



**F R I E D Ë N<sup>®</sup>**

## **DESIGN GUIDELINES**

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## SECTION 1 INTRODUCTION

### FREDERICKSBURG

Settled by German immigrants in 1846, idyllic Fredericksburg has become a cultural beacon in the Texas Hill Country. Wine tours become an evening spent with new friends, artisans greet window shoppers by name, and local chefs host neighbors as often as patrons. Those with the thirst to experience small yet fine things find Fredericksburg a life-long companion. And as it's grown, it continues to honor its heritage while welcoming future generations.

### THE COMMUNITY OF FRIEDEN

Two miles South of Fredericksburg's Main Street, you will find Frieden, a peaceful enclave in the heart of the Texas Hill Country. Frieden is a carefully master-planned mixed-use community in Fredericksburg, Texas. With preferred Builders, thoughtful Amenities, and a goal to preserve and maximize the harmonious nature of the community, Frieden is creating a place that encompasses Fredericksburg's strong identity and charm that residents can call home.

### PHILOSOPHY

Modern Farmhouse design does not have an official definition, but this style certainly has its own character. It has a great visual appeal and brings back images from the past, recreating the unique atmosphere and harmony of timeless architecture. The goal of Frieden is to promote the historical German design vernacular built throughout our community from the 1850's through the 1920's, with the addition of modern materials, glass systems, finishes, and fixtures. In general, it is all about simple organic things, neutral colors, simple lines and simple details using only high-quality materials. Traditional gable roof pitches, large open porches, "dog trots", and an overall emphasis on outdoor living.

### PURPOSE

We have developed these guidelines to help you create a home in a high-quality residential neighborhood, in turn adding value and contributing to the sense of community. The visual elements contribute to an increased sense of community, such as a gated entry, ponds, walking paths, pool, fitness center, community barn, children's playground, open space and a cohesive streetscape. These design guidelines will assist you in designing your new home and landscaping to ensure all homes complement each other and contribute to a harmonious streetscape. Compliance with these guidelines will help protect your investment by ensuring all homes are of a similar high quality. We have taken great care to ensure that these design guidelines are consistent with City regulations; however, you are responsible for ensuring compliance with the City of Fredericksburg.

### REGULATIONS

The architectural guidelines are not intended to supersede or contradict the City of Fredericksburg's building codes, improvement standards, or rules and regulations. Any requests for exceptions or variances to the laws and regulations of the City of Fredericksburg, must be submitted to the appropriate department for consideration.

## DEFINITIONS

The following words, phrases and abbreviations throughout the Design Guidelines will have the following meanings.

**Amenities-** All the Improvements and Common Areas provided for the use and enjoyment of the Frieden residents.

**Best Practice-** Commercial or professional procedures that are accepted or prescribed as being correct or most effective.

**Builder-** A person or entity engaged by an owner for the purpose of constructing any improvement within the project.

**Buildable Area-** the primary building area within the lot.

**Building Setback-** the minimum distance that the building structure/ physical structure must be from the property line.

**Combined Lots -** the grouping or clustering of two or more lots into one re-platted lot.

**Common Area/ Public Area-** All land and Improvements designated as such on the Plat, the Declaration or the Association Rules.

**Construction Deposit-** A deposit of a specified amount that must be given to the Frieden Reviewer prior to commencing work. The purpose of the deposit is to ensure the Architectural guidelines are not violated. In the event they are, the Frieden Reviewer may remedy the violation. The cost of the remedy may be charged directly to the Owner/ Builder or against the construction deposit.

**Declaration-** The Frieden Master Covenant.

**Design Guidelines -** The restrictions, review procedures and construction regulations adopted and enforced, amended and supplemented by the Frieden Reviewer.

**Existing Grade-** A point on an existing contour of a Lot, as established by the Master Developer, prior to the commencement of construction by the Lot Owner.

**Excavation -** Any disturbance of the surface of the land including any trenching which results in the removal of earth, rock or other substance from below the natural surface of the land.

**Fill-** Any addition of earth, rock or other materials to the surface of the land that increases the natural elevation of such surface.

**Finished Lot Pad-** The buildable area for each residential lot.

**Four-Sided Architecture -** All elevations of a Residence being considered as equal, distinct planes in their level of design and articulation and will be reviewed as such by the Frieden Reviewer.

**Frieden Reviewer-** The reviewing body that reviews and approves all submitted documents.

**Gables-** The part of a wall that encloses the end of a pitched roof.

**Golf Course Fencing-** Black rod iron fencing.

**Green Space-** Is an area of protected or conserved land or water on which development is indefinitely set aside.

**Improvements-** Any change, alteration or addition to a Lot, Structure or amenity of any type or kind. Exterior art and sculpture which are visible from neighboring Lots or Common Areas are also considered Improvements.

**Lot-** A subdivided property within a subdivision or other building site as shown on the Plat.

**Lot Book-** The Lot Book contains all the important information concerning each individual lot. It will include information such as your setbacks, dimensions, buildable area, compaction level, soil test and Lot type. Lot books will be provided at closing.

**Lookout Lot-** Elevated homesite with rear exterior living space above rear yard. The house structure is at street level, with the rear yard sloping away from the home.

**Lot Survey-** Information obtained through an engineer or licensed surveyor depicting existing features and configuration of the Lot.

**Master Developer-** The person or entity responsible for envisioning and implementing the development plan for a given master plan area.

**Open Space-** All land, Improvements and Common Areas designated as such on the Plat, the Declaration or the Association Rules.

**Owner-** The responsible party for any individual lot or residence.

**Patio Cover-** A solid, semi-solid or open overhead structure that covers a patio or balcony but does not fully enclose the space.

**Privacy Fencing-** A composite, Tongue and Groove solid fencing, that offers maximum durability and minimal maintenance.

**Porch-** A room or gallery located in front of the entrance of a building forming a low front and placed in front of the facade of the building.

**Ranch Lot-** First floor of house and all exterior living space at street level.

**Residence-** The building or buildings including any garage and other accessory buildings used for Residential purposes on a Lot and any Improvements constructed in connection therewith.

**Standard Plan-** An off the shelf home plan.

**Structure-** Anything constructed or erected on a Lot, the use of which requires location on the ground or attachment to something having location on the ground.

**Tongue and Groove Fencing-** A Tongue and Groove fence has interlocking pieces that create a solid wall. The pieces fit between two horizontal rails.

**Wall Articulation-** The articulation of a building reveals how the parts fit into the whole by emphasizing each part separately.

**Walkout Lot-** Elevated homesite with enough slope in the rear yard to allow construction of a third level below the main level of the house. The primary house structure is at street level, with the rear yard sloping away from the home.

**Yard Area-** That area of a pre-graded Lot that is located within the Residential Walls of the Lot, which allows for Improvements as listed in this document.



## SECTION 2 SITE PLANNING

### INTRODUCTION

The criteria outlined in this section has been developed to ensure a high level of quality and character for the Frieden community. It provides standards for those identifiable and unifying elements such as Building Setbacks and orientation. Your home should be oriented in such a way to maximize both views and privacy, the buildable area parameters allows for this orientation. The presentation of the house to the street and other public areas contributes to the visual character, social interaction and security for both your home and neighborhood.

### FINISHED LOT PADS

#### INTRODUCTION

The Buildable Area for each lot in Frieden is referred to as Finished Lot Pads. These Lot Pads have been compacted and graded for your convenience. However, your Builder is responsible for confirming soil density and compaction prior to commencing construction. The Building Setbacks for each finished lot outline the three improvement areas of the lot; Setback Area, Buildable Area and Yard Area. These three areas help to establish the location and orientation of each residence and its accessory structures. Please refer to your Lot Book for specific information concerning Building Setbacks and the location of your Buildable Area.

#### IMPROVEMENT AREAS

Setback Area: Front, side and rear setbacks vary from lot to lot throughout the Frieden community. Please refer to your Lot Book to determine the specific setbacks for your lot.

Buildable Area: The Buildable Area is the area in which your home and related Improvements are to be built and is defined in the Lot Book.

Rear Yard Area: The area defined by the rear line of the Lot Pad, and the side and rear setbacks is the rear yard area. The rear yard may be improved with accessory buildings and Amenities, subject to the Frieden Reviewer approval.

#### COMBINED LOTS

The Frieden Reviewer may approve the combination of two or more adjoining lots. In the event two lots are combined; the new setbacks will be determined by the Frieden Reviewer. The orientation of the buildable area will be determined by the Frieden Reviewer. The owner will assume all responsibility for any required Drainage Plan Modifications.

### SITE GRADING AND DRAINAGE

No Excavation or grading work shall be performed on any Lot without the prior written approval of the Frieden Reviewer. Provisions must be made to keep run-off water from draining onto adjacent properties. Ideally storm water should be directed toward the street, drainage facilities, pond areas where available or toward the rear of the property. Drainage must not adversely affect adjacent lots. The Frieden Reviewer is not responsible for reviewing drainage issues. Large scope projects are susceptible to drainage blocks, and/or diversion, which can impact surrounding properties. Any negative impact will be the owner's responsibility to correct, at their own cost.

## BUILDING PADS

Building pad elevations shall provide a smooth physical transition from the curb to the front of the residence. All grade changes are subject to review and approval by the Frieden Reviewer. The owner of the Lot shall not perform any Excavation or grading, or any other action, which would have the effect of impeding or diverting drainage of surface water runoff to or from any portion of Frieden.

## SOIL REPORT

Obtaining a soil report is the sole responsibility of the Lot owner. It is also the Lot owner's responsibility to confirm appropriate compaction prior to beginning home construction. While lot books will be provided at closing, they will not suffice for the purposes of soil compaction testing and should not be relied upon as such.

## TREE INVENTORY

The owner is responsible for inventorying any existing trees on their lot. Trees identified during the inventory must be included on the conceptual landscape plan. Please state the tree type, as well as its approximate size (in caliper inches), drip line and location.

## CUT AND FILL

Cut and Fill conditions are discouraged; however, they will be considered on a case by case basis.

## DRAINAGE

All drainage ways outside the building area must be left undisturbed. All Finished Lot Pads have been graded according to the Overall Grading Plan, and any changes to the existing grading can adversely impact surrounding properties, so any proposed changes must be submitted to the Frieden Reviewer. All disturbed drainage ways must use a form of erosion control. Fabric silt barriers are permitted during construction.

