THE PRESERVE AT WALNUT SPRINGS

ARCHITECTURAL REVIEW COMMITTEE

DESIGN GUIDELINES

TABLE OF CONTENTS

OVERVIEW **5**
PREFACE 5
ARC Resolution_031615.pdf 6
VISION **8**
PRESERVATION OF THE NATURAL ENVIRONMENT 8
1. INTRODUCTION TO THE DESIGN GUIDELINES 9
1.1. Purpose and Authority of the ARC 9
1.2. Fees 9
1.3. Applicant Responsibilities 10
1.3.1. Architect / Engineer 10
1.3.2. Land Survey 10
1.3.3. Landscape Architect or Designer 10
1.4. The Review Process in General 11
1.5. Homeowner(s) Checklist for ARC Projects 11
1.5.1. Phase 1 - Site Development 11
1.5.2. Phase 2 - Design 11
1.5.3. Phase 3 - Construction 12
1.5.4. Phase 4 - Mitigation 13
2. SITE DEVELOPMENT GUIDELINES 13
2.1. Site Analysis Plan 13
2.2. Site Analysis Meeting 14
2.3. Site Planning Considerations 14
2.3.10. Impervious Cover 15
2.4. Parking 16
2.5. Setbacks 16
2.6. Drives and Entrances 16
2.7. Fencing 16
2.8. Washes and Drainage Easements 17
2.9. Swimming Pools and/or Hot Tubs 17
2.10. Tennis Courts 18
2.11. Site Lighting 18
2.12. Ongoing Maintenance of Residential Lots 18
2.13. Noxious or Offensive Activities 19
2.14. Business Restrictions 19
3. ARCHITECTURAL DESIGN GUIDELINES 20
3.1. Building Requirements 20
3.2. Building Envelope 20
3.3. Authorized Structures 20

3.4. Building Height.... 21
3.5. Building Sizes.... 21
3.6. Building Massing.... 22
3.7. Building Colors.... 22
3.8. Roofs.... 22
3.9. Materials- Exterior Surface.... 22
3.10. Signs / Identifying Markers.... 23
3.11. Antennae.... 24
3.12. Storage Tanks.... 24
3.13. Utilities.... 24
3.14. Renewable Resources.... 24
4. LANDSCAPE GUIDELINES.... 25
4.1. Landscape Plans.... 25
4.2. Required Landscape Planting and Screening.... 25
4.3. Irrigation.... 25
4.4. Landscape Planting and Recommended Plant Materials.... 26
4.5. Tree Removal during the ARC Process.... 26
5. CONSTRUCTION GUIDELINES.... 28
5.1. Construction Impact Fee and Compliance Deposit.... 28
5.2. Occupational Safety and Health Act Compliance (OSHA).... 28
5.3. Temporary Facilities.... 28
5.4. Sanitary Facilities.... 28
5.5. Construction Fencing.... 29
5.6. Debris and Trash Removal.... 29
5.7. Vehicles and Parking Areas.... 29
5.8. Restoration or Repairs of Property Damage.... 30
5.9. Insurance.... 30
5.10. Dust and Noise.... 30
5.11. Daily Operation.... 30
5.12. Construction Timeline.... 30
5.13. No Smoking, Open Fires, Pets.... 30
6. THE ARC REVIEW AND APPROVAL PHASES.... 31
6.1. Site Development Phase.... 31
6.2. Design Phase.... 31
6.2.1. Design Documents for ARC Review include but not limited to:.... 32
6.2.1.3. Design Plan.... 32
6.2.2. Presentation of Project to ARC and Community.... 33
6.2.3. No Waiver of Further Approvals.... 33
6.2.4. Variances.... 34
6.3. Construction Phase.... 34

.

6.3.1. Build Meeting..... 34
6.3.2. Construction Activity..... 35
6.3.2.1. Inspections..... 35
6.3.2.2. Exterior Changes and Resubmittal of Drawings..... 35
6.4. Mitigation Phase..... 35

.

OVERVIEW

The Design Guidelines ("Guidelines") apply to the development and construction of any improvements at The Preserve at Walnut Springs. The Guidelines apply to all new construction, additions, and renovations within The Preserve at Walnut Springs.The purpose of the Guidelines is to identify and establish the aesthetic vision at The Preserve at Walnut Springs; promote residential design that complements the natural environment; and protect and enhance property values. The Guidelines not only provide architectural standards and restrictions regarding height, color, massing and building materials but extend to such matters as setback lines, site planning, fencing, and landscaping. The Design Guidelines are administered by the Architectural Review Committee ("ARC"). No improvements of any kind shall commence on a Lot without the approval of the ARC. The ARC's job is one of assistance, helping owners, and their architects, maximize their architectural and living experience at The Preserve at Walnut Springs.

PREFACE

The Guidelines are applicable to all residential Lots and property at The Preserve at Walnut Springs. Properties within The Preserve at Walnut Springs Master Plan may not be developed for nonresidential uses with the exception of the amenities detailed in the Area of Common Responsibility. These Design Guidelines do not apply to nonresidential uses, although the structures permitted in Common Areas shall also be subject to review by the ARC and shall be encouraged to conform to The Preserve at Walnut Springs aesthetic.

As deemed appropriate by the ARC, and in its sole discretion, the Guidelines may be modified or supplemented periodically, provided that any such modifications or supplements will retain the values and general aesthetics of The Preserve At Walnut Springs.

These Guidelines are subject to the Amended and Restated Declaration of Covenants, Conditions and Restrictions (CC&Rs) for The Preserve at Walnut Springs, recorded as Document No. 071439 in the Official Public Records of Real Property of Blanco County, Texas, as may be amended from time to time. In the event there is a conflict between the language of the Declaration and the Guidelines, the language of the CC&Rs shall control. The HOA may elect to create additional or supplementary guidelines to additional property which may be annexed to The Preserve at Walnut Springs. Such Guidelines may add to or supplement general standards set forth in these Guidelines but will not materially contradict or diminish the aesthetic and procedural standards stated herein.

Section IV of the CC&Rs established the Design, Environment, Wildlife Committee DEW pertaining to all architectural review matters. On March 16, 2025, that declaration was rescinded by the BOD and architectural control and authority was delegated to the ARC, except in the siting of the building envelope where DEW consultation is required as a part of the ARC review. The ARC shall coordinate with the DEW committee on 1 acre building envelope siting (DG Section 3.2) during the Phase 1- Site Development process. The ARC shall be the sole point of contact for applicants and their representatives during the ARC process.

ARC Resolution_031615.pdf

The undersigned, being all of the Directors of The Preserve at Walnut Springs Homeowners Association, Inc. (the “Association”), hereby waive notice of the holding of a special meeting, and pursuant to the Association’s Bylaws (the “Bylaws”), take the following action without a meeting:

WHEREAS, Article IV of the Covenants, Conditions and Restrictions (CC&Rs) addresses Architecture and Landscaping requirements at the Preserve at Walnut Springs and is the primary governing document on all matters pertaining to architecture and landscaping;

WHEREAS, Section 4.2 defines Architectural Review and establishes the authority of the Design, Environment and Wildlife (DEW) Committee on these matters;

WHEREAS, Section 4.3 establishes the Guidelines and Procedures for Architectural Review and the decision making process of the DEW;

WHEREAS, the DEW determined that a new Committee specifically dedicated to addressing the provisions of Article IV of the CC&Rs was desired and recommended such to the Board of Directors (Board) in the October 21, 2013 Board meeting;

WHEREAS, the Board endorsed the DEW recommendation and supported the creation of an Architectural Review Committee (ARC) at its Board meeting on December 9, 2013, appointing committee members and asking the ARC to develop Committee guidelines and governance procedures;

WHEREAS, the DEW Committee Chair requested that the DEW Committee be consulted by the ARC on placement and designation of the one acre “building envelope” boundaries during the architectural review process and to which the Board concurred;

WHEREAS, the Board approved ARC chair appointments and terms of office, the role of the ARC as the first point of contact for HOA members in the ARC process and the tools available to the ARC to ensure smooth communication with HOA members in their ARC review at its Board meeting dated April 28, 2014;

WHEREAS, the ARC has since been the primary point of contact on all matters pertaining to Article IV of the CC&Rs, except in the siting of the building envelope where DEW consultation is required as a part of the ARC review;

WHEREAS, the DEW Committee has memorialized its decision to delegate all Architectural Review responsibilities except for building envelope siting as noted in the minutes from the March 16, 2015 DEW committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby endorses the

.

delegation of the authority, rights and responsibilities of the DEW as outlined in Article IV of the CC&Rs, with the exception of building envelope siting, to the ARC. The DEW Committee shall not have the right to rescind that authority any time.

