



Landfall

Architectural Review Committee

Guidelines and Procedures

All home and landscape construction, improvements, revisions, additions and/or eliminations require ARC approval. Unapproved property modifications may violate the terms of the Landfall community documents.

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1.0 INTRODUCTION

The goal of the Landfall Architectural Review Committee Guidelines and Procedures (hereinafter called the Guidelines) is to encourage a community of architecturally diverse, well-designed residences, reflecting the individuality of their owners, that when viewed together produce an outstanding community environment. To date the Landfall community includes residences in traditional styles such as Georgian, Colonial, Tudor, English or French Country as well as regional contemporary. The aesthetic quality of the design and construction materials is the focus of the Guidelines within the context of the owner's selection of architectural style.

Absent a permitted variance granted by the Landfall Architectural Review Committee (ARC), all residences must be designed in conformity with the requirements set forth in the various Covenants which apply to different phases of Landfall as well as the specific minimum standards set forth in the Guidelines. The emphasis is on the harmony of the aesthetics of the exterior architectural design and compatible landscape design with other improvements in the community.

Basic principles of good design require a residence:

- be located on the site in a manner sensitive to the location of existing homes with minimum disruption to the natural topography, vegetation, and unique site features;
- be consistent in design and scale with the chosen architectural style;
- present a pleasing exterior appearance and color palette with approved building materials;
- provide appropriate privacy.

The specific features of the design must be well developed and carefully detailed for the ARC to understand the applicant's request and to serve as a reference document to ensure that what is constructed ultimately matches the approved plans.

Although the ARC is primarily concerned with compatibility of materials with the style of the home, diversity of materials within the context of the surrounding area will also be considered. When reviewing exterior materials or home modifications, the ARC will survey surrounding homes, homesite sizes, angles of visibility due to the contour of streets, existing vegetation and other relevant considerations to determine if alternate exterior materials or details are required.

OVERALL DESIGN DECISIONS ARE A COLLABORATIVE EFFORT BETWEEN YOU AND THE ARC. THEREFORE, YOU ARE ENCOURAGED TO READ THESE GUIDELINES PRIOR TO BEGINNING THE ARCHITECTURAL APPLICATION, REVIEW, AND APPROVAL PROCESS.

1.1 THE GUIDELINES

1.1.1 Use of the Guidelines

The purpose of the Guidelines is to outline for property owners, architects, and builders, information and suggestions that will be useful in the design of all new construction as well as for alterations, modifications or changes to existing properties, including landscaping in a manner that will increase the likelihood of approval. The Guidelines also serve as an aid for current and future ARC members and ARC Coordinators as they strive for consistency in the application of the design review process.

1.1.2 When the Guidelines Apply

Deed restrictions require that the ARC approves in advance all new construction and landscaping and all additions/alterations affecting the outward appearance of a building or a lot. This includes, but is not limited to: home landscape renovations, play equipment, tree removals, underground improvements such as wells or propane tanks, and site grading. This does not include replacement of exterior finishes with the exact same exterior previously approved material and finish such as home maintenance painting and trim repairs

or replacement of dead and dying plantings with the same species of plant. Final approval by the ARC must be received in writing prior to the start of any clearing, grading, landscaping or construction. Note that unapproved property improvements or modifications may result in enforcement actions, including without limitation levy of fines.

If there are conflicts between the Guidelines and the Covenants applicable to the different sections of Landfall, the Covenants apply.

1.1.3 Which Guidelines Apply

The Guidelines are subject to change from time-to-time. All new submissions are considered based on the then current Guidelines. The current Guidelines, in affect at the time of any submittal will apply, and approvals are valid for one year from the date of final approval. If construction is not commenced, as evidenced by both issuance of a building permit and installation of the foundation, within one (1) year, then any such approval shall expire and shall be of no further force and effect.

1.1.4 Approval of the Guidelines

The Guidelines are adopted by the ARC and approved by the Landfall Council of Associations (COA) Board.

1.1.5 Continuous Improvement

The ARC is committed to improve the Guidelines, processes and procedures in a disciplined way and welcomes specific suggestions from the community. To further this objective, the ARC may also ask each applicant to complete a survey. The Landfall ARC and COA thank you in advance for your participation in this process.

1.2 INTRODUCTION TO THE ARC

1.2.1 Authority

The authority of the ARC to approve or disapprove all exterior property modifications, in its sole discretion, is provided by the recorded Covenants which encumber all lots. The ARC is appointed by the COA Board and is responsible for carrying out its duties on behalf of all Landfall owners for the benefit of the community. The COA Staff has no architectural review or approval authority.

1.2.2 Limitations of Responsibility

ARC approvals are limited to approval of the aesthetic design proposed. Neither the ARC, the COA, nor any owners association, bears any responsibility for ensuring the structural integrity, soundness of approved construction or modifications, suitability of chosen materials or products, soil erosion, safety requirements, non-compactable or unstable soil conditions; nor for ensuring compliance with building codes and other governmental requirements. None of these parties shall be held liable for any injury, damages or loss arising out of the manner or quality of the approved construction or modifications. ARC approvals include no opinion on, nor any consideration of, compliance with applicable laws, building codes, or any encroachment on any easement or on any property right of another. The approvals include no opinion or statement of compliance with any community documents applicable to the subject property, and shall not serve to limit or waive any recourse for violation of community documents.

ARC recommendations related to or approval of any plans shall not be considered an endorsement of any product, change or structure, nor shall it be considered warranty or representation whatsoever from or by the ARC as to any product, change or structure. The ARC and the COA specifically disclaim any and all warranties, whether express or implied, including warranty of merchantability, fitness for a particular purpose, and/or habitability. There should be no expectation on the part of the owner that once the home is built, redeveloped or renovated that the COA will make improvements to the common area to change or correct potential conflicts with the development of the owner's property. This would also encompass properties adjoining any common areas adjacent to any retention ponds or permanent water, as well as right of ways adjacent to roads. Proper site engineering is the responsibility of the property owner, their

architect, builder and engineer.

The ARC may reject any proposed new construction or changes to existing homes on purely aesthetic grounds, if, based on its sole judgment, such action is required to maintain the Landfall standard of architectural excellence in exterior materials and design. Prior approvals do not set new standards; and any issues of non-compliance for an installation or construction whether by ARC oversight or specific grant of exception to the Guidelines by the ARC does not set a precedent for future submittals. All home and landscape revisions are considered on their own merits, subject to the standards set by the current Guidelines.

1.2.3 Members

The ARC is composed of a minimum of five volunteer owners including a Chairman or Co-Chairs appointed by the COA Board. Members are to serve a three-year term unless modified by action of the COA Board. In addition, several alternate members are designated by the COA Board to serve in the absence of one of the regular members. A registered architect serves as a consultant to the ARC. A COA Board liaison is appointed to attend ARC meetings.

ARC subcommittees may be established to take advantage of the talents and interests of prospective members and to better manage its workload.

An ARC liaison may be or, at your request, can be assigned to improve communication during the application and construction process.

ARC Coordinator(s) are COA personnel who are provided to help facilitate and coordinate the business of the ARC.

1.2.4 Meetings

The ARC normally meets the second and fourth Monday of each month to review submitted plans. Applicant attendance at ARC meetings is by ARC invitation. If an applicant has received written feedback from the ARC and wishes to discuss the submittal with the ARC members, the applicant should e-mail arc@landfall.org to arrange a meeting.

Applications must be e-mailed to arc@landfall.org and submitted to the COA office by noon on the Monday prior to the meeting at which the application will be considered. Please call one of the Coordinators (910) 256-7651 or email arc@landfall.org to determine the date of the next meeting.

1.2.5 Voting

Each member of the ARC has an equal vote. A quorum of three members (or alternates) is required. All decisions are based on majority vote of ARC members. The COA Board liaison, as well as, the ARC Coordinator(s) are non-voting attendees.

ARC members must recuse themselves from matters wherein they have a conflict of interest. Additionally, the Chairman has the right to recuse an ARC member for this reason.

1.2.6 Communicating the Results of a Review

The results of the review are communicated in writing and are valid for one year from the date the final ARC approval is issued. Final approval to commence construction, site clearing, grading, landscaping and home modifications will be communicated in writing.

1.2.7 Discussions Outside of Meetings

Private discussions between applicants and/or their representatives and individual ARC members (including the applicant's ARC liaison), groups of ARC members or COA staff, do not reflect the consensus

of the entire ARC and must not be construed as an interpretation of ARC policies or positions. All decisions are based on the majority vote of the ARC members and become effective when documented and communicated.

1.2.8 COA Review of ARC Decisions

Subject only to the COA's authority to appoint members to the ARC, the ARC has sole and original authority to render decisions on applications for architectural approval. The Council may not reverse an ARC decision or compel the ARC to do so.

Subject to the then current Architectural Review Policy regarding COA Consideration of ARC Decisions, which may be adapted from time to time by the COA, independent of these Guidelines, an applicant who is dissatisfied with a final determination of the ARC may request that the Board of the COA review the denial of their ARC application by submitting such request, in writing, not later than thirty (30) days after the date of the ARC's final decision. Following receipt of such a Request, the Board of the COA may decide to consider the matter, in its sole discretion, and consistent with the above referenced policy.

An applicant interested in making such a request may obtain a copy of the then current policy for COA review of ARC decisions from the ARC staff.

2.0 PROCESS AND PROCEDURES

2.1 PRE-APPLICATION PROCEDURES FOR NEW AND EXISTING HOMES

Contact an ARC Coordinator as early as possible to:

- Obtain a copy of and become familiar with the current Guidelines. Specifically reference the Architectural Design Standards in Section 3.0 prior to design. The design guidelines are intended to be comprehensive. Consistency with the design guidelines and preparation of a proposal per the submittal requirements increases the likelihood of project approval.
- Schedule an optional orientation session for the benefit of the owner, designer/architect, builder, and landscaper to review the Guidelines, understand potential restrictions on construction materials, answer questions and provide other assistance as necessary. While it is recommended that the orientation session be conducted at the COA office when the owner is in town, the session may be arranged as a conference call or video conference.

Compliance with all governmental and community regulations is the obligation of the property owner.

New Hanover County's Planning Department and The City of Wilmington's land development center should be contacted at the beginning of the planning and design process to ensure compliance with their regulations. Compliance with said government regulations is a separate obligation of the land owner, and independent of the requirement to obtain architectural approval from the ARC.

A portion of the community falls within the Coastal Area Management Act (CAMA) regulations. The CAMA office should be contacted for their current rules and approvals at (910) 796-7423.

Some lots have been encumbered by easements including, but not limited to, drainage, maintenance, utility, access, golf course, and view easements. The various easements are typically indicated on the plat for the lot; however, references may also be found in deed restrictions and/or covenants. In regard to drainage easements or other easements, or homesites on which storm drainage facilities are located, an engineer's survey may be required.

The ARC shall consider known easements, as plainly reflected on record plats, identified on the applicant's submission materials, or otherwise plainly known to exist for the benefit of an owners association or the Landfall Council of Associations, or where stormwater drainage facilities exist, in connection with its approval of the site location for proposed improvements.

The ARC will not approve plans that place improvements on or otherwise plainly encroach upon known easements, without clear and plain evidence of waiver of the rights of all of the easement holders, or, in circumstances where the ARC deems appropriate, applicant acknowledgement of the continued and future rights of the easement holders.

Notwithstanding the foregoing, the ARC shall have no responsibility to identify applicable easements via title research or otherwise. Nor shall any ARC approval serve as any comment, waiver, or adaptation of any property rights of the COA, any owners association, or anyone else.

2.2 SUBMISSION PROCEDURES

1. All submittals must be e-mailed to arc@landfall.org and mailed or delivered to the COA office at:

Landfall Council of Associations
1749 Drysdale Drive
Wilmington, NC 28405
Attn: ARC Coordinator

2. Both digital and hard copy submissions are due no later than noon the Monday before the meeting at which the submittal is to be considered. Submit *Form 1 – Submittal Cover Sheet* and

Form 2 – New Home Application or Form 3 - Modification to Existing Home and Landscape.

3. ARC Coordinators will review submissions prior to placing the item on the ARC agenda. If the submission is not complete, at the proper scale or if there are other issues which would impede the effectiveness of the ARC review, the submission may be deferred from the agenda until such corrections are properly submitted.

If an incomplete submission is received on the Monday before an ARC meeting, there will likely be insufficient time to correct the missing information in time for review by the consulting architect and the submission may not be included on the ARC agenda. Therefore, it is highly recommended that submittals are made well in advance of the Monday noon deadline.

4. The submission may be reviewed by the consulting architect. The consultant assists the ARC in executing its responsibilities, attends part of the meeting to discuss his/her findings, but does not vote.

2.3 MODIFICATION TO AN EXISTING HOME SUBMISSION PROCEDURES

As the Landfall community ages, exterior material replacement may become necessary. ARC approval is required to replace any exterior material that varies in any manner from the previously approved materials, colors, and design. The current guideline standards will apply to such replacements. Notwithstanding the foregoing, replacement of exterior finishes with the exact same exterior previously approved material, color, and finish, such as home maintenance painting and trim repairs or replacement of dead and dying plantings with the same species of plant, shall not require prior approval.

Any modification of existing improvements or construction of additional improvements, including painting and major landscaping, affecting the exterior of the house must have prior approval of the ARC. The ARC needs to know where it is located, what it will look like and what materials will be utilized. A request for review by the ARC must contain the following:

- *Form 3 - Modification to Existing Home and Landscape Form*
- 1" = 10' scale site plan (including existing home modifications or the addition of accessory structures such as walls, pools, pergolas or other hardscape features require a site plan showing location of the addition or revision)
- 1/4" scale, dimensioned elevation drawings with materials labeled and floor plan
- Brochures and/or samples for materials, color samples and a material list
- Payment of Architectural Review Fees per *Appendix A*

Modifications such as a color change, tree removal (trees must be marked onsite with ribbon or tape, not painted) or play equipment request may only require an explanation on *Form 3 – Modification to Existing Home and Landscape Form* with the relevant color sample, brochure, and/or location shown on a site plan for ARC review.

It is recommended that the applicant call an ARC Coordinator to discuss the submittal to ensure the necessary information is provided for timely ARC action. Adjacent neighbors will be notified of modifications to the applicant's property in accordance with the Architectural Review Policy regarding Procedure for Neighbors' Input on Proposed Plans, which currently includes notice for plans that increase the foundation square footage, require elevation drawings, pools, and fences or other hardscape features located 3' from the property lines.

2.3.1 Home Demolition

For review of a request to demolish a home in Landfall the following is required:

- Timeframe for completion of project
- Plan for removal of the home debris in the process of demolition

- Landscape and grading plans for the homesite after removal of the home which includes the identification of the trees and landscaping that are to remain
- Submittal of *Modification to Existing Home and Landscape Form*
- Payment of Architectural Review Fees per *Appendix A*

Note that trees and landscaping that are to remain must be marked with disposable tape for onsite review.

2.4 DESIGN REVIEW PROCESS FOR NEW HOMES

Submittals to the ARC should be complete, accurate, and thoroughly reviewed by the applicant while adhering to the Guideline requirements. Neighbors, and, in some cases, owners associations, will be provided notice and opportunity to comment in accordance with the Architectural Review Policy regarding procedure for Neighbors' Input on Proposed Plans. Following selection or development of a house plan, there are a series of required phases in the design review process. Each phase requires a submittal to the ARC. No approval is granted, or deemed granted, unless and until all three phases are complete and the ARC has provided the applicant with written final approval of plans.