## SECTION 3 ARCHITECTURAL DESIGN

### VICTORIAN “STICK” STYLE

This style was common among turn of the twentieth century homes in central Texas and has given rise to the style referred to commonly as “Modern Farmhouse”. Although the roots of the Modern Farmhouse are European, this style lends itself well to the terrain and climate of central Texas. It has a great visual appeal and brings back images from the past, recreating the unique atmosphere and harmony of timeless architecture. The broad overhangs at the roofs and deep porches give encourage air movement and provide shelter from the harsh Texas sun.



In general, this style is all about neutral colors, simple lines and simple details using only high-quality materials. Some distinctive features of this style are steep pitched gable roofs with cross Gables, overhanging eaves, exposed rafter tails, large functional porches and walls that are primarily wood siding with stone accents and an emphasis on outdoor living. On the following pages we have included a few examples of appropriate home designs.











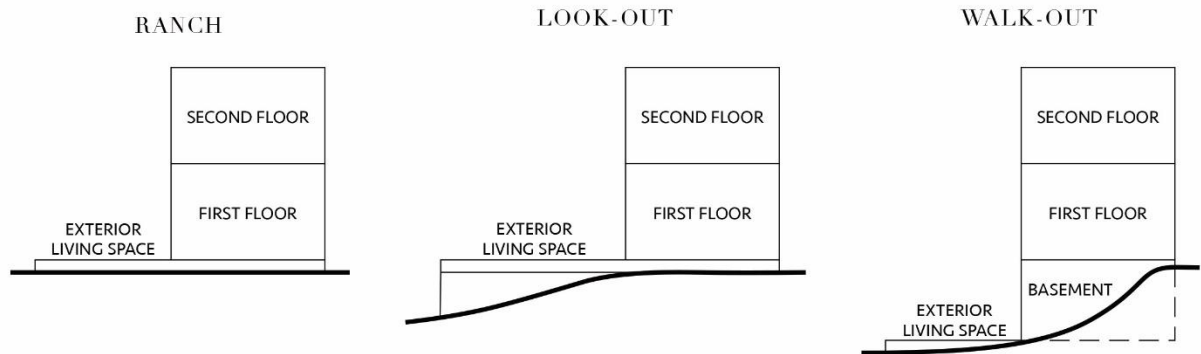


## SITE TYPES

Ranch – First floor of the house and all exterior living spaces at street level.

Lookout – Elevated homesite with rear exterior living space above the rear yard. House structure is at street level, with rear yard sloping away from the home.

Walkout – Conditioned lower level below first floor with access to the rear yard.



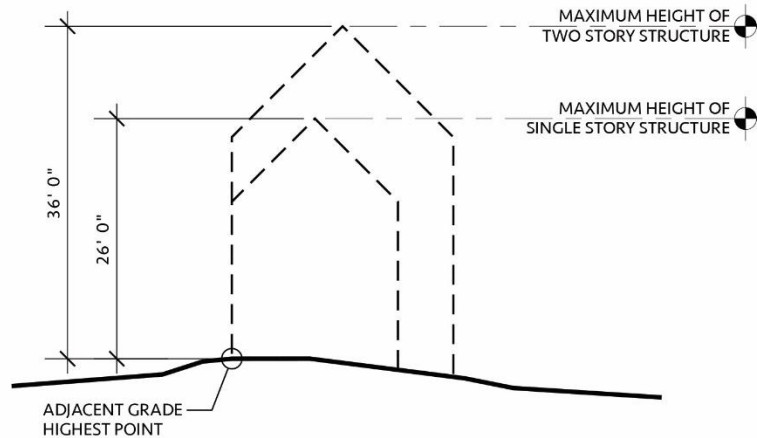
## MINIMUM HOME SIZES

The following table specifies relevant minimums based on lot type.

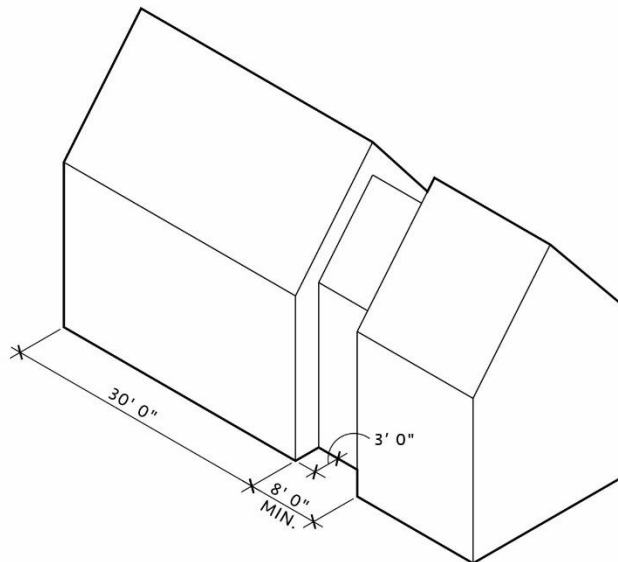
Type	Minimum HVAC Area	Minimum Bedrooms	Minimum Baths
Sunday Haus	1,600	2	2.5
Mittel Haus	2,200	3	2.5
Farm Haus	3,200	3	3.5

## MASSING AND SCALE OBJECTIVES

**Maximum Height-** Single story structures shall be no more than 26'-0" measured from natural grade at the highest point of the roof. Two story structures shall be no more than 36'-0" measured from natural grade at foundation to the highest point of the roof. Views are not guaranteed, preserved or protected within Frieden.

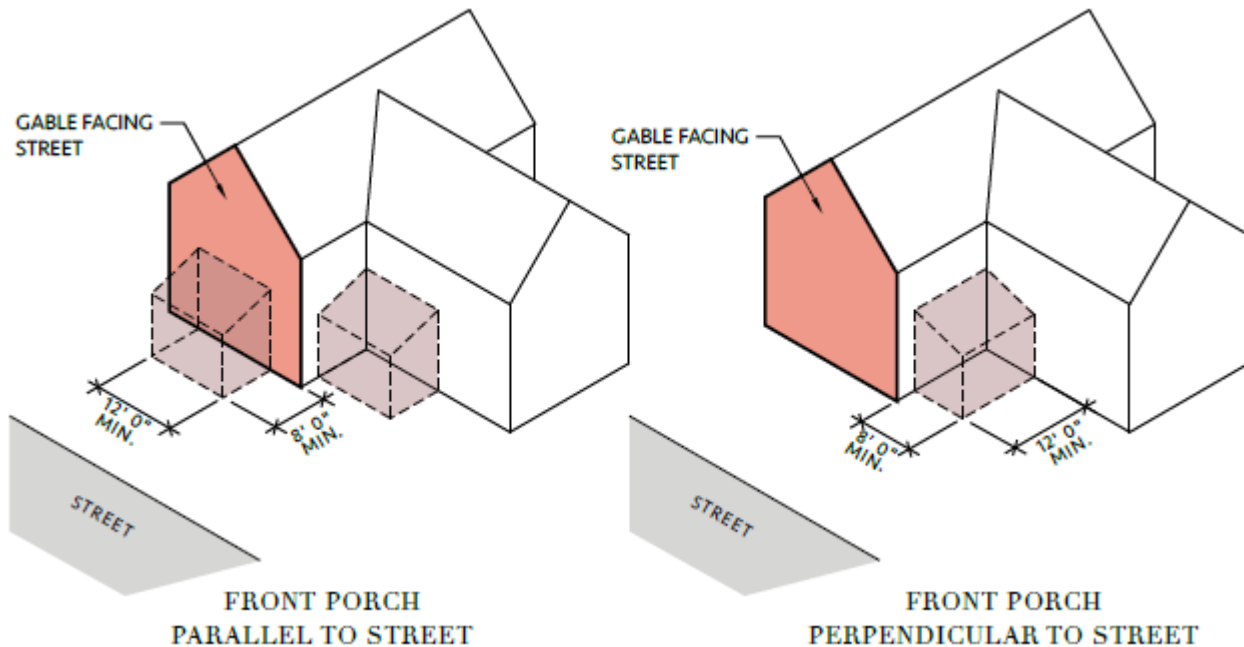


**Wall Articulation-** The exterior perimeter of the structure should have intersecting masses that create an articulation for porches and patio spaces. No single run of exterior wall over 30'-0" is permitted without an articulation of at least 3'-0" deep by 8'-0" wide.





**Gables-** At least one prominent gable will face the street front. A porch at least 12'-0" long and 8'-0" feet deep must be included at the front of the house. The porch can either be parallel with the street or perpendicular with one open side facing the street. A "wraparound" porch is also acceptable.

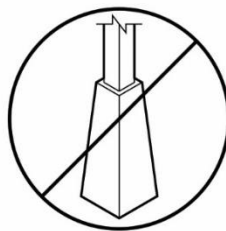


**Roof Pitches-** Main roofs shall be at least 12:12 pitch with a maximum pitch of 16:12. Porch and shed roofs shall be a minimum pitch of 4: 12. Gable and shed roofs shall be used. Hip roofs are not permitted.

**Clerestory and Transom Windows-** Horizontal windows at roof peaks and above window sections are encouraged. Minimum ratio is 1:12 (one window high to two windows wide).

**Exterior Appearance-** All four sides of the structures shall be consistent with the other sides. Materials in massing should be designed in a way to have a comprehensive appearance with the whole. A mixture of exterior merit materials is desired. Siding and stone should be applied to whole masses and not faces only. No material changes are permitted on single run of any surface. Stone wainscots are permitted.

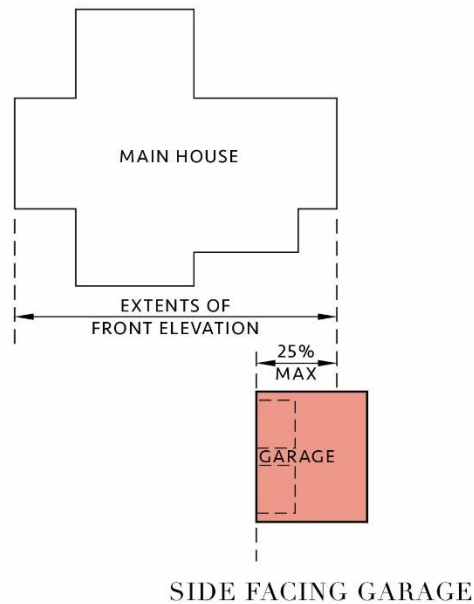
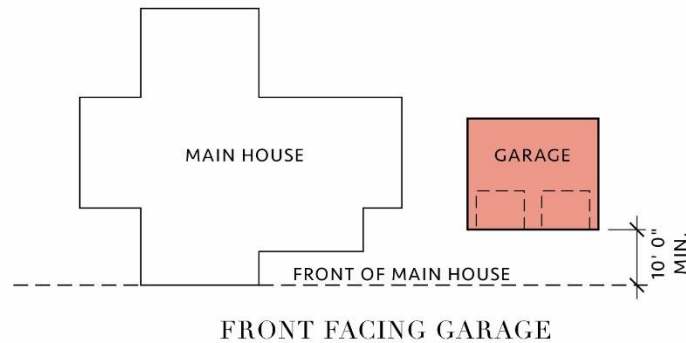
**Porch Columns-** wood and/or steel materials may be used. Simple forms are recommended, square or turned. No tapered Craftsman style columns are permitted. A simple cap and base is recommended.