ALL OF THE DIRECTORS OF THE ASSOCIATION, hereby unanimously consent to, approve and adopt the foregoing resolutions at the May 1, 2015 Board of Directors meeting to be effective as of May 1, 2015

VISION

The Preserve at Walnut Springs has been planned to harmonize, blend and complement, rather than dominate the natural environment. The Club Facilities architecture and design evidence this philosophy with structures that combine understated elegance with the natural beauty of the environment.

The philosophy of The Preserve at Walnut Springs is the thoughtful integration of homes with nature. The goal is to create and maintain a "Hill Country" way of life by the subtle blending of the structures with the natural beauty of the land. Preservation and enjoyment of the natural environment is the unifying visual theme throughout The Preserve at Walnut Springs. Designation of open space and clustered development were planned to ensure the enjoyment of large tracts of open space and water features and preservation of view corridors for all residents. The open space lands include all of the water features on the property and a diverse terrain of pasturelands, canyons, and undisturbed view corridors. Lots are carefully situated to maximize the natural beauty of the landscape and support the light density of the development.

PRESERVATION OF THE NATURAL ENVIRONMENT

The Guidelines have been developed to communicate the philosophy of developing with sensitivity towards the preservation and conservation of the environment. These are minimum standards of design, driven in part by the climate, natural habitat, and terrain of the site. They provide direction in the planning, design, and construction of residential structures to ensure compatibility with that environment. The purpose of the Guidelines is to provide both Lot owners and their architects direction in the planning, design, and construction of residential structures to ensure compatibility and preservation of the surrounding terrain. No residence should stand so apart in its design or construction so as to detract from the overall aesthetic concept of The Preserve at Walnut Springs. Creativity in design, innovative use of materials and unique methods of construction are encouraged, as long as the final result is consistent with the vision for the development.

Each Lot in The Preserve at Walnut Springs is unique in terms of its natural opportunities and constraints. The ARC shall evaluate each proposed design for appropriateness to its Lot and compliance with the objectives of the Guidelines.

For any lot improvement or habitat enhancements outside of the ARC process, homeowners shall consult the DEW for guidance and advice on preservation of the natural environment. The DEW acts in an advisory role to the BOD, ARC Committee and homeowners.

Each Owner is to retain an architect licensed in the State of Texas for planning and design. Refer to section DG 1.3 for additional design service requirements. A thorough analysis and understanding of a particular Lot and the Owner's special needs and the skill to translate these factors into building form, as well as the ability to convey to the ARC the concept and design of a proposed residence or other improvement, are all expectations of the design review process.

1. INTRODUCTION TO THE DESIGN GUIDELINES

1.1. Purpose and Authority of the ARC

In order to assist each Owner in the planning and designing of a residence (or any other improvement of a Lot) within the Preserve at Walnut Springs, a comprehensive design review process has been established and will be administered by the Architectural Review Committee and any outside architect and/or consulting firm the ARC and Board choose to contract with from time to time (the " Consultant").

The ARC will review designs only after determining the Owner has submitted all information necessary for each stage of the review process and receives a formal recommendation from the Consultant that the Owner has submitted all required information. After receiving a formal recommendation from the Consultant , the ARC will take one of the following actions:

a) Approval, with or without conditions;
b) Approval of a portion of the application and disapproval of other portions;
c) Disapproval of the entire application.

The ARC will inform the applicant in writing of its actions within 30 days of the ARC review. However, in no event, shall the ARC's failure to communicate its final determination be deemed to be approved.

1.2. Fees

The Board of Directors set fees annually at their annual budget meeting. There are Design Review Fees (Phase 2), Compliance and Impact Fees (Phase 3). The only fee that may be refundable is the Compliance Fee. Current Fees for ARC projects are available from the ARC upon request.

Homeowners are billed fees based on the date the homeowner enters a specific phase of their project. .

> **Example:** homeowners enter in the Design Phase in 2024 then they are responsible for the Design Review Fee set for 2024. If they enter the construction phase in March of 2025 then they are responsible for the Construction Fees set for 2025.

Fees defray the cost of design review in the architectural and construction process. Additional fees shall be charged by the ARC for excessive or multiple iterations of reviews and such fees shall be levied against an Owner as a Specific Assessment. Additional meetings and review resulting from multiple changes to the plans or minor review of changes to previously approved plans may result in a per meeting charge.

The Design Fee (Phase 2) is a non-refundable fee shall be due upon submission of Design Documents for review. The ARC is authorized to retain the services of one or more consulting architects, landscape architects or land planning consultants to advise and assist the ARC in performing design review functions.

Such consultants may be retained to assist the ARC on a single project, on a number of projects or on a continuing basis. The compensation of such consultants, if any, shall be included in the fee charged by the ARC for design review.

Additional Design Review Fees shall be charged by the ARC for excessive or multiple iterations of reviews and such fees shall be levied against an Owner as a Specific Assessment.

Compliance Deposit and Construction Impact Fees are due when entering Phase 3 - Construction.

All out of pocket expenses incurred by the ARC shall be reimbursable by the Owner at any time with 30 days advance notice. The BOD and/or the ARC reserves the right to modify Architectural Review Fees with 30 days advance written notice. Current Fees are available from the ARC upon request.

1.3. Applicant Responsibilities

The applicant is required to retain the services of a licensed architect or engineer in the state of Texas to prepare plans and documents complying with the local and state building codes and to work in cooperative fashion with the ARC committee and consultants throughout the approval process. A Texas Licensed architect or engineer is required for all new buildings. Additional credentialed professionals may be required depending on the proposed design and existing site conditions.

1.3.1. Architect / Engineer

Structures must be designed by a Texas licensed architect or engineer (variance required) to assure compliance with these design Guidelines and the local building codes adopted by the City of Johnson City and the State of Texas. Construction Documents must be prepared by a Texas Licensed architect or engineer. All final construction architectural documents submitted for ARC review must bear a signed and sealed stamp of the licensed architect or engineer.

1.3.2. Land Survey

A land survey is required to convey the topography, trees, and existing conditions for the new site development. A survey must be completed by a Texas licensed survey company and bear the seal of the licensed surveyor.

1.3.3. Landscape Architect or Designer

The landscape plan must be prepared by a licensed landscape architect or a landscape designer familiar with native Texas Hill Country species. The approved plant palette included in the appendix should be considered in the landscape design. An experienced landscape architect may be retained to complete grading and drainage plans where extensive grading changes or cut/fill are required.

1.4. The Review Process in General

The architectural review process was developed to provide adequate checkpoints in an effort to: ensure conformance with the overall philosophy of The Preserve at Walnut Springs and to minimize time and money spent on residential designs which do not adhere to the Design Guidelines. The ARC encourages all Lot owners to meet with the ARC Secretary/management prior to the Architectural Review process so as to ensure clear communication and prevent any unnecessary delay or expense.

The ARC and/or its assigned Consultant will conduct reviews of projects during regularly scheduled meetings or at such other times as they deem appropriate. Electronic submittal packages are required to facilitate review and reduce costs for all parties. The ARC will respond in writing no later than 30 days after a committee review. Failure to respond in 30 days does not deem approval. Results of reviews will not normally be discussed over the telephone.

