



ARCHITECTURAL GUIDELINES

Amended and Restated

April 4, 2018

This document, known as “The Enclave at Canyon Lake Architectural Guidelines”, “Architectural Guidelines” or “Guidelines” shall be those referred to in the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE ENCLAVE AT CANYON LAKE, A PLANNED UNIT DEVELOPMENT AND THE ENCLAVE AT CANYON LAKE COMMUNITY ASSOCIATION, INC., as described in ARTICLE 2(b) of the Declarations and recorded as Document #200606014121 of the Official Public Records of Comal County, Texas.

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1.0 INTRODUCTION

The purpose of the Architectural Review Committee (“ARC”) for The Enclave at Canyon Lake is to evaluate each proposed home and site design for appropriateness. The Committee may determine what is appropriate in one situation may not be appropriate for another. Overall the ARC encourages discretion and understatement in architectural and site design that does not call attention to the home or other improvements and respects its neighbors as well as the overall community. Creativity in design, innovative use of materials and unique methods of construction are encouraged, so long as the final result is consistent with this overall philosophy as expressed by the Architectural Guidelines.

These are minimum standards of design, justified in part by the climate, environment and the terrain of the site. Architectural and site design require consideration of the existing site, attention to building massing, texture, color, height and materials, as well as planting design and overall site layout. Also, run-off considerations, water retention and other technical issues are critical in creating a building and site development compatible with the natural and restored landscape.

Each site has unique features of topography, slope, drainage, views, vegetation and wildlife that need to be analyzed in the design process. Each Owner must demonstrate how development of their property respects the vistas and amenities of neighboring properties and of the project as a whole.

It is the intent of the development philosophy, the residential architectural standards, and the Architectural Guidelines to preserve, protect and enhance the special environment of The Enclave at Canyon Lake. Each Lot in The Enclave at Canyon Lake is considered unique in terms of its natural opportunities and constraints. In an effort to achieve a synthesis of nature and residence, each residence should be placed on the site to minimize disruption of the existing environment and to preserve the natural features of each Lot, such as: views, significant existing plants and trees, topography and creek beds and other natural drainage features. The Architectural Review Committee shall evaluate each proposed design for appropriateness to its Lot and compliance with the objectives of the Architectural Guidelines.

It is strongly recommended that each Owner retain competent professional services for planning and design. 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 Architectural Review Committee the concept and design of a proposed residence or other improvement, are all elements which will assist the Committee in the design review process.

2.0 REVIEW AND APPROVAL PROCESS

The ARC hopes to work with the Owner, builder, architect or designer to ensure that the final design is appropriate for each home site. To schedule an appointment, contact the association manager.

2.1 Architects, Designers and Contractors

If an Owner wishes to work with an architect or designer, the Owner should submit an architect/designer Application for approval.

If an Owner selects a contractor or builder, the Owner should submit a Builder Application for approval. It must include: (a) a minimum of three personal references, (b) banking references, and (c) names and contact information of five customers whose homes were completed in the last five years.

The Architect, Designer, Contractor or Builder Application will be reviewed and accepted or rejected within thirty (30) days. The decision of the ARC is final. The Architectural Review Committee; however, by giving approval to an architect, designer, contractor or builder, makes no representation or warranty express or implied, relative to financial worth or integrity or the architect, designer, contractor or builder or the quality of their work.

2.2 All Approvals in Writing

All approvals by the ARC shall be in writing. No verbal approvals or representations by the ARC shall be valid or enforceable.

The ARC is made up of a combination of professionals and others who are very knowledgeable of the goals and values of this project. The Committee reserves the right to discuss and act upon an application without the applicant or a representative of the applicant being present.

2.3 Variances and Approvals

Because each home site is different, a variance that is granted or a home plan that is approved shall not set a precedent. All home plans are approved or rejected on a case-by-case basis.

Any variances to the design guidelines must be submitted in writing and should be addressed in the pre-design or preliminary design meetings. All variance approvals must also be in writing. No verbal approval or representation concerning a variance by the ARC or anyone else associated with The Enclave at Canyon Lake shall be valid or enforceable.

2.4 Pre-Design Meeting

To initiate the review and approval process, it is highly recommended that the Owner and their architect and/or designer meet with the ARC. This informal meeting is intended to offer guidance and education prior to the often-expensive design process. The Owner and Architect should discuss any questions about these guidelines and/or present ideas about the proposed residence. A site analysis plan will be required at this meeting and must include the following:

- Orientation of the proposed residence
- Desirable view corridors
- Significant vegetation and rock outcroppings
- Utilities and drainage
- Setbacks and location of adjacent residences (if applicable)

The meeting will take place at the property, in most cases; however, the exact location shall be decided by the ARC.

