

**SWAINS CREEK PINES LOT OWNERS ASSOCIATION (SCPLOA)
ARCHITECTURAL STANDARDS
AMENDED JULY 10, 2021**

COMMITTEE GOALS:

The goal of the Architectural Review Committee (ARC) is to preserve and enhance the pastoral scenic beauty of the community. These Architectural Standards were developed to ensure that all lot owners are not distracted from enjoying the beautiful, natural forest setting that defines Swains Creek Pines. They are intended to supplement the requirements set forth in the Articles of Incorporation, Covenants, Conditions, Reservations and Restrictions (CC&R's), and Guidelines, Rules and Regulations; however, they DO NOT embody those documents in their entirety. You are advised to read all applicable governing documents before submitting your ARC package for review.

COMMITTEE OBJECTIVES:

1. Observe and adhere to the SCPLOA governing documents, the laws of Kane County and the State of Utah.
2. Provide guidance to lot owners for new construction, major remodels, additions, or any exterior project on how it fits in with the scenic beauty of the community.
3. Exercise its best judgement to carefully and objectively consider the proposed improvement(s) in relationship to the subject lot and public view.
4. Apply standards and enforcement consistently throughout the SCPLOA Subdivision.
5. Respond to all ARC project applications within 30 days of application submission.

GENERAL GUIDELINES:

- A. The authority given to the ARC by the Board of Directors applies to all properties within the community.
- B. All new construction and exterior modifications require written ARC approval **PRIOR** to commencement of the project. Non-compliance will be subject to violations and possible fines if not rectified within 48 hours.
- C. Failure to submit an ARC application prior to commencement of the project is considered non-compliance.
- D. These guidelines apply to new construction, placement of any new structures, and exterior improvements to a lot or structural features (major maintenance, reconstruction, additions, and exterior modifications). Any interior modifications is at the lot owner's discretion.
- E. Minor exterior maintenance involving repairs or modifications do not require ARC approval if there are no visual effects and no structural changes. Examples of minor exterior maintenance or modifications are replacing broken boards on a deck, replacing windows, replacing shingles on a roof, staining or coating decks or log siding.
- F. Projects completed prior to the adoption of these standards are excluded until such time as major improvements or repairs are needed. All major improvements or repairs shall adhere to the ARC standards, wherever possible.
- G. Lot owners must obtain appropriate building permits, adhere to county and state building and sanitation codes, and meet any applicable special requirements such as Kane County's Wildland Urban Interface (WUI) requirements for structures and lots.

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- H. Access for equipment used in construction must be through the applicant's property. Building equipment and materials must be contained on the applicant's property. Roads may not be obstructed with equipment or building materials. A request for an exception to this Standard must be approved by the ARC.
- I. In the event construction requires use of adjoining property, the applicant must obtain written permission from the adjoining property owner and submit it with the architectural request form.
- J. Approval of plans is not an authorization to proceed with improvements on any property other than the applicant's.
- K. An omission, lapse or oversight by the ARC regarding the CC&R's or these Standards does not constitute a waiver.
- L. Projects must be carried out in conformance with ARC approved plans and all work must be initiated and finished within the time frame for the project as stated in the ARC application or a new ARC application must be resubmitted. Any deviations from what was approved or untimely delays in completion is considered a non-compliance and will be subject to violation and possible fines. Requests to amend an architectural application or for a time extension to complete the project must be submitted to the ARC for consideration and approval.

Native Growth:

- Native growth shall not be destroyed or removed except for fire prevention, lot cleanup and during construction, as approved by the Architectural Committee.

Fire Mitigation:

- We highly recommend that lot owners reduce fire fuels by following Kane County WUI guidelines and/or NFPA (National Fire Protection Association) Firewise USA (residents reducing wildfire risks) guidelines as needed, so that individual lots do not pose a fire hazard to themselves or to neighboring properties.

Setback Lines:

- No new building, structure, outbuilding, or appurtenance of any nature shall be located closer than 30' from the front property line and 15' from any other lot or property line.

Address Numbers and Signs:

The posting of address numbers on each lot is highly recommended by the Kane County Sheriff and the CMFPD for emergency response. Also, the posting of address numbers complies with requirements for Firewise Communities. Therefore:

- Address numbers must be displayed on the cabin or near the end of the driveway to be easily seen from the main road which passes in front of the cabin.
- It is recommended that lettering be 3" to 4" high and reflective.
- Address numbers will be required to be placed prior to start of construction of new cabins.
- No billboards or advertising signs of any character shall be erected, placed, permitted, or maintained on any lot except to promote the sale of that specific property.

