



## **DESIGN GUIDELINES**

(As authorized by Royal Oaks Residential Community *Declaration of Covenants, Conditions, and Restrictions* - Section 11.4 - and outlined in *Royal Oaks Lot Purchase Agreement* – Sections 1 & 13(a.))

*Version 5*  
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# DESIGN GUIDELINES

<b>1.</b>	<b>INTRODUCTION.....</b>	<b>1</b>
1.1.	OVERVIEW.....	1
1.2.	PURPOSE AND APPLICABILITY.....	1
1.3.	REGULATIONS.....	1
<b>2.</b>	<b>DEFINITIONS.....</b>	<b>2</b>
2.1.	ACCESSORY STRUCTURE.....	2
2.2.	ARCHITECTURAL FEATURES AND PROJECTIONS.....	2
2.3.	ASSOCIATION.....	2
2.4.	BALCONY.....	2
2.5.	BOARD OF DIRECTORS.....	2
2.6.	BUILDING ENVELOPE.....	3
2.7.	BUILDING HEIGHT.....	3
2.8.	BUILDING SETBACK.....	3
2.9.	CITY.....	3
2.10.	COURTYARD WALLS.....	3
2.11.	DECLARATION.....	3
2.12.	FLAT ROOF.....	3
2.13.	FRONT YARD.....	3
2.14.	GOLF COURSE.....	4
2.15.	GUESTHOUSE.....	4
2.16.	ROYAL OAKS HOMES.....	4
2.17.	ROYAL OAKS LAND.....	4
2.18.	IMPROVEMENTS.....	4
2.19.	LANDSCAPE WALLS.....	4
2.20.	LIVING AREA.....	4
2.21.	LOT.....	4
2.22.	MARKETING MAP.....	4
2.23.	MODIFICATIONS COMMITTEE.....	4
2.24.	NEW CONSTRUCTION COMMITTEE.....	5
2.25.	OCCUPANT.....	5
2.26.	OWNER.....	5
2.27.	RESIDENCE.....	5
2.28.	STREETS.....	5
2.29.	STREET LANDSCAPE AREA.....	5
2.30.	SUNDECK.....	5
2.31.	YARD SETBACKS.....	5
<b>3.</b>	<b>DESIGN REVIEW AND APPROVAL PROCESS.....</b>	<b>6</b>
3.1.	PLAN REVIEW.....	6
3.1.1.	<i>Improvements</i> .....	6
3.1.2.	<i>Plan Requirements</i> .....	6
3.1.3.	<i>Plan Submittal Procedures</i> .....	6
3.2.	SUBMITTALS.....	6
3.2.1.	<i>Courtesy Review</i> .....	6
3.2.2.	<i>Preliminary Plan</i> .....	7
3.2.3.	<i>Final Plan</i> .....	8
3.2.4.	<i>Modifications to Final Approved Plans</i> .....	9
3.2.5.	<i>Building Permits</i> .....	9
<b>4.</b>	<b>ADMINISTRATION.....</b>	<b>9</b>

4.1.	FEES.....	9
4.2.	AMENDMENTS.....	9
4.3.	PREVALENCE OF DECLARATION.....	9
4.4.	MISCELLANEOUS.....	9
4.5.	EXECUTION OF WORK AFTER APPROVAL.....	10
4.6.	VIOLATIONS.....	10
4.6.1.	<i>Recordation of Notice</i> .....	10
4.6.2.	<i>No Liability of Committee</i> .....	10
4.6.3.	<i>Professional Advice</i> .....	11
<b>5.</b>	<b>SITE PLANNING DESIGN CRITERIA .....</b>	<b>11</b>
5.1.	SETBACKS.....	11
5.1.1.	<i>Front Yard Setback</i> .....	11
5.1.2.	<i>Side Yard Setback</i> .....	11
5.1.3.	<i>Rear Yard Setback</i> .....	12
5.1.4.	<i>Setback for Combined Lots</i> .....	12
5.1.5.	<i>Front and Rear Yard Encroachment</i> .....	13
5.1.6.	<i>Setbacks for Walls and Fences</i> .....	13
5.1.7.	<i>Setbacks for Side Yard Walls and Fences</i> .....	13
5.1.8.	<i>Setbacks for Driveway Gates</i> .....	13
5.1.9.	<i>Setbacks of Accessory Structures</i> .....	13
5.1.10.	<i>Setbacks for Porte Cocheres</i> .....	13
5.1.11.	<i>Setbacks for Patio Covers</i> .....	13
5.1.12.	<i>Setbacks for Sundecks</i> .....	13
5.1.13.	<i>Setbacks for Balconies</i> .....	14
5.1.14.	<i>Setbacks for Architectural Features and Projections</i> .....	14
5.1.15.	<i>Setbacks for Trellises</i> .....	14
5.2.	BUILDING SITING AND ORIENTATION.....	14
5.3.	EASEMENTS.....	14
5.4.	PARKING AND DRIVEWAYS.....	15
5.4.1.	<i>Driveway Clearance</i> .....	15
5.4.2.	<i>Driveway Entrances</i> .....	15
5.4.3.	<i>Driveway Width</i> .....	15
5.4.4.	<i>Onsite Parking</i> .....	15
5.5.	SITE AMENITY STANDARDS.....	15
5.5.1.	<i>Water Features</i> .....	15
5.5.2.	<i>Tennis Courts</i> .....	15
5.5.3.	<i>Mailbox</i> .....	15
5.5.4.	<i>Signage</i> .....	15
5.5.5.	<i>Satellite Dishes and Antennas</i> .....	16
5.5.6.	<i>Accessory Structures</i> .....	16
5.5.7.	<i>Sport Courts</i> .....	16
5.5.8.	<i>Gate Entry Systems</i> .....	16
<b>6.</b>	<b>ARCHITECTURE DESIGN CRITERIA .....</b>	<b>16</b>
6.1.	ARCHITECTURE STANDARDS.....	16
6.1.1.	<i>Floor Areas</i> .....	17
6.1.2.	<i>Ground Coverage Ratio</i> .....	17
6.1.3.	<i>Garages</i> .....	17
6.1.4.	<i>Building Mass and Scale</i> .....	17
6.1.5.	<i>Basements</i> .....	17
6.1.6.	<i>Roof Design and Materials</i> .....	18
6.1.7.	<i>Balconies</i> .....	18
6.1.8.	<i>Sundecks</i> .....	18
6.1.9.	<i>Patio Covers</i> .....	18

6.1.10.	<i>Exterior Building Walls</i>	18
6.1.11.	<i>Window and Door Openings</i>	19
6.1.12.	<i>Columns and Archways</i>	20
6.1.13.	<i>Courtyard Walls And Fences</i>	20
6.1.14.	<i>Chimneys</i>	20
6.1.15.	<i>Utility Meters</i>	20
6.1.16.	<i>Utility Equipment</i>	20
6.1.17.	<i>Exterior Lighting</i>	20
6.1.18.	<i>Accessory Structures</i>	21
6.1.19.	<i>Exterior Stairs</i>	21
6.1.20.	<i>Colors</i>	21
<b>7.</b>	<b>LANDSCAPE ARCHITECTURE DESIGN CRITERIA</b>	<b>21</b>
7.1.	HARDSCAPE STANDARDS	21
7.1.1.	<i>Walls and Fences</i>	21
7.1.2.	<i>Pavement Treatments</i>	23
7.2.	LANDSCAPE STANDARDS	23
7.2.1.	<i>Lot Grading</i>	23
7.2.2.	<i>Irrigation</i>	24
7.2.3.	<i>Planting Design</i>	25
7.2.4.	<i>Outdoor Art and Landscape Ornaments</i>	26
7.2.5.	<i>Water Features</i>	26
7.2.6.	<i>Landscape Lighting</i>	26
7.3.	GOLF COURSE LOT LANDSCAPE DESIGN	27
7.3.1.	<i>Rear Yard View Fences</i>	27
7.3.2.	<i>Planting</i>	27
7.3.3.	<i>Rear View Fence Landscaping</i>	27
<b>8.</b>	<b>CONSTRUCTION PROCEDURES</b>	<b>27</b>
8.1.	CONSTRUCTION OPERATIONS	27
8.1.1.	<i>Nuisance Control</i>	27
8.1.2.	<i>Construction Fencing</i>	28
8.1.3.	<i>Cleanliness</i>	28
8.1.4.	<i>Construction Access</i>	28
8.1.5.	<i>Final Inspection</i>	29
8.1.6.	<i>Multiple Inspections</i>	29
8.2.	DAMAGE REPAIR	29
8.2.1.	<i>Responsibility</i>	29
<b>EXHIBIT A</b>		<b>30</b>

## **1. INTRODUCTION**

### **1.1. OVERVIEW**

Royal Oaks Country Club is an approximately 490-acre exclusive, upscale, private country club community located on Westheimer Road one mile west of the West Belt and a few minutes from The Galleria. Secluded behind a perimeter masonry wall and a 24-hour manned, gate-guarded entry will be approximately 900 single-family detached homes and custom lots surrounding a world-class, 18-hole championship golf course designed by legendary Houston golfer, Fred Couples. Royal Oaks Country Club includes a private Country Club (planned) and a Sports Club and Spa for the use of members and invited guests only.

