

DESIGN GUIDELINES
OLD SCHOOL STATION LIGHT INDUSTRIAL &
TECHNOLOGY PARK

Kalispell, Montana

ARTICLE I
PURPOSE

Old School Station Light Industrial & Technology Park (henceforth "Old School Station") is a high quality commercial development intended for use by service industries and businesses of a technological or industrial nature. These Design Guidelines establish a minimum level of design quality and compatibility for each commercial Building and Common Area, all which require the appropriate selection and use of materials. Building size and form, along with key architectural elements, shall be designed in a manner that benefits the Project and assures each Owner the expected level of quality in Old School Station. Accordingly, every Lot and Common Area in Old School Station is subject to these Design Guidelines, the Declaration of Covenants, Conditions, Restrictions and Easements for Old School Station Light Industrial & Technology Park (henceforth the "Declaration"), and the other Old School Station Documents referenced therein. Furthermore, all Owners shall be Members of Old School Station Light Industrial & Technology Park Lot Owners' Association, Inc. (henceforth the "Association") and also shall be subject to the Old School Station Documents. Consequently, all terms defined in the Declaration or another of the Old School Station Documents and which are also used herein shall have the same meanings as said terms are given in said Old School Station Documents.

ARTICLE II
BUILDING CODE AND ZONING COMPLIANCE

In applying these Design Guidelines, the Owner shall ensure that the design and construction of all Improvements shall comply with all applicable building codes, zoning ordinances, and other laws, rules, and regulations.

ARTICLE III
APPLICABILITY

These Design Guidelines have been established for those purposes set forth in Article I, Section 1.2 of the Declaration. In addition, these Design Guidelines establish specific criteria for design issues such as site planning, architectural and landscape design, sign standards and placements, exterior screening and buffer zone standards, and exterior lighting. The Design Guidelines shall be used by the Design Review Committee (henceforth the "Committee") as uniform criteria by which to evaluate and review all proposed Improvements.

The Committee may base approval or disapproval of design and building plans and

specifications upon things such as adequacy of Building Site dimensions, adequacy of structural design, conformity of external design with that of neighboring structures, effect of proposed location and use of Improvements upon neighboring Lots, properties, and streets, location of the main elevation of the Building with respect to streets, adequacy of screening of mechanical, air conditioning, or other rooftop installations, and the general conformity of the design and building plans and specifications with these Design Guidelines and the other Old School Station Documents.

In accord with Article VI of the Declaration, the Committee shall be the sole and final arbiter concerning the conformity of the design and building plans and specifications with these Design Guidelines and the other Old School Station Documents. As a consequence, the Committee may withhold approval of said plans and specifications on any reasonable basis, including but not limited to the following:

1. Failure to comply with any of the Design Guidelines or other of the Old School Station Documents;
2. Failure to include information in the design and building plans and specifications as the Committee may reasonably request;
3. Objection to the exterior design, the appearance or quality of materials, or the materials generally;
4. Objection on the basis that proposed Improvements or uses are incompatible with existing Improvements or uses on other Lots or other properties in the vicinity of Old School Station;
5. Objection to the proposed location of any Improvements in relation to other Lots or other properties in the vicinity of Old School Station;
6. Objection to the proposed grading or landscaping of any Lot;
7. Objection to the color scheme, finish, proportions, style of architecture, height, bulk, or appropriateness of any Improvement;
8. Objection to the number, size, or design of parking or loading spaces; and
9. Objection on the basis of any other issue which in the sole discretion of the Committee would render the proposed Improvements inconsistent with the Design Guidelines or any of the other Old School Station Documents.

ARTICLE IV SUBMISSION AND REVIEW

In accord with Article VI, Section 6.3 of the Declaration, all Improvements, whether proposed to be erected, placed, reconstructed, replaced, repaired, or altered in any manner shall first receive Committee approval.

1. Design and Building Plans and Specifications Review Fee (henceforth the "Review Fee"). As provided in Section 6.5 of the Declaration, the Committee shall have the right to establish at any time a Review Fee to defray the expenses of the Committee's function.

2. Pre-Application Meeting. Prior to making application to the Committee for its review of design and building plans and specifications, each Owner or his representative and the Owner's architect shall meet with the Committee or any of its members or the Committee's consultant, or any combination thereof, to introduce the Owner or his representative and the Owner's architect to the review process and the requirements of the Design Guidelines and the other Old School Station Documents. The parties shall use this meeting for the purpose of discussing the Owner's designs and site layouts for the proposed Improvements and clarifying any misconceptions or points of confusion with regard to what is required by the Old School Station Documents.

3. Design and Building Plans and Specifications Application for Review. Design and building plans and specifications for either new construction or for revision, replacement, repair, alteration, addition, or change in use of an existing Improvement, shall not be considered to have been properly submitted for review until the Committee receives a complete review application package containing the following items:

- a. Review Fee (make checks payable to "Old School Station LOA"); and
- b. For the preliminary approval process, a minimum of two sets of design and building plans and specifications.
 - i. If additional sets are required, the Committee shall notify the Owner of the number of additional sets required.
 - ii. Each set of design and building plans and specifications shall include all of the information set forth in this Article IV, Section 4 for new construction or this Article IV, Section 5 for revision, replacement, repair, alteration, addition, or change in use of an existing Improvement, unless said information is not applicable to a specific proposed Improvement.
 - iii. All design and building plans shall be prepared by persons duly qualified and licensed by the State of Montana to prepare such plans.
- c. For the final approval process, Owners must supplement their application packet with two sets of construction documents, as described in Section 6 of this Article III, and copies of all documents submitted to the building department of the City of Kalispell.

4. Preliminary Plan Approval for New Construction. Design and building plans and specifications shall be submitted for plan approval in order that the Owner conveys to the Committee specific information about the proposed Building Site and Improvements. These plans and specifications shall be submitted to the Committee for preliminary approval prior to or contemporaneously with submission of the same to the City of Kalispell's building department.

