

# ARCHITECTURAL GUIDELINES THE TRADITIONS HOMEOWNERS ASSOCIATION, INC.

WHEREAS, The Traditions Homeowners Association, Inc. ("Association") is charged with administering and enforcing that certain Declaration of Covenants, Conditions and Restrictions for The Traditions as recorded in Volume 5901, Page 1 of the Official Records of Brazos County, Texas on March 3, 2004, as amended ("Declaration"); and

WHEREAS, Article X of the Declaration provides that the Architectural Review Board ("ARB") is empowered to establish Architectural Guidelines applicable to the Community; and

WHEREAS, the ARB has established and approved the updated Architectural Guidelines attached hereto as Exhibit A; and

WHEREAS, the Board desires to approve such Architectural Guidelines attached hereto as Exhibit A; and

WHEREAS, all undefined terms used herein shall have the meaning ascribed to such term in the Declaration.

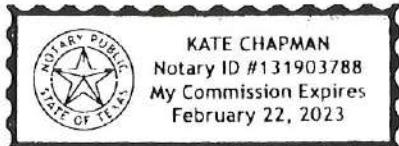
NOW, THEREFORE, the Board, in accordance with Article X of the Declaration, hereby approves the Architectural Guidelines attached hereto as Exhibit A, this 17 day of DECEMBER, 2019.

The Traditions Homeowners Association, Inc.

By: DAVID B. SEGEARS  
Name: DAVID B. SEGEARS  
Title: DIRECTOR

STATE OF TEXAS  
COUNTY OF BRAZOS

This instrument was acknowledged before me on the 17 day of December,  
2019, by David Segers, as Director of The Traditions  
Homeowners Association, Inc., a Texas nonprofit corporation.



**NOTARY PUBLIC, State of Texas**

EXHIBIT A  
ARCHITECTURAL GUIDELINES  
[attached]



Brazos County, Texas

**ARCHITECTURAL GUIDELINES  
FOR SINGLE FAMILY RESIDENCES**

**NOVEMBER 2019**

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## SECTION I INTRODUCTION

The Traditions is an approximately 940-acre golf and residential community, located in Brazos County, Texas.

The centerpiece of The Traditions community is the Traditions Club, featuring an 18-hole golf course co-designed by Jack Nicklaus and Jack Nicklaus II. The Traditions Club also features a state-of-the-art practice area with driving range, pitching and putting areas, and practice bunkers. The Traditions Club will also feature a club campus including a the Golf House, Clubhouse, a state-of-the-art Lifestyle Center, a Swim and Tennis Center, and The Paul Wahlberg '50 Aggie Golf Learning Center. Around the golf course and throughout the community will be single family homesites and Founder Cottage sites.

### A. GOALS OF THE DEVELOPMENT

The primary development goal of The Traditions is the achievement of a high quality, aesthetically pleasing and compatible residential community which strives to preserve the environmental setting as well as preserving and enhancing the value of each owner's investment. Bryan/Traditions, L.P. (the "Developer") is establishing criteria and procedures that will promote the highest level of aesthetic value, design compatibility, and maintain and enhance economic value within The Traditions.

### B. PURPOSE OF THE ARCHITECTURAL REVIEW BOARD ("ARB")

The purpose of the ARB is to enhance the value of each owner's investment by guiding the building design process in order to preserve the environmental ambiance and to facilitate The Traditions development goals. The ARB, in its review of single family homes, will not dictate any particular architectural style or hinder personal design preferences as a rule. It will strive to ensure a cohesive character within The Traditions. Traditional design details may be incorporated in the design but "pure styles" which tend to create disharmony are strongly discouraged.

### C. LIMITING CONDITIONS

These Architectural Guidelines establish criteria and procedures for development, design, and construction within The Traditions. These Architectural Guidelines are not an offer to sell, purchase, or list real estate, nor are they a warranty of any type. Such agreements shall be separately set forth in legally executed, written documents. These Architectural Guidelines are binding on all owners of property within The Traditions except for any improvements constructed or approved by the Developer. Remedies for failure to comply are outlined in these Architectural Guidelines, in the Declaration of Covenants, Conditions and Restrictions for The Traditions ("Declaration") and in purchase and sale agreements. These Architectural Guidelines do not supersede (except where more restrictive) or duplicate the Declaration, municipal, county, state, or federal regulations, or other legally binding contracts or agreements between the Developer and purchaser or builders.

## SECTION II ARCHITECTURAL REVIEW BOARD

All projects reviewed by the ARB are evaluated with consideration of the covenants for subject property, aesthetics and current policy. The ARB is concerned with all aspects of aesthetics. The ARB is not responsible for the enforcement of building codes, structural details, accuracy of drawings and techniques of construction. Submissions may be disapproved for purely aesthetic reasons deemed contrary to the goals and objectives of the ARB.

Please submit to the ARB before 5pm at The Traditions development offices Monday-Friday with attention to Eddie Hare. Submission for the conceptual review, preliminary review, or final reviews will be reviewed with a response back within ten (10) business days from the date of submittal.

