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MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index to: AGREEMENT

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*M. Hansen*



**SECOND AMENDMENT  
TO  
MASTER DEVELOPMENT GUIDELINES  
AND REGULATIONS  
FOR  
RIVER RIM RANCH  
PLANNED UNIT DEVELOPMENT  
DIVISION I AND DIVISION II**

- February 2007 -

**184972**

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**SECOND AMENDMENT  
TO  
MASTER DECLARATION OF  
MASTER DEVELOPMENT GUIDELINES  
FOR  
RIVER RIM RANCH  
PLANNED UNIT DEVELOPMENT  
DIVISION I AND DIVISION II**

THIS MASTER DECLARATION OF DEVELOPMENT GUIDELINES FOR RIVER RIM RANCH (the "Master Declaration"), is made and entered into this 8 day of February, 2007 by WEST RIM, LLC, an Idaho limited liability company (the "Declarant") pursuant to the amendment procedures and provisions contained and set forth in the original Master Declaration of Covenants, Conditions and Restrictions which document is dated May 11, 2004, and is filed of record in the office of the Teton County Clerk and Recorder as Instrument No. 161134 which by this reference is fully and completely incorporated herein as follows:

**RECITALS**

WHEREAS, Declarant is the record owner of ~~that certain~~ real property situated in Teton County, Idaho known as River Rim Ranch, as more particularly described in Exhibit A attached hereto.

WHEREAS, River Rim Ranch consisting of 898.5 acres was originally platted as the River Rim Ranch Planned Unit Development Phase I, Teton County, Idaho and recorded on May 11, 2004 as Instrument No. 161132. River Rim Ranch Planned Unit Development Phase II, Teton County, Idaho was recorded on September 8, 2006 as Instrument No. 180225. The original 898.5 acres shall hereinafter be referred to as River Rim Ranch Division I ("Division I").

WHEREAS, Declarant is the owner of an additional 4,515.67<sup>±</sup> acres as more particularly described on Exhibit A and is desirous of annexation of such property pursuant to Article VI Section 6.4. This additional acreage shall be hereinafter referred to as River Rim Ranch Planned Unit Development Division II ("Division II").

WHEREAS, Division II contains types of residential units, commercial properties, various unit types, condominiums, chalets and recreational amenities which are not contained in Division I and Declarant is desirous of defining and establishing the Development Guidelines relative to these properties.

WHEREAS, Declarant is desirous that Division I and Division II of River Rim Ranch PUD be subject to the same Development Guidelines.

WHEREAS, Declarant has established the River Rim Ranch Master Association, Inc., in lieu of the River Rim Ranch Owners' Association, an Idaho nonprofit corporation to exercise the functions set forth herein to own, lease, hold, operate, care for and manage certain property for the common benefit of Owners and Occupants of Lots and Units within, and of any other person acquiring an interest in River Rim Ranch.

WHEREAS, these terms and conditions were originally part of and included as an Appendix to the Master Declaration of Covenants, Conditions and Restrictions (CCR's) for River Rim Ranch and for ease of administration the Declarant amended the CCR's to establish these Development Guidelines as a separate stand alone document to be recorded against the land and property covered by the CCR's and that the Development Guidelines would continue to be applied in conjunction with the CCR's.

NOW THEREFORE, Declarant hereby declares that all of the Property described shall be owned, held, sold, conveyed, encumbered, leased, used, occupied and developed subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of, and, which shall run with the real Property and be binding on all parties having any right, title or interest in the described Property or any part thereof, their heirs, successors, assigns including granted right of use for individuals by Declarant, and including individuals in future areas of annexation by Declarant and shall inure to the benefit of each Owner of any part thereof.

WHEREAS, The River Rim Ranch Master Development Guidelines and Regulations establishes an architectural theme for the project and residences, and a framework for design, construction, maintenance and usage. Further, a plan submission and review procedure is specified which accomplishes consistent review by the Master Association's Committee for Design Review for each and every house design and related facilities on a lot by lot basis.

NOW THEREFORE, every person or entity who now or hereafter owns, occupies or acquires any right, title or interest in or to any portion of the Property is and shall be conclusively deemed to have consented and agreed to every guideline and regulation contained herein, whether or not any reference to this Declaration is contained in the instrument by which such person acquired an interest in the Property.

WHEREAS, all guidelines and regulations and agreements herein contained are made for the direct, mutual and reciprocal benefit of each and every Lot of the Property and Lots within future annexation areas; shall create equitable servitude upon each Lot in favor of every other Lot; shall create reciprocal rights and obligations between respective Owners and Occupants of all Lots and privity of contract and estate between all grantees of said Lots, their heirs, successors and assigns; and shall, as to the Owner and occupant of each Lot, his heirs, successors and assigns, operate as covenants running with the land, for the benefit of all other Lots, except as provided otherwise herein.

WHEREAS, on February 8, 2007, the undersigned being the majority owner of the record real property within River Rim Ranch Planned Unit Development Division I and Division II according to the official plat thereof and on file and of record in the office of the Teton County Clerk and Recorder, is desirous of amending and clarifying said document. The Master Development Guidelines is hereby superseded by this Second Amendment to the Master Development Guidelines for River Rim Ranch Planned Unit Development Division I and Division II and is hereby stated.

Therefore, from this 8 day of February, 2007, forward, this Second Amendment to the Master Development Guidelines for River Rim Ranch Planned Unit Development Division I and II take precedence and become enforceable.

IN WITNESS WHEREAS, Declarant has executed this as the Master Development Guidelines as of this 8 day of February, 2007.

DECLARANT:

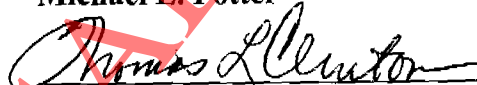
WEST RIM, LLC

By:



Michael E. Potter

By:



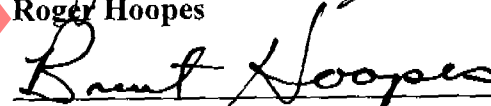
Thomas L. Clinton

By:



Roger Hoopes

By:



Brent E. Hoopes

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## INTRODUCTION

The Master Development Guidelines (“Development Guidelines”) have been created in order to ensure that all improvements at River Rim Ranch preserve the natural beauty of the mountain valley setting, ensure harmonious residential design, and protect and enhance property values. The Development Guidelines are intended for use by all persons involved in new buildings or landscapes, as well as subsequent additions or alterations to any property at River Rim Ranch.

The Development Guidelines are administered and enforced by the Committee for Design Review (CDR) in accordance with procedures set forth in this document and the Master Declarations of Protective Covenants (CC&R’s). The CDR’s role is to provide assistance to homeowners and their chosen design professionals and to ensure that the design process is a satisfying experience.

This document may be amended and supplemented by the CDR. Before submitting plans, the Owner or their representative is required to meet with the CDR to obtain a review a copy of the current Development Guidelines.

The Development Guidelines are supplemental to Teton County Building codes and the Master Covenants, Conditions & Restrictions of River Rim Ranch recorded with the office of the Clerk and Recorder of Teton County. In the event of a conflict between the documents, the more restrictive document shall govern and control.

The purpose of this document is to assist lot owners in the RRR by providing a framework for design, construction, maintenance and usage that will allow each project to contribute to the long term goal of creating a development that compliments and enhances the surrounding natural environment. This document also outlines appropriate architectural requirements that reflect the specific context and environment of the RRR property.

Specific Objectives are:

- To protect and enhance property values, wildlife and the natural environment.
- To respect environmental conditions and neighbors.
- To establish architectural criteria for buildings which allow for individual expression within clearly articulated restraints.
- To address all aspects of community usage and design, including: buildings, landscaping, maintenance, fences and signs.

