



Laura Richard
Laura Richard, County Clerk
Fort Bend County Texas
Pages: 56 Fee: \$231.00

CERTIFICATION

STATE OF TEXAS

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COUNTY OF FORT BEND

I, the undersigned, pursuant to §202.006 of the Texas Property Code, do hereby certify, as follows:

- (1) I am an agent of Lakemont Community Association, Inc., a Texas non-profit corporation;
- (2) An Instrument titled: "**Lakemont Commercial Development Guidelines**" is attached hereto;
- (3) The property affected by the said Instrument is described in Exhibit "A", attached hereto;
- (4) The attached Instrument is a true and correct copy of the original;

IN WITNESS WHEREOF, I have subscribed my name on this 29 day of September, 2016.

By: _____

Luke P. Tollett
Luke P. Tollett, agent for Lakemont Community Association, Inc.

STATE OF TEXAS

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COUNTY OF FORT BEND

BEFORE ME, the undersigned authority, on the day personally appeared Luke P. Tollett being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 29 day of September, 2016.

Maria A. Rodriguez
Notary Public, State of Texas

After recording return to:
HOLT & YOUNG, P.C.
9821 Katy Freeway, Ste. 350
Houston, Texas 77024

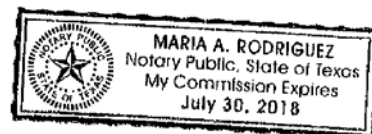


EXHIBIT "A"

Lakemont, Section 1, under Slide No. 2561/B;

Lakemont, Section 2, under Slide No. 2387/A-B;

Lakemont, Section 3, under Slide No. 2374/A-B;

Lakemont, Section 4, under Slide No. 2375/A-B

Lakemont, Section 5, under Slide No. 2467B;

Lakemont, Section 6, under Slide No. 2468B;

Lakemont, Section 7, under Slide No. 2554/A;

Lakemont, Section 8, under Slide No. 2565/B;

Lakemont, Section 9, under Slide No. 2566/A;

Lakemont, Section 10, under Instrument No. 20040043;

Lakemont, Section 11, under Instrument No. 20040135;

Lakemont, Section 12, under Instrument No. 20040032;

Lakemont, Section 13, under Instrument No. 20040031;

Lakemont, Section 14, under Instrument No. 20040086;

Lakemont Ridge, Section 1, under Instrument No. 20060207;

Lakemont Ridge, Section 2, under Instrument No. 20070045;

Lakemont Meadows, Section 1, under Instrument No. 20040228;

Lakemont Meadows, Section 2, under Instrument No. 20050022;

Lakemont Meadows, Section 3, under Instrument No. 20050237;

Lakemont Terrace, Section 1, under Instrument No. 20050025;

Lakemont Terrace, Section 2, under Instrument No. 20050029;

Lakemont Terrace, Section 3, under Instrument No. 20050229;

Lakemont Manor, Section 1, under Instrument No. 20060173;
Lakemont Manor, Section 2, under Instrument No. 20070019;
Lakemont Manor, Section 3, under Instrument No. 20070020;
Lakemont Trace, Section 1, under Instrument No. 20050024;
Lakemont Shores, Section 1, under Instrument No. 20070091;
Lakemont Shores, Section 2, under Instrument No. 20090103 and 20100033;
Lakemont Shores, Section 3, under Instrument No. 20110018;
Lakemont Court, Section 1, under Instrument No. 20050186;
Lakemont Cove, Section 1, under Instrument No. 20050023 and 20090113;
Lakemont Cove, Section 2, under Instrument No. 20050228;
Lakemont Cove, Section 3, under Instrument No. 20060169;
Lakemont Grove, Section 1, under Instrument No. 20050119;
Lakemont West Ridge, Section 1, under Instrument No. 20100147;
Lakemont West Ridge, Section 2, under Instrument No. 20120101;
Lakemont Lake Bend, Section 1, under Instrument No. 20120027
Lakemont Lake Bend, Section 2, under Instrument No. 20120183
Lakemont Commercial Reserve, Section 1 replat, under Instrument No. 20100171;

All recorded in the Real Property Records of Fort Bend County, Texas, along with any amendments, supplements and replats thereto and any other property annexed into the jurisdiction of the Lakemont Community Association, Inc.

Lakemont

Commercial Development Guidelines

FDC

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Friendswood Development Company

2010

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I. Introduction and Philosophy

Friendswood Development Company (FDC) communities are constantly evolving due to changing consumer expectations and public regulations. Typically, this evolution reflects changing market and regulatory conditions. Thus, it is important that each FDC community have an overall set of policies and standards to provide a framework for dealing with these changes. In an effort to protect and enhance property values by controlling the scale, design and compatibility of development, FDC has created these Commercial Development Guidelines for new construction.

After new construction is complete, architectural review then becomes the responsibility of the Lakemont Community Association, Inc. ("LCA")

These Guidelines are a key mechanism by which FDC will *guide* the commercial development of Lakemont. They give landowners considerable flexibility in developing their property as long as their projects conform to certain criteria designed to protect the integrity and value of the community. The basic purpose of these Guidelines is to encourage quality design and character while mitigating undesirable impacts before they may develop. FDC strongly believes that these ideals can be accomplished through a creative effort between itself and other private enterprises building in these communities.

These Guidelines are not intended as absolute design regulations but as guidelines that do not presume to predict all possible site-specific conditions. These Guidelines are intended to supplement any other laws, ordinances or regulations applicable to commercial construction. Although the property is not located within the City of Houston, certain minimum standards shall be required in Lakemont that are comparable to the City of Houston requirements.

A. General Commercial Information

FDC's commercial development classifications are defined as follows:

1. Retail and Commercial

Free-standing retail, retail shopping centers, service stations, cinemas, hotels, restaurants, banks, entertainment facilities, research and development facilities, service/distribution centers, self storage, showrooms, auto dealerships, day care facilities, and related retail uses.

2. Office

Professional and medical office buildings, freestanding or campus style.

3. Institutional

School and church sites, library, hospital, government or community buildings, etc.

4. Multi-Unit Residential Development

Multi-unit residential development including multi-family residential apartments, condominiums, assisted living, nursing homes, personal care homes and townhouses.

B. Architectural Review

(for uses other than single-family residential construction)

To insure the integrity of the development concepts defined in these Guidelines and in accordance with applicable declarations, the following activities must be reviewed and approved by the Architectural Review Committee (ARC) prior to commencement:

Clearing
Demolition
New construction
Signage installation (temporary and permanent)

This document provides general development guidelines to commercial property owners in Lakemont. It is the responsibility of the builder/developer to provide substantiating information to the ARC on all special conditions or circumstances regarding a deviation from these guidelines.

It is the responsibility of the builder/developer to become thoroughly familiar with these Guidelines and to raise questions of interpretation at the earliest possible time.

C. Submittal Procedures and Processing Fee

All correspondence, drawings, and processing fee, material samples and renderings are to be submitted to:

Friendswood Development Company
Attention: ARC Administrator
550 Greens Parkway, Suite 100
Houston, Texas 77067
Phone: 281-875-1552
Fax: 281-872-4207

An Architectural Review Processing Fee shall be charged as follows:

- a. \$0.01 per gross square foot of land in commercial parcel.
- b. minimum fee of \$250.
- c. Maximum fee of \$2,000.

The Processing Fee is non-refundable and payment of the Processing Fee does not ensure ARC approval.

D. Approval Procedures

The ARC approval consists of a two-step process: Preliminary Plan Approval, and Final Construction Plan Approval. A pre-planning discussion with the ARC is recommended to highlight any specific sensitivities that may exist. The approval process may include referral to a qualified outside consultant.

Following review by the ARC at Step 1 and Step 2, a summary letter stating the results of the review will be mailed to the builder/developer within thirty (30) days of the submittal. The ARC will endeavor to expedite the review and response process.

Step 1: Preliminary Plans. The builder/developer is required to submit a preliminary site plan and preliminary exterior building elevations. The preliminary plan should include the following information:

- A. Preliminary Site Plan
 - 1. Site Drawing
 - Existing improvements on site (landscape, utilities, fencing)
 - Building and Parking Locations
 - Trash receptacle with screening method
 - Proposed Signage Location
 - Satellite/Antennae dish location with screening method
 - Parking Lot(s) Configuration and Auto Capacity
 - Driveway Size and Location
 - Building and Parking Setbacks/Dimensions

Fencing or Screening Walls

Service Areas

Existing Vegetation Locations within proposed setbacks or reserves that may be impacted by land use, driveway or service access parking lots, or median cuts.