### **1.2. PURPOSE AND APPLICABILITY**

The purpose of these guidelines (the "Design Guidelines") are to ensure a sense of design continuity within the community. Such continuity preserves land values, provides a visually appealing living environment and encourages design creativity within a consistent framework. The Design Guidelines contained herein apply to all home development within Royal Oaks Country Club. The initial Lot grading and infrastructure development at Royal Oaks Country Club will be completed by Royal Oaks Land (hereafter designated as "Declarant"). These Design Guidelines are intended to guide Owners, Architects, Designers, Builders, Engineers and Residents in designing homes and Improvements on individual Lots within the community, as well as providing guidelines with respect to alterations of existing improvements.

### **1.3. REGULATIONS**

The Design Guidelines are not intended to supersede or contradict City building codes. Any requests for exceptions or variances to the laws and regulations of the City, or standards adopted by the City, must be submitted to the appropriate agency of the City according to the established procedures for the granting of such exceptions.

The Declaration contains restrictions regulating the construction and maintenance of Improvements within Royal Oaks Country Club community and is enforceable in courts of law. The Declaration and Design Guidelines are subject to interpretation by the New Construction Committee ("NCC") which may - subject to the provisions of the Declaration - amend or augment the Design Guidelines to meet specific site, temporal, or functional requirements of property in Royal Oaks Country Club community. As these Design Guidelines are subject to change without notice, Owner shall be subject to the Design Guidelines existing at the time upon which the Owner completes the Preliminary Plan Submittal. It is the responsibility of the Owner to

convey this information to the Designer/Architect, Builder/Contractor, and all other parties authorized by Owner to represent the Owner in the design and construction approval process.

Plan review is intended to ensure that the plans meet the intent of the Design Guidelines. The standards and procedures established herein are intended as a mechanism for maintaining and enhancing the overall aesthetics of Royal Oaks Country Club. None of the NCC, the Association, the Board of Directors or the Declarant assumes responsibility through plan review to ensure (1) the structural integrity or soundness of approved construction, (2) compliance with building codes or standards, local codes or ordinances and governmental requirements, or (3) that all dwellings are of comparable quality, value, or size, of similar design, or aesthetically pleasing or otherwise acceptable to neighboring property owners.

**No work shall be performed in the community without having been approved as provided for in the Declaration and herein.**

## **2. DEFINITIONS**

### **2.1. ACCESSORY STRUCTURE**

"Accessory Structure" shall mean a detached structure with non-livable space only. (Does not include guesthouse.) Examples include private garages, storage buildings, equipment enclosures, detached garages, shade ramadas, gazebos, cabanas, playground equipment, and decks.

### **2.2. ARCHITECTURAL FEATURES AND PROJECTIONS**

"Architectural Features and Projections" shall mean eaves, overhangs, pop-outs, bay windows, fireplaces, columns, wing-walls, etc.

### **2.3. ASSOCIATION**

"Association" shall have the meaning ascribed to it in the Declaration.

### **2.4. BALCONY**

"Balcony" shall mean a cantilevered, non-livable exterior space, which is accessible from the second story of the Residence.

### **2.5. BOARD OF DIRECTORS**

"Board of Directors" shall have the meaning ascribed to it in the Declaration.

**2.6. BUILDING ENVELOPE**

"Building Envelope" refers to that area of a Lot bounded by the front, rear and side Building Setbacks, constituting the allowable building area.

**2.7. BUILDING HEIGHT**

"Building Height" shall mean the maximum height of a structure as measured from the highest finish grade within 5 feet of the building footprint to the highest point of the roof.

**2.8. BUILDING SETBACK**

"Building Setback" shall mean the minimum distance a building must be set back from a designated property line.

**2.9. CITY**

"City" refers to the City of Houston.

**2.10. COURTYARD WALLS**

Courtyard walls are walls enclosing front, side, or rear courts or patios.

**2.11. DECLARATION**

"Declaration" shall mean the Declaration of Covenants, Conditions, and Restrictions for Royal Oaks Residential Community as recorded in the Real Property Records of Harris County, Texas, as the same may be amended and supplemented by Declarant from time to time.

**2.12. FLAT ROOF**

"Flat Roof" shall mean any roof having a pitch of 1:12 or less.

**2.13. FRONT YARD**

"Front Yard" shall mean the area between the front property line and the face of the building walls exposed to the street, including porte cocheres, but excluding porches and courtyards with walls.

**2.14. GOLF COURSE**

"Golf Course" shall mean the Royal Oaks Country Club golf course.

**2.15. GUESTHOUSE**

"Guesthouse" shall mean a secondary structure with livable space, either attached or detached.

**2.16. ROYAL OAKS LAND**

"Royal Oaks Land" shall mean Royal Oaks Land Limited Partnership, or its assigns, which is the land developer at Royal Oaks Country Club.

**2.17. IMPROVEMENTS**

"Improvements" shall mean all Lot improvements, including, but not limited to, utilities, paving, structures, exterior painting and window coverings, landscaping, and amenities.

**2.18. LANDSCAPE WALLS**

"Landscape Walls" are walls used to retain grade and create raised planters, or free standing low walls used as accents at entry walkways, patio enclosures, etc

**2.19. LIVING AREA**

"Living Area" shall mean those spaces located within the exterior building walls of the Residence excluding the following spaces: basements, unfinished attic space, garages, balconies, covered terraces, sundecks and patios, storage areas or necessary buildings which are only accessible from the exterior or from the garage. Stair areas shall be included in the Living Area of the first floor (or main level), and shall not be included in the upper floor tabulation. The floor areas which are open to the second story shall be included in the first floor Living Area tabulation and not in the second floor Living Area.

**2.20. LOT**

"Lot" shall have the meaning ascribed to it in the Declaration.

**2.21. MODIFICATIONS COMMITTEE (MC)**

"Modifications Committee" shall have the meaning ascribed to it in the Declaration.



**2.22. NEW CONSTRUCTION COMMITTEE (NCC)**

"New Construction Committee" shall have the meaning ascribed to it in the Declaration.

**2.23. OCCUPANT**

"Occupant" shall mean any person, other than an Owner, in rightful possession of a Unit, as defined in the Declaration.

**2.24. OWNER**

"Owner" shall have the meaning ascribed to it in the Declaration.

**2.25. RESIDENCE**

"Residence" shall mean the domicile for the Owner and family members.

**2.26. STREETS**

"Streets" shall mean those areas of the property, which are depicted as a public or private streets on the subdivision maps or plats recorded and filed by Declarant.

**2.27. STREET LANDSCAPE AREA**

"Street Landscape Area" is the area between the back of curb and the property line.

**2.28. SUNDECK**

"Sundeck" shall mean an extension of the Residence accessible from the second story that has supports extending to the ground and is not a livable space.

**2.29. YARD SETBACKS**

"Yard Setbacks" shall mean that ground area between the wall faces of the Residence and all property lines.

### **3. DESIGN REVIEW AND APPROVAL PROCESS**

#### **3.1. PLAN REVIEW**

##### **3.1.1. Improvements**

All Improvements and all alterations to improvements will require review and approval by the NCC as more particularly described in the Declaration.

##### **3.1.2. Plan Requirements**

All plans for Improvements shall be submitted in accordance with the procedures set forth herein and in the Declaration. All plans shall be prepared by licensed or otherwise qualified land planners, architects, landscape architects, engineers or other approved designers. It is recommended a team of qualified professionals be used in the preparation of the plans. Selection of non-licensed professionals must be approved by the NCC prior to submittal of any plans. Submittals that are deemed incomplete will be returned without review.

##### **3.1.3. Plan Submittal Procedures**

One set of blueprints of plans no larger than 30" x 42", and the appropriate completed application shall be delivered to:

Sunrise Colony Company  
C/O - New Construction Committee  
3039 Rosemary Park Lane  
Houston, TX 77082  
Attention: Design Review Administrator  
Tele: (713) 914-0600  
Fax: (281) 368-5280

#### **3.2. SUBMITTALS**

**The following information shall be clearly indicated on all drawings:**

- Sheet Title
- Scale
- North Arrow
- Lot Owner: (Name of Owner)
- Builder: (Name of Company (if known))
- Prepared By: (Entity that prepared the plan(s))
- Date the drawings were completed and/or modified
- Parcel and Lot Identification

##### **3.2.1. Courtesy Review**

A courtesy review is recommended prior to the preliminary submittal with the Owner or Owner's representative to review the Design Guidelines and any conceptual plans that have been prepared.

### 3.2.2. Preliminary Plan

The Owner is permitted to submit a blueprint copy of the following preliminary plans to the NCC for conditional approval (ref. Section 3.1.3) – in order to begin those related phases of construction. However, any modifications to such plans must be clearly identified at Final Plan submittal (e.g. drawing revision indication, highlighted areas of change) and approved PRIOR to commencement of construction of such modifications.

