



**Second Amended and Restated
Design Guidelines**

for the

Residential Areas of Valley Ranch,

Including Single and Multi-Family Properties

Adopted by the Architectural Review
Committee on

Approved by the
Valley Ranch Master Board on

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1.00 GENERAL

1.01 Design Guidelines

These Second Amended and Restated Design Guidelines (Design Guidelines) have been established by the Architectural Review Committee in accordance with the Residential Declaration of Covenants, Conditions, and Restrictions. These Design Guidelines include standards, restrictions and specifications governing the construction, placement, location, alteration, maintenance and design of Improvements to property encumbered by the Residential Declaration.

The format of these Design Guidelines has been established to complement the Architectural Review process. However, the organization and headings of this document shall not limit the scope or enforcement of these guidelines.

No guideline shall be deemed as a waiver from a more restrictive guideline. To the extent of any inconsistencies or conflicts between any of the terms and provisions of these Design Guidelines and any of the terms and provisions of the Declaration, the terms and provisions of the Declaration shall control. The ARC retains its right to grant variances, to be granted at the ARC's sole discretion.

If any of the terms and conditions of these Design Guidelines shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other of the terms and conditions hereof and the terms and conditions hereof shall hereafter be construed as if such invalid, illegal or unenforceable terms or conditions had never been contained as part of these Design Guidelines.

These Design Guidelines may be revised or amended from time to time by the Architectural Review Committee. These Design Guidelines supersede any design guidelines filed prior to these Design Guidelines.

1.02 Neighborhood Design Guidelines

The Architectural Review Committee may establish additional guidelines or grant blanket variances for specific Subdivisions, areas or locations within the Valley Ranch. These Neighborhood Design Guidelines are a written record of these variances or additional requirements and are supplementary in nature to the Design Guidelines for the Residential Areas of the Valley Ranch. The Neighborhood Design Guidelines alter or lessen only the requirements of the Design Guidelines for Residential Areas of the Valley Ranch which are specifically referenced by article number (the decimal number at the left margin).

Neighborhood Design Guidelines may include, but are not limited to, standards for additional setbacks, exterior design characteristics, height restrictions, minimum and maximum building sizes, color requirements, landscape requirements, mailbox design, house numbering, special fence requirements and building materials.

These Design Guidelines for the Residential Areas of Valley Ranch, including Single and Multi-Family Properties, are intended to be of general applicability to the community, and do not alter, amend or change any existing Neighborhood Design Guidelines, such as the Neighborhood Design Guidelines for Canyon Crest Estates, unless these Design Guidelines contain a stricter provision, in which case, these Design Guidelines would prevail.

1.03 Role of the Architectural Review Committee

The Architectural Review Committee (ARC) is established by the Declaration and is authorized and empowered to consider and review all aspects of construction, including, but not limited to, construction of other Improvements and location, quality and quantity of landscaping on the Estates, which may, in the reasonable opinion of the ARC, adversely affect the living enjoyment of one or more Estate Owner(s) or the general value of the property.

1.04 Submittals

All Submittals must be ~~submitted in writing and must fully communicate the proposed improvement.~~ submitted electronically via the online portal. The online portal can be found on the valleyranch.org website. If the online portal cannot be located on the valleyranch.org website, an Owner may reach out to the Association office for assistance. At the sole discretion of the ARC, any Submittal may be denied for lack of completeness, for a lack of clear communication, or for poor quality of the Submittal.

~~Submittals shall be made in duplicate and~~ shall include the name, address and telephone number of the owner or the owner's agent. Submittals for original construction or for Development shall include the names, addresses and telephone numbers of the owner, the builder, the architect and the civil engineer (as applicable).

Lists of the Submittals are required for Development and new construction are available from Management. These lists are intended for reference only and do not limit the authority of the ARC to require the submittal of every item within the scope established by the Declaration.

1.05 Process

All Submittals shall be submitted electronically ~~made in duplicate~~ to the office of Management through the online portal for the Valley Ranch Associations by the submittal deadline. The submittal deadline for any regularly scheduled meeting will be

5:00 pm one week prior to that meeting. Any submittal made after the submittal deadline for a regularly scheduled meeting will be considered late and will be reviewed at the following regularly scheduled meeting. The ARC may, at its own discretion, choose to review any late Submittal.

A schedule of applicable review fees is available on the valleyranch.org website from Management. If a fee schedule is not available online, one may be obtained from Management. The fee schedule should approximate the cost of providing a decision. The ARC should not duplicate any inspections and fees that were required to be performed by the appropriate municipal ordinances. The property owner shall provide ARC with any approvals received from the appropriate municipal authority with submission made by the appropriate municipal authority so that the ARC will not duplicate the approval process. It is the homeowner's responsibility to confirm if municipal approval is required for submissions such as fences, pergolas, etc.

The ARC shall issue a written response as soon as possible, in no event exceeding 30 days of receiving a complete and compliant submission. If the ARC requires additional information, the clock resets upon receipt of the updated materials.

1.06 Meetings

A list of the regularly scheduled ARC meetings is available from Management. Additional meetings may be scheduled without notice as deemed necessary by the ARC

Special meetings may be requested and may be scheduled at a time mutually convenient to the ARC and requesting property owner. In order to cover the additional expenses of a special meeting, the property owner requesting the special meeting a fee may be assessed in addition to the normal review fee. Special meetings are held for the convenience of the requesting property owner. The ARC has no obligation to call a special meeting and is not liable for any costs to the submitting party arising from the timeliness of the meeting. The property owner shall bear the expense of any special meetings requested by the property owner. The fee will be established at the hourly rate of the reviewing architect.

1.07 Approvals

All approvals must be in writing (including email) ~~and signed by an ARC Committee member or ARC representative~~. All approvals are personal to the requesting property owner only and not the Estate which is subject to the request.

All approvals shall be void and invalid after one hundred eighty (180) days of issuance if the installation or construction or the approved improvement has not begun or if at any time thereafter is not diligently continued to completion, unless the ARC has extended the approval in writing. Any approval shall be void and invalid if

construction or installation of the Improvement is not substantially complete within a reasonable time frame, as determined by the ARC.

All variances to the Design Guidelines or the Declaration shall be specific and in writing. Approval of a submittal does not imply or constitute a variance to the requirements of the Design Guidelines or of the Declaration unless a specific written variance request is included as a part of the approval.

Property owners must submit a written request to the ARC for any proposed Improvement to the property, even if the proposed Improvement complies with a standard for approval described in these Design Guidelines; provided however, that property owners need not request ARC approval for the selection of seasonal color bedding plants.

1.08 Definitions

Address Elevation – shall refer to the façade of the Estate which fronts the segment of the street to which its address refers.

Alley – any way or thoroughfare which provides vehicular access to an Estate and is not an Arterial Street, a Collector Street, or a Residential Street.

Architectural Review Committee or ARC – shall refer to the Architectural Review Committee of the Valley Ranch Master Association or the designated agent of the Architectural Review Committee, as empowered and established by the Declarations.

Arterial Street – any multiple lane thoroughfare.

Association(s) – shall refer collectively to the Valley Ranch Master Association, Inc. and the Valley Ranch Residential Association, Inc. ~~(NOTE: Commercial Association was removed from definition.~~

Building Height – shall refer to the vertical distance from the average elevation at the street lot line to the top of all improvements on an Estate, excluding chimneys, mechanical penthouses, and parapet walls not exceeding four (4) feet in height.

Collector Street – any thoroughfare designed to accommodate traffic flow between Arterial Streets and Residential Streets, or between Arterial Streets and Residential Developments.

Commercial - shall mean any business other than a customary home occupation or manufacturing business, which involves the exchange of goods or services for the remuneration of a person occupying the premises upon which the transaction or part there of takes place.

Common Area – shall refer to any property owned or maintained by the Valley Ranch Master Association ~~or by any sub-association within the Valley Ranch~~. It shall also refer to any property which, in the opinion of the Master Board, may fall under the scope of Association or sub-association maintenance or ownership at some time in the future or may require the qualities associated with such maintenance or ownership.

Condominium – shall refer to a room or suite of rooms which is intended for or serves as the dwelling for one family, which is individually titled and which does not observe the Minimum Building Separation.

Debris – shall refer to waste, scrap or excess materials, particularly those generated by construction or renovation.

Declarations – shall refer to the Master Declaration, the Residential Declaration, and the Bylaws and policy resolutions for the Associations, as currently or hereinafter amended and/or restated.

Development – shall mean any man-made change to improved unimproved real estate, including but not limited to buildings or other structures, paving, drainage, utilities, fences, or pools. Routine repair and maintenance activities are exempt.

Development Package – shall refer to the proposal and commitment for the installation and/or construction of physical Improvements associated with the Development of a tract or parcel of land into lots or other sub-units or with any preparation of raw land into a state for the construction of buildings or other Improvements.

Dwelling – shall refer to any enclosed building or portion thereof having accommodations for one family or occupied by one family.

Easement – shall refer to a right of accommodation for a specified use attached to land which is owned by another.

Estate – shall collectively refer to a condominium unit, tract, lot, apartment complex and any other interest in real property which is contained within that parcel; and any Improvements or real property contained within it. It shall also retain the meanings assigned to it by the Declarations.

Family – shall refer to any number of individuals living together as a single housekeeping unit interdependent upon one another. A family is distinct from a group occupying a boarding house or hotel.

Front Yard Setback (depth of front yard) – shall refer to the minimum horizontal distance from the front line of a building to the front lot line. Note: where an Estate is

adjacent to two streets, it will be required to observe the front yard setback from both streets.

Garage - shall refer to a private garage for the temporary storage of private motor vehicles owned by the occupant of the premises.

Grandfathered, Grandfathering or Grandfather Clause - shall have the meaning that after the expiration of one (1) year from the written documented date of installation or construction of any Improvements within an Estate, said Improvements shall be considered Pre-Existing Non-Compliant with all provisions of these Design Guidelines, unless actual notice of noncompliance or incomplete work has been given prior to the expiration of one (1) year. Refer to definition of Pre-Existing Non-Compliant Exception.

Gross Floor Area - shall refer to the total floor space of all habitable spaces within an Estate, measured from the inside face of exterior walls.

Improvement - shall refer to any physical change to an Estate or any structure within an Estate and shall retain all meanings assigned to it by the Declarations.

Landscape Edge - shall refer to the required landscaped zone adjacent and parallel to a given thoroughfare. The landscape edge is typically outside of the sidewalks and inside the Right of Way (R.O.W.).

Lot Line (property line) - shall refer to the legal boundaries of an Estate.

Management - shall refer to the Association's limited agent who is charged with daily coordination and oversight of the community.

Master Declaration - shall refer to the Master Declaration of Covenants, Conditions and Restrictions for the Valley Ranch, Dallas County, Texas as recorded in Volume 83196, Page 0748 of the County Records of Dallas County as subsequently amended and/or restated.

Minimum Building Separation - shall refer to the minimum horizontal distance between buildings.

Multiple Family (or Multi-Family) - shall refer to the housing type which is designed to accommodate two or more separate living quarters within the same structure or on the same Estate. Any Residential Estate which is not Single-family is considered Multiple family.

Neighborhood Design Guidelines - shall refer to a supplementary set of guidelines which are applicable to a given sub association or Subdivision, which are supplementary to the Design Guidelines as a whole, and which contain any additional regulations and variances established for a given Sub Association or Subdivision as a whole.

Open Space – shall refer to any portion of a lot which is not occupied by a building either at or above the finish grade.

Owner – shall refer to the holder(s) of record title to the fee simple interest of any Estate.

Pre-Existing Non-Compliant Exception – shall be defined as allowing an identified issue to remain as is, until repair or replacement is needed. At such time, the non-compliant issue must be brought into compliance according to Valley Ranch guidelines. The homeowner at that time must submit plans to the Architectural Review Committee for review and approval. Refer to Grandfathered, Grandfathering or Grandfather Clause.

Public View – The term “Public View” shall refer only to those areas that can be seen from a public sidewalk, public street, or any Association common area (such as canal walkways or Association parks) or while sitting in a vehicle on a public street, or a private street or parking lot or in a direct line of sight while looking down an alley from a public sidewalk, public street, private street or parking lot. The following items are considered in Public View along the entire length of any alley: roofs, gutters, fences (regarding maintenance issues), paint, landscaping, and trash.

Rear Yard Setback (depth of rear yard) – shall refer to the minimum horizontal distance from the rear line of a building to the rear Lot Line or to the Alley Right of Way whichever is less.

Required Landscape – shall refer to any material, vegetative or otherwise, which is required by the Design Guidelines, including materials used for screening purposes.

Residential – shall refer to any Estate which is within the Residential Area of Valley Ranch and to any use which is permitted on Residential Estates as set forth in the Declarations.

Residential Area – shall refer to those areas encumbered by the Residential Declaration.

Residential Declaration – shall refer to the Declaration of Covenants, Conditions and Restrictions for the Residential Area of the Valley Ranch, Dallas County, Texas as recorded in Volume 83196, Page 0851 of the Dallas County Records, and as subsequently amended and/or restated.

Residential Street – shall refer to any thoroughfare which is intended to provide access to individual Residential Estates from the front or that may run in front of and not provide access to alley-accessed individual Residential Estates, especially Single-Family Residential, and does not connect to an Arterial Street. Typically, a Residential Street is contained within a Development or Subdivision.

Residential Unit – shall refer to a room or suite of rooms which is intended for or serves as the Dwelling for one family.

Right of Way (R.O.W.) – an area of land surface, area underground or area above ground, which is dedicated by deed, by plat or by easement for specified linear elements such as thoroughfares or utility lines.

Scrap Basket – shall refer to an enclosed weather-proof container which retains Debris from construction on an Estate undergoing construction or substantial renovation.

Screening Wall(s) – shall refer to any wall or fence required by the Design Guidelines.

Side Yard Setback (depth of side yard) – shall refer to the minimum horizontal distance from the sideline of a building to the corresponding Side Lot Line. Note: where an estate is adjacent to two streets, it will be required to observe the front yard setback from both streets.

Single-Family (Single-Family detached) - shall refer to individual Residential Units which do not occupy the same Estate or structure with any other Residential Units. Any Residential Estate that is not Single-Family is considered Multiple Family.

Story – shall refer to the portion of a building between any two floor surfaces, one immediately above the other or between the uppermost floor surface and the ceiling immediately above it.

Street Elevation – shall refer to any façade or portion of a façade that fronts a street. Any given Estate may have more than one Street Elevation.

Subdivision – shall mean the division or redivision of land into two (2) or more lots, tracts, sites or parcels for the purpose of sale or of building Development or the redivision of land or lots.

Submittals – shall refer to requests submitted to the ARC containing plans and specifications for proposed Improvement, alteration, change, and/or construction.

Substantial Reconstruction/Substantially Reconstructed - If repairs are greater than 50%, total replacement is required.

Sustainable Architecture – shall mean the environmentally-conscious design techniques in the field of architecture and minimizes the negative environmental impact of buildings by enhancing the efficiency and moderation in the use of materials, energy, and Development space.

Sustainable Material – shall mean any material that can be put to effective use in the present without compromising its availability for use by later generations. The materials are made significantly of plant origin, including but not limited to, products from wood, natural fibers, and polymers, vinyl, and comparable materials (this list being non-exhaustive). Materials may also be produced using waste products as raw materials, i.e. recycled material.

Valley Ranch Association – see “Association.”

View Corridor – shall refer to any section of a thoroughfare in which the view along the length of the thoroughfare is uninterrupted or unobstructed.

2.00 SUBDIVISION DEVELOPMENT GUIDELINES

2.01 Development Package

The Development of a Subdivision shall include the installation and/or construction of all of the streets and Alleys, street lighting, street trees, the layout of public green spaces and/or parks, screening walls, project entries, installation of utilities, and any other Improvements required by the ARC. The Development Package shall consist of the illustration and/or explanation of the Improvements associated with a proposed Development and a commitment to the installation or realization of such Improvements.

The ARC retains the right to deny Submittals for construction of Improvements involving Estates which have not: (a) fulfilled the terms of the approval granted for that Estate or Development; (b) received approval for Improvements to the Estate or Development; or (c) completed previously approved Improvements in a reasonable time period, as determined by the ARC.

2.02 Streets and Alleys

The locations, sizes, materials and details of all streets and Alleys shall be subject to the approval of the ARC and to the approval of the appropriate city with jurisdiction over the street or Alley. No Residential Street shall have a View Corridor of greater than 500 feet in length.

All Single-Family Estates shall have Garage access only from an Alley except for lots immediately adjacent to a water feature and for lots granted a variance by the ARC. Alley access to the Garage shall not occur across the front yard. Alleys shall not intersect Arterial Streets or Collector Streets.

Access to a Subdivision shall occur from an Arterial Street or a Collector Street and shall not occur from a Residential Street.

Homes within a Subdivision or Development shall be constructed with similar materials, quality and general character.

2.02(a) Major Thoroughfares

Include without limitation	
MacArthur Boulevard	Valley Ranch Parkway
Ranch Trail	Avenue of Champions
Ranchview Drive	Cowboys Parkway (portion)
Standards (See Diagram at Appendix	
R.O.W.	Varies
Pavement	Varies
Landscape Edge	5.0'
Sidewalk	4.0'
Tree Spacing	30.0'
Building Setback	(from R.O.W.) 35.0'
Screening Wall Setback	(from R.O.W.) 5.0'

2.02(b) Collector Streets

Include without	
Rodeo Drive	Saddlehorn Drive
Cimarron	Avenue of Champions
Santa Fe Trail	Cowboys Parkway (portion)
Red River	

Standards (See Diagram at Appendix 2)	
R.O.W.	65.0'
Pavement	45.0'
Landscape Edge	5.0'
Sidewalk	4.0'
Tree Spacing	30.0'
Building Setback	(from R.O.W.) 35.0'
Screening Wall Setback	(from R.O.W.) 5.0'

2.02(c) Residential Streets

Standards (See Diagram at Appendix 3)	
R.O.W.	50.0'
Pavement	31.0'
Landscape Edge	5.0'
Sidewalk	4.0'
Building Setback	(from R.O.W.) 15.0'
Fence Setback	(from R.O.W.) 10.0'

2.02(d) Private Streets

Alternative streets sections, paving surface types, setbacks and lighting may be utilized on private streets but are subject to the approval of the ARC.

