



Construction Plan Guidelines

For the Non-Gated Communities in River Crossing

The Architectural Control Committee (ACC) is created from River Crossing owner volunteers pursuant to River Crossing Covenants, Conditions and Restrictions (DCCRs) to review and approve plans for the construction of Improvements in River Crossing.

The DCCRs require that *••Any construction, other than normal maintenance, which in any way alters the exterior appearance of any Improvement, or the removal of any Improvement, shall be performed only with the prior written approval of the Architectural Control Committee.*"

"Improvements" mean every structure and all appurtenances thereto of every type and kind located on the Property, including but not limited to, buildings, outbuildings, storage sheds, patios, tennis courts, basketball goals, swimming pools, garages, storage buildings, fences, trash enclosures, screening walls, retaining walls, stairs, decks, poles, signs, exterior air conditioning, exterior water softener fixtures or equipment and poles, pumps, wells, tanks, reservoirs, antennas, and towers.

The River Crossing ACC has transitioned to a digital, online collaboration software which reduced the requirement for face-to-face committee meetings while still providing timely review of projects. All applications are to be submitted as described below. Once the management company processes the complete application package, including a deposit, the property owner will receive a 'Project under Review' email. Approvals are normally completed within two weeks of this date.

More complex submissions may require a committee meeting. Should a meeting be required, the ACC meets the 2nd Wednesday of each month. All documents must be received by the management company not later than 5 PM the Monday prior to the next meeting.

Please review this document to ensure all necessary information is included. You may email rcpoaacc@gmail.com for assistance. Incomplete projects cannot be reviewed or approved.

All documents are to be submitted through Diamond Association Management & Consulting (the management company) and must be accompanied by a Permit Deposit payable to the River Crossing POA, drawn on the homeowner's account, and please write *••Ace Deposit*" in the memo section. Please mail or deliver check, cash or money order to the address below. If you send your deposit through the USPS, please include a copy of the check with your submittal.

River Crossing POA
clod Diamond Association Management &
Consulting 14603 Huebner Road, Building 40
San Antonio, Texas 78130
Office: 210-561-0606 Fax: 210-690-1125
 Email: acc@damctx.com

All new home construction submittals must be accompanied by a \$1000.00 Permit Deposit. No additional deposit is required if additional improvement(s) (e.g. pool, fence, shed, detached building) are included with a new home construction application.

All other "Improvements" must be accompanied by a \$500.00 Permit Deposit.

Once the application has been reviewed, the Property Owner will be notified by Email from the management company. This approval shall be posted within the construction site to provide visible evidence of approval.

The owner is responsible for coordinating with the ACC for ANY change to the project after approval, including and not limited to builder/installer, location, materials, or appearance that affect any structure or improvement.

Upon completion of the new construction or improvements, the Permit Deposit will be refunded in accordance with RCPOA Permit Deposit Agreement. Property owners must request refund of the Permit Deposit online at www.rivercrossingpoa.com. The ACC will then schedule a site visit to determine compliance in accordance with the Permit Deposit Agreement.

Approval by the ACC constitutes that the documents presented meets the minimum requirements of the River Crossing DCCR and these Guidelines. This Certificate of Approval is contingent upon compliance with the specifications set forth in the approved application. The Architectural Committee's approval of the application and the plans only constitutes compliance of the plans with subdivision guidelines, standards, protective covenants, deed restrictions, and/or dedicatory instruments. The Architectural Committee's approval of the application does not relieve the applicant from conformance with federal or state law, local codes and ordinances, or other design considerations which are neither reviewed nor approved by the Architectural Committee. The actions or approvals set forth do not constitute and shall not be an opinion, approval, warranty or representation by the Association, its Architectural Committee, or its agents as to whether the improvements contemplated in the plans are or will (1) be structurally sound; (2) comply with applicable governmental regulations; (3) be free from damage by wind, rain or flood; (4) not encroach into any easement or setbacks; (5) not divert surface water in a manner not allowed by law or deed restriction; or (6) be habitable. By beginning the improvement project, applicant acknowledges and represents that applicant is familiar with the subdivision guidelines, standards, protective covenants, deed restrictions, and/or dedicatory instruments for the Association and the plans submitted herewith are, to applicant's knowledge, in compliance with the subdivision guidelines, standards, protective covenants, deed restrictions, and/or dedicatory instruments for the Association.

None of the members of the Architectural Control Committee, the Association, nor any member of the Board of Directors will be liable for any loss, damage, or injury arising out of or in any way connected with the performance of the duties of the Architectural Control Committee, except to the extent caused by the willful misconduct or bad faith of the party to be held liable. In reviewing a matter, the Architectural Control Committee does not inspect, guarantee or warrant the workmanship of any Improvement, including its design, construction, safety, whether structural or otherwise, conformance with building codes, or other governmental laws or regulations or whether the Improvement is suitable or fit for its intended purpose. Furthermore, none of the members of the Architectural Control Committee nor any member of the Board of Directors will be personally liable for debts contracted for or otherwise incurred by the Association or for any torts committed by or on behalf of the Association, or for a tort of another of such individuals, whether such other individuals were acting on behalf of the

Association, the Architectural Control Committee, the Board of Directors, or otherwise. Finally, neither

the Association, the Board, the Architectural Control Committee, nor their officers, agents, members, or employees shall be liable for any incidental or consequential damages for failure to inspect any Improvement or portion thereof, or for failure to repair or maintain the same.

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Section 1

Property Information

This page must be completed and submitted for ANY and ALL plan submissions along with the Applicable Check List and Drawings. Items marked * are required for submission.

Address of Improvement/New Home*: _____

Lot #*: ____ Unit #*: ____ Golf Course Lot (YIN) *: ____ Requested Start Date*: _____

Owner(s) Name(s) *: _____

Owner Mailing Address (if different than above): _____

Owner Phone(s) *: _____ Email*: _____

Builder/Installer Name*: _____ Phone(s) *: _____

Builder Email: _____ Describe Improvement*: _____

Permissible working hours in Section 3 apply to all projects.

