

# **WOODRIDGE ESCONDIDO PROPERTY OWNERS ASSOCIATION LANDSCAPING GUIDELINES**

## **INTRODUCTION**

The Board of Directors saw fit to split the Architectural Control into two committees: Architectural and Landscaping. Article IX, Committees, as provided in the Bylaws of Woodridge Escondido Property Owners Association (Bylaws) gives the Board of Directors the authority to “appoint other committees as deemed appropriate in carrying out its purpose”. The guidelines and approval processes outlined below for “Architectural Control” applies to Landscaping alterations and new installations shall require the approval of the Landscaping Committee.

“Architectural Control” for the Association is established in Article IV, Architectural Control, in the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Woodridge Escondido (Declaration). Article IV provides that “No building, fence, wall, patio, patio cover or other structure or improvement, nor exterior painting, nor any landscaping shall be commenced, erected, placed, installed or altered upon any Lot until the location and complete plans and specifications showing the nature, kind, shape, height and materials, including color, have been submitted to and approved in writing as to harmony of external design and location to surrounding structures and topography by the Board, or by an architectural committee composed of at least three (3) and not more than five (5) representatives from the membership of the Association appointed by and serving at the pleasure of the Board. All or any number of the members of the architectural committee may be members of the Board. In the event no architectural committee is named, the Board shall serve as the architectural committee. An Owner submitting plans to the architectural committee shall receive a written receipt setting forth the date such plans were received by the committee. In the event architectural committee fails to approve or disapprove such location, plans and specifications or other request made of it within sixty (60) days after the submission thereof and all other documentation required by the architectural committee to be submitted to it, then such approval will not be required, provided that any structure or improvement so to be erected or altered conforms to all other conditions and restrictions herein contained and is in harmony with similar structures erected within the Properties. The grade, level or drainage characteristics of the Lot or any portion there of shall not be altered without written consent of the Board or its designated committee. The requirement to obtain Architectural Committee approval is in addition to and not in lieu of the obligation of an Owner to obtain building permits required and complying with all applicable codes and restrictions of the City of Escondido.”

## **Section 1 - DEFINITIONS OF TERMS**

The following definitions are provided to help with the reading and understanding where lies the various responsibilities when reading and interpreting the landscaping guidelines.

- A. “Association” shall mean and refer to Woodridge Escondido Property Owners Association.
- B. “Board” shall mean and refer to the Board of Directors of the Association.
- C. “Bylaws” shall mean and refer to the Bylaws of the Association.

- D. "Common Area" shall mean all real property (including improvements thereon) owned by the Association for the common use and enjoyment of the Owners.
- E. "Common Maintenance Area" shall mean and refer to those portions of Lots over which easements for common maintenance has been conveyed to the Association.
- F. "Declaration" shall mean and refer to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Woodridge Escondido.
- G. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of Properties, with the exception of the Common Area. The term "Lot" shall also include the home and other improvements upon the lot.
- H. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of fee simple title to a Lot which is part of the Properties, including contract sellers, by excluding those having such interest merely as security for the performance of an obligation.
- I. "Properties" shall mean and refer to all the real property described in the preamble of the Declaration.

