

# **SouthPark 2 Architectural Landscape Design Requirements**

November 2018

This document provides procedures for planting and maintaining mulch beds to achieve the appearance the SouthPark 2 community desires.

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### **1. Document Terms in Use**

The following terms are used in this document:

ACC	Architectural Control Committee
HOA	Homeowners Association
LC	SouthPark 2 Landscape Committee
LCR	Landscape Company of Record
MLM	Minimum Level of Maintenance
Path	Sidewalks connecting buildings and/or unit to unit
PM	Property Manager
SP2	SouthPark 2
Walk	Sidewalk connecting units to the paths.

## 2. Mulch Bed Maintenance and Design Standards

An option is available to SouthPark 2 Homeowners for planting and maintaining mulch beds adjacent to their townhomes.

- Planting and maintenance may be provided by individual homeowners, subject to an approved application submitted to the Landscape Committee (LC) and the Architectural Control Committee (ACC). See Section 5, Standards for Planting and Maintenance .
- Individuals who opt to plant and maintain their own mulch beds do so with the understanding they are responsible for undertaking the work or for overseeing completion by a third party, and for the financial cost. Upon completion and final project approval by the ACC, the homeowner may turn maintenance and upkeep of the refurbished mulch bed back to the HOA, except as noted in the next bullet point.,
- If the homeowner has a mulch bed with living plants, he/she has minimum responsibilities per section 8 of this procedure.

## 3. General Guidelines for Mulch Bed Appearance

- Mulch bed gardens should create a light, airy and natural ambiance typical of what is considered natural front range western cover.
- All designs must be submitted to and approved by the SouthPark 2 Architectural Control Committee prior to commencing work.
- If homeowner selects the option to plant and maintain, the selection and design of the mulch bed is up to the homeowners' taste, pending approval by the ACC. Otherwise, the HOA's Landscape Company is responsible for planting and maintenance in accordance with the Minimum Level of Maintenance (MLM).
- Planting may be done using curved sweeps, geometric arrangements, and/or irregular distribution of plants and flowers, or straight line and geometric patterns.
- **Xeriscape mulch beds will ONLY be installed at the homeowner's request and at their expense.** A 100% unplanted xeriscape theme with decorative rock/gravel mulch and some decorative art or rock might be approved; however, homeowners are encouraged to include some drought tolerant plants or reasonable fixed decorative ornaments.
  - Sitting areas in front of unit mulch beds are not permitted.
    - ❖ Sitting areas might be approved for installation in end unit mulch beds only with detailed plans, approval by the ACC, and with a P.E. (Professional Engineer) stamp for site preparation plans. The existing layout must have adequate area and it must be an open area, available to all.
- **Trees** – It is prohibited to plant new trees in mulch beds.
  - The HOA Board and our Landscape Company of record decides if mature trees need to be removed and/or replaced, regardless if they are in the common areas or in mulch beds.

## 4. Minimum Level of Maintenance (MLM) & Maintenance Specifications

The LC, the ACC, and the Landscape Company of Record observes and monitors community mulch beds to make sure the MLM is met. All mulch bed plantings must, therefore, be approved by the LC and ACC, and must comply with the MLM. It is the homeowner's responsibility and obligation to assure these standards are met.

Below are the MLM tenets. All mulch beds:

- i. Must be kept in good repair and be maintained with the level of safety the original planting had. (See Appendix: [Mulch Bed Fire Prevention Guideline and Section 8 of this document.](#))
- ii. Must be kept sufficiently watered to maintain a healthy living planted collection. (See Section 6, Watering Rules and Methods.)
- iii. Must be completely covered by an approved mulch and completely bounded by edging or a containment groove.
- iv. Must be prepared for proper drainage. Soil and the mulch overlay must be conducive to draining water away from the building structure and adjacent properties. (See Appendix: [Mulch Bed Drainage Guidelines.](#))
- v. Must be designed and maintained to minimize fire danger.
- vi. Must use plants listed in the SP2 Approved Landscape Planting List that conform to the conditions in the mulch bed, e.g., shade plants for shaded mulch beds, paying attention to size constraints, etc.
- vii. Must be balanced in appearance with a minimum 30% unplanted area and up to a maximum of 70% planted area.
  - ❖ Decorative rocks or rock walls count as coverage. Plants in pots or containers count as coverage.
  - ❖ Residents may plant flowers and/or vegetables in a maximum of seven (7) containers. Containers must be no larger than 2 feet in diameter and no more than 1.3 times as tall as they are in diameter. The maximum diameter of the container or the plants within it (whichever is greater) is counted as coverage and mulch must be present under the overhang of the container and/or plants within it. Containers should be removed from the mulch bed areas each fall by November 1, and may be stored in a garage, or neatly tucked away in the patio area. Containers greater than 12" in diameter may be left in the mulch bed area as long as plant material is removed from the container.
- viii. Must comply with the following rules for décor, if used:
  - ❖ Decorative arts may not be taller than 6 feet.
  - ❖ Birdfeeders: No seed or suet Bird Feeders are allowed in the mulch bed. ONE humming bird feeder is permitted on a decorative art stand/hanger and counts as covered area.
  - ❖ Bird baths are considered and permitted as décor.
- ix. Must have shrubs trimmed away from traffic areas. Shrubs must not overhang onto pathways unless the remaining pathway is at least 36 inches in full width.
- x. Must clean up annuals at the end of the season. Perennials must be trimmed when appropriate.
- xi. Must remove shriveled or wilting and dry plants as well as dead shrubs, flowers, and trees. Homeowners have two weeks to remove unhealthy plants from the time of notice, or to notify the Property Manager of dead material requiring removal from the mulch bed area. See Section 7, Enforcement.
- xii. Must control and remove weeds. Tree shoots are considered weeds even if they are growing from a tree adjacent to or within the mulch bed.

