

SNOWSHOE MOUNTAIN RESORT

**ARCHITECTURAL REVIEW COMMITTEE
PROCEDURES, REGULATIONS AND DESIGN GUIDELINES**

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**SNOWSHOE MOUNTAIN
ARCHITECTURAL REVIEW COMMITTEE**

PROCEDURES AND REGULATIONS

I. INTRODUCTION

Property located within Snowshoe Mountain Resort (the “**Resort**”) is subject to various covenants and restrictions and design guidelines. One of the most significant is the requirement that owners and/or project managers obtain approval **prior** to commencing any site preparation, lot clearing, excavation work, landscaping, construction, improvement, alteration, or remodeling on property at the Resort. This approval process is administered by Snowshoe’s Architectural Review Committee (“**ARC**”), which is made up of up to seven members selected by the president of Snowshoe Mountain Inc. (“**Snowshoe**”). Guidelines and approval procedures are set forth below.

II. MISSION STATEMENT

The mission of the Snowshoe Architectural Review Committee is to develop the policies and best practices to facilitate disciplined project execution. These guidelines promote a consistent aesthetic, stewardship of the land, and compliance with local, state, and federal regulations.

III. ARCHITECTURAL REVIEW PROCESS

A. Improvements Defined. The following items are collectively referred to in these guidelines as “improvements” and shall be subject to and shall require the approval of the ARC before any work is commenced and the project exceeds \$5000 dollars. Any unpermitted work still must adhere to the Guidelines.

1. Erection or modification of the exterior of any building, fence, wall, or other structure.
2. Any exterior remodeling, reconstruction, alteration, or addition to any building or other structure, including but not limited to any modification to patios, decks, chimneys, windows, doors, roofs, lighting, exterior color schemes and/or materials.
3. Any clearing, excavation, hardscaping, landscaping, drainage and/or retaining installations upon any property; or
4. All exterior signage additions or modifications. (See Appendix E Sign Guidelines.)

B. Submission of Application. The application is available through the ARC and must comply with the requirements detailed in Article IV below. The ARC may return, without any review, any application that does not have all necessary attachments or is otherwise incomplete.

C. Submittal Review. The ARC shall have the right to disapprove any applications, plans, specifications and details or any portions thereof at its sole discretion. The ARC has the right to disapprove a project if it does not comply with all of the provisions of these Guidelines.

If an application, requires modifications, an applicant must re-submit portions of the application.

D. Approval Issuance. Approval shall be granted only after a thorough review by the ARC of the completed submission and a determination by the ARC that the proposed project complies with these guidelines. The ARC shall respond to submittals within thirty (30) days of receipt. An application may be approved and/or issued with "conditions," which shall be deemed to be acceptable to applicant and incorporated into the plans and specifications accordingly. Construction shall commence only upon receipt of a permit from the ARC.

E. Variations. The ARC may allow reasonable variances of the Guidelines in order to overcome practical difficulties and to prevent unnecessary hardships with compliance. Variance considerations must remain consistent with the Design Guidelines intent and **purpose**, and, in every instance, such variance considerations shall not be materially detrimental or injurious to other property values or improvements, the neighborhood or the Resort. Variances and adjustments of height, size and setback requirements may be granted.

F. Enforcement for Non-Compliance. In the event of non-compliance, Snowshoe and/or the ARC may institute legal actions against violators, including actions to enjoin non-compliance with ARC Design Guidelines, or may make claims against performance bonds required hereunder.

G. Liability for Defects and Code Compliance. **NEITHER SNOWSHOE NOR THE ARC NOR ANY OF THEIR RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES OR AGENTS SHALL BE RESPONSIBLE OR LIABLE FOR ANY DEFECTS, ERRORS OR OMISSIONS IN ANY PLANS OR SPECIFICATIONS SUBMITTED, REVIEWED OR APPROVED HEREUNDER, NOR FOR ANY DEFECTS, ERRORS OR OMISSIONS IN CONSTRUCTION PURSUANT TO SUCH PLANS AND SPECIFICATIONS. A CONSENT OR APPROVAL ISSUED BY THE ARC MEANS ONLY THAT THE ARC BELIEVES THAT THE CONSTRUCTION, ALTERATION, INSTALLATION OR OTHER WORK FOR WHICH THE CONSENT OR APPROVAL WAS REQUESTED COMPLIES WITH THE RULES AND REGULATIONS ADOPTED BY THE ARC AND SNOWSHOE. NO SUCH CONSENT OR APPROVAL SHALL BE INTERPRETED TO MEAN THAT THE CONSTRUCTION, ALTERATION, INSTALLATION OR OTHER WORK COVERED THEREBY (A) COMPLIES WITH LAWS, RULES, REGULATIONS, ORDINANCES OR OTHER REQUIREMENTS OF ANY GOVERNMENTAL OR QUASI-GOVERNMENTAL AUTHORITY, (B) IS FREE FROM DEFECTS, ERRORS OR OMISSIONS OR (C) LIES WITHIN THE BOUNDARIES OF THE APPLICANT'S PROPERTY. NO CONSENT, APPROVAL OR PERMIT ISSUED BY THE ARC SHALL RELIEVE THE APPLICANT OR OTHER PERSONS OR ENTITIES OF THEIR OBLIGATIONS TO COMPLY WITH LAWS, RULES, REGULATIONS, ORDINANCES AND OTHER REQUIREMENTS OF GOVERNMENTAL OR QUASI-GOVERNMENTAL AUTHORITIES.**

H. Final Inspection and Sign Off. ARC shall be notified at project completion and the ARC may make a final inspection to ensure ARC Design Guidelines have been met and to the best of the ARC's knowledge, review of the project is consistent with the initial ARC application and submittals. If a

performance bond is required, it will not be released until the ARC confirms, in writing, the project is complete.

