

# The Woodlands Residential Development Standards



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### 1.1 DEVELOPMENT PHILOSOPHY

The Woodlands is a large, forested community being developed in accordance with a master plan to be largely self-sustaining; a community in which people can live, work and play in harmony with the environment. Careful attention has been paid to ecology, with emphasis on preserving natural vegetation for future generations. The trees, shrubs, understory, natural drainage systems and wildflowers have been enhanced by additional landscaping and development of lakes, parks and open space.

Land uses have been carefully laid out with both business and family requirements in mind. Quiet cul-de-sacs, small neighborhood parks, and shared parking lots minimize paved area and preserve trees. Greenbelts have been retained around neighborhoods to shield them from noise and traffic. Preservation of existing vegetation provides many other amenities and advantages:

**Shelter and food for wildlife**—the preservation of the forest can provide a habitat for birds and other wildlife that would not normally be present in a conventional subdivision.

**Water conservation**—native plants are hardy and require less water than sodded lawns and newly planted landscaping.

**Energy conservation**—shade provided by mature landscaping can reduce summertime air conditioning costs by up to 50 percent.

**Convenience**—natural landscaping is easier to maintain; beds require only occasional weeding and mulching. Native plants are also less susceptible to diseases and require less fertilizer and expensive maintenance.

**Privacy**—shade provided by trees and shrubs acts as a privacy screen. Every time a tree is removed, a home site is cleared or an improvement added, a part of the forest is gone and the future has been changed. Therefore, care must be taken to make that change as small as practical.

The preservation of natural vegetation restricts the ability of the developer, builder or lot owner to fill and grade each lot for maximum drainage. All improvements must be made with as little interruption of the natural drainage patterns as possible. The retention of some storm water in low areas of a lot decreases downstream flooding and erosion, provides the necessary water for trees and other vegetation and recharges underground water resources. The placement of improvements, landscaping or drainage structures in a manner that prohibits the natural flow of drainage across the lot or increases the runoff onto a neighboring property upsets the ecological balance and may cause damage to neighboring properties. This may also interfere with the legal rights of neighboring property owners.

The Woodlands Covenants and these Residential Development Standards have been designed to put into place procedures that will carry forward The Woodlands development philosophy while enhancing the quality of life. The Woodlands Covenants and Standards:

- Encourage environmental excellence.
- Preserve the design integrity and architectural quality of Woodlands dwellings.
- Prevent the deterioration of neighborhoods that inevitably follows an unregulated, laissez-faire philosophy of construction, maintenance and property use.
- Uphold property values.

Redevelopment encourages sustainability and growth of a community. As The Woodlands continues to grow and age, residents must be prepared for suburban residential development. Redevelopment must be viewed as a process of reinvestment that will improve property values, allow existing owners and purchasers of an existing home to rebuild and redevelop in existing residential areas. This redevelopment must allow for newer construction techniques, including larger homes and modified locations.

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Improving characteristics of the house (floor area, features, styles etc.) is a necessity in redevelopment. As houses depreciate and redevelopment occurs, The Woodlands will be dedicated to accepting the most current trends and practices in home building. This will encourage reconstruction of aging homes to remain as marketable and competitive as homes in newer or recently developed neighborhoods. A remodeled or newly constructed home may not look like other homes on the street. The Plan Review Committee will rely on established criteria in developed areas and focus on the implementation of modern techniques and building design while protecting overall property value by closely evaluating primary impact items such as established setbacks, livable space and hard surface restrictions.

## 1.2 IMPORTANT THINGS TO REMEMBER

### A. The Appropriate Standard

Many different kinds of changes and additions to a property can be made. The ones described on the following pages are the most common, but not all are described. If a project is not included on the following pages, refer to the standard closest in concept to it and use that standard as a guide for preparing an application for plan approval.

### B. Changes by Previous Owners

Purchasers of a property may receive notice that the previous owner made an unapproved alteration or addition and they are now in violation of the Covenants. Current owners are responsible for any existing violations, regardless of previous ownership.

### C. Covenants Protect Neighbors

All property owners and tenants are subject to the Covenants and have agreed to comply with them. In turn, they rely on their neighbors' promises that they too will comply. Most problems can be resolved, and unnecessary complications avoided by a thorough understanding of the Covenants and Standards. Compliance with the Covenants and Standards by all neighbors will permit Woodlands property owners and residents to enjoy living and raising their families in a pleasing environment and an attractive community with sustained property values.

### D. Current Standards

These Standards are updated, revised or otherwise amended from time to time. Always be certain that you have the current Standards. Visit [www.thewoodlandstownship-tx.gov](http://www.thewoodlandstownship-tx.gov) or call The Woodlands Township office at 281-210-3800.

#### 1. Don't Copy Your Neighbors

When you consider altering or improving your property, do not rely on what your neighbors have done or said regarding their property. It may have been permitted under a prior Standard but not under the current Standard, disapproved and in need of modifications or constructed without plan approval, which is in violation of the Covenants.

#### 2. Governmental Regulations

The Covenants and Standards are not intended to permit any action prohibited by applicable laws, rules or regulations of any governmental authority. Where these Standards contain requirements in addition to or are more restrictive than required by governmental regulations, these Standards must be followed. Construction must comply with both governmental regulations and these Standards.

Improvements constructed or placed in street rights-of-way are also under the jurisdiction of Montgomery County and/or Harris County. Approval by the Plan Review Committee (as defined herein) does not constitute approval by the County. Any improvements constructed within an easement or in County jurisdiction without the consent by that entity are subject to removal. The actions of the Plan Review Committee do not constitute action by any other entity.

#### 3. Retroactive Effect: ('Grandfathering')

Except where stated otherwise, a change in the Standards does not affect improvements that had been approved under earlier versions of this Standard on the condition the improvement or construction was completed before the plan approval expired. In cases where more than 50 percent of the current dwelling

will be altered by any kind of repair or replacement of materials, a permit will be required. Repair, replacement or repainting must be done to comply with current Standard and may require a permit.

In instances where a variance was granted for an existing improvement that is being proposed for replacement or repair, the Plan Review Committee or its designee has the authority to grant a variance renewal based on the history of the property and the previously considered factors. If for any reason it is determined by staff that an application requiring a variance renewal or requires review by the Plan Review Committee, it will not be eligible for staff variance approval and will be posted for committee review at the next available Plan Review Committee meeting.

**4. Other Property Owners Associations and City Ordinances**

Improvements in certain areas may also be governed by additional restrictions imposed by other property owners' associations. It is the owner's responsibility to obtain those approvals by the appropriate entities, such as a sub association or any other city, such as The City of Shenandoah or City of Houston. Any action by the Plan Review Committee's or their designee does not constitute approval by any other entity.

**5. Why Don't the Standards Regulate Barking Dogs, Noise, Drones, Autonomous Driverless delivery vehicles or any Vehicles Parked on the Street?**

These Standards cover limited topics within the jurisdiction of the Covenants. Many other annoyances or unsafe activities are within the jurisdiction of the county or other governmental agencies. Consult the appropriate agency.

### 1.3 PLAN REVIEW AND COVENANT ENFORCEMENT

#### A. The Covenants

The Covenants, Restrictions, Easements, Charges and Liens of The Woodlands (the “Covenants”) are recorded in the real property records and are legally binding upon most of the land, landowners and residents in The Woodlands. For purposes of these Standards, Covenants refers only to those covenants that establish the Development Standards Committee, the Development Review Committee and the Community Standards Committee. Every improvement or change to land, buildings or structures must be approved and must comply with the Covenants and applicable Standards adopted under the authority of the Covenants.

#### B. Plan Review Committees

The Covenants establish the following Committees to adopt and enforce these Standards and the Commercial Design Standards, to review plans for the construction of residential and commercial improvements and to carry out the other functions set forth in the Covenants. These committees are the:

- Residential Design Review Committee (RDRC)
- Community Standards Committee (CSC)
- Development Standards Committee (DSC)
- Development Review Committee (DRC)

In addition, the Covenants establish an RDRC within the land subject to the jurisdiction of the DSC and the DRC. Each RDRC is composed of three or more people elected by the residents of the village, in which the RDRC operates. The RDRC reviews applications for modifications, improvements or additions to existing residential improvements.

The Covenants also create committees to adopt and enforce Standards governing property use and maintenance. The committees adopt, promulgate, revise or revoke any rule or regulation; make any finding, determination, ruling or order; issue any permit, authorization or approval pursuant to directives or authorizations; or act upon any other business. These committees review plans for the construction of new homes, commercial properties and residential improvements. References in these Standards to the “Plan Review Committee(s)” refer to any or all of these committees, depending on the context and the nature of the issue.

#### C. Residential Development Standards

Under authority of the Covenants, the DSC, DRC and the CSC adopted these Residential Development Standards (the “Standards”) that apply to all improvements on lots restricted to use for detached single family homes, condominiums or townhomes not located in town center and to all property-owner improvements in street rights-of-way. These Standards replace and supersede all prior Residential Development Standards.

These Standards do not apply to use of a site or of an improvement for office, retail, light industrial, research, warehouse-distribution, institutional, golf clubs, golf courses, hospitality, apartment and townhomes and condominiums if located in town center. In addition, these Standards do not apply to apartments even if located in a residential village. Instead, the Commercial Design Standards adopted by the DRC and DSC and CSC apply to such uses. Please contact The Woodlands Township at 281-210-3800 if you have any questions.

#### D. Criteria

In addition to the Standards, Criteria establish more specific regulations for setback lines, hard-surface area, living area, colors, materials or other requirements for a home, group of homes or neighborhood based upon characteristics unique to that lot, group of lots or neighborhood. Because the Criteria vary from one neighborhood to another and frequently within a neighborhood, the Criteria are not published as part of the Standards; instead, they are but are incorporated by reference in and made part of the Standards and are

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available with reference to a specific lot from The Woodlands Township. All improvements must comply with the Criteria applicable to that lot. In case of a conflict between the requirements of the Criteria and the Standards, the Criteria will prevail for all instances other than fence height restrictions. This does not include Liberty Branch neighborhood. Liberty Branch must adhere to the Liberty Branch Design Guidelines. Please contact the Covenant Administration Department for the applicable Criteria.

### **E. Building Code**

Where used in these Standards, building code refers to the most currently adopted edition of the International Residential Code published by the International Code Council and adopted by the Plan Review Committees. The building code is incorporated by reference in these Standards. A copy of the building code is available for review at The Woodlands Township.

### **F. Initial Land Use Designation**

The Initial Land Use Designation (ILUD) limits permissible land uses and sets minimum and maximum building sizes and/or other constraints. It is prepared by the developer of the land at the time original development on that area begins, is recorded in the County Real Property Records as an additional restrictive covenant on the land, and is binding on all future owners. All improvements must comply with the minimum and maximum square feet of living area allowable for that lot as established by the Initial Land Use Designation and the Criteria.

### **G. Local, State and Federal Law**

Municipal Utility Districts (MUD), city, county, state and federal laws and regulations may apply to an improvement or project.

### **H. Plat**

Further limitations on the construction of improvements may be found on the recorded plat. Like the ILUD, the recorded plat is prepared by the developer of the land at the time of original development on that area and recorded in the county real property records. A recorded plat is a map of land divisions within an area (the subdivision) showing individual lots, property lines, setback lines, street rights-of-way, certain easements and other matters. Throughout this document, when identifying the plat, it is the recorded plat described in this definition.

### **I. Improvements**

All property owners are responsible for all improvements made on their property. All improvements must be located entirely on the owner's property.



## 1.4 GLOSSARY

### A. Corner Lot

A **corner lot** is bound by street rights-of-way on at least two sides and is usually restricted by setback lines on at least two sides. The front of a corner lot is the side with the greater building setback distance or the shorter dimension.

### B. Drainage Plan

Drainage plans must be comprehensive site plans that define the overall site and any site topography. Drainage plans should show any natural change in grade and define the direction the water flows onto and off of the property. Drainage plans should include any specifications for drainage swales, piping, catch basins and drain outlets. Drainage plans may be required to be sealed by a licensed landscape architect registered with the State or sealed by a licensed engineer registered with the Texas Board of Professional Engineers. Please reference the applicable Standard.

### C. Sealed Plans other than Drainage Plans

Sealed plans include complete construction drawings, including floor plans, roofing plan, and plans for electrical, plumbing, foundation, framing, drainage plans (if required) exterior elevations, and exterior treatments and finishes. The drawings must be sealed by a licensed and registered structural engineer, licensed architect or a certified professional building designer with accreditation through The American Institute of Building Design (A.I.B.D.), The Texas Institute of Building Design (T.I.B.D.) or The National Council of Building Designer Certification (N.C.B.D.C.). The drawings must be to scale, of a quality and detail comparable to drawings customarily used to construct a residence and must show how the improvement is integrated into the existing home, garage or any other structures, if any, and must be certified to comply with the Building Code.

### D. Easement

An **easement** is the right of a party (utility company, governmental authority, WCA, TWA, WCOA or The Woodlands Land Development Company (TWLDC) to use a portion of another's property for a limited purpose, as set out in a plat, the Covenants or in an easement agreement recorded in County Real Property Records. The easements established by the Covenants (the "Covenant Easements") affect all lots within the area of those Covenants. They are set aside to provide utility service and drainage to the surrounding area and natural vegetative screening and privacy separations or buffer zones between lots. Covenant Easements are generally 10 feet wide along the front and rear of a lot and five feet wide along each side. Many lots in The Woodlands are also affected by Drainage Easements (D.E.), Storm Sewer Easements (S.S.E.), Sanitary Sewer Easements (S.E.), Utility Easements (U.E.), Access and Utility Easements (A.U.E.), and Pathway Easements (P.E.). Approval for improvements within an easement when granted by the Plan Review Committees applies only to the Covenant Easements as defined above.

### E. Front Facade

The **front facade** is the most predominant front plane of the dwelling/attached garage, generally parallel to the street right-of-way and usually defined by the front corners of the dwelling/attached garage structure that extend nearest to the side lot lines. The front facade may be a different depth from the front property line on each side of the house, depending on the house design.

### F. Front Yard

The **front yard** is the portion of a lot between the front property line and a line parallel with, and set back five feet from the front facade of the dwelling.

**G. Rear Yard**

The **rear yard** is the portion of a lot between the rear property line and the rear facade of the dwelling.

**H. Side Yard**

The **side yard** is the portion of a lot between the front yard and the rear yard.

**I. Improvement**

**Improvement** means the placement, construction, alteration or repair of any structure, including but not limited to adding or removing square footage to or from a structure, painting or repainting a structure, or in any way altering the construction, size, shape or physical appearance of the interior or exterior of a structure. Improvements may be either permanent or one that is affixed to the ground or temporary.

**J. Single Family Dwelling**

A **single family detached dwelling** is a structure designed for the residential use of a single family, but excluding apartments. Single family dwellings may be detached or attached (townhouses, duplexes or condominiums).

**K. Single Family Lot**

A **single-family lot** is a parcel of land upon which one or more single family dwellings have been constructed or that is restricted to use for a single family dwelling.

**L. Street Rights-of-Way**

The **street rights-of-way** are the areas between platted lot lines on one side of the street and platted lot lines on the opposite side of the street, including the paved roadway, any median or cul-de-sac islands, the drainage ditch (if any) and a strip of land, usually from 10 to 15 feet wide, between the paved roadway and the platted lot line. Street rights-of-way are dedicated to the county or other public bodies for public access, drainage and utility purposes. Street rights-of-way are usually shown on the plat of a subdivision.

**M. View**

View shall refer to the view from ground level from adjacent properties and street.

## 1.5 PLAN APPROVAL / INSPECTION

### I. PLAN APPROVAL

#### A. Approval Required

The Covenants require that the placement, construction, alteration or repair of any temporary or permanent structure or improvement on a lot with an existing single-family dwelling must have the prior written approval of the Residential Design Review Committee or their designated staff. Covered projects include, but are not limited to, building additions, interior or exterior remodeling, exterior color changes, fences, play structures, certain decks, paving, patio structures, new garages, garage conversions, satellite antennas, lighting, swimming pools, spas, storage buildings, arbors, summer kitchens and compost bins.

- Approval is required to hard-wire any such equipment to the source of electricity.
- All roof replacement or house repainting.
- In cases where more than 50 percent of the current dwelling will be altered by any kind of repair or replacement of materials, a permit will be required.
- All Fencing repair as defined below:
  - More than eight linear feet of any fencing is or has been replaced, redesigned, reconstructed or relocated.
  - Security Barrier fencing- Any gates have been installed, replaced, redesigned, reconstructed or relocated.

#### B. Approval Not Required

No application or approval is required for:

- Interior floors, wall and window coverings, interior decorating and remodeling that does not require the installation or removal of walls or wall segments or other structural changes (studs, joists, headers, etc.) or electrical and plumbing work.
- The construction or installation of devices, appliances, apparatus or equipment operating at less than 50 volts and not capable of supplying or controlling more than 50 watts of electric power, including lighting, cable television, sound equipment, private or public telephone system, irrigation system, thermostat or burglar alarm system, security cameras or security alarms.
- Work performed on a public utility system by a public utility company, governmental entity or their agents.
- Some minor repair of existing improvements, if the original improvement/construction was approved by the Plan Review Committee. However, this does not include fencing, roofing and color changes, which require a permit at the time of repair or replacement.
- Other improvements specifically exempt according to the applicable Standards. Exemption from the approval requirements of these Standards is not authorization of work done in violation of the Covenants, these Standards or applicable laws or regulations.

### II. APPLICATIONS

Each application for plan approval must include the following items. Any missing or incomplete information may delay review of an application.

#### A. Application Form

A completed application must be submitted for each improvement project and for major demolition projects.

**B. Construction Plans**

**Sealed Plans** are required if the project includes:

- Construction of a home, garage or detached structure containing living area.
- An attachment containing living area to a home, garage or detached structure.
- An attachment containing a roofed area greater than 200 square feet or an attachment containing a floored area elevated more than 30 inches above natural grade.
- An attached Open Roof Structure (ex. pergolas or arbors) 400 square feet or greater.
- Second story decks whether attached or detached.
- Conversion of non-living area to living area (ex. existing porches, garages and attic spaces) that exceeds 200 square feet.
- Structural alterations of a home, garage or detached structure.
- Detached structures or buildings containing a roofed area 400 square feet or greater.
- Retaining walls, cofferdams and bulkheads, or similar structures designed to hold back water that are 3 feet 6 inches or more in height require plans sealed by a licensed professional engineer registered with the Texas Board of Professional Engineers.

Sealed plans include complete construction drawings, including floor plans, roofing plan, and plans for electrical, plumbing, foundation, framing, drainage plans (if required) exterior elevations, and exterior treatments and finishes. The drawings must be sealed by a licensed and registered structural engineer, licensed architect or a certified professional building designer with accreditation through The American Institute of Building Design (A.I.B.D.), The Texas Institute of Building Design (T.I.B.D.) or The National Council of Building Designer Certification (N.C.B.D.C.). The drawings must be to scale, of a quality and detail comparable to drawings customarily used to construct a residence and must show the improvement is integrated into the existing home, garage or any other structures and must be certified to comply with the Building Code.

**Other Projects:** Projects not requiring sealed drawings should include, where applicable, a floor plan, roof plan and elevation drawings including floor plans and plans for electrical, plumbing, foundation, framing, exterior elevations, and exterior treatments and finishes. The drawings must be to scale and must show the integration of the proposed improvement with the existing structure, if any.

**C. Compliance Deposit and/or Fee**

Some projects require a refundable compliance deposit or an application processing fee. Some or all of the compliance deposit may be forfeited for reasons such as, non-compliance with the Covenants, Standards, and conditions of approval, failure to obtain the required inspections or to complete the improvement within the specified time. The amount of the deposit or fee is based upon the complexity of the project. Further information can be obtained from The Woodlands Township.

**D. Sample Materials**

Color samples or chips are required for all painting applications. Product samples may be required for roofing, siding, or other materials.

**E. Property Survey**

A drawing to a standard engineer's scale prepared and certified by a surveyor, showing the location of all easements, platted building lines and existing and proposed improvements. A survey is not required for painting, re-roofing and similar projects that do not include new or expanded structures.

**F. Hold Harmless**

It is the duty of the owner and any contractor or consultant employed by the owner to determine that the proposed improvement is structurally, mechanically and otherwise safe, and that it is designed and constructed in compliance with the conditions of the application, the Covenants, Standards, applicable governmental regulations and sound practices.

Neither The Woodlands Township, the Development Standards Committee, the Development Review Committee, Residential Design Review Committees, the Community Standards Committee, The Woodlands Commercial Owners Association, nor any officer, director, employee or member thereof, shall be liable for damages or otherwise because of the approval or non-approval of any improvement, or because of any act or omission in connection with the construction of improvements on any lot. Each applicant for plan approval must execute a release of all such liability in a form acceptable to the DSC/DRC/CSC.

**G. Other Items**

Other items may be required. Call The Woodlands Township office at 281-210-3800 for updated information or assistance.

**III. PLAN REVIEW**

**A. Application Deadlines**

Completed applications submitted to The Woodlands Township will be reviewed and acted upon by the Plan Review Committees or its designee within 45 days from the date upon which the application is received. For information on meeting dates, deadlines and posted items, please visit The Woodlands Township website at [www.thewoodlandtownship-tx.gov](http://www.thewoodlandtownship-tx.gov) or call 281-210-3800.

**B. Approvals**

The goal of the review process is not to tell the owner that changes cannot be made to the property, but rather to assist in making the changes in a way that conforms to the character of the neighborhood, the natural beauty of The Woodlands environment and the integrity of the International Building Code. Notice of approval, conditional approval or disapproval or conditional disapproval will be sent to the owner. Construction may proceed immediately following receipt of written approval.

1. **Committee Approval** - All proposed improvements require a completed application form. Applications that do not meet the criteria for staff approval require review and action by the Plan Review Committee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval.
2. **Staff Approval** - All proposed improvements require a completed application. Improvements made eligible for staff approval may be approved without committee action, upon receipt of a completed application and staff review and verification that the improvement complies with all requirements of these Standards. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.
3. **Pre-Approval** - The Standards specify certain improvements that have been pre-approved by the Plan Review Committees and require no application, further review, permit, fee or other action by the owner.
4. **Automatic Disapproval** - Every effort is made to review and act upon applications as soon as possible after they are received. If a completed application accompanied by all supporting information has not been acted upon by an RDRC within 45 days following receipt, it is automatically disapproved.

**C. Appeals**

The Covenants outline the instances under which a project can be disapproved. The applicant or an affected neighbor may appeal the decision of the RDRC to the DSC, DRC or to its designee in writing. The letter or email should refer to the RDRC decision and state the objection to that decision and must be received within 10 days following notice of the RDRC decision. All decisions of the DSC and DRC are final.

