

Solamere Rules on Building and Design

The Board of Trustees ("Board") of the Solamere Homeowners Association ("HOA") adopts these Rules on Building and Design ("Rules") in accordance with Section 9.01 of the HOA's Bylaws as part of the HOA's governing documents, **effective July 23, 2026.**

A. General Building and Design Provisions

A.1 These Rules will be administered by the Solamere Architectural Committee ("SAC") appointed by and subject to the oversight of the Board, along with any consultants or contractors it may employ. Capitalized terms used in these Rules have the meaning given them in the current Declaration of Protective Covenants ("CC&Rs"), including, without limitation:

- a. "Building" includes any building constructed on a Lot; and
- b. "Structure" includes any improvement to a Lot, including but not limited to Buildings, dwelling houses, garages, auxiliary buildings, sidewalks, decks, patios, swimming pools, hot tubs, ponds, water features, parking areas, driveways, curbs, fences, railings, stairs, walls, barriers, bridges, culverts, tennis courts, antennas, and flag poles.

A.2 These Rules apply to any work that establishes or alters the footprint or external appearance, from any direction, of a Structure or significantly alters the topography of a Lot. All such work must obtain prior written approval from the SAC in accordance with these Rules. In particular, and without limitation:

- a. Building sites for all Structures must be approved by the SAC in accordance with these Rules.
- b. No improvements of any kind, including but not limited to dwelling houses, swimming pools, hot tubs, ponds, parking areas, fences, railings, walls, tennis courts, garages, drives, bridges, antennas, flag poles, curbs and walks may be erected, altered or permitted to remain on any lands within the Subdivision, nor may any excavating, alteration of any stream, clearing, removal of trees or shrubs, or landscaping be done on any lands within Solamere, unless the complete plans and specifications therefore are approved in accordance with these Rules and the CC&Rs by the SAC before commencement of such work. Routine landscape maintenance and care does not require approval of the SAC.

A.3 The SAC will exercise its best judgment to see that improvements, construction, landscaping, and alterations on the lands within the Solamere Subdivision conform and harmonize with the natural surroundings and with existing Structures with relation to external design, materials, color, sitting, height, topography, grade, and finished grade elevation.

A.4 The SAC may grant variances that, in its judgment, do not detract from the character and intent of Solamere as set forth in the CC&Rs. By way of example, the SAC may permit variances to allow the use of new materials that, in its judgment, conform to the intent of these Rules and the CC&Rs. Furthermore, where circumstances, such as topography, hardship, location of property lines, location of streams, or other matters require, the SAC may allow reasonable variances as to any of the architectural covenants and restrictions contained in these Rules on such terms and conditions as it shall require. All variances must be requested in the initial application for approval by the SAC. The SAC shall also consider the effect of a requested variance on neighboring properties.

A.5 The SAC, the Board, and the HOA are not responsible for any design or construction defects.

B. Required Plans and Specifications

B.1 Complete architectural plans and specifications as described below for any work to which these Rules apply must be submitted to the SAC in order to obtain approval to proceed with the work. The plans and specifications must be submitted electronically. The plans and specifications submitted must be signed by (a) the owner or the owner's agent and (b) the architect or the contractor for the work. The SAC may adjust the extent and content of the Required Submittals depending on the nature of the work to be undertaken. A Site Plan will not ordinarily be required for renovations that do not alter the footprint of any Structures or the topography of the Lot.

B.2 The following plans and specifications ("Required Submittals") must be submitted in order to obtain approval for any work to which these Rules apply.