## GARAGES

All garages must be approved by the Frieden Reviewer. The Improvements on each Residential Lot must contain an enclosed garage capable of housing at least two standard size automobiles. No garage may be sized to accommodate more than four standard size automobiles without the approval of the Frieden Reviewer. Sideload garages are strongly preferred and required if the site can accommodate them. Street facing garages are discouraged and additional setback requirements for the garage “face” may be imposed by the Frieden Reviewer.

Each garage shall have a minimum width, as measured from the inside walls, of 9.6 feet per car and a minimum depth for each car of 20 feet. Decorative garage doors are required and must be approved in advance by the Frieden Reviewer.



Garages may contain appropriately sized storage rooms, recreational workshops and tool rooms. Interior walls of all garages must be finished (i.e. taped, floated and painted at a minimum). Each garage shall have garage doors that are operated by electric garage door openers.

The orientation of the opening into the garage (i.e. side-entry or front-entry) must be approved in advance by the Frieden Reviewer. It is preferred that the garage structures be built at the rear of

the house structure. The garage doors/ entry shall not be forward of the main house facing the street. Garage doors must be wood clad or glass panel. No aluminum only doors or fiberglass will be permitted.

## MATERIALS

Siding- Siding materials to include lap and board and batten siding to be used. Lap siding may be natural or cementitious with a maximum 6" exposure. Board and batten siding to be natural or cementitious with 2.5" wide batten strips at 12" O.C. maximum. V-groove Tongue and Groove material may be used with a 6" minimum width. Cementitious material must be painted. Natural wood may be stained or painted. All cementitious material to be smooth, no simulated wood grain material is permitted. Metal wall panels may be used. Pre finished colors shall be neutrals. Greys, blacks and tans are recommended. No Galvalume finishes are permitted on wall panels.

Roofing- Roofing material may be standing seam metal or fire-resistant concrete shingles. All metal panel materials must be a minimum of 24 gauge to prevent "oil canning". For metal panels and standing seam, field fabricated or a "sure-lock" type system is permitted. Exposed fastener panels are not allowed. Metal roof panels shall be paint-grip treated, with allowable colors being greys, blacks, or dark bronze. Window frames and roof colors should match as closely as possible.

Stone- Exterior stone elements such as parapet walls, chimneys, wainscot shall be uniform in nature. No brick and stone combinations on any structure is allowed. Stone chimneys will extend all the way to the spark arrestor. Stone elements such as a stone wainscot must be capped with either cut stone or modular rough stone cap. Window and door openings at stone will have a cut stone sill and header. Veneer and chimneys to be native stone with a flush joint grout. Grout color to match stone material as close as possible. White and Leuders limestone (cream and grey) is recommended. Natural stone sizes and patterns are required. No ashlar type patterns are permitted. Brick veneer is permitted but must be painted or limewashed. No brick veneer to be left natural.

Metal Walls- Metal wall panels may be used. Pre-finished colors shall be neutrals. Grays, blacks and tans are recommended. No Galvalume finishes are permitted on wall panels.

Colors- Colors for materials and paint shall all be neutrals. Whites, grays, tans and Blacks are permitted. Natural materials may be stained and/or clear sealed. All colors are subject to approval by the Frieden Reviewer. The front door color may deviate from neutral colors.

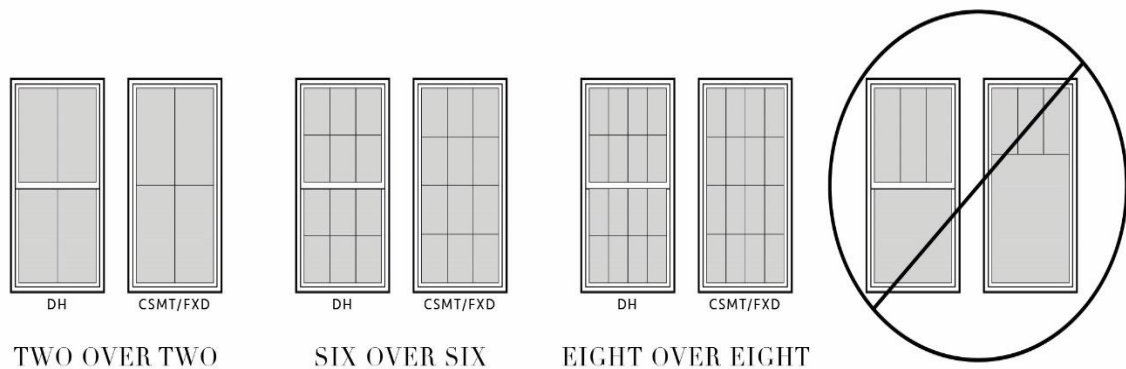
Exposed Concrete- Concrete left exposed on the exterior of the Improvements shall be covered with stucco such as EliteCrete for patios and stairs. A stucco or plate steel underpinning is required for all exposed concrete foundation surfaces. No exposed concrete foundation shall be greater than 3'0" tall.

Custom Exterior Wood Elements- Exterior wood elements such as roof and awning brackets or corbels, screened porch framing, hand and guard rails, and exposed structural wood may be rough sawn or sawn four sides.

Materials not listed, or new building materials as they are developed or become available will be considered, provided their use complements the Frieden community.

## WINDOWS AND DOORS

Window and door shapes shall be appropriate for the architectural style of the residence. All windows and doors shall be aluminum clad wood, fiberglass and/ or custom steel. Solid wood, vinyl and aluminum windows are not permitted. Window frames and mullions must complement the style and color of the residence. The form shall primarily be a vertical orientation. Transom, awning and hopper windows may have a horizontal form. Casement, double and single hung, awning, hopper and fixed windows are permitted. Horizontal sliding and glider windows are not permitted. Divides are recommended. Two over two, six or six and eight over eight are preferred. Craftsman style divides such as three over zero are not permitted.



Minimum head heights for windows shall be 8 feet. All exterior doors shall be a minimum height of 8 feet.

All windows, doors and glazing must meet current International Energy Conservation Codes.

## SKYLIGHTS

No skylights are permitted on the front of the house, and all skylights must be screened from view from Common Areas and other Residences, particularly those located at a higher elevation. Skylights should have a low-profile style.

## CUSTOM EXTERIOR STEEL ELEMENTS

Exterior steel elements such as roof and awning brackets, screened porch framing, hand and guard rails, and exposed structural steel shall be finished with a clear coat or painted. No steel will be left raw to rust. Railings may have a vertical or horizontal pattern, but should remain open as possible, code permitting, to allow maximum visibility.

## GUTTERS AND DOWNSPOUTS

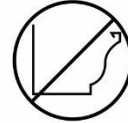
Gutters and downspouts must be constructed of sheet-metal material. No vinyl products are permitted. PVC downspouts are allowed in conjunction with a rainwater collection system. Half round and box gutters are required. "Ogee" gutters are not permitted. Exposed and concealed fasteners are both permitted.



HALF-ROUND PROFILE



BOX GUTTER



OGEE GUTTER

## RAINWATER COLLECTION SYSTEM

Every home is required to have a rainwater collection system. The catchment tank shall be a minimum of 2500 gallons capacity. The tanks will be constructed of galvanized steel such as the tanks found [www.texasmetaltanks.com](http://www.texasmetaltanks.com). The stored water, if not used as potable water, shall be used for irrigation and/or cool filling. The tank shall be placed in the side or rear yards. No tanks are permitted in the front yards of any home.

## CUSTOM EXTERIOR WOOD ELEMENTS

Exterior wood elements such as roof and awning brackets or corbels, screened porch framing, hand and guard rails, and exposed structural wood may be rough sawn or sawn four sides.

## EXTERIOR STONE ELEMENTS

Exterior stone elements such as parapet walls, chimneys, and wainscot shall be uniform in nature. No brick and stone combinations on any structure is allowed. Stone chimneys will extend all the way to the spark arrestor. No exposed metal flues are permitted. Stone elements such as a stone wainscot must be capped with either cut stone or modular rough stone cap. Wood and door openings in stone will have a cut stone sill and header.

## MAILBOXES

Shared mailbox units will be used for all incoming mail. Mailbox units are located at the front gated entrance.

## BALCONIES

Balconies should be designed to complement the architecture of the residence. Balconies may extend up to 2' into the yard area.

## ARBORS/PERGOLAS/PATIO COVERS

All arbors, pergolas, and patio covers must be approved by the Frieden reviewer prior to construction or installation.

Arbors and patio covers must comply with the following:

- Shall not exceed 15 feet in height;
- Shall be of wood that is painted to match the principal residence on the Lot (all other materials will be reviewed by the Frieden Reviewer on a case-by-case basis);
- The roof material must match that of the Principal residential structure on the Lot;

- Lattice on the arbor will be considered by the Frieden Reviewer on a case-by-case basis;
- Any stain color must be approved by the Frieden Reviewer

Patio Covers must be integrated into the building architecture and must complement the residence.

## AWNINGS AND SHADE COVERS

The use or addition of fabric-type awnings, exterior sunshades or other shading devices that do not appear integrated into the design of the residence is strongly discouraged and can only be allowed if, in the opinion of the Reviewer, the element is integrally designed into the character of the residence and it does not have a negative impact on the overall visual harmony of Frieden.

