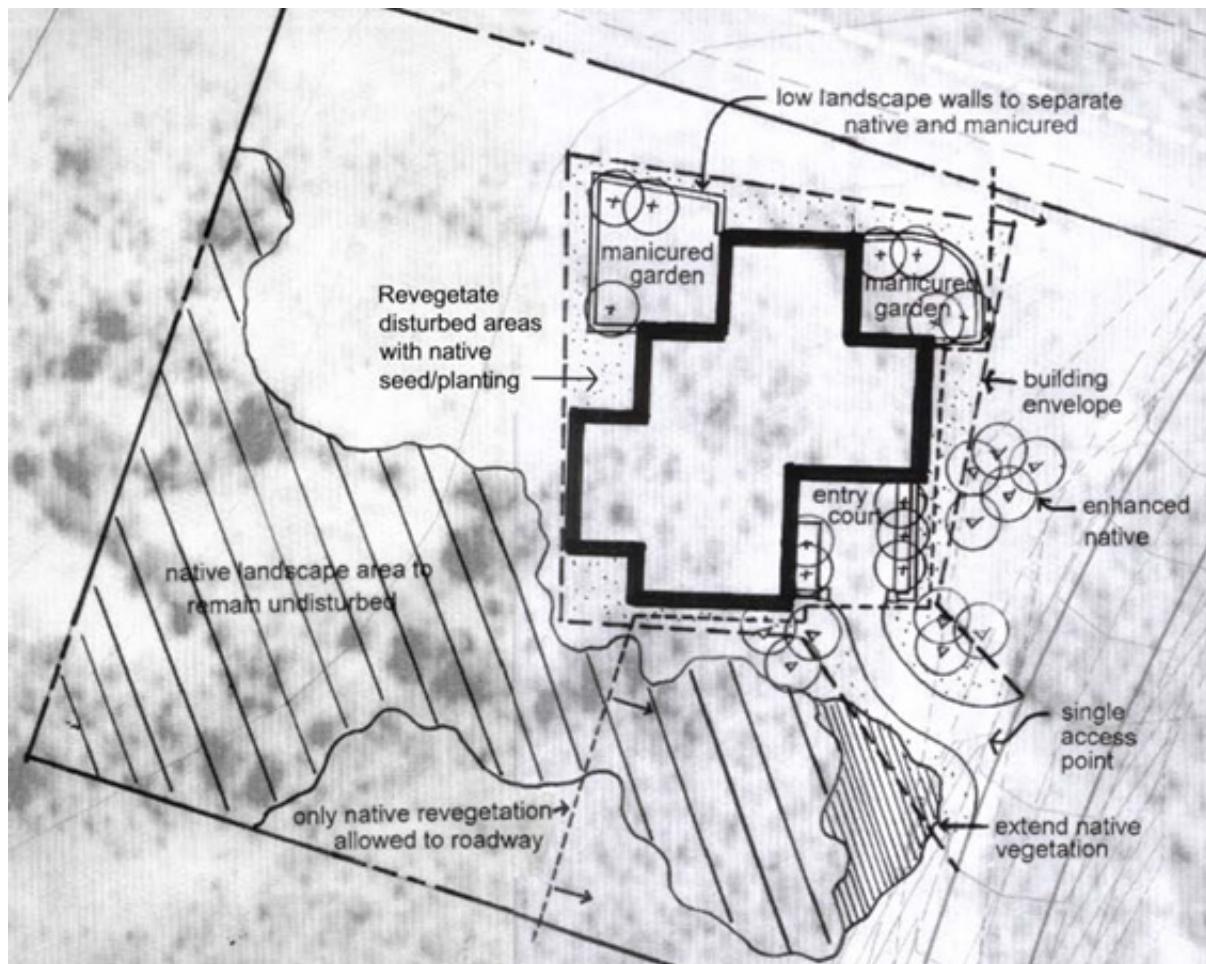
Typical lot planting requirements for Promontory Homesites include, but are not limited to the following:

- 1. Building Improvements:** Except for the required planting and/or irrigation of enhanced native vegetation, any and all improvements and/or disturbances made to the Site must be within the designated building envelope.
- 2. Disturbance Area:** Regardless of the building envelope size on a Homesite, no more than 50 percent of the Homesite's total area may be disturbed.
- 3. Vegetation Types:** On any and all Homesites, only native vegetation shall exist in the area which is situated between the access road and the designated front building line boundary. All disturbed areas on a Homesite shall be revegetated by using native grass, wildflowers, and sod seed mix.
- 4. Garden Areas:**
 - o Manicured garden(s) (which gardens consist of sod, trees, and irrigation) are optional on Promontory Homesites.

- o Such gardens may include the quantity of plants the Homesite Owner desires; however, such gardens may only have a maximum total area of 4,000 square feet.
- o Any and all improvements in such gardens shall be contained within low landscaping walls, which are an architectural and visual extension of the particular home's building structure.
- o Manicured garden spaces should thematically and aesthetically relate to and compliment the home structure's interior spaces.

5. Enhanced Native Vegetation Requirements:

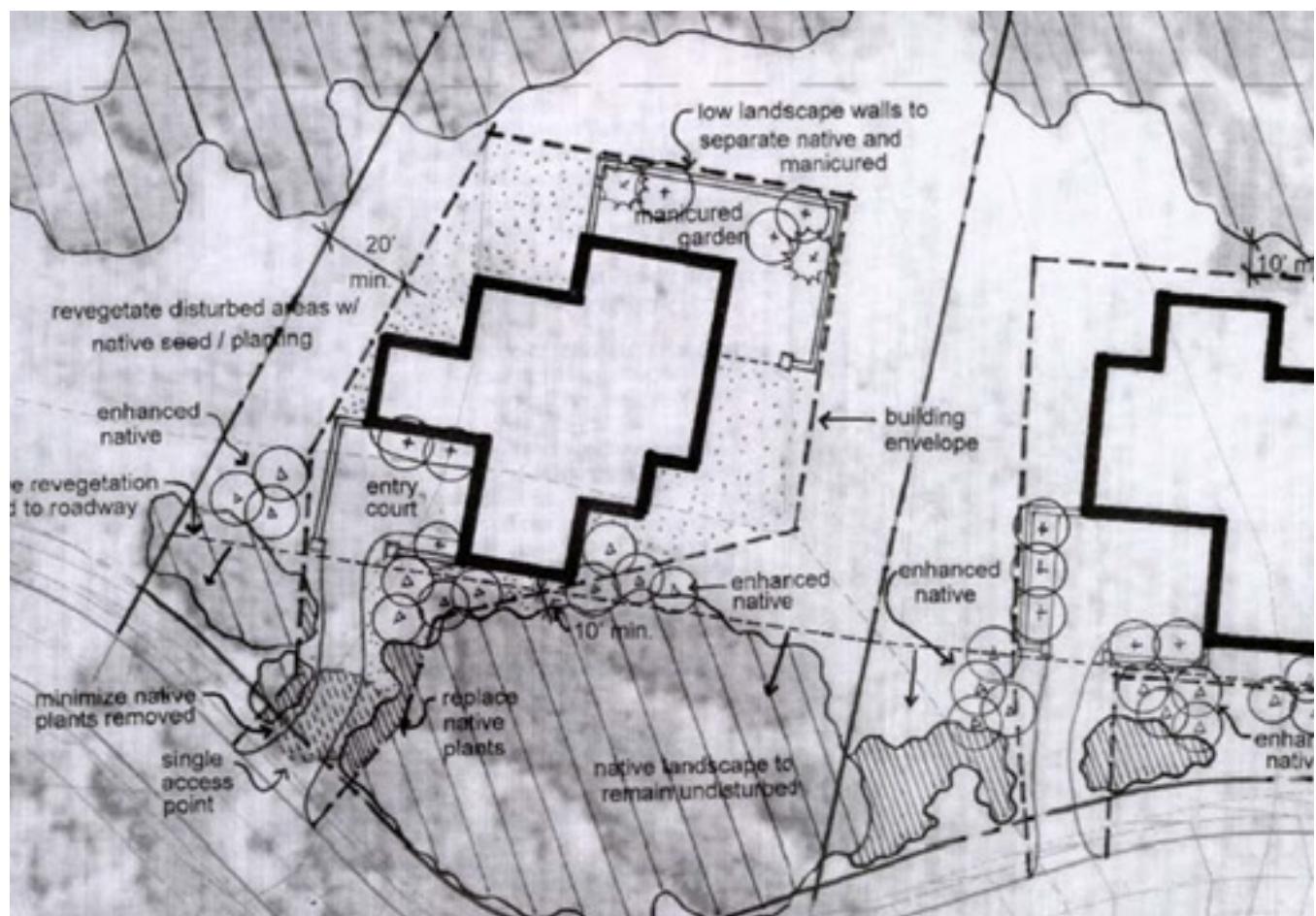
- o The required enhanced native vegetation on a Homesite is separate from and situated outside of the manicured garden space, and such vegetation should effectively blend with and compliment the structural architecture on the Homesite.
- o The required enhanced native vegetation may occur outside of a Homesite's building envelope. Such vegetation should include plant massing and plant types which are similar to and compliment the enhanced vegetation on all neighboring Sites. The Committee may, in some cases, require that a Homesite's enhanced vegetation actually match and connect to such vegetation on neighboring Homesite(s).
- o All Homesites are required to install and maintain a proper drip irrigation system to serve the Site's enhanced native vegetation.
- o Enhanced vegetation on Homesites shall comply with the following size requirements: Deciduous: at least a three (3) inch caliper, and Evergreen: a height of 14 to 16 feet.
- o While a minimum height and caliper are required, it is important to vary the height and mass of the trees and shrubs to create a more natural effect.