2.5 Preliminary Design Review

After the pre-design meeting, preliminary plans must be submitted to the ARC. The purpose of the preliminary review is to ensure that the proposed design conforms with these guidelines before expensive construction drawings are produced. Submittal of the preliminary design shall be delivered to the ARC seven (7) days prior to the meeting. Submittals must be accompanied by a completed "Preliminary Plan Review Application". A design review/application fee of \$1,000.00, payable to The Enclave at Canyon Lake Community Association, Inc., will also be required with the preliminary submittal.

The preliminary design review submittal shall include three (3) copies of the following:

- Site plan on a 24" x 36" sized sheet(s) at a minimum scale of 1"=10' or 1/8"=1', showing all building and improvement locations, including driveway, utilities, utility trenching, all HVAC units, existing and proposed site grades, and the location of the existing adjacent sites, buildings, natural and manmade features. On larger sites that do not fit on a 24" x 36" sheet, the scale may be increased to 1"=20' or 1/16"=1'.
- Preliminary elevations of all sides of the building are required showing roof heights from existing grade. Indicate finished floor grade showing existing trees within 25' of the building foundation. Floor plans must be minimum of 1/16"=1'.
- A tree survey, conducted by a registered land surveyor must include dimensions and species of trees located within twenty-five (25') feet of areas anticipated to be disturbed by construction. The tree survey should include all hardwood trees over six (6") inches in diameter. The survey should also show the tree canopy as well.

- A general description of materials.

If the ARC must review a preliminary plan that is rejected and resubmitted for review, additional design review fees may be imposed. These fees will be at the sole discretion of the ARC.

Upon completion of the ARC's review of the preliminary design, a written notice to the Architect/Designer will be issued.

2.6 Final Plan Review

Submittal of the final design shall be delivered to the ARC seven (7) days prior to the review meeting. The final design shall be substantially the same as the preliminary design approved in writing by the ARC. If changes are made between the preliminary and final review, it is recommended that the preliminary design be resubmitted. The final review submittal shall include three (3) copies of the following:

- Site plan at 1"=10' or 1"=20' to include: easements and setbacks, utility trenching, connections and meters, impervious cover calculations, existing trees to remain or to be removed, man-made features, grading and drainage, site restoration, revegetation, and any special features. The plan will also include the location of perimeter and silk fencing, construction entrance, materials storage, dumpster, and port-a-let.
- Engineered foundation plan.
- Final elevations and floor plans at 1/8" or 1/4". A sample board with exterior materials to be used, finishes and colors including a wall section and roof detail, roof materials, manufacture and color, types of windows, manufacturer and color, exterior wall and trim materials and colors and a picture or cut sheet of the proposed garage.
- Owner and Builder must both sign the "Compliance Fee Agreement" and deposit with the Association a \$5,000.00 Compliance Deposit.
- A completed copy of the EPA National Pollutant Discharge Elimination System Notice of Intent and any permits required by the Texas Commission on Environmental Quality ("TCEQ"), with evidence of mailing to be furnished by the Builder.
- A fully executed Canyon Lake Water Company water tap application and appropriate fees. Fees will be payable to Canyon Lake Water Company. It will be the responsibility of The Enclave at Canyon Lake Community Association, Inc. to forward the application and fees.

- Proposed parking plan for subcontractors.
- Proof of Insurance provided by builder and subcontractors.
- Final structured home wiring plans to be reviewed by ARC or its designee.

2.7 Inspections

A representative of the ARC will make an inspection of the site prior to the commencement of any tree clearing or construction to ensure that all erosion controls such as the perimeter and silt fencing and construction entry is installed. The dumpster and port-o-let must be onsite in order to proceed with construction.

During construction, every home will be inspected by a licensed TREC inspector, approved by the ARC. Inspections will take place at (1) completion of foundation forming, prior to concrete being poured, (1) upon completion of framing, HVAC, electrical and plumbing installation, prior to insulation and sheetrock, (3) roofing inspection, and (4) final inspection upon completion of improvements, prior to possession. These inspections will be for the benefit of the Owner, to assure compliance with the IRC Building Code as adopted by the State of Texas, since The Enclave at Canyon Lake is not within a municipality or other code compliance authority; however, the ARC will be provided with a copy of said inspections.

A Guadalupe Valley Telephone Company ("GVTC") or other ARC-approved home wiring expert will do a final Pre-Wire inspection at the completion of the structured home wiring installation to ensure compliance with The Enclave at Canyon Lake Wiring Specifications. All homes must be pre-wired to take advantage of the services available through fiber-optic cable installed by GVTC.

During the construction phase, the ARC or an agent will perform periodic inspections to ensure compliance with erosion controls and approved plans; however, the ARC will have no responsibility or liability whatsoever for non-compliance by the Owner, Contractor or Builder.

A final inspection will be done at the completion of landscape installation to ensure compliance with the approved plans.