- xiii. Must keep plants with burrs, thorns, barbs, needles or other sharps growing on them at least one (1') foot from paths, walkways or other pedestrian traffic areas and consistently maintain them that way.
- xiv. Must have any design changes to mulch bed plantings approved by the LC and the ACC **prior to implementation.**

## 5. Standards for Planting and Maintenance

- This standard applies to all mulch beds regardless of who is doing the work.
- Homeowners who choose to plant and maintain the mulch beds adjacent to their residence, either themselves or by using a third party, must submit a completed *Homeowner Mulch Bed Improvement Request* and *Mulch Bed Design Plan* to the LC. Upon approval, the LC forwards the request to the ACC.
- The design plan must:
  - a. Include an executed notarized copy of the *SP2 HOA's Homeowner Project Indemnification Waiver* (assuring the HOA and Community at large is not responsible to the homeowner for any issues or injuries arising from the project) and specifying the project to be done with application identified in #1. Further, the HOA must be indemnified by the homeowner doing the work for any damage that might occur to the HOA or adjacent homeowner's property in undertaking the project regardless of whom is performing the work.
  - b. Comply with the MLM and all other procedures contained in this document.
  - c. Identify plants to be used from the SP2 Approved Landscape Planting List.
  - d. Identify watering plan for mulch bed, assuring the watering plan is acceptable for the type of plantings being proposed. The watering plan must also identify the type of watering and how water is to be accessed, e.g., private water spigot, hand watering using a can, etc. (See Section 6, Watering Rules and Methods.)
  - e. Plan how mulch beds are delineated with approved edging where they meet public grounds. Identify type of edging to be used. (See 0 Appendix A. Approved Edging Types.)
  - f. Provide information with the application, using a marked-up photograph(s), a plan view drawing, or sketch, that shows all planting types, plant sizes, and locations explicitly. This information documents for the ACC the homeowner's refurbishment intentions and goals.
  - g. Specify cover/mulch, and edging, and include amount to be used.
  - h. Include a specification for all materials to be used in the mulch bed. A website name and/or URL, or a commercial brochure or "tear sheet" for material, will suffice for specification of these materials.
  - i. Include a method and schedule of watering if planting requires this.
- Upon receiving ACC approval, the homeowner can undertake the project. After 6-months, if work has not been started, the approval is automatically terminated and obsolete.
- Homeowners must complete work within 30 days of breaking ground for the approved project unless otherwise stipulated and approved as part of the submittal plan. A two-step plan with bed preparation in the fall and planting in the spring is acceptable with each step being performed within its own 30-day period.

- Upon project completion, the ACC uses the submitted application information to verify compliance. ACC (or its designee) physically inspects completed work. A project is not complete and remains the responsibility of the homeowner until ACC has approved the completed work. Homeowner should call for a utility check if you plan on any excavation or turning of soil greater than 1 foot in depth.
- If xeriscape landscaping is to be used, the same rules apply for submitting the plan; however, if applicable, the watering plan should be submitted as “No Watering Required”.
- Homeowners may choose a third party to rebuild, repair, or restore a mulch bed.
- When the property ownership is transferred, mulch bed maintenance automatically reverts to HOA maintenance.
- Homeowners opting to do their own maintenance must display the ACC approved and supplied medallion to mark this status, or the HOA will by default have the LCR perform maintenance. The medallion will be supplied to the homeowner by the PM upon project completion.
  - Medallion Placement: The medallion is to be displayed on front porch/patio roof overhang soffit fascia in the upper corner on whichever side is adjacent to the side patio. It must be readily visible from the front walk without looking under any eaves or overhangs.
  - The HOA will collect medallions when property ownership is transferred or when a homeowner terminates their maintenance status.

