

HIGHLAND PARK NORTH HOMEOWNERS ASSOCIATION

Covenants, Conditions and Restrictions (CC&R) Supplemental Clarifications & Guidelines

Version: 6.21.2022

Revision History

Date	Changes	Changed By
6/1/2012	Updated Alliance address on ACC form and Modifications Approval Process page due to office relocation	J. Percy, ACC Chair
6/6/2012	Updated with revisions proposed by Rules N Regs Committee: <i>ACC Guidelines</i> Updated - Exterior Door and Exterior Painting <i>CC&R Guidelines</i> Updated – <i>Fences and Satellite Dishes</i> Added – <i>Compost Bins, Trampolines, Playscapes, Shades, Storm Doors, Retractable Patio Covers, and Maintenance of Home Exterior and Exterior Improvements</i>	T. Crooks, Rules N Regs Committee
6/14/2012	Incorporated feedback to CC&R Guidelines for Satellite Dishes and Home Exterior and Exterior Improvements (Garage Doors - Dents)	T. Crooks, Rules N Regs Committee
6/15/2012	Updated Section 9. Pools to include Spas and Hot Tubs per City of Pflugerville ordinance 295-39-01-10.	J. Percy, ACC Chair
10/10/2012	ACC Guidelines: Updated Shed to include Vinyl Sheds Added A/C Units Enforcement Guidelines Updated to satellite dishes Updated Landscaping - drought conditions guidelines	T. Crooks, ACC Chair
12/12/2012	Revisions Provisionally Approved by the HOA Board of Directors. Document finalized for posting	T. Crooks, ACC Chair
5/15/2013	Proposed revisions from Rules And Regulations Committee drafted and submitted for Board Review ACC Guidelines: Storage of Smokers, Barbeque Pits and other Outdoor Cooking Apparatuses Clothes Hanging Devices Landscaping - Xeriscaping Enforcement Guidelines Smokers, Barbeque Pits and other Outdoor Cooking Apparatuses Clothes Hanging Devices	T. Crooks, ACC Chair
5/23/2013	Proposed revisions from Rules and Regulations Committee for ACC Guidelines for Exterior Doors - Storm Doors (Front Doors only)	T. Crooks, ACC Chair
6/25/2013	Revisions approved at the HOA Annual Meeting. Document finalized for posting	T. Crooks ACC Chair
6/24/2014	Revisions approved at Annual Meeting regarding yard loss during drought conditions - violations suspended only under Stage 4 restrictions.	HPN Board
6/23/2015	Revisions approved at Annual Meeting to add composite wood as an option for Arbors/Pergola and add section for Standby Electric Generators	HPN Board, ACC
6/21/2017	Revisions approved at Annual Meeting to 15. Solar Systems (pool heating, thermal water heating and photovoltaic electricity) and 7. Fences.	HPN Board, ACC
6/12/2018	Revisions approved at Annual Meeting to section 14. Roofs and section 7 fences.	HPN Board, ACC
6/25/2019	Revisions approved at Annual Meeting to section 7. Fences	HPN Board, ACC
8/26/2021	Revisions approved by Board of Directors for 2021 Texas Legislative changes for Religious Displays, Security Measures (including Fences & Cameras), Pool Enclosure Fencing	HPN Board, ACC
6/21/2022	Revisions approved at Annual meeting to add replacement windows, clarify fences visible from common areas must be maintained, allow replacement of wood picket fences without ACC approval if no changes, and add city ordinance tree trimming guidelines.	HPN Board, ACC

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Background

The City of Pflugerville Ordinances and Highland Park North's (HPN) Homeowner's Association (HOA) Declaration of Covenants, Conditions and Restrictions (CC&R) are the rules by which homes in the HPN subdivision are governed. The **CC&R Supplemental Clarifications and Guidelines** document contains non-binding policy directives intended to provide clarification to Homeowners and the HPN HOA property management company as to the enforcement of those rules and regulations. The invalidation of any one of these guidelines by judgment or court order will in no way affect any of the other guidelines, which will remain in full force and effect.

These guidelines have been developed through the active participation of HPN homeowners on HPN HOA Board of Director sanctioned committees. Those committees, taking into consideration the concerns and opinions expressed by their neighbors, drafted recommended clarifications that were submitted to the HOA Board of Directors for review and approval. Upon approval by the Board of Directors, the Supplemental Clarifications and Guidelines document was drafted and made available to the HPN homeowners and the HPN property management company. It is the intention that these guidelines be maintained and enhanced as required by the current and any future HPN HOA Board of Directors.

This document does not contain the HPN HOA Enforcement Policy. The Enforcement Policy is available on the Highland Park Homeowners Associations website (<https://hpnhoa.org/>).

Note: Some of the guidelines in the document are contrary to the HPN HOA CC&R. The Rules n' Reg Committee requested a blanket variance from the Architecture Control Committee (ACC) for the following sections in this document.

- Basketball Goals – permitting both permanent and portable goals
- Satellite Dishes – least conspicuous location defined as the front of the house to permit installation on the sides of houses
- Signs – permit additional types of signs not permitted in the CC&Rs
- Trash Cans – extension to the time they can be visible

Architectural Control Committee – Modifications Approval Process

In accordance with the HPN HOA Declaration of Covenants, Conditions and Restrictions (CC&R), which you received at or prior to closing, all new exterior construction and modifications to existing property must be submitted to and approved by the ACC. The **ACC Improvement Request Form** for this process along with the CC&Rs, can be found on the HPN HOA website at <https://hpnhoa.org>. You may also contact the Property Management Company Associa Hill Country by logging into TownSq <https://app.townsq.io/login> and opening a request. Alternatively, you may email manager@hpnhoa.org.

Thanks for working together to make Highland Park North a beautiful community in which to live and play!

General

- Approval by the ACC does not supersede the City of Pflugerville Building Code nor waive municipal building permit requirements. Please check with your contractor or with the City of Pflugerville Building Inspection Department at 512-990-6300 to request a copy of their Building Guidelines for the Homeowner document prior to the construction of any building or addition. The guidelines are also located on the City of Pflugerville website.
- Homeowners must contact <https://www.texas811.org> to request utilities (gas, electric, cable, phone, etc). be marked before starting any project which involves digging or excavation. You may also dial 811 from any phone. The service is free.
- Please allow up to 30 days for a response to your request. We generally try to issue decisions within 10 business days, but often, we find we need more information, such as colors, location on the property, or dimensions, and this delays our process. If this is the case, we will contact you to request the information. If we have not received the information after 60 days, we will deny the request with a note asking you to resubmit the request with required information.
- The following information must be submitted with modification requests to the ACC.
 - The official Highland Park North HOA ACC Improvement Request form (see <https://hpnhoa.org>)
 - Homeowner name, address, phone and email (so we can contact you with questions or ask for additional information/documentation)
 - Description of work to be done
 - Who will do the work (contractor's name, homeowner, etc)
 - A copy of your survey/plot map showing easements (you received this at closing) marked with location of your improvements and if applicable, the point of entry to your property that you will use to gain access for the work being performed.
 - Dimensions of the improvement
 - Color Samples or references to brand/color name
 - Materials to be used
 - Spec sheet, floor plan, elevation, or other image (as applicable) which show proposed improvement
- Please contact Associa Hill Country or your Architectural Control Committee at acc@hpnhoa.org with any questions. We're here to help!

