

## **1      OVERVIEW: DESIGN REVIEW at CREEK ROAD RANCH**

### **1.1      Vision Statement.**

These Design Guidelines ("**Guidelines**") are enacted by Creek Road Ranch, Inc., a Texas corporation ("**Declarant**"), in its capacity as Declarant under the Declaration of Protective Covenants for Creek Road Ranch, recorded in Book 10, Pages 300-301, Plat Records of Hays County, Texas (as amended and supplemented from time to time, the "**Declaration**"). Terms which are capitalized in these Guidelines and not otherwise defined shall have the meanings set forth in the Declaration. These Guidelines set forth a design review process for the development of Creek Road Ranch (the "**Project**") that is integral to the goal of developing the Project as a rural community of exceptional quality.

In order to preserve the Project's natural beauty while simultaneously creating long term real estate value and orchestrating a harmonious overall community design, Declarant has established a comprehensive and integrated approach to design, combining protective covenants in the Declaration and high standards for Design Professionals with an interactive design review process (the "**Process**"). The Process is governed by these Guidelines, and orchestrated and administered by an experienced and qualified Design Review Committee ("**DRC**").

Declarant's approach is established, enabled and articulated by the Declaration and these Guidelines. This approach requires all Owners to comply with the Design Review Process, restrictions set forth in the Declaration, and standards for Design Professionals, and authorizes Declarant and the DRC to implement the concepts and procedures contained in these Guidelines.

The Process is intended to create and sustain a community of exceptional residences that respect and harmonize with their sites, neighboring Lots, and the exceptional environmental setting of the Project. Owners who understand and agree with this philosophy, who choose qualified and sensitive Design Professionals, and who work on a cooperative and professional level to achieve a balance between personal individual visions and the goals of the Declaration and these Guidelines may expect a smooth Design Review Process.

### **1.2      Interpretation.**

Because every Lot requires individual planning and design response, and each Owner's requirements for a custom residence are unique, the DRC has the discretion and authority to interpret these Guidelines to accommodate and promote creative solutions to individual design issues, and to grant variances to accomplish such solutions, as more particularly described below.

By contrast, the restrictions contained in the Declaration are not subject to broad review or flexible interpretation. All Owners are encouraged to understand this important distinction, and the extent and scope of the DRC's authority, as granted and codified in Article IX, "Design Review" of the Declaration.

### 1.3 Design Professionals.

To ensure the level of professional expertise and skill required to fully understand, respect and implement the vision for the Project, to ensure maximum understanding of, and productive compliance with, the requirements of these Guidelines and the Declaration, to further protect and promote the value of Lots within the Project, and to recognize the special characteristics and natural attributes of the Project and the individual Lots, and to respond with designs which respect and harmonize with the Project's natural environment, and cooperate with designs for other Lots to the maximum benefit of the entire Project, each Owner's team of Design Professionals must include both an Architect and a Landscape Architect meeting the following professional qualifications.

Each Architect of Record must be licensed to practice architecture in the State of Texas in accordance with the current requirements of the Texas Board of Architectural Examiners.

Owners may employ additional design architects who are licensed to practice architecture in other states or countries so long as the Architect of Record meets the requirements of these Guidelines, and so long as all proposals for Improvements submitted for approval to the DRC bear the stamp and signature of the Architect of Record.

Each Landscape Architect of Record must be licensed to practice landscape architecture in the State of Texas in accordance with the current requirements of the Texas Board of Architectural Examiners. Owners may employ additional design landscape architects who are licensed to practice landscape architecture in other states or countries so long as the Landscape Architect of Record meets the requirements of these Guidelines and so long as all proposals for Landscaping submitted for approval to the DRC bear the stamp and signature of the Landscape Architect of Record.

### 1.4 DRC Administrative Matters.

The current Voting Members of the DRC are **Whit H. Hanks, Keenan E. Smith, AIA and Paul C. Smith, A.S.L.A.**

The initial submission fee for construction of the initial Dwelling Unit on a Lot is \$2,000.00. The initial submission fee for review of alterations or improvements to an existing Dwelling Unit (or for review of new accessory Improvements) is \$1,000.00. Fees are due and payable as provided in Appendix I attached hereto. If a submission requires payment of a fee, the submission shall not be deemed complete until such fee has been received by the DRC. To the extent a submission fee assessed under this Section 1.4 is not sufficient to cover out of pocket costs incurred by the DRC in reviewing the applicable Plans and Specifications, the Owner also shall reimburse the Association for the additional cost so incurred.



## 2 DESIGN REVIEW PROCESS

### 2.1 **Process Summary.**

The Process guides the planning and design of homes and their landscapes through a series of three required DRC reviews. These reviews, which are set forth below, follow the natural evolution of design from preliminary concept to specific construction details.

- **Kick-Off Meeting:** discussing the site and its unique design possibilities.
- **Preliminary Design Review:** assessing initial design concepts and ideas.
- **Final Design Review:** reviewing specific construction plans and details.

Further, in order to ensure that the improvements under construction conform with the approved Plans and Specifications, the DRC may conduct periodic, ongoing compliance reviews to verify construction compliance with the approved Plans and Specifications.

Owners should allow adequate time to complete the Design Review Process. This may vary widely based on the size and complexity of the proposed design, the responsiveness and promptness of the Owner and Design Professionals in consultations and document production, the clarity and completeness of submitted materials, and responsiveness to DRC comments, as well as other factors.

The Design Review Sequence and a detailed checklist of Submission Requirements for each stage of Design Review are attached as Appendix I to these Guidelines.