Screen enclosures and/or retractable screens shall be considered by the Frieden Reviewer on a case-by-case basis. Retractable rear awnings must comply with the following:

- Awnings are restricted for use over decks or patios that have hard surfaces such as concrete, stone, brick or wood, and only at the rear of the principal residence;
- Awning size must be no smaller or larger than the size of the existing patio or deck;
- Awnings must be equipped with an electric motor and manual override (hand crank) and equipped with a wind sensor, or rain and wind sensor, installed per awning manufacturer's specifications;
- Awnings must be certified to withstand wind loads of at least 20 mile-per-hour winds, and the wind sensor must retract the awning automatically before winds exceed the wind load rating;
- Awning materials: Acrylic fabrics or synthetic composite materials are required, and solid earth tone colors, subject to the approval of the Frieden Reviewer. The fabric must be plain, that is, without any pattern, stripes, logos or decoration. In awning may have a valance on the front edge of the same color fabric as the awning itself;
- The color of the frame of the awning should be a neutral tone and/or coordinated with the color of the awning fabric;
- Required mounting locations are on the soffit, or on the vertical exterior wall of the principal residence. Roof mounted retractable awnings are prohibited;
- It is the responsibility of the Owner to ensure that the awning and all accessories are installed in full compliance with manufacturer's guidelines and/or instructions;
- The Frieden Reviewer will have the authority to instruct Owners to replace, repair or completely remove any awning if the fabric or structure is not maintained properly in the sole discretion of the Frieden Reviewer.

## EXTERIOR MECHANICAL AND POOL EQUIPMENT

No air conditioning apparatus may be installed on the ground in front of the principal residential structure or on the roof of the principal residential structure unless screened in a manner approved by the Frieden Reviewer. No window air conditioning apparatus or evaporative cooler may be attached to any front window of the principal residential structure or any other location where it would be visible from the street, any Residential Lot or Common Area.

Exterior equipment such as HVAC condensers, wall hung water heaters, pool pumps and filtration systems shall be concealed with a built screen wall or vegetation. If vegetation is used, the plant material must be installed as to fully conceal the equipment within 6 months of the time that the homeowner occupies the residence. Screening material used must be of a type that blends into the aesthetic of the main structure and not stand out in shape or material. All vent covers must be placed in a manner as to not stand out on the exterior of the structure. No plastic wall vent covers may be used. Metal is required and the color must compliment the wall material.

## INTERIOR LIGHTING

Interior lighting becomes a concern of the Frieden Reviewer if light that spills outside of the interior causes glare when seen from neighboring Lots or Common Areas. Special attention should be given to the aiming and brightness of display lighting and other intense accent lighting as it may be reflected to the exterior particularly through high windows, clerestories or skylights. Darkly tinted glazing may be used on skylights and clerestories. Dark tinting of glass areas or the use of window coverings at doors and windows may be required to reduce light spill from interior spaces that utilize exceptionally high light levels.

## EXTERIOR LIGHTING

Exterior lighting refers to light sources that are mounted on the exterior of the residence. Subtle, low level lighting of facades is encouraged. Lighting shall be located, directed and shielded so that direct and indirect light, to the greatest extent practicable, do not extend beyond Lot boundaries. Light fixtures with cut-off or concealed light sources are required. Visible light sources are prohibited. These types of fixtures may include wall sconces, recessed lighting, soffit lighting and directional lighting. Recessed lighting (i.e. soffit lights) incorporated into the architecture of the residence may be placed higher than 10' if the light source is not visible from adjacent properties.

Exterior lighting serves one or more of three general purposes in relation to the Design Guidelines: safety, security, and recreation (for the visual enjoyment of outdoor living spaces) as characterized below:

- **Safety Lighting:** Low voltage lighting mounted in a low-profile manner used to illuminate vehicular and pedestrian circulation and to assist in circulation outdoors.
- **Security Lighting:** Lighting intended to provide bright illumination during emergency situations only, which may include unauthorized trespass and unusual or threatening sounds and/or activities. This type of lighting must be circuited and controlled separately from any and all other lights. All security lighting must be controlled by sensors and may not remain on at other times.
- **Recreational Lighting:** Lighting intended to illuminate exterior living areas such as patios, pool decks or landscaping behind walls. Lighting for visual enjoyment may often provide for safety requirement around outdoor living areas, and safety lighting may sometimes contribute to the visual enjoyment of the landscape. Because of differences in the frequency, duration of use and the objective of minimizing unnecessary lighting, these lighting functions must be controlled separately.

The maximum wattage of any exterior light fixture is fifty (50) watts. Exterior Light fixtures must relate to the architectural style of the home. The scale of the fixture must be considered in relation to the wall or architectural feature on which it is mounted or adjacent. Wall-hung or ceiling-hung ornamental coach lights with translucent glass and bulbs at a maximum wattage of forty (40) watts are acceptable at primary and secondary entrances. Decorative ceiling-hung lights with opaque shades that cast light downward are acceptable in arcades.

Unless otherwise approved by the Frieden Reviewer, exterior lighting shall be mounted as follows:

- In the ground or on a post not exceeding 18" above grade.
- In or upon a wall not exceeding 8' above grade.
- Discreetly attached to mature trees without causing sway at a height not exceeding 8' above grade.



Light sources (lamps and bulbs) of all exterior lighting must be completely shielded from view to eliminate glare from normal standing, sitting or driving view angles from any neighboring Lot or Common Area. For example, lantern-type fixtures with an exposed bulb are not permitted.

Care must be taken when lighting homes that are visible from land at lower elevations.

All up-lights must be aimed so that the focus of the light source is within ten (10) degrees of vertical. An exception would be those fixtures mounted below a roofed patio area that are aimed upward. The light source of such fixtures must be fully shielded behind the eaves. Up-lights that cause light spill into the night sky will not be approved.

All down lights must be mounted in an approved manner and must be aimed downward within ten (10) degrees of vertical and shielded so that no light source may be visible. The Frieden Reviewer reserves the right to reject a downward directed light if, in its sole discretion, it appears excessive, inappropriate or not in conformance with the lighting philosophy of the Frieden community.

The Frieden Reviewer must approve all exterior lighting fixtures, lighting designs and locations.

## ACCESSORY STRUCTURES

Owners will generally be permitted to erect one accessory structure on the Residential Lot, providing that the accessory structure is located within the approved setbacks and is approved in advance by the Frieden Reviewer. In no event will the total square footage of any approved accessory structure be interpreted to reduce the minimum square footage requirements of the principal residential structure as set forth in these Guidelines.

Unless otherwise approved in advance and in writing by the Frieden Reviewer:

- The exterior of the accessory structure must be constructed of similar materials and colors as the principal residential structure, and may not be constructed of metal or plastic;
- It must utilize roof materials that match the roof materials incorporated into the principal residential structure constructed on the Residential Lot;
- The exterior materials used must be of at least the same color/quality as that used on the principal residential structure built on the Residential Lot and;
- The paint must match the color of the trim of the principal residential structure constructed on the Residential Lot.

The Frieden Reviewer shall be entitled to determine, in its sole and absolute discretion, whether an accessory structure on any Residential Lot complies with the foregoing requirements relating to size, height, fence and enclosure and construction materials. No accessory structure will be approved unless a principal residential structure has been constructed on the Residential Lot or the accessory structure is being constructed at the same time as the principal residential structure. The Frieden Reviewer may adopt additional requirements for any accessory structure on a case-by-case basis as a condition to approval, including a greater rear set back on larger Residential Lots.

Accessory Structures must be within the setback lines of the lot. They may not exceed 15' in height as measured perpendicularly from the highest element of the roof to the Existing Grade. The architecture of accessory structures must be similar or compatible with the architectural style of the residence including use of colors, exterior materials and landscaping. Walls, courtyards or other major design elements must visually connect accessory structures.



## GUEST HOUSES

Guest Houses must be located within the setback lines of the lot, and must meet the following conditions:

- The Guest House should be designed and integrated into the elevation of the residence. When viewed from the street, the Guest House should not dominate the facade of the residence, nor should it obstruct the view of the main entry. The Guest House should be a complimentary addition to the structure massing as referenced in the Design Guidelines.
- Access into the Guest House should not face a street.
- If a Guest House is located above a garage, the stairwell must be enclosed.
- Guest house access cannot be perpendicular to the street.
- The Guest House should be designed as a single visual element with the Residence and should be visually connected by walls, courtyards or other major landscape elements.

## EXTERIOR STAIRS

Exterior stairs shall be permitted when located within the Buildable Area. Their design and construction should complement the architectural style of the Residence and must not be perpendicular to the street. Owners should verify requirements with the City of Fredericksburg building code.

## SECTION 4 LANDSCAPE ARCHITECTURE

### INTRODUCTION

The following landscape criteria have been established to ensure continuity and visual quality of the neighborhood image. All planting concepts and final plans require review and approval by the Frieden Reviewer.

### HARDSCAPE STANDARDS

Walls, walks, driveways, patios, decks and courtyards shall be integral to the design of the Residence and surrounding landscape. Textured surfaces such as split-faced block, brick, stone, textured, integral color concrete pavers, etc. are encouraged and should be selected to complement the Architecture of the Residence.

### WALLS AND FENCING

The following wall and fencing types are permitted within Frieden:

**Community Fencing:** The Master Developer will install fencing along the boundary of the residential community. Fences installed by the Master Developer must not be modified unless approved by the Frieden Reviewer.

- Screening Fencing
- Boundary Fencing

**Residential Fences:** Residential fences are intended to create a sense of privacy on each Lot and shall be constructed by the Lot Owner. Neighboring Lot Owners shall split evenly all costs associated with building the Residential fence separating their properties. In the event a Lot Owner builds before his neighbor, the Lot Owner will be responsible for building the entire fence and will receive appropriate reimbursement, which will be facilitated during the Neighboring Lot Owner's Design Review Process.

- Privacy Fencing
- "Golf Course" Fencing

Fences shall be Tongue & Groove Privacy Fencing or Golf Course Fencing. Tongue and Groove Privacy Fencing is permitted up to the rear set back. Golf Course Fencing must be used when looking into Common Area/ Green Space. A site plan showing the location of the proposed fence and type, including elevation drawings, must be submitted as part of the application process.

All fencing plans must be approved in advance by the Frieden Reviewer. In the event of any dispute or disagreement as to the location of the fence on the Residential Lot, the decision of the Frieden Reviewer, in its sole and absolute discretion, will be final. Fencing of front yards is not permitted. Solid walls enclosing an entire site is also, not permitted.

**Landscape Walls:** Walls used to retain grade and create raised planters or freestanding low walls used as accents at entry walkways, patio enclosures, etc.

**Courtyard Walls:** Walls enclosing front, side or rear courts/patios.

Please refer to the Community Manual for more information on fencing.