Total Square Footage of Living Areas (New Home Only) *: ____ # Floor Levels*: ____

These Construction Plan Guidelines are meant to assist in interpretation of the Declaration of Covenants, Conditions and Restrictions, and do not replace or override the Declaration.

I have read the River Crossing Declaration of Covenants, Conditions, and Restrictions (DCCR) associated with the Site specific Unit # where this improvement is located and understand its content as it relates to this application which I am submitting for review. I also agree that any improvement related to this application will be constructed in compliance with the National Electrical Code and International Residential Code (including plumbing) as specified by State law. (Signature Required)

Property Owner Printed Name*: _____

Owner's Signature*: _____ Date*: _____

Section 2
RIVER CROSSING PROPERTY OWNERS ASSOCIATION
PERMIT DEPOSIT AGREEMENT

In compliance with the Construction Plan Guidelines adopted by the River Crossing Property Owners Association, (the "Association") and the River Crossing Property Owners Association Architectural Control Committee (the "Architectural Committee"), _____ (the "Property Owner") does hereby deposit with **RIVER CROSSING PROPERTY OWNERS ASSOCIATION**, a Texas non-profit corporation ("**Association**"), the sum of \$1,000.00 for a new construction submittal or \$500.00 for an improvement submittal ("Permit Deposit") and agrees to the following terms and conditions:

1. The Permit Deposit shall be held as security:
 - a) for any violation of Construction Rules and Regulations found in Section 3 of the Construction Plan Guidelines;
 - b) for any damage caused to the Association's Common Areas, streets, or any Owners' Lots, and all improvements, structures, landscaping and personal property attached thereto or located thereon, which damage is caused by the acts and/or omissions of the Property Owner or his/her contractors;
 - c) to ensure all debris, pallets, construction material, portable toilet, commercial dumpster, concrete cleanout and temporary construction fences removed, driveway transition to street completed with asphalt, builder & realtor signs have been removed from the property in a timely manner; and
 - d) to ensure the construction complies with the Architectural Committee approved submittal.

2. Upon the occurrence of any such damage described in Section 1, above, the Association from time to time, and without prejudice to any other remedy, may use the Permit Deposit to the extent necessary to repair such damage or pay to the injured party the cost to repair such damage. It is expressly understood that the use of any or all of the Permit Deposit shall not be considered a measure of the damage nor will it release the Property Owner from paying an additional amount if the total damage exceeds the Permit Deposit.

3. If the Association uses any portion of the Permit Deposit as described above, written notification will be mailed to Property Owner at the address stated below. Withdrawal of money from the Permit Deposit shall occur no sooner than ten (10) days after written notification has been mailed to the Property Owner. A Property Owner who wishes to challenge the use of the Permit Deposit may request a hearing before the Architectural Committee within ten (10) days of the date of the written notification.

4. The Association shall not be liable to the Property Owner or to any other person for any loss, damage, or injury arising out of the payment or nonpayment of the Permit Deposit unless such loss, damage, or injury is due to the willful misconduct or bad faith of the Association.

5. During construction, it is the responsibility of contractors and Property Owner to carry the necessary hazard and liability insurance.

6. Within fifteen (15) days of completion of the construction, the Property Owner should request a final inspection through the Association's website at www.RiverCrossingPOA.com. On the website, the Property Owner should select 'Resident Resources'; then select 'ACC'; then select 'Refund Inspection Request' to initiate the request. A final inspection will be made by representatives of the Architectural Committee to confirm that the construction complies with Section 1 above. Upon approval of the Architectural Committee, the Permit Deposit or any remaining balance of the Permit Deposit shall be refunded to the Property Owner.

7. No interest shall be payable upon the Permit Deposit.

8. By signature below, the Association acknowledges receipt of the \$_____Permit Deposit.

PROPERTY OWNER:

Address:

Lot_____Unit_____

By:_____

Printed Name:

Title:_____

Date:

ASSOCIATION:

River Crossing Property Owners Association,
A Texas non-profit corporation

By:_____

Printed Name:

Title:

Date:_____

Section 3 New Residence Construction

No construction shall commence on a property until approved by the River Crossing Architectural Control Committee.

- **PROPERTY OWNERS ARE RESPONSIBLE FOR THEIR CONTRACTOR AND SUBCONTRACTORS' COMPLIANCE WITH ALL RULES.**
- At completion, the Owner is responsible for property clean-up of debris, dirt/stone piles, pallets, temporary safety barrier fences, etc.
- Failure to comply with these Construction Rules and terms of the DCCRs may result in the cessation of construction, withdrawal of approval, loss of deposit and/or invoicing of the property owner for costs incurred to remedy the violation.
- The Architectural Control Committee (ACC) shall have the sole authority for approval of all plans for construction of any "improvement" including new home construction.
- Construction of any structure or improvement approved by the ACC shall commence within six (6) months of such approval; the exterior finish and appearance must be completed within six (6) months of the start of the construction and the completion of such construction must be accomplished within twelve (12) months of the commencement of such construction. Request for extension must be submitted prior to these deadlines and approved by the ACC.
- The Approval Letter must be continuously posted and visible within the envelope of the construction site and external to the home or building. A copy of variances approved by the ACC must be posted with the Approval Letter.

Permissible working hours are limited as follows:

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

Saturday- 8:00 AM- 7:00 PM

Sunday - No work or workers allowed on site

Slab/Foundation pour - sunrise to sunset on permitted days

Holidays: No work or workers on site:

January 1, Memorial Day, July 4, Labor Day, Thanksgiving Day, and Christmas Day.

