



THE LEGENDS
at Hawkins Creek

The Legends
At HAWKINS CREEK
AN EXCLUSIVE, PRIVATE, GATED COMMUNITY

DESIGN AND DEVELOPMENT GUIDELINES
SINGLE FAMILY RESIDENTIAL HOMESITES

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INTRODUCTION

The Legends at Hawkins Creek is a residential neighborhood that occupies an area of remarkable natural beauty. With its magnificent forests of aspen and gamble oak, its spacious mountain meadows, and its breathtaking views, the Upper Ogden Valley is unique in Weber County. For generations, this stunning alpine terrain has remained unspoiled, and its natural landscape will remain the most prominent hallmark of the new community.

In order to preserve the natural beauty of the Upper Ogden Valley and to promote the rural, mountain character of Hawkins Creek, the development has been carefully master planned. Open space corridors have been permanently set aside to preserve creeks, riparian areas, and wetlands and to improve wildlife habitat. Road rights-of-way have been cleared only after intensive fieldwork to identify the most pleasing and least visually intrusive alignment. The number of individual homesites (referred to as Homesites) has deliberately been kept at a low density primarily to preserve the environmental and visual integrity of the landscape and to allow the integration of a high-quality recreational experience. Perhaps most important in retaining the rural mountain character of Hawkins Creek is the limitation of buildable areas. Development envelopes have been conceptually identified within each Homesite in order that homes will be located only where they are least visible, where they can take maximum advantage of sun and views, and where they fit most comfortably into the natural terrain. The furtherance of these goals is the focus of Hawkins Creek's Design and Development Guidelines, sometimes referred to herein as the "Guidelines".

Specifically, the Guidelines are intended to:

- Ensure that development is consistent with the rural mountain character of the setting;
- Minimize the visibility of structures and driveways;
- Encourage design that is complementary to and preserves the natural character of the landscape;
- Protect and enhance property values; and
- Allow maximum design latitude for individual homeowners while adhering to the highest standards of land stewardship and building quality.

The Design and Development Guidelines provide conceptual direction to owners, their design professionals and contractors involved with the siting, design and construction of homes in Hawkins Creek. They will be used by a reviewing board as general criteria to evaluate building plans. They illustrate approaches to site planning and architectural design that are compatible with the natural landscape and the desired character of the community. The overriding intent of the Guidelines is to enable every homeowner to savor the majesty and solitude of the Upper Ogden Valley by ensuring that development is subordinate to its natural surroundings — in essence, to make buildings virtually invisible through sensitive siting and design.

THE SITE AND ARCHITECTURAL REVIEW COMMITTEE

SARC RESPONSIBILITIES

The Site and Architectural Review Committee (SARC) has been created to review sitework and building plans on behalf of the Homeowners Association of Hawkins Creek Estates (the Association) for their adherence to the Design and Development Guidelines. The three members of SARC, or the consultants whom the members may engage, will have expertise in site planning and architectural design. (Please refer to the CC&R's for The Legends @ Hawkins Creek for information on SARC's responsibilities and procedures.)

SARC is responsible for reviewing all development within Hawkins Creek. This includes, but may not be limited to, the following development activities:

- Any sitework, grading, building construction, or other site modification within an owner's development envelope.
- Any renovation, expansion or refinishing of the exterior of an existing structure.
- Any site modifications outside a development envelope in areas where driveways or low impact uses are permitted.
- Any changes to the natural landscape, including the clearing of native vegetation, anywhere within a Homesite.

The specific purpose of SARC review is to ensure conformity with the Design and Development Guidelines. SARC will also assist in explaining and clarifying the guidelines to applicants and their representatives and will communicate information in a constructive way throughout the review process. SARC's objective is to encourage good stewardship of the land and sensitive architectural expression consistent with the high standards of quality for this unique community.

The SARC review process is not in lieu of, but is in addition to the Weber County review process. Any application for a building or site modification permit within Hawkins Creek must be reviewed by SARC to determine that it complies with the Design and Development Guidelines. SARC approval is necessary before access to water service is granted to the homeowner by The Association. Proof of a water connection is a prerequisite to the acceptance and approval of a building permit application by Weber County.

THE SARC REVIEW PROCESS AND SUBMISSION REQUIREMENTS

The SARC review process has been designed to encourage dialogue with owners and their design team early in the evolution of their plans so that physical factors and aesthetic qualities of the land can be fully understood and sensitively incorporated into the owners' land use concepts. The process is intended to be constructive, not adversarial or unduly restrictive.

To be considered complete, an application for SARC review must include all the information requested on the application form in Appendix A and listed at each step outlined below so that the review process will be as effective and efficient as possible. Owners are required to engage

the services of a licensed architect or design professional for any development activity that involves structures and are encouraged to employ a licensed landscape architect for the site design.

Owners who are starting with an undeveloped Homesite are encouraged to begin their design process with a conceptual master plan for the entire site so that proper relationships among all proposed and/or contemplated structures and site amenities can be anticipated, and the cumulative site impacts can be evaluated and minimized. A master plan evolves from a thorough understanding of the constraints and design opportunities unique to each Homesite; it is intended to identify where the clustering of structures is desirable, where a separation between them is preferable, and where the access that serves all future facilities can be located to minimize the impact to the landscape. The absence of an effective master plan may affect the owner's subsequent ability to add facilities.

The cost of SARC's review, including the services of any of SARC's planning consultants, shall be covered through a fee for service paid by the applicant. Fees are based on the type of project for which SARC approval is sought and must be paid in full before the review process may commence. Any unused portion of the fee will be refunded at the conclusion of the review process. The amount of the fee required is subject to periodic adjustment by SARC. Please refer to Appendix B for a current schedule of application fees.

There are three steps in the SARC design review process

STEP ONE: THE PRE-PLANNING MEETING

The SARC review process commences with an informal work session with the SARC board, the SARC's designated planning consultants, their Homesite owner and the owner's architect or design professional. The purpose of this meeting is to agree on basic parameters for development of the Homesite that fully respond to the desires of the owner and the land use philosophy and operating policies of Hawkins Creek.

The primary focus of the work session will be an in-depth analysis of the owner's site, its physical constraints, and the particular visual and environmental sensitivities that must guide its development. The SARC's planner will review the Design and Development Guidelines with participants, discuss how they apply to the project at hand, and explain the reasoning that determined the development envelope on the owner's Homesite. It is very important that this meeting be scheduled after the owner has selected a design team so that all of those who will be involved in the planning of the site may attend. Also, it is important that the meeting take place before any conceptual plans are drawn for the owner. However, it is recommended that the owner prepare for the meeting by completing a certified site survey and topographical plat, by gathering images that illustrate the style of building contemplated and by making a preliminary list of the facilities and building elements to be constructed on the site.

The outcome of the work session will be a mutual understanding of the site constraints, the design opportunities unique to the site, the potential visual impacts on neighboring Homesites, the possibility of environmental impacts that may require mitigation, and any other site-specific

concerns that the developer and the SARC members may have. It is expected that this early dialogue will give the owner constructive input when he is most able to use it and, in this way will avoid the adversarial and potentially expensive effort that often attends conventional design review procedures.

At the discretion of SARC, the requirement for this meeting may be waived for applications that concern minor changes to existing structures or landscape.

SUBMISSION REQUIREMENTS FOR THE PRE-PLANNING MEETING

- A certified site survey of the Homesite showing platted property boundaries and, at least within the development envelope and the driveway corridor, topography at two (2') foot contour intervals. The survey must indicate creeks, riparian areas, designated wetlands, and all mature trees within the area to be developed.

STEP TWO: CONCEPTUAL DESIGN REVIEW

Formal SARC review begins with the owner's submittal of conceptual site and building plans. Conceptual review is intended to provide more detailed direction and guidance to the owner and the owner's design team by the specific identification of any site or development issues and concerns that, in the opinion of SARC, must be resolved.

Conceptual drawings typically indicate overall design and site planning directions, but are not intended to fully resolve all technical or design issues. They illustrate (1) the siting of conceptual building program elements; (2) the preliminary resolution of building form and massing; (3) the owner's general thoughts about architectural character, style, and materials; (4) the visual and functional linkages; (5) the view relationships with neighboring sites; (6) the grading required for driveway access and the siting of the building; and (7) the general extent of site disturbance.

SCHEDULING A CONCEPTUAL REVIEW MEETING WITH SARC

Upon request by the applicant, a conceptual review meeting of SARC may be scheduled with three weeks advance notice. The conceptual review is an open meeting. At least fourteen (14) days prior to the meeting, individual notices will be sent to all adjacent property owners and a general notice will be posted inviting any interested property owner in Hawkins Creek. A complete package of conceptual plans must be submitted to SARC no later than one week prior to the scheduled meeting.

Although not required to do so, the owner and his design representative are strongly encouraged to make an informal presentation at the meeting to outline the development program and design goals. Feedback from SARC members will be more substantive if the underlying rationale for the applicant's design decisions is well articulated. SARC will evaluate the conceptual plans for conformity with the Design and Development Guidelines and the concepts discussed during the pre-planning meeting.

Within one week following the conceptual review meeting, SARC shall issue a written response to the applicant that records outstanding issues and concerns and summarizes SARC members' comments. If unresolved issues appear to warrant it, SARC may recommend an interim meeting with the applicant before his plans are finalized and submitted for final review (step three)

SUBMISSION REQUIREMENTS FOR CONCEPTUAL REVIEW

Applicants for conceptual design review shall submit the following materials:

- A conceptual site/grading plan indicating the proposed boundary of the development envelope, the driveway corridor, and the driveway alignment within it; the location of all planned improvements and structures, including outdoor activity areas, fencing, retaining walls, and water features; all utility lines, and any related utility easements required by service providers. The plan shall also indicate the estimated limits of grading and site disturbance within the development envelope and preliminary finish grades and floor elevations at doorways and paved surfaces. Drainage should be clearly depicted through the indication of swales and proposed drainage structures. The site plan shall be at a minimum scale of one inch = 20 feet and shall indicate existing and proposed 2-foot contours for all affected areas.
- Conceptual floor plans, roof plans, and elevations of all structures, including accessory buildings. Building plans and elevations shall be at a minimum scale of 1/8 inch = 1 foot.
- A preliminary landscape plan showing all trees and other native vegetation to be removed and illustrating overall landscape and revegetation concepts on the site. The plan shall show new plant massings and describe generally the types and quantities of plants (trees, shrubs, ground covers) to be added to the site.
- A description of desired exterior finishes, building and paving materials, and colors.

