

# **Audubon Place**

## **Landscaping & Drainage**

### **Guide**



**REVISED  
AUGUST 2004**

## **Introduction**

We hope that one of the reasons you have chosen to live in Audubon Place is because of your subdivision's commitment to establishing a beautiful and natural environment. The HOA policies are based on this commitment, as well as modern lifestyles and attitudes.

Recreational gardening is encouraged for all residents of Audubon Place. Busy schedules and lifestyles usually impose limits on the time and energy we can devote to gardening and landscaping. Careful consideration and choices towards the use of native plants and those that are adapted to this geographical area will provide for less maintenance in regards to time, energy, and expense. Furthermore, this is a landscaping philosophy that requires less usage of water and chemicals and therefore promotes a healthier environment for us all.

We hope that everyone will participate enthusiastically in our landscaping program and take joy in building a beautiful and peaceful landscape that is also a habitat useful to wildlife.

True Landscaping is an activity that requires patience and a long-term outlook. Your gardens and other planted areas should be developed in stages and over a period of time.

All Landscaping layouts and plans must be submitted to the Audubon Place Homeowners' Association for approval before planting begins. If plans are not submitted, the HOA reserves the right to request removal of any plants or other landscaping elements.

## **Drainage**

Drainage easements that contain swells and ditches such as at the rear of all perimeter lots in the subdivision are designed as a whole to provide storm water drainage to the middle of the subdivision. Therefore, any altering of the depth or elevation of this ditch on an individual lot will adversely affect the whole drainage system and is therefore not allowed. The HOA reserves the right to request that any alteration made on an individual lot be promptly rectified and returned to the original depth or elevation. Drainage modifications on individual lots will only be approved if it can be demonstrated that they will not adversely affect overall drainage in the subdivision as well as the drainage on to or from adjacent lots.

As with roadside drainage ditches that are common in Brazoria County, it is reasonable to expect and common to find some standing water in our subdivision's drainage easement ditches, especially after significant rainfall. While the ditches are designed to flow water to the drainage outlets via a slight grade decline, it is not uncommon for soil settling (i.e., low spots) and silt buildup to occur over time, inhibiting the drainage in certain areas. It is the joint responsibility of the Audubon Place HOA homeowners bordering the easements to maintain these ditches, and to mitigate obvious drainage problems.

In addition, conservation easements on the rear of the perimeter lots and in common areas have been created within the subdivision. These areas were carefully established with a selection of native and adapted plants and should be so maintained by the homeowners and the HOA.

## **HOA Drainage Policy**

The Audubon HOA has the primary responsibility of maintaining reasonable and sufficient drainage through the drainage easements located in the subdivision. In order to accomplish this, the Board of Directors of the HOA will establish a maintenance schedule, conduct required maintenance per this schedule, and establish procedures for mitigating emergency drainage problems. An emergency drainage problem is defined as one that threatens to allow water within 20 feet of a main residence.

The funds for managing this maintenance program will be provided by the annual operating budget of the HOA. It is important to note that while the HOA will endeavor to prevent consistent occurrences of standing water in the drainage easements, some standing water is expected to accumulate, especially after significant rain events and in winter months, when ambient temperatures and evaporation rates are low.

It is the policy of the HOA to maintain only those easements designated as drainage easements on the recorded subdivision plats. The HOA is not responsible for and will not maintain or correct drainage problems that exist or arise on individual lots not within easement areas. It is the individual homeowner's responsibility to make sure that water is properly carried to designated drainage easements on his or her property in a manner that does not change or interfere with the overall drainage of the subdivision.

Homeowners should formally report any significant drainage issues within easements to the HOA so that they can be corrected through the normal maintenance schedule or, if unanticipated, through immediate action. It is the responsibility of the homeowner to maintain the basic landscaping on the drainage easements, including grass and weed control, and it is expected that homeowners will assist the HOA by correcting minor drainage issues, so long as these corrections do not create or

exacerbate other issues. Further, because a drainage problem can quickly escalate and create substantial damage to property and resident health, it is the policy of the HOA to strictly enforce those recorded covenants relating to drainage.