## WALL AND FENCE HEIGHT

Residential walls and fences will be built using the materials and profile specified by the Frieden Reviewer and will not exceed the profile height specified.

Freestanding walls (non-retaining) may not exceed 6' in height and may not be built on artificially created mounds or berms used solely for the purpose of gaining additional height. No residential wall may exceed the height of adjacent community walls at the point of connection.

Courtyard walls may be a maximum of 6' tall within the buildable area. A 5' encroachment into the front Setback Area of Finished Lot Pads is permitted if the wall is connected to the Residence. Courtyard walls 3'-6" in height or less are permitted in the front Setback Area of Finished Lot Pads provided they are 15' from the back of curb.

Retaining walls may not exceed 4' in height as measured to the finished grade directly below. If additional retaining is required, a second wall shall be provided with a minimum 4' separation between walls. All retaining wall designs are subject to approval by the Frieden Reviewer. Retaining walls combined with freestanding walls or fences are permitted if the solid wall portion does not exceed 6' in height and the total height of the non-retaining portion of the wall does not exceed 6'.

## WALL COLOR AND MATERIAL

Residential walls that can be seen from any street or open space shall match the texture and color of the Residence.

## GATES AND PORTICOS

Courtyard entry gates and porticos may be no taller than 12'. A 5' encroachment is allowed into the front Setback Area, if the gate is connected to the Residence. Overhead archways for side yard gates may be a maximum of 8' to the top of the archway.

## DRIVEWAYS

Owners shall construct driveways of integral colored, exposed aggregate, scored or patterned concrete, pavers, brick, stone or other similar decorative material. Asphalt, gray concrete and decomposed granite are not permitted. Driveway lighting is discouraged but will be reviewed on a case by-case basis.

## LANDSCAPE STANDARDS

### GRADING

Landscape grading of Lots shall provide the following:

- Soil Stability. Adequate vegetative cover shall be provided upon completion of building construction.
- Drainage away from the Residence and other Structures.
- Drainage away from the inside (or backside) of all perimeter and Common Area walls built by the Master Developer unless specifically indicated on the Master Developer's rough grading plans.

Grading should produce a graceful contouring of the Lot rather than harsh geometric slopes, banks or pads. Where graded slopes meet natural terrain, there should be a smooth and gradual transition.

## IRRIGATION

Automatic irrigation systems shall be installed on Lots to conserve water and ensure proper watering of plant material. Manual valves are not allowed. The following shall apply to irrigation design:

- Overhead spray shall be restricted to turf and flowerbeds.
- Head-to-head spray or subterranean irrigation coverage is required in all lawn areas. Systems shall be designed so peak summertime lawn irrigation can be completed between the hours of 10:00 P.M. and 6:00 A.M.
- Spray heads shall not throw water directly onto a building, roadway, walkway, paved surface or common area. Spray heads must remain a minimum of 3' from all perimeter or residential walls. Spray irrigated areas shall be a minimum of 6' wide.
- Drip zones shall be designed so that additional (+25%) emitters to trees can be installed as they mature. Drip irrigation shall be used on trees and shrubs.
- A pressure vacuum breaker (PVB) or reduced pressure backflow preventer (BFP) shall be provided. Atmospheric breakers are not permitted.

## PLANTING CONCEPT

The landscape architectural style of the yard should be compatible and integral with the architectural style of the Residence. Frieden encourages Owners to be responsive to environmental concerns regarding water conservation by limiting large turf areas and using drought tolerant plants.

## PLANT MATERIALS

All plants shall be nursery grown, free of disease, of good habit and shall represent the best qualities of their species. Plants that can withstand the extremes of climate, and soil conditions. A list of approved trees, shrubs and groundcovers is available as a separate document from the Frieden Reviewer.

## TREES

The minimum number of trees required is as follows:

### Front Yard:

- Large Trees (48" box minimum) - 1 tree for every 1,000 s.f. of total front yard area.
- Accent Trees (36" box minimum) - 1 tree for every 1,500 s.f. of total front yard area.

### Corner Side Yard (if applicable):

- Large or Accent Trees - 1 tree for every 30 l.f.
- Rear Yard or Side Yard Abutting the Open Space (if applicable):
- Large or Accent Trees - 1 tree for every 650 s.f. of yard area.

## REAR AND CORNER SIDE YARDS

Rear and side yard areas along streets that lie outside residential walls must be landscaped with a combination of trees, shrubs, rock mulch and groundcovers to achieve 100% coverage within one (1) year of planting.

## LANDSCAPE RATIO

No more than 33% of the front and rear yards shall be non-organic material or hardscape. Owners shall provide calculations on plan submittals that show square footage of hardscape and softscape and percentage of each.

## TURF

Turf areas shall be limited to 50% of the total front yard area. All grass must be a drought-tolerant species developed for use in the Texas Hill Country. Common Bermuda and St. Augustine grass is not permitted.

Artificial turf is not permitted in front yards but may be allowed in rear yards at the discretion of the Frieden Reviewer. Artificial turf areas will be limited to 20% of total rear yard area.

## OUTDOOR ART, WATER FEATURES AND LANDSCAPE ORNAMENTS

Statues, outdoor art, decorative water features, waterfalls, fountains, ponds and similar landscape elements are subject to review by the Frieden Reviewer. Water features and waterfalls combined with swimming pools are acceptable; however, subject to the approval by the Frieden Reviewer.

## SWIMMING POOLS

The plans and specifications for each swimming pool, spa and hot tub constructed on a Residential Lot must be approved in writing prior to construction. All applications submitted to the Frieden Reviewer for the approval of plans and specifications for swimming pools, hot tubs or spas must be accompanied by any applicable permits for the construction of the same and a defined way of accessing the Residential Lot for construction of the pool, hot tub or spa. Each swimming pool constructed on the Residential Lot must be entirely enclosed with a fence or similar structure which at a minimum satisfies applicable law. The location, color and style of the fence or enclosure must be approved in writing in advance of construction by the Frieden Reviewer and must fit within the specified fence guidelines for the Frieden Community.

Approval of a swimming pool, spa, hot tub and/or associated Improvements by the Frieden Reviewer will not constitute a determination by the Frieden Reviewer that the swimming pool, spa, hot tub and/or associated Improvements comply with applicable law or that the swimming pool, spa, hot tub and/or associated Improvements are safe for use. The Frieden Reviewer may require an Owner to install additional screening as a precondition to the approval and construction of any swimming pool, spa or hot tub.

Any swimming pool, spa or hot tub shall be in the rear yard on any Residential Lot. Unless otherwise approved in writing by the Frieden Reviewer, if the foundation or other vertical surface of the sun pool will extend more than 24 inches above the final grade of the residential lot, the exposed foundation or vertical surface extending more than 24 inches above the final grade will be finished in a manner that matches the exterior masonry of the principal residential structure. Application of the terms "front yard", "side yard", "foundation or other vertical surface", or "final grade" as to a specific residential lot will be determined by the Frieden Reviewer in its sole and absolute discretion. The Frieden Reviewer may adopt additional requirements for any pool, spa and hot tub or associated Improvements on a case-by-case basis as a condition to approval.

Swimming pool shall be inground or a balance Cut and Fill and shall be designed to be compatible with the site and the principal residential structure as determined in the sole and absolute discretion of the Frieden Reviewer. Unless otherwise approved in writing by the Frieden Reviewer, associated swimming pool, spa and hot tub Improvements, including rock waterfalls and slides, shall not be over 6 feet in height. No pool or deck may be closer than 5 feet from any side residential lot line or 10 feet from any rear residential lot line. Unless otherwise approved in writing by the Frieden Reviewer, all maintenance equipment, including chemicals, plumbing fixtures, heaters, pumps, etc., associated with a swimming pool, spa or hot tub shall be located in the rear of the Residential Lot and may not be visible from any adjacent street or Residential Lot. The drain serving a swimming pool, spa or hot tub must be connected to street drainage systems.

No swimming pool, spa or hot tub shall be drained on the property other than the Residential Lot on which the sun pool, spa or hot tub is constructed. Aboveground spas and hot tubs visible from public view or from an adjacent street or Residential Lot shall be skirted, decked, screened or landscaped in such a manner that excludes pumps, plumbing, heaters, filters, etc. from view. No swimming pool, spa or hot tub will be approved unless a principal residential structure has been constructed on the Residential Lot or the swimming pool, spa or hot tub is being constructed at the same time as the principal residential structure.

Swimming pools and spas must be constructed according to City ordinances and other applicable regulations including required fence and enclosure heights. Exposed tile color on a negative edge pool must be dark. The preliminary submittal shall include information on how backwash from the pool will be handled. A drywell shall be the default mechanism for the disposal of pool backwash. Because of environmental concerns, pool backwash or pool draining is prohibited from disposal into a wash, other natural drainage area or into the sanitary sewer system. All applicable regulations governing disposal of pool water must be followed.

## LANDSCAPE LIGHTING

Only indirect low-level lighting is permitted. No lighting that causes glare, discomfort or disruption to the visual environment of neighboring Residences and yards is permitted. Any lights mounted higher than 6' off the ground must be pointed downward and away from neighboring Residences. No light on any building, tree, pole or any other vertical element within a Lot may be located higher than the first story plate line. All landscape lighting must be dark sky Ordinance compliant.

Landscape lighting may be utilized to illuminate walkways, patio perimeters and paths. The installation must be such that it does not appear to be contrived. Lighting should not be installed in a row along the edge of a path or driveway unless it supports a formal hardscape or formal tree design element. Landscape lighting plans must be submitted to the Frieden Reviewer with the Final Design Submittal.

## SECTION 5 CONSTRUCTION REGULATIONS

### OVERVIEW

The following Construction Guidelines shall be made a part of the construction contract documents for each Residence or other Improvements on a Lot. The Master Developer has established construction rules and guidelines to ensure organized, safe, "Best Practice" construction activities within every phase of the development and is authorized to amend these rules and guidelines at its sole discretion. All Owners in the project shall be fully accountable and legally responsible for enforcing these standards and requirements with their respective Builders, consultants, contractors, representatives, employees, and agents, et al. In the event that any violation remains uncured five (5) business days following receipt of notice of a violation from the Master Developer, such violation shall constitute a default of Owner under this Agreement, and in addition to pursuing any other remedies available to the Master Developer at law or in equity, Master Developer may, without liability to Master Developer, prohibit the violator from entering and/or performing any further services in the Frieden Community.

