



# ARCHITECTURAL DESIGN GUIDELINES

November 2022

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*Pursuant to the Declaration of Protective Covenants for Blackwood Groves Subdivision (“Declaration”), on file with the Gallatin County Clerk and Recorder’s Office, the Declarant Blackwood Land Fund, LLC (“Declarant”), herein adopts the following the Blackwood Groves Architectural Design Guidelines (“Architectural Design Guidelines”):*

# **Chapter 1 : Purpose**

This Architectural Design Guideline is intended to promote sustainable patterns of development that will encourage people to connect and interact as part of the Blackwood Groves neighborhood and adjacent neighborhoods. The standards within this document provide a framework for design and construction that will allow each project to contribute to the neighborhood and to the long-term goal of complimenting and enhancing the overall Bozeman community. The architectural and landscape elements of site design are integral to the overall desired neighborhood patterns.

Rather than dictate specific design styles, the standards are provided to ensure well designed and detailed, compatible buildings with clear order and comprehensive composition.

The goal is to strike a balance between neighborhood harmony and creativity. Good design can be difficult to articulate and quantify. The design process requires a complex combination of analysis and decision making. Many aspects are broadly addressed in this document. These guidelines are not all inclusive and allow for some interpretation necessary for unique programs and conditions, all with an eye toward quality and a well-designed neighborhood. This document encourages design diversity and contemporary design while providing certain guidance to ensure high standards of design and longevity in property values. Each project should not simply be an exact copy of another building. The fact that a given style or feature of building already exists does not guarantee that it will be approved for construction again.

Exceptions to these Architectural Design Guidelines may be granted only based on architectural merit as determined by the Blackwood Groves Design Review Panel (“DRP”) and outlined in Section 6.5. The DRP evaluates all project proposals on the basis of these Design Guidelines. Some of the guidelines are written as broad standards, and the interpretation of these standards and/or departure is at the discretion of the DRB. When using discretion, the DRB shall implement the “intent” of the Design Guidelines and consider the alternatives based on design merit and overall design composition. The DRP is not authorized to grant any exceptions to local land use regulations unless explicitly authorized by the appropriate review agency or agencies.

# **Chapter 2 : Properties and Projects Subject to Architectural Design Guidelines**

The Architectural Design Guidelines shall inure to and pass with each parcel, tract, lot, or division in Blackwood Groves Subdivision.

Unless specifically excluded, this Architectural Design Guidelines shall apply to the entire Blackwood Groves Subdivision (as described in Exhibits 1, 2, 3 & 4), any property annexed to Blackwood Groves Subdivision, and all improvements.

No improvements shall be made, erected, altered or permitted to remain upon any Lot until (1) the proper Form(s) is/are submitted, (2) any other information required or requested by the DRP is submitted, (3) all fees are fully paid, (4) all required Forms are approved in writing by the DRP, and (5) any applicable City of Bozeman review or permitting and/or fee payment(s) has been completed. All plans submitted to the City of Bozeman must have the Blackwood Groves Design Review Panel Form B stamp of approval.

“Improvement” shall be construed broadly and includes, but is not limited to, a residence, fence, wall, garage, outbuilding, other structure, or landscaping.

## **Chapter 3** : Relationship to other Documents

### **3.1 Local Land Use Regulations & Building Codes**

It is the responsibility of the Owner to ensure that all proposed construction shall comply with all laws, rules, and regulations including, but not limited to local Land Use Regulations and the International Building Code as well as other applicable plumbing, electrical, or building codes in effect for the City of Bozeman. The Declaration and Bylaws, if any, also apply to all Lots within the Blackwood Groves Subdivision.

All improvements must comply with applicable building codes, land use regulations, and all other laws, rules and regulations of any government or agency under whose jurisdiction the land lies. Local land use regulations can be found online at [www.bozeman.net](http://www.bozeman.net).

Some provision of the Design manual may be more restrictive, or less restrictive than local land use regulations as a part of the overall Blackwood Groves Subdivision. Where these design guidelines are silent on a particular or specific development standard, the standards of the Bozeman Municipal Code currently in effect shall apply. In instances when there are inconsistencies between the other regulations and the design guidelines, the stringent standard applies.

### **3.2 The Declaration of Protective Covenants and Bylaws for Blackwood Groves**

All Lots in Blackwood Groves Subdivision are also subject to The Declaration of Protective Covenants for Blackwood Groves (“Declaration”), which are on file at the Gallatin County Clerk & Recorder’s Office, and Bylaws.

## **Chapter 4** : Blackwood Groves Design Review Panel

A Panel is hereby established known as Blackwood Groves Design Review Panel (“DRP”).

### **4.1 Function**

The function and purpose of the DRP is to review applications, plans, specifications, materials, samples, and location to determine if the proposed construction conforms to the Declaration and the Architectural Design Guidelines.

## **4.2 Membership**

4.2.1 Before the Transfer Date, the Declarant may appoint a Design Review Panel composed of up to three persons. The persons are not required to be Owners or Members of the Association. The persons may serve on the Design Review Panel until he or she resigns or is replaced by the Declarant, whichever occurs first. If no persons are on the Design Review Panel, then the Board of Directors shall act as the Design Review Panel.

4.2.2 After the Transfer Date, the Board of Directors may appoint a Design Review Panel composed of up to three persons. The persons are not required to be Owners or Members of the Association. The persons may serve on the Design Review Panel until he or she resigns or is replaced by the Board of Directors, whichever occurs first. If no persons are on the Design Review Panel, then the Board of Directors shall act as the Design Review Panel.

4.2.3 The Board of Directors may also engage engineers or other advisors or consultants in the design review process, as necessary.

## **4.3 Enforcement Powers**

Should any Owner violate or threaten to violate any part of this Architectural Design Guidelines, the DRP may attempt to work with the Owner to have the Owner cure the violation in a timely manner, and/or refer the violation or threatened violation to the Board of Directors. Among any other remedy set forth in the Declaration, the Board of Directors has the right to injunctive relief, which requires the Owner to stop, remove, and/or alter any improvements in a manner that complies with the standards established by the DRP.

## **4.4 Limitation of Responsibilities**

The primary goal of the DRP is to review the Review Applications and the plans, specifications, materials, samples, and location to determine if the proposed construction conforms to the Declaration and the Architectural Design Guidelines. The DRP does not assume responsibility for the following:

- The structural adequacy, capacity, or safety features of the proposed construction or improvement.
- Soil erosion, ground water levels, non-compatible or unstable soil conditions.
- Compliance with any or all building codes, safety requirements, and governmental laws, regulation, or ordinances.

# **Chapter 5 : Design Review Process**

## 5.1 General

5.1.1 Approval Required to Commence Construction. No improvements shall be made, erected, altered or permitted to remain upon on any Lot until the Owner submits the proper Form to the DRP and the Form is approved in writing by the DRP. The Declarant and its affiliates may utilize an alternative Design Review process.

5.1.2 DRP Discretion. The DRP has complete discretion to approve, conditionally approve, or deny a Form. At the least, the construction, installation, or alteration shall comply with the Declaration and Architectural Design Guidelines<sup>1</sup>; be in harmony with the external design, location, and topography of the surrounding Lots and Blackwood Groves Subdivision; and not be placed on or under any part of said Lot within the common areas and easements reserved as indicated on Exhibit “A,” or the common areas and easements reserved and created in the Declaration, except as approved by the DRP.

5.1.3 Information Required. No Form will be deemed submitted until all information required by the Architectural Design Guidelines and requested by the DRP, and all fees are provided. Incomplete applications may be returned and are subject to a re-submittal fee.