STEP THREE: FINAL PLAN REVIEW

SCHEDULING THE FINAL MEETING WITH SARC

Final plan review cannot occur prior to the completion of conceptual review. Upon request by the applicant, and with at least four (4) weeks advance notice, an on site field visit and a final review meeting of SARC will be scheduled. At least 14 days prior to the meeting, individual notices will be mailed to all adjacent property owners and a general notice will be posted inviting any interested property owner in Hawkins Creek. A complete package of final plans must be submitted to SARC no later than one week prior to the scheduled meeting.

It is strongly recommended that the owner's design team attend the final plan review to present the plans. SARC will review the construction drawings and final site plans for conformity with the Design and Development Guidelines and determine that all outstanding issues discussed in previous review sessions have been resolved.

Within fourteen (14) days of the meeting, SARC, in its sole discretion, shall either approve, approve with conditions, or disapprove the final plan in writing. Written notice of approval will be sent to the applicant and to the Ogden Valley Township Planning Commission. If an application is denied, the applicant may resubmit a revised plan at any time. Subsequent review may be subject to the payment of an additional fee.

SUBMISSION REQUIREMENTS FOR FINAL REVIEW

The final submission package shall respond to issues raised by SARC in earlier phases of review and shall include the materials listed below:

- Final site plan at a minimum scale of one inch = 20 feet, indicating layout and dimensions of the development envelope, all building and accessory elements, the driveways, all utilities, and all landscaped areas. All utility or other easements must be surveyed and clearly indicated on the plan with bearings and distances, which dimensions must correspond to a legal description.
- Final building floor plans, roof plans, sections, and elevations at a minimum scale of 1/8 inch = 1 foot.
- Final grading and drainage plan.
- Final landscape plan detailing all plantings by species, size and quantity, Native, low-water plant species are strongly recommended (a list of species suited to the microclimates found in The Upper Ogden Valley is included in Appendix C).
- Irrigation plan, indicating water source and, if served from Hawkins Creek's central water system, the estimated water usage.
- Final material samples, specifications, product cut sheets, and color samples for all exterior finishes.
- Construction details, sections and elevations as needed to illustrate design intent and any accessory elements such as swimming pools spas and other outdoor facilities.
- Exterior lighting plan, with cut sheets or details of all fixtures.
- Details of proposed entry monument and/or gates, if any.
- Development phasing plan, if appropriate.
- Construction staging, tree protection, dust control, and erosion control plan.

In addition to all drawings and materials listed above, the applicant shall survey and stake the corners and ridgelines of the primary structures, the centerline and edges of the proposed driveway, and the limits of site disturbance. Staking shall indicate the actual height of the structures. Trees to be removed are to be flagged. (See Appendix D Tree Removal Procedures) SARC will conduct an on-site review of the staking in conjunction with the final review meeting with the applicant.

BUILDING PERMIT

An Owner may apply for a building permit from the County at any time after final approval of the Owner's plans has been given by the SARC; provided, however, the plans submitted to the County shall not differ in any way from the plans approved by the SARC. If the plans submitted to the County differ in any way from the plans approved by the SARC, all approvals of the SARC shall be deemed automatically revoked. An Owner shall not submit to the County any application for a building or site modification permit within Hawkins Creek before SARC has reviewed plans and determined that they comply with the Design and Development Guidelines. SARC approval is necessary prior to the filing of a building permit or site modification permit application with the County. The issuance of a building permit by the County for any plans not finally approved by SARC shall not in any way negate, waive or limit the requirement for final approval of all plans by SARC before any development activity can occur on any Homesite in Hawkins Creek.

SARC Approval of Water Service Connection

In order to enforce the provisions of this Declaration as it relates to the review of development applications within Hawkins Creek, no application for water service will be accepted by the Hawkins Creek Water Company unless and until it has been signed by an authorized representative of the Association or the SARC. A building permit will not be issued to any applicant by Weber County unless the Owner can confirm that he has an approved water service connection. As such, an Owner within Hawkins Creek will not be able to obtain a building permit from Weber County unless the SARC has approved his development application and signed the water service connection application.

GENERAL STANDARDS

The SARC shall evaluate, among other things: (i) the materials to be used on the outside of buildings or structures, (ii) exterior colors, (iii) harmony of architectural design with other structures within Hawkins Creek, (iv) height and other design features, (v) location with respect to topography and finished grade elevations, and (vi) harmony of landscaping with the natural setting and native vegetation, and (vii) consistency with the Design and Development Guidelines.

RULES AND REGULATIONS

The SARC may promulgate, adopt, amend and/or replace rules and regulations necessary to implement these covenants by the affirmative vote of a majority of the SARC. Rules and regulations may include submission requirements concerning the type of information, reports, plans and specifications and the like which need to be submitted with any application, site specific limitations or restrictions for each Homesite, and may also include guidelines governing the development of each Homesite. These rules and regulations need not be uniform for each Homesite and shall take into account the unique character of each Homesite. By way of illustration only and without requirement to do so, the SARC rules and regulations may address, and the SARC shall have the power and authority to regulate, any or all of the following: application procedures and processing fees; charges by any outside professionals or other costs incident to evaluating any application, security deposits or other financial arrangements which are required of an Owner who is developing a Homesite to guarantee the repair of any damage to Roads or other subdivision infrastructure and for revegetation and restoration of lands; colors and materials, including, but not limited to, roofs, chimneys, siding, masonry and glazing; setbacks, height limitations, building profiles and driveway locations; construction staging, construction hours which may be controlled during certain times of the year, storage for construction materials, location of temporary construction facilities such as trailers, dumpsters and toilets; routing of utility extensions; drainage, grading and erosion control; landscape and vegetation, fencing, lighting, signage, and trails; concerns or objectives regarding maintenance of agricultural lands and preservation of wildlife; and privacy and visual characteristics.

ZONES AND PERMITTED USES

HOMESITE ZONES

Each Homesite is comprised of three zones: (1) the development envelope; (2) the driveway corridor, and (3) the natural open space zone. A conceptual site analysis diagram has been prepared by the developer for each Homesite to highlight the site-specific constraints and opportunities that should be considered in site planning and to suggest the general location of the development envelope and a possible location for the driveway corridor.

THE DEVELOPMENT ENVELOPE

Homesites within Hawkins Creek have been designed to optimize views and solar access, facilitate driveway access, and to encourage development that conforms to the natural terrain with minimal grading. The property boundaries of each Homesite have been determined with the objective of promoting the rural, mountain character of the community, the key components of which are maximum visual separation and privacy between Homesites and minimal visibility of development as viewed from both outside Hawkins Creek and by those using the recreational trails contained within the Hawkins Creek residential development.

A conceptual site analysis diagram for each lot has been prepared by the developer to suggest the best location for the center of the development envelope. This point has been located in the field and is designated by a stake or marking disc. However, in consideration of the size of the Homesites and the desire to provide the owner with maximum design flexibility SARC will consider proposals for alternative development envelopes on any lot, provided it can be

conclusively demonstrated that the alternative accomplishes the objectives outlined above. If SARC and the owner cannot agree that the alternative development envelope accomplishes the planning objectives of Hawkins Creek then the conceptual development envelope indicated on the site analysis diagram will constitute the default location. Once a development envelope has been established, the owner then must abandon all other possible development envelopes.

In order to maintain a defined edge between improvements and the natural environment, all structures and site improvements except the driveway must be contained within the development envelope. This includes the primary residential structure, guest house and any other accessory buildings, and all ancillary uses such as dog runs, gardens, lawns, paved areas, pools, and other recreational facilities.

An owner is not permitted to exceed 20,000 square feet of total site coverage within the development envelope. Total site coverage is defined to include the footprint of all structures as well as the area of all terraces, decks that are no more than four feet off the ground, and all other impervious surfaces, including paved recreation areas and hard surfaced parking spaces. The driveway up to the point where it widens in front of the garage is not included in the total site coverage; its area will be determined largely by topography and will vary in length from one homesite to another. Exceptions to the total site coverage limit may be requested and may be approved by SARC, provided the development area is not visible from off-site.

THE DRIVEWAY CORRIDOR

The location, alignment and size of the driveway corridor will be determined during the design and approval process. Suitable driveway alignments have been identified for all Homesites, but the owner may modify the location of the corridor and the point of access from the main road provided it is clear from his plans that the change does not exacerbate site impacts and provided it is approved by SARC. The dimensions of this zone shall not exceed the disturbed area of sitework required for driveway construction.

THE NATURAL OPEN SPACE ZONE

This zone encompasses all areas of the Homesite that are outside the development envelope and the driveway corridor. No development activity is permitted in this zone except for land and site management, maintenance of roads and common facilities, and utility construction. Land management activities, to be undertaken only with approval of Hawkins Creek Homeowners' Association management (or other Association formed pursuant to the Global Principles), may include wildlife habitat enhancement, revegetation, reforestation, slope and creek bank stabilization, and selective thinning of existing trees and vegetation.

PERMITTED USES

THE DEVELOPMENT ENVELOPE

A development envelope has been established for each Homesite in Hawkins Creek, but its location may be adjusted during the design review process if SARC determines that the Design and Development Guidelines are not compromised and if it approves the revision.