It will also be the policy of the HOA to require homeowners that are in violation of any of these covenants to correct any violation without delay. If the homeowner does not respond in a timely manner, the HOA will take the necessary corrective action and bill the homeowner as permitted under the bylaws and covenants of the HOA.

**Audubon Place  
Deed Restrictions Relating to Landscaping**

The following are the sections in the deed restrictions that relate to landscaping:

**Page 2 Article One                    Definitions**

Section 6. "Conservation Easement" shall mean and refer to an easement that the Declarant has granted to itself for purposes of preservation, maintenance and beautification. This easement is located along the back perimeter of each Lot and is twenty-five (25) feet wide. This easement has also been granted by the Declarant to itself over the side ten (10) feet of Lots 1 and 33 of the Property. Both easements are shown on the Audubon Place, Section One plat.

**Page 10 Article VI                    Architectural Control**

Section 1: Architectural Approval. "The Property is a gated subdivision located next to the City of Pearland's Southwest Environmental Center. The overall plan for the development of the subdivision contemplates centralization of architectural review to enhance, insure and protect the attractiveness, beauty and desirability of the area while at the same time permitting compatible distinctiveness of homes in the subdivision. This plan also applies to the plant, landscaping and water control to promote and establish wildlife habitats and sources of food that will be in harmony with the whole subdivision and a complement to the adjoining park and environmental center. Further, it is the objective of the Declarant to give special"

It is accordingly covenanted and agreed that no building, fence, wall or other structure shall be commenced, erected or maintained upon the Property, nor shall any exterior addition to or change or alteration therein be made (including change in color) nor shall any substantial alteration in landscaping, grading or planting on any lot be made, until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall be submitted to and approved in writing as to adherence to the overall plan, harmony of external design and location in relation to surrounding structures, topography, and landscape design, by the Board of Directors of the Association, or by the Architectural Review Committee.

**Page 13 Article VII                    Use Restrictions**

Use restrictions:

Section 5: Building and Roofing and Landscaping Materials

(c) In as much as possible, native and indigenous plants shall be used in landscaping and plantings throughout the Property with emphasis on plants and trees that provide food and shelter to wildlife.

**Section 25: Walls, Fences and Hedges**

The intent of this section is to minimize the obstruction of overviews within the Property while at the same time providing for the privacy of Owners and Members of the community in areas where such privacy is desired. All walls, fences, planters and hedges shall be controlled strictly for compliance with the general intent and the specific requirements of this Declaration and the architectural standards established by the Declarant or the Architectural Review Committee. Any line fence shall be of an open construction and no more than the specified height and shall not interfere with any easements such as drainage easements granted under section 13 of this Article. Any hedge, tree line or combination structure planted within twenty-five (25) feet of any lot line shall not be allowed to grow to a height over five feet. It is the responsibility of the Owner of the Lot to maintain any such hedge, tree line or combination structure at the appropriate height of five feet.

No chain link fence shall be erected on any lot, except for the purpose of enclosing a tennis court or other use for which a municipality or governmental authority requires chain link fencing and unless approved by the Architectural Review Committee. Taller fencing or privacy walls are allowed closer to the main residences and other structures to provide the necessary privacy. Such structures are subject to the requirements of Article VI, Section 1 of this Declaration. Owners shall abide by the guidelines, rules and regulations issued from time to time by the Architectural Review Committee when planning for any type of blocking structure.

All fencing shall be maintained to a fence standard equivalent to original construction and all fencing must be consistent with this Declaration and the architectural standards established by the Declarant or the Architectural Review Committee.

**Page 19 Article VII      Use Restrictions**

**Section 28: Removal of Soil and Trees and Conservation Easement**

The digging of soil or the removal of soil from any Lot is expressly prohibited except as necessary in conjunction with the landscaping of or construction on said Lots and then, only according to approved grading and landscaping plans. No trees shall be cut except to provide room for construction of improvements or to remove dead or unsightly trees and then only following the obtaining of written approval for such cutting or removal by the Declarant or the Association, given in their sole discretion. The Declarant has expressly reserved a conservation easement across the back twenty-five (25) feet of all Perimeter Lots in the Property. No plant removal or planting may occur within this easement area without the written approval of the Declarant or the Association, given in their sole discretion.