Common Request Guidelines

The following are the guidelines the committee uses when reviewing our most common requests. These guidelines are not intended to replace or supersede the CC&R document and/or final written approval of the ACC. In all cases the ACC will have final approval, as per the CC&R.

1. Storage Sheds

Storage sheds must be constructed of materials equivalent to those used in the construction of the home (wood or masonry siding) or high-quality vinyl. Metal sheds will not be allowed.

- a. Sheds may not exceed 12 feet in height at the apex as measured from the ground
- b. Sheds may be no larger than 144 square feet.
- c. Sheds may be located in the back yard no nearer than 2 feet to the side property line (increased to 15 feet for corner lots) nor nearer than 2 feet to the rear property line. If permanent foundation (poured concrete), cannot be located in a Public Utility Easement (PUE). If non-permanent (on skids), it is not recommended to be located in a Public Utility Easement (PUE) as utility companies may need to dig in these easements with little or no notice.

Cannot be located in a Drainage Easement. Shed walls must be located at least 10 feet from the wall of the house.

- d. Sheds with utility connections (electric/water) require city permits.

Wood or Masonry Siding Sheds

1. The paint color must be neutral, and match or be consistent with that of the home.
2. The roof must be shingled and the shingle color must be the same or close to those on the home (shingle color in HPN is Weathered Wood).

Vinyl Sheds

1. Sheds must be of a neutral color that is similar to or consistent with the color of the home.



2. Vinyl sheds must be made of high quality vinyl with a sturdy frame.
3. Maintenance of vinyl sheds is different than that of wood or masonry siding sheds. As such a vinyl shed should be power washed periodically to maintain its appearance. Should the vinyl become broken or cracked, it must be repaired if possible; if not, the shed must be removed or replaced.

2. Playscapes

- a. 12 ft. height maximum
- b. Playscapes may be located in the back yard no nearer than 5 feet to the side property line (increased to 15 feet for corner lots) nor nearer than 5 feet to the rear property line. Not recommended to be located in a Public Utility Easement (PUE) as utility companies may need to dig in these easements with little or no notice. Cannot be located in a Drainage Easement.

3. Uncovered Decks/Patio Extensions

- a. Be constructed of paving blocks, stone, concrete, wood or composite wood that is finished a natural wood tone or consistent with the color of the home.
- b. Be located in the back yard within no nearer than 5 feet to the side and rear property line. If permanent (poured concrete), cannot be located in a Public Utility Easement (PUE). If non-permanent, it is not recommended to be located in a Public Utility Easement (PUE) as utility companies may need to dig in these easements with little or no notice. Cannot be located in a Drainage Easement.
- c. Deck must not exceed the height of the existing patio.

4. Patio Covers

- a. Be constructed of wood or composite wood with optional wood or masonry siding that is either painted to match the home. Other materials may be considered.
- b. Roof must be shingled to match the home.
- c. Be within the building line indicated on the plot map/survey. Not recommended to be located in a Public Utility Easement (PUE) as utility companies may need to dig in these easements with little or no notice. Cannot be located in a Drainage Easement.

5. Arbors/Pergolas

- a. Be of natural cedar or a wood or composite wood that is either painted to match the home or stained a natural wood tone.
- b. Lattice on the sides is acceptable.
- c. Be located in the back yard no nearer than 5 feet to the side property line (increased to 15 feet for corner lots) nor nearer than 5 feet to the rear property line. Not recommended to be located in a Public Utility Easement (PUE) as utility companies may need to dig in these easements with little or no notice. Cannot be located in a Drainage Easement.

6. Room/Sunroom Additions

- a. All materials used match those of the home, including siding, brick, windows, paint color, shingles, etc.
- b. Be within the building line indicated on the plot map/survey.

7. Security Measures (including Fences and Cameras)

1. General. The following rule outlines the restrictions applicable to security measures in order to permit them while also striving to maintain an aesthetically harmonious and peaceful neighborhood for all neighbors to enjoy. "Security measure" means any improvement designed to prevent criminals' access to the home or criminal acts involving the home. In the event of a question as to whether a requested installation is a security measure, the answer will be determined by the board in its sole reasonable discretion.
2. Cameras. Owners may not place cameras in any area other than their own lot. For example, owners may not install cameras in any common area of the association. All cameras must be mounted on the owner's home or outbuilding located on the lot¹, may not extend above the lowest portion of the roof line and may not extend from the façade of the home or outbuilding more than 2'. Cameras must be oriented so as to capture as little of a neighbor's property as reasonably possible². Cameras following these guidelines do not need prior ACC approval. Any other cameras must receive prior approval from the ACC, which may be granted or denied in the ACC's discretion.
3. Perimeter fencing. Perimeter fencing when used in this Section means any ground-mounted fence or portion thereof that is installed on near a boundary line of the lot and that is installed in a contiguous manner around the entirety of the lot boundaries. Perimeter fencing does not include ornamental fencing. Ornamental fencing is defined as any fencing of which any portion thereof is less than 48" in height; ornamental fencing is not allowed. A gate in a fence is part of the fence for all purposes considered. Except to the extent expressly provided in other dedicatory instruments, the association may prohibit any fencing other than perimeter fencing. All fencing must receive prior written approval from the association's architectural review body. With regard to fencing adjacent to a street, alley, or other through-way, the association may require a particular setback so as to maintain a more uniform aesthetic. All fencing must comply with all municipal right of way, setback, and intersection sight triangles

Unless otherwise approved in writing by the architectural reviewing body,

- a. All fencing in the front yard (any portion of fencing in front of a line 5' behind the front-most building line of the home) must consist of ornamental wrought iron or metal fencing, all portions of such fencing must be black in color, and must have the following specifications: pickets 1.75" square; rails 1.5" square; standard posts 2.5" square; picket spacing of at least 3" and not more than 4"; post spacing at least 8' on center; height of 48"; no ornamentation (for example no picket tops or rail tops); no slats, planks, or other solid material.
- b. All fencing enclosing the side and rear yards (any portion of fencing in line with or behind a line 5' behind the front-most building line of the home) must have the following specification: be constructed of cedar wood slats, pressure treated pine wood slats or composite wood slats, height of 6' (with evidence of a variance issued by the city, the ACC will consider 8' height for fences bordering the perimeter of HPN subdivision). Metal or wood fence posts are permitted but may not be on the street facing side of the fence. Fence may be stained a natural wood tone color. Painting or whitewashing is not permitted. Composite wood fences must be a natural wood tone color. These restrictions also apply to enclosures for Trash or Recycling Containers, and outdoor cooking apparatuses such as Smokers and Barbeque Pits.

