



DESIGN AND CONSTRUCTION GUIDELINES

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Note: This edition of the Guidelines supersedes
all previous versions regardless of format.

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THE CLIFFS VALLEY

Dear Property Owner:

These guidelines provide the intent and stated purpose of our design and architectural standards and are intended to serve as your guide in the process of planning a new home. While this document can prove to be a helpful tool in planning homes at The Cliffs Valley, it can neither provide every answer nor guarantee ideal solutions for every situation. As questions arise concerning your building plans, the members of the ARB and the associated professionals will be happy to offer suggestions and guidance. We encourage you to participate when possible in all presentations to the board as they are made by your Architect, Designer or Contractor.

Environmentally sensitive design can only be achieved through a careful, well thought-out response to your particular lot, and the vegetation and topography of the building site. One of our objectives is to assist you in this site-compatibility planning effort so as to maintain the development philosophy noted on page 6 of the guidelines.

We hope you, your Architect, Designer and Contractor will find the guidelines beneficial and we encourage your questions and comments. If we may be of assistance in understanding and adapting to the design, construction and site-compatibility regulations, please do not hesitate to contact us early in the process.

Sincerely,

The Cliffs Valley Community Association (CVCA)

Cliffs Valley
Architectural Review Board

SUMMARY OF THE PROCESS
(Refer to Review Process - Mission Statement pg. 20)

PRELIMINARY APPROVAL

Please Read the Design and Construction Guidelines.

- (a) Contact licensed surveyor to prepare lot boundary, tree and topographical survey.
- (b) Determine preliminary home design; establish proposed location of home and driveway on the lot, including proper setbacks.
- (c) Develop home design and preliminary schematic floor plans and exterior elevations.
- (d) Submit two copies of the preliminary submittal package to the Association Manager, The Cliffs Valley Community Association (CVCA) Office c/o N & H Enterprises, 872 S. Pleasantburg Drive, Suite 100, Greenville, SC 29607, phone # 864-467-1600. The preliminary submittal package must include the following: (a) site plan (2 copies); (b) architectural schematics (2 copies); (c) copy of the Construction Permit Application (Application Package); (d) check for \$550 for Review Fee.

Note: Any incomplete submittal will not be accepted for further action.

- (e) Schedule a time for preliminary meeting (contact Association Manager). Submittals must be made no less than ten (10) calendar days prior to meeting date.
- (f) After ARB preliminary approval, stake the lot indicating the house location, centerline of drives, and trees to be removed. (Refer to pg. 15, Trees and pg. 20 of the Application package).
- (g) Submit survey with proposed location of house and septic system to the State Environmental Department for inspection and approval.

FINAL APPROVAL

- (h) Incorporate any changes and address preliminary review suggestions or modifications and submit the following final review package to the Association Manager for Final Review: (a) Exterior colors and roofing material on ARB Color Board only; (b) Final architectural drawings including a set of ½ size drawings, and site plans; (c) Final Construction Permit Application; (d) Check for Construction Compliance Bond; (e) Check for Cliffs Valley Road Usage Fee; (f) Check for Landscape Bond, if landscaping is the responsibility of the owner; (g) Signed Construction Agreement (All forms and schedule of fees found in Application Package), Proof of Signed Contract with Licensed Contractor.

Note: Any incomplete submittal will not be accepted for further action.

- (i) Schedule site inspection (site walk) with Contractor, Owner (Optional) and ARB at the time of Submissions for Final Review. Submittal must be made no less than ten (10) calendar days prior to desired meeting date.
- (j) Secure County building permit.
- (k) Install required construction site amenities – dumpster (required after framing has begun), wire backed silt fence and erosion control measures, builder’s sign, temporary sanitary facilities. Call the Association Manager when complete.
- (l) Secure Construction Authorization Permit from the ARB issued at completion of Site Walk.
- (m) Commence construction.
- (n) A preliminary landscape plan must be submitted to the ARB for approval no later than nine (9) months after date on Construction Authorization Permit. Landscaping must be complete no later than six (6) months after Certificate of Occupancy (CO) has been issued.
- (o) Inform ARB of project completion for Final Compliance Letter and for refund of funds (if any) from the Construction Compliance Bond. Prior to issuance of Final Compliance Letter, an on-site inspection will be performed to assure conformance of previously approved materials and colors and review of any tree removal (see pg. 15). Check will be refunded to the party who originally posted the Compliance Bond.

DEVELOPMENT PHILOSOPHY

The Cliffs Valley is a planned golf, lake and mountain community designed to be well integrated with the terrain and climate. The design objective is to blend the development into its natural setting rather than contrast or compete with it.

One of any community's strongest statements is the architectural quality of its homes. The degree to which the The Cliffs Valley integrates with its blended rural atmosphere is therefore dependent on the design and setting of each home. The architectural review process has been established to help ensure that each home makes a contribution to this design objective and is site-compatible when employing these guidelines.

A mountain / lake design theme will be prevalent throughout many of the homes at the The Cliffs Valley. Although all sites and homes will vary somewhat, a common set of design elements and theme compatibility should be carried throughout. The developer has established additional guidelines for specific neighborhoods within the The Cliffs Valley Community (e.g.) Stone Creek Design Guidelines.

INTENT OF THE GUIDELINES

The Cliffs Valley is dedicated to preserving a unique and ecologically sensitive community. The architectural design and construction philosophy of the Development is that homes be unobtrusive and compatible in form and color and thus complement their natural setting.

PURPOSE OF STANDARDS AND GUIDELINES

It is the purpose of these Guidelines to promote excellence in architectural design and construction in a compatible character appropriate to the surroundings and the special conditions of climate and other environmental factors indigenous to The Cliffs Valley.

The guidelines are expressly intended to protect and enhance the property values of all owners throughout The Cliffs Valley, and the review procedures are intended to provide a systematic and uniform review for site compatibility and construction design elements, with materials and colors requiring Architectural Review Board approval. The ARB retains full authority to enforce and/or amend these Guidelines as it deems appropriate.

FUNCTION OF THE ARCHITECTURAL REVIEW BOARD

The Cliffs Valley Architectural Review Board is granted the power of establishing design guidelines through Article XI, Section 11.2 of the Master Declaration. The Master Declaration is a recorded and binding instrument as stated on the Deed to your property.

The Architectural Review Board (ARB) is set up for the purpose of maintaining site compatibility while enhancing the development. The Board's composition of members was determined by the Developer who has elected to delegate full responsibility of Architectural Review to The Cliffs Valley Community Association. The Architectural Review Board has been set up as specified in Article XI, Section 11.2 of the Declaration of Covenants and Restrictions (pg. 28-31) of Cliffs Valley.

The approval of the Board relates to the harmony and compatibility of external design and site conditions and placement optimization. The Board does not assume liability for either structural design or impact to a neighbor's property during construction. Architectural Review Board approvals, and the subsequent issuance of The Cliffs Valley Construction Authorization Permit, are just some of the initial steps toward construction of a home.

The State Department of Health and Environmental Control and County have jurisdiction over certain elements of the building process at The Cliffs Valley. The Owner and his Architect/Designer and Contractor are solely responsible for compliance with these rules and regulations.

BASIS OF AUTHORITY

The Design Guidelines derive their authority from the Master Declaration of Covenants, Conditions and Restrictions for The Cliffs Valley. The Guidelines are meant to clarify and add greater detail to the Covenants.