Any response an Owner may wish to make in reference to issues raised by the ARC should be addressed to the ARC in writing. (arc@walnut-springs.com)

Unresolved issues may be Appealed to the PWS HOA see:
Architectural Review Appeals Policy.pdf

1.5. Homeowner(s) Checklist for ARC Projects

1.5.1. Phase 1 - Site Development

- ☐ Homeowner(s) reads Design Guidelines and the CC&R's.
- ☐ Homeowner electronically submits a complete Site Analysis Plan
  How to submit ARC Project to TownSquare.pdf
- ☐ Homeowner prepares the lot for onsite meeting
- ☐ Onsite meeting between Homeowner and ARC Representative (Builders and architects welcome) to review site development plan.
- ☐ ARC renders a written decision within 30 days of visit to:
  - Accept application with or without conditions,
  - Approval of a portion or disapproval of a portion of the application
  - Disapproval of the entire application
- ☐ Once approval is given the Homeowner receives written authorization to enter Phase 2.

1.5.2. Phase 2 - Design

- ☐ Homeowner/Architect/Builder electronically submit material for Design Review
- ☐ Homeowner is assessed Design Review Fee
- ☐ ARC sends submissions to Consultant to review compliance with Design Guidelines and CC&R's.

- ☐ Consultant sends analysis of submission to the ARC
- ☐ ARC interprets the Consultant analysis and shares with Homeowner.
- ☐ Homeowners have the opportunity to resolve any deviations from guidelines or request variance.
- ☐ HomeownerArchitect makes final design submission electronically for ARC approval by the first of the month for that month's meeting.
- ☐ Homeowner/Architect present their Design in a short electronic presentation at the monthly ARC public meeting; and answer questions from the ARC.
- ☐ ARC renders a written decision within 30 days to:
  - Accept application with or without conditions,
  - Approval of a portion or disapproval of a portion of the application
  - Disapproval of the entire application
- ☐ Homeowner receives written authorization to enter Construction Phase

1.5.3. **Phase 3 - Construction**

1.5.3.1. Build Meeting

- ☐ Homeowners are assessed the HOA Compliance Deposit and Non-refundable Construction Impact Fee.
- ☐ Homeowner submits signed
  Construction and Maintenance Service Rules and Regulation…
- ☐ Homeowner submits Builder's Risk Policy to the ARC.
- ☐ Homeowner submits Owner/Builder agreement to the ARC.
- ☐ Homeowner, Builder, ARC Representative and/or HOA Representative meet at the site to review the Construction and Maintenance Service Rules and Regulation and the Construction Plan.
- ☐ The homeowner receives written approval to begin construction.

1.5.3.2. Active Construction

- ☐ Construction begins with a 2 year timetable to complete the project.
- ☐ Maintenance and Construction Rules are followed by all parties
- ☐ Homeowner notifies ARC for Inspections
- ☐ Inspections completed by ARC representative
- ☐ Homeowner notified of any compliance issues
  - Continued noncompliance issues are referred to the BOD and can incur financial penalty.

.

1.5.4. Phase 4 - Mitigation

- ☐ Final Landscape, Screening and Fencing Plans are electronically submitted to the ARC by the first of the month for that month's meeting.
  - All structures must be in place
- ☐ Homeowner/Designee provides a short presentation of the Landscape Plan at the public monthly meeting.
  - ☐ ARC renders a written decision within 30 days to:
    - Accept application with or without conditions,
    - Approval of a portion or disapproval of a portion of the application
    - Disapproval of the entire application
- ☐ Homeowner receives written notice of approved Landscape Plan
- ☐ Homeowner notifies ARC when Landscape, screening and/or Fence is installed, construction is completed and site is ready for final project review.
- ☐ ARC member reviews the final project, sends recommendations to ARC.
- ☐ Once the project is approved and completed, the ARC secretary sends approval to HOA management to return the remaining compliance deposit to the homeowner.

2. SITE DEVELOPMENT GUIDELINES

Site Development begins when the homeowner first decides to begin developing or improving their residential lot. This phase is defined by a Site Analysis Plan followed by an onsite Site Analysis Meeting. The Site Analysis Meeting is an opportunity for the Owner, architect or builder to resolve any questions about building requirements, interpretation of the Design Guidelines or the Design review process.The meeting occurs at the lot with the owner and/or architect, the ARC, and a representative of the DEW Committee. Builder attendance is not required.

The purpose of the Site Analysis Meeting is to review the Site Analysis Plan and identify the proposed 1 acre building envelope. The DEW consultation is required as a part of the ARC review in the siting of the building envelope. However, approval of the 1 acre building envelope rests with the ARC and all communication with the homeowner will be handled by the ARC.

2.1. Site Analysis Plan

Items required for this onsite meeting include a Site Analysis Plan completed utilizing the site survey on record and included but not limited to:

- A site plan at 1" = 10' or 1" = 20' based on the Lot survey
- Preferred Building envelope location- 1 acre max
- Number of structures within the envelope- 4 max
  - Building area summary
  - Preliminary impervious cover calculation
- Proposed residence orientation and impact to adjacent properties

- Singular driveway entrance per lot
- Parking areas and screening
- Utility locations
    - Connections and meters
    - Screening within the envelope
    - Screening of utilities outside the envelope
    - Location of on site sewage facility
- View corridors and buffer privacy considerations
- Vegetation, rock outcroppings and preservation of existing lot features.
    - Existing trees to remain or remove
    - Other vegetation marked for removal
- Site drainage and grading done with minimal disruption to established land patterns
- Man made structures
- Setbacks minimum from lot line according to subdivision Regulations of Blanco County
- Preliminary fencing plan

2.2. Site Analysis Meeting

To assist the Architectural Review Committee in its analysis of the site, prior to the Site Analysis Meeting the Owner shall have:

- Preliminary staking / on site identification
    - Locations of the corners of the building envelope and driveway,
    - Concept of the residence or major improvements,
    - Trees for removal
- Property staking and story pole (if requested by the ARC) installation shall be the responsibility of the applicant and any associated costs are separate from review fees.

Like most ecosystems, the existing landscape at The Preserve at Walnut Springs is fragile. If disrupted by negative development impacts, it could take years to be naturally restored. The Guidelines were developed for all Owners' benefit and are intended to provide protection for the land, its resources, and its vegetation.

While the natural topography at The Preserve at Walnut Springs can vary considerably from Lot to Lot, the following are general guidelines and will apply in the absence of special circumstances:

2.3. Site Planning Considerations

Planning the location of the Building Envelope and the improvements is an important aspect in the design process. Lot Owners and their architect should consider the following when developing a site plan:

2.3.1. Locate your improvements away from prominent ridges and just off of hilltops to further promote the integration of architecture into the unique and natural landscape of your property.

2.3.2. Consider the potential impact of future homes and improvements on neighboring and nearby properties, including, but not limited to: the views, noise, and privacy of your own home, and conversely consider the impact of your home upon the

views and privacy of your neighbors.

2.3.3. Evaluate the daytime versus nighttime quality of your views and arrange your living spaces to correspond to these differences.

2.3.4. Position your driveway and garages so they do not dominate the entry experience of your home or significantly impact the views from Common Areas or from the enjoyment from your living and entertaining areas.

2.3.5. Outbuildings such as guesthouses, garden sheds or out-of-door spaces, and any of their associated connecting walkways, should be visually integrated with the main house and the surrounding landscape.

2.3.6. Carefully consider site drainage and building runoff. Avoid unnatural modifications of existing drainage. Avoid soil erosion by seeding natural grasses and other planting material on exposed or disturbed soils. Consider capturing building runoff in a cistern for the conservation of water and for future irrigation.

2.3.7. Site utilities including but not limited to well heads, septic systems, electrical transformers, and above grade electrical panels and tanks should be sited and screened so they do not adversely affect the view from common spaces.

2.3.8. Extensive cut and fill slopes should be avoided, and site construction should be a balance of cut and fill to minimize structural foundation exposure following completion of construction; site drainage and grading should be done with a goal of minimum disruption to the Lot. Retaining walls and re-vegetation of slopes are recommended when any land is significantly impacted by cut and fill. Drawings (plans and elevations) of cut and fill areas, retaining walls and proposed vegetation, if applicable, shall be submitted to the ARC as a part of the preliminary and final design package.