Parameters; Plans and specifications. Prior to installation, change, replacement or removal of any security measure (other than cameras meeting the criteria of subsection (2) above), owners must submit plans and specifications including dimensions, colors, materials, and proposed location on the owner's lot, scaled in relation to all boundary lines and other improvements on the lot. For purposes of this section, repair of an existing fence does not require architectural review body approval. Plans must be submitted to the association's architectural review body, and owners must receive prior written approval prior to installation or removal of any improvements. All proposed installations must be of a type, including materials, color, design, and location, approved by the architectural reviewing body. The architectural reviewing body may require or prohibit the use of specific materials, colors, and designs and may require a specific location(s) for the security measure. Architectural review and approval is not required to replace an existing wood picket fence if materials, stain color (if any) and location is not changed, and the replacement fence meets requirements in paragraph 3(b) above.

¹ For example cameras may not be mounted on a pole in the yard.

² For example Ring-type doorbell cameras often incidentally capture portions of properties across the street. This is not disallowed.

7.1 Pool Enclosure Fencing

1. "Pool enclosure" means a fence that:
 - a. surrounds an existing approved water feature including a swimming pool or spa;
 - b. consists of transparent mesh or clear panels set in metal frames;
 - c. is not more than 6' tall at any point; and
 - d. is designed not to be climbable.
2. Subject to this rule, owners may install a pool enclosure around a water feature located solely on property wholly owned by the owner.
3. All pool enclosures must be black in color absent express approval of alternate color(s) by the architectural reviewing body of the association. The architectural reviewing body may approve an alternate color but has no duty to do so.
4. All pool enclosures must consist of transparent mesh or transparent panels set in metal frames absent express approval of an alternate construction design by the architectural reviewing body. The architectural reviewing body of the association may approve an alternate construction design but has no duty to do so.
5. All pool enclosures must be maintained in a neat and attractive condition.
6. All plans for any pool enclosure must first be submitted to the architectural reviewing body for approval and approved by the architectural reviewing body prior to construction. All architectural requirements of the dedicatory instruments shall also apply, except to the extent expressly in conflict with this rule.

8. Landscaping

Require prior ACC approval only as indicated below.

- a. Landscaping requires ACC approval only if
 - i) It is significant, or
 - ii) It involves:
 - (1) Retaining walls
 - (2) Concrete (paths, pads, patios, driveways, etc.)
 - (3) Potential alteration of the existing drainage pattern
 - (4) Landscaping in the public right-of-way between the sidewalk and street
- b. General guidelines when planning your landscaping:
 - i) Rock or stone ground cover may not exceed ten percent (10%) of the total front and side yard.
 - ii) Recommended that trees not be planted on property lines to prevent them from encroaching on the adjacent lot.
 - iii) Trees and shrubs may not be planted in the public right-of-way between the sidewalk and street.
 - iv) Landscaping must not alter the existing drainage pattern to adjacent property
 - v) So long as they do not alter drainage patterns, stone or landscape block borders around flowerbed and trees do not require ACC approval.

- vi) Stone or block flowerbeds may not be placed in the public right-of-way between the sidewalk and street without prior ACC approval. In addition, a city permit is required to make private improvements such as landscaping in the public right-of-way.
- c. **Xeriscaping** - Current HOA landscaping guidelines are considered Xeriscaping friendly. Xeriscaping entails landscaping design for areas that are susceptible to drought or for properties where water conservation is practiced. It is not the same as “zero-scaping” in which the designed landscape consists mostly of hard surfaces with a few plants as accent. Our guidelines restrict utilization of rock or stone groundcover to no more than 10% of the total front and side yard in order for to maintain aesthetic landscaping compatibility within the neighborhood
 - i) The City of Pflugerville has water conservation programs for landscaping that should be referred to when planning your landscaping changes. The website <https://utilitybilling.pflugervilletx.gov/water-conservation> includes a listing of recommended plants, trees, turfs, and grasses to be considered when planning your Xeriscaping.
 - ii) ACC approval is required for any significant modification to the landscaping of the front yard for Xeriscaping the same as any other major landscaping. A plat indicating the design and the plants to be used must be included with the request.
 - iii) Xeriscaping plans that call for more than 10% rock or stone ground cover may be submitted to the ACC for variance consideration.
 - iv) Designs calling for the total replacement of the front yard turf with rock or stone will not be approved.
 - v) Designs calling for the replacement of front yard turf with artificial turf (non-natural) will not be approved.
 - vi) Xeriscaping must be maintained the same as other lawns, including mowing, trimming, edging, weed control, and the removal/replacement of dead lawns, trees, and shrubs.

9. Pools, Spas, Hot Tubs

- a. Installation must not alter the existing drainage pattern to adjacent property.
- b. May be in-ground or above ground and must be located in the back yard.
- c. Pool decks must not exceed the height of the existing patio.
- d. Pool pump and filter equipment must be located behind the fence.
- e. All swimming pools, hot tubs, and spas must comply with the International Residential Code, 2009 Edition, and Pflugerville Ordinance 295-39-01-10.
 - i) Swimming Pools, hot tubs, spas, etc. must be enclosed by a fence or other barrier by a minimum of four (4) feet.
 - ii) Any walk-through gates must be self-latching, self-enclosing, and have an outward swing.
 - iii) If a wall of the dwelling serves as part of the pool barrier the pool must have a powered safety cover or an audible alarm when the door is opened. The alarm shall sound continuously for 30 seconds and be heard throughout the house.
 - iv) Above-ground pools with a barrier on top of the structure and access by ladder or steps shall have the ladder or steps being capable of being removed, secured, locked, or must have an additional barrier the same as an in-ground pool.
 - v) Must be no nearer than 5 feet to the side property line (increased to 15 feet for corner lots) nor nearer than 5 feet to the rear property line.
- f. Cannot be located in a Public Utility Easement (PUE) or Drainage Easement.
- g. It is a violation of the City of Pflugerville's Code of Ordinances to drain chlorinated water or filter backwash from swimming pools or spas to the street drain storm sewer system. The proper way is to use a sanitary sewer (the pool's drain), but if a resident does not have a direct pool sanitary sewer they are encouraged to let their pool de-chlorinate and then release it slowly onto their yard so that it does not drain into neighboring lots. See [Proper Pool and Spa Draining Information](http://www.pflugervilletx.gov) at <http://www.pflugervilletx.gov>.

10. Sprinkler Systems

- a. Sprinkler Systems must be installed by a licensed irrigation contractor and require a permit from the City of Pflugerville.
- b. A copy of your plot/survey with valve and sprinkler head locations marked along with the name of the contractor must be submitted with the ACC Improvement Request Form.