5.1.4 Submitting Forms. To submit for design review, please email, share a Dropbox link or WeTransfer your application form and associated documents to the following address:

[designreview@blackwoodgroves.com](mailto:designreview@blackwoodgroves.com)

Submittals must be labeled with “Blackwood Groves Design Review Panel” and specific project title and address. Forms A, B, and C, as may be amended from time to time, may be requested from the DRP or may be downloaded from the website at <https://blackwoodgroves.com>. Submittals must be under 20 MBs or separated into individual files less than 20 MB.

5.1.5 After the Review. Following DRP review, the Owner will be notified as to whether the application has been approved, conditionally approved, or denied.

5.1.6 Withdrawing Application. An Owner may withdraw an application without prejudice, provided the request for withdrawal is made in writing to the DRP.

5.1.7 Departures. Any request for any departure must be made in writing to the DRP. Any departure granted shall be considered unique and will not set any precedent for future decisions. Departure requests are subject to Section 6.5.

5.1.8 Request for Hearing. If an application is conditionally approved or denied, the Owner may request a hearing before the DRP to justify the Owner’s position. The DRP

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<sup>1</sup> The DRP evaluates all project proposals on the basis of the Blackwood Groves Architectural Design Guidelines. Some guidelines are written as broad standards, and the interpretation of these standards and/or departure is left to the discretion of the DRB. When using discretion, the DRB shall implement the “intent” of the Design Guidelines and consider the alternatives based on design merit and overall design composition.

will consider the arguments and facts presented by the Owner and notify the Owner of its decision.

5.1.9 Event of Inaction. If the DRP does not act on or respond to a Form within forty-five (45) days after receiving the Form, the Form shall be deemed denied.

## 5.2 Informal Advice

Prior to beginning the design process, it is recommended that Owners and their designated representatives (such as architects, contractors, etc.) contact the DRP to verify their interpretation of this Architectural Design Guidelines. Owners or their designated representatives may, at their option, request a meeting with the DRP to discuss the preliminary plans prior to a full Form A (Sketch Design Review) submittal.

Fee*	Required Documents	Required Submittal Materials (1 digital PDF copy)	Schematic Drawing Checklist
None (except as noted below)	None	Conceptual plans appropriate for informal discussion	N/A

*\*Note: Additional meetings and/or reviews requested by the Owner and as determined by the DRP to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.*

## 5.3 FORM A (Required) Sketch Design Review

The Sketch Design Review checks designs for general interpretations of the overall Declaration and Architectural Design Guidelines. Form A includes a statement of Acknowledgement. The Lot Owner and/or its designated representative shall take all necessary steps to ensure that they and their employees, subcontractors, agents, suppliers, and others involved in the development of the Lot are familiar with and agree to abide by the Declaration, Architectural Design Guidelines, and approved plans.

Note that Form A review must be completed before Form B review can begin.

If a Form B application is not submitted within nine (9) months of Form A review (based on the date of the letter from the DRP approving or conditionally approving the plans) or if the design changes considerably (as determined by the DRP in the DRP's sole discretion), a new full Form A submittal will be required.



Fee*	Required Documents (1 digital PDF copy)	Required Submittal Materials (1 digital PDF copy)	Schematic Drawing Checklist
\$1,500 – Single Family and Duplex \$3,000 - All Others	Form A (must be signed)	Site Plan (1/16" or 1/8" scale)	North Arrow Property/Setback Lines Easements Sidewalks; Building Footprints; Porches, Stairs, etc; Overhangs (as dashed lines) Parking and recreation areas (where applicable)
		Landscape Plan (1/16" or 1/8" scale)	Schematic Site & Boulevard Landscaping
		Floor Plans (1/8" scale or larger)	Room Use Windows & Doors Overhangs Dimensions Gross SF
		Elevations (1/8" scale or larger)	Porches, balconies Doors, windows Materials specified Overall Height (from average grade) Roof Pitches

\*Notes:

- 1) Fee covers Form A & B; if project does not progress past Form A, a \$250 refund will be provided upon request of the owner.
- 2) Additional meetings and/or reviews requested by the Owner and as determined by the DRP to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 3) Incomplete applications may be returned and are subject to a \$100 penalty.

## 5.4 Form B (Required) Construction Design Review:

The Construction Design Review checks the construction documents for general compliance with the Declaration and Architectural Design Guidelines and verifies that the previous DRP recommendations have been addressed. Conformity to applicable local regulations and building codes, as well as obtaining appropriate permits is the responsibility of the Owner and/or the Owner's architect and/or builder.

If a Form B application is not submitted within nine (9) months of Form A review (based on the date of the letter from the DRP) or if the design changes considerably (as determined by the DRP in its sole discretion), a new full Form A submittal will be required.

Fee*	Required Documents (1 digital PDF copy)	Required Submittal Materials (1 digital PDF copy)	Drawing Checklist
Fee paid in Form A	Form B (must be signed) & Green Building Checklist	Site Plan (1/16" or 1/8" scale) All dimensions must be noted.	North Arrow; Property Lines; Setback Lines; Easements; Sidewalk & Street Location; Location, Dimensions, Materials for walks & drives; Building Footprints; Porches, Stairs, etc.; Overhangs (as dashed lines); Fence location & details; Grading Plan; Location and screening of equipment and meters; Limits of construction activity Parking and recreation areas (where applicable)
		Landscape Plan (1/16" or 1/8" scale)	Site landscaping Boulevard Landscaping
		Floor Plans (1/8" scale or larger) All dimensions must be noted.	Room Use Windows & Doors Overhangs Gross square footage for unit and garage
		Elevations (1/4" scale or larger) All dimensions must be noted.	Porches, balconies Doors, windows Materials specified Overall Height (from average grade) Roof Pitches Lights and light fixture details
		Color Rendering	Color rendering of the front elevation and color chips
		Material Samples	As requested by DRP
		Foundation Letter from Engineer	Each project is required to submit a letter from a civil engineer identifying existing ground water elevations, and recommendations for foundation design, footing and first floor elevations.

**\*Notes:**

- 1) Fees paid with Form A cover both Form A & Form B.
- 2) Form A & Form B may be submitted concurrently.
- 3) Additional meetings and/or reviews requested by the Owner and as determined by the DRP to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 4) Incomplete applications may be returned and are subject to a \$100 penalty.

## 5.5 Form C Changes & Modifications:

Owners may wish to make improvements or modifications to their improvements or property during the initial construction or at a future date. A change may only be executed after DRP approval of Form C. In some cases modifications or changes may also require City of Bozeman approval, please ensure all appropriate approvals are obtained prior to construction starting. **Note that any changes or modifications that are made before Form C is submitted, reviewed, and approved will be subject to an increased fee, a fee to be decided by the Board of Directors or the DRP.**

Fee*	Required Documents (1 digital PDF copy)	Required Submittal Materials (1 digital PDF copy)	Drawing Checklist
\$250 (For proposed modifications)	Form C	Any relevant drawings related to proposed change(s)	Any details related to the proposed changes.
\$500 (for “after the fact” modifications, <b>per infraction</b> as determined by the DRP)			

\*Notes:

1) Additional meetings and/or reviews requested by the Owner and as determined by the DRP to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.

2) Incomplete applications may be returned and are subject to a \$100 penalty.

## 5.6 Site Plan Review & Building Permits

All construction projects require a building permit, and some projects may require additional review from the City of Bozeman. Any plans submitted to the City of Bozeman must include the Blackwood Groves Design Review Panel stamp and/or letter of approval. This is a requirement of the Blackwood Groves Homeowners’ Association and not the City of Bozeman.

Approval by the DRP does not ensure approval by the City of Bozeman.

Construction may not commence without obtaining necessary approvals/permits from the City of Bozeman and the Blackwood Groves Homeowners’ Association. The Blackwood Groves Homeowners’ Association will assess significant fines for beginning construction prior to obtaining all required approvals.