### PRE-CONSTRUCTION MEETING

The Builder must meet with the Frieden Reviewer to review the construction regulations, procedures and guidelines prior to commencing construction. Builders are required to bring with them the required material listed in Appendix A of the Design Guidelines prior to receiving approval to start construction.

### CONSTRUCTION

When a building design has been approved for construction and all the necessary materials were presented at the Pre-Construction Meeting, the Applicant should proceed in a timely manner with the commencement and completion of all construction work. Once construction has started the Owner shall have 18 months from the date of the Pre-Construction Meeting to complete construction.

### CONSTRUCTION DEPOSIT

To assist the Frieden Reviewer in ensuring compliance with these Regulations, each Owner, before beginning any construction, shall post a Construction Deposit with the Association in the amount of \$10,000. Should it become necessary for either the Frieden Reviewer or the Association to remedy any violation of these Regulations, the cost of such remedy will be charged against the Construction Deposit.

The Frieden Reviewer will refund the Construction Deposit upon receipt of the "Construction Deposit Refund Request" by the Owner and upon satisfactory completion of all requirements of the Final Site Visit and receiving final approval from the Frieden Reviewer.

### CONSTRUCTION TRAILERS

Any Owner or Builder who desires to bring a construction trailer or field office to the Lot shall first apply for and obtain written approval from the Frieden Reviewer. To obtain such approval, the Owner shall submit a copy of the site plan with proposed locations of the construction trailer or field office, the portable toilet and the trash receptacle noted thereon. Such temporary Structures shall be removed no less than fifteen (15) days before the Certificate of Occupancy is issued by the City of Fredericksburg.



## EROSION CONTROL INSTALLATION AND MAINTENANCE

It is the responsibility of each Owner to install erosion control measures prior to the start of construction and to maintain them throughout the entire construction process.

Silt fencing installed to all applicable standards is required to be installed properly and maintained to protect the low sides of all disturbed areas, or storm water will flow during construction. The purpose of the silt fence is to capture the sediment from the runoff and permit filtered, clean water to exit the site. The Owner should anticipate that built up sediment will need to be removed from the silt fence after heavy rains, and that any breach in the fencing will need to be repaired or replaced immediately. If for any reason the silt fence is to be temporarily removed, please contact the Frieden Reviewer prior to the removal.

## DEBRIS AND TRASH REMOVAL

Builders shall clean up all trash and debris on the construction site at the end of each day. Trash shall be removed from each construction site frequently and not be permitted to accumulate.

Lightweight material, packing and other items shall be covered or weighted down to prevent their being blown off the construction site at night and during high winds. In no case may debris and trash be allowed to be piled above the top of the dumpster. The Frieden Reviewer reserves the right to apply fines to Owners who fail to control debris from blowing or being disposed of in other Lots or Common Areas. Builders are prohibited from dumping, burying or burning trash anywhere in Frieden. During the construction period, each construction site shall be kept neat and clean and shall be properly policed to prevent it from becoming a public eyesore or affecting other Lots. Unsightly dirt, mud or debris resulting from activity on each construction site shall be promptly removed and the general area cleaned up. Streets and gutters are to be left clean. Any dirt and construction debris tracked into the street as a result of ingress or egress to the Lot shall be cleaned up from the streets daily.

Dumpsters or other waste receptacles must have covering and must be located within the Buildable Area or in areas specifically approved in writing by the Frieden Reviewer. For physically constrained sites, smaller dumpsters with more frequent removal may be necessary in order to fit the dumpster within the Buildable Area.

Fencing around the perimeter of the site is required during construction to ensure that construction debris and trash remain on the building Lot.

## DIRT IMPORT AND EXPORT

No dumping of excess dirt and rock or taking of Fill materials from the site for benefit of a Lot Owner anywhere within Frieden is permitted without the express written approval of the Frieden Reviewer. All described agreements must be made in writing and submitted to the Frieden Reviewer as a matter of record.

## STREET SWEEPING

During construction, the street shall be swept on Thursday or Friday of each week utilizing a sweeper with a magnetic broom. This cost shall be borne by the Owner.

## WASHOUT AND CLEANING



Washout of concrete trucks or the washout and cleaning of any equipment by masons, plasterers, painters, drywallers, etc. must be contained within the Buildable Area of each Lot in a PVC lined wash out area for removal from the site when construction is completed. Washout or cleaning residue must not flow off the Lot or into drainage ways. Fines will be imposed to any Owner and/or its Construction Deposit for any violation to this provision. The Owner will also be responsible for restoring the damaged area to its natural state.

## SANITARY FACILITIES

Each Owner shall be responsible for providing and maintaining adequate sanitary facilities for its construction workers. Portable toilets or similar shall be located only within the Lot boundaries and in areas specifically approved in writing by the Frieden Reviewer.

## CONSTRUCTION ACCESS TO FRIEDEN

Each Builder will be provided temporary gate access codes for use by his subcontractors and suppliers during the construction period.

## VEHICLE AND PARKING AREAS

Construction crews shall park only on one side of the street as designated by the Frieden Reviewer and should ensure that the roadways are always passable. Construction crews shall not park on or otherwise use Lots other than the one they are building on unless they have written consent from the Frieden Reviewer. Private and construction vehicles and machinery shall be parked only on the Lot or in areas designated by the Frieden Reviewer. All vehicles shall be parked so as not to inhibit traffic on adjacent streets.

Each Builder shall be responsible for its subcontractors and suppliers obeying the speed limits posted within Frieden. Fines may be imposed against the Builder for violations. Adhering to the speed limits shall be a condition included in the contract between the Builder and its subcontractors/suppliers. No construction vehicle will be permitted to leak oil or otherwise damage or deface any street located within the Frieden community. Each Builder shall be responsible for keeping the roadways, parking areas and driveways free from stains and spills.

## RESTORING OR REPAIR OF OTHER PROPERTY DAMAGE

When moving heavy equipment around, precautions are to be taken to prevent damage to pavement, curbs and vegetation. Crawler tractors are not to be operated on paved or concrete surfaces.

Damage and scarring to property other than the Lot resulting from construction operations including, but not limited to landscape, boulders, other Lots, roads, driveways, concrete curbs and gutters and/or other Improvements will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the Owner.

## MISCELLANEOUS AND GENERAL PRACTICES

All Owners will be completely responsible for the conduct and behavior of their agents, representatives, Builders, Contractors and Subcontractors while on the premises of Frieden. The following practices are prohibited:

- Changing oil or servicing vehicle's or equipment on the site itself or at any other location within Frieden.

- Allowing concrete suppliers, plasterers, painters or any other subcontractors to clean their equipment other than at locations specifically designated for that purpose by the Frieden Reviewer. Residue from cleaning is not allowed to flow into natural drainage ways.
- Using disposal methods or units other than those approved by the Frieden Reviewer.
- Disposing of cigarettes and other flammable materials carelessly.
- Carelessly treating or removing any plant material not previously approved for removal by the Frieden Reviewer.
- Bringing pets into Frieden.
- Playing radios or other music producing devices.
- Burning fires.
- Storing or parking non-construction related vehicles, trailers, boats, etc. at the construction site.

## ADDITIONAL RESTRICTIONS ON CONSTRUCTION ACTIVITIES

Pruning required on branches extending into the Buildable Area shall be performed by a qualified landscape maintenance company or certified arborist prior to construction. No pruning or removal of materials beyond the Buildable Area shall be permitted.

Fill materials (cinders, aggregates, sand etc.) must be stored within the Buildable Area and excesses removed from the property. Dispersal or incorporation into soils is not permitted.

No chemical product of any kind (adhesives, paint, thinners, plaster, etc.) will be dumped on site.

All excess Excavation materials must be removed promptly from the property.

## CONSTRUCTION ACCESS TO LOT

The only approved construction access during the time a Residence or other Improvement is under construction will be over the approved driveway location for the Lot unless the Frieden Reviewer approves an alternative access point. In no event shall more than one (1) construction access be permitted onto any Lot.

## TEMPORARY CONSTRUCTION SIGNAGE

Temporary construction signs shall meet the following criteria:

Only the following information may appear on construction signs:

- Builder's name and phone numbers.
- Architect's name and phone numbers.
- Street address.

## FIRE PROTECTION

At least one full and operable 10-pound ABC rated dry chemical fire extinguisher shall always be present and available in a conspicuous location on the construction site. Absence of such a device may result in fines against the Owner or Builder's access to the construction site being denied.

## DAILY OPERATION

Daily working hours for each construction site shall be regulated by the City of Fredericksburg's city code, unless the Frieden Reviewer or Association designates other hours in writing.

Monday- Friday          7:00AM to 7:00PM

Saturday                  8:00AM to 12:00PM

No exterior construction or interior construction that causes noise audible from outside the Residence shall be allowed on Sunday.

Construction is not permitted on State or local holidays without written consent from the Frieden Reviewer.

## SECTION 6 DESIGN REVIEW PROCESS

### OVERVIEW

The Design Review Process, administered by the Frieden Reviewer, has been established to embrace Frieden's Modern Farmhouse style and to help preserve its overall philosophy. The process helps to minimize time and money spent on designs that do not adhere to the Design Guidelines. The Frieden Reviewer has streamlined the process to eliminate excessive time delays; however, each Owner is directly responsible for complying with the Community Manual, Design Guidelines, all other applicable provisions of the Declaration and all requirements, rules and regulations of any governmental authority, in order to bring the Design Review Process to an effective and satisfactory conclusion.

The Frieden Reviewer is responsible for interpreting, maintaining and enforcing the standards set forth in the Design Guidelines. The Frieden Reviewer may amend the Design Guidelines at any time. Owners are responsible for keeping up with the current Design Guidelines as amended.

The Frieden Reviewer will conduct reviews of projects during their regular meetings or at such other times as they may determine. The Frieden Reviewer will respond in writing to the Applicant within thirty (30) days after the review of a submittal. The Frieden Reviewer will not normally discuss results of reviews over the telephone with an Owner, his/her Architect or Builder. Any responses an Owner may wish to make regarding the Frieden Reviewer's review of submittals should be addressed to the Frieden Reviewer in writing.

The Design Review process is divided into seven stages:

1. Pre-Design Meeting
2. Conceptual Design Meeting
3. Preliminary Submittal
4. Final Submittal
5. Pre-Construction Meeting
6. Pre-Landscape Meeting
7. Final Site Visit

### RESTRICTION ON PLAN AND ELEVATION REPETITION

All plans submitted under these Guidelines shall be of a unique architectural design and not have been built on more than one residential lot within the Frieden community. The Frieden Reviewer may, in its sole and absolute discretion, deny a plan or elevation proposed for a Residential Lot if a substantially similar plan or elevation exists on another Residential Lot within Frieden.

