

# DESIGN REVIEW PROCESS FOR SINGLE FAMILY HOMES

The CC&Rs require that all Improvements or changes on a Lot must be reviewed and approved by the ARC. The design review procedures are outlined below. Like the Guidelines in the preceding pages, they have been designed to facilitate an efficient and effective approval process.

The Spanish Peaks design review process is set up to be a cooperative one between Owners, their design and construction team, and the ARC. The ARC helps Owners to realize their own objectives while implementing the overall vision that distinguishes Spanish Peaks as one of Montana's great places year-after-year.

The ARC review evaluates the proposals for construction of improvements in terms of the CC&Rs and the Guidelines. At the same time, the ARC recognizes that each Lot has unique characteristics and Owners have individual needs. Accordingly, the ARC may, at its sole discretion, approve modifications from the Guidelines, provided it is demonstrated that the proposal is consistent with the CC&Rs and the intent of the Guidelines, and that it will not adversely affect adjoining or nearby Lots or Spanish Peaks as a whole. A major modification would be granted in the form of a written modification as set forth in the CC&Rs. Any modification would apply to a specific set of unique conditions and not be treated as a precedent.

The design review process is organized in three steps, as described below, followed by three aesthetic reviews during construction, as outlined in Chapter 11- Construction Regulations.

## 10.1 PROJECT TYPES TO BE REVIEWED

ARC review and approval is to be obtained for all project types listed below:

- New Construction – Construction of any new, freestanding structure, whether as a primary Residence and related Accessory Dwelling Unit, or Accessory Structure or landscape structure.
- Alterations, additions, demolition or rehabilitation of an existing structure – Any new construction, demolition or rehabilitation to an existing building or landscape structure that alters the original massing, exterior finishes, window placement, roof design, exterior lighting, interior lighting visible from off-site and/or other significant design elements.
- Major site and/or landscape Improvements – Any major Improvements or changes to Improvements, including, but not limited to, grading (for any excavation and/or fill involving more than 10 cubic yards of dirt, including geotechnical test pits), planting and re-vegetation plans, tree removal, irrigation, swimming pools, driveways, fencing and/or drainage, that alter an existing landscape.

The ARC evaluates all development proposals on the basis of these Guidelines. Some of the Guidelines are written as broad standards and the interpretation of these standards is at the sole discretion of the ARC.

## 10.2 DESIGN REVIEW PROCESS OVERVIEW

The Spanish Peaks design review process, unless otherwise noted takes place in three steps, followed by three aesthetic reviews during construction, as outlined in Chapter 11– Construction Regulations:

1. Concept Plan Review
  - 1A. Pre-design Conference (see Section 10.6.1)
  - 1B. Lot Diagram and On-Site Meeting (see Section 10.6.2)
  - 1C. Sketch Plan and BSFD Design Review (see Section 10.6.3)
2. Final Plan Design Review (see Section 10.7)
3. Working Drawings, Construction Management Plan, Staking and Site Meeting Review (see Section 10.9)

Any Improvement as described in Section 10.1 above is required to be preceded by the submission of plans, specifications and an application fee. The Owner is to retain competent assistance from an approved Architect, Landscape Architect, structural Engineer, Civil Engineer, Contractor and any other consultants (collectively “Consultants”, see Section 10.5) as necessary. The Owner and Consultants are to carefully review the CC&Rs and the Guidelines prior to commencing with the design review process.

Having secured final design approval from the ARC, the Owner is to also meet all submittal and approval requirements of applicable Zoning Regulations and any local, State and Federal requirements.

The Owner is to commence construction within one year of final design approval from the ARC. If the Owner fails to begin construction within this time period, the Owner may apply for one, one-year extension to the ARC. Failure to apply for and receive an extension will result in automatic revocation of the approval, (for further information refer to Section 11.6).

## 10.3 DESIGN REVIEW PROCESS - MINOR IMPROVEMENTS

Minor Improvements (including, but not limited to, the construction of, installation of, or addition to landscaping, fences, walls, and/or enclosure structures), which are being completed independent of any major Improvements as listed in Section 10.1 above, do not need to proceed through all three steps of the general design review process. Minor Improvements may be submitted as part of the following process:

1. Final Plan Design Review
2. Construction Monitoring
3. Final Observation

Specific submission requirements and application fees are determined on a case-by-case basis as required by the nature of the Improvement. Owners and/or Consultants are to contact the ARC to verify whether an Improvement qualifies for this design review process. Upon receipt of permission to proceed with the minor improvements, the Owner and/or Consultant will obtain a list of specific submission requirements in writing from the ARC.

## 10.4 ACTIONS AND APPROVALS

The ARC's action on matters is to be by a majority vote of the ARC. The ARC keeps and maintains a written record of all actions taken by it.