Permitted uses within the development envelope are:

- Single-family homes
- Accessory out-buildings
- Caretaker units
- Recreational facilities such as swimming pools and spas
- Building pad grading approved by SARC
- Low-level site lighting not visible from off-site
- Approved site fencing
- Other uses permitted by Weber County in the Forest Valley Zone
- All uses listed under driveway corridor below

THE DRIVEWAY CORRIDOR

Permitted activities within the driveway corridor include:

- Vegetation removal and revegetation with native plants
- Road bed grading and paving
- Drainage improvements and erosion control measures
- Retaining walls and other slope stabilization measures
- Utility service extensions
- Low-level lighting to illuminate the address signage

THE NATURAL OPEN SPACE ZONE

Permitted low impact uses:

- Hiking, biking and equestrian trails
- Pastures and meadows
- Ponds
- Picnic areas and roofed picnic shelters without walls

Prohibited uses:

- Site work or grading not approved by SARC or Weber County
- Buildings of any kind, except picnic shelters
- Fencing
- Exterior lighting
- Vegetation removal, except as approved by SARC

DESIGN STANDARDS

The Design and Development Guidelines address both Site planning and architectural design. Site planning standards apply to site improvements, the siting of structures, and modifications of the natural landscape within the driveway corridor and the development envelope. Architectural design standards apply to the design, form, massing, and character of structures in the development envelope.

SITE PLANNING STANDARDS

Every Homesite in Hawkins Creek has unique natural features and character that should be preserved and reinforced. It is these natural attributes that provide the strongest clues for design form. When used for inspiration, they are essential tools to achieve buildings and site improvements that seem integral to the natural landscape and uniquely well suited to an individual site. This is the most important goal of Hawkins Creek's site planning guidelines.

SETBACKS

The boundaries of the development envelope must respect all County setback requirements for developable lands within Hawkins Creek. Weber County standards provide for a forty-foot (40') setback from any jurisdictional wetland and a one-hundred-foot (100') setback from the centerline of any year-round natural stream. General setback requirements will vary for each Homesite, and must equal or exceed Weber County Standards. They will be established by the final development envelope approval by SARC.

DEVELOPMENT ENVELOPES

No development activity or changes in natural conditions of any lands shall occur outside any Development Envelope except as may be approved in writing by the SARC consistent with the Design and Development Guidelines and as otherwise specifically permitted in this Declaration and the Development Agreement. With regard to all Homesites in Hawkins Creek, all development activity shall occur within the Development Envelope selected, and, with regard to driveways, within the Driveway Access Corridor. The only development activity which will be permitted in the Natural Open Space Zone shall be (a) land, forest and/or project management, (b) maintenance of roads and common facilities and (c) utility construction, maintenance, repair or replacement. There shall be no development activity restrictions on the Maintenance Manager's Parcel except as provided in this Declaration or as established by the Association or SARC or in accordance with the Development Agreement.

The construction of a residence within a particular Development Envelope shall constitute the irrevocable and exclusive selection by the Owner of the Homesite of that particular Development Envelope. The location of the proposed Development Envelope for each Homesite in each Phase of Hawkins Creek shall be approved by the SARC as provided in the Design and Development Guidelines as development plans are processed by each Owner.

Subject to the requirement to obtain any requisite approvals from the County under the terms of the Development Agreement, Declarant reserves the right as to any Homesite owned by

Declarant to relocate a Development Envelope, delete any existing Development Envelope or designate a new Development Envelope, including access thereto. All Owners of Homesite in Hawkins Creek and SARC: (i) hereby consent to said relocation, deletion or designation of new Development Envelopes by Declarant or any access thereto, and (ii) waive and relinquish any right to oppose, directly or indirectly, any land use application processed by Declarant for the approval of any relocation or deletion of a Development Envelope or the designation of a new Development Envelope or access thereto, as the case may be. Owners of Homesites also shall have the right to obtain any requisite approvals from the County to relocate, delete or designate new Development Envelopes; provided, however: (a) the SARC shall first approve, in writing, such proposed relocation, deletion or designation of a new Development Envelope, and (b) Owners of Homesites adjacent to the Owner desiring to obtain such approvals shall not be deemed to have waived or relinquished any right to oppose any land use application filed by such Owner, and (c) no land use application filed by an Owner may change, relocate or in any way interfere with Hawkins Creek Roads, including access to Development Envelopes on other Homesites, or interfere with utilities or trails.

DRIVEWAYS AND PARKING

Access driveways and surface parking areas will have significant impacts on any mountain site. These necessary functional elements must be located to minimize disturbance of vegetation, avoid unnecessary cuts and fills, and reduce their visibility from the main road. The primary goal in planning the driveway is to work with, not against, variations in the natural topography and to avoid scars on the land that would be difficult to revegetate or restore to a natural appearance.

The maximum grade on driveways shall not exceed 12% unless approved by the Fire Marshal, and the first 20 feet from the road should not exceed 5%.

Minimum driveway width shall be fifteen (15) feet of driving surface except in the case of extremely long driveways, where the Weber County Fire Service District (WCFSD) may require a wider dimension, County regulations specify that all driveways, whether or not locked with gates, must provide a WCFSD approved turn-out for emergency vehicles where the driveway meets the building pad, and every 200 feet for longer driveways.

Paving of driveways is required and special care must be taken to provide proper drainage and to control erosion and dust.

All reasonable efforts shall be made to minimize the visual impact of driveways and to screen them from main access roads with earthforms and landscaping. Driveways should intersect the primary access road as close to a right angle as possible and curve as soon as practical to avoid exposing a long linear view of the drive from the main access road.

All Homesites must provide for their own parking requirements within their development envelopes, as no parking will be permitted along the roads within the community. Parking along the road for large special events, such as weddings, must be approved in advance by the Association. Each Homesite must provide one parking space per bedroom, consistent with County requirements; at least two of these must be covered parking spaces in a garage attached

to the main house or in a separate structure. To minimize impervious surfaces, paving of large areas for parking is not allowed; gravel, unit paving on sand, and other materials are recommended.

Exterior parking of accessory vehicles, such as vans, boats, trailers, mobile homes, recreational vehicles, or tractors, is prohibited everywhere within Hawkins Creek.

GRADING:

The objective in site grading shall be to preserve the integrity and form of the natural landscape by responding sensitively to existing topography and maintaining the natural pattern of drainages, washes and creek beds. All work on any site must be done in a manner that minimizes disruption to natural ecosystems and the alteration of existing topography. Development envelopes have been identified in locations that generally avoid important natural features and steeper slopes, thus facilitating sensitive siting and reducing the amount of grading that will be necessary to construct buildings and site improvements.

Grading at all times shall be consistent as set forth below:

“Natural Grade” shall be defined as the elevation of the natural ground before any development, excavation and / or filling, and “Finished Grade” shall be defined as the elevation of the finished ground after any proposed development, excavation, and / or filling. (Refer to the Code and the Section on “Building Form, Height and Massing” in these Guidelines for application of grade definitions to structure height).

Since the primary objective of Hawkins Creek Design and Development Guidelines is to minimize the off-site visual impact of structures, in those instances in which it is clear that exceptions to the general intent of this Section are needed to reduce visual impact, the SARC may approve or require significant alterations to the natural landform under and within the footprint of a structure to lower the Finished Grade if the result would be to reduce its apparent height, mass and visual impact.

Weber County prohibits building on slopes steeper than a 30% gradient and, for any development proposed on slopes over 15%, requires a Grading and Conservation Plan specifying soil erosion and slope stabilization measures in conjunction with the Weber County Hillside Development Ordinance. Overlot grading intended to create a large flat building pad on sites is not permitted; all development must generally conform to the existing landform.

Grading shall occur only within the development envelope and the driveway corridor. In exceptional circumstances, grading elsewhere may be approved by SARC, but only when the work is carried out by the Association as part of its land management responsibilities.

As much as possible, cut and fill grading quantities should balance to minimize heavy truck traffic to the construction site.

The maximum gradient allowed on cut and fill slopes shall not exceed 2:1. However, because soil on fill slopes as steep as 2:1 is difficult to protect from erosion, it is recommended that these slopes be gentler in gradient wherever the terrain permits (3:1 is a more workable maximum gradient for successful revegetation). All cut and fill slopes shall be revegetated by the placement of topsoil and plant materials appropriate for slope stabilization. No exposed cuts and fills will be allowed.

The maximum total vertical exposure of cuts and fills shall not exceed six (6) feet. Retaining walls are required where a regraded slope would exceed a gradient of 2:1 or where disturbed areas cannot regain existing grade within 6 vertical feet.

Topsoil should be separated from other excavated material and stockpiled on site for later use.

Newly constructed berms, if used to screen parking or accessory elements, must appear as natural landforms. Side slopes should not exceed 3:1, and the sides and top of the berm should undulate.

DRAINAGE

Major natural drainages that traverse the Homesites shall be maintained in their original condition. Eroding areas must be stabilized and revegetated.

Where construction and development will obstruct natural drainage patterns, surface runoff should be carefully redirected to existing streambeds or new swales designed to look natural. Swales may be required above new cut or fill slopes to protect them from erosion. Subsurface drainage systems are not recommended in this climate.

Paved and impermeable surfaces should be minimized. Concentrated drainage onto neighboring properties in excess of pre-existing, naturally occurring volumes is not permitted.

Where driveways must cross creeks or other natural (perennial or intermittent) drainages, bridges are recommended rather than culverts. Culverts may only be used with SARC approval and the approval of the Utah State Division of Natural Resources, as applicable. The exposed intake and outfall ends must be screened with stone and cobble to make them more natural in appearance.

RETAINING WALLS

All retaining walls must be approved by SARC, and shall be used wherever total vertical exposure of cuts and fills is greater than six (6) feet. If retaining walls will exceed four feet in height, the wall design must be certified by a civil or structural engineer.

Wherever possible, retaining walls should appear to be an extension of the residence and are subject to the same criteria relative to color, materials, and durability as the building itself. If not connected to the residence, walls should be constructed of architectural materials compatible with those employed in the residence. Otherwise, natural stacked stone walls are preferred. Stone walls should appear to be structural, not veneered, and deep-raked mortar joints are preferred.