- a. *Building Site Plans.* This plan shall indicate the following:

- i. Building footprints and dimensions to property lines;
 - ii. Building roof overhangs;
 - iii. Location and configuration of parking and vehicular circulation areas;
 - iv. Location of parking lot lighting;
 - v. Location of truck service area, loading area, and refuse collection enclosures;
 - vi. Setback and easement lines;
 - vii. Location of on-site transformers, electrical switch gear, and utility meters;
 - viii. Adjacent roadways, including curb lines; and
 - ix. Tabulation of the square footage of the following areas:
 - (1) Lot area;
 - (2) Total Building floor area;
 - (3) Building Site coverage;
 - (4) Building coverage;
 - (5) Total parking provided;
 - (6) Total parking required;
 - (7) Estimated total employees on the Owner's Lot at any peak times; and
 - (8) Anticipated number of shifts at the business to be located upon Owner's Lot, as well as the hours and days of operation.
- b. *Conceptual Grading and Drainage Plans.* This plan shall include or indicate the following:
- i. A topographical plan showing contour grades with two feet intervals, unless otherwise specified by the Committee, and showing the location of all Improvements;
 - ii. Proposed finished grades, slopes, and building pad elevations;
 - iii. Site drainage structures and systems, as well as cut-and-fill details if any appreciable change in contour is planned;
 - iv. Grades of existing streets and curbs; and
 - v. Location of street lighting and utility structures.
- c. *Conceptual Landscape Plans.* This plan shall indicate the following:
- i. Plant materials, sizes, and spacing;
 - ii. Walkways and other paved areas; and
 - iii. Buffer zones, screening, and any other landscape design feature.
- d. *Building Elevations Plans.* This plan shall include elevations of all sides of each of the proposed Buildings, including the following:
- i. Exterior wall and roof materials, textures, and colors;
 - ii. Location of all wall-mounted lighting and signing;
 - iii. Roof and parapet heights above finished elevation; and

- iv. Profile of any roof-mounted mechanical equipment extending above the roof parapet.
- e. *Building Floor Plans.* These plans shall include all square footage calculations and all proposed uses.
- f. *Building Roof Plans.* These plans shall indicate the following:
 - i. Roof elevations above the finished floor; and
 - ii. Heights and locations of roof-mounted mechanical equipment.
- g. *Building Materials Specifications.* The design review application shall include an outline of the specifications of all proposed building materials.
- h. *Signs and Conceptual Graphics.* The design review application shall include the following information concerning all ground-mounted and wall-mounted signs:
 - i. Proposed locations;
 - ii. Proposed designs, materials, textures, colors, heights, and sizes;
 - iii. Illumination data; and
 - iv. Typography.
- i. *Plans Required by City of Kalispell.* The design review application shall include such other plans as any applicable city ordinance having jurisdiction over the Lot may require.
- j. *Miscellaneous.* The design review application shall include any other data or information the Committee or its consultant deems reasonably necessary.

5. Preliminary Plan Approval for Revision, Replacement, Repair, Alteration, Addition, or Change in Use of Improvement. Except as provided in Article VI of the Declaration or in any of the other Old School Station Documents, design and building plans and specifications shall be submitted to the Committee for review and shall receive approval prior to submitting construction documents, as described in Section 6 of this Article IV, to the Committee and prior to commencement of such revision, replacement, repair, alteration, addition, or change in use. Application for preliminary plan approval of design and building plans and specifications for revision, replacement, repair, alteration, addition, or change in use of an existing Improvement shall include two sets of the following:

- a. A written description of the nature and extent of the proposed revision, replacement, repair, alteration, addition, or change in use of the existing Improvement.
- b. A written statement of the specific proposed revision, replacement, repair,

alteration, addition, or changes to any of the following:

- i. The site plan;
- ii. The grading and drainage plan;
- iii. The landscape plan;
- iv. The Building floor plans; and
- v. The Building elevations, including the following:
 - (1) Wall and roof materials, textures, and colors;
 - (2) Exterior signs and lighting;
 - (3) Roof and parapet heights above the finished elevation; and
 - (4) The profile of roof-mounted mechanical equipment which extends above the roof parapet.

c. Tabulations of the following:

- i. The existing and proposed new total Building floor area;
- ii. The existing and proposed new site coverage for the Building, the parking, and the landscaping;
- iii. The existing and proposed new parking to be provided;
- iv. Calculations establishing the proposed new required parking; and
- v. Estimation of proposed new peak employment count.

d. Outline of the specifications of all proposed building materials.

6. Submission of Construction Documents for Final Plan Approval. In order to proceed to the final plan approval process, the Owner must submit two sets of construction documents and two sets copies of all the documents the Owner has submitted or will submit to the City of Kalispell building department. The Committee, as part of the final review process, shall compare the construction documents and other documents for compliance with the approved preliminary plans and any conditions of approval. The construction documents include each of the following where applicable to the proposed Improvement:

- a. Final grading and drainage plans;
- b. Parking plans;
- c. Site development plans which also indicate any proposed alleys, walkways, easements, utilities, storage and refuse collection locations and any related screening;
- d. Architectural, structural, mechanical, plumbing, and electrical drawings;
- e. Construction specifications, including those of fire protection systems;
- f. Landscape plans which also indicate walkways, fences, walls, elevations changes, existing and proposed vegetation, any other decorative features, and any plants or structures which will be used for buffers or screening and which shall be noted as such;
- g. Exterior illumination plans indicating for each fixture its location, its

- manufacturer's fixture numbers, and its photometric test data; and
- h. Exterior sign plans indicating for each sign its size, shape, color, content, location, construction materials, and illumination.