**D. Concept Review**

Upon request, the Plan Review Committees will provide a preliminary concept review for more complex projects prior to the preparation of full plans. This will assist the owner in determining the general parameters of the project and potential limitations of the Covenants and these Standards at an early point in project planning. The applicant must keep in mind that concept approval only approves a concept. The full plans must still be submitted, reviewed and given final approval.

**E. Variances**

Variances to these Standards may be granted by the DSC, DRC when it can be demonstrated that because of disability or other factors, strict compliance would create an undue hardship by depriving the owner of the reasonable utilization of the site or where unusual circumstances or characteristics that affect the site make strict compliance impractical. No variance will be granted unless the general purpose and intent of the Covenants and Standards is maintained. Any variance granted will only be applicable to the specific site and conditions for which the variance was granted and will not modify or change any Standards as they apply to other sites or conditions.

- The Plan Review Committee will not consider appeals or variances if any violations on the property are currently on notice by the Covenant Administration Department.
- Any variance requests for exceeding the maximum hard surface area allowed by more than 5% requires a sealed Drainage Plan.

**F. Rehearing's and Appeals**

Request for a rehearing will be considered provided the owner or an interested party submits new information to the committee that is substantial enough to cause the committee to rehear the item. Requests for a rehearing must be submitted no later than 30 business days from the committee's original action.

Rehearing requests or an appeal for tree replants, as required by the Plan Review Committee or their Designee, will not be considered unless the owner provides a written document from a certified arborist or other qualified individual with a degree in forestry, identifying that the lot cannot support the replant requirements and the remaining trees on the lot are in good condition and a desirable species.

**IV. INSPECTIONS**

**A. Purpose of Inspections**

The Covenants give the Plan Review Committees the right to make inspections to determine that the work is carried out in accordance with the approved plans and these Standards. Such inspections are for the sole and exclusive benefit of the Plan Review Committees, and no other person or entity is entitled to rely on the inspections as any evidence of the safety of the improvements or their compliance with applicable laws, regulations or these Standards. When inspections are required, the job card included with the approval packet must be posted on site prior to commencement of construction. The homeowner/agent is responsible for providing an approved copy of their permitted application to the contractor.

**B. Qualified Inspector**

A **qualified inspector** is a third-party licensed architect, registered structural engineer or building inspector certified by the International Code Council or its successor agency. **Third-party** means a person other than the owner, the contractor and employees who performed all or a portion of the work, an officer or director of any entity that performed all or a portion of the work or a member of their immediate families.

A qualified inspector must inspect the improvements and certify on forms provided by the Plan Review Committee that they have been constructed according to the currently adopted Building Code, the approved plans and these Standards if the proposed plans include:

1. The construction of a dwelling, a garage, or a detached structure containing living area, the construction of any addition or attachments to the dwelling, garage or detached structure containing living area.
2. The construction of a structure with a roof area exceeding 200 square feet (measured as the area within the exterior walls at roof plate elevation).
3. The construction of a swimming pool or a swimming pool security barrier (as defined in Standard 2.13).
4. Remodeling or alteration to any structure described above if the work includes structural changes or work on electrical, gas or plumbing facilities (power generators, fire pits, fireplaces and summer kitchens) including fuel supply systems.
5. Cofferdams, bulkheads or other similar structures designed to hold back water that are 3' 6" or more in height.
6. Conditions unique to a property requiring staff and/or Plan Review Committee interpretation.

**C. Homeowner Certification**

If inspection by a qualified inspector is not required, it is the owner's responsibility to ensure substantial completion of the project and certification that the project has been completed in accordance with the Covenants, Standards and the approved plans. Otherwise, the owner must notify the Township and reach an agreement on the completion of the project or request for additional time.

**D. Certificate of Compliance**

Following receipt of certification from a qualified inspector or the owner, the Committees may, upon request of the owner, issue a certificate of compliance stating that the improvement complies with the Covenants, the approved plans and these Standards. The certificate is based solely upon the statements and inspections provided by the owner or the qualified inspector.

**E. Notice of Non-Compliance**

If the owner fails to submit the required certification, a notice of non-compliance may be recorded in the County Real Property Records, which may require compliance with the Covenants and Standards before the property can be sold.

**F. Additional Remedies**

Additional remedies and enforcement rights exist under the Covenants. The Woodlands Township or any owner whose property is subject to the Covenants may file suit to obtain an injunction mandating compliance with the Covenants and the Standards. The Woodlands Township has the right, after giving proper notice to the owner, to go onto the property where a violation exists, to fix or remove the violation and collect any costs incurred from the owner or the owner's compliance deposit.

**V. CASUALTY DAMAGE REPAIR**

**A. Casualty Damage**

Casualty damage means damage or destruction (beyond normal wear and tear or deterioration) caused by fire, flood, and hurricane or other natural or man-made cause.

**B. Minor Damage**

Casualty damage that affects only furniture, equipment or wall, floor or window coverings may be repaired without application, approval or inspection. Notify The Woodlands Township at 281-210-3800 of all other casualty damage within five working days following occurrence.

**C. Emergency Repairs**

Emergency repairs required to temporarily prevent property loss or damage, or bodily injury may be made without application, review or prior inspection.

**D. Permanent Repairs**

Permanent repairs are considered remodeling work and must comply with these Standards like other additions, alterations or remodeling.

**E. Structural Damage**

If casualty damage requires structural repair or replacement, a completed application with required compliance deposit, inspections, plans and other attachments must be submitted and approved under the applicable Standard in Part II, as if it were new construction.

**F. Complete within 180 days**

Casualty damage must be removed or restored as soon as feasible. Removal, repair or restoration must begin within 30 days and be completed within 180 days following the date of the casualty damage. Extensions of the time permitted for removal or restoration may be granted by the Plan Review Committees upon a determination that timely completion of the cleanup or restoration is delayed due to legal investigation, a delay in obtaining insurance proceeds, or other matters beyond the control of the owner.

**G. Security Barriers**

Security barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds.

**H. Dumpsters or other waste containers**

Dumpsters or other waste containers must be stored on the driveway. During periods of reconstruction, repair or remodel dumpsters may be stored in a location other than the driveway, provided the location is applied for and approved in advance by the Plan Review Committee or its designee. Dumpsters may be stored for a period not to exceed 120 days. If additional time is needed, the Plan Review Committee or its designee will consider a request for an extension.

**I. Temporary Portable Restroom Facilities**

Portable restroom facilities must be located in a rear or side yard when possible and not cause an unreasonable or disproportionate impact on adjoining properties. During periods of reconstruction, repair or remodel a portable restroom facility may be stored on the lot for a period not to exceed 120 days.



VI. DEMOLITION AND MAJOR REMODELING

A. Definition

Demolition means the complete or substantial removal of a building and other man-made structures, including but not limited to homes, additions, and swimming pools.

Major remodeling means the substantial remodeling of any building as well as any other man-made structure, including but not limited to homes, additions, substantial concrete renovations and swimming pools.

Please reference 2.13 Swimming Pools and Security Barriers Section R. Swimming Pool Demolition.

B. Fencing

**Erosion and Debris Containment**

Perimeter fencing for erosion control, such as silt fence or filter fencing, must be installed around the property to provide temporary sediment control and contain the sediment and debris in place where soil is being disturbed due to demolition or construction.

**Tree Protection**

Fencing to provide tree protection must be installed around the drip line of any existing trees to include a minimum of 75% of the drip line. Any trees in need of removal require application and approval prior to removal.

**Construction Fencing**

Construction fencing should be installed around the demolition or construction area and must allow for an access route for vehicles and other machinery to be used in the work. A 6-foot chain link fence is required around the entire lot and must be screened on the exterior with a customary screening material. Screening material must be a muted green earth tone color and must screen the entire chain link fence. The Plan Review Committee or their designee will determine if construction fencing must be installed around the site for demolition or major remodeling. All new home construction requires perimeter construction fencing.

**Temporary Security Barrier**

Security barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds, during demolition and new construction.

**Access**

A designated access area will need to be identified if the existing driveway is not used and may not exceed 16 feet in width. Riprap will be required from the property line to the street edge for ingress and egress of vehicles. A 2-foot return will be required where the ingress and egress terminate.

C. Completion

Demolition work must be completed within 10 days from commencement. If additional time is needed for the completion of demolition the owner should provide a timeline for the demolition and specify the amount of time needed to complete demolition on the application.

D. Safety

The use of explosives or other means or devices that may cause damage to adjoining properties is prohibited.

E. Dust / Noise

If the demolition causes dust to substantially impact a neighboring property, water must be used to restrict the dust.

The owner must ensure routine maintenance occurs on site for trash and debris removal and site clean-up. The owner must remove any accumulation of debris from the property, in the road right of way and at the front of the home.

**F. Hours of Operation**

The work must be done during normal working hours and careful consideration should be taken to mitigate neighbor impact and concerns related to objectionable noise.

Hours of operation for exterior work are:

- Monday thru Friday: 7 a.m. to 7 p.m. / Weekends and Holidays: 8 a.m. to 7 p.m.

The Plan Review Committee or its designee must grant written approval for exceptions to these hours.

All requests for exceptions will be considered on a case-by-case basis.

**Committee and Staff Approval**

All projects within the scope of this Standard must be reviewed and acted upon in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting. All new home construction must be reviewed and acted upon by the Plan Review Committee.

***This list is not all inclusive.***

## 1.6 REQUIREMENTS FOR ALL IMPROVEMENTS

### A. Access

If construction work requires access through adjacent property (an open space reserve, drainage easement or vacant lot), written permission from the property owner and a pre-construction photo of the proposed access route must be included with the plan approval application. The owner must complete an access agreement through The Woodlands Township.

### B. Improvements

All improvements must be located entirely on the applicant's lot. All materials and equipment for the construction and installation of any improvements must be stored in an orderly fashion located on the owner's lot and maintained in good order and repair. Improvements are to be used for their stated use only.

### C. Vehicles

All contractor and construction vehicles for the purposes of the improvements or renovations on the lot are encouraged to be parked entirely on the owner's lot and not obstruct any traffic in the road. This does not include temporary parking, such as delivery of materials.

### D. Architectural Compatibility

In addition to the other requirements of these Standards, all improvements must be architecturally compatible. Architectural compatibility is a continuity or agreeable relationship of architectural style, mass, proportion, scale, materials, color and design detail with existing and planned improvements on adjacent properties and in the neighborhood.

1. **Mass** - The visual relationship of architectural elements of various sizes to one another and to the immediate environment.
2. **Proportion** - the relationship of height to width, voids and solids, and the bulk of the structure relative to other nearby structures and parts of the whole.
3. **Scale** - the visual relationship of architectural and landscape elements to one another and to the immediate environment.
4. **Colors and Materials** - including siding, trim, doors, windows, gutters, downspouts, roofing and all other architectural and site elements must be in context with their environment.

### E. Setback Lines

Setback lines (sometimes referred to as building lines or building setback lines) are lines established by these Standards and the Criteria. There may be front, rear and side setback lines, as well as different setback lines for dwellings, garages or other structures, and different setback lines for the additional stories to the home. Certain improvements must comply with the setback lines for that lot. Please reference the appropriate Standard.

### F. Platted Building Lines

Sometimes referred to as building lines are established by the subdivision plat or other recorded documents. The platted building lines restrict the construction or placement of improvements. There may be front, rear, and side building lines. Improvements must comply with the platted building lines for that lot. Please reference the appropriate Standard.

### G. Building Code

All improvements must comply with the building code. If any provisions of these Standards conflict with the building code, the code prevails.

## H. Colors and Materials

### 1. Colors

Colors that harmonize with the natural landscape are strongly encouraged. Muted shades are considered to be most appropriate. Muted shades of white are acceptable in many neighborhoods. Gloss paint is prohibited. Painting of brick, other masonry material or other types of finishes is approvable and requires application for review and approval prior to commencement.

### 2. Limited Colors and Materials

Care should be taken to avoid the use of an excessive number of materials and colors. Colors and materials must be compatible with each other so as to develop a cohesive appearance for the dwelling appropriate to its architectural character and to the neighborhood. Generally speaking, the fewer number of different colors and materials, the better the result.

### 3. Materials Must Be Compatible

Construction materials must be compatible with the original architectural character of the existing dwelling and neighborhood. When enlarging, extending or remodeling an existing improvement, the materials must be compatible with those of the existing improvement. Materials must harmonize with the natural landscape.

### 4. Roofing

Roofing colors must harmonize with the natural landscape, community and Criteria. Roofing must be muted in shades and without color pattern. Acceptable roofing materials include tile, slate, composition shingles, stone coated or standing seam metal and cement-fiberboard products. All metal roofing must be free of any types of glossy finish.

### 5. Unacceptable Materials

Except as may be allowed by specific mention in a given Standard, unacceptable construction materials include but are not limited to:

- Pneumatic vinyl structures
- Asbestos cement board
- Polyethylene plastic sheets
- Corrugated metal or plastic
- Siding materials with high-gloss finish
- Reflective or “mirrored” glass, including foil or other reflective materials
- Chain-link or hog-wire fencing
- Wire, wire-mesh or wire-bound wood picket fencing
- Metal fence posts (except two-inch galvanized steel posts or posts in wrought iron fences)
- Asphalt paving

***Materials not described in this Standard may be applied for and considered on a case-by-case basis.***

## I. Completion of Work

Construction of a new home must be completed within one year of plan approval. All new home construction that is not completed within one year following plan approval, require a new permit that must be reviewed and acted on by the plan review committee or its designees.

All other construction and/or improvements must be completed within 120 days following plan approval.

**J. Security Barriers and Fencing**

Security barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds.

Construction fencing must be installed around trees in the area of construction and access route if tractors or other machinery are to be used in the work. Perimeter fencing must be installed around the site if demolition will not be completed in 48 hours. Security barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds.

**K. Dumpsters or other waste containers**

Dumpsters or other waste containers must be stored on the driveway. During periods of reconstruction, repair or remodel dumpsters may be stored in a location other than the driveway provided the location is applied for and approved in advance by the Plan Review Committee or its designee. Dumpsters may be stored for a period not to exceed 120 days. If additional time is needed, the Plan Review Committee or its designee will consider a request for an extension.

**L. Temporary Portable Restroom Facilities**

Portable restroom facilities must be located in a rear or side yard when possible and not cause an unreasonable or disproportionate impact on adjoining properties. During periods of reconstruction, repair or remodel a portable restroom facility may be stored on the lot for a period not to exceed 120 days.

**M. Drainage**

Texas law in conjunction with the Texas Water Code requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The drainage from each lot should be directed to the street where possible. In instances where the rear area of a lot is lower than the elevation of the street, a lot-to-lot drainage solution may be needed. In these situations, a lot cannot block drainage from an adjacent lot that naturally flows across that lot on a path to a drainage swale, stream or outlet. Enforcement of this requirement is by the affected property owner(s).

**N. Easements**

Any improvement constructed within an easement without the consent of the easement holder is subject to removal by that easement holder. Plan Review Committee approval of plans for an improvement within an easement does not constitute approval by the additional easement holders. Improvements within an easement must not impede drainage. Most improvements must comply with the easement lines for that lot. Please reference the appropriate Standard for additional information. When considering easement encroachments, the Covenant Administration Department and the Plan Review Committees will explore alternate locations and neighbor impact when considering encroachment into the easements.

Improvements that may be built or placed in an easement include but are not limited to the following:

- Fences and piping
- Boat Docks
- Hardscape (including landscape borders) not exceeding 24 inches in height
- Air conditioning equipment
- Emergency Power Generators
- Flag poles or light poles
- Low-voltage landscape lighting

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- Artificial turf
- Small satellite dish antennae
- Driveways that cross front yard easements
- Above ground piping, pumps, equipment or filters may be located up to three feet into the rear and side yard easements
- Detached buildings no more than six feet tall without a foundation pad and that are screened from view
- Specified yard structures (e.g., garden benches, portable barbeque grills, trellises, seasonal displays, seasonal plant protection and artwork. *See Standard 2.7 for more details.*)
- Eaves that extend no more than 18 inches into the easement.
- Equipment pads no taller than 8 inches, as measured from the lowest natural elevation on the nearest adjacent slab, that are located a minimum of one foot from an adjoining property line.
- Walkways may be permitted in the front, rear or side yard easements provided that they remain no less than one foot from any property line.
- Trash and recycle cart enclosures.
- Trash and recycle cart pads no taller than 8 inches as measured from the lowest natural elevation on the nearest adjacent slab and must be no greater than 30 square feet.

### **O. Water Surface Area**

The maximum amount of water surface area permitted on any lot may not exceed six percent of the size of the lot.

### **P. Hard-Surface Area**

Hard-surface area is any area covered by paving, foundation, flagstone, masonry pavers, certain roofed structures or other impermeable hard-surfaces and is expressed as a percentage of the total lot area. The Criteria defines the maximum percentage of a lot that may be hard-surface area. All improvements must comply with the maximum hard-surface area limitation for that lot established by the Criteria. Materials not considered to be hard surface are crushed rock, crushed gravel, crushed granite and bull rock that are not set in concrete, mortar or formed with stabilizers. ***This list is not all inclusive.***

### **Q. Living Area**

Living area is the floor space used for living purposes in the home, garage or a detached building/structure, including storage areas in the home, sunrooms, game rooms and any other area used for living purposes. Living area does not include porches, or unfinished attic space without air-conditioning, hobby/work areas in a garage or detached building or outdoor restroom facilities less than 80 square feet. All improvements must comply with the minimum and maximum square feet of living area allowable for that lot as established by the Initial Land Use Designation and the Criteria. Living area is measured as follows: square footage is measured to the outside of exterior walls (i.e., outside of brick veneer, siding, stone or stucco). Stairs and two-story spaces are measured only once. Air-conditioning returns, pipe chases, fireplaces and non-structural voids are excluded. Space with a ceiling height of less than six feet (e.g., window seats, crawl spaces or storage below stairs) is omitted. However, useable space under the stairs, such as powder rooms, closets, pantries etc. will be considered as living area. This area is calculated from the 11<sup>th</sup> riser to the top riser.

### **R. Neighborhood Character**

Improvements must be consistent with and not adversely impact the neighborhood's existing character.

### **S. Criteria**

All improvements must comply with the Criteria applicable to that lot. In case of a conflict between the requirements of the Criteria and the other provisions of these Standards, the Criteria will prevail.

### **T. Impact on Neighbors**

All improvements must be located to minimize impact on neighboring properties. Visibility of an improvement does not constitute unreasonable impact.

**2.0 HOME, GARAGE, ATTACHED BUILDINGS AND STRUCTURES**

**A. Definitions**

Any home, garage or an improvement, addition or structure attached to the home or the garage, whether proposed or existing.

**B. Location**

The residence and all additions or attached structures with solid roofs or attached enclosed structures may not extend beyond any applicable setback line. A garage and all attached additions must comply with the dwelling setback line unless a separate setback line is established for the garage. On a side street, a garage or garage addition must respect the platted building line as well as any additional setback requirements established by these Standards.

**C. Foundation Elevation**

The top of the finished floor elevation, of a dwelling or an attachment to the dwelling, must be at least 14 inches above natural grade. No more than 18 inches (vertical dimension) of concrete foundation may be exposed to view. Patio slabs attached to the dwelling and converted to living area must be elevated to at least the height of the dwelling foundation. There may also be county or FEMA elevation requirements. Please contact the appropriate agency.

An increase in elevation to the foundation on new home construction or remodel must not increase the overall elevation of the lot raise the natural grade of the lot and must not halt or materially impede drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The drainage from each lot should be directed to the street where possible. In instances where the rear area of a lot is lower than the elevation of the street, a lot-to-lot drainage solution may be needed. In these situations, a lot cannot block drainage from an adjacent lot that naturally flows across that lot on a path to a drainage swale, stream, or outlet. Enforcement of this requirement is by the affected property owner(s).

**D. Setback Lines**

The residence and all additions or attached structures with solid roofs or attached enclosed structures, may not extend beyond any applicable setback line. A garage and all attached additions must comply with the dwelling setback line unless a separate setback line is established for the garage. On a side street, a garage or garage addition must be set back at least 16 feet from the side property line and respect all other location requirements established by these Standards.

**E. Height**

A home or garage may not exceed a two-story plate height unless expressly permitted by the DSC or DRC.

**I. New Construction and Major Remodeling in Developed Areas**

**A. Plan Submission Requirements**

New home construction should be considered for review and action by the Development Standards Committee or the Development Review Committee and is suggested to be submitted in conceptual/preliminary stages, prior to final submission. Complete and comprehensive applications must be submitted in accordance with the "DSC Meeting Dates and New Home Constructions Deadlines" document. Please contact the Covenant Administration Department or reference The Woodlands Township website for the New Home Construction Deadline Document. The final plans must be submitted with the following:

**NEW HOME CONSTRUCTION:**

**CONCEPT/ PRELIMINARY:**

- Plans that identify the overall look of the home. Including floor plans, elevations and if applicable artist renderings.
- Calculations of the proposed living area and hard surface area.
- A site plan noting the location of the home on the lot, including setbacks and easements.
- If the applicant proposes trees to be removed at the concept phase:
  - A property survey identifying all trees six inches in diameter or greater as measured two feet above grade. Tree Survey should specify their type, size and species and should clarify ones proposed for removal and ones that are to remain on the lot. This is required for all trees greater than six inches in diameter or greater as measured two feet above grade.

**FINAL:**

- A complete set of sealed drawings in accordance with these Standards.
- Artist renderings and/or a sample board identifying all material and colors proposed.
- A site plan, noting setbacks and easements.
- A property survey identifying all trees on the lot. Tree Survey should specify their type, size and species and should clarify ones proposed for removal and ones that are to remain on the lot. This is required for all trees greater than six inches in diameter as measured two feet above grade.
- A construction timeline that must include each improvement on the new home construction application and the date of completion specified for each improvement. Construction timelines should not exceed one year from the date of commencement.
- A sample board or artist rendering specifying the materials and colors to be used on the proposed home.
- Landscape plans must be sealed by a landscape architect or must be submitted with the same level of details as you would find on a sealed landscape plan. The Plan Review Committee or their designee will review landscaping during and after construction to determine if any additional plantings are required for the purposes of softening, screening and reforestation.
- A drainage plan sealed by a licensed professional engineer.
  - Upon completion of construction a certificate of completion must be submitted and signed by the engineer certifying compliance and completion of installation.
- The official seal and signature of the architect of record, engineer, landscape architect, and/or a member of the Texas or American Institute of Building Design must appear on the final plans and application.
- May require an architectural review fee.
- May require a processing fee and/or compliance deposit.