2.3.9. There shall be no interference with the established drainage patterns over any of the Property unless a Texas licensed engineer has submitted modifications for proper drainage which have been approved by the ARC. All drainage structures under private driveways shall be constructed out of metal, concrete, or rock and have a net drainage opening area of sufficient size to permit the free flow of water without backflow. All drainage structures shall be subject to the approval of the ARC.

2.3.10. Impervious Cover

2.3.10.1. The maximum amount of impervious cover within the one acre building envelope shall not exceed 11,000 square feet.

2.3.10.2. Impervious cover is defined as the total area surface that prevents the infiltration of water into the ground such as paved roads, concrete, and buildings.

2.3.10.3. Impervious cover calculations shall include all roads, driveways, parking areas, buildings, concrete, swimming pools, pool decking, and other impermeable construction covering the natural land surface. Buildings or structures raised above the ground (e.g., pier and beam foundation) shall be considered impervious cover.

2.3.10.4. Unpaved roads, driveways, and parking areas compacted by vehicle use shall be considered impervious cover.

2.3.10.5. For an uncovered wood deck that has drainage spaces between the deck boards and that is located over a pervious surface, 50 percent of the horizontal area of the deck shall be counted as impervious. A covered deck shall be considered impervious.

2.4. Parking

Except for special events, no on-street parking will be permitted for residents or their guests' vehicles. Views of on site guest parking areas from adjacent Lots, street, or public spaces should be mitigated and diffused by natural features and/or improvements such as the home, screen walls, plantings, or a combination thereof. Any walls shall be up to 48" high.

2.5. Setbacks

Minimum setbacks for buildings from the lot lines must conform to any and all applicable Subdivision Regulations of Blanco County, Texas, and all other applicable governmental authorities. In the event of any variance in regulations, the more stringent requirements shall govern.The Preserve at Walnut Springs plat records may be found in Vol. 2 Page 1-11 Plat Records, Vol. 513 Pg. 468. Lot Owners shall refer to their site-specific survey which indicates utility easements and setback requirements.

2.6. Drives and Entrances

Structures, roads, driveways, or any improvement should be designed with the objective of fitting the existing contours of the site as closely as possible, with minimal excavation. Driveways should be designed to include an apron where it connects to a street.

Freestanding walls, planters or gate posts may be allowed at the driveway entrance, as long as the improvements are a minimum of 50 feet from the roadway right of way. No driveway entrance shall be designed as a "drive under" using beams or arches spanning the driveway, and no driveway entrance feature shall exceed 8' in height and 50' in width along the street. Entry signage shall also be allowed pursuant to Section 3.10.

Entrance driveways should be located to minimize their visual impact on the important natural features of a Lot such as large or significant plant materials, washes, or drainage ways, and to minimize disruption of the existing landscape. Driveways shall be a minimum of 12 feet and a maximum of 16 feet wide at the property line. Only one driveway entrance will be permitted for each Lot. A secondary entrance may be considered by the ARC at its sole discretion.

Entranceway designs, signage and driveways are subject to the approval of the ARC.

2.7. Fencing

As a general rule, fences are discouraged on Lots where grazing does not occur. On Lots where cattle grazing does occur, fencing the one acre building envelope is recommended. Fencing more than one acre is prohibited. Fencing shall have a

low visual impact and materials such as metal, wrought iron, native stone and cedar are encouraged. Examples of ARC approved fencing materials and design are available upon request.

No boundary fences around the perimeter of any Lot are allowed; however, natural elements such as stone and trees intended to demarcate the perimeter of any Lot shall be permitted.

The following are the only fences permitted on any Lot and shall be subject to approval by the ARC.

2.7.1. Around approved Building Envelopes, fences not greater than four feet in height constructed of materials approved by the ARC;

2.7.2. On garden plots, a garden fence not greater than eight (8) feet in height constructed of materials approved by the ARC;

2.7.3. Fences around swimming pools, hot tubs and tennis courts, the permitted size, construction type and color of which shall be approved by the ARC;

2.7.4. A dog run, the size, construction, and location of which shall be approved by the ARC, provided that the run is contiguous to and bordered on one side by one of the four permitted Structures within the Building Envelope but in no case shall be less than 100' from the perimeter property line of such Lot;

2.7.5. To the extent an owner is authorized by law to build security fencing, the owner must still submit a request to the ARC for architectural approval in accordance with these Guidelines, and any such security fencing is strongly discouraged by the ARC.

2.8. Washes and Drainage Easements

Natural drainage ways occur throughout The Preserve at Walnut Springs. Bridging over by drives or the siting of building improvements alongside or above natural drainage ways is appropriate and can be desirable. Building improvements, however, must be designed so as not to be situated within or obstruct 100-year storm flows of greater than 50 cubic feet per second.

These easements are areas of special consideration due to the potential for water flows of a high volume and must remain unaltered and unobstructed except as may be approved by the ARC. In such cases, a backwater flood analysis, prepared by a Texas licensed civil engineer, ensuring the safety and feasibility of the design, may be required by the ARC. The cost of such study shall be the sole cost and expense of the Owner.

2.9. Swimming Pools and/or Hot Tubs

Swimming pools and/or Hot Tubs must be approved by the ARC process. Swimming pools should be designed to be visually connected to the residence through the use of walls or courtyards, and must be screened (vegetative and/or structural) from view from adjacent Lots, streets, and open spaces. Swimming pools and/or Hot Tubs are prohibited outside of the Building Envelope. Moveable above ground swimming pools are strictly prohibited, excluding "kiddy pools".

2.10. Tennis Courts

Tennis courts or other recreational surfaces should be shielded from view and be inconspicuous in nature. The following criteria should be used:

2.10.1. Any grading required to create a level playing surface should achieve a balance of cut to fill.

2.10.2. The playing surface must be screened from view.

2.10.3. A combination of solid walls and approved colored fencing is recommended and may be required. The height of perimeter protection may be limited if, in the opinion of the ARC, such devices would be obtrusive and/or unattractive, as determined by the ARC in its sole and absolute discretion.

2.10.4. Additional landscaping with indigenous trees and vegetation may be required to mitigate the court's visibility from nearby streets, Lots and Common Areas.

2.10.5. Nighttime lighting of a tennis court is not permitted, and Section 2.11 shall apply.

2.10.6. All courts must be submitted for review and approval to the ARC.

2.11. Site Lighting

Excessive and obtrusive lighting can be invasive to neighboring Lots as well as intrude upon evening Hill Country vistas and the night sky over The Preserve at Walnut Springs. Blanco County and the City of Johnson City have adopted dark sky ordinances in an effort to reduce energy consumption and light trespass, and to protect the health and well-being of wildlife and people. The ARC has adopted the local City of Johnson City's Lighting Ordinances, and Owners shall comply with the same.

2.11.1. No light shall be emitted from any Lot which is unreasonably bright or causes glare for any adjacent Owner.

2.11.2. All exterior lights shall be downcast by design at no less than a 45-degree angle and shall radiate within a limited radius of ground focus not to exceed ten (10) feet.

2.11.3. Lights cast upwards towards walls or trees shall not be allowed on any Lot.

2.11.4. All exterior lighting must provide for complete shielding of light sources; no bare lamps will be permitted.

2.11.5. All interior lights shall be designed to prevent glare or unreasonable brightness from being emitted from any window, door, or other opening in the building.

2.11.6. All building plans shall include specifications for both the interior and exterior lighting plans and shall be subject to approval by the ARC in its sole and absolute discretion.

2.12. Ongoing Maintenance of Residential Lots

Each Lot and all improvements thereon shall be maintained in a clean, safe, and environmentally sensitive manner.

