

ADDENDUM C
to
Huntington Landmark Rules and Regulations
LANDSCAPE
Approved by the Board of Directors 09-27-17

It is the goal of the Landscape, Maintenance and Architectural Control Committees to: a) protect the value and structural integrity of our buildings, b) maintain the harmonious aesthetics and park-like environment of Landmark and c) to ensure all plants and trees are maintained in such a manner to achieve this goal.

Therefore, the following rules and standards have been established and will apply to all existing or new resident landscaping. All residents (owners and tenants) are encouraged to be familiar with the basics of Landmark (Association) landscape design, permitted personal planting (private gardens) and maintenance of any non-association plantings and garden decorations surrounding their unit.

GENERAL

- A. All landscaped areas within the Association are Common Areas, including all grounds outside of the walls of buildings and patios. Removal of any Association plantings without prior approval is prohibited and subject to fine.
- B. A **private garden** is defined as the placement of pots, plants and/or garden decoration in the planter area surrounding a residential unit.
- C. **Landscape Changes:** If an owner wishes to modify the Association plantings in the common area adjacent to their unit, they must complete a *Request for Landscape Change* form located in the Management office and receive approval from the Architectural Control Committee (ACC).
- D. Owners assume full responsibility for the care and maintenance of their landscaping additions or changes consistent with the quality of the Common Area as a whole. An *Approved Plant List* is available in the Management office. NOTE: Private plantings will not be considered under drought conditions when water conservation is necessary.
- E. Owners must be prepared to return any landscape changes to Association plantings and care, and shall pay any costs involved for this restoration: a) when the unit sells and/or title changes, b) unit becomes a rental, or c) when the owner is unable to maintain the area.
- F. Nothing, including pots, patio furniture or garden art, may be placed in front of, behind, or between Association shrubbery which could interfere or encroach upon existing plantings, the drip or other type of irrigation system, the mulch ground cover, or any maintenance work to the lawn or planter bed.
- G. Landscape changes and private gardens must be healthy, uncluttered and well-maintained. Owners with cluttered, overplanted, dead or dying plants or empty pots will be asked to meet with Management and/or the Landscape Committee (LC) to determine how to implement improvements. All items which fall into disrepair or appear unsightly and/or interfere with other residents, landscape contract workers, guests, maintenance, (sewer cleanouts, hose bibs, backflow devices, irrigation, utility shutoffs and meters, etc.) must be removed immediately. Management's decision on such conditions will be final.

H. Owners and Contractors must adhere to the building protection criteria listed below:

BUILDING AND INFRASTRUCTURE PROTECTION:

- i. Provide access for maintaining, painting, and fumigating buildings.
- ii. Reduce moisture-causing damage (rot, mold, mildew) to buildings.
- iii. Protect roofs, gutters, and downspouts from damage by trees, leaves and needles.
- iv. Trim tree branches to not overhang building roofs or sidewalks.
- v. Discourage subterranean termites, wildlife and pests near buildings.
- vi. Provide easy access to utility controls, and meters for gas, electric, phone and cable.
- vii. Allow clear, unobstructed access to sewer cleanouts, hose bibs and backflow preventers.
- viii. Nothing may be affixed to the interior breezeway structure, exterior stucco or cedar shingled walls of buildings.

COMMON AREAS

1. All new in-ground planting must locate the root ball 18" to 24" away from the buildings depending on the full growth size of the plant.
2. There will be at least 12" of clear air space between buildings and plants. Keep mulch or ground cover 12" away from building.
3. Soil must be graded so water drains away from building foundations. Maintain 3"- 6" clearance between the top of the soil and the top of the foundation.
4. Removing sod to enlarge the shrubbery area is not permitted.
5. The Common Areas may not be used for storing garden tools and supplies.
6. Owners are responsible for any damage cause by their private plantings or decorations to Common Area surfaces or structures and will be held liable for any corrective cleaning, resurfacing or replacement costs and billed accordingly.
7. Brackets, wires, trellises used to support any planting shall not be attached to buildings.
8. Any wood such as mulch, trellis, or edging must be durable and good quality to repel termites and insects.
9. Clinging plants are permitted ONLY on a durable trellis of good quality which may be tilted away from buildings for structural maintenance.
10. Plants such as creeping fig, vines, ivy, spider plants and other invasive outdoor/indoor plants are not permitted. Plants that have thorns such as cactus are not allowed. NOTE: Ficus trees and Sago palms are not on the *Approved Plant List*.

