



**RESOLUTION ADOPTING XERISCAPE STANDARDS
FOR
THE WOODS OF BRUSHY CREEK HOMEOWNERS ASSOCIATION, INC.
(the "Association")**

WHEREAS, in the best interest of the Association in light of frequent and persistent drought conditions in the area, the Association desires to adopt the following resolution in the interest of conservation.

BE IT RESOLVED, that the Association's supplementary guidelines, effective January 24, 2012, for Owners and Members are as follows:

Xeriscaping means using native and adapted plants that grow and sustain themselves with low water requirements, and that can tolerate heat and drought conditions. The City of Austin is vigorously promoting xeriscaping for resource conservation and environmental protection. The advantages of xeriscaping include:

- Substantial cost savings on water bills
- Conservation of diminishing water resources during drought periods
- Prevention of pollution of surface and ground water from environmentally harmful runoff
- Reduced yard maintenance requirements
- Pride in knowing you are doing something substantial to protect our fragile environment

The Woods of Brushy Creek will allow variances to the requirement for full green lawn (turf) areas up to 75% of available front yard vegetative space. Conversely, at least 25% of the visible lawn area should contain a turf grass. The easement strip between the public sidewalk and the curb does not count toward the 25% turf area.

Approval for Changes

Prior to changing their landscape, homeowners must submit a request for variance to the Architectural Control Committee (ACC) using the ACC Improvement Request Form available on the WBCHOA website at www.wbchoa.org. The request must include an outline of the project and a design plan, as well as details on the types of plants, the ground covers, border materials, and hardscape materials to be used. Allow 30 days for approval of the request; the ACC may request additional information or changes to the plan that may cause final approval to take longer. Installation of the new xeriscaping cannot begin until the variance has been approved. Once landscape installation has commenced, the project must be completed within sixty (60) days of project approval. If the project is not completed within that time, homeowner may be subject to violations.

Ground Cover

If a variance is granted, non-turf areas can contain decomposed granite, ground hardwood mulch, crushed limestone, flagstone, or other loose stone material for a ground cover. The ground cover must be maintained to prevent weed growth, preferably without using toxic or environmentally harmful chemicals. Paver stones may be used to create walkways. Concrete surfaces are limited to driveways and sidewalks only.

Plants

Use plants adapted to the pH soil conditions created by the non-turf materials used. For example, don't use acid-loving plants along with alkaline crushed limestone. Acid-loving plants would do well with ground hardwood mulch. Native plants would do well with limestone or crusted granite.

For public safety, no plants with thorns, spines, or sharp edges can be used within six feet (6') of the public sidewalks. Also, no plants higher than twelve inches (12") may be planted in the sidewalk strip, as this constitutes a visual safety hazard to pedestrians and drivers.

For information and recommendations on appropriate plants, turf grasses, and trees to use in your yard, pick up a copy of the City of Austin's free 52-page booklet *Native and Adapted Landscape Plants: An Earthwise Guide for Central Texas*, commonly known as the "Grow Green" book, free at most nurseries. You can also download the book in PDF form from the website www.growgreen.org, or on www.wbchoa.org. Certain plants determined by the City of Austin to be invasive should not be planted. See Page 50 of the "Grow Green" book, or see "Invasive Plants" at www.growgreen.org. Common examples include berrying forms of *Nandina*, running varieties of bamboo, *Ligustrums* (Privet), *Photinia* plants, *Vitex*, and Chinaberry trees.

Borders

Xeriscaped areas must be surrounded by a border to clearly define the xeriscaped areas from turfed areas. Borders can consist of metal edging or mortared masonry units. Masonry products include stone, clay brick pavers, or concrete masonry units manufactured as edging shapes. Any proposed masonry edging must receive approval of the ACC. All masonry products must be properly mortared in place to avoid displacement and weed encroachment or growth between masonry units. Brick masonry must be approved for color and type; if brick units are to be used they must be solid units, not those with holes. No "common" concrete blocks are permitted. If iron edging is used, it must be properly staked and set with top edge not more than 2 inches above grade.

Borders must be maintained as part of the landscaping, must be kept in attractive condition, and must be edged.

Turf Grasses

Homeowners should consider replacing "thirsty" turf grasses such as St. Augustine with turf that has lower water requirements. Residents should also consider converting the narrow easement strips between the public sidewalks and the street curb from turf grass to xeriscaped areas, as these areas are difficult to water without street runoff.

Good turf grasses for our area include Buffalo grass, Zoysia, and Bermuda. However, no one turf grass is ideal for all situations, so carefully consider the amount of sunlight your lawn receives before choosing a new turf grass. More information on turf grasses can be found in the "Grow Green" booklet.

Hardscapes

Hardscapes can include large boulders or other natural materials that are used as part of xeriscape landscaping design. Urns, pots, and other man-made ornamentation can add variety, but are not to exceed four (4) items in public view. Any proposed landscape "decorative items" such as birdbaths, statuary, or other similar non-vegetative items must be approved in advance. No boulders or large rocks exceeding six inches (6") may be used on the easement strips between the public sidewalks and the street curb.

Landscape Maintenance

Xeriscaped areas are subject to the same maintenance requirements as other landscaping and must be maintained at all times to ensure an attractive appearance. Plants must be trimmed, beds must be kept weed-free, and borders must be edged. No plants may encroach on public sidewalks. Sickly and dying plants must be removed and replaced. Perennials that die back during winter must be cut back to remove dead material. This includes most ornamental grasses and other flowering perennials that go dormant to the ground in winter.

Summary of Enforcement Guidelines

- The Architectural Control Committee (ACC) will allow variances for xeriscaping as long as 25% of publicly visible area is turfed and all other guidelines below are met.
- Homeowners must submit a request for variance to the ACC. The request must include details of the project and a design plan. Allow 30 days for approval of the request. Installation of the new xeriscaping cannot begin until the variance has been approved.
- Non-turf planted areas must be bordered to define the xeriscaped areas clearly from turfed areas.
- Xeriscaped areas must be kept maintained at all times to ensure an attractive appearance. This includes trimming plants, keeping the area weed-free, and edging along borders.
- No boulders or large rocks exceeding six inches (6") may be used on the narrow strips between public sidewalks and the street curb.
- No plants may encroach onto or over public sidewalks.
- No plants with thorns, spines, or sharp edges can be used within six feet (6') of the public sidewalks.
- Urns, pots, and other manmade ornamentation cannot exceed four (4) items in public view.
- No plants greater than twelve inches (12") in height should be planted in the sidewalk strip area.
- Sickly and dying plants must be removed and replaced.
- Perennials and ornamental grasses that die back in winter must be cut back to remove dead material.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was adopted by the ACC for the Association on the date set forth below to be effective January 24, 2012.

Executed this the 24 day of January, 2012.

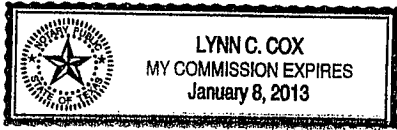
By: 

Name: Dan Marcotte

Title: Duly appointed chairperson of and for the ACC

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

This instrument was acknowledged before me on this the 24th day of January, 2012, by DAN MAYCOTT, duly appointed chairperson of and for the ACC of and for the Association, for the purposes therein expressed.



Lynn C Cox

Notary Public, State of Texas

AFTER RECORDING PLEASE RETURN TO:

Slater Kennon & Pugh, Ltd. LLP
4807 Spicewood Springs Road
Building 2 Suite 240
Austin, Texas 78759

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NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS