

ARTICLE 14 – LANDSCAPED MAINTAINED HOMES (LMH)

14.1. LANDSCAPE RESPONSIBILITY

LMH staff considers the requests of homeowners as well as the recommendations from the LMH landscaping contractors. The LMH contractors make recommendations regarding all aspects of landscaping activity including installation, modification, and removal of landscape materials. The decisions are based on sunlight/shade exposure, proximity to other plants, irrigation/drainage, and size at maturation, etc. The LMH staff makes sure that all LMH homes meet the requirements outlined in the Design Guidelines as well as LMH program budgetary requirements/limitations.

- a) The LMH Staff has sole discretion for making all landscaping decisions, including but not limited to:
 1. Trimming or removal of trees or shrubs installed by the developer.
 2. Planting or replacement of shrubs, trees, grass, and other vegetation.
 3. Mowing, edging and aeration of turf.
 4. Fertilizing and weed control.
 5. Setting irrigation schedules.
 6. Maintaining and repairing irrigation equipment unless damage to the irrigation system was caused by the homeowner then the homeowner will be responsible for the repair or replacement costs.
 7. Insect, fungus, disease, etc. control of all vegetation.
- b) Homeowners must not interfere with the landscape maintenance services.

14.2. LMH HOUSE TYPES

- a) Garden homes (single detached houses) located in N14A, N24A, N25, N30
- b) Cottages (duplexes) located in N24B1, N24B2 and N33

NOTE: The DG apply to both the garden homes and cottages in the LMH neighborhoods unless the DG indicate exceptions.

14.3. GARDEN HOMES – N14A, N24A, N25 & N30

The standards that apply to cottages apply to the garden homes except:

- a) Neighbor approval is not required for changes made to exterior of house or yard.
- b) Garden homes are limited to four decorative items per lot.
- c) Garden homes are not limited to original house color schemes. (See Article 3.15)
- d) Perimeter fencing must start at the rear side corners of the house and cannot extend beyond 15-feet from the rear wall of the house. Fencing must be at least 10-feet away from the rear property line.
- e) Patio additions or extensions are permitted. However, no extension or addition will be approved if it is determined to have an adverse drainage impact upon neighboring properties.
- f) Path-way lighting and landscape lighting fixtures must be located within the landscape beds in a manner that it does not interfere with or require special care by landscape maintenance personnel. Anything installed in the landscaping beds is installed at the homeowner's risk.

14.4. COTTAGES (MONTEREY & NEWPORT MODELS) – N24B1, N24B2, & N33

Each adjoining cottage owner must at all times, maintain a uniform matching exterior. An application is required from both adjoining homeowners. Contact the CSD CSO for more details and clarification.

14.5. COTTAGE REAR YARD PRIVACY LATTICE DIVIDERS & TRELLISES

- a) Arbors are not permitted.
- b) Homeowners are required to maintain rear-yard wood privacy lattice dividers. If they become damaged, the homeowner can either repair, replace or remove it.
- c) An application can be submitted by one homeowner however, the owner of the adjoining cottage must also sign the application to indicate they approve of the modification. All costs to either repair or replace a lattice divider must be borne by both homeowners.
- d) Trellises are restricted to the planting beds located in the rear-third of the house.

14.6. LANDSCAPING PRACTICES

- a) LMH residents are allowed to make private contracts with the LMH contractor for "elective" landscaping projects/actions. Most landscaping changes will require MC approval. Even though these efforts are elective, review and approval is required from the LMH staff, CSD and MC prior to the start of any project.

- b) During adverse weather conditions, plants, shrubs, and turf grasses may be damaged. Extreme pruning or cutting large plants in half are approved landscaping practices. If the plant/shrub does not recover to a satisfactory level as judged by the LMH contractor and the LMH staff, the plant will be replaced during the following planting season.

14.7. TREES

- a) The LMH program only covers developer-installed trees. These developer-installed trees are normally sited in the front and rear yard of an LMH home. The LMH program services for the developer-installed trees includes roofline clearance trimming, canopy trimming, and the removal of dead, dying, or diseased trees. Native trees are not developer-installed trees and are native trees that the developer did not remove from the lot and are the responsibility of LMH homeowners.
- b) Elective removal of trees on LMH home lots require approval from the LMH staff, CSD staff and MC. The LMH homeowner is solely responsible for: removal of all tree materials, stump grinding, root removal (as required), repairing irrigation system damages related to the removal, and reinstating the landscaping in the area of the removal (dirt, levelling, and sod).
- c) The LMH program will remove storm damaged trees if the LMH staff and arborist contractor determine that the tree will not survive. Damaged limbs will be trimmed and removed during the normal tree trimming program schedule unless the LMH staff and arborist contractor determine that the damaged limbs are a safety issue.
- d) LMH program or elective tree removal does not guarantee a replacement of the removed tree. LMH program funded tree replacements will be done on a case-by-case determination and will be dependent on conditions for tree survivability: space, proximity to utility boxes, and proximity to neighboring trees at maturity.