- A commercial dumpster must be in place for each new home worksite before framing begins. Dumpster must be used for all construction debris and any trash generated by contractors. The dumpster must be removed at the completion of construction. **ALL BUILDERS MUST MAINTAIN A CLEAN JOB SITE** as required by Comal County Environmental Services.
- A Commercial quality washout must be present at slab/foundation pour.
- No topsoil, rock, gravel, pallet, cement or any other construction materials are to be carried onto or dumped on streets, adjoining property or easements. The Owner and Builder shall be notified by the POA that they must perform the clean-up. If they fail to do so, the POA shall proceed in accordance with the Permit Deposit Agreement.
- The house address number must be visible from the street during construction.
- Builder may place a single professionally made sign that does not exceed four (4) feet by four (4) feet. **NO SUBCONTRACTOR SIGNS or ADVERTISEMENTS ARE PERMITTED ON ANY LOT.**
- A temporary 4-foot-high safety barrier fence is encouraged along the sides of each lot where new home construction has commenced. This is intended to contain construction debris and trash while encouraging vehicles and materials to remain on the property. No separate fence application is required and fences must be removed when construction is complete.
- Driving across or parking on any surrounding property without written approval from the property owner is prohibited.
- A construction entrance (minimum 3-to-5-inch rock) must be installed prior to the start of any work on the lot. The entrance must be sufficient length to eliminate the tracking of dirt or other site material onto the paved roads and damage to the road and its edges.

Site Plan Details

The following information must be submitted with an application for approval of new construction.

A site plan drawing, specific to the structures and property, plotted to scale in PDF format.

- Scale is 1 inch = 20 feet and is noted on the plan
- An accurate scale bar must be included on each page
- Overall site plan including legal pin locations and property boundary
- Outline of residence is on site plan
- Location of driveway, sidewalks, fences, pool, spa, sheds, detached buildings, propane tanks, solar panels, rain water collection components, water well, OSSF (septic) tank and any other permanent structures (as applicable) and depicted to scale
- All offset distances are required

Residence Drawing Package

Drawings in PDF format to include:

- All drawings (to include plan view of floor plans, top view of roof, elevations, etc.) must be specific to the proposed structure. Each plan sheet must include only the information relative to the specific structure and may not include multiple depictions which relate to optional features, orientations, rooflines or any other options not selected for the specific proposal.
- An accurate scale bar must be included on each page
- Scale is noted on each drawing of floor plan and elevations (1/8 inch = 1 foot preferred)
- Square footage of conditioned interior space is shown on floor plan and itemized by floor.
- Plan view of each floor level is on floor plan
- Top view of roof is on exterior plan and shows ridges, valleys, chimney locations, etc.
- Elevations: Front, rear and sides are on exterior plan. Elevations are measured from the highest point of ground under the structure to the topmost point of the roof.
- Roof type & color.
- Exterior wall finish **and** color are shown on exterior plan. (75% masonry required)
** Cementitious fiber board, i.e. Hardie Plank, greater than 25% is not permitted. **
- Soffit and fascia materials are noted on exterior plan (No vinyl or aluminum)
- Exterior chimney material and color must be specified. (Masonry/stucco and match exterior color scheme.)
- If applicable include the following information:
 - o Fence
 - o Swimming pool or spa (pools must include fence plan)
 - o Shed/Detached Building
 - o Propane Tank
 - o Solar Panel
 - o Rain Water Collection system
 - o Water Well (Units I & 2) Comal Trinity Groundwater Conservation District
 - o Approved Comal County Public Right-of-Way (PIPROW) permit
 - o Approved Floodplain Development Permit issued by Comal County

Section 4

Checklist for ACC Review

All the items listed below must be clearly provided in the documentation

- Residences shall be set back at least 60 feet from the front property line, 15 feet from the side lot lines and 60 feet from the rear lot line.
 - On Unit 1 & 2 Golf Course lots the residence shall be set back 75 feet from the lot line facing the golf course.
 - On corner lots - (DCCR 3.5) All residences shall be set back at least twenty-five (25) feet from any street regardless of which lot line the street joins.
- Unit 6 setback requirements vary by Lot. See Unit 6 DCCR
- On Unit 1 & 2 golf course lots, all improvements, including but not limited to swimming pools, fences and storage buildings must be set back at least 50 feet from the property line adjoining the Golf Course. (DCCR 3.5) Variances to the 50 foot rule on golf course lots are only considered with a signed approval by River Crossing Club management.
- The total square footage of the air-conditioned living area must be clearly shown (*Non-golf course lot-one story-2,200 sq.ft., two story-2,400 sq.ft. with 1,200 sq.ft. on first floor. Golf course lot-2,500 sq.ft. with 1,250 sq.ft. on ground floor.*)
- The garage must be a side or rear entry. *(The ACC interprets side entry as 90 degrees or more relative to the street.)*
- Asphalt composition shingles must have a 30 year warranty. Other roofing alternatives are listed in DCCR Para. 3.7. Wood shingles are not permitted
- The exterior walls must be at least 75% masonry or stucco, with the percentage to be verified by documentation. ** Cementitious fiber board, i.e. Hardie Plank, greater than 25% is not permitted. **
- The exterior of all chimneys must be 100% masonry or stucco and match the residence exterior.
- The maximum height of a structure shall not exceed 35 feet in height, measured from the highest point of ground under the structure to the topmost point of the roof. (DCCR 3.4)
- Exterior color schemes must be provided (*Actual color charts, brands and color names should be provided, along with masonry and roof colors.*).
- Propane tank location must be provided *(See Propane Tank Guidelines.)*

Section 5

Fence Guidelines (DCCR Para. 3.9)

See Attachment 4 for Security Fences

All walls or fences must be approved prior to construction by the Architectural Control Committee (ACC).