## I. Design Review Regulations

### A. River Rim Ranch Committee for Design Review (CDR)

#### 1. Authority.

The RRR Committee for Design Review (CDR) shall act in addition to, and not in lieu of the Teton County Planning and Zoning Commission and Board of County Commission. CDR written approval of residential construction plans will be required as a prerequisite and prior to submission of plans to Teton County for County Building Permit.

#### 2. Committee Organization and Make-up.

The committee is established by the Master Association who is responsible for appointing members and terms. The CDR shall then consist of three members of the Master Association or may be the same as the Master Association.

The CDR shall modify when necessary, and enforce the design regulations related to the external design, appearance, and location of all specified properties and improvements within RRR.

#### 3. Purpose.

The RRR CDR is established to coordinate, expedite and assure fair equitable implementation of the Design Regulations and Protective Covenants, Conditions & Restrictions. The objective of this committee is to encourage development quality that will enhance both the natural and built environments.

#### 4. Duties.

The RRR CDR is responsible for administering the Design Regulations and Protective Covenants, Conditions & Restrictions and performing the following duties:

- a. To form such reasonable rules and bylaws and adopt such procedures as it deems necessary to carry out its functions.
- b. To review all of the following it deems necessary:
  - i. Site plans and site sections
  - ii. Landscape plans/pasture plans
  - iii. Building drawings and specifications
  - iv. Material and color samples
  - v. Other information

- c. To require all improvements, such as the following, to be reviewed and approved by the CDR before construction commences.
  - i. Construction of buildings, auxiliary structures or roads.
  - ii. Alterations and remodeling
  - iii. Restorations
  - iv. Landscaping, fences and walls
  - v. Parking
  - vi. Signs and exterior lighting
  - vii. Other site and ranch improvements
- d. To enforce height requirements contained within the Design Regulations and Protective Covenants, Conditions & Restrictions and to designate such requirements where they are not called out.
- e. To reject materials, designs and colors submitted with the plans, and the plans themselves, if they are not compatible or are inappropriate with the overall plan of the subdivision.
- f. To grant variances to the Design Regulations and Protective Covenants as it deems appropriate.
- g. To interpret Design Regulations and Protective Covenants as it deems appropriate and make rulings thereon.
- h. To insist upon the completion of all improvements in substantial compliance with the approved plans and specifications.
- I. To enforce the Design Regulations and Protective Covenants in a court of law.
- j. To revoke or suspend approvals and order the suspension or cessation of any construction in violation of the Design Regulations and Protective Covenants or any approval issued by the CDR.
- k. To require that a fee of \$1,500.00 be paid for the review and approval of building plans and specifications.
- l. To require the submission of landscape plans with all requests for review and approval of building plans.
- m. To require that a construction deposit of \$5,000.00 be paid before commencement of construction of a home building.

5. Liability.

Neither the CDR nor any member thereof shall be liable to the Association or to any Owner for any damage, loss or prejudice suffered or claimed on account of the following:

- a. The approval of any plans, drawings or specifications, whether or not defective.
- b. The construction or performance of any work, whether or not pursuant to approved plans, drawings, or specifications.
- c. The development or manner of development of any property within RRR provided, however, that such member has acted in good faith.

B. Regulations & Codes.

1. General Regulations.

RRR includes lands within the jurisdictional areas of Teton County. RRR shall be consistent with all applicable Teton County and State of Idaho regulations. In addition to these Design Regulations, building design will be regulated by County, State and Federal regulatory agencies having jurisdiction. The Owner or his or her agent shall be responsible for ensuring conformance with any applicable regulations, and should check with Teton County and State of Idaho Building Codes Division to verify that the most recently adopted edition of any applicable regulation is being used.

Lot owners and residents of RRR are informed that adjacent uses may be agricultural. Lot owners accept and are aware that standard agricultural farming practices can result in dust, smoke, animal odors, flies and machinery noise. Standard agricultural practices feature the use of heavy equipment, chemical sprays, burning and the use of machinery early in the morning and sometimes late into the evening.

No construction of, or alteration to, any improvements whether temporary or permanent, including but not necessarily limited to buildings, fences, walls, earthwork, paving, vegetation, signs, or secondary structures such as utility or trash enclosures, antennas and storage tanks shall be commenced on any lot prior to receiving the written approval of the CDR.

Interior modifications and/or improvements that do not alter the exterior appearance of a building, or the site improvements, shall not require the approval of the CDR.

2. Density, Allowable Uses, Allowable Areas & Setbacks.

- a. Density. Not more than one single family residence may be built on each residential lot.
- b. Allowable Uses. Each residential lot shall be used exclusively for residential purposes, and no more than one family (including its support staff and transient guests) shall occupy such residence, provided, however, that nothing in this subparagraph below shall be deemed to prevent:

Construction of detached garages in accordance with the Design Regulations and Protective Covenants;

Construction of guest houses and caretaker apartments in accordance with the Design Regulations and Protective Covenants; guest houses shall be a maximum of 1,800 square feet and caretaker apartments shall be a maximum of 1,200 square feet;

Any artist, artisan, craftsperson or professional from pursuing his or her artistic or professional calling upon the lot or dwelling unit owned by such artisan if such artist, artisan or craftsperson also used such lot or dwelling unit for residential purposes and does not advertise any product or work or art for sale to the public upon such lot or dwelling unit; The leasing of any lot from time to time by the Owner thereof, subject, however, to all of the restrictions as may be adopted from time to time by the Master Association.

- c. Building Envelope. Each building lot in RRR shall at a minimum conform to the A-20 setback requirements with the exception of the cabin and chalet lots which will have a specific building envelopes:

- Front - 30'
- Rear - 40'
- Side - 30'

Additionally, the CDR will maintain a residential lot building envelope map with specific building envelope areas delineated and defined including the following:

Lots:

- Big Hole lots building envelope - 200' diameter
- Central Plateau Ranch lots building envelope - 200'
- Hidden Valley Ranch lots building envelope - 200' diameter
- Highland Ranch lots building envelope - 200' diameter

North Plateau Ranch lots building envelope - 200' diameter  
North West Plateau Ranch lots building envelope - 200' diameter  
Plateau Ranch lots building envelope - 200' diameter  
Rim Ranch lots building envelope - 200' diameter  
South Canyon lots building envelope - 150' diameter  
West Rim Golf lots building envelope - 150' diameter  
West Rim lots building envelopes - 200' diameter

Cabins:

Golf Cabins - 50' x 100' building envelope  
Highland Cabins - 50' x 100' building envelope  
South Canyon Cabins - 50' x 100' building envelope  
West Rim Cabins - 50' x 100' building envelope

Chalets:

Golf Chalets - 50' x 50' building envelope

Farm/Ranch Conservation Units:

Farm/Ranch Conservation Unit lots building envelope - 200' diameter

All dwellings, exterior parking spaces, garages, carports, porches and decks shall be contained within or concentrated in a contiguous way acceptable to the CDR with the building envelope area. Barn, corrals and other outbuildings do not have to be located within the building envelope but are subject to CDR approval. Additionally, some lots include steep rear yard areas that are excluded from the building envelope as shown on the official building envelope map for RRR including the native vegetation transition zones which are to be maintained in a natural state.

- d. Maximum Building Footprints and Minimum Floor Areas. Single family residences shall have a maximum building footprint of 6,000 square feet, exclusive of exterior parking spaces, garages, carports, porches and decks.

Cabin Lots shall have maximum building footprint of 4,000 square feet exclusive of exterior parking spaces, garages, carports, porches and decks.