## 5.7 Timing of Construction

An Owner has one (1) year from the date of Form B approval to start construction. If construction of a structure is not started within one (1) year of Form B approval, new approval must be obtained. If there are delays due to the City of Bozeman review process or other reasons, an extension can be granted by the DRP.

An Owner has two (2) years from the date construction commences to complete construction unless an extension is granted by the DRP. If construction is commenced and is not completed in two (2) years or is not completed in strict compliance with what was approved, then in addition to any other remedy allowed in the Declaration or this Architectural Design Guidelines, or at law or in equity, the Board of Directors may, in its sole discretion, take any action that in its judgment is necessary to improve the appearance of the construction or to bring it into compliance with the Declaration, the Architectural Design Guidelines, or the approved plans, including completing the exterior, removing the uncompleted structure, or any other action. Consideration will be given to remaining landscaping based on seasonal constraints; however, such landscaping must be completed during the beginning of the next planting season. The amount of any expenditure incurred in so doing shall be the Owner's obligation. In addition, a lien on the Lot may be recorded and enforced by an action at law. The Association may also take such action as is available in the Declaration and by law or in equity, including an injunction and/or action for damages.

## **5.8 Construction Observations**

The DRP reserves the right to observe the property during any stage of construction. If the DRP determines, in its sole discretion, that discrepancies exist between the construction and approved plans, the Declaration, or the Architectural Design Guidelines, the Owner shall immediately correct the discrepancies or submit a Form C (after the fact changes) for review and approval.

Construction observations are required to ensure that construction proceeds in compliance with the Declaration, Architectural Design Guidelines, and approved drawings. Inspection fees are included in the design review application fees. The construction observations will generally take place when framing is nearing completion, when siding has neared completion and when landscaping has been completed. Owners are responsible for notifying the DRP when a project is ready for review at each stage noted above.

The DRP is empowered to enforce its policy as set forth in the Architectural Design Guidelines, in law or equity, to ensure compliance. If the DRP finds the improvements were not completed in strict compliance with the Declaration, Architectural Design Guidelines, and approved plans, the DRP shall notify the Owner of the noncompliance, and shall require remedy of the same. The Owner shall have seven (7) days from the notification to remedy the noncompliance or to submit a work plan delineating the time frame when the noncompliance will be remedied, although in no instance shall the timeframe exceed forty-five (45) days. The DRP may allow up to forty-five (45) days for the noncompliance to be remedied if the Form C and corresponding work plan provides adequate justification for the requested time.

If the noncompliance is not remedied, the Board of Directors may, in its sole discretion, remedy the noncompliance. The amount of any expenditure incurred in so doing shall be the Owner's obligation. In addition, a lien on the Lot may be recorded and enforced by an action at law. The Association may also take such action as is available in the Declaration and by law or in equity, including an injunction and/or action for damages.

The owner shall reimburse the DRP for any time spent on an inspection that is above and beyond the average inspection (including multiple phases and buildings staggered construction). the payment shall be based on the hourly fee (approximately \$100/hour).

No occupancy of the project shall take place prior to the completion of all required construction observations or as otherwise specified by the DRP.

## 5.9 Liability

Neither the Blackwood Groves Homeowners' Association, the Declarant, the Board of Directors, the DRP, nor the individual member's thereof, may be held liable to any person for any damages for any action taken pursuant to this Architectural Design Guidelines, including but not limited to, damages which may result from review, correction, amendment, changes or rejection of plans and specifications, observations or construction observations, the issuance of approvals, or any delays associated with such action on the part of the Design Review Panel or Board of Directors.

# Chapter 6: Neighborhood Design Patterns

All development must adhere to the neighborhood patterns described in the following sections (Site, Building, and Landscape). Note that some provisions of this Architectural Design Guidelines may be more restrictive than local land use regulations.

## 6.1 Site

The site requirements apply to all mixed-use and residential projects. The following site design guidelines are intended to provide a framework for site layouts within Blackwood Groves.

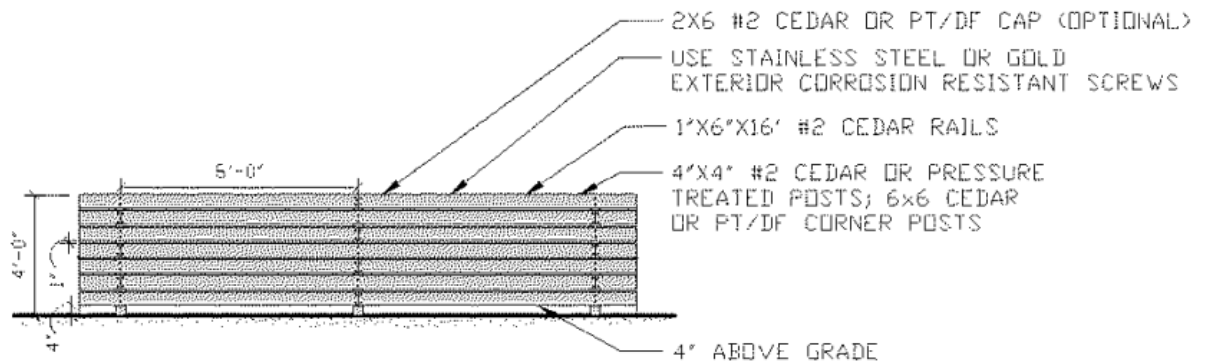
### Lots and Setbacks

- Buildings shall be located on lots relative to the setback specified in the current Bozeman Unified Development Code (UDC), including any easements indicated on the final plat that have been filed.
- All residential zoned lots shall primarily front the street or parkway in the direction of interior lots on the same side of the block. Building on corner lots must address both street frontages. Design considerations should include, but not be limited to, wrapping front porches, variation in wall planes and massing, additional fenestrations, enhanced landscaping, secondary roof forms and integrated backyard screening.

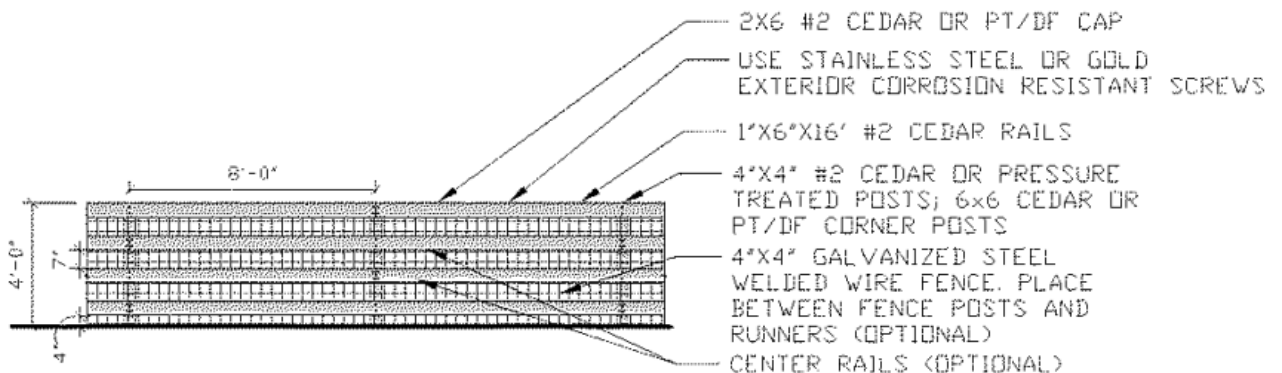
### Fences & Screens

- No fencing is allowed in street-facing front yards or in required street vision triangles. In specific situations, as determined by the DRP, low walls or fences of up to 42" in height may be permitted in front yard setback.
- A 48" tall fence, only as specified below, is allowed along an imaginary line setback two-feet inside any property line that borders park, open space or Rights-of-Ways. It is also allowed on common private property lines and returns to the house structure. The two-foot buffer between the fence and the property line bordering park or open space must be planted with a hedge that is well maintained at 48" or less in height.
  - Hedge species may be Lilac, Cranberry Highbush, Cotoneaster, Golden Currant, Caragana, Chokecherry or a similar species approved by the DRP. Minimum planting size is 24" tall and maximum spacing is 36" on center (OC).

