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## **Waggener Ranch Architectural Control – Rules and Regulations and Minimum Construction Standards**

### **Article 1. Now That You Are Ready to Build**

As you begin planning your new custom home or renovation of your existing home, please take some time to become familiar with the Architectural Control **Rules & Regulations and Minimum Construction Standards**. This document serves as a supplement to the Waggener Ranch Covenants, Conditions and Regulations originally recorded July 31, 2001 under Comal County Clerk File No.200106024495, providing clarifications and additional regulations as authorized by the CC&R's Article 4, Section 6 and Article 8, Section 12.

Available from the Waggener Ranch POA website (<http://www.wrpoa.com>) or Architectural Control Committee.

- Article 1. Now That You Are Ready to Build
- Article 2. Builder Approval Requirements
- Article 3. Waggener Ranch Builder & Homeowner Agreement
- Article 4. WR Builder Checklist
- Article 5. Building Setbacks Sample Site Plan
- Article 6. Landscape Design Guidelines
- Article 7. Builder Insurance and Construction Start Requirements
- Article 8. WR Exterior Renovation Contractor & Homeowner Agreement
- Article 9. WRPOA ACC Pool Fencing
- Article 10. ACC Approved Sample Dark Sky Compliant Light Fixtures
- Article 11. WRPOA ACC Interior Fence Definition
- Article 12. WRPOA ACC Renovation Definitions

In addition to the above recorded document, other helpful information is available on the WRPOA website including Hot Topics in the members section and a Summary of Building Standards and Processes for New Construction and Exterior Renovations located on the primary WRPOA.com (public) page.



**Waggener Ranch Property Owners Association, Inc.**  
**Architectural Control Committee**  
**4802 South Cranes Mill Road**  
**New Braunfels, TX 78132**

**Article 2**

**Custom Builder Approval Requirements**

1. Must be a full time professional custom home builder.
2. Provide company history and resume.
3. Provide a minimum of three references from previous custom home clients of built homes \$400,000 + excluding design and lot cost.
4. Provide a list of homes built with owner contacts within the last twenty-four months.
5. Builder must have built/started a minimum of 5 homes in the prior 18 months.
6. No spec home building allowed.
7. Builder must provide Waggener Ranch \$2,500 deposit and sign builder's agreement with WR ACC before starting construction.
8. ACC review and approval of plans for building structure and landscaping drawings and specifications required on all improvements prior to start of construction.
9. Minimum Insurance: Commercial General Liability (\$1 million min.), Commercial Builders Risk (80% of value of cumulative work in place), Automobile (\$1 million min.).  
- Worker's Compensation (Statutory): Not required, but highly recommended.

**Exterior Remodeling/Renovation Builder Approval Requirements**

1. Must be a full time professional Remodeling/Renovation Builder.
2. Provide company history and resume.
3. Provide a minimum of three references from previous remodeling/renovation clients of home projects \$25,000+.
4. Provide a list of remodeled/renovated homes built with owner contacts within the last twenty-four months.
5. Builder must provide Waggener Ranch \$2,500 deposit and sign builder's agreement with WR ACC before starting construction.
6. ACC review and approval of plans for building structure and landscaping drawings and specifications required on all improvements prior to start of construction.
7. Minimum Insurance: Commercial General Liability (\$1 million min.), Commercial Builders Risk (80% of value of cumulative work in place), Automobile (\$1 million min.).  
- Worker's Compensation (Statutory): Not required, but highly recommended.

**Small Exterior Remodeling/Renovation Approval Requirements**

1. Remodeling/renovation projects under \$25,000, provide company history and resume. If work to be performed directly by owner, provide proof of qualifications.
2. Builder or owner must provide Waggener Ranch a \$1,000 deposit. ACC may reduce or eliminate this deposit requirement, depending project's scope and risk exposure.
3. ACC review and approval of plans for building structure and landscaping drawings and specifications required on all improvements prior to start of construction.

The ACC, by giving approval of a builder, makes no implicit or explicit representations or warranties of any kind for the performance, either fiscally or for the quality of actual construction, of the approved builder.

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### Article 3 - WAGGENER RANCH BUILDER / HOMEOWNER AGREEMENT

Owner: \_\_\_\_\_ Lot # \_\_\_\_\_ Street Address: \_\_\_\_\_

- 1) Builder will provide a \$2,500 deposit, written to Waggener Ranch POA before construction begins. The Builder's deposits will be refunded to the Builder upon completion of the approved or amended construction plan closing, minus any assessed fines if applicable.
- 2) Homeowner will provide a \$2,500 deposit, written to Waggener Ranch POA before construction begins. Deposit typically applies to any improvements not completed by the builder for which the homeowner is responsible for completing as indicated in the approved plans and this builder/homeowner agreement such as, but not limited to, landscaping, out-building construction, pump house construction, fencing and gates, pool construction. Homeowner deposit will be returned upon completion of all improvements, minus any expenses incurred by the WRPOA, if applicable, to bring the improvements into compliance and complete construction.
- 3) Construction of improvements by Builder, Homeowner, or any other contractor will be per the Waggener Ranch Covenants, Conditions and Restrictions (CC&Rs) and administered by the Architectural Control Committee (ACC).
- 4) Two sets of plans are to be submitted to the ACC. One plan will be signed after approval or agreed upon corrections have been made and given to the owner or builder.
- 5) All "off-sites" detached construction improvements including but not limited to pump houses, water tanks, fences, gates, landscaping, address rocks, etc. must be submitted to ACC for approval before construction of these items begin.
- 6) Homeowner is encouraged to submit a landscaping plan (drawing & specifications) for approval as soon as practical but no later than 60 days before Substantial Completion along with proposed landscaping contractor if not installed under the custom home builder contract. Landscaping shall be completed no later than sixty (60) days after Substantial Completion of the Living Unit. In lieu of homeowner submitted plan, the minimum landscaping plan as identified in the Landscape Design Guidelines shall be installed.
- 7) Plans must be signed by the ACC before construction begins.
- 8) Builder agrees to provide insurance as required in separate document "builder Insurance Minimum Requirements" (attached to this document).
- 9) Prior to construction, builders are required to put stabilized fill & culvert (temporary or permanent) where the driveway will be located. The fill must be packed against the road to prevent damage as trucks drive on and off the road during construction.
- 10) The driveway(s) must be made of concrete for the area from the road to the property line and from the property line plus an additional 50 feet length. Culvert pipe ends must be cut flush with minimum 3:1 slope and encased in concrete as well. Culverts must also meet Comal County standards and be the same as other culverts within Waggener Ranch. A drawing of the culvert plan must be submitted.
- 11) In addition to a trash dumpster (30 yard minimum), an anchored port-o-can must be in place before construction begins. Location of dumpster and port-o-can must be shown on plans.

## WAGGENER RANCH BUILDER / HOMEOWNER AGREEMENT

- 12) Trash must be picked up daily. If there is trash on the construction site, and notice has been given that it must be picked up, the owner or builder has two days to remedy or risk a \$250 fine for each instance.
- 13) Unapproved changes to the exterior of the home-site (design, color changes, substitutions of approved building materials, etc.) without prior written approval by the ACC may result in withholding of all or a portion of the builder's deposit. Additionally, a lien may be placed on the property if the changes are deemed inappropriate by the ACC.
- 14) No exterior lighting (temporary or permanent) may be constructed or installed on any Lot without the prior written approval of the ACC.
- 15) Before construction begins, metal "T" posts shall be driven along both sides of the entrance road for a distance of 100 feet from the entrance road to the building site to delineate the boundaries of the entrance road. Keep construction traffic and materials off of the Natural Vegetation Preserve areas. To prevent asphalt road damage, vehicles are not allowed to park on edge of asphalt roadways.
- 16) Builder will be responsible for the payment of repairs/improvements to asphalt roadway damage in front of building lot.
- 17) Builder signs must be made of wood or metal and painted in an appropriate manner to complement the ranch. It is advisable to review sign design with the ACC. All builder signs must be removed from property within 2 weeks of completion and move-in. A \$250 fine will be assessed if the ACC has to remove the sign.
- 18) Builder must review location of electrical transformer/panel/power supply to residence before permanent placement. These items are encouraged to be placed with minimal view from the roadway and as far back from the road as reasonably possible.
- 19) Construction hours are from 7:00 a.m. to 6:00 p.m. Monday-Saturday during Standard Time. During Daylight Savings Time, construction hours are from 7:00 am to 7:00 pm. No work on Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day. Contact the ACC to request exceptions, such as on concrete pour days.
- 20) Due to the exotic wildlife and the safety of our residents, speeding in Waggener Ranch by anyone will not be tolerated. Builders will be issued one warning on any one vehicle. After the second warning, and at the discretion of the ACC, the builder may be fined and/or the vehicle banned from the Ranch. Depending on the severity and frequency of the events, the ACC may levy fines of up to \$250. It is up to the builder to properly notify his workmen. **The speed limit is 25 MPH** and is posted throughout the ranch.
- 21) As per Article 4, section 7 of the CC&Rs, the ACC committee has the right to disapprove a Builder. In the event the ACC committee does not disapprove a Builder within 10 days of the notification of Builder or submission of marked plans with Builder's name along with all required Builder's approval review documents, the right of approval by the ACC is waived.
- 22) Final Completion of Construction. The construction of all improvements including any associated out buildings and landscaping must be completed within one year from the date that construction is commenced, subject to force majeure delays. The Builder/Homeowner contract Substantial Completions date shall be sufficiently earlier to allow completion of any outstanding improvements required to achieve Final Completion. Home is not to be occupied until all parties to the agreement agree that the residence is ready for occupancy.