Non-Golf Course Lots

- All walls or fences must be constructed of wood, metal pipe/tube, masonry, masonry veneer, wrought iron or a combination thereof.
- All wooden fences (except cedar and redwood) must be painted or stained and the color must be approved by the ACC. Only milled/finished type lumber is permitted.
- All fences shall be a minimum of 4' and a maximum of 6.5' in height.
- NO barbed, smooth, hog, chicken or like material/wire fencing is permitted on property.
- ACC may allow an Owner to attach 12-gauge wire fence (or larger wire size) to INSIDE bottom portion of approved fencing but not to exceed 48" in height.
- All wood (non-privacy) or pipe fences greater than 4 feet high, with or without wire, must have a minimum of 3 rails facing the street and 2 rails facing the side and rear of the lot. On corner lots, the three-rail segment will be installed toward the street adjacent to the principal residence entrance. (Effective 2-15-08 Wrought iron fences must have 2 rails on all sides.) Fences four feet high will require a minimum of two rails on all sides.
- Chain link fences will not be allowed as perimeter fencing but may be used for dog runs so long as they are out of sight of the street and/or golf course and approved by the ACC.
- Gates are to be constructed per the same guidelines as provided for fences and shall match the remainder of the fence. Prefabricated galvanized pipe gates are not permitted.

Golf Course Lots

- All walls and fences in Units 1 and 2 must be constructed of wrought iron, masonry (stucco, brick, rock or any combination) or a combination thereof. Fences fronting the River Crossing Club (RC Club) golf course must be set back at LEAST fifty (50) feet from the property line.
Note: The property owner may request a VARIANCE to this setback requirement without being required to pay a variance processing fee. The property owner must obtain a signed letter from the RC Club granting their permission. This letter must be included in the submission.
- In Unit 6, all fencing along the Property Line adjoining the greenbelt/golf course area shall be uniform and constructed of wrought iron. Fences facing the greenbelt/golf course shall be set back from the lot line adjoining the greenbelt/golf course area a minimum of ten (10) feet. [Not subject to Variance]
- All fences and walls shall be a minimum of 4' and a maximum of 6.5' in height.

Fence Plan Submittal Checklist

This information must be included with ALL fence plan submissions.

Site Plan

A site plan drawn to scale, to include:

- An accurate scale bar on each page
- Outline of Residence on site plan
- Location of fence and gate(s)
- Property lines and offset distances
- Photo or sketch detail of fence panel construction attached

Specifications

- Stucco wall and/or column Color: _____
- Brick wall and /or column Color: _____
- Stone wall and/or column Color _____
- Wrought iron/Color: _____
- Metal Pipe/Color: _____
- Wood Type (Non golf course lots only): _____
- Wood Color(or Natural) (Non golf course lots only): _____
- Wire Fence Gauge/Number: _____
- Number of Rails: Front _____ Side/Rear: _____
- Height: _____
- Gate: material height, width and color _____
- Signed permission letter from River Crossing Chm to reduce setback (Unit I & 2 lots only)

Section 6

Pool and Spa Guidelines

All swimming pools and spas must be approved by the Architectural Control Committee (ACC) prior to beginning construction.

- All swimming pools must be clearly in-ground and must be constructed of concrete, gunite or pre-formed fiberglass. Above ground or portable pools are not permitted
- All spas may be in-ground, above-ground, or portable but must be self-contained and constructed of solid materials and not inflatable.
- All setbacks and easements must be complied with when constructing a pool and/or spa (*Note that rear setbacks are different for Golf Course and Non-Golf Course lots.*).
- Portable spas should be located directly behind the residence or fully screened from view.
- Pool/spa equipment (both permanent and portable) must be located out of view from the street.
- Proper security measures should be taken during construction and a permanent fence shall be constructed around the pool. All fences must be approved by the ACC and in accordance with the Fence Guidelines.

Swimming Pool / Spa Plan Submittal Checklist

This information should be included with ALL pool/spa plans.

Site Plan Requirements

Complete pool/spa specs from the pool builder which includes proposed materials and colors.

A site plan drawn to scale, to include:

- An accurate scale bar on each page
- Outline of the residence, other structures and all existing flatwork.
- Location of existing and/or proposed fence and gate(s)
- Existing or proposed OSSF (septic) tank and spray heads
- Exact location of proposed swimming pool/spa and any proposed flatwork and exact location of associated equipment. Indicate method to screen equipment from street view.
- Property lines and set off distances clearly shown and dimensioned

Note: Swimming pools will not be reviewed or approved without an accompanying Fence Plan Submittal or an existing previously approved fence. Fences must be submitted using the Fence Plan Submittal Checklist form.

Section 7

Structures other than Primary Residence

Shed Guidelines

Storage Building per DCCRs 3.1

Definition: For the purposes of these requirements, a Shed is defined as a small, enclosed structure not on a permanent foundation and normally used to store lawn maintenance tools, implements, materials and other small miscellaneous items. A Shed may also be a greenhouse.

Approvals: Prior to construction, Sheds must receive the written approval of the River Crossing Architectural Control Committee (ACC).

Size and Number: A Shed shall not exceed 150 square feet in size and limited to one story. Only one shed may be installed per residence.

Placement: Sheds shall be placed on the owner's property so as to not be visible to a passerby from any point on the front or side street. If the Shed can be seen from the side or rear neighbor's yard, every effort should be made to conceal it from the neighbor's view with the use of new shrubs, existing trees or other landscaping features. Sheds must be out of view from the golf course. Sheds may not be placed in the drainage easement. If the Shed is on a concrete foundation or is considered to be immovable then the requirements of detached buildings must be met.

Sheds installed on corner lots will need to comply with Detached Building Guidelines if they cannot be adequately screened from view from a side street. Screening is still required to limit view from side-street.

Construction: Sheds shall be constructed of wood or other ACC approved materials. Sheds may be erected prior to the main residence with prior approval from the ACC. Plan must be submitted with the house site plan.

Detached Building Guidelines

Definition: Detached Buildings are all other detached enclosed structures not considered to be a Shed and include garages, storage buildings, workshops, pavilions, pergolas and one guest/servant house.

A **pavilion** is defined as a structure with a closed roof and without exterior walls.

A **pergola** is an outdoor structure consisting of columns that support a roofing grid of beams and rafters.

Approvals: Prior to construction, Detached Buildings must receive the written approval of the River Crossing ACC. Storage buildings may be approved by the ACC when submitted as a part new house project. Other Detached Buildings may not be erected prior to the main residence.

Size: Detached Buildings can be any reasonable size but if they are considered to be a guest/servant house, the air-conditioned space must be between 500 and 1200 square feet. Detached buildings must comply with the maximum height requirements.

