

OLD MILL ESTATES

DESIGN GUIDELINES

June 2023



All previous versions are null and void.

1.0 OVERVIEW AND PURPOSE

The Old Mill Estates Design Guidelines have been created to establish criteria for architecture, landscape architecture and sustainable concepts envisioned for all property owners/residents of Old Mill Estates. These design criteria will assure property owners/residents within Old Mill Estates that all individual improvements will conform to the same high standards of design excellence and ensure that the intent of the community vision, planning and design is carried out throughout Old Mill Estates. The purpose is to achieve overall neighborhood continuity to enhance the aesthetics and property values in our neighborhood.

The Design Guidelines may be amended from time to time by the HOA Board, and it is the responsibility of each resident to obtain and review a copy of the most recently revised version of the guidelines. In addition to conforming with these guidelines, all construction must conform to all applicable ordinance requirements of the City of Cottonwood Heights and any other governing agencies.

2.0 TECHNICAL GUIDELINES

2.1 Conditions, Covenants and Restrictions (CC&Rs)

These Design Guidelines are in addition to, and are to work in harmonious conjunction with, any other recorded declaration of covenants, conditions, restrictions, and easements, including the CC&Rs and Bylaws, and any recorded tract declaration to which the lot or parcel may be subject.

2.2 Design Review Committee

The Design Review Committee will consist of the Old Mill Homeowners Association Board (HOA Board). The Board will be responsible for reviewing all proposed changes, modifications or additions to the exterior of each home, to include but not limited to structural changes, landscaping, walls, fences, gates, driveways, walkways, pools, outbuildings, and anything visible from a public street within the subdivision or common area.

2.3 Applicability and Implementation

These Design Guidelines are authorized to be used by the Old Mill HOA Board (HOA Board) in evaluating the merits of subsequent proposed changes within Old Mill Estates. The Board has the exclusive authority to interpret, amend and add to any of the standards contained in this document. Any changes or proposals brought before the Board must follow Article IV – Architectural Control of the recorded CC&Rs.

The implementation and enforcement of the standards in this document will be through the HOA Board, which will be responsible for design review and approvals.

These standards are specifically directed at the evaluation of residential uses, but they are to be used in concert with related standards where overlap exists. The following apply to the implementation of these standards:

These standards are binding on any person or entity intending to construct, reconstruct or modify any residential property or improvement, or in any way alter the site in Old Mill Estates.

- The standards and associated design review procedures established in this document are the criteria and process by which the HOA Board will review, approve or disapprove individual projects.
- The standards are subject to change when the HOA Board determines such a change is in the best interest of Old Mill Estates.
- Adherence to these design guidelines does not remove responsibility to conform to local, state and national codes and regulations.
- Where differences exist between these standards and any Cottonwood Heights ordinances, the more stringent ruling shall prevail.
- The HOA Board shall have all rights and powers conferred upon it by the CC&Rs.
- The HOA Board is responsible for the administration of and compliance with the Design Guidelines.
- If any applicant fails to comply with these Design Guidelines, the HOA Board shall have the right to bring compliance or commence appropriate legal action and collect to recover all the costs associated with its actions.
- The HOA Board reviews submittals for proposed improvements solely for the aesthetics and compatibility within the subdivision.

- The HOA Board has adopted these standards and it is the responsibility of the HOA Board to review, study and approve or disapprove any proposed improvements or development within Old Mill Estates based on the standards established.

Any review study and/or approval by the HOA Board shall not constitute ratification or endorsement of any safety aspects of the improvements, the quality of architectural or engineering soundness of the proposed plan or improvements, nor the suitability of the improvements for its intended use. Neither the HOA Board, its members, nor officers of the HOA, shall have any liability in connection with, or related to, approved plans, specifications, or improvements.

Further, once an applicant has received final design review approval from the HOA Board, and the project has been constructed and approved as consistent with the HOA Board's approved plans and specifications, the project improvements shall be maintained in the originally approved style and character, including architecture, landscape architecture, color, signage detail and design character. Any proposed variances from the original design and development character approved by the HOA Board shall be submitted to, and approved by, the HOA Board.