### 2.2 **Variances.**

To the extent authorized by the Declaration, in exceptional cases, the DRC, in its sole discretion, may consider and approve or disapprove requests for changes or modifications of these Guidelines (a "**variance request**"). The DRC shall consider any variance request exclusively on extraordinary circumstances and/or unusual architectural or design merits and planning sensitivity. The DRC's decision on any variance request will be absolute, final, and non-appealable. The DRC shall not approve any variance request if the grant of such request is inconsistent with the Goals stated in Article IX of the Declaration. Any variance granted will be based on the particulars of an individual case, and shall not establish future precedent.

## 3 DESIGN GUIDELINES

### 3.1 **Overview.**

The following design guidelines are established for use by Owners, Design Professionals and the DRC to foster successful design for all Improvements within the Project.

These guidelines are created, empowered, administered and enforced in accordance with Article IX, "Design Review," of the Declaration. The Declaration details the DRC's powers and authority, including design review goals, DRC deliberation period, scope and term limits for approvals, variances, and other regulations and responsibilities binding on all parties participating in the Design Review Process.

Owners and their Design Professionals must be thoroughly familiar with both the Declaration and these Guidelines before embarking on the planning and design of Improvements.

All proposed Improvements must comply with these Guidelines, the Declaration, and all applicable regulations, codes and ordinances of Hays County, Texas. As all of same will be updated and amended from time to time, Owners and their Design Professionals should be careful to obtain the current editions of all documents before beginning design.

### **3.2 Summary Outline.**

The Guidelines target the following principal aspects of residential planning and design:

**Building Massing and Area Limitations**  
**Building Materials**  
**Garages, Barns and Outbuildings**  
**Exterior Lighting**  
**Landscaping**  
**Miscellaneous Site Work**

The following text sections contain the detailed Design Guideline requirements for the Project. Each guideline is preceded by a short explanation of their primary intentions.

### **3.3 Building Massing Guidelines and Area Limitations.**

#### **3.3.1 Setbacks.**

To strictly comply with applicable land use regulations and rights of utility providers, except as approved by the DRC, in its sole discretion:

- a) No Improvements (except Landscaping, driveways and walkways, where appropriate) may encroach (i) within any easement area or (ii) across any setback line.
- b) No Improvements (except Landscaping, driveways and walkways, where appropriate) may be located within fifty feet (50') of any public road or side lot line.
- c) No Improvements may be located within thirty-five feet (35') from a scenic buffer easement.

### 3.3.2 Inclusive Building Area.

To direct and focus prospective development on a Lot toward areas which optimize the Lot's unique location, prospects and special features, while protecting the overall environment and harmonizing with the larger landscape setting, context and character of the Project:

- a) All permanent Improvements must be located within the Inclusive Building Area(s) on the Lot, the size and location of which is described on Exhibit "A" of the Declaration. The DRC may allow Landscaping and fences to be placed outside the Inclusive Building Area at locations expressly approved by the DRC.

### 3.3.3 Scenic Buffer Easements.

To protect the Scenic Buffer Easements established in the Declaration:

- a) All Improvements to the Lot must be made, and all activities and work on the Lot must occur, outside Scenic Buffer Easement areas.

### 3.3.4 Maximum Dwelling Area.

To encourage Dwelling Units of reasonable size and exceptional quality, which do not present excessive, conspicuous massing and which are not overscaled for the neighborhood context or community setting:

- a) As to each Dwelling Unit, the total of all proposed living areas to be climate-tempered (heated and/or cooled) by mechanical means ("**climate-conditioned areas**") must not exceed the Maximum Dwelling Area for each Lot, as shown on Appendix III attached hereto.
- b) The Maximum Dwelling Area for each Lot (shown on Appendix III) has been established by Declarant based on the specific characteristics of the Lot (including size and configuration), the anticipated location of the Dwelling Unit within the Inclusive Building Area, the Lot's prominence and exposure within the Project and neighboring Lots, the impact on views, the overall visual composition of the Project and other factors.
- c) Regardless of whether an Owner owns more than one Lot, the Maximum Dwelling Area for a Lot may not be transferred to another Lot or combined with the Maximum Dwelling Area on other Lots. Maximum Dwelling Area figures are limitations, not entitlements, and may not be combined so that a single residence on any Lot overwhelms the scale and character of the Project, the natural landscape or existing or future neighboring residences. An Owner of more than one Lot may, however, submit a variance request under Section 2.2 above so as to increase the Maximum Dwelling Area or modify the Inclusive Building Area for the Lot(s) on which the Improvements are proposed. DRC



review of such a variance requests will be subject to the requirements of both Section 2.2 and this Section 3.3.4.

### **3.3.5 Second Floor Area Ratio.**

To encourage Dwelling Units whose massing schemes are "roof dominant" and "nestle into" their respective sites rather than looming over or dominating such sites:

- a) For each Dwelling Unit, the proportion of climate-conditioned areas on the second floor of the Dwelling Unit to the climate-conditioned areas on the first floor of the Dwelling Unit shall not exceed a ratio of 1:2.

### **3.3.6 Building Height.**

To ensure structures of a reasonable residential scale which are compatible with the natural landscape, and to protect the mutual and reciprocal privacy of neighboring Dwelling Units:

- a) The height of any proposed Improvement may not exceed 35'. For purposes of this provision, height shall be measured from the average natural grade covered by the structure to its highest point.

