

DEVELOPMENT GUIDELINES FOR  
MOUNTAIN VISTA BUSINESS CENTER

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UTAH COUNTY RECORDER  
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RECORDED FOR PROVID CITY CORPORATION

INTRODUCTION

THESE DEVELOPMENT GUIDELINES are cited in the Master Declaration of Covenants, Conditions and Restrictions (the "Master Declaration") of the Mountain Vista Business Center ("Mountain Vista") and are made effective and recorded pursuant to, and by authority of, the Master Declaration. The purpose of the guidelines is to inform the owners of the standards and procedures which will be applied in approving or disapproving proposed improvements.

These DEVELOPMENT GUIDELINES do not supersede, but rather supplement the Master Declaration and any Supplemental Declaration filed with respect to a particular plat within Mountain Vista Business Center, and the specific requirements and parameters included therein shall apply. In the event there are inconsistent terms between these Development Guidelines and the Master Declaration or any applicable Supplemental Declaration, the terms of the Master Declaration and Supplemental Declaration shall control. The goal of the Master Declaration is to ensure development of a consistently high quality environment, thus protecting and enhancing the investment of all those locating within the Mountain Vista Business Center. All capitalized terms used herein and not otherwise defined herein shall have the meanings set forth in the Master Declaration.

DESIGN REVIEW AND APPROVAL PROCEDURES

In conformance with the Master Declaration, the Mountain Vista Business Center Association Board of Trustees shall, as part of its duties, serve as the Architectural Review Board. The Architectural Review Board (the "Board") meets quarterly and at such other times as necessary to conduct business. All exterior construction visible from adjacent properties or streets must be reviewed and approved by the Board. All architectural and development plans and specifications require a thirty (30) day review process. Said development plans and specifications must be submitted for Board review not

less than thirty (30) days prior to commencement of planned construction for proper coordination and feedback. For a typical project two (2) complete sets of architectural and development plans and specifications, containing the information required under the Development Plans Checklist set forth herein, must be submitted to the Board. Communication with the Board may be directed to the Board Secretary or Executive Director. The Owner's primary contact for ongoing coordination with the Board must also be identified including address and telephone number.

Prior to preparing a submission, the Owner or designated agent should review the Master Declaration, these Development Guidelines, the Mountain Vista Environmental Guidelines, and any applicable Supplemental Declaration. The Owner or agent should also meet with the Declarant's representative to coordinate design of surface drainage and utility services.

Site work, parking and buildings should be designed to make buildings and facilities accessible to and usable by physically disabled people. The current edition of the planning and design criteria to prevent architectural barriers for the aged and the physically disabled, as promulgated by the Utah State Building Board, should be used as the standard, in compliance with Utah Code Ann. §26-29-1 et seq. (2007).

The Owner starts the review procedures with the submission of the information required under the Development Plans Checklist set forth below. If a variance is requested, it should be brought to the attention of the Board Secretary or Executive Director, and the individual requesting a variance will be invited to make a presentation to the Board, in writing or in person, at the next regularly scheduled Board Meeting.

#### DEVELOPMENT PLANS CHECKLIST

Two (2) sets of all development plans and specifications shall be submitted to the Architectural Review Board and must contain the following:

##### Project Data

- (a) Name of Applicant
- (b) Mailing Address of Applicant
- (c) Location (Address or Parcel No.) of project
- (d) Total (Gross) Building Area

- (e) Total Anticipated Number of Employees
- (f) Total Number of Parking Spaces Provided

**Site Plan**

- (a) Building Footprint
- (b) Building Setbacks
- (c) Parking Setbacks
- (d) Parking Layout
- (e) Pedestrian Pathway (Required in Master Planned Locations)
- (f) Site Lighting Plan
- (g) Surface Drainage Plan (Swale Locations)
- (h) Trash Dumpster Screen (Concrete or Masonry)
- (i) Locations and Materials of all Fences and Walls

**Architectural Plans**

- (a) Building Elevations
- (b) Types and Colors of External Materials
- (c) Screening of Mechanical Equipment

**Landscaping Plans**

- (a) Size, Type, Number and Location of all Plant Materials  
(See Environmental Guidelines for Standards)
- (b) Location and Types of Ornamental Landscaping Elements
- (c) Design of Sprinkler and Irrigation Systems

**Sign Plans**

- (a) Location, Size and Color of all Proposed Permanent Signs
- (b) Size, Location, Footings and Materials of all Proposed Temporary Signs (See Environmental Guidelines for all Sign Standards)

**GUIDELINES**

The following guidelines are in addition to the guidelines set forth in the Environmental Guidelines, Sign Control and Regulations, any applicable Supplemental Declaration and the Master Declaration, and represent some of the standards which will be applied in reviewing proposed construction:

I. **Architectural Guidelines**

1. Roof mounted mechanical equipment must be screened from adjacent properties and public streets, notwithstanding topographical constraints due to elevated roadways adjacent to the property, such as SR-89 ( South State Street).
2. Similar building materials are to be used on all sides of the building. The objective is to eliminate a "front door" and a "back door" image. The Board will insist on compatibility

of building materials between projects.