3.0 REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS AND/OR CHANGES

3.1 Design Review, Approval and Timing

- All landscaping and architectural modifications must be approved by the HOA Board, as set forth in the CC&Rs, prior to installation to prevent violation fines or other actions. All modifications installed without prior approval are subject to fines including, but not limited to, removal at the HOA Board's discretion and at owner's expense.
- Approval requests should be made by email at oldmillestates@gmail.com. All applicable plans, colors, photos or other information should be included when requesting approval.

3.2 Design Review Fees and Other Expenses

There are no required fees to request approval for modifications to owner's property. If the HOA Board is required to expend funds to research either the engineering or legal aspects of an approval, the applicable homeowner will be

required to reimburse the Homeowners Association for any and all costs incurred, including, but not limited to, engineering fees and legal fees. The HOA shall be reimbursed by the requesting homeowner for any and all expenses incurred in review, approval, disapproval, negotiation, litigation, et al. by the HOA Board at any phase, so as to make the Homeowners Association whole.

3.3 Fines/Actions for Non-Approved Installations

Installations/changes that have not been previously approved by the HOA Board may be noticed as a violation, and the homeowner is subject to a fine by the Association or removal of the installation. Owners of properties containing non-approved property changes or installations are advised to apply to the HOA Board for approval and to comply with the terms of such approval before being issued a notice of violation, to avoid being fined or being required to remove the violating installation.

3.4 Blue Stakes

It is required by law to call Blue Stakes no matter how deep you are digging, since many cables and pipes lie at extremely shallow depths. A copy of the results must accompany your final submission. Call before you dig! Dial 811 from anywhere in Utah, 801-201-2100 in Salt Lake Metro or toll-free at 800-662-4111 or submit your request online at www.bluestakes.org.

3.5 Public Utilities Easement (P.U.E.) – Utah Code 54-3-27

- A public utility easement provides utility companies the right to install, maintain, operate, repair, remove, replace or relocate public utility facilities.
- If a property owner places improvements that interfere with the easement rights, the property owner shall bear the risk of loss or damage to those improvements resulting from the utilities needing to be installed, maintained, operated, repaired, removed, replaced or relocated.
- When necessary, a copy of the approved change will be required with your design change request.
- It is the homeowner's responsibility to determine PUE applicability to their design review application.

4.0 LANDSCAPE GUIDELINES

All landscaping and architectural modifications must be approved by the HOA Board for Old Mill Estates prior to installation.

4.1 Planting Requirements

- It is a requirement that plantings are present surrounding the foundation of each home.
- All planting areas are recommended to contain 8-12 inches of topsoil.
- No synthetic mulch or bark is permitted.
- No artificially-colored bark or mulch is permitted.
- Weed control fabric or pre-emergent weed control is recommended for all planted areas.
- No white, red or black rock is permitted.
- All landscaping, including lawns and planting beds, must be maintained on a regular basis, including mowing lawns, weeding and trimming, as necessary.

4.2 Side Yard Plantings

Plantings, drip, irrigation and natural rock or mulch or grass is required in narrow side yards. No red, white or black rock is permitted.

5.0 SPECIFIC REQUIREMENTS

All landscaping and architectural modifications must be approved by the HOA Board prior to installation.

5.1 Lawn

- All front and side yards must have at least 50% lawn.
- Artificial turf is not permitted in areas of public view. Artificial turf is permitted in fenced backyards. (see "Artificial Turf" below)

5.2 Shrubs

- Plantings are encouraged to have a mix of both evergreen and deciduous plants for year-round visual interest.

- Landscapes must have at least 80% plant coverage at maturity, at ground level, not including tree canopies.
- When grass is not present in a park strip, plant coverage is required to be at least 80% at maturity of plants, with the height of shrubs to not exceed 30”.

5.3 Hedges

- Hedges are permitted on lots and must be maintained on a regular basis.
- Hedges are meant to mark property lines, walkways and to improve privacy.
- Hedge plantings must be densely spaced 2-3 feet apart on center as to create a living wall at maturity.

5.4 Artificial Plants

- Artificial plants are not permitted.