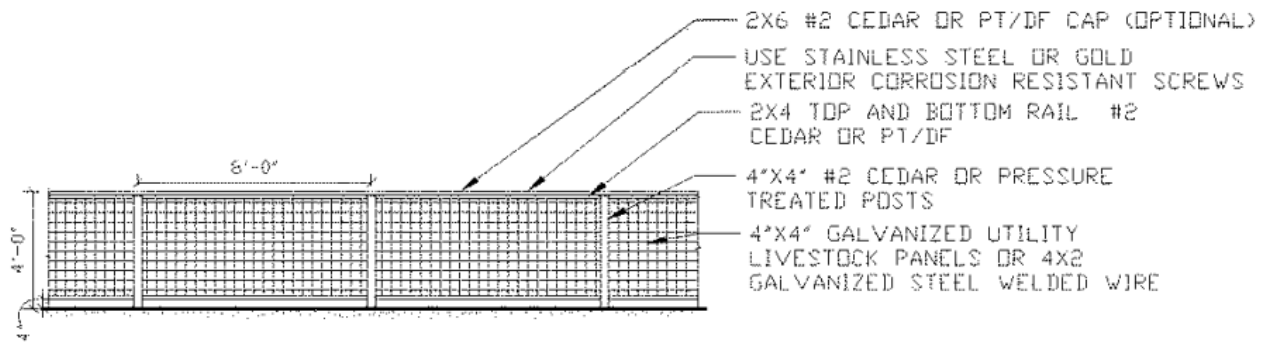
### 48" Height Option A



### 48" Height Option B

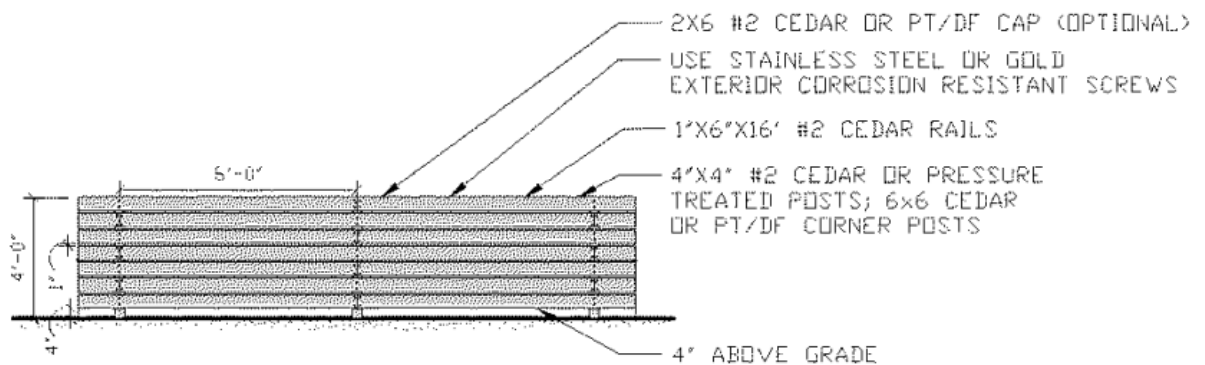


### 48" Height Option C



- A 48" tall fence, only as specified below, is allowed along South 19<sup>th</sup> Avenue. It is also allowed on common private property lines and returns to the house structure.

### 48" Height Option A – South 19<sup>th</sup> Avenue



- Height variations may be considered based on Lot location and design merit.
- Materials: fences and gates must be made of wood and have a sealer, pigmented stain or paint applied to protect the wood from moisture and UV rays. A fence must have a cap board unless otherwise approved based on design merit. Other materials, such as painted tubular steel fences with pilasters, may be considered, however. Chain-link and Split Rail fences are prohibited.
- All fences shall be stained or sealed to protect them from weather and elements and to maintain appearance.
- Screen walls, used for patios or hot tubs, are required to meet all setback requirements, and must be aesthetically connected to and appear as an extension of a primary residence wall. Outdoor rooms may be designed to include, but shall not be substantially obscured by, screen walls.
- All fence assemblies are required to be maintained for appearance and kept in working order.

- Dog kennels or runs must be attached to a primary or accessory structure, be screened from public streets and adjacent properties, and receive DRP approval for materials and configuration. Chain-link is not permitted. Underground electric fences are encouraged for dogs.
- Utility panel or wire fences must be constructed so that the wire or utility panel is attached and held in place by the fence structure. Staples, alone, are not acceptable to attach the wire to the fencing frame.
- Fences may not be installed within City of Bozeman watercourse setbacks but may be used to delineate such setbacks.

### **Sidewalks**

- Any existing sidewalks in the right-of-way or open spaces that are damaged during construction must be repaired or replaced at the lot owner's expense.
- Sidewalks on homes facing local streets are required to cross the boulevard in line with the sidewalk leading to the front porch.
- No later than eighteen months after transfer from Declarant, any lot owner who has not constructed said sidewalk shall, without further notice, construct within thirty (30) days, said sidewalk for their Lot(s), regardless of whether other improvements have been made upon the lot. Failure to comply may result in the HOA constructing sidewalks and assessing full coordinating and installation costs and apply fines when deemed necessary.

## **6.2 Residential Building Elements**

The following building design guidelines apply to all residential construction and are intended to promote both building diversity and neighborhood compatibility within a developing neighborhood framework. Additional guidelines applicable to multi-family residential buildings are provided in Section 6.3, Mixed-Use Buildings.

### **Building Character**

- To promote appropriate architectural elements that create a cohesive look and feel within Blackwood Groves, a focus is placed on human scaled design details, high-quality materials and sustainable design measures. The desired building character will enhance and respond to the site's unique context, Bozeman's unique setting, and Blackwood Groves' design intent. Design inspired by the Property's sense of place is required. Such examples include (but are not limited to) taking inspiration from mountain style architecture, historic Bozeman craftsman homes or from the region's agricultural roots.

### **Base Element & Foundation**

- A base element is required and must be detailed in such a way to visually and structurally connect the building with the ground. It may appear as a platform or



terrace upon which the house stands or as a built extension of the ground integrated with the house above. This element may be masonry, concrete, wood or materials matching trim package. Buildings without a base element may be considered based on design merit.

- Foundation walls may be exposed a maximum of twelve (12) inches above the ground. Exposed foundation walls shall be built of brick, cast concrete, trimmed with horizontal members, or as otherwise approved by DRP. Concrete foundations exposed more than eighteen (18) inches above grade must have an architectural finish (texture, pattern and/or color).
- Due to the potential of high ground water tables in the areas of the subdivision, it is not recommended that residential dwellings or other structures with full or partial basements be constructed without first consulting a professional engineer licensed in the State of Montana and qualified in the certification of residential and commercial construction.