3. All outdoor storage of equipment and materials, if allowed, must be screened from adjacent properties and public streets, notwithstanding topographical constraints due to elevated roadways adjacent to the property, such as SR-89 ( South State Street).
4. Trash Dumpster Screening. All trash or recycle dumpsters shall be screened from public view. The screen enclosure shall be constructed of concrete or masonry. Chainlink with slats are acceptable for the opening on the enclosure.
5. If chain link fencing is permitted for security, it must be vinyl coated or of equal quality.
6. Multi-tenant or speculative buildings must be designed to accommodate tenant identification signs.

## II. Mountain Vista Environmental Guidelines

Because soil and climate at Mountain Vista are unique, Environmental Guidelines have been prepared for Mountain Vista. The Environmental Guidelines are available at the Provo City Community Development offices and include recommended materials and planting procedures. The Environmental Guidelines are incorporated herein by this reference.

## III. Signage

To promote a more integrated design for the entire Mountain Vista Business Center, the Board has adopted certain signage criteria known as Mountain Vista Sign Control and Regulations. These Regulations are incorporated in Section II of the Environmental Guidelines of the Mountain Vista Business Center.

## IV. Site Lighting Guidelines

- I. All exterior light fixtures are to be concealed source fixtures except for pedestrian oriented accent lights. All such fixtures shall conform with the Site Lighting Guidelines set forth in Section III of the Environmental Guidelines of Mountain Vista Business Center. All fixtures shall be of a design consistent with the typical street lighting and street fixtures at the Mountain Vista project.

## V. Site Engineering Guidelines

1. The site of Mountain Vista is very flat and a unique master surface drainage plan has been prepared. Each owner is responsible for coordination of site drainage with the project engineer.
2. All utilities are underground and each contractor and Owner is responsible for knowing their locations and protecting them during construction. Prior to construction, "Blue Stakes" must be contacted to identify underground electric, natural gas and telephone lines.
3. The configuration and layout of the lakes and watercourses of Mountain Vista Business Center create a potential for bank erosion from wind and water movement. Developers and owners contemplating projects on properties adjacent to these facilities will be required to install bank stabilization facilities in conformance with the provisions of the adopted Environmental Guidelines and the Bank Stabilization Plan.

CONSTRUCTION COORDINATION BETWEEN  
MOUNTAIN VISTA AND INDIVIDUAL PROJECTS

Prior to starting construction of each major project, a preconstruction meeting should be held to coordinate Mountain Vista improvements with construction of individual projects. The project developer and contractor will initiate a meeting with the Architectural Review Board Secretary. The following is the general format to be used in this meeting:

Attendees:

1. The general contractor of each individual project.
2. The project manager/superintendent of each individual project.
3. Mountain Vista Association Administrative Manger.
4. Mountain Vista engineer.
5. Mountain Vista project manager.

Agenda:

1. Introduction of parties.

2. Chain of command and/or communication relative to Owner, contractor, civil engineer, etc.
3. Review of all utilities locations with names and phone numbers of the representatives for each.
4. Schedule--Review of a detailed construction schedule to be submitted by the general contractor outlining each phase of site improvement construction. This schedule is to be submitted in writing showing starting and completion dates. If possible this schedule should also show the contractor's name and phone number selected for each phase of construction.
5. General review of site plan, signage plan, landscape plan, site engineering plan and environmental and color code standards.
6. Discussion of location and design for temporary signs.
7. Discussion of type and location of temporary trailers or structures to be used for construction purposes.
8. Discussion relating to the coordination of drainage swale, common area irrigation and landscaping with the project manager.
9. General discussion of potential problem areas, i.e.:
  - (a) Dust control
  - (b) Muddy roads during wet periods
  - (c) Parking in roadways
  - (d) Compliance with the Environmental CC & R's, SMP and other environmental issues.
10. Mountain Vista to furnish general contractor copies of:
  - (a) Master Declaration
  - (b) Development Guidelines
  - (c) Environmental Guidelines
  - (d) Sign Control and Regulations
  - (e) Applicable Supplemental Declaration

EXHIBIT "A"

Legal Description:

Mountain Vista Business Center, Plat A, Lots 1, 2 & 3.