If no modifications are required of a specific plan, no additional review will be required of the related plan at Final Plan Review. However, a written comment on the NCC Application shall be noted at Final Plan submittal.

(All preliminary plans shall be drawn to an appropriate scale no smaller than 1/8" = 1' for site drawings and 1/4" = 1' for architecture drawings.)

#### **The following items are required for Preliminary Plan submittal:**

- **Application:** The NCC Review Application must be completed.
- **Plan Check Fee:** The Plan Check Fee must be paid at this time. (Refer to Section 4.1 for fee requirements.)
- **Repair Deposit:** The Repair Deposit must be provided at this time. No Owner shall commence construction on a Lot until such Owner has provided a Repair Deposit of \$5,000. Said cash will be held as security for the repair by the Owner of any Association property (or streets or other property within the community, such as golf course or adjacent lots) damaged during the course of construction or landscape installation.
- **Architecture Plan:** Dimensioned plans showing all building floor plans, elevations, and roof plans. Dimensioned heights of all elements, including height of the Residence and any Accessory Structures, as well as perimeter wall treatments. All exterior materials must be clearly identified as to type (e.g. stucco, siding, brick) and extents of each. Architectural features such as soffit/cornice details shall also be outlined. The front elevation shall include fences and gates extending from the home to each property line.
- **Utility/Electrical Plan:** Basic plan showing layout of all exterior utilities and electrical (e.g. service panel, exterior lighting location and type, HVAC condensers, etc.)

Upon review, the NCC will either approve, approve with conditions, or deny the preliminary plans as provided for in the Declaration.

The Owner may submit the final plan only if the preliminary plans are approved or are approved with conditions. The Owner must address all approval conditions on the Final Plan. Preliminary plans which are denied must be revised and resubmitted to the NCC for approval.

**While the NCC will make every effort to review plans carefully according to the requirements set forth in the Design Guidelines, the NCC reserves the right to make a complete review of the Final Plans and to reject any inconsistencies with the Design Guidelines, regardless of the preliminary approval or any oversight.**

### **3.2.3. Final Plan**

The applicant shall submit one set of blueprints of the final plans for unconditional NCC approval. If no modifications were required of a specific plan after preliminary conditional approval, no additional review will be necessary of the related plan at Final Plan Review. However, a written comment on the NCC Application shall be noted at Final Plan submittal.

Any modifications to previously submitted plans must be clearly identified at Final Plan submittal (e.g. drawing revision indication, highlighted areas of change) and approved PRIOR to commencement of construction of such modifications.

(Final plans shall be drawn to scale no smaller than 1/8" = 1' for site drawings and 1/4" = 1' for architecture drawings.)

**Final plans shall include all of the information requested in the Preliminary Plan submittal, and additional details and other required information as outlined below.**

- **Application:** The NCC Review Application must be completed.

**Architectural Plan:** Dimensioned plans showing all building floor plans, elevations, and roof plans. Dimensioned heights of all elements, including height of the Residence and any Accessory Structures, as well as perimeter wall treatments. All exterior materials must be clearly identified as to type (e.g. stucco, siding, brick) and extents of each – including color reference. Architectural features such as soffit/cornice and pop-out details shall also be outlined. The front elevation shall include fences and gates extending from the home to each property line.

- **Utility/Electrical Plan:** Plan showing layout of all exterior utilities and electrical (e.g. service panel, exterior lighting location and type, HVAC condensers, etc.)
- **Material Samples/Specifications:** Material sample board(s) showing samples for all exterior materials, including but not limited to: doors, garage doors, window and door treatment detail, lighting, roofing, colors, building wall finishes, fence or site wall finishes, decorative paving and landscape gravel; and/or manufacturers' cut sheets accurate color representations and identification (e.g. part/model number). Material sample boards shall not exceed 8½" x 14". (Refer to Sections 6.1.20 for material and color requirements.)

- **Landscaping Plan:** Plan showing all existing and proposed landscape elements, location and size of plant materials drawn to mature scale (five years), plant list with botanical and common names, and wall and hardscape elements. Landscape lighting shall also be shown including locations and type of fixtures proposed. If the rear or side yard abuts the Golf Course, this landscaping must be shown as well. If it does not abut the Golf Course, rear or side yard landscaping plan is optional at this time. The rear and side yard landscaping plan shall be submitted and approved, however, prior to installation, by the NCC.

The NCC will either approve the final plans or request resubmittal to address any outstanding items.

**3.2.4. Modifications to Final Approved Plans**

Changes to approved plans, additions or deletions, shall be submitted to the NCC for approval PRIOR to installation/deletion and shall clearly identify the revision(s).

**3.2.5. Building Permits**

Plans may not be submitted to the City for plan review without prior written conditional approval of the Preliminary Plan by the NCC (ref. Section 4.5). The Declarant is not responsible for obtaining any required City, County, or other governmental permits and approvals.

**4. ADMINISTRATION**

**4.1. FEES**

The NCC shall have the right to require payment of reasonable fees for review of proposed plans and other materials, and site observation of constructed Improvements. An initial plan check fee of \$750 is required. This fee covers the preliminary and final review submittals, providing two reviews and inspections per submittal. If additional reviews or inspections are required, or substantial change in plans occurs, an additional fee of \$200 per review and \$75 for each inspection will be assessed.

**4.2. AMENDMENTS**

The Design Guidelines, including the amount of fees and deposits, may be amended as provided for in the Declaration.

**4.3. PREVALENCE OF DECLARATION**

In the event of any conflict between the provisions of the Design Guidelines and the Declaration, the Declaration shall prevail.

**4.4. MISCELLANEOUS**

All items submitted shall become the property of the Association.

#### **4.5. EXECUTION OF WORK AFTER APPROVAL**

After conditional approval of the Preliminary Plan and/or unconditional approval of the Final Plan by the NCC in writing; the construction, alteration or other work described therein shall be commenced and completed in accordance with the rules set forth in these Design Guidelines and Declaration. The NCC or its representatives have the right to enter the Lot or premises and to inspect the project for compliance with the Design Guidelines or Declaration at any time, without advance notice to the Owner nor being guilty of trespass.

#### **4.6. VIOLATIONS**

Construction deemed by the NCC to be in violation of approved drawings, the Design Guidelines, or the Declaration shall be corrected as provided for in the Declaration.

#### **4.7. RECORDATION OF NOTICE**

Upon approval of the final plans, the NCC shall, upon written request from the applicable Owner, provide such Owner with a statement of approval in a form appropriate for recordation. The NCC may also record a notice to reflect any work which has not been approved or any approval previously given which has been revoked.

#### **4.8. NO LIABILITY OF COMMITTEE**

Provided the NCC acts in good faith, neither the New Construction Committee nor any representative thereof shall be liable to any Owner or any other person for any damage, loss or prejudice suffered or claimed on account of the review of any plans, specifications or materials.

None of the New Construction Committee, the Association, the Board of Directors or the Declarant assumes responsibility through plan review for:

- Ensuring the structural integrity or soundness of approved construction
- Ensuring compliance with building codes or standards, local codes or ordinances and governmental requirements
- Ensuring that all dwellings are of comparable quality, value, or size, of similar design, or aesthetically pleasing or otherwise acceptable to neighboring property owners.

The purpose of the approval process is to ensure a design consistency in the level of quality and image established for the Royal Oaks Country Club (ROCC) community. This includes those identifiable and unifying elements that promote consistency within the community streetscape, while encouraging innovation through custom home building. Such consistency is evidenced by home standards existing within ROCC prior to April 2002.

Review and approval of any plan submission is made on the basis of aesthetic considerations only. Strict compliance to the Design Guidelines and Declaration is the sole responsibility of the Owner. Plan approvals apply only to those identified in Section 3. The following examples are items NOT reviewed and approved - and are Owner responsibility:

- Setback compliance
- Size (square footage) compliance
- Grading & Drainage Plans (*Note: All lots must drain to front street – not to Golf Course or Adjacent lots*)
- Compliance to governmental regulations, codes, standards, etc.
- Fence and wall locations, sizes, etc.
- Home configuration with respect to utilities (e.g. storm sewer, phone, etc.)
- Easement recognition

#### **4.9. PROFESSIONAL ADVICE**

The NCC may employ the services of consultants to render professional advice for plan reviews.

### **5. SITE PLANNING DESIGN CRITERIA**

The following site planning criteria are established to ensure a consistency in the level of quality and image established for the Royal Oaks Country Club community. It includes those identifiable and unifying elements that promote consistency within the community streetscape, while encouraging innovation through custom home building

#### **5.1. SETBACKS**

##### **5.1.1. Front Yard Setback**

On building lots 50+ feet in width, a minimum of 5 feet shall be required between the residence and the front property line - restricted use Setback for platted community Sections only (designated 52' x 80' minimum).