11. Solar Screens

- a. Screen color neutral (browns, blacks)
- b. Frame color white or match screen color (silver aluminum not permitted)

12. Exterior Door

a. Storm Door

- i) Back Door – must match or be consistent with siding color.
- ii) Front Door
 - (1) ACC approval is required prior to installation
 - (2) Color must match or be consistent with the homes siding or front door color
 - (3) Must be full glass storm door that either has a solid glass door panel; a full glass door with a retractable screen with a small line that divides the top and bottom glass panels; or a glass door with a retractable screen with a small line that divides the top and bottom glass panels and has a small panel at the bottom (bottom panel can be no larger than 24").

Examples of screen doors that would be approved for the front door are provided below.



Full Glass Door
With Retractable Screen



Solid Glass Door

- Retractable screen discreetly hides into a cassette at the top of the door - natural ventilation with a clear view of the outdoors
- Screen glides up and down for unlimited ventilation control



Glass Door
With Retractable Screen
And Small Bottom Panel

- b. **Exterior Back Door** replacement – color must be neutral and match or be consistent with siding color.
- c. **Exterior Front Door** painting and replacement – color should be neutral or dark tone similar to other doors in neighborhood.
- d. Neon, psychedelic, fluorescent or bright shiny colors will not be approved.

13. Exterior Painting

- a. Requires prior ACC approval only if changing color.
- b. Neon, psychedelic, fluorescent or bright shiny colors will not be approved.

14. Roofing

- a. Shingle Color must match original builder color Weathered Wood which has a balance of gray and brown tones with gray being the more dominant color tone (examples below).



- b. Prior ACC approval is REQUIRED if replacing more than 2 squares (200 square feet) of shingles, changing structure of roof or installing a different type of shingle. The shingle manufacturer name, shingle model and shingle color as well as a URL to the manufacturer spec must be included with the ACC Improvement Request.
- c. ACC approval not needed if repairing up to 2 squares existing shingles with matching type and color.

15. Solar Systems (pool heating, thermal water heating and photovoltaic electricity)

- a. must be reviewed for approval, based on design and location, but at a minimum, must meet the following requirements:
 - i) Must be professionally designed and installed by a licensed solar system contractor. NABCEP Certified Solar PV Installer or CoSEIA Photovoltaic certification is recommended. The homeowner is responsible for obtaining all required City of Pflugerville permits. As of early 2010, an electrical permit is required to be issued by the city for a PV system with the addition of a plumbing permit for a thermal system. The city is in the process of developing a specific PV permit application.
 - ii) May be roof or ground-mounted in the back yard.
 - iii) Ground-mounted solar panels may not be located within public utility easements. Height may not exceed 12 feet. The panels must be adequately screened from view from public streets and adjoining properties.
 - iv) Standard roof-mounted collectors may be installed on non-street-facing roof slopes and must conform to the slope shape or be symmetrical in design.
 - v) The solar panel collector material should be non-reflective. Examples:



Preferred



Less Preferable

- vi) Roof-mounted collectors may be mounted on the roof of the home with the following conditions:
 - (1) must not extend higher than or beyond the roofline;
 - (2) must not be located on a street-facing roof slope unless this location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than 10 percent above the energy production of the device if located on a street-facing roof slope.
 - (3) Must conform to the slope of the roof and have a top edge that is parallel to the roofline
 - (4) The frame, support brackets, visible piping and wiring must be silver, bronze, or black tone commonly available in the marketplace to blend in with the roof.
- vii) No system components may be attached to the front of the home or on any fence exterior.
- viii) All meters, inverter boxes, disconnects, conduits and other appurtenances must be standard manufacturer finish or may be painted to blend with the exterior siding color of the house. All projections or fixtures mounted to or penetrating the roof should be minimized from view.
- ix) Solar panels must not overhang the edge of the roof or be visible above the roofline.
- x) All solar system components must be properly maintained including regular washing, replacing broken panels, and re-painting as needed.
- xi) Initial ACC submission should consist of a rendering (e.g. PowerPoint, Visio) of the proposed system including location and size of panels, materials, and colors. Provisional approval may be granted and will be conditional upon final location, materials and colors of all panels, inverter boxes, meters, disconnects, conduits and other appurtenances.

16. Basketball Goals

- a. Permanent Freestanding Basketball Goals
 - i) Mounted on a metal pole permanently installed in the ground
 - ii) Backboard constructed of a clear, black, or white durable fiberglass, polycarbonate, polyethylene, or acrylic material
 - iii) Installed with a minimum setback of 5 feet from the side and rear property lines
 - iv) Not installed in a Public Utility Easement (PUE)
 - v) Approved by the ACC prior to being placed on the lot

- vi) When installed in the front of a lot the following criteria also applies
 - (1) Installed with a minimum setback of ten (10) feet from the front property line
 - (2) Installed perpendicular to the street

b. Permanent Attached Basketball Goals

- i) Backboard constructed of a clear, black, or white durable fiberglass, polycarbonate, polyethylene, or acrylic material
- i) Installed with a minimum setback of 5 feet from the side and rear property lines
- ii) Not installed in a Public Utility Easement (PUE)
- iii) Approved by the ACC prior to being placed on the lot
- iv) When installed in the front of a lot the following criteria also applies
 - (1) Permanently mounted centered above the garage door

17. Flagpoles - Permanent free-standing

- a. Must be approved by ACC prior to installation
- b. One (1) permanent free-standing flag pole is allowed on the property.
- c. Maximum 20' feet in height
- d. Cannot be located in an easement and must be at least 5' from neighbors' property lines.

18. Standby Electric Generators:

- a. Must be approved by the ACC prior to installation to ensure compliance with this Section 18. Generators that do not receive such approval or that otherwise violate the requirements in this Section 18 may not be installed or maintained on a lot.
- b. Must be installed on a suitable pad of concrete or masonry pavers and maintained in compliance with the manufacturer's specifications and applicable governmental health, safety, electrical, and building codes.
- c. Must be powered by natural gas, fully enclosed in an integral, manufacturer-supplied sound attenuating enclosure, and only used when the enclosure is closed.
- d. Must not exceed 80dB at 23 feet when operating at normal load using the required sound enclosure.
- e. Must be connected to the main electrical panel of a residence by a manual or automatic transfer switch and must be rated for a generating capacity of not less than seven kilowatts.
- f. All electrical, plumbing, and fuel line connections must be installed only by licensed contractors.
- g. All electrical connections must be installed in accordance with applicable governmental health, safety, electrical, and building codes.
- h. All natural gas connections must be installed in accordance with applicable governmental health, safety, electrical, and building codes.
- i. The generator and its electrical lines and fuel lines must be maintained in good condition at all times.
- j. Any deteriorated or unsafe component of a generator, including electrical or fuel lines, must be immediately repaired or replaced, or the generator must be removed.
- k. The generator must be installed a minimum of 5 feet behind the front of the house and a minimum of 5 feet from the property line. If the generator is visible from the street(s) adjoining the lot, it must be screened per Section 7 – Fences. Cannot be located in a Public Utility Easement (PUE) or Drainage Easement.
- l. Testing of a generator per manufacturer's recommendations must occur only between the hours of 7:00am and 7:00pm
- m. The use of a generator to generate all or substantially all of the electrical power to a residence is prohibited, except when utility-generated electrical power to the residence is intermittent or not available due to causes other than nonpayment for utility service to the residence.
- n. The generator may only be located on the lot to which it provides service.
- o. Non-permanent portable generators must be stored in a garage or storage shed when not in use and may not be used to provide power to a residence through any type of connection to the electrical system of the residence.

