

WATER *~on the~* HOME FRONT

AN ANALYSIS OF LANDSCAPING RESTRICTIONS OF
AUSTIN AREA HOMEOWNER ASSOCIATIONS



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March 2013

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Executive Summary

Constant drought, a changing climate, and population growth make it imperative that Texas increase conservation efforts. While Texas may ultimately need to create new sources of water by adding infrastructure such as groundwater desalination, aquifer storage and recovery, and more, and while investments in pipes and treatment plants may also be necessary to deliver this water to consumers, conservation is far more cost-effective and should be prioritized.

In particular it makes sense to prioritize conservation in the municipal sector. According to the Texas Water Development Board (TWDB), municipal demand is the fastest growing sector among all water use categories in the state, projected to increase from 27% of total demand in 2010 to over 38% of total demand by 2060. The TWDB projects that water providers will need nearly \$27 billion in state financial assistance to meet this demand — about half of the \$53 billion the TWDB says is needed to meet state needs by 2060.

Outdoor irrigation is one of the major drivers of municipal demand. The TWDB estimates that some 31% of the typical single-family home's annual water use is for outdoor irrigation; in summer it exceeds 50%. Removing barriers to water-efficient landscapes or "xeriscapes" will allow homeowners to conserve water and lower their utility bills, while reducing the need for expensive new water procurement, treatment, and distribution infrastructure.

One simple, cost-effective step to promote municipal water conservation is to alter the landscaping guideline of Home Owner Associations (HOAs). This survey of Austin-area HOAs reveals that many if not most HOAs have Codes, Covenants and Restrictions

(CCRs) in place that limit the ability of their residents to plant water-efficient landscapes. They do this by requiring that most or even 100% of front and side yards be sodded with turf grass, and that this grass be maintained to a degree that requires frequent watering. These CCRs are barriers to conserving water that increase municipal water demand.

These practices can be amended without compromising the ability of HOAs to protect property values and quality of life within their boundaries through their CCRs. Some HOAs have revised their CCRs to allow residents to xeriscape within clearly defined guidelines. Their example shows that eliminating the ability of HOAs to ban xeriscaping need not compromise the mission of HOAs. They do this through provisions such as:

1. restricting the surface area that can be covered with rocks or mulch;
2. limiting acceptable plants to those listed in a specific catalog appropriate to the region, such as the City of Austin's Grow Green Guide for Central Texas;
3. requiring that beds with xeri plants have clear borders, and that the color of such borders be consistent with the color of the house;
4. continuing to require regular upkeep and maintenance; and
5. requiring all proposed changes to go before the HOA's Architectural Control Committee for approval.

Measures like these would not compel a single homeowner in Texas to alter his landscape. Nor would they require HOAs to relinquish all control over the appearance of their neighborhoods. Rather, these measures can enable homeowners to landscape in a way

that conserves water if they choose. It is likely, as our climate continues to warm and as water becomes increasingly scarce and more expensive, that a growing number of homeowners will take this step if they are enabled to do so. This will help Texas meet future water demand and lower the amount of public money necessary to meet this demand.

Introduction

According to the Texas Association of Community Organizations, there are between 25,000 and 30,000 community associations or HOAs in Texas, with some 4.8 million people in the 1.9 million households that these associations represent. This includes 1.2 million single-family homes. This report will focus on the landscaping guidelines of HOAs within the Austin metropolitan area, to determine the degree to which they promote — or hinder — water conservation in single family homes.

It is perhaps best to begin by saying what this report is not. It is not an attack of the American institution we call home owners associations (HOAs), known variously as property owners associations or community associations. It is not a complete analysis of their deed restrictions, or the impact these restrictions have on HOA residents who sometimes see them as onerous. It does not “take sides” in the larger question of whether HOAs should exist at all, or under what circumstances, and it does not call into question the right of HOAs to exert at least some measure of control over the look and feel of their neighborhoods.

This report is simply a discussion of the role HOAs play in promoting — and as we shall see, far more often, hindering — the emergence of a “culture of water conservation” that Texas needs to embrace to meet the

challenges of the 21st century. It surveys the Codes, Covenants and Restrictions (CCRs) of HOAs in the Austin metropolitan region and finds that most of them — by banning or severely restricting drought-resistant landscapes in front and side yards, and requiring that these yards be kept green — pose significant barriers to the ability of their residents to take water efficiency into their own hands. HOAs are far from the only obstacle to the emergence of a culture of water efficiency, even in the residential sector; many neighborhoods and even entire municipalities without HOAs have elevated levels of water consumption. But, HOAs are emblematic of what can fairly be described as America’s “culture of water waste” — characterized in part by lavish lawns surrounding single family homes — and pose serious obstacles in efforts to move beyond it. While the report is limited to HOAs in the Austin region, anecdotal evidence strongly suggests that most HOAs in other parts of the state have similarly worded CCRs.

The report also shows that HOAs can themselves be part of the solution. Some HOAs have had rules in place that allow or encourage xeriscaping since their inception. A few others, responding to drought and the wishes of their residents, have recently amended their CCRs to allow native and drought resistant landscapes, or xeriscaping. The great majority however continue to lack this flexibility. This report then is meant to encourage HOAs to move beyond their past and embrace water efficiency. It can help inform HOA board members how to do this without relinquishing control over the overall “look” of their communities, and embolden residents who might be considering asking their boards to implement these changes. It can also inform water utilities officials and policy makers at

the municipal and state level of the depth of the problem and the role revised HOA rules can play in meeting our state's shared need to meet the water crisis that now confronts all of us.

The Crisis Has Arrived

In October 2009, Clean Water Fund released a report entitled *The Coming Crisis: Water Availability and Municipal Conservation Efforts in Central Texas*. The report's central thesis was that Texas would soon be faced with a deep crisis of water availability due to the combined challenges of climate change, drought and population growth. Texas communities would increasingly be burdened with the responsibility of parceling out a diminishing supply of water to an increasing number of people. The report focused on the strengths and shortcomings of water conservation programs in Central Texas communities and made specific recommendations for action.

It is now clear that **the crisis has arrived**. In 2013, we find ourselves in the third year of a devastating drought that shows no sign of abating. Climatologists have amplified their warnings that drought will persist, perhaps even until 2020. This reality, together with a population projected to increase by 82% by 2060, gives the Lone Star State no choice but to use its water resources more efficiently.

While a few short years ago many Texas decision makers were slow to respond — for example only some 20% of Texas communities implemented drought restrictions in 2011, when 88% of the state was in exceptional drought¹ — alarm bells are now sounding

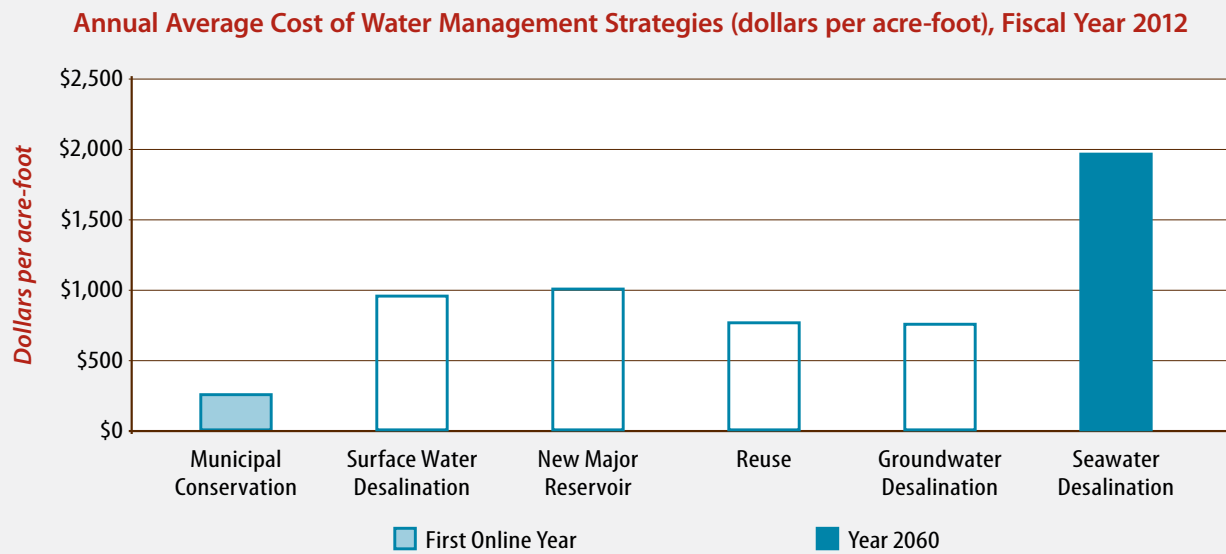
across the state. To meet our state's water needs, the Texas Water Development Board's 2012 *Water for Texas Plan* calls for substantial investments in new infrastructure — pipes, reservoirs, desalination plants and more. It also calls for a deeper commitment to conservation that would offset around a quarter of Texas' water needs by 2060. The price tag for full implementation of this plan tops \$53 billion, and the Texas Legislature — though dominated by budget hawks dedicated to downsizing government — seems poised to dip into the state's Rainy Day Fund for as much as \$2 billion to jump-start revenue streams to make it all happen.