On building lots 55+ feet in width, a minimum of 10 feet shall be required between the residence and the front property line; 25 feet to a front-loaded garage.

On building lots averaging 100 - 120 feet in width, a minimum of 20 feet shall be required between the residence and the front property line.

##### **5.1.2. Side Yard Setback**

On building lots 50+ feet in width, a minimum of 5 feet shall be required between the residence and one side property line - restricted use Setback for platted community Sections only (designated 52' x 80' minimum).

On building lots 55+ feet in width, a minimum of 5 feet shall be required between the residence and each side property line.

On building lots 100 - 120 feet in width, a minimum of 7.5 feet shall be required between the residence and one side property line; with the combined side setbacks totaling a minimum of 20 feet.

If the lot is a corner lot with streets fronting on two sides, then the side yard setback shall be 10 feet.

**5.1.3. Rear Yard Setback**

On building lots 50+ feet in width, a minimum of 8 feet shall be required between the residence and the rear property line - restricted use Setback for platted community Sections only (designated 52' x 80' minimum).

On building lots 55+ feet in width, a minimum of 15 feet shall be required between a one-story residence and the rear property line; 25 feet shall be required between a two-story residence and the rear property line.

On building lots 100 - 120 feet in width, a minimum of 30 feet shall be required between the residence and the front property line.

**5.1.4. Setback for Combined Lots**

Lots may be combined to build a single home. In such case, both side Building Setbacks are subject to review and approval by the NCC based on site-specific conditions, and will be determined in the Courtesy Review.

**SETBACK SUMMARY TABLE**

	50+ ft. lot width*	55+ ft. lot width	100 - 120 ft. lot width
<b>Front</b>	5 ft. *	10 ft.; 25 ft., front-loaded garage	20 ft.
<b>Side</b>	5 ft., one side; 10 ft. for corner lot side *	5 ft.; 10 ft. for corner lot side	7.5 ft. min. one side; combined must total 20 ft.; 10 ft. min. for corner lot side
<b>Rear</b>	8 ft. *	15 ft. – 1 story 20 ft. – 2 story	20 ft.

*\* Restricted-use Setbacks for designated community Sections only (52' x 80' min.)*



**5.1.5. Front and Rear Yard Encroachment**

All encroachments into any of the setbacks are subject to review and approval by the NCC.

**5.1.6. Setbacks for Walls and Fences**

Walls or fences must be constructed on side property lines, except on corner lots which must be setback 10 feet from the side property line. Only one wall or fence can be built on a common property line. Only a wrought iron view fence is allowed within the rear setback on lots adjacent to Golf Course and are subject to review and approval by the NCC. All front and courtyard walls and fences are subject to review and approval by the NCC based on site-specific conditions.

**5.1.7. Setbacks for Side Yard Walls and Fences**

Privacy walls and fences along side property lines must terminate at least 5 feet behind the front plane of the Residence and must terminate at least 10 feet from the rear property line. On lots adjacent to the Golf Course, only wrought iron view fencing is allowing beyond the rear elevation

**5.1.8. Setbacks for Driveway Gates**

An in-swing or sliding gate must remain a minimum of 15 feet from the front property line. An out-swing gate must remain a minimum of 20 feet from the front property line.

**5.1.9. Setbacks of Accessory Structures**

Accessory Structures - such as pool cabanas, covered decks, gazebos, detached garages, storage sheds, equipment enclosures, etc. - are permitted within the rear Building Envelope; but, must remain a minimum of 5 feet from rear property lines. If the Lot is adjacent to the Golf Course, a 10 feet minimum setback from the rear property line is required.

**5.1.10. Setbacks for Porte Cocheres**

Porte Cocheres must be set back a minimum of 10 feet from the property line.

**5.1.11. Setbacks for Patio Covers**

Patio Covers as measured to fascia, may extend half way into the rear Building Setback provided the maximum roof pitch is 3:12. Patio covers with roof pitches greater than 3:12 must remain within the Building Envelope. Patio Covers encroaching into the rear yard setback may cover no more than 30% of the width of the home.

**5.1.12. Setbacks for Sundecks**

Sundecks, as measured to the fascia, may extend 6 feet into the rear Building Setback. No Sundecks are permitted in the front or side Building Setbacks. If the Sundeck is covered, the entire Sundeck must be within the Building Envelope, and the cover may not exceed the maximum building height. Sundecks encroaching into the rear yard setback may cover no more than 30% of the width of the home.

#### **5.1.13. Setbacks for Balconies**

All balconies must remain within the Building Envelope.

#### **5.1.14. Setbacks for Architectural Features and Projections**

Architectural Features and Projections such as fireplaces, bay windows, columns, popouts, wingwalls, awnings, etc., may encroach no more than 2 feet into any setback. Architectural Features and Projections such as eaves, roof overhangs, etc., may encroach no more than 3 feet into any setback.

#### **5.1.15. Setbacks for Trellises**

Trellis supports may not encroach into the Front Yard Setback. Trellises shall not exceed the height of the first story and may cover a maximum of 50% of the front of the home. Wood members must be substantial in size to avoid warping and bending. Trellises on the rear of the home are considered to be Patio Covers or Accessory Structures and must follow setback criteria in Section 5.1.11 and Section 5.1.9.

### **5.2. BUILDING SITING AND ORIENTATION**

The siting of a house or structure and its orientation should reflect its functional needs and should be sensitive to Lot characteristics, adjacent Lots, and the surrounding community. It is important that the siting and three-dimensional character of each house be considered as it relates to views to and from the house, its affect on adjacent Lots, and the massing of consecutive Lots.

The NCC shall consider each Lot independently, but will give extensive consideration to view corridors, impact on adjacent homes, solar orientation, drainage patterns, impact to existing site conditions, and driveway access. The use of additional setbacks may be applied to specific Lots to enforce specific siting issues.

The Owner is encouraged to orient homes within the Building Envelope to take full advantage of views, and to provide privacy from other Lots or Streets. Two or more Lots may be joined to provide a larger Lot area, subject to the provisions of the Declaration, applicable law, and setback criteria described in Section 5.1.4. When Lots are combined, the architectural scale of the Residence and site planning must be compatible with adjacent uses, and are subject to approval by the NCC.

### **5.3. EASEMENTS**

Easements are restrictions placed on Lots to provide a specific use, such as service of utilities, or drainage across a Lot. Any Improvements built within easements are the sole responsibility of the Owner, and may be subject to removal at the expense of the Owner if requested by the easement holder.

#### **5.4. PARKING AND DRIVEWAYS**

##### **5.4.1. Driveway Clearance**

Driveways must be a minimum of 2 feet from side property lines. The combined width between adjacent driveways (green area) shall be a minimum of 6 feet and are subject to review and approval by the NCC.

##### **5.4.2. Driveway Entrances**

Declarant will not provide driveway entrances. The Owner must provide all necessary curb and sidewalk cuts and construct a concrete driveway entrance perpendicular to the curb.

##### **5.4.3. Driveway Width**

Single entry driveways cannot exceed 18 feet in width. Dual entry driveways (circular drives) cannot exceed 12 feet in width per entrance. A 36 feet minimum separation, as measured from the centerline, is required on all dual (circular) driveways. Three-car driveways cannot exceed 27 feet in width.

##### **5.4.4. Onsite Parking**

Uncovered guest parking may be permitted on the Lot if sufficient screening is provided. Parking areas must be a minimum of 4 feet from side property lines within the Front Building Setback.

#### **5.5. SITE AMENITY STANDARDS**

##### **5.5.1. Water Features**

Swimming pools, spas, etc. should be screened from direct view from the Street and adjacent Lots. Pools shall be a minimum of 2 feet from any property line. Waterfalls are limited to 4 feet in height from original grade. Pool equipment must also be screened from view from Streets, adjacent Lots and the Golf Course.

Fountains in the Front Yard must be set back a minimum of 15 feet from front property line. Water features in the side yard shall be no taller than the fence and shall not be attached to the property wall. All water features shall be subject to NCC review and approval.

##### **5.5.2. Tennis Courts**

Tennis courts are not permitted on any Lot.

##### **5.5.3. Mailbox**

Mailboxes shall be as specified by Royal Oaks Country Club and supplied and installed by the homeowner or the general contractor. Mailboxes may be required to be installed in pairs.

##### **5.5.4. Signage**

Lighted address identification signs are mandatory. The maximum number height is 8 inches. Address location shall conform to City regulations.

**5.5.5. Satellite Dishes and Antennas**

No satellite dishes or antennas may be installed on any lot without the prior written consent of the NCC prior to installation.

**5.5.6. Accessory Structures**

All Accessory Structures such as gazebos, detached garages, covered decks, playground equipment, storage buildings, equipment enclosures, etc., not part of the Residence shall be reviewed and approved by the NCC prior to installation.

**5.5.7. Sport Courts**

All hard and soft surfaced sport court locations, structures, and materials shall be reviewed and approved by the NCC at the preliminary review stage. Lighting of sport courts shall not be allowed.