19. Replacement Windows

- a. Must be approved by the ACC prior to installation.
- b. Frame color must be consistent with existing windows in the neighborhood – white, brown, black unless otherwise approved by the ACC. Silver aluminum frames are not permitted.
- c. Replacement windows are not required to have grids even if original windows have them.
- d. Reflective film on windows is not permitted.

CC&R Violation Enforcement

CC&R violation enforcement is the responsibility of the HPN HOA Board of Directors in conjunction with the HPN HOA Property Management Company. The guidelines in this section are not intended to replace any of the CC&Rs, but merely to provide guidance to homeowners as to how the HPN HOA Board of Directors have asked the Property Management Company to evaluate whether or not an infraction against commonly violated CC&Rs has occurred.

Violations can result from a complaint received by the HPN HOA Board of Directors or Property Management Company from a HPN HOA resident; or noted by the Property Management Company during a periodic on-site visit.

A homeowner has the right to protest any violation received. The homeowner may:

- contact the Property Management Company (Associa Hill Country) by logging into TownSq <https://app.townsq.io/login> and opening a request. Alternatively, you may email manager@hpnhoa.org
- contact the HPN HOA Board of Directors at board@hpnhoa.org to request an appeal hearing.

Be sure to include a copy of your Violation Letter and any supporting documentation (i.e., waivers, pictures, etc.) when contacting the management company or board.

Enforcement Guidelines of Common Violation

1. Signs

The HPNHOA CC&Rs clearly limit the ability for homeowners to display signs or emblems of any kind on their home, fence, or other improvements upon their lot that are visible from the street along with those mounted on vehicles or trailers parked at their residence. Specific exceptions to this rule have been defined within the CC&R. Expansion and clarification to this rule and its exceptions have been provided below.

- a. Signs contained in a backyard cannot be visible from a street and should at least 2 feet below the top of the fence. All other sign restrictions are for signs contained in front and side yards visible from a street.
- b. Signs cannot extend beyond the side edge of the curb, and for corner lots, cannot be placed within the 30' triangular setback area measured from the point where the two streets intersect.
- c. Signs restrictions do not apply to items used for lawn decoration or landscaping that can be found at an average lawn and garden store, such as Home Depot or Lowe's.
- d. Sign or emblem of any kind does not include items such as holiday decorations as long as they follow the requirements of this document and Section 9.28 of the CC&Rs.
- e. **Clarifications to Existing CC&R Exceptions**
 - i) **For Sale Signs** exception applies to "Home" or "House" for sale signs only. Any other type of "For Sale Sign" would require ACC approval before posting.
- f. **CC&R Exceptions**
 - i) One professional security system sign of not more than one (1) square foot.
 - ii) No more than one (1) sign, no larger than one (1) square foot in size, providing public notice of any of the following:
 - (a) "No Trespassing"
 - (b) "No Soliciting"
 - (c) "Keep off the Grass"
 - ii) Signs that notify of the arrival of a newborn, a deployment, a Welcome Home, the participation of a family member in a school activity or sport, or announcement of another special occasion are permitted for up to 2 weeks. In the case of booster signs related to on-going school activities or sports, the sign may remain for the duration of the individual's participation in that activity as long as it is maintained in good condition (i.e, structurally sound, non-faded appearance, with no visible indication of breakage, chipping or peeling). The number of signs shall be limited to the number of newborns, military personnel, and/or immediate family members participating in an activity in residence at the location where said signs are displayed.

- iii) Signs that notify of the arrival of a newborn, a deployment, a Welcome Home, the participation of a family member in a school activity or sport, or announcement of another special occasion are permitted for up to 2 weeks. In the case of booster signs related to on-going school activities or sports, the sign may remain for the duration of the individual's participation in that activity as long as it is maintained in good condition (i.e., structurally sound, non-faded appearance, with no visible indication of breakage, chipping or peeling). The number of signs shall be limited to the number of newborns, military personnel, and/or immediate family members participating in an activity in residence at the location where said signs are displayed.
 - iv) One (1) contractor sign may be displayed as early as 7 days before actual work commences, but must be removed no later than 7 days after the completion of that work. The contractor sign is limited to 3 square feet (18" X 24") – not to exceed 3 feet on any single side of the sign.
 - v) One (1) open house sign as long as it is displayed within the homeowner's own yard, put up the day of the open house, and removed at the end of the day. Signs can be no larger than 6 square feet (i.e. 2' X 3') – not to exceed 3 feet on any single side of the sign.
 - vi) Garage Sale – Signs may be posted the night before the Garage Sale, but must be removed within 2 hours of the completion of the sale.
 - vii) Signs required for legal proceedings.
- g. Any sign not specifically covered under the CC&R exceptions or identified in **Section 1. (f) CC&R Exceptions** of this document will require **ACC prior approval** before posting.

1.1 Religious Displays

1. General. The following rule outlines the restrictions applicable to religious displays in order to permit them while also striving to maintain an aesthetically harmonious and peaceful neighborhood for all neighbors to enjoy. Allowed religious displays are limited to displays motivated by the resident's sincere religious belief¹.
2. Prohibited Items. No religious item(s) displayed may:
 - a. threaten the public health or safety;
 - b. violate a law²;
 - c. contain language, graphics, or any display that is patently offensive to a passerby;
 - d. be installed on property owned or maintained by the association;
 - e. be installed on property owned in common by two or more members of the association;
 - f. be located in violation of any applicable building line, right of way, setback, or easement; or
 - g. be attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or fixture.
3. Parameters. All religious displays must be located within 10' of the dwelling's frontmost building line (i.e. within 10' of the front facade of the dwelling.) Displays may not be located within building setbacks. No portion of the display may extend above the lowest point of the dwelling's front roof line. All displays must be kept in good repair. Displays may not exceed 5' in height x 3' in width x 3' in depth. The number of displays is limited to three. This paragraph 3 shall not apply however to seasonal religious holiday decorations as described in paragraph 4. All displays other than seasonal religious displays must receive prior approval from the association's architectural reviewing body prior to installation, except for up to one display on any exterior door or door frame of the home that is 25 square inches or smaller. For example, and without limitation, no prior permission is required from the association to place a cross, mezuzah, or other similar religious symbol smaller than 25 square inches on the home's front door or door frame.
4. Seasonal Religious Holiday Decorations. Seasonal religious holiday decorations are temporary decorations commonly associated with a seasonal holiday, such as Christmas or Diwali lighting, Christmas wreaths, and Hanukkah or Kwanzaa seasonal decorations. The Board has the sole discretion to determine what items qualify as Seasonal Religious Holiday Decorations. Unless otherwise provided by the Declaration, Seasonal Religious Holiday Decorations may be displayed no more than 30 days before and no more than 30 days after the holiday in question.
5. Other displays. Non-religious displays are governed by other applicable governing document provisions.
6. Removal. The Association may remove or cause to be removed any item in violation of the terms and provisions of this policy.