**B. Redevelopment**

Redevelopment encourages sustainability and growth of a community. As The Woodlands continues to grow and age, residents must be prepared for suburban residential development. Redevelopment must be viewed as a process of reinvestment that will improve property values, allow existing owners and purchasers of an existing home to rebuild and redevelop in existing residential areas. This redevelopment must allow for newer construction techniques, including larger homes and modified locations. Improving characteristics of the house (floor area, features, styles etc.) is a necessity in redevelopment. As houses depreciate and redevelopment occurs, The Woodlands will be dedicated to accepting the most current trends and practices in home building. This will encourage reconstruction of ageing homes to remain as marketable and competitive as homes in newer or recently developed neighborhoods. A remodeled or newly constructed home may not look like other homes on the street. The Plan Review Committee will rely on established criteria in developed areas and focus on the implementation of modern techniques and building design, while protecting overall property value by closely evaluating primary impact items such as established setbacks, livable space and hard surface restrictions.



**C. Fencing Requirements**

**Erosion and Debris Containment Fencing**

Perimeter fencing for erosion control, such as silt fence or filter fencing must be installed around the property to provide temporary sediment control and contain the sediment and debris in place where soil is being disturbed due to demolition or construction.

**Tree Protection Fencing**

Fencing to provide tree protection must be installed around the drip line of any existing trees to include a minimum of 75% of the drip line. Any trees in need of removal during the demolition of an improvement require application and approval prior to removal.

**Construction Fencing**

Construction fencing must be installed around the demolition area and allow for an access route if tractors or other machinery are to be used in the work. Perimeter fencing must be installed as a six (6) foot tall chain link protective fence with green screen material and must be located around the perimeter of the site but not beyond the property line. Protective fencing must remain in place throughout the construction process and until the final inspection report is received or by the Plan Review Committee or its designee for requests for removal prior to the final permit.

**Temporary Security Barrier Fencing (as applicable)**

Security barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds during demolition and new construction.

**D. Hours of Operation**

The work must be done during normal working hours and careful consideration should be taken, to mitigate neighbor impact and concerns related to objectionable noise.

Hours of operation for exterior work are:

- Monday thru Friday: 7 a.m. to 7 p.m. / Weekends and Holidays: 8 a.m. to 7 p.m.

The Plan Review Committee or its designee must grant written approval for exceptions to these hours.

All requests for exceptions will be considered on a case-by-case basis.

**Deadline for completion**

All new home construction must be completed, including a final inspection report, no later than one year from the date the permit is issued for any final plans. If for any reason the project is not completed within one year, the owner must file a request for an extension of time that will be reviewed by the Plan Review Committee. The owner must submit the request no less than 90 days prior to the completion date and must provide a construction timeline and the reason for the delay or hardship that caused the request etc.

**II. Attached Buildings / Structures**

**A. Definitions**

**Building** is a utility or storage building, greenhouse, playhouse or similar buildings attached to the dwelling or garage.

**Structure** is a shop, studio, and screened enclosure, fireplace with chimney, cabana, arbor, gazebo, patio cover, summer kitchen or similar structure attached to the dwelling or garage.

**Outdoor living area** is an area that extends the living space of a dwelling into the outdoors. Outdoor living spaces incorporate the elements of indoor living and reflect the comforts of indoor living. Outdoor living areas may incorporate permanent structures such as sinks, refrigerators, grills and counter space, commonly defined as “summer kitchen areas.” Outdoor living area may also be an area designed with patio furniture, bar and counter space, televisions, fire pits and fireplaces. Outdoor living areas can be covered or uncovered, incorporating covered solid roof structures, curtains, shades screens or other privacy accessories designed for outdoor use. Outdoor living is defined by the use of the area and the purpose of the design.

*This list is not all inclusive.*

### 1. Height Restrictions:

- i. Overall height, size and location will be evaluated for its affect upon mass, scale, proportion and impact.
- ii. Greenhouses may not exceed 10 feet in height.
- iii. A home or garage may not exceed a two-story plate height unless expressly permitted by the DSC or DRC.

### 2. Location

- i. All improvements must respect recorded platted building lines.
- ii. All improvements must respect building setback lines other than:
  - Structures or Patio Covers attached to a garage if they extend no further into the setback than the existing garage.
  - Detached structures with a solid raised roof, which exceed a slope of 10 degrees must respect the platted building line and building setback lines.
- iii. Attached structures with a solid raised roof, which exceed a slope of 10 degrees must respect the platted building line and building setback lines.
- iv. Eaves may extend up to 18 inches past platted building lines and building setback lines.
- v. Attached buildings must be located in the rear or side yard and in a location that does not result in an unreasonable or disproportionate impact on neighboring properties. The committees will consider alternate locations when reviewing attached buildings to minimize impact on adjoining properties or neighboring tracts.
- vi. All improvements may require landscaping or a landscape plan.
- vii. Outdoor living areas covered by a solid raised roofed structure typically including rafters must respect the platted building line and building setback lines.
- viii. Outdoor living areas covered by open air pergolas, flat roofing covers or adjustable louvers must respect platted building lines.

### 3. Floor /Roof Area and Materials Restrictions:

- i. The maximum floor area permitted for any attached building is 200 square feet.
- ii. Polycarbonate covers placed on top of an arbor/pergola are considered an acceptable material. It will be considered part of the hard-surface area.
- iii. Greenhouse materials include flat, rigid plastic or glass panels that are transparent or neutral in color.
- iv. Aluminum or steel frames must be finished in muted shades.

### B. Awnings

Awnings must have a simple, plain design and be consistent with the architectural style and scale of the residence. Awnings must be a muted solid shade. Metal awnings are not acceptable. Shade cloth screens can affect the appearance of a dwelling and should be chosen with care. All awnings require review and approval by the Plan Review Committee or its designee.

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### C. Carports

Aluminum or steel carports are not allowed. Carports must be architectural extensions of the dwelling or elements of the dwelling itself. Detached carports are not permitted on lots adjacent to a golf course or lake.

### D. Garage Conversion

Unless otherwise stated in the Criteria, each dwelling must have sufficient area to park two vehicles in a garage or under a carport. Each car must have direct access to the driveway.

### E. Garage Doors

Garage doors must be wood, fiberglass or metal, painted to be architecturally compatible with the approved colors of the home and must not adversely impact the overall character of the neighborhood. All changes in material or color to the garage door require an application. All garage doors must be painted to match or be compatible with the colors of the home or the garage. Garage doors must also comply with the Criteria. Care should be taken to avoid the excessive use of colors and materials on the home.

### F. Garages

When adding a third (or fourth) bay to a garage that is set back less than 40 feet from the street property line, the front plane of the additional garage area must be off-set from the plane of the existing garage to soften the impact of the garage expansion.

### G. Gutters / Downspouts / Water Softener and Rainwater Harvesting Tanks / Barrels.

Gutters, downspouts and rainwater harvesting tanks must be designed and installed so that water runoff does not adversely affect drainage on adjacent properties. Rainwater harvesting tanks/barrels and water softeners may not exceed six feet in height, should be compatible with the color of the home and screened by solid fencing or substantially screened with native vegetation to screen from view, from the street and adjacent properties as seen from ground level. No more than two rainwater harvesting barrels or tanks and one water softener will be permitted on any lot.

Rainwater harvesting tanks that will be located underground as well as those that will be attached to the dwelling will be required to submit plans which include specifications, dimensions location and number of tanks.

These improvements must not halt or materially impede drainage flowing off of a neighboring tract and must not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s).

### H. Roof Vents

Roof vents and stacks must be located on the rear slopes of roofs whenever possible. All exposed roof accessories (including, but not limited to vents, flashing, attic ventilators and metal chimney caps) must match or be compatible with the color of the roofing material.

### I. Screens

Screens must be brown, black, bronze or charcoal gray in color.

### J. Skylights and Solar Collectors

Collectors must be of a flat profile, conform to the slope of the roof and must be placed so that the top edge of the collector is parallel to the roof ridge. No part of the installation may be visible above the roof line. Skylights must be of a low profile, preferably flat or slightly curved. Skylight and collector frames, support brackets and any exposed piping must be painted to match or be compatible with the roofing material. Support brackets and any exposed piping must be designed to reduce the visual impact, be located in close proximity to the panels or collectors; and follow the outline of the roof design.

**K. Windows**

When replacing windows, careful consideration must be given to type and style and compatibility with the design of the home. Window coverings must be consistent with the character of the neighborhood. Tinted glass is acceptable. Reflective materials, such as, mirrored glass or foil is not acceptable. Security bars are not permitted. Window covering material such as newspaper, aluminum foil or similar materials visible from the exterior are not allowed.

**APPROVALS:**

**Pre-Approval**

**Improvements listed below are pre-approved provided they comply with these Standards.**

- Gutters, downspouts, roof stacks and vents that are compatible with the color of the home.
- Storm windows, storm doors, window coverings, window and door screens that are compatible with the windows and doors of the home.
- Water softeners and Rainwater harvesting barrels that do not exceed six feet in height, are compatible with the color of the home, are screened by solid fencing or substantially screened with native vegetation to screen the view from the street and adjacent properties as seen from ground level.
- Garage door(s) provided they match the existing door(s) in color, material and style.

**Committee and Staff Approval**

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

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## 2.1 DETACHED BUILDINGS AND DETACHED STRUCTURES

The building code, Criteria and Part I of these Standards have additional requirements applicable to all improvements.

### I. DETACHED BUILDINGS / STRUCTURES / OUTDOOR LIVING AREAS

#### Definitions:

**Detached building** is a utility or storage building, greenhouse, playhouse or similar buildings other than the dwelling, the garage or a building attached to the dwelling or garage.

**Detached structure** is a shop, studio, screened enclosure, fireplace with or without chimney, cabana, arbor, gazebo, patio cover, summer kitchen or similar structure other than the dwelling, the garage, a structure or building attached to the dwelling or garage.

#### **Detached structure with living area :**

The improvement may be calculated as livable space and may count toward the total amount of livable space on your lot if:

- The detached structure has one or more of the following components: air conditioning, sleeping quarters, has a foundation, includes electrical or plumbing; Examples of these could include, she-shed, man cave and office. This list is not all inclusive.
- It is a permanent structure on the lot and incorporates a foundation.

**Outdoor living area** is an open-air space or area that extends the living space of a dwelling into the outdoors. Outdoor living spaces incorporate the elements of indoor living and reflect the comforts of indoor living. Outdoor living areas may incorporate permanent structures such as, sinks, refrigerators, and grills and counter space, commonly defined as “summer kitchen areas.” Outdoor Living area may also be an area designed with patio furniture, bar and counter space, televisions, fire pits and fireplaces. Outdoor living areas can be covered or uncovered, incorporating covered solid roof structures, curtains, shades screens or other privacy accessories designed for outdoor use. Outdoor living is defined by the use of the area and the purpose of the design. *This list is not all inclusive.*

### B. Detached Buildings

#### 1. Height Restrictions:

- iii. Greenhouses may not exceed 10 feet in height.
- iv. All other detached buildings built with metal, plastic or materials that do not match or are not compatible with those used on the dwelling may not exceed seven feet in height as measured from natural grade.
- v. All other detached buildings built with wood or materials like those used on the dwelling or compatible with the dwelling may not exceed nine feet in height as measured from natural grade.

#### 2. Location

- iii. All detached buildings may not extend beyond any platted building lines All detached buildings must be located in the rear or side yard and in a location that does not result in an unreasonable or disproportionate impact on neighboring properties. The committees will consider alternate locations when reviewing detached building to minimize impact on adjoining properties or neighboring tracts.
- iv. All detached buildings may require landscaping or a landscape plan if the detached building has neighbor impact.
- v. All detached buildings on lots adjacent to a lake or golf course should be located in close proximity to the dwelling.

**3. Floor /Roof Area and Materials Restrictions:**

- iii. The maximum floor area permitted for any detached building is 120 square feet.
- iv. Polycarbonate covers placed on top of an arbor are considered an acceptable material. Polycarbonate covers will not be considered as roofed area; it will be considered part of the hard-surface area.
- v. Greenhouse materials include flat, rigid, plastic panels that are clear or neutral in color. Aluminum or steel frames must be finished in muted shades.

**4. Screening**

- iii. Detached buildings must be screened from view at ground level from adjacent public or private property by a six-foot-high solid fence or other screening such as evergreen vegetation. Screening must be six feet in height at time of planting.

**C. Detached Structures**

**1. Height restrictions:**

- iii. The plate height of all structures may not exceed 12 inches if the first floor plate height.
- iv. The pitch of the roof should be compatible to that of the existing roof of the dwelling.
- v. The mass, scale, proportion and impact of all structures must be evaluated for the considerations of overall height, size and location of a detached structure.
- vi. The overall design of the structure and the balance of design of the structure must be considered when reviewed and acted upon.
- vii. When significant grade change occurs between lots, impact to neighboring impact should be considered and may result in further review by the Plan Review Committee.

**2. Location**

- iii. Detached structures may not extend beyond any platted building lines.
- iv. Detached structures with a solid raised roof, which exceed a slope of 10 degrees must respect the platted building line and building setback lines.
- v. Freestanding fireplaces must respect building setback lines.
- vi. Detached structures may require landscaping or a landscape plan.
- vii. The committees and their designees will consider alternate locations when reviewing detached structures to minimize impact on adjoining properties or neighboring tracts.
- viii. Impact will be evaluated for any proposed structure. Visibility of a structure does not constitute impact, especially when viewed from the second story of a neighboring dwelling.

**3. Floor /Roofed Area and Materials Restrictions:**

- iii. The size and materials of a detached structure is contingent upon architectural compatibility and impact on neighboring properties.

**4. Screening**

- iii. Detached structures may require a landscaping plan and/or additional landscaping to provide screening.

**D. Outdoor Living Areas**

**1. Height Restrictions:**

The plate height of all structures must replicate within 12 inches the first-floor plate height of the dwelling regardless of any grade changes between the back of the home and the rear property line. Overall height, size and location of a detached structure will be evaluated for impact of mass, scale, proportion and impact on adjacent structures.

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### 2. Location

- iii. Outdoor living areas covered by a solid, sloped roofed structure which exceeds a pitch of 10 degrees must respect the platted building line and building setback lines.
- iv. Outdoor living areas covered by open air pergolas, flat roofing covers such as polycarbonate roof material or adjustable louvers must respect platted building lines.
- v. Careful consideration should be taken regarding the location of Outdoor Living Areas. Proximity to adjoining properties, mass, scale and proportion will be reviewed for impact on adjoining properties. The Plan Review Committee and its designee may explore alternate locations when considering placement of outdoor living areas.

### 3. Floor /Roofed Area and Materials Restrictions:

- iii. Outdoor living areas should be architecturally compatible with its setting and must not result in unreasonable and disproportionate impact on neighboring properties.
- iv. Overall height, size and location will be evaluated for mass, scale, proportion and impact of all outdoor living areas.

### 4. Screening

- iii. Outdoor living areas may require a landscaping plan or additional landscaping to provide screening from adjacent public or private property.

### E. Portable Storage Buildings – similar to self-storage containers/units

Portable Storage Buildings must be removed within 30 days. The Plan Review Committees or its designee upon written request and determination of timely completion and removal may grant extensions of the time permitted for removal. Failure to remove within the approved time period will result in removal by The Woodlands Township.

### F. Number

The number of detached buildings, detached structures and outdoor living areas allowed on a lot is dependent upon the lot size and impact on adjacent properties. No more than one shop, studio, screened enclosure, cabana or greenhouse will be permitted on any lot.

## APPROVALS:

### Pre-Approval

Detached buildings, as well as plastic yard storage sheds, playhouses or boxes (Rubbermaid or similar type), no more than six feet tall, without a foundation pad, that comply with these Standards are pre-approved and require no application only if they are significantly screened from view at ground level from adjacent streets and properties.

### Committee Approval

The Residential Design Review Committees have the authority to act on detached buildings located in an easement, provided that affected neighbors are notified in advance of the Plan Review Committee meeting and a Memorandum of Agreement is executed requiring the owner to remove the structure from the easement or lot once the owner moves, sells or transfers title, is no longer the primary resident or when the structure is in disrepair and in need of replacement, whichever comes first.

### Staff Approval

All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

***This list is not all inclusive.*** If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval, and will be posted for committee review at the next available Plan Review Committee meeting.

## 2.2 AIR CONDITIONING UNITS, POWER GENERATORS AND HOME FUELING STATIONS

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

### I. Building Code/Inspections

A transfer switch must be installed in the vicinity of the generator for the safety of line workers and the homeowners themselves.

The property owner is required to place notification on the Main Circuit Box that an Emergency Power Generator and or fueling station has been installed. Notification must include location on the property.

Energy storage units must be inspected for code compliance and industry standards. Only one storage unit will be permitted per lot.

Generators, fueling stations and air conditioning compressor units must comply with the most currently adopted building code, be inspected by a qualified third-party inspector to verify that the installation meets code and manufacturer's installation specifications.

#### A. Compressors

Compressors located at natural grade may be located into the side or rear covenant easement area.

Compressors located at natural grade must:

1. Be a muted earth tone color.
2. Be a standard residential size and design.
3. Be screened from view if three or more air conditioning compressors are located together on the lot.
4. Be located in the rear or side yard.
5. Not compromise the security barrier for an adjacent property.

The addition of an air conditioning unit is not permitted if it increases the size of the living area beyond the maximum allowed for that lot by the Criteria.

#### B. Window Units

Window units must:

1. Be located on the side or rear of the dwelling, except on patio or zero-lot-line lots, where the unit may be located only in the rear of the dwelling or the side opposite the zero-lot-line of the lot.
2. Match or be compatible in color to the dwelling.
3. Be installed so that the top of the unit is less than six feet above natural grade and not visible from ground level on any adjacent street or property.
4. Not exceed one unit on any lot.

Window-mounted units and through-the-wall units are not approvable for condominium or townhome dwellings. The addition of an air conditioning unit is not permitted if it increases the size of the living area beyond the maximum allowed for that lot by the Criteria.

#### C. Power Generators

Power generators are for temporary use only. Power generators may be used as needed during power outages or lack of power due to natural disasters.

Portable power generators must be stored out of public view, when not in use.

Permanent power generators must be:

1. Located in an area that will have minimal impact on neighboring properties.
2. Installed so that the top of the unit is less than six feet above natural grade.
3. Screened so that they are not visible from ground level from any adjacent street or adjacent tract.
4. Power generators may encroach up to three feet into the rear and side yard easements.
5. Timing of self-testing cycles of power generators should be set to occur during daytime hours so as to not adversely impact neighboring properties.



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6. If required, additional remedies to reduce noise levels to acceptable levels will be determined as needed.
7. The committees will explore alternate locations and neighbor impact when considering placement into the easements. The improvement must not impede drainage.

### **D. Home Fueling Stations**

Fueling Stations Must:

1. Comply with the most currently adopted building code.
2. Be inspected by a third-party qualified inspector to verify that the installation meets code and the manufacturer's installation specifications.
3. Be located in an area that will have minimal impact on neighboring properties.
4. Be screened so that they are not visible from ground level from any adjacent street or property.
5. Charging Cables and other electrical components must be stored in a location that is not considered to be objectionable or impactful when viewed from an adjacent tract or from any street, this includes public or private such as an alleyway or a private access easement.
6. Be used exclusively for personal use.

The property owner is required to place notification on the Main Circuit Box that any compressed natural gas home fueling station has been installed. Notification must include location on the property.

### **Approvals**

#### **Pre-Approval**

Portable Power Generators that comply with these Standards are pre-approved and require no application, permit or inspection.

Replacement of an existing air conditioning unit or its component parts that comply with these Standards are pre-approved and require no application, permit or inspection as long as the replacement is at the location of the pre-existing unit and the outside equipment is compatible in color with the dwelling.

#### **Committee and Staff Approval**

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

## 2.3 COMPOSTING

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

### A. Definition

Composting is the storage of organic yard waste and household vegetable matter at a composting site, bin or pile. Logs or branches more than two feet in length, meat, dairy products, cooking oil and grease are not permitted in compost bins or piles.

### B. Location

Composting sites:

1. Are not permitted on condominium or townhome lots.
2. Must be located in the rear yard. Zero-lot-line properties may be located in the side yard.
3. Must not be located beyond any platted building line.
4. Must be screened and must not cause an unreasonable or disproportionate visual impact.

### C. Materials

The following materials, which are otherwise unacceptable, are permitted for compost bins:

1. Pre-fabricated plastic bins (dark brown, dark green or black).
2. Chain link, snow fencing or wire, if the bin is substantially screened by fencing or vegetation so as not to be visible from any adjacent public or private property at ground level.

### D. Number

Only one composting site and two composting bins are allowed on each lot.

### E. Odor

Compost sites must be removed within 15 days if objectionable odors emanate beyond the property line.

### F. Size

Compost bins or piles may not exceed four feet in height measured from natural grade. The maximum area of a composting site is 27 square feet (3' x 9'). If the composting site exceeds nine square feet, it must be screened by fencing or vegetation so as to not be visible from any street or adjacent public or private property at ground level.

### G. Trees

Trees six inches or more in diameter measured two feet above natural grade cannot be removed for installation of a compost bin or pile.

## APPROVALS

### Pre-Approval

Compost bins or piles that conform to these Standards are pre-approved and require no application, permit or inspection.

### Committee or Staff Approval

All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

## 2.4 ANIMAL HOUSE AND ANIMAL RUN

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

### A. Definition

**An animal run** is a designated area on a property with or without paving, where an animal can stay and restricts the ability to roam the property. These may include, but are not limited to dog runs, chicken runs, cat patios etc.

**An animal house** is a shelter on the property, with or without an animal run. These may include, but are not limited to shelters for dogs, chickens and rabbits.

### B. Chain-link Fences

Chain link fences are permitted for animal runs only if they are completely screened from view at ground level from adjacent streets or property by a solid fence or other structure.

### C. Location

Animal Houses and Animal Runs, other than Dogs, **MUST**:

- Be located in the rear or side yard.
- Be located in an area that does not cause a disproportionate or adverse impact on neighboring properties or residents.
- Be screened by solid fencing or other similar solid privacy structure is preferred. Screening from view with vegetation on all lots with wrought iron fencing will be considered on a case by case basis.
- Be located a minimum of 10 feet from all perimeter fences on a shared property line that is adjacent to a residential lot. However, limited portions of an animal run may be allowed, adjacent to a residential lot, provided that the homeowner submit written consent from the adjacent property owner(s) and no portion of the animal house and run are visible to the street or any tract of land as seen from ground level. This allowance is subject to revocation at any time in the event an objection is received and verified.

Dog houses and dog runs **MUST**:

- Be located in the rear or side yard.
- Be located in an area that does not cause a disproportionate or adverse impact on neighboring properties or residents.
- Not be used for the purpose of a permanent living area.
- Be located at least three feet from all perimeters fencing adjacent to a residential lot.
- Be screened from view with vegetation on all lots with wrought iron fencing.

