

THE WOODLANDS

COMMERCIAL PLANNING AND DESIGN STANDARDS



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I. GENERAL INFORMATION.

1.1 Introduction.

- A.** The Woodlands is a master planned community developed by The Woodlands Land Development Company, L.P., approximately 27 miles north of downtown Houston on Interstate Highway 45 (I-45), the main transportation corridor between Houston and Dallas. The Woodlands is a community in which people can live, work, play, and learn in harmony with the environment. Careful attention has been paid to the environment, with an emphasis on preserving and enhancing natural vegetation for future generations. The Covenants, these Standards, and the Zone Criteria have been designed to implement The Woodlands' design philosophy and to improve the quality of life in The Woodlands.
- B.** These Standards apply only to Commercial Use Sites or Improvements in the areas of The Woodlands subject to the Covenants. Separate standards pertain to townhomes, condominiums and detached single family residences within the Residential Villages. Please contact the Covenant Administration Department of The Woodlands Township at 281-210-3800 if you have any questions.

1.2 Purposes of Standards.

These Standards (a) preserve and enhance the aesthetic character of The Woodlands, (b) provide for orderly development of The Woodlands, and (c) assist the Applicant and its design professionals in complying with the Covenants and these Standards by providing necessary information at an early stage in the development process.

1.3 Design and Review Authorities.

- A. The Covenants.** The instruments which create the Plan Review Committees and impose restrictions are collectively referred to as the “**Covenants.**” They are:
 - (1)** Covenants, Restrictions, Easements, Charges and Liens of The Woodlands, a copy of which is attached as Exhibit “B” to that certain Special Warranty Deed dated October 4, 1993, recorded at Clerk’s File No. 9353446 in the Real Property Records of Montgomery County, Texas, (the “**TWA Covenants**”);
 - (2)** Declaration of Covenants and Restrictions of The Woodlands Commercial Owners Association dated October 26, 1993, recorded at Clerk’s File No. 9357930 in the Real Property Records of Montgomery County, Texas, (the “**WCOA Covenants**”); and
 - (3)** Covenants, Restrictions, Easements, Charges and Liens of The Woodlands dated September 1, 1993, recorded at Clerk’s File No. 9348561 in the Real Property Records of Montgomery County, Texas, and attached to that certain Annexation of Additional Lands dated March 25, 2002, recorded at Clerk’s File No. V691732 in the Real Property Records of Harris County, Texas, (the “**WCA Covenants**”).

Each of the Covenants covers a specific portion of The Woodlands. A map of the jurisdictional boundaries of the Plan Review Committees is available from The Woodlands Township.

B. Plan Review Committees. Generally, each of the Covenants establishes a separate committee and authorizes the committee to adopt and enforce rules and regulations imposing controls on the property within the jurisdiction of the appropriate committee. These committees are referred to individually as a “**Plan Review Committee**” and collectively as the “**Plan Review Committees.**” The term “**Plan Review Committee**” means the Plan Review Committee with jurisdiction over the Site at issue. The Plan Review Committees are:

- (1) Development Review Committee (the “**DRC**”) established by the TWA Covenants;
- (2) Community Standards Committee (the “**CSC**”) established by the WCOA Covenants; and
- (3) Development Standards Committee (the “**DSC**”) established by the WCA Covenants.

1.4 Codes.

The most recent versions of the Building Codes and other related codes are listed in **Appendix A** attached hereto.

1.5 Use Restrictions.

- A.** Recorded documents called “Initial Land Use Designations” (“**ILUD**”) establish permissible land uses and other restrictions. Any alteration or amendment to an ILUD requires approval by the parties to the ILUD.
- B.** Other restrictions on land use, building size and other matters may be found in other recorded instruments, such as the deed which transferred title to a particular Site.

1.6 Governmental Authorities.

All development and construction must comply with the Covenants, these Standards and Governmental Authorities. The Covenants and these Standards do not permit any action prohibited by Governmental Authorities. Where the Covenants or these Standards contain requirements in addition to or more restrictive than Governmental Authorities, the Covenants or these Standards shall control.

1.7 Commercial Planning and Design Standards.

- A. Under the authority of the Covenants, the Plan Review Committees have adopted these Commercial Planning and Design Standards (the “**Standards**”) which apply to all development and construction on Sites restricted to Commercial Use.
- B. These Standards may be updated, revised or otherwise amended from time to time. The most recent version is available at <http://www.thewoodlandstownship-tx.gov> or by calling the Covenant Administration Department of The Woodlands Township at 281-210-3800.

1.8 Zone Criteria.

- A. Zone Criteria are specific guidelines for a particular geographic area or property based upon characteristics unique to that area. The term “Zone Criteria” also includes “Development Criteria” or similar restrictions created by The Woodlands Land Development Company, L.P. or The Woodlands Commercial Properties Company, L.P. upon the sale of property owned by these entities to a third party.
- B. Zone Criteria may include materials, colors, roof design, Signage, setback lines, driveway access locations, coverage requirements, building heights, massing requirements, sight lines, architectural character requirements, lighting requirements, canopies and awnings, streetscape elements, cornice lines, pedestrian connections, visual corridors, and streetscape requirements that pertain to a specific Site or Sites within the area.
- C. Zone Criteria are not published as part of these Standards but are incorporated by reference and made part of these Standards. Zone Criteria are available from the Plan Review Committee.
- D. In the event of conflict between Zone Criteria and the Standards, the Zone Criteria will control.

1.9 Definitions.

The following terms have the meanings assigned. Other defined terms can be found in other sections of these Standards. The definition of a singular term includes the plural term.

Anchor Tenant – a tenant in a retail shopping center that is expected to attract a large number of customers to the center which will result in business for other tenants in the center. Anchor Tenants are traditionally large supermarkets or retail chain stores. There may be more than one (1) Anchor Tenant. The Owner of the retail shopping center usually designates the Anchor Tenant.

Application Examination Fee – See Section II.2.3.D.

Applicant – any Person, such as the Owner, who files one of the applications described herein with a Plan Review Committee.

Approved or approved— Depending on the context, means an application, item, or matter must be approved by the Plan Review Committee or if permitted herein, its Designee, or that an application, item, or matter has been so approved.

Architect – An individual currently licensed to practice architecture in the State of Texas.

Architect of Record - The Architect whose seal and stamp are affixed to the final set of Plans presented to the Plan Review Committee and who, as the agent of the Owner, requests all approvals of the Plan Review Committee.

Architect of Record’s Letter of Code Compliance – A letter signed, sealed and presented by the Architect of Record to the Plan Review Committee with the final Plans prior to the Commencement of Construction that states that the Improvement has been designed in accordance with and will comply with the Codes, the applicable Covenants, these Standards, any Zone Criteria and Governmental Authorities. (Please see **Appendix B** for the form.) ***Note: This letter is a requirement to release any withheld development and/or compliance deposits.***

Architect of Record’s Letter of Completion - A letter signed, sealed and presented by the Architect of Record to the Plan Review Committee after the substantial completion of Initial Construction or Subsequent Construction that certifies the Improvement has been constructed in compliance with the Approved final Plans, the Codes, the applicable Covenants, any Zone Criteria, these Standards and Governmental Authorities. (See **Appendix C** for the form.)

Building Setback - A line parallel or approximately parallel to the Street Right-of-Way or Property Line at a specified distance therefrom marking the minimum distance from the Street Right-of-Way or Property Line that any buildings may be constructed.

Building Sign – Any Sign attached to any portion of a building that is intended to identify the building name or one (1) or more Tenants of the building.

Business Clarifier – A limited number of words describing a service or product that may include a Business Name, a Logo/logotype, or a tagline.

Business Name - (a) the entity name of a Texas entity or a foreign entity registered in Texas, in either case as recorded with the Texas Secretary of State; (b) the assumed name in a current assumed name filing that complies with Texas Business and Commerce Code Chapter 71, such as an assumed name filing with the Texas Secretary of State; or (c) the trademark identified in a current U.S. or Texas trademark application or registration.

Certificate of Compliance/Completion – A written certificate issued by a Plan Review Committee after completion of construction of an Improvement and after receipt of the Architect of Record’s Letter of Completion. No Certificate of Compliance/Completion shall be issued unless the Architect of Record’s Letter of Completion is acceptable to the Plan Review Committee. A Certificate of Compliance/Completion may be issued on one (1) or more phases of a multi-phase Improvement or upon final completion of the

Improvement. (Please see **Appendix D** for the form of the Certificate of Compliance/Completion.)

Clearing Plan – See Section II.2.3.C.(6).

Codes –The most recent versions of Codes listed on **Appendix A** attached hereto and all other building and related codes required by Governmental Authorities or published by the International Code Council applicable to the Improvement.

Collectors – Street Rights-of-Way that provide access and circulation between Major Thoroughfares and local streets.

Commencement of Construction – the date a contractor first mobilizes on a Site equipment or materials required to begin construction of (a) the first Improvement on the Site or (b) any changes to existing Improvements on the Site, including installation of new landscaping or Signs or changes to existing landscaping or Signs.

Commercial Use –The use of a Site or of an Improvement for one or more of the following purposes: office, retail, light industrial, research, warehouse distribution, religious, educational, recreational, specialty technical, medical, institutional, golf club, golf course, hospitality, apartment, and residential in Town Center. Apartments are a Commercial Use when located in a Residential Village.

Community Shopping Center – A shopping center typically containing one (1) or more Anchor Tenants with a trade area radius of approximately seven (7) miles. (Examples: Pinecroft Center and College Park Shopping Center.)

Compliance Deposit – See Section II.2.3E.

Concept Plan Application – See Section II.2.3B.(1).

Covenants – See Section I.1.3A.

CSC – See Section I.1.4B.

Designee or designee – A Person to whom the Plan Review Committee has delegated its authority to consider and act on matters within the jurisdiction of the Plan Review Committee.

Developer – The Woodlands Land Development Company, L.P. and its predecessors, successors and assigns.

Directional Sign – A sign that provides information about loading, delivery and service areas, fire zones and internal traffic flow patterns.

DRC – See Section I.1.4A.

DSC – See Section I.1.4C.

Easement – See Section IV.4.1D(1).

Engineer – A Person licensed as a structural, mechanical, electrical, plumbing or civil engineer in the State of Texas.

Entity – a corporation, a non-profit corporation, limited liability company, general partnership, limited partnership, trust or other similar organization.

Final Plan Application – See Section II.2.3D(3).

Forest Preserve/Forest Reserve – A strip of land between a Property Line and a Paving Setback Line imposed by these Standards wherein existing natural vegetation must be retained, augmented, and/or Reforested as required by the Plan Review Committee. Please note that other Forest Preserves or Forest Reserves may be imposed on the Site by a deed or other recorded instrument and will be subject to different and additional requirements. For this document, the terms Forest Preserve and Forest Reserve have the same meaning.

Governmental Authorities – any Federal, national, state, municipal, local, or other governmental department, commission, board, bureau, agency regulatory authority, instrumentality, judicial or administrative body having jurisdiction over a Site.

Gross Building Area - the number of square feet in the entire area of the subject Improvement measured to the outside walls without deduction as determined by the Architect of Record and approved by the Plan Review Committee

ILUD – See Section I.1.6A.

Improvement – This term has the same meaning assigned in the applicable Covenant.

Inspection Fee - A fee established by the Plan Review Committees paid prior to the commencement of an Initial Inspection and of a Subsequent Inspection.

Initial Construction – The first construction of an Improvement on an undeveloped Site.

Initial Inspection – a Site visit performed by a qualified inspector.

Landscape Architect – An individual licensed to practice landscape architecture in the State of Texas.

Landscape Pocket – Areas on a Site which the Owner has elected to landscape and which do not satisfy landscaping required by the Plan Review Committee as a condition to approval of an application or of Plans in order to meet open space requirements.

Logo/logotype – a symbol or other design adopted to identify certain products or services.

Major Thoroughfares – Street Rights-of-Way designated by a county and/or the City of Houston as a Major Thoroughfare; including, but not limited to, Woodlands Parkway, Lake Woodlands Drive, Research Forest Drive, Sawmill Road, Grogan’s Mill Road, Gosling Road, Kuykendahl Road, College Park Drive (State Highway 242), Farm to Market Road 2978 (FM 2978) and Farm to Market Road 1488 (FM 1488).

Monument Sign – A low-profile Sign supported by a base.

Multi-Tenant Retail Site – A shopping center without an Anchor Tenant that is comprised primarily of convenience stores or a gas station. (Examples: Terramont Plaza and Marcel Crossing).

Neighborhood/Village Shopping Center – A shopping center with an Anchor Tenant and with a trade area radius of approximately two (2) to five (5) miles.

Owner – The Person who owns and holds record fee simple title to a Site.

OSR - Open space reserve.

Pad Site – A tract located within a shopping center that has different ownership from the shopping center and typically has only one (1) Tenant. The buildings on a Pad Site are not physically connected to other buildings in the shopping center.

Paving Setback - A line parallel or approximately parallel to the Street Right-of-Way or to a Property Line at a specified distance therefrom marking the minimum distance from the Street Right-of-Way or Property Line that any impervious cover, such as pavement, parking lots and necessary maneuvering areas, may be constructed.

Permitted Construction - Construction of drainage facilities, utility facilities, landscaping (including landscaped earthen berms), illumination, pathways, fences, directional and identification Signs, streets, driveways providing access to Improvements from adjacent public streets and selective thinning of the Forest Preserves for the creation of “view corridors” constructed or developed pursuant to Plans Approved by the Plan Review Committee.

Person – An individual or an Entity.

Plan Review Committee and Plan Review Committees – See Section I.1.3B.

Plans – Plans and specifications for an Improvement.

Preliminary Plan Application - See Section II.2.3B(2).

Primary Entrance – The main entrance into a Site which is typically divided by a landscape median.

Property Line – See Section IV.4.1F(1).

Reforestation – To replant a depleted forest or to supplement a forested area that has less than the minimum required density of plant material.

Regional Shopping Center – A shopping center with one (1) or more Anchor Tenants and with a trade area radius of approximately 20 miles. (Example: The Woodlands Mall.)

Religious Institutions – churches, synagogues, mosques, temples and similar institutions.

Residential Village – A geographic area of The Woodlands which is predominantly residential as described in the General Plan of The Woodlands, including, but not limited to, Grogan’s Mill, Panther Creek, Indian Springs, Cochran’s Crossing, Alden Bridge, College Park, Sterling Ridge and Creekside Park. Areas which are not Residential Villages include, but are not limited to, Town Center, Research Forest and Trade Center.

Review Period – See Section II.2.4C(3).

Sign or sign- A display of a message, picture and/or Logo/logotype located on a Site or on or in a building. Although the Covenants give the Plan Review Committees the authority to regulate all Signs, at this time, the Plan Review Committees only regulates:

- (1) Signs located on an undeveloped Site,
- (2) Directional Signs located on a Site,
- (3) Signs located on the exterior of a building (including Signs located on the exterior or interior of the windows of a building) and
- (4) Signs located on or in the interior of a building (including Signs which are and are not attached to the building) which can be clearly seen from the exterior of the building.

By limiting the current Standards to the regulation of the Signs described herein, the Plan Review Committees do not waive their right to regulate all Signs.

Single Family Lot – A Site used or restricted for use for a structure designed for residential use by a single family but excluding apartments.

Site - This term has the same meaning as the word “Lot” as defined in Section 1.12 of the WCA Covenants and in Section 1.24 of the WCOA Covenants, and as the word “Tract” as defined in Section 1.16 of the TWA Covenants.

Street Right of Way – The area between platted lot lines on one (1) side of a street and platted lot lines on the opposite side of the street, including the paved roadway, any median, islands or drainage ditch, if any, which has been dedicated to a county or other public body for public access, drainage, and/or utility purposes.

Submitted or submitted – Means that an item or matter must be presented for consideration to the Plan Review Committee or, if permitted herein, to a Designee of the Plan Review Committee.

Subsequent Construction – Changes to existing Improvements on a Site, including changes to landscaping and existing Signs, and installation of new Signs, which occur subsequent to Initial Construction.

Subsequent Inspection – An inspection following an Initial Inspection during which a violation was noted, or after a notice of violation is sent and the cure period set out in the notice, if any, has expired, to determine if the violation has been cured.

Temporary Sign - A display of a message, picture and/or Logo/logotype located on a Site or on or in a building for a limited time typically used to advertise a new business.

Tenant – Holder of a leasehold estate in a Site pursuant to a written or oral lease agreement.

The Woodlands Township – A special purpose district created by the Texas Legislature with jurisdiction over an area in south Montgomery County, Texas, and north Harris County, Texas, commonly known as “The Woodlands.” Please contact The Woodlands Township for information regarding its exact boundaries.

Tower – A communication tower, cell tower or water tower.

Town Center – That part of The Woodlands between I-45 on the east, the east shore of Lake Woodlands on the west, Research Forest Drive on the north and Woodlands Parkway on the south. Town Center includes that part of The Woodlands known as East Shore.

View Corridor – An area within a Forest Preserve where mid-growth (generally between 3’ and 6’ above ground level) thinning is permitted at the discretion of the Plan Review Committee.

TWA Covenants – See Section I.1.3A(1).

WCOA Covenants – See Section I.1.3A(2).

WCA Covenants – See Section I.1.3A(3).

Zone Criteria – See Section I.1.10.

II. PLAN REVIEW / INSPECTIONS / PERMITS.

2.1 General Information.

- A.** The Covenants provide that no Improvement will commence unless a complete set of Plans has been Submitted and Approved by the Plan Review Committee. Notwithstanding this general requirement, minor Subsequent Construction may be Approved by a Designee without Plan Review Committee action upon receipt of a completed application and verification that the proposed Improvement complies with these Standards and any applicable Zone Criteria.
- B.** All Approvals, including those which are to be granted on a case-by-case basis under these Standards, shall be given on a consistent and non-discriminatory basis, and are based upon, among other things, conformity and harmony of external design with neighboring structures, effect of location and use of Improvements on neighboring Sites, proper orientation of main elevation with respect to nearby streets, traffic, parking, circulation, landscaping and conformity of Plans to the intent of the Standards.
- C.** All Improvements must be designed and built in accordance with the Covenants, the Codes, these Standards, any Zone Criteria and Governmental Authorities.
- D.** The Plan Review Committees have the authority to stop construction if any requirement of the Covenants or these Standards has been violated.