## **3.4 Building Materials Guidelines.**

To produce Dwelling Units appropriate to the Project's setting and in general harmony with the historic and cultural vernacular architecture of the Texas Hill Country, the elements and exterior materials of all proposed buildings shall comply with the following guidelines:

### **3.4.1 Regional Stone Masonry Requirements.**

- a) 75% of the "**net exterior wall area**" (total aggregate area of all walls, minus windows and doors) of Dwelling Units shall be exclusively covered with local or regionally quarried stone masonry of a type approved by the DRC.
- b) Subject to DRC approval, other exterior cladding materials, such as Portland Cement Plaster, Stucco, concrete masonry units, wood, metal or engineered cement board siding materials may be permitted on any exposed vertical exterior wall surface in proportions not to exceed 25% of the net exterior wall area.
- c) Warm, creamy beige, light gray, Leuders, Blue Flag or weathered surface Limestone is preferred. Fredericksburg, Cordoba creme, San Antonio Old Yeller Limestone, North and West Texas sandstone and granite are allowable only with DRC approval. Chalky white and Austin White limestone is discouraged.

- d) Masonry coursing, mortar type and color shall be compatible with chosen stone and be consistent with historic and traditional Regional Stone Masonry techniques for the Texas Hill Country.
- e) All stone veneer shall be at least five inches (5") thick. Alternative wall construction systems may be used so long as the exterior elevations are covered with Regional Stone Masonry according to the provisions of this section.
- f) Cut-stone lintels, sloped stone sill washes, quoins and other hand-crafted stone masonry embellishments are encouraged.
- g) The use of brick, vinyl or plywood siding as an exposed exterior wall material is prohibited.
- h) 25% of net exterior wall area of permitted Accessory Buildings (defined below) shall be exclusively covered with Regional Stone Masonry. The balance of the net exterior wall area shall consist of materials in 3.4.1(b).
- i) Foundations on all structures, including Garages, Barns and Accessory Buildings must be clad with a stone skirt of the same Regional Stone Masonry as the exterior walls. Cement or stucco "parging" of foundation walls is specifically disallowed.

#### **3.4.2 Roof Material Requirements.**

- a) Standing-Seam Metal Roofs in natural mill finishes or muted neutral colors compatible with the surrounding landscape are preferred. Bright colors or primary hues are prohibited. Mechanically fastened metal roofs may be permitted subject to DRC approval of specific panel formats and profiles.
- b) Subject to DRC approval, wood shakes (split or sawn), natural slate roofs, premium (50 year) asphalt shingles and simulated slate shingles may be permitted.
- c) Use of clay or concrete tiles of any shape or profile is prohibited without a variance from the DRC.
- d) Flat roofs of any type are prohibited. Roof pitches between 6:12 and 12:12 are preferred.
- e) Except as approved by the DRC, in the DRC's sole discretion, all proposed buildings and structures must be roofed with the same materials, i.e., roofing materials may not be mixed on the same or different structures.

**3.4.3 Window and Doors.**

- a) All windows and doors shall be wood or factory-clad and finished wood units unless the DRC approves a specific design for aluminum, steel or commercial storefront windows and/or door units and/or systems.
- b) Groupings of multiple windows with factory-supplied mullion kits and combination window/door units are encouraged.
- c) Window and door mullions and muntins must be authentic, "true divided lite" type. Snap-in or sandwiched internal grill kits are prohibited.
- d) Reflective glazing films and "solar screens" are prohibited. Permanent awnings (coordinated with roofs), integrated hoods and overhangs to shade windows and doors are encouraged.
- e) Wooden Entry Doors of stain-grade finish, with glazed lites, integral sidelights or transoms and carved detail are encouraged. Raised-panel hollow-metal Entry or Garage Doors are allowed if they are painted to match or harmonize with exterior trim color scheme. Flush hollow-metal doors require specific DRC approval.

**3.5 Garages, Barns and Other Accessory Buildings.** To create harmonious groupings of buildings of coordinated design which uphold a common level of visual quality, and to create a deliberate hierarchy between Dwelling Units and accessory and ancillary buildings, all garages, barns and other outbuildings must comply with the following guidelines:

**3.5.1 Common Exterior Standards.**

- a) All garages and buildings of any kind (except the primary Dwelling Unit), including livestock barns (collectively, "**Accessory Buildings**"), shall be designed and constructed in coordinated harmony with the Dwelling Unit with particular respect to Regional Stone Masonry Requirements, roofs, other exterior materials and the various techniques of their installation. The term "**Accessory Buildings**" includes open structures and landscape structures (*e.g.*, patio covers, trellises, gazebos, pavilions, pool or spa structures or shade covers).
- b) To the greatest extent possible, Accessory Buildings on a Lot should share the same palette of exterior materials, exterior details, colors and visual treatments.
- c) Metal buildings, temporary buildings, prefabricated pole barns, sheds, storage units or "kit" structures are prohibited.



**3.5.2 Hierarchy: Principal Residence to Outbuildings.**

- a) Except for livestock barns, the aggregate total floor area of all Accessory Buildings of any kind on any Lot shall not exceed thirty-three percent (33%) of the climate-conditioned area proposed for the Dwelling Unit.
- b) Livestock barns may be placed only on Lots with designated Pasture Areas. The area of each barn shall not exceed that specified by the DRC.

**3.5.3 Garage Door Planning Requirements.**

- a) To the greatest extent possible, garage doors shall not be visible from the intersection of the Street and the main entry driveway to the Dwelling Unit, the front of the Lot or the Street adjoining the Lot.
- b) No more than one (1) double garage door opening or three (3) single garage door openings are allowed on any single wall plane. The combination of one (1) double garage door opening plus one (1) single garage door opening on a single wall plane is allowed.
- c) The total number of garage door openings per residence shall not exceed the combined width of three single garage door openings, in any combination of single or double garage door openings.
- d) Tandem parking arrangements or parking layouts utilizing a common garage door opening are allowed.