2.12.1. Tree removal, brush clearing and wildlife habitat enhancements on residential lots outside the ARC process shall include consultation with the DEW Committee. 2013-12-09 DEW Lot Clearing and Property Maintenance Guidelines.pdf

2.12.2. Boats, tractors, mules/four-wheelers, motorhomes, vehicles, other than automobiles, campers (whether or not on a truck) and garden or maintenance equipment shall be kept and enclosed at all times within one of the approved Structures, except when in actual use.

2.12.3. Refuse, garbage, and trash shall be kept at all times in a covered container, and any such container shall be kept within an enclosed Structure or appropriately screened from view.

2.12.4. Service areas, storage piles, compost piles and facilities for hanging, drying, or airing clothing or household fabrics shall be appropriately screened from view.

2.12.5. No lumber, grass, shrub or tree clippings or plant waste, materials, bulk materials, scraps, refuse or trash shall be kept, stored, or allowed to accumulate on any Lot.

2.12.6. An area 150' in radius around buildings shall be kept clear of dead or fallen trees and excess ground fuels to mitigate potential fire danger.

2.13. Noxious or Offensive Activities

No noxious or offensive activity shall be permitted on any Lot. No unreasonable loud or annoying noises or noxious or offensive odors shall be emitted beyond the perimeter lines of any Lot.

2.14. Business Restrictions

No home office or business which employs more than one employee shall be operated from any residence.

3. ARCHITECTURAL DESIGN GUIDELINES

In order to create an identifying character as well as a harmonious community, The Preserve at Walnut Springs has developed Architectural Guidelines. The character of "Hill Country" architecture has been emphasized. Restrictions and guidelines have been developed for materials, size of residence, massing, colors, slope of roofs, and other elements to assist owners and their architects in creating architecture which maintains the spirit of The Preserve at Walnut Springs.

3.1. Building Requirements

No development, including without limitation, the construction or placement of any Structure, road, fence, or other improvement of any kind, shall be erected, placed, altered, added to, reconstructed or permitted to remain on any Lot, and no construction activities or landscaping activities including removal of trees or other vegetation, shall be commenced, unless and until the plans and specifications for such work have been approved by the ARC and a building permit if required for such work has been issued.

Lot Owners, their architects, and their builder shall comply with local adopted building codes as adopted by the City of Johnson City, Texas.

3.2. Building Envelope

All Structures and other authorized improvements shall be constructed within a Building Envelope. Each Owner may designate a Building Envelope within each Lot owned by such Owner at the time of their first filing.

The Building Envelope may not exceed one acre in size. With the exception of habitat enhancements noted below, no development shall be permitted on any Lot outside of the Building Envelope except for access driveways, utility installations, well, septic systems and bridges.

The ARC will consult with the DEW when the homeowner has identified their preferred Building Envelope either before, during and/or after the Site Analysis Meeting. If the 1 acre building envelope is not approved by the ARC after the Site Analysis Meeting (Phase 1), the Building Envelope approval shall be required as part of the Design (Phase 2).

3.3. Authorized Structures

The following buildings and structures shall be permitted within the confines of the Building Envelope designated for each Lot, subject to any additional restrictions contained herein: one single family residence, one guest house, a garage or storage structures, a swimming pool, tennis court or similar structure; not to exceed a total of four (4) Structures or as approved by the ARC Committee.

If a structure is not attached to the main residence, inclusive of carports and/or detached garages, a structure will be considered independent and count towards the allotted maximum of four (4) total.

The size of buildings and structures is limited to 11,000 square feet of total impervious cover within the one acre building envelope. Refer to section 2.3.1 regarding impervious cover calculations.

3.4. Building Height

The terrain of The Preserve at Walnut Springs is varied, with hilltops, valleys, and other changes in elevation, making absolute and uniform applicability of height restrictions for residences both inadvisable and impractical. These Guidelines are intended to discourage and/or prevent any residence or other structure which would appear excessive in height when viewed from a street, open space, or other Lot, or which would appear out of character with The Preserve at Walnut Springs aesthetic.

The Preserve at Walnut Springs encourages the siting of residences and improvements away from hilltops or in prominent ridge locations. It is preferred that vistas of the native landscape remain as unimpeded as is practical, and that building improvements not dominate the environment. Despite the maximum heights generally permitted as herein specified, the ARC may, at its sole discretion, disapprove a proposed residence or other structure which may be within the maximum height guidelines. These considerations will be of particular importance concerning residences to be constructed near or upon tops of hills or ridges.

3.4.1. A single-family residence shall not exceed thirty (30) feet in height, measured in a vertical plane from the existing grade to the highest ridgeline of the roof except that elements of the roof up to thirty-eight (38) feet in height may be permitted at the discretion of the ARC committee. The height of a garage directly adjoining the primary residence may match the height of the attached residence.

3.4.2. Garages, Guest houses, and storage structures built as stand alone structures shall not be greater than sixteen (16) feet in height.

3.4.3. Carports and any other structures shall not be greater than twelve (12) feet in height.

3.4.4. Building height shall be measured from existing grade to the highest point of the roof in accordance with Section 4.12 of the CC&Rs.

3.4.5. Roof vents and other penetrations shall be as visually unobtrusive as possible.

3.5. Building Sizes

The size of buildings and structures is limited to 11,000 square feet of total impervious cover within the one acre building envelope. Refer to section 2.2.3 regarding impervious cover calculations.

3.5.1. A primary single-family residence, exclusive of the garage, shall have a minimum floor area "footprint" of 2,400 square feet and an unlimited maximum floor area "footprint" subject to Section 2.2.3 and ARC review. For purposes of meeting the minimum 2,400 square footage requirement, up to 15% of the "footprint" may include covered outdoor living space.

3.5.2. A guesthouse shall have a minimum enclosed floor area "footprint" of 800 square

feet, exclusive of open and closed porches, decks, terraces, patios, balconies, driveways and garages, and a maximum enclosed floor area of 1,500 square feet and shall not be greater than sixteen (16) feet in height.

3.5.3. Notwithstanding the foregoing, if a guest house is constructed on a Lot prior to the principal residential structure, the house shall have a minimum floor area of 1,500 square feet, exclusive of the garage but inclusive of the outdoor living space provision stated above.

3.5.4. A garage shall have a maximum floor area of 1,500 square feet.

3.5.5. A carport shall have a maximum floor area of 600 square feet.

3.6. Building Massing

In order to enhance the concept of predominance of the environment, and in keeping with the spirit of early Texas houses, building masses may be broken into a main mass, with smaller scale appendages, ells or outbuildings.

Covered links are encouraged to attach a garage, guesthouse, or other outbuildings which may be used frequently. The creation of a ranch-like compound is encouraged.

Porches and sleeping porches may be used to articulate building mass as well as provide adjacent interior spaces with shade and covered out-of-door access.

Cisterns can also become an architectural element to assist in creating variance in height and shape to the overall theme.

3.7. Building Colors

Exterior color palettes for the body of the house (whether stone, plaster cement stucco, or wood) should be compatible with the landscape around them.

Regional stone color is encouraged to promote the historical context for the construction of a "Hill Country" house.

Similarly, plaster cement stucco colors which imitate a regional limestone color or are compatible with the colors of the native landscape are encouraged.

3.8. Roofs

Highly reflective, white or bright colored roofing materials shall not be permitted on any structure.

The minimum standards for roof shingles shall be dimensional, 300 pounds per square, 25-year warranty shingles or better.

A coated metal standing seam roofing, which dulls over time, shall be permitted. Non-reflective metal or tile roofs, including drain gutters and downspouts, shall be permitted.

The roof of all structures shall be constructed of materials approved by the ARC and shall have a pitch not less than 2-1/2:12 nor greater than 10:12.

3.9. Materials- Exterior Surface

A minimum of 75% of the body of the primary residence must be constructed of native or Texas stone. All materials should blend naturally with the environment.

Other exterior surfaces must generally be of materials that will withstand the climate extremes, and like stone and plaster cement stucco, be natural and unobtrusive to the surrounding landscape. The use of selective exposed wood is allowed but requires careful consideration and detailing particularly as a wall surface material. Wood shake shingles, as well as logs and board and batten, have historical precedent and are encouraged over wide board contemporary siding.