## **6. Watering Rules and Methods**

- Hand Watering may be done using either a can or hose.
- Watering may be done with a drip system:
  - Hard plumbed drip systems may be connected to home plumbing. This must be installed in accordance with IBC plumbing and building codes at the homeowners’ expense.
  - Soft plumbed drip systems may be connected to the homeowner’s existing hose spigot. No plumbing is required to do this, and the local hardware store or big-box lumber yard can supply whatever is needed.
  - Drip systems may be controlled either manually or with an automatic timer. Timers may be hydraulically driven by the water or by an electric motor. If electric, timers must be UL listed and installed with Ground Fault Protection in accordance with all electrical codes.

## **7. Enforcement**

- The Landscape Committee, the ACC and the Landscape Company of Record observes and monitors the community to make sure the MLM for mulch beds is met.
- If the MLM is not met, the homeowner receives a notice from the Property Manager and has two weeks from the sending of the notice to correct the situation.
  - If the homeowner corrects violations, he/she must notify the Property Manager upon completion.
  - If the mulch bed is brought back into compliance and the maintenance continues, no penalty is assessed.
    - If the situation continues to exist with no remediation activity apparent, or is not brought into compliance, the homeowner is subject to appropriate HOA policy enforcement protocol.

## **8. Homeowner's Responsibilities**

- It is the homeowner's responsibility to adequately water their mulch bed.
- It is the homeowner's responsibility to assure the state of existing mulch bed is maintained, and that plants live or are replaced, as needed.
  - Assuring maintenance may be doing it or may be letting the PM know it needs to be done.

## Appendix A. Approved Edging Types

- Metal edging (steel or aluminum) is **NOT** permitted as replacement edging. If it is present and in Good Repair, the existing steel edging may be left in place and used.
  - Good Repair Criteria:
    - ❖ Edging must have no sharp edges or corners and have no rust (decorative patina is permissible). 100% of exposed surface must be covered by an acceptable finish. (Finish type is determined by edging type.)
    - ❖ New edging is to be no more than  $\frac{3}{4}$  of an inch above the grass covered ground and preferably between  $\frac{1}{4}$ " and  $\frac{1}{2}$ " high.
    - ❖ If edging is raised and is being used to allow mulch level to be up to 3" (maximum) higher than the grass level, it should be installed so that it retains the mulch and keeps it separate from the adjacent grass or mulch beds.
- Locking plastic panel.
- Permanent Mulch Border; this is a bonded mat of mulch and may be installed as a separating mat or a vertical buried edge.
- Mock Rock.
- Decorative Rock (selected rock type should have a complementary appearance with any adjacent rock walls).
- EasyFlex poly edging (must be installed based on grassed earth height).
- "Terrace Board" (or similar) plastic edging; this is a dug-in type.
- "Land-Shark" (or similar) plastic edging; this is pound in type.
- Others - there are far too many similar non-metallic edges to be listed. Any choice a homeowner submits will be evaluated to assure the "good repair" criteria is met.

## Appendix B. Mulch Application Guidelines & Types of Mulch

Every Mulch Bed must be covered with an ACC and HOA approved mulch; vacant or bare dirt is not permitted.

- Decorative rock/gravel, lava rock, marble chips, bank run gravel and river rock (not to exceed  $\frac{3}{4}$ " screen size for rough chips, or 1" screen size with rounded gravel).
  - Pumice only in an auto-watered garden.
- Slate or Lyons stone flakes/gravel
- ACC and HOA approved mulch shall be the benchmark standard mulch for our community.
  - Depth at installation should be at least 2 inches.

When the depth becomes less than  $\frac{1}{2}$  an inch or the bedding material or earth is visible over more than 10% of the much bed area, mulch must be reapplied in accordance with these rules.
- The use of  $\frac{3}{4}$ " or 1" square mesh polyethylene Mulch Netting is encouraged to help hold mulch in place and make it last as long as possible. This is especially important in windy exposure where wind erosion of mulch is probable.

Ross UV-treated polypropylene Easy Gardener Deer Block Deer Netting (or equivalent) is recommended. This retention netting helps keep the mulch from blowing away and/or migrating out of the mulch bed.