11. Fruit bearing trees and plants, or vegetables including tomatoes are not permitted.
12. Edging separators between garden beds and grass must be of good quality and approved by the LC before installation.
13. Owners may install removable stepping stones in the Common Areas with LC approval.
14. No food items, including bird seed, peanuts or pet food, may be placed in the common area.
15. Birdbaths must be well maintained with no stagnant water. Hummingbird feeders should be situated where they do not restrict access for landscape workers.
16. Artificial flowers are allowed only in shaded areas of breezeways or balconies.
17. Private plantings in patios must be kept trimmed at least 24" below roof overhangs and building fascia and 6" from interior and exterior patio walls. Plants may not touch stucco/cedar walls or fences.

POTTED PLANTS

18. Pots on patios and porches must be no more than 16" in diameter and the foliage must be at least 6" from walls/fences to keep the area dry and branches away from buildings.
19. A limit of ten (10) potted plants is allowed around one unit.
20. No pots or objects are allowed on two-story balcony rails.
21. Saucers or other water barriers must be placed under pots or planter boxes in the Common Area.
22. All empty pots must be removed; temporary nursery pots and empty planter pots are not permitted.
23. Residents are responsible for moving their own potted plants, when required to support maintenance work.
24. Pots near the front door or patio gate must not obstruct emergency personnel.
25. The foliage of pots in the breezeway of two-story buildings must not touch walls, stairs or surfaces and must have waterproof saucers underneath.
26. Pots placed on balconies or breezeway landings with waterproof deck coatings must be plastic with plastic saucers. No ceramic, clay or metal pots are permitted.
27. Bricks and/or concrete blocks may not be used to support pots on balconies.
28. Pots may not be located on sidewalks leading to a unit.
29. Hanging potted plants, a maximum of five (5), shall be hung according to the *ACC Building Attachment Rules* – See ACC Spec No. 37 for directions.

GARDEN ART AND DECORATIONS

30. A maximum of two (2) flags and/or banners are allowed, provided they are installed in accordance with *ACC Building Attachment Rules*.
31. Free standing metal decorations and plant stands designed for exterior use require LC approval for more than one (1) item.
32. Nothing may be hung from any portion of a breezeway.
33. Garden decorations must be installed in accordance with the *ACC Building Attachment Rules* and any attachments must be pre-approved by the LC and ACC via a *Landscape Change Request*.
34. On single story buildings, hanging pots and garden decorations must be high enough from the ground to permit landscape maintenance; on 2-story buildings they may not overhang another resident's patio.
35. Garden Decorations placed anywhere around units must be limited to no more than five (5) and may not interfere with maintenance work.

TREES

36. All trees in the Common Area are the property of the Association and nothing may be hung in or placed under a tree for any purpose. NOTE: The Association has approved blue bird boxes in trees as part of a national project to save blue birds.
37. Patio trees or large shrubs with roots that may damage drains, sewers or utilities underground or tree branches that brush against building walls shall be removed by the owner at their expense.
38. Requests for replacement of a tree or shrub on the Common Area must be submitted by the owner via a *Work Request Form* or *Landscape Change Request Form*.

WATERING

39. Huntington Beach Utilities Division mandates for hand-watering shall be followed for all patio and private plantings.
40. Standing water must be emptied to discourage mosquitoes.
41. Do not allow water to over-spray onto buildings when watering.

PRIVATE GARDENERS

42. Gardeners, hired by an owner for private authorized work, must be reliable, experienced and have liability insurance.
43. Debris from the hired gardener's work must be removed from the area and NOT placed in the community trash receptacles.

LANDMARK'S LANDSCAPE CONTRACTOR

44. Directive conversations with the Association's Landscape Contractor personnel are prohibited.
45. Residents shall submit a *Work Request* to the Management Office for any landscape issues or work needed near their unit.
46. Association's Landscape Contractor CANNOT:
 - a) Substitute, rearrange or change the basic Common Area landscaping at the request of the resident.
 - b) Change the sprinkler system by adding or revising sprinklers per a resident's request.
 - c) Re-adjust or set the sprinkler system schedules to accommodate individual residents.
 - d) Maintain or help care for private plantings in the Common Area.
 - e) Permit any member of their Landscape Maintenance crew to give individual service to residents during the workday hours or respond to directions given by any resident.

NOTE: The Association's Landscape Contractor personnel are not responsible for any damage to residents' personal items or to plants not installed by the Association.