7. Procedure Following Committee Action.

- a. At such time as the construction documents and other documents are submitted to the Committee for review and final approval, it shall act on said construction documents and design and building plans and specifications by either approving them outright, approving them subject to conditions, or disapproving them.
- b. If the foregoing are approved, the Committee shall date and sign both sets and mark them as "APPROVED," and the Committee shall then return one set of the documents to the Owner and retain the other set. Approval of the construction documents permits the Owner to proceed with construction of the Improvement(s) proposed therein.
- c. If the construction documents are approved subject to conditions, the Committee shall date and sign both sets and mark them as "APPROVED SUBJECT TO CONDITIONS," and the Committee shall then return one set of the documents to the Owner and retain the other set. Approval of the construction documents subject conditions permits the Owner to proceed with construction of the Improvement(s) proposed therein provided the Owner complies with the specified conditions.
- d. If the construction documents are disapproved, the Committee shall date and sign both sets and mark them as "DISAPPROVED," and the Committee shall then return one set of the documents to the Owner and retain the other set. Disapproval of the construction documents requires the Owner to submit revised documents in a continuing effort to obtain the required Committee approval if the Owner wishes to construct a new Improvement or revise, replace, repair, alter, add to, or change use of an existing Improvement.
- e. A letter shall accompany each set of documents returned to the Owner, and therein the Committee shall summarize its comments, recommendations, findings, and requirements.

8. Basis for Approval or Disapproval of Preliminary or Final Documents. In accord and conjunction with Article III of these Design Guidelines, the Committee is the sole and final arbiter concerning preliminary or final approval or disapproval of design and building plans and specifications and/or construction documents. The Committee is authorized to review all aspects of construction, location, quantity, and quality of Improvements which may, in its opinion, affect the general value of Old School Station. It is further authorized to consider technological advances in design, techniques, methods, and materials, and such comparable or alternative design, techniques, methods, or materials may or may not, in the Committee's sole discretion, be permitted to be used in Old School Station. Accordingly, the Committee may withhold approval for any reason, including its determination that the style, size, materials, or any other feature or aspect of the proposed Improvement would be incompatible with Old School Station, and

furthermore, the Committee shall be entitled to stop work on any Improvement it finds in violation of the Design Guidelines or the other Old School Station Documents.

9. Conditions of Approval. In accord with the Old School Station Documents and as a condition of approval under this Article VI, all responsibilities for construction, placement, reconstruction, maintenance, repair, replacement, alteration, and purchasing and maintaining insurance upon any Improvement is deemed automatically assumed by each Owner, on his own behalf and that of his successors and assigns, by virtue of his being an Owner. However, at the Committee's discretion, an Owner may be required to verify and confirm his assumption of these responsibilities by executing a recordable written instrument in acknowledgment thereof.

10. Obligation to Comply with All Laws and Regulations.

- a. Owners shall have the sole responsibility of ensuring all work Owner performs or permits to be performed on his Lot is executed in conformity with all applicable laws, ordinances, regulations, and codes. The Committee's approval of the construction documents is consent to the Improvements proposed therein, and in no event shall said approval be deemed the approval of the City of Kalispell. Neither shall said approval be deemed an implication, representation, or certification by the Committee, the Association, or any of their members, Members, officers, Directors, Managers, or employees that the construction documents comply with the applicable laws, ordinances, regulations, and codes.
- b. The Design Guidelines do not supersede any applicable laws, ordinances, regulations, or codes. Should any portion of the Design Guidelines or other Old School Station Documents purport to violate any statute, ordinance, regulation, or code, or should they purport to encourage a violation thereof, Owners or their designated agents shall bring the alleged offending provision to the attention of the Committee.

ARTICLE V DESIGN GUIDELINE DISTRICTS

For purposes of these Design Guidelines only, Old School Station shall be divided into two districts.

1. District 1. This district shall be a Technology Tax Increment Finance District. Lots 2, 3, 4, 5, 6, 7, 8, and 9 are located in District 1.
2. District 2. This district shall be an Industrial Tax Increment Finance District. Lots 10, 11, 12, 13, 14, 15, 16, and 17 are located in District 2.
3. Change of District. Pursuant to an agreement between the City of Kalispell and the Declarant, the Declarant may transfer Lots from District 1 to District 2 and vice versa.

4. Lot 1. Lot 1 is not included in either District 1 or District 2.

ARTICLE VI SITE PLANNING GUIDELINES

These site planning guidelines are established in order to ensure that all Improvements are of high quality and that the Project is developed in accord with the Old School Station Documents.

1. General Site Planning Guidelines.

- a. Facility entrance drives shall be readily observable to the first-time visitor.
- b. Passive solar-design orientation shall be encouraged.
- c. Conflict between service vehicles, private motor vehicles, and pedestrians within the Lot shall be minimized.
- d. Visitor entrances at all Buildings shall be easily accessible and readily identifiable by the first-time visitor.
- e. Delivery, loading, and service areas shall be easily accessible and readily identifiable to the first-time visitor.
- f. Building entrances should be emphasized with features such as ceremonial entryways, plazas, planters, plantings, or architectural walls.
- g. Architecture shall be evaluated based upon its compatibility and relationship with all components of Old School Station.

2. Buildings.

- a. The maximum building coverage by all Buildings located upon a Lot, including accessory Buildings but not parking structures or surface parking, shall not exceed 50% of the gross Lot area.
- b. *Building Height.*
 - i. Where a Lot has frontage on two or more streets or other public rights-of-way, height limitations shall be measured from the street level, at the point having the highest elevation above sea level.
 - ii. Chimneys, flues, towers, spires, cupolas, domes, pole masts, and antennas shall be exempt from height limitations, provided their location is not in violation of current planning and building codes.
 - iii. The maximum height of any Building shall be 45 feet. The Committee has the discretion of making exceptions to this restriction in the case of Buildings located in Design Guideline District 1. However, no exceptions shall be made for Buildings constructed in Design Guideline District 2.