2.4.1 Phase 1 Conceptual Home and Site Plan Review

This submittal and review is intended to evaluate whether the selected or developed house plan will fit properly on the designated lot, and identifies a prospective builder, architect, home designer, landscape architect or designer. A conceptual sketch, picture, rendering or preliminary elevation drawing showing the front of the home is required. This submittal is informal, and any comments received from this submittal shall be incorporated into the Phase 2 Preliminary Submittal. This submittal must be made prior to proceeding with any detailed design of an original house plan, or modifications to a purchased plan. Two copies of the submitted drawings are required. Also, submit *Form 1 – Submittal Cover Sheet* and *Form 2 – New Home Application* with home square footage indicated. Payment of the non-refundable \$250 Architectural Review Fee is required with this submittal. (See *Appendix A: Fees Associated with Architectural Review*)

2.4.2 Phase 2 Preliminary Submittal

This submittal and review is intended to evaluate whether the proposed house design conforms to the specific design requirements of the ARC, and provides further design guidance where necessary concerning the house itself and accessory structures. This review requires two (2) folded copies of the following drawings at the proper scale along with the completed *Form 1 - Submittal Cover Sheet* and *Form 2 - New Home Application*. The submittal shall include the following:

- *Form 1 - Submittal Cover Sheet* indicating what has changed with this submittal
- Site plan at a scale of 1" = 10', depicting the boundaries of the lot, north arrow, all setbacks as a continuous envelope, First Floor Elevation, spot elevations at home corners and all raised features, easements, all utility structures (if present), the footprint of the house, accessory structures, driveway(s), walkways, all terraces, decks and existing trees including those marked for removal. This plan should incorporate any comments to the preliminary site plan submittal.
- Floor plans, drawn at a scale of 1/4" = 1'-0", including overall dimensions and the overall area calculation of the structure.
- All four dimensioned elevations, drawn at a scale of 1/4" = 1'-0", including notations of all building materials, and a dimension of the overall height, exclusive of chimney(s). If available, an architectural rendering should also be provided.
- Payment of the \$1,250 non-refundable Architectural Review Fee covers a maximum of three reviews by the ARC. (See *Appendix A: Fees Associated with Architectural Review*)

2.4.3 Phase 3 Final Submittal

This third submittal focuses on the details and their application in the design along with the proposed landscape plan. This review requires two (2) folded copies of the following drawings at the proper scale along with the completed *Form 1 - Submittal Cover Sheet* and *Form 2 - New Home Application*. This submittal shall include the following:

- *Form 1 - Submittal Cover Sheet* indicating what has changed with this submittal
- *Form 2 - New Home Application* listing manufacturer, style and color of exterior materials – note that a color rendering may be requested to facilitate review of color and material selections
- Site Plan (See Section 4.1)
- Floor Plan(s) (See Section 4.2)
- Elevation Drawings (See Section 4.3)
- Roof Plan (See Section 4.4)
- Foundation Plan (See Section 4.5)
- Wall Section (See Section 4.6)
- Landscape Plan (See Section 4.7)
- Color Samples and Building Material Samples and/or manufacturers' brochures and specification sheets providing illustrations and additional clarifying information about proposed exterior materials as necessary (only one set required)

Subsequent Reviews: If more than a total of three reviews is required for Final approval a fee of \$250 will be charged for each additional review at the time of submittal.

After final review approval has been granted and construction is underway all construction modifications are required for submittal to the ARC. Minor modifications will not require an additional fee for review.

The ARC will require that the home foundation, driveway, and lot lines be staked and strung and any trees proposed for removal marked with ribbon or tape (not painted) prior to receiving Final Design approval. The ARC will inspect the staking to review the proposed home's proximity to adjacent homes and properties. See Section 2.5.2 Lot Clearing Approval for guidelines on staking a property. The inspection will typically be performed within 30 days of the lot staking. Following lot staking review, the stakes and strings must be removed by the owner.

2.5 CONSTRUCTION PROCESS

The start of any clearing, grading, landscaping or construction may not begin until receipt of ARC Final Design approval, payment of fees and the necessary forms are signed. Final approval to commence construction, site clearing, grading, landscaping and home modifications will be communicated in writing.

Note that it is the responsibility of the lot owner and builder, and not the ARC, or COA, to ensure compliance with approved plans. Deviation from approved plans or start of construction, site clearing or staging of equipment prior to ARC written approval that construction may begin could result in fine and/or deductions from the Builder's Deposit per the *Schedule of Deductions From Construction Deposit* referenced in *Appendix G*. Deviations from approved plans may result in a direction to cease construction until such deviations are adequately addressed. Deductions from the Builder's Deposit per the Appendix G schedule may apply.

2.5.1 Prior to the Start of Construction

The following forms must be signed:

- *Form 4 - Construction Application and Agreement*

- *Form 5 - Construction Personnel*

The following rules must be read, understood and followed:

- *Appendix E: Rules and regulations for Contractors and Subcontractors*
- If construction personnel plan to impact adjacent lots such as use it for parking or access, the ARC must be presented with a letter from the neighboring lot owner granting permission for the lot to be used (See *Appendix G: Schedule of Deductions From Construction Deposit*).

The following fees must be paid (See *Appendix A: Fees Associated with Architectural Review*):

- Archive Plan Fee for the electronic filing of final new home and landscape plans
- Impact Fees as noted
- Construction Deposit Fee to ensure compliance with the conditions of *Form 4 – Construction Application and Agreement* as noted

Note: A higher Construction Deposit may be required from builders who have incurred significant deductions and/or fines on prior projects in the community, the amount of said higher Construction Deposit to be reasonably determined by the ARC based on severity of prior offenses. For the sake of this section, “significant” deductions and/or fines include cumulative amounts in excess of \$2,000.

2.5.2 Lot Clearing Approval

The lot owner or agent shall request a site inspection and receive approval of the layout prior to lot clearing and construction. The owner or agent must clearly stake and string the proposed house, property lines, drive, patio, walks and, if applicable, pool location. Staking shall be with a continuous ribbon encircling the area to be cleared. Any additional trees to be cleared located outside the encircled area shall be ribboned individually or in groups. Note that an additional fee may be imposed if a site inspection is requested and the property has not been properly staked as the improper staking will necessitate an additional site visit by the COA staff. Furthermore, no site clearing, staging of equipment or construction may begin prior to ARC written approval, payment of fees and return of the signed Builder’s Agreement.

The existing trees that will remain must be protected during the process of construction. Accordingly, the dripline of the trees must be fenced when the lot is staked for lot clearing approval and throughout construction.

The purpose of this first site inspection is to minimize compliance issues with the approved plans and to prevent unnecessary damage to specimen trees and other unique site features. Inspections are performed as soon as possible. To arrange for a site inspection, contact an ARC Coordinator by e-mail to arc@landfall.org. The staking and stringing must be removed within 30 days of the site inspection.

2.5.3 Consent to Proceed with Construction

Final approval to commence construction, site clearing, grading, landscaping and home modifications, eliminations or additions will be communicated in writing by the ARC.

2.5.4 Foundation Confirmation

After the foundation has been poured, the builder/owner must provide a foundation survey which must note the “top of block” elevation to correspond with the approved finish floor elevation. Construction may not continue until the survey has been reviewed and approved. Failure to provide the foundation survey prior to continuing with framing construction may result in fine and/or deduction from the Builder’s Deposit per *Appendix G*.

2.5.5 Construction Change (Field Change) Submission Procedures

Any exterior changes (construction, color or other changes visible from the exterior) made to the plan after final design approval must be submitted in writing to the ARC for ARC review and approval prior to proceeding. No such change shall be approved or deemed approved unless and until the ARC has provided written approval of the same to the owner.

Field change requests may be submitted at any time. The ARC is not responsible for any delay in construction arising out of an owner's desire to change an approved plan or the ARC's review of the requested change.

2.5.6 Site Inspections

Periodic inspections of the job site by an ARC Coordinator will keep the ARC informed of the progress of the work and any discrepancies from the approved plans. Note that violations of the *Rules and Regulations for Contractors and Subcontractors* may result in an immediate deduction from the Construction Deposit.

See *Appendix E: Rules and regulations for Contractors and Subcontractors* which outlines what is expected on the job site for personnel and site cleanliness.

2.5.7 Driveway Inspections

A capped 2" PVC sleeve buried 12" deep under the driveway at the street for future utility use is required. The sleeve must be installed one foot back from the street curb and extend one foot out from each side of the driveway. Following installation of the sleeve, the owner or agent must contact the COA office for inspection of the sleeve location and installation. Note that a fee may be charged if an inspection is requested and the conduit has not been installed, exposed and/or is not yet ready for inspection. Final inspection cannot be conducted until this inspection has been completed.

2.5.8 Final Inspection (Home and Landscape)

A final inspection of all projects is conducted. The owner or builder must request this inspection when building and landscaping is completed. Upon a satisfactory final inspection of both the home and landscaping, the Construction Deposit or the balance of the Construction Deposit is returned to the entity identified on the Construction Application and Agreement.

3.0 ARCHITECTURAL DESIGN STANDARDS

3.1 DWELLING SIZE AND MINIMUM STANDARDS

1. Minimum Square Footage: All residences shall, among other restrictions, conform to the minimum square footage, maximum footprint, setbacks and other restrictions set forth in the Covenants. A list of the general square footage requirements is available in *Appendix B: Specific Requirements by Landfall Section*.
2. Maximum Height and Size: Residences are limited to no more than two stories, with a third floor, if any, under the pitch of the roof. This means the windows on the third floor shall be in dormers or gables or natural light shall be provided by skylights. A basement level, if any, may also contain finished space as long as the residence meets the first floor finished floor elevation (FFE) guideline. In regard to basements, the topography of the lot must be considered as only daylight basements are permitted. There must be a minimum of six feet drop in existing grade for consideration of a basement.
3. First Floor Finished Floor Elevation (FFE): may be no less than 28" above average finish grade on both the front and rear elevations and no more than 42" above average existing grade at the front of the home.

3.2 EXTERIOR DESIGN AND MATERIALS

Use of the following materials are suggested to increase the chance of ARC approval. Note that no material is pre-approved for any specific application. Consideration of the architectural diversity, harmony of design with nearby structures, and the site specific features will impact the ARC's review.

3.2.1 Approved Siding Materials

1. Wood: Cedar, cypress, mahogany, redwood and pressure treated pine siding. Wood sided homes must be painted or stained.
2. Stucco: A sample or specification/ brochure is required for review.
3. Natural or simulated stone: A sample or specification/ brochure is required for review. Stacked simulated stone is preferred over simulated stone glued in place.
4. Brick: Natural or painted. A sample or specification/ brochure is required for review.
5. Cementitious siding: James Hardie Artisan Shiplap, James Hardie Artisan V-Groove, and Nichiha Savannah Smooth lap siding are the only cementitious siding allowed as exterior cladding on an entire structure. Cementitious siding may be used on dormers or other upper level smaller sections which can be spanned with a single plank.

The following siding materials are not approved:

1. Metal siding
2. Decorative concrete block or concrete block (except sub-surface wall)
3. Siding made of fiberglass, plastic, vinyl, asphalt
4. Logs (imitation or otherwise)
5. Certain types of imitation stone and brick, as well as flagstone used as siding

3.2.2 Watertables, Bandboards and Quoins

Exterior siding materials must have a bandboard or other delineation in design, with the exception of brick,

and be proportioned to match the home style. On brick homes, watertables are required. If the home has quoins, the quoins may either extend to the ground (through the watertable) or to a rusticated base. Quoins, if used, are preferred on all corners for consistency from the side view. The elimination of quoins on the rear is evaluated on a case-by-case basis.

3.2.3 Exterior Colors

Exterior colors should be in harmony with the style of the home and provide for variety among the nearby homes. The ARC may request a sample board before final approval of a color is granted.

3.3 DOORS, WINDOWS, SHUTTERS AND AWNINGS

3.3.1 Main Entrance Door

The main entrance should have a sense of prominence that is reflected in the design. The entry should be sheltered on the exterior and include a pair of doors or a single door of substantial scale with sidelights if compatible with the overall design of the residence. The main entry should contain more detail than other openings but remain consistent in styling.

3.3.2 Windows

1. Approved window types include: Casement, double hung, awning and sash set fixed pane windows. All openings must be articulated with the use of flat or arched lintels, projecting sills or surrounds. A divided mullion pattern is required for double hung windows.
2. Glass Block: Glass block will not be prominently visible from the street or golf course.
3. Skylights, skylight tubes, solar panels/tubes: Skylights and solar panels will not be prominently visible from the street. Skylights must be flat glass. Solar panels must be installed so as to have a low profile and be parallel with the plane of the roof.
4. Placement: Windows must not extend into the frieze.

3.3.3 Grilles/divided lights

1. Use: Divided lights must be in keeping with the style of the home. Divided lights when used must be true divided light (TDL) or simulated divided light (SDL) with grilles on the exterior. Grilles between the glass (GBG) are not permitted.
2. Consistency: Window/door grille patterns should be used consistently on all four elevations, unless the particular elevation is not visible from the street, neighbors or golf course.
3. Design: In divided light windows, panes should not be wider than taller. Prairie or cottage style double-hung are exceptions.

3.3.4 Detailing

1. Brick homes: must have brick mold showing a reveal of wood/vinyl material around the window. A brick or masonry sill is required. A soldier course or other architectural element is required above the window. Brick or masonry architectural elements on the sides of windows are optional.
2. Siding or Shake homes: must have wood trim above and below or surrounding the windows.
3. Stucco homes: must have trim above and below or surrounding the windows.
4. Bay Windows: Bay windows are to be carried down to grade or there must be express visual support of a cantilevered condition.

3.3.5 Shutters and Awnings

1. Window Shutters: Shutters shall be solid (not hollow form), a minimum of 1 ¼" thick and sized so that they completely cover a window opening or are exactly half the size to cover a window opening. Shutters shall not be affixed flat on the building siding, but shall be attached to shutter hardware that is attached to the building siding. Shutter hardware shall consist of hinges, such as gudgeons and pindles, located on the opening side of the shutters. Holdbacks or similar hardware shall be located on the opposite side of the shutter. Shutters shall be mounted such that they will close properly covering the opening, not located such that jamb trim is exposed unless the shutters are of a width to cover both the opening and the adjacent trim. Shutters may be secured to the building siding so long as they remain attached to the shutter hardware. Shutters will not be permitted on triple windows.
2. Hurricane Shutters: Many styles of hurricane shutters have been approved. Shutters and plywood sheathing may be installed 48 hours prior to a storm and must be removed within 48 hours after the storm. For extended vacations, during hurricane-season (June 1 to October 31), shutters (not plywood) may be installed for no longer than a four-week period.
3. Awnings: Awnings must be color coordinated with the house colors. Awnings must generally be retractable. Cloth awnings are not permitted on the front elevation.

3.3.6 Approved Materials

It is not the intention of the ARC to exclude current or future manufacturers and models. The ARC welcomes the consideration of new materials (with samples and/or brochure as necessary) for a specific submittal.

3.4 FIREPLACE AND CHIMNEY

1. Chimney: Flue pipes are required to be encased with a chimney enclosure of masonry or stucco compatible with the wall materials used on the exterior of the house. When located on an exterior wall, the chimney must be supported by a foundation at grade. The chimney may not be clad in wood or simulated wood materials.
2. Direct vent fireplaces: (vented through the side wall) must be identified on the plan for approval.
3. Chimney top: Decorative masonry, decorative clay or decorative metal tops are required. Aluminum caps or industrial looking chimney caps or pipes protruding from the brick, stone or stucco are not acceptable.

3.5 ROOFS AND ROOF MATERIALS

The roof must be consistent with the architectural style of the residence.

The main roof is pitched and can be gabled, hipped, mansard or a combination. Ancillary roofs may be hipped, gabled, mansard, shed or flat if appropriate. Eaves and rakes should be articulated by multiple fascia boards, friezes, cove and crown molds.

One-story homes, which have few architectural elements of interest, may be required to:

1. Add dormers and/or gables
2. Improve the aesthetic quality of roofing material
3. Take other actions to improve the overall look of the roof and the proposed home

3.5.1 Approved Roof Materials

The Guidelines seek to create diversity in roof style, material and color in relationship to the architectural style of the home and nearby homes. Accordingly, the following materials in appropriate colors are generally approved roof surfaces:

1. Pressure treated Red Cedar shingles or shakes
2. Fiberglass (Asphalt) shingles including Certainteed Grand Manor, Certainteed Presidential Trilaminate, GAF Woodland, IKO Armourshake and Owens Corning Berkshire Collection
3. Natural or Simulated Slate
4. Through-color clay or cement tiles
5. Copper and other metal-sheet roofing

The Landfall community is located in a Coastal Zone which presents natural elements such as excessive winds and moisture/humidity which must be considered when selecting building materials. Specifically with roofing materials, any asphalt-based shingle considered must possess an approximate composite weight of 400 lbs. per square, and contain anti-algae features.