Any work done in violation of these Guidelines and Article XI of the CCRs is nonconforming. With a written request from the ARB, the Owner, at his sole cost and expense, shall bring any and all such work into conformance. If the Owner chooses not to correct such issues, the ARB can enjoin the property for corrective action, at Owner's expense.

The ARB, acting on behalf of the Board of Directors, shall pursue all legal and equitable remedies to enforce the provisions of Article X and XI, including, but not limited to, placing a lien on a Lot for Payment of delinquent fines and assessments. Such fines may include fines imposed by the ARB for violations as stated on the Schedule of Fines ("Benefited Assessments"), or costs related to any and all corrective actions undertaken and/or required. Additionally, legal and equitable remedies may include issuance of **"cease-and-desist order"** as issued by the Court.

GENERAL COMMENTS

The unique topography and natural setting found on nearly every building lot at The Cliffs Valley demands special attention to home design and site compatibility integration. Therefore, to ensure a satisfactory experience in planning and building a home, it is strongly recommended that both a licensed Architect and a Landscape Designer be involved in the process. Contractors, however qualified, can't always offer design services, which include expertise in site planning, superior architectural appearance and conformity, and quality of detail. It is unlikely that plans for modular, pre-cut, catalogue, or building supply stock plans, including most plans found in house-plan magazines and catalogues, will meet the above criteria and their use is discouraged. In addition to their possible lack of architectural appeal, the generic nature of most of these plans rarely suits site-compatibility appropriately, and modifying a site to fit a preconceived plan may be grounds for rejection.

Every site and home presents a unique opportunity. Good professional design assistance will almost certainly add more in value to your home, and the community at large, than its up-front cost.

The Cliffs Valley ARB does not suggest or recommend the capability of any one contractor (builder), except said Contractor must be licensed in the state of South Carolina or North Carolina as dictated by the state in which the building site is located. The Cliffs Valley ARB does not recommend or take responsibility for any of the terms and conditions of any arrangements between the property owner and Contractor selected for construction on the home, notwithstanding the approvals that are necessary from The Cliffs Valley ARB. The ARB does, however, recommend that:

- (a) The property owner establish a contract with the Contractor defining the terms and conditions for construction of the home on the owner's property, as well as seeking advice of counsel in the preparation of the contract.
- (b) The property owner should seek the counsel of an insurance agent to protect all interests adequately and to cover the home during construction prior to completion, so the property owner will be adequately covered for all types of contingencies and/or liabilities.

Please remember that no clearing of any type can be commenced without having received Final Approval from the ARB. The ARB encourages your participation in the process, and urges you to engage qualified professionals in the survey, architectural, construction and landscape disciplines.

DESIGN

The architectural design concept for the The Cliffs Valley is that home structures should be site-compatible and unobtrusive in form and color, thus complementing its natural setting. No particular period styled, foreign or geographic influences, or historical approaches are specially endorsed or encouraged. If one style is seen to be the dominant style desired, it would be the mountain/lake style of that region. Many of the styles which have been historically popular such as Georgian, Federal, Southern Colonial, Neoclassical, etc. may not adapt well to sites in The Cliffs Valley, nor do the more modern imitators which reflect a suburban tract look and may be subjectively rejected as incompatible.) Note: See Stone Creek Guidelines for additional requirements.

SIZE

The Covenants stipulate the minimum square footage that may be contained in a residence built on a lot. The minimum size of the residence may be regulated by the ARB. Building heights shall be determined by the ARB based upon lot location, tree cover, neighboring homes and other factors affecting the site compatibility. Homes shall not exceed two (2) stories above a basement, and in any case shall not exceed 2 ½ stories above natural grade. In addition, while maximum building sizes may not be specifically established in your Deed or recorded Covenants, the Board may, at its discretion, disapprove a submittal that is inappropriate or incompatible for the site due to size or other considerations. The Board may disapprove any submittal, which crowds the site and/or is out of context with other structures in the area.

No home shall be erected, altered, placed or permitted to remain on any lot other than a single family independent dwelling not exceeding two (2) stories in height above the basement, with a minimum requirement of at least a two (2) car attached garage (via roof structure). A residence shall contain a minimum of 2,000 square feet of heated living space; however, at the ARB's sole discretion, due to specific site conditions or other design considerations, the ARB may allow for some portion of decks, porches or other unheated and/or non air-conditioned exterior elements to be credited toward the calculation of the 2,000 square foot minimum. Garages, greenhouses or similar areas, such as unfinished basements or cellars, shall not be considered floor space in meeting the above requirements. No carports are permitted. Only interior heated space in areas that are eight feet (8') or higher will be considered in this calculation, except by the special variance exception as mentioned above. (See Garage section for more information, pg.12).

BUILDING SETBACKS

The buildable area of every lot must be delineated to determine the portion of the lot upon which the house may be constructed. This area is specified by the easements and setbacks as recorded on the subdivision plat or in the legal description of the lot. In the absence of setbacks specified on subdivision plat and/or covenants, the typical setbacks required by the ARB are:

SINGLE FAMILY LOTS – ALL SECTIONS

Front or Side Yard – twenty five feet (25')

Rear or Side Yard – adjoining a golf course – thirty feet (30')

Rear yard – thirty feet (30')

Adjoining a lake – all lots – building site including septic drain fields – fifty feet (50') from the Lake Setback Reference Point. The Lake Setback Reference Point must be determined by Surveyor and recorded on an as-built survey of improvements.

The setbacks outlined above are for a typical building site. Larger, as well as irregular sites, may suggest to the Board that these setbacks are altered. Variances may be permitted by the ARB to save prominent trees, minimize disruption to unusual topographic features, to accommodate an irregularly shaped lot or when the ARB determines in its sole discretion, that a variance is otherwise appropriate to the site. All such determinations are final and binding upon all concerned.

A variance from said building setback lines may be given by the ARB to a lot owner upon submission of extraordinary circumstances by said lot owner. Such extraordinary circumstances may include unusual topography, lot shape, frontages and potential views. The location of large trees and similar natural materials will be taken into consideration. The ARB reserves the right to control absolutely the precise location of any residential structure or appurtenance affecting all lots.

At the discretion of the ARB an owner may be required to file a variance with other authorities having proper jurisdiction.

ROOFS

Roof pitches for major roof areas are required to be a minimum of 5/12 and a maximum of 14/12 for functional aesthetic reasons. The aesthetic appearance of a residence roof-scape depends greatly upon the articulation of the siding, roofing, details, fenestration, walls and fences. Walls, fences and screens should be used to provide privacy, enclose service areas and HVAC units and to reduce the scale of large masses. Details at the soffit, fascia, base, corner, windows and decks should have common elements that help unify the appearance.

Roofing materials shall be wood shakes, wood shingles, engineered cementitious aggregate products, composite slate, fiberglass shingles or genuine slate. If fiberglass, the shingles shall be of an "Architectural" grade and have at least a thirty (30) year warranty. Roof vents and accessories should be located away from the front elevation and painted to match the roof color.

Chimneys must be veneered with brick, stone, textured genuine stucco or a combination of these products and **MUST** be of darker tones.

Metal roof materials for accent and porch roofs are subject to ARB approval concerning finish, color and seam type.