A statement outlining the builder/developer's understanding of maintenance and irrigation boundaries for the site.

2. Site Data

Site Size (acreage)

Building Size (square footage's)

Parking Ratio

Percentage of Site Devoted to Open Space

All drawings shall be in a format typically produced by a registered professional architect or registered building design professional, a registered professional landscape architect and a registered professional engineer.

ARC approval of preliminary plans does not constitute ARC acceptance of the final construction drawings or approval to begin construction. All information required in Step 2: Final Construction Plans must be submitted and approved in writing prior to any construction.

Step 2: Final Construction Plans. Upon completion and approval of Preliminary Plans (Step 1), the builder/developer may submit Final Construction Plans (Step 2). The submittal should include the following:

Site Plan

Utility and Grading Plans

Architectural Elevations (all sides)

Signage Plans and Signage Elevations (temporary and permanent locations)

Exterior Lighting Plans (including photometric details)

Landscaping Plans and Tree Preservation Plan

Landscaping Irrigation Plans

Exterior Material and Color Samples

All components of building and site design must adhere to the building code as adopted by the City of Houston at the time of construction and/or any other applicable codes, statutes, regulations or ordinances. The builder/developer is responsible for obtaining any and all approvals. The builder/developer is also responsible for determining restrictions associated with pipeline or utility easements which may be located on the site.

The ARC is not responsible for the interpretation of any building codes or ordinances. ARC approval of submitted plans does not constitute compliance with any governmental codes, ordinances or regulations, nor does ARC approval release the builder/developer from the responsibility of compliance with all codes, ordinances, or regulations in effect.

The builder/developer is responsible for abiding by all Non-Point Discharge Elimination System (NPDES) regulations as promulgated by EPA. The builder/developer must prepare a Pollution Prevention Plan (PPP) for the construction site, including erosion and sedimentation control plan for the site which must be included in the construction drawings. The builder/developer is also responsible for submitting a Notice of Intent (NOI) to EPA for compliance with EPA's General Permit. FDC retains the right, but not the obligation, to request a copy of the builder/developer PPP and to make on-site inspections and reasonable changes to ensure adequate erosion protection.

NO CONSTRUCTION MAY COMMENCE UNTIL PLANS HAVE BEEN APPROVED BY THE ARC. THE ARC RESERVES THE RIGHT TO ENFORCE COMPLIANCE WITH THIS APPROVAL BY LEGAL MEANS AS NECESSARY.

E. Variances

The ARC will consider variances in situations where the builder/developer can fully satisfy the ARC that adherence to the guidelines:

1. Presents a significant hardship to the project.
2. An alternate approach which exceeds the intent of these Guidelines is preferable;
3. The Guidelines do not adequately address a specific condition;
4. The variance does not set a negative precedent within the community.

The builder/developer should not plan or design any portion of a project on the assumption of receiving a variance to these guidelines. It is also suggested that the builder/developer contact the ARC immediately should the adherence to the Guidelines propose a potential problem or as questions arise regarding the interpretation of these guidelines. Further, the ARC shall not be responsible for any re-design caused the builder/developer as a result of misinterpretations of the Guidelines.

II. Site Planning Guidelines

Site Planning

Planning for site entrances, landscape design, pedestrian access, vehicular access and parking, building location and character, security, and site utilities must be executed to preserve existing site improvements and landscaping where possible. All site planning must meet the criteria listed below.

1. Open Space Requirement

Open space is defined as land not covered by building structures or used for automobile circulation and/or parking. However, open space may include landscape reserves, swimming pools, tennis courts, and pedestrian sidewalks within a landscape area. All open space must be landscaped and irrigated unless it remains as undisturbed forest, wetland, or other natural area. Open space does not include street right-of-ways.

Open-space requirements are as follows:

<u>Use</u>	<u>Open Space Required</u>
Retail; commercial; office*	25%
Institutional	25%
Multi-Family Residential (more than 12 units/acre)	25%
* Lakemont Section One Restricted Reserves A B shall be permitted 20% open space.	

2. Setback Requirements

Setback areas, including easements, must be landscaped and irrigated. Setbacks are measured from the property line.

Setbacks are required, as indicated below, along all public streets and interior property lines unless specifically altered by Friendswood Development Company in the deed restrictions or by any other applicable codes or ordinances. None of these setbacks may be paved except for driveway crossings approved by the ARC.

<u>Area</u>	<u>Building/ Parking Setbacks</u>	<u>Building Setback</u>	<u>Parking Setback</u>
FM-1093	50 feet		
(Mason Road, Bellaire Blvd., Beechnut Blvd. & Lakemont Bend Dr.)	35 feet		
Side Lot Line			
- Adjacent to non-residential	10 feet		
- Adjacent to single family residential		25 feet	10 feet
- Adjacent to greenbelt or open space		25 feet	10 feet
- Rear Lot Line		15 feet	10 feet

3. Landscape Requirements

Lakemont is designed to include quality landscaping in setbacks, reserves, and open spaces. All commercial projects must be fully landscaped and irrigated. They must complement the quality and design of the landscaping on the adjacent public streets or greenbelts and blend with the residential areas. All landscape and irrigation plans must be submitted to the ARC for review and approval. The ARC reserves the right to determine the appropriate level of landscape required.

Retail center developers shall be required to submit comprehensive landscape criteria to be applied to the retail center and the pad sites.

a. Setbacks

All sides of a project are visually important. The front and side setbacks should receive equal attention. All setback areas must be landscaped with a combination of low growing shrubs and trees. Tree clustering is encouraged. All berms should be kept to a slope of 3:1 or less with a maximum height of four feet (4'). Screening parking lots from the public rights-of-way is required.

b. Parking Lots

Landscaping and planting shade trees for sun screening is required in parking lots and pedestrian walkways. For sites larger than five (5) acres, parking lots are required to have landscaped areas or "islands" totaling at least 5% of the parking lot area.

For parking lots with more than sixteen (16) parking spaces, one (1) tree island is required for every ten (10) parking spaces. Tree islands shall be a minimum of 8'x18' located within the parking lot, between the parking

spaces. Trees should be shade providing canopy varieties at least two and one-half (2-1/2) inches in caliper and of a height of at least twelve feet (12'). Plants for parking lot islands should be carefully selected for tolerance to exhaust fumes and pavement heat. Parking lots shall be screened from adjacent streets by a wax leaf ligustrum hedge planted at 30" o.c.

c. Plant Species, Plant Size and Quantity

Recommended plant species, sizes and quantities for all landscaped areas are included in Section VI.

d. During Construction

Existing landscaping in setbacks must be retained and protected during construction. Existing trees installed within the previous three (3) years in landscape setbacks and located on proposed driveway sites must be relocated within the setback. Elsewhere on the site, existing trees should be saved wherever possible and incorporated into the required open space.

e. Maintenance After Construction

Minimum maintenance requirements are included in Section VI.

4. Building Orientation

Visibility and privacy issues from adjacent roads, location of existing trees, parking lot circulation, any pedestrian connections to adjacent buildings or parcels, energy conservation, and impacts to adjacent buildings, existing or future, should also be considered when orienting and locating the building(s) on a site.

Buildings are a positive influence in creating a community and public space. Where appropriate to the site, buildings should be oriented to the street. The parking lot should be internal to the site and screened from the street -- an arrangement that accents the building, promotes pedestrian traffic and enhances the street scene.

For multi-family projects, the entry drive into the site should feature landscaped medians and views to parking lots and covered parking structures should be minimized. Individual units should be oriented to the street or amenity whenever

possible. When living units face directly onto a street, setbacks should be increased in order to provide adequate space for a landscaped buffer.

5. Vehicular Access

Location of ingress and egress will be controlled and traffic circulation impacts will be carefully evaluated. The builder/developer is responsible for meeting all local city or county traffic standards. All proposed curb cuts are subject to review and approval by the ARC. The ARC may require appropriate traffic analysis to be submitted for review.

Vehicular access should be designed to:

- minimize auto/pedestrian conflicts
- minimize curb cuts
- maximize curb cut distance to a major intersection in an effort to minimize automobile conflicts

Shared curb cuts between two parcels are encouraged. Driveway or curb cut along the curved portion of a frontage road at the intersection of a highway and a major thoroughfare is strongly discouraged.