**3.6 Exterior Lighting Guidelines.**

To preserve the rural feel of the Project, limit the Project's contribution to regional light pollution, protect nighttime views from excessive glare and provide for considerate, appropriate and safe levels of nighttime illumination, all exterior lighting shall comply to the following standards and guidelines:

**3.6.1 Exterior Lighting Standards.**

- a) All exterior light fixtures shall contain shielded lamps or luminaries or be of the "zero-cutoff" type so as not to permit direct visibility of the light source.
- b) Translucent shades, grilled diffusers, opalescent glass or plastic prismatic lens coverings typically will not satisfy this Section 3.6.1, and are subject to specific DRC review.
- c) Exposed-bulb flood lamps, utility fixtures, industrial or streetlight fixtures or "WalPak" type fixtures are prohibited.

- d) Control of exterior lighting circuits by time clock devices or lighting controllers is encouraged. Motion-detector activation devices for exterior lighting circuits should be adjusted so as not to "flash" erratically or become a visual nuisance.

### **3.6.2 Exterior Lighting Guidelines.**

- a) Fixtures that provide direct illumination of featured objects using hidden or shielded light sources, or fixtures that deploy low levels of indirect general illumination are encouraged.
- b) Generally, low levels of task-specific light are preferred to high levels of harsh, glare-inducing light.
- c) Lamps or luminaries of the compact fluorescent or incandescent type are encouraged; mercury vapor, low pressure and high-pressure sodium type lamps and luminaries are discouraged.
- d) Limited use of low-wattage metal halide type lamps and luminaries may be permitted based on DRC review of specific lighting concepts.
- e) Decorative architectural fixtures, such as sconces should focus attention on entry doors or other visually important features.
- f) Landscape lighting should be limited to low-voltage illumination of paths, walks, or indirect illumination of outdoor living areas. Accent lighting of specimen trees is discouraged.

### **3.7 Landscaping Guidelines.**

A basic design concept of the Project is preservation of its natural vegetation and beauty through careful and responsible design. Introduced landscaping must harmonize with and enhance the natural Hill Country landscape. Planting and gardening using native plants, and the principles of Xeriscape design should be seriously considered during the design of the landscape for each residence, as among the benefits to be achieved by using these methods are reduced maintenance, lower water and energy use, and reduced chemical dependence (pesticides and herbicides). Accordingly, all landscape designs shall comply with the following guidelines:

#### **3.7.1 Plant Material and Guidelines**

- a) Use of drought-tolerant plant species and plant species native to the Texas Hill Country and the Project is highly encouraged. A suggested plant species list is attached hereto as Appendix II. Also consider reference books such as "Native Texas Plants" by Sally Wasowski, or "Xeriscape for Central Texas" published by The Xeriscape Garden Club of the Austin Area, Inc., and the knowledgeable staff at the National Wildflower Center in Austin.



- b) Retain existing trees where possible. No hardwoods or large cedars (greater than 8" caliper) may be removed from a setback area, and no oaks may be removed from the Lot unless inside the building footprint. Outside the building footprint, large cedars may be trimmed but should not be removed unless necessary. Variance from these restrictions on removal of trees requires approval by the DRC. Strive to maintain natural vegetation and enhance same with compatible materials.
- c) Consider designating "landscape zones" (*e.g.*, the entry drive and arrival area, front garden, back yard, or edge buffers) which reflect different levels of landscape development (*e.g.*, the driveway entry and areas close to the house may be more intensely landscaped, while areas further from the house and closer to the setbacks will require less landscaping and heavier use of native species. The transition between zones should be subtle.
- d) If lawn planting is contemplated, low water, low-maintenance types of turf grasses are highly recommended. St. Augustine grass is prohibited.
- e) Use of deer-resistant plant species is highly encouraged when selecting plants not located within a fenced area.

### **3.7.2 Cut-and-Fill Guidelines.**

- a) To the greatest extent possible, residences should be nestled into the land rather than perched on it.
- b) Maximum vertical cut is four feet.
- c) Exposed cuts should result in a clean, solid stone ledge; if not, exposed cuts shall be contained by stone masonry retaining walls or re-vegetation.

### **3.7.3 Screening Guidelines.**

- a) Native shrubs, grass or trees are encouraged to accomplish the screening required by the Declaration and/or these Guidelines. Plants should be large enough to adequately screen the specific object within one (1) year after initial planting.

### **3.7.4 Irrigation Guidelines.**

- a) Overhead spray type irrigation systems are discouraged due to excessive water usage.
- b) Rainwater harvesting and collection systems or dedicated gray-water recovery systems (if such gray-water recovery systems are approved by the Hays County Sanitary Engineer) are encouraged as the primary or secondary source for landscape irrigation.

**3.7.5 Pesticide and Herbicide Guidelines.**

- a) Use of chemical concentrations for pesticide and herbicide purposes is highly discouraged due to water quality and pollution issues.
- b) Use of natural or organic means of insect, pest and weed control is encouraged.

**3.7.6 Vegetation of On-Site Septic Sewer Systems.**

- a) Plant covers consisting of native grass species should be considered if perennial vegetative transpirative cover is needed for on-site septic sewer systems.
- b) Invasive grass species, such as Bermuda Grass or Johnson Grass, are discouraged for septic fields.
- c) Rye grass or rye grain seed may be used as a temporary nurse-crop while establishing native grass species on septic fields.