Placement: All improvements, including but not limited to swimming pools, fences and storage buildings, pavilions and pergolas located on Golf Course lots in Unit 1 & 2 must be set back at least fifty (50) feet from the property line adjoining the Golf Course. Unit 6 requirements vary by lot.

Construction: Detached Buildings with exterior walls must be at least 75% masonry with the architectural style, roof, trim, and all colors to match the main residence. Pavilions must have a roof that matches the main residence roof for color and construction. Appropriate flat work should be planned in conjunction with the Detached Building.

Shed / Detached Building Submittal Checklist

This information should be included with ALL Shed/Detached Building plan submissions.

A site plan drawn to scale, to include:

- An accurate scale bar on each page
- Overall site plan including legal pin locations and property boundary
- Outline of residence and existing structures
- Location of proposed shed or detached building
- Set off distances on site plan
- Description and/or pictures of materials being used and color scheme

Section 8 Propane Tanks

- New propane tank installations in River Crossing must be approved by the Architectural Control Committee prior to installation.
- Any new propane tanks installed in River Crossing must be underground propane tanks. Note: Replacement of above ground tank installed prior to 2/15/2007 is exempt.
- The National Fire Protection Association (NFPA) and Texas Railroad Commission (TRC) codes shall be complied with. All installations and servicing shall comply with Texas Administrative Code, Title 16, Part 1, Chapter 9.

Propane Tank Submittal Checklist

Information to be submitted with ALL propane tank submissions:

A site plan drawn to scale, to include:

- An accurate scale bar on each page
- Setbacks from property lines
- The residence
- Any other structures
- Location of propane tank

Section 9

Solar Energy Systems

Even though state law may stipulate the homeowner's right to install a solar Photovoltaic (PV), water heating solar system, or any other type of solar collection system, a request for approval must be submitted to the River Crossing Architectural Control Committee (ACC) prior to the start of installation. Construction can only start after approval of the Pedernales Electric Cooperative (PEC) and the ACC.

The homeowner will ensure the planned installation is to be completed by a qualified/experienced contractor for the solar system and all Federal, State, and Local codes and permitting requirements have been met.

Commonly, Solar Energy systems are installed as either a roof-mounted or a ground installed unit within the following guidelines:

- Ground installations are to be installed at the rear of the house out of view from the street and meets building setback requirement. All ground mounted solar panel systems must be within a fenced yard. If the solar panel can be seen from the side or rear neighbor's yard, every effort should be made to conceal it from the neighbor's view with the use of new shrubs, existing trees or other landscaping features.
- Roof-mounted installations require all installed equipment (except for panel) to match the roof material color. Solar panels must be an integrated part of the roof design and be flush mounted directly to the roof plane. Solar panel units must not break the roof ridgeline or extend beyond the roof edge along the eave. Solar panels are not permitted on the front of the home which faces the street. Street refers to the house address, except maybe on corner lots.
- Solar shingles resemble composition shingles in shape but function in a similar manner to solar panels. Solar shingles should be of similar color and design of shingles on the house.
- A construction drawing for the proposed installation is required. Ground installation systems require a site plan to be provided showing location with respect to property lines, house and fence. Solar panel installation requires a drawing to show the attachment location of panels, panel height above roof plane, color of all exterior equipment, and color of existing roof. Solar shingle installation requires color, design and location.
- The ACC will grant a variance in accordance with state law if the alternate location is

substantially more efficient.

- If an alternate location increases the estimated annual energy production of the device more than 10 percent above the energy production of the device if located on the back of the home, the Association will authorize an alternate location in accordance with these rules and state law. It is the Owner's responsibility to provide sufficient evidence to the ACC of all energy production calculations. All calculations must be performed by an industry professional (as determined by a publicly available modeling tool provided by the National Renewable Energy Laboratory, www.nrel.gov, or equivalent entity.).
- A sample or illustrations brochure from the manufacture of the system should be provided.
- Texas Property Code 202.10 (e) discusses *"a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. For purposes of making a determination under this subsection, the written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist."*

Solar Energy System Submittal Checklist

Information to be submitted with ALL solar panel submissions.

A site plan drawn to scale, to include:

- An accurate scale bar on each page
- Overall site plan with legal pin locations and property boundary
- Outline of residence
- Location of ground solar system and fencing
- House plans with location of solar panel or solar shingles
- Color and design of panels or shingles

Section 10

Rain Water Collection Systems

State law provides that homeowners may install a rain barrel or rainwater harvesting device with prior approval by the Architectural Control Committee (ACC). System may be used for potable (in-house) or non-potable water (landscape irrigation) use.

Types of Systems

Rain Barrel:

- If a rain barrel is located on the side of a house or at any other location that is visible from a street, another lot, or a common area it must be:
 - Decorative rain barrel not to exceed 48 inches in height.
 - In proximity to the downspout.
 - Aesthetically pleasing when viewed from the street.
 - When possible, it should be same color as house.

Rainwater Harvesting Device

- Collection system using a gathering system, rain water storage tanks or bladders, and any other outdoor components.
 - Gutters and downspouts
 - Gutters, downspouts, and other components shall be painted a color that blends with the color of the adjacent materials.
 - Gutters and downspouts shall not be installed diagonally without prior approval of the ACC.
 - Storage tanks or bladders
 - Storage tanks may be buried in compliance with offsets.
 - Above ground storage tanks and storage bladder shall be placed in compliance with offsets, behind the house, and not visible from the street.
 - If located on a corner lot, above ground tanks and storage bladders shall be screened from view from the street and the side street.

- If the tank can be seen from the side or rear neighbor's yard, every effort should be made to conceal it from the neighbor's view with the use of new shrubs, existing trees or other landscaping features.
- Tanks, piping and valves shall be painted to match the surrounding structure or vegetation.
- Pumps, filters and other appurtenances shall be located in compliance with offsets, screened from neighbors, the street and side-street, if applicable.
- If the property is a golf course lot, storage tanks or bladders **MUST** also be out of view of the golf course. The homeowner must obtain a signed letter of approval from the River Crossing Club prior to ACC review.