It is recommended that it be installed about  $\frac{1}{2}$ " below the average surface, or about 1 thin layer, of the mulch; however, if the homeowner desires, it may be installed over the top of the mulch as this material is "invisible" from about 10 feet.

Mulch Material that is **NOT PERMITTED**:

- NO rubber, paper, newsprint, straw, cardboard, leaves, coniferous needles, grass or weed clippings may be used. This applies to natural state, pelletized, chopped, shredded or other processing methods of these materials.
- NO cocoa hulls, English, or black walnut chips/shells.
- NO biodegradable, organic or synthetic mats may be used as the visible primary mulch. They may be use as an underlayment with at least 2" of approved mulch installed on top of this material.
- NO non-biodegradable mats.
- NO mushroom compost, manure, silage, or farm waste may be used as mulch. It may be introduced in bedding preparation as fertilizer and aeration material, but these materials may not be used as mulch.

## **Appendix C. Mulch Bed Fire Prevention Guideline**

Fire Hazards to consider when planning your mulch bed:

- Avoid Fire hazards such as keeping plants that are mostly dead, close to buildings or under eaves.

If ignited these could explode and climb (ladder) into fuels that are higher up. Soffits, roofs, building siding above brick facia, and similar all can be easily ignited.

Consider that fire propagates by wind driven sparks even more than by flame contact. This means, with aspects that face West (which is the prevailing windward side) a grass fire 20ft away from a ladder fuel source like a juniper bed with any fuels above it, could easily ignite the building. Whereas the same fire on the lee (East) side of the building is less problematic and could easily die of fuel starvation. South and North aspect should be considered about 2/3 of the safe distance risk of a West aspect.

The standard fire prevention rules of thumb for fuel-building separation are:

- a. If planting is within 4 feet of a fuel or fire source, it should be twice as far away from the building as the plant is tall; i.e., a 4-foot-tall bush should be 8 feet from the structure.
- b. If planting has an adequate fire break (for example alleyway or road) between it and a fuel or fire source, it should be at least the same distance from the building as it is tall; i.e., a 4-foot-tall bush should be 4 feet from the structure.

All new construction in Littleton must conform to the National Urban-Wildland Fire Interface standards ([https://www.usfa.fema.gov/wui\\_toolkit/](https://www.usfa.fema.gov/wui_toolkit/)).

## Appendix D. Mulch Bed Drainage Guidelines

Mulch beds must be designed and constructed so they have proper drainage away from the building structure. Homeowners wishing to refurbish or refresh their mulch beds should seek the guidance of a foundation drainage expert and should understand the SouthPark 2 ACC requirements outlined below.

***Note: If drainage water from your mulch bed causes damage to you, your neighbor or the community, you could be held responsible.***

Mulch bed drainage falls into two categories.

- a. Proximate areas that are adjacent to unit foundation walls and extend 3-4 feet from these walls or that go into shared drainage areas - shared drainage areas are where two or more walls drain into the same area, like the alcove between two units (many of which have walls on three sides).

***Note: It is highly recommended that no planting should take place in proximate areas, but it is especially advised to avoid planting large bushes or trees due to problems that can occur due to extensive root systems.***

- b. Distal areas are at least 3 feet away from foundation walls and do not have shared drainage - typical of the frontal and perimeter mulch beds along the patio walls and end unit mulch beds.

To assure good drainage:

1. Mulch beds should have a drain tile, and a cap.
  - a. The cap must slope away from the structure(s) with a ½" descent for each 12" of run.
  - b. Good caps can be clay or poly below the mulch (with openings cut/dug for plant root balls).
2. Mulch beds must be constructed so mulch and bedding do not drain silt onto adjacent paths and walks.

Design your mulch bed with the correct use of edging and drain tile to avoid this.
3. Be sure your drainage plan considers the effects of downspout drainage.

## Document Revision History

Changes noted below are subsequent to the approval of the initial document by the SouthPark 2 HOA Board at the September 2018 monthly meeting.

Version	Change	Approval Date
1.1	<ul style="list-style-type: none"><li>• Section 4: new paragraph IV, paragraph numbering adjusted</li><li>• Section 1: added four new terms</li><li>• Addendum D: added</li><li>• Document Revision History added at end of doc to track and facilitate reviewing changes</li><li>• Section 8 added</li><li>• Section 5: Title changed to make section applicable to both homeowners and LCR</li><li>• Section 5:<ul style="list-style-type: none"><li>○ added startup period</li><li>○ added wording to cover a two-step process</li><li>○ added verbiage to cover display of Homeowner Maintenance medallion,</li></ul></li></ul>	November 20, 2018 HOA Board Meeting