6. Service Access and Service Areas

Service drives and service areas should not interfere with parking, driveways or walkways and must be screened from adjoining properties, all public right-of-ways, and from the office areas of any other buildings which share the site. Ideally, service areas should be provided at the rear (side opposite the street) of all buildings. Service areas, which are recessed in the buildings, are preferred. These areas should be paved, internally drained and screened from public view (including views from upper floors of adjacent buildings). In all cases, screening must be compatible with building materials.

7. Outside Storage Operations

Outside storage operations are prohibited except in certain instances when deemed by the ARC to be absolutely necessary for the functioning of a service/distribution center or retail such as a nursery. Outside overnight storage of automobiles or motorized vehicles is prohibited. When outside storage occurs, these activities must be screened from public view in a manner which is architecturally compatible and approved by ARC. Towers, tanks, and other structures or equipment must be effectively shielded from public view. The

location and appearance of special equipment are subject to review and approval by the ARC.

8. Pedestrian Access

Sidewalks are required adjacent to public streets (except FM 1093). Pedestrian connections between adjacent commercial sites and public path systems are also required. Pedestrian connections to retail facilities, residential areas, office complexes, neighborhood greenbelts and open space should be located in low auto traffic areas and identified to users and drivers for safety. The on-site pedestrian system must be integrated with existing or future connections to adjacent sites.

Walkways for high turnover parking lots are highly encouraged. These walkways should be designed for safe access from buildings to parking areas. These walkways must be integrated with existing sidewalks and be constructed of concrete, stone, brick, tile, or other hard, slip-resistant surface materials and be enhanced with landscaping to help distinguish them and make them pleasant.

9. Minimum Parking Requirements

An adequate number of parking spaces for employees, customers/visitors, and the handicapped are required on each site. All parking spaces required to meet parking ratios must be located off street. Parking should be provided in close proximity to the building(s) being served. Parking lots shall not be used by delivery or service vehicles either for parking or as the primary means of reaching service areas. All sites must meet the minimum parking ratios of the City of Houston Parking Ordinance or other local ordinance in effect.

10. Parking Lot Design Standards

Parking lot plans must be included with all submittals for ARC approval.

Parking lots must be constructed of concrete. A variance for the use of asphalt or decorative masonry must be requested from the ARC.

All driveway connections must be built to the applicable City or County standards with a minimum turning radius of fifteen feet (15') off local streets and twenty-five feet (25') of major thoroughfares. Expansion and construction joints

shall be located in accordance with current engineering design principles and sound construction practices.

On-grade parking should appear inconspicuous and should not dominate its environs and must be visually screened from adjacent property and green space by the use of berms, new trees, and the preservation of existing trees.

All parking lots should be separated from service areas and should be designed to discourage use by delivery vehicles for parking, or as the primary means of reaching service areas.

Multi-Family Residential: Clustered surface parking, individual parking pads, or individual garages may be utilized in multi-family residential projects. Parking must be screened from the view of all public streets. If garages or individual pads are used for parking, separate and clustered parking must be provided for guests. Parking should be located to provide clear and direct access to each unit.

When a parking garage is utilized, a minimum of one (1) tree, preferably evergreen, per fifteen feet (15') of garage perimeter is required to be planted at the base of the parking garage. This is in addition to any general parking lot landscape requirements.

11. Drainage

Internal site drainage is the responsibility of the building developer. Surface drainage to adjacent tracts is prohibited. The Municipal Utility District and the Water Control and Improvement District, if any, in which the project is located, plus the appropriate County Flood Control District, must inspect and approve connections to their systems as applicable. All sites must have drainage contained on site.

Surface drainage and roof run-off shall be diverted away from the building foundations, directly to storm sewers or their inlets. Roof run-off must be directed to interior roof drains or to gutters and down spouts. Down spouts shall tie directly into storm sewers.

12. Easements

All recorded easements and right-of-ways must be observed. Any use within the easements must have approval from the easement owner and the ARC. Additional easements for utilities in service areas may be imposed if requ

III. Site Element Guidelines

Site elements are improvements to the site which can affect the aesthetics and visual integrity of the site as a whole. They are to be carefully considered and are subject to ARC review.

1. Utility Areas and Communication Equipment

All utility areas located outside the building must be screened from adjacent public streets and adjoining property. Location of utilities inside the building is preferred. Banks of electric meters shall not be visible from public roadways. Towers, tanks, antennae, satellite dishes, and other structures or equipment shall be screened from public view. Any rooftop penetrations or mechanical equipment visible from ground level must be screened by a parapet wall. The parapet wall must be compatible with the building materials. **ALL TRANSFORMERS MUST BE PAD-MOUNTED AND SCREENED BY A WALL, FENCE, OR LANDSCAPING, AND/OR PAINTED TO COORDINATE WITH THE ADJACENT BUILDING. ALL TRANSFORMER ELECTRICAL DROPS AND UTILITIES MUST BE UNDERGROUND, INCLUDING SECONDARY POWER.** For roof top penetration requirements, please see section C-5, Rooftop equipment. The location and appearance of all utility and communication equipment is subject to review and approval by the ARC.

2. Trash Receptacles and Enclosures

Trash receptacles must be oriented to the building service areas and screened with a four-sided enclosure. The enclosure must be constructed of materials compatible with the building. The enclosure must be two feet (2') taller than the height of the receptacle and a minimum of eight feet (8') in height. Masonry construction is required. Gates should be constructed of metal and be opaque. Wood gates supported by a structure of tubular metal are acceptable. Wood-link or chain-link materials are not acceptable for the enclosure or the gate.

3. Screen Walls and Fencing

In some instances it may be necessary to provide screening between a commercial property and a neighboring commercial or residential property. When, in the judgment of the ARC, screening is required, the site developer will be required to install a six foot (6') to eight foot (8') fence or wall along the property line. Any wall(s) or fencing must be constructed of materials which are compatible with exterior materials of the building as approved in writing by the

ARC. Curb stops in parking areas are required to prevent damage to walls and fencing. **The use of chain link fencing is prohibited.**

Multi-Family Residential The common property line between multi-family residential projects and open space areas may be fenced. When used, fences are to be black painted pipe metal or wrought iron with a standard height of six feet (6') and a standard panel length of eight feet (8'). Spacing between pickets should be a minimum of four inches (4"). When adjacent to non-desirable open space, such as drainage easements, the fence may be a solid fence with a maximum height of six feet (6'). The specific color and design of fences and gates shall be reviewed and approved by the ARC. Rear- and side-lot fencing not facing a roadway are permitted to be opaque.

Walled or fenced courtyards are encouraged for townhouse or patio home projects. The walls of private courtyards which face public streets must be constructed of the same predominant materials as the building. **Chain link fencing is prohibited.**

4. **Mailboxes**

All mailboxes should be placed at lighted entrances to a building or to building clusters. Plans of mailbox location must be reviewed and approved by the ARC. Mail delivery and pickup must be coordinated between the builder/developer and the U.S. Postal Service. All mailbox areas should meet Americans with Disabilities Act (ADA) standards.

5. **Flagpoles**

A maximum of two (2) flagpoles per site will be allowed to display the U.S. flag and the Texas flag only. School sites will be permitted one (1) additional flagpole to display the school flag. Submission for ARC review should include pole locations, and flag and pole dimensions.

The flagpoles should be one piece construction of seamless metal tubing or fiberglass and taper approximately one inch (1") to each five and one-half foot (5-1/2') of length. Poles should be a single architectural color such as white, clear anodized, or dark bronze finish.

The maximum height of a flagpole shall not exceed thirty-five feet (35') and capable of withstanding local wind velocities.

The length of the flag should be approximately one-fourth (1/4) the height of the pole on which it is mounted. Building-mounted flagpoles are not permitted.

Illumination of flags will be permitted for permanently mounted flags only. Flags and/or poles must be replaced when they become faded or worn.

6. Lighting

Site lighting fixtures must be installed and should provide a sense of safety and security throughout the area. Spillover onto adjacent properties must be avoided and is prohibited where adjacent property is single family residential. All public street lighting will be installed by the local power company.

For parking lots, the light fixture luminaire should be a basic box shape with light cut-off, such as Kim EKG model or equal, mounted on a metal pole not exceeding thirty feet (30') in height or as determined appropriate by the ARC. The light color should be warm and consistent with surrounding light sources. Any lighting used to illuminate off-street parking areas shall be located, shielded, and directed upon the parking area in such a manner that it does not reflect or cause glare onto adjacent properties or interfere with street traffic.