TYPICAL LOT PLANTING REQUIREMENTS - LOT TYPE 1

1. Required enhanced native vegetation, which is outside of the manicured garden area:
2. Required drip irrigation.
3. Minimum total quantity of 16 trees of which a minimum of 8 trees must be evergreen.
4. No fewer than 5 of each tree type.
5. Trees clustered in groups consisting of at least 3 trees each.
6. Aspen trees cannot be used as a specimen tree or planted sporadically.

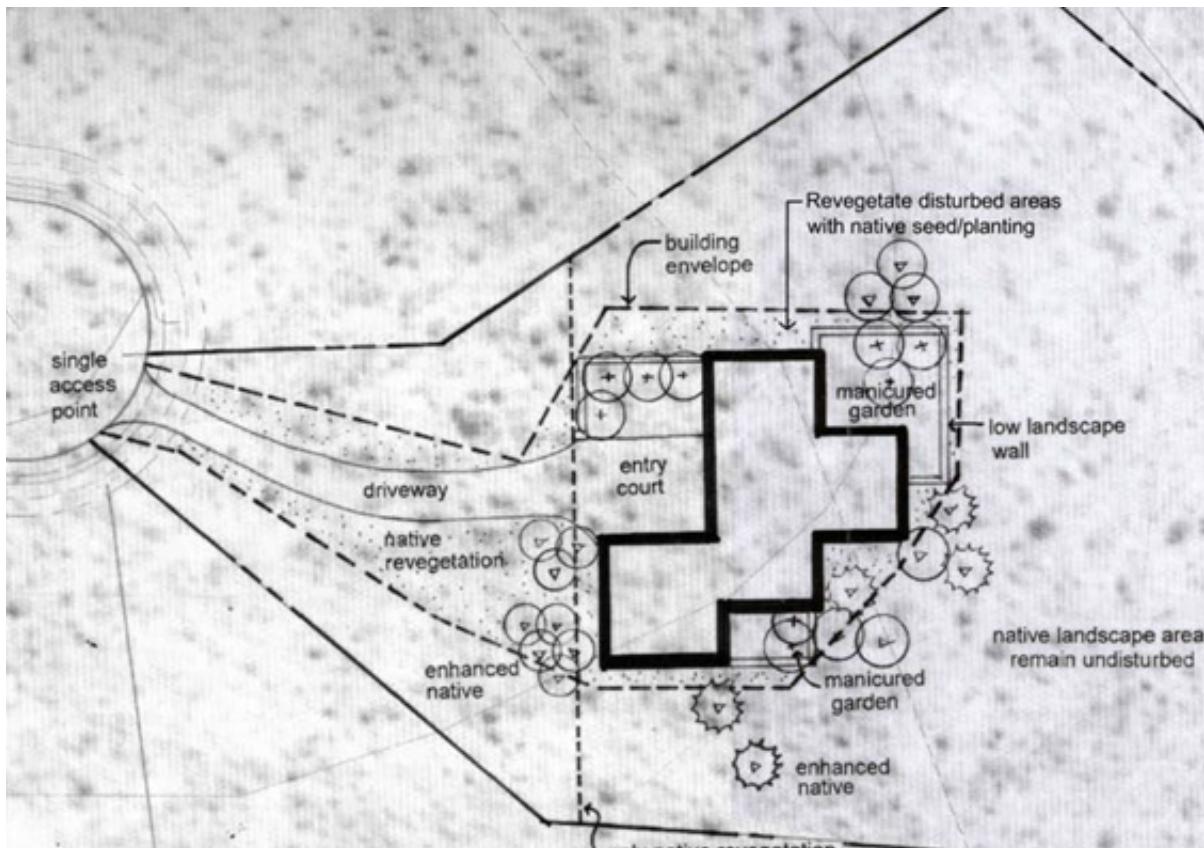
LOT TYPE 1 VILLAGE: Wapiti Canyon and Buffalo Jump



TYPICAL LOT PLANTING REQUIREMENTS - LOT TYPE 2

1. Required enhanced native vegetation, which is outside of the manicured garden area:
2. Required drip irrigation.
3. Minimum total quantity of 16 trees of which a minimum of 8 trees must be evergreen.
4. No fewer than 5 of each tree type.
5. Trees clustered in groups consisting of at least 3 trees each.
6. Aspen trees cannot be used as a specimen tree or planted sporadically.

