

**Grand Harbor Architectural Control Committee
Landscape Plan and Installation Policy**

I. Authority:

The Grand Harbor Deed Restrictions, **Article III, Section 5, Type of Construction, Materials and Landscaping** state that the Architectural Control Committee (ACC) must approve landscape plans before work commences and **Article III, Section 20, Lot/Yard Maintenance** states that the lots be landscaped “in accordance with the Committee’s Standards.”

This Policy is considered “the Committee’s Standards” and supersedes any previous documentation regarding landscape design and installation in Grand Harbor.

II. Deed Restrictions

The following deed restrictions apply specifically to landscape design and installation:

Article III, Use Restrictions, Section 5: Type of Construction, Materials and Landscaping

Article III, Use Restrictions, Section 15: Views To and From Lake Conroe

Article III, Use Restrictions, Section 16: Walls, Fences and Hedges

Article III, Use Restrictions, Section 19: Views, Obstructions and Privacy

Article III, Use Restrictions, Section 20: Lot/Yard Maintenance

III. Responsibility for Landscaping

The deed restrictions require that the landscape be “completed within three months of the date of occupancy of the dwelling.” Three months after occupancy, it is possible that a disagreement can occur between the builder and the occupant (owner) regarding who is responsible for installing the landscape, since the occupant took possession of a dwelling that was not landscaped. The entity responsible for landscaping the dwelling shall be the individual or company who signs the deposit checks when the *New-Home Construction Application* is submitted. Deposits will not be refunded until an APPROVED landscape has been completely installed within three months of occupancy of the dwelling and verified by a member of the ACC. Failure to completely install an approved landscape within the three month period shall be grounds for forfeiture of the refundable deposit.

IV. Related Policies

Prior to submitting a landscape plan to the ACC, the owner builder shall review the following ACC policies as they relate to the landscape plan and installation:

Drainage Policy

Foundation Policy

Driveway and Culvert Policy

The builder and/or owner should understand the requirement for foundations to be a minimum of eight (8) inches above finished grade and take this into consideration when planning and installing the landscape. Furthermore, the placement of plants, trees and grass should be taken into consideration when submitting the drainage plan and grading for proper drainage. Driveways should be installed and sloped with consideration for adjacent landscape beds, as well.

V. Minimum Requirements for Submitting Landscape Plans

Submission of landscape plans are required when the New-Home Construction Application is submitted to the ACC so that it may be approved by the ACC *before* the landscape is installed. Landscape plans submitted to the ACC for approval must meet the following minimum standards:

- The plan must be drawn to scale. The minimum scale shall be 1/16” = 1’-0” or 1:20.
- The plan shall show the location of all structures, hardscape (i.e. driveway and walkways), any retaining walls and any swimming pools, fences, septic tanks and associated drains etc.
- The plan shall show the proposed location, size and quantity of all plants and trees.

- The plan shall show the location of all sodded areas.
- A list of all the plant and tree types (i.e. Red Tip Photnia or Water Oak) being used in the landscape shall be included to verify the final plant count.

VI. Shade Trees

No shade trees shall be removed from a lot without permission of the ACC. Only those trees that are dead or that will interfere with construction of the residence or hardscape may be removed. It is recommended that each lot shall have, as part of the landscape plan, a minimum of two (2) shade trees, such as oaks or pines, in the front yard. Remaining shade trees with a caliper of 2", measured at a point 12" above the ground, shall be considered as part of the two-tree recommendation. The landscape plan shall indicate the location of remaining shade trees and the location of shade trees to be added to the lot. Ornamental trees, such as crape myrtles, dogwoods or flowering pear trees, shall not be considered shade trees.

NOTE: Section 13, Please refer to the deed restrictions for Section 13, Article III, Section 5, paragraph (f), for specific shade tree requirements.

VII. Landscaping Waterfront Lots

The front and rear yards of all waterfront houses shall be landscaped. Rear yards shall be landscaped with either plants or grass sod to the bulkhead. On canal lots, with a steep slope to the lake, the sod must extend to a point ten feet (10') past the break line of the slope. From this point to the bulkhead, the existing natural grass vegetation may remain with the following exceptions:

- As part of the landscape installation process, all erosion on steep slopes must be backfilled, compacted, and covered with grass sod.
- Any bare spots (without natural grass vegetation) shall be graded smooth and covered with grass sod.
- If the slope is regraded to promote proper drainage, the area that has been re-cut/filled shall be covered with grass sod.

No plants with a mature growth pattern greater than two feet (2') in height shall be planted on waterfront lots closer to the water than the rear building line. Existing plants above two feet (2') in height and closer to the water than the rear building line must be removed as part of the landscape plan (shall be graded smooth and covered with grass sod). This does not include existing trees. Any existing trees on the lot may only be removed with approval from the ACC.

The following list represents the diversity of size and type of plants and trees recommended for waterfront lot landscape plan as follows:

- 1 gallon shrubs or grasses in the front yard
- 1 gallon shrubs or grasses in the rear yard
- 3 or 5 gallon shrubs in the front yard
- 3 or 5 gallon shrubs in the rear yard.
- 15 gallon ornamental shrubs or trees in the front yard
- Shade trees, with a caliper of 2" or greater measured 12" above the base, in the front yard.

Large grasses, palms and perennial flowering plants shall not be considered shrubs; however, their use in the landscape plan beyond the above minimums is encouraged to enhance the overall appearance of the landscape.

VIII. Landscaping Corner Lots

The front and side yard of all corner lots shall be landscaped. The area from the front of the residence to the street and from the side of the residence to the side street shall be landscaped with either plants or sod. The side yard shall also extend from the rear corner of the residence to the rear property line. If a fence is installed along the side of the residence, only the above described area that is outside the fenced area must be landscaped.

The following list represents the diversity of size and type of plants and trees recommended for a corner lot landscape plan as follows:

- 1 gallon shrubs or grasses in the front yard
- 1 gallon shrubs or grasses in the side yard
- 3 or 5 gallon shrubs in the front yard
- 3 or 5 gallon shrubs in the side yard.
- 15 gallon shrubs or ornamental trees in the front or side yard
- Shade trees, with a caliper of 2” or greater measured 12” above the base, in the front yard.

IX. Landscaping Interior Lots

The front yard of all interior lots shall be landscaped. The front yard shall be considered to be the area from side property line to side property line and from the front property line to a point 10 ft. past the front of the residence on each side. The area from the front property line to the street shall be landscaped with sod.

The following list represents the diversity of size and type of plants and trees recommended for an interior lot landscape plan is as follows:

- 1 gallon shrubs or grasses in the front yard
- 3 or 5 gallon shrubs in the front yard
- 15 gallon ornamental shrubs or trees in the front yard.
- Shade trees, with a caliper of 2” or greater measured 12” above the base.

X. Statuary and Other Yard Art

Statuary (and other forms of yard art) is permitted; however, requests for installing statuary and yard art must be submitted, in writing, to the Architectural Control Committee. The ACC shall have the right to review and approve any item placed on a lot.

XI. Irrigation Systems

Irrigation systems are not required by the deed restrictions; however, they are strongly recommended for the following reasons:

- Homeowners are required in the deed restrictions to maintain their yards in a “beautiful and attractive manner.” The irrigation system will help to maintain healthy plants and grass.
- Most engineers require that the soil around an engineered foundation (required in Grand Harbor) be maintained at a “constant moisture content.” Failure to maintain moisture content may void the engineer’s liability and the best way to “prove” moisture content was maintained is with a professionally installed irrigation system around the entire foundation, extending outward about 30 ft. where possible.