I. Payment and Performance Bonds. ARC shall have the right to require that the applicant furnish performance bonds running to the benefit of the applicant and/or Snowshoe covering faithful payment and performance of the work to be performed.

IV. PERMIT APPLICATION FORM

The submittal consists of the completed application form, (sample attached as Exhibit "A") and must include the following attachments (to the extent applicable).

A. Site Survey. The survey should include the following items:

1. A complete West Virginia licensed Professional Engineer or West Virginia licensed Surveyor stamped metes and bounds surveyed plat of the property, plotted to 1:20 scale minimum, with compass heading;
2. Shows topographical elevations on a maximum contour interval of 5 feet;
3. Plat location of all existing adjacent roads, utilities, and other improvements;
4. Plat location of any easements encumbering or benefitting the property;
5. Plat location of all existing utilities required to service said property;
6. Location of all easements, setbacks, and required buffer zones; and
7. Location of natural features such as drainage areas, rock outcrops and endangered species habitat.

B. Site Development Plan. The site development plan must be detailed and precise with locations and dimensions plotted to 1:20 scale minimum, indicating the following:

1. Accurate indication of all setbacks required by the ARC guidelines;
2. All grading and site improvements shown;
3. Accurate indication of the clearing limits for all civil and architectural structures, including any endangered species clearing buffer zone areas as designated by United States Fish and Wildlife ("**USF&W**");
4. Accurate indication of an adequate erosion control plan with clear notations for all necessary silt fence, rock check dams, straw bales, sumps and other discharge control structures and devices necessary to maintain West Virginia Department of Environmental Protection ("**WVDEP**") discharge compliance;
5. Accurate primary dwelling and/or building location;
6. Accurate driveway and or access connection to any Snowshoe neighborhood, state, or county road, walkway, parking locations indicating all necessary slope, retainage, surfacing, and storm drainage improvements; West Virginia Department of Highways ("**WVDOH**") specifications apply);
7. Locations of any proposed parking enclosures, storage buildings, decks, terraces, retaining walls, paths, hot tubs, pools, fencing, lighting or other structural considerations;
8. Cut/Fill Slope grades in all disturbed areas with cross sections of all typical areas;
10. Routing of any required utilities, including locations of any above grade enclosures (manholes, pull boxes, transformers, etc.); and
11. Requirements for all utility services.

C. Building Plans. With respect to construction of a new dwelling or commercial structure or addition or exterior renovation to an existing structure, the application must include building plans at 1/8" = 1' scale minimum, including, at a minimum:

1. Building elevations (north, south, east, west) with identifiable building enclosure, architectural and material details;
2. Architectural and/or engineering stamped construction drawings for each level from foundation to roof, including all standard and pertinent construction details and schedules;
3. Professional and design specification notations confirming the designed structure meets or exceeds all applicable West Virginia adopted building codes;
4. Plans and elevations for any other significant structures including but not limited to; parking enclosures, fences, trash bins, storage buildings (where permitted), gazebos, detached hot tubs or pools, or any other significant structure or equipment installation that can be seen from the road or an adjacent lot; and
5. At the home site, outer corners of main structure shall be staked along with survey flagging of the clearing limits.

D. Exterior Material Submittals Applications must include physical submittals, or a cataloged submission of printed product screen shots tagged with the corresponding hyperlink (preferred) to the material manufacture's webpage with identifying name, style, model, and color of the products to be incorporated in the project. Submittals are required for the following items:

1. Exterior wall and chimney masonry stone, rustic brick, or stone veneer;
2. Windows;
3. Siding and trim material;
4. Soffit and gutter material;
5. Roofing material;
6. Exterior lighting (plan may be required if deemed excessive or inadequate);
7. Garage and exterior doors; and
8. Deck and railings.

E. Landscape and Hardscaping Plan. Detailed landscape/hardscape plans must

1. Revegetate and stabilize all disturbed areas and provide for temporary erosion control and long-term reestablishment and stabilization. (Seeding, hardwood bark mulch, silt fence, rock lined channel, etc.);
2. Indicate all hardscaping, and landscaping;
3. Plants shall be resilient to the USDA Zones 4 and 5 and shall be indigenous.

F. Contractor Information

1. Applicant's general contractor must retain and present with applicant's ARC application a valid WV Contractors' License.

2. Contractor must also provide proof of West Virginia Workers Compensation Insurance, verification of West Virginia Department of Labor compliance, and General Liability insurance acceptable to ARC which meets the following minimum guidelines
 - (a) A "Certificate of Insurance" on an "ACORD" form or equivalent.
 - (b) The certificate holder shall be listed as:
Snowshoe Mountain, Inc.
10 Snowshoe Drive
Snowshoe, West Virginia, 26209;
 - (c) Snowshoe shall be listed as an "additional insured" with respect to the contractors' specific activities;
 - (d) The "Insured's" coverage shall be listed as primary coverage with respect to the listed certificate holder;
 - (e) The contractor and the producer of the certificate, by production of the certificate, attest to the "additional insured" status of the certificate holder by "policy endorsement";
 - (f) Minimum limits required for "Bodily Injury & Property Damage" is \$2,000,000 per occurrence and \$5,000,000 in the aggregate (some activities may require additional limits); and
 - (g) The insurance policy shall require a provision that the coverage affected by the policy shall not be canceled or allowed to expire until at least 30 days prior written notice to applicant and Snowshoe.

