

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF IOWA COLONY, TEXAS, ADOPTING A POLICY STATEMENT TO NOT ENFORCE AND WAIVE THE HOME OWNER'S ASSOCIATION REQUIREMENT TO PROVIDE LANDSCAPE MAINTENANCE FOR THE FRONT YARDS OF ALL PATIO HOMES AND COURTYARD HOMES PURSUANT TO THE MERIDIANA PLANNED UNIT DEVELOPMENT DISTRICT AMENDMENTS #3 AND #4

WHEREAS, the Meridiana Planned Unit Development District (PUD) Amendment #3, ordinance #2017-02, adopted January 23, 2017, III. DEVELOPMENT REGULATIONS, C. Development Standards, 2. Patio Home states the following as Additional Requirements: "Additionally, the Home Owner's Association (HOA) shall provide landscape maintenance for the front yards of all patio homes"; and

WHEREAS, the Meridiana Planned Unit Development District (PUD) Amendment #4, ordinance #2022-04, adopted March 21, 2022, III. DEVELOPMENT REGULATIONS, C. Development Standards, 4. Courtyard Home states the following as Additional Requirements: "Additionally, the Home Owner's Association (HOA) shall provide landscape maintenance for the front yards of all courtyard homes"; and

WHEREAS, one of the goals of the Meridiana PUD is to ensure the quality of development through the establishment of design guidelines for the community that regulate architectural standards, landscaping, signage, and other common elements of the development; and

WHEREAS, several residents of Patio and Courtyard homes attended the July 17, 2023, Council Work Session to express concerns regarding the requirement of the HOA providing landscape maintenance for the front yards; and

WHEREAS, the HOA expressed a willingness to work with the residents to address said concerns; and

WHEREAS, the City Council originally included the landscape maintenance provision in the PUD to enhance resources for residents through the HOA, to provide the residents and the HOA a mechanism to maintain and improve the subdivision's appearance and property values, and build a sense of community along with the goals and objectives of the PUD; and

WHEREAS, the City of Iowa Colony, Texas (City) must defer all deed restriction issues to the HOA to maintain a systematic, uniform approach, as it is the HOA, not the City that must enforce deed restrictions; and

WHEREAS, the City Council finds that it is in the best interest of the City to adopt a policy statement to not enforce and to waive the HOA's requirement to provide landscape maintenance for the front yards of all patio and courtyard homes pursuant to PUD amendments #3

and #4, to strongly encourage the residents to work together with the HOA to achieve the original goals set forth in the PUD;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

SECTION 1. That the City Council hereby adopts a policy statement to not enforce and waive the HOA's requirement to provide landscape maintenance for the front yards of all patio and courtyard homes pursuant to PUD amendments #3 and #4, and strongly encourage the resident to work together to achieve the original goals set forth in the PUDs.

SECTION 2. That this Resolution shall be officially recorded with Brazoria County, Texas deed records.

SECTION 3. That this Resolution shall be effective immediately upon its passage and approval.

PASSED AND APPROVED ON THIS 21ST DAY OF AUGUST 2023.

CITY OF IOWA COLONY, TEXAS

WIL KENNEDY, MAYOR

ATTEST:

KAYLEEN ROSSER, CITY SECRETARY