The Frieden Reviewer reserves the right to disapprove designs that it deems inconsistent with the letter and general intent of these guidelines; including but not limited to minimizing negative visual impact, cohesiveness with the community context, compatibility with natural terrain, and overall harmony with the built and natural environments.

### DESIGN SERVICES

The Frieden Reviewer strongly recommends that Owners retain services from qualified Architects and Engineers. Homes must be designed for the characteristics of the specific Lot; the Frieden Reviewer will not allow the use of what is known in the industry as "Standard Plans".

## PRE-DESIGN MEETING

Prior to preparing any drawings for a proposed Residence or Improvement, Owners are required to meet with the Frieden Reviewer to discuss the submission and review process. At this time Owners will have selected an Architect and will submit their Architect Application for review. This meeting provides an opportunity to explore and resolve any questions regarding the interpretation of the Design Guidelines. Design sketches will not be reviewed at this meeting. Items discussed in the Pre-Design Meeting are not binding on the Frieden Reviewer, nor do they constitute formal acceptance by the Frieden Reviewer.

The Pre-Design meeting is scheduled through the Frieden Reviewer. Any amendment to the Design Guidelines as well as the current policies and procedures may be obtained at this time.

## CONCEPTUAL DESIGN MEETING

The Frieden Reviewer offers two (2) Conceptual Design Meetings. These informal reviews are to discuss general design characteristics of the Residence and provide guidance in potential areas of concern prior to the initiation of preliminary design. The Design Professional must attend these meetings and it is strongly encouraged that the Owner and Builder also attend. Items discussed in the Conceptual Design Meetings are not binding, nor do they constitute formal acceptance by The Frieden Reviewer.

The Frieden Reviewer requires that the Applicant bring to the meeting a site analysis, concept site plan (concept diagram), architectural character sketches, statement of design intent, and any other information that explains the general design and site planning intent. The Conceptual Design Meetings are scheduled through the Frieden Reviewer.

## BUILDABLE AREA SUBMITTAL

Any requests for a minor modification to the Buildable Area must be submitted prior to Preliminary Submittal. Modifications are discouraged.

Submittal requirements for requests to make minor modifications to the Buildable Area are as follows:

- The Application Form supplied by the Frieden Reviewer with all information completed.
- A Site Plan at a scale no less than 1" = 20' showing: Lot boundaries, existing surface contours at 2' intervals based on Frieden's datum, all protected plants and a general footprint of the proposed Residence and Improvements. This plan shall clearly delineate the existing Building Area as well as the proposed Modifications. Numerical area calculations of the existing and proposed Building Setback must be provided.
- A Vicinity Map at no less than 1" = 100' showing: Lot boundaries and existing Building Setbacks and/or defined Buildable Area of all Lots within Frieden, available from the Master Developer. If a Lot has an existing Residence on it, this plan shall show the general footprint of existing Residences and Improvements. This plan should identify surface hydrology, plant communities, wildlife movement and primary view corridors from adjacent Lots as determined by the Frieden Reviewer. This exhibit must also show both the existing and proposed Buildable Area for the subject Lot.
- A Brief Narrative describing the need for a request to modify the Buildable Area including identifying any specific topographic or environmental hardships which are cause for the proposed Buildable Area Modification.

Submittals should be made fourteen (14) days prior to a regularly scheduled meeting. The Frieden Reviewer can be contacted for all information pertaining to the regularly scheduled meetings.

To assist the Frieden Reviewer in its evaluation of a modification to a Buildable Area, the Owner shall, if requested, provide staking of the proposed minor modification to the Buildable Area.

The Frieden Reviewer will then review the submittal for conformance to the Design Guidelines and make its recommendation, which will be provided, in the form of a written response to the Applicant.

## PRELIMINARY SUBMITTAL

Preliminary Submittals, including all exhibits outlined below, must be made at least fourteen (14) calendar days in advance of a regularly scheduled meeting at which time they will be discussed. Preliminary Submittal plans and exhibits should be submitted by the Design Professional to the Frieden Reviewer after the Pre-Design Meeting. The Frieden Reviewer can be contacted for all information pertaining to the regularly scheduled meetings.

Preliminary Design Submittals must include:

- A Preliminary Review Checklist, supplied by the Frieden Reviewer, with all required material and information completed.
- A Site Plan, at no less than 1" = 20' scale, showing the graphic locations and the numerical area calculations of the Building Area, (both the original Buildable Area and any proposed Buildable Area modifications in the case of a request for Minor Modifications), the Residence and all other buildings or major Structures, driveway, centerline of adjacent streets, parking areas, patios, pools, walls, proposed utility service facilities and routes, site grading including existing and proposed contours and topographic features such as drainage channels, trees and major shrubs to be retained and to be relocated, and elevations (datums) of all building floors, patios and terraces shown in relation to site contour elevations.
- A Conceptual Landscape Plan, at the same scale as the Site Plan, which indicates the proposed conceptual landscaping scheme for the Residence. This includes:
  - Locations of existing and proposed plants indicating which plants will be relocated and their proposed relocation.
  - Locations of areas to receive re-vegetation.
  - Decorative features such as pools or imported rocks.
- A list of all proposed plants including both the common and the botanical plant name. Proposed plants not included on the Approved Plant List must be listed on the Landscape Plan with an asterisk before the plant name along with a photograph and description.
- A Massing Diagram that includes the Roof Plan of the Residence and the site Improvements superimposed over existing topography. This drawing shall indicate:
  - All parapet and roof ridge heights and any changes in elevation of the parapet and roof ridge heights.
  - Heights of site walls or retaining walls.
- A bold outline of each building mass in plan.

- Existing pre-construction topography with 2' contour intervals and contour lines must be legible beneath the footprint of any Residence or Improvements.
- Area calculations, in square feet, identifying the area of the building footprint at or below the lower mass height limit and area of the building footprint above the lower mass height limit. These areas need to be shaded or color-coded to designate each height category.
- Roof Plan and Floor Plans (at a scale of no less than 1/8"-1'-0"). Roof plans showing areas and heights of flat and sloped roofs, location of crickets and skylights and locations and heights of all roof mounted equipment (if allowed). Floor Plans shall show elevations (datums) for each floor level change.
- Exterior Elevations of all sides of the Residence, at the same scale as the floor plans, identifying all heights, delineating both existing and proposed grade lines and designating all exterior materials and general colors. Color selections may be general and not specific for the Preliminary Submittal.
- Site Sections extending from property line to property line, and including all site retaining and screen walls, as well as the street and street elevation.
- The Preliminary Submittal must include a flash drive with scans in pdf format of each of the required drawings.
- Rendering of the proposed home.
- Any other drawings, materials or samples requested by the Frieden Reviewer or necessary to explain the design.

To assist the Frieden Reviewer in its evaluation of the Preliminary Submittal, the Owner shall, if requested, provide preliminary staking of the locations of the corners of the Residence, major Improvements or other locations as determined by the Frieden Reviewer.

A non-refundable Design Review Fee must accompany the submittal. A fee will be assessed for all additional reviews beyond the original four (4). Checks are to be made out to the Frieden Property Owners Association.

## PRELIMINARY REVIEW

After all required materials are submitted, the Preliminary Design Submittal will be deemed complete. The Frieden Reviewer will then review the submittal for conformance to these Guidelines and will provide a written response to Applicant.

## FINAL SUBMITTAL

After Preliminary Approval is obtained, the following documents, which clearly comply with or satisfactorily resolve the stipulations for Preliminary Approval, should be submitted to the Frieden Reviewer for Final Approval. Final Design Submittals must be made a minimum of fourteen (14) calendar days prior to a regularly scheduled meeting at which they will be discussed. Comments will be issued within thirty (30) days of submittal.

Final Submittals must include:

- The Final Review Checklist, supplied by the Frieden Reviewer, with all information completed.
- Flash drive of each drawing for the Residence including:

- Building sections as required illustrating the Residence and Improvements.
- All utility locations, electric meter, transformer and exterior mechanical equipment locations.
- Any adjustments to locations and/or areas of the Buildable Area of the Residence.
- Locations and manufacturer's catalog cuts of all exterior lighting fixtures.
- Construction Details.
- Lighting/Electrical Plan.
- Construction Site Plan.
- A complete Landscape Plan at the same scale as the Site Plan including:
  - Proposed contours and grading if finished grading is different from that on the Final Site Plan.
  - Areas to be irrigated, if any, including location of backflow prevention.
  - Locations and sizes of all existing and proposed plants. Indicate which plants will be relocated and the proposed location of the plants within the Landscape Plan.
  - Decorative features such as pools or imported rocks.
  - Specification as to color and size of mineral landscape elements including approximate size of any boulders proposed.
  - A list of all proposed plants including both the common and botanical plant name and plant size. Proposed plants not included on the Approved Plant List must be listed on the Landscape Plan with an asterisk before the plant name. A photograph and description of any non-approved plant must be submitted in order to be considered for approval.
  - Location of all exterior lighting including cut sheets for all fixtures and a list of proposed bulb types and wattage.

## FINAL SUBMITTAL APPROVAL

The Frieden Reviewer will review the complete submittal for conformance to the Design Guidelines and any stipulations from the Preliminary Submittal. A written response will be made to the Applicant within seven (7) days. If approved, the Frieden Reviewer will provide a Construction Authorization Certificate to be displayed on the rear of the construction sign at the Lot.

Once approved, the design must be executed as submitted or revised drawings must be submitted to the Frieden Reviewer for their review. No revised design may be constructed without prior Frieden Reviewer approval. Failure to obtain approval of any changes to the approved Final Submittal can result in the Frieden Reviewer or the Association causing the existing construction to be modified to match the approved Final Submittal, the imposition of fines or any other remedy available to the Frieden Reviewer or the Association.



## RE-SUBMITTAL OF DRAWINGS

In the event of disapproval by the Frieden Reviewer of either a Preliminary Submittal or a Final Submittal, resubmission must follow the same procedure as the original submittal except that re-submittals of a Preliminary Submittal must be made at least fourteen (14) calendar days before the regularly scheduled meeting at which it will be discussed. Resubmissions will not be reposted, nor will new notifications be mailed out.