2.8 Foundation Plans

A foundation survey may be required for home construction if the ARC deems it necessary. The survey shall be prepared and sealed by a Registered Land Surveyor. The survey must be submitted for written approval by the ARC prior to the framing of the home.

2.9 Changes

During construction, no changes in the exterior plans, materials, or colors previously approved by the ARC may be undertaken without prior written approval from the ARC.

Once the residence is completed, no exterior alterations including, but not limited to, colors, materials, additions or deletions shall be undertaken which will result in changes, visible or apparent, to the exterior appearance without prior written approval of the ARC.

2.10 Modification and Enforcement

The ARC may at any time, in its sole discretion, amend these guidelines. As the ARC reviews plans, it is inevitable that unforeseen situations will require amendments to these guidelines. Every effort will be made to notify Owners of these changes; however, it is ultimately the Owner's responsibility to obtain the latest guidelines.

The ARC shall have the right to enforce all terms and provisions of these guidelines. The rights of enforcement are more specifically spelled out in the "Declaration of Covenants, Conditions, and Restrictions for The Enclave at Canyon Lake Planned Unit Development and The Enclave at Canyon Lake Community Association, Inc.

3.0 SITE DESIGN GUIDELINES

The Building Construction Envelope (BCE) acts as a limit beyond which no construction activity, including grading, access and materials storage may take place. As a general rule, the BCE is defined as the area located twenty (20') feet outside of the building foundation and five (5') feet outside the driveway. In addition, up to 15% of the Lot may be used as BCE. All areas outside the BCE must be protected by the Owner/builder.

The ARC understands that additional construction areas will be needed for materials storage, dumpster location and equipment access. In order to change the BCE, the Owner and/or Builder, shall, prior to the onset of construction, submit for approval, a written request with a drawing. There shall be a preliminary BCE delineated at the time of preliminary design submittal. It shall be finalized in the documents for final design review.

Construction shall not begin prior to written approval from the ARC for any changes to the BCE.

The ARC will review the proposed BCE based upon its impact on existing vegetation, slopes, drainage, patterns, neighboring home sites, and size and the practicality of the requested work area. Both the builder and architect should carefully plan the construction sequence to minimize the area needed.

Under no circumstances will any builder or contractor enter onto or place any material, vehicles, or equipment on property not owned by the property owner in which construction was approved.

3.1 Cut and Fill

The sloping topography of The Enclave at Canyon Lake may require cutting and filling of the site. Generally, homes that step down a slope should follow a rule of balancing the cut and fill. The ARC may grant exceptions to the general cut and fill rule. No exposed fills are allowed, fills shall be contained by retaining walls.

Re-vegetated slopes are required when any land is impacted by cut and fill. Exposed cuts are permitted if the result is an aesthetic limestone ledge or other design asset agreed upon and approved by the ARC.

Drawings (plans and elevations) of cut and fill areas, retaining walls and proposed re-vegetation, if applicable, shall be submitted with the final design package at the same scales as noted in Sections 2.5 and 2.6 above.

3.2 Driveways

Driveways shall be a minimum of twelve (12') feet wide and a maximum of sixteen (16') feet, except for the turnaround near the garage. Masonry pavers, concrete with exposed aggregate or rock salt finish may be used. It is preferred that concrete be stained or stamped and colored. Asphalt is not allowed. Where possible, driveways should be flush with the finished grade and designed to follow the existing contours of the site, with minimum excavation.

Curb cuts are NOT permitted and only one driveway entry is allowed per lot. The roll-up curbs constructed must be maintained to provide drainage required by the Comal County Engineer.

One (1) off-street guest parking space will be required, as a minimum. The space will preferably be a minimum of twenty-five (25') feet from the front property line and will include substantial landscaping to screen the guest parking area from the street or neighboring property. Creative solutions for addressing this are encouraged.

The Architect will submit the proposed driveway location as part of the preliminary design review. In locating the driveway, consideration should be given to sight distances along the road, natural vegetation and the location of adjacent home sites.

3.3 Utility Connections

Where practical, utility lines connecting the home to the utility systems shall be located in the driveway. The ARC may grant variances to this provision if the proposed utility location preserves existing vegetation or special site features.

The Owner should be aware and comply with the connections for fiber optic to the home ("FTH"); GVTC in its sole discretion will determine the location of the FTH.

3.4 Address Markers

Each property will be provided with a stone address marker located at the front property line. AA PVC conduit should be run to the front of this marker with 110 volt power in order to light the address marker. No other address markers will be permitted.

3.5 Building Setbacks

The Owner should be aware and comply with the setbacks shown on the final plat and recorded in the Comal County records. The ARC in its sole discretion will determine appropriate site-specific setbacks and height requirements.