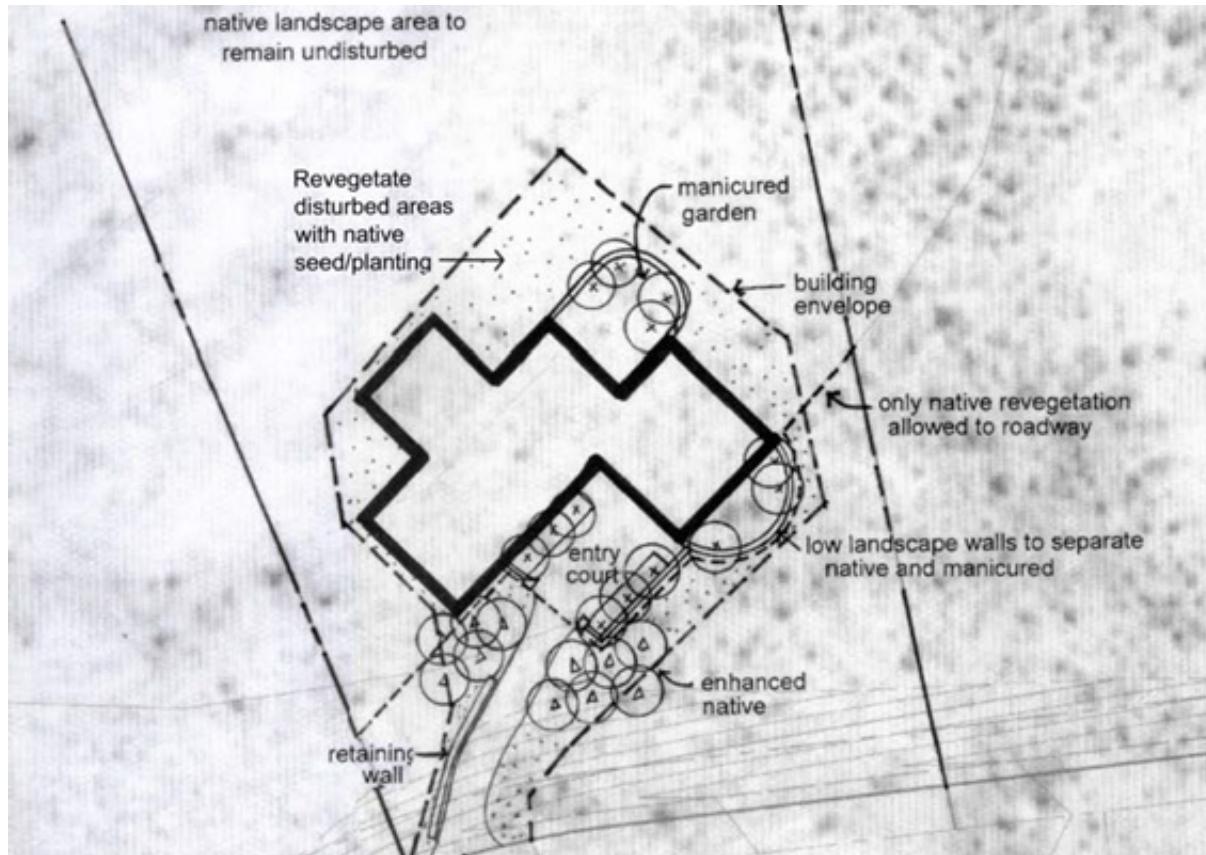
LOT TYPE 2 VILLAGE: Deer Crossing



TYPICAL LOT PLANTING REQUIREMENTS - LOT TYPE 3

1. Required enhanced native vegetation, which is outside of the manicured garden area:
2. Required drip irrigation.
3. Minimum total quantity of 24 trees of which a minimum of 12 trees must be evergreen.
4. No fewer than 5 of each tree type.
5. Trees clustered in groups consisting of at least 3 trees each.
6. Aspen trees cannot be used as a specimen tree or planted sporadically.

LOT TYPE 3 VILLAGES: West Hills, West View, Lookout Ridge, Signal Hill, The Homesteads, Sunset Ridge, Painted Sky, Palisades, Promontory Ridge, The Summit, North Gate Canyon, Elk Ridge, Bison Bluffs, and all Nicklaus Valley area custom homesite villages.



TYPICAL LOT PLANTING REQUIREMENTS - LOT TYPE 4

1. Required enhanced native vegetation, which is outside of the manicured garden area:
2. Required drip irrigation.
3. Minimum total quantity of 16 trees of which a minimum of 8 trees must be evergreen.
4. No fewer than 5 of each tree type.
5. Trees clustered in groups consisting of at least 3 trees each.
6. Aspen trees cannot be used as a specimen tree or planted sporadically.

LOT TYPE 4 VILLAGES: Aspen Camp and Range Hill

5.5 Diverse Homesites

Within Promontory, each Homesite has specific and unique native landscape characteristics. Thus, it becomes extremely important for Owners, Architects, and Builders alike to consider specific Homesite features (i.e. vegetation type(s) and density, topography, surface material, etc.) before designing and/or constructing any landscaping and/or Homesite improvements. Promontory encourages each Lot to have very carefully crafted Homesite Designs (including all landscaping and building designs for the Homesite), which only contemplate improvements that preserve the Lot's native vegetation and complement its existing landscape.

During the Pre-Design phase of Design Review, the Committee requires every Owner to complete an "existing conditions" survey, which accurately provides locations and descriptions of all existing trees, plants, topography, ground planes, and elevations on the unimproved Homesite. This survey will provide a reliable basis for creating a feasible landscaping improvements plan; and as the Design Review process ensues, this initial survey information will ensure that the Committee is able to accurately evaluate how well the proposed site, grading, and landscaping improvements plans relate to and compliment the original natural character of the Homesite.

At Promontory, every Homesite Design (including landscaping) directly affects those Homesites surrounding it, as the Promontory viewscape is one overall landscape image without any individual Homesite boundaries. Therefore, for the unique Promontory landscape to be preserved, it becomes imperative for every Homesite to be carefully and successfully improved, and for every Homesite's landscaping to be accurately restored to the naturally existing landscaping originally found on it.

5.6 Retention and Ridgeline Area Landscaping

In Retention and Ridgeline Areas, the landscaping design on every Homesite will require special care. The Landscape Master Plan is very specific about requiring heightened landscaping and tree planting on these sensitive Homesites, which requirements depend on many factors, including but not limited to: the specific Homesite's proximity to a Preservation Area, the specific location of the Lot, the size and shape of the Lot, the size and shape of the building envelope, the proposed home's architectural design, and the proposed home's visibility from street rights-of-way and/or from the U.S.-40 and/or I-80 Viewsheds.

5.7 Plant Salvage

Whenever practicable, the Committee highly encourages a Homesite's native plants, trees, and other vegetation which is not initially retained on the Homesite to be properly stored, salvaged, and replanted on the Site after construction of the home and other improvements take place. If this salvage and replanting is conducted appropriately, the Homesite's native vegetation will become an invaluable source for restoring the Site's natural rejuvenation, regrowth, and unique character. The Committee must pre-approve each Homesite's replanting plan and replanting execution (by considering both arrangement and quality), so that each Site restoration at Promontory clearly reestablishes and enhances the original Site's unique landscape and native character.

Specifically, the Committee requires the following care steps to be taken during salvage and replanting:

1. Although salvage plants are adapted native plants, very careful continuing maintenance is required to ensure successful replanting. Owners are responsible for seeing that the plant salvaging process, however lengthy, is allotted adequate time to be precise and successful. In many cases, this will require Owners dedicating months to correctly boxing and removing trees and large shrubs.
2. Owners should recognize that not all native plants on the Homesite will be suitable for salvage. If a Homesite's plants are too large, are inaccessibly located, are surrounded by poor-quality soil, have poor survival history, or are not recommended for resalvage due to seasonal conditions, the Owner shall be responsible for discovering an alternate resolution for providing proper revegetation to the Homesite.
3. In some cases, even with careful attention to replanting, salvage plants may not survive or fully recover to their once-healthy state. If the Committee decides any salvage plant on a Site is too unsightly to remain in place, the Owner shall be responsible for removing and replacing the salvage plant with a Committee-approved replacement.
4. During all salvage operations, special care must be taken to minimize Homesite disruption as much as possible and to ensure the Site's Natural Area always remains untouched.
5. On every landscaping plan, salvage plant characteristics (including size, variety, source, and maintenance requirements) must be specifically delineated and described. Additional

salvage trees and plants from other “local area” sources may be planted if they are completely native, if they are planted so they appear as part of a natural and undisturbed existing landscape, if they appear as though they are native to the Site, and if the Committee, in its sole discretion, approves them.

6. The Committee requires that any person considering the salvage and/or replanting of any native plant consult a native plants salvage expert, and then submit a proper plan of such proposed salvaging to the Committee. It shall always be the Owner’s responsibility to ensure that any person salvaging/replanting on such Owner’s Homesite is fully complying with any applicable laws pertaining to the salvage and planting of native plants, or the like.
7. The Committee must always specifically pre-approve any salvage and replanting activities on a Homesite.

5.8 Revegetation of Disturbed Areas

Landscape disturbance on existing Homesites may only occur under the following conditions: (1) if the disturbance is for construction purposes, (2) if the disturbance falls completely within the Site’s building envelope, (3) if the disturbance is in an area(s) which has been pre-approved by the Committee, (4) if the disturbance area is completely re-landscaped upon the completion of construction, and (5) if the re- landscaping is conducted according to the Homesite’s pre-approved landscaping plan. The landscaping plan submittal must include the following in order to be pre-approved by the Committee: size, variety, and location of every existing tree and plant on the Homesite; and any and all other applicable Homesite landscaping features, including but not limited to a detailed description of ground plane character.

During the re-landscaping process, all Transition Areas on a Homesite must be fully restored to match the Site’s Natural Area. In some cases, the Committee may even require more re-landscaping than the amount that existed in the Transition Area initially, in order to create the closest possible match to the Homesite’s Natural Area. All Close-In Zones must be landscaped so they completely match the Natural Area or they must be landscaped so they begin closest to the home as an enhanced type of landscaping (purported to compliment the architecture of the home structure) and smoothly transcend to completely match the Site’s natural landscape by the time they meet the edges of the Transition Area(s) and/or Natural Area(s).

