

HOMEOWNER ALTERATIONS TO COMMON LANDSCAPING GUIDELINES

The quality of life in University Hills is significantly enhanced by an aesthetically pleasing common landscaping. While the distinctive character and overall qualities of the common landscaping are determined by original design, it is acknowledged that individual homeowners might wish to further enhance their immediate environment by judicious alteration of the ICHA-maintained planting's adjacent to their homes. Typical considerations might involve windbreak establishment, trespass discouragement, pest control, safety, view enhancement, privacy enhancement, integration with private landscaping, or perhaps a desire for more color or variety.

A view, view corridors and view lines are defined by the extension of the property's side limits beyond the property's boundaries.

Requests for individual homeowner alterations to the common landscaping (including theme trees) will be considered by the Homeowner's Representative Board (HRB) for recommendation to ICHA. The following guidelines and conditions have been adopted by the HRB to guide decision making towards a policy which has long-term consistency and which strikes an appropriate balance between individual and collective concerns.

1. Homeowner requests are to be submitted in writing (duplicate) using the same procedure as is currently used for homeowner improvement approvals. Plant-specific plans and reasons for the request should be included. Neighbor awareness signatures are required: adjacent on each side and up slope or down slope, whichever is contiguous to the area / subject under consideration. The 45 day "automatic-approval-if-no-HRB-action" clause does not apply, however.
2. Tree additions will be subject to the following considerations: neighbor view corridors, aesthetic compatibility, safety at mature height, maintenance needs, access, root damage, wall proximity, utility proximity, etc. Unless the request arises from failed ICHA landscaping, homeowners will supply the tree and soil amendments; planting must be coordinated with ICHA and their landscape maintenance contractor. Ownership and liability will fall to ICHA. Landscaping may be removed or supplemented by ICHA at its discretion. It is understood that every effort will be made by the landscape contractor to honor a homeowner's request for a specific type of maintenance but ICHA assumes no responsibility other than inclusion in the normal maintenance schedule. Since liability falls to ICHA, tree addition requests may be denied if maintenance or safety considerations are perceived to significantly exceed those of the existing landscaping. In cases of major additions or those involving potentially hazardous installation, ICHA reserves the right to require a written agreement regarding installation liability.
3. Tree removal will typically be selective and judicious such that the general character of University Hills as a tree-enhanced community is maintained. Requests involving tree removal for view enhancement will be subject to the following considerations: (a) "Tree removal will be done by ICHA, who will inform impacted adjacent property owners that specific trees are scheduled for removal." And (b) "Homeowners requesting tree removal may be asked to contribute toward the cost of replacement materials or tree removal." (c)

Juvenile trees which at 10-15 years of age are expected to allow trunk trimming to give see-through views will not typically be removed. (d) In general, view enhancement requests will be considered favorably when a very specific view corridor is to be opened up or maintained. (e) Removal will be weighed against the alternative of annual pruning taking costs, aesthetics, etc. into consideration. (f) In general tree removal will be considered more appropriate when greater than 30% of the view within view lines is obstructed. (g) Homeowners with views impacted by distant trees in the view line but not on the adjacent slope may request ICHA to remove or replace these trees. The HRB will judge these requests on an individual basis, balancing the needs of the requester with those of the whole community.

4. The addition or removal of items other than trees, stepping stones, etc. will be subject to the same procedure as above.
5. These guidelines are not meant to, and do not alter or affect any terms of the ground lease or sublease.
6. Theme street tree replacement and removal will be approved, particularly in circumstances where the replacement variety supports the homeowner's property improvement theme.