- a. **Site Plan:** The Site Plan must be prepared by a licensed engineer or surveyor. The Site Plan must show existing and finished elevation contours, roof plan, walks, driveways, fences, retaining walls, drainage, utility locations, significant trees and shrubs, any exterior lighting not attached to the Structure, decks, hot tubs, swimming pools, etc. at a minimum scale of 1" = 20'. It must also show all property lines, city and Solamere setbacks, and easements of record. The location of adjoining Lots and Structures must also be shown. The Site plan must show the locations of existing and proposed drainage systems, including culverts and headwalls; all utility lines; and utility meters, including their heights. A cross-section plan of the lot, including all improvements thereon, must be included.
- b. **Landscape Plan:** Landscape plans must show the location of all existing and proposed trees, shrubs, ground cover, flowers, grasses, and landscape elements at a minimum scale of 1" = 20 feet. A plant schedule listing all plant material by botanical and common name, the number to be used, their size, condition, and any special care necessary must be included.
- c. **Floor Plans:** Each room must be clearly labeled (kitchen, bedroom, etc.), as well as the elevation and square footage of each floor, and the total square footage. Equipment, including water heaters, kitchen appliances, wet bars, storage areas, garbage areas, and meter locations, must be shown on the floor plan.
- d. **Exterior Elevations:** A minimum of four different elevation views are required that show existing and finished grades, all exterior features, including the location of utility meters, the type of roofing materials, the location of subsurface and foundation drains, and the height of the roof above the highest grade adjoining the Structure.
- e. **Cross Sections:** Cross sections must be provided showing existing grade to roof elevation (height) throughout the Structure. Roof heights are to be measured to the existing grade, not the finished grade.
- f. **Architectural Drawings:** All required drawings and plans must clearly state: (a) the scale; (b) the orientation; (c) the subdivision and lot number; (d) the owner's name; (e) the architect's name and telephone number; and (f) the date.
- g. **Color Samples:** Exact samples of all exterior and roof colors must be submitted electronically, with a link to the manufacturer, and must specify the color, material, manufacturer, and location for each material and color to be used. Exterior color samples submitted electronically must match those noted in the exterior material schedule in the plans submitted for approval. 3D models are an example of appearance only; they are not recognized for color approval. The material schedule located in the plans will be referred to during construction.
- h. **Exterior Lighting:** Catalog sheets showing the fixture type and wattage must be submitted. Exterior Lighting must comply with the Park City Land Management Code Section 15-5-5J.

C. Design Criteria Provisions

C.1 All improvements on any Lot must conform to applicable codes adopted by Park City for residential buildings (Park City Building and Land Management Codes). A building permit from Park City must be obtained before construction can begin. The plans submitted to the city for a permit must be identical to the plans approved by the SAC.

C.2 All Structures must be specifically designed to fit the site rather than adjusting the site to fit the Structure.

C.3 Specific Site Design Criteria

- a. Setbacks: All Structures (other than driveways and walks that connect the home's entry to the driveway or street) on all Lots shall be set back at least 15 feet from the side Lot lines, 20 feet from the rear Lot line, and a minimum of 30 feet from the front Lot line. The "Front Lot Line" is defined to mean that Lot Line of a Lot abutting on a dedicated road. In the event a Lot abuts on more than one of such roads, the owner or owners of such Lot shall be required to set back a minimum of 25 feet from each dedicated road. Since the establishment of standard building setback lines for location of houses on Lots tends to force construction of houses both directly behind and directly to the side of other homes with possible detrimental effects on privacy, views, preservation of important trees, etc., permitted locations of houses can be staggered so that to a reasonably practical degree the view and privacy will be available from each house, taking into consideration views, height limitations, setbacks, the location of large trees and similar considerations. Permeable patios and walks (pavers, decorative gravel) may be allowed in the setback on a case-by-case basis by the SAC.
- b. Number and Location of Buildings: Except as permitted herein, no Structures may be placed, erected, altered, or permitted to remain on any Lot other than one single-family dwelling house and one garage. Each Lot must be improved with an enclosed garage capable of accommodating at least two cars. Additionally, the SAC may permit related non-residential Structures and improvements, such as work sheds having the same architectural and color treatment as the main house that are located within a reasonably compact area adjacent to the house and designed as a single visual element, connected, or related visually to the house by fencing or other architectural features.
- c. Erosion Control: Each owner of a Lot is required to ensure that no erosion or water drainage will occur on the owner's Lot that may adversely affect neighboring properties or roads.
- d. Grading: Excessive cutting or filling is not allowed when avoidable and will not be approved without adequate justification. Grading not related to building access or drainage is not allowed. All grading must give the appearance of natural contours. No disturbance of hillsides is permitted unless approved by the SAC. Retaining walls are limited to a maximum height of four (4) feet. If retaining walls need to exceed that height, they will require adequate justification for approval (please refer to C.2).
- e. Driveways and Parking: Steep driveways are allowed only when no other solution is practical. Adequate culverts must be provided where drives and walks cross ditches and drainage trenches. Every culvert must have concrete headwalls on both ends, with the curb flush with the finished driveway surface.
- f. Siting: Structures must be sited to minimize disruption of the view of or from adjoining property owners, may not straddle or penetrate a ridgeline when it can be avoided, and will not be approved without adequate justification.
- g. Trees: Unapproved removal of trees and vegetation is not permitted.

- h. Paved Areas: Paved areas must be kept to a practical minimum.

C.4 Specific Structure Design Criteria.

- a. Residential Structures must have a minimum of 2,000 square feet for a one-floor residence and 2,800 total square feet of living space for split entry and two-story residences, without including garages, balconies, porches, and patios.
- b. Siding Materials - No more than three exterior materials are allowed; large stucco facades are not permitted, although brick or stucco may be used if less than 25% of the external surface area on each side of the structure is covered. The SAC may, by variance, allow the use of brick or stucco on up to 50% of the external surface area per side of a Structure. Natural stone may be used, but manufactured stone or other masonry is not permitted. Construction materials used for external walls, chimneys, and flues must be natural wood or natural stone, or be covered with natural wood or natural stone. Aluminum siding, plywood, T-111 pressed board, steel siding, vinyl siding, or cinder block may not be used as an external finishing material. The SAC may approve the use of cementitious or other fire-resistant siding products if they are aesthetically pleasing, have a wood grain appearance, and are stained with cementitious siding stain in earth-tone colors according to the manufacturer's recommendations to replicate stained cedar. Painting of cementitious siding products is not approved. A stained sample of the siding to be used must be submitted to the Architectural Review Committee for final approval. An example of a satisfactory cementitious siding product is James Hardie's Cedarmill siding product. Siding materials are not allowed to be black.
- c. Log homes, split log homes, and prefabricated homes are not permitted.
- d. Exterior finish colors must be earth-tone hues relating to the surrounding area. All bright or brilliant colors are prohibited. White, light gray or light cream resembling white are not permitted colors. Any stucco surfaces that are allowed must be finished in an earth-tone color. All bare metal surfaces must be painted. Flashing or roof gutters or other metal fittings on the exterior of Structures must be painted with earth tone colors, including black. Siding materials are not allowed to be black.
- e. Windows & Doors to be steel, aluminum, fiberglass, or wood clad in earth-tone colors, including black. Bright colors are not permitted. No bare aluminum is permitted. Smokey or dark bronze-tinted glass is permitted, but mirror glass is not permitted. Tinted glass to mitigate light pollution is required for garage doors & windows. Obscure glass is allowed in bathrooms for privacy.
- f. Deck surfaces and trim materials may be constructed from wood or composite materials with a wood-grain surface. Deck surface material must be earth-tone colors. Black is not allowed.
- g. Guardrails may be constructed of wood, wood-like composites, metal, or glass. All guardrails must have a top rail and newel posts with a minimum dimension of 3" x 3". Balusters and cross components must be square, rectangular, or round. Decorative railings that include scrolls or twists are not permitted. Guardrail assemblies must be stained or painted in earth-tone colors, including black, with a matte finish. Glass barriers must be clear glass. Frosted or mirror glass is not permitted. Cable rail may be used. Wood-like composites must convincingly look like wood and be approved by the SAC.
- h. Weathering steel may be used for landscape retaining walls and accents.
- i. Architectural asphalt and slate shingles, and architectural metal or standing-seam metal roofing materials that blend in with the house's surroundings are permitted, but they must be of subdued or earth-tone colors, including black and non-industrial in appearance. Metal

roofs must have a matte finish. Bright colors are not permitted. Tar and gravel roofs are prohibited. Garage and outbuilding roofs must be designed to match the house roof, including the use of the same materials. Roof pitch must be at least 4 1/2:12 and not greater than 8:12, with the exception of standing seam metal roofs, which may have a minimum pitch of 3:12. Snow guards must be included in areas where snow sliding would be deemed as a possible hazard.

- j. The height of a Structure may not exceed 28 feet, or be less than 16 feet, measured as the vertical distance from the natural grade to a point midway between the lowest part of the eaves or cornice and the ridge of a hip or gable roof. The ridge of a gable, hip, or similarly pitched roof may extend up to five feet above the specified maximum height limit.
- k. Solar collectors, if used, must be integrated into the building or site design and constructed so as to minimize their visual impact. The SAC must approve the design and location of solar panels to be installed. The use of solar shingles is strongly recommended as an alternative to raised solar panels.
- l. Roof, surface, and subsurface drains may not be connected to sanitary sewers. Subsurface and roof drains should be directed to an adequate gravel sump, where soil permits, rather than permitted to drain onto open ground.
- m. Fake facades, imitations, Swiss or Tyrolean motifs, and gingerbread ornamentation is not permitted. Any detailing from "period" architecture is not permitted. The design and character of the ornamentation must be compatible with the surroundings and harmonious with the look of the neighborhood.
- n. All exterior lighting must be dark sky compliant and use full-cutoff fixtures to reduce glare, light trespass, and sky glow, in compliance with the Park City Land Management Code Section 15-5-5J.
- o. Signs or advertising devices, including, without limitation, commercial, political, informational, or directional signs or devices, may not be erected or maintained on any Lot except as permitted by this paragraph. All permitted signs must be non-illuminated and otherwise comply with applicable laws and regulations. Permitted signs are:
 - i. Political signs and flags no larger than three square feet may be displayed during the three months preceding an election and must be removed promptly after the election to which they pertain.
 - ii. A sign no larger than three square feet identifying the architect and a sign no larger than three square feet identifying the prime contractor may be displayed during construction, and a sign no larger than three square feet identifying the real estate company may be displayed during active marketing of a Lot.
 - iii. A security company sign no larger than one square foot in area and no higher than three feet may be displayed.
 - iv. The SAC may approve other signs, including: (a) signs necessary to identify ownership of the Lot and its address; (b) signs necessary to give directions; (c) signs necessary to advise of rules and regulations; (d) signs to caution or warn of danger; and (e) signs as may be required by law.
- p. House numbers must be displayed and of adequate size to be visible from the street.
- q. No used or previously erected or temporary Structure and no house trailer, mobile home, camper, or non-permanent outbuilding may be placed, erected, or allowed to remain on any Lot. The SAC may allow exceptions during construction.