¹ Religion relates to faithful devotion to a god or gods or the supernatural. Religious displays are different than signs or other figures related to a cause. For example "Save the Whales" or other movements/causes are not considered religious displays.

² Other than a law prohibiting the display of religious speech. Please note that the First Amendment to the U.S. Constitution is not applicable to private organizations like clubs or community associations; the First Amendment protects certain speech from *governmental* restraints.

2. Fences

[\(ACC Fence Link\)](#)

- a. **Fence Repair** - Fences must be repaired with like materials.
- b. **Water Stains** are exempt from maintenance requirements for fences that are both stained and only naturally weathered.
- c. **A fence in good repair is defined as:**
 - i) One in which all braces, bolts, nails, supporting frames and fastenings are free from progressive deterioration (such as termite infestation, rot, or loosening) and able to withstand at all times the wind load for which they were designed.
- d. **A fence requiring repair includes:**
 - i) Fences that fail to meet one or more of the criteria specified in the definition of a "[fence in good repair](#)".
 - ii) Stained fences with more than 25% of the fence visible from the street or common area of a non-uniform color or that is cracked or peeling, with the exception of water stains from sprinkler systems.
 - iii) A fence out of vertical alignment more than one (1) foot from the vertical measured at the top of the fence.
 - iv) A fence with a broken picket – picket must be replaced with like material.
 - v) A fence whose pickets are of a non-uniformed height. Uniformed height is defined as relative to the contour of the land, the height will follow the contour.
- e. **Fence Picket Replacement**
 - i) Replaced pickets on a stained fence need to be stained. Homeowner should make an effort to match the new picket to the existing fence color as much as possible. However, it is acceptable for the new pickets stained with the original stain color to be allowed time to weather similarly to unstained fences.
- f. **Residents need to refer to the Architectural Control Committee (ACC) for:**
 - i) Replacement of fences.
 - ii) Fence boundary changes, including extensions.
 - iii) Trash can(s) enclosures.
 - iv) Outdoor cooking apparatuses (i.e., Smokers and Barbeque Pits) enclosures.

3. Recycling and Trash Receptacles

City Ordinance requirements are that trash and recycling receptacles be put out and put away on the same day as their pick-up; however, HPNHOA will use the following guidelines in this section for issuing violations. **Please note that HPNHOA violation enforcement guidelines have no impact on the City's right to enforce their more stringent rules.**

- a. Trash receptacles, recycling bins, and any other solid waste shall **not** be placed on the street **earlier than 5:00 p.m.** on the **day before** the City's appointed trash/recycling collection day. For example, if the normal City trash/recycling collections day is on Thursday, the trash and recycling receptacles shall not be placed on the street before 5:00 p.m. on Wednesdays.
- b. Trash receptacles, recycling receptacles, and any other solid waste containers shall be collected from the street and returned to their respective storage place, in compliance with acceptable locations as defined in [section "f"](#) below, **no later than 6:00 p.m.** on the **day after** the City's appointed trash/recycling collection day. For example, if the normal City trash/recycling collections day is on Thursday, trash and recycling receptacles shall be collected by 6:00 p.m. on Friday.
- c. The City may adjust its trash/recycling collection cycle (e.g., holidays or new collection schedule), and homeowners are expected to comply with this rule in accordance with the City's specified collection cycle.
- d. Trash and recycling receptacles shall not be left on the street outside of the permitted collection times. The HOA permits more time for placement and retrieval of containers than allowed by City ordinances, but will not tolerate receptacles left on the street outside the periods noted above.
- e. Violation shall be referred by the HPNHOA property management company to the City for action under City ordinances.

- f. Trash receptacles, recycling receptacles, and all other solid waste container shall be stored so as to not be visible from the street. The receptacles must be either in the garage, behind the fence in the backyard, or behind and [ACC approved enclosure at the side of the house](#).

4. Landscaping

[\(ACC Landscaping Link\)](#)

Homeowners are responsible for ensuring compliance to all of the criteria listed below for any portion of their property visible from the street.

a. Lawn Replacement

- i) Owners must restore (using plugs, seed, or sod) dead patches, bare patches, or brown spots (from fungus, chinch bugs, grub worms, etc.) in their lawn when the affected area meets one or more of the following criteria:
- (a) 10% or more of the lawn visible from the street is affected.
 - (b) Affected area is a single section 16 sq ft or more in size.
- ii) Lawns may be sodded or restored with Buffalo, Bermuda, Zoysia, or St. Augustine grass without ACC approval. ACC approval is required before lawns may be sodded or restored with other types of grass.

b. Lawn Maintenance

- i) **Mowing** – Lawns are to be well maintained. Lawns where 10% or more is over 6” in height need to be mowed. This height requirement applies to the entire lawn, regardless of whether the lawn is a mixture of grasses and/or weeds. No part of the lawn visible from the street may be higher than 2 feet.
- ii) **Edging** - Homeowners must keep the section of their yard visible from the street well manicured in addition to keeping it mowed. This includes edging or trimming all visible areas as defined below.
- (a) **Sidewalks, Driveways, and Curbs** – Must be edged if 10% or more of the yard visible from the street has runners extending 4 inches or more past the edge.
 - (b) **Around homes, trees / tree rings, flowerbeds, landscaping lawn ornaments, utility equipment, and fences** – Must be edged or trimmed in accordance with the lawn height of 6” for all yard area visible from the street, including the area next to the home; around trees or tree rings, flowerbeds and/or flowerbed edging, and lawn ornaments; and along fences.
- iii) **Weeding** – Lawns and flowerbeds visible from the street are to be kept free of weeds. Flower beds are defined as any area within the yard without sod. Specific weeding requirements are:
- (a) Lawns must be weeded if they contain greater than 10% weeds.
 - (b) No weeds or non-ornamental grass (such as Johnson or Nut Grass) in flowerbeds.
 - (c) No weeds, grass runners, or grass clumps in driveway cracks or along the curbs.
- c. **Watering** - It is recommended that residents continue to water their lawns, as allowed during mandatory water restriction periods, in order to keep their lawns alive. Any grass which is not able to be brought back the spring after drought conditions have subsided will need to be replaced according to the requirements specified in this document under the **Landscaping** section of the **Enforcement Guidelines of Common Violations** (see item “[a. Lawn Replacement](#)”).
- d. **Yard Loss During Drought Conditions** – During periods of drought when mandatory water restrictions are in place by the city when residents are unable to adequately water their yards, the HOA will not enforce lawn violations on dead grass. However, once drought conditions have subsided home owners will be required to be compliant with the requirements specified in this document under the **Landscaping** section of the **Enforcement Guidelines of Common Violations** (see item “[a. Lawn Replacement](#)”).