**5.5.8. Gate Entry Systems**

Royal Oaks Country Club has been designed to restrict access by the general public to Club facilities and individual Residences. Several manned and electronically gated entries are provided for the community. Owners may design individual security and communication systems connected to commercially available facilities for fire, burglary and medical alert alarms. The individual homeowners shall be responsible for the installation and maintenance of such systems.

**6. ARCHITECTURE DESIGN CRITERIA**

The following architectural criteria are designed to ensure consistency with the established overall architectural theme and standards of quality for Royal Oaks Country Club community while encouraging individual creativity and expression within the boundaries of that theme.

**6.1. ARCHITECTURE STANDARDS**

The following sections provide illustrations and guidelines regarding materials, colors and design elements expressive of the Royal Oaks Country Club community environment. It should be noted, however, that the illustrations and guidelines are intended to help in understanding the community character and appropriate design responses, but the ideas presented are not intended to establish absolute limits or boundaries.

The architectural character of Royal Oaks Country Club should reflect a feeling of elegance, individuality and quality. A wide range of architectural styles within Royal Oaks Country Club community is encouraged.

### 6.1.1. Floor Areas

**MINIMUM GROSS LIVING AREA SUMMARY TABLE**

	<b>One-story</b>	<b>Two-story</b>
<b>50+ ft. lot width*</b>	2,300 sf*	2,500 sf*
<b>60+ ft. lot width</b>	2,300 sf	2,700 sf
<b>70+ ft. lot width</b>	2,700 sf	3,200 sf
<b>80+ ft. lot width</b>	3,100 sf	3,700 sf
<b>90+ ft. lot width</b>	3,500 sf	4,200 sf
<b>100 – 120 ft. lot width</b>	4,000 sf	4,800 sf

*\* Restricted-use Living Areas for designated community Sections only  
(52' x 80' min.)*

### 6.1.2. Ground Coverage Ratio

A maximum of 65% of the lot area shall be covered by the building slab(s). Driveways, sidewalks and miscellaneous flatwork are not included in this coverage ratio.

### 6.1.3. Garages

Residences shall have an enclosed garage of sufficient size to accommodate all vehicles owned or regularly operated by the Owner. Garages may be either attached, semi-attached or detached, provided they comply with the Building Setback requirements established in Section 5.1. Garage doors facing away from Streets (side loaded) are encouraged. Three-car garages facing streets must have a minimum of a two-foot offset along the garage facade.

### 6.1.4. Building Mass and Scale

The exterior design of the Residences shall incorporate quality elements of design including balance, depth, repetition and contrast with special attention to shade and shadows. Variety of massing is required. Rear and side elevations shall incorporate architectural elements such as principal window treatments, recesses and pop-outs, enhanced materials, etc. that are found on the front elevation. All residences with more than two stories are subject to review and approval by the NCC.

### 6.1.5. Basements

Basements are permitted, however, any exposed wall surfaces shall be finished consistent with other wall surfaces of the building, and shall be kept within the

Building Setbacks. Light wells and open exterior stairs may not encroach into side and rear setbacks.

#### **6.1.6. Roof Design and Materials**

Roofs may be flat or pitched. However, a majority of the rooflines should have a minimum pitch of 6:12 (e.g. approximately 75%) and should create interest while relating to adjacent residences. Flat portions of the roof shall contain a parapet, where needed, to conceal roof-mounted equipment, including vents, etc.

Profile tiles are permitted in clay and slurry-colored concrete. Flat tiles may be concrete, slate or composition. Composition shingles shall have stain guard. Finish material of the flat roof shall have a light reflectance value of 45% or less. Color of the flat roof material shall be similar to the pitched roof. Simulated tile - including fiberglass or metal - are specifically restricted from use. Standing seam metal roofs may be used subject to the sole discretion and approval of the NCC.

Mechanical equipment such as air conditioners, heaters, evaporative coolers and hot water storage systems are not permitted on the roof. Mechanical devices such as exhaust fans, vents and pipes shall be painted to match adjacent roof surfaces. Eaves shall overhang a minimum of 12 inches. Exposed wood members such as fascia and rafters must be of a substantial size in order to avoid twisting or warping. Wood elements shall be stained or painted. Fascias shall be a minimum of 6 inches wide. Exposed gutters used as an Architectural Feature shall be colored to either match, or complement the surface to which it is attached. Scuppers shall be accompanied by an appropriate catch and down spout. Decorative scupper extensions without down spouts are acceptable.

#### **6.1.7. Balconies**

Balconies shall be designed to continue and/or complement the Architectural Features and Projections of the Residence.

#### **6.1.8. Sundecks**

All Sundecks must be directly accessible from the living unit. Roof Sundecks are subject to review. Balusters or guardrails shall complement the architecture of the Residence. Sundecks shall be designed to continue and/or complement the Architectural Features and Projections of the Residence.

#### **6.1.9. Patio Covers**

Patio covers shall be designed to continue and/or complement the Architectural Features and Projections of the Residence.

#### **6.1.10. Exterior Building Walls**

Materials for exterior walls shall consist of at least one but not more than three of the following:

- Stucco or plaster with a light texture (i.e. dash, smooth or sand). Corner bead or corner aide is required for all exterior surfaces.
- Solid clay brick
- Glass
- Stone or cultured stone
- Glass Block (limited use)
- Siding (limited use on front and rear elevations - approximately 20% coverage allowed)
- Wood trim members may be used when colored with a semi-transparent or solid color stain or paint.
- Exterior wall finishes used on the Residence shall be continuous and consistent on all elevations of the Residence in order to achieve a uniform and complete architectural design statement. Accent material veneer must be articulated and should not simply be a horizontal (plinth) band

#### **6.1.11. Window and Door Openings**

All window and door openings within exterior wall surfaces shall be treated in one of the following ways:

- Architectural pop-outs
  - Trim surrounds on all sides
  - Recessed windows into thickened walls
  - Bay Windows
  - Curved walls of glass block or glass
  - Combinations of the above or any other design treatment which achieves scale, order, proportion or depth of opening.
  - If recessed windows are provided in the front, side and rear elevations, they shall be recessed a minimum of 4½ inches. The wall surfaces around the windows shall be of a significant mass and scale. Homes with flat roofs and parapets shall have all exterior openings recessed a minimum of 4½ inches. Trim elements shall not be calculated as part of the minimum recess requirement.
  - Windows may be either divided lite, plain glass or glass block. Frames must be a minimum of 1 inch thick. Mill finish aluminum frames are prohibited. Glazing may be either clear or tinted. Reflective glass is not permitted.
  - Window shapes shall be appropriate for the architecture of the Residence. Arched and stacked window designs are encouraged.
- Security bars at doors and windows shall be installed on the interior.

#### **6.1.12. Columns and Archways**

The use of columns and archways appropriate to the architectural theme is encouraged. Columns and archways should be massive and provide a feeling of depth and interest at fenestration and entries. Attention to detail should be given without appearing unnecessarily ornamental.

#### **6.1.13. Courtyard Walls And Fences**

Courtyard walls and fences must be visually softened with planting.

#### **6.1.14. Chimneys**

The design and finish of the chimney should complement the architectural design of the Residence. The use of accent trim such as precast concrete, tile and stone is encouraged. Chimneys may exceed the maximum Building Height subject to review of the NCC.

#### **6.1.15. Utility Meters/Panels**

Electrical service panels larger than 400 amps must be enclosed in an Equipment Closet of matching finish and color to home exterior. Service panels/meters shall be screened from front or Golf Course view.

#### **6.1.16. Utility Equipment**

Security equipment, HVAC units, gas meters, swimming pool equipment, etc. shall be screened from front and Golf Course view, but must meet utility company standards for access.

#### **6.1.17. Exterior Lighting**

To create a unique and beautiful night scene at Royal Oaks, street lights are not used and landscape and building façade lighting is used to light to community. Front yard landscape lighting and subtle, low-level lighting of facades is required.

Front yard landscape lighting and façade lighting is required to be connected to a photocell which will turn the lights on at dusk and off at sunrise. The lighting must not be switched so that it can be turned off from the residence and must remain on during the night.

The lighting of address plaques is required.

Lighting shall be located, directed, and shielded so that light rays and glare, to the greatest extent practicable, do not extend beyond Lot boundaries. Light fixtures with cut-off or concealed light sources are preferred. These types of fixtures may include wall sconces, recessed lighting, soffit lighting and directional lighting. Lighting may be mounted on poles, the home, or Accessory Structures at a height not to exceed 10 feet. Recessed lighting (i.e., soffit lights) incorporated into the architecture of the home may occur at heights exceeding 10 feet.

Floodlights to illuminate the structure or yard are prohibited.



#### **6.1.18. Accessory Structures**

Accessory Structures shall include any building or structure, which is totally detached from the Residences.

Permission to construct guesthouses must be obtained from the City and the NCC. Guesthouses, when allowed, shall conform to applicable design criteria.