The certificate may be faxed to the resort at 304-572-5616 or emailed to snarc@snowshoemountain.com. The Snowshoe Mountain Resort Risk Department must receive a copy of the certificate of insurance and the insurance policy and all contractor information at least thirty (30) days prior to project commencement.

- G. **Schedule of Construction.** The application must state the date the project will begin and end. From the commencement date noted on the ARC permit, the applicant may be granted a 90-day contingency period from end date indicated on the application to complete a single family home residential project. Commercial projects must submit a Gantt chart / phased project schedule.
 - If a variance to the project schedule is required, the ARC must be notified in writing at least 90 days before original project end date.
 - Working hours and/or day restrictions may be required dependent on resort operations.
 - An onsite contact must be identified and available anytime construction activity is occurring and must adhere to the direction of the ARC representative.

V. DEVELOPMENT GUIDELINES AND REGULATIONS

Applications will be reviewed by the ARC in relation to compliance with Design Guidelines. **The applicant is solely responsible for designing, developing, and constructing a project that is code and regulatory compliant with all** applicable federal, state and local regulations. Some examples of code and regulatory verification sources are included in Appendix D.

VI. AMENDMENT OF DESIGN GUIDELINES

The ARC retains the right to amend these standards at its sole discretion.

VII. SNOWSHOE ARC DESIGN GUIDELINES

A. General Development Guidelines, Project Commencement

1. The applicant is responsible for obtaining and verifying to the ARC that all design, permits, authorizations, and necessary clearances for its project are complete and valid. All applicable WVDEP, United States Division of Forestry, USF&W, West Virginia Health Department, US Army Corps of Engineers, West Virginia Public Service Commission, and WVDOH permits, and authorizations must be obtained and verified prior to commencement of any disturbance on the said property.
2. Any property easement agreements allowing trespassing through or access to the property must be lawfully recorded with the office of the Clerk of the County Commission of Pocahontas County, and a copy of the recorded easement agreement shall be delivered to the ARC during the application process.
3. Clearing, building structure and demolition areas shall be flagged prior to project commencement. **No lot disturbance, clearing and grubbing of trees, or structure demolition shall take place without first being ARC reviewed and approved via a pre-construction on-site meeting.** No trees outside of the approved clearing area and greater than 3 inches at the base may be removed without first obtaining ARC approval. Snowshoe ARC reserves the right to make adjustments to the clearing limits and building locations in order to maintain resort continuity, functionality, and aesthetics. ARC may mandate a tree replacement program depending on the amount of clearing.
4. Boundary erosion control prescribed by WVDEP regulations and best practices including but not limited to the functional installation of silt fence, straw bales, rock check dams, in-line drainage sumps and stoned construction entrances/parking must be in place prior to or in conjunction with site clearing operations. Any identified erosion or sediment discharge sourcing from the applicant's property and disturbance actions thereon shall be promptly reported to the WVDEP. Applicant bears sole responsibility for prompt Notice of Violation ("**NOV**") and erosion control mitigation. In addition, applicant shall be held solely responsible for any WVDEP NOV assigned to Snowshoe if the WVDEP and the ARC determine that the condition sponsoring the NOV sourced from the applicant's property and actions thereon. In such an event, applicant shall be held directly and financially responsible for mitigating such concerns, and Snowshoe maintains all rights to seek full legal reimbursement.
5. A stone construction entrance must be established at commencement of the project and maintained and expanded as necessary to accommodate contractor and project traffic. Any dirt, mud, or debris littered on Snowshoe neighborhood, state, or county roads shall be immediately removed by the applicant's contractor at its sole expense. Failure to take prompt action may result in Snowshoe mitigation of the condition. Snowshoe maintains all legal rights to seek full reimbursement for such action.
6. Erosion control installations must be properly installed and maintained throughout the project to ensure proper function and continued effective control.

7. Projects required by United States Occupational Safety Health and Administration (“**OSHA**”) laws and regulations to install and maintain adequate construction fencing, barriers, and signage shall do so promptly in order to maintain the safety of all personnel. Construction located within direct view of Resort guests may be required to install, with structural adequacy, a minimum six-foot chain-link fence with blinding slats or fabric. Construction sites located with direct guest access shall be controlled and have applicable safety signage throughout the project duration.
8. All cleared trees, stumps, and debris must be lawfully disposed of either thru legally permitted burning, or via chipping, grinding and/or lawful removal from said property. **Permanent windrowing or earthen burying of trees, stumps, or deciduous debris without WVDEP and ARC approval is prohibited. Debris burning is prohibited within the vicinity of common areas and may only be conducted within West Virginia Division of Forestry and WVDEP guidelines. Shavers Fork Fire and Rescue and Snowshoe Public Safety must be notified in advance of all refuse burning activity.**
9. All debris, refuse and rubbish removal from demolition and construction activity must be lawfully disposed of offsite in a scheduled and timely manner. Smaller projects will provide adequate on-site receptacles to dispose of such debris on a scheduled and timely manner. The unsightly buildup of trash and debris is prohibited by both OSHA and the ARC. Larger projects may require off-site staging of construction dumpsters and receptacles; access and coordination of all such waste removal activity must be coordinated with the ARC and Snowshoe representatives prior to project commencement.
10. **Food containing refuse:** Food refuse shall be kept separate and held in animal proof, locked container(s) until it is lawfully disposed of off-site in a timely manner. On-site food refuse accumulation is prohibited, and such refuse shall diligently be removed and continually protected from wildlife access. Care shall be taken not to attract or otherwise endanger bear or other carnivores as this will become a safety hazard to guests, workers, and our protected wildlife.