4.0 ARCHITECTURAL GUIDELINES

It is the presumption of the ARC that residents seek to live in homes that are thoughtfully designed and that fit into the landscape of The Enclave at Canyon Lake. Home designs that dominate their sites, or needlessly demand attention by insensitive or aggressive massing are strongly discouraged. In general, the ARC will seek the design of buildings that blend into the landscape; are responsive to the specific qualities and conditions of their sites; utilize materials appropriate to the landscape and are used in accordance with nature; and are sensitive to neighbors.

4.1 Site and Environmental Factors

The site shall play a role in determining the specific form, size and layout of each building, and the Architect should be ready to discuss the site in the presentation to the ARC.

Prior to design, the Owner and his/her architect will survey the Lot to identify extraordinary features and conditions, such as view corridors, stone outcroppings, natural drainages, or other specific features that must be preserved or responded to by the design of the home.

Foundations should be limited to twenty-five percent (25%) interference with root systems inside the existing drip line of trees with eight-inch (8") diameter or more. Tree protection during construction is required. Buildings should attempt to follow the contours of the Lot topography. In general, long thin building masses should be parallel to the contour. Buildings should not protrude obtrusively from the lines of the landscape.

4.2 Home Size Patios, Terraces and Porte Coucheres

The ARC favors designs that seek to establish a positive connection between indoor spaces, designed outdoor spaces, and the landscape beyond. Such designs should allow for the reduction of the gross massing of homes in general by the expeditious use of exterior spaces. The use of covered and uncovered structured outdoor spaces such as patios, terraces and *porte coucheres* are highly recommended.

Homes should not be so large or designed in a manner that they overwhelm the site. Large homes may be justified if the home site has very dense vegetation which would obscure the home from the street or given to the configuration of the Lot as such that the home can be built on part of the site that is not visible from the street or adjacent properties.

4.3 Building Height

Architectural strategies that restrain the presence of roofs – thin and horizontal masses and low roof pitches will be favored by the ARC.

As a rule, the maximum building height shall be no more than thirty (30') feet measured from natural grade at a point directly beneath the highest point of the roof. Roof lines should not extend more than five (5') feet above the tree canopy on lots with major trees (trees with 8" diameter or more). An architectural feature such as a tower can exceed the landscape height restrictions with written approval of the ARC. The floor plate of the tower or other feature cannot exceed sixteen (16') feet on any side.

The composition of chimney caps should match the roof material. Mechanical ventilation devices must be concealed with masonry. Roof vents and other penetrations shall be as unobtrusive as possible.

4.4 Building Materials

The choice of materials and method of construction employed should serve as a major factor in determining the form of the building. The goal for The Enclave at Canyon Lake is to have homes constructed with materials that are compatible with the general color and texture of the surrounding landscape. The use of white limestone or very light-colored stone as the predominant stone for exterior walls is highly discouraged.

Homes shall be constructed of stone, stucco or concrete. Brick, wood and metal can be used as secondary materials only. Vertical changes of materials shall be at interior corners. Vinyl or wood siding is prohibited.

Decks, exterior stairs and related construction must be compatible materials and finish as that of the exterior elevation.

4.5 Building Massing

The massing of buildings refers to the size, bulk, scale and shape of the structures. The ARC encourages massing that is simple and logical. Massing that separates the building functions into different parts for courtyards, kitchens, living areas, bedrooms, garages or *porte cocheres* are favored.

Generally, the second-floor area of the residence shall not exceed 50% of the enclosed first floor area of the residence including garages, but not including covered outdoor spaces. Two-story open interior spaces are included as second floor area in calculating the percentage of second floor area to be built.

Large unbroken expanses of masonry in excess of twenty-four (24') feet will not be allowed without an opening or other appropriate treatment to break up the mass.

Arbitrary or predetermined shapes, forms and volumes such as octagons, triangles, geodesic domes, pyramids, etc. shall not be allowed for their own sake, except as they may occur as part of the overall design.

4.6 Colors

Colors for the home (*whether stone or plaster*) should be compatible with the surrounding native landscape. Choice of color should be limited to earth tone or muted colors chosen to blend, rather than to contrast, with the home's surroundings.

Utility meters mounted on the home must be painted to match the exterior of the structure.

Accent colors on front doors, window sash and screens or other incidental elements are permitted as long as, in the opinion of the Architectural Review Committee, the accent does not overwhelm the home's basic color or create a visual distraction from the street, adjacent Lot, or Common Facilities.

4.7 Roofs,

The following architectural elements are expressly prohibited: excessively pitched roofs, mansard, gambrel or chalet roofs, flat roofs or roofs that are too steep or too shallow for the style of the home. A maximum 6:12 pitched roof is highly encouraged. All sloped roof materials used at The Enclave at Canyon Lake must be approved the Architectural Review Committee.

Roofscapes form an important part of the visual environment; they must be carefully designed. Roofs may be constructed with only the following materials: Earth tone colored standing seam metal roofs, or earth tone barrel or flat clay tile or slate.