2.02(e) Alleys

Standards (See Diagram at Appendix 4)	
R.O.W.	15.0'
Pavement	10.0'
Landscape Edge	2.5'
Building Setback	(from R.O.W.) 15.0'

2.02(f) Building Envelope for Single Family Estates

Standards (See Diagram at Appendix 5)	
Front Yard Setback	20.0'
Side Yard Setback Adjacent to another	5.0'
Side Yard Setback Adjacent to Street	20.0'
Rear Yard Setback	15.0'
Minimum Building Separation	10.0'

2.02(g) Building Envelope for Multiple Family Estates

Standards	
Building Setback (from Lot Line)	15.0' for one Story
	20.0' for two Stories
	25.0' for three Stories
Building Height	Three stories maximum

2.03 Lighting

Adequate street and site lighting shall be installed. New fixtures shall come from the list below except as varied by the ARC.

Street Light	Kim fixture type EKG 401 or 501 on 25' tall on bronze metal pole or equal
Site Light	Sternberg fixture #G18 with 508 fitter on 3907P post or equal.

2.04 Street Trees

Street trees on any given street shall be of the same species, shall be evenly spaced, and shall be a minimum of 30-gallon size at the time of planting, or equivalent as determined by a landscape professional.

~~Street trees should be installed within the Landscape Edge of Major Thoroughfares and Collector Streets at an average spacing of 30 feet on center on each side of the street. The space occupied by intersecting streets and entry features may be omitted from the calculation.~~

~~Where trees have been removed due to age, disease, or damage, the ARC encourages replacement over time to maintain the intended streetscape. Replanting may occur in phases based on seasonal planting conditions, budgetary constraints, and site specific considerations. The 30 foot spacing is an aspirational guideline for long term planning and minor deviations are permitted where necessary to accommodate utilities grading, or existing site features.~~

~~Street trees must be installed within the Landscape Edge of Major Thoroughfares and Collector Streets at the average spacing of 30 feet on center on each side of the street. The space occupied by intersecting streets and entry features may be omitted from this calculation.~~

~~Street trees on any given street shall be of the same species, shall be evenly spaced and shall be of a minimum 2.5 inch Caliper size.~~

2.05 Screening Walls

Continuous Screening Walls shall be installed between Estates of differing or incompatible uses. Differing or incompatible uses include, but are not limited to, the following: Single-Family Estates, Multiple Family Units, Arterial or Collector Streets, Commercial uses, schools and public facilities, parking facilities.

New Screening Walls shall be subject to the approval of the ARC for color, materials, height, details and locations. Screening Walls shall be at least six (6) feet tall unless prescribed otherwise. Screening Walls shall have foundation piers designed by a registered engineer.

Drainage through or under Screening Walls shall conform to the approved drainage plan for the Subdivision. All Screening Walls shall be consistent in detail and general appearance along any given length.

Brick Screening Walls shall have continuous concrete footings and shall have no holes or gaps at the base of the wall and the ground with the exception of approved drainage holes. While some existing walls may not currently meet this standard due to

prior removal or construction, all new, repaired, or replaced brick screening walls shall be constructed in accordance with this requirement.

Iron picket panels of Screening Walls shall have a maximum picket spacing of six (6) inches on center (See Section 3.02j herein). (Also refer to city ordinance(s) for pool enclosures).

See Diagram at Appendix 6.

2.05(a) Screening Walls along MacArthur Boulevard

Screening Walls along MacArthur Boulevard shall be one of three types and shall be consistent with appropriate segments of the existing wall in color, materials, form and detail. The three types are: (1) double-width brick construction; (2) brick columns with iron panels; and (3) brick columns with evergreen hedges, and each of the three types shall be consistent with the character of Valley Ranch. The screening walls which are across the street from each other on MacArthur shall be of complementary design.

A seven-foot tall double-width Screening Wall on a one-foot tall berm shall be required as a typical condition.

The ARC may approve the omission of a Screening Wall at any Multiple Family Estate which observes a 50-foot minimum front yard building setback and provides a 30-foot front yard minimum paving setback with approved landscaping.

2.05(b) Screening Walls adjacent to Collector Streets and Arterial Streets other than MacArthur Blvd

Screening Walls adjacent to Collector Streets and Arterial Streets other than MacArthur Blvd shall be constructed of brick, of brick columns and iron panels, or of brick columns and evergreen hedgerow segments.

Screening Walls may be omitted on Collector Streets with the approval of the ARC if the Estates front the Collector Street, if they are accessed from Alleys connecting to Residential Streets, if the Improvements are similar to existing homes nearby, and if adequate off-street parking is provided.

2.05(c) Water Features

If a fence or Screening Wall is desired along a water feature, it shall be of iron construction and be consistent in appearance with the existing Screening Walls. The Screening Walls along the water features shall be four feet tall and shall extend ten feet into the property measured perpendicularly to the Lot Line at the water feature. (Also refer to city ordinance(s) for pool enclosures.)

See Diagram at Appendix 7.

2.05(d) Screening Walls between Residential and Commercial Properties

Screening Walls between Residential and Commercial Properties shall be brick construction. – 6ft tall and shall be of consistent color for entirety of wall.

2.06 Entry Features

Each Development or Subdivision is encouraged to incorporate an entry feature or other landscape feature at its primary entrance points and to prepare a landscape plan for the corners of intersections along Arterial and/or Collector Streets. Any proposed entry feature or feature or landscape plan must be submitted to and approved by the ARC before construction and installation may begin. ~~Each development shall have an approved entry feature or other landscape feature at the primary entrance point into the Development, with a minimum of one entry feature per Development. In addition, each Development shall have an approved landscape plan for the corners of the intersections of Arterial Street and/or Collector Streets.~~

2.07 Utilities

Major utility lines shall be installed prior to the construction of streets and sidewalks. All utility lines shall conform to applicable government standards and shall be constructed in a workmanlike manner. Exposed utility equipment-pumps, valve assemblies, switchgear, cable television boxes, telephone boxes and the like shall be located in discreet, screened locations such as on Alleys or behind approved Screen Wall enclosures. All utility structures e.g. meters, transformers, generators, air conditioning units and condenser units shall be screened from Public View.

2.08 Neighborhood Design Guidelines

The Neighborhood Design Guidelines are supplementary in nature to the Design Guidelines and are a written record of additional requirements and applicable variances for a specific Development or area. They may include, but are not limited to, standards for: additional setbacks, exterior design characteristics, height restrictions, minimum and maximum building sizes, color requirements, landscape requirements, mailbox design, house numbering, special fence requirements and building materials.

Proposals for restrictions or variances to be included in the Neighborhood Design Guidelines should accompany the Development Package.

Should there be a conflict between Neighborhood Design Guidelines and these Design Guidelines, that the stricter guideline will prevail.

2.09 [Intentionally Omitted]

~~All street names are subject to the approval of the ARC.~~

2.10 Drainage

No runoff from any Estate may flow into a Common Area or areas maintained by the Master Association.

2.11 Infrastructure

The ARC may establish certain Improvements, which will be the responsibility of an Owner as a portion of the Development Package.

2.12 Benchmarks

The ARC reserves the right to establish and to require that specific benchmarks be used as reference elevations for plot plans and surveys of property.

3.00 ORIGINAL CONSTRUCTION, RENOVATION AND MAINTENANCE

3.01 General

It is the responsibility of Residential Estate Owners to comply with the applicable provisions of this section. Also, other sections of the Design Guidelines may contain relevant specifications that may apply to new construction, renovation and/or maintenance. In addition, every Estate shall conform to the Neighborhood Design Guidelines for its respective location.

Approved Improvements which have been constructed or installed prior to the enactment of these Design Guidelines will be considered as having been grandfathered (or having received a variance) to the extent that the existing Improvement is inconsistent with these Design Guidelines. When an Improvement is replaced or Substantially Reconstructed, it shall be brought into conformance with the Design Guidelines unless a variance is granted by the ARC.

The ARC retains the right to deny Submittals for construction of Improvements involving Estates which have not: (a) fulfilled the terms of the approval granted for that Estate or for the Development in which the Estate is located; (b) received approval for Improvements to the Estate or Development; or (c) completed previously approved Improvements in a reasonable time period, as determined by the ARC.

The ARC reserves the right to require that elevation designations on Submittals be referenced to a specific benchmark.

Creating a house addition, expansion, extension or garage conversion that creates the appearance of a duplex on an Estate structure is prohibited.

3.01(a) Construction Debris.

Debris from any Estate shall be contained in a Scrap Basket and shall not accumulate in an unsightly fashion. Each Estate shall have a Scrap Basket on site or on an immediately adjacent site, during periods of construction and/or renovation. Each Scrap Basket shall hold a minimum of four cubic yards of Debris per Estate.

Any Estate which has construction involving concrete shall have designated site for the dumping of excess material and equipment cleaning. If the designated site is not owned by the same party as the construction or renovation site, then the permission of the Owner of the designated site shall be required.

Trash dumpsters may only be stored on the driveway of a Residential Estate and shall not be stored for longer than 30 days without ARC approval.

3.01(b) Damage

The Owner of any Estate will be held liable for any damage caused by such Owner, or such Owner's employees, agents, contractors, and subcontractors; the cost of the correction or clean up may also be assessed by the Association against the Estate. Damage includes the physical destruction and/or removal of property, or any addition to the property without the express consent of the respective Owner.

3.02 Building Materials

All building material shall be consistent in quality and installed in a well-crafted, workmanlike manner. Approved Sustainable Materials are encouraged. Any Improvement which is not installed in a complete, finished and workmanlike manner shall be deemed damage to the Estate and will permit the Board to invoke such remedies as may be available to cause such damage to be repaired.

The ARC may limit or prohibit the use or combinations of certain approved building materials in locations, contexts and configurations as it may determine in the exercise of its reasonable discretion.

All exterior finish building materials, including coatings, veneers, substrates and the like, shall be subject to the approval of the ARC and shall be reviewed prior to use or installation. The approval of any building material is specific to the Property Owner for which Submittal was made and the approval of a building material for one Property Owner does not constitute the basis for its approval on any other Property Owner. The following provisions (subsections 3.02(a) - 3.02(j)) convey the intent of the ARC but do

not establish the acceptability or the unacceptability of a particular material or installation.

Replacement siding and eaves are encouraged to be made of approved Sustainable Materials including wood, vinyl, fiber cement such as Hardiboard, and particleboard. If replacing over 50% of siding, particleboard is not permitted.

3.02(a) Brick

Use of hard-fired brick is required. Earth-tone brick colors are preferred, and painted brick is permissible. Brick type and color must be approved by ARC.

Painted brick must use breathable, masonry-compatible paint to allow proper moisture transmission and prevent structural damage. Repainting using the same previously approved color does not require ARC resubmittal but is strongly encouraged to be documented. Painting or repainting with any new colors require ARC approval.

Concrete brick showing concrete on surfaces to be exposed in finished work will not be approved. Concrete brick with Portland cement slurry color and texture coatings on surfaces to be exposed may be approved provided the base brick meets the requirements for Grade N, Type 1, in ASTM C55-71.

3.02(b) Concrete

Cast in place concrete is permitted as a finish material for paved surfaces and up to 18 inches of exposed foundation edges only. Precast concrete is permitted for landscape uses and for limited architectural applications.

3.02(c) Stone and Cast Stone

Natural stone is permitted. Cast stone is permitted for architectural ornament and site work.

3.02(d) Mortar

The use of colored or bleached mortar may be permitted in specific instances and shall require specific written approval. The use of any mortar joint except a tooled mortar joint shall require specific written approval.

3.02(e) Paint and Stain

All painting shall achieve full coverage of all appropriate surfaces and shall be confined to appropriate surfaces. High gloss paint may be used on shutters, on entry doors and on metal surfaces. All other painting shall have a satin or matte finish.

All exterior color selections will require ARC approval prior to painting on any portion of the Estate. Repainting any portion of the Estate with the same previously approved colors does not require ARC approval but is strongly encouraged. An example of inappropriate color is a bright color used for an entire wall surface. Samples of proposed colors may be required to be painted on a panel for field review if the color has not been previously approved, or if they appear to be out of character with the surrounding houses. Conservative, natural colors are required. Approval of a color for one purpose does not provide a blanket approval for that color to be used elsewhere or in another manner, even if on the same Estate. Approval of a color or material for an individual residence does not necessarily mean blanket approval for another residence in a different location.

3.02(f) Shingles

All new roof, roof replacement, or substantial reconstruction of any roof, requires ARC approval before commencing such work. Roof surfaces may be constructed out of approved Sustainable Materials in accordance with the Residential Declaration, and may be dark brown, dark grey, charcoal, dark green. The ARC shall exercise sole discretion in ensuring the selected shingle color is aesthetically harmonious with the Estate. The homeowner shall provide color samples of each of these colors. In addition, all roofs -

- (1) May only have 2 layers of shingles;
- (2) Must have a metal drip edge with a color that must complement the house color;
- (3) Must have a minimum 30 year/Lifetime Manufacturers guarantee; and
- (4) Must be architectural/dimensional shingle. 3 tab shingles will not be permitted.

3.02(g) Roofing Tiles

Roofing tiles shall be permitted for use on roof surfaces only. ARC approval required.

3.02(h) Windows and Views

All windows may or may not contain mullions at the homeowner's discretion. Windows must be uniform by elevation and view. Decorative windows within entry doors or garage doors are exempt from the uniformity requirement. Energy efficient windows are strongly encouraged. If changing color, replacement window frames must be approved by ARC.

Solar screens are permitted in the following colors: dark brown, black, light grey, dark grey, and tan. If installing solar screens, all windows on an entire elevation must be screened and must be completed and maintained in a workmanlike manner. ARC approval is required.

As determined by the ARC, window types and locations which produce unsightly views either into or out of an Improvement may be denied. Window air conditioning units are not permitted on Residential Estates.

3.02(i) Chimney Caps

All chimneys shall be terminated with an approved chimney cap. All chimneys shall have a device to prevent sparks from escaping. Chimney caps shall be only slightly smaller than the chimney and shall be low profile in design. Chimney caps which are recessed into the body of the chimney are also allowed. Any fireplace within Valley Ranch must vent above the top plate.

See Diagram at Appendix 8.

3.02(j) Iron Fence

All iron fences shall be similar in design to the existing iron fences on Estates within the Residential Association. All metal fences must be painted with black gloss paint.

See Diagram at Appendix 9.

3.03 Elevations and Vertical Surfaces

Elevations will be reviewed for compatibility within the Development and for appropriateness of proportion, scale, composition and arrangement of building mass.

All street and side street elevations shall be brick, stone or cement stucco from the foundation to the eaves excluding trim, shutters, windows, doors, and approved

architectural ornament. Any fireplace within Valley Ranch must vent above the top plate. No additional Estates built in Valley Ranch with a direct vent fireplace will be approved unless it is venting above the top plate.

All rear elevations facing public spaces such as canals, Streets, parks and the like shall be a minimum of 50% brick or cement stucco with the exclusions noted above.

3.04 Roof Surfaces

The only permitted roof forms are hip and gable. The minimum slope is 6 units of rise for 12 units of run (6 in 12). Areas of lesser slopes are limited to 10% of the total roof area.

3.05 Entries

Entries must be readily apparent and must provide shelter from the weather.

3.06 Fences

3.06(a) General

All fences must meet or exceed the appropriate municipal and Valley Ranch standards. All New fence construction requires a permit from the appropriate municipal authority and ~~obtain~~ prior approval of the ARC.

A fence shared by adjoining Lot Lines is hereafter referred to as a "Common Fence". A Common Fence should be maintained jointly by the Owners whose lot adjoins such Common Fence and the costs associated therewith are encouraged to be shared equally by said Owners. If the Owners disagree regarding the timing, cost or other applicable issue related to the repair or replacement of a Common Fence or any portion thereof, then it is encouraged that the Owners attend arbitration or other alternative dispute resolution method to have a third party resolve the issue.

Fences shall be made of cedar, redwood, brick masonry, iron, wood panels or approved Sustainable Materials, including but not limited to, vinyl (polyvinyl chloride (PVC) plastic) with a top cap of a similar material or one of these materials with brick columns. Fence posts will be made of 15 to 17 gauge metal posts anchored in concrete. On Multiple Family Estates, fences which are attached or linked to a building may be of the same materials as that building. Fence posts must face the inside of the fence, unless the fence is completely within an alley in which case, metal fence posts must be enclosed, regardless of whether such fence is within the Public View. *Provided, however,* any Estate that abuts both an Alley and a street, the fence posts shall face inside the fence. Any fence post that is visible from Public View must be enclosed and have a top cap.

All fences, fence locations and fence details are subject to ARC review and approval. The standard fence heights are six feet (6'0") tall to eight feet (8'0") tall. No fence and gate height shall exceed 8 feet (8'0") tall without express written consent from the ARC. Within five (5'0") feet of a required screening wall, any other fences shall be the same height or shorter.

The top cap of all wood or Sustainable Materials fences shall be level and shall step where transitions from one elevation to another are dictated by the slope of the land. All fences must have: (1) a border to be a minimum of 1 x 4 inches in size; and (2) a top cap of 2 x 6 inches in size. See Diagram at Appendix 10.

Gates in fences may be constructed of the fence material and color, or of iron. If iron is used, it must be painted in glossy black. A glossy black iron fence may be used on either side of an iron gate; for example, a short fence at the side of the house perpendicular to the property line. Gates constructed of wood or approved Sustainable Materials, may have an architectural feature such as a cut out with or without an iron insert.

Wood must be painted or stained to help preserve it from the elements. Staining or painting of wood fences requires prior approval. Semi-transparent, or opaque stains in neutral, earth tones are required. Colorless wood sealing treatments are permitted, but they must be maintained so that an even color is achieved and maintained.

Wood, or approved Sustainable Materials, fences that are placed in the side yards of Single-Family Estates shall be set back a minimum of five feet (5'0") from the Address Elevation adjacent to the location of the fence.

A fence more than four (4) feet in height shall not be out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence. A fence four (4) feet or less in height shall not be more than six (6) inches from the vertical measured at the top of the fence.

Corbels are allowed and shall not exceed the height of the top cap. They are not to exceed one every 8 feet on center, and shall be no more than 4" wide, 12" vertical and 4" deep. The finish of the corbel must match the finish and specific material or species of wood of the fence.