The light fixture luminaire for open-space and walkway fixtures should be a clean and basic design mounted on a pole not exceeding fifteen feet (15') in height. The fixture and pole color should be compatible with the building.

The use of low level lighting, landscape accent lighting and architectural lighting is encouraged. The illumination source should be a "warm light".

All light fixtures and lighting plans are subject to approval by the ARC.

7. Site Furnishings and Play Equipment

Site furnishings and site architectural elements are encouraged and must be compatible in material and color with the building. Outdoor seating and gathering areas are highly encouraged. Trees in grates and planters located in and near facilities can provide a visual amenity and incorporate seating areas. All paving and tree grates must provide appropriate footing for pedestrians.

Exterior playground equipment requires ARC review and approval in writing prior to construction and installation. Color samples must accompany any request for consideration. Playground equipment shall not exceed eight feet (8') in height. Multi-colored canopies are prohibited. Play equipment will be substantially screened from adjacent residential uses.

IV. Architectural Guidelines

1. Building Design and Character

The architectural character of buildings should be complementary to the overall image of the community. Architectural compatibility will be included in the ARC review. The architectural theme of Lakemont is shown in Appendix B.

Design codes of the appropriate jurisdiction must be met and, in all cases, shall meet or exceed the requirements of the City of Houston Building Code.

Building locations should reflect consideration for roadway visibility, arcades, existing tree stands, and parking lot circulation. Buildings on corner sites should be positioned close to roadways with landscaping between the building and the adjacent street pavement.

All buildings should incorporate clean, functional design. Building mass should be simple, geometric, and finished in the same materials on all sides. Building-mounted signage or sign bands, where necessary, should be integrated into the elevation design.

The sides and back of buildings should be designed to be visually attractive, especially the side or back which is most often viewed by the general public. Roof lines, architectural detailing, and landscaping are all features that can be utilized to accomplish this objective.

Multi-family buildings should be residential in scale and character. Balconies and wing walls for privacy are encouraged. When used, they should be part of the design and not appear as separate elements. First floor patios must be screened by a privacy fence or wall. Carport locations and materials should compliment the residential buildings.

Building height within Lakemont is limited by deed restriction specific to the property.

2. Energy Conservation

Energy conservation should be a factor in building design. Energy-conscious design should include building siting, exterior building envelopes, energy-efficient heating, ventilating, air conditioning, water heating, illuminating systems, and other equipment for effective use of energy.

Building designs should consider energy conservation in determining the following:

- Number of stories for a given floor area requirement.
- Exterior surface colors.
- Shading or reflections from adjacent structures, surrounding surfaces or vegetation.
- Opportunities for natural ventilation responding to prevalent wind direction.
- Adequate thermal resistance and low air leakage.

3. Exterior Materials and Colors

All exterior materials should complement the architectural design and the overall image of the community in which it is located. Buildings should be constructed with compatible materials, textures, colors, and forms. No more than two (2) dominant materials may be used on a building exterior.

Commercial architecture and signage shall be compatible with the Lakemont community buildings, hardscape and signage. Specific exterior materials and stylistic elements are included in Appendix B.

Current technology should be considered in construction material selections, i.e., use of energy-conserving glass. Corrugated steel or aluminum siding, industrial building systems, and plastic are some of the materials prohibited from use unless approved by the ARC for a site location not visible from the public street or adjacent sites.

Earth tones with limited pastel alternatives are recommended for dominant wall colors for building materials. The ARC may allow an accent color to trim, fascia boards, door panels, or miscellaneous metals upon approval.

4. Roof Design and Materials

Roof forms and materials on all buildings within immediate proximity should be compatible with one another to create the image of an ensemble. They should establish a visual hierarchy of form, color, and scale, appropriate to the functions within. Pedestrian arcades, canopies, and overhangs should be integrated with the roof form. Roof color should be uniform and earth tone such as grey, green, beige, red or brown and integral to the materials. Acceptable materials include asphalt shingle, wood simulated composition, slate, metal, and built up or single ply membrane.

5. Roof-top Equipment

Roof-top penetrations and mechanical equipment must be completely screened from view from public streets and neighboring parcels by a parapet wall. The parapet wall must be compatible with building materials. The ARC in its sole discretion may approve a variance for visibility of rooftop equipment from adjacent parcels. Rooftop equipment must be painted to blend with the color of the roofing system if visible from adjacent parcels or buildings.

6. Pedestrian Arcades

Pedestrian arcades and covered walkways are encouraged and should be incorporated to link adjacent buildings. Arcades and canopies create identity and provide shade.

7. Awnings

Canvas awnings are permitted subject to ARC approval. No vinyl awnings with underside lighting shall be permitted.

8. Burglar Bars

Wrought iron and/or burglar bars may be considered only if the ARC determines that they are compatible with the architectural character of the building. Burglar bars on the exterior are prohibited. If approved, burglar bars must be attached to the inside of the window frame behind the glass. Approval must be granted prior to installation.

V. Signage Guidelines

Retail center developers shall be required to submit a comprehensive signage plan including all sign types for the center and pad sites. No signage approval shall proceed without a comprehensive signage plan.

These signage requirements apply to all commercial development classifications noted in Chapter 1.

In general, it is prohibited to use signage which by its location, size, shape, color, lighting, subject or sound, may be harmful to the appearance of the locality, public street, site, or view, or constitute a threat to road traffic. Specifically prohibited signs include rotating, trailer, animated, oscillating, iridescent or dayglo painted signs, signs which make noise, incandescent or fluorescent illuminated signs, and laser lights. Also prohibited are "canned" signs constructed of a light box frame with a single panel backlit sign which includes the logo and sign copy applied to the building surface. Other prohibited signs include changeable message boards (with the exception of community and or informational signs for schools, churches, and institutional buildings subject to ARC approval.) Banners and flags are prohibited. Balloons, streamers, pennants, bunting, search lights, signs with exposed or flashing lights, signs with moveable parts, or any other such fixtures or items deemed to be inconsistent with the intent of these Guidelines are prohibited. The use of exposed neon is discouraged and not acceptable in most cases subject to ARC approval. Under no circumstances will any sign be permitted to extend beyond the roofline of the building(s).

All sign designs are subject to review and approval by the ARC. Detailed plans and specifications of any sign must be submitted for review prior to installation. All signs must be fabricated and installed in compliance with all applicable codes, ordinances and other appropriate governmental agencies.

All signs permitted will fall into one of the following categories defined in this section:

1. Ground-Mounted Monument Signs – FM 1093
2. Ground-Mounted Monument Signs – Other Thoroughfares
3. Building-Mounted Signs
4. Building and Unit Address
5. Tenant Pedestrian (Under Canopy)- Retail Center
6. Window Signs
7. Directional and Delivery Signs
8. Reserved and Visitor Parking Space Signs
9. Regulatory Signs
10. Special Purpose Signs
11. Exterior Directories
12. Construction Signage
13. Leasing/For Sale Signage
14. Promotional Signs and Banners
15. Outdoor Displays

Sign definitions are as follows:

1. Ground-Mounted Monument Signs - FM-1093

a. Form

Ground-mounted signs typically consist of two parts: a base and a message area.

b. Quantity

Each site will be allowed one (1) ground-mounted sign on FM 1093. For sites facing two major thoroughfares, an additional sign on the other thoroughfare shall be permitted in conformance with Paragraph 2.

c. Dimensions

All signs shall not exceed eleven feet (11') high and ten feet (10') wide. Sign depth should not exceed two feet (2').

Exceptions:

Theaters will be permitted to include one (1) changeable message marquee as a part of a ground-mounted sign at a non-highway location or a building-mounted sign. A second changeable message marquee may be considered by the ARC when the site is located at the intersection of two major thoroughfares.

d. Materials

A ground-mounted sign must be constructed of materials depicted in figure 1.