WAGGENER RANCH BUILDER / HOMEOWNER AGREEMENT

Builder Signature \_\_\_\_\_ Date \_\_\_\_\_

Builder Name \_\_\_\_\_

Homeowner Signature \_\_\_\_\_ Date \_\_\_\_\_

Homeowner Name \_\_\_\_\_

ACC Signature \_\_\_\_\_ Date \_\_\_\_\_

ACC Name \_\_\_\_\_

ACC Signature \_\_\_\_\_ Date \_\_\_\_\_

ACC Name \_\_\_\_\_

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## **Waggener Ranch Architectural Control Committee Builder Check List**

### **Article 4**

1. ACC expectation is drawing and specification submittals will be complete, well planned and consistent with WR CC&Rs.
  - a. Incomplete submittals of drawings and specifications will be not be reviewed and returned for completion.
  - b. ACC requires two sets of plans. 1-ACC records, 1-approved to build for owner.
2. Following plan approval, builder must attend pre-construction meeting with homeowner and ACC representative.
3. Builder and homeowner must read, agree to and sign Builder / Homeowner Agreement.
4. Submit \$2,500 builder and homeowner deposit checks each made out Waggener Ranch Property Owners Association.
5. Be prepared to discuss at pre-construction meeting plans which display:
  - a. Services and Equipment locations and visual screening of permanent equipment:
    - i. Temporary construction utilities, waste disposal services, parking & storage areas, signage, site access, drainage & erosion controls, etc.
    - ii. Protection of Natural Vegetation Preserve along all property lines
    - iii. Permanent Water well, Septic, Propane, Electrical, HVAC, Pool
  - b. Main house structure and other approved out structures site layout locations, floor, foundation & roof plans, and elevations. Main building footprint markers to be set by licensed surveyor. Walk site to identify:
    - i. 100' or more building set back from front property line 25' or more set back from other property lines (refer to CC&Rs Article 5, section 2, Article 8, sections 6,13,15 & 17 and addendums)
    - ii. Placement of driveway
    - iii. Tree Removals and offsetting replacement nursery stock as well as protection of existing trees not marked for removal.
    - iv. Tank locations above/below ground (water, septic, propane, other)
    - v. Electric below ground required to home. Electrical transformer/panel/power supply is encouraged to be placed with minimal view from the roadway and as far back from the road as reasonably possible.
    - vi. Roof penetrations restricted to rear and side elevations
    - vii. Lot Drainage - Drainage Plan submittal approval and erosion and sediment runoff controls for protection of established drainage patterns
    - viii. Landscaping plans
  - c. Other Discussion items and expectations:
    - i. Site Safety Plan and Emergency Contact Phone Numbers
    - ii. Construction period within one year for Final Completion of all improvements, Substantial Completion earlier. Work schedule days & hours
    - iii. Upon Final Completion the site will be restored to its natural condition to no longer resemble a construction site
    - iv. Development gate access code
    - v. Waggener Ranch speed limit **25 mph** will be strictly enforced
    - vi. Required submittals of exterior stone, roof, stucco, trim color samples
    - vii. Lighting restrictions
    - viii. 8" minimum fascia at roof line
    - ix. Chimney cap or shroud for finished look versus exposed spark arrestor.
    - x. First 50' from property line of driveway plus space to existing roadway in concrete. Metal culvert with concrete apron. 4' width of grass on sides length that can be seen from street or neighbors tapered for proper drainage and erosion control or ACC approved alternate.



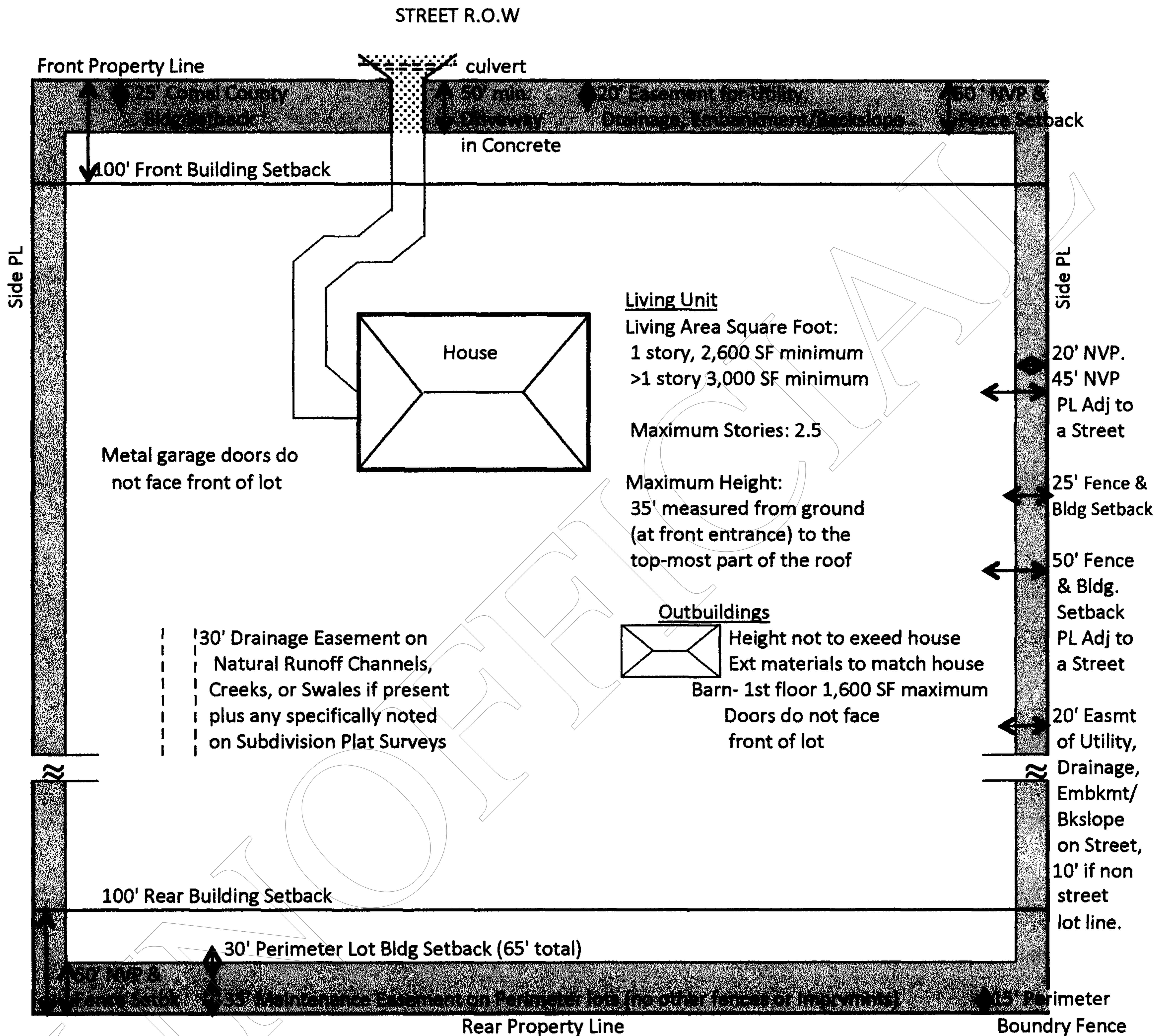
## **Waggener Ranch Architectural Control Committee Builder Check List**

- xi. Approved Entry Gate and Fences
- xii. Temporary facilities & site organization & cleanup – porta-toilets anchored, dumpsters, **clean-up daily**
- xiii. No burning, fireworks or firearms permitted
- xiv. Protection of free roaming exotic and white-tailed deer
  - 1. Do not feed or engage in any manner.
  - 2. **DO NOT** leave any string lines, pull string/twine, rope, netting, plastic barricade tape, plastic fencing or similar materials in open at the end of each workday. **WR deer WILL** become entangled in this material.
- xv. Noise and dust control. Do not play radios and sound systems volume to be heard off site. Use wet vs dry saws when cutting stone, pavers and tile.
- xvi. Before construction begins, metal "T" posts shall be driven along both sides of the entrance road for a distance of 100 feet from the entrance road to the building site to delineate the boundaries of the entrance road. Keep construction traffic and materials off of the Natural Vegetation Preserve areas. To prevent asphalt road damage, vehicles are not allowed to park on edge of asphalt roadways.
- xvii. Builder will be responsible for the payment of repairs/improvements to asphalt roadway damage in front of building lot. Take photos of condition of roadway in front of site before starting construction.

**This Check List IS NOT a substitute for the Declaration of Covenants, Conditions and Restrictions or Waggener Ranch ACC rules and regulations for minimum construction standards.**



Waggener Ranch Architectural Control Committee - Property Easements & Setbacks  
 Article 5



Natural Vegetation Preserve (NVP) - 20' from each interior side PL, 45' from each side lot PL that is adjacent to a street and 50' from front and rear Property Lines (PL)

Refer to the Declaration of Covenants, Conditions and Restrictions and Subdivision Plat for additional building requirements.



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## **Landscape Design Guidelines**

### **Article 6**

Experience has shown that as an oversight, our WR owners often do not budget for landscaping in their new custom home or exterior renovation contractor's contract scope of work nor do they make provisions for a separate landscaping contract.

