

The Villages of Woodland Springs Design Guidelines

PLEASE NOTE: Failure to obtain ACC approval could result in the homeowner being forced to remove all unapproved items or completed projects.

MARKUP #1 ->

Sidewalks and Walkways

- Homeowners are responsible for keeping sidewalks on their property in good condition.
- All replacement or repair of front sidewalks must be constructed of concrete and meet city specifications and regulations.
- Sidewalks and curbs are to be maintained so that there is no significant cracking or missing portions.
- Concrete may not be stained.
- Flagstone walkways require a mortar construction method and are subject to ACC approval.
- All changes must be approved by the ACC and/or city official as required.

Signs

Signs may be displayed on Lot with the following guidelines: one (1) professional security service sign of not more than one square foot, and one (1) of the following types of signs which shall not exceed six square feet:

- A sign advertising the property for rent or sale
- A political sign during election periods only as permitted by the City and complying with Texas law on political signs
- A sign used by a Builder to advertise the Property during the construction and sales period, each of which shall, in any event comply with all statutes, laws or ordinances governing same
- A contractor only during construction, renovation or repair (such signage shall be limited to a maximum of a thirty (30) day period during the sale and construction period) If the contractor needs more than thirty (30) days request should be made to the ACC through the management company.
- A personal sign which signifies an affiliation with schools, military/patriotic or religion, (which may not be reasonably considered a public nuisance and/or a disturbance of the peace) In no event shall there be more than **two (2) signs** plus one (1) security service sign at any given time.

The Board of Directors or its agents shall have the right to remove any sign, billboard or other advertising structure that does not comply with the above, and in so doing shall not be subject to any liability for trespass or otherwise in connection with such removal.

ISSUE #1

Television Antennas & Satellite Dishes

Satellite dishes and antennas may be placed in an inconspicuous location on each property. Satellite dishes may not be placed on or within 5 feet of the front facing roofline of a home. No satellite dish may exceed 25 inches in diameter. ~~Receiving or transmitting towers that are visible from a street or from another lot are prohibited within the Property and shall be located inside the structure (such as an attic or garage). Each resident of the Property will avoid doing or permitting anything to be done which may unreasonably interfere with the satellite or antenna reception of neighboring properties. In the event of a dispute concerning this paragraph, the ACC shall make a final determination of accepted positioning. The Association will, in the enforcement of this provision and any rules and regulations promulgated pursuant hereto, abide by the FCC rules relating to Satellite Dishes.~~

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 9 (p. 10): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas is preempted by federal FCC OTARD regulations.

Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast satellite dishes 1 meter or less in diameter, and fixed wireless broadband antennas (including hub and relay antennas) situated on property within the exclusive use or control of the owner/tenant.

CURRENT WORDING IN DOCUMENT:

Television Antennas & Satellite Dishes Satellite dishes and antennas may be placed in an inconspicuous location on each property. Satellite dishes may not be placed on or within 5 feet of the front facing roofline of a home.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided that this restriction shall not prohibit or require prior approval for any owner or occupant installing an antenna, fixed wireless broadband hub/relay device, or satellite dish of one meter (39.37 inches) or less in diameter within areas under the owner's or occupant's exclusive use or control, in accordance with FCC OTARD regulations (47 C.F.R. § 1.4000).