### D. Number

No more than two Animal Runs are allowed on any lot.

No more than two Animal Houses are allowed on any lot.

The total amount of allowed Animal Runs/Animal Houses on any lot is two.

No more than 3 chickens or other birds (not considered a customary household pet) are allowed to be housed in an Animal Run or Animal House.

No roosters are allowed on any lot.

**E. Odor/Noise**

An animal run or house must be removed within 15 days at the owner's expense if objectionable odors or noise emanate beyond the property line.

**F. Size/Height**

- Animal Runs and Animal Houses other than a Dog Run and Dog House: may not exceed 7 feet in height.
- Animal Runs other than a Dog Run: may be no more than 100 square feet.
- Animal Houses other than a Dog House: may be no more than 40 square feet.
- The maximum size of a dog house is 8'L x 8'W x 4'H.
- A dog run fence may not exceed six feet in height or the height of the adjacent perimeter fencing.

**APPROVALS****Pre-Approval**

A dog house that conforms to these Standards is pre-approved and requires no application, permit or inspection.

**Committee and Staff Approval**

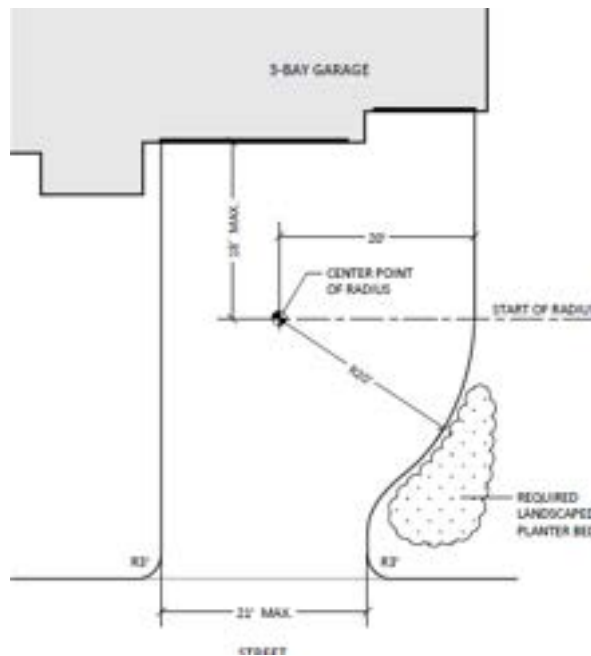
Animal Run and Animal Houses other than dog houses that comply to these Standards, must be reviewed and approved in advance by the Plan Review Committee or its designee. All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee.

## 2.5 DRIVEWAYS, WALKWAYS, DECKS, PAVING AND DOCKS

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

### A. Driveways

- Driveway access to an adjacent street is prohibited if access is restricted on the plat.
- Circular driveways must have a lot width no less than 85 feet wide at the front lot line and must allow for a 16-foot minimum turning radius at the centerline. Reference the plat to determine if street access is limited. The width must not exceed 12 feet except at the specified drop off point. Additional vegetation may be required for purposes of screening.
- Hook-In or L-Shape driveways require a minimum of 28 feet from the back of the garage door to the edge of the driveway pad to appropriately access a garage or street.
- The width of a driveway may be equal to the width of the garage doors plus two feet on each side or the width of the garage, whichever is less, for a distance of 18 feet as measured from the predominant front plane of the garage. For two car garages the driveway width may not exceed 18 feet.
- For three car or more side by side garages all driveways must taper down after 18 feet to a maximum of 21 feet in width. (*see below*)



- For driveways less than 45 feet in length as measured from the most predominant front plane of the garage to the street pavement edge, a planter bed with a mix of native plants and shrubs must be planted and maintained at the portion of the driveway where the taper occurs.
- Additional hard-surface materials (driveway extensions and other paved areas) must be applied for and approved prior to installation.

**B. Driveway Borders**

Borders made of contrasting materials such as stained or patterned concrete, flagstone, brick or similar materials which are architecturally compatible will be permitted on both sides of the driveway types of borders may not exceed 18 inches in width and may not extend beyond the width of the garage. Driveway borders may extend to the street pavement edge. Driveways with Driveway borders may not exceed a total width of:

- 21 feet for two car garages.
- 23 feet for three car garages.

**C. Walkways**

- Walkways may not exceed four feet in width. Additional width may be allowed from areas where a walkway extends into a patio or front door entry way.
- Side lot walkways must be located a minimum of one foot from the property line and may encroach into the easements.
- Walkways that encroach into an easement, a platted building line or a street right of way to allow for access to the dwelling and the street will be considered on a case-by-case basis and must be limited in scope.
- In neighborhoods where an alley exists, walkways for public use may not exceed six feet in width.

**D. Decks, Paving and Patios**

- Decks, paving and patios may not extend into any easement.
- Decks, paving and patios may not extend beyond any platted building lines, except for:
  - Front yard patios, made of masonry material set in crushed granite or other similar substance, constructed on grade and setback a minimum of 20 feet from the street pavement edge.
    - Additional screening may be required.
    - Storage of grills, plastic patio furniture or umbrellas on front yard patios is prohibited.

**E. Elevated Decks**

Decks 24 inches or more above ground level must be designed and located to minimize the impact on adjacent properties and are not permitted within any covenant easement areas. All second story decks require sealed drawings and inspections and must respect the building setback and platted building lines. See Standard 1.5.

**F. Docks**

Docks are permitted to encroach into the easements and setbacks.

**G. Materials**

Driveways must be concrete or other masonry materials. Patios, walkways and decks may also use stone or weather and insect resistant wood. Asphalt paving is not permitted. Please reference the acceptable hard-surface material under Standard 1.6, M.

**H. Hard-Surface Area**

Hard-surface area is covered by paving, foundation, flagstone, masonry pavers, roofed structures or other impermeable hard surfaces is expressed as a percentage of the total lot area. The Criteria defines the maximum percentage of a lot that may be hard-surface area. All improvements must comply with the maximum hard-surface area limitation for that lot established by the Criteria. Materials not considered to be hard surface are crushed rock, crushed gravel, crushed granite and bull rock that are not set in concrete, mortar or formed with stabilizers. ***This list is not all inclusive.***

**I. Drainage**

In conjunction with the Texas Water Code, Texas law requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing to a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The drainage from each lot should be directed to the street where possible. In instances where the rear area of a lot is lower than the elevation of the street, a lot-to-lot drainage solution may be needed. In these situations, a lot cannot block drainage from an adjacent lot that naturally flows across that lot on a path to a drainage swale, stream or outlet. Enforcement of this requirement is by the affected property owner(s).

**APPROVALS**

**Committee and Staff Approval**

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

## 2.6 FENCES

The Building Code, Criteria and Part I of these Standards have further requirements applicable to all improvements. Fences surrounding pool, spa, or pond require code inspection. All fences existing and proposed require written approval prior to installation. Contact the Covenant Administration Department for further information.

### A. Easements

- Fence construction within an easement is at the risk of the owner. The owner must comply with all utility company requirements, including the maintenance of proper clearances around transformer cabinets. Utility companies should be contacted to mark their lines prior to construction within a utility easement.
- Fencing within drainage, sanitary sewer, water line, or pipeline easements must be approved by the easement owner in addition to Plan Review Committee approval.

### B. Emergency Access

If vehicular access to a lot is restricted by a fence, gate, or other barrier, a key box (KNOX box), or other approved means of access for emergency vehicles must be installed and maintained at all times in accordance with approved plans. The owner of each single-family lot must maintain the key box or other front gate emergency access system and keep it in good working order at all times. Please contact the fire department to make the appropriate emergency access arrangements.

### C. Face Orientation

#### Finished Side Out:

- All fences must be constructed with the finished side facing outward to the street or any tract of land.
- The unfinished side of a fence may be visible through a breezeway or an area adjacent to a restricted open space reserve that is not visible to a street or pathway.
- Solid fencing located on a shared property line may be allowed, with the unfinished side facing the adjoining residential properties, provided that the homeowner submit written consent from the adjacent property owner(s) and no portion of the unfinished side is visible to the street or any tract of land.
- **Good Neighbor Fences:** Fence type “J” may be constructed with alternating sections that are approximately eight foot post-to-post, having the construction rails facing outward. Good neighbor fencing requires that the homeowner submit written consent from the adjacent property owner(s) and no portion of the unfinished side is visible to the street or any tract of land. Neighbor consent is not required for any existing good neighbor fence being repaired or replaced.

### D. Golf Course Nets

Netting adjacent to a golf course is permissible where a demonstrated need exists. The netting and supporting structure must be black in color and located entirely on the applicant’s lot. Golf course nets require the prior approval of the Plan Review Committee.

### E. Interior Fencing

An interior fence that is no taller than four-foot is pre-approved and requires no application provided that:

- The interior fencing is not used for the purposes of confining an animal (*See Standard 2.4*).
- The interior fencing does not compromise a pool barrier.
- The interior fencing is not a pool barrier.
- The interior fence is not visible from a street or adjacent property as seen from ground level.



## F. Pet Barriers

Properties with a wrought iron fence may use only black mesh or similar type material inside the wrought iron fence as a temporary pet barrier for up to six months. The mesh screening should only be applied to wrought iron fences; and the height of the mesh must not exceed three feet. Mesh material may be fabric, plastic or coated metal. If the mesh is to be used permanently (any period greater than six months), then it must be screened by evergreen vegetation to the street, please reference subsection “J. Materials”. Black Mesh Screening below.

Properties with wrought iron fencing that apply permanent wrought iron posts to serve as a pet barrier are allowed provided, they are constructed so that the fence is in compliance with the International Building Code as a security barrier.

“Temporary” pet barrier is considered any Barrier proposed for six months or less.

“Permanent” is anything proposed for more than six months.

Please contact the Covenant Administration Department to determine allowable materials, prior to installation.

## G. Height

Height Restrictions for rot boards, fences and other fence components are:

### ROT BOARDS

- A horizontal rot board six inches or less in height is approvable at the bottom of the fence.
- A horizontal rot board no more than 12 inches may be utilized, but must be screened by native evergreen vegetation to soften the view from an adjoining street right-of-way (SROW.) The total fence height may not exceed the approved height.
- Rot boards are permitted along breezeway fences and are not required to be screened from the street right-of-way.

### FENCING

- All fence styles that include a capped design are allowed an additional two inches of overall height, for the installation of a cap and trim.
- The minimum perimeter fence height is four feet. Please be advised smaller fence heights may not meet code or be security barrier complaint.
- Fences with varying height differentials, may gradually taper down to a connecting fence height, provided the connecting fence is an approved improvement.
- The maximum fence heights allowed are:
  - o Eight-foot six inch: (for solid fencing)  
On properties adjacent to arterial/major thoroughfares and collector streets, as defined by 911 Road Finder Maps, and Montgomery and Harris County Thoroughfare Maps, may have an eight-foot six-inch solid wood fence along the portion of the fence that is parallel to the designated street.
  - o Seven-foot six inch: (for solid fencing) On all other properties.
  - o Six-foot six inches: For all transparent fencing.
- Contact the Covenant Administration Department to confirm designated streets or visit the Texas Department of Transportation websites for a list of arterial/major thoroughfare and collector streets.

## FENCING COMPONENTS

Wing walls may be the height of the approved connecting fence at the property line or no more than seven feet six inches at the property line.

Privacy structures, courtyard enclosures, wing walls, and breezeway fences must be integrated into the architectural design of the dwelling, and may exceed six feet in height.

- Driveway access gates may exceed the overall fence height.
- Where allowed, decorative columns, posts and gates along the front of lots are.
  - Restricted to 12 inches above the approved fence height for properties where the front property line is less than 85 feet in width.
  - Restricted to eight feet in height for properties where the front property line is greater than or equal to 85 feet in width.
- Decorative columns, posts, and gates located in the rear or side yard may exceed six feet in height, provided that the design is architecturally compatible and limited in scope. The distance between the height of the fence and the top of the gate may be no more than two feet.

If the Criteria specifies a 6-foot height restriction, the allowance for taller fences, in accordance with the Standards, will prevail.

Each area may have a Criteria that imposes restrictions to the fence designs, height, and location. Please request the Criteria for your address to ensure the proposed improvements meet the Criteria.

## H. Location

- All portions of the fence must be constructed on the owner's lot. It is the owner's responsibility to ensure placement of the improvement does not encroach into an adjacent tract of land. Enforcement of this is by the affected property owners.
- Fencing permits are acted upon for the proposed fencing and not any existing fencing on the lot. Review and action of proposed fencing does not make a determination of ownership for any existing fencing. The owner is encouraged to contact any adjoining neighboring properties to discuss fence repairs, replacements and any existing fencing.
- Fences may not be built in a public street right-of-way, open space reserve or greenbelt.
- Front yard transparent fencing must be set back a minimum of five feet from the front property line with integrated vegetation between the fence and the adjacent street.
- Rear and Side yard fencing must respect the platted building line if present.
- On corner lots, fencing may be allowed to extend five feet over the side platted building line provided that a planter bed with integrated trees and plants is placed immediately adjacent to the fence between the fence and the adjacent street.
- No fencing is permitted along a property line that is adjacent to a private street or a public access easement unless 10 feet from the pavement edge.
- Decorative columns may not be located within two feet from any side property line.
- Courtyard enclosures and privacy structures must respect all easements and platted building lines.
- Wing walls may not be located in front of the dwelling, but may extend to the side lot, except on a corner lot, where they may not extend beyond the platted building line along the side street.

Solid fences (e.g., less than 75 percent transparent) are not allowed:

- Unless located at least three feet back from the front façade of the dwelling and/or garage or the most predominant front plane of the dwelling.
- Along the rear property line of a lot, that is adjacent to a public street, unless set back 10 feet from the property line or to the platted building line, whichever is greater.
- Along the rear property line of lots with golf course or lake frontage.

Properties with a combination of wrought iron and wood fencing, may install an internal solid wood gate/fence from the house to the side fence to act as a screen or a pet barrier. The fence/gate design must match the existing wood fence. The fence extending from the house to the side property line of the lot, must be a minimum of 10 feet back from the nearest front façade of the dwelling or most predominant front plane or where the wood and transparent fences connect on the side fence.

**I. Design & Guidelines**

Please reference:

“Appendix A” for a comprehensive list of Fence Designs and which fences are considered “solid or transparent”.

“Appendix B” for a Guideline of Fence Construction, with helpful details and best practices.

“Appendix C” for a comprehensive list of Fence Stains

Owner is advised to consult with a licensed and qualified third-party inspector for all security barrier fencing to comply with all applicable codes.

The Plan Review Committee will consider alternate designs. The designs must be in keeping with the character of the neighborhood and aesthetically pleasing. Refer to the attached Appendix A for approvable fence styles.

**J. Materials**

Fences must be designed and constructed of materials that assure that they remain straight and plumb.

Acceptable materials are:

- Wood, metal, stone or masonry
- Galvanized-steel posts, two inches in diameter, extending no higher than the top of the fence when used on the interior facing side of a solid fence.
- Sound mitigating materials are allowed, provided no portion of the material is visible at ground level to adjacent public or private properties . Double-sided fences are encouraged, but not required.
- Black Mesh Screening other than pet barriers, are allowed on the interior of a wrought iron style fence provided it is:
  - fabric type mesh
  - no taller than the existing fence height.
  - not visible to a street.
  - not installed on a portion of fence that is adjacent to a public amenity, such as a lake lot, golf course or public water feature, this list is not all inclusive.
  - installed and maintained in good order and repair.
  - located on the interior of the lot on a shared property line, provided the applicant obtains written consent from the adjacent neighbor.

Prohibited materials include, but are not limited to:

- Chain-link, wire, or wire mesh, unless fully screened from view within the enclosure of an approved solid fence.
- Sheet or expanded metal and stamped metal posts.
- Plastic or fiberglass.
- Rope, bamboo, reed or wire-bound wood pickets.
- Unfinished cinder block.

**K. Neighborhood Fence Design**

The Criteria may require fences of a specified design to be constructed and maintained in the interest of overall architectural continuity.

**L. Paint or Stain**

Wood fencing must be permitted to weather naturally. Any paint, solid stain, or tinted-color sealant must be of muted shades and requires approval prior to installation. Transparent and Semi-Transparent stains as shown in Appendix C, are pre-approved.

White fences will be considered only when architecturally appropriate.

**M. Security Barriers**

- **Building Code**

All swimming pools, hot tubs, spas and ponds greater than two feet in depth must be provided with a security barrier that complies with the International Residential Building Code.

- **Swimming Pool/Spa/Pond Standard Applies**

In addition to the requirements of the Building Code and these Standards, security-barrier fences must comply with all provisions of Standard “2.13. Swimming Pools & Security Barriers”. Swimming pools, spa and ponds of a certain depth, also require inspections and may be eligible for staff approval.

- **Shared Fencing**

Selecting a shared property line fence as a Security Barrier fence may result in additional required code inspections by a licensed qualified third-party inspector when any portion of the shared fence is modified or replaced.

- **Existing Fences**

If any portion of any existing shared fence is designated as the security barrier, it will be the swimming pool, hot tub, spa or pond (greater than two feet in depth) owner’s responsibility to obtain a new code inspection by a third-party qualified inspector under the following conditions:

- More than eight linear feet of any designated barrier fencing is or has been replaced, redesigned, reconstructed or relocated.
- Any gates have been installed, repaired, or replaced including, but not limited to, the installation of latches or other associated hardware.

Additionally, the owner is required to install temporary security barrier fencing any time a portion of the permanent security barrier fencing is compromised, removed, or rebuilt.

A fence in existence when a swimming pool, hot tub, spa, or pond (greater than two feet in depth) is constructed can be used as a security barrier even though it does not comply with the requirements of this Standard if the fence:

- Was built after January 1, 1986, to enclose an existing pool, spa or pond on a neighboring lot and complied with the Standards regarding security barrier fences in effect on the date it was built.
- Was built by the owner of the proposed pool, spa or pond within 18 months prior to the date of the pool, spa or pond application, complied with the Standards regarding security barrier fences in effect on the date the fence was built, and the fence is confirmed to meet code and pass final inspection.

- **Upgrade to Current Standards**

An application and inspection are required at any time when:

- More than eight linear feet of any security barrier fencing is or has been replaced, redesigned, reconstructed or relocated, regardless of whether that modification occurred from the property owner who has the improvement requiring a security barrier or an adjacent property owner who made any modifications or removal to the fence. It is the responsibility of the owner of the pool, spa, pond or any improvement requiring a security barrier to obtain an inspection anytime the selected security barrier has been modified as described in these Standards.
- Any gates have been installed, repaired or replaced including, but not limited to, the installation of latches or other associated hardware.

An application and inspection through a third-party qualified inspector are required. The new portion of fencing or gate must be brought into compliance with the current Standard.

In addition to the requirements of the Building Code and these Standards, security barrier fences must comply with all provisions of Standard “2.6. Fences”. Security Barrier fences also require inspections and may be eligible for staff approval.

**N. Tree Preservation**

Every effort must be made to preserve existing trees by adjusting fence lines to weave among, jog around or abut to trees or stands of trees. No part of a fence may attach to a tree. No tree having a diameter greater than six inches measured two feet above natural grade may be removed for installation of fencing. See Standard “2.7 Landscaping, Yard Structures and Tree Removal”, regarding tree removal.

**APPROVALS**

**Pre-Approval**

Interior fencing and pet barriers that comply with these Standards are pre-approved and require no application. The Transparent and Semi-Transparent stains, provided in “Appendix C”, are pre-approved.

**Committee and Staff Approval**

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

## 2.7 LANDSCAPING, YARD STRUCTURES AND TREE REMOVAL

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

Residential lots in The Woodlands have been developed to preserve as much of the natural forest as possible. Native vegetation is the single most important landscape element in The Woodlands. It provides the unity and constant “sense of green” that is of immeasurable value to the visual pleasure and enjoyment of the outdoor experience. Native vegetation also requires less irrigation than typical ornamental plant materials or turf. The preservation of native vegetation, tree canopy, under story and forest floor is strongly encouraged.

### I. LANDSCAPING

#### A. Hardscape Material

Asphalt or other artificial ground covers are not allowed as landscaping material. Red mulch is allowed in limited amounts as a ground cover.

Artificial turf will be allowed in the rear and side yard. Sub-base for turf must be made of permeable materials such as a sand/gravel mixture and will be considered on a case-by-case basis. A cross section showing base layers will be required to be submitted. Concrete or any other non-permeable base will not be permitted as a base for artificial turf. Tree removals are prohibited for proposed artificial turf.

Artificial turf requires vegetative screening where visible from neighboring properties or street.

Crushed rock, gravel, flagstone and moss rock may be considered if used for pathways, drainage swales or landscaping borders when used in limited amounts. Stone may be used in limited amounts as ground cover.

#### B. Landscape Borders

Landscape borders with incorporated rock or stone used to create a defined edge for landscaping beds are acceptable. A border can be made of stone or wood, must be in keeping with the character and design of the home and used for the purposes of surrounding a planting bed.

- Landscape borders greater than 24 inches in height require application.
- Landscape borders greater than 24 inches in height that are located in the street right-of-way require review by a Plan Review Committee or its designee.
- Landscape borders must not compromise security barriers.

#### C. Drainage

In conjunction with the Texas Water Code, Texas law requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing from a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing to a neighboring tract. Enforcement of this requirement is by the affected property owner(s).

The drainage from each lot should be directed to the street where possible.

In instances where the rear area of a lot is lower than the elevation of the street, a lot-to-lot drainage solution may be needed. In these situations, a lot cannot block drainage from an adjacent lot that naturally flows across that lot on a path to a drainage swale, stream or outlet. Enforcement of these requirements are by the affected property owner(s).

**D. Front Yard Landscaping**

Forty percent of the front yard (excluding the portion covered by driveway and walkways) must be trees, shrubbery, flowers, mulch or plants other than turf or grass. No trees, shrubbery, plants or vegetation may be removed that would result in the grassed area exceeding 60 percent of the front yard.

Vegetable gardens located in an area visible from an adjoining street right of way must be limited in mass, scale and proportion. Vegetable gardens will be permitted with integrated landscaping or screening as needed.

**E. Irrigation Systems**

Irrigation systems must:

1. Have a backflow prevention device where attached to the potable water system.
2. Be placed entirely within the lot and not encroach upon any open space reserve (greenbelt) or neighboring lot.

Improvements within an easement or street right-of-way is at the owner's risk and is subject to removal. Municipal utility districts, city, state and federal laws and regulations may apply to the improvement or project. Please consult the appropriate agency.