14.8. ANNUAL BEDDING PLANTS

Homeowners may add annual bedding plants to flower beds and mulched areas at their own expense. The homeowner is responsible for the installation, maintenance, removal, and disposal of these bedding plants at the end of the growing season.

14.9. DECORATIVE CONCRETE FENCES – FRONT YARD

It is the homeowner's responsibility to care for and maintain the concrete decorative fencing. This item does not fall under the LMH maintenance responsibility. Homeowners may either maintain the fence in good condition, replace or remove the fence. Both adjoining homeowners must submit an application before making any changes to the fence. The cost of modifying, repairing, or removing is to be shared by both homeowners.

14.10. COATING DRIVEWAYS, WALKWAYS, FRONT PORCHES & REAR PORCHES/PATIOS

- a) Monterey model:
1. Coating the shared walkway of the adjoining cottages from the driveway to the front porch must be done in its entirety and at the same time by the same contractor. Coating individual cottage front porches at the same time is not required.
 2. It is not required that both front porches, rear porches and patios be coated at the same time.
 3. Only approved coating colors and textures are permitted.
- b) Newport model:
1. Adjoining cottages are not required to coat walkways, front or rear porches or patios at the same time.
 2. Only approved coating colors and textures are permitted.
- c) Driveways for both Monterey and Newport models:
Driveways for both adjoining cottages must be coated at the same time using the same approved coating color and texture at the same time by the same contractor. The only exception is if the developer-coated only one driveway and not the adjoining cottage's driveway. A request for a variance will be considered in this situation.
- d) Contact the CSD CSO for information about approved coating colors and textures.

14.11. DECORATIVE ACCESSORIES & SIMILAR ITEMS ON EXTERIOR WALLS OR IN FLOWER BEDS

- a) Artwork and ornaments must not be placed in the lawn. These items may be displayed or installed in flower beds or on the exterior walls with the following restrictions:
1. The maximum diameters or art/ornamentation on the front porch exterior wall are as follows:
 - a. Monterey: 2-foot maximum diameter

- b. Newport: 1-foot maximum diameter
- 2. The maximum diameter of art/ornamentation on side garage walls on both cottage models is 2-feet.
- 3. Garage walls on cottage models: Flags and flag mounts must only be installed on street-facing walls.
- 4. The maximum diameter of art/ornamentation on a rear patio wall is 2-feet.
- 5. Decorative objects for the cottages are limited to three items per homeowner lot. Anything installed in the landscaping beds is installed at the homeowner's risk:
 - a. The three objects may include a combination of bird baths, up to two shepherd hooks within 2-feet of the house slab, benches, birdhouses, free-standing statues, fountains, etc.
 - b. The maximum height of these objects is 3-feet in height. Items installed in planting beds in the rear-third and in the rear of the house may be 5-feet in height.
 - c. No decorative object/ornamental items or additional plants may be placed/planted in the yard or in any tree wells.
- b) Flowerpots, Boxes and Other Plant Containers. Anything installed in the planting beds is installed at the homeowner's risk:
 - 1. Additional flowers/plants may be added in containers that rest on hard surfaces such as patio, porch or landscaping rock.
 - 2. Containers for such flowers/plants must not exceed 5-gallon capacity. No more than three containers per planting bed or located on a rear patio or porch.
 - 3. A total of six containers are allowed for houses with extended porches/patios.
 - 4. Flowerpots must not be installed in the front planting beds that are located in front of the decorative concrete fencing or the small beds located in front and between the Newport's garages. If no concrete decorative fencing exists, flowerpots can be placed in the section of planting bed closer to the house.
 - 5. Planter boxes may be installed by the homeowner on the decorative concrete front rails or under the garage windows. All planter boxes must be identical in size, style/model and a color compatible with the house color.
 - 6. Anything installed in the planting beds is installed at the homeowner's risk.