Accessory Structures outside of the Building Envelope shall comply with the setback requirements indicated in Section 5.1.9. The Building Height of these Accessory Structures cannot exceed 12 feet, as measured to the highest element of the roof. No Accessory Structures shall be located closer than 6 feet from the Residence. The architecture of Accessory Structures must be similar and compatible with the architecture of the Residence.

#### **6.1.19. Exterior Stairs**

Exterior stairs shall be permitted when located within the Building Envelope. The design and construction shall be complimentary to the design of the Residence.

#### **6.1.20. Colors**

The rich palette of colors and materials used throughout Royal Oaks community will provide for an interesting and varied street scene, allowing for creativity, individuality, and distinctiveness for each Residence while visually enhancing the common theme of the community. While a specific color and materials palette has not been specified, colors or materials which do not, in the determination of the NCC, enhance the Royal Oaks Country Club community will not be permitted.

### **7. LANDSCAPE ARCHITECTURE DESIGN CRITERIA**

The following landscape criteria have been established to ensure continuity and visual quality of the neighborhood image. This image is communicated primarily through the treatment of walls, streetscapes, yards and common areas.

#### **7.1. HARDSCAPE STANDARDS**

Walls, fences, walks, driveways, patios, decks and courtyards shall be integral to the design of the Residence and surrounding landscape. Textured surfaces such as brick, stone, textured and integral color concrete, etc. are encouraged.

##### **7.1.1. Walls and Fences**

Walls and fences are an important part of the security, privacy and visual environment of residential areas. Declarant has provided several uniquely designed wall and fence systems at the entries and the exterior of the community to reinforce the high quality of the development. The following wall types and their uses are the only ones permitted within the community:

**Residential Walls and Fences:** Residential walls and fences are intended for privacy at the rear and side yard property lines not adjacent to the Golf Course.

**Cost of Shared Residential Walls and Fences:** Cost of Shared Residential Walls and Fences must be shared equally between neighbors, as side walls/fences must be common and located on the property lines. However, it is the responsibility of each neighbor to negotiate any shared cost agreement.

**Wall and Fence Locations:** Refer to Sections 5.1.6 and 5.1.7 for wall and Fence Setback criteria.

**Wall and Fence Height:** Sideyard walls and fences may not exceed 6 feet in height above the finished floor of the home on the low side. Other walls and fences may not exceed 6 feet in height and may not be built on artificially created mounds or berms used solely for the purpose of gaining additional height (decorative finials, etc. may exceed the height restriction by no more than 1 foot). No residential wall or fences may exceed the height of adjacent project walls at the point of connection. Residential walls or fences higher than project walls shall step down to the same top of wall elevation at least 8 feet prior to the point of connection. All walls and fences shall step rather than slope to accommodate grade change.

Courtyard walls and fences may be a maximum of 6 foot tall above grade at the front setback line. Courtyard walls and fences 36 inches in height or less are permitted in the front Building Setback as provided in Section 5.1.1. Height of retaining walls visible from any Street or the Golf Course shall be subject to review. Retaining walls combined with freestanding walls or fences, if visible from any Street, the Golf Course, shall also be subject to review.

**Wall and Fence Color and Material:** Fences of wrought iron are preferred. Wrought iron fencing shall have privacy panels installed. (Only wrought iron view fencing – without privacy panels – is allowed within rear setback on Golf Course Lots.) Wooden side-yard fencing is allowed, if screened from front or Golf Course view. No chain link, plastic mesh, or panel fences are allowed.

Walls may be finished with brick, plaster or stone. Interior residential walls, which can be seen from any Street or Golf Course, shall be textured and colored compatibly with adjacent walls and Residences. Painted or unfinished concrete block walls are not allowed.

Retaining walls constructed immediately adjacent to, or connecting with a building, should be constructed of a material that visually matches the exterior building material, or that is an integral material in the landscape.

**Wall and Fence Coordination:** Common Lot line walls and fences should be constructed so that they can be used by both Owners. The Owners of adjacent Lots are responsible for coordinating wall and fence location, styles, colors and cost.

**Wall and Fence Modification:** Owners may not modify in any way the walls or fences constructed by Royal Oaks Land, or Declarant without prior written consent of the NCC.

**Gates/Porticos:** Courtyard entry gates and portico structures may be no taller than 12 feet at the setback line. Side yard gates may be a maximum of 8 feet tall to include any overhead archway.

#### **7.1.2. Pavement Treatments**

**Driveways:** Owners shall construct driveways of concrete, integral colored, scored or patterned concrete, pavers, brick, stone or other similar decorative material. Asphalt is not permitted.

**Special Paving:** Special paving such as patterned concrete, scored concrete, brick or stone pavers, cobblestones and various paving materials in walkways, patios, courtyards and porch areas is encouraged to create texture and character.

### **7.2. LANDSCAPE STANDARDS**

Each Owner shall be responsible for landscaping and maintaining the side lot area adjacent to their lot in accordance with the guidelines and community standards.

Each Owner shall physically verify the location of the light poles, and utility boxes on his/her Lot. None of these items may be moved and driveways must be coordinated within these conditions. Owners must indicate on their plan submittals that they have verified these conditions. Any Improvements damaged during construction on the Lot must be repaired or replaced by the Owner.

#### **7.2.1. Lot Grading**

Lot grading, including Lot grading for combined Lots, should establish compatible grade relationships along Streets, between Lots, and adjacent parcels. Lot grading, including Lot grading for combined Lots should respect existing topography, including existing property grades near adjacent Lots, with techniques, which are safe, aesthetically pleasing and suitable for soil stabilization. Existing scarps along side yard Lot lines with adjacent properties shall not be increased during modified grading. Royal Oaks Land has provided lots with rough grading responsive to the overall topographic and drainage conditions of the site. Lot grading may be required to modify individual Lots for specific needs.

Building pad elevations shall provide a smooth physical transition from the curb to the front of the Residence. The finished floor elevation shall not be set greater than one foot above the finish pad grade except for the raised entry area. Variations in pad elevation will be considered consistent with the intent of this section. Any other grade changes are subject to review and approval of the NCC. No steep or artificial mounding is permitted.

**Grading design shall:**

- Minimize soil instability by providing adequate vegetative cover upon completion of building construction.
- Ensure adequate site drainage.
- Ensure that drainage is directed away from the inside (or backside) of all perimeter and common area walls built by Royal Oaks Land or adjacent Owners, unless specifically indicated on Royal Oaks Land's rough grading plans. No drainage from Lots onto the Golf Course is permitted, unless specifically indicated on Royal Oaks Land's rough grading plans.

Grading should result in a graceful contouring of the Lot rather than harsh geometric slopes, banks and pads. Where graded slopes meet natural terrain, there should be a smooth, gradual transition. Turf areas should not exceed a 4:1 slope and should have a minimum 1.5% slope for proper drainage. Shrub and groundcover areas should not exceed a 3:1 slope and should have a minimum 0.5% slope. Irrigation nuisance water shall be directed to outfall in the established swales. Driveway slopes cannot exceed 12.5% with a maximum cross slope of 3% beyond the back of curb or sidewalk.

Lot grading, including Lot grading for combined Lots, shall be done with a minimum of disturbance to topographic features and environmental elements, especially as it affects neighboring Lots. Where topographic constraints exist, or where pad elevation constraints have been introduced by combining Lots, architectural design solutions (such as split level designs) shall be utilized rather than grading solutions. Existing scarps between pads combined into one larger Lot must be removed and replaced with smooth graceful slopes to match architectural solutions for elevation constraints, in which case, rear yard scarps may be modified (within such Lots) to become somewhat increased or decreased as is necessary to provide proper drainage and graceful contouring rather than harsh geometric slopes or banks. Additional setbacks or stem wall construction at garages and Residences may be required on some Lots to meet maximum driveway slope limitations, or to meet requirements to enforce specific siting issues for combined Lots having exceptional widths.

### **7.2.2. Irrigation**

Automatic irrigation systems must be installed on Lots to conserve water and ensure proper watering of plant materials. No manual valves are allowed. A Pressure Vacuum Breaker (PVB) or Reduced Pressure Backflow Preventer (RPPA) is required for all residential irrigation. Atmospheric breakers are not allowed. Head-to-head spray irrigation coverage is required in all lawn areas. Systems shall be designed so peak summertime lawn irrigation can be completed between the hours of 10 P.M. and 6 A.M. Spray heads shall not throw water directly onto a foundation structure, roadway, walkway or paved surface. Spray heads must remain a minimum of 3 feet from all perimeter or residential walls. Spray irrigated areas shall be a minimum of 6 feet wide.

### 7.2.3. Planting Design

The landscape architectural style and the architectural style of the home should be compatible and integral.

All trees shall be nursery grown, free of disease, of good habit and representing the best qualities of their species.

**Trees:** A minimal amount of specific hardwood trees are required in order to follow the landscape design of the Community. These trees are to be selected from those hardwood trees listed in "Exhibit A". The minimum number of hardwood trees and the required sizes are as follows:

Lot widths less than an average 60 ft.:

- *Front Yard*  
Accent Trees: 30 gallon, 1 qty.
- *Corner/Side Yard (if applicable)*  
Accent Trees: 30 gallon, 2 qty.