3.06(b) Standard for Approval: Wood Fence Extension

Description: Fence extensions must be of the same materials as the existing fence. The 2x6 Top Cap may be made of approved Sustainable Material on a wood fence.

Materials: Pickets shall be $\frac{3}{4}$ inch thick (actual) minimum, solid lumber or approved Sustainable Materials. Lattice shall be fully framed. Support members shall be 1 $\frac{1}{2}$ inches x 3 inches (actual) minimum.

Construction: The height of any segment of the completed fence and extension shall not exceed eight feet from finished grade.

Location: Fence extensions may be installed on top of existing wood or approved Sustainable Materials fences. Within five feet of a required screening wall, any other fence must be the same height or shorter (refer to section 1.07 and 2.06).

Other: Fence extension color must match the fence color. Painting fences requires approval. If painting is desired the color must be approved, and the paint must be maintained without chips, peeling areas, fading or stains. Semi-transparent or opaque stains in neutral, earth tones can also be used. Colorless wood sealing treatments can also be used and must be maintained so that an even color is achieved and maintained. ~~If a lattice fence extension is desired for screening purposes, vines or climbing plants may be trained only to the lattice structure. Vines shall not be tawn directly on fences without lattice support.~~ Vines or climbing plants are strictly prohibited on Association-maintained brick screening walls or Association property. See Diagram at Appendix 11.

3.06(c) Iron fences

All iron fences and gates shall be black in color with a glossy finish. A vinyl or other approved Sustainable Material iron look alike with a glossy black finish may be used.

If a fence is desired along a water feature, it shall be of iron construction or vinyl or other approved Sustainable Material, painted glossy black and be consistent in appearance with existing fences. The iron fences along the water feature shall be four (4'0") feet tall and shall extend ten (10'0") into the property perpendicularly to the lot line at the water feature. Refer to City Ordinance for pool enclosures.

All iron fences shall be similar in design to the existing iron fences on Estates within the Residential Association.

See Diagram at Appendix 12.

3.06(d) Standard For Approval: Enclosure of Iron Fencing

The objective of this standard is to allow residents to provide a safe enclosure for small pets and retain the look of the iron railing or iron fence.

Description: The reduction of the size of openings in iron picket fences or iron railings.

Materials: Transparent Plexiglas® or other transparent rigid sheet material may be used for ~~lengths of twelve~~ twelve feet or less.—Galvanized wire mesh may be used (grid style not “chicken wire”) with openings no smaller than 2 inches square and must be

painted glossy black to match the existing wrought iron fence. Additional iron pickets may be added on Single Family Estates.

Construction: All materials shall be cleanly cut, securely fastened and finished in a workmanlike manner. Plexiglas ® and wire mesh shall be attached on the face of the fence or railing that is less exposed to Public View.

Location: On any iron picket fence or metal railing except as noted under Materials.

3.06(e) Standard for Approval: Vinyl Fences

Vinyl fences must be designed with the look or woodgrain with non-gloss and matte finish consistent with the pre-approved fence stain colors (no white or two tone vinyl fence colors allowed). Vinyl fences shall be standard fence heights of six feet (6'0") tall to eight feet (8'0") tall. No fence or gate height shall exceed eight feet (8'0") without express written consent from the ARC. Any other fences within five (5'0") feet of a required screening wall shall be the same height or shorter.

Material: Materials for vinyl fences shall be high quality vinyl built to resist weathering and maintain structural integrity with a minimum 15-year warranty.

Height/Construction: The height of any segment of the completed vinyl fence shall not exceed eight feet from finished grade. Vinyl fences must have a top rail but are excluded from the requirement of a top cap requirement set forth in Section 3.06(a).

Location: Vinyl fences are only acceptable for side fences or a back alley fence. If the side fence is a Common Fence, such Owner must first receive written permission from the neighboring Owner.

Other: Vinyl fences placed in the side yards of Single-Family Estates shall be set back at a minimum of five feet (5'0") from the Address Elevation adjacent to the location of the fence.

3.06(f) Security Measures Fencing

ARC Application Required. Before any security measure contemplated by Section 202.023(a) of the Texas Property Code ("**Code**") is constructed or otherwise erected on an Estate, an ARC application must be submitted to Valley Ranch and approved in writing in accordance with the Declaration. The following information must be included with the application:

Type of security measure;

Location of proposed security measure;

General purpose of proposed security measure; and

Proposed construction plans and/or site plan.

Other Applicable Requirements. Owners are encouraged to be aware of the following issues when seeking approval for and installing a security measure:

The location of property lines for the Estate. Each Owner should consider obtaining a survey before installing a security measure;

Easements in the area in which the security measure is to be installed;

Underground utilities in the area in which the security measure is to be installed.

Valley Ranch is not obligated to and will not review an Owner's ARC security measure application for the above-referenced issues. Owners should be aware that a security measure may have to be removed if a person or entity with superior rights to the location of a security measure objects to the placement of the security measure.

Type of Fencing. The Code authorizes Valley Ranch to regulate the type of security measure fencing that an Owner may install on an Estate.

All security measures fencing must be installed in compliance with the fencing provisions contained in Section 3.06 of these Design Guidelines, as amended from time to time.

All security measure fencing must be installed per the manufacturer's specifications and all electric gates must be installed by a licensed electrician in accordance with all applicable codes and applicable governmental regulations.

The ARC shall have the discretion to determine any additional types of approvable or prohibited security measure fencing.

If the proposed security measure fencing is located on one or more shared Lot Lines with adjacent Estate(s) ("Affected Lots"), all Owners of record of the Affected Lots must sign the ARC application evidencing their consent to the security measure fencing before the requesting Owner ("Requesting Owner") submits the ARC application to the ARC. In the event the Affected Lot Owner(s) refuse to sign the ARC application as required by this section, the Affected Lot Owner(s) and Requesting Owner hereby acknowledge and agree that the Association shall have no obligation to participate in the resolution of any resulting dispute in accordance with this Policy.

Location. A security measure may be installed only on an Owner's Estate, and may not be located on, nor encroach on, another Estate, street right-of-way, Association Common Area, or any other property owned or maintained by Valley Ranch. No fence

shall be installed in any manner that would prevent someone from accessing property that they have a right to use/access such as a sidewalk.

Disputes; Disclaimer; Indemnity. In the event of a dispute between Owners or residents regarding security measure fencing, or a dispute between Owners or residents regarding the aim or direction of a security camera or security light, Valley Ranch shall have no obligation to participate in the resolution of the dispute. The dispute shall be resolved solely by and between the Owners or residents.

EACH OWNER AND OCCUPANT OF A LOT WITHIN THE PROPERTY ACKNOWLEDGES AND UNDERSTANDS THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ARC, ARE NOT INSURERS AND THAT EACH OWNER AND OCCUPANT OF ANY DWELLING AND/OR LOT THAT HAS A SECURITY MEASURE THAT HAS BEEN OR WILL BE INSTALLED PURSUANT TO THIS POLICY ASSUMES ALL RISKS FOR LOSS OR DAMAGE TO PERSONS, TO DWELLINGS AND IMPROVEMENTS AND TO THE CONTENTS OF DWELLINGS AND IMPROVEMENTS, AND FURTHER ACKNOWLEDGES THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ARC, HAVE MADE NO REPRESENTATIONS OR WARRANTIES NOR HAS ANY OWNER OR OCCUPANT RELIED UPON ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, RELATIVE TO ANY SECURITY MEASURE THAT MAY BE APPROVED BY THE ARC PURSUANT TO THIS POLICY.

OWNERS OF LOTS WITHIN THE PROPERTY HEREBY AGREE TO INDEMNIFY, PROTECT, HOLD HARMLESS, AND DEFEND (ON DEMAND) THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND COMMITTEE MEMBERS COMPRISING THE ARC (COLLECTIVELY REFERRED TO AS THE "INDEMNIFIED PARTIES") FROM AND AGAINST ALL CLAIMS (INCLUDING WITHOUT LIMITATION CLAIMS BROUGHT BY AN OWNER OR OCCUPANT) IF SUCH CLAIMS ARISE OUT OF OR RELATE TO A SECURITY MEASURE GOVERNED BY THESE GUIDELINES. THIS COVENANT TO INDEMNIFY, HOLD HARMLESS, AND DEFEND INCLUDES (WITHOUT LIMITATION) CLAIMS CAUSED, OR ALLEGED TO BE CAUSED, IN WHOLE OR IN PART BY THE INDEMNIFIED PARTIES' OWN NEGLIGENCE, REGARDLESS OF WHETHER SUCH NEGLIGENCE IS THE SOLE, JOINT, COMPARATIVE OR CONTRIBUTORY CAUSE OF ANY CLAIM.

3.07 Utility Screens

All utility structures, dumpsters and trash containers, meters, **mechanical equipment**, transformers, **generators**, air conditioning units, and condenser units shall be screened from Public View. **Utility structures must be screened year-round with**

evergreen plant materials, approved fences, and/or approved screening measures.

Electric meters on single family Residential structures may be mounted on the side of the home not facing the street, at a minimum of 4' back from the front corner that the meter is mounted on and does not require any further screening. ~~Roof-mounted mechanical equipment is not permitted.~~ All utility piping and wiring shall be buried with the exception of cleanouts which shall be level with the finish grade or screened from view. Exterior wiring for cable must be installed in a workman like manner.

3.08 Flashing and Roof Vents

All flashing shall be painted to match the vertical surface to which it is attached. All roof vents, except those on cedar shake and cedar shingle roofs, shall be painted to match the roof material. All vents through the roof and all other roof penetrations shall be plumb and true.

3.09 Parking

Carports or automobile storage shelters which are not fully enclosed are not permitted in Single-Family Residential Estates and are permitted by variance on Multiple Family Estates. Automobile storage areas shall be consistent on form, color, materials and scale with other Improvements on the Estate which they serve.

All Single-Family Estates shall have parking for four standard automobiles of which two shall be enclosed in a Garage. Each parking space shall be a minimum of 9' 6" wide by 20' 0" long.

3.10 Landscape

The required minimum landscaping for Single-Family Residential Estates is one tree, which must be either a minimum 30 gallon ~~2.5 inch caliper~~ canopy or a 6-8 foot high ornamental tree, in the front yard and minimum 5 gallon shrubs or approved landscape materials at the front Elevation to obscure any exposed edges of the slab and enhance the Estate. Turf grass or an evergreen groundcover is required on all visible areas of the site not paved or otherwise landscaped in an approved manner. Artificial plants are not permitted in areas in Public View on the Estate. Landscape design within all areas Public View of the lot must be approved by the ARC.

~~NOTE: This section of the guidelines was intended for the original construction. See Section 5.00 for revised guidelines applicable to maintenance and renovation of landscaping on single family Residential Estates.~~

The required minimum landscaping, for Multiple Family Estates is one tree pre 1,750 square feet of total tract size. In addition, Multiple Family Estates shall install and maintain an approved landscaped scheme. This approved landscape scheme shall generally obscure parking areas, utilities and other unsightly features from Public View.

3.11 Estate Identification

All Residential Estates shall have an approved house number or other identification plaque in an approved location which is easily visible from the street. All Estates which are accessed or serviced by an Alley shall also have the house number displayed on the house where it is visible from the Alley.

3.12 Drainage

All Estates shall conform to the approved drainage plan for the Subdivision. No Estate or Improvement to any Estate shall drain or be drained to another Estate or to Common Areas except where such drainage is consistent with the approved drainage plan. Any modification or alteration affecting drainage on an Estate must receive prior approval from the ARC.

3.13 Repetition of Facades

Single-Family Estates which have identical elevations, which have similar cornice lines as observed from within the Public View must be separated by three Estates or one hundred fifty feet whichever is greater. Cornice line as used here refers to the line where wall and roof meet, usually defined by fascia boards.

3.14 Vending Machines and Mobile Food Units

Vending machines are not permitted on Single-Family Estates. In addition, permanent or semi-permanent food trucks, mobile food units, or similar vending operations are not permitted to operate or remain stationary ~~Single Family lots~~ in residential areas or on Commercial property parking lots within Valley Ranch.

3.15 Paving Setbacks

Excluding required sidewalks and the connection of driveways to streets or alleys, driveways and other paving shall be set back 3'-0' from the property lines.

3.16 Gutters

All roofed improvements to Residential Estates shall be fully guttered. Estates adjacent to water features or common areas shall have gutters that drain to the adjacent street, not to the water feature or Common Area. At a minimum, downspouts shall carry all of the water which enters the gutter to the ground.

~~Windows and Views~~

~~As determined by the ARC, window types and locations which produce unsightly views either into or out of an Improvement may be denied.~~

3.17 Solar Energy Panels (As provided in Section 202.010 of the Texas Property Code)

Solar energy devices, including any related equipment or system components (collectively, "Solar Panels") may only be installed after receiving the written approval of the Architectural Review Committee.

Solar Panels may not be installed upon or within Common Area or any area which is maintained by the Associations.

Solar Panels may only be installed on designated locations on the roof of a home, on any structure allowed under the Declarations, or within any fenced rear-yard or fence-in patio of the owner's property.

If located on the roof of a home, Solar Panels shall be located on the roof not facing the fronting street unless the owner demonstrates that the location proposed by the owner increases the estimated annual energy production of the Solar Panels, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than 10 percent above the energy production of the Solar Panels if located in an area on the roof requested by the Architectural Review Committee.

If located on the roof of a home, Solar Panels shall:

- (a) Not extend higher than or beyond the roofline;
- (b) Conform to the slope of the roof;
- (c) Have a top edge that is parallel to the roof line; and
- (d) Have a frame, support bracket, or visible piping or wiring that is in a silver, bronze, or black tone commonly available in the marketplace and blends with the color of the roof to the greatest extent possible.

If located in the fenced rear-yard or patio, Solar Panels shall not be taller than the fence line.

The Architectural Review Committee may deny a request for the installation of Solar Panels if it is determined, and such determination is reduced to writing, that the placement of the Solar Panels as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. The Owner may obtain the written approval of the proposed placement of the Solar Panels by all Owners of adjoining property. In this case, the Architectural Review Committee shall approve the installation should it meet all other requirements contained herein unless it determines

that the placement substantially interferes with the use and enjoyment of land of persons other than adjoining landowners.

Any installation of Solar Panels which voids material warranties is not permitted and will be cause for the Solar Panels to be removed by the owner.

Solar Panels must be properly maintained at all times or removed by the owner.

Solar Panels which become non-functioning or inoperable must be removed by the Owner.

Solar Panels are prohibited if a Court determines that the installation thereof violates any law or threatens the public health or safety.

Mounted solar panel support equipment must be screened from Public View.

Solar panels may be installed on any roof elevation if they are low-profile, mounted flush to the surface and use black or bronze-toned frames that blend with the roofing. Rear or side roof placements are preferred, however, front facing roofs are permitted if aesthetic guidelines are met. ARC approval is required in all cases.

Solar Roofing tiles shall be permitted for use on roof surfaces only. ARC approval required.

3.18 Rain Barrels or Rain Water Harvesting Systems (As provided in Section 202.007(d)(6) of the Texas Property Code)

Rain barrels or rain water harvesting systems and related components (collectively, "Rain Barrels") may only be installed after receiving the written approval of the ARC. Section 3.19 is intended and shall also apply to compost barrels or bins and other environmentally friendly composting systems. ~~may be installed after receiving the written approval of ARC.~~

Rain Barrels may not be installed upon or within Common Area or any other property owned by the Associations.

Under no circumstances shall Rain Barrels be installed or located in or on any area within an Estate that is in-between the front of the property owner's home and an adjoining or adjacent street.

The Rain Barrel must be of color that is consistent with the surrounding color scheme of the property. Rain Barrells cannot display any language or other content that is not typically displayed by such a barrel or system as it is manufactured.

Rain Barrels may be located in the side-yard or back-yard of an owner's property so long as these may not be seen from a street, another Estate or any Common Area.

In the event the installation of Rain Barrels in the side-yard or back-yard of an owner's property in compliance with the preceding paragraph is impossible due to the financial hardship resulting from additional costs to be incurred by the owner, the ARC may impose limitations on size and shielding of Rain Barrels with the objective of screening Rain Barrels from Public View to the greatest extent possible.

Rain Barrels must be properly maintained at all times or removed by the owner.

Rain Barrels which become non-functioning or inoperable must be removed by the owner from the Estate.

Rain Barrels which become non-functioning or inoperable must be removed by the owner from the Estate.

4.00 OTHER IMPROVEMENTS

Flagpoles

~~Freestanding flagpoles which conform to the signage guidelines are permitted on Estates with sales trailers or model homes. Flagpoles for Single Family Estates are discussed under Standard for Approved Flagpole on Single Family Estate. Reference 4.09 of the Design Guidelines.~~

4.01 Construction ~~and Temporary Storage Containers~~ Trailers

~~The location of construction trailers, storage and staging areas for building materials and other temporary items related to construction is subject to approval of the ARC.~~

No Estate Owner shall place, or permit the placement of, any portable storage container, roll-off dumpster, storage trailer, commercial container, or similar temporary storage device, including, but not limited to, PODs and similar rental storage containers (individually and collectively, a "Container") on any Estate, Common Area, or public right-of-way except in compliance with this Section.

The location of construction trailers, staging areas for building materials, and any Containers related to construction is subject to approval by the Architectural Review Committee ("ARC").

Containers used solely for move-in or move-out may be placed in the driveway of an Estate without prior ARC approval for one period up to thirty (30) consecutive days within any twelve (12) month period.

Any Container used for move-in or move-out to be placed on an Estate for more than thirty (30) days (or upon exceeding the initial 30-day period), or any Container associated with construction activities regardless of duration, requires prior written approval from the ARC. The Owner must submit a written request detailing the purpose, proposed location, placement dates, and contractor contact information, and must receive written ARC approval before the Container is placed at the Estate.

4.02 Pools, ~~and~~ Spas or Hot Tubs

Pools, spas, hot tubs and other waste water may not be drained into Common Areas, areas maintained by the Association(s) or other Estates.

4.03 Standard For Approval: Pools, Spas or Hot Tubs

Description: Spa or hot tub with less than eighty square feet of water surface area.

Materials: The unit may be prefabricated or may be constructed in place.

