

RP-2019-275244



COPPER BEND
AT INDIAN TRAILS

Residential Design Guidelines

Updated June 2019

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Introduction

The following Residential Architectural Guidelines (“Guidelines”) are presented as a minimum set of development standards for Copper Bend. The Guidelines are to provide the framework for essential community objectives to achieve an attractive and coordinated setting for the builders, owners and tenants. They are not intended to limit the creativity of the Builders in their design and construction as design diversity is encouraged.

These Guidelines are specifically for Approved Builders and the Architectural Review Committee (“ARC”) to ensure that each residence constructed meets the development standards. This would include home placement, fencing, driveways, etc., to allow a uniform flow to the community. The ARC will review each single family residential submittal prior to the construction phase. The ARC has the right to establish and enforce the Guidelines for Copper Bend.

Furthermore, any member of the ARC, Board, Declarant or authorized representative of shall have the right to enter upon and inspect a Lot and the exterior of the improvements for purposes of ascertaining whether or not the provisions in the CCR’s and Guidelines are being complied with. Such persons shall not be deemed guilty of trespassing.

General Responsibilities

The Guidelines provide an overall framework and comprehensive set of standards and procedures for the development of the community in an orderly and cohesive manner. The standards set forth criteria for design, style, materials, colors and location of site improvements, landscaping, signage and lighting. In addition, the Guidelines establish a process for review of proposed construction to ensure that all sites within Copper Bend are developed with the consistency and quality intended for the development.

To the extent that the County, City of Houston ETJ, Texas ordinances, building code or regulations requires a more restrictive standard than the standards set forth in these Guidelines, the local government standards shall prevail. To the extent that any local government standard is less restrictive, the Guidelines shall prevail. Enclosed living areas mean a total enclosed floor area by measuring each level from the outside of the slab to the outside of the slab excluding garages, terraces, non-air conditioned storage areas, decks and porches.

Each Builder is expected to improve and maintain its individual Lots in a neat and orderly fashion. Lot maintenance includes and is not limited to containment of debris, street cleaning, sand bags, and maintenance of silt fencing. Builders are required to comply with respect to building setbacks and the orientation and placement of improvements including but not limited to driveways, sidewalks, dwelling units, detached garages, fencing and landscaping. Connections to utilities are the responsibility of the Builder.

These Guidelines are supplemental to the Declaration of Covenants, Conditions and Restrictions (CCR’s) for Copper Bend and are to be used in the architectural review of Builder plans by the ARC. Non-compliance with these Guidelines is grounds for disapproval of plans by the ARC. The review and approval of plans constitutes conformance with the Guidelines and standards, and protective covenant and deed restrictions, but does not relieve the applicant from conformance to local, state and national codes, ordinances, and standards plus other design considerations not reviewed by the ARC. The Committee assumes no responsibility for structural integrity or for mechanical, electrical and civil design with review of the above. Pursuant to and in accordance with the Declaration, the ARC shall have the exclusive jurisdiction over the design, construction, modification, alteration, and addition of all improvements within Copper Bend with respect to their compliance with the architectural standards set forth in the Declaration, any dedicatory instrument or the Guidelines. The ARC has the right to amend the Guidelines from time to time at its sole discretion as stated in the CCR’s.

Builder shall comply with and warrant compliance with any and all applicable building codes, and rules and regulations in effect within the jurisdiction of any governmental agency including but not limited to City, County, State, MUD and EPA, etc. Codes, rules and regulations of the City or other agency with jurisdiction over Copper Bend that exceed the requirements of these Guidelines shall supersede the Guidelines. Equally, if these Guideline requirements exceed the requirements of any government agency including but not limited to City, County, State, MUD and EPA, etc. Codes, rules and regulations of the City or other agency with jurisdiction over Copper Bend these Guidelines shall supersede.

Failure to maintain Lots, construction debris, streets, inlets, sandbags, silt and construction fencing may result in Builders incurring fines by the Copper Bend Community Association, Inc., the Copper Bend Municipal Utility District or the ARC.

Disclaimer

Neither the Copper Bend Community Association, Inc. or the members of the Residential Architectural Review Committee (ARC) or its representative, their successors or assigns, shall be liable for damages to anyone submitting plans to them for approval, or to any owner or lessee of any parcel affected by these restrictions, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to Approve any plans submitted. Every person who submits plans to the ARC for approval agrees by submission of such plans, and every owner or lessee of any parcel within the property agrees, by acquiring title thereto or interest therein, that he will not bring any action or suit against the Copper Bend Community Association, Inc., the members of the ARC, or its representatives, to recover any damages.

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I. Site Plan Guidelines

Prior to the placement of any forms, the Builder must review the regulations required in this document and all corresponding City and County requirements for the specific Lot and Lot Type in order to verify all applicable requirements. It shall be the responsibility of the Builder to discover and become familiar with the corresponding City's building setback requirements in effect at the time building permits are issued.

A. Lot Sizes

1. 50'
2. 55'

B. Lot Types

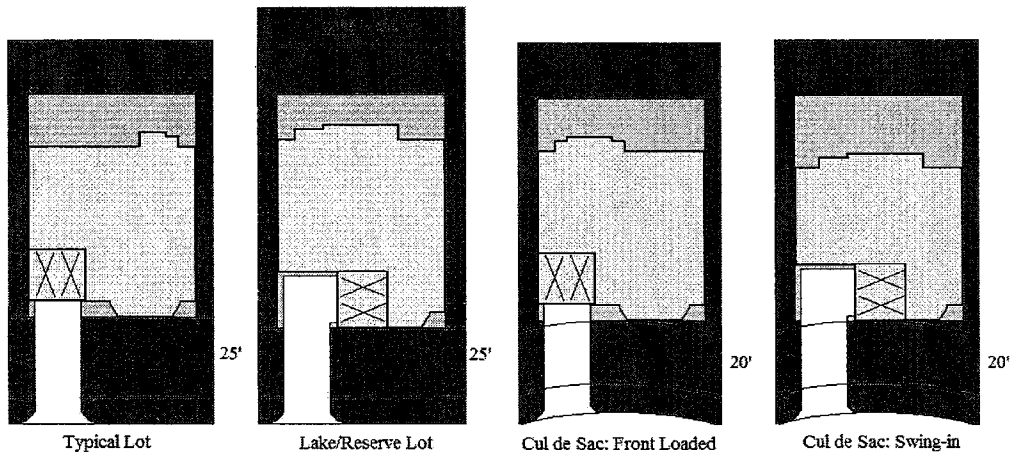
1. **Typical:** Lots that do not side or back to a Reserve
2. **Corner:** Lots that side a street. Lots with a Reserve between the Lot and street are not considered Corner Lots.
3. **Reserve:** Lots that side or back to a Reserve

C. Building Setbacks

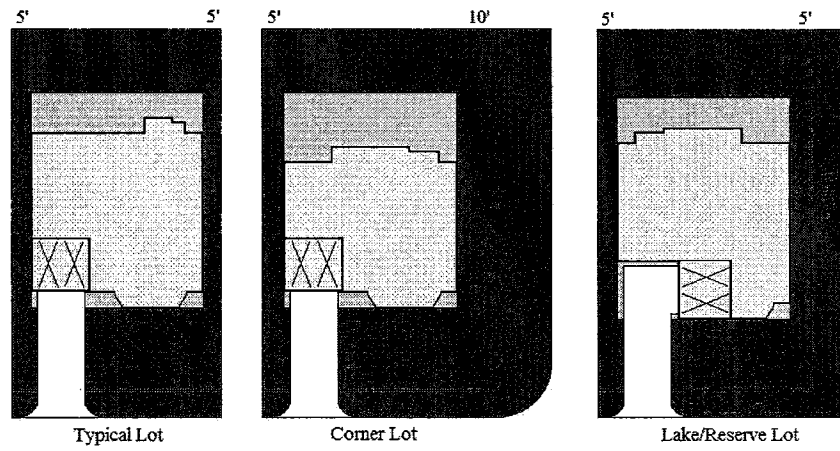
Building setbacks are established by the Developer. Unless otherwise delineated on recorded Plat or Section Annexation documents, the following setbacks are required:

Side Setbacks:	
Typical and Interior Side of Corner, Lake/Reserve Lots	5'
Corner (Corner Street side)	10'
Lake/Reserve (Lake/Reserve side)	5'
Rear Setbacks:	
Typical/Corner	10'
Cul de Sac	14'
Lake/Reserve (Lake/Reserve Side)	14'
Detached Garage Setbacks:	
Front	60'
Side	3'
Corner Side (Front Loaded)	Prohibited
Lake/Reserve (Lake/Reserve side)	Prohibited
Rear	14'

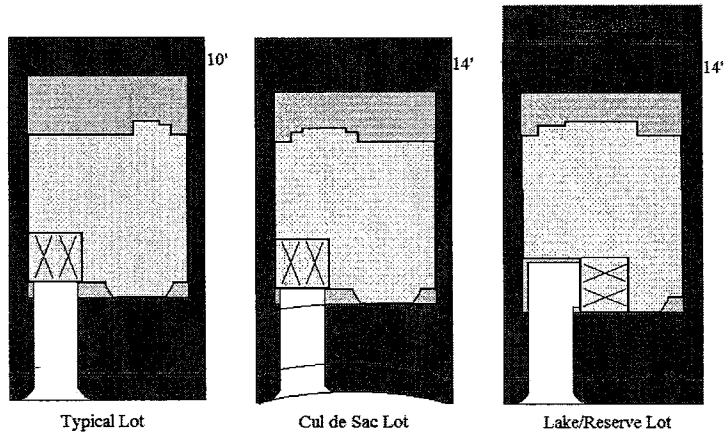
1. Front Setbacks:



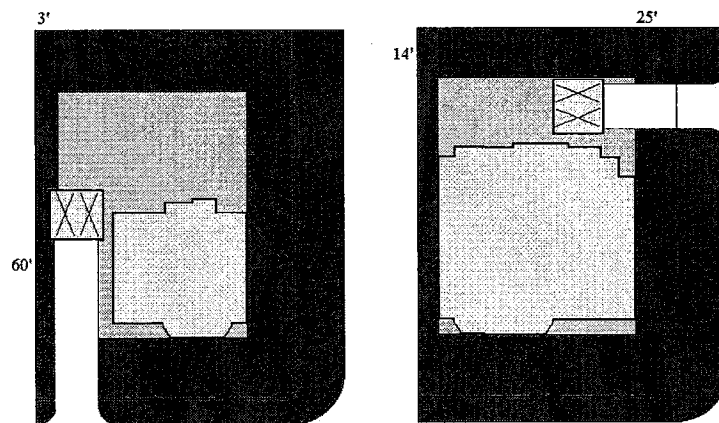
2. Side Setbacks:



3. Rear Setbacks:



4. Detached Garage Setbacks:

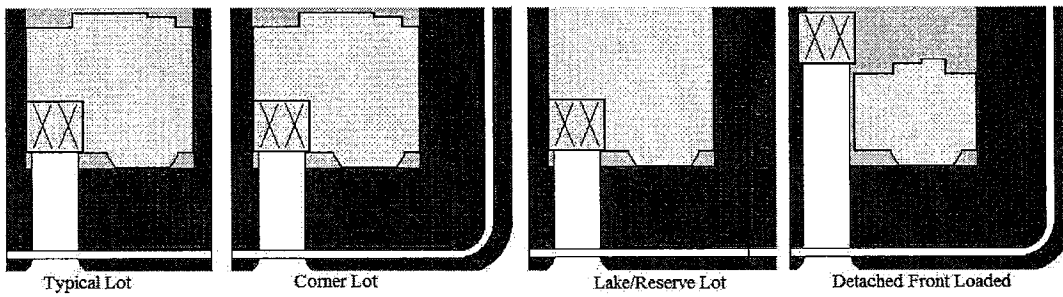


D. Lot Consolidation
1. Prohibited

E. Garage Placement

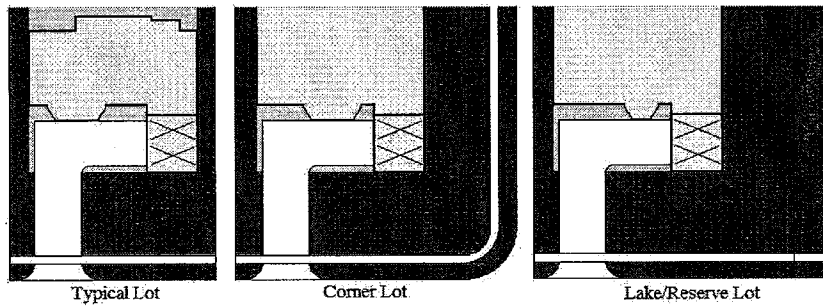
1. Front Loaded Garages: Garage bays facing the Front of the Lot