Complete landscape restoration is achieved by replicating all features of the existing natural landscape. At Promontory, complete Homesite restoration includes the following steps:

1. First, either restoring original or creating native-looking grading shapes which blend into existing drainage ways, landforms, and Site construction. The Committee will never approve shapes that are arbitrary or that appear to be artificial.
2. Secondly, the finished, exposed ground surface must match the ground surface on the rest of the Site. It is important to note that each Homesite has its own unique ground pattern and its own coloring as related to soil, sand, and surface rock. As well, each Site has its own types of rocks, and stones which should be properly identified and replicated. Though seemingly tedious, the carefully-executed surface matching becomes key to maintaining the Homesite's unique, native mountain character. Thus, other surface treatments (i.e. rocks not found on the particular native Site, wrongly colored rocks, rocks with decorative geometric shapes and/or patterns, rocks which are clearly artificial, etc.) will not be approved or allowed by the Committee.
3. Next, trees and plants (including any native grasses) must be selected from a palette of the existing vegetation varieties already identified and established on the Site.
4. Lastly, any plant locations (i.e. spacing, staggering, etc.), variety mixes, densities, and/or arrangement(s) must enhance and compliment the Homesite's existing natural theme. Therefore, the Committee may require extra elements (i.e. down trees, native grassy areas, leaf litter, dry waterways, matched outcropping, etc.) to be added depending on a Site's specific characteristics.

Blending is the technique by which a smooth transition happens between the complete native landscape on a Site to the carefully designed and articulated dense arrangement of plants and vegetation which is found closely surrounding the home structure. Proper blending allows an authentic, yet enhanced landscaping system to be created and maintained immediately adjacent to the Homesite's constructed building improvements, which will screen and shape views from surrounding Sites, golf courses, Open Spaces, Common Areas, and roadways; will aid in sun control; and will soften the transition between the Site's architectural improvements and the land itself.

Specifically, this enhanced landscaping is defined as dense groupings and mixings of vegetation which might not normally occur in their exact location close to the home, but which appear as natural landform features and serve to compliment both the home structure and the Site's native landscape

character. As enhanced landscaping is proposed, the predominant, denser features should be located nearest the home and the more natural features should be located farther away from the home.

All unsightly disturbance(s) or Damage caused to the Homesite landscape shall always be repaired. Damage may occur naturally either as a result of improvements or for completely undetermined reasons. Regardless of the reason, all Damage(s) on a Site (no matter when or where they occur) must be repaired appropriately and completely. All landscaping (whether required by the Committee at any time or requested by the Owner) shall always be restoration which has been pre-approved by the Committee.

As well, to thoroughly reestablish the native landscape environment, any and all revegetation landscaping will require a sufficient temporary irrigation. Each plant may easily have separate and varying water needs; thus, all irrigation system(s) must be flexible enough to allow for both managed reduction(s) in water flow amounts and separate irrigation schedules for certain independent selections of plants. Although at some point this supplemental irrigation may be terminated, a Site's irrigation system must be in place long enough to create a permanent, quality, year-round, underground, self-serving system. As well, all irrigation equipment must be located and/or screened in such a way that it is never visible from adjacent Homesites, Common Areas, Open Spaces, golf courses, and/or roadways.

Finally, the Committee requires that every Homesite Owner at Promontory make genuine efforts to return all disturbed areas on his/her Homesite to the most accurate rendition of the Site's original native and undisturbed natural landscape as quickly and as completely as possible.

5.9 Plant Density

For each Homesite's proposed landscape to achieve a finished look that is both natural and appropriate to its character, every single piece of vegetation (i.e. tree, plant, etc.) must be arranged and spaced exactly according to its natural location pattern. As each Site may easily vary in plant groups arrangements and spacing (density), the Natural Area on each Site should be used as a model for plant density on the whole Site. As the landscape plans are designed, sufficient information about the Homesite's existing Natural Area(s) must be illustrated and explained, so the Committee can properly determine how closely the proposed plant sizes, spacing, etc. relate to the existing landscape characteristics.

The final decision about plant density and spacing will also depend on factors such as the plants' initial sizes and their respective growth rates. Generally, smaller plants require close spacing initially (accompanied by subsequent thinning if the landscape appears over-crowded in the future). Other

factors to consider when planning vegetation density are the specific locations on the Homesite which require/allow planting, Site topography, Site soil conditions, available water to the Site, and/or any other Site conditions that may increase or decrease the amount of appropriate plant density.

Lastly, plant density is unique on every Homesite in Promontory, as native trees, shrubs, groundcovers, and grasses may differ drastically throughout the Community. Although every plant density evaluation and approval is highly Site-specific, patterns on a Site are as follows:

1. Plant density within the Transition Area(s) should replicate the plant density within the neighboring Natural Area(s).
2. The Committee, in its sole discretion, may approve and/or require planting which is denser than expected in the Transition Area Close-In Zone for very Site-specific purposes.
3. Plant density within a Site's Private Area may be that which the Owner desires, so long as these plants are not visible at all from adjacent Homesites, Common Areas, Open Spaces, golf courses, and streetscapes.

All landscape material must meet the minimum required sizes and density, or the Homesite Owner will be required to replace per the Committee's discretion.

5.10 Groundcover

On some Promontory Homesites, the Committee may approve certain locations for a new and/or enhanced groundcover area (i.e. specific grasses, plants, and/or vines defined below) may be created. At Promontory, groundcover planting areas may only be developed in one of the following ways:

1. As an extension of naturally occurring groundcover on the adjacent existing landscape, or
2. As a replica of naturally occurring groundcover that appears authentic (as decided by the Committee, in its sole discretion).

The Committee shall not approve any proposals for areas which present the appearance of traditional turf for groundcover in front or rear yard improvements.

Groundcover may only be open, natural-looking, seasonal native grasses or low-growing, seasonal

native plants/vines. In order for this groundcover to grow properly and to look appropriate, this seasonal plant variation and respect for natural growth patterns must be present. The Committee will approve groundcover if, in the Committee's opinion and sole discretion, the cover is placed in logical areas along the Site's contour, the cover is both practical and aesthetically pleasing in its location on the Homesite, the cover fits with the home's orientation and architecture, and the cover has edges which naturally blend into the rest of the Homesite's landscaping.

The Committee will not approve any groundcover proposal where the grass, etc. resembles traditional turf in any way, looks like a traditional residential front or back yard, and/or appears as a permanent or artificially supported, year-round, defined, green and/or manicured lawn area.

Groundcovers which are inorganic or rock may only be used in the Transition Area of a Homesite if they exist on the adjacent undisturbed Natural Area surfaces on such Homesite, and these kinds of groundcovers must only be used in the same manner as they exist in these adjacent Natural Areas. Inorganic and rock groundcovers must always replicate the native color, shape, size and mix of materials on the existing ground plane. The existing ground must always remain natural in appearance (i.e. it cannot be raked in visible patterns, cleaned, manicured, or otherwise modified).

Groundcovers which have a designed pattern, are decorative, are artificially shaped, or are made of an arrangement of inorganic materials such as sand, gravel-screened rock, or boulders may never be used as ground plane improvements in the Natural and/or Transition Area(s) on a Homesite. As well, organic groundcovers such as manufactured non-native bark chips, compost, and/or prepared mulches may never be used in the Natural and/or Transition Area(s) on a Homesite. However, any kind of ground plane groundcover may be used on a Homesite's Private Area, so long as it is not in any way visible from any neighboring Homesites, Open Spaces, Common Areas, golf courses, or roadways.

5.11 Turf

At Promontory, all visible Homesite landscapes shall appear as though they are completely native. Therefore, turf is never approved in the Natural and/or Transition Area(s) of a Homesite. The Committee will only consider approving the use of turf within a Homesite's Private Area if the following conditions are met:

1. The turf is comprised of grasses which are listed on the Approved Plant List under "Grasses" and
2. The turf is only planted in places which are not at all visible from any and all neighboring Homesites, Open Spaces, Common Areas, golf courses, or roadways.

Any and all Committee-approved turf must be hybrid and non-seeding, and it must be maintained and/or irrigated in such a way that it does not ever adversely affect any Promontory improvement, facility, neighboring property, wildlife, and/or native plant life. If, at any time, the Committee, in its sole discretion, determines that previously-approved turf has become a nuisance for any reason, the Committee, in its sole discretion, may require that existing turf to be immediately eliminated altogether and/or to be immediately replaced with another Committee-approved turf variety.

