

**WELLINGTON OF FLOWER MOUND RESIDENTIAL ASSOCIATION, INC.**  
**ARCHITECTURAL CONTROL COMMITTEE**  
**Bulletin #17 –Landscaping/Xeriscaping**  
Revised 2024

STATE OF TEXAS                   §  
   §  
COUNTY OF DENTON           §

The property encumbered by this Landscaping/Xeriscaping Bulletin is that property restricted by the Declaration of Covenants, Conditions and Restrictions for Wellington of Flower Mound Residential Association, Inc., recorded under Clerk’s File Number 006513, Deed Records, Denton County, Texas (hereinafter the “Declaration”), as same has been or may be amended from time to time, and any other subdivisions which have been or may be subsequently annexed thereto and made subject to the authority of the Wellington of Flower Mound Residential Association, Inc. (the “Association”).

Pursuant to Article 10.02 of the Declaration, the Architectural Control Committee (hereinafter the “Committee” or “ACC”) may, from time to time, publish and promulgate Architectural Standards Bulletins covering all or a portion of the property subject to the Declaration. These bulletins may contain standards, requirements or limitations in addition to those expressly set forth or referred to in the Declaration.

Pursuant to the authority granted in Section 202.007(d) of the Texas Property Code, the ACC, together with the joinder of the Board of Directors (the “Board”), hereby adopts this Xeriscaping Policy, which shall run with the land and be binding on all owners and lots within the subdivision. This Bulletin replaces any previously recorded or implemented policy that addresses the subjects contained herein.

This bulletin is applicable to all Wellington lots.

Landscaping items not requiring an ACC application include: (a) routine maintenance of the yard such as lawn care; pruning and shaping of existing trees, plants and shrubs; replacement of plants in existing plant beds; annual color changes; and bed mulching uniform to the neighborhood (b) planting or removing of trees on a lot; however, placement of any new trees should be discussed with neighboring property owners to ensure of no objections (c) installation or repair of below-ground lawn or planter sprinkler or drip irrigation systems.

A request via application must be submitted to the ACC for review on a case-by-case basis before beginning any work. Approval or disapproval will be given in accordance with the Declaration. Nothing contained herein waives any right or remedy otherwise available to the ACC under the Declaration. This Bulletin does not apply to property that is owned or maintained by the Association.

**Application to Include:**

1. A per-scale site plan showing the proposed location of the improvements and distance from any streets, neighboring properties/property lines, sidewalks and common areas.
2. Drawings or photos of the existing landscaping including any structural elements already on site (retaining walls, drainage swale, etc.). Note any trees, shrubs, beds or hardscape material that will be removed.
3. Detailed drawings or renderings of the proposed Landscaping/Xeriscaping plan. Include size and placement of any new plant or hardscape material to be used. Include details on changes to structural elements (borders, retaining walls, etc.), drainage, and mulching or ground cover substrate (where applicable include type, dimensions, color, and/or placement).

## **Definitions**

Landscaping - "Landscaping" shall collectively mean and refer to the design, materials, and installation of yards, beds, swales, pathways, walls, borders, drains, planters/containers, ponds/fountains, hardscapes, ground cover, trellises/lattices, landscape lighting and other items associated with a yard. As set forth above, written approval from the ACC is required prior to the installation and/or placement of Landscaping.

Xeriscaping - "Xeriscaping" shall collectively mean and refer to drought-resistant landscaping and water conserving natural turf. As set forth above, written approval from the ACC is required prior to the installation and/or placement of any Xeriscaping.

Landscape beds – plants, shrubs and other landscape material that is separated from the turf. Two basic types of beds are border and tree well/island beds. A border bed has a backdrop such as a house or fence. A tree well/island bed can be viewed from all sides.

Tree staking – 1-3 stakes placed low to the ground around a young, small tree to provide support until the tree roots. Stakes may be thin pieces of wood, plastic or metal with a line tied from the stake to the tree. Thin tubing or nylon straps should only be used around the tree trunk to prevent damage to the tree and not extend to the tree stake.