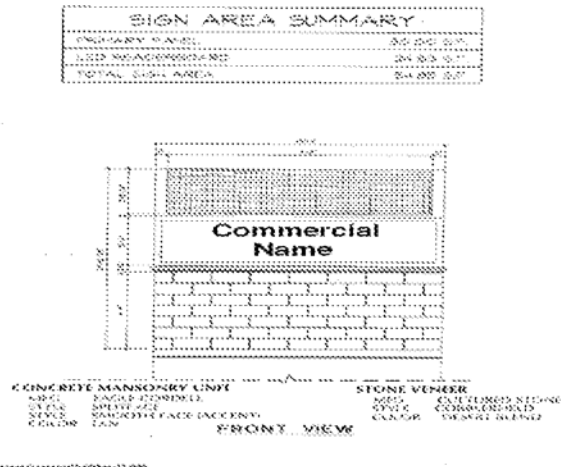


Figure 1 - Ground Mounted Monument Sign – FM 1093

e. Color

For ground-mounted monument signs, the color of the sign surface must be the same for all users and should relate to architectural features of the buildings the sign is identifying. It is recommended the sign background be a medium to dark range color with the message area lettering in white for visibility. All user names must be the same color. A maximum of three (3) colors, including white, is permitted. The use of a national logo may be permitted subject to ARC approval.

f. Layout

Schools may indicate the institution's name, address and logo. In addition, a changeable message area may be incorporated into this sign and occupy up to two-thirds (2/3) of the allowable area on each side. The changeable message area must be fully protected within a case. Letters should be white on a dark background for visibility.

g. Illumination

Monument signs should be internally illuminated or backlighted pin mounted letters. Internally illuminated sign panels must have an opaque

field with only the type and graphics translucent. For non-internally illuminated signs, ground lighting should evenly wash the entire face of the sign. Lighting fixtures should be inconspicuous and approved by the ARC prior to installation. all ballasts, wiring, transformers, starters, and other necessary equipment must be concealed. Lighting fixtures should be protected from mower and other landscape maintenance equipment.

h. Placement

Ground-mounted monument signs must be located perpendicular to and three (3) feet from the public right-of-way. Care should be taken to preserve sight lines for motorists at all driveway and intersection locations.

i. Landscaping

The installation and maintenance of landscape treatment around the base of a ground-mounted sign is required. A list of recommended planting material is found in Appendix A. Grass, ground cover, seasonal flowers, or shrubs are acceptable.

2. Ground-Mounted Monument Signs – Other Thoroughfares

a. Form

Ground-mounted signs typically consist of two parts: a base and a message area.

b. Quantity

Each site will be allowed one (1) ground-mounted sign. For sites facing two major thoroughfares, consideration will be given for a second ground-mounted sign. One additional sign, for retail centers with a minimum of 75,000 square feet of leaseable area, may be provided to identify a maximum of two anchor tenants not previously identified by the ground-mounted signs. An anchor tenant is defined as a tenant with a prominent location in the center, typically 5,000 – 10,000 square feet or greater leaseable area, and regional name recognition.

c. Dimensions

All signs shall be five feet (5') high including a base with a minimum height of six inches (6"). The maximum sign area may not exceed twenty square feet (20'). The base of the ground-mounted sign should not be more than one foot (1') higher than the elevation from the top of the curb found nearest the sign location. Sign depth should not exceed two feet (2'). See figure 2.

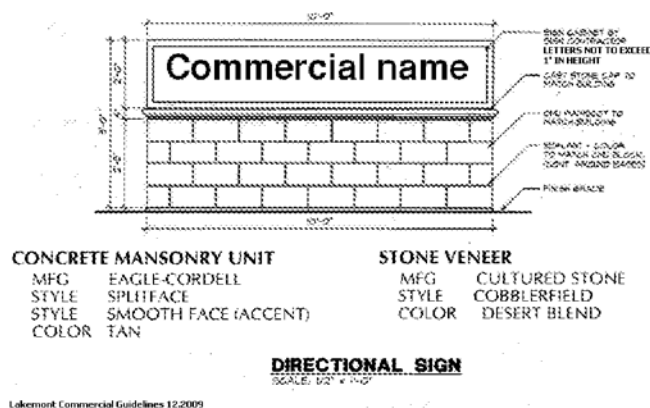


Figure 2 – Ground-Mounted Monument Signs – Other Thoroughfares

d. Materials

A ground-mounted sign must be constructed of materials architecturally compatible with the exterior building finish and landscaping theme. Acceptable materials are aluminum, wood, porcelain enamel, brick/split face concrete block, tile and stucco. Letters may be pin mounted; three dimensionally sculpted, or part of an opaque panel with translucent graphics.

e. Color

For ground-mounted monument signs, the color of the sign surface must be the same for all users and should relate to architectural features of the buildings the sign is identifying. It is recommended the sign background be a medium to dark range color with the message area lettering in white for visibility. All user names must be the same color. A maximum of three (3) colors, including white, is permitted. The use of a national logo may be permitted subject to ARC approval.

f. Layout

Schools may indicate the institution's name, address and logo. In addition, a changeable message area may be incorporated into this sign and occupy up to two-thirds (2/3) of the allowable area on each side. The changeable message area must be fully protected within a case. Letters should be white on a dark background for visibility.

g. Illumination

Monument signs should be internally illuminated or backlighted pin mounted letters. Internally illuminated sign panels must have an opaque field with only the type and graphics translucent. For non-internally illuminated signs, ground lighting should evenly wash the entire face of the sign. Lighting fixtures should be inconspicuous and approved by the ARC prior to installation. all ballasts, wiring, transformers, starters, and other necessary equipment must be concealed. Lighting fixtures should be protected from mower and other landscape maintenance equipment.

h. Placement

Ground-mounted monument signs must be located perpendicular to and three (3) feet from the public right-of-way. Care should be taken to preserve sight lines for motorists at all driveway and intersection locations.

i. Landscaping

The installation and maintenance of landscape treatment around the base of a ground-mounted sign is required. A list of recommended planting material is found in Appendix A. Grass, ground cover, seasonal flowers, or shrubs are acceptable.

3. Building-Mounted Signs

For use with freestanding retail buildings, retail shopping centers, schools, churches, and business park buildings only. Office buildings are not permitted building mounted signage.

a. Form

Building-mounted signs consist of a message area in either a graphic band or band which is integrated into the facade of the building or individual fascia-mounted signs extending around the front of the building. Building-mounted identification must be individual letters and logos. No "canned" signs are permitted.

b. Quantity

Multi-tenant retail and commercial centers will be allowed one (1) building mounted sign for each retail tenant. For retail tenants with two or more major exposures, such as at building ends facing major thoroughfares, consideration will be given for an additional sign.

Schools will be allowed one (1) building-mounted sign to identify the name of the school.

Churches will be allowed one (1) building-mounted sign to identify the name of the church. This sign must be incorporated into the design of the building architecture; i.e., a plaque or inlay.

c. Dimensions

In general, building-mounted signs shall be in scale with the facade of the building. If a graphic band is used on a multi-tenant retail or commercial building, it may not exceed forty-eight inches (48") in height. Sign length for individual retail or business park tenants is limited to a maximum of 70% of the width of the wall or tenant space the sign is mounted. The total sign-to-building area relationship will be evaluated by the ARC.

Exceptions:

Theaters will be permitted to include one (1) changeable message marquee as part of either a ground-mounted sign at a non-highway location or a building-mounted sign. Consideration of a second changeable message marquee may be considered by the ARC when the site is located at the intersection of two major thoroughfares. Theater

signs, which include a changeable message marquee, are limited to a maximum sign area of one hundred and twenty (120) square feet.

d. Materials

The same fabrication methods and materials must be used for all signs within a single development. Building-mounted signs may be constructed of individual pin-mounted letters, individual fascia-mounted signs, internally illuminated channel letters with opaque metal sides, or an internally illuminated opaque sign band with illuminated cut out letters and graphics.

e. Color

Building-mounted signs in a single project must be of one (1) color combination and compatible with the exterior building colors. If a graphic band is used, the background color must also remain consistent. Placement of logo-type signage, which varies from the established fascia color, may be considered on a case-by-case basis for retailers with national logo identities. Logo color may vary but the color of the logo-type sign must be reasonably compatible with the established material colors for and the color of other signs in the project. Colors will not be permitted when judged by the ARC to be in conflict with the building materials or other signs.

f. Layout

Whenever more than one building-mounted sign is used, a comprehensive signage program must be developed for the project and submitted to the ARC for approval prior to fabrication. All building-mounted signs within a single project must be of the same design. It is the responsibility of the site developer/manager to enforce the signage program.

The size of the letter and logo height is restricted to a maximum of twenty-four inches (24"). If the length of any individual tenant requires more than two lines of copy, each line shall be allowed up to a maximum height of fifteen inches (15") with a spacing of six inches (6") between lines. A maximum of two (2) lines of copy shall be permitted for a total maximum height of thirty-six inches (36"). Special consideration may be

given at the discretion of the ARC to lettering and logo heights of anchor retailers who occupy more than twenty-five thousand (25,000) square feet or freestanding facilities on the frontage road of a limited access highway or freeway.

Multi-family residential and churches shall limited letter height to a maximum of twelve (12) inches.

Building-mounted signs must be centered around a common horizontal band on the front of the building. No sign shall be allowed to extend beyond the roofline of the building.

g. Illumination

Building-mounted signs may be constructed of individually mounted metal letters back lit or halo lit. These signs may be externally lit with ground- or building-mounted fixtures provided the lighting source is discretely hidden from public view. Internally illuminated channel letters with a flat translucent Plexiglas face are also acceptable. All signs in a single development must be illuminated in the same manner.

Exposed tube graphics where the light source is neon or other gas in a tube, which is bent to form letters, symbols and shapes, is permitted only upon special approval of the ARC for freestanding retail locations. Tube letters should not be multiple tube widths due to the intensity of the colors created. Simple tube width letters will be considered. Tube graphics, which create continuous accent strips or stripes on a building exterior, are not allowed.

Multi-family residential project signs may not be internally illuminated.

h. Placement

For building-mounted signs, no sign shall be allowed below the fascia with the exception of under canopy signs in retail centers as outlined previously. Additionally, no sign shall extend above the roofline of a building. Signs on the rear of any building will only be allowed if the building's rear faces the public street(s), and is approved by the ARC.

Church signs should be located at the building entrance and may not be placed above the first floor level.

4. Building and Unit Address

Each building will be allowed one (1) building-mounted address. The address may include the street numbers only and must be individually mounted on the building near the entry. The numerals may not be installed above the first floor of the building. Letter height is restricted to a maximum of twenty-four inches (24"). All numbers shall be installed in a horizontal manner and maintain a plumb relationship to the bottom line.

For multi-family projects, individual units shall be marked either on the respective door or on the wall adjacent to that door at a reasonable eye level. Individual unit numbers shall be of the same type as building address numbers and limited to twelve inches (12") in height.

5. Tenant Pedestrian (Under Canopy) – Retail Center

Shopping Center design may include covered walkways, arcades, awnings, or other fascia treatments, which obscure the building-mounted tenant signs from pedestrian view. For this reason, pedestrian signs are permitted.

a. Form

Plaques with information on two (2) sides.

b. Quantity

One (1) sign per tenant or store is permitted.

c. Dimensions

These signs must be a common size for all stores in the center and may not exceed eight (8) square feet.

d. Materials

These signs should be compatible with the architecture and related to the building identification signs.

e. Layout

These signs may display the tenant name and logo only. No descriptive or advertising copy is allowed. A standard program shall be developed for each center defining layout, color, typography, logo, and graphic devices. Individuality in these signs may be permissible within the context of a sign program that has been approved by the ARC.

f. Placement

These signs are suspended from the walkway covering perpendicular to the storefront or mounted on the store front in areas approved by the ARC. Only one (1) sign per store is permitted. The bottom of the sign must be hung at a minimum of eight feet (8') above the sidewalk.

6. Window Signs

a. Office Buildings:

Window graphics such as name, hours of operation, telephone number, address, advertising information, etc. are not permitted on the building exterior for individual tenants of a multi-tenant building with a common entrance.

b. Retail and Commercial Buildings:

When retail or commercial tenants have separate exterior entries, they shall be allowed to identify the name of the tenant or a small business logo (not to exceed 72 square inches), emergency telephone number, numerical street address and hours of operation on the door or immediately adjacent to the separate entry. The advertising of services of any kind is strictly prohibited. All other glass areas shall remain free of graphics.

The type style used to identify the tenant on the window should match the type style of the building-mounted sign. The maximum letter height permitted to identify the tenant name shall be limited to four inches (4"). The maximum letter height permitted for all other information is two inches (2"). Window graphics shall not occupy more than ten percent (10%) of each window area in which it is displayed.

There may be no illuminated or large signs behind glass areas which advertise on a permanent basis. Neon "open" signs are permitted behind the front glass.

7. Directional and Delivery Signs

These signs direct and control the movement of vehicular traffic within a site. The design shall consist of a simple one (1) or 2-post and panel system. The posts and panels must be painted galvanized steel or aluminum. The color must be compatible with the building and other site and building signage. The message must be succinct and letters must be white adhesive and reflective material. These signs will be low profile signs which may not be taller than two feet (2') or wider than four feet (4'). Overall height of the sign from ground level shall not exceed four feet (4'). Maximum sign area is four (4) square feet.

The number of directional signs should be kept to a minimum. Sign location, color, size, and message are subject to ARC approval. These signs are not allowed in the landscape reserves adjacent to the street.

8. Reserved and Visitor Parking Space Signs

Designated parking space signs, other than ADA Guideline handicap or disabled parking signs, are allowed in the form of bumper stops or freestanding signs

Retail buildings and retail centers are restricted to the use of bumper or curb stops with the message limited to the length of parking time allowed i.e. "15 minute parking". The name of a particular tenant is not allowed.

For office buildings the use of bumper stops or curbs may be used. Bumper stops or curb stops may be painted with either "RESERVED" or "VISITOR". The name of a particular tenant is not allowed. The letters must be painted on a white background. Maximum letter height is limited to four inches (4").

Freestanding, ground-mounted signs may be painted with the message "VISITOR PARKING" or "RESERVED PARKING". All free standing parking signs shall be aluminum construction, attached to a single post fabricated from either round or square aluminum tubing. Maximum sign size shall be twelve inches by eighteen inches (12" x 18"). The sign shall be set in concrete.

The color of parking signs shall match the visual intent of other building and site signage and shall harmonize with the environment. The sign shall be in a medium range color, with lettering in white or beige. Polyurethane (gloss) enamels shall be used throughout. No more than a total of two (2) colors may be used, including the typography. Both the rear surface and post shall be painted black to blend the sign into the environment. No sign shall exceed four feet six inches (4'6") in total height (sign and post). It shall be set back a minimum of

two feet six inches to four feet six inches (2'6"-4'6") from the curb and centered within the applicable parking space

9. Regulatory Signs

All traffic control and regulatory signs should be governmental standard.

10. Exterior Directories

Tenant directories are to be located inside of the building structure. For small professional office buildings under fifty thousand (50,000) square feet of gross leaseable area or churches, one (1) ground-mounted exterior directory near the building entrance or adjacent to the parking lot with the message area not readily visible from the public right-of-way will be permitted. Design shall be reviewed and approved by the ARC. Detailed plans and specifications must be submitted prior to installation.

These signs shall be compatible with the architecture, landscape, and other sign elements of a building. They will be constructed of quality materials.

Approved lettering methods include silk-screen; vinyl die cut, or incised aluminum panel filled with Plexiglas. The sign must have a dark background with white type. Logos are not permitted. Maximum sign area permitted is six (6) square feet.

Office building exterior directories include the name of the building, tenant name and suite number. The name of the management company and telephone number may also be included.

11. Special Purpose Signs

Any special purpose or unique sign not covered elsewhere in this section and which may have potential public visual impact on a site must be reviewed and approved by the ARC.

12. Construction Signage

The developer of each site may provide one (1) temporary, freestanding sign for information pertinent to a site and its stage of development. This sign should succinctly communicate information and be devoid of visual clutter. The street address shall be displayed prominently on this sign to guide construction traffic. When the construction entry is not within close proximity to the construction sign, a small separate temporary sign may be used to display the street address so long as the sign is of similar quality and construction.

A sign may be erected on a site after the site has been purchased. Information can be added or the sign can be exchanged for another to indicate the advent of construction or to recruit employees. Each revision or sign replacement must conform to the following criteria and be approved by the ARC prior to installation. A sign that is to be replaced with another must be removed before the other sign can be installed. Construction signs must be removed from the site within fifteen (15) days of occupancy of the installation of the "Leasing/For Sale" sign. The construction sign is to be designed in accordance with the guidelines provided below and approved by the ARC prior to its installation on the site.

a. Dimension

Construction signs may be a maximum of fifty (50) square feet in area for projects under eighty thousand (80,000) square feet of building area. For project larger than eighty thousand (80,000) square feet of building area, the sign may be up to a maximum of one hundred (100) square feet. The maximum height for a temporary construction sign is limited to a maximum height of ten feet (10').