Lot widths less than an average 100 ft.:

- *Front Yard*  
Large Trees: 45 - 65 gallon, 2 qty.  
Accent Trees: 30 gallon, 1 qty.
- *Corner/Side Yard (if applicable)*  
Accent Trees: 30 gallon, 2 qty.
- *Rear Yards or Side Yards Abutting the Golf Course*  
Large Trees: 45 - 65 gallon, 2 qty.

Lot widths over an average 100 ft.:

- *Front Yard*  
Large Trees: 65 gallon, 2 qty.  
Accent Trees: 30 gallon, 3 qty.
- *Corner/Side Yard (if applicable)*  
Accent Trees: 30 gallon, 3 qty.
- *Rear Yards or Side Yards Abutting the Golf Course*  
Large Trees: 45 - 65 gallon, 3 qty.

**Rear and Corner Side Yards:** Rear and side yard areas along Streets that lie outside residential walls must be landscaped with a combination of shrubs and groundcovers to achieve 100% coverage after one year of planting.

**Landscape Ratio:** No more than 33% of the Front Yard, excluding the Street Landscape Area, shall be non-organic material. The use of decorative, multi-colored gravel or synthetic turf is not allowed. Natural boulders, cobblestones, or gravel may be an attractive supplement to the landscape, but should be limited. Boulders and rock groupings should be buried at least 30% so as to

appear as natural rock outcroppings. Gravel mulch shall be earth tone in color. Owners shall provide calculations on plan submittals that show square footage of hardscape and softscape and percentage of each.

**Turf:** Turf areas shall be limited to 75% of the Front Yard, excluding driveways. All front yard grass and rear yard grass adjacent to the Golf Course must be 419 Hybrid Bermuda compatible with the Golf Course grass and must be overseeded annually in conjunction with the Golf Course, using the same mix (e.g. Rye grass) used on the Golf Course.

The turf of the Golf Course and the rear yard shall merge together consistently.

**Plant Materials:** Plants that can withstand the extremes of climate, soil conditions and wind experienced in Houston should be selected. A list of trees, shrubs and groundcovers which are compatible with the climate of this Community is provided in "Exhibit A".

**Recommended Plant List:** Owners are encouraged to select only those species indicated on Exhibit A. Other species are subject to approval at the sole discretion of the NCC.

**Prohibited Plant List:** If applicable, prohibited plants are also listed within Exhibit A.

**Installation:** Owners must install plant materials in a manner generally acceptable to the horticultural practices of the area and in a manner which will maximize chances of survival.

**Maintenance:** Owners are expected to maintain their landscapes in good condition at all times. This includes but is not limited to weekly lawn mowing, weeding, pruning trees and shrubs, fertilizing, watering, removal of dead plants or parts of plants, replacement of plants and overseeding of lawn areas when necessary and removal of debris.

#### **7.2.4. Outdoor Art and Landscape Ornaments**

Statues, outdoor art, fountains, birdbaths and similar landscape elements are subject to the approval of the NCC. Vertically mounted, stand-alone flagpoles are permitted but must be located within the Building Envelope and may not exceed 20 feet in height. Flagpoles that are mounted at an angle on the side of a Residence may not exceed 6 feet in length.

#### **7.2.5. Water Features**

Decorative water features, waterfalls, fountains, birdbaths, ponds and waterfalls combined with swimming pools are acceptable, subject to the approval of the NCC. Heights are limited to 4 feet above original grade for Residences on Golf Course.

#### **7.2.6. Landscape Lighting**

Owners are required to use exterior façade and landscape lighting to enhance their Residence and yard. Only indirect low level lighting is permitted. No

lighting that causes glare, discomfort or disruption to the visual environment of neighboring Residences, Golf Course or Street is permitted. Any lights mounted higher than 6 feet off the ground must be pointed downward and away from neighboring Residences, Golf Course and streets. No light on any building, tree, pole or any other vertical element within a Lot may be located higher than the eaves of the house. Ground mounted spotlights and up-lights are acceptable provided they point towards plants and do not provide nuisance light levels in adjacent Lots. Front yard landscape lighting and façade lighting is required to be connected to a photocell which will turn the lights on at dusk and off at sunrise. The lighting must not be switched so that it can be turned off from the residence and must remain on at night. Floodlights to illuminate the structure or yard are prohibited.

### **7.3. GOLF COURSE LOT LANDSCAPE DESIGN**

#### **7.3.1. Rear Yard View Fences**

Any Lot on which the rear property lines open onto the Golf Course shall conform to special rear fence requirements. See Declaration for specific criteria. No other wall options will be permitted.

#### **7.3.2. Planting**

Any lot whose rear property line or corner property lines opens onto the Golf Course shall observe a 10 foot triangular view restriction along the rear and side yards. No dense, hedge-type plantings over 4 feet or trees with branches lower than 7 feet in height are permitted within this zone. No hedge over 4 feet tall is permitted immediately adjacent to any fence along the Golf Course.

#### **7.3.3. Rear View Fence Landscaping**

The Golf Course and the rear yard shall merge together consistently. If a view fence is built, a planter along the Golf Course is allowed - and strongly recommended - to be constructed and must be maintained by the homeowner. Such planter shall be no more than 5 feet wide past the rear property line and shall have a meandering edge, with small shrubs/accents. No turf is allowed in such planters.

## **8. CONSTRUCTION PROCEDURES**

Proper care shall be exercised to protect the public health, safety and welfare during all phases of construction. All materials shall be stored in a manner that is not objectionable to public view

### **8.1. CONSTRUCTION OPERATIONS**

#### **8.1.1. Nuisance Control**

No construction operation or activity shall create any of the following effects to the extent they are permanent or are detectable without the use of instruments at

any location outside of the Lot upon which the operation or activity is conducted:

- Change of air temperature or humidity.
- Dust or other airborne particulate matter.
- Noxious odor.
- Glare from lighting or reflective materials.
- Disruption of television or radio reception.
- Excessively loud noise or music for long periods of time.
- Construction fencing is required around the perimeter of the Lot to control trash.

#### **8.1.2. Construction Fencing**

The construction fencing must be, as a minimum, chain link with a windscreen. Permanent walls may be constructed instead of using temporary fencing. The temporary fencing and/or the permanent walls must be installed prior to any vertical construction and/or storage of any materials. The NCC may enact strict procedures, temporary or permanent, at any time to ensure noise and dust abatement measures are taken by Owners and their contractors.

#### **8.1.3. Cleanliness**

Because local winds frequently carry debris from construction sites, each Lot shall be kept free of trash, materials and waste. The site shall be left in a neat and orderly condition at the close of each workday. Scrap material and debris shall be disposed of in contained trash receptacles and such receptacles shall be collected and emptied prior to becoming over-filled. Hazardous debris and material shall be removed from the site each day. No hazardous material shall be stored on the site overnight. Weeds, debris and litter shall not be allowed to accumulate on-site. Should it become necessary for the Association to contact the Owner concerning the lack of cleanliness for their Lot, one warning will be given. If the Lot is not cleaned up in the time allowed, construction work will be terminated until the Lot is cleaned up. No trailers for temporary living quarters shall be allowed on-site. Construction trailers may be allowed subject to the approval of the NCC. There shall be a minimum of one temporary restroom facility per Lot during construction. Storage of construction materials on Streets and sidewalks is not permitted.

#### **8.1.4. Construction Access**

The only approved construction access during the time a Residence or other Improvements are being built will be over the approved driveway for the Lot unless the NCC approves an alternative access point. The Declarant will designate a construction entry, and all contractors must use this entry. All contractors must be registered with the Declarant to gain access to the



community shall comply with restrictions on working hours and days set by the Declarant.

**8.1.5. Final Inspection**

Once the home and landscaping is complete, and adjacent Lots have been cleaned up and all damage repaired, the Owner will need to notify the NCC for inspection. When all items from the final inspection are properly addressed, the NCC will be able to release the Repair Deposit to the Owner.

**8.1.6. Multiple Inspections**

Multiple inspections shall be required in cases of phased construction (to include Accessory Structures).

**8.2. DAMAGE REPAIR**

**8.2.1. Responsibility**

**Contractors:** Each Owner has the direct responsibility for the control of his/her contractors and the actions of said contractors. All liability for misappropriate and unlawful actions and activities in violation of the Declaration or Design Guidelines, caused by contractors, shall rest with the Owner.

**Debris:** Excess materials must be hauled away from the Royal Oaks Country Club community site within 10 working days following completion of attributed task.

**Damage:** Damage and scarring to other property, including, but not limited to the Golf Course, other Lots, Streets, common areas, driveways, irrigation, and/or other Improvements will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the person causing the damage or the Owner.