Chalet Lots shall have maximum building footprint of 2,000 square feet exclusive of exterior parking spaces, garages, carports, porches and decks.

The minimum floor area at or above ground level of any single family residence shall not be less than 2,500 square feet, exclusive of exterior parking spaces,

garages, carports, porches and decks. The minimum floor area at or above ground level of any cabin lot shall not be less than 2,200 square feet, exclusive of exterior parking spaces, garages, carports, porches and decks. The minimum floor area at or above ground level of any chalet lot shall not be less than 1,800 square feet, exclusive of exterior parking spaces, garages, carports, porches and decks. The ground level (walkout) portion of a basement shall be considered in the calculation of minimum floor area. Each principal residential structure shall have as a minimum an attached or detached two car garage.

- e. West Rim Village and Teton Rim Golf Village Setbacks. Standard county setbacks and height limits shall be adhered to as follows:

- Front: 0'
- Side: 10'
- Rear: 10'
- Height limit: 45'

3. Codes.

All construction must comply with the provisions of the latest edition of the following design regulations, codes and their amendments.

- RRR Design Regulations
- Protective Covenants, Conditions & Restrictions of RRR
- International Building Code
- National Electrical Code
- Uniform Mechanical Code
- Uniform Fire Code
- National Fire Protection Association Code
- State Fire Code Standards
- and all other applicable County, State and Federal Regulations

## II. Environmental Regulations

### A. Native Vegetation

It shall be recognized by the Owner of any lot within RRR that some wildlife species live on or wander through the property during various times of the year. The following limitations on use and development are intended, in addition to all other requirements of this manual, to protect, preserve and maintain the existing wildlife habitat, and to minimize the adverse effects of development on wildlife habitat.

1. Existing Vegetation.

No Owner of any lot shall remove or alter or allow others to remove or alter any of the existing vegetation thereon, except as is absolutely necessary for the clearing and preparation of the development area for the purposes of constructing authorized structures or roads thereon.

2. Non-Native Plants.

Introduction of non-native plant species which might compete with, harm native species, or result in their decline is prohibited except where it is shown that such introduction can improve or prevent undue damage to the natural environment. The planting of ornamental (non-native) woody or shrubby vegetation, especially attractive to wildlife, for landscape purposes is discouraged in order to reduce the likelihood of human-wildlife encounters on home sites.

3. Chemicals.

The use of chemical herbicides and pesticides is prohibited except for the control of noxious weeds as required by law. Non-chemical weed control is strongly encouraged. Only approved herbicides should be used as approved by County Weed Board representative who should be consulted before applying chemicals to sensitive areas. Contact a local nursery for the most effective pesticides that least impact desirable species of insects.

4. Burning.

The open burning of any materials or vegetation is prohibited, except as defined in Section VI-B.

5. Clearing of Trees/Vegetation.

No destruction, removal, or alteration of living vegetation except during preparation of a building within the designated development area shall occur without permission from the CDR. The CDR may grant permission to clear vegetation when a building site is being prepared for construction or when trees threaten building, block an established road, fall across a fence, or otherwise inhibit established residential activities. All areas disturbed by construction shall be re-seeded with native vegetation types.



## B. Wildlife Enhancement.

### 1. Human/Wildlife Confrontations.

Residents and guests on the property shall not harass wildlife and should avoid areas of wildlife concentration. Loud, offensive, or other behavior which harasses or frightens wildlife in all areas of River Rim Ranch is prohibited. Indiscriminate use and disturbance of wildlife refuge is discouraged.

### 2. Damage Claims.

Owners acknowledge that wildlife damage to landscaping will undoubtedly occur since the property is located within wildlife habitat. Owners shall accept that risk and shall not file claims against the Master Association or any other governing body for such damages.

### 3. Taking of Wildlife.

The taking of any and all wildlife species by any means within the property is prohibited except for the catching and keeping of fish from the Teton River or from designated ponds within River Rim Ranch in accordance with the State of Idaho Fishing Regulations, or which have been stocked in private ponds and the control of individual animals known to be causing unacceptable damage to property (e.g. a porcupine identified as girdling trees). No hunting or shooting of firearms shall be allowed on any lot or in any common areas.

### 4. Artificial Feeding.

Artificial feeding of deer, fox, coyote, etc. anywhere on the property is prohibited. Artificial feeding greatly enhances disease infection and transmission potential, tends to lead to accelerated habitat degradation on feed sites, and attracts or "short stops" wildlife en route to natural winter ranges and causes them to rely on humans when it is not necessary.

### 5. Domestic Pets.

Not more than four generally recognized house or yard pets are permitted, provided, however, that such animals shall at all times be restrained or leashed and provided further that subject to the provisions of subparagraphs above, and subject to such limitations as may from time to time be set forth in the Bylaws of the Master Association, which may reduce the allowable number, restrict the type of pet, or require that such pets be confined indoors. If any animals are caught or identified chasing or otherwise harassing wildlife or people, the CDR shall have the authority to have such animal or animals impounded at any available location, and shall assess

a penalty against the Owner of such animal or animals of not more than two hundred fifty dollars (\$250.00) plus all costs of impoundment. If any such animal or animals are caught or identified chasing or harassing wildlife or people a second occasion, the CDR shall have the authority to have such animal or animals impounded or destroyed, the termination of disposition being the sole discretion of the CDR. In the event that such animal or animals are not destroyed, the CDR shall assess a penalty of not more than five hundred dollars (\$500.00) per animal, plus costs of impoundment. No owner of any animal or animals impounded or destroyed for chasing or harassing wildlife or people shall have the right of action against the CDR or any member thereof, for the impoundment or destruction of any such animal or animals.

6. Ranch Practices.

Habitation of horses and other agricultural animals are generally restricted on all residential lots except for the Central Plateau Ranch lots, Hidden Valley Ranch lots, Highland Ranch lots, North Plateau Ranch lot, Northwest Plateau Ranch lots, Plateau Ranch lots, North Ranch, Rim Ranch, Farm/Ranch Compound lots, and the Farm/Ranch Conservation agricultural open space.

Not more than 4 horses or llamas may be maintained on each Ranch lot. Each of the Ranch lots shall be allowed a corral and a single story (20' high maximum) barn not to exceed approximately 2,800 square feet which shall include adequate inside storage for feed, tack, horse trailer, etc. as no outdoor storage of any type is allowed. The corral and barn shall be approved by the CDR for design style, placement and specific sizes. Under no condition shall corral and barn be placed to obstruct or obscure views from other lots. Corral areas are to be used exclusively for the maintenance of horses and/or llamas. Corral areas are to be well maintained and manure is to be removed from the property on a weekly basis. The corral areas are specifically for low impact use, light exercising and limited riding. Intensive riding or organized competition or other high impact activities are expressly prohibited. No other use shall be permitted except with the express written consent of the CDR. No commercial use or leasing of corral areas shall occur on the Ranch lots. Use of corral areas is exclusively for individual lot Owners. Other agricultural animals such as chickens, geese, ducks, 4H type animals, etc. are not prohibited but cannot be raised on a commercial basis nor constitute a nuisance nor odor problem.

Notwithstanding the above, the CDR shall have the authority to review and consider not more than 2 horses or llamas on the South Canyon lots and West Rim lots subject to the requirements of this section and submission of a detailed ranch practices plan to the CDR to assure compatibility with adjacent neighbors.