In general, written response is delayed until the final approval ("The Traditions Final Approval") is granted. We strive to maintain a very positive approach throughout the review process. We have found through experience that letters of denial tend to be misunderstood and become difficult negatives to overcome. In order to avoid misunderstandings, it is preferable to meet with the applicant to review issues in a constructive and positive manner.

We welcome input regarding the review process as we continue to improve our process by focusing on a "Welcome to The Traditions" attitude without losing sight of our main objective for a pleasing and harmonious community.

There is a non-refundable submission fee for all construction at The Traditions (see the schedule of fees in Section IV).

ARB preliminary approvals are valid for a period of ninety (90) days and final approvals are valid for twelve (12) calendar months. In the event construction fails to begin during this period, the plans must be resubmitted to the ARB and must conform to the then current policy.

These Architectural Guidelines may be amended at any time subject to approval of the ARB and such changes shall meet the minimum development standards as approved by the City of Bryan or the City of College Station, Texas as applicable.

### **CONTACT:**

Community Website: [thetraditionshoa.org](http://thetraditionshoa.org)

About Us page: ARB Coordinator contact information

## SECTION III DESIGN GUIDELINES

### A. GENERAL

The following are design guidelines for construction of single family homes in Traditions Club & Community. The parameters are designed to provide a common thread for all homes to cohesively and aesthetically work together to create a pleasing residential community. The following are guidelines only and are subject to approval by the Architectural Review Board.

### B. BUILDING SIZES AND SETBACK REQUIREMENTS – (If different than shown on plat, the more restrictive setback shall apply.)

#### 1. **ESTATES** - Hickory | Sycamore | Emory

- 3,000 SF minimum (heated & cooled) on main 1st floor
- 35' front setback
- 35' rear setback (non-golf frontage)
- 60' rear setback (golf frontage)
- 15' side yard setback

#### 2. **FULL SIZE** - Willow | Elm | Pinyon | Palmetto | Mahogany

- 2,500 SF minimum (heated & cooled) on main 1st floor
- 35' front setback
- 35' rear setback (non-golf frontage)
- 60' rear setback (golf frontage)
- 10' side yard setback

#### 3. **MID SIZE (A)** - Balsam Ct. | Blue Bell | Boxelder

- 2,000 SF minimum (heated & cooled) on main 1st floor
- 25' front setback
- 7.5' rear setback (non-golf frontage)
- 50' rear setback (golf frontage)
- 8' side yard setback

#### 4. **MID SIZE (B)** - Blue Bell Dr | River Birch

- 2,200 SF minimum (heated & cooled) on main 1st floor
- 25' front setback
- 25' rear setback (non-golf frontage)
- 10' side yard setback (*Blue Bell Dr.*)
- 8' side yard setback (*River Birch*)

5. **VILLA 1** - Walnut Creek

- 2,000 SF minimum (heated & cooled) on main 1st floor
- 35' front setback
- 35' rear setback (non-golf frontage)
- 50' rear setback (golf frontage)
- 8' side yard setback

6. **VILLA 2** - Persimmon

- 2,000 SF minimum (heated & cooled) on main 1st floor
- 25' front setback
- 25' rear setback (non-golf frontage)
- 25' rear setback (golf frontage)
- 8' side yard setback

7. **ZERO LOT LINE (A)** - Chinquapin

- 2,000 SF minimum (heated & cooled) on main 1st floor
- 35' front setback
- 35' rear setback (non-golf frontage)
- 35' rear setback (golf frontage)
- 10' side yard setback

8. **ZERO LOT LINE (B)** - Laurel Trace | Diamond Leaf

- 1,800 SF minimum (heated & cooled) on main 1st floor
- 25' front setback
- 35' rear setback (non-golf frontage)
- 40' rear setback (golf frontage)
- 10' side yard setback

**NOTE:** All golf course frontage lots must get approval from Traditions Golf Course Management Team to "trim, thin, or limb up" any site lines associated with natural landscape buffer zones between property line and golf course playable area. ARB Coordinator will coordinate with the lot owner and the golf course management team to ensure areas in question are resolved effectively.

**CONTACT:** [thetraditionshoa.org](http://thetraditionshoa.org)

About Us page: ARB Coordinator contact information

Due to extreme topography changes, some lots may require setback variances and will be granted in accordance with and shall adhere to at least the minimum requirements of the City of Bryan, Texas.

#### C. DESIGN PARAMETERS

1. The Traditions residences shall have a minimum distance of two (2') feet from finished floor to the existing grade (within the building area) and a minimum of one (1') foot of exposed foundation wall at the entrance elevation. The ARB will encourage an "elevated" appearance on the entry elevation.

2. The maximum height from finished first floor to highest roof ridge is thirty-five (35') feet. This is based on the assumption that the floor elevation is the FEMA requirement and is also in compliance with our design guidelines above.

3. The minimum primary roof pitch for all residences shall be 8 to 12. Secondary roofs (porches) shall be sloped at no less than 4 to 12.