Construction: All materials shall be cleanly cut, securely fastened, and finished in a workmanlike manner. No part of the finished installation shall extend more than twenty-four (24) inches above the ground.

Pools and spas shall not be drained onto any Common Area, Association-maintained property, or adjacent Estates. Backwashing of pools into Common Areas or neighboring Estates is strictly prohibited. Pool water shall not be pumped onto Common Areas under any circumstances.

All drainage must be properly managed through a pop-up emitter or gravity-fed system, and discharge shall be diffused to prevent erosion, runoff, or damage to surrounding properties.

~~All materials shall be cleanly cut, securely fastened and finished in a workmanlike manner. No part of the finished installation may be more than twenty four inches above the ground. Pools and spas may not be drained onto Common Area, areas maintained by the Association or other Estates.~~

Location: Outside Public View except that they may be located within rear yards which are visible from the canal and must be minimum of four (4) feet from all property lines.

Other: Above-ground pools are prohibited. ~~unless approved in writing by the ARC.~~ Any structure of enclosure, such as a gazebo, arbor or patio cover, for a spa or hot tub is subject to separate review and ARC approval. Pool and spa equipment shall be screened from Public View.

4.04 Gazebos, Pergolas, Arbors, and other Shade Structures

4.04(a) General

All construction must meet any applicable municipal codes and be completed in a workmanlike manner and shall be well maintained and kept in good repair. Only one (1) of the following freestanding structures will be allowed per Estate. If the structure includes a roof, it must match the Estate roof in both material and color and be designed to facilitate proper rain runoff. ~~Unless specifically approved by the ARC as part of a fully integrated and architecturally compatible design.~~

4.04(b) Gazebo

A gazebo is a freestanding roofed structure usually open on the sides. Plans must be fully detailed (site plan, elevation drawings, materials, colors, etc.) and submitted for review and approval prior to construction. Architecturally, they must be attractive in appearance without an excess of ornamentation and compatible with the style of the house. Construction materials may be cedar or redwood, masonry, stone, other architecturally similar materials or approved Sustainable Materials. All gazebos must be roofed and must match the house roof in style, material, and color. Excessive roof peak ornaments are not allowed. The overall height shall not exceed 12 feet as measured from grade. The overall size shall not exceed 250 square feet. If painted, it must coordinate with and complement the colors of the house.

A gazebo may be located in the side or rear yard only, be installed a minimum of five feet (5'0") from all property lines and must be a minimum of ten feet (10'0") from the residence (Per The City of Irving Code). If necessary, trees will be required for screening, Site compatibility and impact on neighboring properties will be major considerations in the approval process. Only one (1) gazebo per estate is allowed. All proposed modifications and new Improvements must be approved by the ARC.

4.04(c) Pergola/Arbor or Shade Structure

A pergola/arbor is a structure consisting of parallel colonnades supporting an open roof of girders and cross rafters. Plans must be fully detailed (site plan, elevation drawings, materials, colors etc.) and submitted for review and approval prior to construction. Architecturally, all such structures must be attractive in appearance and compatible with the style of the house. Construction materials may be cedar or redwood, masonry, stone, other architecturally similar materials or approved Sustainable Materials. Pergolas/arbors constructed of powder-coated steel frames anchored in concrete and incorporating fabric coverings are approvable under this guideline. Subdued colors are required for solid and patterned fabrics coverings.

If the shade structure is roofed, it shall match the house in style, material and color and must be constructed to facilitate rain runoff. Excessive roof ornamentation is not

allowed. The overall height shall not exceed 12' as measured from grade. The overall size of the shade structure shall not exceed 450 square feet. and shall not exceed maximum allowable lot coverage percentage as per City requirement.

Wood should be treated to help preserve it from the elements. Staining or painting of shade structures requires prior approval. Semi-transparent or opaque stains in neutral, earth tones are suggested. Colorless wood sealing treatments are permitted, but they must be maintained so that a primarily even color is achieved and maintained. If painted, it must coordinate with and complement the colors of the house.

A pergola/arbor or shade structure may be located in the side yard or rear yard only and be a minimum of five feet (5'0") from all property lines. Freestanding structures must be a minimum of ten feet (10'0") from the residence (Per The City of Irving Code). Site compatibility and impact on neighboring properties will be major considerations in the approval process. All proposed construction must be approved by the Architectural Review Committee.

4.04(d) Other Shade Structures

Canvas, polyester or similar materials may be used for retractable awnings over patios, decks, spas etc. Subdued colors are required for solid and patterned fabrics. All awnings must be installed in a workmanlike manner and shall be well maintained and kept in good repair.

4.04(e) Standard For Approval: **Permanent and Portable** Basketball Goal

Description: Pole mounted, roof mounted or wall mounted basketball backboard and goal.

Materials: The backboard shall be transparent Plexiglas® or other transparent material with white regulation markings. The net shall be white, cloth or nylon or other similar material (metal nets not allowed), and the rim shall be orange or painted to match the house. The support bracket shall be metal, and it shall be black or painted to match the house.

Construction: All materials shall be cleanly cut, securely fastened and finished in a workmanlike manner.

Location: Basketball goals must be outside of the Public View except that they may be visible from the Alleys.

Portable basketball goals: Portable basketball goals may be used in other locations, but they must be stored out of Public View when not in actual use. Portable basketball goals must be properly stabilized and the base cannot be piled with rocks, bricks or sandbags. ~~If the base is placed on grass, then it must be edged~~

~~at all times.~~ Portable basketball goals must be submitted to the ARC for approval. Portable basketball goals are subject to the same rules and regulations as mounted goals. These qualifying portable goals must have a transparent backboard as required for permanent pole mounted basketball goals.

Other: The basketball goal (mounted or portable) must be kept in good repair.

- a. Nets replaced when tattered.
- b. Poles painted as needed.
- c. Backboards not missing, broken or cracked

~~Description: Pole mounted, roof mounted or wall mounted basketball backboard and goal.~~

~~Materials: The backboard shall be transparent Plexiglas or other transparent material with white regulation markings. The net shall be white, cloth or nylon or other similar material (metal nets are not allowed), and the rim shall be orange or painted to match the house. The support bracket shall be metal, and it shall be black or painted to match the house.~~

~~Construction: All materials shall be cleanly cut, securely fastened and finished in a workmanlike manner.~~

~~Location: Basketball goals must be outside of the Public View except that they may be visible from the Alleys.~~

~~Other: The goal must be kept in good repair. Portable basketball goals may be used in other locations, but they must be stored out of sight when not in use. Portable basketball goals must be submitted to the ARC for approval. It will be subject to the same rules and regulations as pole mounted goals. If location is approved, the goal does not need to be removed and stored when not in use. These qualifying portable goals must have a transparent backboard as required for permanent pole mounted basketball goals.~~

4.05 Standard For Approval: Flags and Flagpoles On Single-Family Estate (as provided in Chapter 202 of the Texas Property Code)

The flag of the United States must be displayed in accordance with 4 U.S.C. Section 510.

The flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code.

Any freestanding flagpole, or flagpole attached to a dwelling, shall be constructed of permanent, long-lasting materials. The materials used for the flag pole shall be harmonious with the dwelling and have a finish appropriate to the materials used in the construction of the flagpole.

The display of a flag, or the location and construction of the supporting flagpole, shall comply with applicable zoning ordinances, easements, and setbacks of record.

A displayed flag, and the flagpole on which it is flown, shall be maintained in good condition at all times. Any flag that is deteriorated must be replaced or removed. Any flagpole that is structurally unsafe or deteriorated shall be repaired, replaced, or removed.

Only one freestanding flagpole will be allowed per Residential Estate. A flagpole can either be securely attached to the face of the dwelling (no other structure) or be a freestanding flagpole.

The illumination of a flag is allowed so long as it does not create a disturbance to other residents in the community. Solar powered, pole mounted light fixtures are preferred as opposed to ground mounted light fixtures. Compliance with all municipal requirements for electrical ground mounted installations must be certified by Owner. Flag illumination may not shine into another dwelling. Neighbor complaints regarding flag illumination are a basis to prohibit further illumination until Owner resolves complaint.

Flagpoles shall not be installed in Common Area or property maintained by the Associations.

All flagpole installations must receive prior approval from the ARC.

4.05(a) Wall and/or Building Mounted Flags and Poles

Description: Wall mounted brackets for flag and pole. Each Estate is limited to two flags and the approved supports for each.

Materials: The bracket shall be no more than twelve inches long. The pole shall be no longer than six feet and the flags shall be no larger than 4 ft x 6 ft. The flags shall be limited to the United States flag, the State of Texas flag, and an official or replica flag of any branch of the United States armed forces, and may be flown on separate flagpoles when wall mounted. Other flags may be displayed only with the prior approval of the ARC. ~~No other types of flags, pennants, banners, kits or similar types of displays are permitted on a Residential Estate if the display is visible from a street or Common Area.~~

Construction: The bracket shall be securely mounted to a building and shall be no more than six feet above the ground. The bracket shall firmly hold the pole no less than 45 degrees from horizontal.

Location: The flagpole(s) must be located near the front entry of the Estate.

Other: The assembly and the flag must be kept in good repair. The approved flags may also be hung vertically.

4.05(b) Freestanding Flagpoles and Flags

A permanent freestanding flagpole may not exceed 20 feet in height. Temporary flagpoles of no more than ten feet may be used to display the approved flags if they are temporarily installed in the ground or in a sleeve in the ground so that the flagpole is held upright. Any freestanding flagpole must be located within the Estate and no closer than 5 feet from any property line.

Any flag flown or displayed on a freestanding flagpole may be no smaller than 3'x5' and no larger than 4'x6'.

Any freestanding flagpole must be equipped to minimize halyard noise. The preferred method is through the use of an internal halyard system. Alternatively, swivel snap hooks must be covered or "Quiet Halyard" flag snaps installed. Neighbor complaints of noisy halyards are a basis to have flag removed until Owner resolves the noise complaint.

4.06 Standard For Approval: Screen Doors And Storm Doors

Storm doors may contain cross bars and a bottom kick plate. The use of mullions will be at the homeowner's discretion. The finish of the frame must match the finish of the windows. The glass must be transparent. All materials shall be cleanly cut, securely fastened and finished in a workmanlike manner.

Pet entry doors must receive ARC approval.

4.07(a) Standard For Approval: Lattice Panels

Description: Fully framed lattice panels permanently installed on an Estate for the purpose of supporting vining plants.

Materials: Pressure treated lumber, cedar or redwood lumber, or approved Sustainable Materials.

Construction: The lattice panel shall be fully framed by structural members. The edges of the lattice panel shall be hidden from Public View. Each lattice panel unit shall be no larger than 4 ft wide by 8 ft tall.

Location: Lattice panels may be used in side yards or rear yards which are not within Public View. The use of lattice panels in rear yards which are within Public View requires approval. No more than six panels on one Estate are allowed.

Other: The lattice panels and plant materials must be maintained in accordance with the Declaration. Lattice panels may not be stained or painted without approval. See Diagram at Appendix 13.

4.07(b) Lattice Under Decks

Description: Lattice installed beneath elevated decks for the purpose of screening the under-deck area from Public View and enhancing the appearance of the Estate.

Materials: Lattice shall be constructed of pressure-treated lumber, cedar, redwood, painted wood, vinyl, composite, or other approved Sustainable Materials. Materials shall be durable, weather-resistant, and compatible with the design and color scheme of the residence.

Construction: Lattice shall be professionally installed and securely attached to the deck structure. All exposed edges, framing members, and attachment hardware shall be finished in a neat and workmanlike manner. Lattice openings shall generally range from two (2) inches to three (3) inches and may be square or diagonal (diamond) in pattern. Lattice shall be properly framed to provide a finished appearance and shall not appear temporary in nature.

Location: Lattice may be installed beneath rear-yard decks for the purpose of screening the under-deck area and shall not extend beyond the footprint of the deck being screened. Any lattice visible in Public View will require ARC approval.

Color: Lattice and supporting framing shall be painted, stained, or manufactured in colors that complement the residence and existing deck structure. The ARC or the Board of Directors shall have the sole discretion as to what colors complement the residence and existing deck structure

Maintenance: All lattice installations shall be maintained in good condition and free from rot, warping, broken sections, discoloration, or other visible deterioration. Damaged or deteriorated lattice shall be repaired or replaced promptly in accordance with the Declaration and these Design Guidelines.

4.08 Standard For Approval: Wood Decks

Description: Redwood or preservative treated wood or approved Sustainable Materials decking of which no portion of the flooring surface is greater than 18 inches above the existing finish grade of the Estate. No portion of the deck, including handrails, shall extend more than 42 inches above the deck. **Deck railings should be no more 4 inches apart whether wood or black wrought iron. Painted decks and railings must match the trim color on the Estate.**

Materials: Redwood or preservative treated wood or approved Sustainable Materials.

Construction: The deck shall be constructed in a workmanlike manner and shall conform to all applicable city ordinances.

Location: Only within the rear yard or the side yard of the Estate.

Other: All decks shall be kept in good repair. Improvements of this nature shall be consistent in design and scale with the neighborhood and shall be screened with landscaping or otherwise obscured from view as directed by the ARC. As allowed by the ARC, patios and decks may be constructed within the rear yard and side yard setbacks prescribed by the Design Guidelines but may not obstruct maintenance, drainage, or any other Easements.

4.09 Standard For Approval: Play Equipment for Single-Family

Description: The total height can be no more than 12' tall as measured from existing grade. Fence must be raised to 8' tall if required to screen from Public View. Trees or shrubs shall be planted to screen, if necessary, as directed by the ARC.

Materials: Pressure treated timbers, redwood timbers or approved Sustainable Materials assembled in a workmanlike manner. Awnings on play equipment shall be no more than four colors. (examples of approved colors: hunter green, deep maroon, navy blue, golden yellow). Neon colors will not be approved.

Location: Play equipment may be installed only in the rear or the side yard in a location where it is mostly obscured from Public View by landscaping and other Improvements. Play equipment shall be a minimum of 4' from property lines.

Other: On Residential Estates, play equipment such as swing sets, slides, basketball goals, tether ball poles and volleyball courts must be screened from Public View. Platforms elevated more than 24 inches above the ground are not permitted unless written permission is granted from any neighboring Estates whose privacy may be infringed. All play equipment shall be well maintained and in good repair.

4.10 Trampolines

No trampolines or any portion of the trampoline (including safety nets or other such devices) shall be approved that is greater than 10'6" in height. Any equipment must be submitted for approval to the Architectural Review Committee.

Safety nets must be brown, black, or a neutral color with the supports painted in a neutral color. The top railing must also be of a neutral color (examples: dark green or blue). All trampoline equipment shall be a minimum of 4' from property lines and located only within rear and side yards.

Fence must be raised to 8 feet. If necessary, trees must be planted to screen from Public View.

All trampoline equipment shall be well maintained and in good repair.

4.11 Standard for Approval: Site (exterior) Lighting

Description: Low voltage site lighting, floodlights, pole mounted lanterns, and LED programmable lighting. Exposed neon, fiber optic and sodium lighting is not permitted on Residential Estates. The ARC reserves the right to limit the use or amount of site lighting in specific instances.

Materials: A low voltage lighting kit may be installed with the power cable buried. Floodlights may be mounted on the house or in the landscaping beds adjacent to the house. Pole mounted lanterns may be installed in the front yard at least ten feet from the property lines of adjacent Residential Estates. All lighting fixtures shall be dark neutral colors unless otherwise approved by the ARC.

Construction: All lighting must have buried cables, meet City codes, and achieve an attractive, workmanlike result.

Location: Front, side and rear yards of Residential Estates.

Other: Floodlights shall not be directed toward other Residential Estates, Common Areas, or streets. Each Residential Estate is limited to eight total 150 watt floodlights or sixteen low voltage lamps. Each Residential Estate is limited to two post lights in the front yard. Tree lighting (clear or white) is acceptable upon approval by the ARC. The ARC reserves the right to limit the use of excessive exterior lighting on a case-by-case basis given the effect on surrounding areas.

Permanent Exterior LED Lighting; Permanent exterior lighting systems (such as jellyfish or similar app-controlled LED lighting) must be professionally installed, fully concealed within architectural features (e.g., under soffits), and must be submitted to the ARC for prior, written approval. Lighting must not blink flash, scroll, or change colors

in a manner that creates a nuisance to neighboring Residential Estates. Use of such lighting in other than a static, all-white security mode is permitted only during (1) nationally-recognized holidays, (e.g., Fourth of July, Thanksgiving, Rosh Hashanah, Christmas, Diwali, Ramadan, Memorial Day, etc.), may not be turned on prior to dusk, and must be turned off (or returned to static all-white security lighting) each day by 11 p.m. local time; and (2) during private single-day events such as birthdays and private parties, provided during private events colored and flashing modes may not be turned on prior to dusk, and must be turned off (or returned to static all-white security lighting) by 11 pm local time on the day of the event. For national holidays, such lighting may not be in holiday mode more than 30 days prior to, or 21 days after, the holiday. The ARC reserves the right to regulate or prohibit any such installation or lighting behavior it deems a nuisance to neighboring Residential Estates or inconsistent with community standards.

~~Description: Low voltage site lighting, 150 watt floodlights, and pole mounted lanterns.~~

~~Materials: A low voltage lighting kit may be installed with the power cable buried. Floodlights may be mounted on the house or in the landscaping beds adjacent to the house. Pole mounted lanterns may be installed in the front yard at least ten feet from the property lines of adjacent Estates. All lighting fixtures shall be a dark neutral color unless approved by the ARC.~~

~~Construction: Installed in a manner which meets city codes and which achieves an attractive, workmanlike result.~~

~~Location: Front, side and rear yards of Residential Estates.~~

~~Other: floodlights shall not be directed toward other Estates, Common Areas or streets. Each Estate is limited to eight 150 watt floodlights or sixteen low voltage lamps in the front, rear and side yards. Each Estate is limited to two post lights in the front yard. Tree lighting (clear or white) is acceptable upon approval of the ARC. The ARC reserves the right to limit the use of excessive exterior site lighting.~~

~~Permanent exterior lighting systems (such as Jellyfish or similar app controlled LED lighting) must be professionally installed, full concealed within architectural features (e.g. under soffits), and must be submitted to the ARC for prior written approval. Lighting must not blink, flas, scroll or change colors in a manner that creates a nuisance to neighboring Estates. Use of such lighting is permitted only during customary seasonal periods or special events, unless set to static white tone. The ARC reserves the right to regulate or prohibit any such installation or lighting behavior it deems inconsistent with community standards.~~

4.12 Standard For Approval: Curb Cuts With Drain Pipe

Description: Drain outlet to the street.