7. Farm/Ranch Conservation lots - Final Plat Subdivision Plat Restrictions:

- a) Each Farm/Ranch Conservation lot is set aside as permanent open space for limited agricultural uses, including:
- Grain Crops
  - Hay Crops
  - Natural Grasses
  - Potato Crops
  - Other Grain or Row Crops
  - Limited Grazing:
    - Not more than 24 horses and/or llamas or similar species such as donkeys or mules.
    - In addition to the 24 above, not more than 6 cattle for hobby or 4H purposes.
- b) Each Farm/Ranch Conservation lot is subject to the Master Declaration of Covenants, Conditions & Restrictions.

**III. Site Design Guidelines & Regulations**

The integration of buildings into the landscape of RRR is important to the success and appearance of the development. Site Design Regulations specifically serve to protect and enhance the natural landscape, view sheds and natural habitat. Building locations shall minimize the impact of cut and fill for roads, buildings, paths and other site improvements. New landscaping and plant materials shall be grouped in clusters in order to mimic existing vegetation patterns.

**A. Topography & Site Features**

1. Response to Character of Land Form.

A building envelope has been designated within each site, in order to assure that each building site responds to the existing topography.

2. Foundation Studies.

Foundation studies shall be conducted for all buildings constructed on slopes greater than 15%.

3. Site Drainage.

All site plans must indicate surface drainage patterns. All grading within the development must relate to and blend into the surrounding natural landscape and

natural drainage patterns. Care should be taken to limit the extent of cuts and fills. All cut and fill areas must feather into the natural topography within the confines of the property boundary.

#### 4. Driveways & Parking.

All driveways and parking areas shall respect existing land forms and vegetation. Parking areas and garage doors shall not be the primary visual element of any residence. Every effort shall be made to diminish the impact of the entry to the garage through the consideration of angles of approach and landscaping. All parking shall be within the lot boundary, off public and private rights-of-way. At least two of these parking spaces shall be enclosed in the required two car garage.

The construction and maintenance of all driveways and culverts shall be the responsibility of the owner. Culverts shall be equipped with flared ends, tapered into the landscape. Driveways and parking areas shall be crowned and sloped for adequate drainage and safety.

Driveway and parking surfaces shall be asphalt, concrete or any other materials as approved by the CDR. Materials shall restrict weed growth dust and maintain a clearly defined edge between the landscaped area and the driveway surface. Materials shall withstand deterioration from winter snow plowing and erosion.

Driveway approaches shall be limited in width to 20 feet maximum, and to 8% slope, unless otherwise approved by the CDR. Where cut and fill is required to maintain grade, no greater than four feet high, and 24 feet in uninterrupted length. All lots are limited to not more than two driveway approaches.

#### B. Utilities and Site Details.

It shall be the sole responsibility of the owner to contact utility companies prior to any excavation and grading, including but not limited to the following:

Fall River Cooperative, Silver Star

##### 1. Utilities.

Utilities shall be installed underground. Television antennas and satellite dishes should be those of smaller size of the most recent technology. Satellite dishes shall be screened from adjoining lots and streets. Television antennas shall not be visible from the street. Radio towers are prohibited on residential lots.

Meters shall be placed in a location so as to be accessible to the meter reader and yet not highly visible from adjoining roadways or properties. Meters, transformers and other utility boxes may be concealed with landscaping, provided utility personnel

are able to access equipment as needed. All conduit wires servicing the meter are to be beneath the exterior wall sheathing or enclosed.

2. Irrigation Water Supply.

RRR has an existing agricultural pressure irrigation system which will be further upgraded and adapted for individual lot irrigation usage. Each lot will be required to have an individual water meter as the basis for monthly billings based on irrigation water usage. The RRR Master Association will retain water rights shares associated with the property and designate one individual as the property water master to coordinate with the local irrigation company, Teton Pipeline Association.

3. Domestic Water Supply and Wastewater Treatment.

- a. Owners are encouraged to use water saving appliances and devices in the design of the residence.
- b. Individual, private domestic water wells installed by each lot owner will provide for domestic water supply needs.
- c. Individual private domestic septic tanks and drainfields installed by each lot owner will provide for domestic wastewater disposal.
- d. Both domestic water wells and domestic septic systems must adhere to State and County requirements and permitting procedures.

4. Common Water Supply and Wastewater Treatment Areas.

- a. The following areas will employ a localized common water supply and wastewater system.

Division I: Overlook Cabin Area

Division II: West Rim Area

Highland Cabin Area

South Canyon Cabin Area

- b. These common systems must adhere to State and County requirements and permitting procedures.

- c. Operation and maintenance of these systems will be the specific responsibility of these common users as a sub-association of the RRR Master Association.

5. Garbage and Refuse Disposal.

All rubbish, trash and garbage shall be regularly removed from the Property, and shall not be allowed to accumulate thereon. Trash, garbage and other waste shall not be kept except in sanitary containers. All equipment, garbage cans, wood piles, compost piles or storage piles shall be screened or concealed from view of other dwellings and common areas.

6. Exterior Lighting.

The intent of the lighting restrictions is to reduce the amount of light pollution and to be unobtrusive to neighboring properties. Exterior lighting shall be subdued, understated and indirect. Area lighting shall have concealed light sources and shall be either all white or all pale yellow. Lighting shall be "down" type and shall not radiate out from the property. In all cases, excessive glare to neighboring properties or circulation shall be avoided.

Direct light sources shall be used only to accent the architecture, landscape or artwork, or for the definition of entries and walkways. Flashing, blinking, or moving lights shall not be used except for decorative lighting during the Christmas season.

7. Recreational Vehicles.

Campers, RVs, or similar vehicles are to be screened from neighbors views. Temporary construction shelters maintained during and used exclusively in connection with, the construction of any work or improvement shall be permitted. No person shall reside in such temporary construction shelters or facilities unless application is made therefore and approved by the CDR.

No snowmobile, motorcycle or similar device shall be operated on any lot for commercial purposes. Snowmobiles, motorcycles, ATVs, or similar vehicles may be used for access to and from residential structures and common area access but must adhere to usage regulations as adopted by the Board.

The storage of all such vehicles listed above shall be screened from neighboring property, or enclosed.

8. Kennels.

Kennels must be placed in an area which is inconspicuous and removed from the direct view of neighbors and the primary road. All kennels must obtain the CDR's approval for size, materials and location. A dog run shall be permitted provided that the size, construction and location shall have been approved by the CDR.

## 9. Lot Fencing.

Any and all fencing must be approved by the CDR. Perimeter lot fencing, if any, shall be Jack Leg, "Buck & Rail" type construction. Interior lot fences or cross fences shall be the same or post and pole type or other wood fence approved by the CDR. Chain link, wire or barb wire are not allowed. Fencing layout and alignments are subject to CDR review and approval. Natural areas, steep topographic slope areas are not to be fenced. Certain lots may not be allowed to have perimeter fencing.

## C. Landscaping.

In general, landscaping within RRR should link the development to the native landscape. When completed, the buildings within RRR should complement the natural rolling meadow landscape. Through effective use of planting, the architectural elements can be softened and blended into the land forms and vegetation of the site. New plant materials should respect existing plant patterns. Trees, shrubs and ground cover should be placed in groups of similar species, rather than alone or with a number of other species. In an effort to blend with the surrounding environment and acknowledge the extreme conditions of temperature and moisture, an informal landscape using indigenous plant materials is recommended.

All owners are required to maintain their grounds. Should the owner be a part-time resident, maintenance contracts shall be entered into with local landscape and maintenance companies. If grounds are not being maintained, the owner will be notified to rectify the situation. If maintenance is ignored, arrangements will be made to have the necessary work done and the owner will be billed.