5.5 Artificial Turf

- Artificial turf is not permitted in front or side yards.
- Artificial turf is allowed in a solid-fenced backyard within the subdivision, as long as irrigation and drainage is properly addressed.
- The turf must be maintained , irrigated and sanitized to not create an unhealthy, untidy or nuisance condition.
- Pet waste may not be allowed to accumulate; any odor must be immediately addressed and eliminated.
- No stains, tears, ripples or visible seams are allowed to be present.
- Proper drainage must be included in turf system to not impact surrounding properties
- Quality, green (only) multi-layered product designed to create the best aesthetic and environmental outcome is required.

5.6 Boulders

- Boulders and feature landscape rocks are permitted, as long as they are not artificially colored.
- Boulders are permitted to be used in landscaping walls.
- Any use of boulders must be incorporated into the natural landscaping material to provide maximum aesthetic effect.

5.7 Hanging Plant Baskets

- Hanging baskets and pots are allowed on the front porch without prior approval.
- Planter baskets under windows and on fence rails are acceptable, but, if plastic or vinyl, must be of good quality.
- Decorative planter pots may be used as an accent on porches and minimally in landscape beds, but are not to be a dominant element or focal point of the landscaping.
- Planters/pots may not be used in place of required plants in landscaping.

5.8 Trees – Front yards

- New trees in front yards be of 2-inch caliper, 10-gallon pot, minimum
- Trees that overhang the sidewalk must be maintained to give seven (7) feet of clearance above the sidewalk.

5.9 Trees – Park Strip

- New trees in park strips must be at least 2-inch caliper, 10-gallon pot.
- Trees must be maintained to give seven (7) feet of clearance about sidewalks and the street.
- Removal of trees in the park strip must be approved by the City, as to not violate city ordinances.

5.10 Ground Cover

- Ground cover is defined as living plant material.
- Unplanted areas of stone, cobble, gravel, bark or mulch are not permitted.
- No artificial ground cover is permitted.

6.0 ADDITIONAL GUIDELINES

All landscaping and architectural modifications must be approved by the HOA Board prior to installation.

6.1 Architectural Lighting

- Low voltage clear landscape lighting is permitted.
- Fixtures must complement the architecture and should be pointed down to mitigate light pollution and nuisance to neighbors.
- Aluminum, permanent track lighting may be installed and remain on the exterior of the home all year based on the following requirements:
 - a - Permanent lighting must be approved by the HOA Board prior to installation
 - b - Old Mill HOA reserves the right to require a resident to modify the brightness and programming of a light display after approved installation if light emission causes a nuisance or disturbance to neighboring properties.
 - c - Track lighting should be left on constant, rather than “running” lights to avoid nuisance to neighbors.
- Non-permanent, string holiday lighting and displays may be installed beginning October 1 and may be illuminated between November 15 and January 15 of each year. Holiday light displays must be removed from the exterior of the home by April 1.
- Both permanent and non-permanent holiday lighting may be illuminated between November 15 and January 15 each calendar year.
- Permanent lighting may be illuminated for other holidays for one week prior and one week after the holiday.

6.2 Animal Facilities

- Dog runs are allowed, as long as they are ten (10) feet from neighboring properties and are in the backyard and not visible from the street.
- Chicken coops and other animal care structures are not allowed within Old Mill Estates.

6.3 Basketball Goals, Standards and Backboards, Sport Courts, Pickleball

- Basketball courts are considered a property modification and installation is subject to review by the HOA Board.
- When not in use, portable goals must be stored out of public view.
- Basketball goals must be installed in a manner as to not impede traffic around property or that causes damage to surrounding homes or common areas.

- Basketball standards must not be mounted on the house.
- No Pickleball courts are allowed on individual lots within the Subdivision.

6.4 Cameras

- Doorbell cameras are permitted.
- Camera/light combinations must not violate Utah privacy laws.
- Cameras may not replace light fixtures.

6.5 Flags & Flag Poles

- Standard U.S. and novelty flags are permitted on poles, but should not detract from the home or landscape.
- Standard U.S. flags must be 8' x 12' or smaller and must be displayed on an appropriately-sized flag pole.
- Political, school or other flags are limited to a size of 30" x 45".