Sedimentary sandstones, indigenous, to the Upper Ogden Valley area, are strongly recommended. Unfaced, poured-in-place concrete, concrete block brick and railroad ties are not permitted materials for retaining walls.

The maximum total vertical exposure of approved walls shall not exceed eight (8) feet unless SARC determines that an exception is warranted because of extraordinary circumstances or unavoidable topographic constraints. Where walls taller than eight feet would be required to solve a grading issue, terracing with multiple walls is recommended, with a plantable area of at least 30 inches between each wall section.

UTILITIES

Applicants shall provide a site utilities and drainage plan prepared by a civil engineer which conforms to the following standards:

All utility lines shall be underground and contained within the driveway corridor or the development envelope unless an exception is approved by SARC. Any approved utility alignments that do not follow the driveway corridor must be revegetated with native plantings to restore them to a natural appearance.

All above-ground utility appurtenances shall be approved by SARC and must be screened from view and sited according to guidelines for service and emergency access provided by each utility. Electrical transformers shall be located where they are not visible from the main road and should be screened from view with vegetation, stone walls, or earthforms. Satellite dishes, if approved by the SARC, shall be coated with a non-reflective finish.

SEWAGE DISPOSAL

All building sites within Hawkins Creek will be served by a common sanitary sewer system. Lot owners will be required to pay the requisite sewer connection fees imposed by the Hawkins Creek Sewer Improvement District. The location and alignment of any sewer lateral must be reviewed and approved by the SARC.

Additionally, each individual lot must contain a 1,000 gallon holding tank (minimum) which is to be installed and serviced at the homeowners expense. This tank is to capture effluent prior to it entering the main sewage system for the development. No deviations from this requirement will be allowed.

PLANTING

The emphasis in landscape design throughout Hawkins Creek shall be to create the appearance of an undisturbed natural landscape. Planting compositions that echo natural vegetative patterns and plant species that are indigenous to the local area are required everywhere outside the development envelope and strongly recommended within it.

Meadows, both natural and manmade, are a major organizing element of Hawkins Creek landscape. They provide great spatial variety and interest, superb distant views, improved wildlife habitat and reduced wildfire risk. Existing meadows and the forest and shrub vegetation that defines their edges are fundamental to the natural character of the site and must remain undisturbed. Where forest trees are thinned and new, man-made clearings are developed to open views, these should continue the pattern of natural forest breaks, with feathered meadow edges and a gently sloping groundplane of grasses and wildflowers. To preserve the meadows as an essential landscape feature, no new planting or removal of existing vegetation will be allowed outside the development envelope or the driveway corridor except as approved by SARC for landscape restoration, wildlife habitat improvements or the enhancement of trails. No tree removal is permitted anywhere within a Homesite without SARC approval. SARC may approve some thinning of forest trees within a primary view corridor from the main house, but will not allow clearing where forest cover is essential for screening of views from neighboring Homesites or for preserving key viewpoints from the Basin below. Mature forest specimen trees within the development envelope and the driveway corridor must be identified on a site survey; SARC will not approve their removal unless there are no feasible alternatives. Trees deemed unhealthy may be felled with SARC approval. (See Appendix D, Tree Removal Procedures.)

All disturbed areas that are not paved or graveled shall be revegetated with appropriate native plant materials from the approved plant list in Appendix C. Homeowners are encouraged to utilize plant materials that require little water other than that initially required for their establishment and to use slope-stabilizing shrubs and ground covers on new cut and fill banks.

The design and scale of newly landscaped areas must reflect and integrate well with the natural mountain landscape. New plantings should complement native plant communities and should be visual extensions of existing vegetation masses and edges. Plant massings should look natural in form, scale, and position on the land. Plant species shall be selected from the approved plant list, except in limited areas near the primary residence, where non-natives are permitted. Care should be taken to choose plant materials, whether native or not, that are suited to the microclimatic variations in sunlight, soil, and moisture conditions in the locations where they will be placed.

A mix of sizes for newly planted trees is desirable to emulate natural patterns of forest growth. Minimum height for new coniferous trees shall be six (6) feet, with fifty percent of new trees measuring over eight (8) feet. Minimum caliper for new deciduous trees shall be one to one and a half inches, with fifty percent having a caliper size over two (2) inches. In order to reduce the cost of revegetation, it is strongly recommended that existing trees that are removed be transplanted. Contact SARC for referrals to companies who undertake this work.

Within the development envelope, plantings in areas immediately adjacent to the residence are not restricted and may include ornamental plants that are not native to the local area. However, because the natural landscape is considered the most important character-giving feature of Hawkins Creek manicured or groomed yards and lawns shall be enclosed by buildings, walls or natural screening elements so that they are visible only from within the owner's own Homesite. Trees within the development envelope shall be selected from the approved plant list.

A layer of mulch at least three inches deep is recommended in all plant beds to reduce evaporation of moisture from the soil.

WATER CONCERNS AND IRRIGATION

Water is extremely scarce in Utah and must not be wasted. Hawkins Creek is served by the Hawkins Creek Water Company, and the total annual supply is limited by the service agreement between the Association and Hawkins Creek. Each Homesite will be allowed to consume water from that central water supply system up to a maximum of one half (1/2) acre foot of water per year for both culinary and irrigation use. All homes must be equipped with a water meter and owners will be subject to fines for excessive water use as determined by the District.

All methods of water conservation are strongly recommended to reduce to a minimum the amount consumed by each Homesite. Only drip or spray irrigation systems are permitted if Hawkins Creek's central water supply is used as the source. A soil monitoring device that automatically shuts off irrigation when adequate soil moisture levels are attained is required on all systems.

The central water supply for Hawkins Creek shall be the usual source of water for irrigation or other water features within the development envelope; however, private water wells may be allowed in approved locations. If a well is contemplated, it is the responsibility of the homeowner to secure the water rights, to obtain the necessary permits from the State Engineer at the Utah State Division of Water Rights, and to drill the well.

PONDS

Owners will be permitted to construct ponds and other water features within their development envelopes if their design does not cause visible scars, excessive grading, or unacceptable removal of forest vegetation.

Water features must be natural in appearance; it is recommended that banks be planted with native species that provide attractive riparian habitat. Dams should be placed where their length and height can be minimized and they do not appear artificial in form.

The total surface area of a new pond shall not exceed one-half (1/2) acre for any one Homesite nor a total capacity of one and one-half (1-1/2) acre-feet. The central water system may not be used as the source of /for a pond. A decorative pool with a total capacity of 10,000 gallons or less may be allowed with SARC approval provided that the water is re-circulated. The source of water for any larger ponds shall be an on-site private well. To prevent unnecessary water loss, all ponds shall be lined. Engineered drawings are required for any pond or decorative pool and must be submitted to SARC for approval.

SWIMMING POOLS

Any approved pool is to be filled initially by off-site sources at the sole expense of the Owner. If the continuing source of water for any swimming pool approved by SARC is the central water system, then the amount of water consumed by the operation of the pool shall be deducted from the one half-acre-foot allowance allocated to that Homesite. An approved on-site well may be used instead.

EXTERIOR LIGHTING

Outdoor lighting will be carefully reviewed to assure that neighboring properties are protected from direct light sources and that everyone can enjoy an undiminished night sky. Site lighting will be approved where it is necessary for safety and easy identification of driveway and building entries and only when it cannot be seen from nearby homes or from the Basin below.

Exterior lighting will not be permitted anywhere outside the development envelope and the driveway access corridor. In the driveway corridor, one low-intensity light with a hidden source is allowed where the entry drive intersects the main road for the sole purpose of locating the entry and illuminating the address sign. Additional low-wattage lights are permitted along the driveway wherever needed to illuminate curves. Pole-mounted lights are not allowed.

Within the development envelope, the illumination of vegetation or structures with up-lights will be approved only if not visible from off-site. Fixtures should shield the lamps so that the light source cannot be seen. Clear glass lenses are acceptable only with low wattage bulbs.

Floodlighting and “moonlighting” (lights suspended from trees) are prohibited.

FENCING

There are two categories of permitted fencing: fencing that is within the development envelope and fencing elsewhere within the Homesite.

Fencing outside the development envelope is permitted only along the main roads and meadow edges. Three basic fence types have been designed for use in these areas. Owners should contact a SARC representative for approved fencing style and design parameters. If an owner desires to install a fence outside his development envelope, he must select from one of these three types and obtain SARC approval to construct it. The fencing should be coordinated with existing fences in his immediate neighborhood.

Within the development envelope, fencing, garden walls, dog runs and privacy walls must appear as an architectural extension of the building and be constructed of the same or compatible materials or be selected from one of the three approved fencing designs. Perimeter and lot line fencing is prohibited.

No fencing of any kind is permitted within the driveway corridor.

SIGNAGE

Hawkins Creek has developed a unifying motif of natural wood and stone monuments and retaining walls that occur throughout the community. Owners will be permitted to install approved address signage at their driveway entries, but their design must generally conform to this natural stone motif and cannot be larger than four feet in any dimension.

Trail markers for private and public trails within Hawkins Creek and “No Trespassing” signs at the perimeter will be posted and maintained by the Association.

Signs advertising property for sale and all other signage are prohibited everywhere within Hawkins Creek.

GATES

While it is not encouraged, owners are permitted to install entry gates of an approved design at a distance adequate to make the gates inconspicuous from the main road. Owners who choose to do so must provide turn-around space outside the gates where visitors who arrive at locked gates would otherwise be required to back out a long or narrow drive. The County requires that gates be located at least fifteen (15) feet from the edge of the main road right-of-way, that the distance between gateposts be four feet wider than the driveways and that the gates open inward. If electronically operated, the gates should be equipped with a receiver to permit emergency services and snow-plow operators to access the property with a transmitter. If the gates are locked, an approved lock box must be installed.