Outbuildings, in general, should be of similar construction to the main body of the primary residence, although other materials may be approved at the sole discretion of the ARC.

No prefabricated or modular structures of any kind shall be permitted. Used materials may be permitted, at the discretion of the ARC, in the construction of any structure. Materials which are specifically prohibited include: metal siding, opaque glass, mirrored glass, vinyl and plastics, reflective materials, reflective exterior artwork and sculpture.

All windows on all structures in The Preserve at Walnut Springs shall utilize only clear or lightly tinted glass.

3.10. Signs / Identifying Markers

The Owner shall install individual address identification devices, as required by Blanco County, for each approved residence. ie: Blue 911 County Sign

Homeowner contacts the official manager of the Blanco County 911 database:

Blanco County 911 Rural Address Manager

101 East Pecan Drive Johnson City, TX 78636

(830) 868-4266

After confirming your address and are set up in the 911 database, you can arrange ordering the sign and how to pay Blanco County.

The 911 sign is posted at the base of your driveway on a post. Examples of sign placement are available from the ARC.

All other signage shall meet the County requirements and community standards with a consistent font, style, and material selection. Personal address/Property Signs require ARC approval.

Signage may be modified to match the materials and colors as the residence and must reflect its design character.

An entity engaged in the construction of a residence within The Preserve at Walnut Springs shall be permitted to place, during the period of construction on the Property one (1) "Builder/Construction Entrance/Etc." sign of less than four (4) square feet in size.

No other signs or advertising devices shall be erected or maintained on any Lot without the express prior written consent of the ARC.

3.11. Antennae

Exterior radio or television antennas, or aerial or satellite dish receivers (24" in diameter or smaller"), or other devices designed to receive telecommunication signals, including but not limited to, radio, television, or microwave signals which are intended for cable television, network television reception, internet, cellular telephones or entertainment or business purposes, may be erected, or maintained only with the prior written approval of the ARC. Any such telecommunications equipment must be visually shielded from adjacent Lots and street view. Antennae constructed prior to the adoption of these Guidelines shall be exempt from ARC review. However, any prior constructed antennae that are replaced or relocated must be approved by the ARC.

3.12. Storage Tanks

All fuel tanks or similar storage facilities shall be located underground with all visible projections screened from view. However, since rainwater collection is encouraged, above ground water storage tanks are allowed subject to exterior material surface standards, siting which complements the natural environment and screening sufficient to soften visual impact to adjacent properties and common spaces. Use and/or construction shall comply with all applicable codes and ordinances.

3.13. Utilities

Utility lines have been installed underground in the Common Roads. Any further utility lines or extensions thereof required for the Development and use of any Lot shall be made and completed at the applicable Lot Owner's expense and shall be installed underground. Utility lines include, but are not limited to, wires or other devices from the communication or transmission of telephone or electric current or power, cable television or any other type of line or wire.

Temporary power structures associated with the construction of buildings or other structures are permitted pending ARC approval.

3.14. Renewable Resources

The Preserve at Walnut Springs encourages the minimum usage of all nonrenewable resources and encourages the adoption of appropriate passive technologies and the utilization of renewable resources, such as solar energy devices and rainwater harvesting systems.

Solar device (Solar panels) will be permitted so long as the installation of such equipment does not cause a visual or audible impediment to adjacent properties and common spaces or detract from the design of the structures. Use and/or construction shall comply with any policies adopted by the Association and all applicable codes and ordinances.

Refer to PWS Supplemental Policies: *Solar Device [Solar Panel] Policy.pdf*

4. LANDSCAPE GUIDELINES

The goal of the Landscape Guidelines is to ensure that the developed areas within The Preserve at Walnut Springs harmonize and blend with rather than dominate or significantly alter the natural environment. The existing native mix of understory growth, cedars (Ashe Junipers), oaks, other trees, and native grasses that give the Hill Country its color and texture are to be preserved and enhanced.

The goal of these guidelines is to limit the amount of natural vegetation that is destroyed and to ensure that a natural transition occurs between the Building Envelope, the remaining deeded Lot acreage and the open space surrounding the properties.

Owners are encouraged to create landscape plans that alter the site as little as possible from its original native conditions, protecting existing watershed and drainage ways wherever practical and limiting wildfire ignition zones. Limit structures to the area on the site where drainage, soil and geological conditions will provide a safe foundation. Soil type analysis and characteristics shall be obtained to assure proper foundation design.

Damaged vegetation (which includes the ground surface) shall be immediately replaced or during the Mitigation Phase as determined by the ARC. The replacement of damaged vegetation is at the expense of the homeowner. Damaged vegetation that is not replaced in a timely manner may be installed at the direction of the ARC at the sole cost and expense of the owner.

4.1. Landscape Plans

To ensure preservation, conservation and restoration of The Preserve at Walnut Springs, a landscape plan must be submitted and approved by the ARC as part of the preliminary and final plans. Plans should be mapped to the overall site plan and should be a minimum scale of 1" =10'. A plant legend indicating all plant species, quantities, and sizes, as well as decks, fencing, pavements, driveways, and any freestanding structures must also be included.

4.2. Required Landscape Planting and Screening

Lots with little tree cover or natural elements screening the proposed residence or proposed structures to views from roads, neighboring properties and trails are to soften the exposed faces of structures and utilities with a combination of varying plant heights of native species and/or structural elements. Landscape plans should incorporate this requirement.

4.3. Irrigation

Owners that wish to irrigate areas inside of their Building Envelope must install a rainwater collection system of at least 10,000 gallons to help supplement the use of the well on their Lot or the common well system to which such Lot is connected. Irrigating plants during the high evaporation periods of mid-day is wasteful of water resources and highly discouraged.

4.4. Landscape Planting and Recommended Plant Materials

Introduction of any non-native plant species which might compete with or harm native species and result in their decline, except where it is shown that the introduction of a non-native species can improve or prevent undue damage to the natural environment (e.g., stream bank stabilization) shall be prohibited.

Native plants use less water and are more deer resistant and are well adapted to the soil composition. Native plants, when properly planned, can be not only colorful but strong and effective design elements as well. Native grasses are encouraged.

St. Augustine grass is not permitted. The planting of ornamental (non-native) woody or shrubby vegetation for landscaping purposes is discouraged.

Plants play a major role in the restoration fundamentals central to these Guidelines for The Preserve at Walnut Springs. The plant palette available on the PWS HOA website or by request, details a variety of plants indigenous to the Texas Hill Country.

These plants shall be used wherever landscaping is required. This plant list is not all inclusive, though it is meant to serve as a guide for Owners. Owners are encouraged to consider the specific topography, wildfire fuels, and landscape of a Lot in selecting appropriate plant material.

Owners are encouraged to hire a landscape designer or landscape architect that has experience in the Texas Hill Country.

4.5. Tree Removal during the ARC Process

The ARC encourages siting of homes with little to no tree removal if possible.

The tree disease caused by the fungus Ceratocystis fagacearum, commonly known as Oak Wilt, may be present on the Property and is present in the Texas Hill Country. Both red oaks and live oaks are susceptible to Oak Wilt and the disease has been diagnosed in more than sixty (60) Texas counties. The fungus spreads through the common root system of oaks.

Existing trees shall be pruned and treated for diseases and insects in keeping with good arboricultural practice per
2013-12-09 DEW Lot Clearing and Property Maintenance Guidelines.pdf
Owners must cooperate with the Association to control any tree disease present on an Owner's Lot.

In the event a tree larger than a ten(10) inch caliper, but smaller than sixty (60) inches in circumference, is removed or destroyed, the Owner of the Lot from which such tree was removed or destroyed will replace that tree with at least three (3) hardwood trees of a minimum three (3) inch caliper or seven (7) inch circumference. This restriction does not apply to the HOA. Any and all trees planned for removal during the ARC process should be noted on the tree survey provided during the Site Development Phase and any future submissions if need occurs at a later date.

