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# COPPER RIDGE



## DESIGN GUIDELINES COPPER RIDGE (adopted November 12, 2014)

STATE OF TEXAS \*  
COUNTY OF COMAL \*  
KNOW ALL MEN BY THESE PRESENTS:

Set forth in this document are the Design Guidelines for COPPER RIDGE, PHASE I, PHASE 3A and PHASE 3B and for all future phases of Copper Ridge which is under the Authority of the Architectural Control Committee. It is our intent that these Guidelines not only expedite the building process but also promote an exceptionally high quality, aesthetically pleasing environment for all residents.

The Design Guidelines are applicable to all the residential lots within COPPER RIDGE, PHASE I, PHASE 3A, PHASE 3B and all future phases of Copper Ridge which are under the control of the Architectural Control Committee. Throughout the course of the development, these Guidelines may be reviewed, revised and altered as necessary to reflect changing conditions.

These Guidelines are supplementary to the Declaration of Covenants, Conditions and Restrictions for COPPER RIDGE, PHASE I, PHASE 3A and PHASE 3B, which are of record and all Declarations for Phases which will occur in the future. The criteria are intended to complement the Covenants and should a conflict arise, the Covenants shall prevail.

### BUILDING PROCESS

1. Submission of Plans: Prior to any construction beginning on any Lot, two (2) sets of plans containing the following must be submitted to the Architectural Control Committee along with a \$1,000.00 deposit.
  1. Existing conditions-minimum scale 1"=20'. Must include the following information:
    - a. Owner's name;
    - b. Builder's and Designer's/Architect's name;
    - c. Property lines with dimensions and bearings;
    - d. Setback lines;
    - e. Easement lines;
    - f. Adjacent street names; and
  2. Site Plan-minimum scale 1"=20'. Must include the following information: (May be added to the existing conditions map.)
    - a. Proposed location of home;
    - b. Dimensions from corner of foundation to adjacent property line;
    - c. Proposed driveway;
    - d. Proposed fences;
    - e. Proposed retaining walls;
    - f. Proposed pool or spa location;
    - g. Proposed accessory structures (out building, trellis, etc.);
    - h. Finish Floor Elevation (FFE) of first floor and garage;
    - i. Proposed two-foot contour lines; and

3. Architectural Plans-minimum scale of ¼"=1'-0"
  - a. FLOOR PLANS
    - i. Interior rooms dimensioned and named;
    - ii. All window and door openings shown;
    - iii. Roof overhang with a dashed line;
    - iv. Total square footage of structure; and
    - v. Heated square footage of structure. (Refer to your specific Unit Declaration of Covenants, Conditions and Restrictions.)
  - b. BUILDING ELEVATIONS
    - i. Front, rear and two side elevations;
    - ii. All elevations labeled so they correspond with site plan;
    - iii. Exterior finish shown, including paint color and samples; and
    - iv. All decks and terraces shown.

All plans must be drawn by a licensed architect or professional home designer.

2. Approval of Contractor: All dwellings must be built under the supervision of a general contractor. If requested by the Architectural Control Committee, the Owner of a Lot must submit, in writing the name of the Owner's proposed general Contractor, together with a minimum of three references (including a banking reference and two references of people for whom the Contractor has built a home in the last two years) for approval, prior to the commencement of any construction. Further, all general contractors must meet the criteria set forth in the Declarations.

### **CONSTRUCTION PERIOD**

Prior to the Architectural Control Committee releasing the approved plans, the Committee may require the mesh fence, described below, a dumpster, a port a potty and bullrock to be installed.

During the Construction Period, the following guidelines must be followed.

1. Building Area

To protect the Lot and adjacent Lots from damage due to construction operations, a mesh construction fence shall be installed along the sides of the lot from the front Lot line to 25 feet behind the building site (the "Building Area"). No construction of any kind is allowed outside the Building Area. Accordingly, the Building Area shall be the minimum area needed surrounding the improvements being constructed and to allow for access of construction vehicles.

2. Construction Entrance

A construction entrance must be installed prior to the start of any work on the lot. The entrance must extend 25' from the entrance lot line and must be constructed of bullrock.

3. Site Maintenance

Only usable construction materials may be stored on a construction site. Discarded construction materials, refuse and debris must be removed daily from the site, or contained within a trash dumpster. A dumpster is required on site prior to the framing of the dwelling and during any construction thereafter. Storage or placement of materials within any right of way or easement is not permitted at any time. If trash is not removed on a regular basis, the Association shall have the right, but not the obligation to remove the trash and an invoice will be sent to the Owner. No fires are allowed on construction sites. Contractors are prohibited from dumping, burying or burning trash or other products anywhere within the Subdivision or on adjacent lands. No petroleum-based products or other potentially hazardous or toxic substances may be disposed of on any lot or any drainage ditch, stream, or lake. During the construction period, each construction site and the street in front of the route to and from the construction site shall be kept neat and clean, and shall be properly policed to prevent it from becoming a public eyesore or affecting the other Lots or any open space or Common Facilities. Unightly dirt, mud, or debris from activity on each construction site and street in front of the construction site shall be promptly removed and the general area cleaned up.