2.2 Limited Authority of the Plan Review Committees; Owner's Responsibility.

- A.** The Plan Review Committee has the authority to determine if Improvements comply with the Covenants, any Zone Criteria and these Standards.
- B.** The Plan Review Committee has no authority to determine if Improvements comply with the Codes or Governmental Authorities.
- C.** The Owner is solely responsible for ensuring that Improvements comply with the Covenants, the Codes, these Standards, any Zone Criteria and Governmental Authorities and for obtaining all approvals and inspections required thereby.

2.3 Applications.

A. General Information.

- (1)** The Applicant must Submit the appropriate Application to the Plan Review Committee or its Designee as provided herein for all proposed Initial Construction and Subsequent Construction as well as for all other matters for which an Application is required by these Standards. Please note that interior alterations that are not visible from the exterior of a building are not required to be Submitted or Approved but are required to comply with the Codes and the requirements of Governmental Authorities.

- (2) **Before selecting an Application, please contact The Woodlands Township at 281-210-3800 for assistance determining if your project requires approval of the Plan Review Committee. If approval is required, the Woodlands Township will advise you which Plan Review Committee (DSC, DRC, or CSC) has jurisdiction over your project, which Applications you must complete and submit, to whom the Applications must be submitted, and where you can find the Applications.**
- (3) If the Plan Review Committee is the DSC, Applications must be submitted to the DSC using the Civic Access Portal, which can be accessed by using this link <https://www.thewoodlandstownship-tx.gov/104/Covenant-Administration> and must be submitted no later than the Application Deadline for the DSC meeting at which the Application will be considered. DSC Application Deadlines and Meeting Dates can be found by searching for "DSC Meeting Dates and Deadlines" on the website of The Woodlands Township www.thewoodlandstownship-tx.gov or by contacting The Woodlands Township at 281-210-3800.
- (4) If the Plan Review Committee is the CSC or the DRC, The Woodlands Township will direct you to the Commercial Division of Ken Anderson & Associates at 281-367-5430. The Commercial Division will advise which Applications you must submit to the CSC or DRC, the dates the CSC or DRC meet, and the deadlines for filing Applications. All CSC and DRC Applications can be accessed using this link: <https://www.kenanderson.com/commercial-the-woodlands>.
- (5) Applications must be completed and presented in accordance with the instructions in these Standards and on the promulgated Application forms prior to the application deadline for the Plan Review Committee with jurisdiction of the Application. An incomplete application may delay the review thereof.

B. Types of Applications. The following applications are required for Initial Construction and may be required for Subsequent Construction:

- (1) Application for Concept Approval
- (2) Application for Preliminary Approval
- (3) Application for Final Approval

C. Required Information and Documents. Each application must include the following information or documents and must satisfy the following requirements:

- (1) All information and attachments required by these Standards and noted on the appropriate application must be provided and attached thereto.
- (2) The Application for Preliminary Approval must have attached thereto a photometric site plan if the application covers permanent project lighting. The Plan Review Committee reserves the right to have final lighting adjusted with the use of additional shielding or dimmers if the lighting is determined to be offensive,

creates glare, or has an excessive level of illumination. Lighting sources on a single Site are not to differ by more than 500 kelvin in color temperature. Replacement lighting color temperature must be between 3600 and 4000 kelvin.

- (3) A master plan for a Site is required for projects with more than one (1) phase of construction (example: schools, religious institutions, shopping centers) and must be presented with the Application for Concept Approval. Subsequent applications must include the originally Approved master plan and any proposed changes.
- (4) Landscape Plans and irrigation plans (if applicable) must be prepared and sealed by a Landscape Architect.
- (5) The official seal and signature of the Architect of Record, Engineer, or Landscape Architect must appear on the final Plans.
- (6) A “**Clearing Plan**” must be Submitted and Approved prior to any clearing. This plan should be included with the Final Plan Application as an attachment. The Clearing Plan should show the clearing limits (See Section III.3.1D) and the proposed location of the protective fencing (See Section III.3.1G).
- (7) The Site grading plan will be reviewed in connection with the Application for Preliminary Approval to ensure that no clearing will occur in any Forest Preserve due to grade changes required from building or parking areas.
- (8) The final construction Plans must demonstrate that Forest Preserves will not be cleared, except for Permitted Construction. (See Section III.3.1D for Clearing Limits).
- (9) Plans for the following types of construction must be prepared by an Architect:
 - (a) Initial Construction;
 - (b) Subsequent Construction of Improvements with more than 1,000 square feet of Gross Building Area; and
 - (c) Subsequent Construction of Improvements with 1,000 or fewer square feet of Gross Building Area if the proposed construction includes (i) construction of living areas, (ii) conversion of non-living areas into living areas, (iii) construction of Improvements with a roofed area greater than 200 square feet attached to an existing building, or (iv) structural remodeling.
- (10) The Architect of Record’s Letter of Code Compliance shall be submitted to the Plan Review Committee prior to the Commencement of Construction.
- (11) The Architect of Record’s Letter of Completion shall be submitted to the Plan Review Committee after the completion of Initial Construction and Subsequent Construction.

NOTE: The Architect, assisted by Engineers, if any, shall be solely responsible for the acceptability, sufficiency and safety of structural, mechanical, and electrical systems in the Improvements. The Plan Review Committees do not review or Approve these elements.

D. Application Examination Fee.

- (1) The Applicant shall pay the Plan Review Committee an Application Examination Fee at the time the Final Plan Application for Initial Construction is submitted to the Plan Review Committee.
- (2) An Application Examination Fee is not required for Subsequent Construction of Improvements of less than 1,000 square feet of Gross Building Area.
- (3) The Application Examination Fee as of the Effective Date of these Standards is the greater of \$500.00 or \$0.10 times the number of square feet of Gross Building Area or as provided by the Plan Review Committee or The Woodlands Township.
- (4) Please contact the Covenant Administration Department of The Woodlands Township at 281-210-3800 for any current Application Examination Fee.
- (5) Payment in the amount of the Application Examination Fee must be remitted as instructed.

E. Compliance Deposit.

- (1) In addition to the Application Examination Fee, the Plan Review Committee may require the Owner to post a Compliance Deposit for both Initial Construction and Subsequent Construction.
- (2) The Plan Review Committee shall determine the amount of the deposit based on the complexity of the project.
- (3) Within sixty (60) days following the issuance of a Certificate of Completion/Compliance by the Plan Review Committee, the Plan Review Committee shall refund the Compliance Deposit to the Owner less such amounts as the Plan Review Committee may determine are necessary to penalize the Owner for non-compliance with the Covenants, these Standards, conditions of approved applications or Plans, failure to obtain required inspections, and/or occupancy of the Improvement prior to the issuance of a Certificate of Compliance/Completion.
- (4) No interest shall be payable on the Compliance Deposit, the deposit may be commingled with other funds of the Plan Review Committee and need not be deposited in a separate or escrow account.
- (5) A Compliance Deposit differs from a Development Deposit which may be imposed by the Developer upon the sale of a Site.

F. Release and Waiver of Liability.

- (1) A Release and Waiver of Liability in the form attached as **Appendix G** must be executed by the Owner and submitted to the Plan Review Committee before the Plan Review Committee will consider the application.
- (2) If an Owner does not execute and deliver a Release and Waiver of Liability to the Plan Review Committee, the Owner, by Submitting an application for approval of Plans, shall be deemed to have agreed to and accepted the Release and Waiver of Liability attached hereto as **Appendix G** as if the Owner had executed same and to have appointed the Plan Review Committee as the Owner's attorney-in-fact with the power to execute a Release and Waiver of Liability on behalf of the Owner and to deliver same to the Plan Review Committee.

2.4 Plan Review Process.

- A. **Commencement of Construction.** Construction of an Improvement may not commence prior to the Plan Review Committee reviewing and approving the Plans for the Improvement as provided herein and establishing a date for the Commencement of Construction.
- B. **Initial Construction.** Initial Construction requires the following plan review and approval by the Plan Review Committee. Each plan review requires the submission of the appropriate application and all supporting documentation.
 - (1) **Concept Plan Review.** Upon receipt of a complete Concept Plan Application and all required information and documentation, including a conceptual front elevation if required, the Plan Review Committee will review the application and either approve the application or furnish the Applicant written comments on the application which must be addressed before the Plan Review Committee will approve the application. The Applicant must respond to each comment of the Plan Review Committee at the same place in the application, attachments to the application or drawings where the comment is made to the satisfaction of the Plan Review Committee. The Concept Plan Application must be Submitted and Approved prior to proceeding to Preliminary Plan Review.
 - (2) **Preliminary Plan Review.** After approval of the Concept Plan Application and upon receipt of a complete Preliminary Plan Application and all required information and documentation, the Plan Review Committee will review the application and either approve the application or furnish the Applicant written comments on the application which must be resolved to the satisfaction of the Plan Review Committee before it will approve the application. The Applicant must respond to each comment at the same place in the application, attachments to the application or drawings where the comment is made. The Preliminary Plan Application must be Submitted and Approved before proceeding with the Final Plan Review.
 - (3) **Final Plan Review.** After approval of the Preliminary Plan Application and upon receipt of a complete Final Plan Application, all required information and

documentation, including any conditions required by the Plan Review Committee during the Concept Plan Review or the Preliminary Plan Review, as well as electrical, plumbing, structural, architectural and landscape plans for all proposed exterior and interior Improvements, the Architect of Record's Letter of Code Compliance, and the Application Examination Fee, the Plan Review Committee will review the Final Plan Application and either approve the application or furnish the Applicant written comments on the application which must be resolved to the satisfaction of the Plan Review Committee before the Plan Review Committee will approve the application. The Applicant must respond to each comment at the same place in the application, attachments to the application or drawings where the comment is made. The Final Plan Application must be Submitted and Approved before the Commencement of Construction on the Site. A Compliance Deposit may be required as a condition to the approval of the application.

- C. **Subsequent Construction.** Plan review by the Plan Review Committee is required for Subsequent Construction; however, minor Improvements subsequent to Initial Construction may be Approved by a Designee without Plan Review Committee action upon receipt of a completed application and verification that the Improvement complies with these Standards and any applicable Zone Criteria. Concept Plan Review and/or Preliminary Plan Review for a specific project, as well as payment of an Application Examination Fee and/or a Compliance Deposit, may be required by the Plan Review Committee.

D. **Certificate of Compliance/Completion.**

- (1) The Plan Review Committee will issue a Certificate of Compliance/Completion if it determines (1) that the Architect of Record's Letter of Completion for an Improvement is in the form required by **Appendix C** attached hereto and (2) that the exterior aesthetic portion of the Improvement complies with the Approved Plans.
- (2) It is the responsibility of the Owner to deliver the Architect of Record's Letter of Completion to the Plan Review Committee.
- (3) After the Plan Review Committee receives an Architect of Record's Letter of Completion in the form required by **Appendix C**, the Plan Review Committee shall have thirty (30) business days from receipt of the Architect of Record's Letter of Completion (the "**Review Period**") in which to determine if the Architect of Record's Letter of Completion complies with **Appendix C** and if the exterior aesthetic portion of the Improvement complies with the Approved Plans. The Plan Review Committee will notify the Applicant of its decision (the "**Review Notice**") as soon as reasonably possible after the Review Period.
- (4) If the Plan Review Committee does not furnish the Applicant a Review Notice, then the Plan Review Committee will be deemed to have not Approved the issuance of a Certificate of Compliance/Completion.

- (5) If the Plan Review Committee determines that the Architect of Record's Letter of Completion does not comply with **Appendix C** and/or that the exterior aesthetic portions of the Improvement do not comply with the Approved Plans, the Plan Review Committee will issue the Applicant a Review Notice describing the deficiencies in reasonable detail and no Certificate of Compliance/Completion shall be issued unless the Applicant cures the deficiencies set out in the Review Notice to the reasonable satisfaction of the Plan Review Committee.
- (6) The Plan Review Committee may charge the Owner a \$200.00 fee for each Subsequent Inspection of the Improvements or for consideration of any revisions to the Architect of Record's Letter of Completion.
- (7) An Improvement may be occupied or opened to the public for business during the Review Period provided a certificate of occupancy or its equivalent has been issued by Montgomery County or Harris County for the public occupancy of the Improvement.
- (8) If an Improvement is opened to the public for business or is occupied without the Owner first obtaining a Certificate of Compliance/Completion, the Plan Review Committee may cause the Owner to forfeit all or part of the Compliance Deposit and/or may impose a Subsequent Inspection Fee for each day the Improvement is open to the public or is occupied without a Certificate of Compliance/Completion in addition to pursuing its legal remedies.

2.5 Variances.

- A. The Plan Review Committee may grant variances to these Standards at the sole discretion of the Plan Review Committee when strict compliance would create an undue hardship by depriving the Owner or Tenant reasonable utilization of the Site, when unusual characteristics affect the Site making strict compliance unreasonable or when the variance constitutes a design improvement.
- B. A variance shall only apply to the specific Site or Improvement and conditions for which the variance was granted and will in no respect constitute a change in or affect the terms or conditions of these Standards as they apply to other Sites, Improvements or conditions. All variances must be shown on the Final Plan Application.
- C. The Plan Review Committee shall use and apply the considerations in this Section II.2.5 when considering any request for a variance to these Standards on a consistent and non-discriminatory basis.

2.6 Automatic Disapproval of Plan Review Committee.

If the Plan Review Committee does not act on a completed application or if all required supporting information required by the application has not been presented as required by the application within thirty (30) days of receipt by the Plan Review Committee of the application, the application shall be deemed disapproved.

III. CONSTRUCTION.

3.1 Construction Requirements.

A. Commencement of Construction.

- (1) If the Commencement of Construction of an Improvement approved by the Plan Review Committee or if permitted herein, its Designee, has not occurred before the commencement date approved by the Plan Review Committee or its Designee (the “**Approved Commencement Date**”), approval of the final plans for the Improvement shall be automatically revoked effective as of the Approved Commencement Date unless the date is extended as provided herein.
- (2) An Applicant may apply to the Plan Review Committee for an extension of the Approved Commencement Date not less than 60 days prior thereto.
- (3) If Plans are automatically disapproved as provided in Section II.2.6, the Applicant must re-apply for approval of the Plans and may be charged an additional Application Examination Fee. In addition, the Plans must comply with the Codes in effect at the time the new application is presented.

B. Completion of Construction. After Commencement of Construction, the Owner must diligently pursue construction to completion prior to the completion deadline approved by the Plan Review Committee. Failure to complete construction by this deadline may result in forfeiture of all or part of the Compliance Deposit.

C. Construction Hours.

- (1) Hours of construction for exterior work are limited to:
 - (a) Monday through Friday: 7 a.m. to 8 p.m.
 - (b) Weekends and Holidays: 8 a.m. to 8 p.m.
- (2) The Plan Review Committee may grant written approval to exceptions to these construction hours. All requests for exceptions will be considered on a case-by-case basis.

D. Clearing Limits.

- (1) Clearing is not allowed more than three (3) feet from the edge of the on- Site paving, ten (10) feet beyond a building face or wall, and inside Landscape Pockets.
- (2) No clearing is permitted within a Forest Preserve or Building Setback except clearing for driveways or for utilities that cross the area perpendicular to the applicable Setback line and other Permitted Construction, as defined and in accordance with the final approved plans.

- (3) Utility lines should be grouped together where possible in order to minimize the number of crossings of a Forest Preserve.
- (4) The Architect, Engineer or contractor shall determine the distance required for construction and to slope back to natural grade to ensure that any natural vegetation is not disturbed within the Forest Preserve and Paving Setback.
- (5) The contractor shall ribbon off the Approved clearing limits with continuous white tape and call for a Site inspection prior to the commencement of actual clearing.
- (6) The clearing permit/approval is normally issued subsequent to approval of the Final Plan Application. However, if special circumstances are shown, a clearing permit/approval may be issued after approval of the Preliminary Plan Application.
- (7) The Applicant is responsible for contacting the Plan Review Committee to arrange a time to review the clearing tape in the field and obtaining the issuance of a clearing permit/approval by the Plan Review Committee prior to any clearing activity.

E. Building Materials; Construction Debris; Trash Storage and Removal.

- (1) All building materials shall be placed inside the setbacks at the Site, but not within the Forest Preserves, and shall either be used or removed from the Site within the normal construction schedule.
- (2) All construction debris and trash shall be stored in Approved enclosed containers.
- (3) All construction debris and trash shall be removed from the Site to a proper disposal location at least once every two (2) weeks.

F. Demolition; Demolition Deposit.

- (1) Exterior demolition must be Approved since such work may result in noise, dust, visual, and other impacts.
- (2) The Plan Review Committee may require a Demolition Deposit to ensure compliance with any requirements or restrictions placed on the demolition by the committee.
- (3) Within sixty (60) days following the completion of the demolition and the removal of all debris from the Site, the Plan Review Committee shall refund the Demolition Deposit to the Owner less such amount as the Plan Review Committee may determine is necessary to penalize the Owner for non-compliance with the Covenants, these Standards, conditions of approved applications or Plans, and/or failure to comply with any requirements or restrictions placed on the demolition.

- (4) No interest shall be payable on the Demolition Deposit, the deposit may be commingled with other funds of the Plan Review Committee and need not be deposited in a separate or escrow account.