The re-roofing of existing homes is treated in a similar fashion. If re-roofing is necessary, the request is handled as a new installation with diversity, color and aesthetic appearance taken into consideration.

3.5.2 Roof Construction Requirements

1. All roof edge trim is wood or simulated wood boards.
2. Soffits and fascia may be wood, stucco or simulated wood trimboards. Aluminum and vinyl wrap are not approved.
3. Returns of gable end fascias and friezes will receive small standing seam metal roofs for protection. No shingles of any type shall be used in these areas.
4. Fiberglass roofs must use copper in the valley where roof sections meet rather than woven shingle.
5. Attic and plumbing vents must be treated to match the roof color and should be located on the side of the roof least exposed to the street or golf course and must not protrude further than necessary to meet building code.
6. Class B utility pipes must be inconspicuous and treated to match the roof color.
7. The roof color must be consistent so that roofing material from different “batches” or “lots” is not noticeable.

3.5.3 Gutters and Downspouts

1. Gutters are not universally required except in Block 45 or in cases where storm water drainage is an issue (See 3.14.2 Storm Water Drainage).
2. Colors and materials for gutters and downspouts must be specified and submitted for approval.

3.5.4 Dormers

Dormers must be located a minimum of 8” below the roof ridge.

3.6 GARAGES, DRIVEWAYS AND GUEST PARKING

3.6.1 Garages

1. Garage placement/design: A two-bay (or more) attached garage is required for all homes. Front loading attached garages are restricted to villa, patio and cluster homesites, otherwise the attached garage is side loading or rear loading unless an exception has been specifically granted by the ARC.
2. Screening: For side loading garages, adequate screening using landscaping and/or motor courtyard walls is required. A minimum of four foot tall evergreen screening “when planted” with 30” between the dripline of each plant is required in the area in front of the garage doors (to be reflected on the Landscape Plan). The driveway at the garage area must therefore be 3’ or more from the property line to allow for adequate planting beds, landscaping and irrigation.
3. Design preferences: The use of single garage doors rather than a double door is preferred. Double doors if used require detailing or something of interest around or above. For designs with three or more car bays, if both a single and double door is proposed, an indentation or bump out of the single door is preferable to add interest to the roofline and break up the line of garage doors.
4. Garage door: Materials, color and finish must be on the architectural checklist and the design shown on the elevation drawings. Automatic garage door openers are required. Windows, if present in garage doors, must be complementary to the other windows of the home. Windows may not be “stamped out” of the metal. In order to allow for parking of taller vehicles in the garage, at least one garage door must be a minimum of nine feet wide by eight feet tall (9080). If one garage door is utilized for the parking of two vehicles, the entire door must be at least eighteen feet wide by eight feet tall (18080). Submit the brochure and specifics of the selected prefabricated garage door or state that the garage door is custom built.

3.6.2 Driveways and Walkways

1. Driveway placement/design: Driveways should have graceful curves and not parallel the property line. Driveways should not be installed over storm drains or within drainage easements located on the lot. If no other options exist, driveways must be constructed with removable materials to provide access. At no point should the driveway be closer than 1’ from the neighboring property line and must not cross over the plane of the neighboring property line in the road right of way. Parking within the landscape or on the lawn is prohibited.
2. Material: Acceptable driveway and walkway materials include:
 - a. Brick
 - b. Concrete pavers
 - c. Cobblestones or other natural stone approved by the ARC
 - d. Cast-in-place concrete or colored concrete with an approved masonry subdivision
 - e. Colored concrete with wood dividers and masonry apron
 - f. Exposed aggregate
 - g. Stamped or decorative concrete
 - h. Concrete with an exposed material such as oyster shells
3. Asphalt, pine straw, and mulch are not permitted.
4. Dividers: Driveway dividers are required on poured material driveways. Approved materials include: pressure treated wood, grass, brick/concrete pavers, or cobblestone to add detail and definition to the driveway. Dividers should be placed to break up the expanse of material at a minimum of every 150 square feet sections. The driveway divider pattern must be included on the plans. If the driveway is curved, the dividers should be normal to the edge or curve.

3.6.3 Guest Parking

1. General: Guest or visitor parking area for at least two vehicles is required.

2. Placement: Guest parking will not block access to or from the garage (except for Villa lots). It is to be located as far from the street as practical, but not closer than 20' from the front lot line.
3. Screening: The guest parking must be well landscaped (or partially walled) to screen the visibility of parked cars from neighbors, the golf course and the street. Screening plants must be a minimum of two feet tall when planted.
4. Driveway as guest parking: A circular driveway is considered guest parking and meets the guest parking requirements without the need for an additional parking pad.

3.7 PORCHES, SUNROOMS, TERRACES, PATIOS, DECKS, AND STAIRS

1. Porches: Generously proportioned porches are encouraged. The shade and shadows created by porches and roof overhangs soften the ridge lines of a structure. A porch must be a minimum depth of eight feet. Porches may be screened, but if visible from the golf course, a mix of screened and unscreened porch areas is desired.
2. Screen Porches: A divider pattern for the screening must be clearly shown on the elevation drawing, as well as, a wall section. If the screen tight system for screening is utilized, the screen tight panels must be divided by a minimum of 3"X4" wooden vertical/horizontal members. The framing dividers must be expressed a minimum of 1" beyond the screen mesh on the exterior and must not be covered by a vinyl or aluminum strip. Two screen tight panels cannot abut one another. The panels must be installed within the framework of the wood. Neither vinyl nor aluminum may be utilized for construction framing materials.
3. Sunrooms: Sunrooms must be compatible with the home regarding building materials, color, and style. Sunroom windows must be the same color as the other home windows, and detailed and installed in a manner consistent with the rest of the house. This means that the custom window/door trim must be sized and installed in a manner similar to the remainder of the house. Trim between wood columns and sunroom windows must be made of wood, and cut, installed, then caulked and painted without visible fasteners. Aluminum or vinyl infill panels, flanges with visible edges or exposed fasteners surrounding windows are not approved. Horizontal sliding windows with fixed transoms or hoppers are not approved for sunroom enclosures, unless the house already has horizontal sliding windows with transoms or hoppers.
4. Terraces: First floor uncovered outdoor living spaces elevated above the natural grade are considered terraces, not decks; and therefore, must be constructed with a masonry surround and masonry stairs to grade. Terrace walls will match or must be compatible with exterior materials and detailing of the residence. Terrace floor finish materials must be masonry including brick, stone, tile, decorative/stamped concrete, or a wood frame deck may be within and supported by the terrace walls. Terraces 30" above grade must have a wall or railing and meet code. All terraces below 30" above grade must have substantial landscaping. The site plan must show spot elevations for existing grade, grading lines for proposed finish grade and top of wall spot elevations in increments of one-foot change in grade.
5. Patios: First floor outdoor living space built on grade is considered a patio. Patio floor materials shall be masonry including brick, stone, tile, or decorative/stamped concrete. Knee walls are encouraged. All patios must be screened with substantial, taller perimeter landscaping.
6. Decks: Decks will be considered on a case by case basis where there is a severe drop in natural grade. They should be constructed of wood or masonry piers of a minimum 8" X 8". Areas below deck, between the piers should be screened by vertical and horizontal lattice of a minimum 1" X 4" or masonry.
7. Upper level decks and porches: Decks and porches will incorporate materials which relate to the residence.
8. Railings: All railings should be designed to ensure safety and be consistent with the architectural style of the residence. Submittal of handrail details is required. Retaining walls may also act as the railing for the terrace area. See section 3.9.2 for retaining wall guidelines. The detail must be shown on the elevation drawing(s).

9. **Setback Requirements:** Terraces or decks may encroach into the setback area if within two feet of grade and no closer than ten feet to any property line. Provided also there are no violations of CAMA or other governmental restrictions or easements. No encroachment is permitted into easements.
10. **Stairs to main entrance:** Main entrance stair risers and surround must be constructed of brick, stone or stucco.
11. **Stairs to other entrances:** Stairs to other entrances must have a masonry surround and generally include a masonry landing.

3.8 POOLS, DECORATIVE PONDS, SPAS AND HOT TUBS

Prior to design of the pool, refer to Section 4.7 Landscape Plan for submittal requirements.

1. **Pools and Decorative Ponds:** The size, shape, location and colors of pools or decorative ponds must be carefully designed to achieve a feeling of compatibility with the surrounding natural and man-made environment. The location may not be on the street side of the residence. The owner is responsible for compliance with all applicable laws, codes, regulations and ordinances relating to construction and operation including the installation of safety barriers, which may be required by the North Carolina State Building Code. No free standing above ground swimming pools are permitted. Pools are considered outdoor living areas and taller, layered evergreen landscaping is required to screen outdoor living areas from the neighbors, golf course, common areas and the street.
2. **Setback and Height Requirements:** Swimming pool and pool decks may not be located closer than 15' to any lot line and may not encroach into easements or areas where storm drainage facilities exist. On lots wherein the side setback is less than 15', pool decks may be located no closer than 10' to any property line. Pools are to be located in the ground and are not to be elevated more than one foot above existing grade. Pool plans must be presented at 1"X10' scale and include the home foundation, lot lines, fence location, and landscaping. The plans must indicate all grading that will occur, including original existing grades; proposed spot elevations for pool decking, finish grade next to decking, top of walls, bottom of walls, raised water features, and other elements that are raised above the pool. Include all information needed to understand the proposed plans. For review of the pool plan submittal, stake and string the pool, pool decking, lot lines and fence onsite. With tape, mark trees for removal.
3. **Pool equipment:** Pool equipment must be enclosed with walls tall enough to cover the installed equipment height and must have adequate plantings. Pool equipment walls must be architecturally related to the residence and other structures in their placement, mass and detail and must be shown on the site plan. Plantings for walls must be given special attention on the landscape plan to ensure that plants are of adequate height and density. Any pool cover must be approved by the ARC.
4. **Spas and Hot Tubs:** A spa or hot tub visible from the golf course or street must be sunken in the ground. If on a patio/terrace, a surrounding masonry wall is required. The location may not be on the street side of the residence and must be within the allowable building setbacks. If a hardscape wall is used it must be at least 6" taller than the height of the installed hot tub, must architecturally relate to the residence and have plantings on the outside of the wall.

3.9 FENCES AND WALLS

3.9.1 Fences

1. **General:** Property owners desiring to install a fence must submit a 1" X 10' scaled site plan indicating the proposed location of the fence, an elevation or drawing of the style and height, identify the color and, if appropriate, provide a brochure. Fences should closely relate to the residence and blend into its natural surroundings. Fencing should be continuous, terminate at the residence, and unless a

specific exception has been granted must fully enclose the area. Property owners are encouraged to notify their neighbors when contemplating a submittal for the fence. Please call the COA office at 256-7651 to obtain contact information for your neighbors. Recorded property plats must be reviewed to ensure that no easements or restrictions exist. It shall be the property owner's responsibility to review the relevant recorded property plats and documents. Fencing will not be permitted within storm drainage areas or easements. A \$100 deposit is due with the fence submittal request. The deposit is refundable following installation of the fence and landscaping per the ARC approved plan.

2. *Material:* Permitted fencing material includes black or bronze colored wrought iron or aluminum. Prefab wood, split rail, chain link, board-style wood, fold-out temporary/removable, or welded wire fencing is not permitted.
3. *Screening:* Perimeter fencing must be screened from the golf course, common areas, neighbors and the street with approved landscaping that can grow through the fence rails. Fence screening plants must be a minimum of 30 inches or taller when planted, and grow to and be maintained at or above the height of the fence. For fences with columns and fences not located on the golf course, street or common areas, 60% of each fence run should be screened with landscaping. The plantings should be evenly distributed along the fence. The distribution of the plants should be shown on the landscape plan.
4. *Placement:* Perimeter fencing is permitted subject to item #6 below. Side lot line fences may be installed to the property line, with landscape beds on the inside, to avoid a narrow corridor between adjacent fenced yards. Fencing will not be permitted within storm drainage areas or easements. The ARC may request that the location of the fence be staked and strung for onsite review.
5. *Deer fencing:* Electric fencing is not permitted.
6. *Columns:* Masonry columns will be required for perimeter fencing on the golf course and/or long stretches of highly visible fencing facing the road or common areas such as ponds. The fence must be sectioned with masonry columns at the property corners and at every 3-4 rail sections – approximately every 24'. The columns should be proportional in size to the height of the fence and a minimum of 16" or a maximum of 24". Columns will not be required for fencing located a minimum of 3' from the property line on the golf course or the street; however, dense evergreen landscaping must be provided on the exterior of the fence to screen the fence from the golf course, street or common areas.

3.9.2 Walls/Retaining Walls

Walls are considered as design elements to enclose and define courtyards, pools and other private spaces and provide security. Walls are considered an extension of the architecture of the residence. Consideration must be given to the design, placement, material, impact, maintenance, landscaping and views of both sides of the wall from neighboring homesites. Construction details and locations of all walls/screens must have ARC written approval prior to construction. Walls/Retaining walls shall be designed to be no more than eight feet above adjacent finish grade unless specifically approved by the ARC. For waterway lots, the location of adjacent homes and grading must be shown on the 1"X10' scale site plan. The site plan must show spot elevations for existing grade, grading lines for proposed finish grade and top of wall spot elevations in increments of one-foot change in grade. ARC and Impact fees will be due for retaining wall and bulkhead additions along with a Builder's Deposit and signed Builder's Agreement for any and all retaining walls and bulkheads taller than 2' above existing adjacent grade.

3.9.3 Bulkheads

Retaining walls that encroach into water are considered bulkheads. An existing body of water may be subject to local, state or federal regulations that may limit the height and location of bulkheads. It is the responsibility of the owner to confirm and abide by local, state and federal regulations; as well as meet Landfall's aesthetic requirements. There should be no expectation on the part of the owner that once the home is built, redeveloped or renovated that the COA will be making improvements to the common area to change or correct potential conflicts with the development of the owner's property. This would also encompass properties adjoining any common areas adjacent to any retention ponds or permanent water.

Consideration must be given to the design, placement, impact, maintenance, landscaping and view of the exterior of the bulkhead from neighboring homesites, golf course and common areas. A conceptual submittal showing the proposed construction details with materials indicated and locations of all bulkheads must be submitted prior to development of full-scale plans.

Following approval of the material and location concept, bulkheads shall be designed and sealed by a professional engineer and a full set of stamped plans and specifications must be submitted with the request. Materials are considered on a case-by-case basis with consideration given to any existing bulkheads located in close proximity. Pre-existing bulkheads may be contiguous to the new construction, or they may share a water shoreline without being adjacent to the new construction. Bulkheads may be constructed using marine grade wood, vinyl, or composite materials or a combination of those materials.

Bulkheads shall be designed to be no more than eight inches above adjacent finish grade unless specifically approved by the ARC. ARC and Impact fees will be due for retaining wall and bulkhead additions along with a Builder's Deposit and signed Builder's Agreement for all retaining walls and bulkheads taller than 2' above existing adjacent grade

3.10 ACCESSORY STRUCTURES

All structures located apart from the main residence require written approval from the ARC prior to installation. Such structures include, but are not limited to: pergola, garden shed, pool house, guest house, gazebo, sauna, additional garage, and masonry BBQ. Pool houses/cabanas, guest houses, garden sheds and garages must be within the building setbacks and compatible with the main residence regarding building materials, color and style and meet the relevant design requirements as defined throughout this section. Landscape features such as landscape trellis, play/tree houses and firepits must be located a minimum of 15' from any lot line and screened from the neighbors, golf course, street or common areas with substantial, taller evergreen landscaping. Consideration must be given to location, views from adjacent lots and screening requirements. The accessory structure must also comply with applicable governmental building codes. No encroachment into easement areas will be permitted.

3.11 EXTERIOR UTILITY EQUIPMENT AND ENCLOSURES

1. HVAC and Trash Container Enclosure: Must be architecturally related to the residence in mass and detail. It must be screened from the golf course, street and adjacent properties with a solid, masonry wall that is built taller than the unit, must have adequate plantings and include a solid gate. Brick lattice is not an acceptable screen. The location must minimize disturbance to adjoining property owners due to noise or view. The enclosure must be shown on both the site plan and elevations. The enclosure cannot extend into easements, or in locations wherein storm drainage facilities exist on the lot.
2. Utility boxes and related equipment installed on the exterior of the home must be screened with landscaping that is installed tall enough to screen the utilities, included within the HVAC/trash enclosure or screened within a solid, masonry wall. The use of surface mounted conduit, pipe or wire is prohibited on exterior elevations.
3. Tanks (Including as examples propane, water, gas): It is preferable that all tanks are buried. If not buried, all tanks must be located out of view from the neighbors, golf course and the street.
4. Natural gas connections should be heavily landscaped or located behind masonry walls. Tankless hot water heaters should be located behind masonry walls, dense evergreen landscaping or in the garage. For new home construction, tankless hot water heaters must be located behind masonry walls tall enough to shield the visibility of the unit from the neighbors, golf course and the street or located in the garage.
5. Window or Exterior Wall Units such as HVAC, Heating or Air Conditioners or Air Handlers are prohibited.

3.12 EMERGENCY GENERATORS

Permanently installed emergency generators require ARC approval and compliance with the following installation guidelines.

1. Screening: Due to noise or view, the generator must be enclosed and screened with landscaping. Enclosures must be made of solid masonry walls which relate architecturally to the residence, include a solid gate and be at least 12" taller than the height of the installed generator.
2. Sound attenuation: The generator to be installed must have an average sound output of no more than 74 decibels (dBA), have a sound attenuating enclosure or other sound-reducing package and a sound absorbing pad on the base of the generator, if available.

3.13 ANTENNA AND/OR SATELLITE DISH

Antenna and/or Satellite Dish: The primary objective is to adequately screen the antenna/dish from the view of the street, golf course and neighbors. Prior to installation approval must be granted. The following criteria must be used for the location and installation of antennas/satellite dishes:

1. Antennas/dishes may be located within HVAC, trash or pool equipment walls and screened from view with additional landscaping if necessary.
2. Antennas/dishes may be located behind walls designated to enclose courtyards, pools, and other private areas so as to mitigate their visibility from the street, golf course and neighbors.
3. Antennas/dishes may be located behind shrubs or other landscaping components recognizing the necessity of adequately screening them from the street, golf course and neighbors.
4. Installation on the roof or exterior walls when visible from the street, golf course or neighbors will only be considered when proof has been provided that no other options are available.

3.14 GRADING AND DRAINAGE

No earth moving or clearing of trees may begin until a site plan showing the nature, kind, shape and location of work is approved as aesthetically harmonious in writing.

3.14.1 Grading and Filling

1. Grading and filling: Cuts and fills should be kept to a minimum. Fill will not be deposited at any location without prior ARC approval. Cut or fill areas must be replanted with plant materials, which will blend with native vegetation.
2. Swale areas: It is the owner's responsibility to honor the easements and other property rights of third parties, and to design and construct the site in a manner that does not infringe on the same, avoiding, without limitation, altering or interfering with the functioning of existing swale areas abutting a site or redirecting drainage to other sites. Approval by the ARC shall not impact those responsibilities.
3. Erosion control: It is the owner's responsibility to ensure that sediment runoff is retained on site and not go onto the golf course, adjacent homesites, street or common areas. The applicant will provide construction devices, silt fences, stepped terraces, or other forms of erosion control to accomplish the above.

3.14.2 Storm Water Drainage

It is the owner's responsibility to require the landscape architect and builder to install a storm water drainage system designed to:

1. Comply with all applicable laws, regulations and permits regarding storm water management.
2. Handle all drainage from the improvements on the lot on site, or through the use of demonstrated easement rights to drain off site.

Approval by the ARC is limited to the acceptable aesthetic harmony of the proposed design. Any approval shall not include consideration of, or opinion on, compliance or violation of any easements or other property rights of others, including without limitation with regard to drainage. Neither the Architectural Review Committee, the Landfall Council of Associations, nor any owners association shall bear any responsibility for any encroachment or violation upon said rights of others. There should be no expectation on the part of the owner that once the home is built, redeveloped or renovated that the COA will be making improvements to the common area to change or correct potential conflicts with the development of the owner's property. This includes storm water management.

3.15 LANDSCAPE, IRRIGATION AND OUTDOOR LIGHTING

3.15.1 Landscaping

Gardens and lawns should complement the house and be an aesthetic asset to the Landfall community. The landscape design should use the terrain and natural vegetation to its advantage. Landscapes using plant material indigenous to the area is encouraged. This coastal area, characterized by long growing seasons and proximity to the Gulf Stream, provides a large variety of plants from which to select. Refer to *Appendix D: Suggested Plant List*.

3.15.2 Landscape Design Goals

Landscape design goals include:

- Plant material that is sufficient in size and density to provide a well landscaped appearance at installation and a mature look within three years
- Concealment of elements including outdoor play equipment, parked cars, HVAC/trash/generator enclosures and soften walls, fences and foundations
- Year round seasonal color and interest
- Lots entirely landscaped to the curb

See Section 4.7 Landscape Plan for the plan requirements.

3.15.3 Design Requirements

A successful landscape plan is composed of a number of elements that, with quality design and execution, contribute to a unified balance of the natural environment and new improvements. Landscape design requirements include the following.

1. Natural Area(s): For lots with a clearly defined section of dense natural forest or marsh, the ARC will allow these areas to remain natural – however the extent of the boundaries of the natural areas must be specifically approved in advance by the ARC.
2. Sod required: All home lawn areas must be sodded, not seeded. Artificial turf or simulated sod is not permitted as a lawn replacement.
3. Mulching required: All areas except for lawn, groundcovers and approved natural areas must be appropriately prepared and mulched (preferably with pine bark, shredded hardwoods or pine straw) in natural colors. Rubber product cannot be used as mulch. Weeds will emerge quickly where mulch material is too thinly applied. It is the owner's responsibility to correct improperly mulched beds, as well as to maintain the beds with sufficient mulch to minimize weeds while providing a neat finished look.

4. Evergreen plants required: Evergreen plants form the structure around and within a solid landscape plan. Foundation plantings also must be evergreen in order to provide color and texture throughout the year. Plastic, silk or manufactured plants are not permitted.
5. Size of plants when planted: Landscape plans must specify the installed plant width and height at installation. Trees must be specified in diameter of trunk (caliper).
6. Spacing requirements: For the front yard, side yard(s) visible from the street and anywhere within the site lines of the golf course, the foundation and screen plantings should “grow together” (fill in horizontally) within three years of installation.
7. Planting near a property line: Trees or shrubs should not be planted along the property line such that the tree or shrub encroaches on the neighbor’s property. No trees may be planted in easements or where storm drainage facilities exist.
8. Foundation and Screening Requirements:
 - a. Foundation screening – double row foundation planting is preferred with medium growing evergreen shrubs in the back row and small, low growing, evergreen plants in the front row. Evergreen medium shrubs should be at least 2/3 the height of the foundation with a minimum of 24 inches tall when installed or as appropriate to the massing of the home if the home is taller. Gaps between the plant foliage must be no more than 20 inches. Specimen evergreen plants are suggested for the corners of the foundation.
 - b. Screening requirements are stated in previous sections but cross referenced here for convenience.
 - i. Side loading garages: Four feet tall screening plants (when planted) are required by the driveway in front of the side loading garage doors. Gaps between the plant foliage must be no more than 30 inches.
 - ii. Guest parking: If a guest parking pad or circular driveway is located in the front, it must be well landscaped with plants at least 24” tall when planted, or partially walled.
 - iii. Pool equipment: Equipment must be enclosed with solid walls tall enough to cover the installed equipment height and must have adequate plantings.
 - iv. HVAC and trash container: HVAC/trash must be screened from view from the street, golf course and adjacent properties with a solid, masonry wall that is taller than the unit and must have adequate plantings.
 - v. Utilities: Utility boxes and related equipment installed on the exterior of the home must be screened with landscaping that is installed tall enough to screen the utilities, included within the HVAC/trash enclosure or screened within a solid, masonry wall.
 - vi. Fences: Fencing must be screened from the golf course, common areas, neighbors and the street with approved evergreen landscaping planted at a minimum of 30 inches or taller when planted. The distribution of the plants must be shown on the landscape plan. It is the intention of the ARC that fence screening plants grow to and be maintained at the height of the fence.
 - vii. Other screening: Taller, evergreen landscape screening is required for outdoor living areas, pools, spas, hot tubs, play equipment, accessory structures, vegetable gardens, ground level patios, and the like.
9. Trees on sparsely wooded sites: Landscape plans will include a minimum combination of four existing or new shade trees of a minimum four inch caliper. Villa lot landscape plans will include a minimum of two existing or new shade trees.
10. Landscaping in stages: In cases where an applicant seeks approval of phased plans, the first phase must meet all requirements for initial landscaping and irrigation. Approval for the future installation of additional plants in excess of the requirements for initial planting may be granted; however, such approval expires after twelve months if not previously installed. Such phased plans must be clearly noted.
11. Additional requirements for Highlands and Highland Ridge - Landscape plans shall include a minimum of six existing trees of 12” caliper or a minimum of six new shade trees of four inch caliper

minimum. A combination of new and existing trees is acceptable.

The ARC on site review will pay close attention to the Guideline size requirements. All landscaping is completed according to the Final Landscape Plan as approved by the ARC. Changes made during installation must meet the intent of the original landscape plan. Accordingly, changes to the approved plan are subject to ARC approval. The ARC may require removal, replacement or other changes to bring the actual installation up to the standard as approved.

3.15.4 Irrigation

An automatic underground irrigation system of sufficient size and capacity to irrigate all landscaped areas must be installed and used. The system must be a closed loop irrigation system with automatic zones.

A preliminary Irrigation Plan showing areas to be irrigated and layout is submitted with the Landscape Plan for approval. Water source must be noted and wells cannot be located in easements or areas where storm drainage facilities exist.

3.15.5 Tree Removals and Vacant Lots

1. Tree removal on undeveloped lots: Approval is required to remove any tree on an undeveloped lot with a trunk diameter of four inches or greater at four feet above natural grade. Whenever possible a photograph should accompany the request with the trees to be removed clearly marked with a non-permanent removable plastic tape. Outside of each tree canopy, lots must be mowed a minimum of six times during the growing season. Any owner-planted vegetation, flowers, shrubs, new trees or hardscape features require ARC submittal, review and approval.
2. Tree removal on lots with existing homes: All tree removals and landscape modifications on improved homesites require architectural review and approval. The ARC reserves the right to require replacement of the trees and removed landscaping. Whenever possible a photograph should accompany the request with the trees to be removed clearly marked with a non-permanent removable plastic tape.

3.15.6 Outdoor Lighting

Outdoor lighting may be installed in accordance with the Guidelines without prior ARC approval, however in accordance with the Covenants, the ARC reserves the right to require removal of, or revisions to the location, intensity or design should the outdoor lighting not meet the Guidelines or Covenants.

All landscape and exterior lighting (including, but not limited to landscape, pool, recreation and security lighting) should be designed so as not to be an annoyance to the surrounding residents. All outdoor landscape or security lighting should be designed, installed and maintained so that the light bulb is directed within the applicant's lot area with the below considerations.

1. Decorative and landscape lighting: Up lighting for landscape lighting should be low wattage, accent type lighting, set close to grade.
2. Individual gate lamps and lamps on posts are considered on a case-by-case basis when the gate and gate post is submitted for ARC review. Such lighting should be fitted with bulbs to control intensity and light pollution.
3. Decorative lighting and lighting for outdoor living areas: Lighting for outdoor living areas such as terraces, patios, decks and pools should be low lumen diffused lighting. A dimmer switch would help achieve optimum lighting intensity.

3.16 PLAY EQUIPMENT

Landfall is a diverse community with many children of all ages. Accordingly, the ARC will work with owners to ensure play equipment will be aesthetically pleasing, sympathetic to the surroundings, of high aesthetic quality construction and placed to minimize visual or sound disturbance to neighbors.

All play equipment is considered a structure and must be submitted to the ARC for approval prior to installation. The ARC requires the proposed location be shown on a site plan that includes the lot lines, landscaping and home foundation along with a brochure that indicates dimensions, colors and materials from the manufacturer prior to considering any of the following:

1. Play equipment will be primarily of high quality wood in earth-toned colors including any slides, swing seats, awnings, and other details. Metal play equipment is not permitted. The equipment is to be placed in a location that is a minimum of 10' from any property line chosen to screen it from view from the street, golf course and neighbors. Landscaping plans showing any additional plantings that may be necessary to screen the play equipment from the street, golf course or neighbors must be submitted with the ARC request to install the play equipment. The landscape screening plants must be evergreen and grown to a minimum of 6' in height within three years of planting. The ARC may request that the location of the play equipment and lot lines be staked and strung for ARC member onsite review.
2. Trampoline: Same restrictions as play equipment, however it may be made of metal. The ARC reserves the right to require that the trampoline supporting structure to the bouncing surface be buried based on the visibility of the location from the neighbors, golf course or the street.
3. Basketball goals: Posts and fittings are to be a dark color and blend with the surroundings. The goal is to have a clear backboard with no bright colored lettering or logos. Nets are to be white. Goals may not be mounted directly over the garage door or elsewhere on the residence. Since a basketball goal is most often placed at the edge of a driveway or guest parking area, it does not have to be within the building setback, but must be installed within the property boundaries. Some additional landscaping may be required.

3.17 SIGNS, HOUSE NUMBERS, FLAG POLES AND MISCELLANEOUS

1. Signs: Except as otherwise provided by statute, no sign or banner of any kind is allowed unless approved by the ARC before installation. "For Sale" or "For Rent" signs are prohibited.
2. Building signs: The New Hanover County building permit sign and related documentation and the Landfall site identification sign are the only signs or documents to be posted at a homesite during construction. The approved Landfall sign is available from Port City Signs, 4011 Oleander Drive, Wilmington, NC 28403, telephone (910) 350-8242. The signs must be removed within 30 days of the completion of construction. No subcontractor signs, business signs or other forms of advertisement are allowed.
3. House numbers: House numbers must be visible from the street. A tasteful metal sign placed near the entrance to the driveway or metal house numbers applied on or near the front door is appropriate. Plastic house numbers or reflective stickers are not allowed.
4. Flagpole: A flagpole for display of the American Flag or the North Carolina State Flag is permitted, subject to ARC approval based on the following:
 - The pole height is limited to a 25' maximum for a two-story house and 20' for a one-story house.
 - Materials for the pole are to be unpolished, matte or equivalent finish.
 - The rope/chain should be designed not to make noise in the wind.
 - The location should be inside the building setback, with a less prominent placement close to the house or trees so as not to appear overly prominent.
 - No flagpole is used as an antenna.

- The flags may be no greater than 4' X 6'.

5. Miscellaneous:

- No clotheslines are allowed.
- Tennis and basketball courts are not permitted on any homesite.
- No permanent exterior decorative objects such as fountains, closed loop circulating ponds, decorative streams and waterfalls may be placed or installed on the site without approval of the ARC.
- Sculptures may not be installed without prior ARC approval. In connection with the review of an application to place a sculpture on a lot, the ARC will consider the details of the sculpture and location of the same.
- No permanent exterior decorative objects such as pergolas or garden trellis may be placed or installed on the site without approval of the ARC. Vinyl wrapped features are not be approved.

4.0 ARCHITECTURAL DRAWING REQUIREMENTS

New home plans must be submitted on 24" x 36" maximum sheet size, with *Form 1 – Submittal Cover Sheet* and *Form 2 – New Home Application* bound to the upper left-hand side of the first sheet. Samples of the plans which are described in this section are shown in *Appendix C: Sample Drawings*.

Note: The following areas require that drawings bear the seal of a licensed architect:

Highlands (PJP-Blocks 20, 21 and 22)

Landfall Subdivision II – Block 23 and 46

4.1 SITE PLAN

The siting of the house is a major design decision. The site plan should be sensitive to the individual site's unique characteristics as well as the surrounding community. There should be no expectation on the part of the owner that once the home is built that the COA will be make improvements to the common area to change or correct potential conflicts with the development of the owner's property. Proper site engineering is the responsibility of the property owner, their architect, builder and engineer. During the site analysis, an understanding of the existing terrain must be developed so that the proposed site structures and their elevations can be designed in relation to the existing terrain and adjacent properties. Particular attention must be paid to the setback so that homes on a street are not all aligned.

Villas lots require special attention because the yard areas are an important extension of the floor plan. Villa designs should reflect sensitivity for adjacent homes and properties due to the minimal separation between homes.

In order to accurately portray the contours and details required on the site plan, a site survey must be conducted. The site survey must determine the site's topography, locate significant trees, and pinpoint unique site characteristics and the location of adjacent homesites and structures.

The Site Plan must be presented in a scale of 1:10 (1" = 10'). If the entire lot and adjacent property will not fit on one sheet, then scale at 1:20 (1" = 20'), but show the home and improvements on a separate sheet at the standard scale of 1:10. The site plan must show the following:

- Property lines, setback lines (as a continuous envelope around the lot), easements (storm drainage, golf, access and utility), locations of storm drainage facilities that exist onsite with dimensions shown. Also show access street, secondary street(s) if applicable, edge of roadway, curb cut elevations and adjacent homes.
- Existing topography lines and proposed finished grade: Both existing (from the survey) and finished grades must be shown. Show contour lines in increments of one or two feet. Also show unique or extreme site features as well as the edges of water, marsh, woods or other natural areas. Include

spot elevations at all home corners and for any raised features.

- The total lot size, impervious square footage, and the impervious percentage of the lot.
- Tree survey showing location and species of trees four inches in diameter or greater at 4' above existing grade with estimated canopy sizes. Indicate trees to be removed and trees to remain.
- Drainage and grading plan with all new contours indicated.
- All proposed structures on the site including the residence and any accessory structures. For each structure show the placement of the structure with terraces, patios, steps and stoops (as appropriate) including the HVAC/trash enclosure(s).
- FFE – finished floor elevation (FFE), must be clearly shown for the first floor, garage and basement, if any. First floor FFE may be no more than 42" above average existing grade at the front, which depending upon the rise would be no more than six or seven stairs and no less than 28" above average finish grade at the front and the rear for slab homes. The average finish grade should not be less than the average existing grade.
- Adjacent houses must be shown on the plan. If there are no adjacent houses, this must be stated. If necessary use a 1:20 scale, but a 1:10 scale of the central part of the site is still required.
- Location and design of the HVAC and Trash enclosure. Wall height, thickness and material must be noted on the site plan.
- Driveway and driveway divider pattern. Label both driveway material and divider material(s). Space must be provided for turnarounds, and guest parking for two cars (except for villa lots). Show the driveway drawn to the curb.
- Entry walks and other walkways.
- Retaining walls, courtyard walls, garden walls, gates, accent columns, and other "hardscapes". Dimension and label materials. Provide separate detail elevation drawings as necessary to show detail. The site plan must show spot elevations for existing grade, grading lines for proposed finish grade and top and bottom of wall spot elevations in increments of one-foot change in grade. Any walls or columns must be constructed on the lot and out of the road right of way.
- Fountains and other decorative structures. Dimension and label materials. Provide separate detail elevation drawings to show detail.
- Pools, Therapy Pools, Spas, and Hot Tubs if any.
- Location and design of any fencing or gates showing placement of brick or stucco columns or walls. Dimension and label material. Provide separate detail elevation drawings and/or manufacturers brochure to show detail, style, material and color. Fences cannot be reviewed or approved without submittal of a landscape plan.

Note that the above list shows the majority of what is required on this site plan but does not address the detail design and material requirements listed in the previous section. For example, the site plan must show fences, walls, driveways, walkways, driveway and walkway dividers, terraces, and decks. The permitted materials and requirements of design are specified in the previous section.

4.2 FLOOR PLAN

Floor plans are required for each floor showing the arrangement of spaces, all door and window openings, and all porches, terraces and courtyards. The scale must be 1/4" = 1'0". If the plan at this scale cannot fit on a 24"x36" paper, please call the ARC Coordinator to agree on an approach.

The Floor Plan(s) must show the following:

- All interior spaces drawn to scale and dimensioned, with room names and sizes labeled.
- All window and door openings shown.
- Plan of garage, entry, terraces, porches, decks and stairs to grade or residence.

- All interior level changes must be shown and labeled. (At a minimum, the plan must label the first floor FFE (finish floor elevation), garage slab elevation and the second floor elevation, if there is a second floor.
- The second floor plan must show lower roof projections, decks or roof decks, chimneys and dot in roof overhangs.

4.3 BUILDING ELEVATION PLAN

Dimensioned elevation plans are required for each elevation: front, left side, right side and rear. The scale must be 1/4" = 1'0". The elevation plan must show the following:

- All detail elements, consistently shown, such as: watertables, quoins, trimwork and beltcourses; window and door types and design; detail of the trim around all openings; consistent grille patterns and proportions; shutters; foundation and roof vents; HVAC and Trash enclosure; railing and handrail details; terraces and porches; decorative, privacy and retaining walls.
- Hidden elevations not shown in other drawings.
- Label the proposed finish grades against the elevations, show all steps to finished grade and label the finished floor elevation. The elevation must be drawn with the foundation and finished grade as the structure is built.
- Label all materials and finishes. Elevations must be drawn showing the materials and finishes to be used.

4.4 ROOF PLAN

A roof plan is required. The scale must be 1/4" = 1'0". The roof plan must:

- Show slopes, crickets, directions of slope and drainage.
- Indicate and label roof material and gutters.
- Label and locate all roof structures and projections including vents, skylights, solar collectors, dormers, and chimneys.

4.5 FOUNDATION PLAN

A dimensioned foundation plan is required. The scale must be 1/4" = 1'0". The foundation plan must:

- Show all walls, footings, piers, beams and floor joists. Include foundations for terraces, retaining walls, and exterior stairs.
- Locate all access openings and foundation vents in the crawl space.

If the foundation is part of a finished basement, a drawing of the interior plan of the basement is required to be presented as a basement floor plan (See requirements listed in 4.2 Floor Plan) showing walls, window, doors and interior spaces drawn and labeled.

Foundations may be: a) full block, partial block or poured concrete pier and joist system; b) slab or raised slab; or c) piling. It is the designer/ builders responsibility to determine which foundation plan is best for a given lot and home design. The veneer of the foundation (as shown on the elevation drawings) and its relation to the aesthetic appearance of the rest of the structure must be considered. All foundations must have a brick, stucco or stone veneer.

4.6 WALL SECTION PLAN

A wall section drawing – taken through a typical window – is required. The scale must be 3/4" = 1'0" minimum. Floor to floor height, roof height and pitch must be dimensioned/noted. All materials must be

noted on the wall section.

The drawing must show construction details including: flooring and foundation, typical floor and wall construction with exterior and interior finish, typical window head and sill detail, soffit, fascia, roof edge details (with gutter if any) and roof construction. Window head and sill details may be drawn separately.

4.7 LANDSCAPE PLAN

Two sets of plans are required for this submittal. The plan must be presented at a minimum scale of 1" = 10'.

The landscape plan begins with the approved site plan and must include an accurate scaled drawing of the footprint of the house including paved areas or patios, fences, walls, pools, HVAC/trash enclosures and decorative hardscape. The landscape plan must include:

- Plants drawn at the width upon installation
- Easements and storm drainage piping located on the lot, if applicable
- All existing and proposed hardscape features, (as an example, including but not limited to) terraces, outdoor showers, play equipment, pools, outdoor kitchens and fire pits, fences, arbors, landscape lighting, fountains and walkways on the lot
- Existing trees and trees to be planted, types and sizes (and trees for removal)
- All landscape beds, plant types, sizes, quantities and mulch type
- Any changes in finish grade noted
- Type of lawn (sod)
- Types of other ground covers
- Boundaries of any natural area
- Plants and trees labeled on the plan with leader lines connecting the plant name to the symbol
- Both the botanical and common name

In addition to labeling the plants on the plan provide a complete plant list with botanical and common names, keyed to the plan. The list must indicate the size, spacing and quantity of the proposed plantings. Note that while gallon size may be indicated, the key determining factor is the height and the width of the plant when installed.

The plan must be in compliance with the design requirements noted in Section 3.15 Landscape, Irrigation and Outdoor Lighting.

Appendix D: Suggested Plant List is provided as an aid in preparing the landscape plan. It is not an exhaustive list and the ARC welcomes additional plants as long as they are suitable for the intended purpose (such as foundation planting or screening) and appropriate to the climate of coastal Southeastern North Carolina.

4.8 IRRIGATION PLAN

Two (2) sets of plans are required for this submittal. The plan must be presented at a minimum scale of 1" = 10'. The irrigation plan must show: schematic head layout, head type, piping, valve box location and water source/location.

5.0 FORMS AND AGREEMENTS

Submission:

- Form 1 Submittal Cover Sheet*
- Form 2 New Home Application*
- Form 3 Modification to Existing Home and Landscape Form*

Construction:

- Form 4 Construction Application and Agreement*
- Form 5 Construction Personnel*
- Form 6 Request for Driveway Inspection*

Lot _____ Block _____ Phase _____

Site Address

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-Mail

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-Mail

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-Mail

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-Mail

First Submission Date _____

Second Submission Date _____

Third Submission Date:_____

Submission Comments: Additions to or modification of previously submitted plans must be submitted in architectural drawings and summarized in written form. The ARC wants to know what changes have been made in design details, materials and/or colors. Guideline exception requests must be requested in writing. Please attach additional pages with submission comments as necessary.

[illegible]

I certify that I have read the ARC Guidelines and this submission is in conformance with and subject to the Guidelines.

Submitted by: _____ Date: _____

FORM 2 NEW HOME APPLICATIONInclude Form 1 – *Submittal Cover Sheet* with this form

Lot _____ Block _____ Phase _____ Site Address _____

DWELLING SQUARE FOOTAGE

| | | | | |
|------------------------------------|-------|--------------|----------------|-------------|
| 1 st level | _____ | Heated Sq Ft | | |
| 2 nd level | _____ | Heated Sq Ft | Garage: | _____ Sq Ft |
| 3 rd level (under roof) | _____ | Heated Sq Ft | Terrace/Decks: | _____ Sq Ft |
| Total | _____ | Heated Sq Ft | Porches: | _____ Sq Ft |

Impervious Surface Square footage _____

EXTERIOR MATERIALS (Samples of material and color selections must be submitted for the final review.)

| | | |
|----------------------------|---|--|
| Brick: | _____ | _____ |
| | Type/manufacturer | Model/Color or, if painted, Color (mfg/name/color #) |
| Mortar: | _____ | _____ |
| | | Color |
| Stone: | _____ | _____ |
| | Name | Color |
| Stucco: | _____ | _____ |
| | Manufacturer | Color |
| Siding: | _____ | _____ |
| | Material | Color (mfg/name/color #) |
| Roofing: | _____ | _____ |
| | Material/manufacturer/model | Color |
| Fascia and Trim: | _____ | _____ |
| | Material | Color (mfg/name/color #) |
| Gutters: | _____ | _____ |
| | Material | Color (mfg/name/color #) |
| Windows: | _____ | _____ |
| | Material/manufacturer/model | Color (mfg/name/color #) |
| Shutters: | _____ | _____ |
| | Material/manufacturer/model | Color (mfg/name/color #) |
| Doors: Front: | _____ | _____ |
| | Material/manufacturer/model | Color (mfg/name/color #) |
| Side/Rear: | _____ | _____ |
| | Material/manufacturer/model | Color (mfg/name/color #) |
| Garage Doors: | _____ | _____ |
| | Material/manufacturer/model | Color (mfg/name/color #) |
| Terrace/Deck: | _____ | _____ |
| | Material | Color |
| Porch: | _____ | _____ |
| | Material | Color |
| Railing: | _____ | _____ |
| | Material (brochure or drawing required) | Color |
| Driveway: | _____ | _____ |
| | Material | Color |
| Dividers: | _____ | _____ |
| | Material | Color |
| Walkways: | _____ | _____ |
| | Material | Color |
| Walls: | _____ | _____ |
| (decorative and retaining) | Material (drawing required) | Color |
| Fence: | _____ | _____ |
| | Material (brochure or drawing required) | Color |
| Stairs/Steps: | _____ | _____ |
| | Material | Color |

FORM 3 MODIFICATION TO EXISTING HOME AND LANDSCAPE FORM

Lot _____ Block _____ Phase _____

Site Address _____

Owner _____

Phone _____ Fax _____

E-Mail _____

Contractor _____

Contractor E-mail _____

Simple Modifications: (e.g. color change, tree removal, or play equipment)
Require: completed form, color samples, brochures, and/or location on a site plan.

More Involved Modifications: (e.g. addition of a room, dormer, screened porch, sunroom, accessory structure, walls, pool, or fence) Requires: 1"X10' scale site plan, 1/4" scale elevation drawings, color samples/materials and information as appropriate for the ARC to know where it is located, what it will look like and what it is made of

Landfall Communities: Review by sub-association HOAs such as Birkdale, Bay Colony or Muirfield is required.

Call an ARC Coordinator to discuss the submittal to ensure the necessary information is provided for timely ARC action. A site visit is conducted with each submittal.

Description of Submittal Request: Please attach additional pages with submission comments as necessary.

This Submittal is for:

- ☐ Color/ Material Change
- ☐ Exterior Hardscape
- ☐ Fencing
- ☐ Tree Removal / Landscape
- ☐ Accessory Structure*
- ☐ Swimming Pool *
- ☐ Change which increases foundation sq. ft. or requires home elevation drawings including screen porches*
- ☐ Other

*ARC Process Review fee of \$300 and \$600
Impact fee required for these items; check payable to "Council of Associations/ARC" with notation of owner and site Location.

EXTERIOR MATERIALS (as appropriate) Submit samples if the ARC does not already have it in the ARC files.

| | | |
|----------------------------|---|--|
| Roofing: | _____ | _____ |
| | Material/manufacturer/model | Color |
| Brick/Siding: | _____ | _____ |
| | Type/manufacture/material | Model/Color or, if painted, Color (mfg/name/color #) |
| Windows/Doors: | _____ | _____ |
| | Material/manufacture/model | Color (mfg/name/color #) |
| Terrace/Porch: | _____ | _____ |
| | Material | Color |
| Railing: | _____ | _____ |
| | Material (brochure or drawing required) | Color |
| Walls: | _____ | _____ |
| (decorative and retaining) | Material (drawing required) | Color |
| Fence: | _____ | _____ |
| | Material (brochure or drawing required) | Color |

I certify that I have read the ARC Guidelines and this submission is in accordance with and subject to the Guidelines. I also understand that ARC approval is required prior to performing the work applied for in this submittal and that the work is performed per the details of the submittal and any requirements specified by the ARC approval. Unapproved property modifications may be subject to a standard, as well as daily fine.