Each Owner shall keep each Lot owned by him, and all improvements therein or thereon, in good order and repair and free of debris, including but not limited to the seeding, watering and mowing of all lawns, the pruning and cutting of all trees and shrubbery, and the 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. Any areas that are established as natural habitats are exempt from any mowing requirements. Such areas must, however, be kept neat and clear of any debris or dead plant materials.

The HOA and its representatives have the right to notify, review, grant waivers and otherwise enforce the covenants, rules and regulations established by the Association.

**Landscaping Plans, Grading and Draining Guidelines Issued by ARC:**

All landscaping plans submitted to the architectural review committee (ARC) must clearly show any drainage systems to be installed or grading activities to be conducted as part of the landscaping installation.

The site drainage plan must conform to the overall drainage plan of the subdivision. The purpose of a drainage plan is to eliminate runoff onto adjoining properties through the construction of swales and drains which should also minimize the impact to existing trees and vegetation. Grading and Drainage activities on individual lots and sites must tie into the drainage facilities built in the subdivision and use the drainage easements provided by the Developer.

**A. Lot Drainage**

Prior to any grading activities on a lot or home site, the homeowner must submit a plan showing changes and details of any elevation changes and drainage systems to be installed. No such drainage systems shall penetrate a street curb. Grading should not create severe transitions. No fill may be placed on any lot without prior written consent of the Developer or the ARC. The builder or the homeowner for areas that will not drain with swales must install area drains.

**B. Area Drains**

Area drains are recommended at all interior courts, patios and yard areas, which are enclosed or restricted on (3) three sides. The area drain inlets shall be a minimum of (12) twelve square inches pre-manufactured concrete area drain with metal grate.

**C. Penetration of Curbs**

The curbs in the subdivision are of the low profile type. Cuts have been put in the curb at all lot lines. Any drainage systems installed by homeowners that drain to the front of the property must end in a French drain to be installed by the homeowner between the sidewalk and the cut in the curb. The purpose of this system is to regulate the flow from drain systems into the street. Curbs are not to be cut or drilled without prior written approval from the Developer or the HOA.

## **Prohibited Plants**

The following plants and trees are not acceptable for planting in the Audubon Place subdivision as of June 2002. The reasons are usually that the plants are not native, present a particular vulnerability to disease or insect infestation, require excessive amounts of water and other maintenance or are already too numerous in the subdivision. This list is not exclusive and additional plants may be added to it from time to time.

Oleander  
Japanese Yew  
Boxwood  
Japanese Grass  
Weeping Juniper  
Chinese Juniper  
Dwarf Burford Holly  
Tulip Magnolia

## **Preferred Hedge Plants**

The shrubs preferred for establishing hedges in Audubon Place are Walter's Vibernum ( standard and dwarf )and Southern Wax myrtle. They should be purchased in a multibranch version and can be planted four feet from center. When properly trimmed, these shrubs will develop into suitable hedges and privacy screens.

## LANDSCAPE PLANTS FOR AUDUBON PLACE

These are plants that, given the right location and conditions on your property, do well in our area. It is not meant to be a complete list of everything that grows here.

**CODE:** birds=attracts birds; bog=tolerant of wet areas; butflies=attracts butterflies; cutfl=cut flower or foliage; e=evergreen; flw=flower; fr=fragrant; humbrds=attracts hummingbirds; sh=shade tolerant; x=xeriscape plant

### GROUND COVERS

asiatic jasmine (e.sun or sh;aggressive)  
ginger, Kampheri (sh;lavender flw summer and fall;snails)  
lantanas (sun;different varieties,colors,habits;bay;mites and lacebugs)  
monkey grass, Kyoto dwarf (e;sun or sh;not invasive;under 3 in. high)  
mum, Mexican (e;sun;yellow flw,silver foliage;x;bay)  
ruellia, Blue Shade (sh;x or average water;blue-purple flw;butflies;humbrds;aggressive)  
ruellia, Chi-Chi (sun/some sh;blue-purple or pink flw;reseeds;bay;butflies)  
ruellia, Katy's compact (sun/some sh;blue-purple or pink flw;reseeds;bay;butflies)  
salvia, lyre leaf (e;sun/part shade;lavender flw spring;reseeds)  
Salvia sineloensis (sun/some sh;blue flw spring;purple/bronze foliage)  
verbenas (sun;many varieties and colors;bay;watch for mites)