Using turf on Promontory Homesites is highly discouraged, as turf is non-native vegetation which not only requires more water, nutrients, and maintenance than native vegetation, but which also highly contrasts visually to natural Promontory terrain. Thus again, turf (and/or the artificial replication/appearance of turf) may never be visible from neighboring Homesites, Open Spaces, Common Areas, golf courses, or roadways; and any native grasses which are visible from neighboring properties may never be planted, maintained, irrigated, and/or used in such a way that they take the place of, have the appearance of, or in any way replicate traditional turf lawns.

Most importantly, only Committee-approved, seasonal native grasses shall be used as a natural landscaping element on Homesites within Promontory.

5.12 Hardscape

At Promontory, hardscape is defined as the following: any non-architectural, inorganic improvement and/or modification to a Homesite's natural surface, which falls within the Homesite's Natural Area or the Site's building envelope. Hardscape includes improvements such as: paths, walkways, on-site parking, improved drainage ways, hard surface landscaped areas, and/or similar improvements which may not be discussed in these Guidelines. Any hardscape improvements on a Homesite require Committee approval prior to the start of construction and/or installation of the improvements. The Committee must fully review and approve the proposed location(s) of the hardscape, material types to be used, hardscape colors, and/or any other changes to the existing Site or its landscape that could in any way result from the hardscape.

Hardscape used on Promontory Homesites must comply with the following:

1. All landscape-related hardscape must appear natural and appropriate to the Homesite's existing landscape.
2. Natural surface materials, such as decomposed granite and/or surface rock must match existing colors and native textures. Manufactured products such as brick, pavers, or patterned / colored concrete must closely match the adjacent natural surface colors.

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3. Whether the hardscape is natural or man-made, it must be installed/situated in such a way that it follows the natural patterns of native grasses/groundcovers which are planted to soften the improved area.
 4. All walks and/or pathways must be narrow in width (i.e. two (2) to four (4) feet), and it must follow the natural ground contour lines.
 5. All patios must be shaped naturally and must cause the least amount of Site modification possible. Finished patios must be located so it is apparent that they were carefully sited and shaped to fit perfectly into the most practical naturally occurring location for them on the Homesite.
 6. All improvements such as elevated surfaces, curbing, swales, piping, and/or grading which alters the approved drainage plan for the Homesite must be avoided. Modifications such as these can easily redirect, concentrate, or pond storm water, which will cause erosion and water damage. Instead, porous materials and careful installation methods will help reduce water runoff and the damaging of concentrated water flows.
 7. All ancillary hardscape improvements and/or associated modifications (i.e. revised grading, added landscaping, low walls, built-in seating, lighting, etc.) must be carefully contemplated in design and purpose by the Owner, Architect, and/or Builder, and must be pre-approved by the Committee. The Committee intends that any such constructed hardscape improvements will both (1) appear as a visual extension of the home's architecture (including the architecture of any other improvements on the site) and (2) feel like they directly relate to and are a visual extension of the acknowledged and approved adjacent landscape characteristics for the particular Homesite.

5.13 Water Features

Constructed water features are not allowed in the Natural and/or Transition Area(s) of any Promontory Homesite. However visually attractive and sophisticated these water features may potentially be, any water which is artificially introduced/added into the natural environment may easily become disruptive. Although water features are discouraged on Promontory Homesites, the Committee may specifically consider and approve water features located in the Private Area of a Homesite if such features meet the following criteria:

1. The water feature(s) are not at all visible from neighboring Homesites, Open Spaces, Common Areas, golf courses, or roadways.
2. The water feature(s) are designed in proportion to the Homesite's architectural and landscaping themes.
3. All water feature mechanical equipment is completely screened from the view of neighboring Homesites, Open Spaces, Common Areas, golf courses, or roadways.
4. The water feature(s) are designed to minimize water use in normal operation and typical maintenance.
5. The water feature(s) and any and all of their lighting, mechanical equipment, water spray, drainage mechanisms, etc. must be constructed and maintained so as to never adversely affect neighboring Homesites, Open Spaces, Common Areas, golf courses, roadways, native plants, and/or animals/wildlife in any way.
6. Finally, the water feature(s) may not create any kind of nuisance or extra maintenance by having complicated mechanical operations, by attracting animals or insects, or by supporting the existence of non-native plant life.

5.14 Gardens and Non-Native Planting Areas

Any and all non-native planting areas may only be established and maintained within the section of a Homesite's Private Area which is not visible from any and all neighboring Homesites, Open Spaces, Common Areas, golf courses, or roadways. Non-native planting areas include but are not limited to the following: decorative gardens that emphasize flowering plants; gardens comprised of organized flower arrangements, non-native shrubs, and/or vegetables; and orchards and/or unnatural appearing groupings of shrubs and/or trees. This limitation does not, however, prohibit a Site from having the enhanced planting areas (which are comprised of native plants and are in the Transition Area's Close-In Zone) discussed in Section 5.7.

The following must be hidden from all views from neighboring Homesites, Open Spaces, Common Areas, golf courses, or roadways: trash storage, compost areas, screens, netting and/or other animal barriers, lighting, irrigation mechanisms, and/or any kind of mechanical equipment.

In addition, gardens and/or planting areas may never be maintained in any form on any Promontory Homesite if they contain any plant which is not Committee-approved. Any plant which is not specifically listed on the Approved Plant List, Section 3.17, shall be approved by the Committee prior to planting.

All plants that the Committee determines could potentially create a nuisance (i.e. because of excessive water use; excessive water runoff; excessive litter, seeds and/or plant debris; attraction of animals/insects; and or the threatening of existing native landscape in any way) may never be maintained on a Homesite.

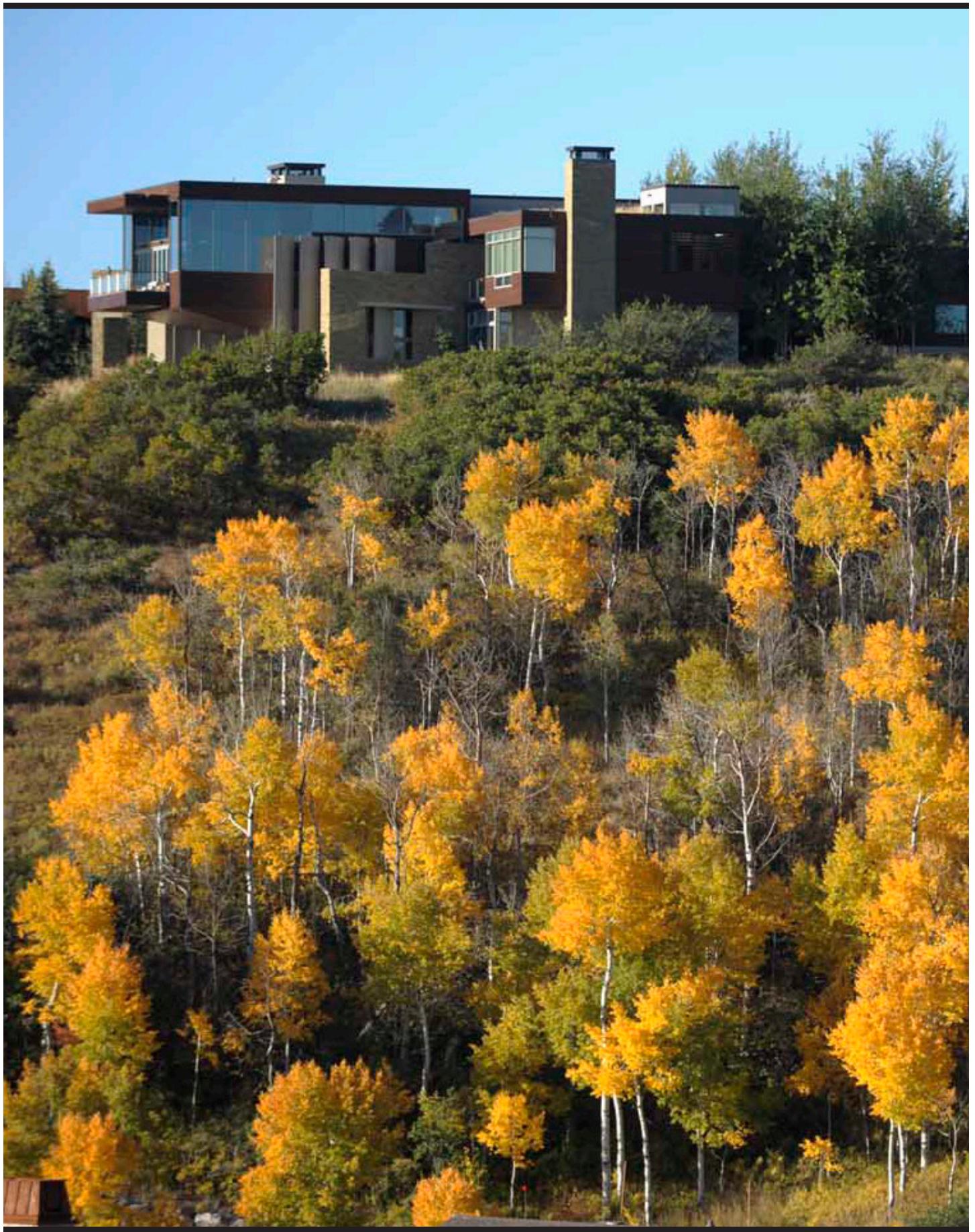
All garden-associated improvements (i.e. tool and equipment storage) or growing areas (i.e. greenhouses) must be designed so they are an integral part of the home's architecture and must be evaluated and approved by the Committee as part of the Homesite Design Plans. The use of other visibly decorative plantings, such as those placed in architectural planters, pots, and/or other building-related improvements, shall always be evaluated by the Committee and approved prior to their implementation on a Homesite. Such plantings must always appear as an integral part of the Homesite Design and the actual home's architecture, rather than looking like landscaping enhancements which have been contemplated and added to the Homesite subsequent to the design of the home.