#### **A. Requirements**

##### **1. Protection of the Waggener Ranch Natural Environment**

The desire to preserve the integrity of the land and wildlife has been the driving force behind the Waggener Ranch community's design. Strict covenants protect not only the natural ambiance of the Hill Country, but residents' property values as well.

##### **2. Minimum Landscaping**

Homeowner is encouraged to submit a landscaping plan (drawing & specifications) for ACC approval as soon as practical but no later than 60 days before Substantial Completion along with proposed landscaping contractor if not installed under the custom home builder contract. Landscaping shall be completed no later than sixty (60) days after Substantial Completion of the Living Unit. In lieu of homeowner submitted plan, the following minimum landscaping plan shall be installed:

- a. **Hardscapes:** Preserve natural site drainage patterns away from the new home & provide erosion control, septic field, driveways/walkways, service equipment hardscape or softscape screening, address stone, any exterior lighting fixtures shall be dark sky compliant.
- b. **Softscapes:** Protection of the Natural Vegetation Preserve along all property lines, return the site to its natural condition to no longer resemble a construction site. This would include restoration of disturbed areas with a predominate Little Bluestem native grass seed mix and other native vegetation indigenous to Comal County. Protect during construction to mitigate restoration required post construction.
- c. If no landscaping plan is submitted and the property is not restored to meet the above minimum hardscape and softscape standards no later than 60 days of substantial completion, the WRPOA may apply the homeowner's deposit toward bringing the property into compliance.

##### **3. ACC Approval**

If landscaping improvements are anticipated, ACC approval of your landscaping is a similar process to your new custom home or existing home exterior improvements. Plan approval and landscape contractor approval, if not installed under previously approved

custom builder contract, is required before your landscaping construction begins. Drawings & specifications should cover both softscapes (plants) and hardscapes (fencing, gates, exterior lighting, drainage, irrigation, water well & pumping facilities, patios, decks, pools, spas, ponds, retaining walls, rock beds, fire circles, berms, exterior sound systems, flag poles, gazebos, statuary & yard art, etc.).

All landscaping installed by an homeowner shall comply with the Landscape Design Guidelines (CC&Rs Article 8, Section 12). Removal of dirt and 6"+ diameter trees from any lot is permitted only in conjunction with an approved landscaping plan (CC&Rs Article 8, Section 35). The ACC may require additional plantings of large native nursery stock trees to offset the total diameter at breast height (DBH), or 4.5 feet above the ground of mature existing native trees removed for the Living Unit and outbuildings construction.

#### **4. Invasive Species Plants Not Approved**

Invasive species plants are plants that are not native to Texas, often from Asian countries and can become a serious problem because they don't have natural controls or enemies to keep them in check. They escape from gardens and home landscapes into the wild and crowd out the native wild flowers, shrubs and trees in our WR wildlife habitats and environment.

Refer to the following for the invasive species plants not approved for Waggener Ranch.

Texas Invasive Plant and Pest Council  
[http://texasinvasives.org/plant\\_database/cn\\_results.php](http://texasinvasives.org/plant_database/cn_results.php)

### **B. Recommendations**

#### **1. Add Value to Your Property**

Studies have shown installing well designed and maintained landscaping can add 12 to 15 percent of value to a home.

An adequate landscaping plan is a key aspect of any building project. Expeditious completion of your landscape plan will add a superb "finishing" touch to your new home. Landscaping and irrigation in the Hill Country can be a challenge. In addition, our beloved WR wildlife have some special dietary favorites. Please consult with some of your established WR neighbors to garner any success/failure stories.

#### **2. Master Plan**

Your landscaping plan does not need to be installed all at once. The key is to develop a master plan for your landscaping design before the first plant or hardscape is installed. If you choose to install portions over several years, you will be working toward implementing a design that has unity, balance and a sense of place rather than one that may appear disordered or fragmented. A good master plan will include allowances for infrastructure to support future phases and for reduced maintenance.

#### **3. Plants**

Drought tolerant native trees, shrubs, perennials, vines, cacti and succulents, ornamental & turf grasses.

Native plants do much more than add beauty to our WR landscape. Birds, butterflies and other wildlife rely on them for food, shelter and a place to raise their young. Native plants have evolved to grow and thrive in our local soils with sporadic rainfall, and once established, they require very little care or watering.

For example vegetation improvements to front of the home could include: Autumn Sage *Salvia Greggii* and Mexican Bush Sage *Salvia Leucantha* perennials and trees such as Texas Redbud *cercis canadensis var. texensis*, Big Tooth Maple *acer grandidentatum*, Texas Mountain Laurel *sophora secundiflora* Temporarily protect individual or groups of trees from free roaming deer with individual caging until they grow out of reach of the browse line and their bark thickens. Refer to the Landscaping Tips in the Members section of the Waggener Ranch POA website [www.wrpoa.com](http://www.wrpoa.com) for additional plant lists, design, installation and protection ideas specific to the WR ecosystem environment.

A couple of outstanding landscaping guide books with plant lists for our area:

a. **Comal County Gardening Guide** published by and available from the Comal County Master Gardeners and local nurseries.  
<http://txmg.org/comal/information/> or email [guide@comalmastergardeners.org](mailto:guide@comalmastergardeners.org)

b. **Native and Adaptive Landscaping Plants** published by and available from the City of Austin or Comal Master Gardeners and local nurseries. Also a similar plant searchable database available online:  
[www.ci.austin.tx.us/growgreen/plantguide/searchplant.cfm](http://www.ci.austin.tx.us/growgreen/plantguide/searchplant.cfm)



**Waggener Ranch Property Owners Association, Inc.  
Architectural Control Committee  
4802 South Cranes Mill Road  
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**BUILDER INSURANCE MINIMUM REQUIREMENTS  
FOR BUILDS STARTING ON OR AFTER MARCH 1, 2014**

Article 7

- A. Commercial General Liability (CGL):**
- \$1 Million minimum
  - Homeowner & WRPOA named as additional insured
  - 30 day notice of cancellation to WRPOA
- B. Commercial Builders Risk:**
- 80% of value of cumulative work in place
  - Note site address required on certificate
  - 30 day notice of cancellation to WRPOA
- C. Automobile:**
- \$1 Million minimum
  - Include coverage for owned and non-owned autos
  - Homeowner & WRPOA named as additional insured
  - 30 day notice of cancellation to WRPOA
- D. Workman's Compensation (Statutory): NOT REQUIRED, BUT HIGHLY RECOMMENDED**

**Certificates of Insurance are to be sent directly from builder's insurance agent to the above WRPOA ACC address.**

**Construction approved to start only after:**

1. Plan drawings and specifications approved by ACC
2. Custom Builder Approval by ACC, Builder's Agreement executed with \$2,500 deposit received.
3. Builder's Insurance certificates reviewed and accepted by ACC
4. Builder and Homeowners attend pre-construction meeting with ACC
5. Port-a-let, dumpster, culvert & T-post entrance barriers on site

# WAGGENER RANCH EXTERIOR RENOVATION CONTRACTOR / HOMEOWNER AGREEMENT

## Article 8

Owner: \_\_\_\_\_ Lot # \_\_\_\_\_ Street Address: \_\_\_\_\_

- 1) Construction of improvements will be per the Waggener Ranch Covenants, Conditions and Restrictions (CC&Rs) and administered by the Architectural Control Committee (ACC).
- 2) Two sets of plans are to be submitted to the ACC. One plan will be signed after approval or agreed upon corrections have been made and given to the owner or contractor.
- 3) Plans must be signed by the ACC before construction begins.
- 4) Unapproved changes to the exterior of the home-site (design, color changes, substitutions of approved building materials, etc.) without prior written approval by the ACC may result in withholding of all or a portion of the contractor's deposit.
- 5) There will be a \$2,500 (\$1,000 on projects < \$25,000) refundable deposit, written to Waggener Ranch POA before construction begins.
- 6) **The posted speed limit is 25 MPH.** Due to the exotic wildlife and the safety of our residents, speeding in Waggener Ranch by anyone will not be tolerated. Contractors will be issued one warning on any one vehicle. After the second warning, and at the discretion of the ACC, the contractor may be fined and/or the vehicle banned from the Ranch. Depending on the severity and frequency of the events, the ACC may levy fines of up to \$250. The contractor has the responsibility to notify his workmen and any subcontractors. The ACC retains the right to enforce any fines resulting from subcontractor actions against the general contractor.
- 7) Do not engage or feed the free roaming wildlife. Construction personnel are not authorized to use community lakes and parks.
- 8) Keep construction traffic and materials off of the Natural Vegetation Preserve areas. To prevent asphalt road damage, vehicles are not allowed to park on edge of asphalt roadways. Contractor will be responsible for the payment of any repairs to asphalt roadway required due to damage caused by the contractor in front of building lot.
- 9) Trash must be picked up and the work site keep clean daily. If there is trash on the construction site, and notice has been given that it must be picked up, the owner or contractor has two working days to remedy or risk a \$250 fine for each instance.
- 10) In addition to an appropriate sized trash dumpster, a port-o-can must be in place before construction begins unless owner agrees to provide adequate trash container and access to toilet facilities in the home, garage, etc.
- 11) No exterior lighting (temporary or permanent) may be constructed or installed on any Lot without the prior written approval of the ACC.