Environmentalists and some fiscal conservatives have questioned the plan's emphasis on new reservoirs and other heavy infrastructure. Chief among their arguments is

that Texans have yet to embrace the full suite of conservation measures that could make much of the proposed infrastructure unnecessary, or at least postpone it. In addition to protecting more water for vital environmental needs such as instream flows and aquifer recharge, conservation programs save money. A new report issued by Texas' Legislative Budget Board in January 2013 draws the same

conclusion that conservationists came to long ago: "Water conservation is the most cost efficient method to enhance current water supplies compared to other water management strategies. Increasing the level of water conservation achieved by municipal water suppliers would reduce the cost of meeting State Water Plan supply goals."²





Source: Texas State Government Effectiveness and Efficiency Report, Selected Issues and Recommendations, January 2013, p. 322.

Where then are the opportunities to conserve? The answers are too numerous to discuss here, and include decreasing dependence on water-intensive forms of energy production like fossil-fuel power plants and nuclear power plants in favor of energy efficiency and renewables, strengthening municipal programs, easing restrictions on gray water use and rain water harvesting, requiring more efficient practices on the part of agriculture, and funding education programs that encourage people to take simple steps like turning off the water when brushing their teeth. This report will focus on a single but critical aspect of water consumption: outdoor irrigation practices in residential neighborhoods, specifically in neighborhoods with home owners associations (HOAs) in the Austin metropolitan region.

Municipal Water Use, Lawn Watering, and HOAs

According to the 2012 *Water for Texas Plan* of the Texas Water Development Board (TBWD), about 27% of all water use in Texas today can be attributed to municipal use.

TWDB projects this to increase to 38.3% by 2060, making it the fastest growing sector of all water use categories. Of the \$53 billion the TWDB says will be needed to meet overall demand by 2060, \$27 billion of this — just over half — would be to meet municipal demand.³ The amount of municipal use that can be attributed to the residential sector varies widely from city to city, depending on how much industrial and commercial water use a city has. However there is no question that it is substantial — in suburban bedroom communities well over half — and will continue to be so as population increases. Achieving reductions in per-capita residential use must therefore be a key component of any comprehensive water conservation effort.

One key to achieving savings in residential water consumption is lowering water used for outdoor irrigation. A 2012 TWBD report estimates that on average, about 31% of water use in single family homes can be attributed to this purpose,⁴ often for water-intensive turf grasses that are not well-suited to the climate. This is lower than most estimates, which tend

to peg outdoor irrigation at 50–60% of the typical single-family home’s annual water consumption, and even more during hot summer months. Authorities agree however that residential water use soars in the summer to levels that are often higher than 60%. Lowering summertime peak water consumption by changing outdoor irrigation practices would help lower the projected increase in municipal use overall, and lower the need for new water treatment and distribution infrastructure, which is designed and sized to meet peak demand. This would in turn decrease the amount of funding the state feels obligated to provide to meet this demand.

Unfortunately, newer homes are using more water for irrigation, not less — we are headed in the wrong direction. Homes built after 2001 tend to use from 18% to 60% more water than homes built earlier. This is true even though improved plumbing codes and improvements in the water efficiency of household appliances are causing per capita indoor water use to fall. But these gains are more than offset by outdoor use, and the reason is that newer homes tend to come equipped with automatic irrigation systems as a standard feature. Irrigation systems often supply more water to their targeted plants than necessary, spray water on nearby sidewalks and driveways, and are set to operate

even if recent rains have already provided sufficient water, or when rain is in the forecast. First-time homeowners have limited experience with calibrating and managing such systems.⁵ Both the US Environmental Protection Agency and the TWDB estimate that as much as half of landscape watering is wasted due to overwatering, evaporation, or wind.

America’s love affair with the single-family detached home fronted with well-maintained turf grass is time honored and well documented. As Elizabeth Kolbert put it in *The New Yorker* in 2008, “The lawn has become so much a part of the suburban landscape that it is difficult to see it as something that had to be invented.” But it is an invention, one that dates back at least to 1841, when Andrew Jackson Downing first published his “Treatise on the Theory and Practice of Landscape Gardening.” The Treatise, which enjoyed eight editions and sixteen printings, urged its readers to better themselves by improving their front yards. Downing preached the virtue of “grass mown into a softness like velvet.” “No expenditure in ornamental gardening,” he wrote, “is productive of so much beauty as that incurred in producing a well kept lawn.” Downing’s protégé Calvert Vaux and Vaux’s partner Frederick Law Olmsted designed their projects in this spirit, including New York City’s Central Park with its broad lawns, and suburbs like Riverside, Illinois and Sudbrook Park, Maryland whose homes came equipped with turf grass.⁶

Their work inspired countless imitations across America that carried over to the years following World War II and beyond. The invention of the mechanical lawn mower and the discovery and widespread availability of chemical fertilizers and herbicides after World War II made these lawns easier to maintain and cemented their popularity, especially among middle-class Americans who flocked



to the post-war suburbs. As Abraham Levitt, whose “Levittowns” are usually considered the first of America’s many mass-produced suburbs, put it: “A fine carpet of green grass stamps the inhabitants as good neighbors, as desirable citizens.” Homeowners in Levittowns had to adhere to covenants requiring them to mow their lawn at least once a week between April 15 and November 15.⁷

The lawn has become so ubiquitous that it is one of the defining characteristics of the American landscape. Cristina Milesi, a scientist for NASA’s Ames Research Center, used aerial photography and satellite imagery to estimate that about 1.9% of all land in the lower 48 states is given over to turf; her calculations include grasses covering golf courses and parks. Per Milesi, turf grass is America’s largest single irrigated crop, with over 54,000 square miles under cultivation — an area larger than the state of New York.⁸ Milesi’s analysis for Texas yields almost 3,260,000 acres for lawns vs. 1,230,000 for cotton 749,000 for corn, 708,000 for sorghum, and 657,000 for wheat.⁹

Keeping this grass alive requires an enormous amount of water, especially in more arid regions. It is difficult to know precisely how much water. Milesi estimated that Americans pour some 19 trillion gallons on lawns each year — more than on any single food crop — and some 2.4 million metric tons of nitrogen-based fertilizer for lawn care. But her method assumes all lawns are watered and fertilized at recommended levels, which is imprecise at best. Whatever the exact amount, it is clear that Americans lavish

a tremendous amount of water on turf grass, not least on outdoor landscapes surrounding single-family homes.

If Texas is to embrace a culture of water efficiency, one of the areas where easy progress can be made is with outdoor water use. Much if not most of this use is entirely discretionary, the product of what might fairly be described as a “culture of water waste.” We now turn our attention to the role that home owner associations play in this culture, and how they can help move beyond it.

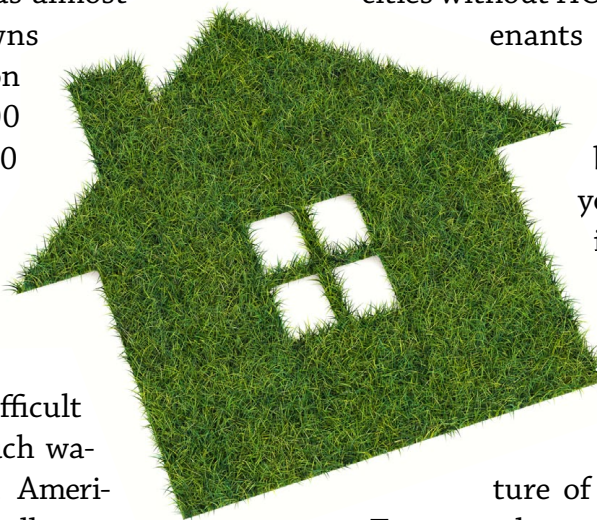
The Culture of Home Owners Associations

Nowhere is America’s love affair with turf grass more apparent than in the typical practice of home owners associations. It would be unfair to single out HOAs as solely responsible for our current culture of water waste; water usage is often just as high in neighborhoods or cities without HOAs. But HOA Codes, Covenants and Restrictions (CCRs)

are both symptoms of this culture and real barriers to moving beyond it. Through the limits they impose on the ability of homeowners to plant drought-resistant landscapes, they are obstacles to the emergence of the culture of water conservation that

Texas needs to embrace in order to meet its water crisis.

Home owners associations, sometimes called “property owners associations” or “community associations,” exist largely to protect the property values and the perceived quality of life of their residents. They do this through Codes, Covenants and Restrictions (CCRs)



that lay down rules that all property owners must follow to maintain the overall, generally standardized appearance of their homes, including landscaping. These CCRs, along with regular dues payable to the HOA, are legal obligations attached to the property that a home buyer must adhere to. Failure to do so can result in fines and liens against one's home.

CCRs typically apply to (and limit or prohibit) the ability of a homeowner to take steps such as adding a storage shed or a covering a patio, erecting fences or outdoor clothes lines, installing solar panels or swimming pools, and changing the color of a house or the color and material of a roof. The goal is to assure overall conformity and high standards within a subdivision governed by an HOA or, as a realtor might put it, to preserve "curb appeal" or "drive-by appeal." This element of obligation distinguishes HOAs from neighborhood associations, which lack the authority to lay down design standards or assess mandatory dues — although somewhat confusingly, a few deed-restricted communities do call themselves "neighborhood associations."

This description of CCRs from many HOAs in various states including Texas and the Austin area use this boiler-plated language to convey this sentiment: "Architectural control restrictions are designed to maintain the aesthetic harmony of the community, and thereby also to protect property values." When a community was first constructed, the verbiage continues, it conveyed "a certain look and feel to provide design consistency — which made it easy for the initial developer to market the community to prospective homeowners." The stock HOA language warns however that, absent firm guidelines or rules, homeowners can over time make changes that "can easily affect the appearance of the community... These gradual changes may be perceived as

weakening the spirit of common design and neighborhood aesthetic, which may then affect property values." As Williamson County's Bent Tree HOA put it in its 1993 declaration, "the restrictions, covenants and conditions declared below" shall be "covenants running with the land and imposed on and intended to benefit and burden each Lot and other portions of the Property in order to maintain with the Property a planned community of high standards."¹⁰

To prevent standards from slipping, most HOAs have committees in place that must approve all substantial changes or improvements to a property in advance — including changes to landscaping. Generally called architectural control committees and usually appointed by the HOA board, these committees scrutinize proposed change to assure conformity with the CCRs. Property owners are required to submit written applications to their architectural review committee and get approval before proceeding with their changes.

It is understandable that an HOA might want to prevent "eyesores" such as cars parked in front yards, vehicles stored on cinder blocks, or poorly constructed storage sheds that tower over a neighbor's home — especially if, as is often the case with HOAs, the subdivision is built beyond the jurisdictional reach of cities, which usually have their own ordinances governing such matters. Most HOAs however go beyond municipal requirements and set a higher — or depending on one's point of view, more onerous — obligatory standard.

As stated at the outset, the goal of this work is not to challenge the authority of HOAs to enact and enforce CCRs, or to condemn CCRs in their totality. Rather, the goal is to survey HOA practices as they relate to water conservation, and to highlight the measures that some HOAs have taken undertaken

to provide more leeway to residents who wish to use water more efficiently.

Broadly speaking, HOAs break out into four groups when it comes to their CCRs and landscaping:

1. HOAs that have encouraged native landscaping since their inception. Most of these HOAs in the Austin area are characterized by high-dollar homes and are located in the hills to the west, where blending into the native Hill Country landscape is seen as a selling point.
2. HOAs whose CCRs are largely silent on landscaping, beyond requiring regular upkeep. They do however require landscape design to be approved by the appropriate committee, and with some notable exceptions the results resemble those that limit xeriscaping.
3. HOAs that ban or severely restrict xeriscaping. This is the single biggest portion of HOAs.
4. HOAs that have recently amended their CCRs to allow or encourage xeriscaping. These are few in number but noteworthy because they demonstrate that CCRs can be altered in a way that preserves the ability of HOAs to control landscapes while at the same time allowing homeowners to embrace water efficiency.

A handful of HOAs in the Austin region have promoted native, drought-resistant landscaping from their inception. West Austin's Steiner Ranch HOA encourages xeriscaping and directs its owners to "minimize large areas of turf and emphasize ground cover to minimize water use."¹¹ The Woods at Barton Creek advises its residents that "Texas Hill

Country plant material is the primary vegetation" and that the landscape should remain in "as natural a state as possible to perpetuate the character of the community;" turf grass should be minimal in favor of indigenous and water-conserving plants.¹² Colonia Serendipity, some 22 miles to the northwest of Austin, requires xeriscaping, urging home buyers to "strive to maintain what is naturally here — the reason we chose to be here." It sets a goal of building "a sustainable neighborhood of like-minded people who want to live well, while respecting where they live." The only turf species allowed is buffalo grass "or other drought resistant species native to central Texas," and part of the area must be "left native and left unmaintained."¹³

Just over 46% of the 264 HOAs we surveyed are silent on the specifics of landscaping. They do require however that all landscape plans be submitted to their control committees, just as other HOAs do. Available evidence (in the form of viewing these neighborhoods through Google Earth or Google Street View) suggests that most of them mirror their counterparts with CCRs that ban xeriscaping. A few however have made an explicit endorsement of xeriscaping, even if few of their residents seem to be responsive.

One such example is Onion Creek, a community built around a golf course in southeast Austin. This HOAs' newsletter often promotes drought-efficient landscaping. In an article entitled, "Beyond Cacti, Xeriscaping Outside the Desert," its March–April 2012 newsletter encouraged its residents to engage in water-wise plantings. The article clearly articulated the acute water problem facing central Texas, citing low Lake Travis water levels. It went on to state that "although it might be great to feast your eyes on acres of thick St. Augustine Grass, rows of towering palm trees, or any

type of tropical plant in eye-popping colors, they are too costly in terms of time, water, and energy. Maintaining such landscapes no longer makes sense.” The article made sure that residents are aware that xeriscaping does not mean “ugly” and it is not limited to rocks and cacti.¹⁴

Another example of an HOA with ‘silent’ CCRs but good practices is Jester Estates, a northwest Austin entity. Its CCRs say little on landscaping beyond admonishments to maintain them and submit proposed changes to its control committee. But Jester Estates won first place in the City of Austin’s 2008 Neighborhood Habitat Challenge, and again in 2012. This Challenge honors neighborhoods with the most yards meeting the criteria established by the National Wildlife Federation as providing suitable habitat for wildlife. This means landscaping with (and drought resistant) native plants that attract and provide shelter for insect and animal species that evolved in Central Texas. All told, the landscapes of 93 homeowners in Jester received the certification in those two years. Of the twenty-four different neighborhoods that have been honored at some level for their performance in this challenge since 2008, Jester is the only one with an HOA; all of the other winners feature non-deed restricted neighborhood associations.¹⁵ This in itself suggests how resistant HOAs are to native landscaping.