Roof mounted mechanical equipment is prohibited on any roof, unless in the judgement of the Architectural Review Committee, it does not adversely affect views from the streets, other Lots, or Common Facilities. When permitted such equipment must be screened from view from streets, other Lots, or Common Facilities.

4.8 Windows and Doors

The central architectural role of windows at The Enclave at Canyon Lake is to generously link inside and outside spaces and to introduce natural light. The use of large areas of glass, floor to ceiling, windows operable sections, the shading of windows for view, glazed lineage spaces, and other means of extending space from indoor to outdoors will be supported by the ARC. Windows that offer large, uninterrupted viewing areas are encouraged.

All windows and exterior doors shall be of wood, vinyl or steel construction, unless a variance in writing is granted by the ARC based on architectural merit, not cost.

4.9 Garages and Garage Doors

Garages should provide space for a minimum of two automobiles, but shall not take up a disproportionate amount of space in a home. In addition, driveways and hard surfaces add impervious cover. Wood garage doors with interesting architectural features are highly encouraged.

Garages may not be converted into indoor uses such as dens, recreation rooms, family rooms, workshops, etc., without specific written approval from the ARC. The surface and design of the garage door should be treated architecturally. Recessed doors or other thoughtful designed elements are encouraged for three garage bays or more.

Garage doors may not face the street or green space unless expressly approved by the ARC.

4.10 Waste Water Systems Requirements

No outside toilets shall be used, constructed or permitted except during the construction of a single-family residence, during which time there must be a portable toilet on site. No installation of any kind for disposal of sewage shall be constructed or maintained which would result in untreated sewage or septic tank drainage being drained onto or into the surface of any part of the Property, or onto or into any body of water located on the Property. No means of sewage disposal may be installed, used or maintained except a septic tank, an improved gray water system or a similar or improved means of sanitary sewage disposal which meets the requirements of and is approved by all governmental authorities having jurisdiction thereof. No structure placed upon a Lot shall be used until sanitary sewage disposal facilities complying with this paragraph have been completely finished. The Committee shall have the right, but not the obligation, to specify the location, orientation and drainage field of any such means of sanitary sewage disposal, subject to the approval of all governmental authorities having jurisdiction thereof. This is not meant to prohibit any "gray water" systems, which are approved by the Architectural Review Committee and all applicable governmental authorities. Reference Article 5.25 of the Declaration of Covenants, Conditions and Restrictions of The Enclave of Canyon Lake.

4.11 HVAC Units, Pool Equipment and Other Structures

All HVAC units and pool equipment shall be screened from the view of the street and neighboring residences with structural screening to match the exterior of the home. Landscaping will also be required to help soften the structure.

Other structures that must be screened from view of the street and neighboring residences include, but are not limited to, children's play equipment, swimming pools, and ornamental pools. The ARC will require specifications and/or plans and will have final authority on placement of such structures. Outdoor storage buildings, unless designed by the Architect and submitted as part of the final design review shall not be allowed. Other structures, such as, but not limited to, hangars, sheds, cribs, guest cottages, in-law cottages or servants' quarters shall be submitted as per the design guidelines and approved by the ARC prior to construction.

Vegetative screening will be required for all utility boxes and connections and should be included on the landscape plan.

Tennis courts or sport courts will be permitted at the sole discretion of the ARC. If a court is approved by the ARC, outdoor lighting for these courts will be prohibited. Basketball hoops and/or stands are prohibited on the front of the home or in view of the street.

4.12 Fencing

As a general rule, fences are discouraged. However, if fencing is desired, generally it should not enclose more than twenty-five percent (25%) of the rear yard. The choice of materials, placement, height, color and landscaping are at the sole discretion and approval of the ARC.

Materials such as wrought iron or similar will be permitted. Columns made from the same stone as the home and placed no closer than 10 feet apart connecting the wrought iron or similar fence are permitted. However, it is the intent that fencing will disappear into the surrounding vegetation. Any fencing visible from the street may require dense landscaping by the ARC if there is a lack of vegetation. No solid wood or chain link fences are allowed.

4.13 Satellite Dishes

Satellite dishes which do not exceed twenty-four (24") inches or two (2') feet in diameter may be installed; however, the dish must be screened so that it is not visible from the street or adjacent properties. Dishes that do not meet these dimensions must be submitted for ARC approval.

4.14 Swimming Pool and Spas

Proposed pool plans must be drawn on a copy of the previously approved site plan. The plan shall include all improvements, pool equipment location and screening, decking, retaining walls, etc. If a pool is to be constructed after the completion of the home, the site plan must also indicate how the site will be accessed. Above ground pools or spas are prohibited.

Exposed foundations of any pool foundation, pool skirting or patio foundation must be constructed of the same masonry material as the single-family residence constructed on the Lot.