WILDFIRE MANAGEMENT

Wildfire is always a serious hazard in a high-elevation mountain environment, particularly in relatively remote, semi-arid areas with mature forest cover. In order to mitigate the risk of wildfire, all building, site, and landscape plans shall be reviewed and approved by the Fire Marshal of the Weber County Fire Service District (WCFSD). It is recommended that the Fire Marshal’s wildfire mitigation standards be incorporated into the owner’s plans at an early stage of site planning and design. Generally, the following standards will apply:

Fire hydrants must be installed in accordance with Fire District requirements and should not be more than 500 feet from any dwelling unless otherwise specified by the WCFSD. The fire flow requirement for rural development is a minimum of 1,000 gallons per minute for a period of two hours, or as established by the WCFSD. (See also Fire Protection section in Architectural Design Standards below.)

Fuel breaks in native vegetation may be required by the WCFSD within 30 to 100 feet of structures, depending upon the rated severity of wildfire risk in that vicinity. Fuel breaks must be in place prior to occupancy. All fuel breaks are to be maintained by the owners, failure to do so may necessitate maintenance and a special assessment by the Association equal to cost plus twenty percent (20%).

A certificate of compliance must be obtained from the WCFSD before a building permit is issued.

PETS AND WILDLIFE

Uncontrolled pets have long been recognized as a significant source of disturbance and animal mortality in human-occupied wildlife habitats. Dogs frequently harass and kill wildlife, including game, and domestic cats are a significant source of mortality for songbirds. Similarly, wild animals are often the cause of mortality to domestic dogs and cats. Consequently, dogs and cats will be permitted in Hawkins Creek, but must be controlled by Owners and will not be allowed to roam free. Secure containment facilities not exceeding 1,000 square feet must be located immediately adjacent to the primary residence on a Homesite and within the Development Envelope. If facilities are inadequate to contain domesticated pets, then the pets must be removed from the Homesite until adequate facilities have been constructed. Owners will be required to control their dogs at all times. Outside the Owner's property boundary, dogs must be controlled by a leash of not more than 12 feet in length, under the direct control of the Owner or authorized representative. Visitors should not be encouraged to bring dogs and cats on-site. Guests of Owners, contractors, subcontractors, service and delivery people and the like shall comply with all pet control measures. The Association shall be responsible for enforcing pet control regulations. Owners not in compliance with these covenants will be responsible for any and all enforcement costs incurred by the Association. The Association, from time to time, shall adopt penalties and a schedule of fines relative to violations of the covenants regarding pets, including the requirement for removal of unrestrained pets from Hawkins Creek. Nonpayment of a fine or failure to remove unrestrained pets shall be considered a separate violation for each day the pet remains unrestrained. Owners are prohibited from feeding dogs and other pets outside their homes, including decks and similar enclosures, to avoid attracting nuisance wildlife or predators.

Dog runs and animal pens must be enclosed and covered to protect pets from predators. All outdoor trash containers must be of approved, animal-proof designs. All trash must be kept in completely enclosed structures. Barbecue grills should not be left outside when not in use.

SNOWMOBILES AND ALL-TERRAIN VEHICLES

The operation of snowmobiles and all-terrain vehicles within Hawkins Creek is strictly prohibited except when approved by the Association for (1) wintertime land and trail management and maintenance purposes, (2) organized operations in designated open space areas, and only when any associated impacts can be adequately mitigated.

ARCHITECTURAL DESIGN STANDARDS

Hawkins Creek's architectural design standards focus on how buildings meet the ground, work with natural grades, and harmonize with the natural alpine character of the Upper Ogden Valley landscape. The primary objective of Hawkins Creek's architectural guidelines is to reduce off-site visual impacts of development through sensitive massing, colors, and selection of materials. The guidelines govern architectural elements such as building massing, roof form, and the color and reflectivity of materials. Within these general parameters, they are intended to give owners and their architects as much flexibility as possible to design living environments that suit the owners' individual needs and tastes.

ARCHITECTURAL THEME AND STYLE

These guidelines do not mandate an identifiable architectural style or theme. Instead, owners are required to design with materials and forms that reflect the mountain character of the site, and its climate in order to create places intimately connected with nature. Imitation of non-indigenous styles that are closely identified with other geographies is strongly discouraged.

Where the owner's development plan anticipates multiple structures within the development envelope, the buildings should be unified by a consistent vocabulary of architectural design elements, materials, and colors. Building compounds should be organized in a clustered site plan to minimize their site disturbance and visual impact.

BUILDING FORM, HEIGHT, AND MASSING:

It is essential that buildings in Hawkins Creek appear harmonious with their mountain environment and that they allow the natural landscape to dominate the distant views of the community. Important natural features, such as mature forest stands and rock outcroppings, should be preserved and used as organizing elements in the siting and massing of buildings. Building massing should reflect natural variations in the topography and use these to create drama.

In no event shall the height of any structure exceed Weber County standards. Currently, the Code provides that a structure in a residential zone may not exceed thirty five (35) feet in height as measured from "Natural Grade". However, the recorded covenants of Hawkins Creek limit that height to thirty (30) feet from natural grade.

Maximum building heights may vary from site to site, depending upon: (a) the scale of natural features; (b) the height, density, or openness of forest cover; and (c) the visibility of the building site from a distance and adjoining Homesites. On certain Homesites, where a gentler landform, clearings in the tree-cover, or more open vistas make development more visible from adjacent sites, two-story building elements and steeply pitched roofs will be discouraged by the SARC in favor of more horizontal massing of the structure. On other Homesites, increased excavation under the footprint of a structure may be required by the SARC to "sink" the structure into the ground and to reduce its apparent height.

SARC is specifically empowered to require modifications of a proposed development envelope and/or restrict building heights if, in its discretion, SARC determines that (a) the structures would be visually intrusive; or (b) the high point of a proposed structure located within the primary view corridor of an adjoining Homesite is less than ten (10) vertical feet below the existing grade at the center of the development envelope of the adjoining Homesite as previously approved by SARC or as shown in the conceptual Site Analysis Diagram prepared by the Developer.

All Natural Grades shall be confirmed by a certified field survey required for the Pre-Planning meeting, step one of the review process.

ROOF DESIGN

From a distance, roofs are often the most visible architectural element of a building. In a rural setting, where it is desirable to minimize the presence of development, design decisions regarding roof form, line, and color are extremely important.

Roof design should reflect the forms of the adjacent landscape: steeply pitched roofs in tall, dense tree stands; low pitched roofs in broader valleys and open grassland sites. Primary roofs shall be pitched at not less than 5:12 and not steeper than 8:12. Roof pitches as low as 4:12 may be allowed for attached sheds or secondary roof planes. At the discretion of SARC, flat roofs may be approved in certain cases if they will not be visible from above.

Large unbroken expanses of roof area shall not be permitted. Long, uninterrupted ridgelines are strongly discouraged and will not be permitted unless SARC determines that other building elements make the ridgeline less conspicuous. This determination will be handled on a case-by-case basis, with visibility being the primary criterion.

Eave lines that project beyond the building walls are recommended in order to minimize reflections from glazing, create shadow patterns on the building walls, and protect south-facing interior spaces from glare caused by the low angle of the winter sun. Plans should reflect roof eaves of a minimum of 2 feet.

Roof materials must be non-reflective, with color values and hues that match the darkest values and hues of the natural landscape in the immediate vicinity. Roofs that hold snow are required, as they will be less visible in winter. Wooden shingles must be approved by the Fire Marshal. Glazed or barrel tiles are not permitted. Samples of the roofing material are required as part of the submittal package.

EXTERIOR WALLS AND WINDOWS

Continuous flat wall planes shall be avoided. Building elevations visible from off-site should be horizontally and vertically stepped to avoid large uninterrupted wall surfaces that would be distracting, out of place, and overly visible in the landscape. Recessed windows and doors are also encouraged to create shadow effects and give deeper relief to the facades. The layering of projecting elements at ground level is encouraged to help to anchor large structures more effectively to the ground.

Building materials should reflect the natural surroundings. Allowed exterior materials include stained or natural wood, stone, shingles, and logs. Stucco is also permitted, but only when used in combination with these other natural materials; large unbroken surfaces of stucco are strongly discouraged. Other materials proposed by the owner may be considered by SARC.

Exterior walls shall match the medium color and values of the immediate natural landscape. Color samples are required at both conceptual design review and final plan review.

Careful detailing of window treatments is encouraged. Aluminum or metal window frames are prohibited. Exterior window trim shall be in scale with the building facade. Mirrored glass windows are not permitted nor are films that created a mirrored image.

BUILDING FOUNDATION WALLS

Buildings must be genuinely subordinate to the natural landscape and should appear to grow out of the landform, never perched or suspended above the site. In well grounded buildings, the foundations become a platform that defines the exterior perimeter of both indoor and outdoor living spaces and sets the character of the transition between nature and the built environment. Solid foundation materials that express durability in a harsh climate are a key element in the architecture of mountain environments.

Exposed foundation walls for residences at Hawkins Creek must be constructed of durable materials such as natural stone. Colored or exposed concrete, split face concrete block, aluminum siding, and brick are not permitted. Wood coverings are not allowed at ground level because it deteriorates more quickly in a high-altitude climate.

Because they do not appear connected to the ground, exposed posts and cross-bracing are not permitted as the means to support building projections. However, knee bracing, large timbers, and substantial stone columns that are part of the architectural vernacular are permitted as the structural support for projecting elements.

Foundations for garden fences and walls shall employ the same materials as the buildings, strengthening the architectural connection among the various built elements as well as their connection to the natural landscape

FIREPLACES, CHIMNEYS, FLUES, AND ROOF VENTS

The number and type of fireplaces and other fuel-burning appliances in any residence must conform to Weber County Guidelines. Owners are encouraged to install natural gas or fuel-efficient fireplaces.

Chimneys shall be clad in natural stone or other inflammable material.

Flues and roof vents shall be non-reflective if exposed or enclosed with materials compatible with the building.