Rain Water Collection System Submittal Checklist

This information should be included with ALL rain water collection system plan submissions.

A site plan drawn to scale, to include:

- An accurate scale bar on each page
- Property lines and set off distances
- Outline of Residence
- Location of gutters, downspouts, first flush devices, tanks, storage bladders, pumps, filters and other appurtenances
- Location and picture(s) of the rain barrel(s)
- Photo or sketch detail of gutters, downspouts, other components of the gathering system, first flush devices, tanks and screening devices attached.
- Plans for shielding the tank(s) from view of neighbors
- For golf course lots, include the signed letter of approval from the River Crossing Club.

Section 11

Water Wells

Water wells shall only be drilled on lots in Unit One and Unit Two per the Declaration Section 3.17, unless the property deed specifically granted water rights to the owner.

- Must use a Texas licensed water well driller
- Must meet all Texas, Comal County, Comal Trinity Groundwater Conservation District, and any other governing agency requirements.
- Texas State regulations dictate drilling practices and procedures and must be drilled in accordance with state regulations.
 - o Alternate compliance to 50 ft. from property line requirement
 - Concrete surface seal in oversized bore
 - Cannot conflict with utility or other easements
 - o No relief from spray field offset or septic tank
 - 100 ft. from septic drain/spray field (Owner's or neighbor's)
 - 50 ft. from septic tank
 - o Wells drilled in flood plain must extend 3 ft. above 100 year flood plain
- Water Wells proposed adjacent to a vacant lot must be at least 50 ft. from the property line.
- If well water is to be for in-house use, The Texas Water Company, (www.txwaterco.com) must be notified to ensure proper connections are made to prevent contamination of the water system.

Helpful information:

 - Standard Guidelines & Specification
 - Starting Water Service
- Pressure and holding tanks must be behind the dwelling or shielded from view from the street and neighbors' views. Tanks shall be painted to blend with

surrounding vegetation or house. If the tank can be seen from the side or rear neighbor's yard, every effort should be made to conceal it from the neighbor's view with the use of new shrubs, existing trees, masonry walls or other landscaping features that are in harmony with the existing structure.

- Well heads shall be shielded from view from the street with the use of vegetation or other landscape or hardscape material.
- If an above ground structure and / or "pump house" is required, it must meet the guidelines for Detached Building.
- The property owner shall be responsible for plugging the water well according to applicable State and County regulations, removal of slab and piping associated with the water well if abandoned, unserviceable or unused.

Water Well Plan Submittal Checklist

This information should be included with ALL Water Well plans.

A site plan drawn to scale, to include:

- An accurate scale bar on each page
- Overall site plan including legal pin locations and property boundary
- Outline of residence
- Location of proposed well and any above ground structures
- Location of septic and spray field on your property
- Design of above ground structure, if required
- Size and color of storage tank, if required
- Methods for shielding well head, pressure tank or storage tank

Section 12

Flag Display and Flagpole Installation

Chapter 202 of the Texas Property Code provides protection for display of flags in POA communities. POAs must permit owner to display the U.S., Texas, or military branch flag, with permissible limitations.

- U.S. and Texas flags be displayed in accordance with the US/Texas flag code;
- A flagpole (freestanding or attached to a dwelling) be constructed of permanent, long-lasting materials, with an appropriate finish that is harmonious with the dwelling;
- The flag(s) and flagpole(s) must be maintained in good condition and any deteriorated flag or structurally unsafe flagpole be repaired, replaced, or removed.

Guidelines:

- If flagpole is 20 feet or less, placed outside of the drainage easement and follows the dark sky requirements - NO submission is required; All others are required:
- May have as many as three (3) freestanding flagpoles.
- Maximum flagpole height 35 feet above the ground where the flagpole is anchored
- Flag size to be appropriate for size of flagpole
- External halyard of a flagpole must be secured in a manner to abate noise
- May not be located within fifteen (15) feet of the front property line
- Lighting per City of Bulverde Dark Sky Ordinance:
 - o Upward flagpole lighting is permitted for governmental flags only, provided that the maximum lumen output is one thousand three hundred (1,300) lumens; or
 - o Top mounted shielded down lighting

Flagpole Plan

Site Plan with flagpole location.

Number of flagpole(s) and installed height: _____

Flagpole material type and finish: _____

Number of flags to be displayed: _____

Flagpole Lighting: _____

*See Attachment 2

Section 13

Standby Generators

Effective Date: 8/9/2017

Note from the Pedernales Electric Cooperative (PEC), our electrical power company. *"A generator can be a wonderful tool during an outage, but it can also be extremely dangerous. **Please contact PEC at 1-888-554-4732 before installing a generator so we can make sure it is properly sized and connected. If you connect the generator directly to your building's wiring, a transfer, double-throw switch is required to separate your generator from the Co-ops ' system."***

- All electrical, plumbing, and fuel line connections to be installed **only** by licensed contractors
 - All electrical, natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections to be installed in accordance with applicable governmental health, safety, and electrical codes.
- The installation of a standby electric generator must be installed and maintained in compliance with:
 - The manufacturer's specifications; and
 - Applicable governmental health, safety, electrical, and building codes; and
 - Any standby electric generator shall be fully enclosed in an integral manufacturer-supplied sound attenuating enclosure (Texas Property Code)
- All standby electric generators and their electrical lines and fuel lines to be maintained in good condition and to replace or remove any deteriorated or unsafe components.
- Provide screening of a standby electric generator consistent with landscaping (if any) of other utility boxes and A/C condensers on the property.
- May not **be** used to generate all or substantially all the electrical power to a residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than non-payment of utility service.