Special consideration may be given for larger signs when facing a highway. Allowable dimensions will depend upon the relative scale of surrounding features, the velocity of traffic along the road and the distance and/or elevation from same.

b. Layout

A temporary construction sign may contain only the following information:

- Name of the project
- Address of the project
- Leasing Agent
- Size/Use of project
- Contractors
- Architect
- Other Consultant(s)
- Lender
- Completion or Opening Date

c. Materials

All temporary site information signs will be designed to last the length of their intended use without significant fading, peeling, blistering, warping, cracking or rotting. Signs must be constructed of wood, fiberglass, or aluminum. Signs must be boxed and all panel edges must be properly sealed for weather protection. All exposed surfaces and edges must be primed and painted. All fasteners are to be non-corrosive nails or screws. All posts should be sufficient strength and durability to withstand local wind loads and remain stable throughout the duration of the construction period. All footings should extend four feet (4') below grade in sharp sand or compacted earth.

The ARC reserves the right, without liability, to cause removal of any sign deemed to be in violation of this provision by virtue of deterioration or damage.

d. Color

The copy on any temporary sign shall be white with a dark background color such as dark grey, dark blue, etc.

e. Placement

All temporary signs shall be parallel to the street and located inside of the property line, behind any setback which affects the parcel. The location and installation of temporary signs must not harm existing trees or their roots.

13. Leasing / For Sale Signage

The developer of each site may provide one temporary, freestanding Leasing/For Sale sign for information pertinent to a site. The sign may be erected on a site after the site has been purchased or when construction is completed and the temporary construction sign has been removed. This sign should succinctly communicate information and be devoid of visual clutter. This sign is to be approved by the ARC prior to its installation on the site. No temporary promotional signs (including trailer signs) will be allowed on the premises or the adjoining public street right-of-ways.

Each revision or sign replacement must conform to the following criteria and be approved by the ARC. A sign that is to be replaced with another must be removed before a new sign can be installed. Leasing/For Sale signs must be removed from the site when the project is ninety percent (90%) leased. After that point, retail projects may display Leasing/For Sale information inside the window of the space available for Leasing/For Sale.

a. Dimension

Leasing/For Sale signs may be a maximum size of twenty-five (25) square feet for projects under eighty thousand (80,000) square feet of building area. For projects larger than eighty thousand (80,000) square feet of building area, the sign may be up to a maximum of thirty-two (32) square feet. The maximum height of a Leasing/For Sale sign is limited to four feet six inches (4'6").

b. Layout

A Leasing/For Sale sign may include only the name of the leasing agent and respective logo, a telephone number, and either "For Leasing Information" or "For Sale".

c. Materials

All temporary site information signs shall be designed to last the length of their intended use without significant fading, peeling, blistering, warping, cracking or rotting. Signs must be constructed of wood,

fiberglass, or aluminum. Signs must be boxed and all panel edges must be properly sealed for weather protection. All exposed surfaces and edges must be primed and painted. All fasteners are to be non-corrosive nails or screws. All posts should be sufficient strength and durability to withstand local wind loads and remain stable throughout the duration of the construction period. All footings should extend four feet (4') below grade in sharp sand or compacted earth.

The ARC reserves the right, without liability, to cause removal of any sign deemed to be in violation of this provision by virtue of deterioration or damage.

d. Color

The copy on any temporary sign shall be white with the background being some darker color such as dark grey, dark blue, etc.

e. Placement

All temporary signs shall be parallel to the street and located inside of the property line and behind any setback which affects the parcel. The location and installation of temporary signs must not harm existing trees or their roots.

14. Promotional Signs and Banners

a. Promotional/Special Event Sign

Notification of all proposed promotions shall be given to the ARC in writing. Receipt of ARC approval, in writing, is required prior to the promotion. Notification includes:

- the type of promotion
- dates involved
- temporary construction(s) to be utilized during the campaigns

Promotional items may be utilized for the promotional period only. Promotional campaigns and special events may be held by a free-standing retail establishment or retail center for a maximum period of sixteen (16) consecutive days, four (4) times a year. One of those four (4) events may be increased to thirty (30) days if the promotion occurs during the Thanksgiving to Christmas sales season. Churches and/or community

organizations may be permitted the use of a banner once per year for a period of sixteen (16) days duration.

In the event a tenant of a retail center plans a special event, the owner/property management is required to advise the ARC of the event on behalf of that tenant. If a single tenant has a promotion, this event counts as one of the four promotions for the entire retail center.

Gas/Convenience Station promotional graphics are strongly discouraged. All service station promotions must be approved in advance and must outdoor merchandise displays are prohibited. When they are used, however, they must be contained under the canopy area or against one designated building wall.

b. Banner Signs

Banners, flags, bunting and balloons are prohibited. Banners intended for advertising purposes including but not limited to such as "Grand Opening"; "Welcome", "Open Now", sales and advertising slogans are prohibited.

15. Outdoor Displays

Temporary outdoor displays of merchandise are prohibited from all retail operations with the exception of hardware/home improvement stores or major anchor retailers. Gas/Convenience Stations are not permitted to display merchandise outdoors on a temporary or permanent basis. Outdoor display for hardware/home improvement stores or major anchor retailers is limited to "outdoor use" items only, i.e., lawn mowers, wheel barrows, tillers, barbecue grills, bags of mulch, etc. It is required that this area be defined by low fences or walls, trellis, etc. Merchandise may not cover more than half the width of the pedestrian walkway between the storefront and the curb. No displays shall occur in the parking lot. All clearances must conform to ADA requirements.

VI. Landscape Guidelines

A. Landscape Requirements:

Retail Center developers shall be required to submit comprehensive landscape criteria to be applied to the center and pad sites.

All plant materials shall be sound, healthy specimens typical of their species, with well-formed tops and roots, and shall be free from all injurious insects, insect eggs or larvae, diseases, serious injuries to bark, roots or foliage, broken branches, or any other types of disfigurement. Landscape edges are required and shall separate all grass areas from shrub, groundcover, and mulch areas. Recommended edging materials include redwood, concrete, steel, landscape timbers, or brick.

Plant proportion shall be those recognized as normal for a well-grown plant of that species and size, as used by the American Standard for Nursery Stock.

The following is a list of plant materials considered to be appropriate for the project. Other plant materials may be considered but priority should be given to plants from this palette:

Small Trees:

Cercis Canadensis	Redbud
Lagerstroemia Indica	Crapemyrtles
Myrica Cerifera	Waxmyrtles
Ligustrum Texanum	Ligustrum Tree
Betula Nigra	Riverbirch
Vitex Agnuscastus	Vitex

Medium Size Trees:

Ilex Attenuata	American Holly
Liquidambar Styracliflua	Sweetgum

Large Size Trees:

Quercus Virginiana	Live Oak
Quercus Shumardii	Shumard Oak
Quercus Nigra	Water Oak
Quercus Nuttallii	Nuttall Oak
Pinus Taeda	Loblolly Pine
Acer Rubrum	Red Maple
Plantanus Mexicana	Mexican Sycamore
Ulmas Parvifolia 'Sempevirens'	Drake Elm

Large Shrubs:

Ligustrum Japonica
 Ilex Burfordii
 Eryobotrya Japonica
 Myrica Cerifera
 Viburnum Tinus

Waxleaf Ligustrum
 Burford Holly
 Coppertone Loquat
 Waxmyrtles
 Viburnum "Tinus"

Compact Small Shrubs:

Raphiolepis Indica
 Ilex Vomitoria
 Pittosporum Wheeleri
 Abelia Grandiflora
 Leucophyllum Lutescens

Indian Hawthorn
 Dwarf Yaupon Holly
 Dwarf Pittosporum
 Abelia
 Texas Sage

Low Groundcover Plants:

Liriope Muscari "Gigantea"
 Ophiopogon Japonica
 Trachelospermum Asiaticum

Giant Liriope
 Mondo Grass
 Asian Jasmine

Perennials:

Moraea Iridoides
 Rosa S.P.
 Hemerocallis Fulva

Bicolor Iris
 Nearly Wild Rose
 Day Lily

Special Decorative Grass:

Pennisetum Alopecuroides	Purple Fountain Grass
Pennisetum Alopecuroides (Hamlen)	Fountain Grass (Dwarf)
Miscanthus Sinensis	Maiden Grass
Pennisetum Alopecuroides	Little Bunny Grass

Grass Sod or Hydroseed:

Cynodon Dactylon

Common Bermuda (temp. cover)
 St. Augustine

Annuals:

Summer:
 Winter

Petunias, Begonias, Impatiens
 Pansies, Dianthus.