B. General Civil and Development Guidelines

1. **Erosion Control**
 - (a) Owner is required to verify the necessity of all applicable regulatory permit requirements and must provide the ARC a copy of all such documentation.
 - (b) Prior to excavation and at all discharge points prior to clearing and grubbing, functional erosion control devices must be installed in a manner consistent with the “approved “Site Development Plan and in compliance with WVDEP Best Practices for such activity. The proper installation and maintenance of these structures and devices will control water flow and off-site discharge via upland diversion, directional flow, and timely sediment removal.
 - (c) Stabilization measures including seeding, mulching, and further silt control applications shall be initiated as soon as practicable in portions of the site which are complete or have temporarily ceased activity.
 - (d) Erosion control must be correctly installed and maintained in order to remain functional and protect the pristine environment. All erosion control installations should be reviewed pre and post precipitation events to ensure proper function, capacity, and WVDEP Best Practices compliance. Financial

and operational mitigation of any NOVs issued by the WVDEP alleging the violation sourced from the applicant's property remains the sole responsibility of the applicant.

2. **Clearing and Grubbing**

- (a) No clearing may take place without first verifying compliance with USF&W endangered species regulations.
- (b) Clearing and grubbing will take place only in the defined clearing limits area(s) depicted on the applicant's ARC "approved" Site Development Plan.
- (c) Any trees within the defined clearing limits that are to remain shall be flagged and protected accordingly. With the exception of structure and fill slope footprints, all disturbed areas must maintain or be re-vegetated to a minimum of 50% canopy coverage. For the canopy consideration, new tree plantings will be viewed from a lens of 10 years growth.
- (d) Clearing, grubbing, stumping and debris disposal will be compliant with the guidelines set forth in Article VII, Section A.8. to A.10. above. General Development Guidelines, Project Commencement.
- (e) No logging operations or marketable log removal from the owner's or Resort property is permitted without ARC and West Virginia Division of Forestry and/or WVDEP approval. Owners and their contractor will be held financially responsible for any private or public road damage and any environmental consequences from such unauthorized logging activity.

3. **Grading and Drainage**

- (a) All cut slopes in dirt shall have a maximum slope of 2H:1V. The slope shall be hydro-seeded or seeded and covered with straw or erosion control straw matting in critical areas to ensure positive slope stabilization. All dirt cut slopes in which steep topography prevents a 2:1 final slope must be retained via an engineered retaining wall system approved by ARC.
- (b) All fill slopes in dirt shall have a maximum slope of 2H:1V. Fill slopes shall be hydro-seeded or seeded and covered with straw as soon as practical to prevent erosion and to promote positive seed growth. Silt-fence and or straw-bale erosion control must be located and maintained at the toe of slope perimeter until the plantings have matured and can satisfactorily prevent erosion.
- (c) All rock cut slopes shall have a maximum slope of .75H /1V and shall be hydroseeded at the top of slope to prevent transitional landslides and erosion.
- (d) All rock fill slopes shall have a maximum slope of 2H:1V. Unless otherwise designed for leach purposes, the outer slope of a rock fill shall be covered with a minimum of 18 inches of topsoil, and equipment tracked to provide slope stability. Fill slopes shall be hydro-seeded or seeded and covered with straw as soon as practical to prevent erosion and to promote positive seed growth. Silt-fence and or straw-bale erosion control must be located and maintained at the toe of slope perimeter until the plantings have matured and can satisfactorily prevent erosion.

4. **Road and Driveway Construction Requirements**

- (a) Gravel surfaced roads and driveways must be constructed at a slope of 10% or less. Minimum gravel road surfacing requirements are 8 inches of compacted pulverized limestone. Chert, sandstone, shale, or other soft stone materials are not permitted for driveway applications. All road or driveway sections steeper than 10%, at minimum, must be asphalt paved with a minimum of 2 inches of Type I base course and 1.5 inches of Type II wearing course installed over a properly installed sub-grade.
- (b) All commercial and residential zones require driveways and roads that are asphalt paved. Minimum asphalt application is 2 inches of Type I base course and 1.5 inches of Type II wearing course installed over a WVDOH compliant sub-grade.
- (c) Asphalt paving, utility crossing installations, aggregate application, concrete application and drainage applications on all Snowshoe neighborhood or access roads, state and/or county roads and any driveway or access road connections for such roads are governed by WVDOH specifications.
- (d) Driveways must have a minimum 10 feet wide running surface, must be crowned and/or super-elevated to positively drain into the adequately constructed uphill v-ditch line, and must not exceed a maximum grade of 20% (asphalt paved) and 10% (crushed limestone). Uphill road and driveway v-ditch lines must be of adequate capacity and shall discharge into existing intersecting primary road ditches and drainage structures. If the ditch line grade exceeds 10%, the ditch must be limestone riprap lined (4-6 inches stone size minimum) in order to properly dissipate and prevent erosion. If the ditch line grade exceeds 15%, the rip-rap lining must also be concrete grouted with a minimum 2500 PSI lean concrete mixture. (Typical Cross Sections Appendix D).
- (e) All road and driveway installations must meet the cut slope and fill slope requirements set forth in Article VII, Section B.3. Grading and Drainage).
- (f) All private roads, driveways or other vehicle accesses connecting to Snowshoe neighborhood or access roads, state, and/or county roads must connect per WVDOH specifications ensuring proper grade connection, drainage installation and civil construction. In general, no road or driveway connections may allow positive drainage into the primary intersecting road and all road or driveway connections must have adequate diameter cross piping to ensure unimpeded road ditch drainage. Depending on the location and drainage application, the ARC reserves the right to require adequate headwall, discharge cross pipe sizing, and armoring.