5.15 Access to Path System

Access to approved, designated Promontory pathways is only allowed at specifically designated trailheads. On a case-by-case basis, the Committee may evaluate and approve individual access to a Promontory path from a certain Homesite. In addition to having the necessary Site-specific characteristics warranting allowance of a special Owner access path (as determined by the Committee, in its sole discretion), the following general conditions must be met for the Committee to consider such pathway access for any Homesite Owner:

1. The Owner shall accept sole responsibility for any and all costs relating to the Owner's requested pathway improvements, maintenance, removal, and/or restoration.
2. The Homesite must be directly adjacent to the designated Open Space containing the approved Promontory path or the approved Promontory path must cross the Homesite itself (i.e. in an easement). As well, the Committee must pre-approve the specific location of the new access path and any and all access improvements which will occur by the Owner across the Open Space for the purposes of connecting to the Promontory pathway.

3. The Owner's access to the Promontory pathway does not/will not encroach on adjacent Homesites and/or adjacent Homesites' access to the pathway.
4. The location and use of the Owner's added pathway may not create a nuisance to any neighboring Homesites, Open Spaces, Common Areas, golf courses, public rights-of-way, or roadways.
5. The Owner's pathway shall only be used by the Owner for access to the Promontory pathway and shall not be used by other persons as a through-way and/or have the appearance of being a "general use" addition to the approved Promontory path.
6. The Owner's pathway surface shall only be the natural, existing surface material already present, as pathway definition will naturally occur through the Owner's use of the path. Created delineation along the path (such as rock-lined edges or raked surfaces) shall not be used, nor shall any extra material be added to create the Owner's pathway.
7. The Owner's pathway shall resemble a "game trail" in appearance and size, meaning that it is unobtrusive, natural-looking, and scaled in proportion to the native, undisturbed topography of the land.
8. The Owner's pathway shall not: cause any vegetation to be removed, cause erosion, or cause any Site features to be disturbed in any way.
9. The Owner shall accept responsibility for installing any signage and/or appropriate graphics improvements the Committee, in its sole discretion, deems necessary to avoid confusion regarding the Owner's pathway and/or the Promontory pathway.
10. The Owner's pathway approval is temporary at all times. At any time, the Committee may, in its sole discretion, determine that the Owner's pathway is incompatible with the intent of the Promontory pathway system and request that the pathway be repaired, modified, or removed and restored to the natural landscape conditions. Complete compliance to any such Committee request shall always be required by Owners.



APPENDIX A - SUPPLEMENTAL DESIGN GUIDELINES FOR SENSITIVE RETENTION AND RIDGELINE AREAS

For the purposes of these Design Guidelines, Retention Areas are those areas facing the I-80 and/or U.S.-40 Viewsheds, and Ridgeline Areas are those which are positioned on the top of a ridgeline in the Community. All lots within Retention Areas and all Lots within Ridgeline Areas shall be subject to the same restrictions, as detailed in the Design Guidelines. Lots within Ridgeline Areas may, at the County's discretion, also have the burden of proving that they do not break the ridgeline.

As of January 2017, lots where Retention Area restrictions are imposed are the following:

- West Hills: All Lots
- West View: All Lots
- Lookout Ridge: All Lots
- Signal Hill: All Lots
- The Homesteads: All Lots
- Sunset Ridge: All Lots
- Painted Sky: All Lots
- Palisades: All Lots
- North Gate Canyon: All Lots
- Golf Club Cabins: All Lots
- Bison Bluffs: All Lots
- Deer Crossing: Lots 81, 82, 83, 84, and 85
- Aspen Camp: Lots 3, 4, 5, 6, and 7
- Elk Ridge: All Lots

Lots where Ridgeline Area restrictions are imposed are the following:

- Deer Crossing: Lots 80, 89, 95, 96, 97, 98, 99, 100, 101, 102, and 103
- Range Hill: All Lots
- Wapiti Canyon: Lots 8, 24, 25, 26, 27, 28, and 30
- Promontory Ridge: All Lots
- Ranch Club Cabins: All Lots
- Dye Course Cabins: All Lots
- Buffalo Jump: All Lots
- The Summit: Lots 28 through 34 and 36 through 58.

The following Design Criteria have been crafted to address the concerns of the Summit County Board of County Commissioners, as well as, other concerned neighbors and stakeholders. They are to apply to the Retention and Ridgeline Areas outlined in the Promontory Viewshed Designation Map contained in the Promontory Development Agreement.

1. SUPPLEMENTAL DESIGN GUIDELINES FOR RESIDENTIAL AREAS

All residential construction within Retention and Ridgeline Areas at Promontory will be subject to Promontory's Master Design Guidelines and to these Supplemental Design Guidelines which shall be imposed by the Promontory Conservancy on areas or lots contained within the designated Retention and Ridgeline Areas as an additional layer of design controls to address design concerns particular to those locations.

Lighting

For the purposes of safety, a low-level uniform street lighting scheme will be designed by the developer except where a higher level of lighting is required for public safety in the judgment of the County Engineer. For the purpose of maintaining a dark sky, no additional lighting (other than softly back-lit street address identification) may be installed by any Owner adjacent to the right-of way. Additional site lighting is permitted within a building envelope, provided such lighting does not result in excessive glare toward the western viewshed. All exterior lighting in Retention and

Ridgeline Areas must be of a low level subdued intensity with the source of light fully shielded and directed downward, and is subject to approval by the Architectural Review Committee. No wall wash type of lighting is permitted. Security lighting must also comply to the shielding requirement and be connected to a timed motion detector.

Height and Massing of Structures

The purpose of building height restrictions in the Promontory Design Guidelines is to minimize the visual effect of the Community at full development. With that end goal in mind, and in order to address the increased sensitivity to this goal in Retention and Ridgeline Areas, any construction in Retention and Ridgeline Areas can have no portion of a structure (except for chimney elements) exceeding a maximum height 28 feet above original natural grade directly below the point of measurement. Additionally, all homes must have a one-story massing element on the downhill side of the western viewshed.

Offsets or indentations in wall planes create visual interest and add depth via shadow lines. No building wall may extend more than 30 feet in length without an offset in the vertical plane of at least four feet.