COLORS

All exterior materials and colors should complement and be compatible with the surrounding environment. Color samples for new construction and recoloring of existing buildings shall be submitted to the Board for Approval in advance of painting or staining. All exterior materials shall have an LRV (light reflective value) of LESS THAN FORTY THREE (43). Genuine stucco surfaces must be textured and should be of the darker tones. NO WHITE TRIM IS PERMITTED.

MATERIALS AND SURFACES

The use of high-quality exterior siding materials should incorporate a balance of some of these materials: engineered wood-like aggregate products, natural wood horizontal or vertical board and batten siding, cedar shakes, genuine textured stucco and stone. The use of less than highest quality materials is strongly discouraged and may be grounds for rejection.

The use of plywood siding is not permitted except for use on underside of soffit.

Vinyl siding, vinyl windows and vinyl soffits are not permitted.

Aluminum fascia is not permitted.

Brick, red in color and unpainted, is not permitted.

Log homes or log cabins are not permitted.

No concrete blocks may be exposed.

No unpainted sheet metal may be exposed.

All deck and porch supports must be a minimum of 8" by 8". (Stone Creek is 10" by 10")

All brick, genuine textured stucco or stone SHOULD terminate at an inside corner.

The use of wood lattice is discouraged but any use of it must meet ARB approval.

All foundation elements, chimneys, and floor framing shall be supported from grade. Visually unsupported cantilevers are not permitted.

All driveways and parking areas must be paved with asphalt, pavers or concrete unless another material is approved by the ARB. (STONE CREEK: Must use natural stone, masonry or concrete pavers in the darker color ranges, imprinted stained concrete or exposed aggregate stained concrete; OR use asphalt with at least a twenty foot (20') apron, starting from edge of road, comprised of one of the

preceding materials. Use of non-colored concrete is strongly discouraged but if approved by the ARB, must include the aforementioned apron.)

All play equipment, gazebos, pergolas, outbuildings, outdoor fireplaces/firepits (must be gas burning, wood burning not allowed), etc. and similar type structures require review and written approval from the ARB. Structures shall be placed so that they are unobtrusive and within setback lines and placed so as to minimize visibility from any street, lake or golf course.

Outside clotheslines are not permitted.

Unless approved by the ARB, no decorative features such as greenhouses, sculptures, birdbaths, birdhouses, fountains, water features or other decorative embellishments that are visible from any street, golf course or lake shall be permitted.

Each family dwelling unit must have permanent electric service supplied by Duke Power Company/ Blue Ridge Electric or its successor normally supplying electric service to Cliffs Valley.

Exterior floodlights must use baffled or hooded fixtures to minimize direct visual access.

All window air conditioning units (if any) must be screened from roads and also from neighboring lots. All compressor units shall be ground mounted. Compressor units shall be screened by approved fencing or planting.

GARAGES

Every home must have a minimum of a two car garage of at least four hundred square feet (400'). The garage must be attached, via roof structure, unless otherwise approved by the ARB, and must be of similar construction and appearance as the home. No carports are allowed. Each family dwelling unit must have sufficient enclosed garage space for any and all family cars. Garage doors must be located so as not to face the street, unless by ARB variance. In selected neighborhoods and for selected lots, this requirement may not apply.

APPURTENANCES

The proposed building of a deck or bridge into or across any natural or man-made water body or wetland area must receive prior approval from the ARB. Exterior lighting requires ARB approval, and must be installed so as not to disturb either neighbors or nearby traffic. The construction of game and play structures as well as swimming pools are considered improvements and must be submitted to the ARB. Tennis Courts on lots are not allowed. Each home is required to have a typical mailbox, the design, color, construction and installation of which is required to conform to The Cliffs Valley Guidelines for Mailboxes (Application Package).

LANDSCAPE DEVELOPMENT, DESIGN & CONSTRUCTION

Preliminary landscape plans must be submitted to the ARB via the property manager for review within nine (9) months of date on the Construction Authorization Permit and all landscaping must be completed within six (6) months after the CO has been issued. If landscaping is the responsibility of someone other than the builder, a separate bond must be posted which will only be refunded upon completion of the approved landscaping.

The preliminary landscape plan should incorporate plantings of size and quantity which, at maturity, existed naturally at the home site prior to construction. All foundation walls and retaining walls should be adequately screened. Large areas of sod, pine straw/mulch are discouraged. Rock, gravel or pebble stones are not acceptable mulching materials. Pathways and terraces for outdoor living areas are encouraged with natural, unobtrusive materials that are enhanced by the planned landscaping. Stone steps, dry creek beds and mulched paths in a serpentine pattern that minimize disturbance with the appropriate plantings to provide screening, beauty and erosion control are highly desirable. Erosion control should be at the forefront of the designers mind when planning for the site.

Except for the area within ten feet (10') of the house or driving areas, no living tree with a diameter of five inches (5") or more, or any flowering shrub, dead or alive, shall be cut without prior consent of the ARB. Trimming trees is allowed up to the canopy.

Each property Owner is responsible for maintaining the condition of structures and landscaping. The POA has the authority to correct poorly maintained landscaped areas at the Owner's expense.

Planning considerations:

Care should be taken in the selection of plants and flowers for size, tolerance of environment (temperature, sunlight exposure, wind, animals, altitude, etc---there is a great difference across the Valley from one area to the next) and drought resistance. Native varieties are always the most likely to survive.

In planning the landscape there are several factors which should be paramount:

- Elevation: what will work at the Valley floor may not work near the North Gate.
- Wind: some sites are protected and some are not. For example, Lorepetulum will do nicely at 1100 feet but will not survive a cold wind at 2000 feet.
- Erosion Control: some sites are easy and others are very demanding. Early planning can alleviate nightmares later on, and it is much easier to do it right when under construction. The owner should play an active role with the builder and landscape planner to assure erosion control is in place from day one. Water must be directed away from foundations but NOT be directed onto neighboring properties in such a way that will disturb its natural state. Roof run-off must be managed in such a way that it will not add to erosion on the site. Exiting water may require river/rock type management to reduce its speed and reduce erosion. Drains in selected places with appropriate terracing/retaining walls can add greatly to site stability. Recent experience shows that too often there are erosion issues near the road due to the natural or new grade. Landscape plans will now require either river rock, dry creek beds or plantings (that won't hinder line of site for traffic) that will control water flow near any sloping area where erosion might occur.

- Invasive Species: are not allowed. While they may seem attractive early on to “fill in a space quickly” you and your neighbors will soon hate them. Avoid at all costs invasive species such as English Ivy.
 - Irrigation: while a small lawn is fine, a massive lawn is inconsistent with water conservation and a mountain setting. Drip systems are encouraged where possible (tax credit is available in South Carolina for drip systems) because of their efficient use of water.
 - Soil Type: while most sites are largely clay that is not totally true. Check to make sure your chosen plant material will prosper in the soil type you have. And make sure the planting depth is appropriate for the soil type.
 - Tree Protection: during construction the trees near the home that are to be saved must be protected from excess stress. For example, compaction from even a small tractor or pick-up parking several times under a tree can compact the roots area and cause death later. Also protecting from excess soil being mounded against the base which cuts off oxygen to the roots, again causing stress, which can kill later. When in question, local arborists should be consulted to assist the owner in saving critical trees.
 - Line of Sight of Driver: plantings must not impede the line of sight of drivers in any direction
 - Mulch: pine straw or hardwood mulches are the normal mulches. Pine straw is slippery on a bank. Double ground should not be used on steep banks because it will wash away---single ground is best on steep areas. All disturbed areas must be mulched as part of the landscape plan.
- Other:
- Water features are allowed where they are well designed and maintained and must be approved by ARB.
 - Statues/yard artwork must be approved by the ARB when seen from the road
 - The use of defoliant on large areas is expressly prohibited.

TEMPORARY STRUCTURES

No structure of a temporary nature shall be placed upon any portion of The Cliffs Valley at any time for any reason. Temporary shelters, including mobile homes, trailers, recreational vehicles, and tents, may not be used as temporary or permanent residences or be permitted to remain on any portion of The Cliffs Valley. Trailers for contractors, builders or others normally placed at construction sites are permitted only after specific approval in writing by the ARB and only for its need during constructions. Basements or partially complete houses are considered temporary and may not be inhabited.

Viewing stands built for the purpose of selling a vacant lot must be approved by the ARB prior to installation. This may be applied for using the *Vacant Lot Cleaning Permit* as lot cleaning usually occurs at or near the same time. Stands should be located so they are not highly visible from the road. It shall be constructed of treated lumber and shall be built "To Code" for safety, including concrete post foundations, the staircase, the railings and the pickets. The stand should have a floor height of no more than ten feet (10') from the leading edge (where the staircase attaches) and a deck no greater than fifty square feet (50'). Stands must be kept in a good state of repair and appearance.

TREES

Any tree removal and/or topping shall be done only with The Cliffs Valley ARB approval. The cutting of the forest canopy is **STRICTLY PROHIBITED** unless approved by the ARB. Tree removal, topping and/or pruning is **STRICTLY PROHIBITED** within fifty feet (50') of a lake or the golf course.

Trees in the construction zone not approved for removal must be protected by a barrier fence (orange snow fence) around the drip area of the tree(s). Absolutely no grading, fill dirt, stored materials or heavy equipment allowed in the drip area. All utility trenches in the root zone of a tree must be hand dug.

No tree measuring five inches (5") or more in diameter at a point two feet (2') above ground level, any flowering trees or shrubs, or any evergreens may be removed without the written approval of the ARB, unless located within ten feet (10') of a building, or within the right-of-way of driveways and walkways. Exception would include damaged trees, or trees which must be removed because of any emergency. Should a lot owner remove any tree or vegetation as herein provided without the above-described written approval, said lot owner shall be liable for damages which may include fines and/or legal action.

A survey showing all trees five inches (5") or more in diameter for an area thirty feet (30') around the footprint of the building and to include the numbering of the trees for identification and a corresponding "Tree Legend" must be submitted for the Preliminary Review. The survey must show trees of twelve inches (12") or larger in diameter for the entire site. The ARB will perform a site walk prior to construction to verify location, condition and trees tagged for removal.

For trees removed or destroyed without ARB approval, the ARB may, at Owner's expense, enter the property and install trees of a trunk caliper totaling three (3) new to every one (1) destroyed or removed. For example, the loss of a twelve inch (12") caliper tree shall be mitigated, at a minimum, by the planting of nine (9) four inch (4") caliper trees (ref. Pg. 4, item F).

SEWAGE

Prior to the occupancy of any family dwelling unit, proper and suitable provisions shall be made for the disposal of sewage by means of a septic system, and no sewage shall be emptied or discharged into any creek, lake or shoreline thereof, or upon the open ground. No sewage disposal system shall be used unless such system is designed, located, constructed and maintained in accordance with the requirements, standards and recommendations of the State Board of Health or its successor governmental authority. Each septic system shall be maintained in good condition so that its use and existence shall not constitute a nuisance to any other lot owner. Approval of such system shall be obtained from the health authority having jurisdiction. In the event that the Developer, its successors or assigns, provides a public sewage disposal system available to the subdivision's lots, any lot owner whose lot has such service available shall be required to hook up to said system on the terms generally arranged for said system. Every family dwelling unit shall have permanent plumbing and running water and a permanent sewage disposal system. No temporary plumbing, water, or sewage systems are allowed. No private wells may be drilled or maintained on any residential lot.

Builders will be required to install a permanent marker to indicate the access cap to the septic tank so that its location is obvious for future cleanouts. During construction rebar can be used and upon completion a concrete marker will identify the location.

STORAGE TANKS

Fuel storage receptacles may not be exposed to view and must be buried and installed in accordance with all applicable guidelines and regulations.

Water storage tanks used for irrigation purposes may be above ground but must be properly screened, not visible from the street, be compatible with the house design and **MUST** be approved by the ARB.

TRASH

Each lot Owner shall provide sanitary containers for garbage, and all garbage receptacles, tools and equipment for use by the lot owner or otherwise shall be placed in a fenced enclosure to shield same from general visibility from roads and neighboring properties. Trash, garbage and other waste shall be kept in said sanitary containers. No trash, garbage, construction debris or other unsightly or offensive material shall be placed upon any portion of The Cliffs Valley, except as temporary and incidental to bona fide improvements of said area.

Animal-proof trash receptacles are mandatory and should be screened by planting, berming or a fencing element and must not be visible from the road.

EXTERIOR LIGHTING

All exterior lighting, if desired, must be “down lighting” and be approved by the ARB. Down lighting is required to reduce glare. Exterior light fixtures on homes should be of baffled or hooded design and conservative in number. Colored lights are prohibited.

FENCES/GUARD RAILS

Fences are only allowed if required by State building codes such as enclosing a pool. Under all circumstances, fences must be reviewed and approved by the ARB. No others will be allowed. Fences must harmonize in character and color with the house and the landscape design. Natural fences and berms are allowed and encouraged and should be part of the landscape plan.

The ARB regulates the appearance of guard rail systems but not their effectiveness for hazard reduction. A licensed Professional Engineer (PE) should be used if the installation is needed due to hazardous driveway or parking drop-off conditions. They should be constructed of treated square wood posts (minimum 6” x 6”) and treated rectangular wood rails (minimum 4” thick x 8” wide) and should utilize galvanized steel bolts, nuts and washers. The color and appearance of the materials specified shall be approved by the ARB.

POOLS & SPAS

No aboveground pools or inflatable bubble covers will be allowed. Pools and enclosures should relate architecturally to the home and other structures in their materials and detailing. Pools abutting a golf course or lake are not permitted.

SIGNAGE

All signage is restricted within the community. All signs will be a standardized design approved by the ARB. Prohibited signs will be removed and discarded (Application Package). No builder sign may be placed facing the golf course. House number signs (see Application Package) are allowed, where the mail box is on the opposite side of the road, to properly identify the property.

MAILBOXES

Mailboxes and their installation must conform to a standard design and dimension (see Application Package). The mailbox must be mounted so that the face of the mailbox is fifteen-eighteen inches (15-18”) off the edge of the pavement.

The following are sign making companies in the area, which have experience in producing signs and/or mailboxes for the Cliffs Communities:

Gimme A Sign (864) 232-2525
Elite Signs, Inc., (864) 801-0022

ANTENNAS

All utilities, wires, cables, antennas and the like, of any kind (such as telephone, electrical, television, radio, and citizen band radios) must be placed underground except as may be expressly permitted and approved in writing by the ARB. Satellite dishes shall not exceed thirty six inches (36") in diameter and must be placed as unobtrusively as possible.