- r. Fences are not permitted, except for split rail or turned log fences that are not higher than four (4) feet above the natural grade and do not extend wholly or partially in front of the residential Structure. A suitable wire, approved by the SAC, may be used in conjunction with and attached to the interior of the fence to contain animals. The wire may not extend above the midpoint of the top horizontal rail. Fences in place at the time of approval of these Rules are not affected by these criteria.
- s. Utility meters must be inconspicuous, screened from view, and may not face the street. Exposed piping must be painted to match the exterior colors of the house. Enclosures for gas meters and regulators must be vented in compliance with the Park City Building Codes.
- t. Trash enclosures must be located inside a garage or in an animal-proof (bears, raccoons, etc.) screened structure with a roof.
- u. Antennas may not interfere with the view of or from other homes, and satellite or microwave dishes cannot exceed 18" in diameter and must be installed in a location not visible from the street. Except as set forth herein, no towers or exposed radio, television, or other electronic antennas are permitted on a Lot.
- v. No dog runs are permitted.
- w. No above-ground pools are permitted.

D. Construction Rules.

- D.1 No construction to which these Rules apply can proceed unless the work has been approved by the SAC, and no such construction can proceed except in accordance with the plans and specifications approved by the SAC.
- D.2 Before any construction or excavation begins, and before any vegetation is disturbed on the site, the following steps must be completed, in addition to any requirements of Park City.
- a. The SAC must provide Park City with an approval letter as described in these Rules.
 - b. Corners of the building, building setback lines, driveway alignment, and parking spaces must be staked in accordance with the approved Site Plan and approved by the SAC during a site staking inspection.
 - c. All trees to be removed must be physically flagged and approved by the SAC during a site-staking inspection.
- D.3 Lot owners are responsible for any dirt spillage on roads and in ditches. No lugged vehicles are permitted on Solamere roads. Building sites and streets must be kept as clean as possible during construction. All trash containers and dumpsters must be maintained on the Lot in a manner which eliminates wind-blown trash.
- D.4 If paved roads, curbs, or gutters are cut during any work on a Lot, the road, gutter, or curb must be repaired to its original state promptly after the work is completed.
- D.5 Existing vegetation to remain after construction must be adequately protected during excavation and construction.
- D.6 Specific permission must be obtained from the SAC to erect or place any temporary facility on a Lot during construction. Portable or temporary toilet facilities must be maintained on the lot and screened from public view. All such temporary facilities must be removed promptly when construction is complete.

D.7 No garage or other Structure may be constructed on any Lot until after commencement of construction of the dwelling house on the same Lot, except as otherwise specifically permitted by the SAC.

D.8 There will be no outside construction on Sundays and federal holidays.

E. Review and Approval Rules.

E.1 Preliminary Approval: Persons who anticipate constructing improvements of lands within the Subdivision, whether they already own lands or are contemplating the purchase of such lands, may seek Preliminary Guidance on those improvements by submitting preliminary sketches of such improvements to the SAC for informal and preliminary comment. All preliminary sketches shall be submitted in the manner described for Required Submittals and must include at least a proposed site plan together with sufficient general information on all aspects that will be required to be in the Required Submittals to allow the SAC to act intelligently to give an informed and preliminary approval or disapproval. The SAC is not bound by any preliminary or informal approval or disapproval.

E.2 Final Approval: In order to obtain final approval to proceed with any work to which these Rules apply, the person desiring to have the work done must provide the Required Submittals to the SAC and pay any fees required by these Rules.