G. Protective Fencing.

- (1) Prior to demolition of any buildings on the Site or if no demolition is necessary, within ten (10) days after clearing the Site and prior to any other Site work, the Owner must furnish and install a six (6) foot tall chain link protective fence around the entire interior edge of the perimeter Forest Preserves and around any interior Landscape Pockets (or such other area as Approved) with green, brown, or black mesh installed on the exterior side of the fence.
- (2) Additional fencing around the exterior perimeter may also be required in certain cases in order to protect vegetation from construction activities on the Street Right-of-Way.
- (3) Protective fencing must remain in place throughout the construction process or until the Plan Review Committee permits its removal.

H. Inspections.

- (1) The Covenants give the Plan Review Committees and agents of the Plan Review Committees the right, but not the obligation, to enter upon a Site to make inspections to determine if the demolition or construction work complies with the Covenants, these Standards and Approved Plans.
- (2) These inspections are for the sole and exclusive benefit of the Plan Review Committees and no other Person is entitled to rely on the Plan Review Committees' inspections as evidence of the safety of the Improvements or their compliance with the Covenants, these Standards, Approved Plans or Governmental Authorities.
- (3) THE OWNER IS SOLELY RESPONSIBLE FOR CONDUCTING INSPECTIONS REQUIRED BY GOVERNMENTAL AUTHORITIES AND NECESSARY TO DETERMINE THAT THE IMPROVEMENT AND ITS SYSTEMS, SUCH MECHANICAL AND ELECTRICAL, COMPLY WITH THE CODES AND ARE FREE FROM DEFECTS.

I. Landscape/Irrigation Plans; Inspections.

- (1) Every Site shall be landscaped in accordance with Approved landscape plans. The Plan Review Committee may require redistribution of Approved landscape material to accommodate conditions at the Site.
- (2) The Applicant is responsible for notifying the Plan Review Committee prior to the installation of landscaping or irrigation so that the Plan Review Committee can conduct an inspection to determine if modifications to the Approved landscape

plan are required due to construction problems, unexpected natural conditions at the Site, etc.

3.2 Objectionable Effects.

Offensive or inappropriate odor or other objectionable effects including but not limited to demolition, construction of Improvements and/or changes in vegetation or landscaping upon neighboring Sites must be avoided and will be reviewed by the Plan Review Committee on a case-by-case basis. Special attention must be paid to avoid offensive exterior illumination when the adjacent Site is a Single-Family Lot.

IV. DEVELOPMENT STANDARDS.

4.1 Site Development.

A. Grading and Drainage.

- (1) Site grading must be kept to a minimum where practical. Paving and Improvements must be designed for maximum preservation of the natural grade and vegetation.
- (2) Drainage systems must be designed to minimize runoff, erosion, siltation and vegetation removal.
- (3) Surface drainage must not cause damage to adjacent Sites or existing vegetation as a result of development either during or after construction.
- (4) Erosion and siltation control methods must be employed during and after construction and must comply with Governmental Authorities.

B. Utilities.

- (1) Unless above ground installation is required for the functioning of a utility service or fixture, utility services and fixtures, including all pipelines, cables, fittings and appurtenances for such utilities, must be installed and maintained underground.
- (2) To minimize disturbances of the landscape system, where appropriate, all Site utility service access must be located beneath or directly adjacent to vehicular drives where they penetrate the Forest Preserve.
- (3) Utilities and fixtures which must be installed above ground, including irrigation backflow preventers, gas meters, telecommunication and electric pedestals, and light fixtures taller than twelve (12) inches above the ground, must be screened from view and/or painted a color to blend with the native planting or building color unless a specific color is required by the applicable Governmental Authorities. If no specific color is required, the color must be Submitted and Approved by the Plan Review Committee.

- (4) Transformers, mechanical equipment, electric, gas, or other meters of any type must be adequately screened from public view and painted a color to blend with the color of the building or native planting unless a specific color is required by applicable Governmental Authorities or utility providers. If no such specific color is required, the color must be Submitted and Approved by the Plan Review Committee.

C. Noise and Illumination.

- (1) The Plan Review Committee or its Designee may require noise absorptive fencing and other noise abatement measures for Improvements located near residential Sites.
- (2) Location of mechanical equipment or emergency generator systems must take into consideration the safety of the surrounding environment and noise impact on Tenants, Owners and occupants of adjacent Sites.
- (3) Mechanical equipment on a commercial Site shall not emit sound that the Plan Review Committee determines adversely impacts Tenants, Owners, and occupants of the Site or of adjacent Sites. In making its determination, the Plan Review Committee shall consider, among other things, whether the sound exceeds sixty-five decibels (65 dB) at any part of the Property Line of the Site, the tonal cause and effect of the sound, and other relevant factors. The Plan Review Committee or its Designee reserves the right to require additional sound control devices or measures on a case-by-case basis.
- (4) Illumination or lights must not exceed 0.1-foot candles at the Property Line or create glare or a level of illumination that is offensive when viewed from residential or commercial Sites or public rights-of-way which are adjacent to the Site under construction or undergoing a permanent improvement.

D. Easements.

- (1) An Easement is the right of a third party (e.g., the developer, a utility company, Governmental Authority, The Woodlands Township, or other Person) to use a portion of a Site for a limited purpose, as set out in a Plat, the Covenants, or an easement agreement recorded in county real property records.
- (2) The Covenants create Easements in favor of the Developer which are ten (10) feet wide at the front and rear of a Site, and five (5) feet wide at each side of the Site.
- (3) Many Sites are also affected by Drainage Easements (D.E.), Storm Sewer Easements (S.S.E.), Sanitary Sewer Easements (S.E.), Utility Easements (U.E.), Access and Utility Easements (A.U.E.), and Pathway Easements (P.E.).
- (4) The Owner must determine if the approval of the Owner of an Easement affecting a Site is required. If such approval is necessary, the Owner is solely responsible for obtaining approval prior to the Commencement of Construction.

- (5) Approval of Plans by the Plan Review Committee does not constitute approval of the Plans or the construction contemplated therein by the Owner of an Easement affecting a Site. See also **Appendix G**.

E. Setbacks.

- (1) **Property Lines.** “Property Lines” are the boundary lines of a Site separating it from adjacent Sites. Property Line types include:
- (a) **Front Property Line:** The Property Line of a Site fronting on or bordering any Street Right-of-Way, unless the Site is on a corner, in which case the Front Property Line will be designated by the Developer or by the Plan Review Committee.
 - (b) **Side Property Line:** The Property Lines which intersect a Front Property Line.
 - (c) **Rear Property Line:** The Property Line which connects the Side Property Lines and never intersects with a Front Property Line.
- (2) **Forest Preserve.**
- (a) No clearing, excavation, paving, construction, or storage of materials, buildings, or other Improvements shall be conducted upon or placed within the Forest Preserves except for Permitted Construction.
 - (b) In addition to the Forest Preserves created by these Standards or by the Covenants, Sites may be subject to other Forest Preserves created by the Developer or by other Persons in a recorded instrument such as a deed.
 - (c) Modifications of Forest Preserves established by the Developer and set out in the deed require approval by the Developer, such other Person or their respective successors or assigns. Modifications of Forest Preserves established by the Plan Review Committee require approval of the Plan Review Committee.
- (3) **Front Setbacks.**
- (a) Front Setbacks vary according to the type of street on which a particular Site has frontage.
 - (b) The following Front Setbacks, measured from the Front Property Line, apply unless modified by Zone Criteria:
 - (i) Interstate Highway 45 (I-45):
 - (a) Forest Preserve and Paving Setback – sixty (60) feet

- (b) Building Setback – seventy (70) feet
- (ii) State Highway 242 (SH 242), Farm to Market Road 1488 (FM 1488) and Farm to Market Road 2978 (FM 2978):
 - (a) Forest Preserve & Paving Setback – fifty (50) feet
 - (b) Building Setback – sixty (60) feet
- (iii) Other Major Thoroughfares:
 - (a) Forest Preserve and Paving Setback – forty (40) feet
 - (b) Building Setback – fifty (50) feet
- (iv) Collectors:
 - (a) Forest Preserve and Paving Setback – thirty (30) feet
 - (b) Building Setback – forty (40) feet
- (v) Local Streets: Varies

(4) Side and Rear Setbacks.

Note: These distances may be increased when utility Easements are adjacent to Property Lines.

(a) Adjacent Sites with Same Land Use:

- (i) Forest Preserve & Paving Setback – fifteen (15) feet
- (ii) Building Setback – twenty-five (25) feet
- (iii) A building that is three (3) stories or greater may have additional Setback requirements.

(b) Adjacent Sites with Different Land Uses (Commercial / Residential):

- (i) The minimum on-Site Forest Preserve and Paving Setback line for Commercial Uses is fifteen (15) feet from the Side Property Line and Rear Property Line.
- (ii) When a Commercial Use Site is located adjacent to a Single-Family Lot, additional Paving Setbacks and Building Setbacks may be required.

- (iii) If a Site is subject to an OSR which is fifty (50) feet or more in depth, the Forest Preserve or Reforested area must be at least fifteen (15) feet deep and the Building Line must be at least twenty-five (25) feet from the Property Line. In addition, if the building is three (3) stories or greater, an additional twenty (20) feet must be added to the Building Line for each additional story.
- (iv) If a Site is subject to an OSR which is less than fifty (50) feet in depth, the Forest Preserve or Reforested area must be at least thirty (30) feet deep and the Building Line must be at least forty (40) feet from the Property Line. In addition, if the building is three stories or greater, an
additional twenty (20) feet must be added to the Building Line for each additional story.

F. Exceptions. With respect to any Site, the following structures and Improvements are specifically excluded from these provisions, unless otherwise provided by the Plan Review Committee:

- (1) Roof overhangs.
- (2) Steps and walks.
- (3) Paving and associated curbing necessary to provide access to buildings, docks and parking areas.
- (4) Fences, except that no fence shall be placed within the Street Right-of-Way.
- (5) Landscaping.
- (6) Planters.
- (7) Railroad spur tracks, switches and bumpers.

4.2 Building Design.

A. Design Criteria.

- (1) All initial structural, mechanical, and electrical/ plumbing system Plans must be stamped with the seal and signed by the Architect of Record or an Engineer. The Plan Review Committee may waive this requirement for minor Improvements subsequent to Initial Construction.
- (2) The architectural design must be consistent with accepted design principles of the profession, compatible with surrounding development, and in harmony with the environment in the sole judgment of the Plan Review Committee. Elements to be

considered include the building placement, size, shape, height, style, exterior materials and colors, and its relationship to all proposed Site Improvements.

- (3) Location of mechanical equipment or emergency generator systems must take into consideration the safety of the surrounding environment and noise impact to adjacent Tenants, Owners and occupants of adjacent Sites. Commercial property mechanical equipment shall not emit noise in excess of sixty-five decibels (65 dB) at any portion of the Property Line of the Site on which located. Special attention must be made to the tonal cause and effect of sound emission and the impact to adjacent Sites. The Plan Review Committee or its Designee reserves the right to impose additional sound control devices or measures on a case-by-case basis.
- (4) Buildings should be considered as three-dimensional objects, and attention should be given to the compatible treatment of all exterior surfaces.
- (5) The considerations contained in this section are to be applied on a consistent and non-discriminatory basis.

B. Building Heights. Heights in the Residential Villages are limited to a maximum of six (6) stories unless otherwise restricted.

C. Architectural Character.

- (1) Exterior building materials, textures and colors must be carefully selected so as to be in harmony with the surrounding environment. In general, buildings should be predominantly of one (1) to three (3) exterior materials.
- (2) Architectural detail (such as change of plane, texturing, ribbing, fluting, banding, etc.) should be considered to give large surfaces interest where appropriate. In general, colors must be in harmony with the environment. Accent colors may be considered on a case-by-case basis.
- (3) While innovative architectural designs are encouraged, the Plan Review Committees or its Designee reserves the right to restrict the architectural style, materials and colors of a building within certain zones to specific materials, palette or style.

D. Additional Considerations.

- (1) Rooftop surfaces and equipment located thereon visible from a Street Right-of-Way or an adjacent Site must be Approved and be of a design, location, and color acceptable to the Plan Review Committee or its Designee. Appropriate screening devices may be required.
- (2) Energy conservation should be considered in the building design when determining such things as orientation, shape, thermal mass, colors, shading, reflectivity, air infiltration and ventilation. The incorporation of an alternate energy source (solar, etc.) is encouraged.

- (3) Emergency generators shall be screened with materials matching or complementing the building, as determined by the Plan Review Committee or its Designee, unless otherwise required by applicable Governmental Authorities.
- (4) Dumpster enclosures shall match the architectural style of the building. All trash receptacles/containers must be enclosed in an approved enclosure and reviewed prior to installation. See also Section IV.4.9 Enclosures for Dumpsters and Above Grade Grease Trap Enclosures.
- (5) Exterior wall-mounted electrical panels, switchgear, conduit, etc., shall be finished to match the substrate to which they are mounted when compliant with the Codes unless otherwise required by applicable Governmental Authorities.
- (6) Wall and thru-roof items such as exterior louvers, exhausts, vents, fans, flashings, etc. shall be painted to match adjacent surfaces of the building unless architectural style of the building suggests otherwise.
- (7) All outbuildings or detached structures shall be consistent with the architectural character including materials of the main structure.
- (8) Any temporary buildings or outdoor storage must be Submitted and Approved by the Plan Review Committee or its Designee.
- (9) Any furniture or patio décor, including materials and color finish, to be placed in common areas of buildings on a Site which are visible from a location off the Site must be Submitted and Approved by the Plan Review Committee or its Designee prior to installation and must be uniform throughout the building. Unfinished metal items/furniture will be considered on a case-by-case basis.
- (10) Commercial vending equipment, including but not limited to propane cages, ice machines, water machines, and entertainment kiosks shall be screened from view when possible within an enclosure constructed with materials and finishes complimentary with the primary structure.
- (11) Exterior speakers and site accessories mounted on the exterior of a building should be finished to match the substrate to which they are mounted and Submitted and Approved by the Plan Review Committee or its Designee.
- (12) Building Standard Items must be uniform in appearance, finish, and performance. Recommended Building Standard window treatments are black or charcoal roller shade devices concealed by valence or black aluminum slat window blinds. All Building Standard Items must be Submitted and Approved by the Plan Review Committee.

Building Standard means the type, brand, quality and/or quantity of all elements of a building visible to the public designated by an Owner or the Owner's property manager from time-to-time to be the minimum quality and/or quantity to be used in a building or the exclusive type, grade, quality

and/or quantity of material to be used in a building. Examples of Building Standard Items are window treatments, emergency lighting, wall pack lighting, exterior doors, and exterior hardware.

4.3 Drives and Parking.

A. Vehicular Access.

- (1) The number, location, and width of access drives will be determined by the Plan Review Committee as part of plan review. Sites are generally limited to a maximum of two (2) access drives; however, smaller Sites are permitted only one (1) access point.
- (2) Location of any driveway(s) shall be approved subject to evaluation of Site access considerations relative to any roadway(s) adjacent to the Site.
- (3) Shared drives are encouraged and may be required.
- (4) Criteria for driveways vary depending upon their intended usage. Divided driveways require eighteen (18) foot wide lanes with a twenty-five (25) foot to thirty (30) foot turning radius. Larger radii may be required for truck access.
- (5) Undivided driveways require widths ranging from twenty-four (24) feet to thirty (30) feet with a twenty-five (25) foot to thirty (30) foot return radius, depending on the anticipated land use.
- (6) When crossing a roadside drainage ditch, driveways must have a properly sized culvert as required by any Governmental Authority. Headwall design must meet the requirements of the county in which the Site is located and must be Submitted and Approved.

B. Parking Requirements.

- (1) Adequate off-street parking must be provided for each Site to accommodate parking needs for employees, visitors and company vehicles, except for specific areas where shared parking is approved or where Zone Criteria allows on-street and/or shared parking. The intent of this provision is to eliminate any non-Approved on-street parking.
- (2) All parking must be in designated parking areas.
- (3) Parking is not permitted on access drives between the Street Right-of- Way and the Paving Setback line.
- (4) The minimum parking ratios required for typical land uses are found in **Appendix O – Parking Ratios**.

- (5) The location of designated parking or service areas on a Site must be Submitted and Approved by the Plan Review Committee.
- (6) Vehicles, trailers, etc. which are primarily used for advertising, and vehicles which require more than one (1) parking space, shall be parked in a parking area on a Site which minimizes to the greatest extent possible their visibility from surrounding Street Rights of Way or pedestrian areas. Parked vehicles may not impede traffic flow through the Site. School and other public transportation vehicles are exempt from this requirement.
- (7) All parking lot striping shall be white in color unless a Code otherwise requires. All drives and parking lots shall have a six (6") inch high concrete curb.

C. Screening of Parking, Loading and Service Areas.

- (1) These areas must be screened from view from adjacent Sites and from Street Rights-of-Way.
- (2) Mid-growth and groundcover vegetation can be used to screen these areas.
- (3) If vegetation cannot be used, earthen berms may be approved on a case- by-case basis and if approved, the berms must average three (3) feet in height and be supplemented with planting at their lowest points to maintain a positive screen.

D. Layout and Landscaping for At-Grade Off-Street Parking.

- (1) Parking areas must be designed and landscaped to break up the monotony of a single large-, paved area. The minimum design requirements are as follows:
 - (a) A landscaped median having a minimum width of fifteen (15) feet and running the length of the aisle will be provided for every three (3) contiguous double-loaded parking aisles.
 - (b) Landscaping islands having a minimum width of ten (10) feet must be provided along parking aisles at maximum intervals of twenty (20) parking spaces.
 - (c) Landscape islands are to include a minimum of one (1) hardwood tree, shrubs and/or grasses.
 - (d) Parking aisles must not exceed forty (40) cars in a row. The total parking area must be broken into sections not to exceed 400 cars. The maximum number of cars per acre is 110.
 - (e) For standard size autos, the minimum stall width must be nine (9) feet.