**3.7.7 Tree Protection.**

- a) All trees on the site shall be protected from damage during the construction process in a manner conforming to City of Dripping Springs site plan and landscaping ordinances.

**3.8 Miscellaneous Site Work Design Guidelines.** To encourage a uniformly high quality of site planning and design, all applicable miscellaneous site Improvements shall comply to the following guidelines:**3.8.1 Driveway Guidelines.**

- a) Driveways to all structures shall be no wider than the greater of twelve feet (12') or the minimum width required by governmental authorities, subject to design layout.
- b) Driveways shall be undercoursed with engineered, flexible road base material and surfaced with a permanent vehicular-grade wearing surface.
- c) Permeable paving surfaces or porous paver systems are encouraged to allow percolation of runoff into underlying aquifers.
- d) Bituminous asphalt and hot mix asphaltic concrete paving materials are discouraged due to water quality and petroleum pollution issues. Concrete slab drives are acceptable.
- e) Excessive paved areas for parking are discouraged. Gravel or decomposed granite is encouraged for guest or accessory parking areas.



**3.8.2 Underground Utility Guidelines.**

- a) All utility services to any structure shall be located underground.
- b) All utility connections, meters and panels to any structure are to be clustered and located out of view from the Street.

**3.8.3 Air Conditioning Unit Guidelines.**

- a) No air conditioning apparatus may be installed on the ground in front of a Dwelling Unit or otherwise in Public View, nor will any air conditioning apparatus or evaporative cooler be attached to any wall or any window of a Dwelling Unit in Public View.
- b) Air conditioning apparatus shall be screened from Public View by means of a permanent screen constructed of the same material as the wall against which it is located, or by means of permanent landscaping, as described in Section 3.7.3 above.

**3.8.4 Fence and Site Wall Guidelines.**

- a) No fence, wall or hedge will be erected or maintained on any Lot outside of the Inclusive Building Area, except that approved fencing may be used to define Pasture Areas.
- b) Split rail Southern yellow pine of the same type used in the Common Areas of the Project is the preferred material for fences in the Project.
- c) Alternative fencing designs, including pool enclosure fencing, require specific DRC approval. Swimming pools, hot tubs and outdoor spas must be fenced in conformity with the Texas State Health and Safety Codes for Pool Yard Enclosures.
- d) Pets must be contained within enclosures within the Inclusive Building Area.
- e) Courtyards may be located between the Dwelling Unit and the Street only if masonry walls enclose the courtyard.

**3.8.5 Outdoor Sports Facilities and Recreational Equipment Guidelines.**

- a) Basketball goals, play-scapes, swing sets, sports courts, tennis courts, pools, spas or other recreational or sports facilities must be built within the Inclusive Building Area of the Lot outside of Public View.

**3.8.6 Storage Tanks and Cisterns.**

- a) Rainwater collection and harvesting as a primary or supplemental source of potable water or as a source for landscape irrigation water is encouraged, but the location and screening of associated storage tanks must be given careful consideration.
- b) All storage tanks and cisterns must be screened from Public View, and exposed tanks of any kind, whether within or without Public View, must be approved as to size, location, color and required screening by the DRC.
- c) Underground cisterns or storage tanks are encouraged.
- d) Painting or internal color coat of above ground storage tanks is encouraged. Colors should be dark in value, neutral of tone and of hues that blend visually with the surrounding landscape (i.e.: dark green).
- e) Above-ground tanks that cannot be located out of Public View must be screened by a permanent Accessory Building, unless the DRC expressly finds that landscaping can provide adequate screening or that particular site or design characteristics provide mitigating circumstances. The design and materials of such Accessory Buildings must meet the requirements of these Guidelines.

**3.8.7 Mailboxes.**

- a) The DRC may require that all roadside mailboxes meet certain standard design criteria specified by the DRC and have a specific aesthetic appearance.



## APPENDIX I:

**DESIGN REVIEW SEQUENCE  
SUBMISSION REQUIREMENTS**

The following describes the three primary stages of the Design Review sequence, outlining purposes and submission requirements for each stage. Each stage of review is mandatory and will occur only after the successful and satisfactory outcome of the previous review.

**Pre-Design Kick-Off Meeting:**

**Purpose:** Team introductions. Discussion of unique building opportunities and constraints for the Lot. Overview of the Process, Declaration and Guidelines.

**Location:** At the Lot.

**Estimated Duration:** Two (2) hours.

**Scheduling:** Within ten (10) business days after Owner's request to DRC.

**Mandatory Attendees:** Owner and Owner's Architect of Record and Landscape Architect of Record; at least one DRC representative.

**Method:** Walking tour of Lot; review of subdivision plat, boundary, topographic and existing tree survey, setbacks, Inclusive Building Areas, Scenic Buffer Easements, views and exposures, and unique and natural features. Review of the Declaration, Process and Guidelines.

**Submission Requirements:** Three (3) copies of each of the following:

Boundary, Topographic and Existing Tree Survey with minimum scale of 1"=20', and showing:

- contour intervals
- existing hardwood trees over 4" caliper and existing cedars over 8" caliper
- boundary lines with metes and bounds,
- all recorded easements, encroachments, buffer zones, setbacks and building lines.

Map and inventory of all existing plant material: trees, shrubs, grasses and wildflower areas.

**Prerequisites:** Owner must own Lot, have obtained approval of qualified Design Professionals from Declarant, have retained the approved Design Professionals, have obtained, at Owner's expense, the survey described above, and have reviewed the Declaration and Guidelines.