# WAGGENER RANCH EXTERIOR RENOVATION CONTRACTOR / HOMEOWNER AGREEMENT

- 12) Contractor signs must be made of wood or metal and painted in an appropriate manner to complement the ranch. It is advisable to review sign design with the ACC. All contractor signs must be removed from property within 2 weeks of completion and acceptance by owner. A \$250 fine will be assessed if the ACC has to remove the sign.
- 13) Construction hours are from 7:00 am to 6:00 pm Monday-Saturday during Standard Time. During Daylight Savings Time, construction hours are from 7:00 am to 7:00 pm. No work on Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day. Contact an ACC member to request an exception, such as concrete pour days.
- 14) As per Article 4, section 7 of the CC&Rs, the ACC committee has the right to disapprove a Contractor. In the event the ACC committee does not disapprove a Contractor within 10 days of the notification of Contractor or submission of marked plans with Contractor's name and required contractor approval documentation, the right of approval by the ACC is waived.
- 15) Contractor will maintain all required insurance current until project completion.
- 16) The Contractor's deposits will be refunded to the Contractor upon completion including removal of dumpster, port-a-can, etc. and final cleanup of the worksite, minus any assessed fines if applicable.

Contractor  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Contractor  
Name \_\_\_\_\_

Owner  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Homeowner  
Name \_\_\_\_\_

ACC Signature \_\_\_\_\_ Date \_\_\_\_\_

ACC Name \_\_\_\_\_

ACC Signature \_\_\_\_\_ Date \_\_\_\_\_

ACC Name \_\_\_\_\_



**Waggener Ranch Property Owners Association, Inc.**  
**Architectural Control Committee**  
**4802 South Cranes Mill Road**  
**New Braunfels, TX 78132**

**Article 9**

The Declaration of Covenants, Conditions, and Restrictions for Waggener Ranch speaks to swimming pools in Article 8, Section 23 as shown below:

*Section 23. Swimming Pools. No swimming pool may be constructed on any Lot without the prior written approval of the Architectural Control Committee. Each application made to the Architectural Control Committee shall be accompanied by plans and specifications for the proposed swimming pool construction to be done on such Lot, including a site plan and Schematic Plan showing the location and dimensions of the swimming pool and all related improvements, together with the plumbing and excavation disposal plan. The Owner shall be responsible for all necessary temporary erosion control measures required during swimming pool construction on said Lot to insure that there is no erosion into the streets, lakes, tanks, or other lots. In no event shall swimming pools be drained or permitted to discharge water into the streets, lakes, tanks, or other Lots. All swimming pools must be enclosed with a fence (approved by the Architectural Control Committee) that is adequate to prevent unauthorized access to the swimming pool and complies with applicable law.*

The fencing requirement is vague in specificity; therefore the ACC adopts the interpretation as follows.

In general a fence that is in compliance with Article 8, Section 17 will generally be adequate to meet Section 23 requirements for swimming pool fencing.

While the above is a minimum guideline for pool fencing, the Architectural Control Committee will review each case independently during the review process. It is important that the fencing plan is included as a part of the package.

The ACC strongly recommends that owners and contractors carefully consider safety factors during the design and planning of the swimming pool. Below are just a few items to consider:

1. Consider a close proximity fence to the pool itself, defining a "pool yard". It should be four to five foot high with self closing/self latching gates.
2. Gate latches should be near the top if accessible from the outside of fence (42 inches high if the only method of access is with a key or electronic keypad).
3. Gates latches should be lockable so that the owner can secure the pool yard when away.
4. Consider door alarms for each door that has direct access to the pool yard.
5. Check with the Homeowners Insurance Carrier to ascertain any particular requirements.



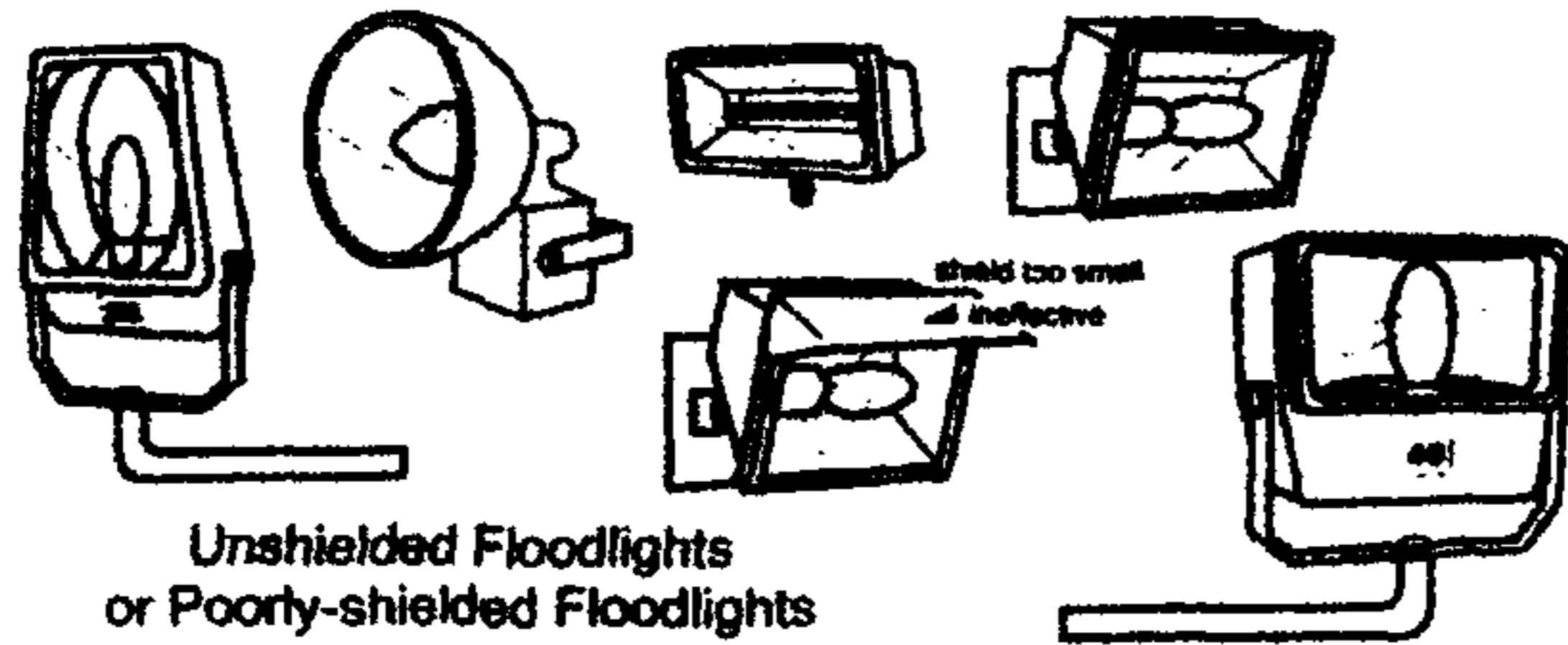
# Better Lights for Better Nights

Help eliminate light pollution. Select the best fixture for your application using this guide. Use the lowest wattage bulb appropriate for the task and turn off the light when it's not being used.