4. Asphalt drives and parking areas are not permitted.

5. Flags may be displayed, but must be reviewed and approved by the ARB and shall be properly located on and in scale with the residence. American Flags may be displayed on a pole attached to your home and must follow the American Flag rules of Etiquette. The flag may not exceed 3' by 5' and must be lighted if flown after daylight hours. Special event flags may be flown on event days.

6. Pools are permitted within setback lines in the rear of residences and shall not adversely impact on neighbors' sight lines.

7. Dusk to dawn lighting is highly recommended for each residence, and may be either pole mounted or attached to the residence. The pole's style, height and type must be approved by the ARB. Such lights must be equipped with a photoelectric cell to ensure dusk to dawn lighting. Exterior lighting should not adversely affect neighbors and should include dimmers and sensitive bulbs. If eave security lights are proposed on outside extremities of a structure, they must be activated by motion detectors.

8. Street Lighting. In an effort to facilitate an environmentally sensitive community, all street lights within residential parcels will be provided by the developer. No additional street lights will be installed in addition to those provided by the developer.

9. All chimneys shall be constructed of masonry materials.

10. Masonry (stucco, brick, stone, etc.) must be the primary exterior finish on all sides of the residence including the front and back of the residence.

11. Landscape plans must be sensitive to the natural local conditions including factors such as water consumption requirements and must be in accordance with Section V of these Architectural Guidelines. Traditions is in USDA Hardiness Plant Zone 8b.

12. Satellite dishes must be reviewed and are required to be concealed. Maximum allowable dish size is 24" in diameter.

13. The use of any vinyl or aluminum siding within The Traditions is prohibited. Horizontal siding and cedar shake siding as accents may be used.

14. Each residence must have windows on all side walls including front and back walls. Variances will be needed for walls that have greater than 20 feet of wall without windows. Aluminum windows with mill finish will not be allowed. Colored aluminum windows will be permitted in The Traditions.

15. Front loaded garages are strongly discouraged within The Traditions and will be permitted only where side entry is not possible. Front facing garage(s) must have a 3' overhang / eyebrow / eave that is approved by the ARB.

16. All mail boxes within The Traditions will be uniform in design, color, lettering, numbering and installation. These mail boxes are available by contacting the ARB. Newspaper delivery holders will be incorporated into the box design. Any modification of this mail box is prohibited.

17. Street Number I.D. The Traditions must approve the design for street number signs on all residences.

18. Approved roof materials include slate, standing seam metal, tile, and 25-year (minimum) heavyweight dimensional fiberglass composition shingles. Wood shake roofs are not permitted.

19. Floor Plan/Elevation Repetition. To avoid repetition and a monotonous look to The Traditions, the following guidelines apply regarding the repetition of floor plans and elevations:

(a) When building a house having the same floor plan and the same elevation, whether on the same or opposite side of the street, four (4) full lots must be skipped.

(b) When building a house having the same floor plan and a different elevation on the same side of the street, three (3) full lots must be skipped.

(c) When building a house having the same floor plan and a different elevation on the opposite side of the street, two (2) full lots must be skipped.

(d) Houses on cul-de-sacs are considered to be on the same side of the street.

20. No carports are allowed in The Traditions.
21. Gutters and downspouts shall be used in The Traditions.
22. Exterior colors of materials shall be warm earth tones, complementary in color to natural materials.
23. Accessory Buildings. ARB approval is required prior to construction of any accessory building, including sheds or permanently installed playhouses. A detached garage is not considered an accessory building and ARB approval is required on a case-by-case basis. Accessory buildings must be of the same or generally recognized complementary style, color and material. Roofing material must match that of the main residence. Any utilities servicing accessory buildings shall be installed underground. Accessory buildings shall conform to side and rear setbacks required this Section III.B., and shall not unreasonably obstruct view corridors. Outbuildings are not permitted.
24. Fences. Extensive installation of perimeter fences in The Traditions is discouraged. However, fences may be necessary to enclose areas for safety, security or privacy reasons. All fences, walls and barrier devices shall require ARB approval prior to construction or installation. In order to maintain the visual and aesthetic integrity of the golf course, common areas and open spaces, all homesite boundaries adjacent to the golf course, common areas and other locations as determined by the ARB shall have open fencing as described in this paragraph or no fence at all. Following is a description of the acceptable styles for both privacy fencing and open fencing.
  - (a) Open fencing: Golf course lots will require open fencing or no fence at all, and will be dictated by the ARB. All open fencing shall be 5 feet welded residential majestic 3-rail fencing. The open fence system shall conform to Ameristar® Ferro-Fused™ design, 3-Rail style, or AEGIS™ RESIDENTIAL and ECHELON ALUMINUM™ in the same design style manufactured by Ameristar Fence Products, Inc. Open fencing will be allowed (if desired) on side property lines in addition to the front and back lot lines and must conform to the style and specifications attached hereto as **Exhibit A** which are the only acceptable style and specifications. The ARB will review each homesite on an individual basis and make appropriate adjustments to this fencing plan.