Acceptable Plant Material Sizes and Spacing:

- a. Small trees shall have a minimum size of 30 gallon or 4" caliper at time of planting.
- b. Medium size trees shall have a minimum size of 45 gallon or 6" caliper at time of planting.
- c. Large trees shall have a minimum size of 65 gallon or 8" caliper at time of planting.
- d. Large shrubs shall have a minimum size of 15 gallon planted at 36" o.c.
- e. Compact shrubs shall have a minimum size of 5 gallon planted at 24" o.c.
- f. Groundcover plants shall have a minimum size of 1 gallon planted at 12" o.c.

B. Landscape Irrigation:

Irrigation is required by the ARC to protect the investment of the landscaping. For all landscape areas, a moisture level shall be provided in an amount and frequency to provide growth of plant materials in a permanent basis. Irrigation systems shall be designed to provide efficient and adequate water distribution.

Sprinkler heads shall be located to effectively water areas with minimum overthrow onto walks and driveways. Sprinkler heads shall produce complete coverage of specific areas to be irrigated. All irrigation design and installation must comply with local codes and ordinance.

Backflow prevention devices shall be installed as required by state and local codes and shall be out of sight from any pedestrian pathways. It is recommended that such devices be located within a shrub planting mass.

All irrigation systems shall be installed by a licensed irrigator licensed to do business within the State of Texas.

C. Maintenance:

General maintenance must be given serious planning and consideration. In order to keep the appearance of the project site consistently attractive; a sound maintenance policy must be set for the project. In terms of site maintenance; the following recommendations are set forth:

- a. Prompt removal of all litter, trash, garbage, refuse and waste.
- b. Grass mowing on a regular basis mowed to a height not to exceed four (4) inches. In summer months grass shall be mowed at least once every week.
- c. Periodic tree and shrub pruning to maintain a neat and healthy appearance.
- d. Watering by means of lawn sprinkler system as often as needed to maintain in living and healthy condition all plant materials on campus.
- e. Properly coordinating the operation of all irrigation controllers to suit the weather and temperature reading of each month.
- f. Removing and replacing any dead plant materials immediately after it has died or within the next planting season, whichever occurs first.
- g. Keeping all vacant land well maintained, free of trash and tall weeds, and mowed to a height not to exceed twelve (12) inches.
- h. Keeping parking areas, driveways, roads, and curbs in good repair.
- i. Complying with all applicable governmental health, safety and code requirements.
- j. Striping of parking and repainting of improvements as needed.
- k. Repair of exterior damages to site improvements.
- l. Keeping of exterior lighting and mechanical facilities in good working order.
- m. Maintaining and monitoring the condition of all site amenities such as seat benches; planters, etc.

It is recommended that all commercial and building owner developers establish an adequate ground maintenance crew to effectively oversee and maintain the entire property. This will involve the hiring of qualified ground maintenance personnel; the acquisition of sound and good maintenance equipment and the allocation of adequate funds to anticipate any type of ground maintenance needs.

D. Other Landscape Requirements:

The following are requirements and standards to follow and comply with as it relates to landscape development of all pad sites.

- a. All landscape and irrigation works shall also comply with the minimum requirements of the City of Houston as it pertains to street yard tree requirements and parking lot tree requirements.
- b. The preservation of existing trees within the landscape easements within the project limits is mandatory. Tree preservation measures shall satisfy City of Houston Tree preservation requirements.
- c. It is encouraged that specimen hardwood trees located within parking areas be preserved to the extent that it does not compromise traffic flow or become impractical or cost prohibitive.
- d. It is recommended that the use of planting materials for the limits of the project be used in the following proportion:

Use of Trees:

- | | | |
|-----|------------------|-----|
| 1). | Evergreen Trees | 40% |
| 2). | Deciduous Trees | 40% |
| 3). | Understory Trees | 20% |

Use of Shrubs and Groundcover:

- | | | |
|-----|------------------------------------|-----|
| 1). | Compact Shrubs | 50% |
| 2). | Low Groundcovers and/or turf areas | 50% |

- e. Parking Lots:

All parking lot edges adjacent to public streets shall be screened by a hedge. The hedge material shall be wax leaf ligustrum planted at 30"o.c.

VII. Construction Guidelines

A. Construction Controls

No permanent improvements shall be placed or constructed on the site until all plans and specifications related to the improvements have been reviewed and approved by the ARC. The builder/developer shall be responsible for any and all damages by his own forces, contractor, and subcontractor, to the property adjacent to the site, including roadways. The builder/developer will also be responsible for heeding restrictions associated with pipeline or utility easements which may be located on the site.

1. Tree Preservation

There will be no tree cutting or clearing until the applicant identifies the trees to be preserved and protected and/or relocated during the construction process. Every effort should be made to preserve the maximum number of trees on the site.

Existing trees to be preserved must be adequately protected from damage during construction. Those trees selected for preservation within an approved building site must be flagged and encircled with protective fencing. Fencing of the protected area must extend beyond the drop-line of the tree's branches to ensure reasonably successful protection. Clearing of underbrush in this area should not occur until completion of construction.

The following actions are prohibited within a designated tree protected area:

- Dumping backfill
- Excavating soil
- Felling trees
- Parking
- Driving construction equipment into or through the protected area
- Stacking or storing supplies and equipment
- Changing the site grading, thus allowing drainage to flow into or collect in the protected area
- Locating temporary buildings
- Dumping of paints, thinners, and other toxic materials

Where it is necessary to trench or bore for utility installation near protected trees, all possible care should be taken to avoid injury to tree roots. Excavations in areas where roots are two inches (2") or larger in diameter should be done by hand, tunneling under the roots.

2. Site Clearing

No site clearing or construction may begin until the Builder/Developer has received written notification from the ARC stating construction may proceed.

B. Guidelines for Construction Activity

1. Equipment Access and Construction Parking

Access to each construction site should be kept to a minimum and be done in a manner to cause the least impact on existing landscaped or forested setbacks. Access will be limited to one (1) location from a public or common roadway. Location of the access will be approved by the ARC.

No construction worker's personal vehicle or construction equipment shall be parked in a landscaped setback, and as soon as it is possible, should not park on the street. A location shall be provided for wheel and equipment washdowns.

2. Temporary Construction Trailers, Structures and Fences

Temporary structures, portable offices, and other related facilities will be maintained in good repair and arranged in a compact and organized manner on the construction site. These facilities will be located so they are not obtrusive or unsightly from the road or adjacent properties. All temporary and portable structures will be removed within thirty (30) days from issuance of occupancy permit.

3. Construction Debris

Construction debris must be visually screened. All debris shall be removed from the site within fifteen (15) days after the occupancy permit is issued. If a debris pit is used during construction, protective fencing is required. Open burning of debris is prohibited.

After construction is completed, temporary barriers, surplus materials, trash, and debris must be removed from the site. All backfill must be cleared of building material, stone, and rubbish.

4. Materials Storage

Construction materials are to be stored on site in an orderly manner that will not interfere with roadway traffic.

5. Erosion and Sediment Control

As stated in Section 1.C, step 2, each builder/developer is required to prepare and adhere to a Storm Water Pollution Prevention Plan (SWPPP) which as a minimum addresses control of erosion offsite via vehicular traffic and/or storm water runoff. Such erosion control measures may include use of silt fence, vegetative buffers, designated stabilized access pads, burlap bag barriers, inlet protection, daily street cleaning, etc.

C. Street Paving

Technical specifications shall in general conform to current or applicable County minimum requirements. All paving shall be either concrete curb and gutter or asphalt and monolithic concrete curb and gutter. No open-ditch roadway drainage shall be permitted.

VIII. Appendix A

Minor Highway – A street or highway, especially designed for local traffic, to which motorists and abutting property owners have unlimited rights of access. (FM 1093)

Major Thoroughfare / Artery – A public street designed for fast, heavy traffic and intended to serve as a traffic artery of considerable length and continuity throughout the community and so designated on the latest edition of the Major Thoroughfare Plan. (Mason Road, Bellaire Blvd., Beechnut Blvd.)

Collector Street – A street which is not a designated major thoroughfare but provides access and circulation between major thoroughfares and local access and interior streets.

Local Street – any public street not designated as a major thoroughfare, freeway or highway.