Exterior Materials

There exist many traditions in high country architecture which will be encouraged at Promontory, along with certain regional adaptations. Exterior material will be natural materials that blend and are compatible with the native landscape. The predominant exterior materials in all Retention and Ridgeline Areas will consist of wood or native stone, including wall shingles, beveled or tongue-in-groove board siding, board-on-board, board and batt, and darker tones of native stone. These materials are heavy texture, non-reflective materials. Logs or lodgepole may be used in limited quantity at the discretion of the Design Review Committee.

Roof Lines

Many homesites within Retention and Ridgeline Areas involve special sensitivity due to their location. As it relates specifically to the roof design, the ridge of any primary building roofline within a Retention or Ridgeline Area shall run parallel to or within 20 degrees of parallel of the predominant topography. Homesites within Retention and Ridgeline Areas must all have roof materials finished with nonreflective, earth tone colored surfaces.

Exterior Colors

The color of exterior materials must be subdued to blend with the natural landscape. Earth tones are recommended, although accent colors, which are used judiciously and with restraint, may be permitted.

In no case will colors approaching the primary range (red, blue, white and yellow) be permitted in Retention or Ridgeline Areas, nor will drastic contrasts in value (light to dark) be allowed. White may not be used as an accent or “trim” color; “light-grey” siding stains, which approach white or off-white in appearance, will not be allowed.

Landscaping

It is the intent at Promontory to preserve the appearance of the natural landscape and preclude the use of plant materials that would appear out of place and, therefore, offensive to the eye. Moreover, the landscape design in Retention and Ridgeline areas must be undertaken and maintained in such a manner as to ensure that development is subordinate to the landscape, particularly as viewed from the Highway 40 / Interstate 80 areas. To achieve these objectives, the Promontory Landscape Master Plan (attached as an Exhibit to the Development Agreement) for Retention and Ridgeline Areas shall require heightened landscaping and tree planting. The factors that may require additional landscaping beyond that shown in Exhibit L - Lot Type 2 include proximity to a Preservation Area, design and visibility of the residence and location and size of the lot.

The heightened landscape within building envelopes that will be required in Retention and Ridgeline areas is represented in the Landscape Master Plan. While planting plans for individual lots may be different they should meet the intent of the Landscape Master Plan. Clusters of building envelopes in Retention and Ridgeline areas on the western viewshed will be visually linked together by the installation of trees and native vegetation on lots outside of the building envelopes as determined necessary by the Architectural Review Committee, which shall be the responsibility of individual lot owners. This will ensure the landscaping within each building envelope to be linked to the adjacent lots. This concept is illustrated in Exhibit L - Lot Type 2. This Additional landscaping requirement shall be placed to maximize its effect when viewed from U.S. 40 / Interstate 80 and does not reduce the requirement to provide additional landscaping on other sides of the residence as required by the Architectural Review Committee.

2. SUPPLEMENTAL DESIGN GUIDELINES FOR NON-RESIDENTIAL SITES WITHIN RETENTION AND RIDGELINE AREAS

For non-residential (club facilities/commercial/resort hotel/community facilities) sites located within Retention or Ridgeline areas all the restrictions and concepts outlined in the guidelines for residential areas will apply, with the exception of certain restrictions that will be modified to acknowledge the special conditions which parking lots and larger building types required for club, resort, community and commercial facilities will present. Those modifications are detailed below.

Lighting

Due to the issues presented for safety within parking lots, more lighting than allowed for residential units will be permitted. All parking lot lighting will be minimized but will allow for safely lighted conditions within parking lots, public areas and walkways. Pole mounted lights will be only down lights with shielded sides. Poles will be kept to a maximum height of twelve feet. Low height bollards will be allowed along sidewalks, and along edges of terrace areas. Whenever practical and consistent with the intended purpose of the site plan parking facilities shall be recessed, landscaped or shielded by buildings to minimize their visual impact.

Height and Massing

Due to the nature of the sloped sites and the commercial nature of the buildings, building heights of 35 feet will be permitted for commercial buildings within Retention areas. On sloped sites facing the western viewshed, two story massing will be permitted. Multiple roof forms, wall-breaks and/or porches should be used to create variation in any west-facing two-story building elevations.

Roof Lines and Materials

Rooflines will not be restricted to being parallel to the dominant slope, but the roof materials must be compatible to the mountain back drop.

Site Grading

It is assumed that club facilities and other non-residential sites will be developed with little or no natural open space within the designated sites. For this reason,

disturbance of these sites will be permitted. The applicant for each site plan will work with the existing terrain to the extent reasonably possible to minimize visual impact of the project and otherwise comply with applicable provisions of the Design Guidelines while also creating a site plan which achieves its intended purposes. Re-contouring of the site will be permitted when the intended purposes of the site plan cannot otherwise be reasonably achieved.

Landscaping

Landscape plans for non-residential sites will be developed on a case by case basis. Parking areas must incorporate landscape islands in appropriate locations, while still allowing for efficient snow removal. Special attention must be paid to areas of the site that face the downhill western viewshed slopes. Landscaping will be designed to help soften the buildings' visual appearance to minimize impact, the intent of which requirement is generally shown in Exhibit L - Lot Type 2. The intent of this requirement is not to block views from any building, but rather to blend buildings into the surrounding terrain so that they will not dominate when viewed from a distance and on reasonable maturation of landscaping. Factors affecting the amount of required landscaping include proximity to a Preservation Area, design and visibility of the structures, location of the site and size of structures.

APPENDIX B - SUPPLEMENTAL DESIGN GUIDELINES FOR NON-RESIDENTIAL AREAS

Non-residential sites (i.e. club, commercial, resort, hotel, and/or Community facilities) located within a Retention and/or a Ridgeline Area shall be subject to the restrictions for residential Homesites in Retention and Ridgeline Areas (as detailed in the main body of the Guidelines), with the exceptions of certain restrictions which are modified to acknowledge the special conditions which parking lots and larger building types required for club, resort, Community, and commercial facilities may present. Those special modifications are detailed below.

Lighting

Due to safety considerations, parking lots and some Common Areas in non-residential sites within Retention and/or Ridgeline Areas may have more lighting than is allowed in Retention/Ridgeline Area Homesites. Lighting restrictions for parking lots, public areas, and walkways on non-residential sites in Retention and/or Ridgeline Areas are the following:

1. Parking lot lighting in these areas should still be minimized, but such lighting must always provide enough light to create safe conditions in the parking lots, in public areas, and on walkways.
2. Where poles are used in these areas, such poles may only have a maximum height of 12 feet.
3. Any and all pole mounted lights used shall be down lights and they shall have shielded sides.
4. Bollards of a low height are allowed along sidewalks and along the edges of terrace areas.
5. Parking facilities, whenever practical and consistent with the intent of such facilities' site plan(s), shall be recessed, landscaped, and/or shielded by buildings to minimize their visual impact.

Height and Massing of Structures

Facilities on non-residential sites within Retention or Ridgeline Areas may have a maximum height of 35 feet because of the nature of the sloped sites and the commercial nature of the buildings on these sites. As well, non-residential facilities on sloped sites facing the western U.S. 40 or I-80 Viewsheds may have two- story massing on their downhill sides (without having a substantial single story massing element that extends for at least half of the length of the facility on that side), but such facilities must use multiple roof forms, wall- breaks, and/or porches to create variation in these western-facing two-story building elevations.

Roofline Slopes and Roofing Materials

Facilities on non-residential sites within Retention or Ridgeline Areas are not restricted to having their rooflines run parallel to the predominant topography. However, it remains extremely important for these structures to have roofs composed of materials which are compatible to the mountain backdrop.

Non-Residential Site Grading

Non-residential sites (including club, commercial, resort, hotel, and community facilities) may be developed with little or no natural open space within the designated sites. Therefore, disturbance of these sites shall be permitted.

As each non-residential site and the facilities on it are unique, the site plans in non-residential areas must work to minimize the visual impact of the project as much as possible and comply with applicable provisions of the Guidelines, while using the existing mountain terrain as a guide for doing so.

Re-contouring of the site will be permitted when the intended purposes of the site plan cannot otherwise be reasonably achieved without doing so and when such re-contouring purports to achieve the goals of the Landscape Master Plan and the Promontory Community.