5. Landscaping, Seeding and Mulching

- (a) All residential and commercial dwelling projects and all commercial building, utility, or equipment application projects within the Resort guests' current or future viewshed must submit a landscaping plan consistent with the requirements of Article IV, Section E. Landscaping and Hardscaping Plan, above.
- (b) Landscaping plans shall seek to harmonize the structure(s) within the Resort environment and, as much as possible, to blend the structure into its natural surroundings, creating a pleasant viewshed for Resort guests.

- (c) Landscaping, seeding, and mulching must provide for timely re-vegetation and reforestation of all project disturbed areas. Both during and post project, the owner is required to ensure the growth and maintenance of all landscaped and seeded areas.
- (d) All landscaped areas shall be properly maintained to ensure the aesthetics and longevity of the plantings and planting beds. Any dead or overgrown plantings shall be removed timely and replaced with in-kind, approved aesthetic plantings. All landscaping beds must be mulched and maintained annually and kept free of weeds and unsightly overgrowth.
- (e) All seeded and grassed areas must be applied and reapplied until a mature stand of grass develops. During mowing seasons, the owner is required to maintain the grassed areas to promote an aesthetically trimmed and inviting property.

6. Hardscaping and Retainage Walls

- (a) All hardscaping plans shall be incorporated and depicted in the approved Site Development Plan and the Landscaping/Hardscaping Plan as applicable.
- (b) In order to obtain ARC approval, all retaining walls in excess of 3 feet in vertical height require a design submission by the retaining wall product manufacturer and/or a professional design engineer ensuring proper design specifications of the wall, including without limitation, foundation, vertical and horizontal support, drainage, and backfill specifications.
- (c) Retaining walls may be designed and constructed with reinforced concrete such walls may be faced with natural or cultured stone or rustic brick on all exposed surfaces and must be pre-approved. Concrete or stamped concrete faced walls must be pre-approved. Pre-manufactured, interlocking or shotcrete stone walls such as Redi-Rock, Boulderscape, Versa-Loc and similar products are acceptable options for design submission.
- (d) Natural boulders and landscape timber retaining walls will only be approved for non-structural, low elevation (less than 3 feet) retainage areas consistent with landscaping beds, accent barriers, and elevated grassed areas.

7. Set Back Requirements

- (a) Unless otherwise stated in a pre-approved subdivision plat, no structure's outer perimeter including decks may be situated 25 feet from the property line where there is general public access such as road, sidewalk, trail, slope and not closer than 15 feet to all other property lines.
- (b) No additional structures may be added to lots that are smaller than 1/8 acre in size.
- (c) Where platted on the recorded plat of the subdivision; townhome units may be sold with zero lot lines: lots that are situated such that the lot line and the townhome's drip or foundation line are synonymous. In such instances, horizontal additions or modifications are prohibited and vertical additions or modifications must be approved by the corresponding owner's association and the ARC.
- (d) Lots bordering golf course property: no building or structures may be located closer than 75 feet to any lot lines adjacent to golf course property.

- (e) Development in proximity to identified endangered species buffer zones and protective boundaries must adhere to USF&W regulations.
- (f) Newly created or currently expandable commercial development projects are required to adhere to these setbacks as a minimum unless otherwise granted a design variance.

8. **Residential Parking Requirements**

- (a) All single-family residences, townhomes, or condominiums at a minimum, shall provide an approved paved, limestone, or concrete surfaced drive area sufficient to provide off-street parking and egress for two (2) full size automobiles and an additional space for every bedroom over three (3). The actual parking area shall be a minimum of 10 feet by 20 feet/per vehicle for each single-family dwelling. Garages are considered approved parking areas.
- (b) The parking areas shall be designed, located, and constructed in a manner consistent with the recorded sub-division plat, and with the ARC approved Site Development Plan.
- (c) Any existing parking area design or installation adjustments, reductions or augmentations shall require approval by the ARC.
- (d) All parking structure enclosures or partial enclosures shall be compatible with the main dwelling; complementing and matching it in all aspects of design including but not limited to architectural design, materials, color, lighting, landscaping, egress, and pathway connectivity, etc. Specifications for such enclosures shall be provided via design submittal consistent with Article IV, C. Building Plans.