### LOW PERENNIALS (usually under 3 feet)

agapanthus (sun/some sh;lavender-blue or white flw early summer;bay)  
angelonia (sun or part shade;purple flw summer;bay;tender)  
daisy, shasta (sun;white flw spring;cutfl;bay)  
daylillys (sun/some sh;many colors and habits;bay)  
dianthus, Lavender Lace (e;sun or part sh; lavender flw spring,summer,fall)  
grass, acorus Obojiku  
grass, Mex. feather (e;sun;soft texture;biege flw summer;x;butflies)  
heather, Mex. (sun;purple flw summer and fall;x;reseeds;bay)  
hibiscus, heart leaf (e;sun;x;red flw summer)  
lantana, dwarf (sun;x;white,cream,yellow,gold,lavender flw summer,fall;bay;butflies;mites,lacebugs)  
penta, dwarf (sun or part sh;white;pink,lavender;violet,red flw;butflies;cold tender)  
society garlic (sun/some sh;lavender flw spring,summer,fall;bay)  
Turk's cap, native (sun/sh;red flw summer,fall;butflies;humbrds)  
verbena (sun/many different colors;watch for mites,lacebugs;bay)

### TALL PERENNIALS

agapanthus, Ella Mae (same as common agapanthus except huge, deep blue flw)  
butterfly weed, Mex.(sun/some shade;orange or yellow flw summer,fall;bay;cutfl;humbrds;butflies)  
gingers (sh/some sun;ctfl;many kinds;some fragrant)  
grass, bamboo muhly (sun;soft appearance)  
grass, fountain (many varieties to different heights,colors;sun;cutfl;bay)  
grass, purple fountain(sun;purple foliage;purple blooms in summer,fall)  
hibiscus, hardy (sun/some sh; several kinds;some bog plants;humbrds;butflies)  
iris, La. (sun/some sh;many shades of yellow,blue,purple;bog;cutfl)  
lantanas (sun;many colors; bay; butflies;humbrds;watch for mites)  
liatris (sun;purple flw late summer;cutfl;butflies)  
penta (sun/some sh;many different colors;humbrd;butflies;may freeze and die)  
plumbago, blue (sun/some sh;blue flw summer,fall)

Rudbeckia maxima (sun;yellow flw spring;bog)  
 ruellia, Chi-Chi (sun/some sh;lavender-pink flw;aggressive;bay)  
 Salvia farinacea (sun;x or average water;blue or white flw summer,fall;humbrds)  
 Salvia guaranitica (sun/some sh;deep blue flw summer,fall;humbrd)  
 salvia Indigo Spires (sun/some sh;long-purple spikes summer,fall;humbrd)  
 Salvia leucantha (sun;x;gray leaves;purple flw spring,fall;bay;humbrds;butflies)  
 shrimp plant (sun/some sh;reddish blooms summer,fall;ctfl;humbrd;several varieties, colors available)  
 Turk's cap, native (sun/sh;red flw summer,fall;humbrd;butflies)  
 Turk's cap, Mexican (sun;red or pink flw summer,fall;humbrds;butflies)

#### **DWARF SHRUBS** (and plants used as dwarf shrubs)

Barbados cherry, dwarf (sun/some sh;pink flws,red berries;birds;bay)  
 coral berry (sh/some sun;purple berries;birds)  
 dwarf waxmyrtle (e;sun/some sh;bay;birds)  
 dwarf youpon (e;sun/sh;bay)  
 giant liriopoe (e;sun/sh;bay)  
 Indian hawthorne, dwarf white (sun or part shade;white flw spring;bay;pink varieties disease prone)  
 roses, antique {Caldwell Pink, Cecile Brunner, Highway 290 Pink Buttons, Martha Gonzales, etc.}  
 rosemary (e;sun/little sh;even watering,well drained bed important;bay)  
 spirea,pink(sun/sh;pink flowers)  
 yucca pallida (e;sun;x;white flw summer;bay)  
 yucca, red (e;sun;x;red flw summer;humbrds;bay)