- (f) The minimum double-loaded aisle dimensions, assuming no overhang, must be:
 - (i) Sixty (60) feet (when parking at ninety (90) degrees); and
 - (ii) Fifty-five (55) feet (when parking at sixty (60) degrees).
- (g) The minimum single-loaded aisle dimensions, assuming no overhang, must be:
 - (i) Forty-five (45) feet (when parking at ninety (90) degrees); and
 - (ii) Thirty-five (35) feet (when parking at sixty (60) degrees).

E. Construction.

- (1) All parking areas and driveways must be paved using reinforced concrete or asphalt.
- (2) A curb or other wheel stop must be provided at the perimeter of planted areas to prevent vehicular intrusion.
- (3) Where curb and gutter are used at the pavement edge, the top of the curb must be placed at natural grade. Where no curb is utilized, the pavement must terminate with a suitable edging to ensure stability of the pavement edge, and to direct drainage away from landscaped areas.

4.4 Loading and Maneuvering.

- A. Adequate area must be provided on Site for all loading and maneuvering of trucks and other vehicles in order that such operations will not be carried out in any Street Right-of-Way.
- B. Truck loading and service areas must be located and/or screened using vegetation and/or walls as approved so that such areas are not visible from any Street Right-of-Way or from an adjacent Site.
- C. Truck loading and service areas must be located to the side or rear of the building. Loading doors that are located on the side of a building will be set back a minimum distance of sixty (60) feet from the front Building Line.
- D. Encroachments into any Forest Preserves will not be permitted.
- E. Delivery Hours for Commercial Properties adjacent to residential Sites are limited to:
 - (1) Monday through Friday: 6 a.m. - 8 p.m.
 - (2) Weekends and holidays: 7 a.m. - 8 p.m.

4.5 Storage, Temporary Buildings/Containers and Parking.

- A. Materials, supplies, items for sale, or equipment on a Site must be kept inside a closed building or behind a suitable permanent structure that is compatible with the building aesthetics and out of sight of the general public or adjoining Site.
- B. Permanent outside storage units or containers may be allowed on a case-by-case basis by the Plan Review Committee.
- C. Temporary outside storage buildings and containers, as well as temporary buildings for purposes such as on-site construction management/security or temporary education or meeting space are allowed for short term use on a case-by-case basis. Such buildings and containers must be screened as required by the Plan Review Committee and must be Submitted and Approved pursuant to an executed agreement between the Plan Review Committee and the Owner to ensure timely removal and to establish penalties for non-compliance.
- D. Recreational vehicles, mobile homes, tractors, boats, semi-truck tractors or trailers, or other similar vehicles or equipment, may be parked for not more than forty-eight (48) consecutive hours (the **"Parking Period"**) on any Street Right-of-Way or on any Site where visible at ground level from a Street Right-of-Way or adjacent Site. Moving vehicles off and on a Site in a manner that circumvents this requirement shall be deemed to not to restart the Parking Period. See also Section IV.4.3B(6).
- E. Dumpsters and above grade grease traps when visible from a Street Right of Way must be screened by an enclosure. Additional screening may be required if the dumpster or above grade grease trap are visible from adjacent properties at the discretion of the Plan Review Committee. See also Section IV.4.9 for Enclosures for Dumpsters, Above Grade Grease Traps and Machinery.
- F. A limited display of seasonal products may be allowed under the existing permanent canopy of a store's front façade on a case-by-case basis. See Section VI.6.2.T for permitted signage.

4.6 Screening and Fences.

- A. No wall, screen or fence of any kind may be constructed unless specifically Approved. The design, materials, textures, and colors of such items must be architecturally compatible with those of the building, and where possible, are to be integrated with the building so as to be an extension thereof. Screening devices which face a street must not extend closer to an adjacent street than the Building Setback Line.
- B. Screening devices (whether permanent or temporary during a construction period) must be of a height at least equal to that of the materials or equipment being screened and must be of a type, color and material as approved by the Plan Review Committee or its Designee.

- C. Fences used for security purposes must be designed and located on a Site to be as inconspicuous as possible. Chain-link type fencing with black vinyl coated fabric, posts, and accessories may be approved on a case-by-case basis.
- D. All refuse must be properly contained within refuse containers. All refuse containers visible from a Street Right of Way must be enclosed within an enclosure which has been Submitted and Approved by the Plan Review Committee prior to installation.
- E. There must be a minimum eighteen (18") inch setback from all curbs to fencing.

4.7 Towers.

- A. All Towers and/or modification of Tower structures and/or equipment must be Submitted and Approved prior to Commencement of Construction.
- B. New Towers must utilize the mono pole design as of the Effective Date of these Standards.
- C. Any Tower adjacent to Single-Family Lot must have at least a thirty (30) foot uncleared Forest Preserve Setback between the Property Line of the Single-Family Lot and the cleared area surrounding the Tower.
- D. Towers less than sixty (60) feet in height must be set back at least one (1) times the height of the Tower measured from the Building Setback Line of the nearest Single-Family Lot to the center of the Tower base.
- E. Towers sixty (60) feet or more in height must be located at least one and one-half (1½) times the height of the Tower measured from the Building Setback line of the nearest Single-Family Lot to the center of the Tower base.

4.8 Sidewalks and Pathways.

Sidewalks and Pathways located within a Site, including within any Forest Preserve, which connect to sidewalks or pathways located outside of the Site must be at least six (6) feet wide and must be constructed of concrete with a minimum thickness of four (4) inches with mesh reinforcing. All Sidewalks and Pathways must be constructed so as not to obstruct the flow of natural drainage and in compliance with the provisions of the Americans with Disabilities Act also known as the ADA.

4.9 Enclosures for Dumpsters, Above Grade Grease Traps and Machinery

- A. Enclosures must be Submitted and Approved by the Plan Review Committee or its Designee for dumpsters, above grade grease traps, HVAC equipment, generators and other similar machinery prior to installation.

- B.** Enclosures must:
- (1)** match or complement the architectural style and finish of the primary building on the Site;
 - (2)** enclose all sides of a dumpster, above grade grease trap or other item described in Section IV.4.9A; and
 - (3)** extend a minimum of six inches (6”) higher than the highest point of the item being screened.
- C.** Enclosure gates must be made of metal panels and designed with latches to keep the gates closed and secure when not in use.
- D.** Dumpster lids and enclosure gates must remain closed at all times when not being immediately accessed. No part of a dumpster or other refuse container may be visible to the public at ground level.
- E.** All refuse must be properly contained within the refuse containers. Refuse may not be stored outside of the dumpster and in the dumpster enclosure.
- F.** Enclosures and the items described in Section IV.4.9A must be maintained in good order and repair, including but not limited to, routine disinfecting of dumpsters, the area within the enclosures and removal of debris and stains.

V. LANDSCAPING.

5.1 Introduction. The purpose of these landscape standards (the “**Landscape Standards**”) is to ensure that landscape areas within commercial Sites carry forward The Woodlands design philosophy of preserving and enhancing the natural environment and comply with the requirements and restrictions of recorded deeds and the Covenants.

5.2 Pre-Landscape Installation. Pre-Landscape Installation techniques are employed to protect existing forest areas from further decline during the construction process and include:

- A. Removal of Debris and Dead Trees.** Remove dead trees and debris and maintain a good cover of pine straw mulch to dress up the appearance of a Site.
- B. Tree Protection Fencing.** Six foot high chain link fencing must be installed around the complete drip line of trees to be saved during construction. (Please see **Appendix H.**) Additional fencing may be required by the Plan Review Committee.
- C. Erosion Control Fencing.** Erosion control fencing may be required to prevent excessive siltation over the root zones of existing trees.
- D. Root Pruning.** All root pruning must be done by a licensed arborist and must occur at least six (6) inches behind the curb.

- E. **Tree Inoculation.** Owners are encouraged to treat trees to lessen stress from construction activities. All tree inoculation must be done by a licensed arborist.

5.3 Plans and Installation. A comprehensive Landscape Plan prepared and sealed by a Landscape Architect Submitted and Approved by the Plan Review Committee is required for new landscape installations and major changes to existing landscape installations.

- A. Owners are required to implement, complete and maintain Reforestation and approved landscape Plans.
- B. A Clearing Plan and a Reforestation Plan must be Submitted and Approved by the Plan Review Committee before the Commencement of Construction.
- C. Compliance with clearing and coverage ratios, as well as limiting the removal of trees, mid-growth vegetation and understory vegetation during construction, is required.
- D. Additional or replacement plantings may be required to ensure compliance with the Landscape Standards and Reforestation Plan.
- E. Bermuda grass sod or other warm-season, drought hardy, durable and fine-textured turfgrass approved by the Plan Review Committee is required for lawn areas. A ground cover of native grasses and wildflowers is required for open areas not otherwise improved.
- F. New plant material must be primarily of native varieties. (See **Appendix E** for Approved Species for Forest Preserve/Reforestation and **Appendix F** for Approved Species for Formalized Plantings.) Automatic irrigation systems must be installed and maintained for all newly landscaped areas, including the land between the Site and the roadway pavement. Irrigation system information may be included as part of the landscape plan or may be shown on a separate plan.
- G. Landscape will be inspected and must be completed concurrent with the completion of the building unless otherwise Submitted and Approved.

5.4 Maintenance. Owners are responsible for maintenance and irrigation of all landscaping, including Forest Preserves, and the land between the Site and the roadway pavement.

- A. **Pruning.** Trees and shrubs must be pruned as needed and with such frequency as is consistent with safety and good property management. Pruning shrubs into rigid shapes is discouraged in landscaped areas and prohibited in Forest Preserves.
- B. **Mowing.** Lawn areas of the landscape must be mowed regularly to achieve a maintained appearance.
- C. **Weed Control.** Owners are required to prevent excessive weed growth in formal planting beds by weeding and maintaining a two (2) inch layer of hardwood mulch. Red or other unnatural mulch colors are not allowed.

- D. Plant/Tree Removal and Replacement.** If a plant or tree is removed or dies, complete removal, disposal, and replacement are required. Replacements must be at least two (2) inch caliper size for trees and fifteen (15) gallon size for shrubs.

5.5 Vehicular Access.

- A.** Landscaped areas within parking lots must be protected from automobiles by the use of curbs, wheel stops or bollards.
- B.** Landscaping flanking a driveway entrance and areas within a Street Right-of-Way must not interfere with vehicular sight lines.
- C.** Primary and Secondary Entrances should preserve as much of the existing forest vegetation as possible with minimal disturbance.
- D.** Primary Entrance landscape treatment should be more formal or orderly than Secondary Entrances.
- E.** Secondary Entrances should have a more naturalistic arrangement of plants than Primary Entrances.

5.6 Forest Preserves/Setbacks. Forest Preserves in The Woodlands have been implemented and required along roadways, buildings and parking Setbacks (please see **Appendix J**); other areas may have been imposed by deed or other conveyance upon the Site.

A. General Requirements.

- (1)** Every 300 square feet of Forest Preserve area must have a minimum of one (1) hardwood, one (1) evergreen pine and one (1) shrub planted a maximum of ten (10) feet on center on a triangular grid. (Please see **Appendix K**.)
- (2)** A minimum two (2) inch caliper size is required for newly planted trees. Mid-growth shrubs must be of fifty (50) percent fifteen (15) gallon and fifty (50) percent thirty (30) gallon minimum size.
- (3)** Within newly planted forest areas, the forest floor should transition from an edge of pine straw six (6) feet wide against the shovel cut bed edge to the existing forest floor. (Please see **Appendix L**.)
- (4)** Forest Preserve borders should have a two (2) foot to five (5) foot width of Bermuda grass sod between the Forest Preserve and the Paving Setback and an undulating shovel cut edge for clean separation, ease of maintenance, and to create a more natural form. (Please see **Appendix L**.)
- (5)** Irrigation will not be required for unaltered natural forest areas. When existing forest needs to be supplemented to meet the Landscape Standards, all newly planted areas will require irrigation. Any new irrigation is to be completely

concealed. Above ground irrigation w/bubblers/ drip are acceptable if covered by pine straw.

- (6) Exposed above ground spray heads are not acceptable on a finished landscape. No irrigation lines are to be visible and spray heads / rotors should be installed with the top of the head flush with the elevation.
- (7) Native existing plant material that fulfills the minimum size and spacing for Reforestation may be used in lieu of new planting material.
- (8) Clearing, excavation, paving, construction, storage of materials, buildings or other Improvements are prohibited within the Forest Preserve unless Approved by the Plan Review Committee or its Designee.
- (9) All proposed modifications to an approved Landscape Plan must be Submitted and Approved by the Plan Review Committee prior to installation. Limited mid-growth pruning may be permitted to allow for visibility of vehicle entrances for safety and will be limited to a 45-degree arc of vision from a distance of 20' from the merging roadway and will be considered on a case-by-case basis by the Plan Review Committee or its Designee.
- (10) Any unauthorized alteration, deforestation, clearing or pruning of Forest Preserve vegetation without first being Submitted and Approved by the Plan Review Committee or its Designee will result in enforcement up to and including legal action.

B. Forest Preserve Maintenance Requirements. All appropriate action must be taken to preserve and further enhance the existing natural forest. Areas that are of poor quality, non-existent, or that have been damaged, must be reforested with native varieties as needed to maintain Forest Preserve requirements. Invasive species such as Chinese Tallow are encouraged to be removed and if removed, should be replaced with a 2" caliper replacement tree in compliance with these Standards.

- (1) Pruning of any shrubs, mowing, and weedwacking are prohibited in Forest Preserves and may require replacement of the altered or removed vegetation.
- (2) If a plant or tree is removed or dies, complete removal, disposal, and replacement with a native variety is required to maintain Forest Preserve requirements. Replacements must be at least two (2) inch caliper size for trees and fifteen (15) gallon size for shrubs. Trees must be replaced with one (1) caliper inch of removed tree with one caliper inch of new tree. Example: If one sixteen-inch (16") caliper tree is removed, the tree may be replaced by (a) eight two-inch (2") caliper trees OR (b) four (4) four-inch (4") caliper trees [$16 = 8 \times 2 = 4 \times 4$]. Replacements in a Forest Preserve are at the discretion of the Plan Review Committee or its Designee and the final determination for replants is contingent upon the then existing condition of the Forest Preserve.

- (3) Replacements must be maintained as necessary to promote healthy growth. For the Approved species list refer to **Appendix E Approved Species for Forest Preserve/Reforestation.**

VI. SIGN STANDARDS.

- 6.1 Objectives.** The objectives of the Sign Standards are (a) to permit a limited number of Signs which aid orientation and identify activities or uses, (b) to restrict private Signs which overload the public's capacity to receive information, (c) to restrict private Signs which hinder public safety by increasing the probability of an accident, either by distracting attention or by obstructing vision and (d) to maintain aesthetics.
- 6.2 Enforcement.** The Plan Review Committee may require the Owner to remove Signs in violation of Article VI SIGN STANDARDS at the Owner's cost and expense.
- 6.3 General Requirements.**
- A. Please contact the Plan Review Committee or its Designee to determine if there are any additional or specific sign standards or criteria for the Site.**
 - B.** The Woodlands Land Development Company, L.P. ("WLDC") holds U.S. trademark registrations for the term "THE WOODLANDS." If the Plan Review Committee receives an application that includes the words "THE WOODLANDS" or "WOODLANDS," the Committee shall promptly furnish a designated representative of WLDC (the "**Representative**") a copy of the application and not take any action on the application during the twenty (20) day period commencing on the date the Representative receives the application. If WLDC notifies the Plan Review Committee within the 20-day period that WLDC objects to the application, the Plan Review Committee will not approve the application.
 - C.** All Signs, temporary or permanent, which can be clearly seen from the exterior of the building must be Submitted and Approved by the Plan Review Committee prior to fabrication and installation.
 - D.** All Signs must be appropriate for viewing by the general public and professional in appearance.
 - E.** Signs must be kept in good order and repair and must be in keeping with the character of The Woodlands.
 - F.** Only Business Clarifiers or Business Names are permitted on Signs.
 - G.** Business Clarifiers and Business Names used on Monument Signs, on building mounted Signs and in window graphics must be the same.
 - H.** Signs cannot be supported by or placed in trees, held by Person(s), or mounted on structures not designed for the display of Signs.

- I. Signs, Sign holders and fixtures, except as provided herein, that move, make noise, are accompanied by music or sound, scroll, employ blinking lights, balloons, pennants or similar devices, or utilize inflatables of any type are prohibited.
- J. Signs identifying sub-leased departments, specific brands, products for sale, concessionaires, and services, whether offered within a business or off-site, will not be allowed unless identified by a Business Clarifier Submitted and Approved by the Plan Review Committee or its Designee.
- K. Signs on exterior fixtures, such as gas pumps and light poles, which advertise a service or product are not allowed; provided, however, a monitor type screen for advertising purposes that is incorporated into the gas pump structure may be approved by the Plan Review Committee on a case-by-case basis.
- L. Contact information, including phone numbers, websites, tag lines, and hours of operation are not permitted on any Monument Sign or building Sign unless specifically allowed by the Plan Review Committee.

6.4 Pre-Approved Signs. The following Signs are pre-approved and are not required to be Submitted or Approved:

- A. Door and window vinyl die-cut Signs displaying a Business Name, Business Clarifier, emergency contact information or hours of operation which are not visible from a Street Right of Way or adjoining Site; provided, such Signs must substantially comply with the Sign Standards for sizing, color and location and the number of such Signs shall be limited to maintain aesthetics in accordance with the objectives of these Sign Standards.
- B. Vinyl die-cut Signs for service doors, employee entrance/delivery access and suite numbers provided that the size of and the fonts used on such Signs must be substantially consistent throughout the Site.
- C. Political campaign Signs, “For Sale” Signs, “For Rent” Signs, “For Lease” Signs, and Signs of religious institutions that comply with these Sign Standards.