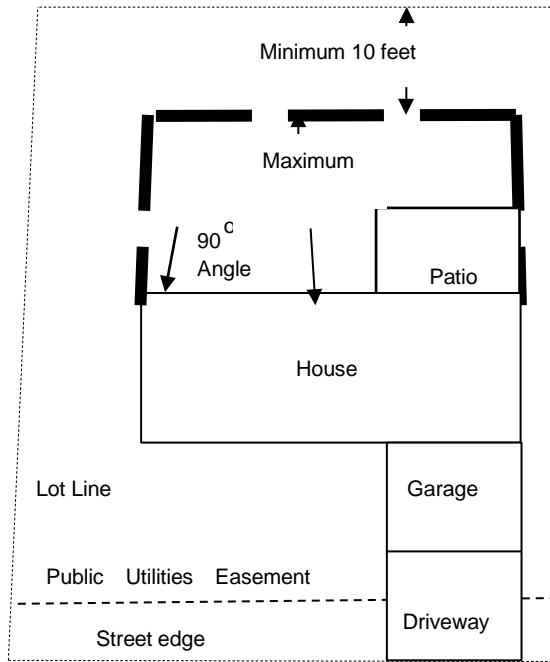
14.12. FRONT SCREEN, STORM, & DESIGNER DOORS

- a) Screen doors, storm doors and upgraded-designer front doors may be installed provided the style is compatible with the house design and meets the DG requirements. An application is required. The adjoining homeowner does not need to sign the application or install a matching door.
- b) Door color must be compatible with house colors and existing door frame.

14.13. REAR YARD FENCES

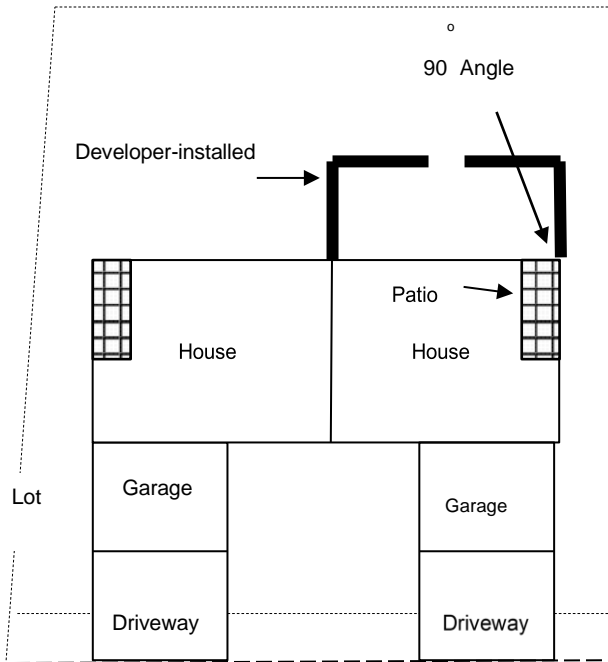
- a) A perimeter fence for cottages is not allowed.
- b) Cottages may install a rear-yard fence that extends from the rear corner of the house with a maximum depth of 8-feet and must extend in width to the privacy screen between the cottages. If no privacy screen exists, the fence must extend to the exact center of the cottages and must be securely attached to the exterior house wall or a post adjacent to the rear wall. (See Article 9.1)
- c) The homeowner installing the fence is responsible for all landscaping in the fenced area. The LMH landscaping contractor retains responsibility for the irrigation system. (See Article 14.1.) The LMH landscaping maintenance contractor will no longer provide landscaping services within the fenced area.
- d) The LMH contractor will continue to maintain the yard outside the fenced-in area and must have full access to the fenced-in area.
- e) The homeowner is responsible for maintaining any plants located inside or under the fence and must follow all requirements set forth in the DG.
- f) There will be no reduction in maintenance fees for cottages with a rear fenced-in yard.
- g) Within the fenced area, the homeowner may install an optional patio including a pergola-type patio cover. Both ends of the fence must be connected to the house or connected to a post next to the privacy screen.
- h) The fence cannot be attached to the privacy lattice screen if one exists.
- i) If a fence is removed, the homeowner must reinstate all landscaping to the LMH landscaping standard or as determined by the LMH Superintendent. The LMH contractor will resume maintenance of the yard after all landscaping is reinstated.

Diagram 14-1 Typical LMH Garden Fence



**Typical Landscape Maintained Garden Home
Maximum Size Backyard Fence**

Diagram 14-2 Typical LMH Cottage Fence



**Typical Cottage Home
Maximum Size Backyard Fence**

14.14. FENCES – ON-PATIO, ON-PORCH, & HANDRAILS

Fences must be installed on the top surface of rear patios. (See Article 10.1. and 10.2.1.)

14.15. IRRIGATION/SPRINKLER SYSTEM CONTROLS, & SOIL MOISTURE SENSORS

Irrigation system components and control equipment must not be accessed or altered by anyone other than the CA LMH Staff or the LMH landscaping maintenance contractor. Work on the house landscaping may require irrigation system access or alteration and will only be done with the LMH Superintendent's prior permission.