SOLAR SYSTEMS

Solar systems for both Hot Water Heating and Supplementary Power Generation are allowed but require ARB written approval. If Solar Panels are considered for new construction, house placement and roof design should be considered so that panels are facing South or Southwest but are NOT visible from the road. Panels need to be mounted so as to be in the same plane as the roof and are NOT elevated more than four inches (4") above the surface of the roof. Systems that appear to be the same as roof shingles are encouraged. Homeowners/builders are encouraged to consult with the ARB before considering or installing any type of Solar Systems as each installation will be considered on a "case by case" basis. Solar Systems considered for existing homes must also be brought before the ARB for their review and approval.

FIRE PROTECTION RECOMMENDATIONS

The ARB recommends that the property owner install a Knox Box rapid entry system for fire personnel. For additional information, please contact the appropriate fire service and your Builder. More information on the Knox Box website (www.knoxbox.com).

The ARB recommends the installation of a water fire sprinkler system during the construction of the home. South Carolina law currently states that this will be a mandatory requirement for new construction on January 1, 2014. For additional information, please contact your Architect and/or Builder.

WATER COURSES

The proposed building of a deck or bridge into or across any natural or man-made body or wet-land area must receive prior written approval from the ARB.

No lake shall be constructed, nor shall the course of any stream be changed, nor any culverts installed in any stream without prior written approval of ARB. Waterways: The owner of lots fronting on a lake, stream, or other waterway, or on an open-space area, separating the lot from such waterway, will not be permitted to erect or maintain a private dock, dam, or similar structure on such waterway unless required permits are obtained from the ARB.

SPECIAL RESTRICTIONS

Special Restrictions are in effect for all lots abutting a lake or golf course. For those lots only, the following special restrictions apply:

- (a) The landscaping pattern of that portion of any residential lot within fifty feet (50') of the lot line bordering a golf course shall be in general conformity with the overall landscaping pattern for the course fairway area established by the golf course architect and communicated to the lot owner by Developer and/or the ARB.
- (b) Tree removal and/or topping is strictly prohibited within fifty feet (50') of a lake or the golf course. Any tree removal, topping and/or pruning shall be done only with The Cliffs Valley ARB approval.

REVIEW PROCESS – MISSION STATEMENT

The Architectural Review Board exists to review all buildings proposed for construction at The Cliffs Valley and to encourage high quality architectural construction and site-compatible design which is appropriate with the surroundings and special conditions indigenous to the Valley Development area.

This review process has been set up to establish a systematic procedure for review of proposed construction. Required drawings and submittal forms must receive Preliminary Approval. A site inspection with any proposed site improvements noted and the home staked out with tree removal plans provided will be conducted after Final Approval has been granted.

The ARB may disapprove any proposed construction on purely aesthetic or site incompatibility grounds, where, in its sole judgement, such action is required to protect natural beauty and attractiveness of the site and/or the improvement modifications or residence are deemed to be incompatible with the general architecture or environment of the community.

The ARB staff will preview every project at the Preliminary and Final review stages, review the lot as staked out, and review the submission of acceptable final working drawings, specifications, preliminary landscaping plan, and color samples. The final project shall not be presented to the Board for review until a complete Preliminary submittal package has been presented and approved. The ARB has thirty (30) days to respond to each submittal. Construction must begin within twelve (12) months of approval authorization; after such time re-submittal is required along with the associated fees (Application Package).

No site clearing, material deliveries, or construction may begin without first obtaining final approval from the ARB and a Construction Authorization Permit has been issued. It is incumbent upon the property owner to request and obtain a schedule date for your Review process with the ARB. All State and County Building Department rules and regulations must be followed as well with appropriate necessary permits obtained.

The Board generally meets the first and third Wednesday of every month, or more often if the case load dictates. Submittals must be received at the ARB office no later than ten (10) calendar days prior to the meeting. The ARB office is located at The Cliffs Valley Community Association Office, c/o N&H Enterprises, 872 S. Pleasantburg Drive, Suite 100, Greenville, SC., 29607. Tel. # 864-467-1600. Please review the Summary of the Process section (pg. 4). Incomplete submittals will not be accepted and no action will be taken until a complete submittal package is presented along with the required bond fees.

PRELIMINARY REVIEW

As early as possible the Owner and Architect/Designer should prepare and submit two sets of preliminary schematic drawings reflecting the general form, spatial relations, materials, articulation, setting, and circulation drive pattern. The intent of the Preliminary Review is to discuss the project, and review the intended architectural style and site plan. Regardless of what form of presentation is used; all preliminary submittals must contain the following:

Site Plan: A site plan shall be presented at a minimum of 1"= 20' scale, depicting the site data gathered. The proposed structure setting should be reflected on a copy of the tree and topographical survey, prepared by a Licensed Land Surveyor, showing the types and location of trees greater than five inches (5") in diameter, measured at a point two feet (2') above the ground, as well as property lines, easements, setbacks, contour lines, and other homes and driveways on adjoining lots, and site access. Any rock out-cropping or any other special or irreplaceable features are to be identified for protection. Soil erosion protection and silt control measures must be included on the plan. The site plan must include proposed finish floor elevation relative to the existing grade elevation.

The site plan should also include the proposed location of the septic system. Driveways should not impede drainage, and the owner is required to (at his expense) install culvert pipe (corrugated metal) measuring a minimum of fifteen inches in diameter and twenty feet in length so that any driveway does not impede drainage.

Floor Plans: Schematic and preliminary in nature; floor plans at ¼" scale, representing the layout of spaces for all levels of the proposed building. The plan must include the calculation of the square footage of heated space.

Elevations: Schematic and preliminary in nature; drawings shall be ¼" scale, representing the view of all exterior sides of the proposed structure. Wood, stucco and/or masonry elements of all exterior walls shall be accurately and specifically depicted or designated.

Landscape Plan: May be presented but is not required until nine (9) months after commencement of construction, when it is mandatory. However, any preliminary designs may be desirable and helpful during preliminary review.

Preliminary Review Form: The ARB will either grant Preliminary Approval or provide reasons for objection of the submittal, and normally will offer suggestions addressing objectionable or compliance issues. If the preliminary drawings are substantially changed, either by request of the Board or desire of the owner, they must be resubmitted and receive Preliminary Approval before proceeding for Final Approval. A Preliminary Approval is valid for twelve (12) months from date of initial approval.

A check for the amount as outlined in the Schedule of Fees section (Application Package) must be presented at the time of package submittal to CVCA office. If the landscaping is the responsibility of someone other than the builder, a separate bond must be posted by the homeowner at this time.

FINAL REVIEW

The final construction documents are prepared incorporating any and all departures and alterations from the preliminary review plans.

Final Stake Out: The stakeout of the property must be done in accordance with the “SITE INSPECTION CHECK LIST”. (See Application Package, pg. 20). No trees over five inches (5”) in diameter, measured at two feet (2’) above ground level may be removed or limbed at any time without prior Board approval. Orange protective fencing encompassing the drip area shall be used to prevent injury to trees not approved for removal and to avoid any potential damage from construction equipment. Final determination of septic drain field should be complete and staked.

Final Site Plan: Update the Preliminary Site Plan to incorporate all changes or modifications, with the proposed drive and mailbox locations.