4. Port a Potty

Each Contractor shall be responsible for providing adequate sanitary facilities for his construction workers.

5. Traffic Regulations

Each Contractor shall be responsible for its subcontractors and suppliers obeying the speed limits posted within the Subdivision. Fines will be imposed against the Contractor and/or the Owner of the Lot for repeated violations. Adhering to the speed limits shall be a condition included in the contract between the Contractor and its subcontractors/suppliers. Repeat offenders may be denied future access to the Subdivision by the Committee. Each Owner and/or Contractor must supply the Architectural Control Committee, and if available, the front gate guard, with a list of all Contractors and/or subcontractors which will be entering the subdivision for work on their Lot.

6. Owner responsibility

All Owners will be absolutely responsible for the conduct and behavior of their agents, representatives, employees, builders, Contractors and subcontractors while on the premises of the Subdivision. The following practices are specifically prohibited:

- i. Allowing concrete suppliers, plasterers, painters, or subcontractors to clean their equipment anywhere but a the location designated, if any, for that purpose by the Architectural Control Committee or Copper Ridge Property Owners Association;
- ii. Carrying any type of firearms within the Subdivision by construction personnel;
- iii. No pets, particularly dogs, may be brought into the Subdivision by construction personnel. In such event, the Architectural Control Committee, the Board of Directors of the Association, or the Declarant shall have the right to contact authorities to impound the pets, to refuse to permit the Contractor or subcontractor involved to continue work on the project, or to take other action as may be permitted by law, the Architectural Control Committee, or this Declaration;
- iv. Loud music from the construction site;
- v. Open fires;
- vi. Alcohol or drugs on site;
- vii. Harassing or loud behavior;
- viii. Construction personnel traveling to the property unnecessarily;
- ix. Use of amenities by construction personnel; and
- x. Whenever possible, parking in the Right of Way or road area. (All vehicles whenever possible shall be parked only on the Lot on which work is being performed.)

Violations of the above may result in the contractor being denied access to the property.

## **DESIGN**

1. Square footage of house

Each Lot may have no more than one dwelling which must have at least two thousand four hundred (2400) square feet of living area for one story dwellings and two thousand eight hundred (2800) square feet of living area for two story dwellings, with at least sixty percent (60%) of the living area on the ground floor. All square footage calculations shall exclude porches and garages. One guest/servants house may be built provided said guest/servants house (i) contains no less than five hundred (500) square feet and is no larger than forty percent (40%) of the size of the main dwelling's living area, (ii) is built after or while the main dwelling is being built, and (iii) has prior approval of the Architectural Control Committee. All residences must have a garage (even if such residences also have a port-a-cache). Detached garages, work shops, and storage buildings must be less than forty percent (40%) of the size of the main dwelling and may not be constructed on the Property prior to the main dwelling being built. Pool houses, if any, shall not exceed twenty percent (20%) of the size of the main dwelling's living area.

2. Roofs

All pitched roofs, not including porches, must comply with the following:

- a. No flat or inverted roofs.
- b. Standing seam (26-gauge minimum) metal or tile as follows:
  1. Standing seam metal, tin, copper, zinc or tile.
  2. Painted Earth tones or natural metal finish.
  3. Non-glare surfaces are preferred, although the natural aging of metal roofs is allowed.
- c. No white, black, red, pink, blue, yellow or other non-earth toned colors are allowed.
- d. Roofs shall not have a single plane design along the front of the main dwelling.

3. Facade of House

The front of the main dwelling shall have varied design elements so as to avoid "flat" or "straight" front facade.

4. Culverts

All crossings or culverts on any Lot shall be constructed of concrete.

### LANDSCAPING

1. Landscape and Submission Requirements

**The landscape layout and plans must be submitted to the Architectural Control Committee no later than thirty days prior to completion of the main dwelling,** must have a minimum scale of 1"=20' and shall contain the following: all landscaping, plant materials, irrigation, walls, walks, swimming pools, fences, or other features to be installed or constructed on any portion of the lot. **All landscaping must be finalized no later than 90 days from the completion of the dwelling.** The Architectural Control Committee shall, in its sole discretion and authority, determine whether the landscape layout and plans submitted to it for review are acceptable. The landscaping shall be a well balanced mix of turf grass, shrubs, trees and a sprinkler system.