Today, at least 46% of Central Texas HOAs pose substantial barriers to the ability of their resident homeowners to plant a water-efficient landscape. A survey of CCRs on file in Travis, Williamson and Hays counties, or published on HOA or HOA management company web pages, reveals a striking conformity in verbiage that drives this point home. While homeowners are free to landscape their back yards — that is, the portion of their land that

is not visible from the street — with few, if any, restrictions, HOAs frequently require that all or most of the front and side yards be covered with turf grass. For example, Austin’s Legend Oaks Neighborhood Association requires that “all front and side yards visible from the public roadway must be sodded.”¹⁶ So do Austin’s Colony Riverside HOA, Great Hills Reserve HOA, and the Preston Oaks Owners Association. Barker Ranch (at Shady Hollow) HOA stipulates that “All front yards shall be fully sodded with grass.”¹⁷ The Spice-wood Estates Homeowners’ Association lays down that, “Unless adjusted or waived by the written consent of the Architectural Control Committee prior to commencing such landscaping, the front yard of any residence shall be landscaped as a lawn,” and adds that “no gravel, rocks or similar such material shall be placed in the front of any residential structure situated on a Lot, excepting this restriction is not to be construed to prohibit circular driveways and sidewalks.”¹⁸ The Covered Bridge Property Owners Association mandates that landscaping “consist of solid sod grass including an area to be a minimum of five (5) feet on each side of the house.”¹⁹

HOAs in suburban communities near Austin typically have similarly worded CCRs. The Club at Wells Point Owners Association in Pflugerville stipulates that, “The front yard of each Lot and the front and the side yard adjacent to the street of each corner Lot shall be fully sodded prior to the occupancy of the residence located on such Lot;” it restricts decorative ground cover rock to no more than ten percent.²⁰ Pflugerville’s Club at Well Point, Springbrook, Springbrook Glen, Northpark, Enclave at Springbrook, and Greenridge homeowners associations all require full sodding of front and side yards. Round Rock’s Bent Tree HOA has similar requirements with a

small allowance for ground cover rock. Hidden Glen HOA and Vista Oaks Association, both in Round Rock, require 100% turf grass, with Vista Oaks mandating either St. Augustine or Bermuda grass. So does Round Rock's Remington Heights Homeowners Association, though it does allow Buffalo Grass, a drought tolerant native species. Meadows of Brushy Creek HOA in Round Rock requires a minimum of 75% turf grass. Cedar Park's Twin Oaks, Westside at Buttercup Creek, and Cypress Creek HOAs require full sodding. HOAs in the booming Hays County community of Kyle tell a similar tale; Amberwood, Avery Park, Southlake Ranch, and Waterleaf Falls HOAs all require that front yards be fully sodded.

As stated earlier, HOAs can and do enforce violations of their landscaping CCRs, and send out reminders to their residents of possible consequences for failing to abide by them. For some HOAs, drought presents no obstacle to enforcement. In the fall of 2011, near the end of the driest year in Texas' recorded history, Austin's Scofield Farms HOA acknowledged that, "Many of our HOA's homes have sparse and damaged lawns and landscaping as a result of drought and neglect," but admonished residents to "take appropriate action to replace

dead grass, trees and shrubs... If your lawn is in sad shape please take care of the required maintenance without the added expense and of an HOA enforcement case against you."²¹ It reiterated this in 2012: "If your lawn is in sad shape, please take care of the required maintenance without the added expense of an ROA (residential owners association) enforcement case against you. Do your part to keep our neighborhood looking nice."²²

Some Good Examples: HOAs that Encourage Xeriscaping

As indicated above, not all HOAs in Central Texas restrict or ban xeriscaping. A handful have revised their CCRs in recent years in response to pressure from some of their residents, drought conditions, or both. A notable example is Avery Ranch, a sprawling, affluent subdivision of some 3,500 homes in that portion of Austin that spills northward into Williamson County. The Avery Ranch HOA revised its CCRs in 2009 to encourage xeriscaping within certain parameters.

Much of the impetus for the overhaul of Avery Ranch's rules came from Robert Beyer, a retired federal employee who relocated with his wife to Austin from Houston. The Beyers



Bob Beyer's Ranch Home: Before (left) and after (right) xeriscaping.

quickly learned that the kind of plants they enjoyed in their Houston home could not survive in the thin, rocky soil and the hot, dry climate of Central Texas without lavish irrigation. Mr. Beyer began to explore native species that could thrive in this climate, only to discover that his HOA required 100% turf grass in front and side yards. Beyer and a few of his neighbors then took the matter up with the HOA board and its architectural design and review committee, persuading them to allow variances to their rules that would allow xeriscaping.

Beyer himself drafted a standard variance

that, as passed in 2009 and amended in 2011, is now incorporated into Avery Ranch's landscaping guidelines. This variance allows a homeowner to reduce the area covered by turf grass down to 25%, encourages removing turf grass from the area between the curb and sidewalk (called the "nuisance strip" for the difficulty irrigating it without also wasting water on pavement), and strongly recommends that homeowners only use plants listed in the City of Austin's *Native and Adaptive Landscape Plants*, also known as the "Grow Green" guide.

Even though Avery Ranch's guidelines now allow xeriscaping, they still lay down certain

Below: Yards considered by Circle C to be consistent with HOA guidelines.



Below: Yards judged inconsistent with Circle C guidelines for lacking defined beds or having "too few plantings."



rules to preserve a uniform aesthetic within the neighborhood. They explicitly forbid converting an entire lawn to rock or mulch, require regular maintenance of landscaped areas, stipulate that the color of rock or masonry used be consistent with the homes' existing color, and require non-turf areas to be set off from turf with a border. They also forbid certain plants that are black-listed in Austin's "Grow Green" booklet as ill-suited to the climate. All significant changes in landscaping must still come before the Architecture Review and Design Committee for approval.²³

Another HOA that has amended its landscaping rules is the Legends of Hutto. With over 760 homes, this is Hutto's largest single HOA. During the drought of 2011, many homeowners in Legends ceased watering their lawns, though the HOA required regular lawn upkeep and 100% turf grass. A few converted their landscape to xeri gardens, in clear violation of HOA policy. The HOA board to its credit chose to explore amending its CCRs rather than attempt to rein in so many homeowners, and used the example of Avery Ranch as a model. It partnered with Clean Water Fund, which helped draft a survey and sent canvass teams into the subdivision to poll residents on their preferences. Just under 50% of households responded, with an overwhelming majority expressing the desire to be allowed to xeriscape. The HOA board then amended its bylaws to allow homeowners to convert up to 60% of their yards to drought-resistant landscaping, with all changes requiring prior approval of its architectural committee.



Sendera Owners Association in southwest Austin made similar revisions in 2011, and now actively encourages xeriscaping. Sendera's guidelines detail xeriscaping's well-known advantages, including lower water bills, water conservation, prevention of polluted runoff, reduced maintenance and "pride in knowing you are doing something substantial to protect our fragile environment."²⁴ This HOA allows homeowners to reduce turf grass to as low as 25% of the yard's area, and cover the remainder with mulch or hardscape. All proposed change must be approved in advance.

In February 2012, the Circle C HOA in Southwest Austin revised its rules for landscaping to encourage xeriscaping. This is all the more noteworthy, given that this subdivision — located within one the more sensitive portions of the Edwards Aquifer Recharge Zone, which feeds Austin's Barton Springs — was a major focal point of Austin's battles over environmental protection vs. sprawl development in the 1990s. Indeed, Austin's landmark Save Our Springs ordinance was passed by citizen initiative in 1991 in part to slow or prevent the spread of subdivisions like Circle C above the aquifer.

Per the Circle C HOA, the goal of these revisions is to "provide attractive and well maintained landscaping for Circle C front yards that enhance curb appeal while emphasizing water conservation." The new rules once again require all major changes to go before the Architectural Control Committee for approval but: limit turf grass to no more than 50% of a front yard's surface; ban new planting of St.



Above: Water-intensive yards awarded Parkside at Slaughter Creek (Austin) HOA's "Yard of the Month" for February (left) and March (right) of 2011. As the map at right indicates, it was a time of deepening drought.