The CDR requires that all disturbed areas during the building process be restored to their natural state, or landscaped to a degree that is acceptable to the CDR. Sowing of wild grass seed over a disturbed area is not sufficient to restore the land. Owners and their builder should designate land areas that will not be disturbed during construction. All areas disturbed by construction shall be re-seeded with vegetation types approved by the Teton County Weed Control officer. All properties within RRR shall also be controlled for noxious weeds. It is the owner's responsibility to restore and landscape his or her property. A detailed landscape plan must be presented to the CDR for approval before landscaping is begun.

Landscaping should begin no later than the beginning of the first growing season after completion of the home and should be substantially completed by the end of the second growing season.

### 1. Screening.

Planting can be used effectively to screen yards and decks for privacy and to avoid glare from sources such as automobile head lamps. Sight lines at roadway shall be

preserved by holding plantings back sufficiently from the roadway. As a basic solar consideration, clusters of evergreens should be placed on the north and east sides of a building to provide a wind break from prevailing winter winds. Deciduous trees and shrubs can be placed on the southern and western side to provide shade in the summer months and allow sun to penetrate to the building during the winter months.

2. Snow Storage.

Plants located in snow storage areas or in areas of snow and ice shedding should be able to withstand the accumulated snow loads.

D. Plant Materials.

Suggested plant materials for RRR are based on plant material that has been observed growing in the Teton Valley and other areas with a similar climate and elevations above sea level. Since many factors effect the success of plant material, a qualified landscape architect or contractor familiar with local conditions should be consulted. The selection and location of plant materials by individual owners shall minimize irrigation water usage.

1. Suggested Plant Materials.

Trees:

Deciduous: Aspen, Cottonwood, Alder, Willow, Crabapple, Chokecherry, European Green Birch, Rocky Mt. and Big Tooth Maple.

Evergreen: Douglas Fir, Lodge Pole Pine, Engelman and White Spruce, Sub-alpine Fir and Rocky Mountain Juniper.

Shrubs: Alpine Currant, Red Twig Dogwood, Potentilla, Plum, Serviceberry, Snowberry, Caragana, Catoneaster, Grape Holly, Junipers (many varieties), Spirea, Woodrose.

Ground

Covers: Phlox, Potentilla vema, Kinnickinnick, Agua, Periwinkle, Sedum (many varieties).

Grasses: Natural pasture grasses and wildflower mixes.

Lawns: Drought tolerant and water wise mixes including sheep fescue, buffalo grass and crested wheat grass.



#### IV. Building Design Guidelines & Regulations.

The intent of the following building requirements are to provide a continuity to the context of the built environment, while allowing for the vitality of individual expression. Through the use of materials and color, all structures in the residential districts will blend into the surrounding site. These regulations specifically require custom designed homes and other farm/ranch structures that are sensitive to environmental conditions and specifically prohibit tract type designs, inadequate site planning solutions, unorthodox design solutions or other problematic approaches that impair or erode property values and/or aesthetic values.

The architectural guidelines at RRR stresses a strong traditional theme and vocabulary which recalls the integrity of indigenous farm structures and ranch structures of the region. This philosophy is not intended to inhibit creative architectural solutions, but is intended to carefully guide the architectural theme of the community to ensure a successful long term aesthetic and functional solution. This will benefit both the immediate River Rim Ranch neighborhood as well as the larger Teton Valley community.

Furthermore, the architectural theme for RRR is specifically intended to create a traditional western community feeling and friendly streetscapes.. RRR is to be a neighborhood of curvilinear roadways, prominent front porches and quaint traditionally styled homes. Garage doors are to be specifically subdued. The homes are to be designed to reflect the aesthetic and lifestyle values of the older traditional farm styles and ranches of Teton Valley while providing contemporary floor plans consistent with the needs of today's families. A vocabulary of architectural details and craftsman embellishments are to be considered for tasteful use in the exterior designs including:

- Highly visible and roomy front porches with depths of a minimum of 6' - 8'.
- Highly visible, well accented and weather protected front door entry areas.
- Traditional double hung and divided light windows with strong external accent trim.
- Appropriate use of exposed beams, contoured rafter tails, natural looking roof materials, stone/brick accents, traditional look siding materials with emphasis on horizontal materials and wood shingles contrasted with vertical elements.
- Strong "Story Book" roof shapes with dormers and shed dormers.
- Appropriate use of subdued colors to tastefully define and embellish the architectural character of the homes.
- Emphasis on the re-creation of the charm and aesthetics of the historical "Bungalow", "Craftsman", "Country Style", or "Cottage" type houses so prevalent in the earlier history of the region.
- "Four Sided" architecture that is pleasing and friendly on all sides.
- Low profile, carefully adapted structures that conform to the rolling land forms and minimize visual impact.

These criteria outlined above will be of paramount importance in the review and approval process of house plans and building plans by the CDR.

A. Building Height.

Building heights within RRR shall be limited to a maximum of 25 feet for roof slopes less than 6:12 and 30 feet for roof slopes greater than 6:12. Building height shall be measured from the highest roof ridge to the lowest adjacent grade.

On complex buildings with multiple heights, the building height shall be determined by calculating the highest ridge line of the building, and measuring to the average of the highest and lowest finished grade. Finished grade shall be the final elevation of the surface material, whether soil, paving, or decking, adjacent to the building as shown on the Architect's drawings.

With the approval of the CDR, chimneys, cupolas, and other architectural features may exceed the given height limitations by no more than 4 feet.

Where topographic characteristics allow buildings should be "benched" or "stair stepped" into the hillside following the natural slope. There shall be a minimum of 12 feet of horizontal separation for each story or level of a structure for hillside lots. No "flat" two story elevations visible from off the property or roadways within the property will be allowed. Essentially, the structures at RRR are to be one story in appearance but careful stair stepping allows for multiple floor levels as long as the one story aesthetics are achieved. Second level space within the roof structure with the use of dormers is considered to achieve this proper elevation aesthetic. The CDR has discretion and authority to enforce this important requirement. The CDR can use discretion and flexibility in the enforcement of this requirement as necessary to achieve acceptable aesthetic solutions.

B. Roof Form.

The architecture within RRR should complement and respond to the natural qualities of the foothill landscape. The consistency and compatibility of roof shapes, pitches and materials will contribute significantly to the continuity of the character of RRR. The following design regulations have been developed to allow for distinct building forms while addressing the character of the entire community. When refining roof forms consideration should also be given to the prevention of excessive snow build-up and snow shedding.

1. Shape and Pitch.

When considering roof shapes and pitches for buildings within RRR, designers should consider the simple gable shapes and steep pitches of buildings found within many of the surrounding clusters of farm buildings. Lower roof forms are preferred for exposed hilltop sites. Mansard roofs, pseudo-mansard roofs, curvilinear roofs, and A-frame roofs are not allowed. Primary roof forms shall not be greater than 9:12. Secondary roofs may be

shed roofs with pitches not less than 4:12 when attached to major building forms.

The CDR reserves the right to waive the minimum or maximum roof pitch requirement when, in its sole judgement, a lower or higher roof pitch is more appropriate for the design of a building, and does not compromise the integrity of the Ranch. This privilege may be exercised by the CDR without relinquishing its right to enforce the minimum requirement on other projects.

2. Dormers, Secondary Roofs, Skylights and Solar Collectors.

Dormers and secondary roofs are encouraged, both to add interest and scale to major roof areas and to make habitable use of space within the roofs. Dormers and secondary roofs may have gable, hip or shed forms and may be stacked in multiple forms.

When designing the location of skylights, consideration should be given to both the interior and exterior appearance of the unit. Locations should also be coordinated with window and door locations. Skylights shall be located away from valleys, ridges and all other areas where drifting snow may hinder the performance and safety of the unit. Skylights should be of high quality, insulated, double pane construction.