Color Samples: Proposed colors of all exterior materials including siding, trim, brick, roofing, stone, genuine textured stucco and lattice shall be submitted or actual samples of materials intended for use may be required. The samples must be mounted on an ARB Color Board (Application Package). These sample submissions are most important to both the owner and the Board in evaluating the appearance of the house as color chips often vary greatly from actual applications on surface materials. Actual samples of genuine textured stucco ARE REQUIRED and actual samples of other materials may be requested prior to “Final Approval”.

Foundation and Framing Plan: Plans at ¼” scale, showing locations and sizes of foundation and framing elements and how they relate to nearby trees, rock out-croppings or other topographical features are required.

Floor Plans: Floor plans shall be drawn at ¼” scale, containing all information necessary for construction. Electrical plan must be included for interior and exterior with these submitted plans.

Elevations: Drawn at ¼” scale, elevations shall accurately represent the view of all sides of the house including final grading elevations. Floor elevations must be delineated and existing and proposed grade levels must be shown. All exterior component material must be defined for specific material type and colors are also required in the plan submission.

Landscape Plans: Drawn 1"= 20' (min.) scale must convey a scaled representation of all planting material, identified as to size, common name, and variety. Plans shall also show the location of landscaping lighting with fixture catalogue cuts, sprinkler head locations and patterns, walks, fences, pools, decks, patios, play structures and mailboxes. Plans must also show how roof runoff water and driveway runoff will be collected and controlled. Adequate plant screening shall be provided for HVAC units, service yards, trash enclosures, antennas and electric meters. The contractor shall be responsible for locating existing utilities before excavating. The proposed landscape budget shall be disclosed; the landscape allowance generally equals 3-8% of total construction budget depending on topography and existing vegetation.

Final Review Form: If the Committee fails to grant Final Approval of the project, it will suggest corrective action for re-submittal. If the Committee grants Final Approval, a Cliffs Valley Construction Authorization Permit will be issued after the "Site Walk". If corrections are required, two (2) sets of corrected working drawings must be presented to obtain the approval form plus one set of half-size drawings to be used by our "Quadrant Leaders" who do routine site inspections during the building process.

GENERAL REGULATIONS

All Contractors (and owner-builders) of residences at The Cliffs Valley must be licensed by the State of South Carolina or North Carolina as dictated by the State in which the building site is located. At a minimum, a state residential builder's license is required.

Construction of the residence must be completed within twenty-four (24) months after receiving the "Authorization to Build". Any project not completed within twenty four (24) months shall incur and pay an additional Road Impact Fee. (see App. Pkg, Schedule of Fees) Landscaping must be completed six (6) months after the CO has been received.

Access to the development is controlled. All incoming vehicles must be registered with security for identification and pass. Construction workers are allowed access to and from the construction site only and are strictly forbidden from riding about the development. Vehicles may be periodically searched to protect all contractors from theft of material and equipment.

The maximum hours allowed for construction personnel will be from 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday. No residential construction work will be performed on Sundays or national holidays. The ARB, at its sole discretion, may grant "Exceptions" for working hours due to special circumstances but only with Security's full knowledge.

The conduct of all workmen is the responsibility of the General Contractor. Workmen are not allowed to ride about or use development facilities. Loud cars and speeding (speed limit is no greater than twenty five (25) mph in all Cliffs Communities) are not permitted in the development facilities. All construction vehicles must be parked on the construction site. Loud music from radios, the use of profanity and disturbing property owners or guests will not be permitted at any time.

Contractors must have the Owner or Architect submit all proposals for exterior changes prior to implementation. The Covenants grant the ARB power to employ workers to correct any exterior changes made without approval or to employ persons to clean up an unacceptable lot. These charges will be deducted from the Construction Compliance Bond.

The ARB, at its sole discretion, may bar or restrict any Contractor, builder or subcontractor from (a) entering any Cliffs Community and/or (b) constructing or building any building or improvement in any Cliffs Community.

The above regulations are designed to enhance The Cliffs Valley overall appearance for our residents and visitors. Repeated violation of these regulations could result in the suspension of the building approval for a given residence until corrective action has been taken by the Contractor. Additionally, a Contractor who repeatedly violates either the letter or "spirit" of these guidelines may be required to post a larger construction deposit or, in the extreme, be prohibited from working at The Cliffs Valley Community Development.

SITE GRADING

Site grading shall be kept to a minimum and drainage systems shall be designed for minimum impact or alteration of natural drainage systems. Flooding from large storms is sometimes a temporary problem in some areas; thus particular attention must be paid when grading to avoid standing water.

Retaining walls, which require ARB approval, may be used to reduce areas needing grading. Retaining and foundation walls should become an extension of the basic architectural design and material composition of the home. Walls should be constructed of natural rocks/boulders or should utilize the same or similar masonry finish as the home to complement the home's exterior. All retaining walls over forty eight inches (48") high must be "Engineered" and a copy of the "Certified Drawings" must be submitted to the ARB for review before "Final Approval" will be issued.

Sedimentation and erosion control measures must be employed during the construction process as required by the state. Please see Application Package included herein. Surface drainage must be collected or contained on-site and shall not impact adjacent properties. Erosion control outfall and distribution should be considered with the site plan drawing and handled with landscape quality detail.

CONSTRUCTION GUIDELINES

Before Construction:

After completing the review process, and receiving final approval of the stake-out and obtaining construction documents, and receiving a Building Approval from the Architectural Review Board, several steps must be followed before any lot clearing, material deliveries, or construction may begin.

Soil erosion control and silt control measures (noted on the site plan) must be installed in accordance with the approved plan. Silt control is especially important in this community due to its proximity with lakes and streams as well as other sensitive water systems and ecologically sensitive vegetation.

Every job site must contain an approved sign identifying the Contractor. All signs shall be constructed and erected as specified in the Application Package. No other signs shall be placed at the job site. Individual Contractor signs must be approved by the Board before being placed at the job site. The job sign shall be erected no closer than fifteen feet (15') to the edge of the street and must be in place with the Permits posted on the rear of the Contractors sign before clearing or construction may begin or materials be delivered. At no time shall a sign or permit be nailed to any tree. No additional subcontractor signs shall be displayed on any construction site. Signs are not to be erected before Construction Authorization Permit is issued.

An ARB Construction Authorization Permit must be obtained for all new construction or modifications prior to commencement of construction. Also, the Contractor must submit a completed Application Package for new construction and improvements. The receipt of this Permit does not preclude the necessity of also obtaining a County Building Permit. Both are required for construction along with any additional permits that may be required from other state, county or local agencies.

In summary, the following steps shall be completed before construction may begin:

Receive approval of Final Review by completing and submitting the necessary plans, forms, and funds. See paragraph above and/or Summary of the Process on pg. 4.

- Erect approved job site sign.
- Obtain County Building Permit.
- Post Building Permits at job site.
- Place a commercial dumpster, (required after framing has begun) and portable toilet on job site.
- Install all appropriate and designated soil erosion, silt control and mud control measures.
- Provide adequate space to park vehicles out of the right-of-way at all times.

During Construction:

All construction at The Cliffs Valley will be under frequent observation by the Architectural Review Board. Periodic field inspections will be conducted by the Board members or Quadrant Leaders on every residence under construction.

Each construction site is required to have a **job toilet** for the use of workers. It must be placed at least twenty-five feet (25') from the street in an inconspicuous location with the door facing away from the street and neighboring homes.