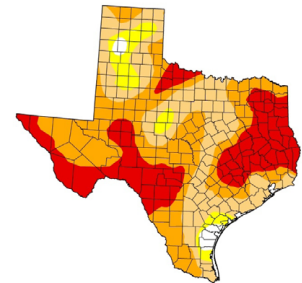


U.S. Drought Monitor Texas

March 22, 2011
Valid 7 a.m. EST

	Drought Conditions (Percent Area)					
	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	1.70	98.30	92.05	64.06	28.98	0.00
Last Week (03/15/2011 map)	3.23	96.77	83.75	56.98	17.13	0.00
3 Months Ago (12/21/2010 map)	13.61	86.39	73.68	38.41	9.66	0.00
Start of Calendar Year (12/28/2010 map)	7.89	92.11	69.43	37.46	9.59	0.00
Start of Water Year (06/26/2010 map)	75.57	24.43	2.43	0.99	0.00	0.00
One Year Ago (03/16/2010 map)	96.51	3.49	0.00	0.00	0.00	0.00

Intensity:
 D0 Abnormally Dry
 D1 Drought - Moderate
 D2 Drought - Severe
 D3 Drought - Extreme
 D4 Drought - Exceptional

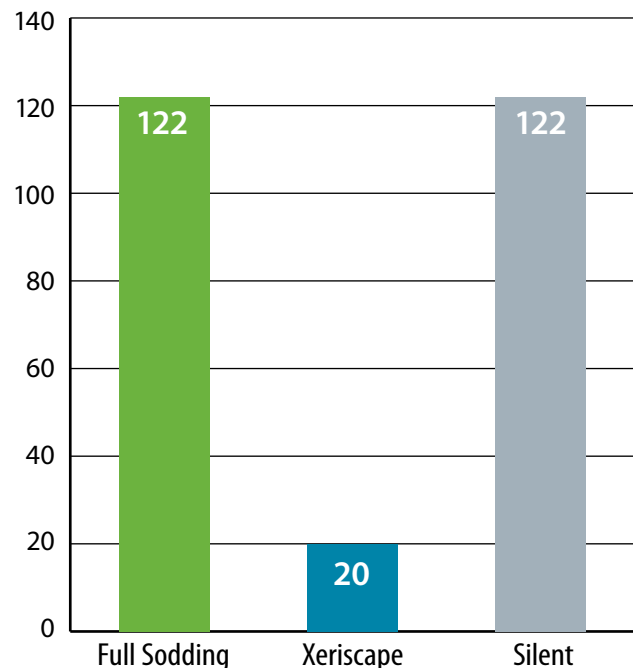


Augustine grass and list acceptable native turf grasses such as buffalo grass; recommend efficient drip irrigation over spray irrigation; require all new plants and tree be listed in Austin's Grow Green handbook; and specify which native shade trees and understory trees to plant.²⁵

HOAs that revised CCRs in 2012 to allow xeriscaping include The Woods at Brushy Creek in Williamson County and Tanglewood Oaks in south Austin. Both reduced requirements for turf grass to 25%, point to the City of Austin's "Grow Green" guide for examples, and tout the advantages of xeriscaping in language that is identical to that of Sendera.

As encouraging as it is to see these HOAs amend their guidelines to allow residents to plant drought-efficient landscaping, they represent a small minority of HOAs whose CCRs we have been able to locate. Most of the rest continue to require substantial sodding of front and side yards with conventional lawns. And at least one HOA — Austin's Tanglewood Oaks — that has amended its CCRs to allow xeriscaping, is sending mixed signals by giving its "yard of the month" awards to homes with traditional sodding.

**Landscaping rules for 264 HOAs in Travis, Williamson and Hays counties:
122 require full sodding, 20 allow or encourage xeriscaping, and 122 are "silent".**



Yard of the Month Award

The continued bias on the part of most HOAs in favor of fully sodded, water inefficient landscapes is evident in their Yard of the Month Awards. These awards typically go to homes with lavish, thirsty turf grass. The guidelines for Chandler Creek HOA's Yard of the Month Award (Round Rock), for example, state that the only homes that can qualify are those whose front and side yards have "healthy lawns with minimal weeds, neatly mowed and edged, shrubs/trees pruned and trimmed to maintain shape; minimal weeds in landscaped beds;" and that convey an "overall aesthetic curb appeal that is in balance with the size of the home."²⁶ Even Austin's Tanglewood Oaks HOA, which now allows xeriscaping, continues to ask, "Does your yard have curb appeal?" Its *Yard of the Quarter Award* is meant to "reward you for caring about your home, your neighbors and your neighborhood!" Criteria for selection include "manicured yard, beautification, originality and creativity while maintaining cohesiveness with the neighborhood."

Attempts at Legislative Intervention

Given the reluctance of most HOAs to embrace water-efficient landscaping, and given the frequency of drought in Texas, it is hardly surprising that legislators have at times attempted to diminish HOA authority in this realm. In 2003, then-State Representative Robert Puente sponsored legislation that would have categorically eliminated the ability of HOAs to limit or ban water-efficient practices. In its original form, HB 645 would have no longer allowed HOAs to prohibit or restrict "landscaping design, installation, or maintenance standards that result in water conservation, including standards relating to the use of native or other drought tolerant



Above: the recipient of Tanglewood Oaks HOA's Yard of the Quarter Award for the first portion of 2013.

plants, shrubs, trees, or grasses." It would have pre-empted bans on rainwater harvesting equipment, landscaping "in a native or vegetative state," and bans on efficient irrigation systems such as underground drip systems. HOAs would no longer be allowed to require residents to adhere to a "defined irrigation schedule."²⁷

Opponents of HB 645 were quick to mobilize. Groups like Texas Community Associations Institute and Texas Neighborhoods Together — lobby organizations for HOAs — claimed the bill would "erode the authority of homeowner associations under the guise of water conservation" and "open the floodgates to unintended consequences" and "irresponsible behavior by homeowners", such as allowing them to grow their yard "into a weed garden while claiming it was a water conservation measure." This would "hinder an association's ability to promote uniformity to enhance a neighborhood's aesthetic appeal" and limit the ability of an association to preserve property values.²⁸

As ultimately amended and signed into law, HB 645 fell far short of its original goal. It did prevent HOAs from completely banning

rainwater harvesting equipment (or solar panels and composters), but allowed them to define the size, type, materials, and placement of this equipment. HOAs typically require rainwater harvesting equipment to be positioned behind the house or screened from view if it would otherwise be visible from the street; be of a color consistent with that of the house; and free of any extraneous writing. Plans for the installation of this equipment, as well as for solar panels and composters, must continue to be submitted to the local architectural control committee for approval. The practical impact is to limit the size and potential benefits of such systems by limiting the amount of water that could otherwise be collected from a rooftop. HB 645 also explicitly allows HOAs to ban gravel, rocks, and cacti. More importantly, HB 645 in its final form still allowed an HOA to “restrict the type of drought tolerant turf grass planted by a homeowner.”²⁹

Puente took another run at restricting limitations imposed by HOAs in the 2005 legislative session. His HB 2426 would have eliminated their ability to prevent a homeowner from implementing “landscaping design,

installation, or maintenance standards that result in water conservation” or landscaping in a “natural or native vegetative state.” It also would have prohibited HOAs from requiring homeowners to follow a defined irrigation schedule, maintain the property “at a specific visual level that requires the owner to irrigate the property,” or “install and maintain a specific variety or a minimum area of turf grass.” HB 2426 suffered a worse fate than its predecessor; it died in committee.³⁰

At the time of this report’s publication, the legislature is once again considering measures that would abolish the ability of HOAs to ban xeriscaping. Senate Bill 198 (Kirk Watson) and House Bill 449 (Dawnna Dukes) would both do this, and Dukes’ bill would also prevent cities and counties from banning xeriscaping. It remains to be seen whether the severity of the current drought, and the likelihood of it continuing, will persuade the legislature to act during this session. However, the current crisis, along with discussion of legislation that would draw billions of dollars from the state’s rainy day fund for water infrastructure, make this a prime opportunity for action.