6.6 Garages

- All garages within the subdivision must be attached to the residence.
- Detached garages and outbuildings, other than small sheds and pool houses, are prohibited.
- All garages must be fully enclosed.
- Carports are not allowed.

6.7 Garden Structures (Fountains, Statues, Benches, Garden Boxes, Birdbaths, Bird Houses and Bird Feeders, etc.)

- All garden structures should be consistent with the home's architectural and landscape character and should be located in a manner which complements both.
- Structures and materials require approval by the HOA Board prior to installation.
- The number of items may be limited by the HOA Board .so as not to cause a visual or wildlife nuisance to neighbors or community.
- Whether or not a nuisance exists shall be determined by the HOA Board.
- Garden structures in front yards should not detract from the home's architecture and aesthetics and should be used minimally.

6.8 Garden Structures (Trellises, Pergolas, Arbors)

- Pergolas and arbors are not permitted in front yards.
- Architectural style of structures must be consistent with the architectural style/details of the home.
- Post size should be no smaller than 4" x 4".
- Materials – wood, wrought iron or composite approved by the HOA Board. No PVC allowed in front yards.
- Size, scale and proportion must be consistent with the home.

6.9 Gazebos

- Gazebos are not permitted in front yards.
- Gazebos must coordinate with the architectural style, materials and details of the home and plans must be submitted to the HOA Board for review.
- Placement of gazebo must be such as to minimize the impact on surrounding neighbors.

6.10 Generators and In-ground Fuel Tanks

- Generators are viewed as a utility and are permissible but must be screened from public view behind a 4' privacy fence or solid hedge. Approval must be obtained from the HOA Board prior to installation.
- In-ground fuel tanks to power generators must be pre-approved when generators are proposed.
- Fuel tanks must not be visible from the street.

6.11 Landscape Walls (Garden and Retaining Walls)

- Installation of any landscape wall is subject to approval by the HOA Board as well as all utility companies.
- If wall is taller than 30 inches in height, it must terrace and must include natural planting materials.
- Retaining walls may not be placed in setbacks or easements.

6.12 Mulch

- Unplanted rock/bark mulch areas are not permitted. All landscape areas are required to contain at least 80% living plants, at maturity.
- No red, black, white or artificially-colored rock is allowed in front yards or park strips.
- Bark or wood should be natural, neutral in material and brown in color and must blend with surrounding landscaping.
- No artificially-colored mulch is permitted.
- Rock must be natural, neutral and beige, brown, grey in color and blend in with surrounding landscaping. Rock should be 1"-2" in size.
- No black, red or white rock is permitted.
- Rubber mulch is prohibited.

6.13 Other Structures

- No unattached structures/buildings are allowed on a residential property within the subdivision other than the primary residence, small shed (see "Sheds"), pool house (see "Pool Houses"), play structures, garden structures, gazebos, and pergolas.
- Other outbuilding, including, but not limited to, detached garages, carports and workshops, are prohibited.
- Inhabiting structures other than the primary residence on the lot is strictly prohibited.

6.14 Outdoor Patio Furniture

- Outdoor furniture such as chairs, small tables, settees or loungers that are designed for outdoor use are permitted in front yards and porches.
- Cloth furniture designed for indoor use is not permitted in front yards or on porches.
- Weather-resistant materials that will not be damaged by exposure to the elements are preferred.

6.15 Park Strips

- Park strips must be planted with 80% plant coverage.
- If park strips are not planted with grass, see “Xeriscape Guidelines” for requirements.

6.16 Play Equipment (Swings, Slides, Playhouses, Trampolines, etc.)

- Play elements are allowed only in rear yards and must be screened from public view.
- Placement of play equipment must be located so as to minimize the impact on neighboring properties.