Any fireplace or fuel-burning appliance must be equipped with WCFSD approved spark arresters or screens on stovepipes and chimney outlets.

Roof-top equipment and vents that project through the roof must be grouped and concealed. Vents should be located near the roof ridge or protected by a cricket so that snow shedding from the roof cannot shear them off.

ENERGY CONSERVATION

Owners are strongly encouraged to respect the harsh winter climate in the design of their residences and to utilize all possible energy conserving technologies. Among the methods owners might wish to consider are:

- Proper siting and the use of heat-retaining materials to maximize passive solar gain and reradiation;
- Thermopane glazing ~ the reduction of window area on the north- and northwest-facing elevations;
- Super insulated or cold roof design;
- Wall insulation of a minimum R19 value;
- Innovative heating systems, such as radiant floor elements;
- Electronically controlled and programmable thermostats;
- Airlock entries and vestibules;
- Avoidance of wind-exposed sites;
- The use of trees as windbreaks and deciduous trees on south-facing elevations;
- Fuel-efficient and natural gas fireplaces;
- Water-conserving toilets and flow-restricted faucets.

FIRE PROTECTION

Materials: All roof materials must meet U.L. listed Class A fire ratings.

Water Distribution: The minimum size of main lines for the central water system will be four (4) inches in diameter and will be sized larger if flows and velocities dictate. Fire hydrants will be installed in accordance with Weber County City Fire Service District (WCFSD) requirements. Fire flow requirement is a minimum of 1,000 gallons per minute for a duration of two (2) hours at a residual pressure of 20 psi.

Water Supply to Homesites: Homesites will be provided with a water line stub at the lot line that will be a minimum of one inch in diameter. The service line to the residence may need to be larger to provide adequate flow and pressure to meet the fire sprinkler demands. Line size will be determined by a professional fire suppression design firm or WCFSD.

Automatic Fire Sprinkler Systems: All habitable structures of any size and any structure over 1,000 square feet must be constructed with a modified 13D fire sprinkler system installed as required and approved by the WCFSD. In some instances, building exteriors will be fire sprinkled depending on the wildfire hazard rating, types of vegetation, fuel break clearing limits, slope gradients, and orientation or types of building materials being used.

CONSTRUCTION MANAGEMENT STANDARDS

LICENSING

Builders must be licensed contractors with bonding and/or insurance as mandated by the State of Utah.

COMPLIANCE DEPOSITS

Each owner is responsible for any damage caused to roads, ditches, fences, trails, natural drainage courses, utilities, Association property or other Homesites or property during the construction of improvements or other activities on his Homesite. Each owner is also responsible for any damage caused by utility cuts in roads, washouts and runoff damage caused by failure to install culverts and bridges properly and to repair any such damage in a timely manner. From time to time, the Association may adopt rules and regulations to enforce these provisions, including the requirement for deposits at the time of approval by SARC to ensure the repair of any damage caused to Hawkins Creek infrastructure during construction activity performed at the direction of an owner.

MANAGEMENT OF CONSTRUCTION ACTIVITY

Efficient management of construction activity is necessary in order to minimize site disturbance and protect each owner's privacy and views. Construction personnel are the responsibility of the

owner. The owner must provide his contractors with information explaining construction regulations specific to Hawkins Creek.

The constructor is responsible for erecting any required construction signs and displaying the building permit.

Construction staging and storage of building materials shall take place only within the development envelope, and building materials must be delivered directly to a storage area at the construction site. The staging area, all construction materials, and trash disposal bins shall be located in as compact an area as possible close to the approved building site, wherever they are the least visible.

The contractor may maintain a small job office on the site until thirty days after completion of the permanent structure.

Construction personnel are permitted to park only within the driveway corridor and the development envelope. No construction vehicles may park on roads outside the areas specified, nor is trespassing by workers permitted outside these areas.

The general contractor is responsible for providing a temporary enclosed chemical toilet at the construction site, preferably screened from view and located away from neighbors.

No firearms or unchained dogs shall be allowed on construction sites.

Noise from radios and other electronic devices shall not be audible more than 200 feet from the center of the construction site.

PROTECTION OF THE CONSTRUCTION SITE

Plans detailing fugitive dust control measures, temporary erosion control measures, and staging locations and procedures during construction are required for approval by SARC before application for a building permit may be submitted to the County and before construction may begin.

To avoid unnecessary damage to the landscape, snow fencing or chainlink fence must be erected around the area within the development envelope that will be affected by construction. The fenced area of disturbance must be the minimum required for the SARC approved construction activity and must be defined on the site plans that are submitted to SARC for review. In addition, the contractor must clearly flag all trees to be retained and erect a protective barrier around them at the dripline (See Appendix D, Tree Removal Procedures). The contractor shall not allow the movement or cleaning of any equipment within this protective barrier and will be responsible for replacing any damaged vegetation with plants of equal value.

The contractor is responsible for disposing of excess dirt and vegetation cleared from the building site and is expected to keep the community's main roads clean. Unpaved access must be watered for dust control during construction. Construction access on site should be graveled to reduce airborne dust.

COMPLIANCE WITH COUNTY REQUIREMENTS

Applicants may be required to meet additional Weber County construction regulations as a condition of obtaining a building permit. The requirements of Weber County or SARC, whichever are more stringent, shall govern construction activity.

APPENDIX A: RESIDENTIAL APPLICATION FORM

THE LEGENDS at HAWKINS CREEK
SITE AND ARCHITECTURAL REVIEW COMMITTEE (SARC)

Homesite Number: _____
 Application Date: _____
 Application Fee: _____

Check the appropriate box(es) for this application

TYPE OF REVIEW	PRE-PLANNING MEETING	CONCEPTUAL REVIEW	FINAL PLAN REVIEW
New Single-Family Residence			
New Accessory Structure ■ Guest House ■ Accessory Building ■ Other (specify) _____			
Structure Renovation	N/A		
Site/Landscape Modification	N/A		
Miscellaneous (specify) _____			

GENERAL SUBMITTAL INFORMATION:

- An application will be deemed complete and accepted only after all information requested below and on the Checklist for Plan Evaluation is provided to the Site and Architectural Review Committee (SARC).
- All plans must conform to the provisions of the Covenants, Conditions and Restrictions of The Legends at Hawkins Creek (the “CC&R’s”) and the Design and Development Guidelines (the “Guidelines”).
- The appropriate fee must accompany the application (see attached Schedule).
- Please contact a SARC representative with any questions about the application.

As the owner of the above referenced Homesite, I hereby authorize this application and I acknowledge that I have sent and will comply with all of the provisions contained in the CC&R’s and Guidelines including the Construction Management Standards of Hawkins Creek, (contained in the Guidelines pages 20-21).

Owner’s Signature: _____
 Printed Name of Signatory: _____

SECTION I - CONTACT INFORMATION

A. Name of Owner(s): _____
 Mailing Address: _____

 Telephone: () _____

Fax: () _____

B. Name of Applicant: _____

Firm: _____

Relationship of Owner(s): _____

Mailing Address: _____

Telephone: () _____

Fax: () _____

C. Name of Architect: _____

Firm: _____

Mailing Address: _____

Telephone: () _____

Fax: () _____

SECTION II - PROJECT DATA

A. Lot Acreage: _____

B. Development Envelope Acreage: _____

C. Proposed Floor Area _____ sq. ft.

Primary Unit _____ sq. ft.

Secondary Unit _____ sq. ft.

Accessory Unit _____ sq. ft.

Garages _____ sq. ft.

Undeveloped _____ sq. ft.

Total _____ sq. ft.

D. Number of Bedrooms, all units: _____

E. Number of Covered Parking Spaces: _____

Number of Uncovered Parking Spaces: _____

Total Parking: _____

F. Number of Kitchens: _____

Number of Bathrooms: _____

Number of Fireplaces: (a) Gas: _____

(b) Wood burning: _____

I. Maximum Slope of Driveway: _____ %

(First 20 feet of driveway is ____ % slope)
(Last 20 feet of driveway is ____ % slope)

H. Proposed Building Height: _____ feet.
(Submit drawing of building height calculation drawn over building elevations)

I. List of Materials

<u>Building</u>	<u>Type of Material</u>	<u>Specifications, Product Color</u>
Roof (Pitch is _____)	_____	_____
Other Wall Materials	_____	_____
Utility Meters (located on plans)	_____	_____
Fascia	_____	_____
Soffits	_____	_____
Windows	_____	_____
Window Trim	_____	_____
Exterior Doors	_____	_____
Garage Doors	_____	_____
Door Trim	_____	_____
Hand or Deck Rails	_____	_____
Flues, Caps	_____	_____
Flashing	_____	_____
Chimney Enclosures	_____	_____
Trash Enclosures (located on plans)	_____	_____
Greenhouses	_____	_____
Exterior Lighting Fixtures (attach cut sheets)	_____	_____

Gutters _____

SECTION III - STRUCTURE RENOVATION

A. Describe structure (s) and proposed renovation:

B. Plan Requirements:

- 1) Submit photographs or previously approved plans.
- 2) Submit two (2) full-size sets and six (5) 11" x 17" reduction sets of plans as appropriate

SECTION IV - SITE / LANDSCAPE MODIFICATION

A. Describe proposed site/landscape modifications:

B. Plan Requirements:

- 1) Submit photographs or previously approved plans.
- 2) Submit two (2) full-size sets and six (5) 11" x 17" reduction sets of plans as appropriate

SECTION V - MISCELLANEOUS REVIEW

A. Describe review requested:

B. Contact SARC representatives for plan requirements.

CHECKLIST FOR PLAN EVALUATION

NECESSARY INFORMATION ON ALL DRAWINGS

- Homesite number, date, and scale
- North arrow

- Plans stamped by a licensed architect (final building plans), surveyor (site survey), and civil or structural engineer (subsurface drainage systems and retaining walls over four feet in height)