- a. The SAC will have thirty (30) days from the later of (i) the date by which the required fee has been paid and (ii) the Required Submittals have been provided to the SAC ("Acceptance Date") to approve or disapprove the work or seek further clarification, information, or modifications about or to the proposed work. In the event that the SAC fails to take any action within 30 days of the Acceptance Date, all such submitted plans are deemed approved.
- b. The SAC may disapprove of any proposed work that does not comply with Park City Ordinances, State law, these Rules, or the CC&Rs, or if, in the SAC's sole discretion, the Required Submittals are not sufficient for it to exercise the judgment required of it by these Rules or the CC&Rs.
- c. If the SAC approves the proposed work, it will issue a letter of approval to the Lot owner to be submitted with the plans for approval by the Park City Building Department. The approval letter will include a complete list of approved plans, along with their latest revision dates.
- d. All construction must be accomplished in accordance with the approved plans and specifications, and no changes to the approved plans and specifications may be made without resubmitting the changes to the SAC and obtaining approval of the modified plans from the SAC.
- e. SAC approval is only valid for six (6) months from the date of approval. If construction has not commenced within six (6) months of the approval date, all plans must be resubmitted to the SAC. All resubmittals will be treated as original applications and shall require payment of all fees and be subject to the same review period as set forth above.
- f. All work subject to these Rules must proceed diligently and must be entirely completed and granted a certificate of occupancy from Park City, if applicable, within eighteen (18) months after commencement of construction.
- g. SAC approval is automatically revoked if all improvements have not been completed in accordance with the approved plans and specifications within twenty-four (24) months after the SAC letter of approval is issued. In the event the approval is revoked, the Association may require the owner to restore the property to its original condition and remove all improvements. If delays are encountered that will extend the completion time beyond twenty-

four (24) months, an extension of time from the SAC must be obtained. The request must be made in writing.

- h. The SAC will use its best efforts to keep and safeguard reasonable written or electronic records of all applications for approval submitted to it (including one set of all preliminary sketches and all architectural plans so submitted) and of all actions of approval or disapproval and all other actions taken by it under the provisions of this instrument for a period of at least five (5) years.
- i. If the SAC disapproves of any plans or specifications: (a) the SAC shall provide the applicant with a written denial notice that specifies the basis for the decision and details the portion(s) of the plan that fails to conform with the corresponding rule; and (b) the person submitting such plans or specifications may appeal the matter at the next scheduled meeting of the Board, and must provide a detailed response to the SAC denial notice describing and responding to the specific failures. No member of the Board is disqualified from voting on the appeal as a result of his or her membership in the SAC. Findings on an appeal to the Board shall be considered the final decision.

F. Fees and Enforcement

- F.1 Fees are required to be paid to the HOA for work to which these Rules apply to cover the actual costs and expenses of review by the SAC and its consultant. See Exhibit A: The Solamere Association Fees and Fine Schedule.
- F.2 The obligations, provisions, covenants, restrictions, and conditions contained in the CC&Rs, including any amendments or supplements thereto, and in these Rules are enforceable by the HOA or by any owner of a Lot subject to the CC&Rs or these Rules by a proceeding for a prohibitive or mandatory injunction and all other available remedies in law or equity. The obligations, provisions, covenants, restrictions, and conditions contained in the CC&Rs and these Rules with respect to a person or entity or property of a person or entity other than the HOA are enforceable by the HOA by a proceeding for a prohibitive or mandatory injunction and all other available remedies in law or equity. If court proceedings are instituted in connection with the rights of enforcement and remedies provided in the CC&Rs or these Rules, the prevailing party shall be entitled to recover its costs and expenses and damages in connection therewith, including reasonable attorneys' fees.
- F.3 Pursuant to the Association's governing documents and applicable provisions of the Utah Community Association Act, the Association may impose reasonable fees for the review of architectural applications. The Association retains, at its discretion, a qualified architectural consultant to assist in the review and evaluation of proposed improvements, modifications, and other submissions requiring approval. All costs associated with such review, including consultant fees, may be assessed to the applicant in accordance with the fee schedule adopted by the Association. The Board will approve the architectural plan review fee structure after a review and recommendation by the SAC. The fee structure shall be updated as necessary, and at the Board's sole discretion. Any revisions shall be duly adopted by the Committee and incorporated into the Association's Schedule of Assessments, Fees, and Fines. Notice of any changes shall be provided to Owners in accordance with the Association's governing documents and applicable law. All fees shall be reasonable, uniformly applied, and consistent with the Association's authority under its governing documents and Utah law.