If an Owner disagrees with the ARC's written conclusions from a meeting or application, the Owner may appeal the decision in accordance with the procedures set forth in the CC&Rs.

The powers of the ARC relating to design review are in addition to all design review and/or permitting requirements imposed by County jurisdictions. In addition, ARC approval does not ensure compliance with County regulations.

## 10.5 APPROVED DESIGN PROFESSIONALS

The design team should be comprised of the following consultants, all of whom are to carry the appropriate and/or applicable licensing and registration within the State of Montana:

- *Architect*
- *Landscape Architect*
- *Structural and Civil Engineers*
- *Contractor*
- *Additional professional consultants as required*

## 10.6 STEP 1: CONCEPT DESIGN REVIEW

Concept design review consists of three steps that may be completed sequentially or in one meeting with the ARC.

### 10.6.1 Pre-design Conference

Owners and/or Owner's representatives shall request a meeting with the ARC to clarify any questions regarding the Guidelines and the associated design review process as well as to exchange ideas, and schedule the Lot Diagram and On-Site Meeting. This meeting may occur concurrently with the on-site meeting and sketch plan review meetings.

Prior to the scheduling of the Pre-Design Conference, the following actions are to be taken by the Owner and Owner's consultants:

- The Architect and Landscape Architect are to review all applicable Design Guideline documents for Spanish Peaks.
- The Architect and Landscape Architect are to review all applicable Zoning Regulations from applicable County jurisdictions, (Madison or Gallatin Counties).
- The Owner may identify an "Owner's Representative" to act and/or make decisions on their behalf at design review or ARC meetings in the event the Owner cannot be present. The Owner shall notify the ARC in writing as to whom the Owner's Representative is and what authority they have prior to any design review or ARC meetings.

### 10.6.2 The Lot Diagram and On-Site Meeting

This meeting is intended to provide the Owner and Owner's consultants an opportunity to meet with ARC representatives to review conditions on the individual Lot that will guide the siting of the building and the development of the Lot. ARC representatives will meet on the site with a team selected by the Owner, their Architect and/or their Landscape Architect. Together they will evaluate the key factors that are to guide the siting of the structures and landscaping of the site, identified in Section 2.1 of these Guidelines.

Following the meeting, the Owners' team will submit a Lot Diagram identifying and illustrating the agreed upon:

- *Building setbacks, that create the agreed upon Building Envelope area;*
- *Proposed driveway location;*
- *Locations of significant vegetation and other Lot features;*
- *Location of proposed building footprints.*

Refer to Section 2.1 for specific design criteria for the preparation of the Lot Diagram. An example of the submission drawing is provided in Section 2.1.

The Lot Diagram shall be submitted for review and approval by the ARC. The Lot Diagram will be approved if it meets the design criteria identified in Section 2.1 of these Guidelines and other specific requirements identified at the on-site meeting. It is the Owner's responsibility to ensure that the Lot Diagram is consistent with any applicable Zoning Regulations for the particular Lot. A review by the ARC at a regularly scheduled meeting may be required if the Lot Diagram is significantly different from what was discussed at the on-site meeting, or varies from the stated design criteria in Section 2.1. The Lot Diagram shall be approved by the ARC prior to Sketch Plan and BSFD Design Review.

### 10.6.3 Sketch Plan and BSFD Design Review

Upon approval of the Lot Diagram, the Owner shall prepare a Sketch Plan submission as well as schedule a review meeting with the BSFD. The Sketch Plan package should adequately convey existing site conditions, constraints, building orientation and design, vehicular access, proposed use of materials and colors and conceptual landscaping. All submittals shall contain the required amount of hard copies as stated below, as well as one complete electronic copy provided on a CD, flash drive or similar device.

The submission package is to include the following:

#### A. SURVEY AND SITE PHOTOGRAPHS

Two copies of a property survey (minimum scale: 1"= 20'- 0") prepared by a Surveyor indicating property boundaries, the area of the property, all easements of record, applicable local government regulations, topography at two foot intervals and any significant natural features such as rock outcroppings, riparian areas, wetlands, watercourses, or existing trees of 8" in diameter or greater, together with the Building Envelope and other information from the approved Lot Diagram that influences the Owner's site plan and home design. To facilitate the review process, the submission will

be considered complete only if it includes clearly identified existing major trees and tree and shrub masses, with general sizes and heights noted. At heavily wooded sites, the tree information may be limited to the vicinity of the Building Envelope and the proposed driveway. The general masses of tree and shrub types may be information added to the survey by the Architect or Landscape Architect.

Provide two sets of color site photographs (4" x 6" min. size) of the site area to adequately describe the neighborhood including, site features, vegetation, views and/or relationship to Roadways and adjacent Lots.