NECESSARY INFORMATION ON SITE PLANS

- Existing and proposed contours at two foot intervals
- All property lines
- Proposed limits of the development envelope and the driveway corridor
- Driveway grades
- Existing mature trees to be retained and to be removed
- Wetlands, creeks and drainages, if any
- Existing and proposed utilities and utility easements
- Limits of site disturbance
- Footprints of all proposed structures and other site improvements
- Exterior lighting locations
- Calculation of total site coverage (not to exceed 20,000 sq. ft.)
- Proposed finish grades and ground floor elevations
- Building heights above existing grade (not to exceed 30 feet)

NECESSARY INFORMATION ON BUILDING PLANS

- Proposed finish floor elevations on each level
- Roof Ridge heights above existing grade (in section)
- Building dimensions for all structures
- Floor area calculations for the primary structure, guest house, and out-buildings

CHECKLIST OF SUBMISSION REQUIREMENTS FOR PRE-PLANNING MEETING

- Completed applicant form (Appendix A)
- Fee \$_____ (see Appendix B)
- Certified site survey

CHECKLIST OF SUBMISSION REQUIREMENTS FOR CONCEPTUAL DESIGN REVIEW

- Plan drawings: two (2) sets of full size blueprints and five (5) sets of 11" x 17" reductions for each of the following:
 - Conceptual site/grading plan
 - Conceptual building floorplans
 - Conceptual roof plan
 - Conceptual building sections and elevations
 - Preliminary landscape plan
 - Description of preliminary choices of finishes, materials, and colors

- Massing model (optional)

CHECKLIST OF SUBMISSION REQUIREMENTS FOR FINAL PLAN REVIEW

- Updated application form
- Compliance deposits
- Plan drawings: two (2) sets of full size blueprints and five (5) sets of 11" x 17" reductions for each of the following
 - Final site plan
 - Final grading and drainage plan
 - Final landscape plan
 - Irrigation plan
 - Final building floorplans
 - Final roof plan
 - Final building sections and elevations
 - Construction details as necessary to illustrate design intent for buildings, site features and accessory elements, including entry monuments and gates
 - Exterior lighting plan
 - Development phasing plan, if applicable
 - Construction staging plan
 - Temporary erosion control and tree protection plan
 - Final material samples, specifications, product cut sheets, and color samples
 - Revised massing model (optional)

CHECKLIST FOR EVALUATING SITE PLANS

Visibility and Setbacks

- All site improvements contained within the development envelope
- Minimal visibility of primary structures from a distance
- No intrusion of structures into neighbors' primary view corridors
- 40-foot setback from wetland edges
- 100-foot setback from natural streams

Driveways

- Alignment minimizes cuts and fills and disturbance of natural vegetation
- Safe point of access from road
- Driveway width (minimum 15 feet)
- Driveway gradient (maximum 15%)
- Driveway gradient (maximum 5% in first 20 feet from road)
- Emergency vehicle turnout at building pad and every 200 feet

Parking

- One parking space per bedroom required
- Two parking spaces covered, attached or detached garage
- No excessively large paved areas

Grading and Drainage

- Grading blends into natural terrain and reflects natural landforms
- No development on slopes steeper than 30%
- Grading Conservation Plan required for development on slopes over 15%
- No grading outside the development envelope and the driveway corridor
- No cut and fill slopes steeper than 2:1 (3:1 recommended for fill slopes)
- No cut or fill slopes with vertical exposure greater than 6 feet
- Cut and fill quantities balance
- Screening berms natural in form
- Minimal disturbance to natural drainages
- Drainage swales integrated into natural landforms
- Drainage resolved on-site; no concentrated drainage onto neighboring properties
- Bridges and culverts indicated where necessary

Retaining Walls

- Walls over four (4) feet in height certified by a civil or a structural engineer
- No walls over eight (8) feet in height
- Walls attached to building foundations preferred
- Stone or other facing materials compatible with architecture of the house
- No concrete block, raw poured-in-place concrete, brick or railroad ties

Utilities and Waste Disposal

- All utility lines underground
- Utilities within the driveway corridor, or alternate alignment to be approved
- Utility easements indicate on site plan
- Transformers and other above-ground utility boxes in screened location
- Satellite dishes screened and non-reflective color
- Trash receptacles screened, enclosed, and animal-proof

Planting

- All disturbed areas adequately revegetated with native plants
- Transition from structured to natural landscape well detailed
- No non-native plant species outside the development envelope
- Species appropriate for microclimate conditions
- Planting design compatible with patterns in natural vegetation
- Minimum conifer size six (6) feet, with 50% over eight (8) feet in height
- Minimum caliper size of deciduous trees 1½ inches, with 50% over 2"
- Thinning of vegetation outside the development envelope only with approval
- Removal of existing trees only with approval
- Lawn area minimized and contained within the immediate area of the residence

Water

- Water connection approved by HOA and SARC
- Water meter required
- Drip or spray irrigation systems only with soil moisture monitoring device

- Ponds and other water features naturalistic appearance
- Dams well integrated into natural terrain
- Ponds and decorative pools certified by civil engineer
- Ponds no larger than 10,000-gallon capacity on wells only
- Water source for all uses identified and total annual consumption estimated

Exterior Lighting

- No direct light sources visible from off-site vantage points
- No site lighting outside the development envelope and the driveway corridor
- No floodlights or “moonlighting”

Fencing, Signage and Gates

- Materials to match the architecture of the residence of an approved fence design
- No fences along the driveway
- Design for address signage compatible with Hawkins Creek’s motif
- Address monuments no larger than four (4) feet in any dimension
- Entry gates set back from road and four (4) feet wider than driveway
- Gates operable in owners’ absence for emergency and snowplowing

Pets and Wildlife

- Weber County Low Impact Permit required for Accessory Bldgs
- Dog runs and animal pens enclosed and covered
- Trash area completely enclosed

CHECKLIST FOR EVALUATING BUILDING DESIGN

Architectural Vocabulary

- Building compounds unified by consistent architectural elements and materials

Building Form, Height, and Massing

- Building siting and massing responsive to natural topography
- Maximum building height 30 feet; lower on open, flatter sites
- Structures not visually prominent from adjoining Homesites

Roof Lines

- Predominant roof pitch not less than 5:12 nor more than 8:12
- No large, unbroken expanses of roof area
- No long, uninterrupted ridgelines
- Non-reflective roof materials
- Colors that blend with those of the natural landscape
- Wooden shingles permitted only if approved by Fire Marshal
- No glazed or barrel tiles
- Entries, pedestrian areas and parking areas protected from snow shedding

Walls and Windows

- Wall planes stepped and layered to avoid large, uninterrupted facade

- Detailing of windows and doors to give relief to the facade
- Natural building materials (stone, wood, logs, shingles)
- Stucco use limited; only in combination with other materials
- Colors to blend with those of the natural landscape
- No untreated aluminum or metal window frames; no mirrored glass
- Foundation walls of durable materials, preferably stone or timbers
- Overhead decks well supported

Energy Conservation, Fireplaces, Chimneys and Vents

- Energy conservation measures incorporated into building plans
- Number and type of fireplaces indicated on plans
- Fireplaces in compliance with County standards
- Chimneys of inflammable material, preferably stone or masonry
- Non-reflective flues and vents
- Approved spark arresters or screens on chimney outlets
- Vents concealed and protected from damage by snow creep and snow shedding

Fire Protection and Wildfire Management

- Roof materials rated U.L. Class A or approve by WCFSD
- Main water lines four inches minimum diameter
- Water service lines to individual residences 1 inch minimum diameter
- Fire sprinkler system required in all habitable structures and all structures over 1,000 square feet
- Plans and water mains approved by Fire Marshal; certificate of compliance of compliance obtained
- Fire hydrants no more than 500 feet from any dwelling
- Minimum fire flow 1,000 gallons per minute for a duration of two (2) hours at a residual pressure 20 psi
- Fuel breaks within 30 to 100 feet of structures

CONSTRUCTION MANAGEMENT CHECKLIST

- Construction staging and material storage areas identified on site plan
- Temporary erosion control measures specified on site plan
- Topsoil storage area identified on site plan
- Trees to be retained and tree protection fencing identified on site plan

APPENDIX B:

SARC APPLICATION FEES

Fees may be adjusted at any time at the discretion of SARC

All first-time application for home construction: \$1,500

Minor amendments of additions to a previously approved plan: \$200

Modifications to previously approved plans if implemented during initial construction: \$150

Fees for projects not specifically mentioned above may be determined by SARC.
Fees must be paid before SARC reviews meeting can be scheduled.

SARC and its planning consultant will charge the applicant on an hourly basis according to the fee schedule outlined below and not to exceed the total fee paid in advance. Any unused fees will be refunded.

Checks should be made payable to Hawkins Creek Estates Homeowners Association.

Hourly Rates for SARC Review:

SARC Staff	\$50 per hour
SARC Board Members	\$75 per hour
SARC Planning/Design Consultant	\$100 per hour

HOMEOWNER ASSOCIATION FEES

Fees may be adjusted at any time at the discretion , and majority vote, of the Association

Annual Association Fees are anticipated to be \$1,000.00 per deeded Homesite

Utility Connection Fees are currently set at \$4,700.00 per deeded Homesite

These Fees cover Culinary Water and Sewer Connections, only.

Homesite Connection to the Natural Gas Service is controlled by Questar Gas

NOTE: A building permit will not be issued to any applicant by Weber County unless the Owner can confirm that he has an approved water service connection. As such, an Owner within Hawkins Creek will not be able to obtain a building permit from Weber County until and unless the appropriate connection fees have been paid, the SARC has approved his development application and the Association has signed the water service connection application.

Checks should be made payable to Hawkins Creek Estates Homeowners Association.