4.15 Barbeque Grills

Freestanding grills are permitted only if they are stored and used in a location that is not visible from the street or adjacent properties. The use of built-in grills is encouraged.

5.0 CONSTRUCTION GUIDELINES

These construction guidelines are intended to ensure that the natural environment is not damaged and that neighboring residents are not unduly disturbed during the construction process. The Owner and the Builder shall be bound by these guidelines. The ARC recommends that the Owner incorporate these into the Builder contract.

5.1 Compliance Deposits

The ARC will require each Owner to make a \$5,000.00 minimum deposit prior to the commencement of construction (to be held in noninterest-bearing account) as security against any damages caused to the Association's common areas, streets or adjacent properties and to assure completion of the home, landscaping and other improvements in compliance with the approved plans, these Architectural Guidelines and the restrictive covenants, governing the subdivision. The Owner must maintain a minimum balance of \$5,000.00 in the account throughout the construction of the home, landscaping and other improvements. If any charges are assessed against the account by the ARC, which it may do in its sole discretion, the Owner must replenish the account to the minimum balance.

Upon completion of the home as per the approved plans and specifications, (including landscape installation), a final inspection will be performed by the ARC. Provided that any damage to the Common Areas, curbs, streets or adjacent properties has been remedied, the Compliance Deposit or any balance thereof will be returned.

5.2 Construction Fencing

To protect the natural areas, a fence (minimum height 4 feet) must be placed around the perimeter of the approved Building Construction Envelope (BCE) before any construction activity begins. Fence posts must be no more than ten (10') feet apart. This fence must be kept in a good state of repair during construction. Unless approved by the ARC, the fence shall have only one entrance. No construction activity or materials storage may take place outside of the fence.

5.3 Environmental Requirements

The greatest amenity at The Enclave at Canyon Lake is the land itself, and to protect this amenity for the enjoyment of everyone, strict water quality controls are in effect for the project.

- **EPA NPDES Notice of Intent** – Each builder will be responsible for filing an EPA NPDES Notice of Intent for each home to be constructed. The ARC will require a copy of the completed application as well as evidence of mailing to the EPA. (The Notice of Intent is required by the EPA to be submitted at least two (2) days prior to the start of construction.) In addition, the builder must submit copies of any permits required by the TCEQ. This will be a requirement for final design approval.
- **Erosion Control Plan** – Drainage during construction must be controlled so as to cause no erosion of the home site, adjacent home sites, or the natural areas. Silt fencing must be installed prior to commencement of any clearing or construction and must be properly maintained during construction. The builder should anticipate that built-up sediment will need to be removed from the silt fence after heavy or successive rains, and that any breach in the fencing will need to be repaired or replaced immediately.
- **Construction Entry** – A stabilized construction entrance composed of 3”-5” stone in an area at least 10’ x 15’ is required for each construction site. The construction entry minimizes the amount of mud, dust and other debris tracked onto the streets. The entry must be installed prior to any clearing or commencement of construction. Builders may be required to replenish the stone during the course of construction.

Water or other methods, such as mulch shall be used to minimize dust outside the driveway and Building Construction Envelope.

5.4 Working Hours

Construction will be permitted Monday through Friday from 7:00 a.m. to 6:00 p.m. and from 9:00 a.m. to 5 p.m. on Saturday. Absolutely no construction will be allowed on Sundays, including interior work. No construction will be permitted on New Year’s Day, Easter, Independence Day, Thanksgiving or Christmas.

5.5 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 BCE.

5.6 Vehicles and Parking Areas

Construction crews shall not park on or otherwise use other building sites or open spaces. Parking is not permitted outside the BCE, on the streets or within the road easement or on any

grass or natural vegetation. The ARC may require common, offsite parking areas for use by construction crews.

5.7 Debris and Trash Removal

Builders shall provide a dumpster for debris and trash to be placed in and will not be allowed to overflow. All trash and construction debris must be cleaned from every site by every crew daily and no trash will be allowed to remain on the site. Construction materials must be kept stacked in a neat and orderly fashion on every jobsite. If a site is not maintained by the builder or sub-contractors, the ARC may clean the jobsite and charge the builder with the cost of clean-up, which charge will be a minimum of \$100.00 plus an hourly charge of \$75.00 per hour for the time required to clean the jobsite.

The street in front of the home must be cleaned on a weekly basis. After rains or when mud, dust or other debris is tracked onto the street, the streets must be cleaned on a daily basis.

5.8 Noise and General Nuisance

The use of radios, tapes and CD players must be restrained, so as not to be heard from adjacent home sites.

Pets are not permitted on the job site.

Blasting is not allowed.

5.9 Insurance

Builders shall furnish satisfactory proof of Builder's Risk Insurance to the ARC.