Submitted by: _____

_____ Date

FORM 4 CONSTRUCTION APPLICATION AND AGREEMENT

LOT _____ BLOCK _____ DEVELOPMENT(PHASE) _____

SITE ADDRESS: _____

| | |
|--|--|
| Builder _____ Address _____ City _____ State ____ Zip _____ Phone _____ Fax _____ Email _____ | Owner _____ Address _____ City _____ State ____ Zip _____ Phone _____ Fax _____ Email _____ |
|--|--|

Approval is hereby granted to the above named Builder and Owner, as authorized by the Architectural Control Committee or the Architectural Review Committee (the "ACC" or "ARC") being one and the same, of the Landfall Council of Associations, Inc., (the "Council" or "COA"), to install landscaping and construct a residence and/or other improvements on the above property (such installation and construction being referred to herein as the "Improvements"), subject to the following conditions:

1. The person(s) shown above as Owner is/are the owner(s), in fee simple, of the property described above. Builder is the general contractor hired by Owner to construct the Improvements, and hereby represents to Owner and to the Council that he is properly licensed to construct the Improvements.
2. Owner and Builder have received copies of and have read and understand the declaration of covenants, conditions and restrictions applicable to the above development (the "Declaration") and the Architectural Review Guidelines (the "Guidelines") promulgated and approved by the COA which has jurisdiction as to such development. Owner and Builder agree to comply with the requirements of the Declaration and Guidelines in connection with the construction of the Improvements. Owner represents and warrants that the plans submitted by the owner are in compliance with building codes, other governmental requirements, and applicable laws.
3. **All Improvements shall be constructed in accordance with the plans and specifications, which Owner and Builder have submitted to the ARC, and which have been approved by the ARC.** Owner and Builder agree to complete the Improvements within 18 months of commencement of the Improvements unless otherwise stated in the Declaration of Restrictive Covenants or some other date of completion has been agreed upon in writing. The date of completion for this 18 month deadline shall be the date Owner or Builder obtains a final satisfactory inspection of the property. Failure to complete improvements within the time allowed will result in a deduction as defined in *Appendix G: Schedule of Deductions From Construction Deposit*. The ARC shall have sole and unfettered discretion in connection with granting or denying extensions of time for completion. The ARC's granting or denying an extension in any particular case shall not constitute a waiver of its right to grant or deny an extension in any other case.
4. The Builder specifically acknowledges that he has read and understands *Appendix E: Rules and regulations for Contractors and Subcontractors*, *Appendix F: Landfall Security Procedures For General Contractors and Subcontractors*, *Appendix G: Schedule of Deductions From Construction Deposit* and agrees to be bound by such rules at the direction of the ARC and Landfall Security.
5. All revisions to the approved plans must be approved in writing by the ARC. Un-submitted for and/or unapproved modifications may result in the levy of fine, deductions from the Deposit and/or forfeiture of the Deposit.
6. All requests for revisions to exterior materials must be submitted prior to the use or installation of such revised materials. The unapproved use or installation of unauthorized exterior materials may result in forfeiture of the total Owner Deposit described in Paragraph 10 below. In addition, the unapproved use or installation of unauthorized exterior materials will result in the immediate suspension of the review and approval process of all plans and specifications which Builder may have submitted to the ARC as to any property in Landfall, until such time as the unauthorized materials have been removed.
7. Notification of any violations of this Agreement, the Declaration, or the Guidelines is sent to the Builder and Owner, defining those violations, as well as deductions from the Deposit, if any. Upon notification, the

Builder/Owner agree to cease construction of the Improvements until such violations have been corrected. Neither the COA, the ARC, or any other owners' association of Landfall nor any of their employees or agents shall be liable for any expenses or damages incurred by Owner or Builder due to the cessation of construction because of such violations.

8. Owner agrees to install landscaping and underground irrigation according to approved landscaping and irrigation plans. The Owner shall request a final inspection when the landscaping and irrigation has been installed and shall correct any discrepancies between the approved plans and the installed landscape.
9. The Builder agrees to protect all adjoining street rights-of-way, adjacent properties, golf course, and common areas. If such properties are damaged, Builder will restore all damaged property to its original state, subject to the approval of the ARC, and Owner is subject to the deductions from the construction deposit as set out on the attached Schedule. In the event that the Builder fails to perform such restoration, Owner and Builder hereby agree that the COA or its agents, may perform such restoration, charging Owner for the cost thereof, and, may in addition, impose against Owner the applicable deductions set out in the attached Schedule.
10. Builder agrees to maintain the work site in a clean and orderly condition during construction and shall not cause or allow trash and/or debris to accumulate on the property or anywhere within Landfall. If these conditions have not been maintained, Builder/Owner is subject to a deduction from the Deposit and shall perform the required cleanup activities immediately.
11. In order to ensure compliance with the conditions of this Agreement, the Declaration and the Guidelines, Owner shall provide a construction deposit of \$_____ for new home construction or \$_____ for other improvements (the "Deposit"). The Deposit shall be held by the Council in an interest-bearing account until construction of the Improvements is completed and any discrepancies identified at final inspection have been corrected. Any monies paid by the Council (i) to correct changes not approved by the ARC, (ii) to repair damages to adjacent property, common areas or the golf course, or (iii) to clean up the job site or other construction debris, is deducted from the Deposit, as will other deductions which may be assessed against the lot for violations, as set out in the attached Schedule. Owner agrees to replenish the Deposit to the original amount upon notification that the account balance is less than 50% of the original balance. Builder agrees to cease construction if the Deposit is not replenished within seven days of notification to the Owner. Any principal funds remaining in the account following final inspection and any deductions authorized under this paragraph and/or paragraph 11 of this Agreement is returned to the identified person on the signature page of this document, without interest. Interest accrued on the Deposit shall be the property of the Council and paid to the Council's General Account. As construction deposits are paid to the Council, they shall be maintained in a separate account, but may be commingled with other such deposits paid to the Council by other owners in Landfall.
12. Owner agrees that the Deposit may also be used for payment of any Shared Common Expense assessment (as defined in a Master Cross-Access Agreement recorded in Book 1515, Page 1583 of the New Hanover County Registry) due as to the lot which is the subject of this Agreement or any lot deeded to the Owner of the property subject to this Agreement if the Owner is entitled to return of the Builder's Deposit; or any lot deeded to the Builder if the Builder is entitled to return of the Builder's Deposit, which assessment is one (1) or more billing periods past due. If the Deposit has an account balance of less than 50% of the original balance, Builder or Owner agree to replenish the Deposit to the original amount. Builder agrees to cease construction if the Deposit is not replenished within seven days of notification.
13. Owner and Builder agree to notify the ARC of any changes of lot ownership or Builder of the Improvements. In the event of any such change, a new Agreement must be executed before work may continue on the Improvements.
14. This Agreement constitutes approval by the Landfall Council of Associations, Inc., only and does not constitute an approval or permit required by any governmental entity or agency having authority over the work proposed on the above referenced lot.
15. Builder agrees to notify his employees, agents and sub-contractors of the provisions of this Agreement, and acknowledges that they shall be bound by the provisions of this Agreement. Builder and Owner shall be responsible for the conduct of their employees, agents and subcontractors.
16. The ARC has the right to have its agents enter and inspect the property from time-to-time and without prior notice, in order to verify that construction of the Improvements is proceeding in accordance with this Agreement, the

Declaration and the Guidelines, and to make such remedial maintenance and repairs authorized under this Agreement.

17. Owner agrees to pay all attorney fees and other associated costs incurred by the ARC and the COA that result from violations of this agreement; the Rules and Regulations for Contractors and Subcontractors; and the Declaration of Covenants, Conditions and Restrictions applicable to the above development.
18. The ARC and the COA do not assume responsibility for a) the structural adequacy, capacity or safety features of the proposed improvement or structure; b) suitability of chosen materials or products; c) soil erosion, uncompactible or unstable soil conditions; d) compliance with any or all building codes, safety requirements, governmental laws, regulations or ordinances; or e) performance or quality of work of any contractor. ARC recommendations related to or approval of any plans shall not be considered an endorsement of any product, change or structure, nor shall it be considered warranty or representation whatsoever from or by the Landfall ARC as to any product, change or structure. There should be no expectation on the part of the owner that once the home is built, redeveloped or renovated that the COA will be making improvements to the common area to change or correct potential conflicts with the development of the owner's property. This would also encompass properties adjoining any common areas adjacent to any retention ponds or permanent water, as well as right of ways adjacent to roads. Landfall ARC and the COA specifically disclaim any and all warranties, whether express or implied, including warranty of merchantability, fitness for a particular purpose, and/or habitability.

This approval expires one (1) year from the date hereof.

In accordance with items 10 and 11, construction deposit funds remaining shall be returned to:

_____ Circle one: Owner; Builder; Other – if none circled, is returned to owner

This Application Agreement made this _____ day of _____, 202____

Owner signature: _____ Builder/Contractor signature: _____

Owner signature: _____ Date of construction commencement _____

Agreement and Deposit accepted this _____ day of _____, 202____

for _____, Owner(s) of Lot _____ Block _____, Development (Phase) _____

By: _____ on behalf of the Architectural Review Committee

FORM 5 CONSTRUCTION PERSONNEL

To be completed by contractor and delivered to the COA office

CONTRACTOR NAME/PHONE NUMBER: _____

JOB SITE LOCATION (LOT/BLOCK): _____

SITE ADDRESS: _____

TODAY'S DATE: _____

| | <u>NAME</u> | <u>VH TAG#</u> | <u>TYPE/COLOR</u> |
|-----|-------------|----------------|-------------------|
| 1. | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ |
| 7. | _____ | _____ | _____ |
| 8. | _____ | _____ | _____ |
| 9. | _____ | _____ | _____ |
| 10. | _____ | _____ | _____ |

SUBCONTRACTORS

Good only for Date Issued

| | <u>NAME</u> | <u>VH TAG#</u> | <u>TYPE/COLOR</u> |
|----|-------------|----------------|-------------------|
| 1. | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ |
| 7. | _____ | _____ | _____ |
| 8. | _____ | _____ | _____ |
| 9. | _____ | _____ | _____ |

FORM 6 REQUEST FOR DRIVEWAY INSPECTION

Please deliver to the COA OFFICE or fax to 256-7662

Contractor Name: _____ Phone: _____

Job Site Location: (Lot/Block): _____

Site Address: _____

Please inspect this site for the location and installation of the 2" conduit installed one foot from the curb buried 12" deep under the driveway on:

(date)

I certify that the location and installation of the 2" conduit under the driveway on the lot is in accordance with the Architectural Review Committee Guidelines.

Signature:

(Circle one)

Builder

Property Owner

Date

Printed Name: _____

APPENDIX A: FEES ASSOCIATED WITH ARCHITECTURAL REVIEW

REVIEW PROCESS FEE

Submittals to the ARC should be complete, accurate, and thoroughly reviewed by the applicant while adhering to the Guideline requirements. In order to ensure quality drawings and streamline the ARC review process the following fee structure is established.

Preliminary Site Plan and Conceptual Home Design Review: A nonrefundable fee of \$250 to be paid at time of submittal.

Formal Preliminary and Final Design Review Process: A non-refundable fee of \$1250 to be paid at time of 3rd submittal for a maximum of three reviews by the ARC committee.

Subsequent Reviews: If more than a total of three reviews is required, a fee of \$250 will be charged for each additional review at the time of submittal.

After final review approval has been granted and construction is underway, all construction modifications are required for submittal to the ARC. Minor modifications will not require an additional fee for review.

A \$300 review fee is due with the submittal request for additions to existing residences that increase the foundation square footage, for modifications which require home elevation drawings including, but not limited to screen porches and sunrooms constructed under roof, bulkheads/retaining walls greater than 2' in height or for swimming pools. Checks must be made payable to "Council of Associations/ARC" with a notation of owner and site location.

IMPACT FEE

The Council of Associations charges a non-refundable impact fee for all new construction based on a homes square footage. This fee is due at the start of construction prior to setback confirmation. Checks must be made payable to "Council of Associations/ARC" with a notation of owner and site location. The fee schedule is as follows:

- | | |
|-------------------------------|---------|
| • less than 3,000 square feet | \$1,500 |
| • 3,000 to 5,000 square feet | \$1,750 |
| • more than 5,000 square feet | \$2,000 |

A non-refundable impact fee is charged for additions that increase square footage, modifications which require home elevation drawings, including, but not limited to screen porches and sunrooms constructed under roof, swimming pools, and home demolitions. The fee is due prior to the start of construction or demolition. Checks are made payable to "LF COA/ARC" with a notation of owner and site location. The fee schedule is as follows:

- | | |
|--|---------|
| • Additions that increase square footage including raised terraces | \$600 |
| • Modifications which require home elevation drawings | \$600 |
| • Swimming pool, retaining wall or bulkhead after new construction | \$600 |
| • Demolition of existing home | \$2,000 |

ARCHIVE PLAN FEE

The ARC digitally archives ARC home plans. Prior to the start of construction, along with the other ARC fees a \$50 fee is required to provide for the electronic copying of the plans.

EXPEDITED REVIEW FEE FOR TREE REMOVALS

ARC review is required for all tree removals on improved homesites and trees greater than 4" in diameter on vacant lots. The deadlines for submittal review is the 1st and 3rd Mondays of each month. An expedited review may be arranged with the ARC members with a charge of a \$50 fee. This does not guarantee an approval.

CONSTRUCTION APPLICATION AND AGREEMENT

The Construction Application and Agreement must be executed by all parties (owner(s), builder, and Council representative) and the Construction Deposit received by the ARC prior to beginning construction or demolition. See *Form 4 Construction Application and Agreement*. A higher Construction Deposit may be required from builders who have incurred significant deductions and/or fines on prior projects in the community, the amount of said higher Construction Deposit to be reasonably determined by the ARC based on severity of prior offenses. For the sake of this section, "significant" deductions and/or fines include cumulative amounts in excess of \$2,000. Checks must be made payable to "Landfall Council of Associations/ARC." A signed copy is given to all parties.

CONSTRUCTION DEPOSIT

A construction deposit is required for existing homes in cases whereas:

- | | |
|---|---------|
| • The foundation footprint is enlarged | \$1,000 |
| • A pool, retaining wall or bulkhead is installed | \$1,000 |
| • Minor changes requiring plans | \$500 |
| • The home is demolished | \$3,000 |
| • A fence or generator is installed | \$100 |

APPENDIX B: SPECIFIC REQUIREMENTS BY LANDFALL SECTION

Each individual neighborhood within Landfall has its own set of somewhat unique covenants. This Appendix attempts to compile some of the relevant guidelines, however, if any conflicts now exist or arise in the future between the requirements listed below for each section in Landfall and the correlative Declarations of Covenants, Easements, and Restrictions for each section, or any amendments thereto Covenants, those Covenants shall control as to that particular conflict.

BUILDING SETBACKS

Minimum standards for building setbacks for various types of residential structures have been established by New Hanover County and the Department of Planning and Community Development. Landfall setbacks are listed in the Covenants applicable to each lot, the plat, other deed restrictions and/or other governmental agency regulations. Individual properties must be researched for this information. Variances are granted only in cases of true hardships that are related to the hardships presented by the lot.

MINIMUM SQUARE FOOTAGE REQUIREMENTS

(Note that unfinished “bonus room” areas are excluded from the heated square footage calculation even if heated and air-conditioned.)

Villas, Villas II and Lakeside Villas: 1,500 square feet for a single story home and 2,000 square feet for a two-story home.

Landfall Phase I and Pembroke Jones Park: 1,800 square feet for a single story home and 2,000 square feet for a two-story home.

Blocks 18, 20, 21, 22 and 23 Landfall Subdivision II: 3,000 square feet for a single story home, and 3,500 square feet for a home of two or more stories with at least 2,500 square feet of which must be on the ground floor level.

Blocks 19, 24, 27, 28, 29, 31, 36, 37, 39 and 45, Landfall Subdivision II: 2,200 square feet for a single story home, and 2,500 square feet for a home of two or more stories with at least 2,000 square feet of which must be on the ground floor level. For Block 24, Lots 1-11, note the maximum built-upon areas stated in the Covenants.

Block 35 Landfall Subdivision II: 2,000 square feet for a single story home, and 2,200 square feet for a dwelling of two stories with at least 1,800 square feet on the ground level.

Blocks 38, 40, 42 and 43 Landfall Subdivision II: 2,200 square feet on the ground floor level.

Block 46 Landfall Subdivision II: 3,000 square feet.

Drayton Point: 2,200 square feet for a single story home, and 2,500 square feet for a dwelling of two stories with at least 1,800 square feet on the ground level.

Giovanni Point: 3,000 square feet. A dwelling having more than one story shall have a minimum enclosed heated dwelling area on the ground level of 2,200 square feet.

Certain lots in Landfall Subdivision II have additional size requirements regarding minimum square footage and maximum built-upon areas. Reference must be made to the recorded Plat and Covenants for the particular site.

ADDITIONAL GUIDELINES FOR THE HIGHLANDS (BLOCKS 20, 21, 22) AND HIGHLAND RIDGE (BLOCK 23)

These guidelines are in addition to the requirements of Landfall's Architectural Guidelines for Phases I and II, and apply to Landfall Highlands (Blocks 20, 21, 22) and Highland Ridge (Block 23) of Landfall Subdivision II.

Licensed Architect: All drawings shall bear the seal of a NC licensed architect.