However, if an Owner receives a report from a certified arborist that a tree is dead or should otherwise be removed for the health of surrounding vegetation, the Owner may remove such tree without the prior written consent from the ARC. The homeowner must then submit documentation from the arborist to the ARC who will determine if replacement is required.

.

5. CONSTRUCTION GUIDELINES

Construction Guidelines have been compiled to ensure that sensitivity towards preserving and restoring the natural landscape is applied throughout the development process. All Owners and Owners' Representatives (including builders, landscape architects, subcontractors, etc.) shall be bound by the Construction and Maintenance Rules and any violation, regardless if by an Owner's Representative, shall be deemed to be a violation by the Owner of the Lot.

The Architectural Review Committee and the Board of Directors of the Walnut Springs Homeowners' Association will oversee the implementation of the Design and Construction Guidelines during the construction of any improvement to the Lot. Violations of the Construction Guidelines will be reported to the Board of Directors of The Preserve at Walnut Springs Homeowners' Association, who will send a letter to the Builder and/or Owner involved. A copy of this letter will also be placed in the Owner's file.

All fines and enforcement protocols shall apply and may be removed from the compliance deposit until depleted and then will be charged directly to the homeowner HOA account.

5.1. Construction Impact Fee and Compliance Deposit

The Construction Impact Fee is non-refundable. The Compliance Deposit as security against any damages caused to the Area of Common Responsibility, streets, or adjacent properties. No disturbance or construction on any Lot is allowed prior to receipt of these deposits. A final inspection will be performed by the ARC upon completion of the home per the approved plans and specifications (including landscape installation). Provided that no damage to any of the Properties cited above has been done, the Compliance Deposit or any balance thereof will be returned. Owners should contact the ARC to determine the amount of deposits required.

5.2. Occupational Safety and Health Act Compliance (OSHA)

All applicable OSHA regulations and guidelines must be strictly observed at all times.

5.3. Temporary Facilities

No temporary structures, such as trailers, tents, shacks, or other similar buildings shall be permitted on any Lot, except during construction as authorized by the ARC. ARC approval will include the nature, size, duration, and location of each structure (within the 1-acre building envelope).

5.4. Sanitary Facilities

Each builder shall be responsible for providing and maintaining adequate sanitary facilities for its construction workers. Portable toilets shall be located only within the approved Building Envelope.

5.5. Construction Fencing

To protect the land adjacent to the construction area, a temporary chain or permanent fence (if approved by the ARC) shall be installed to completely enclose the construction site within the 1-acre Building Envelope.

The fence, if permeable, shall be covered to prevent construction debris from being blown or washed from the construction site. The fence if temporary shall be maintained intact until the completion of construction.

The construction trailer, (if any), portable toilet, construction material storage, washout basin, dumpsters, and all parking areas must be contained within the fenced construction site.

On lots where cattle grazing occurs, the construction fence shall be substantial enough to keep cattle off the construction site.

5.6. Debris and Trash Removal

Builders shall provide a regulation sized dumpster for debris **prior to** commencement of construction. Trash and debris shall be removed from the site frequently and not be permitted to accumulate. Lightweight materials, packaging, and other items shall be covered or weighted down to prevent being blown off the construction site. Builders are prohibited from dumping, burying, or burning trash anywhere on the Property.

Unsightly dirt, mud, or debris from activity on each construction site and common roadways shall be promptly removed and cleaned up on a regular basis. Construction crews are not permitted to use the HOA dumpsters.

5.7. Vehicles and Parking Areas

Homeowners or Construction crews shall not park or store equipment on HOA roads, HOA parking lots, other building sites or Open Spaces. Parking on the roads causes damage and will result in forfeiting your refundable Compliance Deposit. Homeowners are responsible for compliance of all workers or deliveries assigned to their lot.

Parking is not permitted on any grass or natural vegetation. The Owner and Builder shall plan parking needs in advance of construction and submit a site logistics, storage, parking plan at the construction meeting.

Washout of concrete trucks or cleaning of any equipment must be contained within the fenced construction site. Washout or cleaning residue shall not be allowed to flow out of the Building Envelope.

All construction visitors shall adhere to the posted speed limit signs and take extra care to ensure maneuverability of larger trucks within the neighborhood to ensure reduction of damage to the landscape, roads, and neighboring properties.

5.8. Restoration or Repairs of Property Damage

Damage and scarring to any property, Open Space, or other Lot, including, but not limited to gates, keypads, signs, roads, driveways, utilities, vegetation and/or other improvements, resulting from construction operations, will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly and any expense will be borne by the Homeowner.

5.9. Insurance

Builders shall furnish satisfactory proof of Builders' Risk Insurance to the ARC. No construction of any kind may begin without current proof of Builders' Risk Insurance. If the policy expires during the construction phase it is the homeowners responsibility to provide an updated copy to the ARC.

5.10. Dust and Noise

The Builder shall be responsible for controlling dust and noise, including, without limitation, music from the construction site.

5.11. Daily Operation

Construction and maintenance activities shall be limited to:

- Monday-Friday 7:00 am to 6:00 pm, traffic may continue to 6:30 pm
- Saturday 8:00 am to 5:30 pm non-audible interior Construction and Maintenance Activities (and all traffic related thereto)
- No construction is allowed on Sundays or on New Year's Day, Easter, Independence Day, Thanksgiving or Christmas.

5.12. Construction Timeline

All construction shall be completed within two (2) years from the commencement date of construction. For purposes hereof, the commencement date of construction shall be determined in accordance with applicable Texas law governing the inception date and priority of statutory mechanic's and materialman's liens.

5.13. No Smoking, Open Fires, Pets

Smoking or open fire for any purposes including food preparation is prohibited. No pets shall be allowed within the construction area.

6. THE ARC REVIEW AND APPROVAL PHASES

The architectural review and approval is divided into four required phases: 1) Site Development, 2) Design 3) Construction, and 4) Mitigation. Whether the improvement is a new construction, addition or an external improvement all four phases must be completed. Movement to the next phase may only begin once written approval has been received. The four phases must be completed in order and are described below:

6.1. Site Development Phase

Site Development communication with the ARC should begin as soon as the owner decides to develop or improve their lot. Site Development can include the following depending on the extent of the improvement or development:

- Development of a Site Analysis Plan,
- Site Analysis Meeting
    - Agreement of the 1-acre building envelope.

A Site Analysis Plan is provided to the ARC prior to an onsite meeting. The **site analysis plan** document includes identification of the 1 acre preferred building envelope location, desirable view corridors, significant vegetation, rock outcroppings, utilities and drainage, setbacks and buffers, orientation and rendering of proposed structures and location of adjacent properties

The Site Analysis Plan should be documented utilizing the site survey. The Site Development Meeting is also an opportunity for the Owner, architect or builder to resolve any questions about building requirements or interpretation of the Design Guidelines or the review process.

To assist the Architectural Review and consultants in the evaluation of the site, the Owner shall have preliminary staking at the locations of the corners of the building envelope, driveway, the preliminary concept of the residence or major improvements and at such other locations as the ARC may request. Property staking and story pole installation if requested shall be the responsibility of the applicant and any associated costs are separate from review fees.

6.2. Design Phase

The design phase encompasses the complete scope of your residential improvement. This includes electronic submission of all design documents, review by the ARC/Consultant to determine if the Design Guidelines and CC&R's are met, and a short electronic presentation at a community ARC meeting. In order to be placed on the agenda for ARC Approval, the final documents must be submitted by the first of the month. The presentation may be done by the homeowner or designers, but the purpose of this is to review the final documents and present your project to the community and allow ARC to ask clarifying questions. It may take a couple of months to complete this phase depending on the complexity of the proposed project.

The Design is to be completed by an architect (for structures) or appropriate design professional (landscape, drainage, etc) for non structure improvements. The applicant shall submit all materials electronically for review.