9. **Commercial Parking and Traffic Flow Requirements**

- (a) Newly created or currently expandable **commercial townhome or single-family dwelling community development projects** are required to incorporate parking which adequately supports the additional vehicle traffic created by said project and meets or exceeds the minimum residential off-street parking capacity guidelines as noted in Article VII, Section B.8. above; (2 vehicles per unit) unless otherwise granted design variance. **Hotels, commercial condominium buildings, and condominium cluster projects** with multiple unit types shall provide off-street parking capacity to meet or exceed the additional vehicle volume. Unless a variance is otherwise provided, total parking requirement guidelines for such projects shall be calculated as follows: on a minimum of one (1) car space per unit for underground parking and one and half (1.5) car spaces per unit for a hotel/condo building containing multi-bedroom units. Applicable law may require additional spaces.
- (b) In addition, commercial hotel and condominium development project parking and traffic flow will be globally reviewed to assess the project's impact on existing Resort traffic patterns, parking, public transportation, and pedestrian traffic flow to verify seamless integration, functionality, legality, safety, and code compliance.
- (c) All new construction and alterations of commercial, maintenance, or utility buildings will be assessed for maximum occupancy and parking demand

- considerations will be designed and incorporated into the site development plan and approved by ARC.
- (d) Commercial parking areas, access roads and corresponding pedestrian areas must meet or exceed all fire and safety vehicle access requirements and must be constructed to WVDOH specifications compliance.
 - (e) All automated gate or guard shack gate-controlled parking areas must be fully accessible to utility company vehicles, Snowshoe Mountain Resort Security and/or law enforcement, local fire, rescue, and ambulatory services.
 - (f) All designs for private and gated parking areas must be approved by the ARC. A plan consistent with the application process including full design specifications for gates, fencing, guard shacks, lighting, hardscaping and barrier protection, landscaping, traffic control, and verification of WVDOH compliance is required for ARC approval. Designs must incorporate natural features (boulders, trees, landscaping, and vegetated embankments) and seek to harmonize with Resort and mountain surroundings.
 - (g) Traffic Flow Requirements: All commercial projects must be approved by the ARC and Snowshoe Mountain Resort for traffic control and WVDOH design compliance. The applicant is required to obtain a valid WVDOH permit and corresponding design submittals validating a legal vehicle traffic connection to any state or county road within the Resort boundary. All new intersection locations and designs connecting to Snowshoe, neighborhood, state, or county roads within the Resort boundary must be approved by the ARC and are required to verify compliance with state traffic laws, WVDOH regulations and design specifications, emergency vehicle access compliance, pedestrian traffic, and safety compliance.

C. Residential and Commercial Parcel Development

1. Residential Development

- (a) A maximum of one (1) single family residential dwelling is permitted on a lot.
- (b) Residential dwellings may not exceed 3.0 stories, including the basement, from sill plate as defined by International Building Code (“**IBC**”).
- (c) A standalone single-family residence must provide a minimum of 1500 sq ft, unless otherwise specified by development declarations, of finished space above seal plate grade. Garage, basement, and unfinished storage space is not to be included in this calculation.
- (d) Connected duplex, triplex or quad unit townhome residences must provide a minimum of 1,000 sq ft of finished space per unit. Garage, basement, and unfinished storage space is not to be included in this calculation.
- (e) Residences and townhomes may be of standard stick frame or light gage metal integrated construction, log, or post and beam and shall meet all applicable guidelines as set forth in this document.
- (f) Mobile homes and modular prefabricated homes are prohibited within the boundaries of Snowshoe Mountain Resort. Panelized homes will be reviewed and if found compliant in all aspects, may be permitted.
- (g) Outbuildings are permitted within the following restrictions:
 - (1) May not exceed 1.5 stories in height unless otherwise specified on the recorded sub-division plat.

- (2) Outbuildings may not be constructed prior to the main residence.
- (3) Structures must be architecturally similar, complementary, and aesthetically consistent to the main dwelling in all design aspects including materials, color, and architectural form and function.
- (4) Buildings shall be at least 2x4 walls and 2x6 floors constructed on site and founded upon an adequate sub-grade concrete foundation and if utility service is installed, it must be through a compliant underground means only.
- (5) Dusk to dawn lighting is prohibited to service such structures in any manner.
- (6) Detached outbuildings may include a garage, workshop, storage space, caretaker's quarters, or apartment.
- (7) All firewood storage areas must not be visible from the street. Firewood storage areas must be constructed to aesthetically blend with the architecture of the structure.
- (8) No activities typically conducted as a commercial enterprise may be established and operated from within the outbuilding.
- (9) No outbuilding may be constructed specifically to house animals on any property less than two acres.
- (10) If an outbuilding caretaker's quarters or apartment is created, the requirement shall not exceed 1200' ft and no more than two (2) bedrooms. Caretaker's quarters or apartment additional off-street parking for at least one vehicle will also be required.
- (11) ARC approval is required for all aspects of an outbuilding installation.

2. Commercial Development

- (a) Commercial projects share many of the same design guidelines as single-family dwellings and townhomes and the applicable architectural guidelines in this document are considered as design minimums. Architectural design, color schemes, and many exterior material considerations may remain consistent as minimum design standards. Submittals may include augmented foundations, structural components, fire rated assemblies, acoustic assemblies, exterior building enclosures, balconies, decks, membrane roof systems, hardscaping, landscaping, railings, pathways, exterior and interior corridors, stair towers, elevators, mechanical plumbing and electrical systems, lighting, fire protection systems, and emergency panels. The ARC will globally review these projects individually to assess and approve the following:
 - (1) Impact within the Resort boundary.
 - (2) Functional, and code compliant integration with ski slopes, lifts, trails, existing structures, easements, access roads, traffic control, parking, utility right of ways and source/discharge connections, pedestrian right of ways, guest access, endangered species buffer zones, and other infrastructure, functional, life safety alarm systems and video security systems, operational and viewshed considerations.