**Documentation:** Notes prepared by DRC representative and transmitted to all attendees, summarizing (in bullet-point format) important points and topics discussed.

**Preliminary Design Review:**

**Purpose:** Early determination of conceptual compliance with requirements of Declaration and Guidelines.

**Goal:** Grant of "Approved In Concept" determination by DRC.

**Estimated Duration:** Ten (10) business days after DRC receives complete and adequate submission.

**Method/Documentation:** Submission of required material to DRC, DRC review and deliberation period, DRC's written response. An Owner/Architect presentation to the DRC is optional.

**Prerequisites:** Satisfactory completion of Pre-Design Kickoff Meeting. Complete and adequate submission of review submission materials (detailed above).

**Submission Requirements:** Three (3) copies each of the following:

**Conceptual Site Plan** with a minimum scale of 1"=20', showing all information required for Boundary, Topographic and Existing Tree Survey (see above, updated and revised if necessary), plus:

- all proposed contours,
- retaining walls,
- utility connection locations,
- drainage details,
- building location(s),
- proposed finish floor elevations,
- access drives and parking,
- walks and paths,
- patios, terraces and decks,
- covered porches,
- septic fields,
- water wells and pumphouses,
- cisterns or water storage tanks,
- all Accessory Buildings or other site Improvements.

**Conceptual Landscape Plan** with a minimum scale of 1"=20' showing:

- proposed landscape planting concepts,
- hardscape areas,
- natural landscape features to remain,
- special site grading and conceptual drainage patterns, including runoff controls.



**Architectural Plans and Elevations** with a minimum scale of 1/8"=1' showing (for each structure):

- proposed Floor Plans of all principal levels,
- all principal building Elevations (four (4) elevations minimum),
- Roof Plan(s) showing type and pitch(es), peak and eave heights.

**Preliminary Color and Materials Selections** to be indicated on Plans and/or Elevations or in an attached written Summary, describing:

- proposed Exterior Wall materials,
- Roof Materials,
- Window selections (sizes, type and finish),
- Trim Materials, and
- Preliminary painting or color scheme.

**Preliminary Area Calculations** to be indicated on Plans and/or Elevations, tabulating:

- calculations of total site coverage and percentage of total impervious cover,
- HVAC floor areas for each principal level,
- areas of all covered porches, decks, patios and terraces,
- calculation of net Exterior Wall area of Native Stone Masonry.

**Supplemental Information or Review Materials**

- Specific and unique to the case at hand as determined by the DRC to be necessary to the complete explanation and conceptual understanding of the proposed design.

**Payment of Design Review Fees**

- The applicable review fee, payable to Declarant.

**Final Design Review:**

**Purpose:** Final determination of diligent and detailed compliance with requirements of Declaration and Guidelines.

**Goal:** Grant of "Approved For Construction" determination by DRC.

**Estimated Duration:** Ten (10) business days from DRC's receipt of complete and adequate submission.

**Method/Documentation:** Submission of required materials to DRC, DRC's review and deliberation period, DRC's written response. An Owner/Architect presentation to the DRC is optional.

**Prerequisites:** Satisfactory completion of Preliminary Design Review, compliance with associated conditions and requirements. Full compliance with Submission Requirements.

**Submission Requirements:** Three (3) copies each of the following:

**Construction Documents Site Plan** with a minimum scale 1"=10' showing all information required for Preliminary Design Review (see above, updated and revised if necessary), plus:

- all proposed fencing, gates and entry walls,
- trellises or accessory structures,
- swimming pools and spas,
- athletic facilities or outdoor sports equipment,
- all proposed site lighting, including fixture cut-sheets,
- driveway finish and materials, and
- any additional proposed accessory site developments.

**Construction Documents Landscape Plan** with a minimum scale 1"=10' showing all information required for Preliminary Design Review (see above, updated and revised if necessary), plus:

- proposed schedule of plant material sizes, species and quantities,
- planting and landscape installation details,
- hardscape finishes and details,
- irrigation system design and details, and
- any proposed garden or landscape structures.

**Construction Documents Architectural Plans, Sections and Elevations** with a minimum scale 1/4"=1' showing (for each proposed structure): all information required for Preliminary Design Review (see above, updated and revised if necessary), plus:

- Building Sections (two (2) sections minimum) showing principal spatial volumes and proposed construction systems,
- Roof Plan(s) and construction details, including eave, rake and soffit overhang details, chimney heights and details, gutter and downspout types and materials,
- final window, exterior door and garage door schedules and details, including manufacturer's series and model specifications,
- exterior building lighting or architectural lighting including fixture cut-sheets,
- location, types and sizes of any proposed antennae, satellite dishes or broadcast communications receivers or transmitters.

**Final Colors and Materials Selection Board** to be retained by the DRC, illustrating by organized, labeled, physical samples or paint chips permanently affixed to the board all elemental information required for Preliminary Design Review (see above, updated and revised if necessary), plus the final exterior wall materials/colors, including

- selected stone masonry sample, masonry coursing technique and mortar color,
- roof panel profile and color,
- final painting and/or color scheme,
- entry door and garage door selections
- foundation finishing treatment.

**Final Area Calculations** to be indicated on Plans and/or Elevations or in attached written Summary), tabulating all data required for Preliminary Design Review (see above,) updated and revised to reflect Construction Documents as necessary.

**Supplemental Information or Review Materials,**

- Specific and unique to the case at hand, as determined by the DRC to be necessary to the complete explanation and conceptual understanding of the proposed design.

**Compliance Reviews:**

**Purpose:** Ongoing and periodic verification of diligent pursuit and compliance with the requirements of the Declaration and these Guidelines during construction, after final completion of construction, and (with respect to any modifications) after occupancy.