### **Walls & Facades**

- All facades of the main building and accessory structures shall be made of similar materials and be similarly detailed.
- Primary materials on a façade may change only at a horizontal band or an inside corner. Consideration will be given to changing materials at a visual block such as a fence.
- Articulate street-facing façades through offset massing elements/volumes, complementary colors and materials, setback variations, and attractive fenestration.
- Varied building massing is encouraged. No exterior wall plane, unless approved otherwise for design merit, shall exceed thirty (30) feet in length without incorporating a minimum twelve (12) inch offset or recess in a significant proportion to the overall plane. Due to the lot constraints, lots 55 feet wide and under may be allowed to exceed the 30 feet requirement.
- Massing offsets on façades facing streets and open space areas shall consist of two or more of the following:
  - Single-story element such as a porch, courtyard, or first-floor living space
  - Pop-outs or recesses (wall planes, massing features, or balconies/decks)
  - Volume space creating height variation
  - Bay window or corner-wrapping window
  - Prominent entry
  - Accent roof
  - Other similar features that provide massing articulation

- Building walls shall be clad in smooth cut wood shingles, wood clapboard, barn or reclaimed wood, wood drop siding, traditional wood board and batten, fiber cement siding, architectural metal cladding, brick, or stone. Siding shall be painted or stained; pre-finished siding will be considered based on design merit. Stucco and other alternative materials will be considered based on design merit.
- All metal siding should be standing seam, corrugated, or as approved for design merit.
- Venting grills, covers or grates shall be matched to the color of surrounding walls and facades wherever possible unless prohibited by building code.
- Stucco finish walls, if approved for use by the DRP based on design merit, shall have a minimum texture not heavier than 16/20 sand finish. Accent and trim stucco may have a smooth finish or at minimum 30/30 sand float finish.
- Brick surfaces shall be set predominantly in a horizontal running bond pattern.
- Stonework shall be natural or approved synthetic stone materials. Dry stack, uncoursed settings with minimal exposed mortar are preferred. Stonework shall not be applied to individual wall surfaces to avoid a veneer-like appearance. It shall continue around corners to an inside corner unless approved otherwise for design merit.
- The color scheme of the house shall be as approved by the DRP based on merit. Color schemes must be varied from the adjacent properties, in each direction. Garish colors are not allowed. Color and material selections for each scheme should include primary and secondary body colors, fascia, trim, door and accent colors, roofs, siding, masonry and grout colors (as applicable).
- Exposed exterior wood shall be painted or stained (wood front doors excluded).
- Lap siding shall run horizontally. Maximum lap siding exposure is five (5) inches. Combinations of lap exposure will be considered on a case-by-case basis.
- Trim materials should be of high quality and of appropriate visual size. Corner caps are acceptable. Variations on trim width and/or exclusion of trim will be considered based on design merit and overall design composition.
- Material and color changes must occur at inside corners and undersides of massing elements, or to a logical termination point such as roof breaks and bay windows. Identify logical material/color termination points early in the design process to ensure a cohesive appearance to the finished product.

## **Porches**

- For yards facing a public street, the front porch of a residential structure must be built within five (5) feet of the setback line (“build-to” line). The width of the porch on the build-to line must occupy a minimum of thirty percent (30%) of the width of

the front façade measured along the build-to line. As an alternative to the typical front porch and to provide additional design diversity, narrower but deeper porches that have the same square footage may also be considered. A minimum six (6) feet of depth is required. Based on design merit, alternative porch configurations may be considered.

- Buildings on corner lots must address both streets with fronting characteristics as part of the comprehensive composition. Design considerations should include, but not be limited to, wrapping front porches, outdoor rooms, variation in wall planes and massing, additional openings and enhanced landscaping.
- Porch railings may be opened or closed. If closed, utilizing the same material as the adjacent wall planes is encouraged.
- Front stoops shall be made of concrete, wood, stone, or brick and must be detailed and integrated into the porch/railing design. Required stair railings must be compatible with the overall stair and porch design.
- Porch supports shall be built of stone, masonry, concrete, or wood. Column base piers shall be no less than 16 x 16-inch square and wood columns shall be no less than eight (8) inches square. Column groupings must have an outer minimum dimension of ten (10) inches. Tapered columns may not be smaller than 7 x 7-inches at the top. Columns shall match or be similar in design on all elevations of a structure. Variations on dimension may be considered based on design merit and overall design composition.
- The balustrade and the space below porches shall be closed and integrated into a closed band and/or landscaped, interrupted as necessary for drainage.
- No exposed stair or deck framing is allowed.

### **Decks, Patios & Balconies**

- Decks and patios must face only side yards and/or open spaces. Decks and patios may not extend more than forty percent (40%) into any required side setback.
- The space below first floor elevated decks visible from nearby streets or public spaces shall be architecturally detailed and/or landscaped to provide screening.
- Decks, balconies, and terraces shall be designed to enhance the overall architecture of the building by creating variety, layering, and detail on exterior elevations. Covered decks, balconies, and bay windows shall be integrated and composed with the overall building form, rather than placed randomly throughout the building. Terraces shall be used to integrate the building and landscape by creating a transition between the built and natural character of the site.

### **Windows & Solar Gain**

- Windows are encouraged meet or exceed Energy Star standards.

- Openings (including windows and doors) shall not be less than fifteen percent (15%) of the wall area, measured on each elevation. Elevation calculations shall include exterior window or door trim.
- Windows shall be wood, wood-clad, fiberglass or vinyl.
- Round, hexagonal and octagonal windows are not permitted.
- Mirrored glass shall not be used.
- Buildings shall have all openings trimmed in wood bands of minimum four (4) inches nominal width unless approved based on design merit.
- Bay window projections shall be proportionate to the overall composition and are encouraged to extend to the ground or be trimmed appropriately. Cantilevered bays must be visually carried by structural brackets or a water table trim band. Only cantilevered bays may encroach into a setback.
- False shutters are permitted but shall be proportionate to the window openings and appear as functioning elements.
- awnings are permitted and shall be square cut without side panels.

## **Doors**

- Exterior doors are encouraged to meet or exceed Energy Star standards.
- Garage doors shall be built of wood, steel, or fiberglass.
- Garage doors shall be de-emphasized in the elevation of the building. If possible, they should be oriented away from the street. If a lot does not have access to an alley and garage doors must face a street, the doors shall be made of a complementary and quality material and have significant detailing contributing to the elevation composition.
- Garages that face the street should be set back behind the front face of the building a minimum of four (4) feet.
- Garages and garage doors fronting a street or alley shall be composed with overall site plan and have sufficient detailing contributing to the building elevation.
- Garages that face an alley should be set back from the alley's edge either three (3) feet to five (5) feet if no full driveway is proposed, or a minimum of eighteen (18) feet to accommodate a full driveway. In no case should the front of the detached garage be more than thirty (30) feet setback from the alley.
- Three-car garages are permitted but must be either be side-facing or have one door offset at least 1.5 feet from the adjacent garage plane between the single

door and the double door. Three-car tandem garages with double doors may also be permitted.

- Other more contemporary and creative approaches to garage doors will be considered based on design merit.

## **Roof**

- The principal roof shall be symmetrical hip or gable form with a pitch between 4:12 to 12:12. Flat roofs are permitted on all buildings if integrated with the design. Flat roofs used as balconies on street facades may be enclosed with solid railings.
- Variation in roof forms, ridge heights and orientation is required to avoid monotonous rooflines along streets, trails, park edges and other community open space.
- Roof plane continuous length dimensions shall not exceed 40' for single family and duplex structures. Minimum break shall be no less than twenty percent (20%) of the length roof plane and extend up the roof plane no less than thirty percent (30%) of the height of the roof.
- Asphalt composition shingles are permitted but must be at least thirty (30) year architectural grade.
- Treated wood shingles are permitted.
- Metal roof materials are permitted but must be designed to protect people and property from significant sliding of snow and ice (not applicable to dormers or similar roof forms that do not drip directly to grade). Metal roofs may be corrugated or standing seam only. Garish colors or shiny materials are not appropriate.
- Natural or synthetic slate roof materials are permitted.
- Green roofs are encouraged.

## **Skylights**

- Skylights shall be flat in profile (no bubbles or domes).

## **Roof Mounted Solar Panels**

Solar panels are encouraged for all projects. Solar panels should be integrated into the roof design, flush with the roof slope. Solar panels on flat roofs, if visible from the street, should be screened with parapets.

## **Dormers**

- Dormer width shall be proportionate to the overall composition.