D. Business Use of A-Frame Sign.

- (1) “A-Frame” sign shall conform to the custom design parameters provided by landlord and outlined in any Shopping Center Criteria.
- (2) Tenants are permitted only one (1) A-Frame sign displayed on the exterior of a business near the main entrance and must be architecturally compatible with the aesthetics and proportions of the tenant space.
- (3) “Valet Parking” or “Parking Information” A-Frame signs must comply with this section.
- (4) An A-Frame sign must (i) be no more than six (6) square feet and shall not block traffic flow or accessibility and (ii) must be placed inside of the store each evening

upon closing and shall not be chained or otherwise anchored.

- (5) Messages are restricted to general products/services and special events, and shall not include pricing information, specific product/service name and/or logos.
- (6) Changeable graphic content is only permitted in the message area of the Sign.
- (7) Content of changeable graphic area is subject to review and approval by the Tenant's landlord.
- (8) The top twelve inches (12") of the message area may be reserved for the Tenant's Business Name and/or Logo and/or logotype.

E. Restaurant Menu Boards. Restaurant menu boards are limited to one (1) Sign no larger than four (4) square feet in size, per location, and may be placed in a window, on an easel or otherwise displayed outside near the front door or patio area of the business. Overall Sign height, including any stand or base, cannot exceed five (5) feet. The Sign must have a single neutral background color and may include neatly handwritten menu items and prices.

F. Valet Parking Signs. See Section 6.4.J: Business use of A-Frame Signs.

G. All other Signs that these Sign Standards designate as pre-approved.

6.5 Signs Requiring Approval. All Signs not identified in Section VI.6.4 such as "Coming Soon" Signs, business banners and "Now Open Signs, are not pre-approved and must be Submitted and Approved by the Plan Review Committee or its Designee.

6.6 Permanent Signs.

A. Signs Within a Building or Tenant Space. Signs, posters, graphics and decorations within a building or a Tenant space must be placed approximately two (2) feet from the storefront or any exterior glass or other transparent exterior building material facing the interior of the building or Tenant Space so that the Sign, poster, graphic or decoration is not primarily visible from the exterior of the building or Tenant space.

B. Illuminated Signs. Illuminated Signs within a building or Tenant space must be installed in a location which is not primarily visible from the exterior of the building or Tenant space.

C. Signs After Tenant Space or Building is Vacated. All building-mounted Signs, Monument Sign panels, window graphics and interior signs visible from the exterior of the building must be removed within thirty (30) days after the building or Tenant space is vacated. A new blank Monument Sign panel similar in design and color to the Monument Sign, unless otherwise required by a Zone Criteria, shall be installed to replace the removed sign panel. The exterior facade on which a Sign was located must be patched and painted to match the area adjacent to the former Sign.

D. Compliance with Codes and Governmental Authorities. A Sign which must comply

with Governmental Authorities or Codes is permitted without application as long as the Sign fully complies with the size, font, text, etc. requirements of Governmental Authorities or the applicable Codes.

- E. Building and Monument Signs.** Building and Monument Signs must match in overall presentation. Window graphics which match building Signs are preferred but not required.
- F. General Identifiers.** General product or service identifiers will be considered on a case-by-case basis and must be Submitted and Approved by the Plan Review Committee or its Designee prior to the installation of the Sign.
- G. Seasonal Products.** A Sign displaying seasonal products located under the existing permanent canopy of a store's front façade may be approved by the Plan Review Committee or its Designee for a limited period on a case-by-case basis. Such Signs must only show information about the seasonal products and must be located in close proximity to the seasonal products advertised by the Sign.
- H. Prices of Goods and Services.** Signs displaying prices of goods or services shall not be mounted or attached (i) on the exterior of a building or on exterior windows or (ii) placed in a location on the interior of the building visible to the general public.
- I. LED Message Boards.** LED message boards are considered Signs and their design, content, light colors and illumination levels must be submitted and approved by the Plan Review Committee. Use of LED message boards is restricted to police, fire, ecclesiastical, and educational facilities. The LED message must (i) relate to the facility that owns the message board and/or provide emergency information, (ii) not use letters larger than 5.5" except for emergence condition messages, (iii) not move or scroll more frequently than once every 24 hours, (iv) must not change more frequently than ever six (6) hours and (v) be static. Illumination must be dimmable. The name of the manufacturer of the message board names must not be visible. No animation or commercial advertising is permitted.
- J. Monument Signs.**
 - (1) General Requirements.**
 - (a)** Each Site may have no more than one (1) Monument Sign oriented to each street on which the Site has frontage with a maximum of two (2) Monument Signs per Site. In lieu of these two (2) monument Signs, one (1) corner Monument Sign may be approved, as determined on a case-by-case basis, for Sites fronting two (2) intersecting streets.
 - (b)** Pad Sites may have separate Monument Signs; however, names of Tenants of the Pad Site are not allowed on the Monument Sign which identifies the shopping center in which the Pad Sites are located.
 - (c)** Street address numbers must be included on Monument Signs located on streets identified in the street address and must be centered or located in the upper corner closest to the street and are to be routed and illuminated,

unless otherwise provided in a Zone Criteria. Street address numbers are not permitted on the base of the monument sign where the numbers could be obscured by vegetation or formal planting and should be located on the primary message area at the top or bottom center or streetside.

- (d) The use of natural materials is encouraged. These selections, however, are subject to the approval of the Plan Review Committee. Such material may either duplicate those of the building or otherwise be complementary (but in harmony) with the building.
- (e) Monument signs must be ground-mounted and structurally sound. Finish materials must extend to natural grade. The base must not be raised more than eighteen (18) inches above natural grade, unless restricted by the physical conditions of the Site.
- (f) All Monument Signs must be designed and constructed for low maintenance. Higher initial cost for materials is preferable to lower initial cost with high maintenance.
- (g) The background of the Monument Sign should be one (1) neutral color and material and the text of one (1) different color. Black or white may be used as a second color. Text and background color are to be contrasting. For Sites which are not subject to a Zone Criteria which establishes sign standards, the Plan Review Committee will consider the use of other colors on a case-by- case basis if the Logo/logotype of the business uses colors as features of the design.
- (h) A Logo/logotype may be used on a Monument Sign panel provided that the Logo/logotype occupies no more than 20% of the total area of the text and the Logo/ logotype and if Submitted and Approved by the Plan Review Committee.
- (i) Monument Sign panels are limited to two (2) lines of text for a name and Logo/logotype. The Plan Review Committee may allow additional lines on a case-by-case basis.
- (j) Tenant names on a Monument Sign panel must not exceed two-thirds (2/3) of the size of the name of the building or project on the Monument Sign.
- (k) Multi-tenant panels are not required to be the same on both sides of a two-sided Monument Sign.
- (l) Panels on a Monument Sign must be the same size.
- (m) Monument signs must be placed perpendicular to the street or on a corner unless restricted by the physical conditions of the Site.

- (n) Monument Signs in residential villages may be ground illuminated and cannot have exterior fluorescent lamps. Ground illuminated Monument Signs must use exterior fixtures which are shielded and have vegetation screening to avoid glare into oncoming traffic. In non-residential areas, Monument Signs may be internally illuminated.
 - (o) Monument Signs must be placed at least one (1) foot behind the Property Line and located to minimize removal of mature vegetation.
 - (p) Vegetation may be removed near the Monument Sign to provide a view corridor of approximately sixty (60) degrees from each side of the sign face. (See **Appendix M**)
 - (q) A formal planting area, not more than eight (8) feet wide, must be installed, irrigated, and maintained around all new Monument Signs and all existing Monument Signs when repaired, modified or sign panels are replaced.
 - (r) The Plan Review Committee may permit Monument Signs larger than permitted in these Standards on Sites fronting state highways, for State Highway 242 (College Park Drive) between Gosling Road and Interstate Highway 45, and for Sites along the Interstate 45 frontage road.
- (2) Office, Medical Office and Service Centers.**
- (a) Office and multiple Tenant Monument Signs (i) shall have a maximum of four (4) Tenant panels in addition to the name and address of the project/building and (ii) must be horizontal and not exceed six (6) feet high from natural grade by ten (10) feet wide.
 - (b) All Tenant panels must be of equal size.
 - (c) Unless otherwise required by Governmental Authorities, medical facilities that the state deems an emergency room/facility may apply for a sign in the county right-of-way that complies with the exhibit in **Appendix P**.
- (3) Retail.**
- (a) **Neighborhood/Village Shopping Centers** (Examples: Indian Springs Village Center, Grogan's Mill Village Center, Panther Creek Village Center, Woodlands Crossing).
 - (i) Monument Signs must be of a horizontal format and not exceed six (6) feet high from natural grade by twelve (12) feet wide.
 - (ii) No more than two (2) Tenant names may be included on the Monument Sign.

- (b) **Community Shopping Centers** (Examples: Pinecroft and College Park Centers).

 - (i) Community Shopping Centers may be allowed one (1) primary Monument Sign that shall not exceed twelve (12) feet high from natural grade by ten (10) feet wide.
 - (ii) No more than four (4) names are permitted on the Monument Sign.
- (c) **Regional Shopping Centers** (Example: Woodlands Mall).

 - (i) Free-standing entry identification Signs for a Regional Shopping Center will be determined on a case-by-case basis by the Plan Review Committee.
 - (ii) Tenant names are not allowed on Regional Shopping Center Monument Signs.
- (d) **Specialty/Mixed Use Centers** (Examples: Waterway, Market Street). Specific zones or districts have been established for these areas that allow Sign elements such as size, color, materials, motion, and lighting methods that may be different from these Standards.
- (e) **Multi-Tenant Retail Sites** (Examples: Glenloch, Woodridge, Marcel Crossing Centers and Research Forest Strip Centers).

 - (i) Monument Signs must be of a horizontal format and not exceed six (6) feet high from natural grade by ten (10) feet wide.
 - (ii) A maximum of four (4) names of Tenants, per sign side, may be listed on the Monument Sign.
- (f) **Single-Tenant Retail Buildings.**

 - (i) Separate Monument Signs may be allowed; however, if the Site is peripheral to and part of a defined shopping center, inclusion of Tenant names on the Monument Sign which identifies the overall center will not be permitted.
 - (ii) Monument Signs must be of a horizontal format and not exceed six (6) feet high from natural grade x ten (10) feet wide.
 - (iii) Gas Stations may be permitted to display a maximum of two (2) gasoline prices and a generic name for one (1) additional service, i.e., Food Mart or Car Wash. Sign panel backgrounds for gas prices and/or an additional service must match the overall Sign background.

(4) Schools, Private Schools and Religious Institutions.

- (a)** Signs must be ground mounted, ground illuminated, and of a horizontal format not to exceed six (6) feet, six (6) inches high from natural grade by twelve (12) feet wide.
- (b)** Message boards may be allowed at schools provided that the school must be the primary user of the Site.
 - (i)** Signs with message boards must be framed with at least one (1) foot of Sign base material.
 - (ii)** The message insert must not exceed four (4) lines, with school-related messages only.

(5) Industrial (Example: Trade Center properties). Monument Signs will be reviewed by the Plan Review Committee on a case-by-case basis.

(6) Residential (Examples: Apartments, Condominiums and attached Single Family Residences). Monument Signs will be reviewed by the Plan Review Committee on a case-by-case basis.

K. Building-Mounted Signs.

(1) General Requirements.

- (a)** The maximum horizontal dimension for building-mounted Signs must not exceed seventy (70) percent of the total storefront width.
- (b)** The maximum total vertical height must not exceed one and a half (1½) times the maximum single letter height.
- (c)** The design of the Sign is limited to individually mounted, fabricated metal channel letters and/or graphics with an internal closed face using acrylic or similar material on the letter face.
- (d)** Returns of letters and graphics must be dark bronze, black, or match the color of the letter face. Return color, depth and material must be consistent for all Tenants of a multi-Tenant building.
- (e)** A Logo/ logotype may be allowed if Submitted and Approved by the Plan Review Committee or its Designee; however, the Logo/logotype should occupy no more than twenty percent (20%) of the overall area of Tenant's message.
- (f)** Signs must be mounted and centered horizontally on the face of the building in the portion of the fascia band dedicated to the Tenant, preferably centered over the Tenant entrance door or within the façade

storefront extents except when the architecture of the Tenant façade prohibits centering of the Sign.

- (g) No exposed wireways, raceways, crossovers, exterior florescent lamps, transformers or conduit will be permitted unless Submitted and Approved by the Plan Review Committee.
- (h) Signs identifying separate and private primary entrances for Tenants of multiple Tenant buildings must comply with the building's approved overall Sign program.
- (i) Building signs are limited to two (2) lines of text for the name and Logo/logotype. Signs with two (2) lines of text must have at least one sixth (1/6th) of the total height of the sign between the two (2) lines of text for adequate vertical separation. Additional lines may be applied for and reviewed by the Plan Review Committee on a case-by-case basis.
- (j) New Signs proposed for replacement in a location where an existing Sign is installed, requires repair of all exposed anchor holes, painting to hide any repairs and all repairs must not be visible or leave any ghosting from the previous signage.

(2) Office; Medical and Service Centers.

- (a) Multi-Tenant office buildings are allowed one building mounted Sign.
- (b) Where allowed, Signs identifying separate and private primary entrances for Tenants of multiple Tenant buildings must comply with the building's overall approved Sign program.

(3) Retail.

- (a) A building on a single Tenant Pad Site and each Tenant space in a multi-Tenant building may have no more than one (1) Sign oriented to each street on which the building or Tenant space has frontage, with a maximum of two (2) Signs per Tenant.
- (b) The maximum vertical dimensions for all elements of Signs with one (1) line of copy are:
 - (i) 50,000 square feet or larger of Gross Building Area – six (6) feet.
 - (ii) 20,000 to 49,999 square feet of Gross Building Area – four (4) feet.
 - (iii) 10,000 to 19,999 square feet of Gross Building Area – three (3) feet.
 - (iv) Under 10,000 square feet of Gross Building Area – two (2) feet.

- (v) In-line retail stores – two (2) feet.
- (c) The maximum vertical dimension for Signs with two (2) lines of copy, including space between lines, is one and a half (1 ½) times the height allowed for one line of copy.
- (d) Box Signs in special circumstances may be permitted on a case-by-case basis to supplement individual channel letters for unusually long Business Name.
- (e) Building Signs are not allowed above the first floor of buildings more than one (1) story in height.
- (4) **Schools and Religious Institutions.** Building mounted Signs must comply with standards of Office, Medical and Service Center Signs in all respects.
- (5) **Industrial.** Building mounted Signs must comply with standards of Office, Medical and Service Center Signs in all respects.

L. Permanent Directional Signs. Directional Signs are Signs that provide information about loading, delivery, and service areas, fire zones, and internal traffic flow patterns. Directional Signs:

- (1) Must be as few in number as is functionally practical and be consolidated where possible.
- (2) Must be permanently mounted on a pole, post or other permanent structure.
- (3) Sign faces must not exceed six (6) square feet in area.
- (4) Ground mounted Directional Signs must not exceed four (4) feet above natural grade in total installed height.
- (5) Letter height must not exceed four (4) inches and must be of a single neutral color.
- (6) Must have a single neutral color background. A dark or black background with white letters is preferred.
- (7) May be ground illuminated in Residential Villages and internally illuminated in non-residential areas.

M. Vinyl Graphics. Signs, including unapproved graphics, paintings, and posters, located on exterior doors and windows are not allowed in exterior windows or doors where they can be seen from outside the building unless specifically allowed in these Standards except as follows:

- (1) One (1) illuminated or non-illuminated “Open” Sign that does not exceed two (2) square feet in size is permitted per occupied Tenant space.

- (2) One (1) white vinyl die-cut or “engraved look” window graphic of the name and/or Logo/logotype of the Tenant is permitted on the interior surface of the glass adjacent to or on the Tenant’s primary entry door(s) and must not exceed two (2) square feet in area; provided, however, if the Tenant has double entry doors, two (2) such window graphics are permitted on each door. Application of door vinyl graphics to the exterior surface may be considered on a case by case basis. Examples include sites where dark window tint or high reflectivity impede visibility. These allowances require an application which may be approved on a case-by-case basis.
- (3) Joint venture businesses and/or multiple businesses documented to be owned or operated by one Person may display up to four (4) different window graphic Business Names within a single two (2) square foot area.
- (4) Entry suite numbers, unless specified otherwise in a Zone Criteria or by the Harris County or Montgomery County Fire Marshal, must be white, vinyl die-cut, four (4”) inch tall, Helvetica font, installed on the exterior of the glass centered above the primary entrance door 2” above the transom. Suite numbers must be consistent throughout the entire property or campus.
- (5) One (1) set of white vinyl die-cut or “engraved look” letters noting the hours of operation, website of the business and emergency contact information and one (1) set of credit card identification stickers are permitted per Tenant. The combined size must not exceed one (1) square foot in area and may be installed on the interior surface of the glass adjacent to or on the Tenant’s primary entry door unless otherwise provided in a Zone Criteria.
 - (a) A business with a drive-thru with differing hours of operation may display one (1) set of lobby / drive-thru graphics identifying the hours of operation on the lobby door, the drive-thru door and/or window.
 - (b) A business with a drive-thru that utilizes identical hours of operation may have one set of graphics for the lobby/drive-thru identifying the hours of operation on the front entry door and on the drive-thru window.
 - (c) Graphics in one language other than English are permitted and the Plan Review Committee may allow graphics in additional languages on a case-by-case basis unless the use of languages other than English is prohibited by a Code or Governmental Authorities.
 - (d) Either a Sign displaying “No Smoking” in text or using an international symbol for “No Smoking” in white die-cut vinyl placed under the hours of operation Sign may be approved on a case-by-case basis.
- (6) Service doors or employee entrance/delivery access at the back of each Tenant space may display one (1) white or black vinyl die-cut or "engraved look" letters Sign stating the suite number and tenant name. Logos/logotypes are not permitted on this Sign. Signs on all doors in a shopping center must have matching color,

size and fonts.