14.16. LIGHTING & LIGHTS

- a) Exterior, Path and Landscape. Anything installed in the landscaping beds is at the homeowner's risk:
 - 1. Path lighting and landscape lighting fixtures must be located within the planting beds behind the decorative concrete fencing and must be installed so that they do not interfere with landscape maintenance or require special care by landscape maintenance personnel.
 - 2. If no decorative concrete fencing exists, the landscape lighting fixtures must be placed in the planting beds closest to the front of the house.
 - 3. All applications for exterior lighting changes require both the original signatures of the homeowner and adjoining homeowner indicating approval by both parties.
- b) Garage carriage lights:
 - 1. Both adjoining cottages must have the exact same style of carriage lights.
 - 2. An application must be submitted showing a picture of the current and replacement carriage lights giving details such as style, height, depth, width, color and size of recommended light bulb.
- c) Overhead Front Porch Light:
 - 1. If the front porch overhead light becomes defective and cannot be repaired, the homeowner must replace the light fixture with a fixture that is exactly the same style, size and color of the original.
 - 2. If the original style of light fixture is not available, the homeowner may install a light fixture of similar design, size and color. Adjoining homeowner is not required to follow suit.
- d) Lighted House Address Numbers:
 - 1. House address numbers are to remain lighted 24-hours a day.
 - 2. Address numbers within the plate must all be of the same style and color.
 - 3. Both adjoining cottages must have the same style of plate and address numbers. Contact the CSD CSO

for address plate and number information.

14.17. MAILBOXES

14.17.1. ADJOINING COTTAGES

- a) Both mailboxes must be kept in good condition.
- b) When the one mailbox painted finish deteriorates to the point that it needs to be repainted both mailboxes must be painted the original color and finish at the same time by the same contractor.
- c) When the address numbers for either cottage need replacement, both cottage address numbers must be replaced at the same time with the original number style and color. Contact the CSD CSO for replacement/repair of address plates and/or address numbers information.
- d) If a mailbox is beyond repair, it must be replaced with the exact same style, color and finish as the developer-installed mailbox. Contact the CSD CSO and CSD web site for mailbox information.

14.17.2. SECURE-LOCKING MAILBOXES

Secure locking mailboxes designed with one or two retrieval doors for both front and rear access are permitted providing:

- a) An application is submitted.
- b) It meets US Postal Service approval.
- c) It is post mounted in the location of the original developer-installed mailbox.
- d) It is similar in design to the developer-installed mailbox.
- e) Does not exceed 11.3-inches wide by 11.5-inches high by 20-inches deep.
- f) It is made of black galvanized steel.
- g) The address numbers are white and the same original style font.
- h) The adjoining homeowner is not required to install a matching mailbox.

14.18. PAINTING LMH HOUSES

- a) Must use the original paint color scheme. No exceptions will be made.
- b) Both cottages must have all sides painted at the same time by the same contractor. No exceptions will be made.
- c) Paint color scheme information can be obtained from the CSD CSO and CSD web site.

14.19. PATIO ADDITIONS

- a) Only rear patio additions are allowed and must be approved by CA LMH Staff to ensure the integrity of the irrigation system. Patio additions must not exceed the following dimensions:
 - 1. Monterey: 6-feet deep x 15-feet wide
 - 2. Newport: 8-feet deep x 20-feet wide
 - 3. Patio can be made of poured concrete, treated wood, wood composite or other DG-approved materials.
- b) Any planting beds removed or destroyed, as a result of an addition of a rear patio, must be replaced per landscaping design guidelines at the homeowner's expense.
- c) Homeowner must submit a landscaping plan showing size of area, number and names of plants along with a description of irrigation changes.
- d) Irrigation changes must only be made by a licensed irrigator or the LMH landscaping maintenance contractor.

14.20. POOLS, SPAS, PONDS, & HOT TUBS

Pools, spas, hot tub, or ponds will only be permitted on patios or approved patio extensions.

14.21. ROOFING REPAIR OR REPLACEMENT

- a) Both units of the LMH home must be re-roofed in its entirety at the same time by the same contractor using equal or better-quality asphalt shingles. No exceptions.
- b) An approved shingle color must be used.
- c) If the roof requires minor repairs only, the exact style and quality shingles of must be used to make the repair.
- d) Possible exception: Upon approval by the MC, if only one side of the adjoining roof requires replacement while the other adjoining roof does not, the damaged roof may be replaced providing the roofing material is exactly the same style, quality, color as the existing roof and is feathered seamlessly into the adjoining roof so no delineation between the two roofs is apparent.

14.22. SOLAR PANEL INSTALLATIONS

Solar panels may be installed on one side of adjoining cottage without the requirement for the other cottage owner to install solar panels. Refer to Article 6.6.

14.23. WILDLIFE PROTECTION FENCING

Wildlife protection fencing is prohibited for LMH houses.

14.24. WINDOWS & WINDOWPANE DIVIDERS/GRILLS

Cracked, broken, or damaged glass in windows must be replaced by equal or better quality windows of the same type and color. Windowpane dividers/grilles that have become dislodged or broken must be repaired/replaced.