Materials: PVC pipe and concrete which is similar in color and consistency to existing.

Construction: The pipe should be cut so that it is recessed $\frac{1}{2}$ inch beneath the face of the concrete curb. The concrete shall be shaped so that it continues the surface of the interior of the pipe and follows the silhouette of the existing curb.

Location: Any curb on a Residential Street or Collector Street, as permitted by the respective city.

Other: Approval of the City Department of Streets may be required prior to the removal of an existing curb. See Diagram at Appendix 14.

4.13 Standard For Approval: Awnings

Description: Canvas awnings mounted over exterior windows and entry doors; and tailored to the window or door size.

Materials: Fade resistant canvas stretched on a rigid metal frame. Subdued colors are required for solid and patterned fabric coverings. Any awning must be maintained regularly so as to maintain a clean aesthetic. Any awning that is deteriorated must be promptly repaired or removed.

The awnings must be approved by the ARC.

Construction: The metal frame shall be securely mounted to the house so that the frame is not blown by the wind.

Location: Over exterior windows and entry doors. See Diagram at Appendix 15.

4.14 Yard Signs.

Definition: Small professionally made signs used in front, side, or rear of Residential Estates.

Materials: Professional signs provided by security companies, kindergarten through 12th grade school participation or achievement awards, and good neighbor pet policy reminders.

Location: Security signs should be placed near front entrance and visible to the public. A second sign may be placed at the rear of the Residential Estate. Kindergarten through 12th grade school participation or achievement signs should be placed near the

front entrance. Good neighbor pet policy signs should be placed where the offending neighbor can easily view the sign. Good neighbor pet policy signs shall be no larger than 12 inches by 12 inches and shall be professionally created.

4.15 Religious Displays and Seasonal Decorations

An owner may display or affix on owner's or resident's property or dwelling one or more religious items the display of which is motivated by the owner's or resident's sincere religious belief.

If displaying or affixing of a religious item on the owner's or resident's property or dwelling violates any of the following covenants, then the Valley Ranch Master Association, Inc. ("Association") may remove or require the removal of the item(s) displayed that:

- (a) threaten the public health or safety;
- (b) violate a law other than a law prohibiting the display of religious speech;
- (c) contain language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content;
- (d) is in a location other than the owner's or resident's property or dwelling, i.e., installed on property owned or maintained by the Association, or owned in common by two or more members of the Association;
- (e) is located in violation of any applicable building line, right-of-way, setback, easement; or
- (f) is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or fixture.

Display Parameters:

- a. All religious displays must be located within 5' of the dwelling's frontmost building line.
- b. Displays may not be located within building setbacks.
- c. No portion of the display may extend above the lowest point of the dwelling's front roof line.
- d. All displays must be kept in good repair.
- e. Displays may not exceed 5' in height x 3' in width x 3' in depth.

f. The number of displays is limited to three (3).

g. This paragraph shall not apply to seasonal religious holiday decorations as described below.

h. All religious item displays other than seasonal religious displays must receive prior approval from the ARC prior to installation, except for displays on any exterior door or door frame of the home that are 25 square inches or smaller. For example, and without limitation, no prior permission is required from the Association to place a cross, mezuzah, or other similar religious symbol smaller than 25 square inches on the dwelling's front door or door frame.

i. Seasonal Religious Holiday Decorations: Seasonal religious holiday decorations are temporary decorations commonly associated with a seasonal holiday, such as Christmas or Diwali lighting, Christmas wreaths, and Hanukkah or Kwanzaa seasonal decorations. The ARC or the Board of Directors has the sole discretion to determine what items qualify as seasonal religious holiday decorations. Unless otherwise provided by the Declaration, seasonal religious holiday decorations may be displayed no more than 30 days before and no more than 21 days after the holiday in question.

~~**ARC Application Required.** Before a religious display contemplated by the Texas Property Code is displayed or affixed on an owner's or resident's property, an Architectural Review Committee application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application.~~

~~a. Type and description of religious display;~~

~~b. Site plan indicating the location of the proposed religious display with respect to any application building line, right of way, setback or easement on the owner's or resident's property.~~

~~Notwithstanding the foregoing, the following displays shall not require ARC approval. All other religious displays shall require ARC approval as set forth above.~~

~~a. One or more religious items displayed or affixed on the entry of an owner's or resident's dwelling, not exceeding twenty five (25) square inches, shall not require ARC approval.~~

~~The display or affixing of a religious item on the owner' or resident's property or dwelling is prohibited under the following circumstances:~~

~~The item threatens the public health or safety;~~

~~The item violates a law other than a law prohibiting the display of religious speech;~~

~~The item contains language, graphics or any display that is patently offensive to a passerby for reasons other than its religious content;~~

~~The item violates any building line, right of way, setback or easement that applies to the religious items pursuant to a law or the Association's dedicatory instruments; or~~

~~The item is attached to a traffic control device, street lamp, fire hydrant or utility sign, pole or fixture.~~

4.16 Smart Home Devices

Smart home devices such as exterior video doorbells, cameras, or lighting must be installed in a discreet manner using black or neutral-colored housings. Devices must not face into neighboring yards or be installed in ways that infringe on privacy. ARC approval is required prior to installation of any smart home devices visible from Public View.

4.17 EV Charging Stations

Level 2 electric vehicle (EV) chargers may be installed in driveways provided that all visible conduit is painted to match the surface to which it is affixed. Chargers mounted on exterior walls must be approved by the ARC and screened from Public View. It is the homeowner's responsibility to obtain approval from the appropriate municipal authority.

4.18 Yard Signs

Definition: Small professionally made signs used in front, side, or rear of Residential Estates.

Materials: Professional signs provided by security companies, kindergarten through 12th grade school participation or achievement awards, and good neighbor pet policy reminders.

Location: Security signs should be placed near front entrance and visible to the public. A second sign may be placed at the rear of the Residential Estate. Kindergarten through 12th grade school participation or achievement signs should be placed near the front entrance. Good neighbor pet policy signs should be placed where the offending neighbor can easily view the sign. Good neighbor pet policy signs shall be no larger than 12 inches by 12 inches and shall be professionally created.

5.00 LANDSCAPE GUIDELINES - MAINTENANCE AND RENOVATION

5.01 General

All Estates were originally landscaped following the guidelines laid out for developers of the new Valley Ranch communities. Specific requirements were imposed to assure the Development of attractive neighborhoods with ample trees and other plantings for shade, erosion control, screening and aesthetic considerations. A generation later, the community and its landscape have matured, and the focus of the Landscape Guidelines is now maintenance, conservation, and renovation. [For minimum landscape requirements, refer to Section 3.10 Landscape of the Design Guidelines.](#)

5.02 Common Areas

All Estates, parks, public open spaces and planted areas, except Single-Family Residential Estates, are required to have approved irrigation systems. All areas which are ~~contemplated to be~~ deeded to or to be maintained by the Associations or to any sub-association including areas outside of Screening Walls, areas within Irving Flood Control District III easements at canals, and entry features are required to have approved irrigation systems and approved landscaping which conforms with the character of the Residential Areas of Valley Ranch.

5.03 Earthwork

All landforms shall have a one percent (1%) minimum slope and a ten percent (10%) maximum slope (except berms as noted below). All landforms shall be finished with a smooth surface free from holes, pitting, ruts and bulges. All transitions between slopes shall be smooth and rounded. The approved topography of an Estate must be maintained. Landforms such as drainage swales, slopes and planes shall not be altered without approval.

5.04 Retaining Walls

All retaining walls over three feet tall shall be designed by a registered engineer. Retaining walls in the Public View may be constructed of cast in place concrete faced with stone, stucco or brick in a manner which is consistent with the context of the neighborhood; or of approved precast concrete units in a subdued earth tone color.

5.05 Screening

All required screening shall be accomplished with evergreen plant materials, approved fences, approved buildings and/or approved screening measures (See Section 3.07.)

5.06 Decks, Patios and Patio Covers

Only paving, deck structures, patio covers and awnings which are approved may be constructed or installed. Improvements of this nature shall be consistent in design and scale with the neighborhood. As allowed by the ARC, approved patios and decks may be constructed within the Rear Yard Setback and the Side Yard Setback prescribed by the Design Guidelines. Property owners are advised to review maintenance Easement limitations applicable to their own Estate.

5.07 Foundation Plantings

Single-Family Residential Estates shall have evergreen shrubs or other plants planted to obscure any part of the foundation on the front elevation of the Estate. The Recommended Plant List includes notations on which shrubs are evergreen.

5.08 Bedding Materials

Recommended bedding materials include, but are not limited to, rock or gravel which is clean, withstands crushing, and is larger than 1/4" in diameter. Crushed granite of any size is an additional approved bedding material. Organic materials such as hardwood mulch, pine bark, pine needles or pecan shells may also be utilized. All bedding materials shall be maintained to provide full coverage of the bed and shall be retained by an edging which provides a clean edge to separate bed from adjacent areas. ~~Such coverage of the planting beds with mulch or a stone material serves several purposes; it helps to retain moisture in the soil, keeps the soil cooler in the summer and warmer in the winter, deters weed growth, and presents an attractive appearance to enhanced the plants in the bed.~~

5.09 Standard For Approval: Landscape Edging

Description: Landscape edging to provide a clean break between areas of differing landscaping. Landscape edging may not be required along planting beds and

tree wells so long as a clearly defined edge is consistently maintained in an attractive manner. No weeds or grass may encroach upon the bed or tree well.

~~Description: Landscape edging to provide a clean break between areas of differing landscaping.~~

Materials: Cast-in-place concrete or concrete units designed for landscape edging, continuous metal landscape edging, brick which is designed for contact with ground surfaces, pressure treated landscape timbers, and natural stone may be used for landscape edging.

Construction: Installed in an attractive, professional and workmanlike manner.

Location: On any Residential Estate.

Other Landscape edging must be installed in areas on Residential Estates where a slope or other grading attribute results in or causes soil erosion.

~~Materials: Cast in place concrete or concrete units designed for landscape edging may be used. Continuous metal landscape edging may be used. Brick which is designed for contact with ground surfaces may be used. Pressure treated landscape timbers may be used. Natural stone may be used.~~

~~Construction: Installed in an attractive, workmanlike manner.~~

~~Location: On any Residential Estate.~~

~~Other: Landscape edging is required.~~

5.10 Maintenance

Maintaining landscape in a healthy, attractive state includes, but is not limited to, the following:

5.10(a) Turf lawns must be kept mowed and neatly edged so as to avoid encroaching on adjacent public sidewalks or alleys. Turf lawns must be weed free. Turf grasses under shade trees may not survive in shady conditions, causing the soil around the base of the tree to begining to erode. In these cases, the erosion can be prevented by planting a shade-tolerant ground cover or placing organic mulch around the tree. In either case, edging must be used to contain the mulch or ground cover and prevent further loss of soil.

Artificial turf may be approved by the ARC as a substitute for natural turf grass in certain areas of a residential lot, subject to the following conditions. The objective is to

permit high-quality, natural-looking artificial turf that is aesthetically integrated into the overall landscape design and does not detract from the character of the neighborhood.

All artificial turf must be approved by the ARC prior to installation. The submittal must include a site plan showing the locations and dimensions of the proposed turf area, and a physical sample of the proposed artificial turf product.

Artificial turf is permissible in rear and side yards not visible from Public View. Installation in the front yard is generally discouraged but may be considered by the ARC on a case-by-case basis.

The artificial turf must be of high quality, with a multi-toned, natural appearance that emulates live grass. Monotone, brightly colored, or carpet-like turf is not permitted. The turf must be UV-resistant to prevent fading and made from durable, permeable material that allows for proper drainage. A minimum pile height of 1.5 inches is required.

Installation must be performed in a professional, workmanlike manner. The turf must be securely fastened at the edges and seams, which must be inconspicuous. The sub-base must be properly prepared to ensure a smooth, even surface and adequate drainage. A border, such as landscape edging or a concrete mow strip, is required to provide a clean transition to adjacent surfaces.

Artificial turf must be kept in good condition, free of weeds, debris, stains, and visible damage. The owner is responsible for all maintenance and for ensuring the turf does not become a nuisance to neighboring properties.

5.10(b) Hedges, shrubs, and trees are not to be planted in Estate parkways (the area between the street and the sidewalk) nor in the alleyways by Estate Owner (the area between your fence and the alley).

5.10(c) Shrubs planted on the Estate side of the sidewalk should be trimmed and maintained so as to avoid encroaching on adjoining public sidewalks and alleys. When planting new plant materials, the expected size of the plant at maturity should be taken into account for long term maintenance. The Recommended Plant List includes the projected mature size of trees and shrubs.

5.10(d) Tree branches that extend over a public sidewalk must allow for 8 feet of vertical clearance above the sidewalk.

5.10(e) Any planted materials that die should be removed promptly and completely. If the plant is a part of the required foundation plantings of evergreens, or a required tree, it must be replaced as soon as possible. A canopy tree that dies or is removed may be replaced by a smaller ornamental tree but must be submitted to the ARC for prior approval.

5.10(f) Soil that washes from an Estate onto a public sidewalk must be promptly removed by the Owner.

~~Turf grasses under shade trees may not survive in shady conditions, causing the soil around the base of the tree to being to erode. In these cases, the erosion can be prevented by planting a shade tolerant ground cover or placing organic cover to prevent further loss of soil.~~

5.10(g) Lifestyle accessories or ornaments, including but not limited to, flower containers or pots, planters, globes, gnomes, spinners, yard art, birdhouses, fountains, sculpture, statues, urns and such must not be placed upon a public sidewalk. Statuary, fountains or birdbaths must be placed within flowerbeds areas. The maximum number of lifestyle accessories or ornaments that may be displayed, located or installed on the Estates shall be three (3) items. ARC approval is required if the item is larger than 36 inches in any dimension.

~~Planters, flowerpots, urns, and such and such must not be placed upon public sidewalk. Statuary fountains or bird baths must be placed within flowerbeds, areas, excessive use of these decorative items will not be allowed and require ARC approval if larger than 36 inches in any dimension.~~

5.10(h) Tree pruning is required on a regular basis to keep trees well-maintained and healthy. Trees must be maintained to protect the overall health and appearance of the tree and in accordance with the ANSI (American National Standards Institute) standards for tree care. Pruning standards recognize four (4) basic methods for pruning: (1) clean – requires removal of any part that is dead, diseased, and/or broken branches, (2) thin – requires reduction of density of live branches, (3) raise – provide vertical clearance, and (4) reduce – decrease height and/or spread.

Severe tree hacking and tree topping (removing whole tops of trees or large branches and/or trunks from the tops of trees) are not approvable forms of pruning. Please contact the Association's office for other forms of acceptable pruning. Visible recovery of the tree should begin within one growing season or removal and/or replacement may be required.

5.11 Plant Materials

The ARC provides a listing of Recommended Plants (Trees, Shrubs and Groundcovers). These planting materials have been recommended by horticultural and arborological experts for the suitability for the Valley Ranch soil and climate conditions. This list includes notes as to the approximate mature height and width of trees and shrubs, plus notations as to specific properties of plants (for example, evergreen or deciduous). In addition, there is a list of Plants Not Recommended for Valley Ranch and the reasons they are undesirable. The purpose of these lists is to provide guidance to

homeowners in selecting trees and shrubs that have a good chance to thrive in Valley Ranch.

LANDSCAPE PLANTS RECOMMENDED FOR VALLEY RANCH

This list of recommended plants is neither a guarantee that a listed plant will thrive, nor a prohibition against any plant not listed.

ARC Approval is required prior to new installation of all plantings, with exception to seasonal color bedding plants.