- **Open Fences Special Provision** - Neighborhoods that are exclusive only to the Open Fence or No Fence policy are:
  - i. River Birch - Phase 34 to include all 11 lots
  - ii. Mahogany - Phase 26 to include all 29 lots

- (b) Privacy fencing: Privacy fences between property lines within The Traditions may be constructed of masonry, stone, brick, wood, steel or iron and should be an integral part of the design of the residence. Wood fences must be constructed of rough-sawn cedar and must be double-sided so that both sides appear as the front and capped with a minimum two-inch by six-inch (2"x 6") cap. The cap must be level and slats must be plumb. Fence posts shall be set no less than eight feet (8') apart and set in concrete. Posts located at property corners, the building setback line and as otherwise aesthetically appropriate shall be constructed of masonry, stone or brick as designated by the ARB for a particular Neighborhood or, if no material has been designated by the ARB for such Neighborhood, masonry, stone or brick to match one of the adjoining residences. Wood slats shall have a minimum width of four inches (4") and a maximum width of six inches (6"). All wood fences shall be semi-transparent stained. The color palette

must be complementary to the residence and approved by the ARB. Privacy fencing is not permitted on golf course lots.

(c) Only open fencing will be permitted to extend beyond the front face of the exterior wall that contains the primary residence's front entrance. Any fencing beyond the wall of the residence's front entrance shall require approval by the ARB.

(d) No double walls or fences on common property lines will be permitted.

(e) Any fences, whether constructed by the owner or the builder, shall be well repaired and maintained. In the event a fence or wall is damaged or destroyed, the owner shall repair or recondition the same at the owner's expense within a reasonable time.

25. Drainage. No activity shall occur on any homesite prior to, during or following construction, which would impede natural drainage. No grading, scraping, excavation or other rearranging or puncturing of the surface of any homesite shall be commenced which will or may tend to interfere with, encroach upon or alter, disturb or damage any surface or subsurface utility lines, pipe, well or easement. No activity or improvement shall direct drainage so as to negatively impact adjacent lots, golf course or other existing improvements, however, natural water flow shall not be impeded and may in some circumstances flow across one or more adjacent properties due to severe elevation differences present in The Traditions. Prior to commencement of ground disturbing activity, owner or approved builder shall call 1-800-344-8377 to locate any and all subsurface utilities, pipelines, etc.

#### SECTION IV REVIEW PROCESS

To provide a systematic and uniform review of proposed construction, the ARB has established the following submission and approval guidelines.

##### A. GENERAL

Construction within The Traditions, including site preparation, should not begin before the following has been accomplished:

- Final plans have been approved and The Traditions Final Approval and a City of Bryan building permit has been issued; and
- The Landscape plan has been approved and a landscape plan deposit has been paid.

##### B. DISCLAIMER OF ARB LIABILITY

Neither the ARB, the Developer, nor any of their representatives, successors or assigns shall be liable for damages to anyone submitting plans for approval, or to any owner, builder,

contractor, visitor or occupant of any of the property in The Traditions by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval of any plans or the failure to approve any plans. No ARB approval as provided herein shall be deemed to represent or imply that the proposed improvement, if constructed in accordance with the approved plans and specifications, will result in a properly designed and constructed improvement or that it will meet all applicable building codes, governmental or agency requirements. The issuance of The Traditions Final Approval does not take the place of other governmental approvals and permits. All such approvals and permits are the responsibility of each homesite owner.

#### C. APPLICATION REQUIREMENTS

All proposed construction requires submission of completed Application for Residential Construction, signed and dated together with the applicable submission fee(s) (see following schedule of fees). Plans will not be reviewed without the completed Application for Residential Construction and delivery of the applicable submission fee.

#### D. ARCHITECTURAL REVIEW BOARD SUBMISSION FEE SCHEDULE

	<b>Approved Builders</b>
Single Family Residence	\$350.00
Additions (Covered)	\$125.00
Additions (uncovered)	N/C
Pools, decks, fences, enclosed covered areas, etc.*	\$50.00
Basketball backboards, gym sets,	N/C
Re-staining of residence	N/C
Replacement of shingles	N/C
Conceptual plan review	N/C
Inspections caused by owner/builder*	\$50.00

(This applies to stake-outs and trash compliance inspections)

\*Unless part of the initial ARB submission, which will be at no additional cost.

These submission fees may be adjusted by majority vote of the ARB from time to time.

#### E. STAGES OF PLAN REVIEW

1. Conceptual Review. There is no submission fee required for this review. The submission should contain information depicting the exterior of the proposed residence with information as to materials and colors. A scale drawing of the site plan with the footprint within setback lines should be included. Conceptual approvals are valid for ninety (90) days from issuance of the approval by the ARB.

2. Preliminary Review. When the conceptual review has not been requested, this submission should include a site plan with setback lines, preliminary floor plan(s), and elevations with materials clearly indicated. Drawings must be to scale. Preliminary approvals are valid for ninety (90) days from issuance of the approval by the ARB.