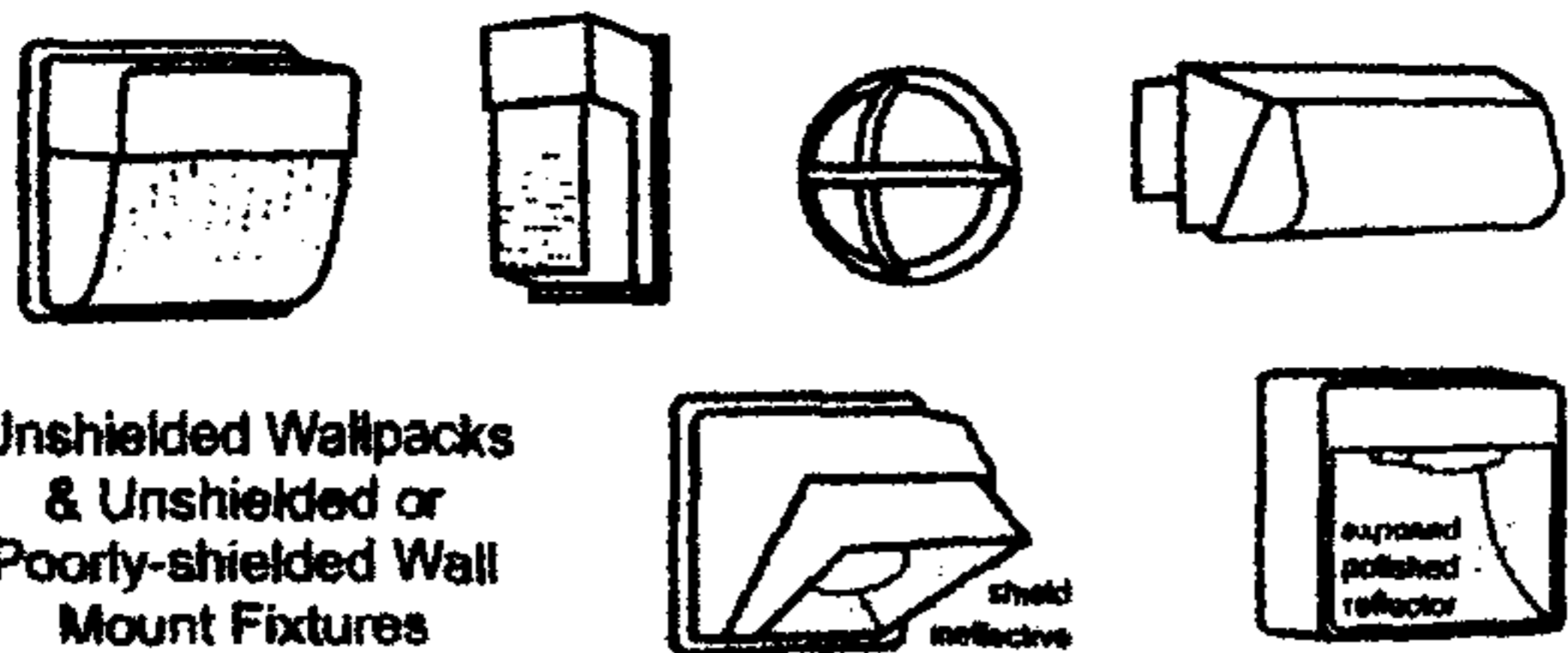
## Article 10

### Unacceptable / Do Not Use

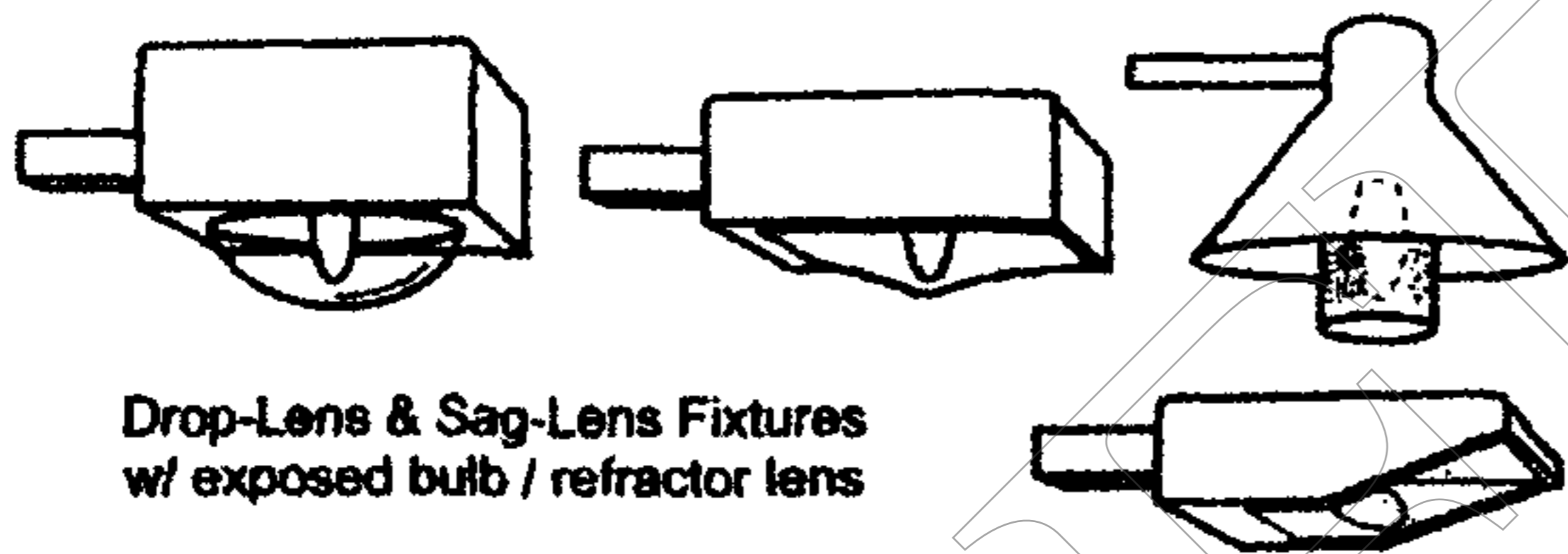
Fixtures that produce glare and light trespass



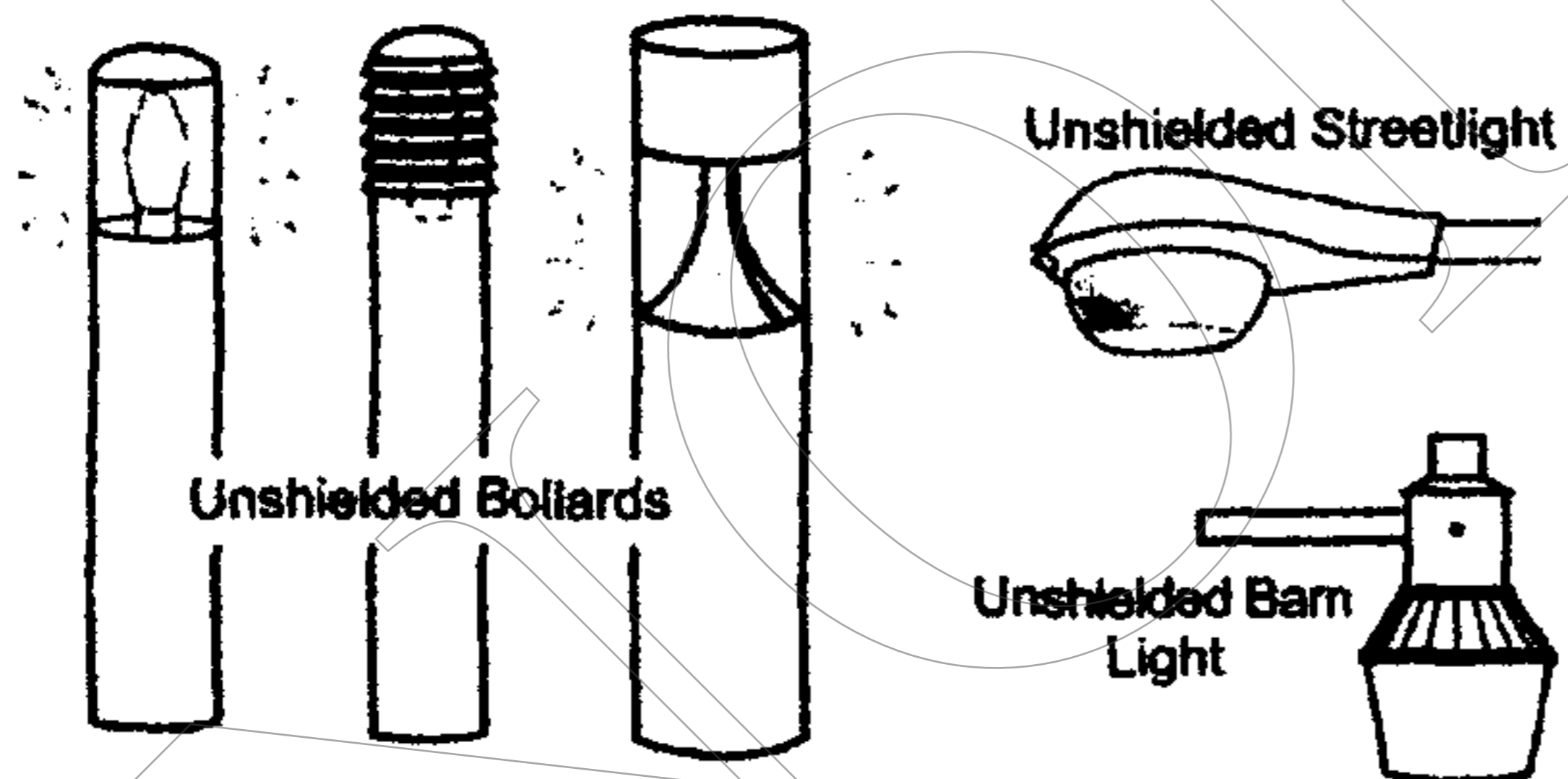
Unshielded Floodlights or Poorly-shielded Floodlights



Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures



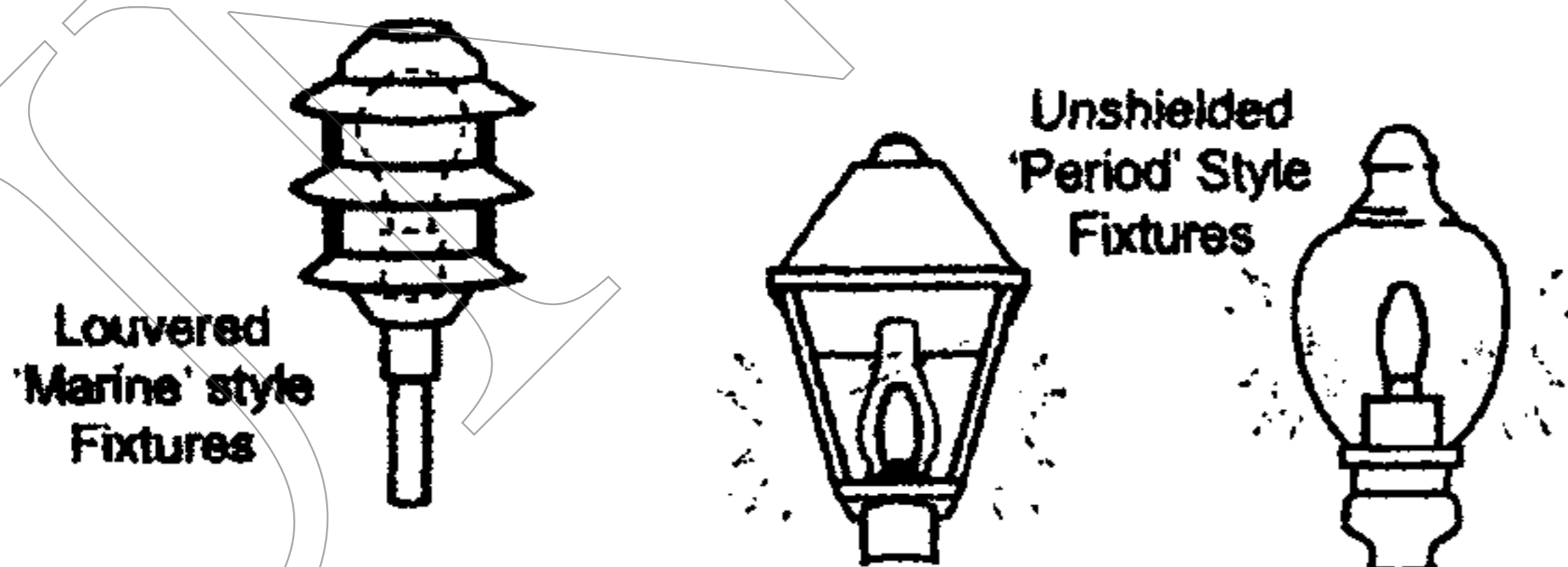
Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens



Unshielded Bollards

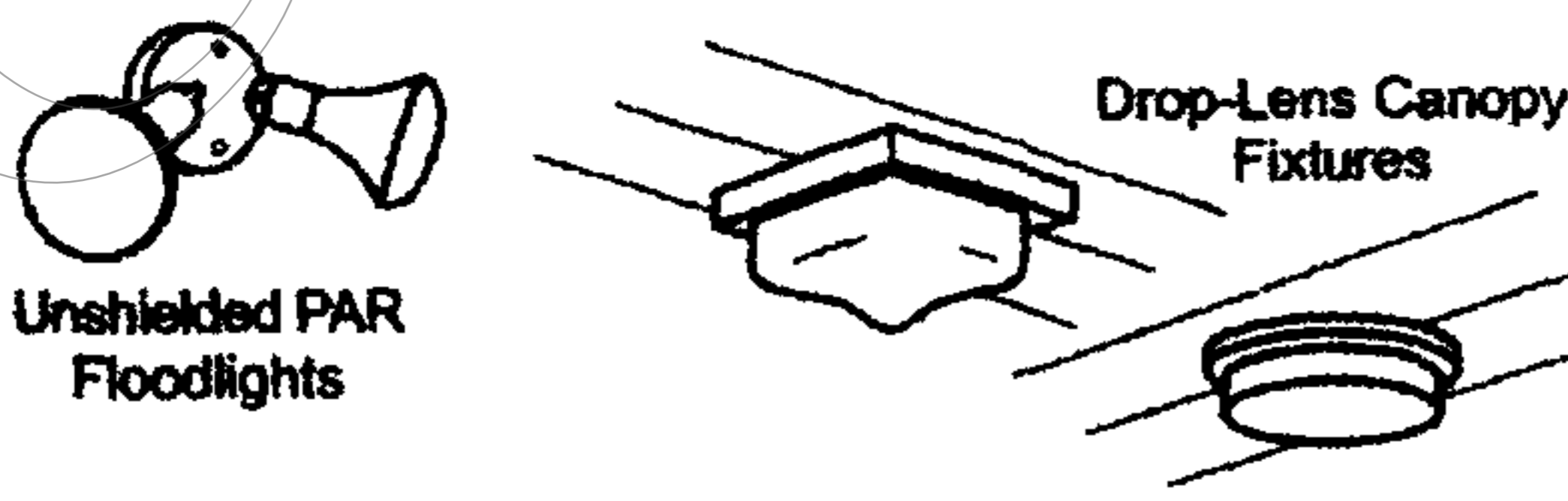
Unshielded Streetlight

Unshielded Barn Light



Louvered 'Marine' style Fixtures

Unshielded 'Period' Style Fixtures

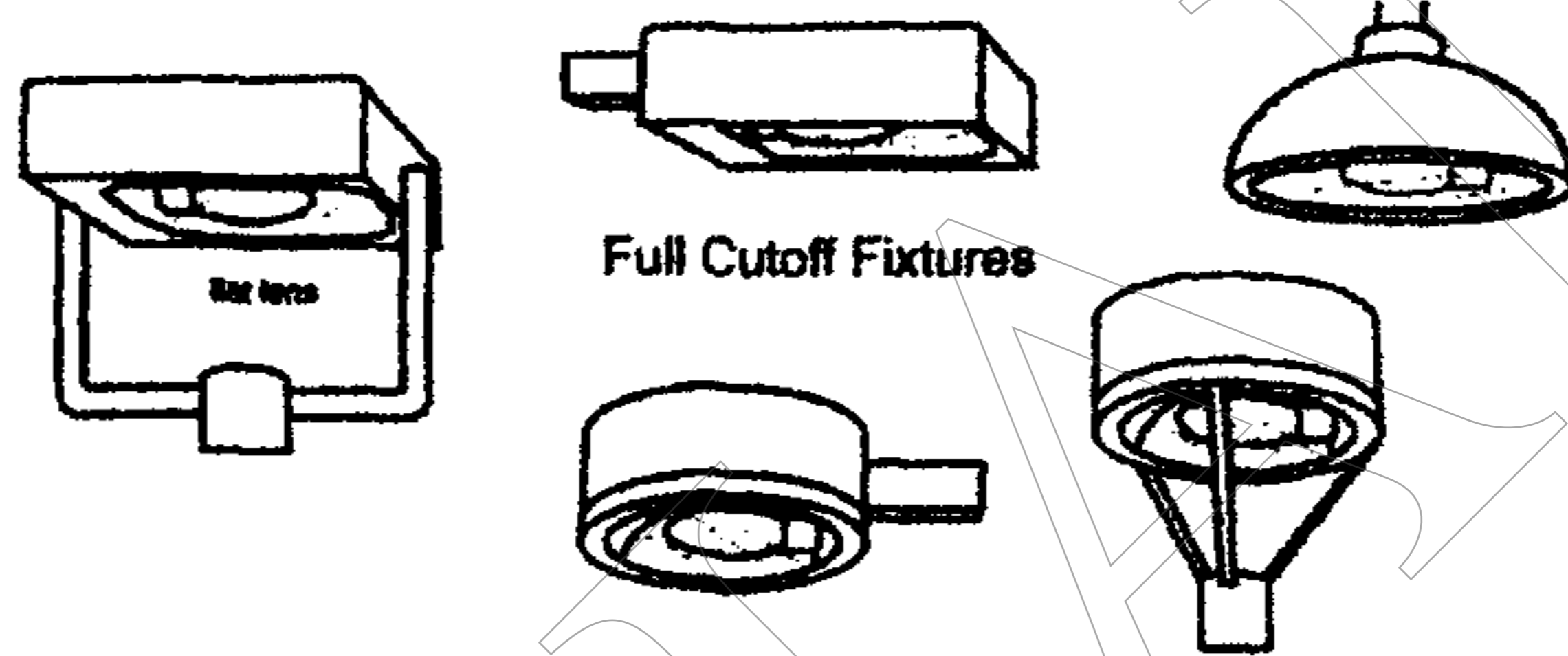


Unshielded PAR Floodlights

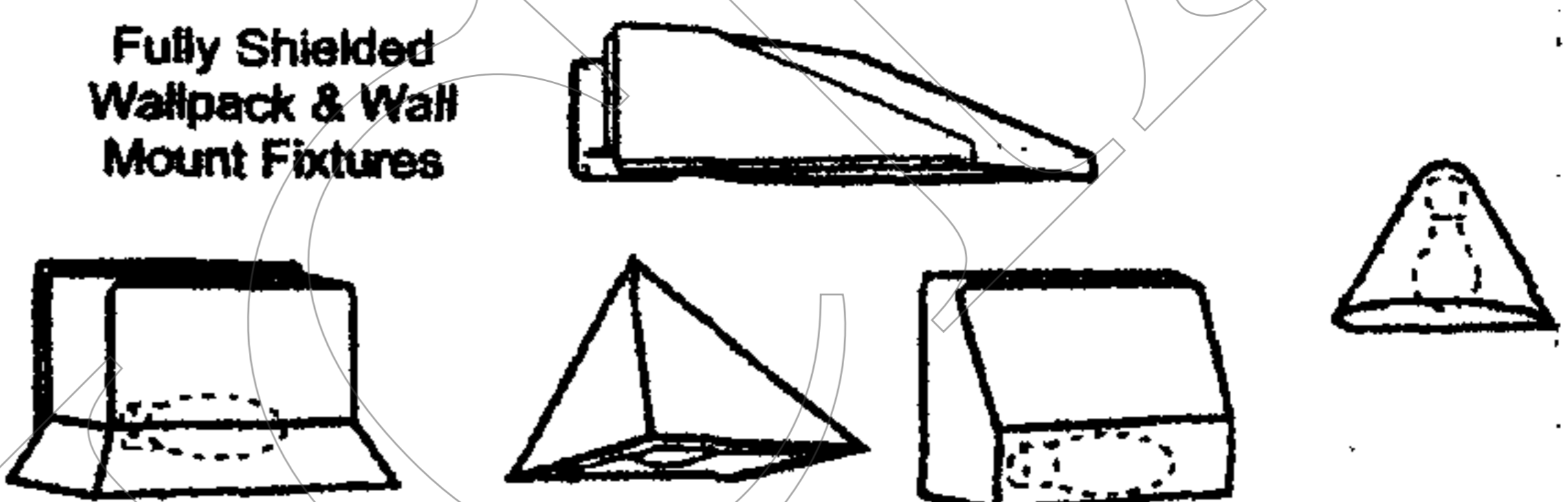
Drop-Lens Canopy Fixtures

### Usually Acceptable / May Need Shielding

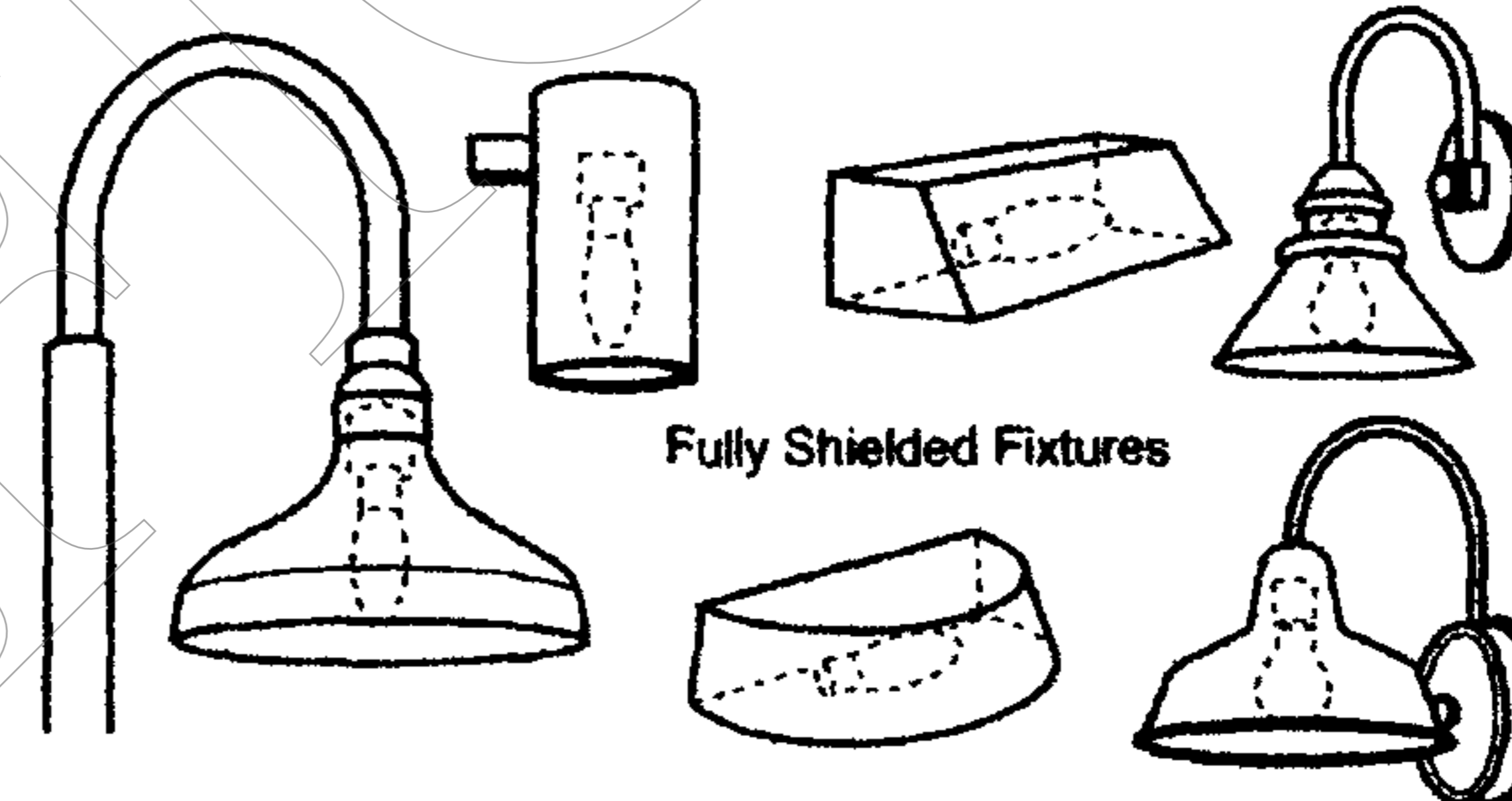
Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



