

M. LANDSCAPING AND PLANTING

Pursuant to Article VI, Section 6.11 of the Declaration, the land area not occupied by structures, hard-surfacing, vehicular driveways, or pedestrian paths, shall be kept planted or covered with grass not to exceed a height of six (6) inches, trees, shrubs, or other ground covering or landscaping; existing trees shall be retained, buffer areas established, and the natural contour of the land respected. No healthy tree of a diameter of more than four (4) inches, measured two (2) feet above the ground level, lying outside the approved building area, shall be removed without the express written authorization of the ARC. Trees may be removed without ARC approval within the approved building area which is defined as being located within a townhouse lot or within 25 feet of the foundation of a detached single family home. See policy resolution entitled, "Trees on Lots and Common Area".

An ACR is NOT required for the removal of dead or hazardous trees. Hazardous trees are defined as those trees that are uprooted, leaning noticeably, diseased, or otherwise damaged and pose a clear and imminent danger to persons or property. The ARC reserves the right to require special treatment of slopes, construction of walls and wells, and use of stone fills and drains to preserve trees that cannot otherwise be saved.

1. Generally, projects falling within the ARC's purview will be judged according to whether they:
 - a. Enhance the site and building.
 - b. Screen undesirable areas or views.
 - c. Establish acceptable relationships between buildings, parking, and adjacent properties.
 - d. Control drainage and erosion.
 - e. Respect/enhance the community's natural environment.
2. The ARC encourages leaving portions of lots in their natural state. Please be advised that grass height must be six (6) inches or less.
3. The ARC encourages the planting of flowers and shrubbery along building foundations and sidewalks and driveway borders, provided such planting does not obstruct vehicular/pedestrian sightlines; such landscaping endeavors DO NOT require ARC approval.
4. Major landscaping projects that include any of the following DO require prior application to the ARC:
 - a. Alteration of the lot topography from that delivered to the original

purchaser by the Developer or Participating Builder.

- b. Rock gardens, except for those containing rocks that are less than three (3) feet tall or wide in total bulk.
 - c. Construction of raised landscaping planting boxes greater than six (6) inches in height or other structures in the front yard, such as driveway entrance boxes.
 - d. Addition of any artificial lawn materials or decorations such as statuary, artificial pools, birdbaths, lighting, etc., except for decorative statuary and birdbaths that are less than three (3) feet in height.
5. Minor landscaping projects do NOT require submissions of an ACR. This includes foundation plantings or specimen plantings. In general, landscape improvements of a small scale that do not materially alter the overall appearance of the lot involve a significant change in topography or grade (i.e. more than twelve (12) inches) and that are not of sufficient scale to constitute a natural structure will be exempt from the ARC review and approval process.