3. Setbacks.

a. *Front Yards.* Front yard setbacks shall be as set forth in the Kalispell building and zoning codes, or if more restrictive, as set forth below:

- i. In the case of corner lots, front yard setbacks shall be required on both street frontages. One yard other than the front yard shall be deemed a rear yard, and the other(s) shall be deemed (a) side yard(s).
- ii. Where a Lot other than a corner Lot has frontage on two streets or public rights-of-way, front yard setbacks shall be required on both street frontages.
- iii. Fences located within the front yard setback or otherwise located along a street shall be exempt from setback requirements as long as the following conditions are true:
 - (1) The fences are not located in the Clear Sight Triangle, which is defined as a triangle-shaped portion of land at any street intersection, including access drives. The location of the Clear Sight Triangle is determined by taking specified minimum measured distances specified herein for an access drive intersecting a street and for a street intersecting another street. These measured distances shall form the three points of said Clear Sight Triangle.
 - (2) The fences are located, constructed, and maintained so as not to obscure or impair the visibility of an operator of a motor vehicle exiting the property.
 - (3) The fences are see-through type fencing constructed of post and rail, picket, or other similar fencing materials.
- iv. Items exceeding 30 inches in height above curb level, measured from street level nearest the proposed construction, are prohibited from being erected or maintained in the Clear Sight Triangle as they are deemed an obstruction to the vision of the operator of a motor vehicle. The remaining front yard setback area shall be fully landscaped in accord with the Old School Station Documents.

b. *Side and Rear Yard Setbacks.*

- i. Except as otherwise provided herein, the minimum setback for a principal Building shall be 15 feet from a side or rear property line.
- ii. Cornices, canopies, eaves, or other architectural features may project into side or rear yard setbacks no more than two inches per one foot of side or rear yard, but in no case shall the projection thereof exceed a total of three feet.
- iii. Bay windows, balconies, fireplaces, uncovered stairways and necessary landings, and chimneys may project no more than three feet into a side or rear yard setback.
- iv. Fences are exempt from side and rear yard setback requirements.

- v. A Building which is accessory to the principal Building on any Lot may be located no closer than 10 feet to any side or rear property line.

4. Sidewalks. Each Lot shall have on-site pedestrian circulation systems to meet the circulation needs of the on-site users. Such systems shall provide a safe, all-weather, efficient, and aesthetically pleasing means of on-site movement and should be an integrated part of the overall architectural site design concept. Where usage dictates, connections should be made between the circulation system on the Lot and those of perimeter and/or adjacent Lots or properties.

5. Refuse Collection Areas.

- a. All outdoor refuse collection areas shall be completely enclosed and screened by a constructed wall of durable, non-combustible material with finishes of colors which are unified and harmonious with the overall architectural design concept of Old School Station. Said walls shall be not less than six feet in height such that receptacles kept therein are not visible from adjacent Lots, neighboring properties, and streets.
- b. All outdoor refuse collection areas shall have concrete floors and shall be sufficient in size to contain all refuse generated on the Lot and deposited in the interim period between collection times. In any case, however, the minimum size of said area shall be 48 square feet.
- c. Outdoor refuse collection areas shall not be located between the street and the front of the principal Building on any Lot.
- d. All outdoor refuse collection areas shall be located on a Lot so as to be easily accessible.

6. Screening.

- a. *Exterior Mechanical Equipment.*
 - i. In the case of roof-mounted mechanical equipment, Building parapets should be of such a height that roof-mounted screening devices are unnecessary. However, if the parapets fail to provide the required screening, the said screening devices shall at a minimum be the height of the mechanical equipment and shall appear as integrated components of the overall architectural design concept, including being constructed of durable materials and finishes and with complimentary colors.
 - ii. Any devices employed to screen exterior components of plumbing, processing, heating, cooling, ventilating, or other systems from direct view shall also appear as an integrated component of the overall architectural design concept, including being constructed of durable materials and finishes and with complimentary colors.
 - iii. Exterior components of plumbing, processing, heating, cooling,

ventilating, or other systems shall not be mounted to any Building wall unless such components are integrated features of the overall architectural design concept.

b. *Exterior Electrical Equipment and Transformers.*

- i. When interior mounting of electrical equipment is not practical, it shall be mounted in an exterior location where it is substantially screened from view. In no case shall said equipment be mounted on the side of the Building with street frontage or on a side the Committee deems a primary exposure side of the Building.
- ii. Visibility of exterior-mounted electrical equipment and conduits shall be kept to a minimum. Such equipment and conduits shall be installed in a neat and orderly fashion and painted to blend with their mounting backgrounds. All satellite or other types of antennae also shall be screened, regardless of whether they are mounted on the ground or on the roof, with either an architectural screening device or landscaping, as is applicable.
- iii. Transformers which are or may be visible from a location the Committee deems a primary visual exposure area shall be screened with either plantings or a durable, noncombustible enclosure.
- iv. Transformer enclosures shall be designed of durable materials and finishes and with colors complimentary to the overall architectural design concept.

7. Fences and Walls.

- a. Fences and walls between Buildings and street frontage are discouraged. When they are placed in such locations, they shall not exceed three feet in height when they are located within 30 feet of edge of the nearest street.
- b. Fences and walls shall not exceed eight feet in height unless approved by the Committee.
- c. Fences and walls shall be designed as integrated components of the overall architectural design concept of the Lot and Old School Station. The materials used shall be durable and finished in durable textures and with colors complimentary to the overall architectural design concept.

8. Storage and Service Areas.

- a. Materials, supplies, and equipment, including trucks or other motor vehicles, shall not be stored upon a Lot except inside a closed Building or behind a durable material wall or landscaping, either of which shall be a minimum of six feet in height. In any case, the items shall be screened so as not to be visible from other Lots, properties, or streets.
- b. Outdoor storage areas shall be located towards the rear of all Lots unless

otherwise approved by the Committee.

ARTICLE VII ARCHITECTURAL STANDARDS

The following architectural standards are established in order to create an environment which lends itself to integration into the surrounding agricultural community. The architectural character of the Buildings should convey a sense of serenity, should not vie for attention from the adjacent Buildings, and should create a showplace atmosphere.

1. General. To ensure the overall high quality of Old School Station, the Committee shall encourage imaginative and tasteful design. Buildings, signs, roof forms, or themes which are deemed radical, i.e., they draw unnecessary attention from the public thoroughfares, are unacceptable and shall not be approved. The Committee shall encourage architectural themes which are compatible with the surrounding agricultural community.