To further clarify the above guidelines concerning drought conditions a definition of the various stages of water restrictions and how that may affect our neighborhood is provided below.

Stage 1 ... Mild Water Shortage – Voluntary Measure

Stage 2 ... Moderate Water Shortage – Mandatory Measures - Residents may water twice a week during approved times.

Stage 3 ... Severe Water Shortage – Mandatory Measures – Residents may water once a week during approved times. All new landscape installations are prohibited

Stage 4 ... Emergency Water Conditions – All nonessential outdoor water use is prohibited.

During Stage 4 Water Restrictions, residents are unable to adequately water their yards and it is only during this water restriction stage that dead grass violations will not be issued until after the restrictions have been lifted.

During Stage 1, Stage 2 and Stage 3 restrictions, all residents are responsible for maintaining their yards to a reasonably healthy condition.

- e. **Decorative Edging** must be in good repair which means no portion of the edging can be falling down; no bricks, stones, or any other “edging” material utilized may be missing; and cracks 2” or greater must be repaired with like material or the decorative edging material must be removed or replaced.
- f. **Tree and Shrub Maintenance**
 - i) **Pruning** – Trees and shrubs should be pruned to reflect their species’ natural growth pattern or to a single leader or a strong central leader to promote the development of strong scaffold limbs. Minimum maintenance includes trimming root and trunk suckers, deadwood, crossing, diseased, or weak branches, and staking improvement or removal. Tree branches hanging over sidewalks must be trimmed to a minimum height of 8 feet and tree branches hanging over streets must be trimmed to a minimum height of 15 feet.
 - ii) **Dead Tree and Shrub Removal** – Trees and shrubs with over 90% dead branches having completely succumbed to insects, pathogens, or nutritional deficiencies – little or no live foliage visible during the growing season, must be removed.
 - iii) **Tree Stakes** – Tree stakes, ties, and guy wires no longer in use to support the tree are to be removed.
- g. **Flowers (including Wildflowers and Sunflowers)** are allowed in flowerbeds, but once the flower’s lifecycle has concluded the plants must be removed.

5. Satellite Dishes

As stipulated in the HPN HOA CC&R satellite dishes cannot be larger than 1 meter (39 inches) in diameter and must be placed in the least **conspicuous** location on a home. Further clarification regarding the enforcement of this regulation is provided below.

- a. **Quantity** - A single satellite dish is the standard for a home in HPN; however, should the Satellite Dish provider require 2 satellite dishes to meet the homeowner’s needs, 2 dishes may be installed without ACC prior approval as long as installation is not in a **conspicuous** location.
- b. **Location – Conspicuous** has been defined as on the front of the house (including the house’s front roof edge or front roof elevation); attached to the fence (when visible over the top of the fence); located on the side of the house below the roof edge; or located in the front or side yard. ACC approval is required prior to installing a satellite dish in a location defined as conspicuous.
- c. Satellite dishes may be located in the back yard as long as they are not visible above the fence, whether attached to the fence or not.
- d. Satellite dishes installed on the home are to be located in a non-conspicuous location (as identified in [Item b.](#) above) and should be attached to the roof edge or soffit (just under the roof edge) of the home.
- e. Satellite dishes not in use must be removed from the home.

Requests for exceptions may be submitted to the ACC for consideration using the ACC Improvement Request form available in the Appendix.

6. Flags

[\(ACC Flag Pole Link\)](#)

Guidelines for flags have been developed so that they are in compliance with House Bill 2279 of the 82R Legislative Session and align with HPN HOA CC&Rs that were not in conflict with H.B. 2279.

- a. **Flag Poles** –There are 2 types of flag poles defined, a permanent free-standing flagpole and flag pole attached to a dwelling. Flagpoles are to be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling
 - i) **Permanent free-standing are permitted with ACC approval** – see ACC Guidelines.
 - ii) **Attached to Dwelling**
 - (a) Up to 4 flagpoles may be attached to the house with no more than 2 of them being located on the front or side of the house
- b. **Flags** –Effective September 1, 2011 H.B. 2279 allows the following:
 - i) **United States Flag** – U.S. flag displayed in accordance with 4 U.S. Code Sections 5-10
 - ii) **State of Texas Flag** - The State of Texas flag displayed in accordance with Chapter 3100, Government Code

iii) **U.S. Armed Forces Flags** - Official or replica flags for any branch of the United States armed forces may be displayed.

- c. **Flag Size** – The maximum flag size allowed is 26 square feet – not to exceed 6 feet on any single side of the flag.
- d. **Mini Garden Flags** - May be displayed on free-standing mini garden flag holders and are not governed by the 4 flag maximum allowed for flags [attached to dwellings](#) above. Mini Garden Flags may be a maximum size of 13.5" X 18" with no side exceeding 18".
- e. Flags may not contain language, graphics, or any display that is patently offensive to a passerby
- f. **Flag and Flagpole maintenance** - displayed flags and the flagpoles on which they are flown must be maintained in good condition. Any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced, or removed.

7. Solar Systems

[\(ACC Solar System Link\)](#)

Guidelines for solar systems are provided within the ACC section of this document. ACC approval must be obtained prior to the installation of any solar system. However, once the solar system has been approved and installed, the homeowner must keep that system maintained, which is defined as properly secured (to the roof or other installation site as approved by the ACC) and free from damage.

8. Rain Barrels

Rain barrels are allowed in backyards. A maximum of two (2) rain barrels are also allowed along the side of a home visible from the street, but not the front of the home. Rain barrels visible from the street must be of a color consistent with the colors of the home.

9. Garden Hoses

- a. Garden Hoses must be put away after use – neatly coiled or rolled up next to the house near the water hydrant. Hoses may also be stored in containers specifically designed for hoses next to the house near the water hydrant or coiled on reels designed for hoses mounted on the side of the house near the water hydrant.
- b. It is recommended that water hoses not be hung on the electrical or gas meters on the side of the home.
- c. During drought periods when mandatory water restrictions are in effect, homes without sprinkler systems may leave uncoiled hoses in their yard only on their designated watering day(s).
- d. Soaker hoses in flower beds may be left in place at all times as long as they are of a natural color (black, brown, or green), have been placed out of view from the street behind the flowerbed edging or concealed behind vegetation within the flowerbed, and do not have a sprinkler attached to them.

10. Driveway and Sidewalk Spills

Any standing spills on sidewalks and/or driveways must be cleaned up as soon as possible and to the best of the homeowner's ability without causing damage to their property. There are concrete cleaners available at building supply stores, such as Home Depot or Lowe's that will safely remove most stains when used according to the directions. Failure to clean-up a spill can result in a violation being issued. However, violations will not be issued for any stains that remain after completing the clean-up.