## SECTION 2 - LANDSCAPING GUIDELINES

- A. Owners desiring to make landscaping changes to their Lot or Common Maintenance Areas shall submit changes on the Landscaping Approval Request Form (Form). The Form is available upon request from the Landscaping Chairperson or the Property Manager.
- B. All trees, hedges and other plant material (other than those located within the Common Maintenance Area) shall be trimmed by the Owner of the Lot upon which the same are located so that the same shall not unreasonably obstruct the view of other Lots; provided, however where trees do not unreasonably obstruct the view from any other of the Lots in the properties, which determination shall be within the sole judgement of the Board, they shall not be required to be so trimmed. Before planting trees, the proposed type and location of such trees shall be approved in writing by the Landscaping Committee (formerly Architectural Committee). No Owner shall plant, remove or trim any tree, shrub or other material in Common Area or the Common Maintenance Area without the prior approval of the Board. (Declaration, Article V, Section 7)
- C. Where hedges are allowed, prior approval by the Landscaping Committee (formerly Architectural Committee) in relation to normal enjoyment of view by other Lot Owners shall be required before installation. (Declaration, Article V, Section 8)
- D. Diligence in Construction - The work of modifying, adding to and/or changing the landscaping on any Lot shall be prosecuted diligently from the commencement thereof, and shall be completed within a reasonable time.
- E. The Owner of the Lot shall not in any way interfere with or change the established drainage pattern over his or her Lot form adjoining or other Lots; provided, however, each Owner shall make adequate provisions for proper drainage in the event it is necessary to change the established drainage on his or her Lot. For the purpose hereof "established drainage" is defined as the drainage which occurred at the time the overall grading of said Lot was completed by the Builder. Any change in the grading or drainage on any Lot shall first be approved by the Landscaping Committee (Formerly Architectural Committee). (Declaration, Article V, Section 16)
- F. To help prevent the deterioration of the wrought iron fencing plantings shall not encroach on to the adjacent Lot(s). No vines shall be allowed to attach to stucco walls or wrought iron fencing. A lattice may be approved, by the Landscaping Committee, for use in front of stucco walls and wrought iron fencing for the purpose of preventing vines from growing directly on the stucco walls and wrought iron fencing.
- G. Automatic sprinkler system(s) may be installed for the Lot, at the Owners sole cost. The system(s) shall be connected to Owner's water lines. The system must be installed so that sprinkler water does not encroach on neighbor's Lot and any structure. If required, a permit shall be obtained from the

City of Escondido for such installation. Upon completion a City of Escondido inspector shall inspect the system for the proper installation of a back flow device.

### SECTION 3 - REQUEST FOR LANDSCAPING CHANGES AND APPROVAL

- A. Owner desiring to make landscaping changes, including but limited to, the items described in Section 2, Landscaping Guidelines, to their Lot and Common Maintenance Area shall complete and submit a completed Landscaping Approval Request Form to the Landscaping Chairperson or the Property Manager. Accompanying the completed form Owner must attach three (3) sets of plans and specifications, detailing the plant material to be used, for the requested modifications and approval for the proposed work from neighboring Owners on each side of the Owner's Lot. Plans must be drawn to a scale of one (1) inch equals ten (10) feet, landscape architectural drawings are also acceptable. Plans shall detail the type of plant material, location of the proposed plant material and detail clearance from neighbors Lot(s) and common walls or fencing. Plans shall note any proposed drainage modifications and any existing easements.
- B. An application fee of two hundred dollars (\$200) shall accompany the completed Landscaping Approval Request Form. The application fee will be held as a deposit and may be applied towards any needed repairs to neighbors Lot(s), Common Area or Common Maintenance Area damaged resulting from the new construction. Any of the application fee that has not been used to make repairs deemed necessary by the Landscaping Committee shall be returned to the Owner.
- C. The Landscaping Committee, within ten (10) working days, shall make an appointment with the Owner for the purpose of a site tour and ask questions they may have in regards to the proposed work or submitted plans.
- D. The Landscaping Committee will meet to evaluate the requested modifications or changes to the Lot. Evaluation will take into consideration, including but not limited to, obstruction of view from neighbors Lot(s), alteration of drainage requirements and impact and does the modifications or additions to the landscaping conform with the Landscaping Guidelines outlined herein, Section 2, and does the proposed modification or addition cover any easements, Common Areas or Common Maintenance Areas.
- E. After review and approval by the Landscaping Committee an approved set of plans and specifications, along with any Landscaping Committee changes, will be returned to the Owner, a second set will be retained by the property manager and a third set will be retained by the Landscaping committee.
- F. If the addition or modification submitted by the Owner is not approved by the Landscaping Committee, then the Owner has the right to appeal the decision to the Board. The decision of the Board shall be final.
- G. All additions and modifications, if required, will be permitted with the City of Escondido. Owner shall install additions and modifications in accordance with the approved plans and specifications and in accordance with the then current Codes and ordinances of the City of Escondido. If a permit is required then copies of all City of Escondido permits, inspection reports and notice of completion shall be provided to the Landscaping Committee.
- H. Owners selected contractor providing the approved additions and/or modifications shall be licensed, insured and bonded. Owner, prior to the commencement of the approved work, shall notify the Landscaping Committee of the name of the Owners contractor and provide proof to the Landscaping Committee that the contractor has insurance in the form of a certificate of insurance.
- I. Upon completion of the additions and/or modifications the Owner shall notify the Landscaping Committee. The Landscaping Committee may inspect the additions and/or modifications to insure the work was completed per the submitted plans and specifications.