Recommendations for Action

This report demonstrates that most of the the landscaping guidelines of HOAs in the Austin metro region serve as barriers to water conservation. It therefore recommends that HOA leadership take steps to amend these barriers so that their constituents can save water and lower monthly water bills. This would also decrease the amount of funding that local and state governments would otherwise need to spend on expensive new reservoirs and water treatment and distribution infrastructure to meet growing municipal water demand.

HOAs should amend their codes, covenants, and restrictions to allow and promote xeriscaping. Avery Ranch, Circle C, and others have demonstrated that this can be done without compromising the ability of HOAs to maintain standards within their communities. Allowing HOA residents to install water-conserving landscapes does not have to mean allowing them to turn their front yards into deserts. HOAs can maintain control while promoting water efficiency by including such measures as:

1. restricting the surface area of front and side yards that can be covered with rocks or mulch;
2. limiting acceptable plants to those listed in a specific catalog appropriate to the region, such as the City of Austin's Grow Green Guide for Central Texas;
3. requiring that beds with xeri plants have clear borders, and that the color of such borders be consistent with the color of the house;
4. continuing to require regular upkeep and maintenance; and
5. requiring all proposed changes to go before the HOA's Architectural Control Committee for approval.

We also recommend that municipal water suppliers work with HOAs within their service area to identify and end practices that undermine water conservation. This would include developing templates of amended, water-efficient CCRs that individual HOAs can adapt to their specific geographical setting and particular needs. It also entails identifying turf grass varieties that are drought resistant, and working with HOAs and individual homeowners about how to irrigate these and other plant species most efficiently.

This report also recommends that the state legislature take action to prevent HOAs from banning or restricting xeriscaping. It is not likely that all 25,000–30,000 HOAs are willing to take this step on their own or in a timely manner. Given the water supply crisis that Texas now faces, and given the cost-effectiveness of water conservation measures, it make sense to empower individual homeowners to save water on their own as soon as possible. Texas must do all that it can to promote the emergence of a culture of water conservation.

Notes

- 1 *Texas State Government Effectiveness and Efficiency Report, Selected Issues and Recommendations*, Legislative Budget Board, January 2013, page 329.
- 2 *Ibid*, page 320.
- 3 *Water for Texas 2012 State Water Plan*, Texas Water Development Board, p xiv.
- 4 *The Grass Is Always Greener... Outdoor Residential Water Use in Texas*, Sam Marie Hermitte, M.A. and Robert E. Mace, Ph.D., P.G., November 2012, p. 2.
- 5 *Ibid*, page 6.
- 6 Kolbert, Susan, "Turf War", *The New Yorker*, http://www.newyorker.com/arts/critics/books/2008/07/21/080721crbo_books_kolbert?currentPage=3
- 7 *Idem*.
- 8 Milesi, C. et. al., *Mapping and Modeling the Biogeochemical Cycling of Turf Grasses in the United States*, *Environmental Management*, Volume 36, Number 3, page 426-438, 2005.
- 9 "Lawns vs. crops in the continental U.S. Your grassy lawn comes at the cost of high water use," <http://scienceline.org/2011/07/lawns-vs-crops-in-the-continental-us>.
- 10 *Declaration of Covenants, Conditions and Restrictions for Bent Tree, Williamson County*, <http://bth.goodwintx.com/Portals/22/BTH.CCRS.pdf>.
- 11 *Steiner Ranch Residential Design Guideline Manual*, January 2010, p. 75, http://www.ahn09.com/steinerranch/document/138123residential_design_guideline_manual_january_2010.pdf.
- 12 Barton Creek Community, *The Woods at Barton Creek: Architectural Guidelines*, p. 31, http://www.bartoncreeknorth.com/downloads/BARCREEK_The_Woods_Architectural_Guidelines.pdf.
- 13 *Colonia Serendipity Deed Restrictions*, p 9, <http://www.coloniaserendipity.com/deedrestrictions.pdf>.
- 14 Morales, Oscar, "Beyond Cacti: Xeriscaping Outside the Desert," Onion Creek Homeowners Association, p. 6, <http://www.onioncreekhoa.org/documents/Mar-Apr2012OCHOASCR.pdf>.
- 15 http://www.austintexas.gov/sites/default/files/files/Parks/Wildlife_Austin/neighborhoodhabitatchallenge.pdf.
- 16 http://legendoaks.org/legendoaks/external.html?mode=d&xlink=dwnldfile.html%3Fa%3Dsnd%26file_id%3D26.
- 17 <https://sites.google.com/site/barkerranchhoa/faqs>.
- 18 http://www.spicewoodestates.com/section_one.html.
- 19 <http://www.coveredbridgeaustin.org/wp-content/uploads/2012/03/CCRs.pdf>.
- 20 *Amended and Restated declaration of Codes, Covenants and Restrictions for the Club at Wells Point*, p. 14, http://www.theclubatwellspoint.org/TheClubDCCR_2003-01-28.pdf.
- 21 *Letter from the President Fall 2011, Scofield Farms Gazette*, <http://www.scofieldfarms.org/2011/09/letter-from-the-president-fall-2011>.
- 22 *Letter from the President October 2012, Scofield Farms Gazette*, <http://www.scofieldfarms.org/2012/10/letter-from-the-president-fall-2012>.
- 23 Avery Ranch HOA, *Xeriscape Guidelines Nov. 2012*, http://aam95.associawebsites.com/CDATA/Sites/Community6260/WWW/Files/Xeriscape_Guidelines.pdf.
- 24 *Sendera Architectural Control Committee Guidelines Update 1/ 2011, Xeriscape Standards for Sendera*.
- 25 Circle C Homeowners Association, Inc., *Front Yard Landscape Design Guidelines For Water Wise Landscape Plan*, <http://www.circlec ranch.info/>
- 26 http://community.associawebsites.com/sites/ChandlerCreekHOA/AtsDocumentsList/2011_YardOfTheMonthRulesAndGuidelines.pdf.
- 27 <http://www.capitol.state.tx.us/tlodocs/78R/billtext/pdf/HB00645I.pdf#navpanes=0>.
- 28 House Research Organization, <http://www.lrl.state.tx.us/scanned/hroBillAnalyses/78-0/HB645.PDF>.
- 29 *Idem*. Cf. <http://www.capitol.state.tx.us/tlodocs/78R/billtext/pdf/HB00645F.pdf#navpanes=0>.
- 30 <http://www.capitol.state.tx.us/BillLookup/History.aspx?LegSess=79R&Bill=HB2426>.

Appendix: Breakdown of HOA Codes, Covenants and Restrictions

Locating the deed restrictions of homeowners associations is challenging and tedious work, even though they are in theory public records. For this report, we first searched for them on the web pages of individual HOAs, but these web pages — when they exist — often limit the view of their legal documents to residents equipped with a password. At times the restrictions can be located on the web page of the management company that runs the business affairs of an HOA, but usually not. Travis and Williamson counties publish deed restrictions in a searchable online database, but the landscaping rules can be buried in documents with varying names, and must be ferreted out among the scores of other documents such as notification of liens that have been placed on, then lifted from, homeowners who have allegedly transgressed. Even then, these counties scan the documents and upload them as images which do not allow a viewer to search by keywords such as ‘landscaping’ or ‘sod,’ so a researcher has no choice but to scroll through dozens of pages within a document to find the applicable verbiage. Finally, and frustratingly, even when CCRs can be found, many HOAs do not clearly state what their landscaping expectations are but leave it up to the discretion of their architectural control committees. And we could not find landscaping rules for 125 HOAs through any of these methods.