**F. Native Plants**

The use of native plant materials with an understanding of the functional and aesthetic properties of each plant category is essential in the achievement of a sense of continuity and consistency in The Woodlands landscape concept. Whenever possible, new plantings should make use of ground covers in lieu of grass. Artificial plants, flowers, shrubs or ground covers are not permitted.

**G. Tree Maintenance**

Tree topping is prohibited. Tree topping is the severe cutting back of limbs to stubs 3" or larger in diameter within the tree's crown to such a degree that removes the normal canopy and disfigures the tree.

**II. YARD STRUCTURES**

Yard structures include, but are not limited to:

- Barbecue grills
- Decorative accessories (windmills, wind vanes or wishing wells)
- Fire pits
- Fish ponds & Fountains
- Seasonal displays and Seasonal plant protection
- Shade sails, Trellises & Privacy Structures
- Beehives

Yard structures must be in good taste, limited in number, compatible with and appropriate in scale, color and mass to the architectural character of the dwelling and the neighborhood.

**Setback Lines and Building Lines**

Yard structures must be located a minimum of 20 feet back from the street pavement edge. If the improvement includes a foundation taller than 18 inches (such as a sculpture base), it must also respect all building setback lines and platted building lines.

**A. Trellises & Privacy Structures**

- Freestanding trellises with integrated evergreen vegetation & Privacy Structures with or without evergreen vegetation may not exceed 9 feet in height from natural grade and must be located a minimum of one foot from the property line and may encroach into the easements.
- Trellises & Privacy Structures integrated with carports, porte-cochere and breezeways may not exceed the existing plate height.
- Privacy structures must be:
  - Designed with color and materials that are architecturally compatible with the home.
  - Designed as a decorative accent and limited in scope.
  - Without lighting and finished on both sides.
  - Affixed to the home or an extension of the home if it is to be located in the front yard.

**B. Barbecue Grills and Fire Pits**

Barbecue grills and fire pits are not permitted in the front yard.

**C. Fish Ponds and Fountains**

Fish ponds and fountains with a water depth of more than 24 inches must comply with all requirements for security barriers. See Standard 2.13.

**D. Seasonal Displays (Decorations and Lighting)**

Seasonal displays must be limited in scope and must not become a nuisance or annoyance to the neighborhood.

- Winter holiday decorations and lights may be installed no earlier than the first Monday in October and must be removed by January 15 of the following year.
- Winter holiday decorations and lights may be illuminated no earlier than the second Monday in November through January 15 of the following year.
- All other seasonal decorations may be displayed for a period not to exceed three weeks.

**E. Seasonal Plant Protection**

Temporary structures to protect vegetation from extreme weather are permitted in the side or rear yard between November 1 and March 15. There are no restrictions on size, location or materials for such structures, except that they may not be hazardous or located so that they result in an unreasonable or disproportionate visual impact on neighboring properties.

**F. Shade Sails**

Shade sails should be a solid, muted earth tone color, installed with permanent fixtures and attachments. Shade sails must be installed so as not to have an adverse visual impact on neighboring properties and may not extend beyond the first-floor plate height of the dwelling or garage.

**G. Beehives**

No more than two standard or common noncommercial size beehives per lot are allowed and must not be located in any easement. The Plan Review Committee will consider additional hives dependent upon lot size.



### III. RETAINING WALLS

A retaining wall is a structure that holds back soil or rock from a building, structure or area. Retaining walls prevent downslope movement or erosion and provide support for vertical or near-vertical grade changes. Cofferdams and bulkheads, any other structures that hold back water, are sometimes also considered retaining walls. Retaining walls that are 3 feet 6 inches or more in height require sealed engineered drawings. Retaining walls are generally made of masonry, stone, brick, concrete, vinyl, steel or timber. Retaining walls greater than 24 inches in height must respect all easements and require an application.

### IV. TREE REMOVAL

No living tree greater than six inches in diameter as measured at a point two feet above natural grade may be removed without prior written approval. Trees to be removed must be flagged on site. For multiple-trunk trees, the trunk diameter is deemed to equal the diameter of the largest trunk plus half the diameter of each additional trunk greater than 1" diameter. Measurements should be accurate to the nearest inch.

Tree removal means an act that causes or may be reasonably expected to cause a tree to die, including:

- Uprooting.
- Severing the main trunk.
- Damaging the root system; and/or
- Excessive pruning including but not limited to, the act of topping a tree.

#### A. Conditions for Removal

The committee and its designee will review alternate locations in order to preserve or limit the number of trees proposed for removal.

Approval for tree removal may be considered if the tree:

- Is located up to five feet from a house or other existing permanent structure. (i.e., garage, swimming pool and patio cover).
- Is located up to two feet from an existing driveway.
- Is up to five feet from the area proposed for construction. (ex. house, garage, certain detached structures, pools, decking.)
- Can be demonstrated to pose a safety hazard to persons or property. A written statement with a third-party certified arborist or other individual with a degree in forestry, may be required. On matters where safety hazards to persons or property is not readily apparent, a written statement with a risk assessment report, provided from a third-party International Society of Arboriculture (ISA) Certified Arborist with ISA Tree Risk Assessment Qualification (TRAQ) or an individual with a degree in forestry, will be required. The report should address potential root damage and whether or not a root barrier would be effective, if applicable.
- Is considered an invasive and hazardous tree or plant. ***Reference currently adopted list of invasive and hazardous trees or plants.***
- Has been determined as damaged or diseased. A written statement provided from a third-party certified arborist or other qualified individual with a degree in forestry, may be required.

## B. Replacement

Any living tree removed from the lot may require replacement.

Tree replacement – All trees must be native, watered, fed, staked and trimmed as necessary to promote healthy growth. (Refer to native plant list)		
Diameter of tree removed	Replacement tree size – Insufficient canopy on lot	Replacement tree size – Sufficient canopy on lot Good Condition Trees and Desirable species
6" - 19"	One 30 gallon	none
19"+	One 45 gallon	One 30 gallon or Two 15 gallon

## C. Rehearing's and Appeals

Rehearing requests or an appeal for tree replants, as required by the Plan Review Committee or their Designee, will not be considered unless the owner provides a written document from a certified arborist or other qualified individual with a degree in forestry, identifying that the lot cannot support the replant requirements and the remaining trees on the lot are in good condition and a desirable species.

## APPROVALS

### Pre-Approval

- Trellises attached to solid fencing on the interior of the lot, provided it does not exceed the height of the fence.
- Trellises & Privacy structures with integrated evergreen vegetation up to six feet in height.
- Removal of any tree that has been confirmed as invasive or hazardous. Refer to the currently adopted list of invasive trees.
- Wood burning fire pits and barbeque grills that comply with these Standards.
- Landscape borders and retaining walls not located within a street right of way and that are no greater than 24 inches in height.
- Fountains and fishponds that are not located in the front yard and less than 24 inches in depth that comply with these Standards.
- Irrigation systems. Water run-off from irrigation systems must not halt or materially impede drainage as defined in these Standards and in accordance with the Texas State Water Code. (See section 1.6 of the Standards.)
- One Customary size "Little Free Library," so long as it is kept in good order and repair.
- Beehives

### Committee and Staff Approval

All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

## 2.8 LIGHTING

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

### A. Illumination

No exterior lighting fixture may create glare or a level of illumination that is offensive or inappropriate when viewed from adjacent properties. Lights mounted on buildings, poles or trees to provide general lot illumination must be mounted in fixtures that shield visibility of the lamp from the street or adjacent properties and direct the illumination upward or downward. Visibility of a light fixture itself is not considered to be an impact.

### B. Lamp Type

- Incandescent, tungsten, halogen, fluorescent and LED lights are acceptable for all types of exterior lighting.
- LED lights should have a warm color temperature instead of a cool blue tone. Light temperature must be uniform generally between 2700K to 3000K to produce a soft warm white illumination.
- Mercury vapor lamps are acceptable only in shielded fixtures mounted high in trees to provide low-level ambient property illumination (moonlight).
- High-pressure sodium and low-pressure sodium lamps are not acceptable.
- Gas lights are acceptable for exterior residential applications.
- Electronic insect traps ("bug zapper" lights) are permitted only if mounted below the height of six feet and within a yard area enclosed by a six-foot solid fence.
- A limited number of low-voltage lighting should be used for landscape lighting.
- Mass, scale and proportion must be considered when designing landscape lighting. If the Plan Review Committee or its designee determine that the landscape lighting has an impact on the adjoining properties, the owner must submit an application and obtain approval.

### C. Pole Lights

Lights mounted on freestanding poles may not exceed an overall height of eight feet above natural grade.

### D. Location

Lights (except those operating on 12 volts or less) may not be located within five feet of a side property line or 10 feet of a rear property line. Lights must be set back a minimum of 20 feet from the pavement edge.

### E. Materials/Colors

Decorative lighting fixtures must be an integral and compatible part of the architecture of the dwelling. Other light fixtures must be inconspicuous and unpretentious. Light fixtures and their supports must be of materials and colors that are in harmony with the natural, forested environment of The Woodlands. Muted earth tones in the brown, gray and green ranges are preferred. White fixtures and supports are acceptable only if they are compatible with the architectural style of the dwelling.

### F. Seasonal Decorations and Lighting

Seasonal displays must be limited in scope so as to not become a nuisance or annoyance to the neighborhood.

- Winter holiday decorations and lights may be installed no earlier than the first Monday in October and must be removed by January 15 of the following year.
- Winter holiday decorations and lights may be illuminated no earlier than the second Monday in November through January 15 of the following year.
- All other seasonal decorations may be displayed for a period not to exceed three weeks.

**G. Permanent Seasonal Lighting**

Permanent programmable channel type lighting or similar systems, are allowed, provided they comply with the following:

- Lights must be installed under the eaves. Wires must be hidden completely from view.
- Materials required for installation, other than the light, must be compatible with the color of the home.
- Lights must not cause an unreasonable glare and be of a low wattage that can be dimmed as needed.
- Must be maintained in good order and repair.
- May not be displayed at a Short-Term Rental Property.
- The improvement must comply with all existing standards related to exterior lighting, including Section F. Seasonal Decorations and Lighting.
- Illumination of permanent seasonal lighting may be used year-round, provided it is limited in scope and does not cause an unreasonable or disproportionate impact to adjacent properties.
- The Plan Review Committee or their designee reserves the right to revoke or amend the permit in the event complaints are received or an impact is observed.

**H. Decorative Lighting**

Bulbs must be of a low wattage to not cause an impact to an adjacent property.

Strands of lighting should be limited in scope and not cause an adverse impact to adjacent properties.

**I. Swimming Pool Equipment Lights**

Swimming pool equipment lighting mounted immediately above the swimming pool equipment must be located below the fence line. Lights must be shielded to direct illumination downward. The maximum light wattage may not exceed 100 watts.

**J. Sport Court Lighting**

Sport courts lighting poles and lighting fixtures may not exceed 14 feet in height as measured from natural grade. Sport court lights are limited to a maximum of three freestanding pole lights. Lights may not exceed 1,000 watts. Sport court lighting must be shielded and minimize any glare or illumination beyond the sport court itself. Light fixtures and freestanding poles must be muted shades. Additional vegetation may be required for screening purposes.

Tennis court lighting fixtures may not exceed 20 feet in height as measured from natural grade. Sport court lights are limited to a maximum of four freestanding pole lights. Lights may not exceed 1,000 watts. Tennis court lighting must be shielded. Tennis court lighting should be designed to provide court lighting and minimize any glare or illumination beyond the tennis court itself. Light fixtures and freestanding poles must be muted shades. Additional vegetation may be required for screening purposes.

**APPROVALS**

**Pre-Approval**

Swimming pool equipment lighting is pre-approved and requires no application, permit or inspection if it complies with these Standards. Front yard lights such as a traditional and customary gas lantern style or low-voltage lights located in the rear or side yard are pre- approved and require no application, permit or inspection if they comply with these Standards. Decorative lights re pre- approved and require no application, permit or inspection if they comply with these Standards.

**Committee and Staff Approval**

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

**2.9 BASKETBALL GOALS, PLAY STRUCTURES, TRAMPOLINES AND PUTTING GREENS**

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

Trees greater than six inches in diameter measured two feet above natural grade may not be removed for the installation of a basketball goal, play structure, trampoline or putting green. The number of basketball goals, play structures, trampolines and putting greens allowed on any lot is dependent upon the lot size and impact on adjacent properties. No more than one of each type of play structure will be permitted on any lot.

**I. BASKETBALL GOALS****A. One Per Lot**

Only one basketball goal is permitted on any lot.

**B. Mounting**

Basketball goals in the front or side yard must be mounted on freestanding poles, or on the garage, carport or side of the house adjacent to the driveway.

**C. Color**

Basketball goals in the front or side yard must be white, gray, black, clear or any inconspicuous color. Posts may not be white, but must be an inconspicuous color in character with the neighborhood.

**D. Location**

Freestanding basketball goals, including portable goals, must be located at least 20 feet from the street pavement edge or no less than half way up the drive or adjacent to the dwelling or garage. All basketball goals may not be placed on any easements.

**E. Impact**

Basketball goals must be located to minimize the visual and functional impact to the adjoining properties. The Plan Review Committee or its designee may consider alternate locations to limit impact to adjacent properties. Additional screening and/or fencing may be required.

**II. PLAY STRUCTURES****A. Defined**

Play structures include play forts, play houses, swing sets, climbing apparatus, fixed skateboard ramps and other non-portable play structures or equipment, whether permanent or temporary.

**B. Location**

1. All play structures must respect platted building lines and must be located within the rear or side yard.
2. Play structures may not be located within the rear or side yard covenant easements, however, the support legs, slide, climbing wall or related attachments of a play structure without an elevated deck area may be located up to three feet into the rear covenant easement of a property. If the committee or staff determines the location in the easement to be the most appropriate location and positioning.
3. Play structures must be located or screened so they do not cause an unreasonable or disproportionate impact on neighboring properties.

**C. Materials**

Play equipment should utilize natural materials and muted earth tone colors wherever possible. Wooden play structures must be left natural, stained or painted a muted earth tone color. Canvas awnings or roofs must be muted shades and without pattern. No striped or camouflage canvases are allowed. Composition shingle roofing must be compatible with the dwelling roof.

Trampoline accessories include, but are not limited to, poles, padded covers and netting and must be muted shades. No banners are allowed on trampolines.

**D. Size.**

Play structures may not:

- Be more than 13 feet in height above natural grade.
- Contain more than 120 square feet of non-elevated floored area (such as a play house).
- Contain more than 72 square feet of elevated floored areas.
- Exceed seven feet in height for any elevated floored area as measured from natural grade.

**III. TRAMPOLINES**

**A. Size**

Trampolines may not exceed 15 feet in diameter for round trampolines or no more than 200 square feet of the platform or bounce space surface area for all configurations. All trampolines may not exceed 10 feet in height as measured from natural grade.

**B. Color and Accessories**

Trampoline accessories include, but are not limited to, poles, padded covers and netting and must be muted shades. No banners are allowed on trampolines.

**C. Location**

Trampolines must respect platted building lines and be located in the rear or side yard.

Trampolines that are adjacent to a restricted open space reserve may encroach into the easement that is adjacent to the open space reserve.

Additional vegetation may be required to soften and screen the view.

**IV. PUTTING GREENS**

- Putting greens must be located in the rear and side yard, may encroach no more than five feet into the rear easement and must not result in an unreasonable or disproportionate impact on neighboring properties. Screening with evergreen vegetation and or solid fencing will be required.
- The area permitted for putting greens on any lot will be dependent upon the lot size and impact on adjacent properties.
- Tree removals are prohibited for proposed putting greens.
- Putting greens with artificial turf are permitted with proper drainage.
- Artificial turf will be permitted in the rear and side yard. Sub-base for turf must be made of permeable materials such as sand/gravel mixture and will be considered on a case-by-case basis. A cross section showing base layers will be required to be submitted. Concrete or any other non-permeable base will not be permitted as a base for artificial turf.
- Artificial turf requires vegetation screening where visible from neighboring properties or the street.

**V. PORTABLE EQUIPMENT**

Portable toys or play equipment (e.g., wading pools, yard game equipment, sandboxes, hockey and soccer goals and portable skateboard ramps, this list is not all inclusive.) must be stored so they cannot be seen from the street and adjacent property at ground level when not in use.

**APPROVALS**

**Pre-Approval**

- Trampolines that are not located in any easements and comply with these Standards are pre-approved and require no application, permit or approval.
- Play structures eight feet or less in height that are portable, pre-fabricated, not located in any easements and comply with these Standards are pre-approved and require no application, permit or approval.
- Front yard hammocks, swings and “glider” type structures with canopies if removed when not in use.
- Basketball goals and posts 12 feet or less in height that are not located in any easements and comply with these Standards are pre-approved and require no application, permit or approval.

**Committee Approval**

The Residential Design Review Committees have the authority to act on play structures and trampolines that encroach into an easement, provided that affected neighbors are notified in advance of the Plan Review Committee meeting and a Memorandum of Agreement is executed requiring the owner to remove the structure from the easement or the lot once the owner moves, sells or transfers title, is no longer the primary resident or when the structure is in disrepair and in need of replacement, whichever comes first.

**Staff Approval**

All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

**2.10 POLITICAL ELECTION SIGNS AND NONGOVERNMENTAL ELECTION SIGNS**

This Standard is applicable to all single-family lots and street rights-of-way, including medians and cul-de-sac island areas within The Woodlands. Primary authority over street rights-of-way rests with Montgomery or Harris County. Signs placed within the street rights-of-way in The Woodlands Township must comply with applicable state and county laws and regulations as well as these Standards. Where any applicable mandatory state law governing elections applies, said law takes precedence over any conflicting standard contained herein.

**A. Definitions**

1. **Political election** is an election administered by the Montgomery County Elections Administrator, Harris County Election Administrator or by The Woodlands Township.
2. The Woodlands Township **nongovernmental elections** are elections administered by or on behalf of The Woodlands Township, including but not limited to, Residential Design Review Committee and Village Association elections.
3. **Political election sign** is a placard, banner, flag or device that promotes a political candidate or a ballot item for a political election. A two-sided sign is considered one sign.
4. **Nongovernmental election sign** is any sign that promotes a candidate or a ballot item for an election administered by or on behalf of The Woodlands Township. A two-sided sign is considered one sign.
5. For purposes of this section, the word **sign**, when used alone, shall include both political election signs and The Woodlands Township signs.

**B. Location, Duration and Number**

1. No person may place a sign on any right-of-way of a road unless authorized by The Woodlands Township or its designee. This section does not apply to the right-of-way of a road or highway in the state highway system.
2. One political election sign promoting a candidate for each office or issue on the political election or nongovernmental election ballot may be placed by an owner of a lot on his or her lot beginning the 90<sup>th</sup> day preceding the day of the political election or nongovernmental election and must be removed within 10 days following the day of the political election or nongovernmental election.
3. Two Residential Design Review Committee and Village Association nongovernmental election signs promoting each candidate or issue on the nongovernmental election ballot may be placed a minimum of 25 feet from the building entrance at each early-voting polling place during the 24-hour period preceding the day early voting in a nongovernmental election begins and must be removed within 24 hours following the day early voting ends.
4. Nongovernmental election signs may be placed at each polling place 24 hours before the day of the election and must be removed within 24 hours following the day of the election.

**C. Sign Criteria**

Political election signs must:

- Not contain any offensive language or graphics, or display anything that may be deemed offensive.
- Not be portable.
- Not be lighted, accompanied by music, sound, balloons or streamers, or be portable and be distracting to motorists.
- Be ground-mounted or attached to the dwelling.
- Not attached in any way to plant material, traffic control devices, light standards, trailers, vehicles or other existing structures or objects.
- Be no larger than four feet high by six feet wide.
- Not exceed five feet in total installed height (including post, if any).



Nongovernmental election signs must:

- Be in good repair and aesthetically pleasing in keeping with the character of the community.
- Not be lighted, accompanied by music, sound, balloons or streamers, or be distracting to motorists.
- Not exceed six square feet in area.
- Not exceed five feet in total installed height (including post, if any).

**D. Lot Owner Approval**

Political election signs may not be placed on a lot without the prior written consent of the owner of the lot. Nongovernmental election signs may not be placed on a lot without the prior written consent of the owner of the lot.

**E. No Message Approval**

Approval of a sign does not imply approval of the message.

**F. Removal**

The Plan Review Committee, The Woodlands Township or its designee has the right to remove any sign in violation of this Standard.

**APPROVALS**

**Pre-Approval**

Political election signs and nongovernmental election signs are pre-approved and require no application as long as they comply with this Standard.

**Committee and Staff Approval**

All other signs require an application and must be reviewed and approved in advance by the Plan Review Committees or its designee.

The Woodlands Township reserves the right to approve signs and banners in locations other than the designated major intersections attached for permitted locations for certain signs. Only one two-sided sign will be allowed at any one of the major intersections listed.

If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

## 2.11 SATELLITE DISH ANTENNAE AND HIGH DEFINITION (HD) ANTENNAE

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

### I. LARGE SATELLITE DISH

#### A. One Per Lot

Only one large satellite dish (antenna diameter greater than 39 inches) may be installed on any lot or tract.

#### B. Location

Large satellite dish antennae must be located within the rear yard, respect platted setback lines, may not be installed in an easement and must be located or screened so it does not cause an unreasonable or disproportionate visual impact on neighboring properties.

#### C. Height

The overall height of the finished installation (to the highest point of the antenna) may not exceed eight feet.

#### D. Screened

Large satellite dish antennae must be screened by a six-foot tall solid property line fence.

#### E. Trees

Trees greater than six inches in diameter measured two feet above natural grade may not be removed. Vegetation may not be extensively pruned for the installation of a large satellite dish antenna or to improve its signal reception.

### II. SMALL SATELLITE DISH AND HIGH DEFINITION ANTENNAE

#### A. Location

Small satellite dishes and high definition television antennae (antenna diameter 39 inches or less) should be located in the rear yard, or no less than half the distance back from the front facade on the side of the home or garage or home or garage roof, if satisfactory reception can be achieved. Satellite dishes may not be attached to a fence if the fence is located on the property line. Location in an easement is acceptable, subject to the rights of the easement owner. Satellite dishes and HD television antennae, which are 39 inches or less in diameter, may also be located in the side yard or the side surface of the home or garage or roof of the home or garage.

#### B. Screened

Ground mounted dishes and antennae installed in the front yard or in the side yard adjacent to a side street must be screened from view from adjacent properties and street rights-of-way. In all cases, small satellite dishes and antennae must be located to minimize visibility from surrounding properties and street rights-of-way.

#### C. Trees

Trees greater than six inches in diameter measured two feet above natural grade may not be removed. Vegetation may not be extensively pruned for the installation of a small satellite dish antenna unless required to obtain adequate reception.

### III. COLOR

All satellite dish antennae, including the supporting structure and related equipment, must be muted shades.