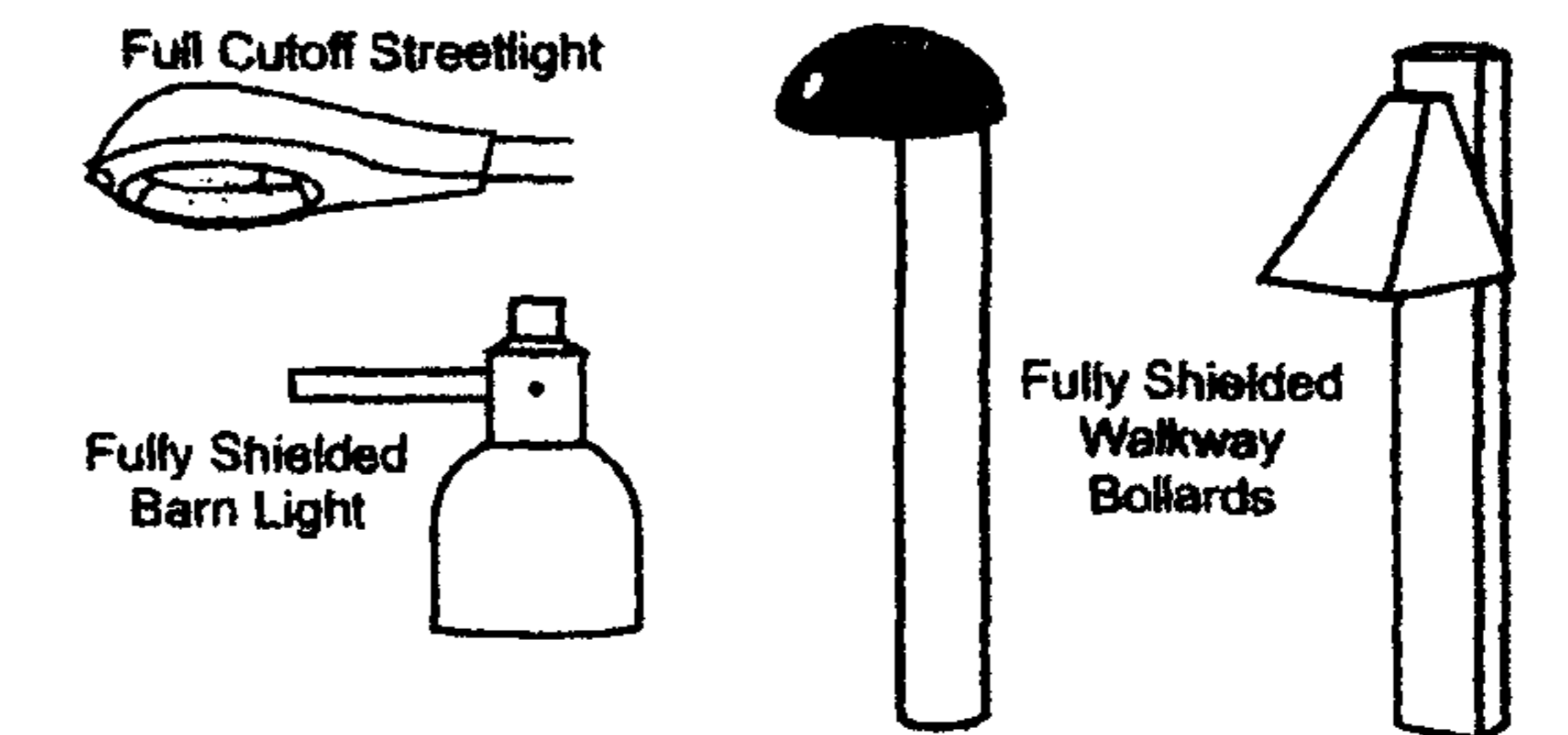
Full Cutoff Fixtures



Fully Shielded Wallpack & Wall Mount Fixtures



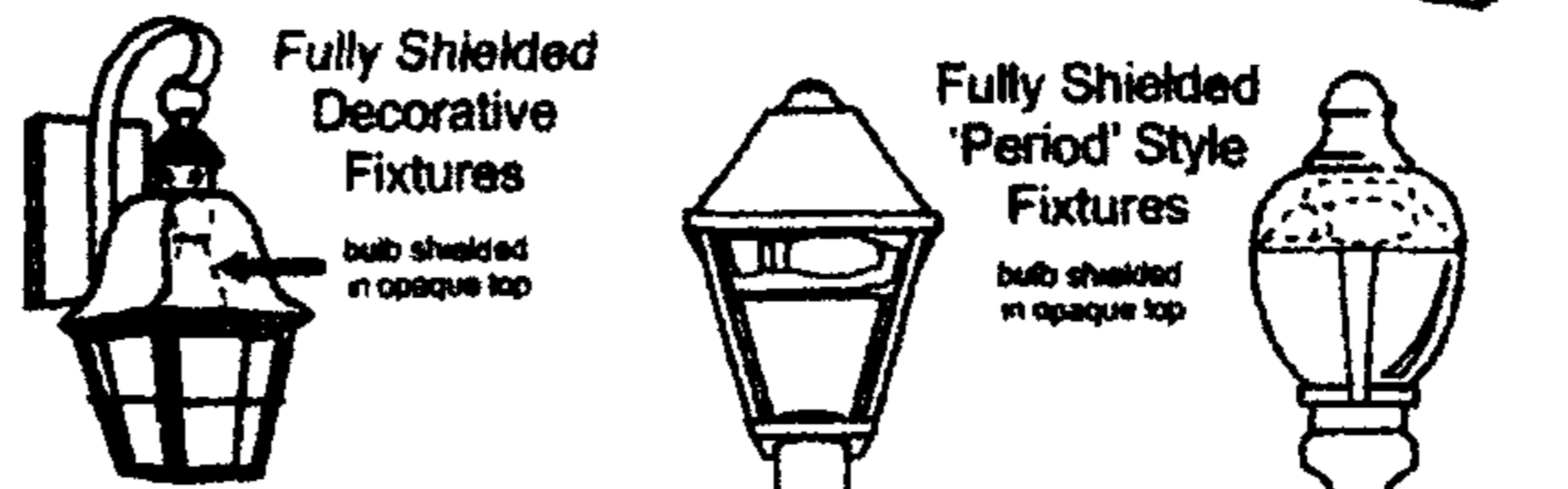
Fully Shielded Fixtures



Full Cutoff Streetlight

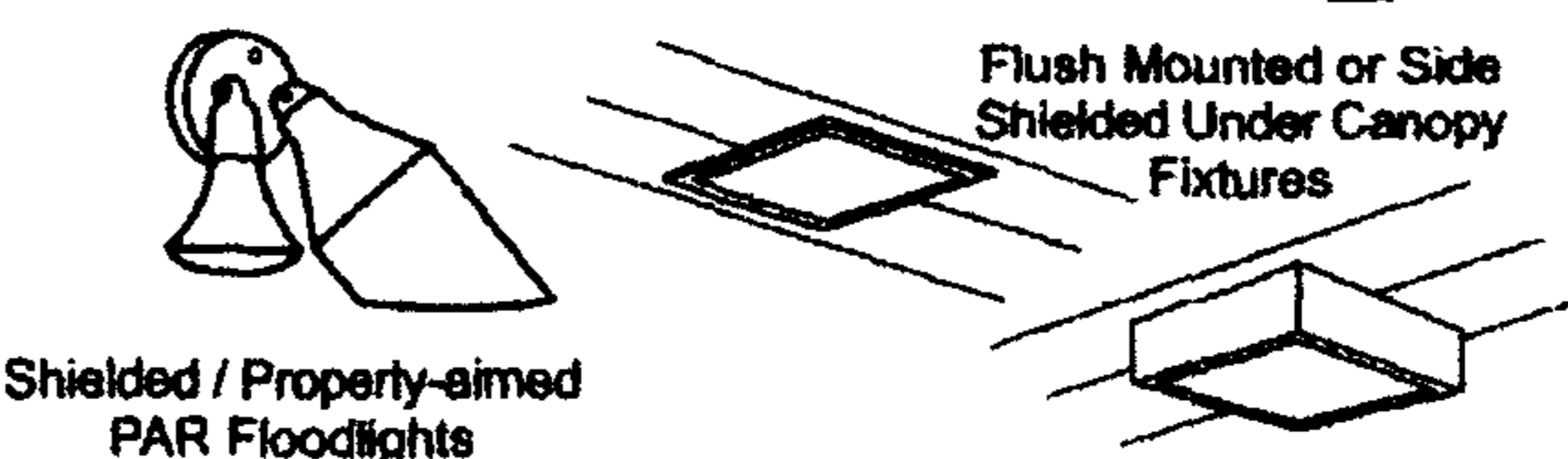
Fully Shielded Barn Light

Fully Shielded Walkway Bollards



Fully Shielded Decorative Fixtures bulb shielded in opaque top

Fully Shielded 'Period' Style Fixtures bulb shielded in opaque top



Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures

[www.TexasIDA.org](http://www.TexasIDA.org)

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**Waggener Ranch Property Owners Association, Inc.**  
**Architectural Control Committee**  
**4802 South Cranes Mill Road**  
**New Braunfels, TX 78132**

Article 11

Interior Fence Definition

CC&Rs, Article 8, Section 17, paragraph d, poorly addresses fences on the interior of a lot. Current verbiage is:

d. Fences inside the building envelope: Cedar board fences, wrought iron or similar style fences shall be permitted.

ACC adopts interpretation of Interior Fences as follows:

d. Interior fences. An interior fence is one erected within 100 feet of the main house that does not intrude on any easement, natural vegetation preserve, or set back restrictions of an owner's lot. These fences do not have to be constructed in a King Ranch style. Cedar board fences, wrought iron, or similar style fences shall be permitted with ACC approval.



**Waggener Ranch Property Owners Association, Inc.**

**Architectural Control Committee**

**4802 South Cranes Mill Road**

**New Braunfels. TX 78132**

**Article 12**

**Renovation and Related Definitions**

Renovation is same as Remodeling – is the process of improving a structure. Often involves altering existing conditions and adding new spaces.

Restoration – removal and reconstruction of missing features or removal of features from another period to return to or near to original condition.

Rehabilitation –making possible a compatible use of a property through repair, alteration and additions. But must be able to remove subsequent added features at a later time without affecting original form.