- (7) Signs required to be displayed in the storefront of a business by Governmental Authorities or a Code must comply with the requirements of Governmental Authorities or of the applicable Code.

N. Parking Lot Signs.

- (1) Parking lot Signs, including designated parking, “No Parking,” “No Trucks,” “Handicap Parking”, and “Tow Away”, must comply with the requirements of Governmental Authorities. Any parking lot sign not required by Governmental Authorities must be Submitted and Approved by the Plan Review Committee or its Designee prior to installation.
- (2) Reserved Parking Signs that limit the use of one or more parking spaces to a particular Person will only be permitted on a case-by-case basis by the Plan Review Committee or its Designee where the parking ratio meets the required number of spaces per the Standards.
- (3) Reserved Parking Signs and “To-Go Parking” signs are to utilize curb edge mounted painting when available. In the event curbs are not available for such Signs, wheel stops must be used. If neither curbs nor wheel stops are available for Reserved Parking Signs or “To-Go Parking” signs, then post mounted signs will be considered by the Plan Review Committee or its Designee on a case-by-case basis.
 - (a) Curb-painted reserved parking signs shall have a six (6”) inch tall by seven (7’) foot wide Pantone 424C Grey background (centered in the parking space) with four (4”) inch max height white painted letters in Helvetica. All text is to be centered on background.
 - (b) Reserved parking spaces which do not have a curb, but instead a wheel stop shall utilize the wheel stop for reserved parking signage. In this case the entire wheel stop shall be painted Pantone 424C Grey with four (4) inch max height white painted letters in Helvetica centered on the front face of the wheel stop. See **Appendix R** for additional requirements.

6.7 Temporary Signs.

A. General.

- (1) All temporary Signs must be placed on the Site to which they pertain.
- (2) Existing vegetation must not be disturbed or removed solely for the display of a temporary Sign.
- (3) Ground mounted temporary Signs must be mounted no more than six (6) feet above natural grade in overall height and cannot be more than thirty-two (32)

square feet in area. The bottom edge of the temporary sign must be twenty-four inches (24”) above grade.

- (4) Temporary Signs must have a single neutral background and not more than two (2) letter colors. Letters must not exceed twelve (12) inches in height. Logos/logotypes with color are allowed but must not exceed twenty (20) percent of the total size of the Sign.
- (5) With the exception of Signs specifically addressed below, no temporary Sign may contain product, price or other advertising message.

B. Future Land Use Identification Signs.

- (1) One (1) Sign that identifies future land uses may be installed prior to installation of a “project identification” Sign for a particular Site.
- (2) The Sign’s design must comply with the example shown in **Appendix N** and the following:
 - (a) The Sign must be constructed of one-half (1/2) inch or larger exterior grade plywood, sealed and painted with exterior grade paint.
 - (b) The maximum panel size is four (4) feet high and eight (8) feet wide.
 - (c) Letters must be white vinyl with a maximum of nine (9) inch capital height in Helvetica Medium Stroke.
 - (d) The bottom edge of the Sign cannot exceed two (2) feet above the ground.
- (3) The Sign must be removed before installation of the Project Identification Sign.
- (4) Signs complying with these Sign Standards are pre-approved and are not required to be Submitted or Approved. All other Signs, however, must be Submitted and Approved.

C. Project Identification Signs.

- (1) The Owner of the Site is **required** to install on that Site one (1) temporary project identification Sign.
- (2) At development, renderings of the project identification sign must be Submitted as part of the Preliminary Design Application and Approved before installation.
- (3) The message must be limited to (a) the name of the project, (b) a brief project description and opening date, broker name and telephone number, and (c) the name and contact information for the developer and contractor for the Site.
- (4) A Logo/logotype, graphic or rendering is permitted on the Sign.

- (5) The Sign's design must comply with example shown in **Appendix N** and the following:
 - (a) The Sign must be constructed of one-half (1/2) inch or larger exterior grade plywood, sealed and painted with exterior grade paint.
 - (b) The maximum panel size is four (4) feet high and eight (8) feet wide.
 - (c) Letters must be white vinyl with a maximum of nine (9) inch capital height in Helvetica Medium Stroke.
- (6) The Sign must be installed with the bottom edge of the Sign no more than two (2) feet above the ground.
- (7) The Sign must be removed upon the earlier to occur of (a) occupancy of the individual building, (b) placement of a permanent Sign on the Site for the individual building, or (c) final inspection.

D. "For Sale" Signs.

- (1) One (1) "For Sale" Sign is permitted on each Site.
- (2) The Sign may have a Logo/logotype no larger than two (2) feet by two (2) feet.
- (3) The Sign's design must comply with example shown in **Appendix N** and the following:
 - (a) The Sign must be constructed of one-half (1/2) inch or larger exterior grade plywood, sealed and painted with exterior grade paint.
 - (b) The maximum panel size is four (4) feet high and eight (8) feet wide.
 - (c) Letters must be white vinyl with a maximum of nine (9) inch capital height in Helvetica Medium Stroke.
- (4) The Sign must be removed within seven (7) days of the close of sale.
- (5) Signs complying with this Standard are pre-approved and are not required to be Submitted and Approved by a Plan Review Committee. Signs not complying with this Standard must be Submitted and Approved by a Plan Review Committee.

E. "For Lease" and "For Rent" Signs.

- (1) Each unoccupied Tenant space may have no more than one (1) "For Lease" or "For Rent" Sign oriented to each street on which the Site has frontage with a maximum of two (2) Signs per Site.
- (2) The Sign(s) must be placed in a window or door of the unoccupied Tenant space, preferably closest to the primary entrance of the available space.

- (3) The Sign cannot exceed four (4) square feet in size.
- (4) The Sign must be removed within seven (7) days after the rental or lease contract is signed.
- (5) May include the Owner's name and/or Logo/logotype and "For Lease" or "For Rent" or comparable message announcing the tenant space condition.
- (6) Instead of a banner or Sign, a temporary window graphic or wrap may be used if the graphic or wrap is Submitted and Approved by the Plan Review Committee or its Designee and provided that the graphic or wrap complies with the following requirements:
 - (a) Shall be installed on the interior of only one (1) storefront window of the Tenant space or on an entry to the Tenant space.
 - (b) May only occupy a single pane of glass.
 - (c) Must be completely removed prior to installation of an approved "Coming Soon" sign.
 - (d) May include the following leasing information:
 - (i) Registered name and Logo/logotype (not to exceed 20% of the message area), website address and phone number of leasing or relator company;
 - (ii) One (1) four by four inch (4" X 4") QR Code;
 - (iii) Total square footage and use designation of lease space; and
 - (e) See **Appendix Q** – "For Lease" Window Graphics
- (7) Signs complying with this Standard are pre-approved and are not required to be Submitted or Approved unless otherwise provided in Section VI.6.7.E(6).

F. Political Campaign Signs. These Signs must comply with the standards set out in The Woodlands Residential Development Standards which are incorporated herein by reference. A copy of these Standards is available online at <http://www.thewoodlandstownship-tx.gov> and from the Covenant Administration Department of The Woodlands Township.

G. On-Site Decorative Banners.

- (1) Banners are allowed in retail center, religious institution and school properties, provided that the design relates to the theme or holiday décor and is integrated into the overall design of the Site.

- (2) Messages relating to the sale or promotion of merchandise, events or individual stores are prohibited.
- (3) The design, color, size, location and number must be appropriate for the individual retail center, religious institution or school.
- (4) Banners complying with these Sign Standards are pre-approved and are not required to be Submitted or Approved. Banners, however, not complying with these Sign Standards must be Submitted and Approved by the Plan Review Committee.

H. Banners and Signs Announcing New Businesses. Banners and Signs are allowed only for announcement of the opening or “Now Hiring” for a new business, and must meet the following requirements:

- (1) Cannot be displayed for more than the four (4) weeks before and two (2) weeks after initial opening of a new business. Extensions will be considered pending status of permanent sign.
- (2) May be attached to the surface or hung below the temporary construction Sign, the permanent Sign, the Building Sign band, or in the window of the business.
- (3) Cannot exceed three (3) feet high x eight (8) feet wide.
- (4) Must have a single neutral background color (white, gray, or black) and no more than two (2) letter colors. Logo/logotypes may be Approved on a case-by-case basis.
- (5) Instead of a banner or Sign, a temporary window graphic may be submitted to the Plan Review Committee or its Designee for consideration if the graphic meets the following requirements:
 - (a) One (1) window of the tenant space may have an interior window graphic wrap installed and must be contained in one (1) single storefront window pane or entry of the Tenant’s space and may not exceed fifty (50) square feet.
 - (b) May have no more than three (3) limited background colors.
 - (i) May have the following information: The Tenant’s Business Name, Logo/logotype, website address or QR code not to exceed four inches (4”) in height. Signs may include “Coming Soon” or “Coming (date)” or comparable message.
 - (c) Graphics over Storefront Windows During Interior Construction or Renovation are restricted to the following:
 - (i) Lifestyle graphics related to the business.

- (ii) Limited use of the Business Name, Logo, Messaging, website, QR Code, Designs or information.

I. “Now Hiring” Signs for Established Businesses.

- (1) These Signs are limited to one (1) Sign no larger than four (4) square feet in size, per location, and may be placed in a window or door visible from the outside of the store and must be professional in nature and appearance.
- (2) Signs complying with this Standard are pre-approved and are not required to be Submitted or Approved. Signs, however, not complying with this Standard must be Submitted and Approved by the Plan Review Committee or its Designee.

J. Valet Parking Signs.

- (1) Valet Parking Signs are limited to one (1) Sign no larger than four (4) square feet in size, per location. Overall height, including any stand or base, cannot exceed five (5) feet.
- (2) Signs complying with this Standard are pre-approved and do not require application or Plan Review Committee approval.

K. Private Schools and Religious Institutions. Private schools and religious institutions may install one (1) temporary banner or Sign per main entrance, with a maximum of two (2) Signs, for up to four (4) events per calendar year for a maximum of fourteen (14) days per event.

- (1) Banners or Signs located on an existing temporary or permanent Sign must be attached to the surface or hung below the Sign and cannot exceed three (3) feet high x eight (8) feet wide.
- (2) Free-standing banners or Signs must be placed near the monument Sign, cannot exceed three (3) feet high x eight (8) feet wide, and must be installed no more than two (2) feet above grade.
- (3) Temporary banners or Signs must have a single neutral background color (white, gray, or black) and no more than two (2) letter colors. Logo/logotypes may be Approved on a case-by-case basis.
- (4) A religious institution that holds services at a temporary location may display one (1) temporary Sign with a maximum size of four (4) feet high and four (4) feet wide beginning after 5 p.m. the day before the service and until one (1) hour after the time of the service. The Sign background must be of a neutral color with white or black letters.
- (5) Signs complying with this Standard are pre-approved and are not required to be Submitted or Approved. Signs, however, not complying with this Standard must be Submitted and Approved by the Plan Review Committee or its Designee.

- L. Flag Poles.** A maximum of three (3) flag poles for the display of flags may be Approved if they do not exceed two-thirds ($2/3$'s) the height of the building or a maximum of thirty-two (32) feet high and are not located within a Forest Preserve.
- M. Use of Street Rights-of-Way, Islands, and Medians.** The use of Street Rights-of-Way, islands, and medians is controlled by the applicable Governmental Authority.
- N. Light Pole Banners on Private Property.**
- (1) Must be Submitted and Approved by the Plan Review Committee or its Designee prior to fabrication and installation.
 - (2) May not exceed 32 inches high by 86 inches wide and must be hung from existing banner brackets on light poles.
- O. Seasonal Decorations and Lighting.**
- (1) Winter holiday decorations may be installed on the exterior of a building. These decorations must be limited in scope so as to not become a nuisance or annoyance and may not include flashing or moving lights, or noise. No advertising is permitted as part of the decorations. Winter holiday decorations that conform to this standard are pre-approved and require no application, permit or inspection.
 - (2) Winter season decorations and lights may be installed no earlier than the first Monday in October and must be removed by January 15 of the following year.
 - (3) Winter season decorations and lights may be illuminated no earlier than the second Monday in November through January 15 of the following year.
 - (4) All other seasonal decorations may be displayed for a period not to exceed three (3) weeks.

VII. MAINTENANCE.

7.1 General.

Each Owner shall keep all Sites owned by the Owner, and all buildings and other Improvements therein or thereon, in good order and repair, including but not limited to, seeding, watering, mowing, and maintaining all lawns and landscaping; pruning, maintaining and replacing all trees and shrubbery; maintaining all Forest Preserves; maintaining all Street Rights-of-Way from the Property Line to the street pavement edge; and painting (or other appropriate external care) of all buildings and other Improvements, all in a manner and with such frequency as is consistent with good property management.

7.2 Emergency Repairs.

All damaged Improvements or landscaping shall be repaired or replaced as promptly as reasonably possible. No approval of the Plan Review Committee or its Designee is required to make emergency repairs to the exterior of the damaged Improvement which restore the Improvement to the same condition and appearance as existed prior to the event that caused the repair.

7.3 Unsafe Buildings.

- A.** Keeping or maintaining an Improvement which is structurally unsafe, or not provided with adequate egress, or which constitutes a fire hazard or is otherwise dangerous to human life, is declared a nuisance and is prohibited.
- B.** If the Owner or Tenant of the Improvement fails to cure the nuisance, the Plan Review Committee may pursue its rights and remedies pursuant to the Covenants, these Standards and Governmental Authorities to cure the nuisance.

APPENDIX A – CODES

International Plumbing Code published by the International Code Council

International Mechanical Code published by the International Code Council

International Electrical Code published by the International Code Council

International Building Code published by the International Code Council

Adopted Montgomery County Fire Code

International Energy Conservation Code published by the International Code Council

The most currently adopted version of the International Building Code adopted by the City of Houston will be applied to all Improvements. In the event the Plan Review Committees or another governmental entity with dual jurisdiction chooses to adopt a more recent version in advance of the City of Houston, that adoption of a more current Code by the Committee or a Governmental Authority with jurisdiction over an Improvement shall prevail. Please contact the respective County and the principal office of the Plan Review Committee for any adopted codes published by the International Code Council applicable to your specific Improvement.

APPENDIX B – ARCHITECT OF RECORD LETTER OF CODE COMPLIANCE

ARCHITECT OF RECORD'S LETTER OF CODE COMPLIANCE

TO: PLAN REVIEW COMMITTEE DRC DSC CSC WTCOA

Improvement: _____

Type: _____ Sq. Ft.: _____

Parcel/Lot: _____ Village: _____

Street Address: _____

Use: _____

Owner's Name: _____

The undersigned Architect of Record certifies that the Improvement has been designed in accordance with and is in compliance with the Codes, the applicable Covenants, the Commercial Planning and Design Standards and Applicable Law. All capitalized terms not defined herein shall have the meaning assigned in the Commercial Planning and Design Standards effective as of the date hereof.

Dated: _____

ARCHITECT:

(Company Name)

(Architect of Record Name, Please Print)

(Architect of Record Signature)

(Registration Number)

It's Authorized Representative SUBSCRIBED AND SWORN TO before me, the undersigned authority, on the ____ day of _____, 20 ____.

Notary Public, State of

APPENDIX C – ARCHITECT OF RECORD’S LETTER OF COMPLETION

ARCHITECT OF RECORD’S LETTER OF COMPLETION

TO: PLAN REVIEW COMMITTEE ☐ DRC ☐ DSC ☐ CSC ☐ WTCOA

Improvement: _____

Type: _____ Sq. Ft.: _____

Parcel/Lot: _____ Village: _____

Street Address: _____

Use: _____

Owner’s Name: _____

Plans on file with the Plan Review Committee, pursuant to which the Improvement was completed and submitted by:

The undersigned Architect of Record certifies that the Improvement has been completed in accordance with the Plans Approved by the Plan Review Committee and is in compliance with the Codes, the applicable Covenants, the Commercial Planning and Design Standards and Applicable Law. All capitalized terms not defined herein shall have the meaning assigned in the Commercial Planning and Design Standards effective as of the date hereof.

Dated: _____

ARCHITECT:

(Company Name)

(Architect of Record Name, Please Print)

(Architect of Record Signature)

(Registration Number)

It’s Authorized Representative SUBSCRIBED AND SWORN TO before me, the undersigned authority, on the _____ day of _____, 20____.

(Notary’s Signature)

Notary Public, State of _____

APPENDIX D – CERTIFICATE OF COMPLIANCE/COMPLETION

THIS CERTIFICATE DOES NOT WARRANT THE SUFFICIENCY, ACCEPTABILITY, OR APPROVAL BY THE PLAN REVIEW COMMITTEE OF THE DESIGN, CONSTRUCTION, WORKMANSHIP, MATERIALS OR EQUIPMENT OF ANY IMPROVEMENTS UPON THE LOT OR USE THEREOF.

CERTIFICATE OF COMPLIANCE/COMPLETION

Improvement: _____

Type: _____ Sq. Ft.: _____

Parcel/Lot: _____ Village: _____

Street Address: _____

Use: _____

Owner's Name: _____

Plans on file with the Plan Review Committee, _____, pursuant to
which the Improvement was completed and submitted by:

The Owner has furnished the Plan Review Committee with an Architect of Record's Letter of Completion certifying that the Improvement has been completed in accordance with the Plans Approved by the Plan Review Committee and is in compliance with the Codes, the applicable Covenants, the Commercial Planning and Design Standards and Applicable Law. All capitalized terms not defined herein shall have the meaning assigned in the Commercial Planning and Design Standards effective as of the date hereof.