5.10 Fines for Violations

Property Owners and Builders will initially be notified of violations by the ARC Committee by either email or other written notice. The notice will give the property owner and builder a "reasonable" amount of time to cure the violation. Each day the violation continues beyond the allotted correction time shall constitute a separate offense. Should the owner fail to comply with the ARC request, the ARC will act to bring the item into compliance at the owner's expense.

Fines for violation(s) of the DCCRs or ARC Guidelines will include, but are not limited to, the following:

Building Code Envelope Fence down, dumpster overflow, trash outside of envelope, etc.:

- First violation – Warning and seventy-two (72) hours to correct
- Second violation – \$250.00 fine and seventy-two (72) hours to correct
- Third violation – \$500.00 fine and seventy-two (72) hours to correct
- Fourth violation – \$1,000.00 fine and construction is halted

The following violations shall be corrected within thirty (30) days of notice:

- Initiating Construction without prior ARC approval - \$2,500.00 fine
- Plan modification without prior ARC approval - \$2,000.00 fine
- Residence Construction not completed within one year of ARC approval - \$1,500.00 fine
- Exterior modification to residence without prior ARC approval - \$1,500.00 fine
- Building inspections not submitted to ARC within 15 days - \$1,000.00 fine
- Building inspections not performed in accordance with ARC Guidelines - \$10,000.00 fine

6.0 LANDSCAPING

The goal of the landscape guidelines is to ensure that the developed areas of The Enclave at Canyon Lake harmonize and blend with rather than dominate the natural environment or significantly change its color, texture or shape. The natural or existing mix of undergrowth, cedars, oaks, other trees, and native grasses that give the Hill Country its color and texture are to be harmonious partners with man-made features. The goal of these guidelines is first to limit the amount of natural vegetation that is destroyed and second, to restore the undisturbed areas in a manner that is compatible with the natural vegetation. Landscape restoration is the reintroduction of native grasses, shrubs, vines, perennials and trees. It also includes the reintroduction of native soils and mulches. The Enclave at Canyon Lake seeks landscape designs that restore the land as they improve the underlying beauty of the Hill Country.

6.1 Landscape, Irrigation, and Outdoor Illumination Plans

As preservation, conservation and restoration of the property are paramount; a landscape plan must be submitted and approved by the ARC. The landscape plan must be drawn on a previously approved site plan. If irrigation or illumination is planned for the site, submittal of a plan prepared by a licensed irrigator is required.

Plans should be a minimum scale 1"=10'. A plant legend indicating all plant species, quantities and sizes, as well as turf type, decks, fencing, pavements, driveways and any free-standing structures must also be included.

Low water grasses such as prairie, Tiff 419 Bermuda, 609 Buffalo Grass, Zoysia, or other water conserving turf grasses are encouraged.

A landscaping plan that utilized mulch as a predominant element will not be accepted. The use of rocks as a ground cover will be permitted.

Exterior lighting should be kept to a minimum, but consistent with good security practices. Plans submitted to the ARC for approval must include light locations and specs. Sodium, mercury

vapor, or bare HID yard lights are discouraged and must include shields to prevent glare onto surrounding properties or the street. Raised stone planters help to soften foundations.

Upon completion of landscape installation, the ARC will conduct an inspection of the property to ensure compliance with the approved plan.

Silt fencing must remain in place until the landscape inspection has been performed and approved.

6.2 Irrigation Requirements

The undisturbed areas outside of the BCE do not require permanent irrigation. Unlike many imported plants, native plants can be over-watered.

Therefore, it is important that the irrigation contractor or landscape architect match the irrigation system with the selected plant material. In order to prevent waste of water resources, all irrigation heads near streets must be designed to prevent water from being sprayed onto the pavement. Spraying water onto private driveways and other paved areas will not be permitted.

All irrigation systems must be automatic and have rain sensors. Drip irrigation or irrigation systems that minimize evaporation are highly encouraged. Irrigation systems should be timed for early morning use. Irrigating plants during the high evaporation periods of mid-day is wasteful of water resources and highly discouraged.

6.3 Drainage

Established drainage patterns should not be disrupted. Responsibility for proper site drainage rests with the Owners, their General Contractor and their Architect, unless adequate provisions are made for proper drainage and approved in writing by the ARC.

6.4 Landscape Planting

The National Wildflower Center is an excellent place to visit and observe wildflowers, native plants and grasses and how they can be used. The use of native plants is encouraged. Native plants use less water and are more deer resistant and are well adapted to the highly alkaline soils of the site. Native plants, when properly planned, can be not only colorful, but strong and effective design elements as well.

Owners are encouraged to hire a landscape designer or landscape architect that has experience in the Texas Hill Country. The ARC will maintain a list of landscape designers and landscape architects that have Hill Country experience.