Landscaping

Facilities on non-residential sites within Retention and/or Ridgeline Areas will have landscaping plans which are developed on a case-by-case basis. Unique landscaping requirements for non-residential

sites within these areas are detailed in Section 5.4: Lot Type 2 (which references the Landscape Master Plan). Certain restrictions shall apply to these facilities, which are:

1. Parking areas must incorporate landscaping islands in appropriate locations, while still allowing for efficient snow removal.
2. Very special care will be expected for areas of the site which face the downhill western U.S.-40 and/or I-80 Viewsheds, meaning that landscaping plans on these sites must be designed to soften the buildings' visual appearance and impact. The buildings/facilities on these sites should blend into surrounding terrain so they do not become a dominating part of the viewscape when they are seen from a distance after a reasonable maturation of landscaping has taken place.
3. Like Homesites in these sensitive areas, the required landscaping requirements for buildings and facilities in these areas shall depend on many factors, which include, but are not limited to: the specific facility's proximity to a Preservation Area, the specific location of the site, the size and shape of the site, the size and shape of the facility, the proposed facility's architectural design, and the proposed facility's visibility from street right-of-ways and/or from the U.S.-40 and/or I-80 Viewsheds.

APPENDIX C - DEFINITIONS

To warrant the smooth reading and understanding of these Design Guidelines, the following capitalized terms shall have the meaning given them in the Declaration or the By-Laws:

- 3.21.1 Governing Documents (as defined in Section 1.4 of the Declaration), including: Declaration, Supplemental Declaration, Articles of Incorporation, By-Laws, Design Guidelines, Use Restrictions, and Development Agreement.
- 3.21.2 Architectural Review Committee (referred to herein as the “Committee”)
- 3.21.3 Board of Directors (referred to herein as the “Board”)
- 3.21.4 By-Laws
- 3.21.5 Common Area
- 3.21.6 Promontory or Community (sometimes referred to herein as the Promontory Community)
- 3.21.7 Conservancy
- 3.21.8 Conservancy’s Agent
- 3.21.9 Declarant
- 3.21.10 Development Agreement
- 3.21.11 Lot
- 3.21.12 Owner
- 3.21.13 Plat
- 3.21.14 Record, Recording, or Recorded
- 3.21.15 Residence
- 3.21.16 Supplemental Declaration
- 3.21.17 Village

The following capitalized terms shall have the meaning given them in the Development Agreement:

1. Building Permit
2. County
3. Developer
4. Estate Lot
5. Incentive Density
6. Open Space
7. Promontory SPA Plan and Promontory SPA Plan Book of Exhibits (as they are attached as an integral part of the Development Agreement)
8. Residential Unit
9. Resort Unit
10. Viewshed

The following capitalized terms, if defined in the Declaration or the Development Agreement, shall keep their meanings defined therein, and shall be more specifically defined below for the purposes of these Design Guidelines only. Capitalized terms delineated below for the first time shall be defined by the following for the purposes of these Design Guidelines and for Promontory Design Review. Any terms which are not listed in this Section 1: Definitions shall be defined in the Design Guidelines.

- 1. Architect:** Either a (1) Licensed Architect or an (2) unlicensed designer, engineer, draftsman, or other person who properly submits Committee requisites and is pre-approved by the Committee to fully participate as an Architect in connection with an Owner whose Lot is undergoing or will immediately (upon proper Architect selection) undergo Design Review.
- 2. Builder(s):** An Owner's General Contractor (including any and all of such Contractor's subcontractors, employees, agents, materialmen, and other persons working in conjunction with the construction of improvements on such Owner's Lot).

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- 3. Committee Member:** Any particular member of the Committee, as set out in Section 8.1 herein.
 - 4. Committee Representative:** Any Committee Member or designated person(s) who is, at a Committee Member's request, acting on behalf of a Committee Member or of the Committee as a whole.
 - 5. Damage:** Damage caused to the Homesite or to any neighboring Homesite(s), Open Space(s), Common Area(s), golf course(s), roadway(s), public rights-of-way, or any other property within Promontory by the Owner and/or the Owner's Architect(s) and/or Builder(s) during construction on the Homesite, as well as any defect, problem, disturbance, or damaging effect caused by noncompliance with or violation of the 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 Guidelines:** The Promontory Design Guidelines as defined in the Declaration and adopted as part of the Governing Documents, including any and all attached Supplemental Design Guidelines (which may either add or modify restrictions applicable to a certain Village in the Community), Appendices, and/or Amendments thereto. Also referred to herein as "Guidelines."
 - 7. Design Review:** The comprehensive Architectural Review process by which an Owner submits plans for building a residence on a Promontory Homesite, which process begins with Architect Selection and ends with Final Inspection and Final Release (See Section 2 for a complete Design Review list).
 - 8. Development Agreement:** That certain Development Agreement dated January 16, 2001 and more fully defined in the Declaration, including any and all Exhibits thereto, and specifically referencing in these Design Guidelines the following Exhibits: the Landscape Master Plan and the Wildfire Prevention Program.
 - 9. Final Release:** The final phase of Design Review (as described in Section 7.14 herein), which merits the return of the Performance Deposit Agreement, the Notice of Voluntary Lien, and the Performance Deposit, or any balance thereof.
 - 10. Fire Department:** Park City Fire Service District

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- 11. Governing Documents:** The seven (7) items listed under “Governing Documents” above, as they are defined in Section 1.4 of the Declaration, including any and all amendments, appendices, and/or supplements to each of those Governing Documents respectively, and any rules and/or regulations adopted or promulgated by either the Conservancy or the Committee, in the Conservancy’s behalf.
- 12. Gross Total Area:** This Area is comprised of all areas of the home including all garage(s), unconditioned storage space/mechanical rooms, and all covered porches/patios on the ground level and all open and covered porches on the upper level(s). This space is specifically measured starting at the outside perimeter of the home.
- 13. Homesite Design:** The overall, complete aesthetic and architectural vision for a Homesite, including landscaping, architecture, and any other improvements intended for the Homesite.
- 14. Landscape Master Plan:** Exhibit J of the Development Agreement, and referred to herein as being applicable to the Community.
- 15. Lot or Homesite or Site:** The specific Lot currently causing an Owner (including such Architect(s) and such Owner’s Builder(s)) to participate in Design Review at Promontory.
- 16. Net Livable Area or Enclosed Livable Space/Area:** The home’s “net livable area” is comprised of all of the enclosed livable area of the home, including stairs and elevators (which are calculated one time as a shaft through the home on the level of the home where they occupy the most total area), and “walk out” floor levels. The following areas are not included in the “net livable area”: (1) garage(s), (2) basement(s) (so long as the basement’s finished ceiling and all four sides of the basement are completely below existing, pre-construction grade on the Lot; there is no direct ingress or egress at the basement level to the exterior; and there are no window wells or other openings which would allow certain habitable uses such as sleeping areas to be created in the future. Basements meeting such requirements may be conditioned spaces.), (3) unconditioned storage area(s), unconditioned mechanical rooms, fireplaces, any and all completely walled-in chases/cavities and exterior and interior walls except for door openings.
- 17. Owner:** The particular Owner of the Lot presently undergoing Design Review at Promontory.

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- 18. Performance Deposit:** The Performance Deposit which is defined in Section 7.9 herein.
- 19. Performance Deposit Agreement:** The two-part agreement, as defined in Section 7.9 herein, including the Deposit Agreement and the Notice of Voluntary Lien.
- 20. Plan(s):** Any Site Plans, Floor Plans, Elevations, drawings, specifications, models, depictions, and/or other plans submitted as part of Design Review.
- 21. Retention and/or Ridgeline Area:** A visually sensitive area within Promontory in which development and activities may occur so long as such development is not visually evident, or it is subordinate to the characteristics of the natural landscape. For the purposes of these Guidelines, Retention Areas are those areas facing the I-80 and/or U.S.-40 Viewsheds and Ridgeline Areas are those which are positioned on the top of a ridgeline in the Community. Lots within both of these Areas shall have special architectural restrictions, which restrictions are fully set out and detailed herein.
- 22. Transition Date:** The date on which the Class B control period terminates, as such control period is defined in the Declaration and the By-Laws. For the purposes of these Guidelines, this is the date on which the Conservancy Agent assumes the Conservancy duties previously owned by the Declarant.
- 23. Wildfire Prevention Plan:** Exhibit L of the Development Agreement and referred to herein as being applicable to the Community.