## **APPROVALS**

### **Pre-Approval**

Satellite dish antennae 39 inches or less in diameter and HD antennae are pre-approved and require no application, permit or inspection if they comply with the requirements for small satellite dishes and HD antenna as contained in this Standard.

### **Committee and Staff Approval**

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

## 2.12 SIGNS AND FLAGS

### I. GENERAL CRITERIA

#### A. Definitions

A **sign** means any outdoor sign, display, device, painting, drawing, message, plaque, poster, placard, banner, flag or promotional device, or other object designed, intended or used to advertise or inform. A two-sided sign is considered as one sign.

#### B. Appropriateness

All signs must be appropriately located, in keeping with the character of the community and in good repair.

No sign shall be allowed which contains unprotected speech, including but not limited to those which:

1. Advocate illegal conduct;
2. Are obscene or offensive;
3. Inflict injury or are likely to provoke an act of violence or inflict injury (fighting words);
4. Are considered hate speech, defamatory, or an invasion of privacy; or
5. Contain misleading or deceptive commercial speech.

#### C. Location and Number

##### 1. Signs and Flags must:

- Be located on the sign owner's property.
- Be located in the area which is the closest to the dwelling of the following two areas:
  - (i) within twenty (20) feet of the dwelling; or
  - (ii) within first one half (1/2) of the distance between the dwelling to the pavement edge when measured starting from the dwelling,
- Be restricted to no more than one (1) sign, (whether or not permitted by Standard 2.12(I) or 2.12(II)) will be permitted on any residential lot at any given time, except as may otherwise be required by Section II.
- Not be placed in any easement.
- Not be mounted or affixed to trees or other vegetation.
- Not be erected, posted, affixed or displayed upon any pavement, median, esplanade, traffic island, curb, sidewalk, bridge, underpass, overpass, electric pole, traffic sign or standard pole.

##### 2. Signs in a street right-of-way are governed by the political sign Standard or the street rights-of-way Standard.

##### 3. No sign shall be erected or maintained at any location whereby its position, size, shape or color, may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control-sign, signal or device, or where it may interfere with, mislead or confuse traffic.

#### D. No Message Approval

Approval of a sign does not imply approval of the message.

#### E. Lighting

Signs, other than address signs and flags, may not be lighted.

#### F. Music or Sound

Signs may not be accompanied by music, sound, balloons or be distracting to motorists.

**G. Maximum Height**

Signs other than flags cannot exceed an installed height of five (5) feet above ground.

**H. No Tree Removal**

Trees or other vegetation may not be removed for sign installation or visibility.

**I. Maximum Gross Surface Area**

Signs may not exceed a maximum gross surface area of six (6) square feet.

**J. Duration**

Approval of a temporary sign shall last for a period of only one hundred and twenty (120) consecutive days. Upon expiration of the one hundred and twenty (120) day period the sign must either be removed or a new application submitted.

**K. Aesthetics**

All signs must be generally compatible with the residential character of the community and the colors and materials used must be harmonious and in keeping with the neighborhood of the residential lot on which the sign is to be located.

**L. Approvals**

All signs whether in accordance with this Standard 2.12(I) or otherwise, require an application and must be reviewed and approved in advance by the Plan Review Committees or its designee.

**M. Legal Requirements**

This Standard is intended to comply with all federal, state, and local laws, rules, and regulations, governing residential sign standards which are applicable to these Standards as adopted by the Development Standards Committee pursuant to The Woodlands Covenants ("laws"). To the extent that any portion of this Standard violates any of these laws, said portion shall automatically be amended to comply with the same and shall not affect the validity or enforceability of the remainder of this Standard. All signs permitted by said laws are permitted by this Standard, whether or not specifically stated or addressed herein.

**II. SPECIFIC SIGN TYPES ALLOWED ON SINGLE FAMILY LOTS**

**A. Address signs**

No person may place a sign on any right-of-way of a road unless authorized by The Woodlands Township. Street address numerals must be displayed at each dwelling in a manner that is clearly visible from the addressed street. The colors and materials used in an address sign must be compatible with those used in the construction of the dwelling. The sign face may not exceed six square feet in area. The Woodlands Watch uniform house numbering kits are encouraged and conform to this Standard.

**B. Builder Signs**

A homebuilder may erect an identification sign on any lot where that homebuilder is constructing a home, provided the sign face does not exceed six (6) square feet in area. The sign must be removed within forty-eight (48) hours following the closing of the homebuilder's sale of that property or the completion of construction, whichever will occur later. One model home sign for each model home will be permitted for newly constructed homes. The sign face may not exceed six (6) square feet in area.

**C. Contractor Signs**

A contractor performing construction or remodeling work may erect one identification sign on the lot where work is being performed. Contractor signs may be displayed only during the time work is being performed at that site and must be removed within forty-eight (48) hours following completion of the work. The sign face may not exceed six (6) square feet.

**D. Flags**

No more than two flags are permitted on any lot. Flags must be in good taste. Flags located in the front yard must be at least twenty (20) feet from the pavement edge. Flag poles may not exceed the height of the residence or twenty-five (25) feet, whichever is less. Flags may not be mounted on trees.

**E. Political Signs**

See Standard 2.10.

**F. Real Estate Signs**

One sign advertising that the property is for sale, rent or lease is allowed on each single-family lot, and must be removed with seven days following the close of sale or rental of that property. One open house sign is allowed per lot during the time the dwelling is open for public inspection. The sign face of a real estate sign may not exceed six (6) square feet in area

**G. Safety and Awareness Signs**

Two safety-related signs used during the period children are at play are permitted provided that the signs do not exceed four (4) square feet in area. Signs must be stored out of public view when not in use.

One Awareness signs such as “Beware of Dog and No Trespassing” are permitted provided that they are used for said purpose. They may be mounted on gates or area of access into a property. Signs may not exceed one (1) square foot in area.

**H. Youth Activity Signs and Military Service Signs**

Signs promoting school activities, youth activities and military service are allowed on a lot. One sign per individual living at the dwelling for the type permitted by this subsection “H” will be permitted on any lot. Signs may not exceed two (2) square feet in area

**I. Exceptions**

Official signs and special event signs authorized by The Woodlands Township are exempt from this Standard.

**APPROVALS**

Signs that comply with the General Requirements contained in Section 2.12(II) above, do not require an application. All other signs described in Section 2.12 (I) are subject to the General Requirements contained in Section 2.12(I) and must be reviewed and approved in advance of placement by the Plan Review Committees or its designee.

The Woodlands Township reserves the right to approve signs and banners in locations other than the designated major intersections. Only one two-sided sign will be allowed at any one of the major intersections.

## 2.13 SWIMMING POOLS AND SECURITY BARRIERS

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

### I. SWIMMING POOLS

#### A. Definition

**Swimming pool** means any structure intended for swimming or recreational bathing with a capacity for water more than 24 inches deep, including in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

#### B. Above-Ground

Above-ground swimming pools, including any external piping, must be screened from view by a six-foot solid fence or wall.

#### C. Construction Barricade

A continuous four foot or taller safety barricade that secures the area from pedestrian access is required around the swimming pool site at all times during excavation and construction.

#### D. Pneumatic Pool Enclosures

Pneumatic pool enclosures are not an acceptable pool barrier.

#### E. Drains

Any backwash drains must discharge into the sanitary sewer system at connections approved by the Municipal Utility District (MUD) and/or the San Jacinto River Authority (SJRA). Please reference the applicable entity.

#### F. Drainage

Texas law requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing from a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s).

All pools require a comprehensive drainage plan. A drainage plan must be a comprehensive site plan that defines the overall site and any site topography. Drainage plans should show any natural change in grade and define the direction the water flows onto and off of the property. Drainage plans should include any specifications for drainage swales, piping, catch basins and drain outlets.

Sealed Drainage plans are required if the proposed pool and related improvements:

- cause a significant elevation change; or
- exceed the maximum hard surface area allowed by more than 5%; or
- create an undue hardship and are an impact to adjacent properties.

Sealed Drainage plans must be sealed by a licensed registered landscape architect certified with the American Society of Landscape Architects. The Plan Review Committee may require an additional drainage plan sealed by a licensed and registered professional engineer certified with the Texas Board for Professional Engineers for certain projects or for certain variance requests.

#### G. Dwelling Foundation

The owner should obtain competent engineering advice to determine that swimming pools, spas and ponds are located far enough from the dwelling foundation to maintain support for the foundation.

**H. Elevation**

Pools, spas and ponds should be elevated above the surrounding grade at the minimum height necessary to prohibit an inflow of storm water. Where there is a significant elevation decline to the adjacent lot(s), pools, spas, ponds and adjacent decking must be located at an elevation that protects the privacy of adjacent residents without the need for high visual or sound barriers.

**I. Excavation**

Excess soil from swimming pool, spa and pond excavation must be removed from the site.

**J. Hard-Surface Area**

The surface area of coping and any decking materials (excluding wood decks) are hard-surfaced areas in determining compliance with the limitation of hard-surface area permitted on the lot. *See Criteria.*

**K. Water Surface Area**

A maximum of six percent of the lot size will be allowed for coverage of water surface area on any size lot.

**L. Lights**

Lights in or around swimming pools, spas and ponds must conform to Standard 2.8 and be included on the plan for review and approval. Swimming pool equipment lighting mounted immediately above the swimming pool equipment must be located below the fence line. Lights must be shielded to direct illumination downward. The maximum light wattage may not exceed 100 watts.

**M. Location**

Swimming pools and spas must be located in the rear or side yard. Swimming pools and spas and associated walls, decking or other landscape elements may not be located within a covenant easement or beyond a platted building line. All construction and access is required to occur on the owner's lot. Any deviation that would cause the access from an adjoining property or tract of land requires an executed access agreement, fees and deposit through The Woodlands Township.

**N. Pool Slides**

Pool slides may not exceed eight feet in height above natural grade and must be located to minimize impact on adjacent properties.

**O. Pumps and Filters**

Above ground piping, pumps, equipment or filters must be screened from view at ground level from any street and located to minimize impact on adjacent properties. Additional screening may be required to screen the view from adjacent tracts of land or adjoining property owners. Screening may be evergreen vegetation and/or interior solid fencing. Above ground piping, pumps, equipment or filters may be located up to three feet into the rear and side yard easements and must not compromise any security barrier.

Equipment pads may be located up to one foot from an adjoining property line.

Improvements within an easement must not impede drainage. Any improvement constructed within an easement without the consent of the easement holder is subject to removal by the easement holder. Approval by the Plan Review Committee is not approval by the easement holder.

**P. Waterfalls/Water Features**

Waterfalls/water features and associated berms may not be located on any easements. Waterfalls/water features may not exceed five feet in height above natural grade. All pipes and plumbing must be suitably enclosed or screened from view.



Any waterfall/water features that incorporates a slide must demonstrate that the waterfall portion does not exceed five feet in height and that the slide and handrail do not exceed eight feet in height as noted from existing natural grade. An elevation drawing must be submitted noting the height. The plan review committee and its designee will evaluate architectural compatibility when reviewing waterfalls/water features.

**Q. Construction and Demolition Access**

All construction activity must occur on the owner's lot. If access is requested from an adjoining lot or other tracts of land, an access agreement and any fees or deposits must be submitted and verified prior to the construction of the improvements. All access agreements must be submitted to the Plan Review Committees or their designee.

**R. Swimming Pool Demolition**

A plan and timeline for demolition and water removal must be submitted.

If the shell of the pool is to remain, the owner must bore holes into the bottom of the pool and fill with crushed rock material approximately 12" deep at the bottom. Clean fill, or other approved material, can then be added on top to match adjacent grade level.

All gas, water, and sewer lines to the pool shall be securely capped off with an approved fitting.  
Please reference section 1.5 VI. Demolition and Major Remodeling

**II. SECURITY BARRIERS**

- **Building Code**

All swimming pools, hot tubs, spas and ponds greater than two feet in depth must be provided with a security barrier that complies with the International Residential Code.

- **Fence Standard Applies**

In addition to the requirements of the building code and this Standard, security barrier fences must comply with all provisions of Standard 2.6. Security barrier fences also require inspections. When selecting the security barrier for the pool and related improvements, special attention should be made to the location of the security barrier. Selecting a shared property line fence as the security barrier fence may result in additional code inspections by a third-party qualified inspector.

- **Existing Fences**

If any portion of any existing shared fence is designated as the security barrier, it will be the swimming pool, hot tub, spa or pond (greater than two feet in depth) owner's responsibility to obtain a new code inspection by a third-party qualified inspector if:

- More than eight linear feet of any designated barrier fencing is or has been replaced, redesigned, reconstructed or relocated.
- Any gates have been installed.

In addition, the owner is required to install temporary security barrier fencing any time a portion of the permanent secure barrier fencing is compromised, removed or rebuilt.

A fence in existence when a swimming pool, hot tub, spa or pond (greater than two feet in depth) is constructed can be used as a security barrier even though it does not comply with the requirements of this Standard if the fence:

- Was built after January 1, 1986, to enclose an existing pool, spa or pond on a neighboring lot and complied with the Standards regarding security barrier fences in effect on the date it was built.
- Was built by the owner of the proposed pool, spa or pond within 18 months prior to the date of the pool, spa or pond application and complied with the Standards regarding security barrier fences in effect on the date the fence was built, and the fence is confirmed to meet code and pass final inspection.
- **Upgrade to Current Standards**  
An application and inspection are required at any time when:
  - More than eight linear feet of any barrier fencing is or has been replaced, redesigned, reconstructed or relocated, regardless of whether that modification occurred from the property owner who has the improvement requiring a security barrier or an adjacent property owner who made any modifications or removal to his own fence, if any portion of that fence served as the security barrier. It is the responsibility of the owner of the pool, spa, pond or any improvement requiring a security barrier to obtain an inspection anytime the selected security barrier has been compromised, as described in these Standards.
  - Any gates have been installed, repaired or replaced including, but not limited to, the installation of latches or other associated hardware.

An application and inspection through a third-party qualified inspector are required. The new portion of fencing or new gate must be brought into compliance with the current Standard.

In addition to the requirements of the building code and this Standard, security barrier fences must comply with all provisions of Standard 2.6. Security barrier fences also require inspections and may be eligible for staff approval.

## **APPROVALS**

### **Pre-Approval**

Pool equipment enclosure fencing that complies with these Standards are pre-approved and require no application.

### **Committee and Staff Approval**

All other projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

**2.14 TENNIS COURTS, SPORTS COURTS AND BATTING CAGES**

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

**A. Only One Court**

In this Standard, **court** refers to tennis courts, sports courts, basketball courts, racquetball courts, batting cages or other similar improvements. Only one court may be constructed on any lot.

**B. Location**

Courts must be located in the side or rear yard and not within an easement, platted building line, any setback line or a minimum of 15 feet from any property line whichever is greater. Mass, scale, proportion, and height must be considered when reviewing the proposed location.

**C. Impact**

The location of the court must not have an adverse impact on neighboring properties or impair a neighbor's golf course or lake view. Courts must be located so they do not cause an unreasonable or disproportionate visual impact on neighboring properties.

**D. Screening**

All courts, cages or similar type improvements require evergreen vegetative screening and may require additional sound mitigation. Some courts, cages or similar type improvements may require a landscape plan and drainage plan.

**E. Hard-Surfaced Area**

Courts are included in the calculation of hard-surface area.

**F. Trees**

Trees larger than six inches in diameter measured at a point two feet above natural grade may not be removed for construction of a sport court or tennis court. Any tree proposed to be removed must be flagged on site for inspection.

**G. Lighting****General other than Tennis Court Lighting**

- Lighting poles and lighting fixtures may not exceed 14 feet in height as measured from natural grade.
- Limited to a maximum of three freestanding pole lights. Lights may not exceed 1,000 total watts.
- Must be shielded.
- Light fixtures and freestanding poles must be muted shades. Additional vegetation may be required for screening purposes.

All lighting must comply with Standard 2.8.

**Tennis Court Lighting**

- Fixtures may not exceed 20 feet in height as measured from natural grade.
- Limited to a maximum of four freestanding pole lights.
- May not exceed 1,000 total watts.
- Must be shielded.
- Should be designed to provide court lighting and minimize any glare or illumination beyond the tennis court itself.
- Light fixtures and freestanding poles must be muted shades.
- Additional vegetation may be required to surround the tennis court lighting for screening purposes.

**H. Fences**

- Courts must be screened from adjoining properties by vegetation or solid fencing.
- All courts, cages or similar type improvements must be screened with vegetation.
- Tennis courts require a 10-foot high, black vinyl-coated chain-link fence along those sides of the court that are within 15 feet of another residential lot.
- A 10-foot high (maximum), black vinyl-coated chain-link fence is permitted along the other sides of the court.
- Chain-link fences must be located immediately adjacent to the court surface.

**APPROVALS**

**Committee Approval**

All projects within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee.

### 3.1 HOME BUSINESS

The Woodlands Covenants prohibit business use of a single-family lot without approval by the DSC or DRC.

#### I. BUSINESS IN THE HOME

##### A. Definition:

A Home Business: is any business based out of the home including any company or similar enterprise for which the principal administrative and managerial activities take place at the individual's personal residence. Home business often includes buying and selling of goods, operations, deliveries, shipping and supplies. **Home Businesses do not include working from home, remote work or home working businesses.**

Homeworking Business: is the use of the home, supported by technology, for the remote performance of some, or all, of an employee's normal work. Homeworking does not include persons or employees traveling to or from a residential home in connection with the business. Homeworking does not include buying or selling, deliveries, shipping or manufacturing goods in conjunction with the business.

##### B. Requirements for Approval

A home business may be approved by the Plan Review Committee only if:

- The lot and improvements are used primarily for residential purposes only, by the business owner/operator.
- The street address of the home business is not advertised in a public medium (e.g., newspaper, radio, internet, television, yellow pages or trade journals) or in any public manner.
- The home business does not have employees who work at or travel to the home in connection with the business.
- The home business does not cause noise, dust, light, vibration, odor or pollutants that emanate onto any adjacent property in an amount that does or may reasonably constitute a nuisance to an adjacent property owner.
- The home business does not have trucks, tractor-trailer cabs or trailers or other business vehicles, equipment or supplies openly parked or stored upon the property or adjacent streets or properties.
- The home business does not have any sign or other writing on the lot displaying the name or identity of the home business that is visible from any street, except customary signs attached to a vehicle that do not include the home address.
- The home business is not conducted upon any portion of the lot that is visible from a public or private street. This does not include activities on the interior of the home.
- The home business is compatible with and does not infringe upon the residential character of the surrounding neighborhood.
- All vehicles in conjunction with the business must be parked on the driveway or in the garage. Parking on the street is not permitted.
- The operation of a home business may require review and action by other entities, such as the county, state, or federal government. It is the owner's responsibility to obtain those approvals and not within the jurisdiction of the Plan Review Committee.

***This list is not all inclusive.***

##### C. No Waiver

Approval of a home business is not an approval of any remodeling work or a waiver of any other provision of the Covenants or these Standards. Plans must be submitted and approved for any remodeling or alterations to any structure and the provisions of the Covenants and these Standards, e.g., good property maintenance, parking, the requirement of a two-car garage and maximum living area must be met. Commercial type businesses are not permitted.

## II. GARAGE SALES

### A. Definition

A **garage sale** is any sale to the public of household or personal articles or other goods, or merchandise held on a single-family lot. Garage sales include events advertised as a “garage sale,” “patio sale,” “moving sale,” “yard sale,” “estate sale,” “craft sale,” “craft demonstration,” “trunk sale,” “by invitation only sale” or other similar term.

### B. Requirements

- Garage sales or any similar type of open sales are prohibited; and no variances from this Standard will be approved.
- Virtual Sales and other Online platforms will be allowed, provided they adhere to the following:
  - Advertisement of the address in any public medium is strictly prohibited.
  - Sales and collection of items must be by appointment only and restricted to one at a time.
  - All vehicles in conjunction with the sales, must be parked on the owner’s driveway.
  - Signage is strictly prohibited.

## APPROVALS

### Committee and Staff Approval

All home businesses must be reviewed and approved in advance by the DSC, DRC or its designee. Upon review of the home business, approval will be for a period not to exceed two years or for a period as determined by the DSC or DRC and is subject to revocation by the committee at any time. In addition, a home business is subject to revocation if a violation of these Standards occurs.

Renewal of an existing home business permit may be approved by the Plan Review Committee or its Designee, provided that the permit is not expired, there are no complaints on record and the property is not in violation.

Homeworking Businesses, as defined in 3.1 I Section A. Definition, are not subject to Home Business Applications.

### 3.2 HOME MAINTENANCE

#### A. General Maintenance

The Woodlands Covenants require each owner to keep their entire property (front, rear and side) and improvements in good order and repair including all appropriate external care of all buildings and other improvements in a manner and with such frequency that is consistent with safety and good property management.

Among the requirements of this section are *(this list is not all inclusive)*:

- Repairing windows.
- Painting and staining
- Repairing and maintaining siding, garage doors, gutters, fences, roofs, shutters, screens or decks.
- Mowing, weeding, edging, seeding and pruning, including areas up to the pavement edge. Seeding can be planting of trees, shrubbery, grass or other seeds for landscape beds.
- Removal of substantial yard debris such as leaves, pine needles, branches, etc. from roofs and hardscape areas such as driveways, walkways and patios.
- Maintaining trees and shrubbery, such as removing dead trees, dead branches, and removal of tree stumps more than approximately eight inches above grade.
- Removing exterior algae/mildew on dwellings, garages and all other existing improvements.
- Repairing all damaged walkways and driveways to the street pavement edge.
- Repairing any damaged paved areas.
- Maintaining any drainage structure on the lot.
- Removing all trash and debris.
- Storing all equipment, materials, supplies and appliances out of public view from the street or any adjacent property.
- Storage within a carport is permitted only on lots originally constructed without a garage and must present a neat and orderly view from the street.
- Hanging clothing or other household fabrics in the open on any lot is not permitted unless the same are hung from a retractable clothes hanging device that is removed from view when not in use and unless the same are enclosed by a fence or other enclosure at least six inches higher than such hanging articles provided such fence or other enclosure has been approved by a Plan Review Committee or its designee.
- Maintaining pool, pool equipment, pumps and filters.
- Maintaining and screening portable toilets/restroom facilities.

#### B. Trash and Recycle Carts

Trash and recycle carts must be screened from view at ground level from any adjacent public or private property or located behind an acceptable screened structure. It is preferred that trash and recycle carts should be stored behind existing solid fencing or contained in the garage.