Dated: _____

PLAN REVIEW COMMITTEE:

AUTHORIZED REPRESENTATIVE:

(PRINT NAME)

(SIGNATURE)

APPENDIX E – APPROVED SPECIES FOR FOREST PRESERVE/REFORESTATION

Canopy		
Scientific Name	Common Name	Size
<i>Magnolia grandiflora</i>	Southern Magnolia	See Forest Preserve/ Reforestation Requirements for appropriate size and spacing
<i>Pinus elliottii</i>	Slash Pine	
<i>Pinus taeda</i>	Loblolly Pine	
<i>Quercus shumardii</i>	Shumard Oak	
<i>Quercus nigra</i>	Water Oak	
<i>Quercus nuttallii</i>	Nuttall Oak	
<i>Taxodium distichum</i>	Bald Cypress	
<i>Ulmus alata</i>	Winged Elm	
Mid-growth/Understory		
<i>Myrica cenfera</i>	Southern Waxmyrtle	15 gal.
<i>Crataegus marshallii</i>	Parsley Hawthorne	15 gal.
<i>Ilex opaca</i>	American Holly	15 gal.
<i>Ilex decidua</i>	Possumhaw	15 gal.
<i>Ilex vomitoña</i>	Yaupon	15 gal.
<i>Myrica pusilla</i>	Dwarf Southern Waxmyrtle	15 gal.

APPENDIX F – APPROVED SPECIES FOR FORMAL PLANTINGS

CANOPY		
Scientific Name	Common Name	Size
<i>Pinus elliottii</i>	Slash Pine	65 gal.
<i>Pinus taeda</i>	Loblolly Pine	65 gal.
<i>Quercus virginiana</i>	Live Oak	65 gal.
<i>Quercus shumardii</i>	Shumard Oak	65 gal.
<i>Quercus nigra</i>	Water Oak	65 gal.
<i>Quercus nuttallii</i>	Nuttall Oak	65 gal.
<i>Taxodium distichum</i>	Bald Cypress	65 gal.
<i>Ulmus parvifolia 'Drake'</i>	Drake Elm	65 gal.
<i>Magnolia grandiflora</i>	Southern Magnolia	30 gal.
MID-GROWTH/UNDERSTORY		
<i>Cercis spp.</i>	Redbud (Eastern, TX & OK)	30 gal.
<i>Lagerstroemia indica</i>	Crape myrtle	30 gal.
<i>Myrica cefera</i>	Southern Waxmyrtle	15 gal.
<i>Crataegus marshallii</i>	Parsley Hawthorne	15 gal.
<i>Ilex opaca</i>	American Holly	15 gal.
<i>Ilex decidua</i>	Possumhaw	15 gal.
<i>Azalea spp.</i>	Azaleas	5 gal.
<i>Ilex vomitoria</i>	Yaupon	5 gal.
<i>Myrica pusilla</i>	Dwarf Southern Waxmyrtle	5 gal.
<i>Raphiolepis indica</i>	Indian Hawthorne	5 gal.
GROUND COVER		
<i>Dietes 'Bicolor'</i>	Bicolor Iris	3 gal.
<i>Muhlenbergia capillaries 'Gulf Coast'</i>	Gulf Coast Muhly	1 gal.
<i>Muhlenbergia lindheimeri</i>	Lindheimer's Muhly	1 gal.
<i>Pennisetum alopecuroides 'Cassian'</i>	Pennisetum Cassian	1 gal.
<i>Lonicera japonica</i>	Honeysuckle	1 gal.
<i>Hemerocallis spp</i>	Daylily	1 gal.
<i>Pennisetum alopecuroides 'Hameln'</i>	Dwarf Fountain Grass	1 gal.
<i>Miscanthus 'Adagio'</i>	Dwarf Maiden Grass 'Adagio'	1 gal.
<i>Lantana sp.</i>	Lantana	4' pot
<i>Linopse muscari 'Big Blue'</i>	Big Blue Liriope	6' pot
<i>Trachelospermum asiaticum</i>	Asian Jasmine	6' pot

APPENDIX G – RELEASE AND WAIVER OF LIABILITY

The Woodlands Land Development Company, L.P., The Woodlands Commercial Properties Company, L.P., The Woodlands Township, the Community Standards Committee, the Development Standards Committee, the Development Review Committee and all Residential Design Review Committees, and all of their respective owners, members, parents, employees, shareholders, directors, officers, agents and all of their respective successors and assigns (individually, a **“Released Party,”** and collectively, the **“Released Parties”**) shall not be liable in damages to any Person in connection with the Covenants or the Standards for any reason whatsoever, including without limitation, any Person Submitting Plans to any of the Released Parties, or to an Owner or Tenant of the Site, because of a mistake in judgment, negligence, nonfeasance, or omission arising out of, or in connection with (1) the approval or disapproval or failure to Approve any such Plans, or (2) the inspection, failure to inspect, issuance of a Certificate of Compliance/Completion or the failure to issue such certificate. Every Person who Submits Plans to a Released Party agrees (1) not to make any claim or bring any action or suit against any of the Released Parties and (2) to pay all the costs and expenses including, without limitation, court costs and attorneys’ fees incurred by the Released Parties in connection with any such claim, action or suit brought in violation of this Release.

In addition to the forgoing, the Released Parties shall not be liable (1) for soil conditions, drainage or other general Site work, (2) for any defects in the Plans or (3) for the manner or quality or other circumstances of the construction of any Improvement or Structure conducted on any Lot or Site. This Release of Liability does not waive or modify the Waiver of Liability in Section 16.09 of the TWA Covenants or the Waiver of Liability in Section 15.01 of the WCOA Covenants.

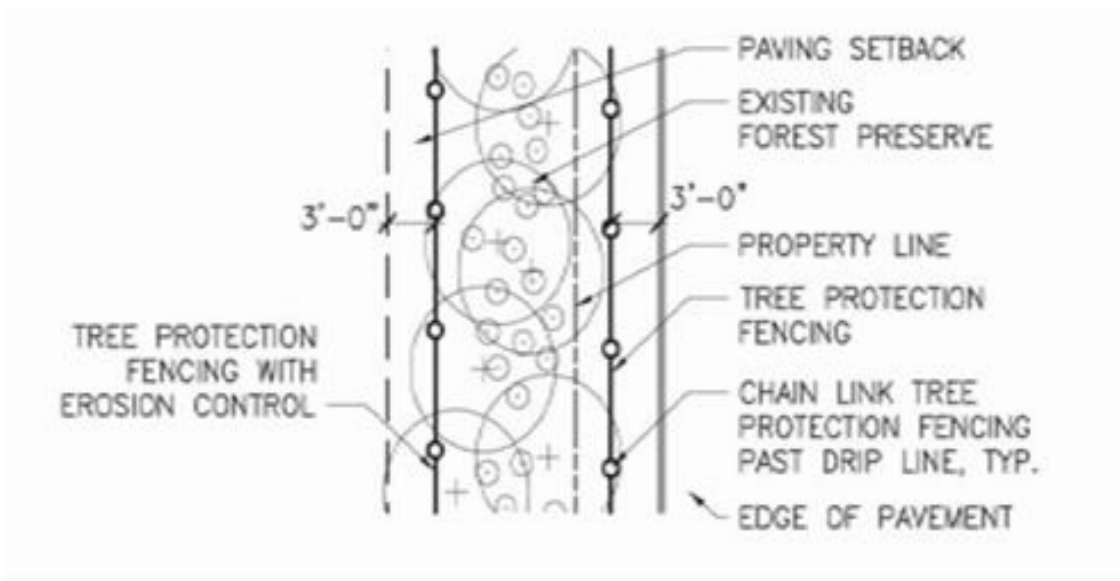
The Owner agrees and acknowledges (1) that the Released Parties are not responsible for ensuring the structural integrity or soundness of any Improvement or Structure or for ensuring compliance with the Codes, these Standards and Governmental Authorities and (2) that it is the duty of the Owner to determine if any proposed Structure or Improvement is structurally and mechanically sound and otherwise safe and to determine that the proposed Structure or Improvement is designed and constructed in accordance with the applicable Covenant, these Standards, the Codes, all Governmental Authorities and sound practices.

All capitalized terms, unless defined herein, shall have the meanings assigned in the Commercial Planning and Design Standards in effect on the Effective Date of this Release and Waiver of Liability.

Executed to be effective on the ____ day of _____, 20_____. (the “Effective Date”).

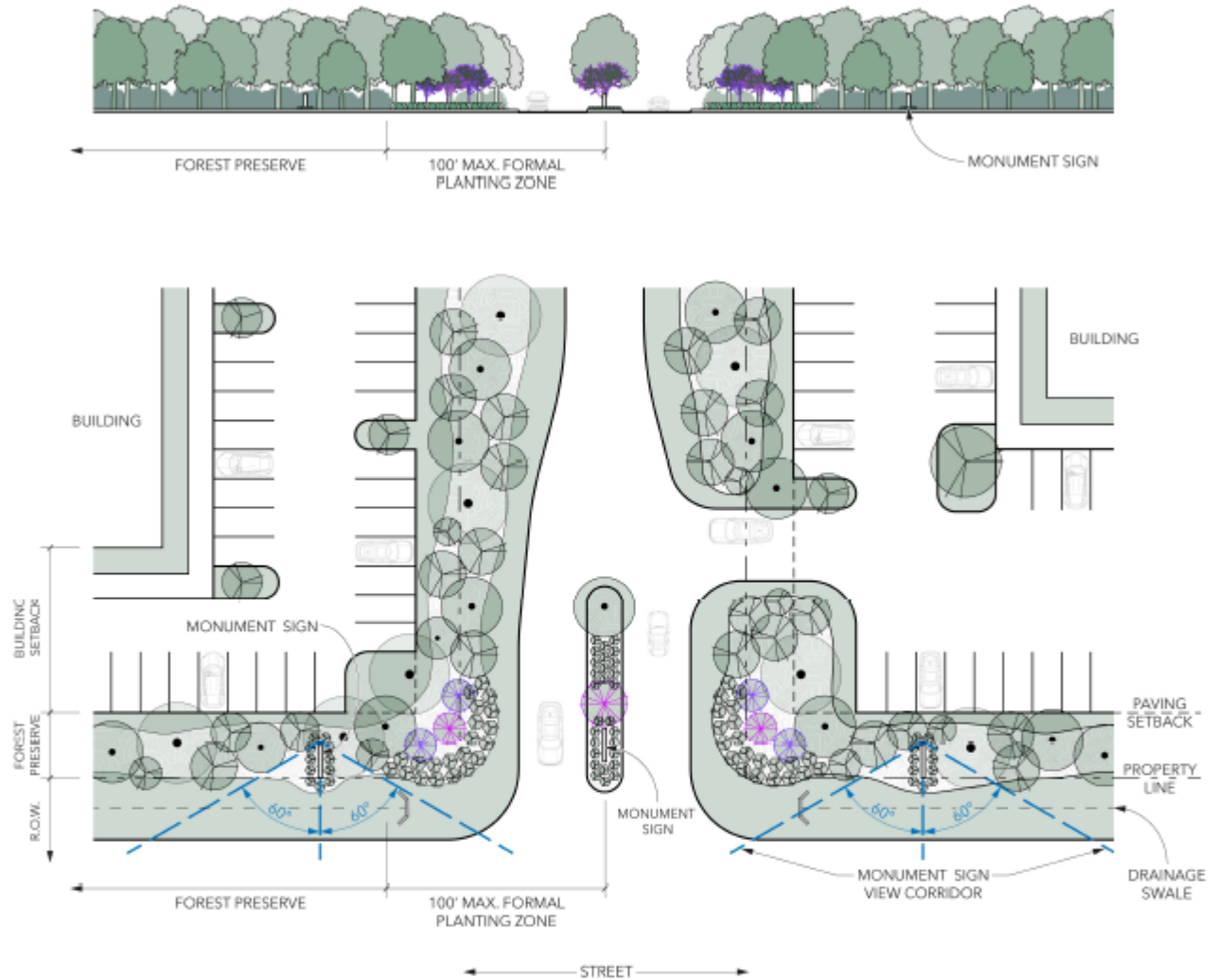
OWNER: _____

APPENDIX H – TREE PROTECTION FENCING



APPENDIX I

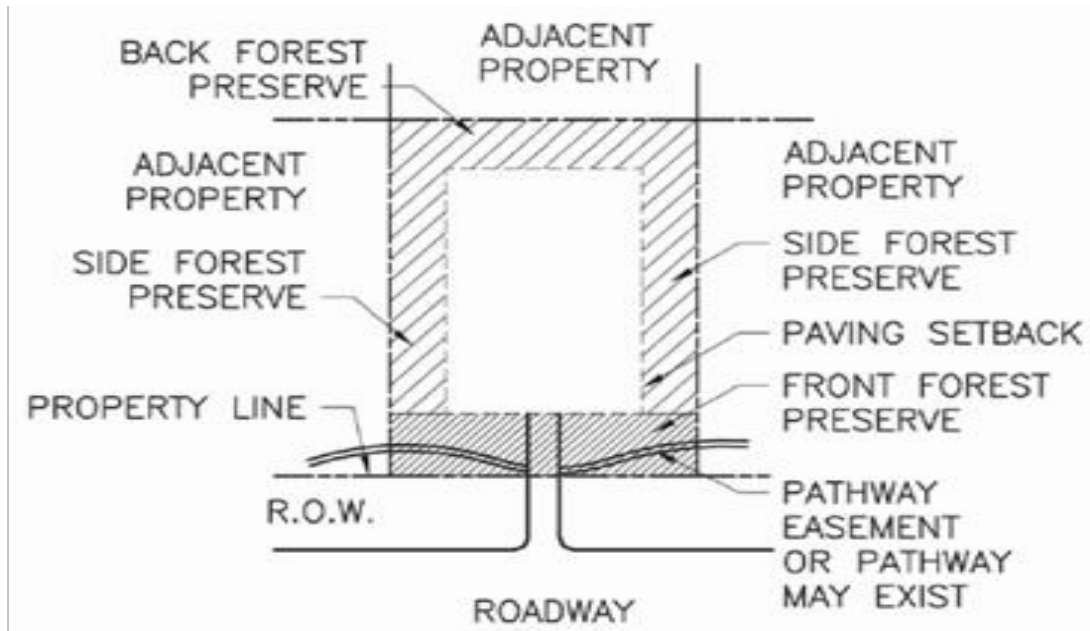
MIDGROWTH CLEARING, MONUMENT SIGN VIEW CORRIDOR, AND ENTRANCES



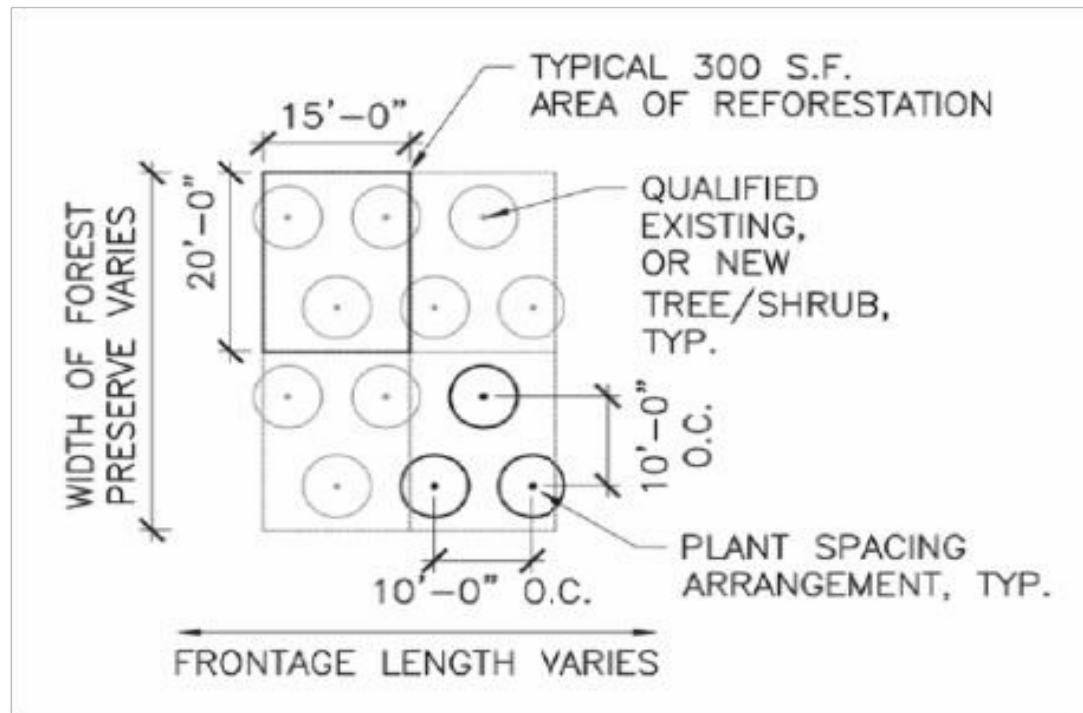
NOTES:

1. BERMUDA SOD IS REQUIRED IN THE R.O.W. (TO INCLUDE IRRIGATION).
2. LANDSCAPE BEDS SHALL HAVE A MINIMUM PINESTRAW EDGE OF SIX FEET.
3. NATIVE PLANTING IN FRONT FOREST PRESERVE.