The ARC, along with Snowshoe, Inc., reserves the right to mandate and enforce adjustments to such commercial development project attributes to ensure harmonization within the Snowshoe Community.

- (b) **Commercial Activity buildings, Maintenance/Operational buildings, Rubbish Enclosures, tanks, surface operational/storage, utility, and communications structures:** All such structures must submit a completed ARC application along with all pertinent plan attachments. The structures shall be regulatory compliant for the intended use. Site Development Plan, exterior cladding, viewshed, audible and light pollution, and the Landscaping and Hardscaping Plan shall be rigorously reviewed. ARC reserves the right to require and enforce color and cladding adjustments, site development enhancements, and landscaping/hardscaping enhancements to ensure the building design and installation can be seamlessly, functionally, and aesthetically integrated into the theme, operation, and Snowshoe.
- (c) **Commercial and Condominium Outbuildings:** Commercial outbuildings shall be no larger than 200 square feet and shall conform to the following:
 - (1) Structures, outbuildings, and firewood storage structures must be architecturally similar, complementary, and aesthetically consistent to the main dwelling in all design aspects including materials, color, and architectural form and function.
 - (2) Outbuildings shall be constructed with at least 2x4 walls and 2x6 floors and have operable closures and locking mechanisms and shall remain locked when not being accessed.
 - (3) Outbuildings must be maintained on the same staining, maintenance, and landscaping cycles as the primary property. The buildings and the surrounding areas thereof must be kept in an aesthetically pleasing and functional state and free from rubbish accumulation, discarded equipment and clutter.

D. Architectural Design

1. All development shall be designed and constructed in a manner which integrates and complements the natural attributes of Snowshoe Mountain. The design themes are consistent with five predominant architectural styles, examples of which can be found in: **Appendix "C" Architectural Design Elements (ADE's) & Civil Details. These are Modern Alpine, Adirondack, Craftsman, Log, Post & Beam.**
2. The following attributes will be considered by the ARC for architectural compliance:
 - (a) **Foundation Walls:** Shall be clad with brick, natural stone, or cultured stone or stamped concrete in all above ground exposed areas. Exposed smooth concrete or block foundations, piers, pilings are prohibited.
 - (b) **Exterior Wall Materials:** Wall materials and trims shall be natural wood, log, cedar, copper, and/or composite shake, siding, and trim material, for example, James Hardi, AZEK, or similar. Consideration should be given to orientation, exposure, and maintenance when considering such exterior materials in a harsh winter environment. Considerable attention shall be given to determine that the size, proportion, and detail of the trim work are

appropriate to a particular architectural style. Vinyl, vinyl composite, and/or aluminum siding are prohibited.

- (c) **Stain Colors:** To maintain the architectural aesthetics of the community, the color of all stained or painted exterior building material sidings. Severe weather exposure shall be considered in order to adequately protect and maintain the asset.
- (d) **Roofs:** It is important that the architect exhibits a high standard of care when designing the roof geometry and considering the roofing materials to be incorporated in the harsh Snowshoe climate and snow load. Care should be taken to eliminate or adequately design for snow and ice accumulation “choke points”, especially in high heat loss cathedral roof configurations and in areas adjacent to vertical protruding structures.
- (e) **Roofing, Flashing and Gutters:** Asphalt shingle, composite shingle/shake, slate, and standing seam/concealed fastener metal roofing—shall be acceptable. Roofing materials must have a minimum 50-year warranty for 30 years for elevations of less than 4,000 feet.
 - (1) **Asphalt shingles:** Shingles shall be architectural grade, 50-year shingles, and installed in accordance with the manufacturers high wind specifications.
 - (2) **Standing Seam Metal Roofing:** Shall be factory baked painted metal, standing seam, ribbed steel panels, self-adhered rubberized asphalt roofing underlayment and appropriate felt slip sheet to be installed per manufacturer specifications.
 - (3) **Copper Roofing:** must be installed in a standing seam, with appropriate fasteners for application on dormer, bay, and shed roof enclosures.
 - (4) **Flashing:** Shall be copper or baked paint aluminum if visible. Painted aluminum must color match or complement roofing, dormer, and/or chimney cladding. On all vertical roof intersections (i.e., dormers, rake walls, chimneys, etc.) self-adhering rubberized asphalt roofing underlayment shall be installed per manufacture’s specifications and counter flashed to a minimum height of 30” above the roof surface wherever possible to help prevent ice damming infiltration concerns.
 - (5) **Gutters:** Should only be utilized over egress areas and elevated deck/patio areas. Subsurface perimeter underdrains are a more efficient means of directing roof water discharge in Snowshoe’s extreme winter climate. Gutters shall be commercial grade, **4-inch minimum, and fastened with high strength hangers.** Gutter color shall match or complement the roofing, flashing and window metal cladding.
- (f) **Windows:** Windows shall be metal clad/wood framed with a lab certified design to withstand the harsh mountain environment. Standard aluminum framed sliding glass door/fixed window configurations are prohibited.
- (g) **Skylights:** must conform and be consistent with the dwelling. “Bubble glass” configuration is not permitted.