- a. Must be on the Interior Side of Corner or Reserve
- b. Detached Garages must be on the Interior Side of Corner, Lake, or Reserve

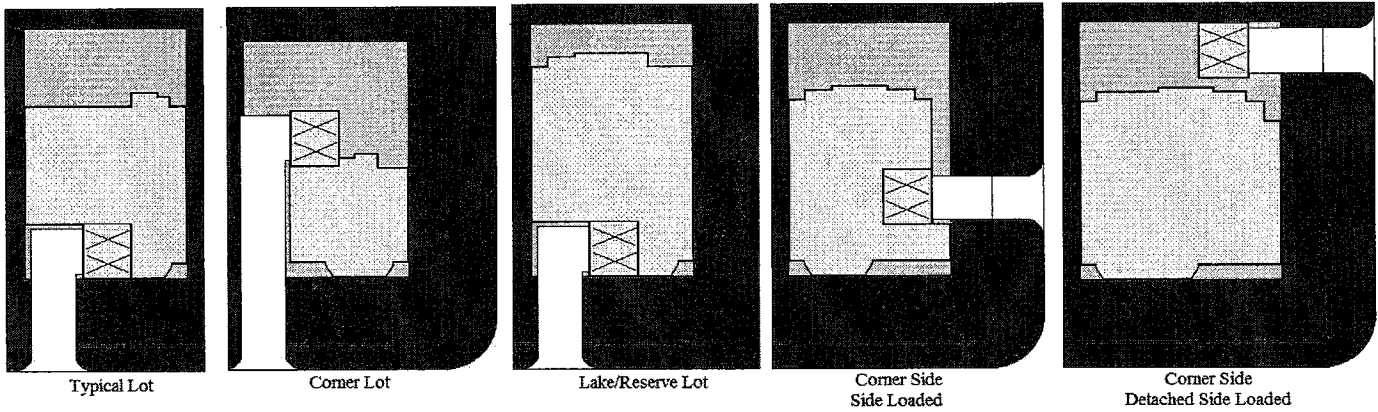


2. Swing In Garages: Garage bays facing the interior of the Lot and have a driveway leading from the front of the Lot

- a. Must have Garage bays facing the Interior Side of Corner, Lake, or Reserve
- b. Must not face an entry into a section or court
- c. Must not face another Swing In Garage or Side Loaded garage



3. **Side Loaded Garages:** Garage bays facing the side Property Line and have a driveway leading from the front of the Lot
- a. Must have Garage bays facing the Interior Side of Corner, Lake, or Reserve
 - b. Must not face the entry into a section or court
 - c. Must not face another Side Loaded Garage or Swing In garage

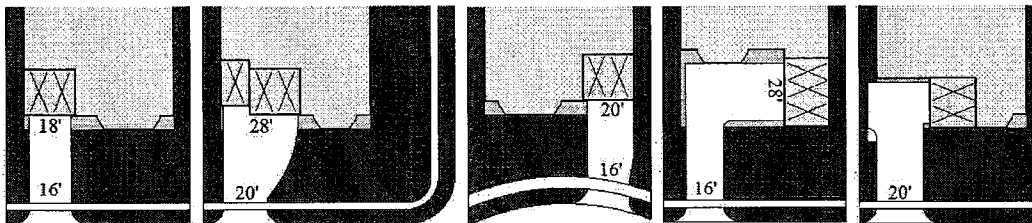


F. Driveways

Refer to City Ordinances for Construction Guidelines.

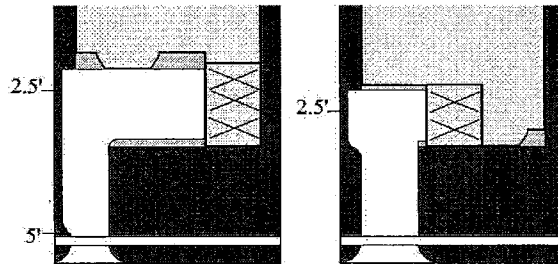
1. Driveway Widths:

- a. **All Driveways:**
 - i. Minimum sixteen feet (16') at the front property line
 - ii. Maximum twenty feet (20') at the front property line
- b. **Two Car Garage:** Two (2) garage bays side by side
 - i. Maximum twenty feet (20') at the face of the garage
- c. **Three Car Garage:** Three (3) garage bays side by side
 - i. Maximum twenty-eight feet (28') at the face of the garage



2. Driveway Side Setback:

- a. No closer than two and a half feet (2.5') from side property line
- b. No closer than five feet (5') at the front property line to allow for a five foot (5') driveway radii



3. Materials:

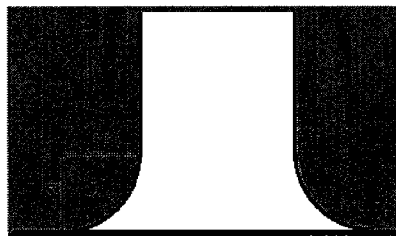
- a. Concrete required for all Driveways. Refer to City and County Ordinances for construction Guidelines.
- b. Prohibited Materials:
 - i. Asphalt paving, loose gravel, stone, and timber borders are prohibited.

4. Prohibited:

- a. Dual driveways are not permitted such as driveway through a Porte-Cochere and another driveway alongside the Porte-Cochere to access the rear-loaded garage.
- b. Carports

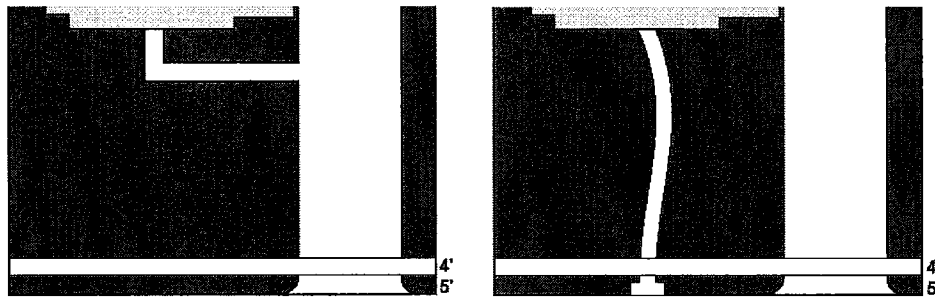
5. Driveway Radius:

- a. Five foot (5') radii on each side of driveway



G. Sidewalks: *added 3.23.19*

- 1. **General:**
 - a. Refer to City Ordinances for construction guidelines.
- 2. **Material:**
 - a. Concrete required for all walkways.
- 3. **Size:**
 - a. Four feet (4') wide
- 4. **Location:**
 - a. Setback five feet (5') from the back of the curb



H. Walkways

- 1. **General:**
 - a. Refer to City Ordinances for construction guidelines.
- 2. **Material:**
 - a. Concrete required for all walkways.
- 3. **Size:**
 - a. Three feet (3') minimum

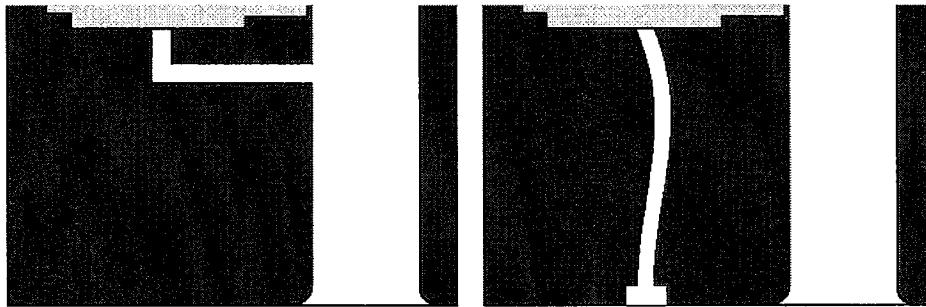


- b. Five feet (5') maximum with decorative accents



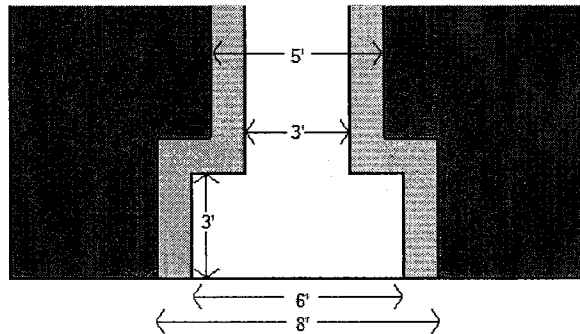
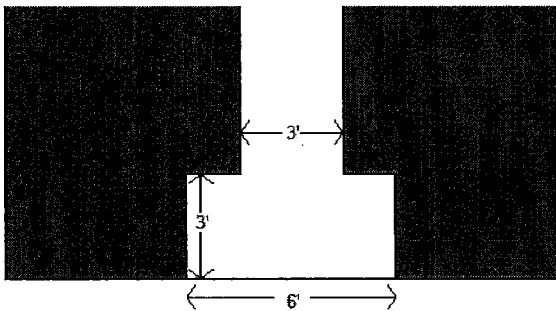
4. Location:

- a. Lead to the driveway
- b. Lead to the street
 - i. Must be curvilinear
 - ii. Must have a Walkway Landing



I. Walkway Landing

- 1. Three foot (3') Walkways
 - a. Three foot (3') by six foot (6') cement landing
 - b. Must match the Walkway material
- 2. Five foot (5') walkways with accent borders
 - a. Four foot (4') by eight foot (8') landing
 - b. Must match the Walkway material



J. Fencing (revised 5.30.19)

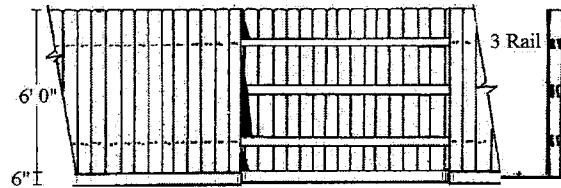
1. Wood Fencing:

a. General:

- i. All Wood fencing must be constructed with #2 or better REAL cedar.
- ii. Pickets taller than six feet (6') are prohibited.
- iii. Wood fencing must not extend above adjoining fences such as Developer Masonry, Reserves fencing or adjacent Lot fencing.