#### **LARGE SHRUBS**

abelia (sun;white or pale pink flw summer;humbrds)  
 azalea (most kinds e;many colors;sh/sun;good drainage)  
 beauty berry, Amer. (sh/a.m.sun;purple berries;birds)  
 beauty berry, Mex. (sh/sun;black berries)  
 buddleia (sun/little sh;several colors;butflies;nematodes)  
 camellia, sasanqua (e;sh/some sun;several colors;disease and insects)  
 cleyera (e;sun/sh;white flw;fr)  
 eleagnus (e;sun;off white flw;red fruit;brds;fr;bay)  
 hydrangea (sh;white,pink,blue flowers;good drainage)  
 Indian hawthorne, Yeddo (sun;white flw spring;disease resistant;upright growth;bay)  
 loropetalum (sun;pink flw;purple foliage)  
 nandina domestica (e;sun/sh;red berries)  
 palm, Mediterranean fan (e;sun/some sh;bay;cold hardy)  
 palm, sabal minor (e;sun/sh;bog;cold hardy)  
 palm, sago (e;sun/sh;bay;cold hardy)  
 pineapple gauva (e;sun;pink-white flw;gray foliage;butflies;bay)  
 roses, antique (Katy Road Pink,Mutabilis,Old Blush etc.)  
 spirea, white (sh/some sun;average water; white flw spring)  
 sweet olive (e;sun/some sh;average water;white flw summer;fr)  
 Texas sage (e;x;purple flw summer;gray foliage;bay)  
 Texas Mountain Laurel , Sophora secundiflora ( evergreen- sun/part shade)  
 upright Indian Hawthorne (sun;white flowers spring; disease resistant)  
 viburnum, arrowwood (sun/part shade;moist bed;white flws spring;black berries fall;birds)  
 Viburnum nudum (sun/part sh;moist bed;white flw;pink berries;birds)  
 Viburnum luzonicum (sun/sh;moist bed;white flw;black berries)  
 viburnum,Walter's (almost e;sun/part sh;white flw)  
 Virginia sweetspire (a.m. sun/sh;moist bed;white flw spring;red fall color)  
 yuccas {soft leaf, Spanish dagger, etc } (e,sun/some sh;white flw;bay)

#### **SMALL TREES**

althea (sun;white, shades of pink, purple,red flw summer)  
 camellia, sasanqua (e;sh/some sun;many colors;blooms in fall;scale and die back)  
 cherry laurel (e;sun/sh;white flw spring;black berries;bay;birds)  
 chitalpa (sun;x or average water;pink flw summer)  
 elderberry (sun;bog ;white flw spring;black berries;birds;reseed)  
 elm, Drake (sun;interesting bark)  
 hawthorne, native {parsley,Tx.} (white flw spring;berries;birds;butflies)  
 holly, American {Savannah,East Polatka etc} (e;sun/some sh;bay;birds;screen)  
 holly, Duhoon (e;sun/shade;red berries on female;birds;bog;screen)  
 holly, possum haw (sun/some sh;red berries on female;birds)  
 magnolia, Little Gem (e;white flw summer;red seeds;birds)  
 mountain laurel, Tx. (e;x or little extra water;purple flws spring;bay)  
 orchid tree, Anacocho (x;sun;pink or white flw summer)  
 palm, Mediterranean fan (e;sun/some sh;hardy;bay;multi-trunk)  
 palm, sabal Louisiana (e;sun/some sh;bog;hardy;bay)  
 palm, windmill (e;sun/some sh;hardy;not for bayside)  
 persimmon,Tx. (x;black fruit;bay;birds)  
 plum, Mex. (sun/little sh;white flw spring;fr;small fruit;brds)  
 red bud (sun/little sh;rose-pink blooms spring;good drainage)  
 river birch (sun;poor drainage o.k.)  
 swamp privet (sun;average water;yellow flw spring)  
 sumac, flame leaf (sun/some sh;average water;fall color;seeds;birds)  
 viburnum, nudum (sun/sh;white flw spring;pink berries;birds)  
 viburnum, luzonicum (sun/sh;white flw;black berries)  
 viburnum, Walter's (e;sun/some sh;white flw spring)  
 vitex (sun;x or average water;lavender to purple flw summer;bay;butflies;several varieties)  
 vitex, cut leaf (sun;x or average water;lavender flw summer;bay;butflies;fine texture foliage)  
 wax myrtle, Southern (e;sun;bay;birds;good screen plant)  
 youpon (e;sun/some sh;red berries on female;birds;bay;screen plant)