The Conceptual Review and the Preliminary Review are optional stages in the review process. Both reviews are designed to aid the owner with compliance to all ARB requirements. Those owners submitting only for the Final Review assume the risk of ARB disapproval and delays in the review approval process.

3. Final Review. This review is based on the premise that either the conceptual and/or preliminary review has been made. Plans that have been submitted for preliminary review and that have been revised in accordance with the comments of the ARB, will likely receive The Traditions Final Approval and any further concerns the ARB may have during final review may be addressed as conditions to The Traditions Final Approval. If a conditional Traditions Final Approval is obtained, the remainder of this review will be handled by the staff to insure that both parties are in agreement. The Traditions Final Approval is valid for twelve (12) months from issuance of the approval by the ARB. The final review submission requires the following items:

- a. The completed Application for Residential Construction;
- b. The payment of the applicable ARB submission fee;
- c. The completed working drawings including:

Site Plan - (scale 1/16" = 1') including:

- (i) Registered site survey with property lines;
- (ii) Elevations of property corners, center of building, edge of roadway and finished floor elevations;
- (iii) Tree survey showing location and species of trees four (4") inches or larger in diameter. Trees proposed to be removed to be indicated with an (X);
- (iv) Setback lines;
- (v) Building outline including service yard and front and rear corners of adjacent buildings;
- (vi) Drives, parking areas, walks, patios, etc. (indicate type of material for these items--asphalt not allowed);

- (vii) Drainage and grading plan with the existing contours indicated by solid lines. Sites where the finished floor elevation is less than three (3') feet above center elevation of homesite, the drainage pattern may be indicated by arrows to show that the final grading will not direct drainage onto adjacent properties. It is the responsibility of the owner and the owner's agent to ensure that drainage is in accord with the approved plans and the master drainage plan of the development; and
- (viii) Location and identification of special features such as drainage ditches, easements, retaining walls, etc.

Floor Plan(s) - (Scale 1/4" = 1') showing the roof outline, entry steps, service yard details such as screening and all other architectural features in addition to engineered slab drawings.

Roof Plan - indicating the roof pitch, an outline of the building walls below, the roof outline and any other pertinent features.

Elevation Drawings - (Scale 1/4" = 1') must include all four elevations, indicate existing grades and finished grades, finished floor elevation above mean sea level, exterior finishes of materials, roof pitch, window and door designs, service yard enclosure, and any other pertinent information such as the windscreen for the chimney.

Color Sample Board - samples of the actual materials and their colors are to be submitted on a rigid 8 1/2" x 11" board. In addition, the material and color information requested in the Application for Residential Construction must be submitted.

Detail Drawings - showing wall sections, service area enclosure details, and other architectural details. A schedule of window types should be submitted.

Electrical Plan(s) - must show the location of the meter setting in the service yard, locations and specifications of exterior lighting, including security lighting and other electrical equipment for pools, etc.

Gas Plan(s) - must show location of tanks, meters, etc.

Landscape Plan - landscape drawings shall be submitted with the final review package. Changes to these drawings will be handled at field inspection. They must meet or exceed the standards approved on the original landscape plan.

## F. ON-SITE STAKE-OUT

After all conditions for final review are met and before homesite clearing can commence, a stake-out of the building, drives, and service yard must be installed and approved by an inspection

performed by the ARB. For stake-out review, the property lines and foundation perimeter must be materialized on the site by a series of stakes (a minimum of three (3') feet exposed) connected by string. Trees to be removed are to be flagged with red flagging ribbon. In no case or for any reason shall any tree removal or site clearing commence without The Traditions Final Approval.

#### **G. ISSUANCE OF THE TRADITIONS FINAL APPROVAL**

The Traditions Final Approval will be issued after the on-site stake-out inspection has been made, provided that the site conditions comply with the approved status of the final review and that all deposits have been made.

#### **H. PROGRESS INSPECTIONS**

The ARB shall have the right, but not the obligation to monitor the progress of construction to ensure that ongoing construction is in compliance with the approved plans.

#### **I. REQUEST FOR INSPECTION**

The request for inspection of any type should be made by contacting the current ARB Coordinator at [thetraditionshoa.org](http://thetraditionshoa.org). This ARB inspection does not circumvent the normal inspection process required by the City of Bryan.

### **SECTION V LANDSCAPING**

#### **A. GENERAL**

In order to assure all residents of The Traditions that our residential community will continue to be an attractive and pleasant place to reside, The Traditions ARB requires a landscape plan for all new residential construction. The Traditions ARB does not require a landscape plan deposit to be delivered by the owner to the ARB. However, the landscape plan must be completing in the timeline specified below or there will be a per day violation fee assessed for each day the landscape plan is not complete in place to include all irrigation, grassing, plantings, drainage and mulch. In addition, construction on the home shall not begin until the landscape plan is submitted to the ARB and approved by the ARB.