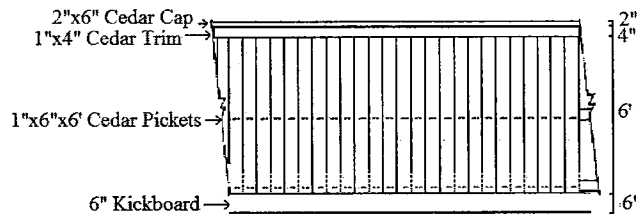
b. Good Neighbor Wood:

- i. Six foot (6') dog-eared cedar pickets
- ii. Alternating panels of good side out pickets
- iii. Four inch (4") by four inch (4") posts
- iv. Three (3) two inch (2") by four inch (4') rails
- v. Six inch (6") kickboard
- vi. Total fence height: Six foot-six inches (6'6")



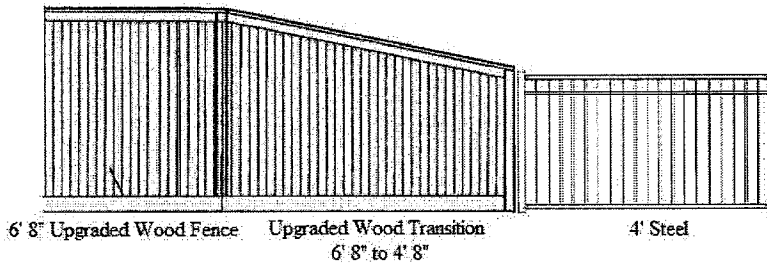
c. Upgraded Wood: As required per Development Fencing Plan

- i. Six foot (6') wood cedar pickets
- ii. All good side out pickets
- iii. Four inch (4") by four inch (4") posts
- iv. Two inch (2") by six inch (6") cap
- v. Three (3) two inch (2") by four inch (4') rails
- vi. One inch (1") by four inch (4") trim board
- vii. Six inch (6") kickboard
- viii. Total fence height: Six foot-eight inches (6'8")



d. Upgraded Transition Wood: As required per Development Fencing Plan

- i. Six foot (6') wood cedar pickets transition down to four foot (4') wood cedar pickets to meet four foot (4') steel
- ii. All good side out pickets
- iii. Four inch (4") by four inch (4") posts
- iv. Two inch (2") by six inch (6") cap
- v. Three (3) two inch (2") by four inch (4') rails
- vi. One inch (1") by four inch (4") trim board
- vii. Six inch (6") kickboard
- viii. Total fence height: Six foot-eight inches (6'8") to four foot-eight inches (4'8")



e. Wood Pedestrian Gate:

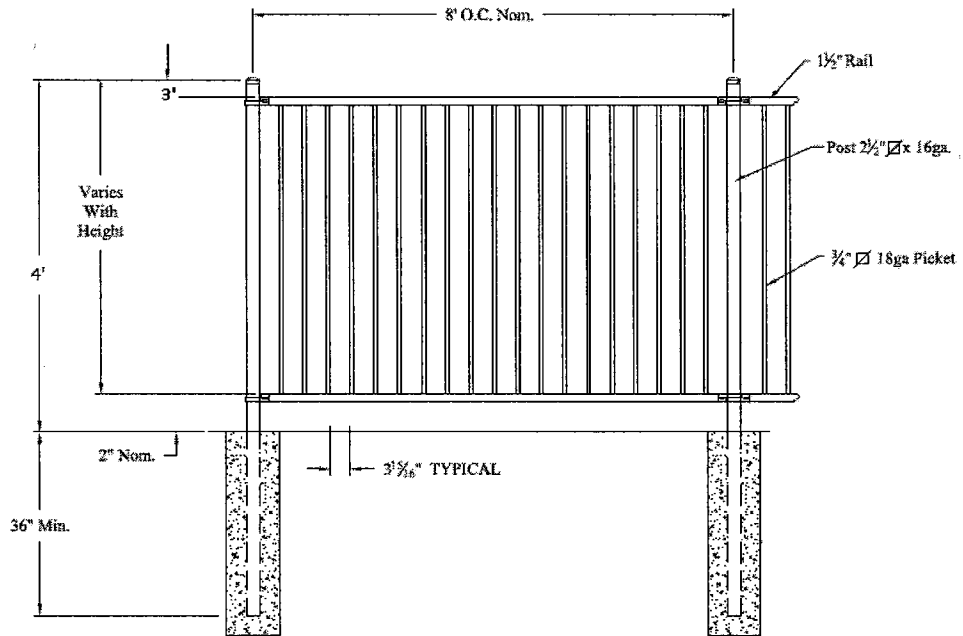
- i. Six foot (6') wood cedar pickets
- ii. All good side out pickets
- iii. Two inch (2") by six inch (6") cap
- iv. One inch (1") by four inch (4") trim board
- v. Six inch (6") kickboard
- vi. Total Gate height: Six foot-eight inches (6'8")

f. Fence & Gate Stain:

- i. Sherwin Williams 3573, Tavern Oaks, Semi-transparent
 - a) Must be applied per manufacturer specifications
- ii. Required for all Visible wood fencing

g. Steel Fencing

- i. Ameristar Majestic Montage Profusion Welded Steel (or Developer approved equivalent)
- ii. Two (2) rail, bolted, fusion welded
- iii. Pre-galvanized steel
- iv. Black powder coated
- v. 20 year
- vi. Four foot (4') tall



h. Steel Pedestrian Gate

- i. Ameristar Majestic Montage Profusion Welded Steel (or Developer approved equivalent)
- ii. Two (2) rail, bolted, fusion welded
- iii. Pre-galvanized steel
- iv. Black powder coated
- v. 20 year
- vi. Four foot (4') tall

2. Fence Location

a. Typical Interior Lot:

i. Front Fence Returns:

- Fencing that faces the R.O.W.
- Upgraded Wood
- Must meet the height of adjacent fencing
- Minimum ten feet (10') to maximum twenty feet (20') from the closest corner of the front elevation

ii. Visible Side Fencing: Visible fencing between adjoining Lots

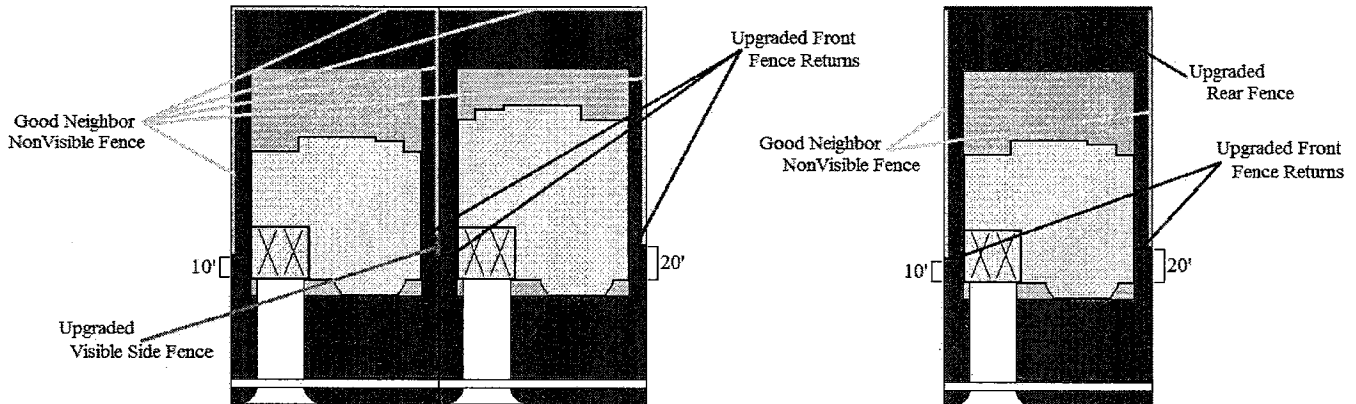
- Upgraded Wood
- Must meet the height of adjacent fencing
- Last Builder to install fencing must complete all fencing to be Upgraded Wood

iii. Visible Rear Fencing:

- Upgraded Wood or Good Side Wood as determined by Development Fencing Plan
- Must meet the height of adjacent fencing

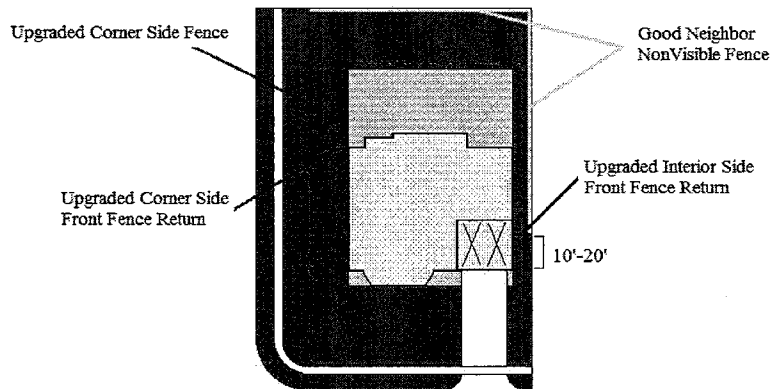
iv. Non-Visible Side and Rear Fencing:

- Good Neighbor Wood



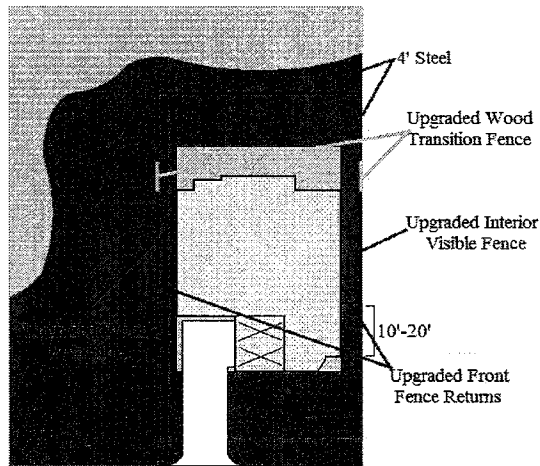
b. Corner Lot:

- i. Front Fencing:** Fencing that faces the R.O.W.
 - Upgraded Wood
 - Corner Side Front Fence
 - Interior Side Front Fence
 - Minimum ten feet (10') to maximum twenty feet (20') from the closest corner of the front elevation
- ii. Corner Side Fencing:** Fencing that faces the Corner Side Street
 - Upgraded Wood
 - Placed on the Corner Side Property Line
 - Must meet the height of adjacent fencing
- iii. Visible Side Fencing:** Visible fencing between adjoining Lots
 - Upgraded Wood
 - Must meet the height of adjacent fencing
 - Last Builder to install fencing must complete all fencing to be Upgraded Wood
- v. Visible Rear Fencing:**
 - Upgraded Wood or Good Side Wood as determined by Development Fencing Plan
 - Must meet the height of adjacent fencing
- iv. Non-Visible Side and Rear Fencing:**
 - Good Neighbor Wood

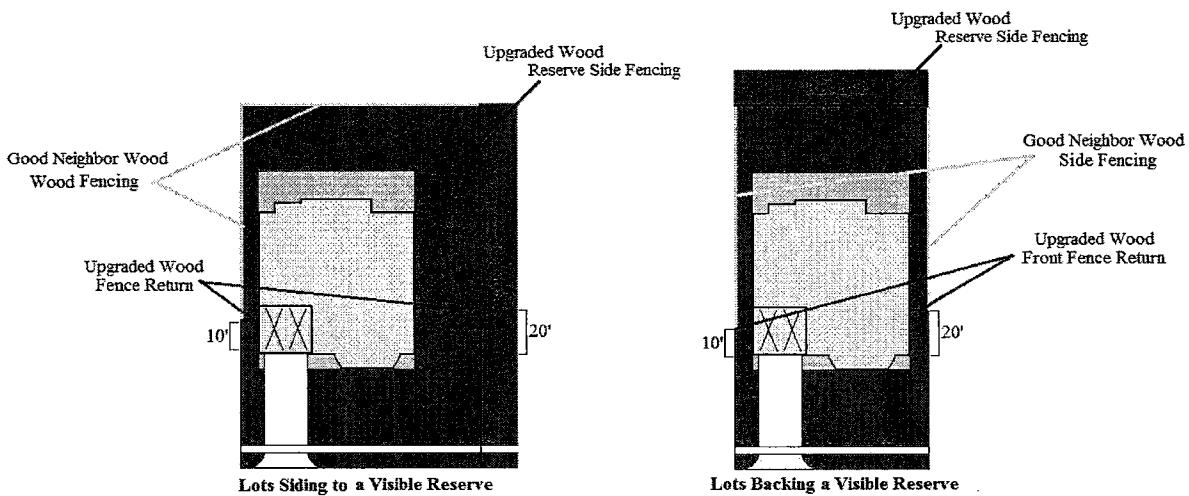


c. Lake Lots:

- i. Lake Side Front Fencing:** Fencing that faces the R.O.W. on the Lake Side of the Lot
 - Upgraded Wood
 - Minimum ten feet (10') to maximum twenty feet (20') from the closest corner of the front elevation
- ii. Interior Front Fencing:** Fencing that faces the R.O.W. on the Interior Side of the Lot
 - Upgraded Wood
 - Minimum ten feet (10') to maximum twenty feet (20') from the closest corner of the front elevation
 - Must meet the height of adjacent fencing
- iii. Lake Side and Interior Side Fencing:**
 - Lake Side: Upgraded Wood both sides
 - Interior Side: Upgraded Wood facing interior
 - Upgraded Wood Transition six feet (6'), down to four feet (4'), to meet four foot (4') Steel
 - Twenty-four feet (24')/three (3) panels of four foot (4') Steel to meet four foot (4') rear Steel
 - Must meet the height of adjacent fencing
- iv. Lake Rear Fencing:** Fencing that backs a Lake
 - Four foot (4') Steel



- d. **Reserve Lot:** Fence Type as determined by Development Fence Plan
- i. **Front Fencing:** Fencing that faces the R.O.W. on the Reserve and Interior Side of the Lot
 - Upgraded Wood
 - Minimum ten feet (10') to maximum twenty feet (20') from the closest corner of the front elevation
 - Must meet the height of adjacent fencing
 - ii. **Reserve Side Fencing:** Fencing that sides a Reserve
 - Upgraded Wood
 - Must meet the height of adjacent fencing
 - iii. **Reserve Rear Fencing:** Fencing that backs a Reserve
 - Upgraded Wood
 - Must meet the height of adjacent fencing
 - iv. **Interior Side Fencing:**
 - Good Neighbor Wood
 - v. **Interior Rear Fencing:**
 - Good Neighbor Wood



K. Gates

1. Pedestrian Gate Location:

- a. Front Fence Returns: on one or both sides of home
- b. Rear Access Gates: Allowed on Lake Lots with rear four foot (4') steel fence
 - i. Prohibited on the side four foot (4') steel fence
- c. Corner Side or Reserve Side of a Lot: Prohibited

L. Breezeways

1. General:

- a. Detached garages require Breezeway connecting the House to the Garage.

2. Breezeway Roof:

- a. Must be the same material as the garage

3. Breezeway Fencing: Visible within public view

a. Wood Fence:

- i. Four foot (4') or six foot (6') Good Side Out Cedar
- ii. Stained Wood

b. Steel Fence:

- i. Four foot (4') or six foot (6') steel fencing
- ii. Ameristar Montage Plus

M. Grading, Drainage, Berms

1. General:

- a. Positive drainage away from the housing structure shall be provided for rainfall, gutter downspouts, irrigation, air conditioner condensation and all other types of water runoff.
- b. Caution should be used in establishing the foundation elevation so that driveways, slabs or insufficient fall does not impair adequate drainage of the Lot.

2. Type of Grading:

- a. **FHA TYPE "A" LOT GRADING-** The Lot has a ridge along Common rear Lot lines and each Lot is graded to drain storm water directly to the street.
- b. **FHA TYPE "B" LOT GRADING-** The Lot has a ridge at the rear of the main house structure from which the Lot is graded to drain storm water in the front of the Lot directly to the street independent of other properties. The remainder of the Lot shall drain the storm water to the rear lot line.

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II. Architectural Guidelines

Architectural Guidelines are to establish basic criteria for the construction of residences, garages and other structures. Materials must be of the highest quality in order to insure well-crafted residences. These Guidelines allow for diversity while enforcing the architectural integrity of the whole community. Articulation in design of elevations, including the roofs, is required. Designs lacking articulation are strongly discouraged and may not be Approved by the ARC. Equal priority is given to the rear and sides of a residence that may be within public view, Lakes and Reserves.

A. General:

1. Strong gables, standing seam metal accent roofs, usable front porches, etc. are strongly encouraged.
2. Equal priority is to be given to the rear and sides of residences that may be within public view such as Perimeter, Corner and Reserve Lots.
3. Dutch/French Hips are not allowed
4. Brick and stone on the same plane must have ARC approval for color and material selections.
5. Designs considered modern or contemporary will not be approved.

B. Lot Types

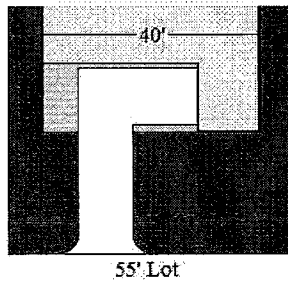
1. **Production**

C. Square Footage: Air conditioned area measured masonry to masonry

1. **50' Lot:** 1,600 minimum
2. **55' Lot:** 2,100 minimum

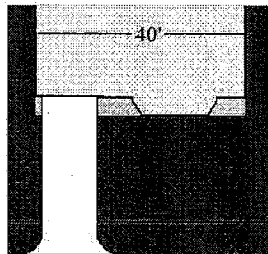
D. Plan Width Minimum: Base Plan Width measured from masonry to masonry. Storage and Garage Extensions are not included in Base Plan Width.

1. **55' Lot:**
 - a. Base Plan width may be no less than forty feet (40')



2. 50' Lot (revised 5.30.19)

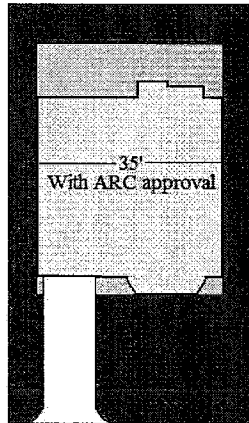
- a. Base Plan width may be no less than forty feet (40')



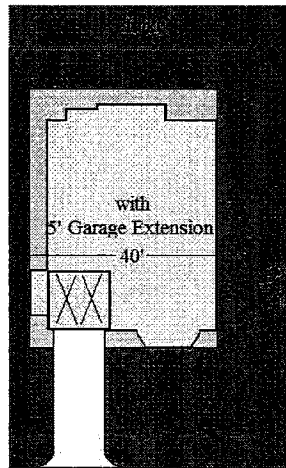
50' Lot

- b. Base Plan width of no less than thirty-five feet (35') may be allowed with ARC approval:

- i. Allowed to be built on up to ten (10) Lots per Builder
- ii. Lake Lots with a thirty-five foot (35') Base Plan Width will require an additional five foot (5') bump-out as standard



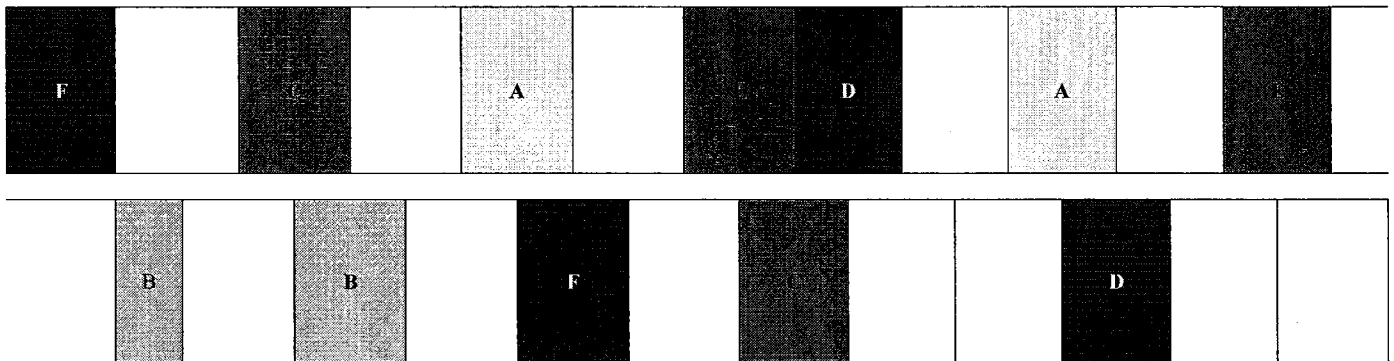
50' Lot



50' Lake Lot

E. Plan Spacing and Repetition

Elevation	Side of the Street	Number of Lots Between	Key
Same	Same	4	A
Different	Same	1	B
Different	Opposite	1	D
Different Plan with Elevation considered Same As	Opposite	3	F



F. Masonry Requirements

1. Minimum Masonry Requirements:

Lot Type	First Floor*	Second Floor**
All	100%	100% Masonry (where visible within public view)
*Up to 5% Hardie-Plank may be used as "Accent" treatment on Front Elevations		
** Perimeter, Corner Side R.O.W., Reserves as determined by the ARC. See Masonry Plan		

G. Exterior Materials

1. Masonry: Masonry to be defined as Brick, Stone or Stucco

- a. **Brick:** Must meet the standard specifications established by the Brick Institute of America
 - i. Brick and stone on the same plane must have ARC approval for color and material selections.
- b. **Stone:** Must meet the standard specifications established by the Brick Institute of America
 - ii. Natural quarried or cultured stone is permitted with ARC approval.
 - iii. Brick and stone on the same plane must have ARC approval for color and material selections.
- c. **Stucco:** Quality and installation must meet cement and Plaster Institute minimum standards.
 - i. Cementitious-based or acrylic-based stucco is permitted.
 - a) EFIS and Dryvet are prohibited.
 - ii. May be used in combination of other materials

2. Wood:

- a. **General:**
 - i. All wood must be painted, stained or treated
 - a) Stained wood must be sealed
 - ii. Natural weathered wood is prohibited.
 - iii. Hardie plank is not considered wood.
- b. **Wood Trim:**
 - i. Must be high quality milled finish-grade stock
 - ii. Must be stained or painted
 - iii. MDO (Medium Density Overlay) is allowed.

3. Hardie-plank:

- a. Cement Hardie-plank (or other approved cementitious fiber material)
- b. Hardie-plank is not considered masonry.

4. Siding:

- a. Hardie-plank siding is permitted.
- b. Siding is permitted on side and rear elevations with ARC approval.
- c. Board and Batten siding, metal, reflective aluminum or vinyl siding are prohibited.

5. Metal:

- a. Standing seam metal accent roofs are encouraged.
- b. Exposed metals must be anodized aluminum, bronze, copper or painted galvanized steel.
- c. Wrought Iron ornamentation for decorative accent may be allowed with ARC approval.

6. Accent:

- a. Hardie-plank may be used as 5% accent treatment on Front elevations for trim, soffits or window frames with ARC approval.

H. Shirt Fronting

1. General:

- a. Shirt Fronting is Prohibited: Material may not stop on the corner of the Front Elevation.
- b. Masonry material must wrap from the Front Elevation to the Side Elevations a minimum of two feet (2').