As with all phases, the Design phase should be an interactive process. The ARC and / or the ARC Consultant will provide feedback to the architect and applicant for actionable issues and any items requiring clarification. The ARC Consultant will review the submittal for completeness as well as compliance with the Declaration and Design Guidelines and make a recommendation to the ARC before presenting the Design at a monthly community ARC Meeting.

6.2.1. Design Documents for ARC Review **include but not limited to:**

6.2.1.1. Topographic Survey

- Minimum 1” = 10’ or 1” = 20’
- Existing Elevations noted

6.2.1.2. Final Site Analysis Plan

- Scale no less than 1" = 30" on a 24" x 36" or a 30" x 42" sheet
- One acre building envelope defined pursuant to Section 3.2.
- Impervious vs. pervious calculations and a breakdown of building areas are to be included.
- Number of structures within envelope – max. 4
- Proposed residence orientation and impact to adjacent properties
- Singular driveway entrance per lot - min. 12’ and max. 16’ wide at property line
- Parking area(s) to be screened by landscaping and/or walls 36” - 48” in height
- Utilities location and screening within the envelope
- View corridors and buffers privacy consideration
- Vegetation and rock outcroppings –maximum preservation of existing lot features
- Site drainage and grading done with minimal disruption to established land patterns
- Setbacks minimum from lot lines according to Subdivision Regulations of Blanco County

6.2.1.3. Design Plan

- A visual model indicating the site and structures shall be included in these review documents to demonstrate visibility of the site and relationship to the landscape on the Lot. A 3-dimensional color model is strongly recommended.
- Complete construction documents for the residence including all data required in the Design review submission.
- Roof plan and floor plans should be at a scale no less than 1/8" = 1'-0". Roof plans shall show all areas of roof pitch, porch roofs, roof mounted equipment, all skylights and solar collectors.
- Exterior elevations of all sides of the residence, at the same scale as the floor plans, with both existing and proposed grade lines shown.
- Elevations (heights) of all roof ridge lines, cupolas, or parapets shall be shown.Exterior elevations and/or renderings of all sides indicating the exterior finishes of the structures, including but not limited to roof, siding and paving materials, exterior lighting, renewable energy equipment, fencing materials and cistern finishes (if applicable).
- All exterior materials and general colors indicated.
- A preliminary landscape plan at the scale of 1" = 10'. This plan should show areas to be irrigated (if any), drainage, locations and sizes of all existing and proposed plants, habitat enhancement plan, if applicable, and any additional improvements such as pools, hardscaping and other

structures.

- A construction schedule indicating approximate dates for starting and completion of construction, utility hook-up, and anticipated occupancy date.
- Locations of any temporary facilities, including construction dumpsters and sanitary facilities.
- Indicate water cistern used as main water source or for irrigation on the site plan. Include cistern location, size and dimensioned distance to residence, setbacks, and property lines. Provide image or drawing of cistern indicating size, material finish and proposed screening.
- Preliminary landscape plans to identify plantings as well as screening are scaled.
    - Landscape plans to scale, indicate existing trees, trees to be removed and their species, and caliper size on the site. Include new trees on the plan and include their species and caliper size.
    - If screening will be required inside or outside of the building envelope, this should also be identified. Screening is not just vegetative but can be structural.
    - Ancillary improvements contemplated on the Lot must be shown in this phase.

6.2.1.4. Any other drawings, materials, or samples requested by the ARC.

6.2.2. Presentation of Project to ARC and Community

Once the Design Plan has been submitted, reviewed by the ARC and/or Consultant and finalized, the Design is presented by the homeowner/designee at a monthly ARC meeting for consideration. This will consist of a short presentation of the overall project by the applicant, questions of clarification by the ARC member, and final deliberation by the ARC committee.

6.2.3. No Waiver of Further Approvals

Approval by the ARC of any drawings, specifications or work done or proposed, or in connection with any other matter requiring such approval under these Design Guidelines or the Declaration, including a waiver by the ARC, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar drawing, specification, or matter whenever subsequently or additionally submitted for approval.

For example, the ARC may disapprove an item shown on the Final Submittal even though it may have been existent in previous submittals and was not disapproved.

The Owner and his/her representative shall make known to the ARC any variances from the Design Guidelines. Should the ARC overlook or not be aware of any item of non-compliance at any time during the review process, construction process or during inspection, the oversight of the ARC in no way relieves the Owner from compliance with these Design Guidelines, the Declaration and all other applicable local and state codes, ordinances and laws.

6.2.4. Variances

The ARC may authorize variances from compliance with any of its guidelines and

procedures when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations require, but only in accordance with duly adopted rules and regulations.

Such variances may only be granted, however, when unique circumstances dictate and no variance shall (a) be effective unless approved in writing by the ARC; (b) be contrary to the Declaration; or (c) stop the ARC from denying a variance in other circumstances.

For the avoidance of doubt, the ARC shall not grant any variances from any restriction contained in the Declaration. For purposes of this Section, the inability to obtain approval of any governmental agency, the issuance of any permit, or the terms of any financing shall not be considered a hardship warranting a variance.

Previous approval of similar variances does not guarantee future variance approvals.

6.3. Construction Phase

The Construction Phase is made up of a Build Meeting and Construction Activities. Construction may only begin after the Design Process has been approved and the ARC approval to proceed to Construction letter has been issued, the homeowner:

- Is assessed construction fees
- Prepares their lot for Pre-Construction Meeting
- Provides a signed copy of the Maintenance and Construction Rules
- Provides Owner / Builder Agreement
- Construction plan and timeline

6.3.1. Build Meeting

The ARC or an authorized agent, Homeowner, Builder, ARC Representative and/or HOA Representative meet at the site to review:

- Signed copy of Maintenance and Construction Rules.
- Inspect staked corners of all proposed structures, driveway and grading
- Construction Plan of 1 acre building site
  - Vehicles Parking and storage plans
  - Construction Fencing plans
  - Sanitary facilities location
  - Dumpster Location
  - Construction fencing installation plan of 1 acre building site.
- Construction timeline
- Construction road route (gate use)
- Planned grading of the site (if any), prior to commencement of construction.

6.3.2. Construction Activity

Construction Activity is reviewed on an ongoing basis by the ARC. There are specific times the project is reviewed.

.

6.3.2.1. Inspections

- The ARC or its designated agent may inspect all work in progress and the completed project at any point in time.
    - If non-compliance with the approved plans is identified during inspection, a written warning stating the area of non compliance along with a stipulated remedy period shall be issued.
    - If upon the expiration of the remedy period, the Owner has failed to remedy such non-compliance, the ARC shall notify the Owner in writing, and the ARC may take such action to remedy this non-compliance as is provided for in these Design Guidelines or the CC&R's including, but without limitation, injunctive relief or the imposition of a fine.
- Owner and Contractor are to inform PWS management and the ARC when the site and building are ready for the following inspections by an ARC appointed member or authorized agent to verify the Design Guidelines are being met.
    - Building pad and foundation pre-pour
    - Framing
    - Upon building completion
    - Upon landscaping completion

6.3.2.2. Exterior Changes and Resubmittal of Drawings

Any exterior changes to the approved drawings before, during, or after the construction of an improvement must first be submitted for approval by the ARC. Any relocation of the building envelope shall also first be submitted for approval by the ARC. In the event of any significant change or disapproval by the ARC, a resubmittal must follow the same procedure as the original submittal and will incur additional design review fees.

6.4. Mitigation Phase

The Mitigation Phase of the ARC Process is to return and/or blending your property into the surrounding ecosystem. The Mitigation Phase includes completing Construction, Landscaping, and Screening.

When your project is complete the homeowner can request their final inspection. The final inspection reviews all items that meet the standard as set out in the Approved Design of your project.

If items are not completed at that time the ARC reviews your project, then your final inspection will be postponed until all identified items are met. The items may be those that were on the Approved Design or Resulted from Construction activities and defined during the Landscape Inspection.

Once all inspections have been approved and landscaping/ screening is completed, the ARC Secretary will request the remaining refundable construction deposit returned to the owner.