6.17 Pool Houses

- All pool houses must be approved by the HOA Board prior to installation.
- All pool equipment must be housed in a pool house or garage to minimize the impact on neighboring properties.
- Pool houses are allowed in rear, fenced yards only and are only allowed for houses with a swimming pool or hot tub.
- Maximum size of allowable pool house is 30’ wide, 14’ deep and 13’ high.
- Pool houses are allowed to have plumbing for restrooms and shower, changing and laundry facilities, in addition to housing the required pool equipment.
- Pool houses must be located in the back yard of a property to minimize the impact on neighboring properties.
- The HOA Board will use existing pool houses in the neighborhood as guidance for any new proposed pool houses.
- The Board will consider the impact of proposed pool houses on all adjoining neighbors prior to approval.
- It is recommended that adjoining neighbors be consulted when considering placement of a pool house.

6.18 Satellite Dishes and Other Equipment

- Satellite dishes and other equipment are not allowed in front yards or unfenced side yards.

- All such equipment must not be visible from the streets within the Old Mill Estates subdivision.
- Satellite dishes and other equipment should be installed where it will cause the least nuisance or eyesore to the neighbors.

6.19 Shade Coverings/Shade Sails/Screens

- This is considered a seasonal item and must be removed during the winter months. If it falls into disrepair or fading, it must be removed.
- Retractable awnings must be retracted during the winter months.

6.20 Sheds

- All shed must be pre-approved by the HOA Board prior to installation.
- Storage sheds are allowed in rear yards and fenced side yards and must not be visible from the streets within the subdivision.
- Shed must not be built within or encroach in the property setbacks of the recorded plat.
- Size of shed must be consistent with the size of other sheds in the subdivision.

6.21 Signs

- School and political signs are limited to a size of 30" x 36".
- Contractor signs are only permitted during period of work on a home and are limited to 24" x 36".
- No permanent signs are permitted.

6.22 Solar Energy Devices

- Solar panels or other Solar Energy devices are permitted within Old Mill Estates only if installed entirely on the roof of the home and are not visible from the streets within the subdivision.
- Installation of solar panels must be approved by the HOA Board prior to installation.

6.23 Trash & Recycling Cans

- Trash and recycling cans must not be visible from the street.
- They are to be kept in the garage or behind a screen or behind a privacy fence.
- Screening must exceed the height of the receptacle and must not exceed a height of 6'.

6.24 Vegetable Gardens

- Vegetable gardens are not permitted in front yards.
- Raised planting boxes are allowed in back yards.
- Gardens should be maintained in a weed-free manner and should not remain fallow for more than 6 months of the year.

6.25 Unattached Buildings

- No unattached structures/buildings are allowed on a residential property within the subdivision other than the primary residence, small shed (see "Sheds"), pool house (see "Pool Houses"), play structures, garden structures, gazebos, and pergolas.
- Other outbuildings, including, but not limited to, detached garages, carports and workshops, are prohibited.
- Inhabiting structures other than the primary residence on the lot is strictly prohibited.

6.26 Water Features (Pool, Hot Tub/Spa, Pond, etc.)

- Water features are allowed.
- Pools, hot tubs, spas, etc. must be screened from the public view behind a solid fence.
- They must be placed in a location in the back yard to minimize impacts on neighbors.
- It is recommended that adjoining neighbors be consulted when determining placement of water features.
- All Cottonwood Heights ordinances and setbacks must be adhered to.
- Pools, hot tubs, and spas must be covered when not in use.
- All water features must be properly maintained year-round.

- Approval is required by the HOA Board prior to installation of all water features.
- Also see Fountains, sec. 6.7

7.0 FENCING REQUIREMENTS

Fences help to define the edges of yards and give privacy to side and rear yards.

- All fencing updates or changes must be approved by the HOA Board.
- All fencing applications must include a plan depicting the exact location of the fence being proposed.

7.1 Fencing Materials

- All fencing materials must be approved by the HOA Board.
- All fencing shall be between four and six feet in height.
- Permitted materials are Trex (or similar material), wrought iron, pre-cast concrete, wood or stone.
- No chain link, other wire, plain vinyl, PVC or plastic shall be permitted.
- Cinderblock may be used only if covered with an approved material.

7.2 Maintenance

- Owners shall maintain all fences on their property in good repair and attractive condition.