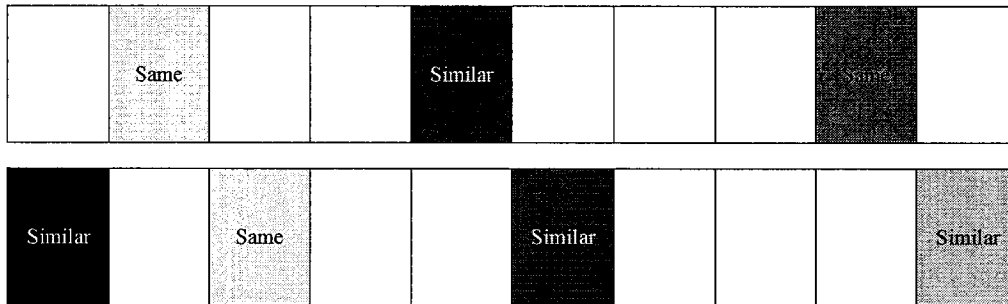


Prohibited

I. Masonry Repetition

1. General:

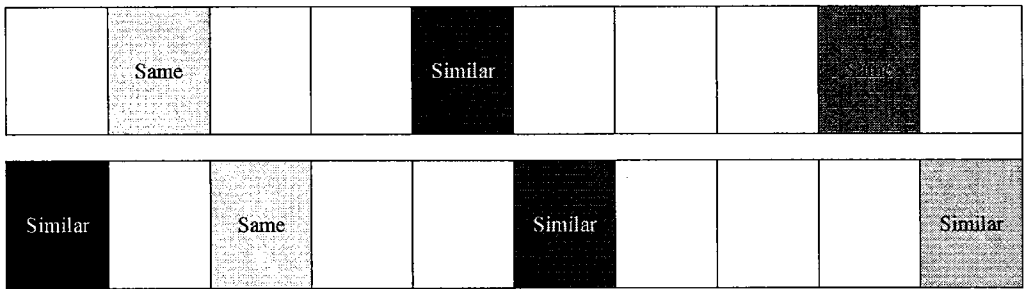
- a. Same or similar brick, stone or stucco must not be immediately adjacent to or directly across the street from one another.



J. Exterior Colors

1. General:

- a. Same or similar paint selections must not be immediately adjacent or directly across the street from one another.



- b. Maximum of three (3) colors per residence
 - i. Wood stain is considered a color.
 - c. Paint colors must harmonize and complement the masonry material(s).
 - i. Pastel and primary colors are prohibited unless used on doors or shutters with ARC approval.
 - d. Earth tones are required.
 - e. Dark and light stone combinations are to be avoided and must have ARC approval.
- 2. Brick (revised 5.30.19)**
- a. Earth tone
 - b. Solid red are prohibited
- 3. Stone:**
- a. Dark and light flagstone combinations are prohibited.
- 4. Stucco:**
- a. Earth tones
 - b. White selections must have ARC approval.
 - i. Cream hues allowed
 - c. Bright colors prohibited
 - i. Stark/bright white to be avoided
- 5. Paint:**
- a. Earth tones
 - b. Colors must harmonize and complement the masonry material(s)
 - c. Primary colors are prohibited unless used on doors or shutters with ARC approval.
 - d. Pastel colors or colors considered brilliant are prohibited.
- 6. Stain:**
- a. Earth tone

K. Covered Porches

1. Porches, steps, stoops – Concrete may be finished in tile, brick or stone with ARC approval.
2. Roof must be the same material as house roof with column supported overhangs or accent metal with ARC approval.
3. Roof pitch must be 3:12 or greater.

L. Balconies

1. Second floor balconies on Interior Lots or facing the rear or side yard of another Lot are prohibited.

M. Windows

1. General:

- a. Flat arches over windows, narrow or square windows are preferred.
 - i. Round arches are strongly discouraged.
- b. Bathroom windows facing streets, within public view or adjacent Lots must have privacy glass block, frosted, tinted or similar privacy window treatment.
 - i. Must receive ARC approval

2. Materials:

- a. Metal or Vinyl-clad, double paned windows or higher quality must be used.
- b. Metal window finishes must complement the architectural style and color of the home.
- c. Bronze, white, black, taupe are acceptable
- d. Clear anodized aluminum is prohibited

3. Tinting:

- a. Encouraged for energy conservation purposes. Must receive ARC approval.
- b. Tinting encouraged for bathroom windows facing streets or public view.

4. Prohibited:

- a. Bronze, reflective glass, mirrored glazing or tinting, awnings, burglar or security bars on windows or doors are prohibited.

N. Front Entries and Doorways

1. Front entries with wide openings, iron accents, flat arches over front entries and doorways are preferred.
 - a. Rounded arches are prohibited.
 - b. Narrow two story entry ways are prohibited.
2. Aluminum or metal storm doors with glass and screen doors are prohibited on front or side elevations where visible within public view or rear elevations of all Lake Lots.

O. Chimneys

1. Materials:

- a. Must be constructed of one hundred percent (100%) masonry where visible within public view
- b. Must be Stucco Board for Chimney's not considered visible within public view
- c. Cantilevered chimneys are prohibited.

2. **Chimney Caps:**
 - a. Fireplaces using metal spark arrestor or other metal venting apparatus at top of chimney must have painted metal cowling surround installed atop the chimney.
 - b. All metal or other chimney materials must be painted the same color as chimney material.
3. **Gas Fire Places:**
 - a. Direct vent permitted if not visible from the street.

P. Roofs

1. **General:**
 - a. Strong gables are encouraged.
 - b. Dutch or French hips, flat roofs, or mansard roofs are prohibited.
2. **Materials:**
 - a. **Shingle:**
 - i. Weathered Wood thirty (30) year shingle
 - ii. Garage and breezeway roofs must be same material as the roof of the home.
 - iii. Red and green colors are prohibited.
 - b. **Other Roof Materials:**
 - i. Other roof materials and colors may be allowed with ARC approval.
 - c. **Metal: Accent Roof**
 - i. Galvanized standing seam metal
 - ii. Copper roofing and standing seam metal for Bay windows and porches are encouraged.
 - iii. Must have ARC approval for location and color
 - iv. All other exposed roof metal must be located at the rear or side slopes, away from public view and painted to match the roof color.
 - v. Prohibited: Corrugated tin
3. **Pitches:**
 - a. **One Story:**
 - i. 8:12 or greater
 - a) 6:12: May be allowed as determined by the architectural style of the home, with ARC approval
 - b. **Two Story:**
 - i. 6:12 or greater on all sides
 - c. **Porches:**
 - i. Must be 3:12 or greater
 - d. **Dormers:**
 - i. Must be 3:12 minimum
4. **Garage Roof:**
 - a. May not exceed height of a two story home
 - b. Must be the same material as the home

5. Roof Top Accessories:

a. General:

- i. Antennas, towers, satellite dishes or similar devices for receiving and/or sending signals are permitted.
- ii. Placement must be in the least obtrusive location, no higher than the highest point of the rear line of the residence and must not be visible from the street.
- iii. Must receive ARC approval for placement
- iv. All items atop the roof must match the roof color.

b. Skylights:

- i. Must be integrated with the roof design, parallel to the roof pitch
- ii. Framing must match the roof color
- iii. Must receive ARC approval for placement

c. Solar Collectors:

- i. Solar collectors must not be placed within public view.
- ii. Must match roof color
- iii. Must receive ARC approval for placement

d. Plumbing or heating vents, stacks or other projections must be placed out of street or Lake view if at all possible and must be painted to match roof material.

Q. Garages

1. General:

- a. A garage capable of parking two (2) cars is required for all Lots.

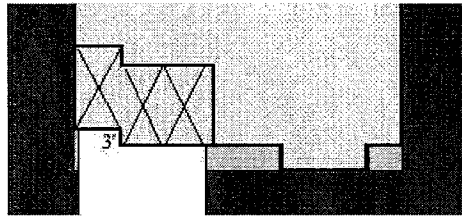
2. Attached Garages:

a. Front Loaded Two Car:

- i. Maximum ten foot (10') storage extensions permitted with ARC approval.

b. Front Loaded Two or Three Car Garage Bays:

- i. Third (3rd) Car Garage Bay must be setback a minimum of three feet (3') from the Two Car Bay, unless otherwise approved by the ARC.



- ii. Maximum ten foot (10') storage extensions permitted with ARC approval.

- 3. **Swing In or Side Loaded Garages:**
 - a. One (1) car or two (2) bay car Swing In or Side Loaded Garage Bays allowed in addition to required two (2) car garage.
 - b. Garage bays may not face the entry into a section, or court, corner side street, Lake, or face each other. Must receive ARC approval.
 - c. Side loaded garage bays may not face the entry into a section, or court, Lake, or face each other. All must receive ARC approval.
 - d. Garage elevations that are highly visible or are on Corner Lots require additional articulation.
- 4. **Detached Garages:**
 - a. The front elevation of a detached garage must be masonry.
 - b. All elevations within public view must be masonry.
 - c. Garage elevations that are highly visible or are on Corner Lots require additional articulation.
 - d. Detached Garages are not permitted on green areas or Lake Lots.
- 5. **Porte Cocheres:**
 - a. Must be the same architectural style of the home
 - b. The side yard setback is the same as the home
- 6. **Storage Space:**
 - a. Five foot (5') storage space added to garage is allowed with ARC approval.
 - b. Ten foot (10') storage space added to garage is permitted and may be required with ARC approval.
- 7. **Garage Conversion:**
 - a. Conversion of any garage space into livable area must receive ARC approval.
 - i. Lot must still have a garage capable of parking a minimum of two (2) cars.
 - b. Detached Garage Second Floor Living Space:
 - i. Living space above garage is allowed if the living space is within the roof line of the below garage, with ARC approval.

R. Garage Doors

- 1. **General:**
 - a. All garage doors must be metal or wood with paneled design that matches the architectural style of the home.
 - b. Single and Double Garage Door Height:
 - i. Maximum height of eight feet (8') unless otherwise approved by ARC
 - c. Double Garage Door Width:
 - i. Maximum width of eighteen feet (18') unless otherwise approved by ARC
- 2. **Front Loaded Garages:**
 - a. Two (2) Car Garage Bays may have one (1) double door or two (2) single doors separated by a ten inch (10") column.
 - b. Three (3) Car Garage Bays may have one (1) double door and one (1) single door separated by a ten inch (10") column.
- 3. **Swing In or Side Load Garages:**
 - a. Two (2) Car Garage Bays may have one (1) double door or two (2) single doors separated by a ten inch (10") column.
 - b. Three (3) Car Garage Bays may have one (1) double door and one (1) single door separated by a ten inch (10") column.
 - c. May have one double door or two single doors separated by a ten inch (10") column.
- 4. **Detached Garages:**
 - a. Two (2) Car Garage Bays may have one (1) double door or two (2) single doors separated by a ten inch (10") column.
 - b. Three (3) Car Garage Bays may have one (1) double door and one (1) single door separated by a ten inch (10") column.

- i. Single door should be placed on the side of the garage closest to the side property line.
- ii. Double door must be placed on the side closest to the home.

S. Driveways

1. Materials:

- a. Concrete required for all Driveways.
- b. Decorative materials may include brick, stamped or colored concrete pavers, flagstone, etc. Must receive ARC approval.
 - i. Asphalt paving, loose gravel, stone, timber borders are prohibited.

T. Foundations

- 1. No more than six inches (6") of vertical surface of the concrete slab shall be exposed to view from the street or Lake.
- 2. Exposed foundation must be screened. See Landscape Guidelines.

U. Plate Height

- 1. Nine foot (9') minimum Interior first floor Plate Height is required.
- 2. Minimum Eight foot (8') Exterior first floor Plate Height must be kept to a minimum along the front elevation.
- 3. Garage Plate Heights may be eight foot (8').

V. Railing

- 1. Railing may be approved stylized wrought iron, steel or painted decorative wood.
- 2. Must match the architectural style of the home. Railing color must receive ARC approval.
- 3. Pressure treated railing is prohibited.

W. Lighting

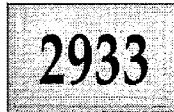
- 1. Cast aluminum or brass fixtures are permitted.
- 2. Colored lighting, high intensity lighting such as Mercury vapor, "spill over" lighting (onto neighboring yards, other properties, streets or public spaces), exposed transformers and wiring are all prohibited.
- 3. All exterior lighting must receive ARC approval.

X. Screening

- 1. All heating, A/C, mechanical and pool equipment, meters and pedestals must be screened with landscaping or fencing from public and Lake view.

Y. Address Marker *(revised 5.30.19)*

- 1. Required on all Front Elevations
- 2. Precast stone



Z. Energy Efficiency

1. All Builders are required to build Energy Star or current energy program, which meets or exceed International Energy Codes.
2. Builders must adapt and stay current with evolving Energy Codes and Standards.