11. Vehicles

Restrictions governing the types of vehicles that may be parked in a homeowner's driveway or in front of their house are defined in the CC&Rs in Section 9.5. Additional clarification is being provided on the enforcement of this rule by defining a Commercial Vehicle. Commercial Vehicle has been defined as a vehicle that requires a commercial driver's license to operate it, a vehicle (vehicle length includes any attachment to that vehicle such as a trailer) that is so long that it blocks the sidewalk when parked in the homeowner's driveway, or one that meets the requirements as stated in Section 9.5 Subsection B (trucks or vehicles of any size which transport inflammatory or explosive cargo).

Note, it is a violation of city code for any motor vehicle or trailer to block a sidewalk or public right of way. Issues of this nature can be reported to the City of Pflugerville for enforcement.

12. Basketball Goals

[\(ACC Basketball Goals Link\)](#)

Section 9.24 of the HPN HOA CC&Rs provides the regulations for Athletic and Recreational Facilities and allows Homeowners to submit requests outside those guidelines to the ACC for review and approval. Supplemental guidelines are being provided for Portable and Permanent Basketball Goals.

Basketball goals are permitted on a Lot within the guidelines defined by the ACC. Basketball goals must be properly maintained. Nets, goals, and backboards for both *portable*, *permanent attached*, and *permanent detached* basketball goals must be kept in good condition at all times – goals painted, nets in good repair, and no cracked or damaged backboards or portable goals/bases.

- a. **Permanent Detached Basketball Goals** are permitted with ACC approval. See ACC Guidelines.
- b. **Permanent Attached Basketball Goals** are permitted with ACC approval. See ACC Guidelines.
- c. **Portable Basketball Goals** are allowed, provided they are stored in the resident's driveway no less than ten (10) feet from the curb.
 - i) Use of portable goals cannot:
 - (a) Cause a hindrance to pedestrian traffic on community sidewalks
 - (b) Cause a hindrance to vehicular traffic on community streets
 - (c) Create an unsafe or hazardous condition for either those using the device or community residents
 - (d) Cause damage to community or resident property including landscaping
 - ii) Portable goals must be stabilized according to manufacturer's specification (generally through the filling of the base with sand or water) such that the goal remains perpendicular to the ground. Goals may not be stabilized through makeshift means such as placement of rocks, bricks, or sandbags on top of the base.

13. Compost Bins

Compost bins are allowed in the backyard as long as they are contained and sanitary conditions are maintained in accordance with Section 9.7 of the HPNHOA CC&R's and do not violate Section 92.15 of the City of Pflugerville Ordinances under Public Nuisances.

14. Trampolines

- a. Anything visible above the fence line must be well maintained.
- b. Torn protective netting or padding must be replaced or removed.
- c. Painted surfaces that have rusted, cracked or are peeling must be repaired and re-painted.

15. Playscapes

- a. Canopies must be well maintained.
- b. Torn canopies must be replaced or the canopy and canopy frame removed.
- c. Stained playscapes must have the stain maintained consistent with the maintenance requirements for fences (see [Section 2. Fences](#)).

16. Shades

- a. **All external Shades** must be maintained and in good repair. Torn, faded, or ragged shades must be replaced, repaired, or removed.
- b. **Patio/Sun Shades** do not require ACC approval as long as the color is consistent with the color of the home's siding or wood trim
- c. **Sail Shades** cannot be higher than the patio cover and the color must be an earth tone shade of green, brown, or tan. ACC approval is required prior to installing a Sail Shade if it will be visible above the fence.

17. Storm Doors

- a. ACC approval is required prior to installation of a Storm Door. Refer to [ACC Exterior Door Guidelines](#).

18. Retractable Patio Covers

- a. Retractable Patio Covers are permitted on rear of house; however, ACC approval is required prior to installation.
- b. Once a Retractable Patio Cover has been approved and installed it must be properly maintained.
 - i) Torn, faded, or ragged covering must be repaired or replaced.
 - ii) Bent, twisted, or tilted Frames must be repaired, replaced, or removed.
 - iii) Any painted surface whose paint has faded, cracked, or is peeling must be repainted.

19. Maintenance of Home Exterior and External Improvements

All exterior surfaces of a home and any external improvement to a home are to be maintained. Guidelines for maintenance of those surfaces are provided below.

- a. **Painted or Stained Surfaces** (including siding, trim, garage doors, and columns) that have faded, cracked, or started peeling are to be re-painted or re-stained. Any proposed change to existing colors must be submitted to the ACC for prior approval.
- b. **Painted or Stained External Improvements** (including pergolas, sheds, and siding) visible from the street or above the fence line must be maintained consistent with the maintenance requirements for fences (see *Section 2. Fences* of the CC&R Guidelines).
- c. **Rotted Wood or Crumbling Stone/Brick**, whether on the home or an external improvement, are to be replaced or repaired.
- d. **Gutters** must be maintained in good working condition – attached properly to the home and no visible rust, or peeling/cracked paint.
- e. **Windows** with cracks, holes, broken or missing panes must be repaired or replaced.
- f. **Window Screens** are not required; however, if present on the home they must be properly attached. Torn, warped, bend, or damaged window screens must be repaired or replaced.
- g. **Garage Doors**
 - i) If paint is peeling, cracked or there is visible rust; the door must be repaired and repainted. Paint color must be consistent with the rest of the home's exterior. Any proposed change to existing color must be submitted to the ACC for prior approval.
 - ii) Garage doors not aligned within the garage door frame must be repaired or replaced.
 - iii) Garage doors that cannot be properly closed must be repaired or replaced.
 - iv) Garage door panels must be replaced or repaired if damaged such that:
 - (a) The door no longer opens or closes.
 - (b) The door has a dent or dents that exceed 2 feet in width or 2 feet in height.
- h. **Shingles** - Missing shingles must be replaced. Shingle replacement must be in compliance with [ACC Roofing Guidelines](#).
- i. **Driveways** – ACC approval is required prior to staining or applying an overlay to driveways.

20. ACC Violations

Failure to submit an Improvement Request Form to the ACC prior to making modifications to your property governed by the HPN HPA CC&Rs can result in an enforceable violation. If you have a waiver for a property improvement outside of those guidelines, homeowners are responsible for retaining a copy of that waiver should the appropriateness of that improvement become an issue in the future.

Types of unapproved property improvements most commonly resulting in violations are noted below.

- Roof (replacement), Painting (color change), Window Replacement, Fences (location change), Shed, Pergola, Pools, Sprinkler Systems, Concrete work.

21. Smokers, Barbeque Pits, and Other Outdoor Cooking Apparatuses

When not in use, smokers, barbeque pits, and all other Outdoor Cooking apparatuses shall be stored so as to not be visible from the street. They must be either in the garage, behind the fence in the backyard, or behind an [ACC approved enclosure](#) at the side of the house