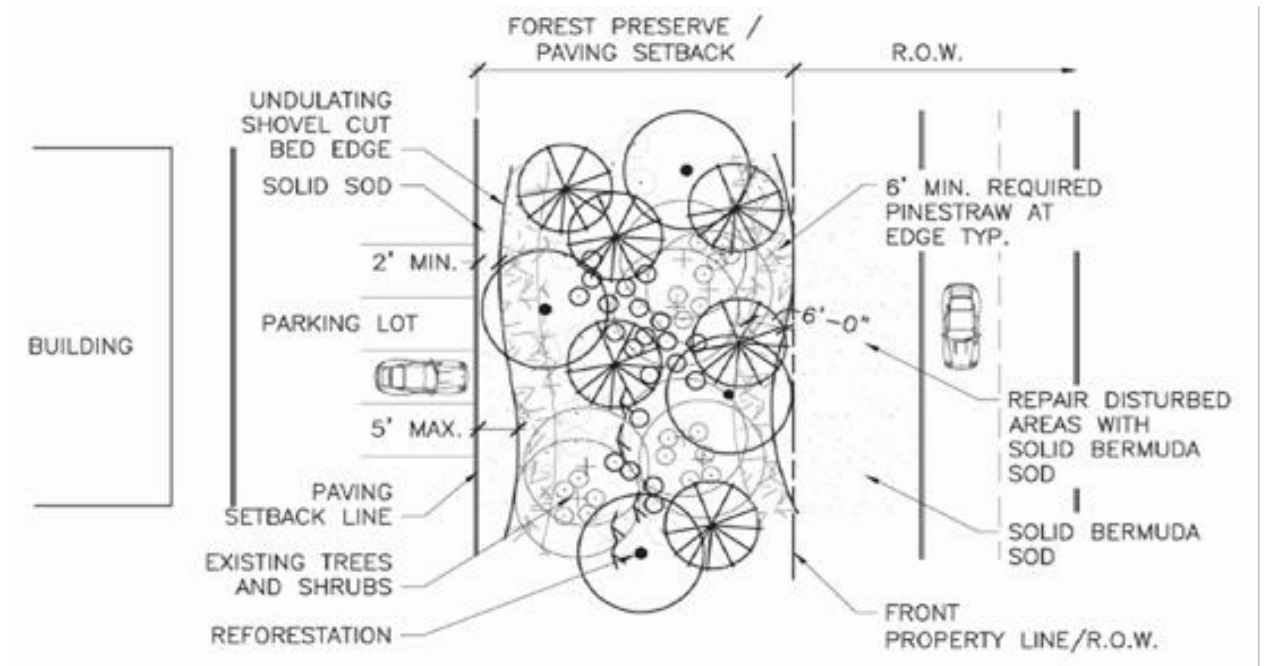
APPENDIX J – FOREST PRESERVE DIAGRAM



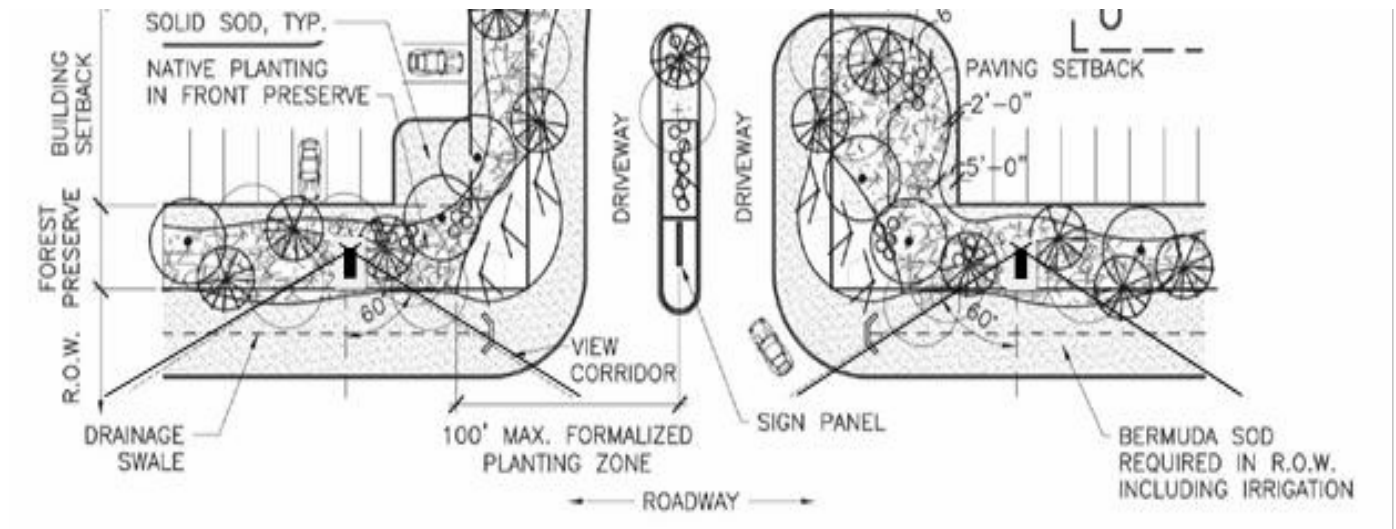
APPENDIX K – FOREST PRESERVE PLANT SPACING



APPENDIX L – FOREST PRESERVE EDGE AND BORDER REQUIREMENTS



APPENDIX M – MONUMENT SIGN “VIEW CORRIDOR”



APPENDIX N – TEMPORARY SIGN

TEMPORARY SIGN

"FUTURE LAND USE", "PROJECT IDENTIFICATION" and "FOR SALE"



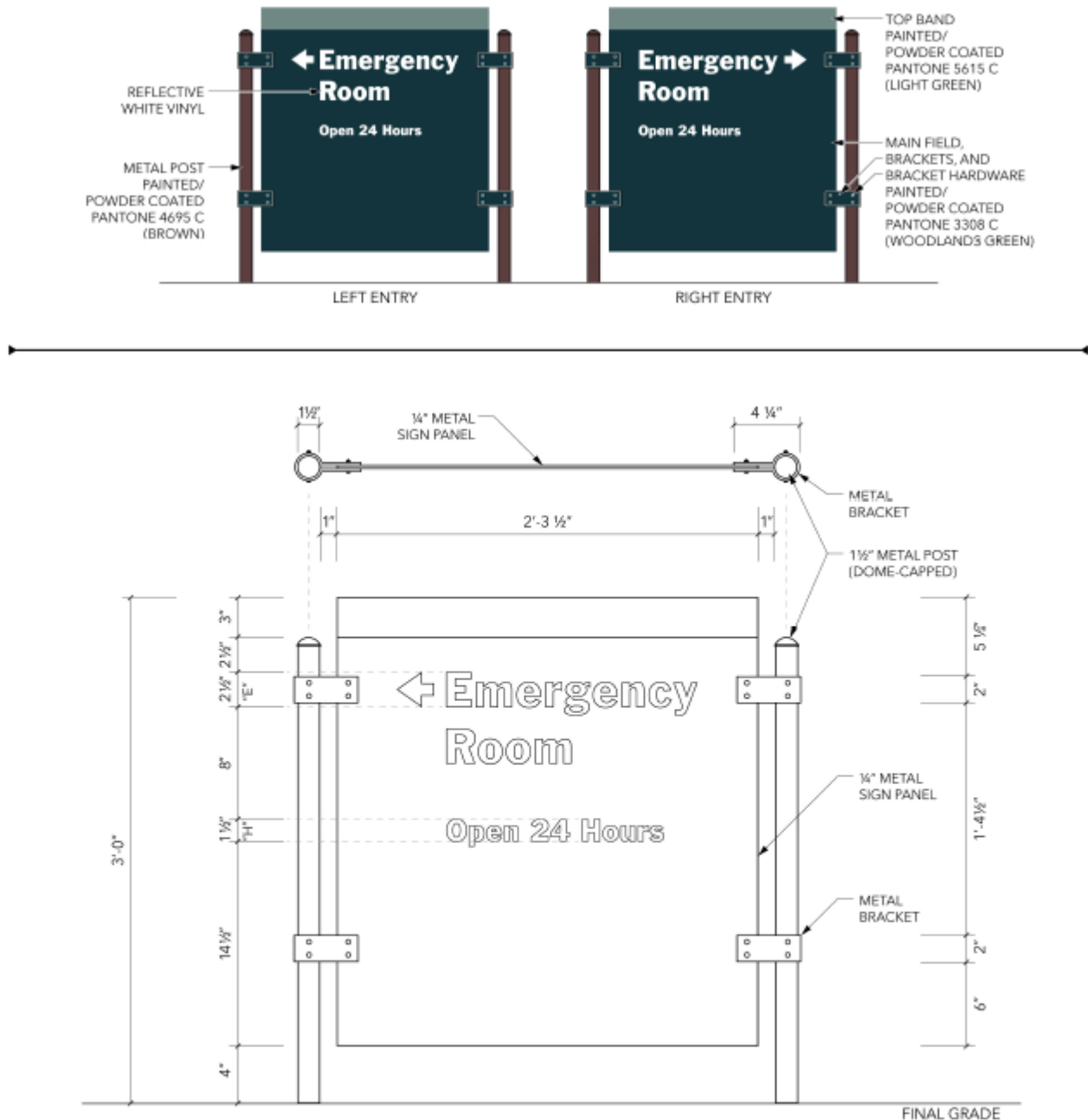
Sign may include a colored rendering of the project.

APPENDIX O – PARKING RATIOS

*Commercial Parking Ratios						
Land Use		Parking Ratio		Land Use		Parking Ratio
General Office		3 spaces/1,000 sq. ft.		Multi-family or Condominium		
Convenience Storage (Mini-warehouse)		1 space/4,000 sq. ft.		Ⓟ Efficiency		1.0 spaces/unit
Bulk Warehouse				Ⓟ One bedroom		1.5 spaces/unit
Ⓟ Office Use		2.5 spaces/1,000 sq. ft.		Ⓟ Two bedroom		2.0 spaces/unit
Ⓟ Warehouse Use		1 space/7,000 sq. ft.		Ⓟ Three bedroom		2.5 spaces/unit
Medical Office/Clinic		5 spaces/1,000 sq. ft.		Ⓟ Each additional bedroom		0.5 space per bedroom per unit
Research Laboratory		2.5 spaces/1,000 sq. ft.		Duplex or Single Family Attached (Standard)		2 spaces/dwelling unit
Financial Services		4 spaces/1,000 sq. ft.		Duplex or Single Family Attached (Greater than 4,000 sq. ft. or more than 6 bedrooms)		1 space per bedroom
Ⓟ Drive-In		8 queue spaces/lane		Single Family Residential		2 spaces/dwelling unit
Hospitality		1.1 spaces/room		Convalescent Services		1 space per 4 beds patient cap. plus 1 per 2 employees max. shift
Ⓟ Other uses within hospitality		Ⓟ If not an accessory use, 80% of parking otherwise required by the Code		Hospital Services		1 space per 4 beds patient cap. plus 1 space per 2 employees max. shift
Restaurant				Food Sales/Conv. Store		4 spaces/1,000 sq. ft.
< 5,000 sq. ft.		10 spaces/1,000 sq. ft.		Furniture/Carpet Store		2 spaces/1,000 sq. ft.
5,000+ sq. ft.		15 spaces/1,000 sq. ft.		Service Station/Lube		3 spaces/bay plus 3 queuing spaces/bay
Ⓟ Drive-thru lanes		8 queue spaces/lane				
Retail Supermarket		5 spaces/1,000 sq. ft.				
Shopping Center/General Retail		4 spaces/1,000 sq. ft.				
Cocktail Lounge						
Ⓟ Up to 5,000 sq. ft.		10 space/1,000 sq. ft.				
5,000 to 10,000 sq. ft.		20 space/1,000 sq. ft.				
Day Care		1 space/per 9 Students + 1 space/each employee				
Religious Assembly		1 space/per 3 sanctuary seats				

*If “Land Use” type is not included in the above Parking Ratio Appendix O, refer to the City of Houston’s most currently adopted Parking Ordinance.

APPENDIX P – DIRECTIONAL SIGN – 24 HOUR EMERGENCY ROOM

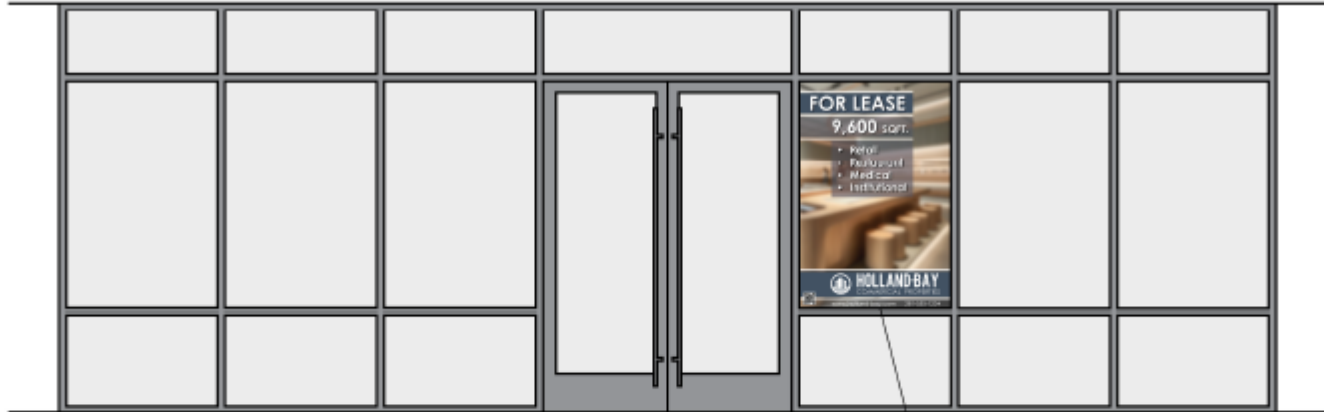


NOTES:

1. APPLICANT IS SOLELY RESPONSIBLE FOR ENSURING THAT ALL PROPOSED SIGNAGE FULLY-COMPLIES WITH ALL CURRENT APPLICABLE CODES, LAWS, AND REQUIREMENTS OF ALL AUTHORITIES HAVING JURISDICTION, INCLUDING, BUT NOT LIMITED TO THE TEXAS ADMINISTRATIVE CODE.
2. ADDITIONALLY NOTE, THAT DIRECTIONAL SIGNS, SUCH AS THAT PRESENTED IN THIS EXHIBIT, HAVE DIFFERENT TEXAS ADMINISTRATIVE CODE REQUIREMENTS THAN A FORMAL MONUMENT SIGNS.

APPENDIX Q – “FOR LEASE” WINDOW GRAPHICS

“FOR LEASE” WINDOW GRAPHIC ARE TO BE USED IN THE WINDOW OF A STOREFRONT / LEASE SPACE DURING VACANCY.



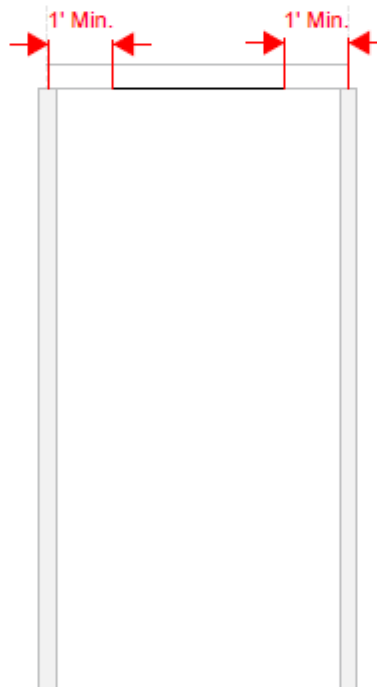
“FOR LEASE” WINDOW GRAPHIC

REQUIREMENTS:

- ALL WINDOW GRAPHICS ARE SUBJECT TO COMMITTEE APPROVAL PRIOR TO INSTALLATION
- MUST BE MOUNTED TO THE INTERIOR SURFACE OF THE GLASS.
- MAY ONLY OCCUPY A SINGLE PANE OF GLASS.
- MUST BE COMPLETELY REMOVED PRIOR INSTALLATION OF AN APPROVED “COMING SOON” SIGN.
- MAY INCLUDE THE FOLLOWING LEASING INFORMATION:
 - LEASING OR REALTOR COMPANY’S:
 - REGISTERED NAME & LOGO (NOT TO EXCEED 20% OF THE MESSAGE AREA.)
 - WEBSITE ADDRESS & PHONE NUMBER
 - ONE (1), FOUR BY FOUR INCH (4” X 4”) QR CODE.
 - TOTAL SQUARE FOOTAGE & USE DESIGNATION OF LEASE SPACE.



APPENDIX R – RESERVED PARKING SIGNAGE



Background paint to be flat Pantone 424C. White paint to be semi-gloss.

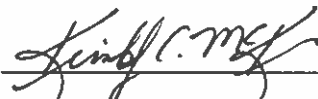
Approved Reserved Parking Signage must be maintained at all times to represent a "like-new" condition.

Any damaged signage or substrate must be properly repaired and the signage repaired or replaced to a "like-new" condition.

NOTES

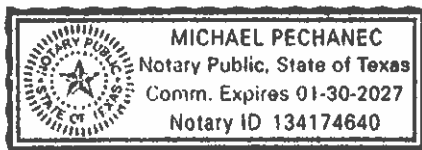
1. Wheel stops are to be painted Pantone 424C with white paint as indicated above where applicable.
2. Reserved parking signage is to be removed when the tenant vacates the space.
3. Reserved parking signage must be approved by Property Management and the Authority Having Jurisdiction and may never exceed 50% of total available parking for a parking lot.

EXECUTED effective the 7th day of August 2026.

By: 
Kimberly A. McKenna

THE STATE OF Texas §
COUNTY OF Montgomery §

This instrument was acknowledged before me this 7th day of August, 2026,
by Kimberly McKenna, Director Capital Administration.



 Michael Pechanec
Notary Public, State of Texas

Recordation Information:
Montgomery County DOC# 2026084509
Harris County DOC# RP-2026-321438

FILED FOR RECORD
08/07/2026 10:10AM



L. Brandon Steinmann
County Clerk
Montgomery County, Texas

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was filed in the file number
sequence on the date and time stamped herein
by me and was duly RECORDED in the Official Public
Records of Montgomery County, Texas.

08/07/2026



L. Brandon Steinmann
County Clerk
Montgomery County, Texas

ORIGINAL RETURNED AT TIME OF RECORDATION

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of the illegibility, carbon or photo copy, discolored paper, etc. All black-outs, additions and changes were present at the time the instrument was file and recorded.