AA. Builder Signage

1. **Model Identification sign:**
 - a. One (1) lighted sign per model home
 - b. Sign size, shape, material and color must have prior ARC approval.
2. **Lot Identification sign:**
 - a. For advertising and sale of a Lot
 - b. One sign per Lot
 - c. No more than six (6) square feet in size
3. **Temporary Signs:**
 - a. Must receive ARC approval
4. **Bandit signs and banners:**
 - a. Prohibited

BB. Flag Poles

1. No more than two (2) flag poles per Builder within Copper Bend
 - a. Twenty-five foot (25') maximum height
 - b. Placement and color must receive ARC approval. Must be removed at sale of the model home
 - c. Texas and United States Flags only

CC. Mail Clusters

1. U.S. Post Office standard mail clusters will be installed at appropriate locations.
2. No individual mail boxes are permitted.

DD. Swimming Pools, Hot Tubs, Reflective Ponds, Water Amenities:

Must receive ARC approval.

1. Deposit of \$1500 to be held by HOA.
2. Waterfalls or similar amenities shall not extend more than four feet (4') above grade on a Lake Lot. No more than six feet (6') on any other Lot.
 - a. Front yard fountains and above ground pools are prohibited.

III. Landscape Guidelines

Landscape Guidelines provide the minimum requirements for site improvements. Plant proportions shall be those recognized and recommended by the American Standard for Nursery Stock. Installation of all plants must conform to the standards of the American Association of Nurserymen. A combination of Native Texas trees, shrubs, ground covers and grasses from the Preferred Plant list should be utilized. A plant is considered dead if at least fifty percent (50%) of its growth is dead or fails to make new growth from a dormant stage.

All replacements must conform to the original Landscape Guidelines. The ARC reserves the right to require the builder to replace plants that do not meet these requirements.

A. Yard Type

1. Front Yard:

- a. Planting beds in the front of the home

2. Visible Rear Yard:

- a. Rear yards that back or side a street or collector road, or are visible within public view as designated on Section Specific Plan.

3. Corner Lot:

- a. Planting beds on Corner Side yards facing a street
- b. Plantings shall be in clusters along fence facing the street.

4. Landscape Buffer:

- a. Non-Corner Lots with visible front or side yard fencing that measures thirty feet (30') or more in length require a Landscape buffer. See Corner Lot/Landscape Buffer Requirements.

B. Sod: *(revised 2.26.19)*

1. Bermuda required
2. All front yards must be sodded.
3. All Side and Rear yards visible within public view must be sodded.

C. Planting Beds

1. Planting beds must be a minimum of five feet (5') along the elevation toward the Property Line.
 - a. Curvilinear
2. Groupings of shrubs of the same species providing a substantial look

D. Edging:

1. Ryerson steel edging (or similar), brick set in mortar or natural stone are permitted.
2. Plastic, loose brick, concrete scallop, corrugated aluminum or plastic, wire wickets, railroad ties or timbers are prohibited.
3. Wire or small picket fencing, continuous concrete bands are also prohibited.
4. Rocks, rock walls or other similar substances may not be used as yard border on any front or side yard.

E. Landscape Rocks:

1. Landscape rocks or similar hardscape may be incorporated into front and rear yard landscape with ARC approval.
2. Solid rock yard or similar type of hardscape is prohibited in the front yard or side yard visible from the street.

F. Mulch:

1. Hardwood
2. Required for all visible Planting Beds
3. Black and brown required
 - a. Colors other than black and brown must receive ARC approval.
4. Gravel, rock or red mulch is prohibited.

G. Screening

1. Foundation:

- a. All foundation visible within public view must be screened with evergreen landscape.
Front foundation of the home and garage parallel to the Front R.O.W.
Corner Side foundation, outside of the fencing, parallel to the Corner Side R.O.W.

2. Mechanical Equipment:

- a. All mechanical equipment such as air conditioning units, utility pedestals, meters, transformers, pool equipment, etc. must not be within public view.
- b. Any equipment not able to be placed out of public view must be screened with evergreen shrubs.
- c. See Preferred Plant List for screening options.

H. Irrigation

1. Required for all visible yards: Front Yard, Visible Rear Yard, Corner Side Yard
2. Irrigation systems of approved design must have a minimal overthrow onto impervious areas using the current standards at time of installation.
3. All equipment for such systems must be screened from public view with evergreen shrubs.

I. Minimal Landscape Requirements (revised 5.22.19)

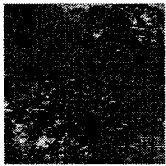
Front Yard Landscape				
Lot Size	Yard Trees*	15 Gallon Shrubs	5 Gallon Shrubs	1 or 3 Gallon Plants/Shrubs
50' & 55'	Two 4" caliper Hardwoods	Two	Ten	Twenty-five
**Foundation and Equipment Screening	Evergreen Shrubs			
*One existing natural tree may be used to count toward Yard Tree requirements. Trees must be in good health, must be located in comparable locations to meet the general location for yard trees and must receive ARC approval.				
Palm trees are prohibited.				
May increase 5 Gal. Shrubs and decrease 3 Gal. Shrubs. See Preferred Plant List "Shrubs"				
**Foundation and Equipment facing the R.O.W. or visible within public view must be screened. To include but not limited to Garages.				

Visible Rear Yard Landscape				
Lot Size	Yard Trees*	15 Gallon Shrubs	5 Gallon Shrubs	1 Gallon Plants
50' & 55'	One 3" caliper Hardwoods	Two	Ten	Fifteen
**Foundation and Equipment Screening	Evergreen Shrubs			
Palm trees allowed with ARC approval				
*One existing natural tree may be used to count toward Yard Tree requirements. Trees must be in good health, must be located in comparable locations to meet the general location for yard trees and must receive ARC approval.				
**Foundation and Equipment facing the R.O.W. or visible within public view must be screened.				

Corner Lot Side Yard Landscape	
30 Gallon Ornamental Trees	Two
5 Gallon Shrubs	Nine
Corner Side Tree	One 2" caliper Hardwood
Required for all visible Corner Side fencing that measures thirty feet (30') or more in length	
Corner Side fencing of sixty feet (60') or more requires Corner Lot PLUS One additional 2" caliper Corner Side Hardwood Tree	
Palm trees are prohibited.	

Landscape Buffer	
30 Gallon Ornamental Trees	Two
5 Gallon Shrubs	Nine
Required for all visible fencing that measures thirty feet (30') or more in length	
Palm trees are prohibited.	

J. Preferred Plant List
1. Shade Trees



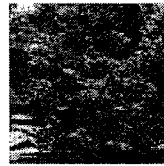
Big Tooth Maple



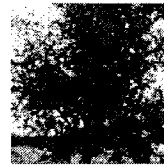
Cherry Laurel



Cypress, Bald



Cypress, Montezuma



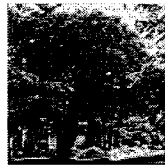
Elm, Cedar



Elm, Lacebark



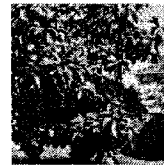
Escarpment Black Cherry



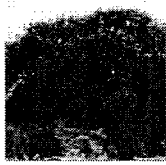
Oak, Blackjack



Oak, Bur



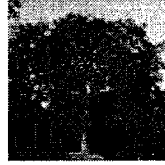
Oak, Chinquapin



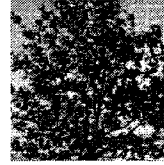
Oak, Escarpment Live



Oak, Lacey



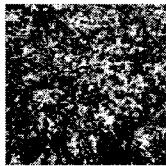
Oak, Southern Live



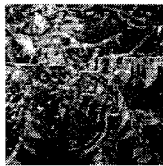
Oak, Monterey



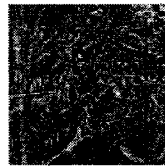
Oak, Shumard



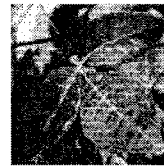
Oak, Texas Red



Pecan

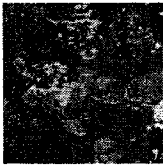


Soapberry

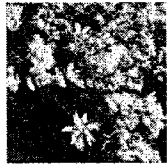


Texas Ash

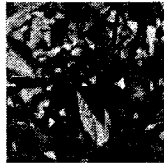
2. Ornamental Trees



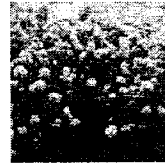
American Smoke Tree



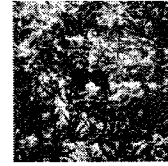
Anacacho Orchid Tree



Carolina Buckthorn



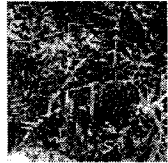
Crape Myrtle



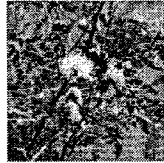
Desert Willow



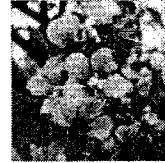
Eve's Necklace



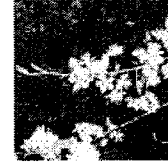
Flameleaf Sumac



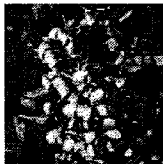
Goldenball Leadtree



Mexican Buckeye



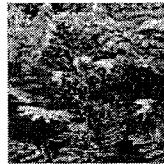
Mexican Plum



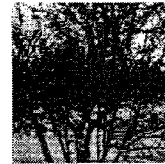
Mountain Laurel, Texas



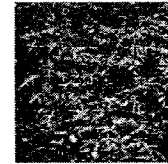
Poinciana
Bird of Paradise



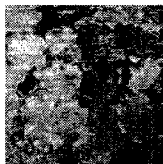
Poinciana
Red Bird of Paradise
Pride of Barbados



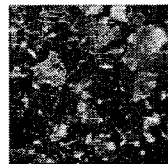
Possumhaw Holly



Red Buckeye



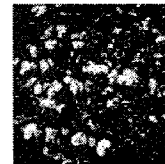
Redbud, Mexican



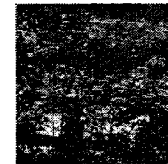
Redbud, Texas



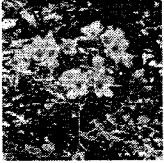
Roughleaf Dogwood



Rusty Blackhaw
Viburnum



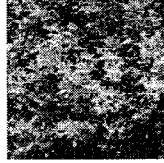
Senna, Flowering



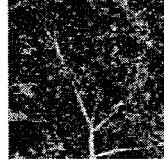
Senna, Lindheimer



Texas Persimmon



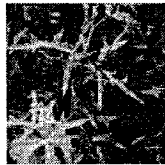
Texas Pistachio



Yaupon Holly

RP-2019-275244

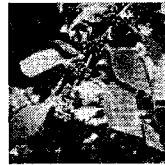
3. Shrubs



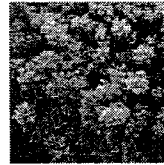
Agarita



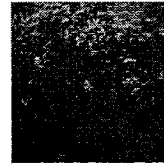
Agave (Century Plant)



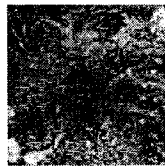
American Beautyberry



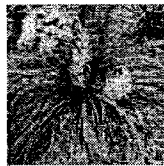
Artemisia



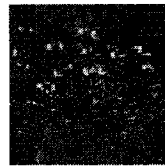
Barbados Cherry



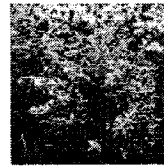
Barberry, Japanese



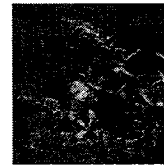
Basket Grass (Sacahuista)