2. Buildings.
 - a. *Size.* The minimum Building size shall be 5,000 square feet on the main level.

 - b. *Exterior Building Walls.*
 - i. One dominant material shall be selected and shall be expressed with its own natural integrity.
 - ii. Materials conveying a sense of permanence, substance, timelessness, and conservatism are required.
 - iii. Materials which are low-maintenance shall be a major consideration.
 - iv. Buildings on Lots with street frontage on Old School Loop shall have no metal siding, except for architectural features. Elsewhere, metal siding shall be permitted on a maximum of 50% of the street frontage side of a Building. Metal siding shall be permitted in any amount on the non-street frontage sides of a Building.
 - v. Drainage pipes placed on the front of any Building shall not be exposed.

 - c. *Roofs.*
 - i. Architectural metal roofs, including standing seam roofs, are permitted.
 - ii. Low-profile roof materials generally will not be restricted.
 - iii. In instances where flat roof areas can be viewed from above, tall roof vents, roof-mounted mechanical equipment, pipes, and other items located upon the roof shall be grouped together when possible, and in all instances, shall be painted the same color as the roof to reduce their visibility.
 - iv. All roof-mounted mechanical equipment shall be screened in accord with

Article VI, Section 6 of these Design Guidelines.

- v. In determining the acceptability of the design of a proposed roof, the Committee shall consider the view thereof from adjacent Lots, properties, and streets.

d. *Color and Texture.*

- i. Simple and uniform texture patterns which create shadow patterns shall be encouraged.
- ii. Variations in color shall be kept to a minimum.
- iii. Colors shall be of a subdued tone.
- iv. Accent colors may be used to express corporate identity.

ARTICLE VIII EXTERIOR LIGHTING STANDARDS

1. General. The objectives of these exterior lighting standards are as follows:
 - a. To contribute to the safe and efficient use of the Lot;
 - b. To contribute to the security of the Lot and Old School Station;
 - c. To compliment and reinforce the character of the overall architectural design concept;
 - d. To keep each Lot's parking lighting fixtures and illumination levels consistent throughout Old School Station;
 - e. To prevent casting lighting glare on adjacent Lots; and
 - f. To prevent casting lighting glare onto adjacent streets in such a manner as to decrease the safety of vehicular movement.
2. All lighting potentially visible from an adjacent street, except bollard lighting less than 42 inches high, shall be indirect or shall incorporate a full cut-off shield-type fixture.
3. Lighting fixtures for parking areas, access drives, and internal vehicular circulation areas shall be a zero cut-off. The parking lot illumination level shall achieve a level of uniformity ratio of 3:1 average to minimum with a maintained average of one footcandle and a minimum of 0.3 footcandle.
4. Service area lighting shall be contained within service yard boundaries and enclosure walls. No light spillover should occur outside the service area.
5. Building illumination and architectural lighting shall be indirect in character, i.e., no light source shall be visible. Indirect wall lighting, or "wall-washing," and overhead down-lighting should articulate and animate the particular Building's design as well as provide the required functional lighting for safety and clarity of pedestrian movement.

6. Pedestrian lighting is divided into two types based upon pedestrian use.
 - a. *Primary Areas.*
 - i. These include outdoor pedestrian use areas such as a courtyard or entryway.
 - ii. Lighting in pedestrian use areas should achieve a uniformity ratio of 3.5:1 (average to minimum), with an average illumination of 0.60 footcandle and a minimum of 0.18 footcandle.
 - b. *Secondary Areas.*
 - i. These include sidewalks and walkways where point-to-point lighting is acceptable.
 - ii. No specific illumination levels are required. The main emphasis in this area should be to clearly identify the pedestrian walkway and direction of travel.

**ARTICLE IX
FENCING, SCREENING AND BUFFER ZONE STANDARDS**

1. General Standards.
 - a. Screening shall be continuous and in place at the time of occupancy. If motor vehicle or pedestrian access through screening is necessary, the screening shall be preserved.
 - b. Screening shall be architectural or vegetative.
 - i. Acceptable architectural screening materials include stockade fences, masonry walls, brick walls, earth berms, and other devices the Committee approves.
 - ii. Architectural screening shall be a minimum of four feet in height, shall be supplemented by plantings, and shall be subject to the Clear Sight Triangle requirements as set forth in Article VI, Section 3 and Article X, Section 5 of these Design Guidelines.
 - iii. Vegetative materials shall be maintained and kept in good health. Evergreen vegetation shall be a minimum of four feet in height when planted and shall grow to at least six feet in height.
 - iv. Deciduous trees shall be supplemental screening and therefore inadequate screening by themselves.
 - v. Vegetative screening shall be of sufficient density and diversity to achieve the intent of this Article. However, at the time of planting, the spacing of trees shall not exceed 50 inches on center, and the planting pattern shall be

staggered. Shrubbery shall be more closely spaced. The Committee may allow specific exceptions to the requirement of this Subsection (v) where innovative landscaping is implemented, quality is not impaired, and the intent of this Article is otherwise met.

- vi. Existing vegetation in buffer zones shall be considered a substitute for screening and landscaping otherwise required if the Committee determines the type, size, and density of the existing vegetation complies with the standards and intent of this Article.
- vii. When a proposed buffer zone has a variation in elevation of greater than 10 vertical feet at any one point, the required screening and landscaping within the buffer zone shall be placed in such a way as the Committee determines will maximize the effectiveness of said screening and landscaping.
- viii. In accord with Section 6.3.1 of the Declaration, the Committee may allow exceptions and modifications of the standards set forth in this Article IX if it determines any of the following circumstances exists on any Lot or surrounding property:
 - (1) Natural land characteristics such as topography or existing vegetation would achieve the same intent of this Article.
 - (2) Innovative landscaping or architectural design is employed on the Lot to achieve an equivalent screening or buffering effect.
 - (3) The required screening and landscaping would be ineffective at maturity of the plantings due to topography of the Lot and/or the surrounding Lots or properties, or due to the location of the Improvements on the Lot.