2. Landscape Plan- Must include the following information:

- a. Owner's name;
- b. Property lines with dimensions;
- c. Location of all structures (including home, outbuildings, decks, trellises, fences, gazebos, etc.), pavement and utilities;
- d. Location of all landscaping, including but not limited to lawn areas, shrub bed lines and rock/mold area;
- e. Location of all proposed plant material;
- f. Location and specifications of all exterior lighting fixtures;
- g. Location of swimming pools, fences and other features to be installed or constructed on any portion of the Lot.

All air conditioning units and pool equipment shall be concealed through Architectural Control Committee approved fencing or landscaping which will shield such units and equipment.

Drought resistant turf and plants preferred.

3. No more than the forty percent (40%) of any front yard area on any property, excluding driveway(s) and sidewalk(s), may be covered by rock material. Any deviation must have prior written approval by the Architectural Control Committee.

4. All Lot Owners must submit a tree preservation plan and tree affidavit to the City of New Braunfels, if required by the City of New Braunfels, prior to any work, including clearing, being conducted on any Lot.

### SIGNAGE

This provision shall not be deemed to prohibit the posting of any signage by Declarant as required or recommended by the Texas Commission on Environment Quality. Nor shall this

provision be deemed to prohibit the posting of any safety, advisory or warning signage or traffic control signage recommended by the Declarant or the Association.

No advertising signs or billboards of any kind shall be displayed to the public view on any portion of the Premises, except as follows:

1. Builders Signs

a. Show Case Builders: At such time as a Show Case Builder (which term is defined in the Declaration of Covenants, Conditions and Restrictions for Copper Ridge) shall close on a Lot, such Show Case Builder may place one (1) sign per lot, not more than thirty-six inches (36") by forty-eight inches (48") with a maximum area of 12 square feet in size on the Lot for purposes of identification of the Builder and showing a rendering of the dwelling to be built. At such time as a Model home is being built, the Show Case Builders of a Model Home may place one (1) pre-approved sign on the Lot, not to exceed four (4) feet by four (4) feet or a maximum area of 16 square feet in size for the purposes of advertising the Model Home. One (1) additional sign may be suspended below the main sign for the purpose of displaying the owner's name so long as the combined total of the main sign and the suspended sign does not exceed four (4) feet by four (4) feet. All signs shall be panel type. Descriptive phrases such as "3-bedroom" may not appear on any Builder's or Show Case Builder's signs. Colors of sign backgrounds should be muted earth tones which harmonize with Hill Country colors rather than sharply contrast with them. Letter colors should relate harmoniously with the background colors while providing sufficient contrast to enable the sign to be read from approximately 20 feet away. The sign shall be mounted on a standard sign support and placed in the ground. No sign shall be attached to a tree or fence and all signs must be properly maintained. **Show Case Builder's signs must be removed at the time the house is occupied or two (2) weeks after the sale, whichever is earlier.**

b. Builders other than Show Case Builders. During the construction of a home, Builders may place one (1) sign per lot, not more than twenty-four inches (24") by thirty-six inches (36") with a maximum area of 6 square feet in size on the Lot for purposes of identification of the Builder. Builders of a Model Home may place one (1) pre-approved sign on the Lot, not to exceed three (3) feet by three (3) feet or a maximum area of 9 square feet in size for the purposes of advertising the Model Home. All signs shall be panel type. No additional signs may be attached to the main sign or be suspended below it. Descriptive phrases such as "3-bedroom" may not appear on any Builder's signs. Colors of sign backgrounds should be muted earth tones which harmonize with Hill Country colors rather than sharply contrast with them. Letter colors should relate harmoniously with the background colors while providing sufficient contrast to enable the sign to be read from approximately 20 feet away. The sign shall be mounted on a standard sign support and placed in the ground. No sign shall be attached to a tree or fence and all signs must be properly maintained. **Builder's signs must be removed at the time the house is occupied or two (2) weeks after the sale, whichever is earlier.**

c. The following information may appear on a Show Case Builder's or Builder's Model Home sign:

- Builder's name;
- Architect's name;
- Owner's name;
- One phone number;
- One miscellaneous tag line; and
- Street address and lot number.

2. "For Sale Signs" on Lots Owned by Residents

"For Sale Signs" shall be limited to one (1) sign per lot with a dwelling. **No signs shall be allowed on unimproved Lots.** The sign shall be a standard size real estate sign in a metal frame by a licensed real estate agent. The sign shall be as follows:

a. The sign shall be a single-faced, panel type, constructed to 24" x 36" dimensions.

- b. A maximum of five lines of information may appear on a sign. No descriptions, such as size and number of bedrooms and baths shall be allowed. This information shall be limited to:
  - FOR SALE
  - The Real Estate Company Name
  - Real Estate Agent Name
  - One (1) Phone Number
  - Lot # \_\_\_ Acreage \_\_\_\_
- c. The sign shall be mounted on a standard metal sign support and placed in the ground. It may not be attached to a tree or fence.
- d. The sign must be removed at the time the house is sold.