Reconstruction – replication of historical appearance via new construction at a non-surviving site, building or landscape.

Preservation – to sustain an existing form and ongoing maintenance of historical materials and features rather than extensive replacement of new construction.

Home renovations require a different approach than a new build:

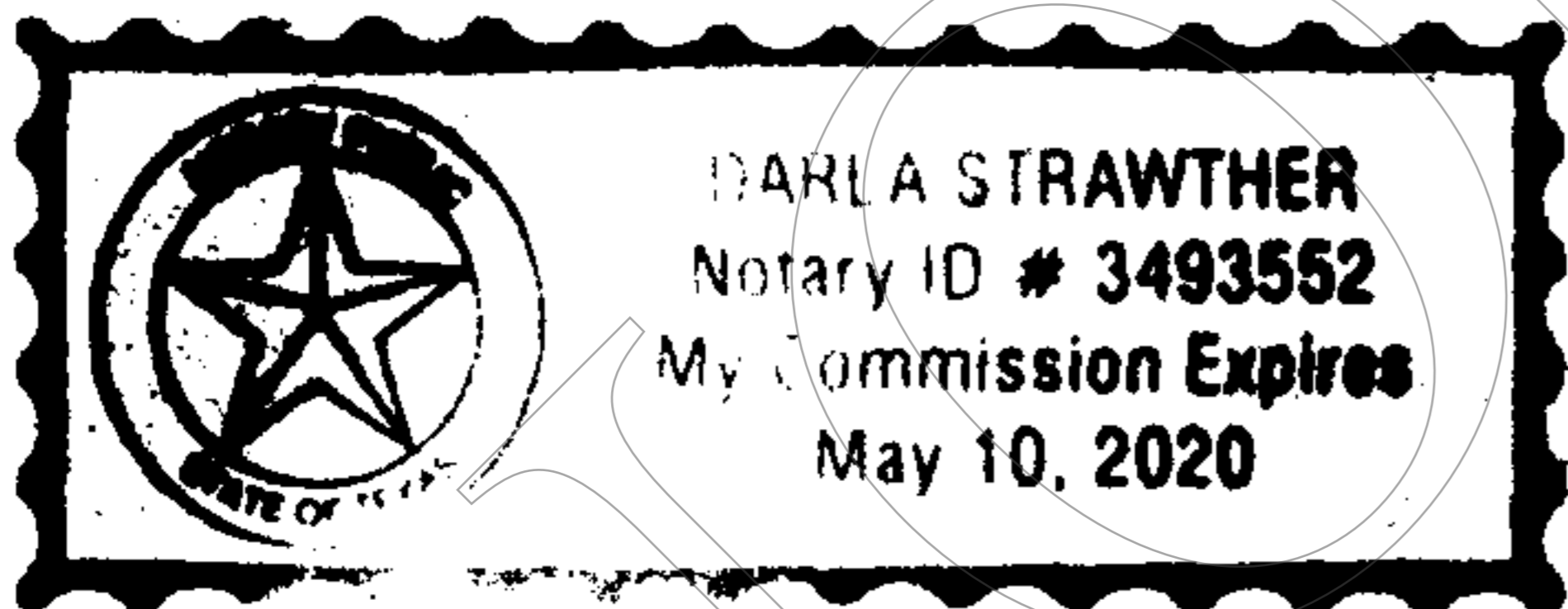
Most builders focus on building new homes, so renovating is a part-time activity for them. This matters because the processes and services required for renovations are quite specific. Once plans are signed off, building a new home is relatively predictable. Materials can be ordered well in advance and sub trades get easy access and well scheduled periods to work on site. Renovations are the complete opposite, select an experienced a renovation company that is set up to do a good job and be cost effective. Renovations require all the sub trades that new build does, but owners must to work much more closely with them. During the project owners and your renovation company will need to be very flexible to respond to unexpected issues that arise


Adopted by unanimous consent by the Board of Directors of the Waggener Ranch Property Owners Association on July 18, 2017. The Waggener Ranch Architectural Control - Rules and Regulations and Minimum Construction Standards is a compilation of Articles creating a unified document of which each Article can be utilized independently as well in connection with the building and/or renovation of property at the Waggener Ranch subdivision located in Comal County, Texas.

  
Waggener Ranch POA - President

STATE OF TEXAS  
COUNTY OF Comal

The foregoing instrument was acknowledged before me on this 20 day of 2017 by Jim Shelgren on behalf of the Waggener Ranch Property Owners Association, Inc.



  
Notary Public, State of Texas

Filed and Recorded  
Official Public Records  
Bobbie Koepp, County Clerk  
Comal County, Texas  
07/20/2017 01:42:22 PM  
TERRI 20 Page(s)  
201706034228