2. Fencing and Screening Standards.

- a. Screening shall be provided within a buffer zone to ease transition of one land use or activity to another.
- b. All items being stored, maintained, repaired, processed, erected, fabricated, dismantled, or salvaged shall be fenced or screened in accord with Article VI, Section 8, as well as any other applicable provisions in these Design Guidelines, such that said items are not visible from surrounding Lots, properties, and streets.
- c. Refuse storage and loading areas shall be fenced or screened in accord with Article VI, Section 5, as well as any other applicable provisions in these Design Guidelines, such that said items are not visible from surrounding Lots, properties, and streets.
- d. Roof-mounted and ground-mounted mechanical equipment shall be fenced or screened in accord with Article VI, Section 6, as well as any other applicable provisions in these Design Guidelines, such that said items are not visible from surrounding Lots, properties, and streets.
- e. All refuse dumpsters or containers used for recycling shall be screened on three sides with architectural screening supplemented by plantings. Screening shall be

based upon standards set forth in these Design Guidelines and shall be reviewed for approval by the Committee. Four feet tall architectural screening is acceptable when household-style trash containers are used in the place of dumpsters.

- f. When design and building plans and specifications are submitted to the Committee for the purpose of revision, replacement, repair, alteration, addition, or change in use of an existing Improvement, screening requirements shall be imposed only upon those portions of the Lot the Committee determines are affected by the proposed revision, replacement, repair, alteration, addition, or change in use.
- g. Off-street parking, provided it is not located within 10 feet of any side or rear lot line, shall be screened from any residential or institutional zoned use.
- h. Owners shall permanently maintain screen plantings and shall replace any plant material which dies at the earliest possible time within a planting season but in no event more than a year after said material dies.
- i. Screen plantings shall be placed such that at maturity, said plantings shall be no closer than three feet to any street or property line.
- j. A Clear Sight Triangle, as determined pursuant to Article VI, Section 3 of these Design Guidelines, shall be maintained at all street intersections and at all points where access drives on any Lot intersect with any public street or right-of-way.
- k. Where screen plantings are required, they shall be broken only at points of vehicular or pedestrian ingress and egress.

2. Buffer Zone Standards.

- a. The buffer zone shall be measured from the property line.
- b. Where a Lot shares a property line with a property zoned for recreational use, a minimum buffer zone of 40 feet in width shall be provided along the common property line .
- c. Owners shall maintain buffer zones and keep them clean of debris, rubbish, and any other thing deemed unsightly by the Committee, the Association, or the Board of Directors.
- d. No Building or Improvement, except an access drive or other Improvements otherwise permitted by the Committee, shall be permitted in a buffer zone.
- e. At a minimum, the Owner shall plant and maintain the exterior half of the buffer zone with grass, ground cover, massed evergreens, and such deciduous trees and shrubs of such species and size as will produce, within two growing seasons, a screen of at least five feet in height and of such density as will obscure, throughout the full course of the year, all of the glare of motor vehicle headlights emitting from Old School Station.
- f. Massed evergreens used in screening buffer zones shall be at least four feet in height when planted and shall produce a complete visual screen year round.

ARTICLE X LANDSCAPE STANDARDS

The intent of these guidelines is to provide design criteria which will fulfill aesthetic considerations and help ensure the image of Old School Station is distinctive and unified with the surrounding properties. Landscape character is created by architectural elements, streets, and Lot features such as walkways, signs, lighting, plant materials, and berms. In order to unify the Lots and their architecture, the design element of landscaping shall be used to create a serene and park-like feeling in Old School Station.

1. General. Landscaping plans shall contain all of the following information unless specifically waived by the Committee:

- a. The location and dimensions of all existing and proposed Buildings, property lines, easements, parking lots and drives, streets, rights-of-way, sidewalks, bicycle paths, ground signs, refuse collection and recycling areas, fences, freestanding electrical equipment, recreational equipment, and any other freestanding structures;
- b. The location, quantity, size, and name, both botanical and common, of all proposed plants;
- c. The location, quantity, size, and name of all existing plants; indication of the plants to be retained and the plants to be removed;
- d. The location of existing buildings, structures, and plants on adjacent Lots and properties within 20 feet of the Lot;
- e. Existing and proposed grading indicating contours at two feet intervals; proposed berm grading indicating contours at one foot intervals;
- f. Elevations of all existing and proposed fences and walls;
- g. Calculation of the total area and percentage of the Lot landscape area.
- h. During any construction work on a Lot, the Owner shall erect protective barriers around all trees to be preserved, ensuring thereby that trunks, branches, and root structures are not damaged by construction equipment.
- i. Placement or use of exterior sculpture, fountains, flags, and like accessories shall be submitted to the Committee for review and approval prior to placement.
- j. Artificial vegetation shall be prohibited unless approved by the Committee.

2. Required Landscaping.

- a. A minimum of 15% of the area within the Lot lines shall be devoted to landscape materials. Each Lot shall contain a minimum 10 feet wide landscaped strip around the side and rear perimeter thereof, except for approved access points and crossings. A minimum 10 feet wide landscaped strip shall be located along dedicated rights-of-way.
- b. Landscaping shall be completed contemporaneously with the completion of any other Improvements on the Lot, but in no event more than 180 days after first

occupancy or completion of any Buildings, whichever occurs first.

3. Materials.

- a. All shrubs utilized on any Lot shall have a minimum height or spread of 18 inches. Plants in five gallon containers will generally comply with this standard.
- b. Trees may be deciduous or evergreen.
 - i. Deciduous trees at planting must be fully branched, have a minimum diameter of 1 3/4 inches measured at five feet above the ground, and have a minimum height of eight feet.
 - ii. Evergreens must be fully branched at planting and have a minimum height of six feet; evergreens should be incorporated into a Lot where screening and buffering are required.
- c. Plants shall be placed intermittently along long expanses of Building walls, fences, and other barriers in order to create a softening effect.
- d. Planting beds shall be mulched with bark chips, decorative stone, or other similar materials.
- e. Domestic turf grasses shall be used in areas with less than a 50% slope in order to prevent water runoff.
- f. Owners shall select hearty and drought-resistant landscape materials.
- g. A list of available plant options are attached herewith as Exhibit A.