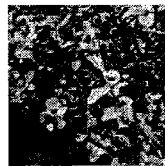
Black Dalea



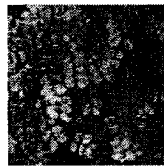
Bush Germander



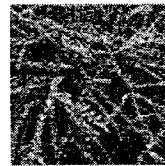
Butterfly Bush



Butterfly Bush, Woolly



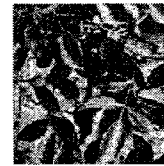
Coralberry



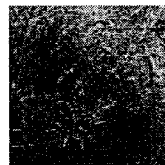
Cotoneaster



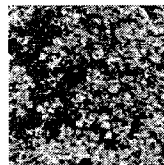
Esperanza Yellow Bells



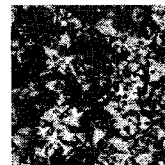
Evergreen Sumac



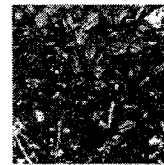
Flame Acanthus



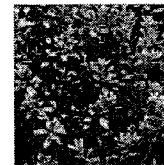
Fragrant Sumac



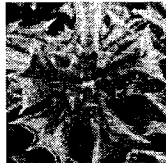
Glossy Abelia



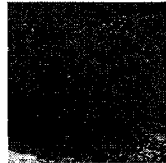
Holly, Burford



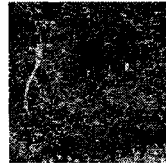
Holly, Dwarf



Holly, Dwarf Chinese



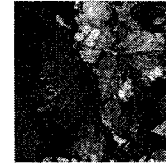
Holly, Dwarf Yaupon



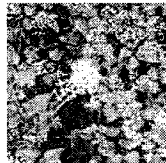
Kidneywood



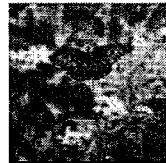
Lantana, Pink



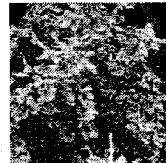
Lantana, Texas



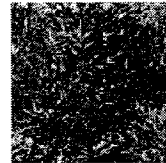
Mistflower, White Shrubby White Bonaset



Mistflower, Blue Blue Bonaset



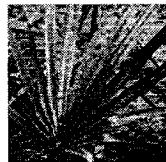
Mountain Sage



Nandina (dwarf-types)



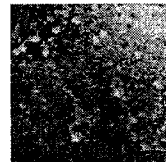
Oleander



Palmetto, Dwarf Texas



Primrose Jasmine



Rock Rose



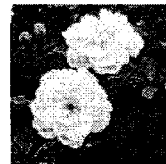
Rose, Belinda's Dream



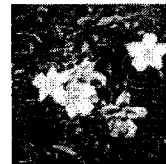
Rose, Knock Out



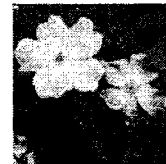
Rose, Livin' Easy



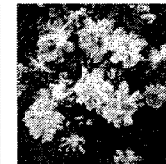
Rose, Marie Pavie



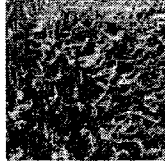
Rose, Mutabilis



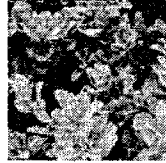
Rose, Nearly Wild



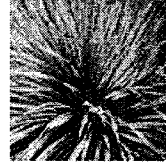
Rose, Old Blush



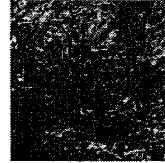
Rosemary



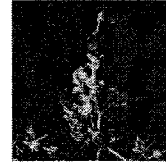
Sage, Texas



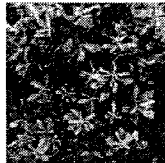
Sotol, Texas



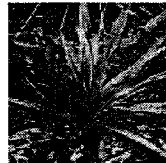
Southern Wax Myrtle



Turk's Cap



Wax Myrtle, Dwarf



Yucca, Paleleaf



Yucca, Red

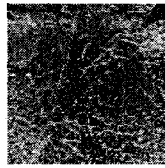


Yucca, Softleaf

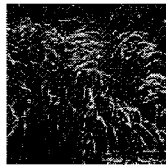


Yucca, Twistleaf

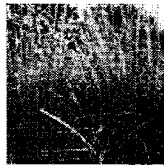
4. Ornamental Grasses



Bamboo Muhly



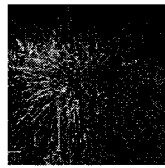
Big Bluestem



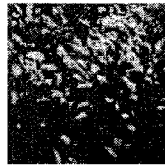
Big Muhly



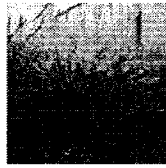
Bushy Bluestem



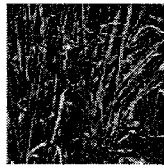
Deer Muhly



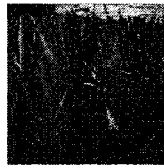
Dwarf Fountain
Grass



Gulf Muhly



Indian Grass



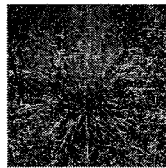
Inland Sea Oats



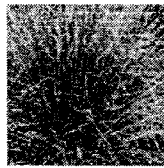
Little Bluestem



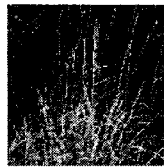
Mexican
Feathergrass
(Wiregrass)



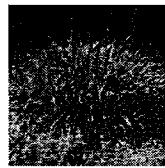
Purple Lovegrass



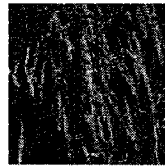
Seep Muhly



Sideoats Grama

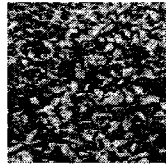


Switchgrass

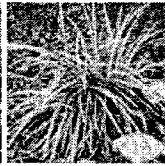


Wild Rye

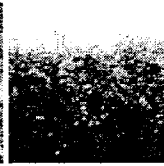
5. Vines and Groundcovers



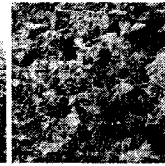
Asian Jasmine



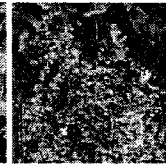
Aztec Grass



Carolina
Jessamine



Coral
Honeysuckle



Coral Vine



Crossvine

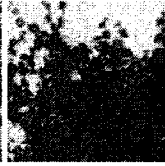
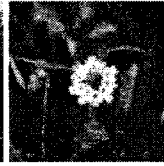
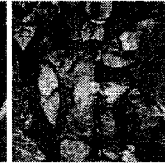


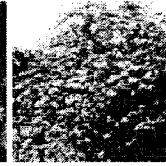
Fig Vine



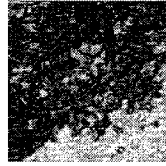
Frogfruit



Horseherb



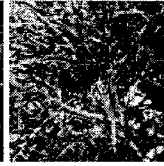
Lady Banksia
Rose



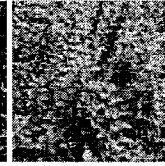
Leadwort
Plumbago



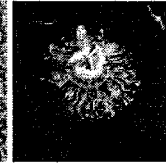
Liriope



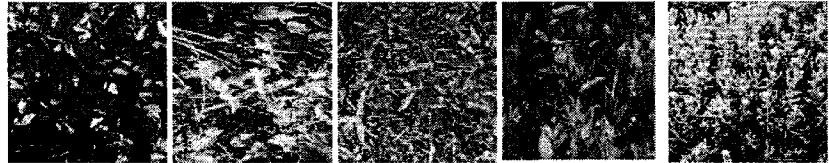
Monkey Grass
(Mondo Grass)



Oregano



Passion Vine



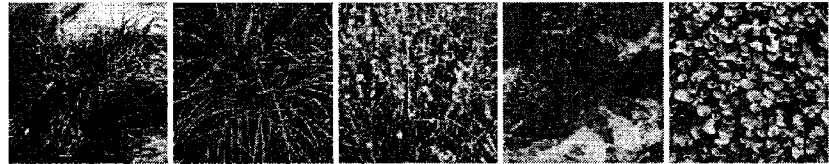
Periwinkle,
Littleleaf

Pigeonberry

Purple Heart

Red Salvia

Santolina
(Lavender
Cotton)



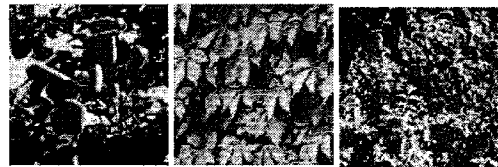
Sedge, Berkeley

Sedge, Meadow

Sedge, Texas

Sedum
(Stonecrop)

Silver Ponyfoot



Trumpet Vine

Virginia Creeper

Woolly Stemodia

IV. Construction Guidelines

The following Construction Guidelines (Guidelines) shall apply to any and all work performed on or within the Copper Bend Development. All Builders shall be bound by any County building codes and all other applicable governing authority.

A. Builder's Compliance

The Builder shall comply with these Guidelines. Non-compliance will result in written notification from the ARC of any observed violation/s via Fax and/or Email to the Field Supervisor and Project Manager. The Builder will have seven (7) calendar days after such notice to correct the violation item/items. If non-compliance item/s are not corrected within the seven (7) days a second written notification will be sent. Failure to address violation notices could affect approval of future submittals.

B. Governing Authority

All Applicants shall comply with the regulations of any governing authority, as well as all applicable Occupational Safety and Health Act Regulations and Guidelines (OSHA).

C. Construction Trailers, Portable Field Offices, Sales Trailers Etc.

Any Applicant who desires to bring a sales trailer, construction trailer or field office into Copper Bend must submit a written request for approval by the ARC. The location of such trailers or offices must also be requested in writing for approval by the Copper Bend ARC. Requests must include a copy of the site plan with proposed location and description of trailer or office. Landscape screening is required for all trailers and must receive ARC approval. All storage areas require fencing on all sides. All temporary structures must be removed upon completion of construction of the model home.

D. Debris and Trash Removal

Builders shall clean up all trash and debris on the construction site on a regular basis. Lightweight materials, packaging and other items shall be covered or weighted down to prevent being blown off the construction site. Builders are required to retrieve promptly all trash and debris blown onto streets and neighboring properties. Builders are *prohibited* from dumping, burying or burning trash anywhere within Copper Bend. During the construction period, each construction site shall be kept neat and clean and shall be properly policed to prevent it from becoming an eyesore or affecting other Lots or any open space. Each Builder is required to construct a trash containment area within the middle of the front of the Lot. Orange construction fence should be placed on sides and rear of construction Lot to prevent construction debris from blowing into adjacent Lots. The Developer will designate an area in each Section in Copper Bend specifically for concrete wash-out. The Builders must clean out the concrete wash-out at intervals of no less than 30 days. Mud and dirt from the construction site on the paved streets of Copper Bend whether caused by the builder or any of its subcontractors or suppliers shall be promptly removed and streets shall be cleaned by the builder.

E. Sanitary Facilities

Adequate sanitary facilities for Builder's construction workers must be supplied by each Builder. Such facility placement must be submitted for approval by the ARC.

F. Vehicles and Parking Areas

Construction crews shall not park on, or otherwise use, other Lots or any open space. Private and construction vehicles and machinery shall be parked only within areas designated by the ARC. All vehicles shall be parked so as not to inhibit traffic. At no time shall vehicles be allowed to park under existing trees and must stay off of and away from tree roots. Each Builder shall be responsible for assuring that the subcontractors and suppliers obey the speed limits posted within the Development. Adhering to the speed limits should be a condition included in the contract between the Builder and its subcontractors/suppliers. The Builder and its subcontractors/suppliers shall use extreme caution around occupied properties. Resident complaints shall be courteously addressed and resolved quickly. Repeat offenders will be reported to the local County Law Enforcement office. Once occupied properties exist, the developer may restrict parking to one side of the street only.

G. EPA - SWPPP

Each Builder shall comply with the Environmental Protection Agency's Storm Water Pollution Prevention Program (SWPPP) or other governmental authorities on similar issues.