#### C. Trash, Refuse and Recyclables

- All trash or refuse burning is prohibited.
- All trash, refuse and recyclables (except bundled limbs and branches) must be placed in containers required by the waste collection contractor.
- All trash, refuse or recycling containers may be placed near the street edge no earlier than one day prior to regularly scheduled waste collection. Emptied containers must be removed from the street, front yard or driveway by the end of the collection day.
- Containers must be stored on the owner's property at all times.
- All trash and refuse containers must be stored out of public view at ground level from the street, alley or adjacent and surrounding properties at all times except during waste collection period.
- Trash and recycle cart pads are allowed in the easement provided they are no taller than 8 inches and no greater than 30 square feet.

## D. Screened Structures for Trash and Recycle Carts

### Height

1. The height of the trash and recycle cart screen must be installed so that the trash and recycle carts are not visible at ground level from a street or an adjacent property
2. The maximum height allowed for the screen is 6 feet with an additional 6 inches for a rot board.

### Design

1. Trash and Recycle Cart Screens must be designed to completely screen the containers from view or as a complete enclosure with an access gate. It also may include a solid paved or pervious surface for a foundation.
2. Trash and recycle cart screens must incorporate colors and materials compatible to the dwelling or existing fence.
3. Trash and Recycle Cart Screens located on any lot adjacent to a golf course or lake must be designed so that the carts are not visible to the lake or golf course.
4. Acceptable designs for a screened structure include:
  - Solid fences capped or uncapped (as described in Section 2.6 of the Residential Development Standards).
  - Framed Lattice with integrated evergreen vegetation planted and maintained for the purposes of screening and softening the view of the lattice structure from the street and adjacent properties.
  - Manufactured screens and custom-built screens are acceptable provided that they are applied for, approved and comply with the requirements of these Standards.
5. If the home has existing perimeter fencing that is not transparent and the intent is to construct a trash and recycle cart screen of the approved fence designs (See section 4 above) selected, the screen must match the existing fence design on the home.
6. Trash and recycle carts that will be screened by vegetation alone require natural evergreen vegetation that will substantially screen the carts. The vegetation must be maintained to provide complete screening of the trash and recycle carts.
7. Alternate materials such as simulated wood products will be considered provided that they are applied for and comply with the requirements of these Standards.

### Location

1. Trash and recycle cart screens must be set back a minimum of 3 feet from the front façade of the dwelling or garage; however, any screen that is 4.5 feet in height can be no less than one foot from the front façade of the dwelling or garage.
2. For properties with porte-cochere, carports, or similar covered areas in front of the garage, the trash and recycle cart enclosure may be located within the covered area and extend beyond the front façade of the garage, if it is in compliance with this Standard.
3. For properties with “Hook-In” or “L” Shape driveways, the enclosure may extend beyond the front façade of the dwelling or garage if it is in compliance with this Standard.
4. Trash and recycle cart screens may be located in the easements.
5. The Plan Review Committee and staff will explore alternate locations and consider neighbor impact when considering placement into the side yard easement.



**E. Seasonal Displays (Decorations and Lighting)**

Seasonal displays must be limited in scope so as to not become a nuisance or annoyance to the neighborhood.

- Winter holiday decorations and lights may be installed no earlier than the first Monday in October and must be removed by January 15 of the following year.
- Winter holiday decorations and lights may be illuminated no earlier than the second Monday in November through January 15 of the following year.
- All other seasonal decorations may be displayed for a period not to exceed three weeks.

**APPROVALS**

**Pre-Approval**

Trash and recycle cart screens and associated paving that comply with these Standards are pre-approved and require no application.

**Committee and Staff Approval**

All trash can and recycle cart screens that do not comply with these Standards must be applied for and acted upon in advance of installation by the Plan Review Committee or its designee.

If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

### 3.3 PETS

#### A. Pets

No more than three customary household pets may be placed or kept outside of the home. Pets should not be allowed to run at large. Pets should be confined to the owner's lot or controlled by a restraint device.

#### B. Lot Maintenance

Animal waste must be removed from the lot as required by good animal husbandry to control odor and prevent a health hazard. Many pet related annoyances or unsafe activities are within the jurisdiction of the county or other governmental agencies. Consult the appropriate agency.

#### C. Why Don't the Standards Regulate Barking Dogs or Animals Running at Large?

These Standards cover limited topics within the Covenants. Many annoyances such as barking dogs, loose pets or unsafe activities are within the jurisdiction of the county or other governmental agencies. Consult the appropriate agency.

### 3.4 STREET RIGHTS-OF-WAY, CUL-DE-SAC ISLANDS AND MEDIANS

#### I. STRUCTURES

##### A. Street Right-of-Way

The street right-of-way is the area between platted lot lines on one side of the street and platted lot lines on the opposite side of the street, including the paved roadway, any median or cul-de-sac island, drainage ditch (if any) and a strip of land, usually from 10 to 15 feet wide, between the paved roadway and the platted lot line. Street rights-of-way are dedicated to the county or other public body for public access, drainage and utility purposes. Street rights-of-way are usually shown on the plat of a subdivision.

##### B. County Approval

No improvement may be constructed or placed in a street right-of-way without approval by Montgomery County and/or Harris County. Approval by the Plan Review Committee does not constitute approval by the county. Any improvement constructed within an easement or in county jurisdiction without the consent of the easement holder is subject to removal.

Plan Review Committee approval of plans for an improvement within an easement does not constitute approval by the additional easement holders or other entities.

##### C. Prohibited Structures

The following structures are prohibited in street rights-of-way:

- Posts, barriers, lights, railroad ties, landscaping walls, fire pits or other improvements extending along the pavement edge. See Paragraph D below for permitted street-edge landscaping.
- Signs, banners, flags or promotional devices that prominently display a commercial message, except as specifically permitted by this Standard.
- A series of lights parallel to the street edge.

##### D. Approved Structures

The following structures are permitted in street rights-of-way:

- Park benches located in cul-de-sac islands.
- Wooden decks no higher than eight inches above grade, covering no more than 30 percent of the island and no larger than 100 square feet may be installed to support a bench provided that no trees are removed.
- “Grass-Crete” or an equivalent product installed to reduce roadside rutting.
- Slope stabilization and erosion protection treatment such as flagstone or railroad tie retaining walls in roadside drainage ditches.
- Driveways, walkways, bridges and driveway curbs that span a ditch or swale.
- One customary size “Little Free Library,” without lighting, not to exceed six feet in height, designed with muted earth tone colors, ground mounted and kept in good order and repair.
- Ground lights adjacent to walkways extending to the street pavement provided they are less than two feet in height above natural grade and comply with Standard 2.8.
- Sculptures and other works of art which are appropriate in aesthetics, design and location.
- Landscape borders and planter beds with integrated rocks that are more than 10 inches in height must be located at least 2 feet from the street edge
- Landscape borders and planter beds with integrated rocks that are 10 inches or less in height, may be located along the street pavement edge.
- Rocks, designed as road right of way bollards, which are no taller than 12 inches along street pavement edge.
- Signs and permitted markers that comply with Standard 3.5.

**E. Maintenance**

Any improvement in the street right-of-way must be properly maintained by the owner. Structures not properly maintained must be removed by the owner within 15 days following notice from The Woodlands Township.

**APPROVALS**

**Pre-Approval**

Ground lights, park benches, customary size “Little Free Library and planter beds that comply with these Standards are pre-approved and require no application.

**Committee and Staff Approval**

All other activities within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee or its designee. If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

### 3.5 SIGNS IN STREET RIGHTS-OF-WAY

#### I. TEMPORARY SIGNS

##### A. Approvable Signs for Placement in Street Right-of-Way

###### 1. Directional Signs

Directional signs that identify the builder or developer of a tract or that direct the public to new areas of development.

###### 2. Flags and Banners

Texas and United States flags and flags or banners promoting major events of community-wide interest sponsored by non-profit public service organizations are pre-approved. Flags and banners:

- May be posted only at approved locations.
- Must be aesthetically pleasing, in keeping with the character of the community, in good repair and of the size and materials approved by the DSC/DRC.
- May not prominently display a commercial message.
- May be displayed for no more than two days preceding the event and during the event, but for a total of no more than seven days.
- Must be removed within 24 hours of the close of the event.
- Must be kept in good repair.

##### B. Location/Ground-mounted

Signs may not be placed in an open space reserve, park or attached in any way to plant material or a traffic control device, light standard or other existing structure. All signs must be ground-mounted.

##### C. Message

Approval of the sign does not imply approval of the message.

##### D. Removal

The Woodlands Township may remove any sign, banner, flag or promotional device placed or permitted to remain in violation of this Standard.

##### E. Sound/Lighting

Signs, banners, flags and promotional devices may not be lighted, accompanied by music, sound, balloons or be distracting to motorists.

##### F. Safety Signs

Safety-related signs used during the period children are at play must be stored out of public view when not in use.

#### II. WAYFINDING, MODEL HOME AND VILLAGE/NEIGHBORHOOD ENTRY SIGNS.

The building code, Criteria and Part I of these Standards have further requirements applicable to all improvements.

Public signs erected by or on behalf of a governmental body to identify public property, convey public information and direct or regulate pedestrian or vehicular traffic.

Signs posted in association with municipal, county, state or federal authorities for crime prevention and public safety and health.

Emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way.

Signage should not compete with the natural environment and must be aesthetically pleasing, as well as maintain neighborhood image.

Lettering must be large enough to be seen from a distance.

**A. Way Finding Signs**

Two-sided way finding signs are specifically designed and installed for the purposes of identification of villages, parks and governmental facilities.

**B. Village / Neighborhood Entry Signs**

Village and neighborhood entry signs may consist of moss rock, brown Hackett and cultured stone. Most sign blades will be Texas Crème limestone.

All signage where needed must be reviewed and approved by the County Commissioners as well as meet the requirements of Harris and Montgomery Counties.

**C. Fees and Charges**

The Woodlands Township may charge a reasonable fee for the removal of any signs in violation of this Standard. An administration fee will also be assessed.

**APPROVALS**

**Pre-Approval**

Texas and United States flags, generic voting signs and ground lights that comply with these Standards are pre-approved and require no application, approval or inspection.

**Committee and Staff Approval**

All other activities within the scope of this Standard must be reviewed and approved in advance by the Plan Review Committee.

If for any reason it is determined by staff that an application is to be reviewed by a Plan Review Committee, it will not be eligible for staff approval and will be posted for committee review at the next available Plan Review Committee meeting.

Any signs that do not comply with this Standard require an application and must be reviewed and approved in advance by the Plan Review Committees or its designee.

### 3.6 VEHICLES, TRAILERS AND BOATS

#### A. Definitions

1. A **recreational vehicle** is a motorized vehicle, including a motor home or truck camper, which is designed to provide temporary living quarters for recreational, camping, travel or business use. Excluded from the definition of a recreational vehicle are full size cargo/conversion vans and luxury mini-vans that are used on a regular basis.
2. A **trailer** is any vehicle designed or intended to be coupled to or drawn by a motor vehicle.
3. A **mobile home** or **trailer home** is any type of trailer designed either for travel over the highways or for housing accommodations or both. (Pop up campers or similar campers are excluded from this definition.)
4. **All-Terrain Vehicle (ATV)** is a vehicle, including a dirt bike, a three-wheeler, a four-wheeler and quadracycles that are generally vehicles with low-pressure tires, usually designed with handlebars or steering controls and designed for handling a wider variety of terrain than most vehicles.

#### B. Open Storage Prohibited

Trailers, trailer homes, recreational vehicles, tow trucks, pop up campers, mobile homes, boats, ATV and other All-Terrain Vehicles, or other similar vehicles or equipment may not be parked 48 consecutive hours or more on any street or on any lot where visible at ground level from a street or adjacent property. Farm-type tractors, semi-truck tractors and trailers or other similar vehicles are not permitted to be stored on any street or on any lot where visible.

1. Commercial type vehicles may not be parked on any lot or street except during periods of pickup or delivery.
2. Business vehicles such as food trucks or business trailers may not be stored or routinely parked at any residential property.
3. Motor vehicles that are disabled or mechanically inoperable on a public street may not be parked on any street or at a location where visible at ground level from any street or adjacent property.
4. Open storage of one disabled vehicle is permitted, provided that the vehicle is covered with a customary protective vehicle cover that is in good order and repair and is a muted earth tone shade. Tarps, blankets or similar type coverings are not acceptable.
5. In the event that any vehicle (operable or disabled) is stored in the driveway with a protective cover, the cover must be a customary protective vehicle cover that is in good order and repair and is a muted earth tone shade. Tarps, blankets or similar type coverings are not acceptable.
6. Parking of recreational vehicles or trailer homes of visiting friends or relatives is permitted for no more than 10 days provided that the owner contacts The Woodlands Township in advance.
7. Periodic movement of the vehicle for the purpose of circumventing this Standard does not comply with this Standard.
8. Golf carts are allowed to be stored in public view on the driveway; and must be stored closest to the garage or under an approved covered area.

#### C. Garage Storage

Trailers, trailer houses, recreational vehicles, mobile homes and boats may be stored in a garage.

#### D. Parking on Hard Surfaced Areas

All vehicles parked on a lot must be parked entirely on concrete or other approved hard surface material. Parking on lawns, ditches, open space areas, dirt, gravel or grassy areas is prohibited. Additional hard surface materials such as driveway extensions and parking pads must be applied for and approved prior to installation.

#### E. Vehicles Parked on the Street:

These Standards cover limited topics within the jurisdiction of the Covenants. Vehicles parked on the street are within the jurisdiction of the county or other governmental agencies. Consult the appropriate agency.

### 3.7 SHORT-TERM RENTALS

The Woodlands Covenants require application and registration of short-term rental facilities being operated on a single-family lot, which is subject to the Covenants. These Standards are intended to promote the preservation, enhancement, character and enjoyment of neighborhoods and to support public safety and the natural aesthetics of property subject to the Covenants.

#### I. DEFINITIONS

##### **SHORT-TERM RENTAL(S):**

Includes any Single-Family Dwelling rented for monetary consideration for a period of time less than thirty (30) consecutive days for an amount in excess of fifteen (\$15.00) dollars per stay, not including a residency unit or hotel (this description is derived from the definition requiring collection and payment of hotel occupancy tax by the Texas Comptroller of Public Accounts). Short-Term Rental(s) include detached or attached Units.

##### **A DESIGNATED RESPONSIBLE PARTY:**

Is a person located in the local area that is available to immediately respond in person to any issues arising from the Short-Term Rental(s), whether it be related to guests, public safety, utility or other necessary inquiries. For purposes of this section of the Standard, only individuals over the age of eighteen (18) years old may be a Designated Responsible Party.

##### **A RESIDENT:**

Is considered every person domiciled on any part of the subject Property. For purposes of this section of the Standard, only individuals over the age of eighteen (18) years old may be a Resident.

##### **A UNIT:**

Is the fee simple title to any Single-Family Dwelling within the Property; and share, membership or other interest in any cooperative or other entity organized and operated for the purpose of making residential dwelling units available to its shareholders, members or other beneficiaries which share, membership or other interest entitles to the Owner thereof to possession of any Single-Family Dwelling unit within the Property. A Unit may include detached or attached Single-Family Dwelling(s), including townhouses, duplexes, triplexes, or condominiums, and excluding multi-family apartments.

##### **A HOST:**

Is a person who contracts or advertises a Unit for operation as a Short-Term Rental, as defined in this section. For purposes of this section of the Standard, only individuals over the age of eighteen (18) years old may be a Host.

##### **A SERVICE PROVIDER:**

Is a third-party company retained by the Owner, Host or Resident for the purpose of listing, advertising, managing, servicing, overseeing or otherwise maintaining the Short-Term Rental.

##### **AN OWNER:**

Is the holder of record title to the fee interest of any Unit, whether or not such holder actually resides on any part of the Unit.



## II. GENERAL APPLICATION REQUIREMENTS:

### Short-Term Rental Requirements:

- Host submits a complete application. Host is the Owner or Resident. If the Host is a non- Owner Resident, then the Owner must also sign the Application and any Hold Harmless and Release of Liability Documentation and associated documents.
- An incomplete application will not be considered.
- An application must include:
  - Completed Short-Term Rental Application;
  - Sketch or narrative describing the location of all available parking spaces;
  - Proof of insurance coverage on the Unit or portions thereof covering the hazards of the intended use and listing The Woodlands Township as a Certificate Holder.
  - May require a Compliance Deposit and/or Fee.
- A Designated Responsible Party must be established on the application and consent to be immediately available at any time during any hours of operation of a Short-Term Rental(s), providing and maintaining accurate minimum contact information on file with The Woodlands Township:
  - Address and Email address,
  - Primary and Cell Telephone Numbers, and
  - Business Address.
- All Hosts, Owners, Residents and Designated Responsible Party must sign the application, agree in writing to all terms contained in this section and execute a Short-Term Rental - Maintenance and Use Agreement on the published form of The Woodlands Township, and must agree to any and all specific conditions of approval established by the DSC and/or The Woodlands Township.
- Hosts must have the prior approval and meet all regulations, requirements and standards of any other entity or jurisdiction with authority over the use of the subject property including but not limited to sub-homeowner's associations, municipalities, county, state and federal departments and agencies.

## III. REQUIREMENTS FOR APPROVAL AND MAINTENANCE OF APPROVAL

- Prior to hosting any short-term rentals, the Host, the Owner, all Residents and Designated Responsible Party must agree in writing and sign The Woodlands Township Short-Term Rental - Maintenance and Use Agreement.
- Host's Short-Term Rental use must be compatible with and not infringe upon the residential character and/or the safety of the surrounding neighborhood. Use of the Unit for Short-Term Rental must preserve and not inhibit, the natural scenic and aesthetic beauty of the surrounding area and must not create a material safety concern in the area.
- Use of the Property for Short-Term Rental shall not cause noise, light, vibration, odor or pollutants to emanate onto any adjacent property in an amount that does or may reasonably constitute a nuisance or safety hazard to an adjacent property owner or the surrounding neighborhood. Neither Owners nor Renters are permitted to host any type of event or gathering at the rental property that might create a nuisance to the residents of the neighborhood due to excessive noise, traffic and/or crowds. The Host is responsible for ensuring that Renters are aware of and adhere to this and all other prohibitions.
- The Host, the Owner, and/or Designated Responsible Party must ensure that there is adequate parking on-site or off-site for all parties parking at the Unit as not to otherwise violate the Standards or the Covenants. Parking for Short-Term Renter(s) must be limited to the Unit's garage and/or driveway. No recreational vehicles, trailers or over-sized vehicles may be parked on or around the Unit as a result of the Short-Term Rental Use.
- Designated Responsible Party must be aware of and able to provide vehicle information for any Renter(s) currently in the Unit, including but not limited to vehicle make, model, year, color & license plate state and number.

- Trailers, trailer homes, recreational vehicles, tow trucks, pop up campers, mobile homes, boats, ATV and other All-Terrain Vehicles or other similar vehicles or equipment are prohibited.
- Permanent programmable channel type lighting or similar systems are prohibited at a Short-Term Rental Property.
- Advertising in social media of Short-Term Rental is restricted from the publication of specific street names and numbers for the property for the protection and privacy of the neighborhood and public safety. All listing services used, the specific listing numbers and URL/internet website address must be submitted to The Woodlands Township within 90 days of an approved application and be updated immediately, if and when modified in any manner.
- Host must list the DSC approval number and a direct listing or link to all requirements of the Application and The Township Covenants and Standards on all listings and advertisement(s).
- Host must timely apply for and pay all applicable hotel occupancy taxes to the State of Texas and The Woodlands Township.
- All Renters contracting with the Short-Term Rental are restricted and confirmed to be no less than Twenty-one (21) years of age.
- Written rental agreements are required and are filed with all Renters and reasonable administrative policies established related to the intake of tenants for the protection of the Property, its other occupants and the surrounding community.
- If the Property is advertised or listed with an on-line rental service, the Host must strictly abide by all applicable policies, rules, regulations and terms and conditions for listing, maintaining and hosting a Short-Term Rental established by each and every one of such services.
- Host shall ensure that no material disturbance or impact to neighbors or the neighborhood occurs, including, but not limited to, loud music, excessive noise, late night outdoor activities and/or parties or public safety matters.
- Host shall ensure that renters know that there shall be no loitering on and/or around the Unit (inside or out) in a manner which could raise concern associated with the presence of suspicious characters or the general safety of the neighborhood. Law enforcement will be alerted in the event of such activities and the Owner and Designated Responsible Party will be contacted related to any such occurrence.
- Host shall post in a conspicuous location within the Unit the following minimum information:
  - Maximum number of occupants at the Unit (may not be more than 2 people per bedroom);
  - Location of available parking and applicable parking prohibitions;
  - Quiet hours and noise restrictions;
  - Restrictions on the use of outdoor facilities;
  - Contact information for all responsible parties including Host, Owner & Designated Responsible Party;
  - Unit cleanliness requirements;
  - Trash and recycling bin pick up requirements, including but not limited to handling and placement of bins in accordance with the Covenant and Standards and proper disposal of trash and recycling;
  - Short-Term Rental Standards, terms, conditions, and the issued approval along with any other required permits or approvals.
- A Short-Term Rental application will not be considered if there are any outstanding violations of the Covenants and/or Standards against the Unit or litigation between The Woodlands Township and the Unit or Owner is pending for any reason associated with the Property.
- If the ownership of the Unit is transferred during the permitted time, then the approval automatically terminates. The new Owner and/or Host must submit a new Short-Term Rental Application. Any changes in the information submitted to the Township MUST be updated immediately in order for the approval to continue.

***This list is not all inclusive.***

#### **IV. NO WAIVER AND PROHIBITED USES**

Approval of a Short-Term Rental is not an approval of any remodeling work or a waiver of any other provision of the Covenants or Standards. Plans must be submitted and approved for any remodeling or alternations to any structure and the provisions of the Covenants or Standards, e.g., good property maintenance, parking, the requirement of a two-car garage and maximum living area must be met. Short-Term Rental facilities may not be used for commercial purposes, including but not limited to ceremonies, parties or receptions that cause an unreasonable or disproportionate impact on adjacent properties. In issuing approval for a Short-Term Rental, the failure of the DSC, The Woodlands Township, or their respective legal representatives or authorized agents to enforce the Standards, the Covenants or any portion thereof, shall in no event be considered a waiver of the right to do so thereafter, as to the same violation or breach or as to such a violation or breach occurring prior or subsequent thereto.

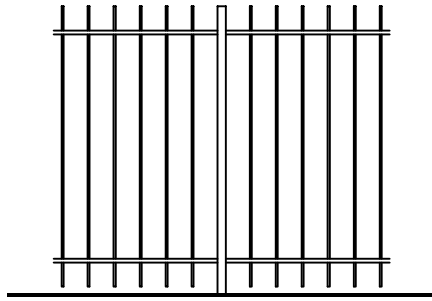
#### **V. INSPECTION AND VIOLATION**

To ensure continued compliance with the requirements of the Standards and Covenants, a Unit may be inspected upon submittal of an application for approval or upon complaint or suspicion of any violation of any Covenants or Standards or the Short-Term Rental – Maintenance and Use Agreement. The Unit may be inspected when a violation is reported or suspected in accordance with established Covenant enforcement procedures. Violation of any applicable section of the Standards and/or applicable Covenant shall constitute an offense resulting in approval revocation or any other remedy allowed by The Woodlands Township.