## ADDITIONAL CONSTRUCTION AND/OR EXTERIOR CHANGES

Any changes to the approved Final Design submittal before or during the construction of an Improvement must first be submitted for review and approval by the Frieden Reviewer. Failure to obtain approval of any changes to the approved Final Design Submittal can result in the Frieden Reviewer or Association causing the existing construction to be modified to match the approved Final Design, the imposition of fines, or any other remedy available to the Frieden Reviewer or the Association.

## PRE-CONSTRUCTION MEETING

Owners are required to schedule a Pre-Construction Meeting prior to starting any grading or construction activity. The Pre-Construction Meeting is intended to ensure the Builder has a clear understanding of the requirements in the Design Guidelines. The meeting will be used to review how the Builder will conduct business and the procedure the Builder and other companies will follow leading up to and during the project.

The following required materials will be submitted and reviewed before authorizing a construction start:

- Copy of Contractors License.
- Copy of the City of Fredericksburg Building Permit.
- One full size set of Construction Documents (drawings) as submitted and approved by the City of Fredericksburg.
- Owner to supply a Construction Deposit in the required amount made payable to the Frieden Property Owners Association.
- Construction Schedule.
- Phone Numbers of key construction personnel.
- List of Sub-Contractor and employee names for security passes.

Site clearing and subsequent construction must begin within one (1) year from the date of the approval from Frieden Reviewer. The period for commencement may be extended if a written request to the Frieden Reviewer is made prior to the expiration of the one (1) year and if the Frieden Reviewer finds that there has been no change in circumstances. Construction of all exterior Improvements such as the foundation and all exterior surfaces (including roof, exterior walls, windows, doors and all landscaping) of any other Improvements must be completed within 18 months of commencement of construction except when such completion is impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies or natural calamities.

If the Owner fails to comply with these requirements, the Frieden Reviewer may notify the Association of such failure and the Association, at its option, may complete the exterior Improvements in accordance with the approved drawings or remove any Improvement(s) on the Lot and the Owner must reimburse the Association for all expenses incurred in remediation of these issues.

## DESIGN CONFORMANCE INSPECTIONS

The Frieden Reviewer will perform several site visits and require certifications at different stages of the construction process. It will be the responsibility of the Owner or the Builder to properly coordinate the site visits into the construction schedule and notify the Frieden Reviewer in a timely manner.

The Builder must inform the Frieden Reviewer in writing at least seven (7) calendar days before the requested site visit date. A written note stating these requirements shall be shown by the Architect on the plans as part of the Final Design Submittal. If the Builder does not notify the Frieden Reviewer and no review occurs, this will not constitute approval by the Frieden Reviewer of work in progress or of compliance with these Design Guidelines.

The Frieden Reviewer may review all work in progress and give notice of noncompliance at any time if found. The Frieden Reviewer requires two (2) third party certifications and three (3) design conformance site visits.

### FRAMING SITE VISIT

The purpose of the Framing Site Visit is to review construction items that include but are not limited to recessed windows, stem wall construction, Gables and vents, rafter tails and columns.

The Framing Site Visit will be scheduled at the time the Height Certification is submitted.

### EXTERIOR SURFACE VISIT

The purpose of the Exterior Surface Site Visit is to review construction items that include but are not limited to chimney caps, ornamental iron railings, stone veneer, parapets caps, and scupper details. The Exterior Surface Visit should be scheduled during the final weeks of construction.

## PRE-LANDSCAPE MEETING

Owners are required to schedule a Pre-Landscape Meeting prior to starting any landscaping. The Pre-Landscape Meeting is intended to ensure the Landscape Installer has a clear understanding of the requirements in the Design Guidelines. The meeting will be used to review how the Landscape Installer will conduct business and the procedure the Landscape Installer and other companies will follow leading up to and during the project.

## LANDSCAPE REQUIREMENTS AND SITE VISITS

The Frieden Reviewer will perform a site visit to review grading, drainage and landscape material. It will be the responsibility of the Owner or the Landscape Installer to properly coordinate the site visit into the landscape installation schedule and notify the Frieden Reviewer in a timely manner.

The Landscape Installer must inform the Frieden Reviewer in writing at least seven (7) calendar days before the requested site visit date. A written note stating these requirements shall be shown by the Landscape Architect on the plans as part of the Final Design Submittal. If the Builder does not notify the Frieden Reviewer and no review occurs, this will not constitute approval by the Frieden Reviewer of work in progress or of compliance with these Design Guidelines.

The Frieden Reviewer may review all work in progress and give notice of noncompliance at any time if found.

## LANDSCAPE GRADING AND DRAINAGE SITE VISIT

A Landscape Grading and Drainage Site Visit will be performed before any plant material is installed. The purpose of the Landscape Grading and Drainage Site Visit is to review grading and drainage items, and to ensure that the ground is properly contoured, in compliance with the civil engineers' design, and does not have a negative impact on the natural areas or neighboring lots. Plant material and trees will be reviewed at the Final Site Visit.

## FINAL SITE VISIT

Upon completion of any Residence or other Improvement, the Owner must give written Notice of Completion to the Frieden Reviewer prior to occupancy.

Within twenty (20) calendar days from receipt of the written notice, the Frieden Reviewer may review the Residence and/or Improvements. If the Frieden Reviewer finds that all Improvements are deemed to be in accordance with the approved Final Submittal, these Design Guidelines and any stipulations of approval, the Frieden Reviewer will notify the Owner in writing of Final Construction Approval.

If it is found that work was not done in strict compliance with the approved Final Submittal, the Frieden Reviewer will notify the Owner in writing of noncompliance, will specify in reasonable detail the particulars of noncompliance and will require the Owner to remedy the same.

If the Owner has failed to remedy any non-compliance within the specified time, the Frieden Reviewer will notify the Owner and may take such action to remove or remedy the non-complying Improvements as is permitted in these Design Guidelines including, without limitation, injunctive relief or the imposition of a fine.

An Owner may occupy a Residence following receipt of a Certificate of Occupancy from the City of Fredericksburg, but prior to a Final Site Visit by the Frieden Reviewer. Owner may do so provided that the work is continued, and the written Notice of Completion is given to the Frieden Reviewer within forty-five (45) days of occupancy. If Improvements are not completed within forty-five (45) days of occupancy, the Frieden Reviewer reserves the right to take action to complete the Improvements as is permitted in these Design Guidelines including, without limitation, the imposition of fines.

## NON-WAIVER

The Frieden Reviewer may disapprove an item not in conformance with the Design Guidelines as shown on the Final Submittal even though it may have been evident and could have been disapproved during the Preliminary Submittal. Approvals by the Frieden Reviewer do not constitute a waiver of any right to withhold approval of any drawing, specification or matter whenever subsequently or additionally submitted for approval if there is a nonconforming design or aspect that was not identified previously.

## RIGHT OF WAIVER

The Frieden Reviewer reserves the right to waive or vary any of the procedures or standards set forth herein at its discretion for good cause shown.

## APPENDIX A - DESIGN REVIEW

### PRE-DESIGN MEETING –Frieden Reviewer Material Handover

#### Required Material

- Approved Architect Application filled out with name of proposed Architect. \*\*

### CONCEPTUAL DESIGN MEETING - Design Review Start

#### Required Material

- Concept Diagram
- Statement of Design Intent

### PRELIMINARY SUBMITTAL

#### Required Material

- Design Review Fee; A non-refundable fee payable by check to the Frieden Community Association.
- Preliminary Review Checklist \*\*
- Flash drive with scans of each submitted drawing in “pdf” format
- Rendering of proposed home
- List of all materials proposed

#### Required Drawings: See Design Review Check List

- SITE PLAN
- CONCEPTUAL LANDSCAPE PLAN
- MASSING DIAGRAM
- FLOOR PLANS
- ROOF PLANS
- ELEVATIONS
- SITE SECTIONS

## APPENDIX A - CONT'D

### FINAL SUBMITTAL

#### Required Material

- Final Review Checklist \*\*
- Flash drive with scans of each submitted drawing in “pdf” format
- Name and contact details of Approved Builder

#### Required Drawings

- FINAL SITE PLAN prepared by a licensed Civil Engineer
- MASSING DIAGRAM \*
- FLOOR PLANS \*
- ROOF PLANS \*
- ELEVATIONS \*
- SITE SECTIONS \*
- CONSTRUCTION DETAILS
- LIGHTING/ELECTRICIAL PLAN
- CONSTRUCTION SITE PLAN
- LANDSCAPE PLAN

## APPENDIX B - CONSTRUCTION REVIEW

### PRE-CONSTRUCTION MEETING - Construction Start

#### REQUIRED MATERIAL

- Pre-Construction Meeting Checklist.
- Copy of your Builder's License.
- Copy of the City of Fredericksburg Building Permit.
- One full size set of Construction Documents (drawings) as submitted and approved by the City of Fredericksburg.
- Owner to supply a Construction Deposit in the amount of \$10,000.00 made payable to the Frieden Community Association.
- Current financial statement from Builder or owner/Builder.
- Construction Schedule.
- Phone Numbers of key construction personnel.
- List of Sub-Contractor and employee names for security codes

\*\* Form included in Design Review Package

#### FOUNDATION CERTIFICATION

Builder to submit certification prior to lumber drop. \*\*

#### HEIGHT CERTIFICATION

Builder to submit certification prior to loading roof. \*\*

#### FRAMING SITE VISIT

Builder to request with submitted Height Certification. \*\*

#### EXTERIOR SURFACE SITE VISIT

#### PRE-LANDSCAPE MEETING

#### REQUIRED DRAWINGS

- Copy of Approved Landscape Plan
- Copy of Approved site Plan
- Copy of your Contractor's License.
- Construction Schedule
- Phone Numbers of key construction personnel.

#### LANDSCAPE GRADING AND DRAINAGE SITE VISIT

Landscaper to submit request with checklist. \*\*

## APPENDIX B – CONT'D

### 1ST FINAL SITE VISIT

Builder to submit request with checklist. \*\*

### 2ND FINAL SITE VISIT

Submit request with comments from 1st Final Site Visit.

### 3RD FINAL SITE VISIT, if required (additional fee)

### CERTIFICATE OF OCCUPANCY

Builder to submit the City of Fredericksburg Certificate of Occupancy.

### CONSTRUCTION DEPOSIT REFUND REQUEST

Builder to submit form-requesting return of Construction Deposit. \*\*



## APPENDIX C- APPROVED PLANT LIST

Contact the Frieden Reviewer for a copy of the approved Plant List\*\*