6.5 Landscape Installation

All landscaping and planting should be installed prior to occupancy of the home. The ARC may approve, in its sole discretion, other time limits requested by the Owner to extend the planting installation. All requests to extend landscape/plant installation must be submitted in writing to the ARC and must be accompanied by a proposed date of installation and completion.

6.6 Recommended Plant Materials

Plants play a major role in the restoration fundamentals central to the design guidelines for The Enclave at Canyon Lake. ARC approval of the plant landscape plan shall be required prior to planting. Native plants indigenous to the Hill Country are recommended.

7.0 REVIEW PROCEDURES

A three-step review process is required by the ARC for all plans. To initiate this review and approval process, the Owner must meet with the ARC for a Pre-Design consultation, and is advised to attend the meeting with the selected architect/designer. This informal meeting is intended to offer guidance and education prior to the often-expensive design process. The Owner and/or architect/designer should plan to discuss any questions about the guidelines or present ideas about the proposed residence.

After the pre-design meeting, the architect/designer will submit preliminary plans in PDF format to the ARC. The purpose of the preliminary design is to ensure that the proposed design conforms with these guidelines before expensive construction drawings are produced. Submittal of the preliminary design must be delivered to the ARC seven (7) days prior to the meeting date. Submittals must be accompanied by a completed "Preliminary Plan Review Application" with a check in the amount of \$1,000.00 for the design review fee.

Submittal of the final design shall be delivered to the ARC seven (7) DAYS PRIOR TO THE Final Plan Review meeting along with the Application, Inspection Fee and Compliance Deposit. The final design shall be substantially the same as the preliminary design approved in writing by the ARC. If substantial changes are made between the preliminary and final review, it is recommended that the preliminary design be re-submitted. The final review submittal shall include two (2) copies of all plans.

7.1 Overview

All approvals by the ARC must be in writing. No verbal approvals or representations by the ARC shall be valid or enforceable.

- Pre-Design Meeting with Owner, Architect/Designer, Primary Contractor and/or Builder
Items required: Site analysis plan to include desirable view corridors, significant vegetation, rock outcroppings, utilities and drainage, setbacks and buffers, orientation of proposed residence and location of adjacent properties.

- Preliminary Design Review Meeting

Items required: Site plan, preliminary elevations, floor plans, tree survey, Preliminary Plan Review application and design review fee of \$1,000.00.

A letter of approval/denial will be sent to the architect/designer from ARC.

- Final Design Review Meeting

Items required:

Final set of plans including site plan, elevations and floor plans

Pool plans (if applicable)

Materials sample board

Variance Application (*\$250.00 fee per request*)

Compliance deposit of \$5,000.00

Executed Compliance Deposit Agreement signed by both Owner and Builder

Completed copy of NPDES NOI filing and proof of mailing

Proof of Insurance from builder and all sub-contractors

Proposed parking plan for sub-contractors

Letter of approval/denial from ARC

- Submittal of Landscape, Irrigation and Lighting Plan to ARC for Review and Approval

Site plan to include plant legend indicating plan species, quantities and sizes of plants, turf type, fencing, pavements, driveway and any free-standing structures.

Letter of approval/denial from ARC

- The Enclave at Canyon Lake Certificate of Occupancy will be issued without installation of landscaping; however, the Compliance Deposit will be held pending landscape plan approval and installation.

- Removal of erosion control and construction fencing

- Occupancy of residence

7.2 Construction Inspections

- Site inspection to ensure all erosion controls in place prior to commencement of clearing or construction. Silt fencing, perimeter fencing, construction entry, dumpster and portable toilet must be on site for approval to proceed.
- Foundation forms survey, if required, for ARC review and approval prior to framing.
- Licensed building inspector report of foundation, prior to placement of concrete, indicating approval.
- Licensed building inspector report of framing, HVAC, electrical and plumbing before covering interior walls.
- Licensed building inspector report of roofing.
- Periodic site inspections by ARC.
- Inspection of final landscape installation.
- Licensed building inspector final report before occupancy.
- Completion letter from the Architectural Review Committee before occupancy.

The Enclave at Canyon Lake Architectural Guidelines are subject to the Declaration of Covenants, Conditions and Restrictions for The Enclave at Canyon Lake Community Association, Inc. as recorded in the Official Records of Comal County, Texas (“Declarations”). In event of conflict or inconsistency between the Architectural Guidelines and the Declarations, the Declarations shall control. The Enclave at Canyon Lake reserves the right to amend the Architectural Guidelines as needed to protect the Architectural and Environmental integrity of The Enclave at Canyon Lake.

The Enclave Architectural Review Committee does not review the plans for the purpose of determining if they are in compliance with the applicable building codes or whether the structural and foundation plans are adequate or suitable for the particular site. The Owner is strongly encouraged to use a qualified architect and/or professional engineer in the design of their home and landscape.