Standby Electric Generator Submittal Checklist

Information to be submitted with all standby generator submissions:

A site plan drawn to scale, to include:

- An accurate scale bar on each page
- Setbacks from property lines
- The residence
- Any other structures
- Location of standby generator
- Location of buried propane tank for generator (existing or new tank)

If propane, name of licensed propane installer: _____

Licensed electrical installer: _____

Section 14

Variances

The DCCR provides Variances may be "justified due to unusual or aesthetic considerations or unusual circumstances." The standard goes to 'need' rather than 'want'.

- The ACC is charged to consider "such variance will not impair or detract from the high-quality development of the Property".
- The DCCR requires "All variances must be evidenced by a written instrument in recordable form and must be signed by at least two (2) of the Voting Members. Such variance shall require the approval of a majority of the members of the ACC.

The Property Owner requesting a variance must complete the variance application form and submit to the ACC for their review. There will be an application fee of **\$750** to cover legal fees, recording cost, and administrative costs. This fee is required at the time of the application submission. This is a deposit against expected cost and may be more or less. Before an approved variance is issued any additional costs must be paid in full. Refunds will be made for any funds not required. This fee is in addition to the Permit Deposit.

NOTE: The Variance Application Fee is NOT required for a fence where the golf course manager agrees to allow the fence to be installed less than fifty (50) feet from the property line adjoining the Golf Course. [Unit 1 & 2 only]

River Crossing Property Owners' Association Application to the Architectural Control Committee for Variance

This REQUEST form is to be completed by the Property Owner and submitted to the Architectural Control Committee (ACC) for review and possible approval. This form is to be used to request a variance from the River Crossing Declarations and/or Rules and Regulations. Be sure to complete this application **INFULL**.

Name: _____ Property Address: _____

Phone Number: _____ E-Mail Address: _____

Type of Variance requested: Please describe variance requested along with applicable section of the River Crossing Declaration and/or Construction Plan Guidelines, and the reason for requesting the variance.

Section 15

Trash Container Enclosures

River Crossing Declaration of Covenants, Conditions and Restrictions (DCCR) require *"Refuse, garbage and trash shall be kept at all times in covered containers and such containers shall be kept within enclosed structures or appropriately screened from view."*

Any enclosure/screen must be (1) limited in size to that necessary to block the view of the residence trash container(s) from the street(s) and (2) made of materials and in colors harmonious with the residence and other structures on the property. Owners are encouraged to contact the ACC if they have questions.

Other, larger enclosures and screens are addressed in other Sections of these Guidelines (sheds & fences).

There are a number of "kits" available to assemble; made of plastic, resin, wood and other materials. Assembly and placement of these enclosures do not require ACC approval.

If trash enclosures and/or screening walls are constructed these improvements require ACC approval. Submit Section 1 Property Information, diagram of the proposed location, dimensions of the enclosure/screen, description of the materials used and color(s).

No deposit is required. Owner must notify the ACC when any enclosure/screen is complete, whether an initial application was required, or not.

Landscaping may be used for screening and ACC involvement isn't required.

If None of the Guidelines Fit

If you find that your improvement is not listed in the table of contents or if you need assistance in completing the application package, you can request assistance from the ACC before submission of your application. Send an email to rcpoaacc@gmail.com with your project information and they will help you.

Attachment 1

ACC Construction Completion Inspection Checklist

Owner/ Builder Name:

Address /Lot Number:

Notification of Construction Completion Date: _____

- 1** Driveway transition to the public street completed with hot mix asphalt
2. No damage to street or adjoining property
3. Debris, pallets and construction material removed from property
4. No debris/trash in public right-of-way or on adjoining property
5. Temporary construction fences removed
6. Portable toilet removed from property
7. Commercial dumpster removed from property
8. Concrete washout removed from property
9. Builder/Realtor sign removed from property
- IO. Conforms to ACC approved documents
- II. Recommend homeowner installs a reflective Street Number Sign available from Bulverde/Spring Branch Fire & EMS <https://www.bsb911.com/online-store> (830-228- 4501)

Site Inspection Completion Date: _____

1. Approved: _____ Declined: _____ Deferred: _____

2. Inspected by: _____

Attachment 2

River Crossing POA and the City of Bulverde Agreement

River Crossing entered into a twenty (20) year 'In Lieu of Annexation Agreement' with the City of Bulverde in May 2007. This agreement requires River Crossing to comply with the City's building ordinances and practices. The City of Bulverde established a Dark Sky Ordinance in 2003 which applies to River Crossing by virtue of this agreement. The Bulverde ordinance can be found on this RCPOA website under the 'Informational Documents' tab.

Attachment 3

Remodel and Renovation Projects

The Architectural Control Committee desires to collaborate with you for a great remodel and renovation experience. This process will protect you by ensuring you're aware of all the guidelines and rules of who/what/when/where/how work can be accomplished and will shield you from nuisance complaints during the project. The process also protects your adjacent neighbors and other community members from excessive noise, dust, and debris, and inconvenience.

1. Will your project require demolition and generate debris such that a commercial dumpster on site makes sense?
Yes No
2. Will you have multiple trades working on the project, e.g. painters, plumbers, electricians, flooring, etc.?
Yes No
3. Will the project require use of power tools in an exterior area of the home (garage/driveway?), e.g. tile cutter, table saw, circular saw?
Yes No
4. Will a porto-potty be installed on site? Yes No
5. Will the project remove, replace, or alter any current exterior feature or improvement on the property?
Yes No
6. Will the project exceed 15 calendar days from commencement to completion?
Yes No
7. Will the project require permits from Comal County, Utility Companies, or any third-party authority?
Yes No
8. Will the project require commercial delivery of materials? And if so, will those materials be stored outside prior to their use? Yes No

If you answered "Yes to 3 or more of the conditions above, then you may have a project that should have the participation of the ACC to give you the utmost protection and assistance on the project. Kindly contact the ACC at rcpoaacc@gmail.com for a more detailed analysis of your project's needs and how we can collaborate with you for a great project!