Solar collectors shall be integrated into the overall roof design, and shall be placed flush with the slope of the roof or wall of the building.

3. Entry Definition, Overhangs & Fascias.

Action should be taken in design to minimize shedding of snow and ice toward driveways, sidewalks, porches, decks, balconies or any other areas which may be damaged or cause injury.

Entrances should be expressed with gable or shed roof forms and protected with adequate overhangs. All roofs shall have overhangs of at least 2 feet. All fascia materials shall be a minimum of 8 inches. Built-up fascias of 12 inches are preferred.

**V. Material and Detail Guidelines & Regulations.**

Materials in RRR shall be selected for the quality, durability and maintenance characteristics. The following are the only allowable materials in RRR.

A. Roof Materials.

Roof materials above occupied areas of buildings, or in areas exposed to the sun, mechanical vents, and heat from adjacent chimneys shall be carefully selected to address the freezing and thawing cycle common to most roof designs. Cold roof systems with adequate ventilation and insulation are recommended.

Roof materials shall be constructed of fire resistant materials carrying a Class A or Class B rating.

The following are the only acceptable roof materials:

- Class A or B treated wood shakes or shingles.
- Natural and synthetic slate tiles.
- Class A asphalt random tab shingles in an "architectural" grade acceptable to the CDR.
- Other similar materials, as allowed by the CDR including corten metal, or muted metal colors acceptable to the CDR.
- All roof flashing vents, hoods, and roof accessories shall be copper or a pre-finished metal that blends with the color of the roofing material selected.
- No shiny or reflective roofing or flashing, vents, hoods, and roof accessories are allowed.

B. Gutters, Down Spouts and Flashing.

Gutters and down spouts are allowed by they must be of a color and finish that blends with the finish colors of the structure. Unpainted gutters, down spouts or flashing will not be allowed. Flashing materials shall be of copper or painted or anodized sheet metal.

C. Roof Mounted Equipment and Ventilating Roof Protections.

All roof mounted equipment shall be integrated into the overall roof design and screened. All sewer, bath fan, hot water heater, wood or gas stove, or other roof venting stacks shall be painted a color as similar as possible to the roof material color.

D. Exterior Wall Materials.

The character of the building exterior should be kept simple in order to harmonize and compliment the surrounding environment of the site. Natural materials and subdued colors should predominate the main body of the building. Exterior trim can be more colorful and contrast with the main body.

The CDR shall consider materials not listed below that maintain the aesthetic continuity of RRR, including pre-finished composite wood products and synthetic siding materials.

1. Stonework.

Stonework shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance. Artificial stone shall be permitted as an exposed material. Detailed drawings of all stonework and mock-ups shall be included with the Final Plan Review materials.

2. Unit Masonry.

Unit masonry materials shall be limited to brick, as approved by the CDR. Brick surfaces shall be limited to 20% of the exterior surface area, and shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance.

3. Concrete.

Exposed concrete foundation walls between ground level and exterior wall siding shall be a maximum of 8 inches. Foundation exposure over 8 inches shall be finished with synthetic textured stucco (stained a subdued color in harmony with the building), stone, or treated wood.

4. Stucco.

Limited/subdued use only is to be allowed. Synthetic stucco shall be permitted providing that the finished surface is adequately textured to obscure the pattern of insulation panels. Synthetic stucco surfaces shall be a subordinate portion of the exterior surface area, and shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance.

5. Wood Siding/Wood Product Siding.

Smooth or rough sawn wood siding shall be an acceptable exterior wood sheathing materials. Wood shingles shall be used only as smaller scale accents to the larger scale materials of the exterior walls. All wood siding shall be painted or stained. Other wood product siding will be considered by the CDR on a case by case basis.

6. Natural Log.

Natural, hand peeled log materials, assembled with irregular diameters and lengths, shall be the only acceptable uses of log products. Prefabricated kit homes, including prefabricated homes of any type, shall not be allowed.

E. Chimneys Materials, Composition and Proportion.

Chimneys, flues and vents can be used to create visual contrast to the dominant roof forms of the buildings within RRR. All flues shall be enclosed with a chimney cap and fitted with a spark arrester. No exposed metal or clay flues shall be allowed. All chimney forms shall relate to the overall building, all flues shall be masonry and shall be covered with either stone, brick or stucco. No chimney's enclosures shall be clad in wood, unless specifically approved by the CDR.

Chimneys and flues shall be located to avoid smoke and fumes at ground levels created by down slope winds. Buildings adjacent to steep slopes or with unique roof configurations shall give special attention to down drafts. All chimneys shall be located as high as possible on the upwind side of the roof to ensure adequate disbursement of smoke.

Building vents and flues for such functions as ventilation and exhaust should be consolidated into enclosures wherever possible and should typically be concealed from public view.

F. Exterior Windows and Doors.

1. Scale, Composition & Proportion.

Window and door patterns and reveals should be carefully studied to create interest, variety and consistency. Uninterrupted bands of window and doors shall not be allowed in any building. Window and door locations shall be carefully considered to avoid being obscured by accumulating snow.

2. Solar Orientation and Exposure.

The design and location of exterior windows should respond to the solar orientation of the building. Energy considerations should be addressed in the building design.

3. Materials.

Windows and doors shall be constructed of natural, stained or painted wood, or pre-finished enamel or colored aluminum cladding. All glazing shall be framed in walls of stone, stucco or wood. Glass curtain walls shall not be approved. Mirrored glass shall not be used.

Glass storm panels, set within the window sash, may be used within divided light windows, provided that the storm panel is installed on the interior side of the window. Divided light glass must be authentic appearing. Authentic appearing snap-in grills will be considered.

4. Garage Doors.

Garage doors shall be subdued and oriented away from the street, and shall be de-emphasized in the elevation of the building. Doors shall be recessed a minimum of 6 inches in an exterior wall, and shall be subdivided with secondary materials. Exceptions shall be reviewed by the CDR on a lot by lot basis. Garage doors should be the primary color of the building.

G. Decks, Balconies & Terraces.

1. Design.

Decks, balconies and terraces shall be designed to enhance the overall architecture of the building by creating variety and detail on exterior elevations. Combinations of covered decks, projecting balconies and bay windows are encouraged. Terraces should be used to integrate the building and landscape by creating a transition between the built and natural character of the site.

2. Materials.

Low level decks shall be skirted to grade. Decks which are not practical to skirt shall be designed to assure that the underside of the deck is integrated with the design of the building. Exposed anodized aluminum joist hangers will be allowed, so long as they are not visible from adjoining streets, properties and common areas. Posts shall be a minimum of eight inches square, and should be paired together to diminish a thin visual appearance. Materials and colors shall be consistent with the building and surrounding landscape.

H. Building Color.

Exterior color schemes throughout RRR shall emphasize the natural tones of the surrounding natural environment. Large exterior wall surfaces shall be painted or stained with neutral tones. Color schemes shall emphasize the contrast between the basic wall surfaces and accented details. All exterior color schemes shall be reviewed by, and approved by the CDR as a part of the Final Plan Review & Approval.

I. Energy Conservation.

All residential buildings shall meet the following minimum standards for roof and exterior wall insulation:

- Roofs: R-49
- Walls: R-21 (including foundation walls)

J. General.

RRR is a neighborhood specifically designed to accommodate quality homes in a setting where property values and environmental values will be protected. The CDR is charged with the all important responsibility to see that homes at RRR are well designed, properly sited, landscaped and constructed according to CDR approvals. The CDR is responsible to review house and building designs and has the clear authority and discretion to approve, disapprove or approve with conditions any and all design submissions. Highly qualified design professionals (architects, home designers and landscape architects) shall be retained to aid each property owner in achieving sound design solutions. The CDR essentially has the right to approve or disapprove all design submissions.