**Method/Documentation:** DRC representatives may make periodic on-site checks, reviews and visits on an "as-needed" basis as determined by the DRC in its sole discretion. In the event of any matters to be corrected by the Owner, the DRC shall transmit to the Owner notes summarizing the DRC's observations.



## APPENDIX II:

## SUGGESTED PLANT LIST

The following is a suggested palette of native, indigenous and introduced species that fit the character of the Texas Hill Country. They are generally drought-tolerant and their maintenance requirements are low to moderate. Deer-resistance will need to be a selection factor for those areas not fenced. In order to lessen the potential for the invasion of exotic species and the destruction of the natural environment, only native species may be planted in areas adjacent to Scenic Buffer Easements. This list is meant as a guideline; other plants with Hill Country character may be submitted for review by the DRC.

**Trees:**

Live Oak, *Quercus virginiana*  
Escarpment Live Oak, *Quercus fusiformis*  
Redbud, *Cercis canadensis*  
Tree Yaupon, *Ilex vomitoria*  
Carolina Cherry Laurel, *Prunus caroliniana*  
Lavender Chastetree, *Vitex agnes-castus*  
Wax Myrtle, *Myrica cerifera*  
Texas Mountain Laurel, *Sophora secundiflora*  
Afghan Pine, *Pinus eldarica*  
Crape Myrtle, *Lagerstroemia indica*  
Mexican Plum, *Prunus mexicana*  
Flame Leaf Sumac, *Rhus coppalina*  
Possumhaw Holly, *Ilex decidua*  
Shumard Oak, *Quercus shumardii*  
Desert Willow, *Chilopsis linearis*  
Bur Oak, *Quercus macrocarpa*  
Lavender Chaste Tree, *Vitex agnes-castus*  
Cedar Elm, *Ulmus crassifolia*  
Chinquapin Oak, *Quercus muhlenbergii*  
Texas Persimmon, *Diospyros texana*  
Carolina Buckthorn, *Rhamnus caroliniana*  
Mexican Buckeye, *Ungnadia speciosa*  
Bald Cypress, *Taxodium distichum*  
Bigtooth Maple, *Acer grandidentatum*

**Shrubs:**

Texas Lantana, *Latana horrida*  
Agarita, *Mahonia trifoliolata*  
Eleagnus, *Elaeagnus ebbengii*  
Oleander, *Nerium Oleander*  
Century Plant, *Agave americana*  
Glossy Abelia, *Abelia grandiflora*  
Primrose Jasmine, *Jasminum mesnyi*  
Bridal Wreath Spirea, *Spiraea reevesiana*

Torulosa Juniper, *Juniperus chinensis torulosa*  
Pfitzer Juniper, *Juniperus chinensis pfitzeriana*  
Sweet Viburnum, *Viburnum odoratissimum*  
Winter Honeysuckle, *Lonicera albaflora*  
American Beautyberry, *Calycarpa americana*  
Heavenly Bamboo, *Nandina domestica* and *compacta*  
Roseglow Barberry, *Berberis thunbergii*  
Chinese Fringeflower, *Loropetalum chinensis*  
Texas Sage, *Leucophyllum frutescens*  
Burford Holly, *Ilex cornuta burfordii*  
Yucca species  
Pink Lantana, *Lantana camara*  
Butterfly Bush, *Buddleia davidii*  
Silverleaf Cotoneaster, *Cotoneaster glaucophyllus*  
Texas Sotol, *Dasylirion wheelerii*  
Texas Elbow Bush, *Forestiera pubescens*  
Spineless Prickly Pear, *Opuntia lindheimerii*  
Dwarf Yaupon Holly, *Ilex vomitoria nana*  
Rosemary, *Rosmarinus officinalis*  
Sago Palm, *Cycas revoluta*  
Chinese Holly, *Ilex cornuta rotunda*  
Cast Iron Plant, *Aspidistra elatior*  
River Fern, *Dryopteris normalis*

**Perennials and Ornamental Grasses:**

Maiden Grass, *Miscanthus*  
Autumn Sage, *Salvia greggii*  
Beargrass, *Nolina texana*  
Yarrow, *Achillea millefolium*  
Pink Skullcap, *Scutellaria wrightii*  
Mexican Bush Sage, *Salvia leucantha*  
Indigo Spires Sage, *Salvia* sp.  
Lantana species  
Fall Aster, *Aster frikartii*  
Coreopsis species  
Mexican Oregano, *Poliometha longiflora*  
Artemisia Powis Castle, *Artemisia* sp.  
Red Yucca, *Hesperaloe parviflora*  
Purple Fountain Grass, *Pennisetum*  
Verbena species  
Iris species  
Fortnight Lily, *Diets bicolor*  
Butterfly Iris, *Moraea iriodes*  
Blackfoot Daisy, *Melapodium leucanthum*  
Copper Canyon Daisy, *Tagetes lemonii*  
Turks Cap, *Malvaviscus arboreus*  
Blue Mistflower, *Eupatorium*

Zebra Grass, *Miscanthus zebrinus*  
Flame Acanthus, *Anacanthus*  
Gulf Coast (Pink) Muhly  
Mexican Feather Grass, *Stipa tenuissima*  
Little Bluestem, *Andropogon scoparius*  
Big Muhly, *Muhlenbergia lindheimeri*

