

ISSUE #1

MARKUP #1 ->

Harvesting rainwater is allowed and encouraged. Rain barrels should be located along side or rear yards and screened from view.

Each Lot shall have an automatic irrigation system that must be installed with 100% head-to-head coverage on all turf areas. All irrigation systems must be installed per requirements of the Texas Commission of Environmental Quality.

All sprinkler heads should be placed to prevent spraying onto paved areas. Spray rotors are prohibited near ally entrances or public drives.

All trees and shrub beds shall be irrigated with a low-flow drip system and flush valve such as Netafim dipline or a closely matched equivalent.

Each home shall be equipped with an ET (Evapo-Transpiration) Controllers and Wind/Rain Sensors.

Each Builder must provide an irrigation zone dedicated to the perimeter of the foundation. In the event of stage 3 and 4 drought restrictions this zone must be operable. 40', rear entry homes, do not require a dedicated foundation zone.

A Hunter Controller model no: Pro-C Indoor/Outdoor controller or equal shall be used.

J. Mailboxes:

For Lots in Phase 1 and 2A Exhibit H for Union Park mailbox specifications.

K. Elevation and Floor Plan Repetition on Residential Lots:

Architectural diversity, within a traditional aesthetic framework, is of primary importance at Union Park. Multiple floor plans, elevations and architectural styles shall be provided by each Builder to help promote visual diversity and excitement within the street scene.

Product spacing requirements are as follows:

- Elevations are allowed to repeat when there are 4 Lots of separation on the same side of the street on which residential improvements are being constructed.
- The same elevation cannot repeat on a Lot across the street from the Lot on which the improvements are being constructed, nor on the two Lots immediately adjacent on either side of the Lot across the street.
- The same elevation cannot repeat on the lot across the street or on the two lots on either side of the lot across the street.
- Repeating floor plans will follow the above criteria, with the exception that there can be a 3 Lot minimum spacing on floor plans instead of the 4 as dictated for repeating elevations.
- Brick colors are to vary according to the elevation requirements.

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. I (p. 14): Landscaping covenant prohibits rainwater harvesting, composting, or drought-resistant landscaping/xeriscaping in violation of Tex. Prop. Code § 202.007.

Statutory / Legal Reference: Tex. Prop. Code § 202.007

Statutory Comparison: Tex. Prop. Code § 202.007(a) prohibits a property owners' association from enforcing a provision that prohibits or restricts an owner from implementing measures promoting solid-waste composting, installing rain barrels or a rainwater harvesting system, implementing efficient irrigation systems, or using drought-resistant landscaping or water-conserving natural turf (subject to reasonable aesthetic plan submission under § 202.007(d-1)).

CURRENT WORDING IN DOCUMENT:

Rain Water Collection and Irrigation: Union Park Architectural Guidelines, 2024 Harvesting rainwater is allowed and encouraged. Rain barrels should be located along side or rear yards and screened from view. Each Lot shall have an automatic irrigation system that must be installed with 100% head-to-head coverage on all turt areas. All irrigation systems must be installed per requirements of the Texas Commission of Environmental Quality. All sprinkler heads should be placed to prevent spraying onto paved areas. Spray rotors are prohibi

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Notwithstanding the foregoing, and in accordance with Tex. Prop. Code § 202.007, the Association shall not prohibit an Owner from installing compliant rain barrels or rainwater harvesting systems, implementing efficient irrigation or composting, or installing drought-resistant landscaping or water-conserving natural turf pursuant to an approved xeriscaping plan.