H. Excavation Materials

Excess excavation materials shall be hauled away from Copper Bend and properly disposed of. Failure to do so shall result in the ARC removing the material and charging the expense to the Builder. Evacuation materials may not be deposited on any Reserves or Lots not belonging to that builder.

I. Restoration or Repair of Other Property Damages

Damage or scarring of any property outside the construction Lot, including but not limited to roads, driveways, utilities, vegetation and/or other improvements that results from construction operations will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly and at the expense of the Builder. If the Builder fails to restore/repair the damaged area, the ARC may repair the area and impose the expense as a charge against the construction deposit. In the event of default by the Builder in meeting these obligations or the construction deposit is insufficient to meet the obligation, the Builder shall be responsible and a lien may be recorded against the Lot until paid.

J. Miscellaneous and General Practices

All Builders will be completely responsible for the conduct and behavior of their agents, representatives and subcontractors while in Copper Bend. The following practices are *prohibited*:

1. Changing oil of any vehicle or equipment on the Lot itself or any other location within Copper Bend.
2. Allowing concrete suppliers, plasterers, painters or any other subcontractors to clean their equipment anywhere other than designated location(s) approved by the ARC. Such cleaning outside the designated area is strictly *prohibited*. Violation of this provision will result in the repayment of expenses to the ARC for repairing the damage.
3. Removing any rocks, plant material, topsoil or similar items from any property or construction site within Copper Bend is prohibited.
4. Possession of any type of firearms or illegal weapons within Copper Bend.
5. The use of residents' utilities without their written consent.
6. Using disposal methods or equipment other than those approved by the ARC.
7. Careless disposition of cigarettes or other flammable material. It is recommended that at least three ten pound (10lbs) ABC-rated dry chemical fire extinguishers shall be present and available in a conspicuous place on the construction site at all times.
8. The use of illegal drugs or alcohol is *prohibited*.
9. Destruction or removal of protected plant materials or plants not previously approved by the ARC.
10. No pets, including dogs, may be brought into Copper Bend by either Builders or construction personnel. In the event of a violation the ARC, Declarant, or the Association has the right to contact authorities to inspect/impound any pet, refuse to permit the Builder or subcontractor involved to continue on the project or to take such other action as permitted by law.
11. Radios and other audio equipment which can be heard outside the construction site.
12. The use of horns not used for traffic safety by any catering trucks. Trash generated by the purchase of items from any catering truck shall be contained and disposed of properly. Repeated problems with these requirements will result in the catering trucks being denied admittance to into Copper Bend.
13. Builders will be responsible for repair and/or replacement of trees, plants, sidewalks, lights, etc damaged during construction.

K. Construction Access

The only approved construction access during the time a residence or other improvement is under construction will be over the approved driveway for the Lot unless the ARC approves an alternative access point.

L. Street Cleaning

All streets in front of a construction site are to be free from dirt, debris and spilled concrete. Each builder shall be responsible for street cleaning. All streets must be cleaned weekly or as needed. All streets must be clean each Friday before weekend sales activity.

M. Construction Signage

Unless required by local governing authorities, no construction signs may be posted anywhere in Copper Bend. The exception being, the ARC may authorize a Builder to post one construction sign per Lot. Such sign must be designated and approved by the ARC. Location must also be approved by the ARC.

N. Concrete Washout

One designated concrete "Washout" areas, for concrete trucks, will be allowed per builder. "Washout" locations will be designated by Developer. "Washout" area must be maintained by Builders at all times. When multiple builders are building within a section and sharing a washout area, the cleanup of the "Washout" may be shared by all Builders on an alternating monthly basis.

O. Sediment Control

As soon as possible earthwork commences, sediment control methods shall be installed to filter all storm water runoff from the tract into the public street. Sediment control must be placed at all inlets. The sediment control system must remain in place and in good repair until construction is complete. It may be removed when landscaping is installed and lawns are established. Builders shall conform to all regulatory agencies' rules, regulating standards and criteria governing sediment control to include, but not limited to, EPA-NPDES and Pollution Prevention Plan. Builders shall be responsible for filing and securing all necessary permits.

P. Sand Bags

Sandbags must be placed at the beginning and end of each construction site to contain construction dirt/debris. All inlets must have sandbags and sediment control at all times during construction. Builders shall conform to all regulatory agencies' rules, regulating standards and criteria governing sediment control to include, but not limited to, EPA-NPDES and Pollution Prevention Plan.

Q. Safety fencing

Orange plastic fencing w/metal posts to protect residents from construction areas and prevent construction trash from flowing outside of the construction site. Fencing should be placed on both sides and rear, if necessary, of construction site.

R. Lot Maintenance

Owners of all Lots shall at all times keep all weeds and grass cut in a low-laying and attractive manner. No Lot may be used for the storage of materials or equipment except for normal residential requirements or incident to construction of improvements is permitted. In such case, all materials and equipment shall be stored so as not to be visible from any street. Debris on all empty Lots must be removed weekly.

S. Illegal Dumping

Dumping of any type onto an empty Lot or construction site is *prohibited*. Building materials that obviously belong to another builder must be picked up by that builder.

T. Stealing

Stealing within Copper Bend at anytime including and not limited to materials, water or electricity from neighboring/occupied resident Lots will result in fines or legal action. Builders will be responsible for any and all damages.

U. Daily Operation

Daily working hours for each construction site shall be as follows:

Monday – Friday	_____	7 a.m. to 7 p.m.
Saturday	_____	8 a.m. to 6 p.m.
Sunday	_____	9 a.m. to 6 p.m.
Designated Holidays	_____	9 a.m. to 6 p.m.

Construction hours may be subject to change per requirements of applicable City/County ordinances, and may be modified as determined by ARC from time to time.

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V. Architectural Review Process

A. Introduction

The official submittal of plans and specifications to the ARC is to provide a review process for conformance to the CCR's and the Guidelines, adopted by the ARC. All new construction, subsequent construction, remodeling with exterior exposure, expansion and demolition of structures must be reviewed and Approved by the ARC prior to commencement of any on-site building or construction activity. The site plan, architecture and landscape must be Approved in writing by the ARC before construction begins. A Final Review before closing of the property is also mandatory.

Master Plan and Plot Plan Submittals may be emailed to:

vonetta@mccauleyarc.com

All applicable fees payable to McCauley Architectural Reviews, Inc. must be delivered to:

Copper Bend Architectural Review Committee
13711 Pristine Lake Lane
Cypress TX 77429

Pre-Construction and Final Review requests may be requested via email to:

vonetta@mccauleyarc.com

ARC will review all submittals within fourteen days (14) days of receipt. Submittals will receive either an Approval, Conditional Approval or a Disapproval. A copy of the signed submittal will be emailed/faxed within forty-eight (48) hours of ARC review. Construction may not begin without a signed Approved or Conditionally Approved Submittal.

1. **"Approved"** - The entire application is Approved as submitted.
2. **"Conditional Approval"** - The application is not Approved as submitted. A Conditional Approval is granted with the understanding that all conditions requested by the ARC will be met before, during or after construction. Failure to agree to the Conditions requested will deem the application Disapproved. The Builder may be required to resubmit prior to the construction or alteration in order to receive Approval.
3. **"Disapproved"** - The entire application as submitted is rejected. The ARC may provide comments but is not required to do so. If the ARC fails to respond within twenty-one (21) calendar days, the Builder shall give the ARC written notice of its failure to respond. Unless the ARC responds within an additional ten (10) days of receipt of such notice, approval shall be deemed automatically denied.
4. Reasonable variances may be granted upon written request, as long as the variance is in conformance with the overall intent of the master plan for the improvement and development of the property. All applicants must comply with the conditions for approval that may be imposed on a variance. Each builder must address the variance request in writing and the reason(s) why the request should be granted.

B. Submittal Requirements Only complete submittals will be reviewed. Builder will have responsibility for compliance of all governing codes and ordinances.

Master Plan Submittal

Check for \$100.00 – Fee includes all elevations per Submittal

Full set of 11x17” plans showing:

- o All elevations including Detached Garages and Porte Cocheres
- o Living Square Footage
- o All Floor Plans, including options
- o Roof pitches and plate heights
- o All materials to be used on all elevations

Site Plan Submittal

Check for \$125.00: Includes Site Plan Review and First Final Review

Plot plan showing:

- o Setbacks – Building Lines, R.O.W., Easements
- o Fencing – type and placement
- o Drive, Sidewalk & Walkway- size and placement
- o Air Conditioner placement
- o Exterior Selections – Manufacturer and color. Sample boards highly recommended.
 - Brick/Stucco/Stone
 - Garage, Trim and Shutter
 - Roofing material
- o Driveway /Walkway Paving material

Re-submittal fee

- o \$75.00 for changes to site or plan.

Final Review

Mandatory Approved review required for all homes to be sold within Copper Bend.

- o Plot Plan fee includes the first Final Review.
- o \$50 fee for each re-review applies to any home not in compliance.
- o Final Review is needed prior to closing of all homes.
- o Final Reviews will be conducted weekly or as needed.
- o Final Reviews must be requested by the Builder via email.
- o Homes not in compliance will require a Re-review until all items are compliant.
- o Corrections must be made within two (2) weeks of the first Final Review.
- o Rereviews will be conducted every two (2) weeks or as needed.

Changes after Approval

All proposed changes to plans that affect the exterior of any building, colors, windows, grading, etc., must be submitted to and approved in writing by the ARC prior to implementation.

- o \$25 fee for each exterior material and color selection change requested.
- o \$50 fee for all other changes.

Variations

Reasonable variations may be granted upon written request, as long as the variance is in conformance with the overall intent of the master plan for the improvement and development of the property. All applicants must comply with the conditions for approval that may be imposed on a variance. Each builder must address the variance request in writing and the reason(s) why the request should be granted.

Disclaimer

Neither the Copper Bend Community Association, Inc. or the members of the Architectural Review Committee or its representative, their successors or assigns, shall be liable in damages to anyone submitting plans to them for approval, or to any owner or lessee of any parcel affected by these restrictions, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans submitted. Every person who submits plans to the Committee for approval agrees by submission of such plans, and every owner or lessee of any parcel within the property agrees, by acquiring title thereto or interest therein, that he will not bring any action or suit against Copper Bend Community Association, Inc. or the members of the ARC, or its representatives, to recover any damages.

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COPPER BEND

AT INDIAN TRAILS

Master Plan Submittal

Prior to construction, a complete set of all new home plans must be submitted for review to the Copper Bend at Indian Trails Architectural Review Committee. It is the applicant's responsibility to ensure compliance with Copper Bend at Indian Trails Residential Design Guidelines. Submittals must be sent to the Copper Bend at Indian Trails ARC, 13711 Pristine Lake Lane Cypress TX 77429, with \$100 per Plan Set fee, payable to McCauley Architectural Reviews Inc..

Date Submitted: _____ Application Fee (\$100.00): _____

Builder: _____ Contact Name: _____

Address: _____ Email: _____

Phone number: _____ Fax: _____

Lot Size: _____ # of Stories: _____ Base Width of home: _____

Living Area _____ Conditional _____

Plan #	Elevations	# of Stories	% Masonry	Sq. Ft.	Approved	Approval	Disapproved
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Builder Comments: _____

Reviewer Comments: _____

Reviewer

Date

Developer

Date

It is understood that this review constitutes conformance with Builder from conformance with local codes and ordinances and other design considerations note reviewed by the committee. The committee assumes no responsibility for structural integrity or for mechanical and electrical design with approval of these plans.

vonetta@mccauleyarc.com Fax: (281) 516-3461

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Pages 58
06/27/2019 02:38 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
DIANE TRAUTMAN
COUNTY CLERK
Fees \$240.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Diane Trautman

COUNTY CLERK
HARRIS COUNTY, TEXAS

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