4. Installation and Maintenance.

- a. Plant materials shall be installed to current nursery industry standards. They shall be properly supported with devices such as guy wires or stakes, which shall not interfere with vehicular or pedestrian movement. Support devices shall be removed as soon as the plant can support itself.
- b. Maintenance of landscaping is the ongoing responsibility of the Owner, who shall maintain all plants, other landscape materials, fences, walls, hedges, and other landscaping features, including any irrigation systems approved by the Committee, in healthy and/or good and neat condition or repair.

5. Visual Obstruction. Nothing shall be planted or allowed to grow in the Clear Sight Triangle which would limit or obstruct the sight distance of motor vehicle operators entering or leaving a street or intersection.

**ARTICLE XI
PARKING AND LOADING STANDARDS**

All design and building plans and specifications shall include specific information as to construction materials, construction methods, diagrams of number, type, and configuration of parking and loading spaces, and any other information as the Committee deems necessary to show conformity with the municipal regulations and standards described in this Article.

1. General Parking Standards.

- a. Adequate off-street parking shall be provided to accommodate all parking needs for the Lot such that the need for on-street parking is eliminated.
- b. Where it conclusively can be demonstrated that one or more of the uses of a Lot or Lots making use of a joint parking facility generates a demand for parking spaces primarily during periods when the other use or uses of the Lot or other Lot making use of the joint parking facility is not in operation, the Committee may reduce the total number of required parking spaces to the number required for the use with the greater requirement.
- c. Off-street parking shall not be located closer than 10 feet to a principal Building or to a side or rear Lot line. All off-street parking spaces, aisles, and access drives shall be clearly marked with white traffic paint clearly delineating the spaces and indicating the direction of traffic flow.
- d. Where lighting is provided for off-street parking, it shall be directed and shaded so as not to spill onto adjacent properties or Lots.
- e. All open parking areas shall be surfaced with asphalt or concrete or other similar durable and dustless surface. Said parking area shall be graded so as to dispose of all surface water.
- f. Recreational vehicles shall not be parked on any Lot and used for residential or business purposes.
- g. The Committee shall encourage pedestrian walkways through parking and loading areas in order to provide a physical separation of motor vehicle and pedestrian use areas.

2. Off-Site and Off-Street Parking Facilities.

- a. All permitted and required off-street parking spaces, open or enclosed, shall be located on the same Lot as the use for which the spaces are provided.
- b. Off-street parking, whether open or enclosed, may be located in any required yard unless such yard is otherwise required for screening, landscaping, or as a buffer zone, or if use of the yard as a parking area is prohibited by municipal regulations.
- c. All parking spaces shall be located so that maneuvering or backing into a public street is not required for ingress or egress to or from such spaces.

3. Required Number of Parking Spaces.

- a. In computing the number of off-street parking spaces required, the City of Kalispell zoning ordinances and regulations shall apply.
- b. Gross floor area shall include walls, restrooms, mechanical rooms, stairwells, elevators, and other similar areas.
- c. Where a calculation for the number of required parking spaces results in a fractional space, the number required shall be construed to be the next higher whole number.
- d. If a particular use is not listed herein, such use shall be provided with off-street parking spaces as required for a listed use of a similar nature; whether the use is of a similar nature shall be determined by the Committee.
- e. Whenever a Building or use is changed or enlarged in floor area, or whenever modified so as to increase the number of employees, the seating capacity, or some other component thereby creating a need for additional off-street parking, the number of such additional spaces shall be calculated on the basis of the enlargement or change.
- f. In the event that there is more than one use which requires off-street parking spaces and which is conducted on the same premises, the total off-street parking requirement shall be the sum of that required for each of the individual uses, except as otherwise provided in the case of approved joint parking facilities.
- g. Whenever commercial motor vehicles, other motor vehicles, or special equipment are required to be parked on a Lot in connection with a use, required off-street parking spaces shall be provided in addition to the space requirements to park such vehicles or equipment.

4. Screening and Landscaping for Parking Areas.

- a. The visual impact of large parking areas shall be minimized with the use of landscaping.
- b. Open parking areas shall have a minimum of 10% of the total open parking area devoted to landscaping within the interior of said area. This landscaping shall meet these minimum standards:
 - i. A minimum of one 1 3/4 inch caliper tree for every five parking spaces shall be planted.
 - ii. Trees shall be placed in the immediate vicinity of the parking stalls; credit shall not be given for perimeter-degree tree plantings; trees may be clustered.
 - iii. Tree wells and planter areas within paved areas shall provide a minimum of three feet of clear planting area.
 - iv. Instead of wheel stops, curbs should be used around tree wells and planting areas.
 - v. The Committee shall encourage the use of a single tree species throughout

- the parking area.
- vi. Off-street parking areas for more than five motor vehicles shall be screened on each side facing a residential zoning district.
- vii. Perimeter landscape strips shall be continuous and unbroken except for access drives and sidewalks.

5. Off-Street Loading Areas. Buildings used for commercial, manufacturing, or service industries, storage or warehouse facilities, or any other enterprises involving the distribution of materials or merchandise by motor vehicle shall provide and maintain off-street loading spaces.

a. *Loading Spaces.*

- i. Off-street loading spaces, open or enclosed, shall be paved, at least 12 feet wide and 33 feet long, and shall have a minimum of a 14 feet high minimum vertical clearance.
- ii. Off-street loading spaces shall have a minimum of a 10 feet wide unobstructed access from a street; such access may be provided in combination with access to a parking lot.
- iii. All permitted or required loading spaces shall be on the same Lot as the use for which they are provided.
- iv. Entrances and exits for off-street loading areas shall be located more than 15 feet from any intersection.
- v. Off-street loading areas shall not be located in any front yard, nor shall they be located within 10 feet of any side or rear yard which adjoins a residential zoning district.
- vi. Truck loading areas should be positioned along the rear Lot line or between industrial buildings which have been placed back-to-back. In both instances, the areas should be screened from the other Lots of Old School Station and adjoining properties and streets. Screening may consist of hedges, tree rows, fences, berms, grade changes, backs of buildings, etc. Adequate truck maneuvering area shall be provided so that all maneuvers take place within the Lot.