APPENDIX C: COMMERCIALLY AVAILABLE NATIVE PLANTS

COMMON NAME

BOTANICAL NAME

EVERGREEN TREES

White Fir

Abies concolor

Alpine Fir

Abies lasiodarpa

Rocky Mountain Juniper

Juniperus scopulorum

Colorado Spruce
Colorado Blue Spruce
Lodgepole Pine
Limber Pine
Douglas Fir

Picea pungens
Picea pungens glauca
Pinus contorta latifolia
Pinus flexilis
Pseudotsuga menziesii

DECIDUOUS TREES

Rocky Mountain Maple
Bigtooth Maple
Boxelder
Thinleaf Alder
Shadblow Serviceberry
Common Hackberry
Beechleaf Mountain Mahogany
Desert Willow
Narrowleaf Cottonwood
Fremont Cottonwood
Aspen
Chokecherry
Gambel Oak
Smooth Sumac
Staghorn Sumac
Rose Locust
Black Locust
Peachleaf Willow

Acer glabrum
Acer grandidentatum
Acer negundo
Alnus tenuifolia
Amelanchier canadensis
Celtis occidentalis
Cercocarpus montanus
Chilopsis linearis
Populus angustifolia
Populus fremontii
Populus tremuloides
Prunus virginiana melanocarpa
Quercus gambeli
Rhus glabra
Rhus typhina
Robinia neomexicana
Robinia pseudoacacia
Salix amygaloides

COMMON NAME

BOTANICAL NAME

EVERGREEN SHRUBS

Greenleaf Manzanita
Emerald Green Manzanita
Running Serviceberry
Curleaf Mountain Mahogany
Silverberry
Mormon Tea
Red Yucca

Arctostaphylos patula
Arctostaphylos santii
Amelanchier stolonifera
Cercocarpus ledifolius
Eleagnus commutata
Ephedra viridis
Hesperaloe parviflora

Common Juniper
Utah Juniper
Rocky Mountain Juniper

Juniperus communis
Juniperus osteosperma
Juniperus scopulorum

DECIDUOUS SHRUBS

Alder
Saskatoon Serviceberry
Utah Serviceberry
False Indigo
Big Sagebrush
Mountain Big Sage
Wyoming Big Sage
Martin Ceanothus
Tabacco Brush
Rubber Rabbittbrush
Douglas Rabbittbrush
Red Osier Dogwood
Western Hazelnut
Cliffrose
Winterfest
Rock Spires
Shrubby Cinquefoil
Alpine Currant
Woods Rose
Booth Willow
Coyote Willow
Blue Elderberry
Elderberry
Buffaloberry
Mountain Ash
Mountain Snowberry/Coralberry

Alnus incana
Amelanchier alnifolia
Amelanchier utahensis
Amorpha fruticosa
Artemisia tridentata
Artemisia tridentata vaseyana
Artemisia tridentata wyomingensis
Ceanothus martini
Ceanothus velutinus
Chrysothamnus nauseosus
Chrysothamnus viscidifloris
Cornus sericea 'Baileyi'
Corylus cornuta californica
Cowania mexicana stansburiana
Eurotica lanata
Holodiscus dumosus
Potentilla fruticosa
Ribes alpinum
Rosa woodsii
Salix boothii
Salix exigua
Sambucus caerulea
Sambucus Canadensis
Shepherdia argenea
Sorbus scopulorum
Symphoricarpos oreophilus

COMMON NAME

BOTANICAL NAME

PERENNIALS

Hollyhock
Filigree Daisy
Rocky Mountain Columbine
Western Columbine
Prickly Poppy
Poppy Mallow, Wine Cups
Native Bluebells
Bachelor Button

Alcea rosea 'Chater's Double'
Anthemis marschalliana
Aquilegia caerulea
Aquilegia formosa
Argemone munita
Callirhoe involucrate
Campanula rotundifolia
Centaurea dealbata 'Rosea'

Keys of Heaven, Reci Valerian
Chicory
Western Virgins Bower
Trailing Daisy
Sulphur Flower
Stork's Bill
California Poppy
Blue Fescue
Blanket Flower
Burgundy Blanket Flower
Dwarf Blanket Flower
Chilean Evens, Prairie Smoke
Curlycup Gumweek
Snakeweed
Common Sunflower
Hairy Goldenaster
New Mexico Hops
Yellow Flax
Blue Flax
Blackfoot Daisy
Beebalm, Horsemint
Mexican Evening Primrose
Penstemon
Firecracker Penstemon
Pine Leaf Penstemon
Rocky Mountain Penstemon
Rock Goldenrod
Mexican Hat
Wooly Mullein
Common Mullein

Centranthus ruber
Cichorium intybus
Clematis ligusticifolia
Erigeron flagillaris
Eriogonum umbellatum
Erodium circuitarium
Eschscholzia californica
Festuca ovina glauca
Gaillardia aristata
Gaillardia grandiflora
Gaillardia grandiflora 'Goblin'
Geum triflorum
Grindelia squarosa
Gutierrezia sarothae
Helianthus annuus
Heterotheca villosa
Humulus lupulus neomexicanus
Linum flavum compacta
Linum lewisii
Melampodium leucanthum
Monarda fistulosa
Oenothera berlandieri
Penstemon barbatus
Penstemon estonii
Penstemon pinofolius
Penstemon strictus
Petradoria pumila
Ratibida columnifera
Verbascum bombyciferum "Arctic Summer"
Verbascum thapsus

COMMON NAME

BOTANICAL NAME

GROUND COVERS

Kinnikinnick
Creeping Oregon Grape
Dwarf Mountain Lover
Mountain Lover

Arctostaphylos uva-ursi
Mahonia repens
Pachistima canbyi
Pachistima myrsinites

GRASSES

Crested Wheatgrass
Bluebunch Wheatgrass
Streambank Wheatgrass

Agropyron cristatum
Agropyron inerme
Agropyron riparium

Western Wheatgrass	Agropyron smithii ‘Arriba’
Western Wheatgrass	Agropyron smithii rosanna
Pubescent Wheatgrass	Agropyron trichophorum
Big Bluestem	Andropogon gerardii
Purple Three-awn	Aristida purpurea
Little Bluestem	Avena scoparius
Nodding Brome	Bromus lanatipes
Mountain Brome	Bromus marginatus
Native Brome	Bromus pumpelliana
Canada Wildrye	Elymus Canadensis
Great Basin Wildrye	Elymus cinereus
Mammoth Wildrye	Elymus giganteus
Blue Oat Grass	Elymus glaucus
Bluebunch Wheatgrass	Elymus spicatus
Slender Wheatgrass	Elymus trachycaulus
Idaho Fescue	Festuca idahoensis
Sheep Fescue	Festuca ovina
Creeping Red Fescue	Festuca rubra
Perennial Ryegrass	Lolium perenne
Eski Sainfoin	Onobrychis viviaefolia
Indian Ricegrass	Oryzopsis hymenoides
Alpine Bluegrass	Poa alpinum
Alkaligrass	Puccinellea distans
Bottlebrush Squirreltail	Sitanion hystrix
Little Bluestem	Schizachyrium scoparium
Alkali Sacaton	Sporobolus airoides
Sand Dropseed	Sporobolus cryptandrus
Needle Grass	Stipa
Needle and Thread	Stipa comata
Indian Rice Grass	Stipa humenoides

APPENDIX D: TREE REMOVAL PROCEDURES

Because Hawkins Creek aspires to retain the appearance of an undisturbed natural landscape, tree removal is not permitted anywhere within a Homesite without SARC approval. Owners are encouraged to respect this goal by adhering to the following procedures:

PRE-PLANNING

All existing forest and shrub masses should be indicated on the certified site survey that is prepared before the pre-planning meeting. Significant trees should be located on the survey, and the caliper size at the base of the trunk and approximate radius of the outermost branches should be recorded. No excavation or fill should be proposed within the branching radius of a tree that is to be preserved.

CONCEPTUAL PLANS

Within the development envelope and the driveway corridor, conceptual site and grading plans should indicate all significant trees that will likely be removed to accommodate the construction of buildings and the driveway outside the development envelope, selective thinning of forest trees to create or enlarge meadows, if proposed, should also be indicated on the site plan, but will only be approved by SARC for the purpose of enhancing views in the primary view corridor or for meadow and wildlife habitat improvement, trails, and forest regeneration. Where forest vegetation is essential to screen one neighbor from another, tree removal is not permitted.

FINAL PLANS

Final site plans must identify mature trees that will be removed or preserved within all disturbed areas. A final construction management plan must indicate where protective fencing is to be installed. Final landscape plans and specifications should include provisions for temporary tree protection, maintenance during construction, and any permanent protective improvements such as tree wells and root aeration systems.

SITE INSPECTION

In conjunction with SARC's final plan review an on-site field visit will be scheduled to inspect staking of the building and the area of disturbance. In preparation for this site inspection, the owner must flag all trees that will be removed and, in a different color, all trees to be protected during construction. SARC will review the flagging on site with the owner and, in its sole discretion, will approve or disapprove the proposed tree removals.

CONSTRUCTION

Flagging on the trees to be saved is to be left in place for the duration of the construction process. Contractors will be liable for damages to any trees that were to be saved. SARC or its representative may visit the site during construction to verify that the site work is proceeding in compliance with the approved plans.

VERIFICATION AND ACKNOWLEDGMENT

The undersigned hereby verifies that the foregoing is a true and correct copy of the Design and Development Guidelines for The Legends at Hawkins Creek, a residential subdivision in Weber County, Utah, the legal description of which is fully set forth in Exhibit "A" attached hereto and incorporated herein.

HAWKINS CREEK ESTATES DEVELOPMENT, LLC, a Utah Limited Liability Company

By: Smith and More Properties, LC, a Utah Limited Liability Company
Its Manager

By:

(On File)
Keith B. Smith, Manager

STATE OF UTAH)
 ss
COUNTY OF WEBER)

The foregoing Verification and Acknowledgment of the Design and Development Guidelines for Hawkins Creek was sworn to and acknowledged before me this 1st day of May, 2007, by Keith B. Smith, for and on behalf of Hawkins Creek Estates Development, LLC, a Utah limited liability Company.

SEAL:

(On File)
NOTARY PUBLIC