Key: X = Outstanding North Texas Plant!
 E = Evergreen
 Se = Semi-evergreen
 D = Deciduous

TREES				
Key	Common Name	Botanical Name	Mature Size	Light Requirement
E	Afghan Pine	<i>Pinus eldarica</i>	ht 50' x wd 30'	Sun
DX	Big Tooth Maple	<i>Acer grandidentatum</i>	ht 45' x wd 30'	Sun
D	Bur Oak	<i>Quercus microfarad</i>	ht 60' x wd 40'	Sun
DX	Caddo Maple	<i>Acer barbatum</i>	ht 60' x wd 50'	Sun
DX	Cedar Elm	<i>Ulmus Crassifolia</i>	ht 50' x wd 40'	Sun
DX	Chinquapin Oak	<i>Quercus muehlenbergii</i>	ht 65' x wd 40'	Sun
DX	Chinese Pistachio	<i>Pistacia Chinensis</i>	ht 40' x wd 30'	Sun
DX	Crepe Myrtle	<i>Lagerstroemia Indica</i>	ht 20' x wd 15'	Sun
DX	Deciduous Holly	<i>Ilex deciduas</i>	ht 12' x wd 8'	Sun/P Shade
E	Deodara Cedar	<i>Cedrus Deodara</i>	ht 50' x wd 30'	Sun
D	Desert Willow	<i>Chilopsis linearis</i>	ht 15' x wd 10'	Sun
D	Forest Pansy Redbud	<i>Cercis Canadensis</i>	ht 20' x wd 15'	Shade
DX	Goldenrain Tree	<i>Koelreuteria paniculata</i>	ht 25' x wd 25'	Sun
E	Japanese Black Pine	<i>Pinus Thunbergiana</i>	ht 20' x wd 15'	Sun
DX	Japanese Maple	<i>acer palmatum</i>	ht 12' x wd 10'	Shade
SeX	Lacy Oak	<i>Querus Glaucbides</i>	ht 25' x wd 20'	Sun
D	Lacebark Elm (CRR)	<i>Ulmus parvifolia</i>	ht 50' x wd 35'	Sun
E	Little Gem Magnolia	<i>Magnolia grand flora</i>	ht 10' x wd 8'	Sun
EX	Live Oak Southern	<i>Quercus Virgiana</i>	ht 50' x wd 75'	Sun
D	Mexican Plum	<i>Prunus Mexicana</i>	ht 20' x wd 20'	Sun/P Shade
E	Nelly R. Stevens	<i>Ilex Cornuta "Nellie R. Stevens"</i>	ht 10' x wd 8'	Sun
DX	Oklahoma Redbud	<i>Cercis Canadensis var.texensis OK</i>	ht 20' x wd 15'	Sun
D	Osage Orange	<i>Maclura pomifera</i>	ht 50' x wd 40'	Sun
DX	Shantung Maple	<i>Acer trurcatum</i>	ht 25' x wd 20'	Sun/P Shade
E	Southern Magnolia	<i>Magnolia grand flora</i>	ht 50' x wd 30'	Sun

X	Texas Red Oak	<i>Quercus bukleyi</i>	ht 30' x wd 30'	Sun
E	Yaupon Holly female	<i>Ilex Vomitoria</i>	ht 15' x wd 10'	Sun
D	Shumard Red Oak	<i>Quercus Shumardi</i>	ht 80' x wd 40'	Sun
SHRUBS - All required shrubs must be 5 gallon minimum				
Key	Common Name	Botanical Name	Mature Size	Light Requirement
E	Agarita	<i>Mahonia trifoliolata</i>	ht 6' x wd 4'	Sun
EX	Blue Point Juniper	<i>Juniperus chinensis</i>	ht 15' x wd 15'	Sun
EX	Carissa Holly	<i>Ilex cornuta Carissa</i>	ht 3' x wd 4'	Sun/Shade
E	Chinese Holly Dwarf	<i>Ilex cornuta rotunda</i>	ht 3' x wd 3'	Sun/Shade
EX	Cleyera	<i>Ternstroemia gymnathera</i>	ht 5' x wd 5'	Sun/P Shade
E	Compact Nandina	<i>Nandina domestica compacta</i>	ht 4.5' x wd 4'	Sun/Shade
E	Compact Pfitzer Jun.	<i>Juniperus chinensis</i>	ht 4' x wd 6'	Sun
D	Crape Myrtle	<i>Lagerstroemia indica (dwarf)</i>	ht 3' x wd 3'	Sun
DX	Crepe Myrtle	<i>Lagerstroemia indica</i>	ht 4.5' x wd 4.5	Sun
D	Crepe Myrtle	<i>Lagerstroemia indica</i>	ht 12' x wd 8'	Sun
DX	Crimson Pygmy Bar.	<i>Bergeris thunbergii</i>	ht 2' x wd 3'	Sun
EX	Dwarf Burford Hol.	<i>Ilex cornuda Burfordii Nana</i>	ht 5' x wd 3'	Sun/Shade
D	Dwarf Burning Bush	<i>Euonymus alata compacta</i>	ht 4' x wd 5'	Sun/P Shade
E	Dwarf Indian	<i>Raphiolepis indica</i>	ht 3.5' x wd 4'	Sun/P Shade
EX	Ebbinges Silverberry	<i>Elaeagnus x ebbingei</i>	ht 3' x wd 3'	Sun/P Shade
SeX	Edward Goucher	<i>Abelia cv. Edward Goucher</i>	ht 3.5' x wd 4'	Sun/P Shade
D	Flowering Quince	<i>Chaenomeles Speciosa</i>	ht 5' x wd 6'	Sun/P Shade
D	Forsythia	<i>Forsythia x intermedia</i>	ht 6' x wd 5'	Sun
E	Foster's Holly	<i>Ilex x attenuata Fosteri</i>	ht 9' x wd 6'	Sun/P Shade
SeX	Glossy Abelia	<i>Abelia x Grandiflora (dwarf)</i>	ht 3' x wd 2'	Sun/P Shade
SeX	Glossy Abelia	<i>Abelia x Grandiflora</i>	ht 6' x wd 5'	Sun
EX	Hollywood Juniper	<i>Juniperus Chinensi Torulosa</i>	ht 10' x wd 5'	Sun
SE	Honeysuckle	<i>Lonicera sp.</i>	ht 3' x wd 5'	Sun
E	Horizontal Juniper	<i>Juniperus Horizontalis</i>	ht 1.5' x wd 4'	Sun/P Shade
EX	Japanese Aucuba	<i>Aucuba japonica cultioars</i>	ht 4' x wd 4'	Shade
E	Japanese Garden Jun.	<i>Juniperus chinensis</i>	ht 2' x wd 5'	Sun
E	Mary Nell Holly	<i>Ilex cv Mary Nell</i>	ht 15, wd 10'	Sun
EX	Nandina (Dwarf)	<i>Nandina Domestica (dwarf)</i>	ht 2' x wd 2.5'	Sun/Shade
EX	Nandina domestica	<i>Nandina Domestica</i>	ht 6' x wd 4'	Sun/P Shade
EX	Nelly R. Stevens	<i>Ilex Cornuta "Nelly R. Stevens"</i>	ht 10' x wd 10'	Sun/Shade

E	Oregon Grape	<i>Mahonia Aquilifolium</i>	ht 4' x wd 4'	Sun/P Shade
E	Pfitzer Juniper	<i>Juniperus chinensis</i>	ht 6' x wd 9'	Sun
DX	Purp. Leaf Jap.	<i>Berberis Thunbergii</i>	ht 5' x wd 4'	Sun/P shade
DX	Rose of Sharon	<i>Hibiscus Syriacus cv.</i>	ht 8' x wd 5'	Sun
E	Shore Juniper	<i>Juniperus conferta</i>	ht 1.5' x wd 4'	Sun
E	Variiegated Privet	<i>Ligustrum Quihoui</i>	ht 8' x wd 6'	Sun
D	Vanhoutte Spiraea	<i>Spiraea X vanhouttei</i>	ht 6' x wd 5'	Sun
E	Wax Myrtle	<i>Myrica Cerifera</i>	ht 20' x wd 10'	Sun
E	Winter Honeysuckle	<i>Lonicera Fragrantissima</i>	ht 6' x wd 6'	Sun/Shade
E	Yaupon Holly	<i>Ilex Vomitoria Nana</i>	ht 2' x wd 3'	Sun/Shade
EX	Yaupon Holly	<i>Ilex vomitoria</i>	ht 10' x wd 6'	Sun/Shade
GROUNDCOVERS (All are evergreen) – All groundcover must be 4" pots minimum installed at 12" on center maximum.				
Key	Common Name	Botanical Name	Mature Size	Light Requirement
	Ajuga	<i>Ajuga reptans</i>	ht 4' x wd 3"	Shade
X	Asiatic Jasmine	<i>Trachelelospermum asiaticum</i>	ht 1.5' x wd 1'	Sun/shade
X	Dwarf Lily turf Mondo	<i>Ophiopogon Japonicus</i>	ht 9' x wd 1.5'	Shade
X	English Ivy	<i>Hedera Helix</i>	ht 10' x wd 1'	Shade
	Gray Santolina	<i>Santolina Chamaecyparissus</i>	ht 1.5' x wd 2'	Sun
	Horizontal Juniper	<i>Juniperus Horizontalis</i>	ht 1.5' x wd 2'	
	Japanese Purple Honeysuckle	<i>Lonicera Japonica "Purpurea"</i>	ht 2' x wd 2'	Sun/Shade
	Lily Turf	<i>Liriope Muscari</i>	ht 10" x wd 12 - 20"	Sun/Shade
	Lily Turf	<i>Liriope Spicata</i>	ht 1.5' x wd 1'	Sun/Shade
	Periwinkle or Vinca	<i>Vinca Major</i>	ht 1' x wd 1.5'	Shade
	Purpleleaf Wintercreeper	<i>Euonymus Fortunei "Coloratus"</i>	ht 2' x wd 1'	Sun/Shade
	Virginia Creeper			
	PALMS (tree form)			
	Green fan palm	<i>Sabal Mexicana</i>	ht 40' x wd 18'	Sun/P shade
	Light Green Fan Palm	<i>Washingtonia filifera</i>	ht 40' x wd 18'	Sun
	Chinese Windmill	<i>Trachycarpus fortunei</i>	ht 30' x wd 10'	Sun/P shade
	Powder Blue Fan Palm	<i>Brahia armata</i>	ht 25' x wd 8'	Sun
	Jelly or Pindo Palm	<i>Butia capitata</i>	ht 15' x wd 10'	Sun/P shade
	PALMS (shrub form)			
	Mediterranean Fan	<i>Chamaerops humilis</i>	ht 8' x wd 12'	Sun/P shade
	Needle Palm	<i>Rhadidiophyllum histrix</i>	ht 6' x wd 6'	Sun/Shade
	Dallas's Best Palm	<i>Sabal Minor</i>	ht 4' x wd 6'	Sun/Shade

TURF (lawn) GRASSES	
All areas of each Estate not paved or otherwise landscaped with flower beds, shrubs or groundcovers should be planted with turf grass.	
Buffalo Grass is highly recommended for its favorable growth habits, low water requirements and drought resistance. All grass areas should be sodded, hydromulched or otherwise installed to achieve full and permanent coverage within 60 days. Buffalo grass shall be planted to achieve full coverage in 90 days.	
Common Name	Botanical Name
Buffalo Grass	<i>Buchloe Dactyloides</i>
Bermuda Grass (including hybrids)	<i>Cynodon Dactylon</i>
Fescue <u>Grass</u>	<i>Fescue spp.</i>
St. Augustine <u>Grass</u>	<i>Stenotaphrum Secundatum</i>
Zoysia <u>Grass</u>	<i>Zoysia spp.</i>

PLANTS NOT RECOMMENDED FOR PLANTING IN VALLEY RANCH

Some trees and shrubs are not recommended for planting in North Texas for a variety of reasons.

Common Name	Botanical Name	Notes
Siberian Elm	<i>Ulmas Pumila</i>	This tree is also incorrectly called a Chinese Elm. It is subject to a wide variety of disease and insect problems. (Insects: elm leaf beetles, wet wood borers. Diseases: cotton root rot, anthracnose, and many others.)
Honey Locust	<i>Gleditsia triacthnos</i>	Has large, sharp thorns about 4" long all along the trunk and branches. Suffers frequent limb dieback and is susceptible to mimosa webworm in the summer. Also susceptible to cotton root rot.
Chinaberry	<i>Melia azedarach</i>	Its limbs are the most brittle of any tree grown in Texas, so ice storms are particularly destructive to Chinaberry trees. The near certainty of ice storms in our area makes this tree a poor investment in the landscape.

Arizona Ash	<i>Fraxinus velutina</i>	Native to far west Texas, this tree is very susceptible to borers, so its life expectancy is short. Also susceptible to spring-occurring fungus, anthracnose, which can cause leaf drop. Texas A&M Horticulture Dept. advice: “You have never seen that species of tree listed as a recommended variety for this area, and there are some real good reasons.
Mimosa	<i>Various cultivars</i>	This is a messy tree in a confined area such as a yard. Most of the root system grows from two or three large diameter roots originating at the base of the trunk. These roots can raise sidewalks and patios. Further, Mimosa (vascular) wilt is becoming more widespread and has killed off many roadside trees.
Poplar	<i>Populus deltoides var</i>	This is a short lived tree with extremely destructive root systems. It is susceptible to diseases like cotton root rot and scale. It is dangerous due to large and tall limbs which can break easily, causing property damage and injury.
Catalpa	<i>Catalpa bignonioides</i>	This is a very large tree with extremely large leaves and long seedpods, which make it very messy in the landscape. It is also highly susceptible to the Sphinx Moth, which regularly defoliates the tree. It also tends to lose leaves throughout the summer in zone 8, which is our climate zone. In addition, the very thin bark is easily damaged by mowers and weed-eaters.
Bamboo	<i>All varieties</i>	Bamboo is <i>extremely</i> invasive and difficult to contain. Once established, it can choke out all the desirable vegetation around, and even grow through a tiny crack in a patio or sidewalk, eventually destroying the pavement.

Weeping Willow Silver Maple Bradford Pear Hackberry Fruitless Mulberry Cottonwood		These miscellaneous problem trees have one or more of the following problems: weak wood, prone to breakage even in mild wind; excessive water demands; susceptibility to aphid borers and lacebugs; poor branch structure leading to breakage; susceptibility to cotton root rot invasive habit; short life span.
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ADDITIONAL GUIDELINES APPLICABLE TO
MULTI-FAMILY PROPERTIES

6.00 ADDITIONAL GUIDELINES APPLICABLE TO MULTI-FAMILY PROPERTIES

6.01 Building Coverage.

Building coverage of an Estate will be considered on an individual basis by the ARC when the site plan is submitted for approval.

6.02 Grading and Drainage.

All structures will be equipped with gutters, downspouts, and/or other drainage conveyances. Gutter downspouts shall be at a location and of material acceptable to the ARC. Conveyance of water from downspout shall be via underground storm sewers or via concrete flumes or paving. No downspout water shall be deposited directly onto landscaped areas or into open ditches, including roof and surface drainage of the Property. Neither the Master, Residential, nor Commercial Associations, their successors or assigns, shall be liable for any loss of use of, or damage done to any shrubbery, trees, flowers, improvements, fences, walks, sidewalks, driveways or buildings of any type (or the contents thereof) within the Property caused by any water levels, rising waters or drainage waters.

6.03 Setback Lines.

All structures shall comply with the then-applicable City of Irving or City of Coppell zoning codes with respect to setback lines. In addition, no structure of any kind and no part thereof shall be placed with or upon the following setback lines:

6.03(a) Front Setback.

Any building or other structures located south of Ranch Trail on MacArthur Boulevard shall have a setback of at least 50 feet. Building setbacks are measured from the property line. Any building or other structure on Valley Ranch Parkway, Ranch Trail or MacArthur Boulevard north of Ranch Trail shall have a setback of at least 35 feet. The setback on all other streets shall be at least 25 feet, unless otherwise approved in writing by the Architectural Review Committee.

6.03(b) Side Setbacks.

Minimum side setbacks shall be 10 feet, except when a street is at the side of a building, and in that case, the front setback, as prescribed herein, for that street, shall be observed. Side setbacks should be arranged to minimize unusable land and areas difficult to maintain. Side setbacks should be sufficiently large to provide room for expansion, parking, landscaping, and/or space adequate for fire and police protection.

6.03(c) Rear Setback.

No minimum setback shall be required from rear property lines except that structures on adjacent properties shall be no closer than 20 feet (or applicable city fire codes and/or city ordinances), with such are being permanently unobstructed on the Subdivision plat, such indicated building line shall determine set back.

6.03(d) Exclusions.

The following Improvements are expressly excluded from the front, side and rear setback restriction:

- (1) Structures below and covered by the ground where such structures will not interfere with the provision of underground utilities.
- (2) Steps, walkways, driveways and curbing.
- (3) Planters, walls, fences or hedges, not to exceed 4 feet in height, starting a minimum of 35 feet from curb.
- (4) Landscaping. landscaped earthen berms starting a minimum of 35 feet from curb.

6.03(e) Setback Variances.

In the event that the ARC determines that a lesser setback is desirable to achieve a special architectural design that is compatible with the character of the surrounding area, then such lesser setback may be allowed if specifically approved in writing by the ARC.

6.04 Plans.

All plans and specifications submitted to the ARC shall include specific information as to construction materials, construction methods to be used, diagrams of the number, type and configuration of parking spaces necessary, and other information as necessary to show conformity with the standards of Valley Ranch.

6.05 Parking Requirements.

Parking areas shall:

- (A) Be paved with concrete or other materials approved in writing by the ARC and shall be curbed and guttered with concrete specifications submitted to be approved by the ARC in writing.

(B) Be sufficient to accommodate all parking needs for employees, company vehicles, residents and visitors without the use of on-street parking. If parking needs to be increased, additional off-street parking shall be provided by the Owner.

(C) Be located at the sides or rear of buildings. Parking may also be allowed in front of the buildings if setback and landscaping provision are approved in writing by the ARC. See Section 6.05(G), below.

(D) Be provided in accordance with the minimum guidelines of any applicable municipal or other governmental code, unless otherwise approved in writing by the ARC.

(E) Not be permitted within the minimum front or side building setbacks or within five (5) feet of a rear property line, unless otherwise approved in writing by the ARC.

(F) Have a maximum grade slope of 10% and a minimum of 1%.

(G) Be landscaped to provide visual relief and screened by Public View. Plans for such landscaping shall be included with plans that must be submitted to the ARC for approval pursuant to Article XI of the Master Declaration.

(H) Driveways and Access Easements. All driveways shall be a width approved in writing by the ARC and shall be permanently paved, curbed and guttered. The number and location of the curb cuts and median cuts shall be reviewed by the ARC.

(I) Landscaping in parking areas shall conform to Section 6.06 herein.

6.06 Landscape.

6.06(a) Plans.

Landscaping plans shall be submitted to and approved by the ARC prior to final approval of any building structure or other Improvement that is to be erected, placed or altered upon any lot within Valley Ranch. Plans shall include plant material, landscape construction to be installed on the site and complete plans for an underground irrigation system. If, in the opinion of the ARC, the landscaping plans are not required for the approval of the site plan, the landscape plans may be submitted on a date approved in writing by the ARC. See Section 5 herein for Recommended Tree List.

The required minimum landscaping for Multiple Family Estates is one tree per 1,750 square feet of total tract size. In addition, Multiple Family Estates shall install and maintain an approved landscaped scheme. This approved landscape scheme shall generally obscure parking areas, utilities, and other unsightly features from Public View.

6.06(b) Landscape Area.

Landscaping shall be located in all areas except sidewalk, building, parking, and Improvements.

6.06(c) Installation.

Landscaping in accordance with the plans submitted and approved by the ARC must be installed prior to issuance of Certificate of Compliance by the Association.

6.06(d) Landscape Treatment.

Landscape treatment of the site shall be in the form of grass lawns and ground covers, shade trees in parking areas, street trees, plantings in the areas used as dividers and in any areas of limited use. Landscaping shall be used to mark entrance points and parking areas. It shall be used to shield or define service areas and property divisions and to enhance building scale and forms.

6.06(e) Irrigation System.

An underground lawn irrigation system shall be installed in all landscaped areas, and requires pre-approval of the ARC before installation. Irrigation systems must be in compliance with city and state codes.

6.06(f) Turf Grass.

All sites shall have properly maintained turf grass along front or side of each property between the street curb and the property line.

6.06(g) Undeveloped Property.