- b. *Curb Cuts and Access Drives.* To reduce traffic congestion, the Committee shall encourage the sharing of curb cuts. All access drives shall be no less than three feet from a Lot line or may be adjacent to the Lot line if a common access drive is provided for adjoining Lots. Unobstructed access to and from a street shall be provided, and such access shall consist of at least one 12 feet wide lane for parking areas with less than 20 spaces and of at least two 10 feet wide lanes for parking areas with 20 or more spaces. Entrances and exits for off-street parking areas shall not be located within 15 feet of the intersection of the centerlines of adjacent streets. Access drives shall have curb and gutter except in the rear of Buildings and in such other instances as the Committee permits.

ARTICLE XII SIGN STANDARDS

Graphics and signs are used to communicate information and control motor vehicle traffic. The primary goal, therefore, is to develop a design which is both a functional and a unifying and attractive element with regard to the Lot and Old School Station.

11. Submission for Committee Review. All proposed exterior signs shall be submitted to the Committee for review and approval. Owners shall submit drawings showing the size and placement of the proposed signs, the materials to be used, the colors, and other preliminary details of sign design development and construction.

12. General Sign Standards.
 - a. The maximum area of any sign located anywhere upon a Lot or Building shall be 48 square feet.

 - b. Where there exist or are proposed two points of ingress and egress to any Lot, a sign shall be placed at only one point thereof unless the points are separated by more than 300 feet. The sign(s) placed at these points shall not exceed four square feet in area.

 - c. Off-street parking area signs shall be permitted to be placed to identify the parking area, its use, or the conditions of its use. However, if the parking area is located upon a corner Lot, one such sign facing each street frontage shall be permitted.

 - d. The number of traffic control, instructional, and parking control signs permitted upon a Lot shall be limited to the minimum number required; furthermore, said signs shall not be obstructive and shall be consistent in format, lettering, and coloring.

 - e. Signs, including billboards and other outdoor advertising media, shall relate only to those businesses, services, industries, goods, services, or activities occurring on or associated with the Lot upon which the signs are located.

 - f. Signs advertising the availability for sale or lease of the Lot upon which the signs are located are permitted.
 1. The area of such signs shall not exceed 10 square feet.
 2. Owners shall be permitted to place a maximum of two such signs upon any street frontage upon which the Lot available for sale or lease fronts.
 3. Such signs shall be removed within 30 days of the final sale or the lease of the Lot.

- g. Off-site signs advertising the location and/or direction of Lots available for development or in the process of development and the Owner's or Owner's representative's name and contact information shall not exceed six square feet.
- h. Except as otherwise provided herein, Owners shall place or have placed no more than one sign per 500 feet of a Lot's street frontage.
- i. A painter, artisan, or other like contractor temporarily performing work upon a Lot shall be permitted to place upon the Lot upon which such person is performing work one sign advertising the person's names/business name and contact information. Such signs shall have an area of no more than 12 square feet, and these signs shall be removed promptly upon that person's having completed the work performed upon the Lot where the sign was placed.
- j. All signs shall be removed within 30 days after the circumstances leading to their placement no longer apply to the Lot.
- k. Signs shall not be placed in such a manner as to obstruct the view of oncoming traffic approaching from the access drives or the intersecting roads. Signs having open spaces or which are elevated, thereby allowing safe and unobstructed sight distances, shall be permitted in Old School Station provided that the Owner can demonstrate that the unobstructed sight distances are assured.

13. Prohibited Signs.

The following types of signs are prohibited:

- a. Commercial advertising signs, outdoor advertising structures, and billboards which advertise products or businesses not connected with the Buildings or the Lot upon which the signs are located;
- b. Roof-top signs or signs located or projecting into any street right-of-way;
- c. Flashing, rotating, or otherwise moving or animated signs; and
- d. Signs located within the Clear Sight Triangle unless such signs are elevated or open so as to not restrict visibility as provided in Section 2(k) of this Article.

14. Freestanding Ground Signs.

- a. Freestanding ground signs may be either single- or double-sided. For purposes of determining satisfaction of the maximum area requirements, the area of only one side of a double-sided sign shall be considered in the area calculation where the perpendicular distance between the two faces of the sign is three feet or less.
- b. A freestanding ground sign shall not be placed in or project into the Clear Sight Triangle, the established right-of-way of any street, or the side or rear yard setback

area unless the sign is elevated so as not to restrict visibility.

- c. Freestanding ground signs shall have a minimum setback of 20 feet from the nearest property line.
- d. Notwithstanding the other restrictions stated in these Design Guidelines, the maximum area of any freestanding ground sign shall be 48 square feet, and the maximum height shall be 20 feet.

15. Wall Signs.


- a. Wall signs are defined as any of the following:
 - i. A sign painted onto or attached parallel or directly to the surface of a Building wall;
 - ii. A sign projecting from the surface of a Building wall;
 - iii. A sign affixed flat against the sloping surface of a decorative mansard structure, but not a roof;
 - iv. A sign affixed to a Building's marquee, awning, or canopy; or
 - v. A painted window sign.
- b. Wall mounted signs shall not project more than 15 inches from the wall to which they are mounted, and neither shall they project above the eave line of the Building upon which they are mounted.
- c. Wall mounted signs shall not exceed 48 square feet.

16. Materials. All signs shall be constructed of durable, high quality materials.

17. Maintenance. Owners bear the sole responsibility of maintaining all signs permitted hereunder in a good state of repair.

18. Illumination. Signs may be internally or externally illuminated provided the illumination does not extend or otherwise project off of the Lot upon which the sign is located.

The undersigned members of the Board of Directors and Design Review Committee have executed these Design Guidelines this 4TH day of May, 2006.



Paul D. Wachholz, Director



Andrew Jackson Miller III, Director