Fires are not permitted on residential construction sites under any circumstances. Care should be taken when loading trucks hauling trash so as not to have it spill over while in transit. Contractors shall be held responsible for trash and debris falling from construction vehicles.

It is important that all sites be maintained in a clean and tidy manner. All construction materials must be kept within the property lines maintaining a clear street right-of-way. Access to the site should be limited to the proposed driveway location. Access over/through adjoining properties is expressly prohibited. Any restoration of damage to adjoining properties shall be the sole responsibility of contractor or builder. The storage of materials should be in an inconspicuous area on the site and should be neat and orderly. The use of adjoining properties for access or storage of any material, without the written permission of the adjacent owner, is prohibited. Temporary structures are not permitted.

Site cleanliness shall at all times be maintained at an acceptable level. If not so maintained, the ARB will issue a "Stop Work" order. An approved commercial dumpster shall be placed on each job site and shall be dumped when necessary. At the end of each workday, materials must be stored neatly and all trash placed in the dumpster. No trash shall be strewn about the lot or piled openly. The dumping of excess/waste or washout concrete or gravel on adjacent properties or road shoulders is expressly prohibited. As untidy sites present a negative image to visitors and property owners, this requirement shall be strictly enforced. Should the ARB determine, in its sole discretion, that a site is not being maintained properly, it may undertake to have it maintained properly and will deduct the cost from the Construction Compliance Bond.

Maintain soil erosion and silt control measures. Prevent mud or gravel from entering roadways. Remove mud from roadways frequently. Fines may result if these requirements are not met.

Temporary utilities should be installed in a neat manner. The temporary power pole must be installed plumb and will not be allowed for the placement of signs. A temporary water hookup may be provided.

As explained in foregoing detail, residential construction sites must contain the following:

1. Commercial dumpster
2. Job Toilet
3. Temporary utilities
4. Job sign (with permits)
5. Silt control, erosion control

After Construction:

When the Construction of a residence has been completed, the Owner and the Contractor must contact the ARB. The construction of the residence shall be completed and the landscaping shall be installed conforming to the plans previously approved by the ARB. Any unauthorized changes must be corrected before Construction Compliance Bond can be released.

Upon completion of construction and landscaping, all building debris must be removed from the site and the surrounding area. The construction site sign and the temporary power pole must be removed. At this time, the Contractor should notify the ARB that he is ready for Final Inspection.

As a checklist, the following items shall be completed prior to issuance of Final Compliance Letter:

1. Complete construction
2. Remove construction debris
3. Remove temporary facilities, utilities and signs
4. Install landscaping, mailbox and house number sign (if desired).
5. Notify ARB for Final Inspection

RIGHT-OF-WAY RESRICTIONS

The right-of-way consists of the road adjacent to your property, and the strip of land on each side of the road that lies between the edge of the road and the property line. A property owner does not own any portion of the right-of-way. The Cliffs Valley owns the right-of-way, and it (or its successor or The Cliffs Valley Community Association) has the responsibility of maintaining it.

Owners may not build or place any structure in the right-of-way, remove any trees or other vegetation from the right-of-way, or undertake any projects in the right-of-way that would affect drainage, safety, or aesthetic without obtaining prior written notice from the ARB. Proceeding with a project in the right-of-way without written approval will incur the peril of having to restore the right-of-way to its original condition at Owner's expense.

If an Owner proceeds with a project in the right-of-way after obtaining approval, (such as planting grass on the shoulder of the road, or installing a curb across a driveway entrance). Owner will be solely responsible for all maintenance and damage associated with that project.

MISCELLANEOUS

Any clearing, grading, or building without approval of the ARB will result in suspension of work and denial of Contractor and/or subcontractor access to project.

EXISTING HOME IMPROVEMENT REVIEW

As stated in the Covenants, no site preparation, excavation, changes in grade, landscaping or initial construction, erection, alteration or installation of any improvements, including, but not limited to, dwellings, commercial units, outbuildings, driveways, fences, walls, signs, television antennas, clotheslines, mailboxes, post lamps, recreational or playground equipment and other structures, shall be undertaken upon any residential lot, residential site, or any other lot or parcel or property until the project details and/or landscaping changes have been submitted to the Architectural Review Board and expressly approved in writing. Plans submitted for construction of initial improvements upon the lot or parcel must contain details of any driveway(s) serving the lot or parcel to be improved including such driveway(s) intersection with the roads in the Development.

When submitting for review and approval of proposed improvements, presentations must include but may not be limited to the following:

Material and Color Samples: Samples are required when changing colors or materials but are not required if existing colors and materials are being matched.

Site Plan: A plan with dimensions of the property must be submitted showing the location(s) of the proposed improvements.

Drawings: Sufficient plans and elevations shall be submitted to adequately define and explain the improvement or modification. Drawings representing the existing structure(s) must also be submitted.

Completed Improvement Review Form: The improvement review form will be submitted along with a set of plans for review along with the plan review fee.

After reviewing the project, the Board will either suggest changes or grant Final Approval. As with new construction, a set of the drawings and the Construction Compliance Bond must be submitted prior to obtaining a Construction Authorization Permit. As specified in the construction guidelines, The Cliffs Valley ARB and County Permits must be displayed before site clearing, material delivery, or construction may begin.

EXISTING HOME CONSTRUCTION GUIDELINES

The primary purpose of the Covenants and Guidelines is to foster the creation of a community which is aesthetically pleasing and functionally convenient for all residents and visitors. These restrictions, governing proposed homes, homes under construction, and existing homes require every home to be maintained in a manner conforming to these Guidelines.

Improvements: No alterations, including painting or staining, unless using original colors, affecting the exterior appearance of any building, structure or landscape shall be made without prior approval of the ARB. A request for approval must be submitted to the ARB including a completed Improvement Review Form, all drawings necessary to define the proposed improvement, color samples, and site stake-out.

Landscape: Every property owner is responsible for preventing the development of any unclean, unsightly, or unkept conditions of building or yards which shall reduce the beauty of the neighborhood as a whole or the specified area. In formal landscaped areas, bed and lawn areas must be maintained. In natural areas, weed growth must be controlled. The use of defoliant over large areas is expressly prohibited. Any proposed changes in landscaping such as fences, water features, water gardens, lighting, game structures, drives, walks, landscaped structures and statuary must be approved by the ARB.

Mailboxes and Signage: The only signs that are approved are signage for house identification numbers, home security systems, invisible fences and contractors signs approved by the ARB. Signs for the purpose of renting or selling of a property are prohibited. Single family homes may be identified only by graphics included on a mailbox and a house identification number, if desired.

Exterior Lighting: All exterior lighting, if desired, must be “down lighting” and must be approved by the ARB. Down lighting is required to reduce glare. Exterior light fixtures on homes should be of baffled or hooded design and conservative in number. Colored lights are prohibited.

Cliffs Valley Community Association Architectural Review Board

Guidelines for Partial Cleaning of Vacant Lots

NOTE: These guidelines are solely for The Cliffs Valley. All other Cliffs Communities have unique guidelines for lot cleaning.

Tree and Vegetation Removal Guidelines:

The Cliffs Valley ARB Design and Construction Guidelines prohibit the cutting of any native deciduous and evergreen tree over five inches (5”) in diameter measured twenty four inches (24”) above ground level. The cutting of any dogwood or other flowering small trees or shrubs is strictly prohibited (i.e. native flowering shrubs such as mountain laurel, rhododendron, azalea, oak leaf hydrangea, maple leaf viburnum etc.).