- Shed dormers shall have a pitch of at least 3:12. Hip and gable dormers shall have the same pitch as the main roof volume.

### **Eaves**

- Overhanging roof eave and gable end depth shall be no less than twenty-four (24) inches unless approved otherwise based on design merit for a more contemporary style or flat roof. Roof overhang depth on accessory structures must match the main building structure.
- Fascia detail must have a minimum dimension of eight (8) inches nominal unless otherwise approved for design merit. Two-piece fascia detailing is required. Wood (including Miratec and similar products as determined by the Design Review Committee) is the only acceptable material. Vinyl or metal fascia material is not permitted. As an alternative, exposed rafter tails and entry accents are encouraged if appropriate for the architectural style.
- Soffits shall be wood or fiberboard cement products (including Hardiboard products). Metal or vinyl soffits are not permitted.
- Boxed soffits are allowed when integrated into a suitable architectural style and overall detailing.
- Enclosed soffits are acceptable on more contemporary styles.
- Gutters shall be metal, and of a color and finish that blends with the finish color scheme. Gutters shall be half-round or rectangular and downspouts shall be circular or rectangular.

### **Chimneys / Roof Vents**

- Chimneys shall be clad in stone, masonry, siding, steel or some other compatible or complementary material.
- Chimneys shall be at least 30 x 30-inches.
- Prefabricated metal flues shall be concealed within a chimney unless approved otherwise. Chimney caps may extend above the chimney top per building code requirements.
- Roof protrusions, other than chimneys, shall be arranged to minimize street exposure.
- All roof-mounted equipment shall be integrated into overall design and screened.

### **Lighting**

- All exterior lighting must be dark-sky compliant and no greater than 3000 Kelvin.

- Recessed or can lighting is encouraged for porches and main entrances for softer lighting conditions.
- The following lighting is **prohibited**: obtrusive flood lighting, mercury vapor or high-pressure sodium lights, metal halide lights, and clear glass or exposed bulb (non-cutoff) fixtures.
- Pathway lighting is permitted. These types of lights may be attached to the home, along walkways near the ground level, or incorporated into fences. Solar powered lighting is strongly encouraged.

### **Signage**

- No signs shall be erected on residential properties except to identify the owner and address of the property.
- Typical "For Sale" signs shall be allowed during the sale of a Lot.
- Signage integrated with landscaping may be placed at the main entrances and parks to identify the neighborhood.

## **6.3 Mixed Use Buildings and Multi-Household Residential Buildings**

The following building design guidelines are intended to promote both building diversity and compatibility with the neighborhood business node. All building heights, encroachments, etc. are governed by the BMC and Blackwood Groves Subdivision. Bozeman Municipal Code should be consulted to ensure adherence to applicable codes and regulations. Note that these Architectural Design Guidelines may be more restrictive than the city ordinances including but not limited to the building requirements listed below.

### **Building Character**

- To promote appropriate architectural elements that create a cohesive look and feel within Blackwood Groves, a focus is placed on human scaled design details, high-quality materials and sustainable design measures. The desired building character will enhance and respond to the site's unique context, Bozeman's unique setting, and Blackwood Groves' design intent. Design inspired by the Property's sense of place is required. Such examples include (but are not limited to) taking inspiration from mountain style architecture, historic Bozeman craftsman homes or from the region's agricultural roots.

### **Massing & Articulation**

- **Wall Plane Offsets.** Large building mass shall be broken down into smaller elements providing articulation and human scale to the street scene. No exterior wall plane, unless approved otherwise for design merit, shall exceed thirty (30) feet in length without incorporating a minimum twelve (12) inch offset (projection or recess) in a significant proportion to the overall plane. Massing breaks that are a

minimum of one (1) foot in depth, four (4) feet in width and extend through more than one-half (1/2) of the building stories shall be provided at an interval of no more than fifty (50) feet along the street frontage, unless approved otherwise based on design merit.

- **Roofline Articulation.** Rooflines shall be articulated at a maximum interval of thirty (30) feet along the street frontage using one of more of the following:
  - For flat roofs, an extension of the parapet or a break in the parapet of at least one (1) foot measured from the adjacent roof or adjacent parapet. If no parapet is present, a horizontal roof edge/eave extension of at least two (2) feet.
  - Varying pitched roofline segment(s) scaled appropriately to the façade.
  - A combination of the above.

Departures may be considered provided the roofline modulation effectively reduces the perceived scale of the building and adds visual interest.

- **Articulation Features.** Vertical and horizontal façade articulation features at appropriate intervals relative to the scale of the façade in order to reduce the perceived massing of the building and add visual interest. At least Three of the following features must be employed at intervals relative to the individual dwelling units or at a maximum of every 30 feet. The scale of the façade articulation should be compatible with the surrounding context
  - Use of varying window types and sizes.
  - Use of weather protection features.
  - Use of vertical piers/columns.
  - Incorporation of porches, patios or balconies.
  - Articulation of a single building material through varying colors, textures, or incorporating joints or an integrated trim pattern.
  - Providing vertical building modulation if tied to a change in roofline modulation or a change in building material, style, or color.
  - Providing vertical elements such as a trellis with plants, green wall, and/or art element.
  - Varying building heights by 2 feet or more on a portion(s) of the building
  - Other design techniques that effectively break up the massing at no more than 30-foot intervals.

Maximum façade width. Building façades 100 feet or wider must include at least one of the following features to break up the massing of the building and add visual interest.

- Provide vertical building modulation at least six feet deep and ten feet wide. For multi-story buildings, the modulation must extend through more than one-half of the building floors.



- Use a contrasting vertical modulated design component that:
  - Utilizes a change in building materials that effectively contrast from the rest of the façade; and
  - Is modulated vertically from the rest of the façade by an average of six inches.
- Façade employs building walls with contrasting articulation that make it appear like multiple distinct buildings. To qualify for this option, these contrasting façades must employ all of the following:
  - Different building materials and/or configuration of building materials; and
  - Contrasting window design (sizes or configurations).
- Departures will be considered provided the design meets the intent of the standards. Supplemental consideration for approving alternative designs:
  - Width of the façade. The larger the façade, the more substantial articulation/ modulation features need to be.
  - Block frontage designation. Storefront designated block frontages warrant the most scrutiny, while undesignated streets warrant more flexibility.
  - The type of articulation treatment and how effective it is in meeting the intent given the building's context.
- For buildings that are 3 stories or taller, stepping back or incorporating recesses at the upper floors is highly encouraged to help reduce massing. Consider stepping down corners and ends of large multi-family buildings at highly visible locations to soften the building edges and enhance the street scene.

## **Walls & Facades**

- Logical termination locations for materials and colors should be identified early in the design process to ensure a cohesive appearance of the finished product. Material and color changes should occur at inside corners and undersides of massing only, or other logical breaking points subject to approval by the DRP.
- Primary materials on a façade may change only at a horizontal band or an inside corner. Consideration will be given to changing materials at a visual block such as a fence.
- Building walls shall be clad in smooth cut wood shingles, wood clapboard, barn or reclaimed wood, wood drop siding, traditional wood board and batten, fiber cement siding, architectural metal cladding, brick, or stone. Siding shall be painted or stained; pre-finished siding will be considered based on design merit. Stucco and other alternative materials will be considered based on design merit.
- In order to promote the pedestrian experience, ground floor façade treatments shall utilize high-quality materials and increased fenestration distinct from the floors above. Alternatives may be considered based on design merit.