## **Specific Guidelines:**

### Turf Grass / Sod

The sidewalk strip (the area between the sidewalk and street curb) must be grass/sod/turf. A small landscape bed (up to 3 feet in size from either side of the mailbox) or planter built as part of the mailbox may be considered in the sidewalk strip on a case-by-case basis. Complete and full removal of grass/sod/turf is not permitted; the property owner must maintain at least 50% of turf grass in any street-adjacent non-fenced yard (front and side yards). Use of a turf grass such as Bermuda or Zoysia that has minimal water requirements is permitted. Choose turf that will survive in the soil type and sun/shade conditions of the lot. Note - all grasses require watering to establish and remain healthy; the goal is to *minimize* the total amount of water needed each year. Use of artificial turf is only permitted inside/behind the lot's fencing and may not be visible from any public street.

### Ground Cover / Mulch / Beds

Non-turf areas may contain a substrate of crushed or decomposed granite, ground or chipped mulch, crushed limestone, 1"-2" gravel, river rock, paver stones, and flagstone. Colors should be in earth tones (white, beige, tan, brown, etc.). Examples (but not limited to) of materials not permitted are colored glass, nut shells and husks, tree stumps/large wood pieces, and rubber mulch. Beds must incorporate at least 50% visible living plant material and that plant material must have a minimum height of 6 inches. The 50% must be plants installed in the ground. The landscape plan must prevent soil erosion and issues with mulch washing away.

### Structural Elements: Retaining Walls / Borders / Hardscapes

Retaining walls must be constructed of Millsap sandstone or a Harington 3-pc retaining wall system in a style/color similar to a Millsap sandstone retaining wall. Borders must be harmonious with the neighborhood. Bed shape, size and quantity to be reviewed on a case-by-case basis. Examples (but not limited to) of border materials permitted are metal edging in colors of black, brown or dark green, stone, concrete edger and brick which matches the brick on the house. Examples (but not limited to) of border materials not permitted are white plastic, decorative borders which extend more than four (4) inches above ground, cinder blocks, railroad ties, and landscape timbers. Hardscapes may include natural-colored rocks and boulders.

### Plants / Trees

Many tall and excessively bushy plants require regular pruning to keep them healthy. For public safety, plants and branches with thorns, spines, or sharp edges must be located at least two (2) feet from the public sidewalk. No plants should be positioned where they would obstruct the sight line of pedestrians or motorists. Trees to be a minimum 4 feet in height above ground after installation. Tree stakes are to be periodically reviewed to keep in good working condition, still attached to the tree or if no longer needed removed. Stumps (trees and shrubs) are not permitted. If stumps are removed, the area is to be filled, graded and if applicable replanted with turf. If stumps are not removed, the stump must be ground below the surface level and the area filled, graded and if applicable replanted with turf. Some plants like Oleander and the Castor Bean plant are toxic to animals and humans and should be avoided. Town of Flower Mound Right of Way Obstructions (Section 34-51) states - trees may not grow lower than 8 feet over the sidewalk or lower than 14 feet over the street.

### Flowers / Bulbs / Annuals

Beds must incorporate at least 50% visible living plant material and the use of flowers, bulbs and/or annuals only in a bed does not satisfy this requirement.

### Planters / Containers / Trellises / Lattice

Materials used to contain or support plant material are subject to review by the ACC. Original plastic nursery pots/planters may not be visible to the public. Pots/planters are limited to a maximum of eight (8) in the front/side yard visible from the street. Empty pots/planters must be refilled with living plant material or removed from public view. Pots/planters greater in number than 8, larger in size than 3 feet in height or 4 feet in width, or is a container not originally intended to be used as a planter requires ACC review. Trellises and lattice will be reviewed on a case-by-case basis.

### Vegetable Gardens

Are permitted in the backyard only and will be reviewed on a case-by-case basis.

### Artificial Plant Material

Artificial vegetation or flowers may be used only for front door or holiday decoration. All other uses of artificial material will be reviewed on a case-by-case basis.

### Lighting

Landscape lighting may be wired or solar and may not shine into neighboring yards or public rights-of-way. Lighting will be reviewed on a case-by-case basis. Lighting to be maintained in an upright position.

### Maintenance

Landscaped/xeriscaped areas are subject to maintenance requirements and must be maintained at all times to ensure an attractive appearance. Plants must be pruned as needed, beds and yards to be kept weed-free, and borders must be edged. No plants/turf/weeds or landscape material (to include soil or mulch) may encroach on driveways, public sidewalks or public streets. Sickly and dying plants must be removed and replaced. Perennials that die back during winter must be cut back to remove dead material. This includes most ornamental grasses and other flowering perennials that go dormant to the ground in winter.