#### B. PROPOSED SITE PLAN

Two sets full size (hard copy) and four sets 11" x 17" reductions (hard copy) of the site plan (minimum scale 1" = 20' - 0") (an electronic copy shall be submitted of the 11" X 17" in PDF format), indicating the survey information plus the footprint(s) of buildings relative to the Building Envelope area, including calculated percentage of the site covered by Improvements, the driveway access with proposed grades, the proposed limits of grading and construction, the trees, topography and structures on adjacent Lots, scale and north direction. If the site plan differs significantly from the approved Lot Diagram, the ARC may require an Owner to repeat Step 2, and prepare a new submittal.

#### C. BUILDING PLANS

Two sets full size (hard copy) and four sets 11" x 17" reductions (hard copy) of plans (minimum scale 1/8" = 1' - 0") (an electronic copy shall be submitted of the 11" X 17" in PDF format), including floor plans for each level of building(s), exterior elevations, roof plan indicating materials and colors, existing and proposed grades, elevations for each floor and the highest roof ridge. Overall building dimensions and distance from property lines should be indicated.

#### D. SITE SECTIONS

Two sets full size (hard copy) and four sets 11" x 17" reductions (hard copy) (minimum scale 1" = 20' - 0") (an electronic copy shall be submitted of the 11" X 17" in PDF format) of cross-sections showing proposed buildings and elevations in relation to the surrounding site, including adjacent Lots, structures on adjacent Lots and Roadways. A minimum of two sections, one in each direction is required.

#### E. BUILDING HEIGHT CALCULATION

One hard copy 11" X 17" and one electronic copy in PDF Format (minimum scale 1/8" = 1' - 0") of building height calculations, drawn over building elevations, relating to, and coordinated with, the required topographic survey. Existing and finished grades should be clearly indicated around the perimeter of all proposed structures.

#### F. CONCEPTUAL LANDSCAPE PLAN

Two sets full size (hard copy) and four sets 11" x 17" reductions (hard copy) (minimum scale 1" = 20' - 0") (an electronic copy shall be submitted of the 11" X 17" in PDF format) of the landscape plan, including location and type of existing vegetation, existing rock outcroppings, limits of site disturbance, proposed areas of new landscaping and plant materials, revegetation proposals for reseeding and mulching and preliminary concepts for lighting, grading, drainage, and erosion control measures.

**G. STUDY MODEL (1"= 20'- 0" MINIMUM)**

One small-scale massing model, indicating the three dimensional massing and relationship of the proposed building to site topography and tree masses. The model should be reflective of finished grade, driveway configuration and retaining walls.

**H. GEOTECHNICAL REPORT**

One hard copy of a geotechnical report prepared by a geotechnical Engineer, as well as one copy submitted electronically in PDF Format.

**I. ARC APPLICATION, CHECKLIST AND FEE**

Submit one copy of completed application, submission checklist and fee with drawings. Fee is based on Gross Floor Area in accordance with current fee schedule. Contact the ARC or refer to the website: [www.spoassn.org](http://www.spoassn.org), for current fee schedule and application.

**10.6.4 Timing of Submissions**

All submissions to the ARC shall be submitted to the ARC at least one week prior to the regularly scheduled meeting for which review is requested.

**10.6.5 The Sketch Plan Design Review Meeting**

Upon receipt of a complete submission, the Sketch Plan design review meeting will be scheduled for the next regularly scheduled meeting for which there is a quorum. If the submission is incomplete, the ARC will notify the Owner as to the incomplete submission, and place it on the agenda of the next regularly scheduled meeting for which there is quorum upon receiving all completed materials.

The ARC will review and comment on the application at the meeting and will subsequently provide the Owner with the conclusions of the meeting in writing within 14 business days of the meeting. The Owner, or Owner's Representative must be present at the meeting.

**10.6.6 Resubmission of Materials for Sketch Plan Review**

In the event the ARC has requested changes or modifications to the design after the Sketch Plan review meeting, corrected materials are to be provided to the ARC within 30 days of issuance of the meeting's conclusion. A second review meeting may be necessary to review corrected and/or new materials.

**10.6.7 Big Sky Fire Department Sketch Plan Review**

Either concurrently or before Sketch Plan review, the Owner or their representatives are to provide Sketch Plans to the Fire Chief of the BSFD or his/her designee for their review and comment. Those comments are to be incorporated into the Sketch Plan, and the ARC notified of any such changes or adjustments. A letter or email from the BSFD is to be provided to the ARC at Final Plan design review, (see Section 10.7) as evidence that this review has been completed.

Owners and their representatives should note that fire sprinkler plans are to be submitted for review and approval by the BSFD prior to construction installation activities commencing. Installed fire sprinkler systems shall be inspected by BSFD prior to being concealed by Construction Activities (See Section 3.2).