- All metal siding shall be standing seam, corrugated or alternate high-quality detailing or as determined by the DRP.
- Venting grills, covers or grates shall be matched to the color of surrounding walls and facades wherever possible unless prohibited by building code.
- Stucco siding should have a minimum texture not heavier than 16/20 sand finish. Accent and trim stucco may have a smooth finish or at minimum 30/30 sand float finish.
- Brick surfaces shall be set predominantly in a horizontal running bond pattern.
- Stonework shall be natural or approved synthetic stone materials. Dry stack, uncoursed settings with minimal exposed mortar are preferred. Stonework shall not be applied to individual wall surfaces to avoid a veneer-like appearance. It shall continue around corners to an inside corner.
- The color palette of the body scheme of the structure shall be as approved by the DRP based on merit. Color schemes must be included 2 distinct color schemes or 3 field colors minimally. Color and material selections for each scheme should include primary and secondary body colors, fascia, trim and accent colors, siding, masonry, grout colors, and roofs.
- For projects where multiple buildings are placed on the same lot, special care should be taken to increase the uniqueness of each building. Residential development with two (2) or more multi-family buildings shall have a minimum of two (2) elevations and two (2) substantially different, yet compatible color schemes. The same color scheme and elevation style may not be repeated on an adjacent building on each side of it or across from it. Attached dwelling units are exempted from each other. Garish colors are not allowed.
- Architectural projections are encouraged on all mixed-use buildings to emphasize features such as entries, major windows, or outdoor space. Projections include, but are not limited to:
  - Awnings (cloth, metal, wood)
  - Roof overhangs
  - Projecting upper-story elements
  - Tower elements
  - Window/door surrounds
  - Recessed windows
  - Bay windows or dormers
  - Trellis elements

### **Fenestration Design**

For commercial buildings, windows and doors must be commercial quality aluminum storefront materials unless approved otherwise for design merit and must have overall comprehensive composition.

- Please refer to the City of Bozeman UDC storefront requirements (38.510.030.B) with regards to the required percentage of fenestration and transparency required on street facing elevations.

### **Entrances**

- All ingress/egress points should be celebrated. Entries must be articulated and enhanced to be part of the overall comprehensive composition.

### **Roofs**

- Asphalt composition shingles are permitted but must be at least thirty (30) year architectural grade.
- Treated wood shingles are permitted.
- Metal roof materials are permitted but must be designed to protect people and property from significant sliding of snow and ice (not applicable to dormers or similar roof forms that do not drip directly to grade). Metal roofs may be corrugated or standing seam only. Unpainted, galvanized, rusted, brown, grey, or rust-red-baked-on finish are all appropriate finishes. Garish colors or shiny materials are not appropriate.
- Natural or synthetic slate roof materials are permitted.
- Green roofs are encouraged.
- Roof mounted mechanical equipment such as air conditions/ heating equipment (excluding solar panels) shall be screened from view of streets, parks sand other public spaces.

### **Lighting**

- All exterior lighting must be dark-sky compliant and no greater than 3000 Kelvin.
- The following lighting is prohibited: obtrusive flood lighting, mercury vapor or high-pressure sodium lights, metal halide lights, and exposed bulb (non-cutoff) fixtures.

### **Specialty Features**

- Buildings featuring food preparation and/or commercial kitchens are required to incorporate an approved grease interceptor.

### **Signage**

- All property owners and businesses will be required to conform to the Bozeman Municipal Code sign ordinances (Section 38.560), have signage that complements the building design and overall project, and receives both City of Bozeman and DRP approval before installation.

## **Prohibited Building Type**

- Prefabricated, modular, mobile, factory built and/or kit buildings are prohibited, unless specifically approved by the DRP based on design merit.

## **6.4 Landscape (all projects)**

The Landscape requirements apply to all mixed uses and residential projects. The proper use of plant materials adds to a sense of permanence and consistency for a neighborhood while also connecting the built and natural environments. Landscape plans submitted with Form B should outline hardscape elements, fencing, and planting areas with species and quantities listed. Each Owner will be required to meet minimum landscape specifications related to two general categories: boulevard plantings and yard plantings.

### **Street Boulevard Plantings**

- Individual Lot Owners shall be responsible for landscaping the boulevard area directly adjacent to their property at the time of occupancy and for the maintenance of the boulevard area thereafter.
- To enhance a public street boulevard where present, one (1) tree (minimum two (2) inch diameter caliper) shall be planted per thirty-five (35) feet in the boulevard area. Grass or an approved xeriscape plan must also be installed in the boulevard area directly adjacent to the subject property.
- Maximum height of landscaping in required vehicle vision triangles is thirty (30) inches.
- It is the responsibility of the Owner to contact the appropriate utility companies before digging.

### **Yard Plantings**

- Native, drought tolerant grasses and regional plant materials are encouraged. Lawns should be well maintained, so they thrive and therefore, use fewer resources. Regular fertilizing, aeration, and weekly cutting with a sharp blade are all critical to lawn success. Lawns should be maintained at about 4-inches as keeping lawns slightly long ensures the soil remains shaded, thereby using less water.
- All properties are required to landscape yards. Where grass is planned in the front yard sod is required. Where grass is planned in the yards facing open space or side yards may be seeded.
- Mulching, composting, efficient irrigation, harvesting water from roofs, sidewalks, driveways, and other impervious surfaces are all encouraged.

- “Xeriscaping” or water-conserving, drought-tolerant landscaping is encouraged. A proposal for a Xeriscape landscape plan must be prepared by a landscape professional. United States Environmental Protection Agency (US EPA) has guidelines available at: <http://www.epa.gov/>.
- Alternative water-conserving designs may be considered based on overall design merit and composition.
- Landscaping within watercourse setbacks on or adjacent to lots within the subdivision may not be mowed or altered.

### **Yards facing a street:**

At least one (1) tree (minimum 2-inch caliper) and two (2) appropriately sized planting beds are required for yards facing a public street. Corner lots are considered to have two (2) separate yards and therefore require a total of two (2) trees (minimum two (2) inch caliper) and two (2) appropriately sized planting beds.

For lots wider than 40’ two (2) front yard trees (minimum 2-inch caliper) and two (2) appropriately sized planting beds are required for yards facing a public street.

- For buildings in the Storefront block frontage are exempt from this requirement.
- As a minimum requirement all multifamily are subject to city of Bozeman landscape requirements (38.550).

### **Yards Facing Open Spaces:**

At least one (1) tree (minimum two (2) inch diameter caliper) and two (2) appropriately sized planting beds are required for any yard facing an open space. For lots wider than 40’ two (2) front yard trees (minimum 2-inch caliper) and two (2) appropriately sized planting beds are required for yards facing a public street.

- As a minimum requirement all multifamily are subject to city of Bozeman landscape requirements (38.550).
- Planting beds must be composed with the site and the building elevations and shall have a top layer of mulch or earth tone stone (non-white).
- Maximum height of landscaping in required vehicle vision triangles is thirty (30) inches.
- It is the responsibility of the Owner to contact the appropriate utility companies before digging.

### **Vegetation & Solar Gain**

- Special consideration should be given to areas of sun exposure and shade for the planting of trees and large shrubs. Landscaping should allow southern exposures necessary for a home's solar gain in the winter, or that of the neighbors.

### **Hardscapes**

- Selection of hardscape materials should favor natural materials such as untreated wood, stone, or stamped concrete, while balancing the desire for durability. Pressure treated lumber and railroad ties, although re-used, should be avoided for their toxicity.
- All driveways and parking areas shall be surfaced with asphalt or concrete. For single-household dwelling units, any driveway shall be surfaced with concrete.