All told, we were able to locate landscaping rules for 264 HOAs in Travis, Williamson and

Hays counties. Of these, only 20 — less than 8% — explicitly allow xeriscaping. 122 — over 46% — require full or almost full sodding of front and usually also side yards with turf grass. Even when they allow buffalo grass, a native, drought-resistant species, these HOAs typically mandate shade trees that would limit the viability of this species. We found CCRs for another 122 HOAs — 46.21% — which leave landscaping decisions up to their committees. These CCRs almost unfailingly contain language requiring regular maintainable and mowing, and state the expectation that landscapes conform with the existing character of the neighborhood; in all likelihood the individual committees require considerable if not complete sodding of front and side yards. An inspection of yards within their boundaries via google satellite and streetview usually confirms this. But not always, and as we have seen with Jester Estates, at least some HOAs with “silent” CCRs in fact allow xeriscaping. We cannot therefore simply add these 122 HOAs to the 122 that ban xeriscaping, even though most of them probably do so in practice. All told, it is clear that only a small minority of HOAs in the Austin region allow residents to plant drought-resistant landscaping in front of their homes.

The tables that follow display which HOAs require sodding, which ones allow xeriscaping, and which ones have “silent” CCRs that leave landscaping decisions in the hands of their architectural control committees.

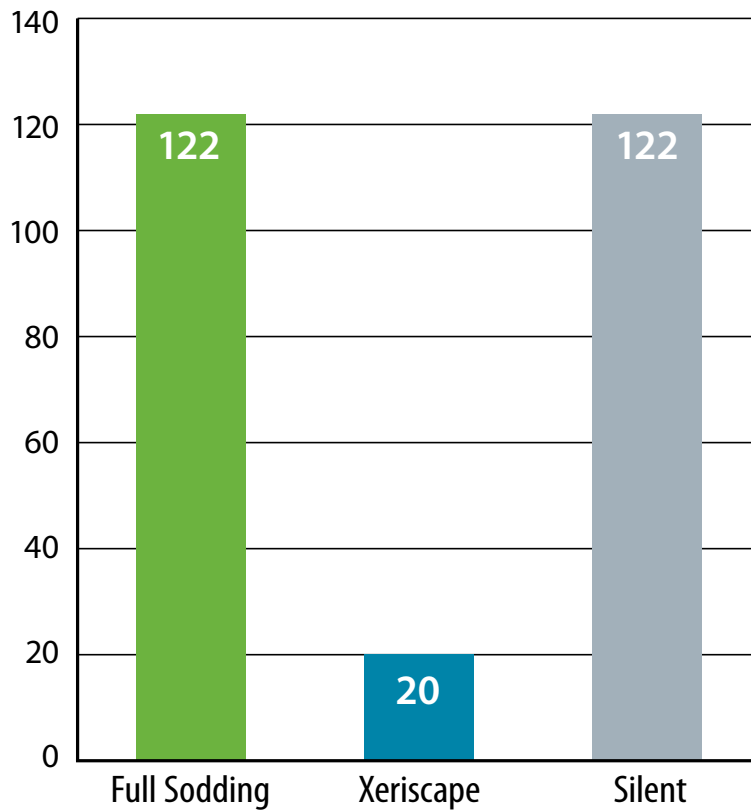
City	HOA	Allows or Encourages Xeri	Requires Turf Grass	CCRs are silent
Austin	Avery Ranch	X		
Austin	Barton Creek North	X		
Austin	Rancho Siena	X		
Austin	Sendera	X		
Austin	Steiner Ranch	X		
Austin	Tanglewood oaks	X		
Austin	The Parke	X		
Austin	Woods at Barton Creek	X		
Austin	Brodie Springs	X		
Manor	Presidential Meadows	X		
Spicewood	Colonia Serendipity	X		
Buda	Elliot Ranch	X		
Cedar Park	Preserve at Gann Ranch	X		
Georgetown	Escalera Ranch Owners Association	X		
Georgetown	Heritage Oaks	X		
Georgetown	Shady Oaks Estates 1-4	X		
Hutto	The Legends of Hutto	X		
Leander	Crystal Falls	X		
Round Rock	Pioneer Crossing	X		
Round Rock	Woods of Brushy Creek	X		
Austin	Barton Creek West		X	
Austin	Great Hills Reserve		X	
Austin	Ridge at Scofield		X	
Austin	Spicewood Estates		X	
Austin	Austin's Colony Riverside		X	
Austin	Barker Ranch (at Shady Hollow)		X	
Austin	Berdoll Farms		X	
Austin	Bull Creek		X	
Austin	Covered Bridge		X	
Austin	Harris Glen		X	
Austin	Harris Ridge		X	
Austin	Hollow at Slaughter Creek		X	
Austin	Lantana Southwest		X	
Austin	Legend Oaks		X	
Austin	Legend Oaks II		X	
Austin	Los Jardines		X	
Austin	McKinney Falls East		X	
Austin	Overland Park		X	
Austin	Parkside at Slaughter Creek		X	
Austin	Preston Oaks Owners Assn.		X	
Austin	Preston Oaks Owners Association		X	
Austin	Preston Village		X	
Austin	Reserve at Slaughter Creek		X	
Austin	Riverside Meadows		X	
Austin	Scofield Farms		X	
Austin	Senna Hill		X	
Austin	Villages of Shady Hollow		X	
Austin	Volente Hills		X	
Austin	Cherry Creek on Brodie		X	
Austin	Canyon Creek		X	
Austin	Estates at Arbor Creek		X	
Lakeway	Ridge at Alta Vista		X	
Manor	Carriage Hills		X	
Manor	Shadowglen		X	
Pflugerville	Arbor Creek		X	
Pflugerville	Cambridge Heights		X	
Pflugerville	Club at Wells Point		X	
Pflugerville	Enclave at Springbrook		X	
Pflugerville	Falcon Pointe		X	
Pflugerville	Greenridge		X	
Pflugerville	Meadows at Blackhawk		X	
Pflugerville	North Park		X	
Pflugerville	Park at Blackhawk and Lakeside		X	
Pflugerville	Saxony		X	
Pflugerville	Springbrook Enclave		X	
Pflugerville	Springbrook Glen		X	

City	HOA	Allows or Encourages Xeri	Requires Turf Grass	CCRs are silent
Pflugerville	SpringBrook Owners Association		X	
Pflugerville	Swensons Farm		X	
Pflugerville	The Club at Wells Point		X	
Pflugerville	Ridge at Steeds Crossing		X	
Spicewood	The Bend at Spicewood		X	
Spicewood	The Enclave at Spicewood		X	
Wells Branch	Lakes at Wells Branch		X	
Wells Branch	Bratton Glen		X	
Wells Branch	Bratton Hills		X	
Wells Branch	MUD Bratton Park 1		X	
Wells Branch	MUD Bratton Park 2		X	
Wells Branch	MUD Phase B Sec 1		X	
Wells Branch	MUD Phase B Sec 3		X	
Wells Branch	MUD Phase C Sec 1		X	
Wells Branch	MUD Phase C Sec 2		X	
Wells Branch	MUD Phase C Sec 3		X	
Wells Branch	MUD Phase C Sec 4		X	
Wells Branch	MUD Phase D Sec 1		X	
Wells Branch	MUD Phase D Sec 2		X	
Wells Branch	MUD Phase F		X	
Wells Branch	MUD Phase W 2-A		X	
Wells Branch	MUD Phase X		X	
Wells Branch	The Lakes		X	
Cedar Park	Cedar Park Town Center		X	
Cedar Park	Crossing Carriage Hills		X	
Cedar Park	Cypress Creek		X	
Cedar Park	Oakwood Glen		X	
Cedar Park	Silverado Ranch		X	
Cedar Park	Twin Creeks		X	
Cedar Park	Westside at Buttercup Creek		X	
Cedar Park	Forest Oaks		X	
Georgetown	Crystal Knoll Terrace 1		X	
Georgetown	Crystal Knoll Terrace 4		X	
Georgetown	La Conterra		X	
Georgetown	Woodland Park West		X	
Hutto	Brushy Creek Meadows		X	
Hutto	Enclave at Brushy Creek		X	
Hutto	Hutto Parke		X	
Leander	Horizon Park		X	
Leander	Leander Vista Ridge		X	
Leander	Overlook Estates		X	
Leander	Westwood		X	
Round Rock	Arbor Place		X	
Round Rock	Bent Tree		X	
Round Rock	Brushy Creek Village		X	
Round Rock	Cat Hollow		X	
Round Rock	Chandler Creek		X	
Round Rock	Davis Spring		X	
Round Rock	Eagle Ridge		X	
Round Rock	Hidden Glen		X	
Round Rock	Lake Forest		X	
Round Rock	Meadows of Brushy Creek		X	
Round Rock	Oak Bluff Estates		X	
Round Rock	Oak Brook		X	
Round Rock	Ranch at Brushy Creek		X	
Round Rock	Remington Heights		X	
Round Rock	Round Rock Ranch		X	
Round Rock	Sendero Springs		X	
Round Rock	Sonoma		X	
Round Rock	Stone Oak		X	
Round Rock	Woodglen		X	
Round Rock	Vista Oaks Association		X	
Round Rock	Greenridge		X	
Round Rock	Forest Ridge		X	
Round Rock	Preserve at Stone Oak		X	
Round Rock	The Settlement 2		X	