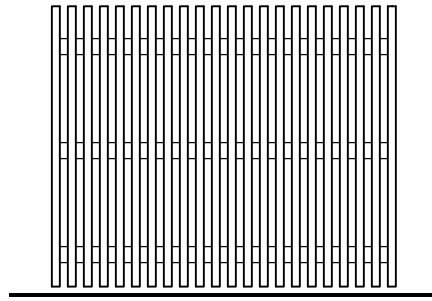
#### **VI. APPROVALS**

All Short-Term Rental applications must be reviewed and approved in advance by the Development Standards Committee of The Woodlands Township. Upon review of an application, approval will be for a period not to exceed one year or for a lesser period as determined by the DSC when the approval is issued and is subject to revocation by The Woodlands Township at any time. Additionally, an approval issued allowing a Short-Term Rental is subject to revocation if a violation of the Covenants and/or Standards occurs. Upon the expiration of the Short-Term Rental approval granted by the DSC, the Owners, Residents and Designated Responsible Party must submit a renewal application to the DSC. A renewal or extension of the Short-Term Rental approval will not be automatically granted without express approval from the DSC.

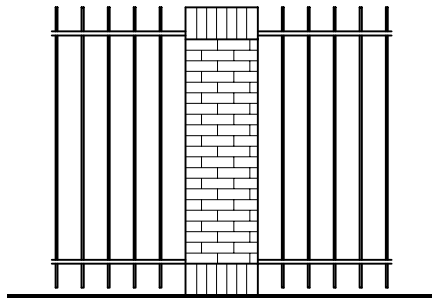
## APPENDIX A FENCE DESIGNS



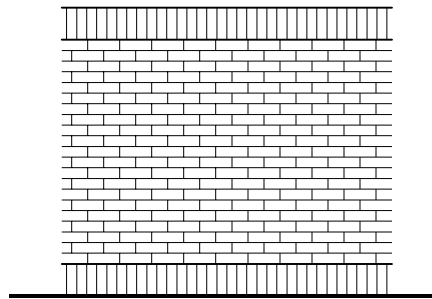
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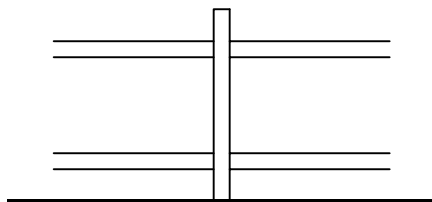
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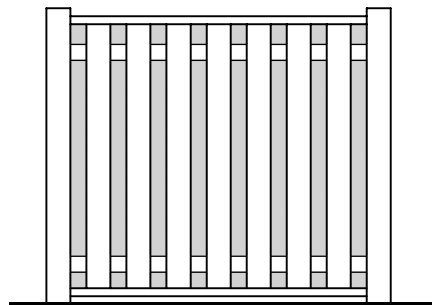
wrought iron with brick  
or masonry column  
( transparent )  
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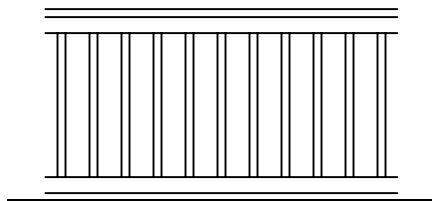
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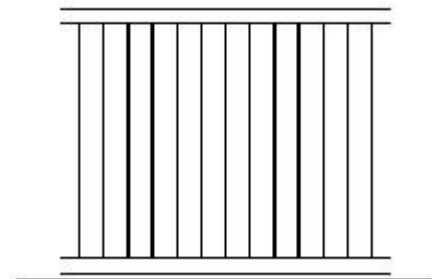
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shadow panel  
type "G"

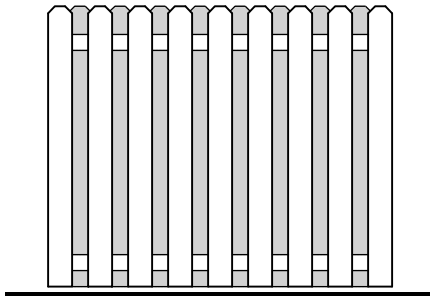


open ballister  
type "D"

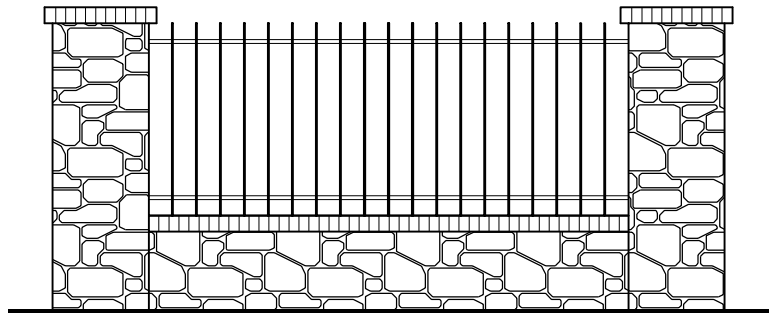


capped picket  
type "H"

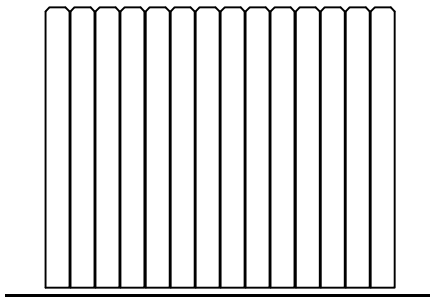
## APPENDIX A FENCE DESIGNS



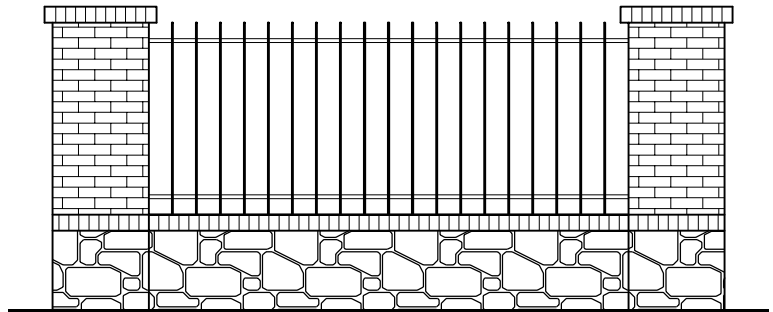
shadow box  
type "I"



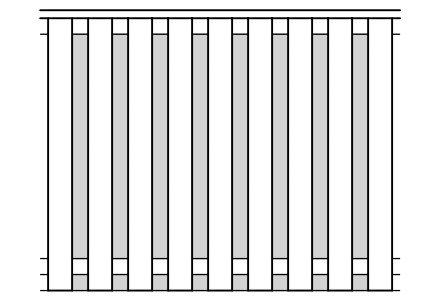
wrought iron with stone  
brick capping  
type "M"



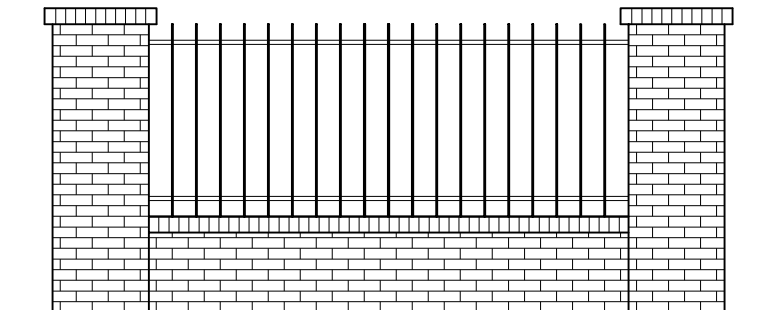
picket  
type "J"



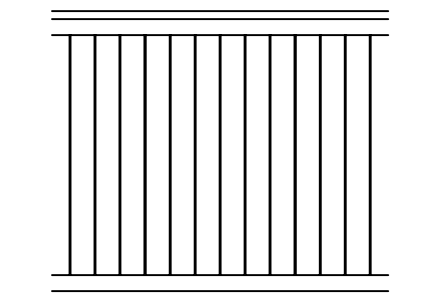
wrought iron with brick and stone  
brick capping  
type "N"



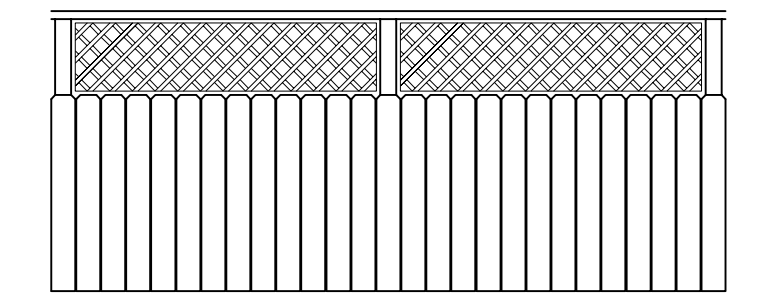
capped shadow box  
type "K"



wrought iron with brick  
brick capping  
type "O"

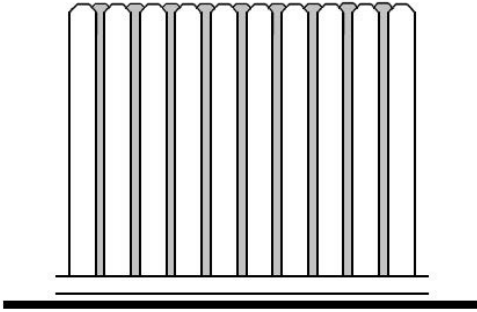


capped panel  
type "L"

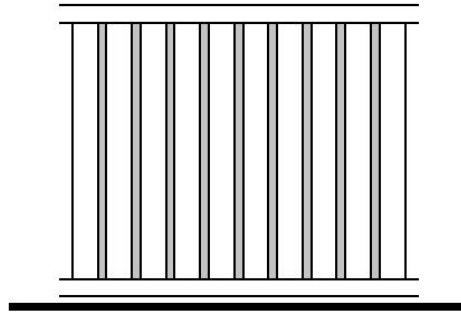


framed lattice  
picket fence  
type "P"

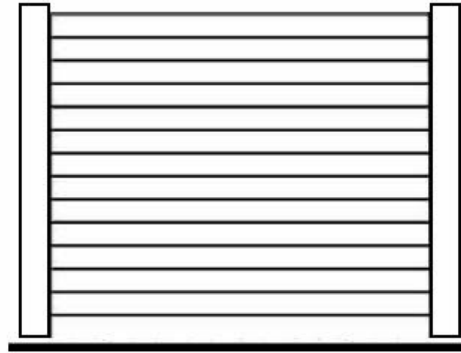
## APPENDIX A FENCE DESIGNS



board on board  
type "Q"

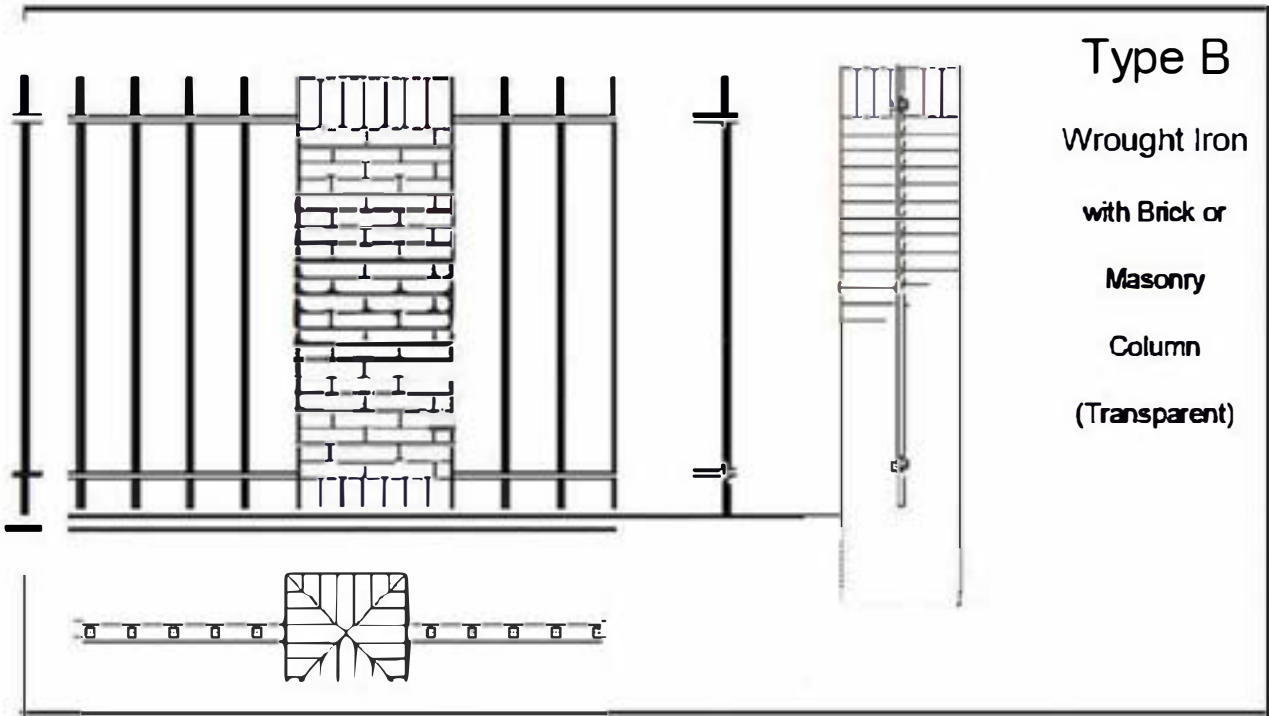
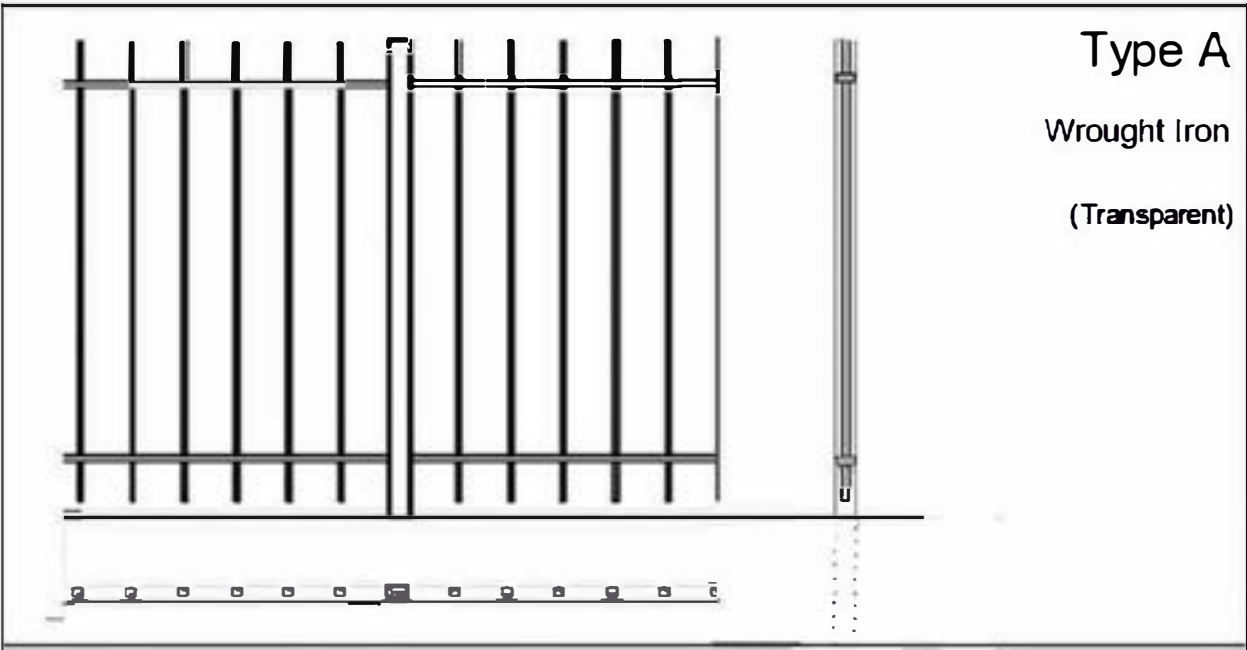


capped board on board  
type "R"

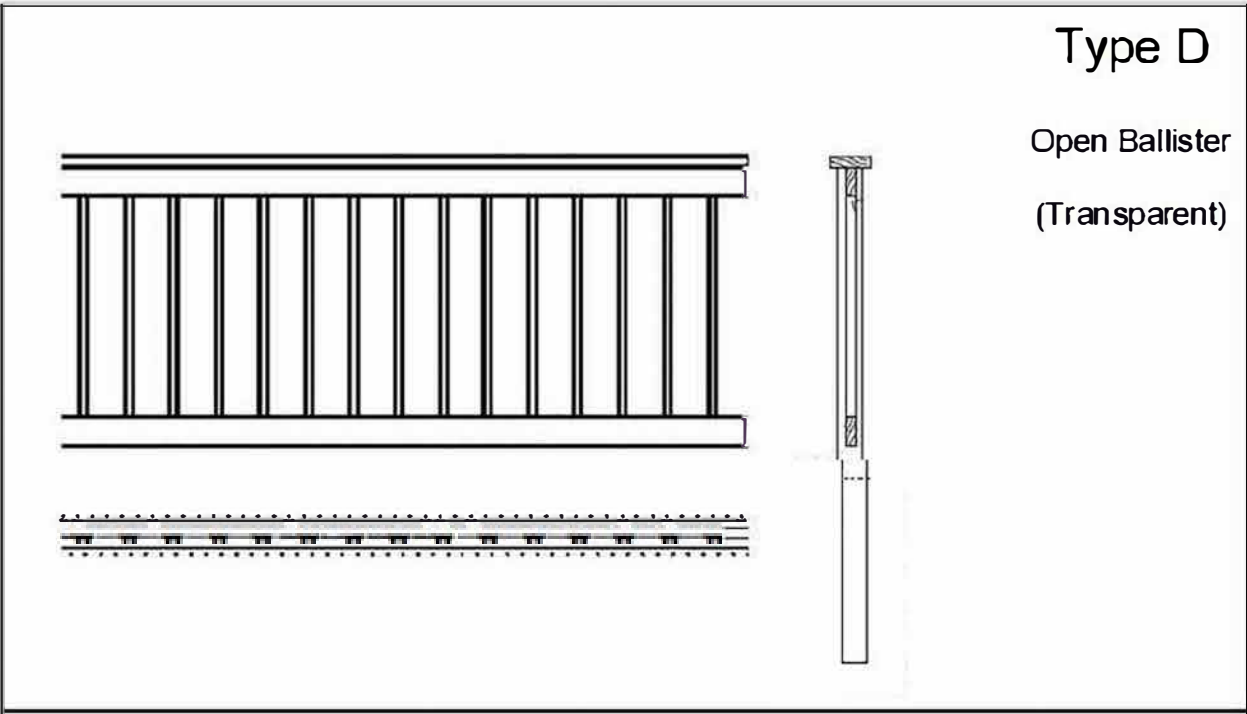
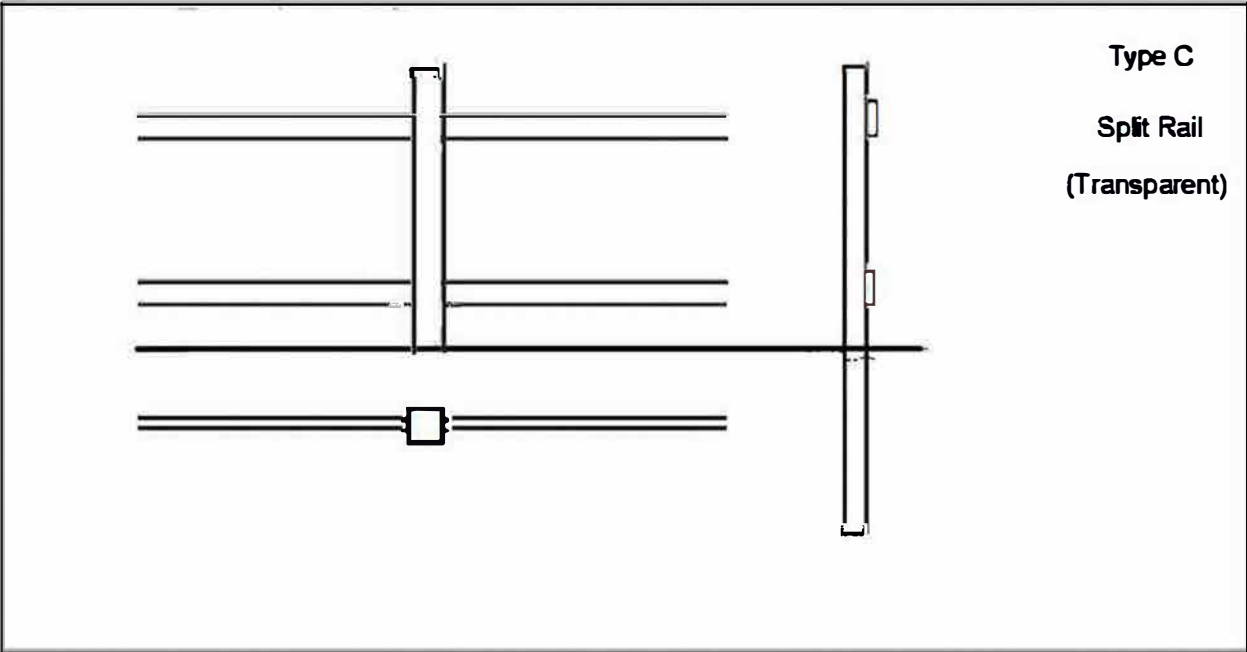


horizontal  
type "S"

APPENDIX B: CONSTRUCTION GUIDELINES FOR FENCE DESIGNS



APPENDIX B: CONSTRUCTION GUIDELINES FOR FENCE DESIGNS





## APPENDIX C FENCE STAINS

All fence stains to be Transparent or Semi-Transparent unless otherwise approved.

Consideration will be taken for neighborhood character and visibility to the street.

Screening maybe required on a case-by-case basis.



**Cedar Naturaltone**



**Redwood Naturaltone**



**Cordovan or Padre Brown**



**Drift Gray**