Letter and Delivery Boxes:

- If mail delivery commences in Swains Creek Pines, the SCPLOA will determine the location, size, color, design, lettering, and all other particulars of all mail or paper delivery boxes.
- Standards for brackets and name signs for such boxes will be uniform in appearance throughout the Subdivision.

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Fences:

No fences or gates are allowed without first obtaining written permission from the ARC Committee. ARC approved fences and gates will:

- Be constructed substantially of natural wood.
- Be constructed in such a way and in such a location on the lot so as to be viewed through with no detrimental effect on the natural mountainous setting.
- Not obstruct access to common areas or roads.
- Not have barbed wire, spikes or any similar device, or be electrically charged.
- Approved gates to Forest Service Land will be constructed of metal.
- Fences that border the forest land and maintained by the Association may not be cut or altered without authorization from the Architectural Committee.

Maintaining Natural Drainage:

- Culverts under driveways may be necessary to direct storm water runoff, and need to be installed and maintained at the expense of the lot owner.
- No construction, diversion or confining of the existing natural flow of storm water shall be made as to cause damage to other properties.
- No change in ground level may be made on any lot in excess of one foot from existing surface elevations or approved grading plan elevations without ARC approval **PRIOR** to the commencement of work.
- Movement of dirt to protect structures, change slopes or add parking areas etc. does not require ARC approval unless it may affect a surrounding property.

Cabins:

- Cabins shall have a floor area of at least 400 square feet (placed on county approved engineered foundation).
- Pre-fabricated cabins must include engineered approved plans of the interior layout, structural calculations, plumbing and electrical plans. Shed-like cabins are not permitted.
- Foundations may be constructed of poured concrete or filled concrete block, or concrete filled sonotubes.
- Color of foundations shall be natural or painted or stained to match the cabin color. Foundation facing may be of brick or stone to match the type of rock found in the immediate area.

Cabin Form:

At the time of cabin construction, alteration or reconstruction, the following standards apply:

- Cabins shall be of rustic architecture, traditional in western U.S. mountain areas.
- Structures shall be harmonious with the natural landscape and surroundings.
- Generally, cabins shall have four walls (usually in a rectangular footprint) with a gable roof, deck and chimney. Acceptable styles include, but are not limited to: A-frame, Modified A-frame, Gambrel, Cottage, Adirondack, Craftsman, and Ranch.

Recreational Vehicles:

- Recreational Vehicles are allowed only on specific lots designated prior to July 13, 2016 in Units 1, 2, 3, 4 and Harris Spring Ranches; therefore, no new RV sites will be permitted in those Units. During cabin construction with a valid Kane County building permit and prior ARC approval, one RV may be placed while construction is ongoing. No trailers of less than 30 feet in length can be permanently placed in Unit 1 Amended and ARC approval is required. Contact ARC for more information.

Windows and Doors:

- Windows and doors shall be appropriately proportioned to the style of the cabin and conform to county codes.

Walls and Siding:

- Exterior walls and siding shall be rustic, and generally be of natural and/or local materials such as wood, log siding, textured or stamped concrete or stone.
- Cabin alterations and additions shall retain as much of the original building style and use similar materials as much as possible.
- Like materials on cabins (such as wood siding) shall blend in color as close as possible.
- Synthetic materials such as artificial wood siding and cultured stone may be approved if their appearance is appropriate.
- If real or artificial stone is used it must match rock found naturally in the immediate area.

Roofs:

- Composite shingles, and metal roofs are acceptable materials.
- Roof color shall harmonize with the natural environment.
- Valleys and trim shall match roof color.
- Roof colors that contrast sharply with surroundings will not be approved.
- Cabin alterations and additions shall retain as much of the original building style and use similar materials as much as possible.
- Like materials on cabins (such as metal or composite shingles) shall match in style and color as close as possible.

Decks:

- Decks must be attached to the residence and be of wood or composite material that is a natural wood color.
- In order to comply with Kane County's Wildland Urban Interface for Wildfire Mitigation, it is strongly encouraged to avoid storage of firewood, unused materials (such as lumber, construction materials, old appliances, etc.), or any combustible materials in enclosed spaces or under decks.

Railings:

- Railings on decks, porches, and associated steps or ramps shall be wood (or wood composite to match deck material) or metal.

Security Features:

- Windows, screen doors and rolling window shutters shall match the color scheme of the cabin and be harmonious to the natural landscape.

Propane, Water Storage, and other Tanks:

- Locate tank where it is as inconspicuous as possible, yet accessible for refilling.
- Check with local propane company for guidance prior to painting tank.

Outbuildings: (Outbuilding is defined as a building that is separate from but an accessory to a main dwelling house.)