K. Ridge Line Aesthetics.

In addition to the aforementioned, in order to encourage protection of the skyline in high view areas the following shall apply to the 8 West Rim Ranch lots:

1. Landscaping provisions to include natural canopy tree species for the purpose of blending structures to land forms with a minimum average height of 16' plus unit requirements of:
  - 18 Rocky Mountain Junipers
  - 18 Colorado Spruce
  - 24 Aspen
  - 12 Narrow Leaf Cottonwood
  - 72 Total
2. Building heights on the West Rim Ranch lots shall be limited to a maximum of 25-feet. Building height shall be measured from the highest roof ridge to the lowest adjacent grade.

**VI. Fire Protection Regulations**

A. Compliance with Fire District Regulations.

All residents must provide adequate access routes for the Teton County Fire District. Standing and fallen vegetation surrounding all buildings must be cut, trimmed and/or reduced according to the Fire District standards. Street numbers on residential identification signs shall be clearly visible to emergency vehicles from the adjacent street at all times. A standard lighted driveway address sign detail will be specified by the CDR and is required for each residence at the cost of the lot owner.



B. Burning Restrictions.

There shall be no exterior fires whatsoever except barbeque fires contained within receptacles, and fires as may from time to time be permitted by the Master Association rules. The burning of trash, organic matter, or miscellaneous debris shall be prohibited whether in the open or in trash burning receptacles, except for county permitted burning of construction materials during building construction.

The discharge of firearms and fireworks is prohibited on all lots, common areas, open space, access and utility easement areas, and roads.

All bulk fuels, bulk storage of combustible fuels are prohibited unless properly permitted and specifically reviewed and approved by the CDR.

C. Fireplaces, Wood Stoves and Pellet Stoves.

The CDR recommends that residents burn only natural gas or low emission solid fuel materials (such as newspaper, untreated wood and lumber, and products manufactured for the sole purpose of use as fuel) in a solid fuel burning device such as a wood burning fireplace, wood stove, or pellet stove.

Wood stoves are acceptable solid fuel burning devices, but must be fitted with a catalytic converter.

Chimney and flues shall be cleaned and checked regularly due to the collection of creosote from the soft woods used. Spark arresters shall be provided around the mouth of the chimney, stove pipe or vent or any heater, stove or fireplace. Spark arresters shall be cleaned regularly to remove deposits.

D. Smoke Detectors.

Smoke detectors shall be installed on each level of the dwelling unit, and elsewhere as required by code.

E. House Location.

The house location for each lot is to be within the area defined by the official Building Envelope Map. This is to assure that adequate fire protection accessibility exists for each house.

## VII. Sign Regulations.

All signs, posters, displays or advertisements are prohibited unless they have received the approval of the CDR prior to installation or use. Signs covered by these requirements include:

### A. Residence Identification.

Numbers shall be at least 3 inches high and ½" wide in stroke. The identification shall be clearly visible to emergency vehicles from the adjacent street at all times.

### B. Contractor-Builder-Developer.

Construction signs shall be placed on a lot only during the construction period. The sign shall not be large than sixteen (16) square feet in size and be of a color that is harmonious with the structure being built and the surrounding area. The sign must be removed immediately upon issuance of a certificate of occupancy or no longer than one year, whichever occurs first. Construction signs shall contain only the names of the project, owner, architect, and general contractor.

### C. Real Estate - For Sale.

Real estate signs shall be no larger than five (5) square feet in size, and shall be placed on a lot by owners or their agents. Signs must be removed immediately upon closing of the sale or listing expiration. The use of For Sale signs shall be regulated by the CDR through the promulgation of policies issued from time-to-time. Until 50% of the lots have been built upon, no For Sale signs shall be allowed on individual vacant lots owned by the developer or other Owner of record. For Sale signs indicating the sale of a spec home or the re-sale of an existing residence are allowed.

### D. Temporary.

Signs of a temporary nature such as "Open House" or "Model" need not be approved by the CDR but must be removed when not in use, and shall not exceed five (5) square feet in size. Larger signs and banners must be approved by the CDR.

## VIII. Construction Procedures

### A. Approvals Required Before Construction Starts.

#### 1. Permits.

Construction shall not commence until Final Plan Approval has been received from the CDR and a building permit has been issued by appropriate agencies. Building construction must strictly conform to the approved final

plan and must be completed within twelve (12) months after obtaining the building permit unless specific written extension is granted by the CDR.

No accessory structure, buildings, garages or sheds shall be constructed or maintained on any lot prior to the construction of the main structure of the residence; provided however, that the provisions of this sub-paragraph shall not apply to temporary construction shelters or to the guest house which may be constructed and occupied for no more than 2 years prior to the completion of the primary residence.

2. Approvals.

All modifications to previously approved construction and landscape plans must be submitted to be approved by the CDR.

B. Construction Regulations.

1. Noise Abatement and Hours of Work.

Blasting, heavy equipment operation, and other loud noise from construction shall be prohibited between dusk and dawn. All blasting will require prior written approval of the CDR. The owner/owner's agent shall take necessary precautions and notify adjacent property owners, local traffic, pedestrians, etc. prior to blasting.

2. Construction Staging and Material Storage.

All construction staging, including but not limited to, material storage, equipment storage, construction trailers, etc., must take place within the lot for which the building permit was issued unless an alternate staging area is approved in writing by the Master Association.

3. Trash Containment and Removal.

Trash and construction debris shall be kept in containers, and be emptied on a regular basis to insure sufficient room to store trash at end of each working day. It shall be the responsibility of the general contractor to remove and dispose of, at an authorized county land fill, any excess trash and construction debris. Uncontrollable blowing construction debris from construction sites will not be tolerated. Fines by the CDR in the amount of \$250 for the first offense and \$500 for additional offenses shall be enforced.

4. Temporary Structures.

A small job office or trailer may be located on the site during the construction period. The job office must be removed from the site prior to occupancy.

5. Erosion Control.

All disturbed areas of the site shall be protected from erosion during and after the construction to insure soil stabilization, sediment control, and timely re-vegetation.

6. Construction Deposits.

A construction deposit of \$5,000 shall be established for the purpose of paying of fines assessed to the builder, damage done to the common or adjacent properties, cleaning of roads if not done by the builder, etc. Any unused deposit shall be returned upon final completion.

C. Building Inspections.

The CDR will not inspect projects for building code conformance. The CDR will however, from time to time review the construction sites for conformance to these Design Regulations.

It is the responsibility of the Applicant or the Applicant's builder to contact the State and other authorities regarding electrical, plumbing and other required inspections for building code conformance.

## IX. Submittal & Review Process

The design review process must be followed for any of the following:

- Construction of any building
- Renovation, expansion, or refinishing of the exterior of any building.
- Interior changes which affect the major function of a building.
- Major landscape, road or parking changes.
- Exterior lighting changes.

In addition to meeting the requirements of these Development Guidelines, an owner must comply with the requirements of all governing agencies including Teton County and the State of Idaho in order to obtain a building permit, Certificate of Occupancy, Temporary Certificate of Occupancy or similar occupancy approval.

All plans submitted to the CDR shall be of an architectural quality prepared by a licensed architect or approved home designer. The CDR shall reject materials,

designs and colors submitted with the plans, and the plans themselves, if they are not compatible or are inappropriate with the overall plan of the subdivision.