- (h) **Exterior Doors:** With the exception of doors exiting into unfinished spaces (garages, etc.) all sliding, French, and standard swing exterior doors shall be consistent with the approved window model, quality, color, and functional ratings. The front entry door(s) may be unique in design, color, and size and may incorporate a distinctive design and integration of various materials.
- (i) **Garages:** Whenever possible, the garage should not face the street or public way. Garage doors shall match the overall design of the dwelling.
- (j) **Porches and Decks:** Covered porches may be clad with pressure treated or natural looking composite decking. Uncovered decks shall be designed and constructed in a manner that is IBC compliant. Pressure treated or composite decking is permissible. Railing shall be consistent with design of the home. Deck railing and stair design shall meet or exceed all IBC, OSHA, and National Fire Protection Association ("**NFPA**") compliance standards.
- (k) **Chimneys:** Chimneys must be appropriate for the style of architecture and must be clad with natural or cultured stone, or rustic brick material. Insulated flue pipes and vents may only protrude the framed chimney cap by a height consistent with the manufacturer's specifications. Exposed kitchen hood vents are prohibited without a framed and properly clad chimney enclosure.
- (l) **Shutters:** Shutters located on any elevation shall be consistent with the particular architectural style of the dwelling. Vinyl and aluminum shutters are prohibited.
- (m) **Plumbing Efficiency:** Care shall be taken to restrict water usage and to efficiently maintain wastewater treatment capacities by installing low flow, high efficient faucet, and toilet fixtures. Kitchen, vanity, and utility sink faucets shall have a maximum flow rate of 1.5 GPM. Tub and shower faucets shall have a maximum flow rate of 2.0 GPM. Toilets shall have a maximum per flush rate of 1.3 GPF. These rates apply unless a variance is granted by the ARC.

E. Operational and Miscellaneous Restrictions

1. **Residential Signs:** No signs of any kind shall be displayed on a residential lot besides house numbers/name. No commercial signage will be permitted on any residential lot. No signs of any kind shall be displayed on commercial structure without first completing a sign approval application and receiving written approval from the ARC.
2. **Commercial and Neighborhood Signage:** All signage must be in compliance with the Snowshoe Mountain Comprehensive Sign Guidelines. See:
 - **Appendix "E" for Sign Guidelines**
3. **Dumping:** No lot shall be used or maintained as a dumping ground for fill dirt, rubbish, or waste. Failure of timely mitigation may result in a clean-up fee levied by the Resort.
4. **Horticulture and Lawn Maintenance:** During the growing season of May-September, lot owners and owners' associations are required to maintain their lawns and landscaping in an aesthetically pleasing, mowed, trimmed, mulched, weeded, and otherwise orderly manner.
5. **Satellite/Antenna:** External satellite dishes are permitted. If possible, given the home's orientation, the dish shall be mounted out of view from the access road and

- Resort guests. Single or multiple vertical antennas or towers are not permitted on residential lots or commercial lodging property.
6. **Utilities:** All dwelling units shall be connected to public water and sewers systems. No sewage shall be unlawfully discharged into any tributary, river, or lake. All utility connections and/or installations require proper applications, permits, design and ARC approval.
 7. **Holiday Decorations:** Holiday decorations must be natural in appearance and well maintained. Decorations must be removed prior to the end of the season.
 8. **Propane and Fuel Tanks:** No tank or similar storage facility shall be installed in exposed view. All tanks shall be legally buried per the tank manufacture's specifications and within NFPA regulation compliance. If a propane or fuel tank must be surface installed, it must be fully enclosed by fence or out-building structure. The minimum height of the fence is 2 vertical feet higher than tank's highest point. Fuel tank, fence and outbuilding installations require design approval by the ARC and must be compliant with all applicable sections of the ARC Design Guidelines. Unauthorized storage of fuel or hazardous materials is prohibited.
 9. **Fences and Walls:** On residential properties, all lot lines are to remain open. Any residential or commercial privacy fences/walls and complementing landscaping shall be submitted for review in the form of a Site Development Plan and/or Landscaping and Hardscaping Plan. Industrial and utility areas shall have fences approved by the ARC and **must be well maintained.**
 10. **Pedestrian Paths and Walkways:** Pedestrian paths and walkways must be approved by the ARC and must be well maintained.
 11. **Alternative Power Sources:** All power source plans must be designed and submitted to the ARC for approval.
 12. **Exterior Lighting:** Both residential and commercial project lighting illumination designs will be carefully reviewed to ensure a balance of necessary and accent lighting and to mandate an absence of unnecessary light pollution
 - (a) Structure or dwelling mounted flood and spotlights, typically switch, motion or photocell activated shall be directed at pathways and along building architecture geometry lines. Care shall be taken to balance this lighting in a manner that is not obtrusive to occupying guests, neighbors, or passersby.
 - (b) Landscaping lighting shall be accent in nature, shall be subtle and pleasing to the eye, and shall not be installed as to become a nuisance to occupying guests, neighbors, or passersby.
 - (c) In order to aid in emergency residence location during evening hours, each single-family home residential property is required to have an entry light. The assembly shall be installed no closer than 5 feet from the street edge and adjacent to the residence's pedestrian walkway or driveway egress. The light post design shall be complimentary to the residence and shall incorporate the resident's 911 address.

APPENDIX A – APPLICATION
APPENDIX B – CONCEPTUAL APPLICATION
APPENDIX C – ARCHITECTURAL STYLES
APPENDIX D – REGULATION RESOURCES
APPENDIX E – SIGN GUIDELINES