Vacant Lot Cleaning Guidelines:

- Before any vacant lot vegetation cleaning, a **Vacant Lot Cleaning Permit** must be completed with an approved copy being placed on file with the ARB Administrator. **The Vacant Lot Cleaning Permit must be posted on a wooden post clearly visible from the road.**
- The cutting of native mountain laurel, azalea, small and large leafed rhododendron, and small flowering trees in the under story is not allowed.
- No clearing allowed within setbacks for The Cliffs Valley.
- Paths may be cut to view points or viewing stands which approximate the location of a future house. These paths should not exceed six feet (6’) in width and under no circumstances can the Tree and Vegetation Removal Guidelines referenced above be ignored. Viewing stands must be submitted in advance for ARB approval.
- Use of large mechanical equipment can only be used where expressly approved by the ARB on lots with little slope and no erosion concerns. Prior ARB approval is required. Heavy equipment disturbs the soil and encourages generation of junk pioneer trees from airborne seeds. The use of hand held tools or weed trimmers is encouraged.
- Cleaning or re-cutting of previously cleared “junk” trees may require chemical treatment before cutting established or re-grown junk trees. If the junk trees are cut they will propagate through the remaining roots at a ratio of five (5) to one (1). These trees should be basal treated several weeks before cutting to kill the tree and the roots with a suitable basal treatment such as Pathfinder II.
- Tree topping is strongly discouraged. **ARB approval is required prior to any tree topping.**
- Trees may be limbed up to fifty percent(50%) of their height.

NOTE: Previously cleared lots should be considered in the same way as one that has never been cleared.

Enforcement:

Non-permitted cleaning of lots or ignoring the guidelines defined in the permit will result in a written warning, discussions with the parties involved, and re-certification of the vendor for a first offense. A second offense will result in a fine of \$1,000. Third and repeat offenses will result in prohibiting the vendor and vendor’s employee access to the community for the start of new projects for six (6) months. If fines are not received in the office within thirty (30) days from notice, vendor will not be allowed access into the community and a lien will be placed on the property until paid in full. For trees and/or shrubs removed or destroyed without approval, the ARB may, at Owner’s expense, enter the property and install trees totaling three new to everyone destroyed or removed

THE ROOT OF THE PROBLEM

Trees; one of our greatest natural resources. When in their glory trees provide us with precious shade, beautify our property and a home for wildlife. Although they have the capacity to live hundreds of years there are certain incidences which can reduce their life span significantly. One of the most common complaints I hear from new homeowners is, "All the trees around my house are dying and we only built a few years ago." Construction of new homes is one of the largest stressors for tree stands. There are certain measures both you and your contactor can take to protect them during the building process which will ensure a lifetime of optimum tree health.

My first suggestion if you are building a home on a wooded lot, is to research a qualified arborist in your area prior to clearing and grading. An arborist's main goal is to maximize the health and longevity of the trees in their care. Be careful looking up tree service companies in the phone book or through a search engine on line because anyone with a chain saw can call themselves a tree worker which could cause more damage to your property than good. Look for someone who is National Arborist Association (NAA) or International Society of Arborists (ISA) certified, licensed, bonded and insured so you will be protected if anything goes awry. A quick way to locate an ISA arborist in your area is to visit their website, www.isa-arbor.com. Arborists will inventory your existing tree stand and determine which are worth saving for age, aesthetics and energy efficiency for your future home. Once those trees are identified, the implementation of tree preservation practices can be forwarded to your architect, contractor and builder.

The next step is to put up a tree protection zone between your trees and your construction workers. Unfortunately, just a sign or a silt fence will not suffice because it can easily be taken down, washed away or simply ignored. Your best bet is to put a sign on a six foot (6') chain link fence imposing fines for tampering with the fence or if anyone enters the tree protected zone. Fines, sounds a bit extreme doesn't it? Just think about it though. After your home is built and the tree starts to fail in a few years, you are going to have to pay for the removal. If the tree is located in close proximity of your home it can pose a threat to the safety of your family and possessions. Depending on its size it can cost upwards of thousands of dollars to remove hazardous tree then you will be left with a big hole in your landscape and wallet.

Tree protection zones are put in place for several important reasons. First and foremost is to protect the roots. Roots provide structural support for the large mass of the canopy and serves in precious nutrient and water acquisition. Most experts say the spread of the roots are calculated by 2 to 3 times the height of the canopy but there is a more accurate equation that can be used. The critical root radius is located by taking the diameter of the trunk at breast height, then multiplying it by a factor determined by the age of the tree. Younger trees factors are measured by 0.5ft./in. and as they age, the factor increases by .5ft./in. to the maximum of mature trees on the verge of decline being 2.0ft./in. Here is an example.

There is a mature tree with no signs of decline you want to preserve which measures a 14in. diameter at breast height.

So... 14" x 1.5ft./in.= 21ft.

Wow, twenty one (21') feet measured out from the trunk in each direction. By outlining the tree protection zones and putting up signs you are able to guide your builder to areas designated to park their vehicles, wash out equipment, and drive heavy machinery.

Without the protection of a fence, heavy machinery can do significant damage to tree preservation areas. Just the sheer weight of excavators, vehicles and foot traffic can cause compaction of the soil. When soil becomes compacted it reduces the ability of valuable air, water and nutrient exchange which occurs in the pore space causing roots to suffocate. It becomes the consistency of cement and cannot be penetrated by the roots that extend outwards to support the large mass of the canopy.

Fencing also protects roots from physical damage of vehicles. During clearing and grading, machinery can be backed into a tree which damaging the trunk or branches. Wounds would occur and the tree would automatically expend limited energy by compartmentalizing the affected area to being the "healing" process. Digging out the foundation of a house can sever roots at critical points which can affect the stability by no longer being secure in the ground causing a dangerous situation.

Manipulating the grade around trees must be done with great care. If the grade is reduced the organic matter infused top soil is removed and the nutrient depleted fallow soil below is now exposed. Topsoil (Horizon O), is the layer which is visible and we walk on. It normally consists of decaying leaf litter, sticks, animal droppings and vegetative parts of plants which all contribute to the dark brown organic matter rich material that feeds plants. When the grade is elevated, soil can be pushed around the base of the tree onto the root flare where the largest concentration of feeder (fibrous) roots is located. Air and water are unable to penetrate the thick layer of soil causing the tree to suffocate. When a tree gets stressed by too much fill, it will send out epicormic growth trying to compensate for the suffocation below. These shoots are easy to identify because they grow straight up from latent or intermodal buds giving the tree a look like someone just scared it.

Landscape maintenance can begin even before your house is built! Mulching and fertilizing in the preservation area greatly increases survival rate. The mulch retains water and continues to add precious organic matter to the soil as it decomposes. Fertilizer can also provide trees the extra boost needed to battle through the new changes in their environment. Target prune any die back, diseased or pest infested limbs in the canopy also. If there is not ample rainfall during construction, provide irrigation to your trees. The least amount of energy expended the better chances your trees will endure.

Remember, this is your property and investment. Builders are earning money because you hired them. Stay attentive and adamant about builders not violating your tree preservation areas. By staying vigilant for a few months while your home is being constructed, you will be rewarded with a stand of beautiful trees for a lifetime.

Tina M. Furmanek