- Customary outbuildings such as garages, storage sheds, guest houses, workshops, etc., regardless of whether a permit is required by the County Building Department, must meet the standards described in this document and be approved by the ARC **PRIOR** to installation or construction. Non-compliance will be subject to violations and possible fines.
- An outbuilding must be constructed of wood siding with a pitched metal or composite shingle roof and match the appearance of the cabin to the extent possible.
- When major repairs are needed, outbuildings must be brought up to standards wherever possible. Relocating an existing outbuilding when performing major repairs will not be expected unless to comply with County requirements.

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- Outbuildings shall not be used for living, cooking or sleeping quarters without proper permits from the Kane County Building Department and approval from the Architectural Review Committee.
- According to Kane County Utah, greenhouses are considered an Outbuilding. The placement of greenhouses require a SCPLOA ARC application, follow SCPLOA setbacks, and if permanently placed, match the existing cabin structure if possible.
- Solar panels require a Kane County building permit, structural engineering and a SCPLOA ARC application.
- Metal storage containers, roll off containers, Conex boxes, pods, or similar structures are not considered to be customary outbuildings in accordance with CC&R's, and are not permitted to be placed on any lot whether above or below ground. (See rule dated July 21, 2012).
- Compliance with Kane County regulations is the lot owner's responsibility.

Exterior Lighting:

- Exterior lights must be shielded to illuminate the lot or cabin entrances only and not impact surrounding lots or directed toward other cabins or lots.

Other Outdoor Equipment:

- Outdoor equipment including, but not limited to, patio furniture, picnic tables, benches, chairs, cooking grills, play equipment, zip-lines, hammocks, tree swings, swing sets, bird feeders, umbrellas, sports and playground equipment must be kept in good condition and stored neatly when not in season or when cabin is not occupied.
- Trailers, ATV's, snowmobiles, boats and other recreational equipment shall be neatly stored and out of view from adjacent lots whenever possible. Any inoperable items mentioned above, including vehicles, must be removed from view.
- Fire pits must meet Kane County and Cedar Mountain Fire Protection District standards.
- Do not mount satellite dishes, antennas, or other items to trees.
- The placement of portable toilets requires ARC approval.

Garbage and Refuse Disposal:

- Common areas or lots may not be used or maintained as a dumping ground for trash.
- Trash, garbage, or other waste shall not be kept except in sanitary containers and installed either underground or screened or placed and kept as to not be visible from any street or adjacent lot.
- Garbage incinerators are prohibited.
- Unused materials (such as lumber, construction materials, old appliances, etc.) must be removed within 1 year of construction.

Maintenance:

- Cabins and all other authorized improvements shall be maintained and remain in good repair.
- Roofs shall be kept reasonably clear of debris.
- Grounds shall be kept tidy. Remove unused or non-functioning vehicles, equipment and materials or unnecessary items (large satellite dishes, water or gas tanks, etc.), litter, and other debris from the site.
- Lot owners are responsible for maintaining their own lots, driveways and culverts.

Colors:

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- Colors should harmonize with the environment. Colors for paint, stain, roofs, trim, and other features shall be selected from the surrounding forest and shall generally be darker than the landscape.
- Combinations of colors that contrast with each other are not likely to be approved.
- Color of trim, doors, and window frames shall be the same or similar color as siding or roof.

ADDITIONAL INFORMATION:

1. Construction or installation of improvements may not commence until the ARC has granted written approval. Failure to submit complete plans to the ARC for review and approval **PRIOR TO** beginning construction or installation, or failure to complete improvements according to approved plans and in compliance with governing codes, are violations of the CC&R's and are subject to action by the Board of Directors. The Association may use any remedies provided in the governing documents to enforce these provisions.
2. The ARC shall review each submittal for conformity to the intent and provisions of these standards and SCPLOA governing documents. Approval by the ARC does not constitute a waiver of any requirements of any governmental agency.
3. ARC approval does not constitute acceptance of technical or engineering specifications.
4. Any condition or material not specifically defined or addressed in these Standards shall become a matter for the consideration and determination of the ARC.
5. The applicant or designated representative must agree to periodically meet on their property with an ARC committee member in order for ARC to verify the project, perform status checks, and check for completion.

APPEAL PROCESS:

A request to appeal a decision by the ARC may be submitted by modifying plans to conform to Standards or by providing new information which would in the Committee's opinion warrant a reconsideration. If the ARC fails to reconsider or, after another review decides to deny approval, a written request may be sent within 30 days of denial to the Board of Directors for reconsideration and final determination.

Revised: 7/7/21 7:10 pm