The RRR Design Review process has two steps: Sketch Plan Review and Final Plan Approval. It is recommended that owners follow this two step process for any major building project, however, owners may submit materials for Final Plan Review and Approval without a Sketch Plan Review. In addition, the owner may appeal the CDR's decision to the RRR Master Association.

A. Sketch Plan Review

The Sketch Plan Review addresses the conceptual design of the project and adherence to the "stair stepped" one story philosophy. The review will address planned improvements, building elevations, building sections, roof design, architectural character or expression, exterior materials, site conditions, landscaping, grading, drainage and erosion control measures. See Final Plan Review Checklists and Evaluation Criteria for complete submission requirements.

B. Final Plan Review and Approval.

The Final Plan Review & Approval includes the following steps:

1. Upon approval of the Sketch Plan, the owner/architect shall prepare and submit one copy of the final plan which shall include all information required by the Final Review Checklist.
2. CDR will notify owner in writing of the Final Plan Approval decision within 10 business days.
3. Upon issuance of written approval, owner may apply for a building permit and design approval from the governing authorities.

## X. Plan Review Checklists

### A. Sketch Plan Review Checklist

Prepare and submit to the CDR 1 copy of the preliminary design in conceptual drawing form to describe the following:

- Site plans indicating building envelope, easements, setbacks, existing tree masses, stream corridors, landscaping materials, new & existing contours @ 2'-0" intervals, site drainage, location of retaining walls, well and septic facility, orientation of garage, driveway materials & width, location of site section and other proposed improvements such as fences, gates, etc.  
(Scale: 1" = 20' min.)
- Site sections indicating ridge line location, % of slope, extent of cut and fill, retaining walls, conformance with building height restrictions.  
(Scale: 1" = 20' min.)
- Floor Plans (Scale: 1/16", 1/8" or 1/4" = 1'-0")
- Exterior Elevations of all sides of proposed buildings  
(Scale: 1/8" or 1/4" = 1'-0")
- Roof Design (Scale: 1/8" or 1/4" = 1'-0")
- Exterior Materials
- Building Height Sketch showing height.
- Written Statement summarizing setback, height and square footage or proposed construction and whether any variance requests will be made.

### B. Final Plan Review Checklist

One copy of all necessary materials for the Final Plan Review & Approval must be submitted to the CDR at least 10 days prior to their next scheduled meeting. They can only approve a final plan submittal when each of the items listed below has been submitted and approved.

- GENERAL
- River Rim Ranch Plan Review Fee (\$1,500)

- [ \_\_\_ ] Square footage summary
- [ \_\_\_ ] Construction Deposit (\$5,000)
- [ \_\_\_ ] Statement of building height and building height calculations
- [ \_\_\_ ] SITE PLAN (Scale 1" = 20')
- [ \_\_\_ ] Property boundaries
- [ \_\_\_ ] Easements and setbacks
- [ \_\_\_ ] Existing and proposed contours at two foot intervals
- [ \_\_\_ ] Building footprint
- [ \_\_\_ ] Utility meters
- [ \_\_\_ ] Transformers
- [ \_\_\_ ] Trash enclosure
- [ \_\_\_ ] Service lines for water, sewer, gas, telephone, cable TV and electric (existing service to building, if applicable), well and septic system.
- [ \_\_\_ ] Proposed roads, walks, driveways, parking, decks, pools, patios accessory building and all site improvements.
- [ \_\_\_ ] Materials to be utilized for construction of roads, walks, driveways, decks, pools and patios.
- [ \_\_\_ ] Surface drainage/Erosion control measures
- [ \_\_\_ ] Finished floor elevations
- [ \_\_\_ ] LANDSCAPE and IRRIGATION PLAN (same scale as Site Plan, to be submitted prior to beginning of landscaping)
- [ \_\_\_ ] Extent and location of all plant materials and landscape features
- [ \_\_\_ ] Final Grading, extent of cut and fill
- [ \_\_\_ ] Plant schedule identifying material to be used

- Proposed treatment of all ground surfaces (turf, ground cover, mulch, pavers, etc.)
- Extent of turf areas to be mowed and irrigated (transition zone maintained, irrigation method indicated)
- Existing plant materials and natural site features (e.g., creeks) which are to remain on site
- Proposed seed mixes and rate
- Lighting location type and wattage
- Details of fencing
- BUILDING DRAWINGS (Scale 1/4" = 1'-0")
- Floor Plans showing square footage
- All exterior elevations showing finished grade, materials, windows, doors, colors, graphics, details and lighting
- Primary roof pitch
- Secondary roof pitch
- Conformance with building height restrictions
- Project Specifications, including use of water saving devices
- Full scale material board indicating exterior wall and trim materials, exterior stone samples, window colors, roof materials and flashing, exterior paving materials, exterior finish colors.
- Exterior lighting fixture cut sheets

Note: AFTER FINAL PLAN APPROVAL HAS BEEN OBTAINED, NO CHANGE FROM APPROVED PLANS SHALL BE MADE WITHOUT THE REVIEW AND WRITTEN APPROVAL OF THE RRR COMMITTEE FOR DESIGN REVIEW.

I hereby certify that all information on this sheet has been provided to the RRR Committee for Design Review.

\_\_\_\_\_  
OWNER/Architect

\_\_\_\_\_  
DATE

**NOTE: APPROVAL BY THE CDR AND LETTER DOCUMENTATION APPROVAL IS A PREREQUISITE FOR APPLICATION TO TETON COUNTY, IDAHO FOR THE REQUIRED COUNTY BUILDING PERMIT.**



DATED this 8 Day of February, 2007.

RIVER RIM RANCH DIVISIONS I AND II, PLANNED UNIT DEVELOPMENT  
TETON COUNTY, IDAHO

WEST RIM, LLC

By: [Signature]  
Roger Hoopes, Member

[Signature]  
Thomas L. Clinton, Member

[Signature]  
Brent Hoopes, Member

[Signature]  
Michael E. Potter, Member

STATE OF IDAHO )  
 ) :ss  
County of Teton )

On this 8 day of February, 2007, before me a Notary Public for the State of Idaho, personally appeared Roger Hoopes, Brent Hoopes, Thomas L. Clinton and Michael E. Potter, Managing Members of West Rim, LLC, known to me to be the same and acknowledged to me that they executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal as of the day and year first above written.



Patricia Nickell  
(Printed Name)  
Patricia Nickell  
(Signature)  
Notary Public for the State of Idaho  
Residing at: Tetona, Idaho  
My Commission Expires: 9-26-2011

**NOT A LEGAL COPY**

**EXHIBIT A**

**DESCRIPTION OF COMMON INTEREST COMMUNITY**

**EXHIBIT A**  
***DESCRIPTION OF COMMON INTEREST COMMUNITY***

The Final Division I Subdivision Plat of River Rim Ranch Planned Unit Development as recorded on May 11, 2004, with the office of the Clerk of Teton County, Idaho, as Instrument number 161132 defines and delineates the outside property boundary of River Rim Ranch. Said description also provides, defines, and delineates the Legal Description of Common Interest Community for Division I.

The Final Division II Master Plat for River Rim Ranch, Planned Unit Development as recorded on September 8, 2006, with the office of the Clerk of Teton County, Idaho, as Instrument number 180225 defines and delineates the outside property boundary of River Rim Ranch. Said description also provides, defines, and delineates the Legal Description of the Common Interest Community for Division II.

Therefore, the above Final Plats described above for River Rim Ranch P.U.D. serves as Exhibit "A".

From time to time, should River Rim Ranch expand beyond its existing boundaries, or if other Subdivision Plat adjustments occur, the Description of the Common Interest Community will be adjusted accordingly.