Exterior Detailing: In addition to the Guidelines, the following requirements must be met:

- All windows is energy efficient thermal glass, warranted factory units. Exterior storm windows will not be permitted.
- If windows require muntin grilles, the grilles must be permanent and constructed of full profile (minimum ¾" width, minimum 3/8" projection) muntin bars (true divided or simulated divided light). The muntin grille pattern must remain uniform from window to window. Shifts in grille alignment of similar type will not be permitted.
- Assorted window styles is discouraged on an individual home (i.e., cathedral fan arches mixed with flat spring arches). Only custom, feature, view windows is allowed to remain grilleless.
- Dormers are preferred to skylights.
- Fireplaces and chimneys may be masonry or stucco, rather than metal type.
- Exterior walks, patios and drives must be detailed with a pattern of texture. First floor wood decks are not permitted. Terraces must be constructed of masonry.
- Second floor decks must be finished in appearance with painted columns, rails and beams. Staining or natural weathering of exterior materials is not allowed. Exposed pressure treated wood is not permitted.

Landscaping: Landscaping shall be designed to contain shade trees (new or existing) as well as ornamental planting. Landscape plans shall include a minimum of six existing trees of 12" caliper or a minimum of six new shade trees of 4" caliper minimum. A combination of new and existing trees is acceptable. Planting of Live Oaks is preferred.

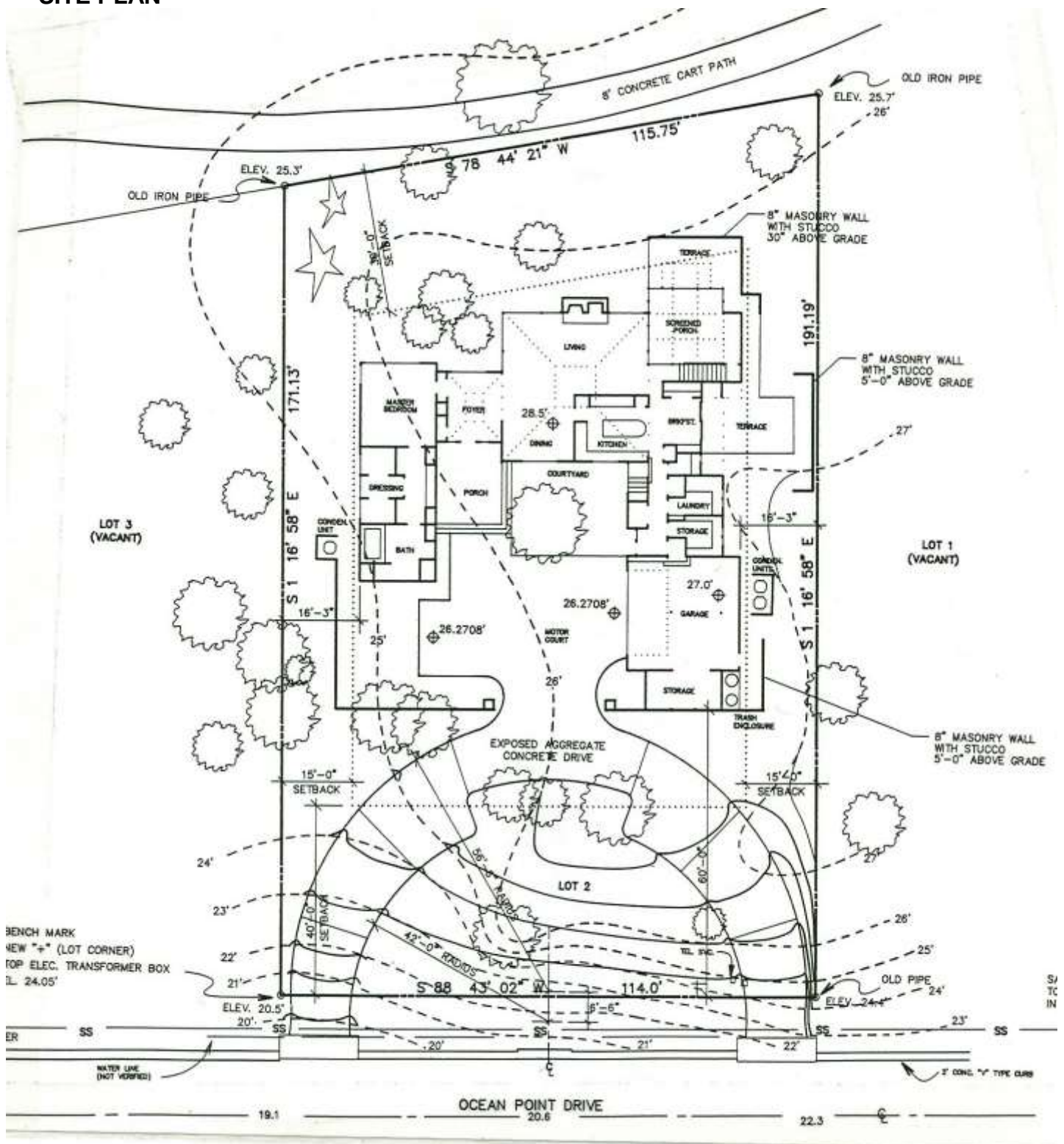
ADDITIONAL GUIDELINES FOR VILLA LOTS (LAKESIDE, VILLAS I AND VILLAS II)

Villa lots generally have narrow widths between homes. Special consideration is required to maintain neighbors' privacy, harmony and quality of life – especially with screening and placement of outdoor living areas.

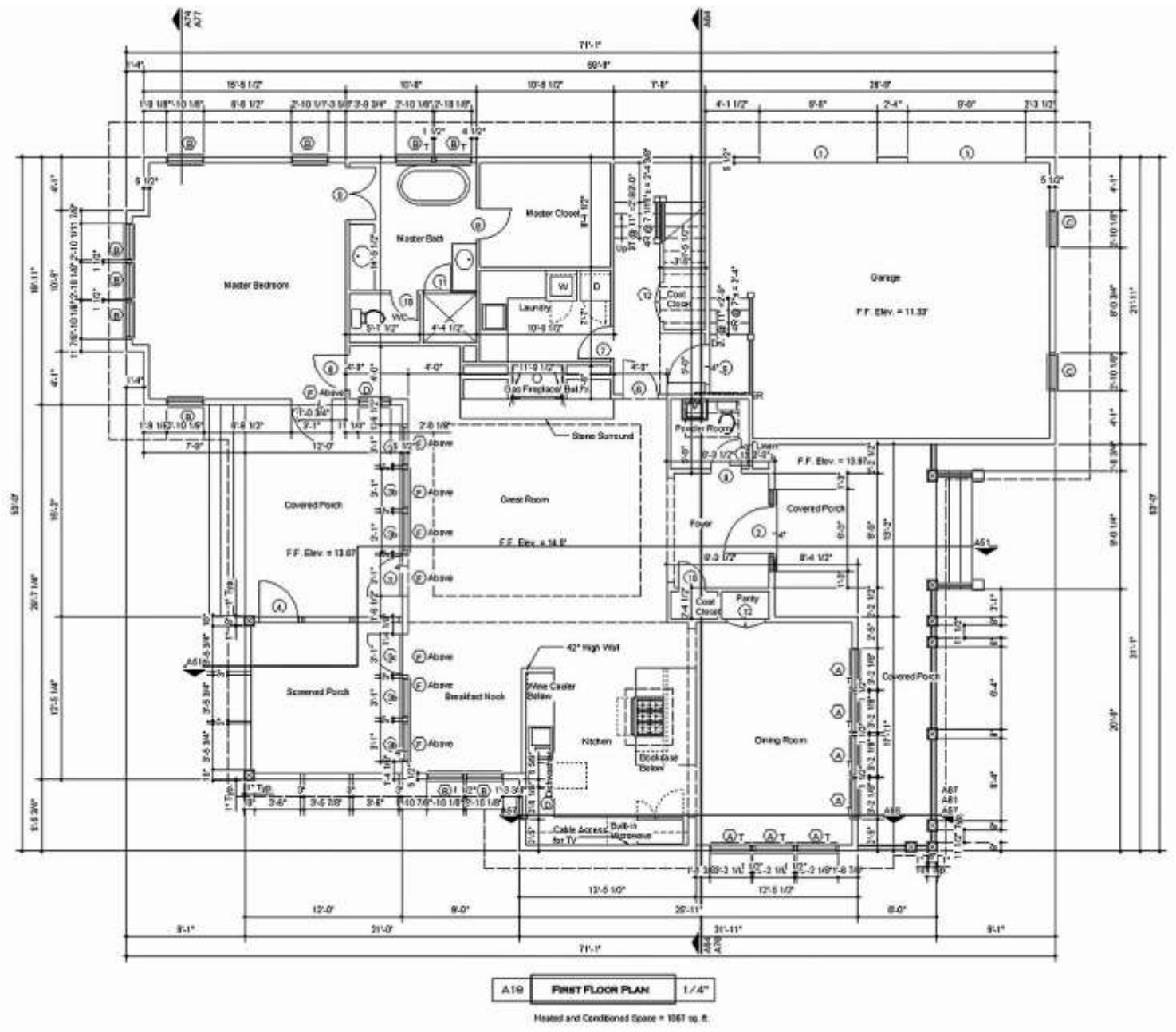
Landscaping between properties should be sensitive to maintaining this privacy while not encroaching on the neighbor's property.