## MISCELLANEOUS

### 1. Swimming Pools/Hot Tubs

Above ground swimming pools are prohibited. Bubble covers for below ground swimming pools are prohibited. Pools may not be installed on the front or side yard of any home. All Plans for swimming pools must be submitted to the Architectural Control Committee for approval. Swimming pools which are installed in the rear yards of lots that are adjacent to other lots may be subject to additional screening requirements as imposed by the Architectural Control Committee.

### 2. Tennis Courts

Private tennis courts shall be permitted on tracts that are 1 acre or larger and must meet all setback requirements placed on the rear yard of the home and must be approved by the Architectural Control Committee. Basketball goals are permitted, if the goal is a permanent structure. The location and finish of basketball goals shall be submitted and approved prior to construction.

### 3. Nuisance

No noxious or offensive activity shall be carried on within the Subdivision, nor shall anything be done tending to cause embarrassment, discomfort, annoyance, or nuisance to any Person using any property within the Subdivision. There shall not be maintained any plants or animals or device or thing of any sort whose activities or existence in any way is noxious, dangerous, unsightly, unpleasant, or of a nature as may diminish or destroy the enjoyment of the Subdivision. Without limiting the generality of the foregoing, no speaker, horn, whistle, siren, bell, amplifier or other sound device, except such devices as may be used exclusively for security purposes or as approved by the Architectural Control Committee shall be located, installed or maintained upon the exterior of any structure on the Lot unless required by law. Any siren or device for security purposes shall contain a device or system which causes it to shut off automatically.

### 4. Flag Poles

Flags and flag poles must comply with the following:

- a. Only one pole may be placed on any Lot.
- b. The pole shall be no more than twenty feet high.
- c. The pole and the flag must be maintained in good condition.
- d. Only soft lighting shall be used to illuminate the flag..

### 5. Enforcement Powers

Any structure or improvement that is placed on any home site without Architectural Control Committee approval is considered to be in violation of these guidelines and the Restrictions. The Architectural Control Committee has the power to request that the non-conforming structure be brought into compliance at the owner's expense. Should the owner fail to comply with the requests of the Architectural Control Committee, the Architectural Control Committee will act in accordance with Article V, Section 5.4(E) of the Restrictions to bring the non-conforming item into compliance.

6. Amendment

Prior to the period in which the Developer appoints the Architectural Control Committee, all provisions of this Design Guidelines may be amended by a majority vote of the Architectural Control Committee. After that time, this document may be amended by majority consent of the Architectural Control Committee except for the provisions affecting the Show Case Builders. The provisions affecting the Show Case Builders may only be amended by a majority vote of a quorum present at a meeting of the Property Owners Association. Any plans submitted prior to an amendment to these Design Guidelines shall be subject to the Design Guidelines in place as of the date of submission.

7. Terms

Terms used herein have the same definitions as those defined in the Declaration of Covenants, Conditions and Restrictions, Copper Ridge.

8. NO GUARANTEES, WARRANTIES OR REPRESENTATIONS

**DEVELOPER DOES NOT MAKE ANY GUARANTEES, WARRANTIES, OR REPRESENTATIONS OF ANY KIND WHATSOEVER, INCLUDING, BUT NOT LIMITED TO THE QUALITY OF CONSTRUCTION OR MATERIALS USED AND/OR THE ABILITY OF ANY BUILDER OR SHOW CASE BUILDER.**

IN WITNESS WHEREOF, Declarant has executed this Declaration as of this the 12<sup>th</sup> day of Nov., 2014.

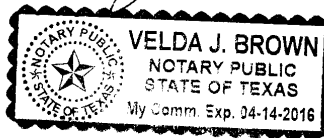
SOUTHERLAND COMMUNITIES NB  
LAND PROPERTIES, LTD., a Texas  
limited partnership, by SC NB LAND  
PROPERTIES, LLC, a Texas limited  
liability company, General Partner

By: [Signature]  
JAY PATTERSON, President

THE STATE OF TEXAS \*  
COUNTY OF Comal \*

This instrument was acknowledged before me on this the 12<sup>th</sup> day of Nov., 2014, by JAY PATTERSON, President of SC NB LAND PROPERTIES, LLC, a Texas limited liability company, as General Partner for SOUTHERLAND COMMUNITIES NB LAND PROPERTIES, LTD., a Texas limited partnership, in the capacity therein stated, on behalf of said Company.

[Signature]  
NOTARY PUBLIC, STATE OF TEXAS



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Official Public Records  
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[Signature]  
Joy Streater