## LARGE TREES

Ash, Texas (not Arizona ash)  
 Bald Cyrpress *Taxodium distichum* Height: 60-70 feet Growth Rate: Slow to moderate Deciduous  
 Black Gum *Taxodium distichum* Height: 60-70 feet Growth Rate: Slow to moderate Deciduous  
 Hornbeam *Carpinus Caroliniana* : 30 feet good understory tree moderate growth  
 Lacebark Elm *Ulmus parvifolia* Height: 30-50 feet Growth Rate: Moderate to fast Deciduous, shade/fall color  
 Oak, chinkapin *quercus muhlenbergii* Height: 60-80 feet sensitive to poor drainage  
 Oak, Live *Quercus virginiana* Height: 30-50 feet Growth Rate: Slow to moderate Evergreen/shade  
 Oak, Nuttall *Quercus Nutalli* Height: 50 ft Growth Rate: Slow to moderate. Does not like shade.  
 Oak, overcup *Quercus Iyrata* Height: 60-80 feet Growth Rate: Slow Deciduous, fall color/shade  
 Oak, Red Height : *Quercus shumardii* or *texana* 60-80 feet. diciduous  
 Oak, swamp chestnut  
 Oak, Water *Quercus nigra* Height: 50-60 feet Growth Rate: Moderate to fast Semi-evergreen/shade  
 Loblolly Pine *Pinus taeda* Height: Up to 100 feet Growth Rate: Fast Evergreen  
 Loquat Leaf Oak *Qurcus rizophylia*  
 Magnolia, Southern, *Magnolia grandiflora* Height: 40 feet Growth Rate: Slow to moderate Evergreen,  
 shade/fragrant flowers  
 Pecan *Carya illinoesis* Height: 60-100 feet Growth Rate: Moderate to rapid Deciduous, shade/fruit tree  
 Maple Red *Acer rubrum drummondii* Height: 40 feet Growth Rate: Fast Deciduous, shade/fall color  
 Western Soapberry *Sapindus drummondii* Height: 30-40 feet Growth Rate: Moderate Deciduous, shade/fall color

## VINES

cape honeysuckle (sun;shrub,can be used as vine;orange flw summer;butflys)  
Clematis crispa (sh/a.m. sun;purple flw;not aggressive)  
coral vine (sun;average water;pink flw late summer;bay;humbrds)  
desert trumpet vine (sun;pink flw late summer and fall)  
honeysuckle, coral (sun;red flw spring,summer;good drainage;humbrds;bay)  
passion vine (sun;many different colors;bay)  
roses, climbing (sun;many different climbing roses)  
star jasmine (e;sun/some sh;white flw spring;fr;bay)  
trumpet vine, native (sun;orange flw summer;bay;humbrds)  
wysteria, evergreen (not always evergreen;sun;purple flw summer;bay)

## FOR MORE INFORMATION

Bowen, Mark. *Habitat Gardening for Houston* (beautiful photos and information on local native plants)  
Greenlee, John. *The Encyclopedia of Ornamental Grasses*  
Hill, Madalene. *Southern Herb Growing*  
Odenwald, Neil. *Identification, Selection and Use of Southern Plants for Landscape Design*  
Tveten, John and Gloria. *Wildflowers of Houston*  
Wasowski, Sally. *Native Texas Plants, Landscaping Region by Region* (All books by Sally and Andy Wasowski are great. This is a good first one.)  
Welch, William C. *Perennial Garden Color* (covers the Gulf Coast very well. He has also written several other books.