### **Soil Preparation & Drainage**

- Investment at the soil level provides significant payoff in reduced water and fertilizer use, and plant vigor. Imported topsoil should be natural and screened of all debris greater than 3" in diameter. Soils should be of the best quality available and improved with imported compost as feasible, especially in lawn areas. In areas where poor soils are unavoidable, homeowners should focus plant selection on species that thrive in such conditions. Runoff from roofs, and hardscapes, and melting snow, should be considered, and should be harvested for landscape use whenever possible.
- Positive drainage, of a minimum 2% slope away from any structure for a ten (10) foot radius must be maintained for all structures within the development.
- Proper erosion control techniques should be implemented. All disturbed areas must implement erosion control techniques to ensure on-site and off-site protection. Slope stabilization is required on all slopes 3:1 or greater with Best Management Practices (BMPs) implemented as necessary.
- Finished grade is to be known and established prior to the installation of any hardscape elements such as: sidewalks, driveways, walkways, patio, and walls.
- The use of retaining walls will be considered on a case-by-case basis and must be approved prior to installation.

### **Irrigation Systems & Water Use**

- Underground irrigation systems can use water efficiently, but they must be designed, installed, and operated correctly. They also require regular maintenance.
- Plants with similar water usage, sun and shade requirements and zones with spray heads, rotors or drip systems should be grouped together.

- All lawn areas are to be irrigated with a permanent watering system utilizing spray or rotor irrigation heads. Head-to-head coverage is required. All irrigation heads are to be installed at a grade so not to be damaged by maintenance equipment.
- Perennial planting areas are to be irrigated with a dedicated drip irrigation system and should be adjusted appropriately for individual plant needs throughout the season.
- Trees and shrubs are to be irrigated with a designated bubbler irrigation system, adjusted appropriately for tree species, maturity, and size. If trees and shrubs are installed within the confines of a perennial planting area with an established drip irrigation system, the incorporation of these trees and shrubs will be addressed on an individual basis and assessed by a landscape professional.
- Plants should be sufficient in number and density to reduce weed growth. A weed mat also inhibits weed growth. Mulch conserves water and shades soil.
- Landscapes do not require as much water during shoulder seasons (May, June, September and October) as in July and August. Watering should be reduced in September and October to prepare vegetation for dormancy.
- Water only when the turf requires it. If one leaves distinct footprints when stepping on it or the grass does not spring back, it is time to water. Applying one inch of water (including rainfall) once per week is enough to keep the lawn green throughout the summer.
- Turf grass should be watered using longer run times (15 - 20 minutes) but less often. This allows the grass roots to grow deeper thereby needing less water and becoming more drought and weed resistant. Frequent watering of turf grass causes the root base to remain shallow, causing the grass to brown easily and be more susceptible to drought and weeds.
- When watering trees and shrubs, it is not necessary to water the leaves or the trunk. Instead, place a sufficient number of emitters evenly around the tree or shrub halfway between the trunk and the outer canopy.

### **Fertilizing / Pesticides**

- In careful consideration of streams and wetlands in the area, homeowners that border open spaces or parks with surface water (lakes, streams, wetlands) will only be permitted to use non-chemical fertilizers / pesticides in required yard setbacks. Organic fertilizers for lawns are readily available, as are corn-based weed suppression substitutes. Non-lawn native and drought tolerant plantings typically require no extra fertilizing at all.

### **Weed control**

- All trees and shrubs to be maintained in a healthy state, any tree or shrub showing more than 30% desiccation shall be replaced.

- All shrub and perennial beds shall be maintained with adequate mulch or rock cover. No planting bed shall have less than 3” depth layer of mulch or rock. Any area of exposed weed fabric shall have additional rock or mulched placed over it.
- Use cultural methods (mulch, pruning, irrigation, etc.) to encourage plant health and growth and to discourage weeds. Keep planter beds and tree wells free of weeds and debris.
- All landscaping must be maintained to the minimum standard stated in Th e City of Bozeman ordinance (36.28.100)
- Mulch or gravel is to be used in all planting beds and around the base of all trees and shrubs planted within lawns and open spaces. Mulch type and depth is to be clearly indicated on all landscape plans.
- As further specified in the Covenants, noxious weeds pose a serious threat to the environment, and property owners should familiarize themselves with and control these weeds on their property. Chemical solutions should be balanced with the threat level of the individual species and the possibility for non-chemical alternative treatments. Under no circumstance should noxious weeds be allowed to flourish or go past the flowering stage and into the seed stage. Weed control is required on both developed and vacant lots and will be enforced in accordance with the Covenants.

### **Vegetation Removal**

- No landscaping in the right-of-way, parks, open spaces and common areas may be removed without prior permission from the DRP.

### **6.5 Departures from Neighborhood Patterns**

The DRP encourages unique and creative design that respects the spirit and intent of the Declaration and Architectural Design Guidelines. Except as otherwise set forth in Chapter 3, the DRP may, upon application, grant a departure from the Architectural Design Guidelines, based on design merit.

The Board of Directors shall have the power to make the final decision on whether to approve, conditionally approve, or deny a departure, without any liability being incurred or damages being assessed due to any decision of the Board of Directors.

## **Chapter 7 : Definitions**

The words and terms used in this document shall have their customary dictionary definitions unless otherwise specifically defined within the Declaration or this Architectural Design Guidelines.



**EXHIBIT 1**  
**Blackwood Groves Subdivision Legal Description**

The South Half of the Southwest Quarter of Section 24, and the North Half of the North Half of the Northwest Quarter of Section 25, all in Township 2 South, Range S East of P.M.M., Gallatin County, Montana, Except that part conveyed to the State of Montana for highway right of way purposes for South 19th/ Avenue, State Project S 243 (1), by Bargain and Sale Deed, recorded in Book 144 of Deeds, Page 148. Said property is further described as follows:

Area = 5,203,346 square feet or 119.4524 Acres or 483,406.7 square meters. Subject to existing easements.



# Blackwood Groves Design Review

Indicate Form being submitted by checking appropriate box(s):

- Form A: Sketch Design Review
- Form B: Construction Design Review
- Form C: Application for Change(s)

## Property Information:

Street Address: \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Phase \_\_\_\_\_

**All design review correspondence will go to primary contact. Indicate primary contact by checking the appropriate box:**

**Owner Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Architect Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Builder Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Landscape Designer Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Departures:**

1. Are any departures from the Blackwood Groves Architectural Design Guidelines being requested under this application?

Yes

No

If yes, please describe the departure:

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2. Items submitted (please check):

Review Fee(s) \$\_\_\_\_\_

Colored Elevations

Site Plan Including grading

Floor Plans

Roof Plan

Building Sections

Landscape Plan

Garage Door Cut Sheet (If Applicable)

**Request for Changes (Form C):**

1. Type of Modification

Proposed Modification (C1)

Modification already constructed (C2)

2. Change description and reason for Change  
(Attach specific drawings of proposed changes.)

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**Project Timelines: Please List anticipated completion dates for each Phase:**

Design Review \_\_\_\_\_

Foundation \_\_\_\_\_

City Approval \_\_\_\_\_

Framing \_\_\_\_\_

Break Ground \_\_\_\_\_

Siding \_\_\_\_\_

Landscaping \_\_\_\_\_

**Acknowledgement Statement:**

The Lot Owner acknowledges that he/she has received, read, and will abide by the Architectural Design Guidelines for Blackwood Groves.

As stated in the both the Covenants and Architectural Design Guidelines, violations will be remedied by the Blackwood Groves Homeowners' Association whereupon the Lot Owner will be responsible for the cost of the remedy.

I (We) \_\_\_\_\_ am/are the owner(s) of record of Lot \_\_\_\_\_, Block \_\_\_\_\_, Phase \_\_\_\_\_ of Blackwood Groves. I/We have read these requirements and understand their implications. Furthermore, I (we) have been given sufficient opportunity to discuss any questions we may have regarding these requirements with a member of the Blackwood Groves Design Review Panel. My (Our) signature(s) below is/are evidence of my/our intent to comply with these requirements.

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**\*FOR OFFICE USE ONLY\***

DATE RECEIVED \_\_\_\_\_ CHECK NUMBER \_\_\_\_\_ CHECK AMOUNT \_\_\_\_\_