Owners of undeveloped property shall maintain such property in accordance with the requirements of the Declarations and any applicable municipal or other governmental codes.

6.06(h) Sight Lines.

Landscape treatment shall not interfere with sight line requirements at street or driveway intersections.

6.06(i) Review.

All landscaping treatment, including vegetation types, sizes and spacing; and berm location, height and slope, shall be subject to the review and written approval of the ARC. See Section 5 for Recommended Tree List.

6.06(j) Sculpture, Etc.

All exterior sculptures, fountains and like accessories are subject to written approval by the ARC prior to installation.

6.07 Screening; Garbage; Trash and Service Facilities.

6.07(a) Screening and Maintenance.

Storage areas, incinerators, storage tanks, trucks based on the premises, roof objects (including fans, vents, cooling towers, skylights and all roof-mounted equipment which rises above the roof line), trash containers and maintenance facilities, shall either be housed in closed buildings or otherwise completely screened from Public View in a manner and at a location approved in writing by the ARC. Such screening shall include landscaping and permanent walls of brick, wood, Sustainable Materials, or other approved materials, and are located as far from adjacent residential boundary lines as reasonably possible. Permanent walls shall have a wood gate to close the service side.

6.07(b) Review.

A plan showing the location and screening of all exterior utility meters, transformers, and other exterior mechanical equipment must be approved in writing by the ARC.

6.08. Building Service Areas.

6.08(a) Location.

Building service areas shall not be located on the street side of any building or structure.

6.08(b) Setbacks.

Building service areas may not encroach on setback areas.

6.08(c) Screening.

Service areas shall be screened from Public View in a manner approved in writing by the ARC. Lighting shall be compatible throughout the entire

Development and shall be in keeping with specific functions, life safety and quiet enjoyment and building type served. All exterior illumination shall be non-apparent from adjacent properties.

6.09 Building Design.

The objective in building standards is to obtain consistency and quality in architectural design to protect and enhance values of the Property. In order to maintain constancy yet permit interest and variety and the use of new materials as they may develop, all architectural designs, including those for alterations, additions, or remodeling, are subject to prior review and written approval by the ARC. Buildings should be considered as three dimensional objects and attention should be given to the compatible treatment of all exterior surfaces.

6.10 Construction Standards.

All Multi-Family structures shall meet the following standards:

6.10(a) Exterior Building Materials.

Exterior building materials and colors should conform to existing structures and must be approved by the ARC.

6.10(b) Foundations.

The foundation system shall be designed by a registered professional engineer based on recommendations given in a written soil report prepared by a qualified soil-engineering firm. No excavation shall be made except in conjunction with the construction of an Improvement. When such Improvement is completed, all exposed openings shall be back filled and graded.

6.10(c) Swimming Pools.

Swimming pools shall be designed in utilizing the recommendations given by the soils engineer with surface and subsurface drainage provided. Site plan considerations must be given to noise and appearance to neighborhood.

6.10(d) Roofs.

The building roof design, construction and height shall be approved in writing by the ARC. Any mechanical equipment located on the roof must be screened from Public View on all sides.

6.10(e) Fences.

No fence, wall or hedge shall be erected, placed or altered without approval of the ARC in writing.

6.10(f) Utilities.

(1) Improvements shall be connected to the water and sewer lines as soon as practicable after same are available. No privy, cesspool, or septic tank shall be placed or maintained upon any property. The installation and use of propane, butane, LP Gas or other gas tank, bottle or cylinder of any type shall require the prior written approval of the ARC.

A general utility plan for the construction plan for the construction and installation of all utility and other services, including, but not limited to, water, sanitary sewer, storm sewer, electric, telephone, cable and gas services must be submitted to and approved by the ARC prior to installation. Any damages to Common Areas or R.O.W. will be repaired within five (5) days at the expense of the owner.

6.10(g) Paint.

All painted Improvements and other painted structures shall be repainted by the Owner thereof at his sole cost and expense as often as is reasonably necessary to ensure the attractiveness and aesthetic quality of such improvements. All exterior color selections will require ARC approval prior to painting on any portion of the Estate. Repainting any portion of the Estate with the same previously approved colors does not require ARC approval.

6.10(h) Construction Period.

Prior to commencement of construction, a construction schedule shall be approved by the ARC.

6.11 Signs.

The location and design of all signs must be approved in writing by the ARC and should conform to the Design Guidelines promulgated by the ARC. For Multi-Family:

- (a) One monument sign on each major entrance frontage not located within Common Area landscape or utility easement. Maximum size shall be 6 feet high and 8 feet wide.
- (b) One logo allowed on either the monument or building as long as the logo is to scale and is consistent in format.

6.12 Easements; Utilities.

Easements and access easements for the maintenance of the property are reserved as shown on various recorded Subdivision plats covering the Property of or portions thereof. Temporary construction easements are further reserved across the Property to permit the Development work to be performed by or on behalf of Declarant. Easements for ingress and egress are reserved as shown on various recorded Subdivision plats covering the Property of or portions thereof.

6.13 Banners.

Any Multi-Family property requesting approval for temporary signage must submit a written request to the ARC PRIOR TO installation. Should approval be granted by the ARC, the maximum length of time permitted for banner or other temporary sign is two times per year, for fourteen (14) calendar days each time. Maximum size is seventy (70) square feet, white background and single color lettering. The banners must comply with all municipal requirements.

6.14. Weekend Signage.

Any Multi-Family property wishing to display temporary, weekend signage must obtain approval from the ARC. Weekend signage for leasing must include the Valley Ranch logo. Only two signs may be placed in the Multi-Family property right of way. Maximum size is 18 inches by 24 inches. Signs may be installed as early as 7:00 a.m. Friday and must be removed by 7:00 p.m. Sunday. Any signs installed outside of approved hours will be removed.

6.15. Inflatables.

- (a) Maximum inflatable height of 12 feet;
- (b) Inflatable placement is to be inside the Multi-Family boundary.
- (c) All inflatable's will be submitted to the ARC for approval; and
- (d) All inflatable's have a limit of fourteen (14) consecutive days, three (3) times during a year.
- (e) All inflatables must conform to applicable municipal and other governmental codes.

6.16 Flagpoles, Flags, and Illumination (as provided in Chapter 202 of the Texas Property Code).

The flag of the United States must be displayed in accordance with 4 U.S.C. Section 5-10.

The flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code.

Any freestanding flagpole shall be constructed of permanent, long-lasting materials. The materials used for the flagpole shall be harmonious with the dwelling and have a finish appropriate to the materials used in the construction of the flagpole.

The display of a flag, or the location and construction of the supporting flagpole, shall comply with applicable zoning ordinances, easements, and setbacks of record.

A displayed flag, and the flagpole on which it is flown, shall be maintained in good condition at all times. Any flag that is deteriorated must be replaced or removed. Any flagpole that is structurally unsafe or deteriorated shall be repaired, replaced, or removed.

The illumination of a flag is allowed so long as it does not create a disturbance to other residents in the community. Solar powered, pole mounted light fixtures are preferred as opposed to ground mounted light fixtures. Compliance with all municipal requirements for electrical ground mounted installations must be certified by Owner. Flag illumination may not shine into another dwelling. Neighbor complaints regarding flag illumination are a basis to prohibit further illumination until Owner resolves complaint.

Flagpoles shall not be installed in Association Common Area or property maintained by the Associations.

All flagpole installations must receive prior written approval from the ARC.

6.17 Playground equipment.

Playground equipment and installation must be approved by the ARC.

6.18 Awnings.

Awnings must be approved by the ARC prior to installation.

Any awning that is deteriorated must be promptly repaired or removed. Prior ARC approval must be obtained if the repair of the awning changes the awning, including but not limited to design, color, or material.

6.19 Replacement siding.

~~Replacement siding must be made of approved Sustainable Materials including wood, vinyl, fiber, cement, and particleboard. If replacing over 50% of siding, particleboard is not permitted.~~

Replacement siding and eaves are encouraged to be made of approved Sustainable Materials including wood, vinyl, fibercement such as Hardiboard, and particleboard. If replacing over 50% of siding, particleboard is not permitted.

6.20 Vending machines and Mobile Food Units

Vending machines are not permitted on Multi Family property. In addition, permanent or semi-permanent food trucks, mobile food units, or similar vending operations are not permitted to operate or remain stationary in residential areas or on Commercial property parking lots within Valley Ranch.

~~Vending machines are permitted on Multi Family property provided they are not withing Public View and that they are not internally illuminated.~~

6.21 Seasonal decorations.

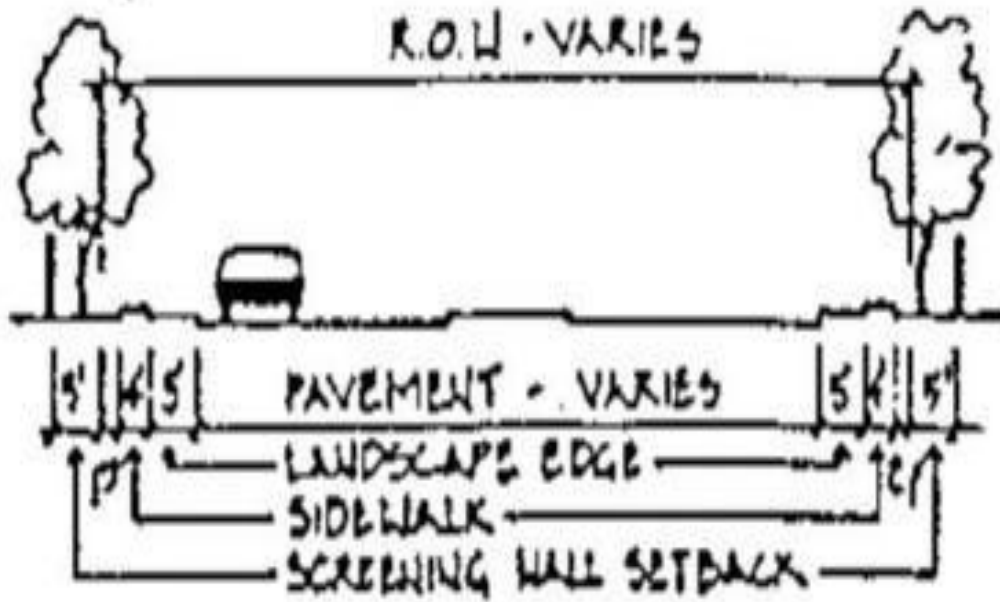
~~Dignified seasonal decorations, as defined by the ARC, rae permitted up to thirty (30) days prior to the holiday date. All seasonal decorations, must be removed no later than fourteen (14) consecutive days after the holiday date.~~

Dignified seasonal decorations, as defined by the ARC, are permitted within the time frames established by the ARC. All other seasonal decorations may be displayed no more than thirty (30) days before and no more than twenty-one (21) days after the holiday

APPENDICES

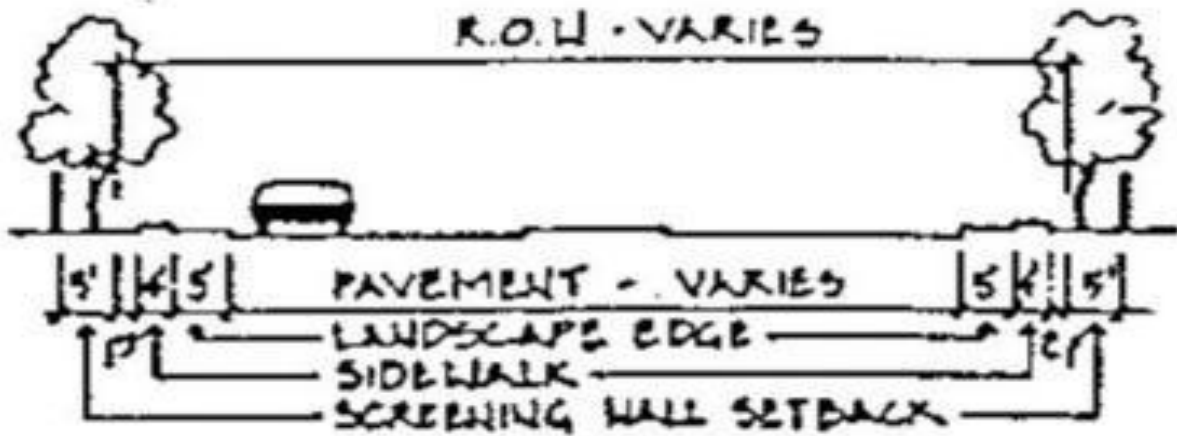
APPENDIX 1

Standards for Major Thoroughfares - Section 202(a)



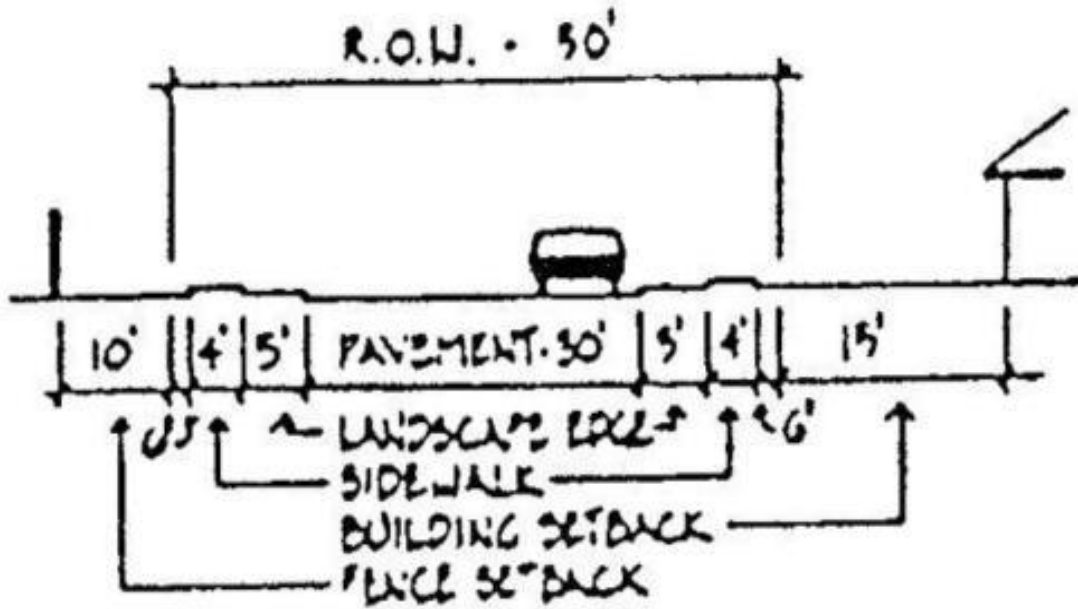
APPENDIX 2

Standards for Collector Streets - Section 202(b)



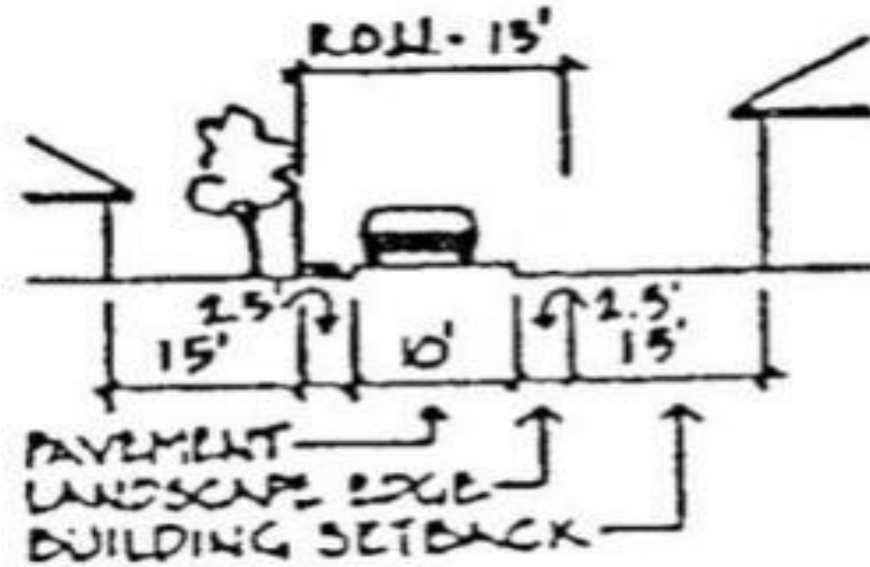
APPENDIX 3

Standards for Residential Streets - 202(c)



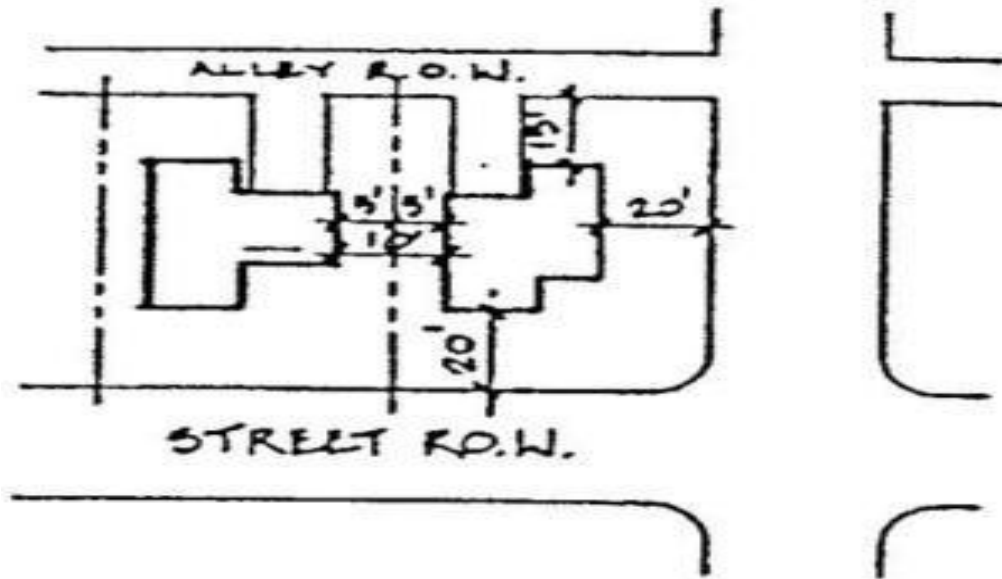
APPENDIX 4

Standards for Alleys - Section 202(e)