The landscape plan is required for review at the same time that the residence plan is reviewed. The landscaping work shall be completed in accordance with the approved landscape plan upon the earlier of the following to occur: (i) within eighteen (18) months of the commencement of construction of the residence on the homesite, or (ii) thirty (30) days from occupancy of the residence. Variances may be granted by the ARB based upon seasonal installation and grow-in conflicts. Erosion control throughout the building process and landscaping process is of vital importance and is the responsibility of each owner and their builder.

## B. THE TRADITIONS LANDSCAPING CONCEPT AND GUIDELINES FOR LANDSCAPE PLANS

The ARB requests that you familiarize yourself with these guidelines prior to submitting a landscape plan. Each landscape plan should be prepared in accordance with the following criteria:

1. Provide landscaping to enhance the beauty of the property and residence while providing continuity between the residence and surrounding vegetation.

2. Minimize the visual intrusion of the built environment by mitigating areas disturbed during construction.

Your cooperation with this challenging program to enhance the beauty of The Traditions is appreciated.

## C. OBJECTIVES

All homesites require landscaping immediately after construction. The design of the landscaping will vary, depending on size, shape, topography, location of the homesite and the design of the residence. The design of the landscaping should accomplish the following objectives:

1. Beautify:

- (a) Soften vertical structure from the horizontal ground plane, with foundation plantings of sufficient density and size to cover construction scars and screen the foundation.
- (b) Soften impact of broad wall areas with vertical and spreading foliage.
- (c) Soften and reduce apparent height of residence, foundation planting at the front should be layered from the ground plane using small plants towards the front and then transitioning up to larger plants near the foundation. A single row of uniformly spaced plants of equal size arranged in a single row along the foundation is not acceptable. Installing plant material of different sizes and textures in natural groupings is a preferred alternative.

2. Visually screen AC Units, propane tanks, service yards, meters, recreation equipment, pool equipment and other hard or unsightly areas.

3. Restoration of the site as necessary due to construction.

4. It is the responsibility of each homesite owner to handle surface water created from construction improvements on their property to minimize impact on adjacent homesites and ensure that water is moved to the appropriate areas to interface properly with the subdivision's master drainage plan. Notwithstanding the foregoing, in some severe cases, it may be impossible to prevent drainage across adjacent properties due to severe elevation changes.

5. "Natural" areas are desirable, but owners are cautioned that such areas on their homesite must be maintained and not left to grow wild! Natural does not mean unkept.

6. Phasing: This approach to landscaping is approved, however, the initial phase must meet the first five (5) objectives above.

7. Owners are also encouraged to plan for the conservation of water by planting native and drought resistant flora (USDA plant zone 8b), and to consider rain seasons, drip irrigation along foundations and two-phase irrigation for watering grass separately.

8. Taller plantings may not be placed within your neighbor's view line. The view line is defined by starting at your left and right rear property corners and proceeding twenty (20') feet toward the front corners and twenty (20') feet toward the center across the rear property line. These two new points near each corner when connected form triangles that should remain free for neighbor viewing. All landscaping setbacks must be approved by the ARB.

9. Service yard screening design and materials must be reviewed and approved as part of the ARB submission and approval process.

#### D. PLANS

1. It is recommended that the landscaping plan be prepared by a registered landscape architect or a horticulturalist. The landscape plan must show the existing and proposed vegetation. The plan should be drawn at a scale of 1/16" equals one foot (1'). The plan should graphically illustrate the residence location, lot number, adjoining homesite border lines, existing structures (if any), sizes of plant material, lawn, mulched areas, and open areas such as wetlands, etc. Plant symbols should represent mature spread of each proposed plant. A schedule must be included on the landscaping plan indicating the following specifications for each plant.

- (a) Botanical and common name;
- (b) Plant height at time of planting;
- (c) Plant spread at time of planting;
- (d) Plant quantities;
- (e) Root spec. (B&B) (Container) (Bare Root), etc.
- (f) Square feet of grass and mulched areas.

2. Original drawings are not acceptable for review.

3. Existing trees of four-inch caliper and above, must be identified as to exact location, size of trunk (diameter at breast height), genus name, and the species (if possible).

4. All existing site features such as roads, walks, bike paths, walls, bulkheads, etc. are to be graphically noted on the landscape plan.

5. All surfacing materials are to be clearly noted (as to whether they are concrete, grass, planting beds, etc.). Texturing, concrete paving or other surface treatment is to be indicated to include color presentation.

6. Sod must be planted in the front, side and back yard of each homesite extending to the area along the road and to each side property line. Pockets of natural vegetation may be left in front or rear yards within the building envelope or outside of the building envelope. The plan must blend in with the overall landscape plan of the residence and must be approved by the ARB.

7. Irrigation. All homesites must have an underground, automatic timer-controlled irrigation system with a rain sensor to adequately irrigate all planting beds and grassed areas of the homesite designed by a licensed irrigator. Spray should be contained to the homesite. The ARB may require relocation or redirection of spray if adjacent homesites, streets or golf course are affected. The ARB is not responsible for the system's performance or function. The ARB shall not be held liable for any injury, damages or loss arising out of the manner or quality of approved irrigation systems.