**Groundcovers and Vines:**

Greenmound Juniper, *Juniperus conferta* "G.M."  
Blue Rug Juniper, *Juniperus horizontalis* "B.R."  
Trailing Lantana, *Lantana montevidensis*  
Bigleaf Periwinkle, *Vinca major*  
Bugle Weed, *Ajuga*  
Mondo Grass, *Ophiopogon*  
Giant Liriope, *Liriope gigantea*  
Cross Vine, *Bignonia capreolata*  
Evergreen Wisteria, *Milletea*  
Chinese Wisteria  
Trailing Rosemary, *Rosmarinus officinalis* "prostrates"  
Carolina Yellow Jessamine, *Gelsemium sempervirens*  
Boston Ivy, *Parthenocissus tricuspidata*  
Liriope, *Liriope muscari* "Big Blue"  
Purpleleaf Honeysuckle, *Lonicera japonica atropurpurea*  
Coral Honeysuckle, *Lonicera sempervirens*  
White Potato Vine, *Solanum jasminoides*  
Fig Vine, *Ficus pumila*  
Lady Bank's Rose, *Rosa banksiana*  
Asian Jasmine, *Trachelospermum asiaticum*

**Lawns:**

"El Toro" or "Cavalier" Zoysia Grass  
"609", "Prairie" or "Top Gun" Buffalo Grass  
"Tiff 419", "Sultan" or "Sahara NuMex" Hybrid Bermuda



**APPENDIX III:****Maximum Dwelling Area Per Lot  
(Air Conditioned Space)****Section One**

Lot 1	2,000 square feet
Lot 2	6,000 square feet
Lot 3	4,000 square feet
Lot 4	4,000 square feet
Lot 5	4,000 square feet
Lot 6	4,000 square feet
Lot 7	4,000 square feet

**Section Two**

Lot 1	6,000 square feet
Lot 2	4,000 square feet
Lot 3	4,000 square feet
Lot 4	4,000 square feet
Lot 5	4,000 square feet
Lot 6	4,000 square feet
Lot 7	4,000 square feet
Lot 8	4,000 square feet
Lot 9	4,000 square feet
Lot 10	4,000 square feet
Lot 11	6,000 square feet

**Section Three**

Lot 1	4,000 square feet
Lot 2	4,000 square feet
Lot 3	4,000 square feet
Lot 4	4,000 square feet
Lot 5	4,000 square feet
Lot 6	4,000 square feet
Lot 7	4,000 square feet
Lot 8	4,000 square feet
Lot 9	4,000 square feet
Lot 10	4,000 square feet
Lot 11	4,000 square feet
Lot 12	4,000 square feet
Lot 13	4,000 square feet
Lot 14	6,000 square feet

First Amendment to  
January 1, 2009 Design Guidelines

This First Amendment to January 1, 2009 Design Guidelines for Creek Road Ranch (this "Amendment") is made to be effective February 1, 2010. The Design Guidelines for Creek Road Ranch were established by Creek Road Ranch, Inc., as Declarant under that certain Declaration of Protective Covenants for Creek Road Ranch, recorded in Volume 2041, Page 548, Official Records of Hays County, Texas (the "Declaration"), and have been amended and revised from time to time. The current version of the Design Guidelines was revised effective January 1, 2009 (the "Design Guidelines").

Section 9.6 of the Declaration authorizes the DRC to amend the Design Guidelines from time to time, and by the signature below of at least two (2) members of the DRC, the DRC hereby adopts this Amendment.

NOW THEREFORE, know all persons by these presents:

1. **Definitions.** Capitalized terms used in this Amendment and not otherwise defined herein shall have the meanings set forth in the Declaration.
2. **Submission Fees.** Section 1.4 of the Design Guidelines is amended (a) to increase the initial submission fee for the construction of a Dwelling Unit on a Lot to \$5,000.00 and (b) to provide that the initial submission fee for review of alterations or improvements to an existing Dwelling Unit, or for review of new accessory Improvements, shall be an amount determined by the DRC on a case-by-case basis considering the scope of the proposed alterations and improvements and the anticipated review costs. To the extent a submission fee assessed under Section 1.4 of the Design Guidelines is not sufficient to cover the out of pocket costs incurred by the DRC in reviewing the applicable Plans and Specifications, the Owner also shall reimburse the DRC for the additional cost so incurred. To the extent a submission fee assessed under Section 1.4 of the Design Guidelines exceeds the actual costs incurred by the DRC in reviewing the Plans and Specifications, subject to the provisions of Paragraph 3 below, the DRC shall return the excess (the "**Excess Submission Fees**") to the Owner upon completion of the construction in accordance with the terms of the Declaration.
3. **Excess Submission Fees.** In the event there are Excess Submission Fees but the Owner has breached its maintenance obligations under the Declaration with respect to construction (*e.g.*, has failed to keep dirt, construction debris or other construction-related refuse from streets and storm drain inlets), or has failed to landscape, provide proper erosion controls for, or otherwise properly complete a Dwelling Unit in accordance with the approved Plans and Specifications, in addition to the Association's rights under the Declaration (including the right to levy Compliance Assessments), the DRC may apply the Excess Submission Fees to the cost of

performing such maintenance obligations and/or completing such landscaping and/or erosion controls.

4. **Ratification.** Expressly as expressly provided herein, Declarant and the DRC hereby ratify and confirm the Design Guidelines in all respects.

Executed to be effective February 1, 2010.

DECLARANT:

**CREEK ROAD RANCH, INC.**, a Texas corporation

By: 

Whit H. Hanks, President

DRC:

  
WHIT H. HANKS

 - 1/28/10  
KEENAN E. SMITH, AIA

  
PAUL C. SMITH, A.S.L.A.