Upon completion of construction, each Owner and Builder shall clean the construction site and repair all property which was damaged, including but not limited to restoring grades, planting shrubs and trees as approved or required by the Declarant, and repair of Streets, driveways, pathways, drains, culverts, ditches, signs, lighting, and fencing. Any damage not repaired by the Owner will be repaired by the Declarant as described in the Declaration. All costs for such repair will be withheld from the Repair Deposit described in Section 3.2.3.

**Storage:** Storage of any construction materials, machinery, tools or forms is not permitted on any adjacent Lots without the written permission from that Owner which is to be submitted to the NCC, once obtained.

## EXHIBIT A

### Royal Oaks Country Club Plant Palette *January 27, 2000*

#### *TREES*

Scientific Name	Common Name	Type
Acer rubrum	Red Maple	Deciduous Tree
Betula Nigra	River Birch	Deciduous Tree
Carya illinoinesis	Pecan	Deciduous Tree
Cercis Canadensis	Redbud	Deciduous Tree
Elaeocarpus decipiens	Japanese Blueberry	Evergreen Tree
Ilex attentuata 'Savannah'	Savannah Holly	Deciduous Tree
Lagerstroemia indica	Crapemyrtle	Deciduous Tree
Lagerstroemia X 'Natchez'	Natchez Crapemyrtle	Deciduous Tree
Lagerstroemia X 'Tuscarora'	Tuscarora Crapemyrtle	Deciduous Tree
Ligustrum japonicum	Tiered Ligustrum	Evergreen Tree
Ligustrum japonicum	Tree Ligustrum	Evergreen Tree
Magnolia grandiflora 'little gem'	"Little Gem" Magnolia	Evergreen Tree
Pinus taeda	Loblolly Pine	Evergreen Tree
Prunus mexicana	Mexican Plum	Deciduous Tree
Pyrus calleryana 'Bradford'	Callery Pear	Deciduous Tree
Pyrus kawakamii	Evergreen Pear	Deciduous Tree
Quercus acutissima	Sawtooth Oak	Deciduous Tree
Quercus facata	Southern Red Oak	Deciduous Tree
Quercus laurifolia	Laurel Oak	Deciduous Tree
Quercus nigra	Water Oak	Deciduous Tree
Quercus nuttallii	Nuttall Oak	Deciduous Tree
Quercus rubra	Red Oak	Deciduous Tree
Quercus shumardii	Shumard Oak	Deciduous Tree
Quercus virginiana	Live Oak	Evergreen Tree
Taxodium distichum	Bald Cypress	Deciduous Tree

#### *SHRUBS*

Scientific Name	Common Name	Type
Abelia X grandiflora	Abelia	Evergreen Shrub

Abelia X'Edward Goucher'	Dwarf Abelia	Semi Evergreen Shrub
Alpinia zerumbet	Ginger	Shrub
Alpinia zerumbet 'Variegata'	Variegata Ginger	Shrub
Buxus microphylla japonica	Japanese Boxwood	Evergreen Shrub
Camelia Sasanqua	Camellia Sasanqua	Evergreen Shrub
Chamaerops humilis	Mediterranean Fan Palm	Shrub
Cycas revolute	Sago Palm	Shrub
Cyrtomium falctum	Holly Leaf Fern	Evergreen Shrub
E;aeagnus pungens	Elaeagnus	Evergreen Shrub
Eriobotrya 'Coppertone'	Coppertone	Evergreen Shrub
Fejoa sellowiana	Pineapple Guava	Evergreen Shrub
Hydrangea quercifolia	Oakleaf Hydrangea	Deciduous Shrub
Ilex comuta 'Burfordi Nana'	Dwarf Buford Holly	Evergreen Shrub
Ilex vomitoria	Yaupon	Evergreen Shrub
Ilex vomitoria 'Nan'	Dwarf Yaupon	Evergreen Shrub
Juniperus conferta	Shore Juniper	Evergreen Shrub
Ligustrum japonicum	Ligustrum	Evergreen Shrub
Loropetalum chinese 'Nana'	Dwarf Loropetalum	Evergreen Shrub
Mahonia bealei	Leatherleaf Mahonia	Evergreen Shrub
Malpighia glabra	Dwarf Barbados Cherry	Shrub
Myrica certifera	Southern Waxmyrtle	Evergreen Shrub
Myrica cerifera 'Nana'	Dwarf Waxmyrtle	Evergreen Shrub
Nandina domestica	Nandina	Evergreen Shrub
Nerrium oleander	Oleander	Evergreen Shrub
Osmanthus fragrans	Sweet Olive	Evergreen Shrub
Philodendron selloum	Philodendron	Tropical Evergreen
Pittosporum tobria 'Variegata'	Variegata Pittosporum	Evergreen Shrub
Pittosporum tobria 'Wheeler's Dwarf'	Wheeler's Dwarf Pittosporum	Evergreen Shrub
Podocarpus macrophyllus	Japanese Yew	Evergreen Shrub
Prunus caroliniana	Cherry Laural	Evergreen Shrub
Rhaphiolepis indica 'Clara'	Clara Indian Hawthorn	Shrub
Phododendron indicum	Azelea	Evergreen Shrub
Rhododendron X 'Fashion'	Fashion Azelea	Evergreen Shrub
Rosa Meidiland	Meidiland Rose	Shrub
Spirea bumaldii 'Little Princess'	Spirea	Deciduous Shrub
Temstroemia gymnanthera	Japanese Cleyera	Evergreen Shrub
Vibumum japonicum	Vibumum	Evergreen Shrub
Vibumum odoratissium	Sweet Vibumum	Evergreen Shrub
Vibumum suspensum	Sandanka Vibumum	Evergreen Shrub
Vibumum tinus	Laurestinus Vibumum	Evergreen Shrub
Yucca recurvifolia	Yucca	Shrub

**PERRENIALS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Type</b>
Agapanthus africanus 'Peter Pan'	Agapanthus	Perennial
Asparagus densiflorus 'Myersii'	Foxtail Asparagus Fern	Perennial
Asparagus densiflorus 'Sprengeri'	Asparagus Fern	Herbaceous Perennial
Aster X frikartii	Aster	Perennial
Dietes iridioides	Butterfly Iris	Perennial
Hemerocallis X 'August Bright'	Daylily	Perennial
Hemerocallis X 'Blackeye Stella'	Daylily	Perennial
Hemerocallis X 'Pardon Me'	Daylily	Perennial
Hemerocallis X 'Stella d'Oro'	Daylily	Perennial
Hemerocallis X 'Yellow Landscape'	Daylily	Perennial
Iris Louisiana	Louisiana Iris 'Black Gamecock'	Perennial
Iris Pseudacorus	Yellow Flag Iris	Herbaceous Perennial
Leucanthemum X 'Superbum'	Shasta Daisy	Perennial
Nephrolepis exaltata 'Bostoniensis'	Sword Fern	Perennial
Rosmarinus officinalis	Rosemary	Perennial
Rudbeckia hirta	Rudbeckia	Perennial
Salvia 'Indigo Spires;	Indigo Spires Salvia	Perennial
Seum spectabile 'Brilliant'	Sedum Spectabile	Perennial
Tulbaghia violacea 'Variegata'	Society Garlic	Perennial
Wedelia trilobata	Wedelia	Herbaceous Perennial

**VINES**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Type</b>
Bougainvillea spp.	Bougainvillea	Vine
Clematis X	Clematis	Vine
Ficus pumila	Fig Vine	Vine
Gelsemium sempervirens	Carolina Yellow Jasmine	Vine
Passiflora spp.	Passion Flower	Vine
Trachelosperum jasminoides	Confederate Jasmine	Vine

**GRASS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Type</b>
Miscanthus sinensis	Miscanthus	Ornamental Grass
Miscanthus sinensis "Cabaret"	Miscanthus Cabaret	Ornamental Grass
Miscanthus sinensis 'Morning Light'	Morning Light Miscanthus	Ornamental Grass
Miscanthus transmorrisonensis	Evergreen Miscanthus	Ornamental Grass
Muhlenbergia capillaries 'Gulf Coast'	Gulf Coast Muhly	Ornamental Grass

**GROUNDCOVERS**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Type</b>
Hedera canariensis	Algerian Ivy	Evergreen Groundcover
Liriope gigantea	Giant Liriope	Groundcover
Liriope muscari 'Big blue'	Big Blue Liriope	Groundcover
Ophiopogon jaburan 'Variegatus'	Aztec Grass	Groundcover
Ophiopogon japonicus 'Nana'	Dwarf Mondo Grass	Groundcover
Ruellia brittoniana 'Katie'	Katie Ruellia	Groundcover
Sedum acre	Goldmoss Sedum	Groundcover
Trachelosperum asiaticum	Asain Jasmine	Groundcover

**WATER SPECIMEN**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Type</b>
Hymenocallis caribe variegata	Variegated Spider Lily	Water Specimen
Pontederia cordata	Pickereel Rush	Water Specimen
Sagittaria spp.	Sagittaria	Water Specimen
Thalia geniculata	Red Stemmed Thalia	Water Specimen