Attachment 4

SECURITY MEASURES

1. **ACC Application Required.** Before any security measure contemplated by Section 202.023(a) of the Texas Property Code ("**Code**") is constructed or otherwise erected on a LO an ACC application must be submitted to the ACC and approved in writing in accordance with the Declaration. The following information must be included with the application:

- a Type of security measure;
- b. Location of proposed security measure;
- c. General purpose of proposed security measure; and
- d. Proposed construction plans and/or site plan.

Owners are encouraged to be aware of the following issues when seeking approval for and installing a security measure:

- a The location of property lines for the Lot. Each Owner should consider obtaining a survey before installing a security measure;
- b. Easements in the area in which the security measure is to be installed;
- c. Underground utilities in the area in which the security measure is to be installed.

The Association is not obligated to and will not review an Owner's ACC security measure application for the above-referenced issues. Owners should be aware that a security measure may have to be removed if a person or entity with superior rights to the location of a security measure objects to the placement of the security measure.

2. **Type of Fencing.** The Code authorizes the Association to regulate the type of security measure fencing that an Owner may install on a Lot.

a. Security measure fencing generally

(i) Security measure fencing cannot contain Decorative elements and embellishments (whether part of the fence construction or are add-on decorative elements/embellishments). This prohibition includes, but is not limited to, prohibiting finials (of any shape or design), fleur-de-lis, points, spears (of any shape or design), and gate toppers of any type.

(ii) Unless otherwise provided by the Association's dedicatory instruments, **chain** brick, concrete, barbed wire, vinyl, stone and electrified security measure fencing is expressly prohibited and will not be approved by the ACC.

(iii) No vines or vegetation shall be allowed to grow on security measure fencing.

b. Non-Golf Course Lots

- (i) All walls or fences must be constructed of wood, metal pipe/tube, masonry, masonry veneer, wrought iron or a combination thereof.
- (ii) All wood fences (except cedar and redwood) must be painted or **stained**, and the color must be approved by the ACC. Only milled/finished type lumber is permitted.
- (iii) All fences shall be a minimum of 4' and a maximum of 6.5' in height.
- (iv) NO barbed, smooth, hog, chicken or like material/wire fencing is permitted on property.
- (v) The ACC may allow an Owner to attach 12-gauge wire fence (or larger wire size) to **INSIDE** bottom portion of approved fencing but not to exceed 48" in height.
- (vi) All wood (non-privacy) or pipe fences greater than 4 feet high, with or without wire, must have a minimum of 3 rails facing the street and 2 rails facing the side and rear of the lot. On corner lots, the three-rail segment will be installed toward the street adjacent to the principal residence entrance. (Effective 2-15-08, all wrought iron fences must have 2 rails on all sides). Fences four feet high will require a minimum of two rails on all sides.
- (vii) Chain link fences will not be allowed as perimeter fencing but may be used for dog runs so long as they are out of sight of the street and/or golf course and approved by the ACC.
- (viii) Gates are to be constructed per the same guidelines as provided for fences and shall match the remainder of the fence. Prefabricated galvanized pipe gates are not permitted.

c. Golf Course Lots

- (i) All walls and fences must be constructed of wrought iron, masonry (stucco, brick, rock or any combination) or a combination thereof.
- (ii) All fencing fronting the River Crossing Club golf course must be set back at **LEAST 50'** from the property line. Note: The property owner may request a variance to this setback requirement without being required to pay a variance processing fee. The property owner must obtain a signed letter from the River Crossing Club granting their permission. This letter must be included in the submission.
- (iii) All fences and walls shall be a minimum of 4' and a maximum of 6.5' in height.

d. All security measure fencing must be installed per the manufacturer's specifications and all electric gates must be installed by a licensed electrician in accordance with all applicable codes and applicable governmental regulations.

e. Placement of fencing and/or security measures of any type must comply with Texas, Cities of Spring Branch and Bulverde and/or Comal County Regulations and Ordinances, if any.

f. The ACC shall have the discretion to determine any additional types of approvable or prohibited security measure fencing.

3. Burglar Ban, Security Screens, Front Door Entryway Enclosures. All burglar bars, security screens, and front door entryway enclosure shall be black or any color approved by the ACC. Notwithstanding the foregoing, the ACC shall have the discretion to approve another color for burglar bars, security screens and front door entry enclosure if, in the sole and absolute discretion of the ACC (subject to an appeal to the Board of Directors in the event of an ACC denial), the proposed color of the burglar bars, security screens, and front door entryway enclosures complements the exterior color of the dwelling. All burglar bars and front door entryway enclosures must be comprised of straight horizontal cross-rails and straight vertical pickets. Decorative elements and embellishments (whether part of the original construction of the burglar bar or security screen or are add-on decorative elements/embellishments) of any type are prohibited on burglar bars, security screens, and front door entryway enclosures.

4. Location. A security measure may be installed only on an Owner's Lot, and may not be located on, nor encroach on, another Lot, street right-of-way, Association Common Area, or any other property owned or maintained by the Association. No fence shall be installed in any manner that would prevent someone from accessing property that they have a right to use/access.

Attachment 4

SCREENING WALLS

A wall that is erected to conceal or break a view and often used to provide privacy, reduce noise or create a visual interest and is not considered a perimeter fence. Screening Walls must be approved by the Architectural Committee (ACC) and be in harmony with other structures on the property.

CERTIFICATE OF SECRETARY

I hereby certify that as Secretary of the River Crossing Property Owners Association the foregoing Construction Plan Guidelines for the Non-Gated Communities in River Crossing were approved on the April 23, 2026, at a meeting of the Board of Directors at which a quorum was present.

DATED this the 7 of May, 2026



TRACI FERGUSON
By: [Signature]
Secretary

STATE OF TEXAS §

§

COUNTY OF COMAL §

BEFORE ME, the undersigned authority, on this day personally appeared Traci Ferguson and [Signature] known by me to the person whose name is subscribed to this instrument and acknowledged to me that he executed the same for the purposes herein expressed and, in the capacity, herein expressed.

Given under my hand and seal of office, this 7 day of May, 2026

[Signature]
Notary Public - State of Texas

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
05/08/2026 01:25:00 PM
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Bobbie Koepf