APPENDIX C: SAMPLE DRAWINGS

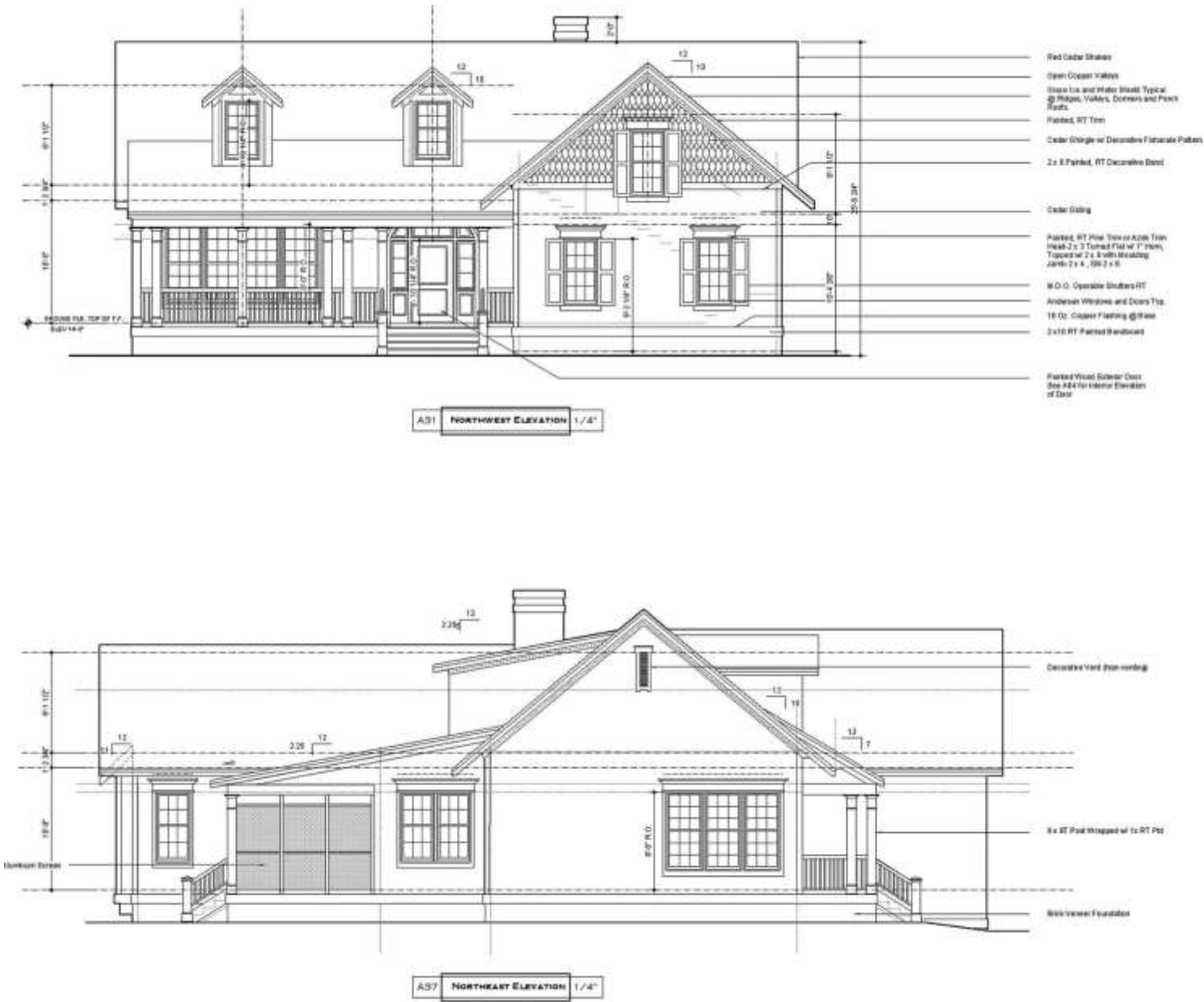
SITE PLAN



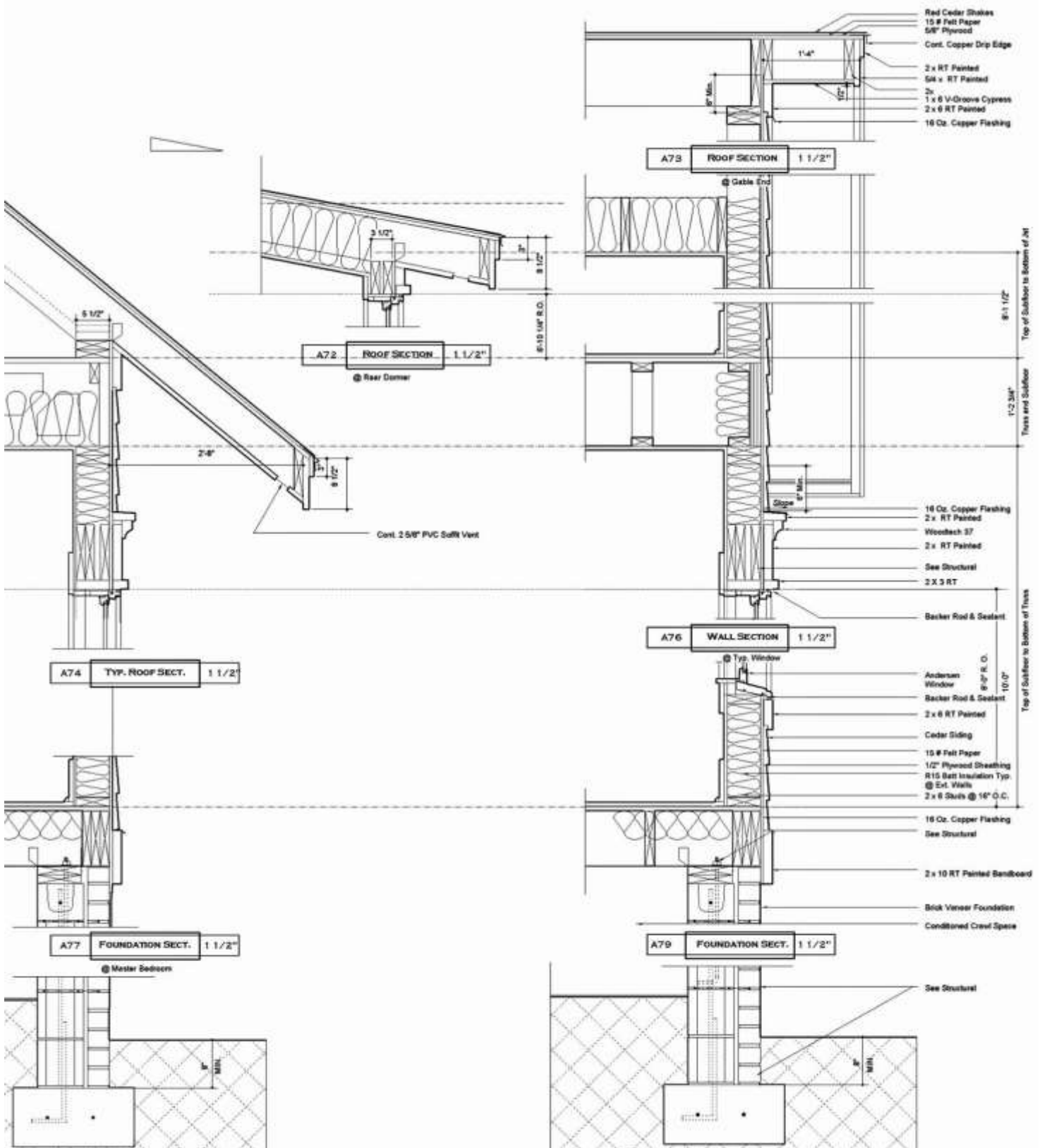
FLOOR PLAN



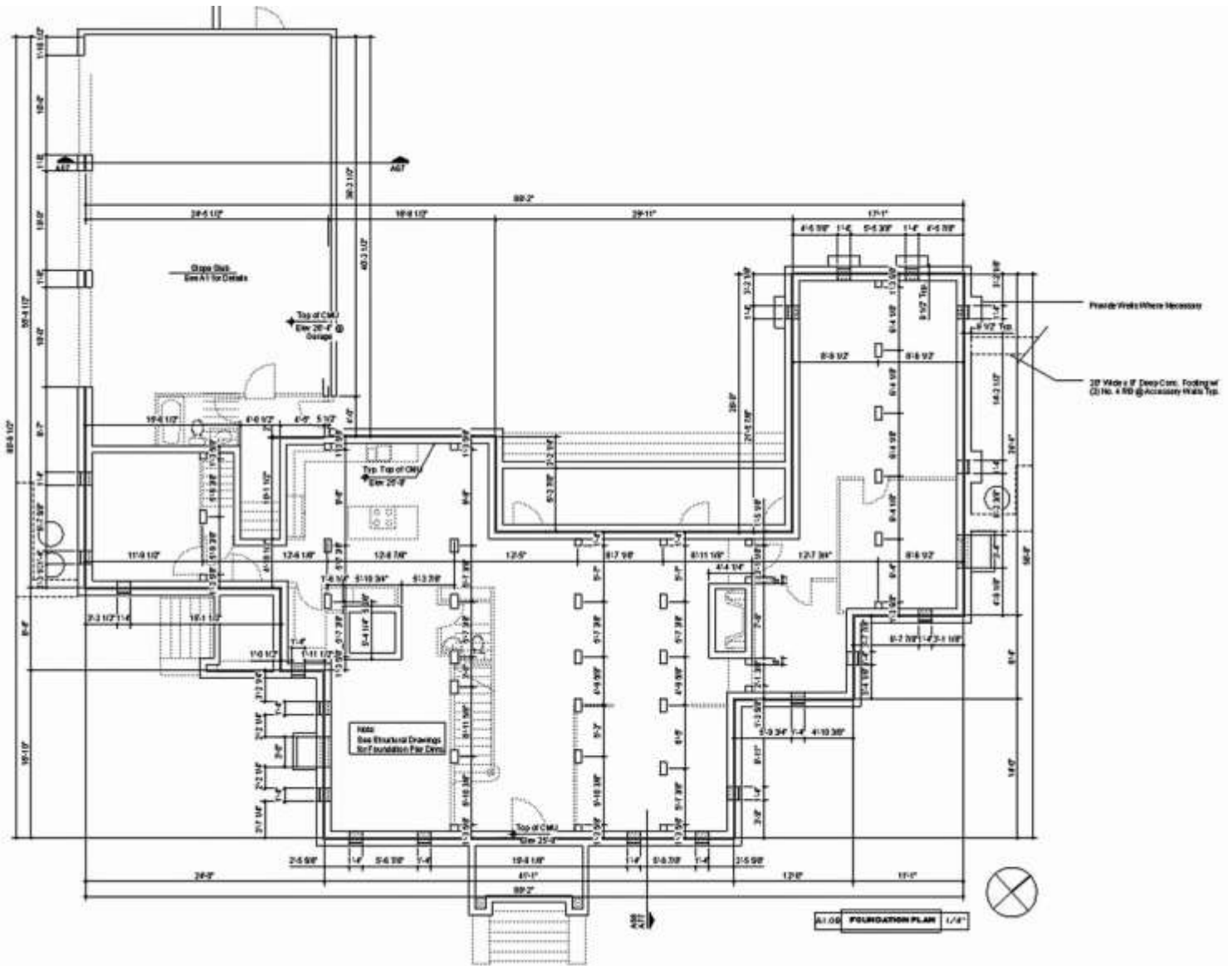
BUILDING ELEVATIONS



WALL SECTIONS



FOUNDATION PLAN



APPENDIX D: SUGGESTED PLANT LIST

Examples of Native Plants

| | | |
|---------------------|-------------|---------------------|
| American holly | Fennel | Trumpet vine |
| Bald cypress | Leucothoe | Black Gum Tupelo |
| Carolina Bay Common | Maples | Virginia sweetspire |
| magnolia | Mist flower | Wax myrtle |
| Coreopsis | Pines | Yaupon |
| Eastern red cedar | Sweet gum | Yucca |

Garage Screening – must be greater than 4 feet tall when planted

| | | |
|---------------------|----------------------|---------------------|
| Burford Holly | Eleagnus | Nelly Stevens Holly |
| Dwarf Burford Holly | Fortune's Osmanthus | Savannah Holly |
| Camellia Japonica | Leyland Cypress | Viburnum tinus |
| Cedar | Ligustrum/ Privet | Wax Myrtles |
| Common Camelia | Little Gem Magnolias | |

Maintenance and Other Considerations: Wax Myrtles must be pruned as hedgerow plants because they will get leggy a few years from installation and not provide coverage. Eleagnus must be pruned.

Foundation Plantings – staggered or layered planting – 2/3 the height of the foundation or appropriate to the massing of the home.

Evergreen Medium Shrubs – must be greater than 24 inches tall when planted

| | | |
|-----------------------|------------------|---------------|
| American Boxwood | Glossy Abelia | Loropetalum |
| Cleyera | Japanese Boxwood | Pittosporum |
| Dwarf Yaupon Holly | Japanese Holly | Winter Daphne |
| Gardenia(Jasminoides) | Kurume Azalea | Yew |

Low Growing Evergreen Plants

| | | |
|-------------------------|------------------------------|---------|
| Azalea (small leafed) | Dwarf gardenia | Juniper |
| Cast Iron Plant (shade) | Indian Hawthorne (deer food) | Liriope |

Specimen "Evergreen" Plants for Beds and Corners of Foundation - must be greater than 24 inches tall when planted

| | |
|------------------------------------|--|
| Camellia Sasanqua | Nandina |
| Fatsia | Oleander |
| Indica Azalea | Oak leaf Hydrangea |
| Japanese Aucubas (gold dust plant) | Palms |
| Japanese Black Pine | Sky pencil holly |
| Lorapetulum | Sky rocket juniper/Italian cypress/Lebanon cedar |

Deciduous Shrubs and/or Winter Pruned Plants (cut back)

| | | |
|---------------------------|----------------------|--------|
| Althea | Hydrangea | Roses |
| Buddleia (butterfly bush) | Japanese Maple | Spirea |
| Crepe myrtle | Magnolia (Deciduous) | Vitex |
| Flowering Quince | Pampas Grass | |
| Forsythia | Pyracantha | |

Ground Covers and/or Vines

Ajuga
Catmint
Carpet juniper
Jasmine (confederate, star)

Lady Banks Roses (most foliage gone in winter)
Monkey grass
Trumpet vine

Lawns

Bermuda
Centipede

St. Augustine
Zoysia

Annuals and Perennials

All colors shapes and sizes, depending on the composition of soil and exposure of the beds. A few heat loving varieties are:

| | | |
|-------------|-------------|----------------------|
| Angellonia | Echinacea | Penta |
| Blue Salvia | Gaura | Varieties of Petunia |
| Canna Lilly | Melampodium | Trailing Verbena |

Trees

All types of trees. Thriving selections include:

| | | |
|-----------------|-----------------|-------------------|
| Crabapple | Flowering Plum | Southern Magnolia |
| Crepe Myrtle | Live Oak | Sycamore |
| Cypresses | Oriental Cherry | Yoshino Cherry |
| Dogwood, Loquat | Red Maple | |
| Eastern Red Bud | River Birch | |

See also the series of “fact sheets” compiled by the Arboretum – New Hanover Cooperative Extension entitled “Recommended Plants for New Hanover County Landscapes”. The fact sheets are available at the COA OFFICE.

The Arboretum can be contacted or visited at: New Hanover Cooperative Extension, 6206 Oleander Drive, Wilmington, N.C. 28403; 910-798-7660. The sheets are free and located outside of the Plant Clinic and gift shop in a display center.

The following PLANT LISTS are available:

| | | |
|---------------------|---------------------|-------------------------|
| Annuals | Medium Shrubs 4-8ft | Salt Tolerant Plants |
| Perennials | Large Shrubs 8+ft | Deer Resistant Plants |
| Ornamental Grasses | Small Trees 10-30ft | Plants for Rain Gardens |
| Vines, Groundcovers | Large Trees 30+ft | Plants for Wetlands |
| Small Shrubs 2-4ft | Turfgrasses | |

APPENDIX E: RULES AND REGULATIONS FOR CONTRACTORS AND SUBCONTRACTORS

The following rules apply to all contractors and subcontractors. Questions or concerns may be directed towards the Council of Associations office at (910) 256-7651.

1. All construction and maintenance personnel are required to enter and leave through the designated construction gate. These are located on Arboretum Drive and Drysdale Drive. Passes for personnel is required for access into Landfall and are supplied by Security personnel.
2. Contractor work may not start prior to 7:00 a.m. and must conclude by 6:00 p.m. on weekdays. Saturday work hours are from 8:00 a.m. to 1:00 p.m. Construction on Sundays, New Year's Day, Memorial Day, 4th of July, Labor Day, Easter, Thanksgiving Day and Christmas Day is not permitted.
3. Contractors and subcontractors are required to adhere to all rules and directions issued by the Landfall Security.
4. Suppliers/vendors with deliveries are issued passes by Security for access to the job site. Passes may be obtained by the contractor for the duration of the project.
5. Contractors are required to keep the job sites neat and clean. Dumpsters are required. If trash and debris becomes a noticeable problem, notification to the responsible party is given by the COA Office to clean up the site. If this notice does not bring action, Landfall COA will remove the debris at the property owner's expense or deduct it from the Builder's Deposit. Use of adjacent lots is not permitted unless the adjacent lot owner grants written permission.
6. Proper erosion control is the responsibility of the contractor. Adequate silt fencing, gravel at the entry drives along the street frontage and other erosion control measures must be properly installed and maintained. The streets shall be kept free of mud, silt and debris from erosion and construction traffic.
7. Contractors will use only the utilities provided at the site on which they are working. It is the property owner/contractor's responsibility to have all utilities activated.
8. Portable toilets and dumpsters are required and are the responsibility of the contractors. They are to be located off the right-of-way and screened with fencing available from several dumpster/portable toilet suppliers. Screening structures must be self supporting with a closing gate.
9. Vehicles are to be parked on the site on which the contractor is working. No vehicles, (cars, trucks, or vans) may be left in Landfall overnight. Construction equipment may be left on the site while needed but must be kept off of the street.
10. Washing of any truck or vehicle on the street is not permitted. Any washing of concrete delivery trucks must be on the construction site.
11. The contractor must clean up spills of any damaging materials. (Please report spills to Landfall COA as soon as possible). Clean ups done by Landfall personnel is charged to the responsible party.
12. The established speed limit within the community is 25 miles per hour for all vehicles, unless otherwise posted.
13. Damage to streets, curbs, drainage inlets, street lights, street markers, walls or other Landfall property is repaired by Landfall COA at the responsible party's expense.
14. It is the responsible party's obligation to immediately report to Security personnel and COA office any

cutting of water, telephone, cable TV, electrical or any other utility lines.

15. Access across the golf course is not permitted. Contractors doing work on or adjacent to the golf course must have a full-time golf employee show them the proper paths of ingress and egress. (Call 256-9032 for golf course assistance.)
16. Loud radios or noise will not be allowed within the community. Normal radio levels are acceptable. Do not mount speakers on vehicles or outside of homes under construction. Construction equipment that will create abnormal or prolonged noise levels shall be reviewed in advance with ARC Coordinators to determine mitigation factors to reduce or prevent excessive noise affecting neighbors.
17. Only bonafide workers are allowed on the property. Spouses and family members may drive workers to the site and pick them up, but must not remain on the property unless they are employees of the contractor. No worker's pets are allowed on the property.
18. The New Hanover County building permit sign and the Landfall site identification sign are the only signs or documents to be posted at a homesite during construction. The approved Landfall sign is available from Port City Signs, 4011 Oleander Drive, Wilmington, NC 28403, telephone (910) 350-8242. Trees are to be kept free of all permits and signs. Business signs or other forms of advertisement are not permitted.
19. Fires are not allowed. Burning in barrels or any other devices is strictly prohibited.
20. Fishing by contractors and their employees is not permitted.

Notification of violation is sent to the responsible party and property owner defining those items not in compliance with the rules and regulations. Upon receipt of the notification, the involved parties must correct the violation or Landfall will take the necessary actions to correct the violation. Those actions could include charging the property owner for the corrections done by Landfall, withholding project approval for construction, or denying entry to the contractors and personnel.

APPENDIX F: LANDFALL SECURITY PROCEDURES FOR GENERAL CONTRACTORS AND SUBCONTRACTORS

1. All contractors must register the lot and block number of job site with Landfall Security via *Form 5*.
2. Passes are issued for a period of four months and is issued to all contractors and their permanent employees. Subcontractors will receive a daily pass.
3. All contractors will provide Landfall Security with a list of their permanent employees and their subcontractors.
4. In the event additional subcontractors are needed, the contractor will notify Landfall Security. If an additional subcontractor arrives at the gate and they are not on the list, Security will try to contact the contractor with one phone call. It is the contractor's responsibility to contact Security to avoid delays. The driver showing the Security Officer the delivery ticket showing the lot and block number or street address of the jobsite can validate supplies being delivered.
5. No one will allow any other person to use a pass as a means of entering Landfall. Spot checks is conducted on a random basis (proof of identification is required). Anyone caught allowing another person to use their pass will not be allowed on the property.
6. It is the responsibility of the contractor to make sure all lists are kept up-to-date (new hires and terminations). New passes must be obtained from Security just prior to the month of expiration. Failure to get new passes will result in your employees not being allowed entrance to Landfall until the new passes have been obtained.
7. Note that the Eastwood Gate **is not** a construction entrance and any entry not approved by the COA is turned away and sent to the appropriate gate.

APPENDIX G: SCHEDULE OF DEDUCTIONS FROM CONSTRUCTION DEPOSIT

| | |
|--|------------------------|
| Improper or unposted jobsite sign | \$50.00 |
| Littered site | \$150.00 |
| Non-compliance after notice | \$250.00 |
| Parking on adjacent property without written permission from owner | \$150.00 |
| Working after permitted construction hours | \$150.00 |
| Unscreened or improperly screened dumpster/portable toilet | \$150.00 |
| Failure to install tree protection until installed | \$200 and \$25 per day |
| Gravel not installed across street frontage or dirt in the street | \$150.00 |
| Building equipment on adjacent property without written permission from owner | \$350.00 |
| Damage to adjacent property | \$350.00* |
| Starting construction or landscaping prior to final and/or on-site approval | \$1,000.00 |
| Damage to golf course | \$500.00* |
| Damage to common areas | \$500.00* |
| Unauthorized removal of trees (per tree) | \$750.00 |
| Unauthorized exterior house or landscape plan change | |
| Minor | \$300-\$1,000 |
| Major | \$1,000-\$3,000 |
| Unauthorized exterior material (paint, siding, roof, drives, walks) | \$2,500.00 |
| Failure to organize driveway conduit inspection or provide foundation survey until submitted | \$250.00 and \$25/day |
| Construction beyond time allowed: first 90 days thereafter | \$50/Day \$100/Day |
| Violations not specifically addressed - to be determined on a case by case basis | |

Application/Collection of Deductions

- Deductions accrue regardless of notice
- Deductions are withdrawn from the construction deposit and notification of such is sent
- Deductions are assessed by the Architectural Review Committee
- In the event of insufficient replenishment of the construction deposit, uncollected deductions are subject to legal action as necessary

* Deduction plus cost to clean up and/or repair, as applicable

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