



MANHATTAN VILLAGE ESTATE HOMES ASSOCIATION
LANDSCAPING GUIDELINES

Home landscaping is an important part of the aesthetic quality and visual harmony of our community. That harmony is currently characterized by areas of lawn combined with shrubs, color plantings, specimen rock accents, and trees. The associated “hardscape” (such as fences, walls, walks, driveway, built-up planters, spas, built in barbecues, and any other structure) is considered here as a component of the landscaping.

The Association’s Rules and Regulations require a plan approved by the Architectural Committee before installing new or modified landscape features, as defined below, on your property. Hand-drawn plans are acceptable, however, they must include such details as finished design, slope, drainage, and construction materials. Plans must include the layout of any sprinkler system. Other items such as planter height, plant, tree, and shrub type (including full maturity height) must also be included.

A dwelling-yard owner who is planning to modify the adjoining wall-yard landscaping easement must notify the wall-yard owner of their intentions and plans prior to submitting a request to the Architectural Committee. The CC&R’s prohibit installation of permanent structures, including hardscape features, on the landscape easement used by an adjoining dwelling-yard owner.

Written Architectural Committee approval is required for:

1. Installing new landscape, replacing more than 25% of the existing front-yard design, or when remodeling exterior structures.

Approval is not required for replacing shrubs and maintaining or reconfiguring planting areas provided that more than 75% of the existing lawn area remains and all the “hardscape” is unchanged.

Approval is not required for landscaping the back or side yard areas providing the area is not visible from the common area and no tree planting, grade and drainage alteration, permanent planters with wet soil up against a neighbor’s house wall and/or noise producing features are planned

2. Planting or replacing trees when the central trunk is to be located closer than 5 ft from the property boundaries or at any location if the mature tree height will be greater than 8 feet. Approval requests should include tree type, full maturity height, and canopy width. Root invasive or canopy impinging tree planting will be disapproved. Therefore, tree selection should consider potential effects of root invasion and canopy overhang on adjoining structures.

Approval is not required for removing trees located on a homeowner’s property. Trees that are located on common-area property may not be altered or removed by a homeowner.

3. Removing or installing fences, walls, walks, decks, driveway, built-up planters, built-in barbecues or other “hardscape” features. The CC&R’s prohibit installation of permanent

structures, including hardscape features, on the landscape easement used by an adjoining dwelling-yard owner.

4. Altering existing grade and drainage. Any change affecting existing grade or drainage must be pre-approved by the Architectural Committee. The Committee may require that the request is accompanied with plot maps of before and after topographic surveys prepared by a California State licensed surveyor.
5. Installing noise producing features and equipment such as pumps, heaters, compressors, etc. located outside of the house or garage require prior written approval. Requests must be accompanied with specific plans for noise abatement that will assure their operation will not interfere with the quiet enjoyment of neighboring properties.

If written approval is not secured before work commencement, fines can be levied and restoration to pre-work conditions can be required.

Homeowner responsibilities during implementation of an approved project ensure that:

1. The contractor follows the approved plan.
2. All construction and worker vehicles are parked on or immediately adjacent to your property. Otherwise, work vehicles as well as private passenger vehicles used by the contractor and / or workers are to be parked in communal parking areas designated by the CC&R's. At no time are worker vehicles to block driveways to other properties or mail boxes--unless absolutely necessary for very short periods of time. Overnight parking of construction equipment is not permitted by the CC&R's.
3. All portable toilet facilities are located near the garage and not near the sidewalk or aggregate. No exceptions are allowed.
4. Trash or construction debris shall be removed daily, or kept in a dumpster, in your driveway. Absolutely no trash is permitted to accumulate on your yard, driveway or sidewalk area. Violations will be cited and fines may be imposed by the Board.
5. Pending materials are organized within the homeowner's property and clear of adjacent property and any sidewalk, street, or other communal areas.
6. Upon completion of construction, the aggregate or sidewalk is cleaned of all oil or stains and restored back to its original appearance. The homeowner is responsible for any damage done by a contractor or workers to the common area, including street, tree guards, trees, curbs, sidewalk, aggregate, ground cover, plants, walls, lights, etc. If a damaged area is not restored to as near as possible its original condition, the Association will charge the homeowner for the cost of repair.

The Committee is required to act on requests within 30 days, but endeavors to reply as soon as possible.

Approvals to commence work are effective for 90 days unless an extension is requested and approved. Any aspects of the approved work that are not completed within 9 months from the approval date must be resubmitted to the Architectural Committee for review and re-approval consistent with the then current Guidelines.

Ver 3/31/05