8. A plan of all exterior furnishing and lighting is required.

9. A drainage plan for the homesite is required.

10. A landscape plan deposit is required prior to issuance of The Traditions Final Plan Approval.

#### E. INSPECTION

Planting must be completed upon the earlier of the following to occur: (i) within eighteen (18) months of the commencement of construction of the residence on the homesite, or (ii) thirty (30) days from occupancy of the residence, unless a variance is granted due to seasonal issues. When planting is completed, call ARB Coordinator for inspection. Your landscape plan deposit will be returned after a satisfactory inspection.

#### F. SUGGESTED PLANT LIST

The following is a list of suggested planting material and is intended as a guide.

##### Trees

River Birch  
Bald Cypress (Cedar, Lacebark OK)  
Chinese Pistache  
Oaks, Overcup, Nuttall, Willow  
Magnolia  
Eastern Redbud (Texas OK)  
Hollies, Emily Brunner, Nellie R. Stevens, Oakleaf, Mary Nell, Lusterleaf, Robin, Patriot  
Tree form Burford  
Crepe Myrtle

##### Shrubs

Boxwood  
Hollies  
Ligustrum  
Nandina (Firepower, Compacta)  
Laurels (Cherry Laurel or Mt. Laurel)  
Wax Myrtle (Dwarf or Southern)  
Indian Hawthorne  
Viburnum (Dwarf Walters)  
Juniper  
Dwarf Oleander  
Philodendron  
Plumbago  
Rosemary  
Esparanza  
Elaeagnus  
Roses, Knockout, Flower carpet (Antiques or "Nearly Wild," "Martha Gonzalez")  
Ornamental Grasses (Miscanthus, Muhlenbergia, Nassella tenuissima, pennisetum)

#### Vines

Fig ivy  
Rangoon creeper  
Passion vine  
Wisteria  
Trumpet star jasmine

#### Ground Cover

English Ivy  
Vinca Minor  
Liriope  
Mondo Grass  
Aztec grass  
Ardisia

#### Grass

Zoysiagrass – Palisades, Emerald, Zorro & Caviler.  
Bermudagrass - 419, TifTuf, or TifSport (No Common Bermuda allowed)  
St. Augustine - Permitted, but not recommended  
*All yards must be sodded as seeded varieties and sprigs are not permitted.*

## SECTION VI RULES AND REGULATIONS GOVERNING CONSTRUCTION

### A. GENERAL

These rules and regulations are for compliance by all owners, contractors, subcontractors, material suppliers, maintenance personnel and any others engaged in construction or allied activity in The Traditions. These regulations are not intended to restrict, penalize or impede construction activity during reasonable performance of duties while within The Traditions. Rather, they will be enforced fairly to achieve the objectives enumerated below and in the Declaration and to facilitate orderly and controlled construction activity thereby preserving the overall quality of The Traditions. Violations are subject to assessments and repeated violations may be cause for denial of access.

### B. GUIDELINES WITHIN THE JURISDICTION OF THE ARCHITECTURAL REVIEW BOARD

1. Site Clearing. Site clearing or construction on any property within The Traditions is not permitted without first obtaining The Traditions Final Approval. Site clearing material must be transported in a covered truck. No burning of brush, trees, or trash is allowed in The Traditions. Trash fires are not allowed in The Traditions and violators will be fined in accordance with Violation fines in the Schedule of Assessments in Section B, paragraph 8 of this Section VI.

2. Trash Receptacles. Each construction site must have a suitable trash receptacle. Building sites must be cleared of litter each day and stored in the trash receptacle for removal when full. Trash receptacles must remain covered at all times in order to prevent the trash from scattering in case of wind. The dumping of construction trash is not permitted within The Traditions.

3. Portable Toilets. Each construction site must be furnished with at least one (1) portable toilet prior to any on-site construction. These toilets will be placed in an inconspicuous location, with the door facing away from any view from the adjacent street or residence. Clean and sanitary conditions are required for all toilets.

4. Compliance with Architectural Review Board Approvals. All building and landscape plans must be approved in writing by the ARB; the Developer shall hold the owner and the builder jointly responsible for building in accordance with the building and landscape plans as approved by The Traditions Final Approval. Construction must be complete to a point of being granted a certificate of occupancy within eighteen (18) months of the commencement of construction of the residence on the homesite. The landscaping work shall be completed upon the earlier of the following to occur: (i) within eighteen (18) months of the commencement of construction of the residence on the homesite, or (ii) thirty (30) days from occupancy of the residence. Any change to the exterior of the residence, siting, driveway, garage, etc., must receive prior written approval from the ARB. Failure to comply may result in an assessment (see schedule below).

5. Signs. To minimize visual clutter, the ARB only allows a construction site sign standard to be used on all construction sites. The ARB only allows the general contractor's logo to be incorporated into this sign.