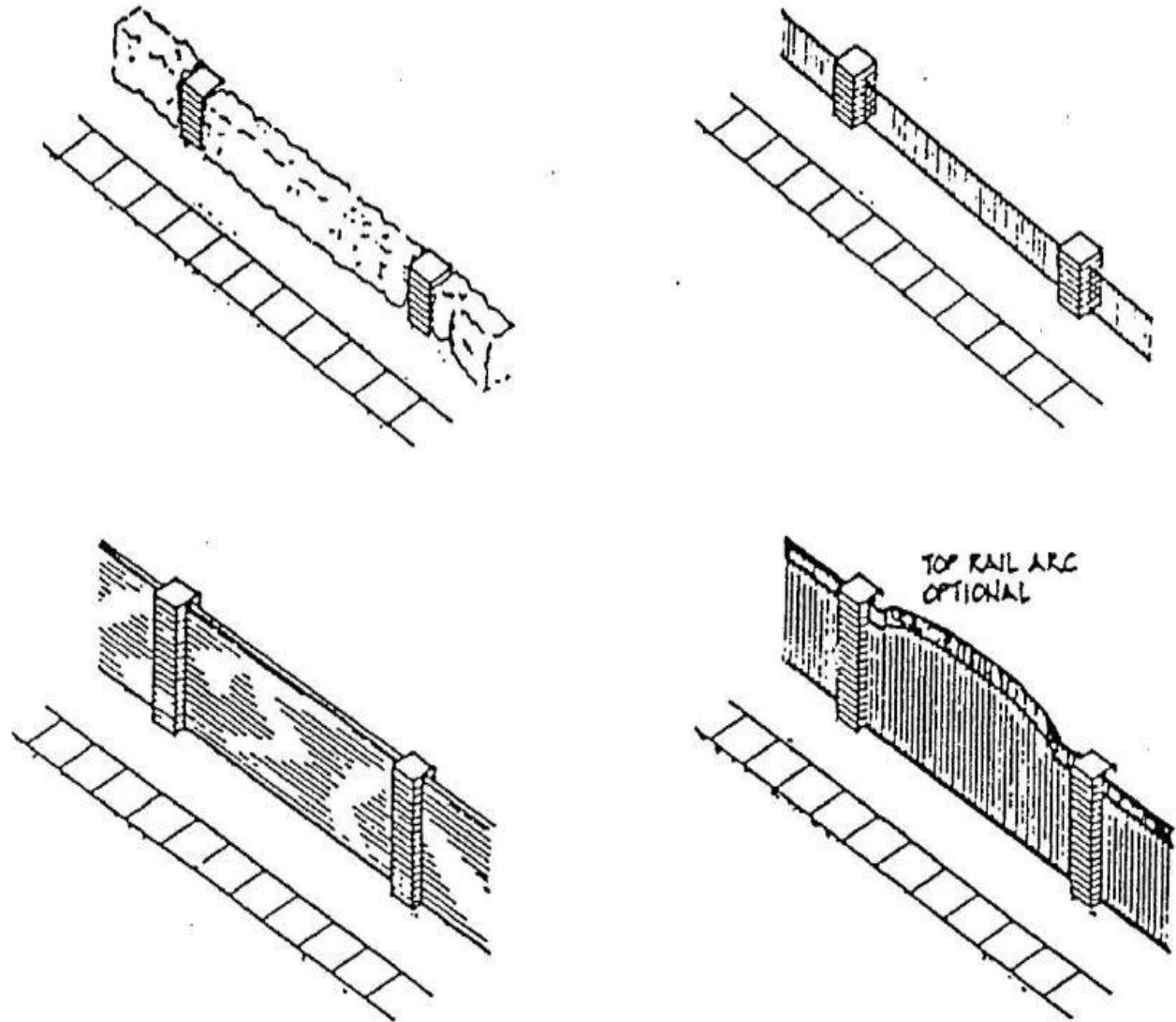
APPENDIX 5

Standards for Single Family Building Envelopes - Section 202(f)



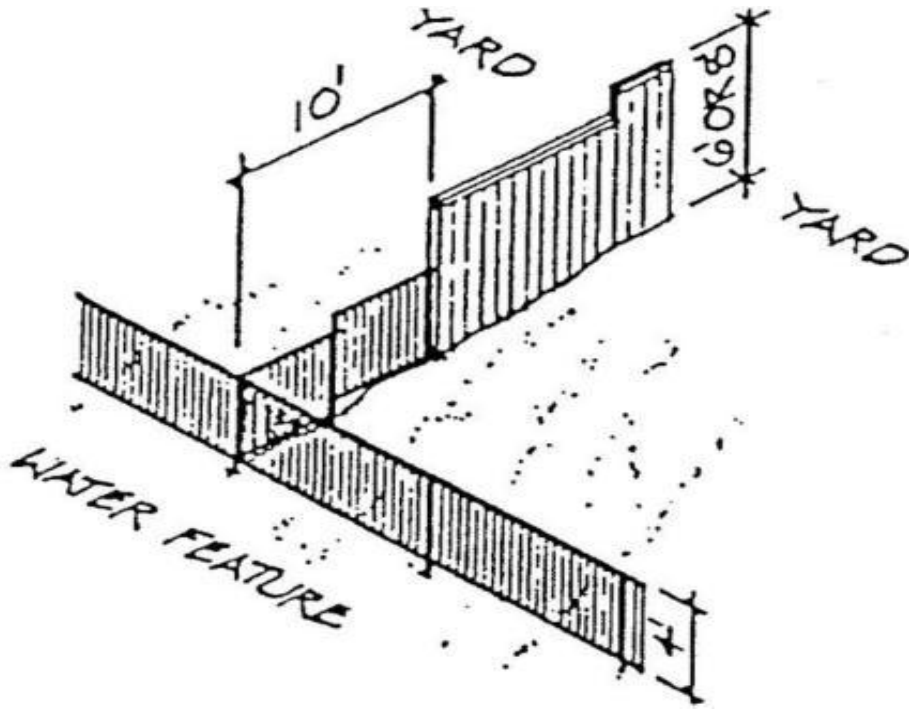
APPENDIX 6

Screening Walls - Section 2.05



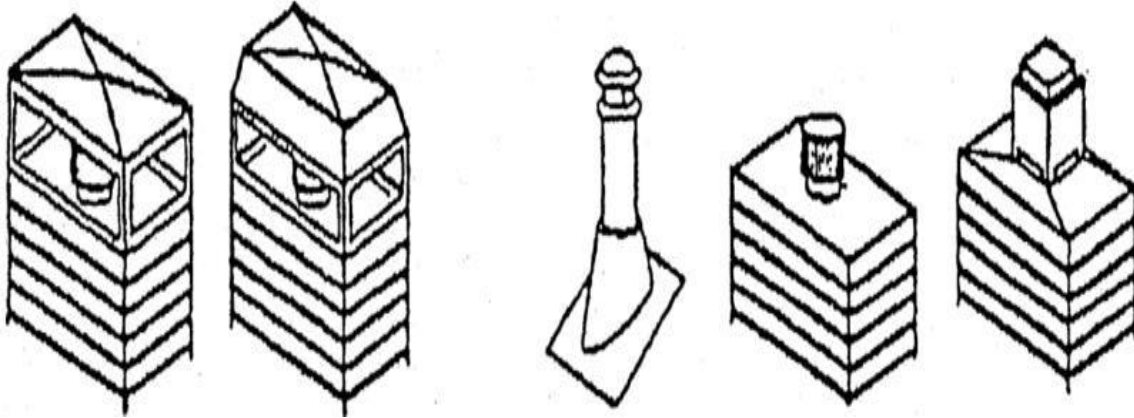
APPENDIX 7

Fencing Around Water Features - Section 2.05(c)



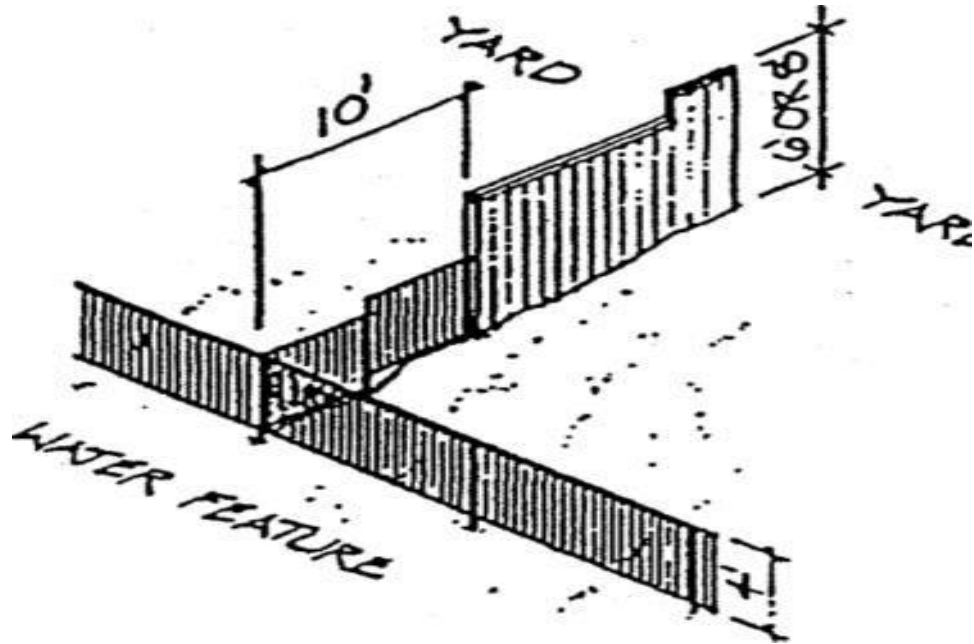
APPENDIX 8

Chimney Caps - Section 3.02(i)



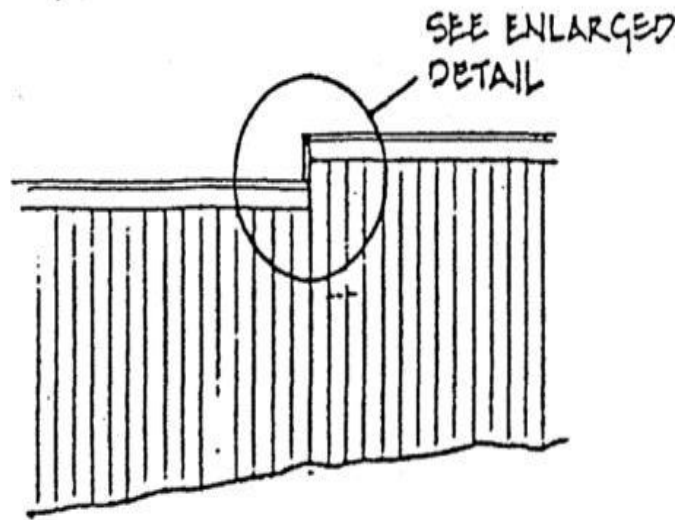
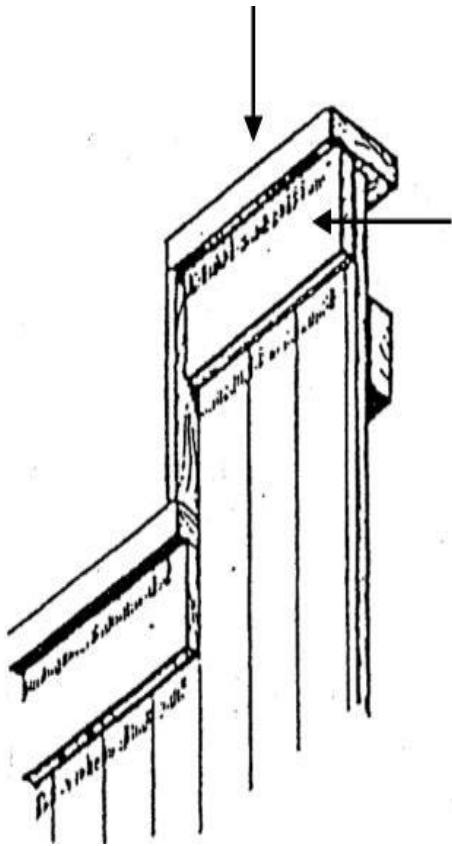
APPENDIX 9

Iron Fences – Section 3.02(j)



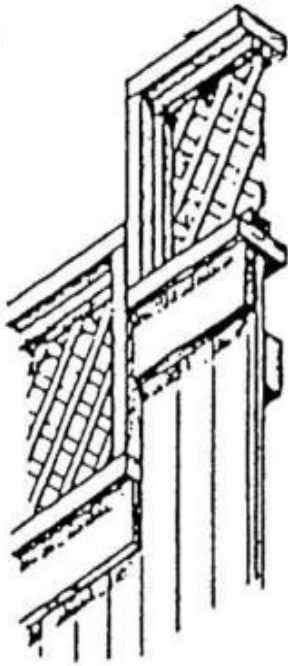
APPENDIX 10

Wood Fence Top Cap - Section 3.06(a)

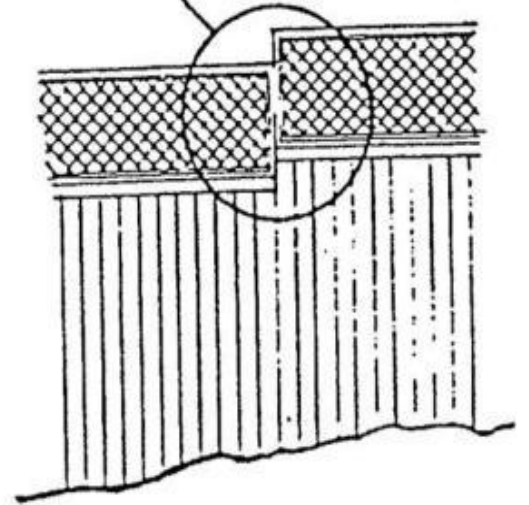


APPENDIX 11

Wood Fence Extension - Section 3.06(b)

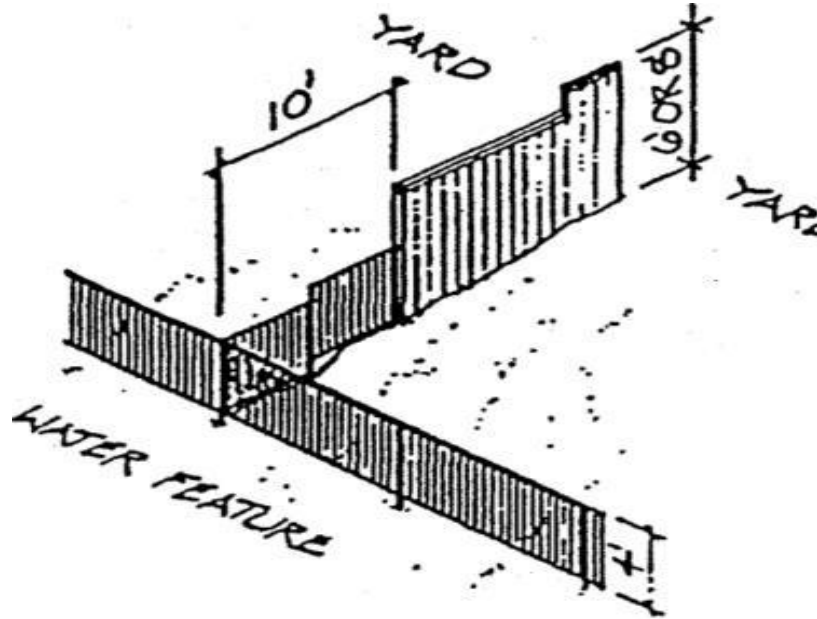


SEE ENLARGED
DETAIL



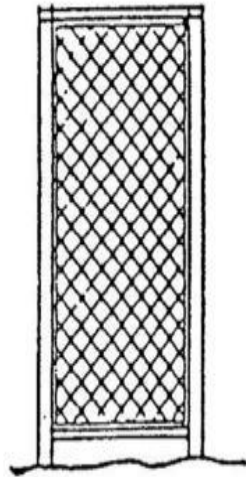
APPENDIX 12

Iron Fences - Section 3.06(c)

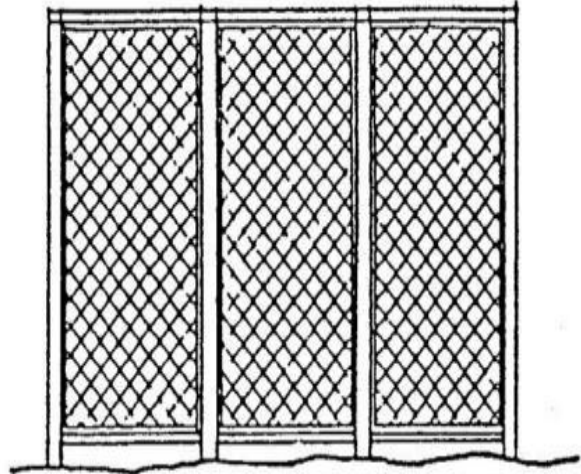


APPENDIX 13

Lattice Panels - Section 4.11



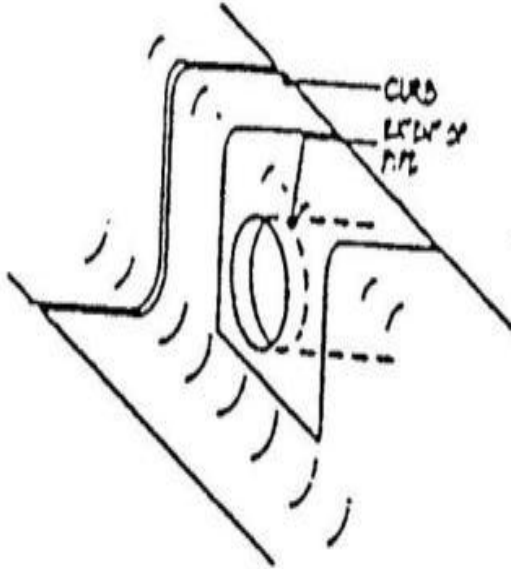
SINGLE PANEL



MULTIPLE PANELS

APPENDIX 14

Curb Cuts with Drain Pipes – Section 4.16



CURB CUT WITH
DRAIN PIPE

APPENDIX 15

Awnings - Section 4.17