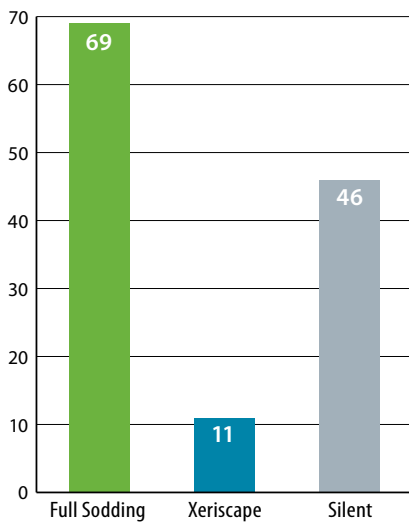
City	HOA	Allows or Encourages Xeri	Requires Turf Grass	CCRs are silent
Kyle	Kensington Trails HOA 2003		X	
Kyle	Plum Creek		X	
Buda	Meadows at Buda HOA, 2006		X	
Buda	Green Meadows HOA		X	
Kyle	Southlake Ranch HOA		X	
Kyle	Amberwood HOA		X	
Kyle	Silverado Homeowners Association		X	
Kyle	Waterleaf Falls HOA		X	
Kyle	Four Seasons Farm		X	
Austin	Anderson Mill			X
Austin	Balcones Woods Homeowners			X
Austin	Bee Cave Wood			X
Austin	Canyon Mesa			X
Austin	Countryside			X
Austin	Courtyard Homeowner Assn.			X
Austin	Estates of Shadow Creek			X
Austin	Estates of Shady Hollow			X
Austin	Great Hills			X
Austin	Harris Branch			X
Austin	Hunter's Chase			X
Austin	Jester Estates			X
Austin	Oak Brook			X
Austin	Oak Parke			X
Austin	Onion Creek			X
Austin	Pioneer Crossing West			X
Austin	Pioneer East			X
Austin	Preserve at Gann Ranch			X
Austin	Rancho Alto			X
Austin	Rock Cliff Estates			X
Austin	Spicewood at Bull Creek			X
Austin	Springfield Meadows			X
Austin	Stratford Place			X
Austin	Western Oaks			X
Austin	Woods of Century Park			X
Austin	Davenport Ranch			X
Austin	Estates of Brentwood			X
Austin	Gardens of Milwood			X
Austin	The Preserve			X
Austin	Woods at Westake Hilltop			X
Pflugerville	Fairways of Blackhawk			X
Pflugerville	Heatherwilde			X
Pflugerville	Steeds Crossing			X
Pflugerville	Villages of Hidden Lake			X
Pflugerville	Windermere			X
Pflugerville	Cantarra			X
Wells Branch	MUD Phase 1 Sect 1			X
Wells Branch	MUD Phase A Sec 1			X
Wells Branch	MUD Phase A Sec 2			X
Wells Branch	MUD Phase A Sec 3			X
Wells Branch	MUD Phase B Sec 2			X
Wells Branch	MUD Phase E Sec 3			X
Wells Branch	MUD Phase G			X
Wells Branch	MUD Phase P			X
Wells Branch	MUD Phase R			X
Wells Branch	MUD Section A-4			X
Cedar Park	Hunter's Glen Homeowner Assn.			X
Cedar Park	Oak Ridge			X
Cedar Park	Trails at Carriage Hills			X
Cedar Park	Walsh Trails			X
Georgetown	Casa Loma			X
Georgetown	Cedar Hollow Crossing			X
Georgetown	Chaparro Estate			X
Georgetown	Churchill Farms			X
Georgetown	Country Club Acres			X
Georgetown	Falls of San Gabriel			X
Georgetown	Fountainwood Estates			X

City	HOA	Allows or Encourages Xeri	Requires Turf Grass	CCRs are silent
Georgetown	Georgetown Crossing			X
Georgetown	Georgetown Traditions,			X
Georgetown	Georgetown Village			X
Georgetown	Katy Crossing			X
Georgetown	Lakewood Estates			X
Georgetown	Legend Oaks Property Owners			X
Georgetown	Lost River Ranch			X
Georgetown	Meadows of Georgetown			X
Georgetown	North Lake Land Owners Association			X
Georgetown	Olde Oaks			X
Georgetown	Parkview Estates			X
Georgetown	Parkview Estates			X
Georgetown	Preserve at Lake Georgetown			X
Georgetown	River Chase			X
Georgetown	River Ridge III			X
Georgetown	Riverview Estates			X
Georgetown	Ryans Cove			X
Georgetown	Summercrest			X
Georgetown	Terraces of Woodlake			X
Georgetown	Village of Riverbend			X
Georgetown	Villages of Berry Creek			X
Georgetown	Windridge Village			X
Hutto	Creek Bend			X
Hutto	Emory Farms			X
Hutto	Glenwood			X
Hutto	Hutto Highlands			X
Hutto	Hutto Towne Square			X
Hutto	Lakeside Estates			X
Hutto	Riverwalk			X
Leander	Benbrook Ranch			X
Leander	Ridgewood North & South			X
Leander	Cold Springs			X
Leander	County Glen			X
Leander	Lakeline Ranch			X
Leander	Oak Ridge			X
Leander	Ridgewood Estates			X
Leander	Westview Meadows			X
Round Rock	Behrens Ranch Association			X
Round Rock	Brushy Bend Park			X
Round Rock	Brushy Creek South			X
Round Rock	Enclave at Forest Creek			X
Round Rock	Fern Bluff			X
Round Rock	Forest Creek			X
Round Rock	Greenslopes Neighborhood Assn.			X
Round Rock	High Country Neighborhood Assn.			X
Round Rock	Highlands of Brushy Creek			X
Round Rock	Hillside at Brushy Creek			X
Round Rock	Hillside Terrace			X
Round Rock	Hunterbrook			X
Round Rock	Laurel Ridge			X
Round Rock	Oak Creek			X
Round Rock	River Chase			X
Round Rock	Ryans Crossing			X
Round Rock	Stone Canyon			X
Round Rock	The Woods			X
Round Rock	Tonkawa Springs			X
Round Rock	Woods VI			X
Buda	Ruby Ranch Homeowners Assn.			X
Buda	Hays Country Oaks Homeowners Assn.			X
Buda	Leisurewoods			X
Buda	Southern Woods HOA			X
Kyle	Onion Creek HOA			X
Kyle	Meadow Woods Prpty. Owners Assn.			X
Kyle	Hometown Kyle HOA			X

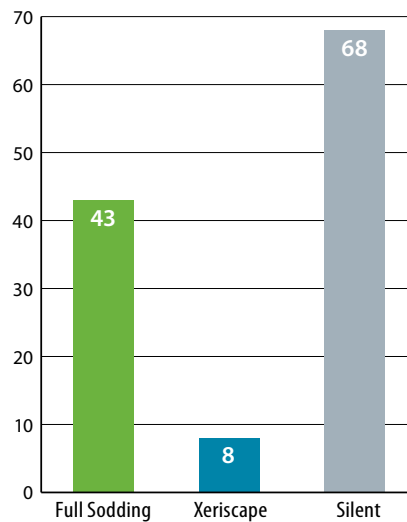
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Landscaping rules for 126 HOAs in Travis County



Landscaping rules for 119 HOAs in Williamson County



Landscaping rules for 19 HOAs in Hays County