6. Rules and Regulations. The rules and regulations promulgated by The Traditions Homeowners Association, Inc. and any applicable governmental entity must be reviewed prior to all construction in The Traditions and adhered to during such construction. These rules and regulations include items such as: construction hours, trespassing, trash hauling, fill dirt hauling, trash fires, etc.

7. Schedule of Assessments for Violations of the Rules and Regulations of The Traditions. The following is a schedule of assessments that will be enforced when a builder, owner, or owner's agent violates the covenants/regulations of The Traditions. The assessments collected will be used for grounds beautification in common areas and will not be refunded to the owner or builder. An assessment may be appealed (see below).

8. Assessment Appeal. Assessments levied by The Traditions ARB due to violations may be appealed, in writing, with appropriate justification, to the Chairman of The Traditions ARB. The ARB will establish specific procedures for appeals.

#### Schedule of Assessments

<u>Type of Violation</u>	<u>Assessment</u>
a) Not providing trash receptacles for construction or keeping site clean of debris	\$100 per violation
b) Trash fires	\$100 per violation
c) Clearing of site without stake-out approval or obtaining The Traditions Final Approval (includes unauthorized tree removal)	\$500 per violation. This violation warrants possible expulsion of the responsible contractor and denial of further construction within The Traditions
d) Improperly hauling trash	\$100 per violation and/or revocation of vehicle access
e) Construction that does not conform to plans approved by the ARB	\$500 per violation. This violation warrants possible expulsion of the contractor and denial of construction, with removal of the unauthorized construction within The Traditions
f) Failure to provide properly sited portable toilet	\$100 per violation per day

g) Noncomplying signage	\$100 per violation per day
h) Pets on construction sites	\$50 per violation
i) Fishing in lakes	\$50 per violation per day
j) Trespassing on adjoining homesites and properties, equipment, material storage, etc. Trespass of private property is prohibited without written consent from the owner	\$500 per violation
k) Excessive Noise	\$100 per violation
l) Construction Hour Violation (see item 9 below)	\$250 per violation
m) Landscape Plan Completion Violation - (Sec V.A)	\$200 per violation per day
n) Sunday/Holiday Work Violation	\$250 per violation

#### **PUBLISHED HOLIDAYS:**

<b>New Year's Day</b>	<b>Memorial Day</b>
<b>Independence Day</b>	<b>Labor Day</b>
<b>Thanksgiving Day</b>	<b>Christmas Day</b>

n) Unauthorized clearing of Traditions Common Areas      \$1000 per violation  
 (Builder/Owner will also be required to restore common area at builder/owner expense)

9. Construction Hours. Daily working hours for each construction site shall be 7:00AM to 7:00PM Monday through Saturday. No construction work shall be permitted on Sunday or published Holidays (item n). No construction that involves high noise levels shall be permitted prior to 8:00AM or after 6:00PM. The ARB may in special circumstances provide variances to these hours, so long as it can be shown the variance shall not create a disturbance to neighbors.

10. Miscellaneous Practices. All owners will be absolutely responsible for the conduct and behavior of their agents, representatives, builders, contractors, and subcontractors in Traditions. The following practices are prohibited in Traditions:

- a. Changing oil on any vehicle or equipment on the site itself.
- b. Allowing concrete suppliers and contractors to clean their equipment other than at locations included in the approved site plan.
- c. Removing any rocks, plant material, topsoil, or similar items from any property of others within Traditions, including construction sites, except in accordance with ARB approvals.
- d. Discharging any type of firearms on the property or creating any other unduly loud or offensive noises.

- e. Using disposal methods or units other than those approved by the ARB.
- f. Careless disposition of cigarettes and other flammable material. At least one 10-pound ABD-rated dry chemical fire extinguisher shall be available in a conspicuous place on the construction site at all times.
- g. Careless treatment of removal of any plant materials not approved for removal by the ARB.
- h. Allowing excessive dust or noise on the construction site. Radios and other audio equipment will not be allowed to play at levels that are disruptive to the neighbors and to golf play on the Club Properties.
- i. No pets, particularly dogs, may be brought into Traditions by construction personnel. In the event hereof, the Association, the ARB, or the Developer shall have the right to contact the authorities to impound the pet, to refuse to permit the builder or subcontractor involved to continue work on the project, or to take such other action as may be permitted by law, the Declaration of Covenants, Conditions and Restrictions or Architectural Guidelines.

#### C. COSTS OR EXPENSES

In no event will Developer or the ARB be responsible for any costs or expenses incurred by any owner, builder, their agents or to any other person whomsoever in complying, or attempting to comply, with the requirements of this document.

#### D. HOLD HARMLESS

Neither the ARB nor Developer will have any duty, responsibility, or liability to any owner, builder, their agents or to any other person whomsoever in respect to the exercise of its rights, or the failure to exercise its rights. The ARB may reject the plans based on any grounds or reason whatsoever, including purely aesthetic grounds, in its sole and absolute discretion. Owners and builders agree to hold the ARB and Developer harmless from any actions, claims, damages, or costs arising from an ARB review of the plans.

Exhibit A

