

Falls Run  
Design Guidelines  
October 22, 2008

*FALLS RUN*  
*Design Guidelines*

October 2008

# FALLS RUN DESIGN GUIDELINES

October 2008

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## **Summary of Changes to Design Guidelines** October 2008

The Falls Run Board of Directors is continuing their efforts to ensure the unique character and livability of this community. Toward that end, the Design Guidelines were amended and modified on October 22, 2008 to remove ambiguities and to more clearly reflect the aspirations and wishes of community residents.

This brief summary has been prepared to assist homeowners in understanding the principal changes that have been made. The amended Design Guidelines have incorporated the following revisions:

1. Section II C 2. d) has been revised to clarify the types of turf grass that are allowed to be planted in Falls Run.
2. APPENDIX G, List of Prohibited Plantings has been revised to add turf grasses that are not permitted in Falls Run.
3. The Lawn Maintenance Standards have been revised to clarify the types of turf grass that are allowed to be planted in Falls Run.

## **Summary of Changes to Design Guidelines** July 2006

The Falls Run Board of Directors is continuing their efforts to ensure the unique character and livability of this community. Toward that end, the Design Guidelines have been amended and modified to make them less restrictive, remove ambiguities, to resolve conflict with other documents and to more clearly reflect the aspirations and wishes of community residents.

This brief summary has been prepared to assist homeowners in understanding the principal changes that have been made. The attached Design Guidelines have incorporated the following revisions:

- Elimination of all references to Del Webb in the application, review, and governance of the guidelines.
- Ensuring that all references are correctly cited according to the Declarations and By-Laws adopted by the Board of Directors on March 22, 2006.
- Most importantly, amending, expanding, adding, and/or deleting specific guidelines as follows:
  - Section II. B. Private Area 1. The Private Area of each lot will in part be determined as the *area behind the ten foot (10') front setback line*. This line is

determined by measuring ten feet (10') from the inside edge of the curb or gutter of the street. Please note that this revised setback line will therefore NOT be shown on existing plot plans.

- Section II. C. Landscaping Requirements and Guidelines 2. b.) Will allow annuals and other seasonal plantings regardless of height, in the Private Area without approval.
- Section II. C. Landscaping Requirements and Guidelines 2. d.) The prohibition of turf within eighteen inches (18") of the side walls and twenty four inches (24") of the front and rear walls of the home has been eliminated.
- Section II. C. Landscaping Requirements and Guidelines 2. i.) Increases to two (2) the number of flag mounts that may be attached to the house at approved locations, thus permitting any residence to display two (2) flags rather than only one.
- Section II. C. Landscaping Requirements and Guidelines 3. e.) A guide to the maintenance of shrubbery to prevent uncontrolled and unsightly growth.
- Section II. E. Ancillary Equipment 1. Upon approval authorizes the installation of solar tubes.
- Section II. E. Ancillary Equipment 2. Except when existing FCC regulations supersede this requirement, satellite dishes and other receiving or transmitting devices will not be allowed in yards.
- Section II. E. Ancillary Equipment 4. When approved, allows the use of patio/deck boxes.
- Section II. G. Signage G. 3. Upon approval, allows the placement on a lot of a "security sign" issued by a company providing security service to the home.
- Section II. J. Barbecues Provides authorization to use propane in barbecues.
- Section II. K. Decks, Patios, and Courtyards Pressure treated wood is permitted in the construction of decks.
- Section II. M. Pergolas, Trellises, and Arbors 1. Pressure treated wood may be used in the construction of these items
- Section II. M. Pergolas, Trellises, and Arbors 2. Allows these structures to be attached to the home.

- Section II. N. Prohibited Structures Last item, identifies children's play equipment as being *non-portable*.
- Section VI. B Appeal of Decision Establishes new criteria for which a decision of the Reviewing Entity/Modification Committee may be appealed to the Covenants Committee.
- Appendix A. Some changes to setback requirements that define the Private Area.
- Appendix E. Adds white to the colors allowed for use as mulch. Stones or boulders may now be used as bed edging material once approval is obtained.
- Appendix F. A. iv) Allows one (1) Bird or Squirrel house and up to three (3) bird feeders.
- Appendix G. Removes Pin Oaks and Poplar/Aspens from the list of prohibited plantings.

It should be noted that as the Board of Directors implement future changes to the community's Declarations and By-Laws, additional modifications may well be made to the Design Guidelines to reflect these developments. Any such further revisions will be brought to the attention of all Falls Run residents as they are adopted.

## **I. INTRODUCTION**

Falls Run is an active adult community designed to respect the visual character of its site, minimize environmental impacts and maximize water and energy conservation principles. In order to preserve and enhance these principles, these Design Guidelines are established to maintain certain standards by which the community may grow and develop.

The Design Guidelines provide an overall framework to allow the community to develop and progress in an orderly, cohesive and attractive manner, implementing planning concepts and philosophy which are required by regulatory agencies and desirable to residents. The Design Guidelines include minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, mode of landscaping and relevant criteria for the construction or addition of improvements of any nature. They also establish a process for judicious review of proposed new developments and changes within the Community.

The Design Guidelines have been adopted by the Board of Directors of the Falls Run Community Association, Inc. (the Community Association) pursuant to Falls Run's Declaration of Covenants, Conditions, Restrictions, Assessments, Liens, and Easements, which have been recorded with the Stafford County Recorder's Office (the Declaration). The Design Guidelines will be enforced by the Modifications Committee established under Article VIII of the Declaration. For the purposes of this document, all applications for approval are assumed to be made to, and written approval issued by, the Modifications Committee. The term "Reviewing Entity" is used in this document to mean the Modifications Committee.

To the extent that any government ordinance, building code or regulation requires a more restrictive standard than that found in these Design Guidelines or the Declaration, the government standards shall prevail. To the extent that the local ordinance is less restrictive than these Design Guidelines, and any standard contained therein, or the Declaration, these Design Guidelines and the Declaration shall prevail.

Home Owners are responsible for all cleanup of any improvement project. All debris, sod, soil, etc. shall be removed from the lot and hauled to the proper waste sites. If the project causes damage to any neighboring property, public or private, the Home Owner is responsible for any necessary repairs.

## **II. RESIDENTIAL DESIGN GUIDELINES**

### **A. Architectural Character**

1. The architectural design of any and all additions, alterations, and renovations to the exterior of an existing detached home shall strictly conform to the design of the original home in style, detailing, materials, and color. Any such addition, alteration or renovation shall be made only after application to, and written approval by, the Reviewing Entity.
2. The height of any addition to an existing detached home shall not be higher than the original ridge line and any such addition shall require application to, and written approval by, the Reviewing Entity.

3. All additions to homes shall be built within the building setback lines originally established for Falls Run or as modified by Del Webb with the requisite approval of Stafford County, regardless of any more lenient requirements of any local governmental authority. These building setbacks are set forth in part in Appendix "A."
4. All materials used in maintenance, repair, additions and alterations shall match those used by Del Webb as to color, composition, type, and method of attachment. The Reviewing Entity may allow substitute materials if such materials are deemed by the Reviewing Entity to be compatible with the theme of the community.
5. When any additions, alterations, or renovations are performed to an existing detached home, the established lot drainage shall not be altered.
  - a.) Any Home Owner or Resident who changes the existing grading or drainages shall be liable for all costs and expenses of repairing such changes, or any costs, liabilities, damages or causes of action arising out of such changes.
  - b.) All roofs and sump pump ejector lines shall drain to the ground solely within the deeded lot area and may not be discharged closer than three feet (3') of any neighboring property. Drain lines which direct roof drainage or sump pump water must be approved by the Reviewing Entity and will comply with the following standards:
    - 1.) A drain line plan with pipe sizes, discharge locations, emitters, and existing drainage patterns must be submitted on a plot plan of the property to the Reviewing Entity for consideration.
    - 2.) No discharges of storm water may be closer than three feet (3') of any neighboring property.
    - 3.) Air gaps must be provided between downspouts and sump pump ejector lines and drain line extensions.
    - 4.) Drain line extensions may not discharge water directly perpendicular to a neighboring property or an existing drainage flow-line. Drain line alignments shall be set so that discharge water flows in the same basic direction as existing flow-lines on the lot. Emitters, water disbursement, and/or erosion control measures must be provided to eliminate erosion of the soil on the lot.

- 5.) Roof drain downspouts, sump pump ejector lines, or any other surface runoff or groundwater may never be connected directly or indirectly to any public sanitary sewer system.
- 6.) Gutters and downspouts shall match those originally installed in color and composition.
6. No alterations or improvements shall be made which provide a roof pitch that varies from the roof originally constructed.
7. All storm door additions must be full glass or self-store and must match the color of the doorframe trim or the front door. If other than clear glass is proposed, a photograph of the front of the home must be submitted with the application form.
8. Security doors are prohibited.

B. Private Area

1. The Private Area of each lot is defined as the area between the side setback lines, behind the (ten foot [10']) front setback line and in front of the (twenty foot [20']) rear setback line, as such setbacks are described on Appendix "A". Private Area also includes all portions of the lot within three feet (3') of the front service walk as originally installed by Del Webb, and all portions of the lot within eighteen inches (18") of side foundation walls of the home regardless of whether these areas are within the setback boundaries (please refer to Appendix "I" for an illustration). On lots where the rear-most foundation wall of the home as originally constructed by Del Webb is less than twelve feet (12') from the rear setback line, the rear line of the Private Area will be a line twelve feet (12') from and running parallel to such rear-most original foundation wall.
2. To preserve attractive view corridors and promote efficient landscape maintenance, no installation of landscape, hardscape materials or other improvements (other than underground sprinkler systems if otherwise approved under the review procedures described in these guidelines) by Home Owners shall be approved for any portion of the lot outside the Private Area, except in the following limited circumstances:
  - a.) For (i) rear yards of all lots, or (ii) side yards that face a street, the installation of landscaping, hardscape materials or other landscape improvements by Home Owners may be permitted in the applicable (i) rear yard or (ii) side yard provided plans thereof are approved in writing by the Reviewing Entity prior to the installation

of any landscaping, hardscape materials or other landscape improvements on any such lot. Plans for any such installation must otherwise be in conformance with the provisions of the Design Guidelines and contain acceptable plantings and materials. The Reviewing Entity, in its sole discretion, may consider the following criteria when reviewing a request hereunder: (i) the impact the improvements will have on views, both on and off the subject lot; (ii) the impact the improvements will have for purposes of future maintenance of the areas affected by said improvements; and (iii) whether the improvements will enhance the overall appearance of the community. The Reviewing Entity shall have the express right to specify the location of any such improvements outside the Private Area. In addition to prior approval by the Reviewing Entity, each Home Owner proposing any such improvements outside the Private Area must first obtain the written consent of all Home Owners who own lots which are contiguous to the lot which is the subject of such improvements. The written consent(s) of the adjacent Home Owners shall be made a part of the application to the Reviewing Entity for such improvements.

C. Landscaping Requirements and Guidelines

1. Certain areas have been designated as open space, wetland or preserve on neighborhood plats and shall be maintained as required by regulatory authorities and as described in specific permit conditions and in the Declaration. No Home Owner or resident may mow, fertilize, apply pesticides to, maintain, alter or modify any area not owned by the Home Owner, including areas set aside as open space or preserve.
2. Del Webb has installed on each residential lot the landscaping package selected by the buyer of that home, or, in the case of field models constructed prior to sale, by Del Webb. It will be the responsibility of each Home Owner to maintain and replace as necessary all landscaping on the lot and adjoining street from the front lot line to the back of the street curb (except for any replacement covered by Del Webb's Warranty on landscaping installed by Del Webb). This includes any additions made to the lot by the Home Owner. The Home Owner may choose to hire the Community Association or an independent company to provide landscape maintenance to the lot. The Home Owner will remain ultimately responsible for all landscape maintenance and replacement (except for items under warranty as described above), including any additions made by the Home Owner. Landscaping maintenance and replacement by Home Owners shall be in accordance with the maintenance standards comprising the Community-Wide Standard described in Section II.C.3 below and in conformity with the following

requirements:

- a.) The plantings prohibited in Falls Run were selected after consideration of many factors. A list of the prohibited plantings, accompanied with minimum size information, is set forth in Appendix “G”.
- b.) Individual plantings of annuals, vegetables, and other plantings which are seasonal in nature, regardless of their height, do not require the approval of the Reviewing Entity; PROVIDED, however, all such plantings are within the Private Area.
- c.) Plantings of trees, shrubs, groundcovers, perennials, grasses and vines shall take into account future growth, be at a reasonable distance from foundation walls and be maintained in accordance with maintenance standards outlined in Section II.C.3.
- d.) The ground surfaces of all portions of the lot outside the Private Area shall be covered with turf. The ground surface of the Private Area shall be covered with approved living or inert materials. Where turf is used, it shall consist of Tall Fescue varieties of seed or sod with no more than a twenty (20) percent mixture of bluegrass varieties added to the blend [see the annual Virginia Turf Grass Recommendations by the Virginia and Maryland National Turf Grass Evaluation Program (NTEP) at <http://www.ext.vt.edu/pubs/np/2805-1003.pdf> for specific seed type recommendations]. See Appendix G for prohibited turf grasses. Approved inert materials are described in Appendix “E”; additions or variances may be approved by the Reviewing Entity from time to time. For the purpose of these Design Guidelines, topsoil or decomposed granite shall not be considered inert material. With the exception of stone mulch as described on Appendix “E”, no decorative rock shall be permitted as ground cover. Ground cover or inert material shall not be used to spell out names, nicknames, names of states, city athletic teams, slogans, states, emblems, geometric patterns or any other communication. The Reviewing Entity reserves the right to limit the number of stones or boulders used as decoration in a landscape.

“The following standards describe the specific maintenance that must be performed by homeowners in the event the lawn is

invaded by excessive weeds or crabgrass or in the event the lawn deteriorates from lack of watering, maintenance or both. Four Types of lawn conditions may exist, each having prescribed maintenance.

Type 1: Minimum of 85% grass coverage (turf grass not crabgrass). Perform normal maintenance prescribed by Design Guidelines.

Type 2: Minimum of 70% grass coverage. Treat at earliest possible date for broadleaf weeds and/or crabgrass with appropriate granular and/or liquid sprays. Consider core aeration and over seeding in spring or fall.

Type 3: Minimum of 50% grass coverage. Treat weeds and or crabgrass as stated above. Core aeration and over seeding required in spring or fall whichever comes next in the calendar.

Type 4: Less than 50% grass coverage. Lawn must be replaced (either by sod or a reseeding process) in the spring or fall whichever comes next in the calendar.

Lawns will be inspected twice annually and notices will be sent to homeowners whose lawns are Type 2, Type 3, or Type 4.”

- e.) Excessive use of concrete or asphalt in front and street side Private Areas will not be allowed. No concrete, asphalt or pavers may be located in driveway areas other than that which is initially included with the home; however, additional walking area(s) adjacent to the driveway which extends the overall driveway width not more than four feet (4') (equally divided between both sides of the driveway and not extending past the overall width of the garage), is attached to the driveway, and does not alter drainage, may be considered for approval by the Reviewing Entity. Plans for ANY contemplated hardscape work (excepting that provided by Del Webb) must be approved in writing by the Reviewing Entity BEFORE any work commences.
- f.) Fountains and water features shall be limited in height to four feet (4') above the natural grade of the lot. Any fountain shall be of natural material, color and design, each of which is compatible with the overall architectural theme of Falls Run. Fountains and water features shall be permitted only within the rear yard portions of the Private Area. Design of these features should discourage creation of stagnant pools of water.

- g.) Decorative components such as statues and artifacts shall be limited in height to four feet (4') above the natural grade of the lot. Statues and artifacts will be allowed in the Private Area of the lot if they meet the following criteria:
- 1) Seasonal statues, artifacts, lighting and other decorative landscaping items may be allowed within thirty (30) days prior to, and ten (10) days after a holiday season, which period may be extended by the Reviewing Entity, in its sole discretion, due to extreme weather conditions (and, during such extended period, lighting may not be illuminated);
  - 2) Statues and artifacts will be allowed specifically as provided for in Appendix "F" in these Design Guidelines;
  - 3) Plastic statuary and yard ornamentation will not be allowed. Plastic pots compatible with the overall architectural theme of the home will be permitted;
  - 4) No ornaments or statuary shall be attached to the home;
  - 5) The combined number of statues and artifacts in the front yard Private Area is limited to one (1) per ten-foot (10') area of home frontage. The Reviewing Entity reserves the right to limit the number of statues and artifacts in the Private Area; and
  - 6) The Reviewing Entity reserves the right to require screening of statues and artifacts from neighboring lots or the street.
- h.) Landscape architectural features include such items as benches, planters, yard lights, fire pits, etc. that are an integral part of a landscape architectural design. Drawings must be provided to the Reviewing Entity, which clearly show the location, size, and materials planned for these features. In addition, a photograph of the home and the relationship of the feature to the existing or proposed landscape must accompany the submittal. Landscape architectural features will be located in the Private Area of the lot only.
- i.) There shall be no stand-alone flagpoles allowed on residential lots in Falls Run. Two (2) flag mounts may be attached to the eave of the house, or to the face of the residential structure, if the mounts are secured to a wooden stud or anchored in masonry. The location of

such flag mounts must be approved by the Reviewing Entity. No part of the flags may extend four (4') feet beyond any eave.

- j.) Any screening of ground-mounted equipment (HVAC) shall be of a material and color compatible with the design of the residence, provided, however, in no event shall plastic sheeting be used for screening. All screens, whether landscape structures, fences, or plant materials, shall be located a minimum of two feet (2') from the equipment to allow for adequate air circulation around the equipment, but may not encroach or trespass on a neighboring property
  - k.) The use of solid plastic sheeting or polyethylene over ground areas will not be permitted. If landscape fabric is used, it must allow the free flow of water, air, and gases to and from the soil. Compatible materials may be used only with prior approval of the Reviewing Entity.
  - l.) Pruning of trees must be in compliance with nursery standards. No tree topping will be allowed which leaves limbs and branches greater than one-half inch (1/2") in diameter exposed.
3. Although the Community Association may provide mowing and landscape maintenance on the areas of the residential lots outside the Private Area (and may mow contiguous turf inside the Private Area boundary to the extent there are no landscape, hardscape, or other obstructions), Home Owners are responsible for mowing and maintenance of all landscaping within the Private Area and on the entire lot if the Community Association is not providing such service. The Community-Wide Standard for landscape maintenance includes the measures described in the following subparagraphs. A Home Owner's failure to adhere to these standards may result in the Community Association's proceeding to undertake the maintenance steps (including watering from the Home Owner's external hose bib) and charging the Home Owner for these steps through a Benefited Assessment, and such other remedies as the Community Association may pursue.
- a.) Mowing of turf should be conducted at least once every seven (7) days. In the Spring and Fall months, more frequent, shallower mowing is recommended to reduce stress on the grass. Walks and driveways must be swept or blown free of grass clippings and also kept free of weeds. Walkways and planting beds are to be kept edged to maintain a crisp appearance. Tree rings should also be edged and kept free of weeds, either manually or through appropriate post-emergent herbicides.

- b.) Watering, fertilizing, and aeration should be conducted as necessary to keep the quality and color of turf reasonably consistent with that of neighboring residential lots. Turf should be treated once in the Spring and once in late Summer to control broadleaf weeds.
- c.) Spring cleanup should consist of thorough raking of turf areas to remove winter debris and promote new growth. Fall cleanup should consist of leaf removal at reasonably frequent intervals.
- d.) Trees should be spot-pruned during the growing season to promote shaping and thinning and to remove branches that interfere with nearby improvements or pedestrian traffic. During the dormant season, trees should be pruned to remove dead, damaged or crossing branches and to develop the natural form of the tree. Dead or diseased trees must be removed or trimmed as soon as discovered, after taking appropriate measures to protect against the spread of disease, and shall be replaced as necessary to maintain the appearance of the lot as approved by the Reviewing Entity. A Home Owner may not cut down or remove any tree that is greater than six inches (6") in diameter, measured twelve inches (12") from the ground, without the approval of the Reviewing Entity.
- e.) Shrubbery must be maintained through routine trimming/pruning to prevent the appearance of uncontrolled and unsightly growth.

D. Walls, Yard Fences, and Rails

1. No alterations, changes, or additions shall be allowed to walls and/or fences provided by Del Webb for any residence without the prior written approval of the Reviewing Entity.
2. Where walls or fences have not been provided by Del Webb, walls and/or fences will be allowed only within the rear yard portion of the Private Area that is: a) between the two (2) predominant outermost side walls of the home as originally constructed; and b) no more than twelve feet (12') behind the rear-most wall surface of the home as originally constructed, provided, however, that in no event may a fence extend beyond the rear yard setback line as shown on the plat. No walls or fences shall be allowed in front or side yard areas. Please refer to Appendix "H" for examples of proper fence placement. No wall or fence may exceed forty-eight inches (48") in height. All walls and fences must have ninety-degree (90) corners and run parallel and perpendicular to the primary wall surfaces of the home as originally constructed. On sloping terrain, the top and bottom rails of all fence sections

shall be level, and the fence segments must be stepped down in equal increments not to exceed eight inches (8") each to adjust to the changing grade. The bottom rail or picket of any fence must be no more than two inches (2") above the finish grade of the lot. No wall or fence will be constructed that is in conflict with the drainage pattern as established for the lot.

All walls and yard fences must be constructed of material conforming to Appendix "C". Chain link fencing shall not be permitted. Examples of wall and fence alignments which are eligible for approval are shown on Appendix "H". A site plan showing wall and fence alignments must be submitted for approval prior to construction in accordance with the review procedures hereof. It is the intent of these provisions to preserve view corridors and access for efficient maintenance, and to protect drainage patterns established with the original lot design. Landscape plans which have the effect of creating live fencing outside the area eligible for walls or fencing as described above will therefore not be approved.

3. A rail may extend more than twelve feet (12') from the existing home, but only to surround a deck or patio. It must be constructed in such a manner as to meet local and national building codes. All rails must be constructed with a smooth top so as to be able to serve as a handrail.
4. Invisible fencing may be used for the restraint of pets. All wiring must be buried no less than six inches (6") inside the lot line. No alterations of the yard grade shall be permitted from the installation of such system. The Community Association shall not be responsible for repair to any system that is damaged by normal maintenance of the yard by the Community Association or their designee. Regardless of the method of restraint used, pet owners are responsible for assuring that their pets do not run free. Pet owners are liable for any damage to persons or property caused by their pets.

E. Ancillary Equipment

1. All additional ground mounted mechanical equipment and ground mounted solar heating equipment must be installed within the Private Area and shall be screened from street view and neighboring property by a structure no higher than one foot (1') above the equipment to be screened or by plant material of adequate density to accomplish the same result; provided, however, in no event shall a screening structure or planting exceed four feet (4') in height. With the exception of power vents for attic fans, solar tubes or approved lightning protection devices, roof-mounted and window-mounted equipment (including mechanical, air conditioning, and solar heating equipment) will not be allowed.

2. Except for those cases in which the existing FCC regulations supersede this requirement, no antenna, satellite dish or other device for the transmission or reception of television or radio (including amateur or ham radios) signals will be allowed in any yard which will be visible from neighboring property or the street. Such antenna, satellite dish or other device shall only be allowed after application to, and written approval by, the Reviewing Entity as provided for in Article VIII, Section 8.4 of the Declaration.
3. Swing sets and other non-portable play sets are not permitted. All portable play equipment, garden equipment (including hoses), and lawn furniture must be stored nightly within the Private Area and shall not be left on other portions of the lot so as to impede mowing and maintenance activities.
4. Storage containers, also known as “deck boxes/patio boxes” may be permitted after written approval has been granted by the Reviewing Entity. Such containers may only be placed and used on the specific deck or patio approved for this purpose. In its sole discretion, the Reviewing Entity may limit the size and dimensions of the approved container.

F. Trash Containers

All trash containers shall be covered containers and shall be stored in the garage of each unit. Trash containers may be left out for collection at dusk on the day prior to collection and must be re-stored by dusk on the day of collection.

G. Signage

Unless more restricted by County of Stafford, the following will apply:

1. No more than one (1) “For Sale” sign shall be permitted, to be placed on any individual lot within the Community. Such sign shall be located wholly within the lot being advertised for sale. The sign shall be of conforming size and design provided by the Association. The overall height from finished grade at the spot of the sign may not exceed four feet (4'). The sign must be removed within two (2) working days following the closing of the property, or the termination of the listing agreement. “Open House” directional signs which give directions to a house which is for sale or for lease to which the public is invited for a walk-in inspection are not permitted.
2. “No Soliciting” notifications shall be limited to placards or stickers not to exceed five by seven inches (5" x 7") in size placed on the front door or door frame or in a window near the front door.

3. One (1) metal security alarm sign, produced by the company providing security system service to the homeowner, not exceeding twelve (12”) inches in height or width, may be displayed outside of the home.
4. In accordance with the Declaration, no other signs are permitted on any residential lot without written consent of the Board.

#### H. Landscape Lighting

Low-voltage and decorative lighting are allowed within the Private Area of residential lots only. Guidelines for these two (2) types of lighting are defined below.

1. Low Voltage Lighting:
  - a.) Low voltage light fixtures may be used in the Private Area for low-level path lighting, up-lighting, down-lighting and landscape architectural accent lighting. Tree-mounted down lights shall be shielded from both street and neighbors’ view.
  - b.) Low voltage fixtures shall be located and aimed carefully. Fixtures shall not constitute a nuisance or hazard to any Home Owner or neighboring resident.
  - c.) A lighting layout plan for low voltage fixtures shall be submitted to the Reviewing Entity for review and approval. The submittal shall include a plan of existing landscaping and hard surface locations, proposed light fixture locations, and manufacturer and light type.
  - d.) Junction boxes shall be placed below grade or screened to minimize daytime visibility of hardware.
  - e.) Low voltage light fixtures may not exceed thirty inches (30”) in height.
2. Decorative Lighting:
  - a.) Exterior fence, building or deck-mounted light fixtures, including spotlights, floodlights, lantern lights and stair lights shall conform to the architecture of the home and are subject to approval by the Reviewing Entity. Enclosures of light fixtures shall be designed to conceal the lamp bulb. No lighting shall be permitted that constitutes a nuisance or hazard to any Home Owner or neighboring resident.

- b.) Security spotlights and floodlights may not be installed by Home Owners unless activated by a motion detector.
- c.) Fixtures may be incandescent, metal halide, mercury vapor, or high-pressure sodium or gas lamps. Colored lamps are not allowed. When gas lamps are installed, all gas line extensions and installation must adhere to local codes.
- d.) Junction boxes and other lighting hardware shall be placed below grade or screened by landscape material to minimize daytime visibility.
- e.) Post-mount light fixtures shall not exceed a height of six feet (6') from finished grade. Post-mounted light fixtures shall conform to the architectural character of the home and will be subject to approval by the Reviewing Entity.
- f.) Bollard light fixtures shall not exceed a height of forty-eight inches (48") from finished grade. Bollard light fixtures shall conform to the architectural character of the home and will be subject to approval by the Reviewing Entity.
- g.) Seasonal lighting is permitted for illumination during a thirty (30) day period prior to and ten (10) day period after the holiday season. Seasonal lights may be installed between November 15 and January 15, but may only be illuminated as stated above. Should extreme weather conditions become a factor in removal of seasonal lights within the designated time frame, the Reviewing Entity, in their sole discretion, may grant an extension of the allowable period of removal. Seasonal lighting and electrical cords shall be located so as to respect driveway snowplowing operations and sidewalk snow removal operations. Cords shall never be located over public sidewalks.
- h.) Attaching lighting to your home may void applicable warranties from Falls Run.

## I. Swimming Pools and Spas

- 1. All swimming pools and spas shall be of the in-ground type, except above-ground spas not exceeding three feet (3') in height above the existing grade level may be permitted if such spa is adequately screened from street view and the view of any neighboring property, including lots and Common Areas.

2. All swimming pool and spa equipment shall be screened from street view and view from neighboring property with plant materials of adequate density. Swimming pools and spas must be constructed entirely within the Private Area. All swimming pools and spas shall be fenced for safety as required by applicable law and must be installed according to Stafford County ordinances. The Reviewing Entity may require additional plant materials to be planted to screen the swimming pool or spa from neighboring properties. Please refer to Ancillary Equipment, Section II.E with regard to equipment screening requirements.
3. Swimming pool and spa drains must connect to the street drainage. No swimming pools or spas can be drained onto open space or any other property.

J. Barbecues

Built-in and portable barbecue units shall be for cooking only and must be located within the rear yard Private Area and must be designed as an integral part of the home. Location must be carefully planned to minimize smoke or odors affecting neighboring properties. All barbecues must be located at least four feet (4') from any wall of the residence, and fully conform to all applicable Stafford County and Virginia Statewide regulations. All outdoor fires must be natural gas, propane or charcoal. Outdoor wood burning is prohibited except at approved events at the community center.

K. Decks, Patios and Courtyards

1. Decks, patios and courtyards should be designed in harmony with the architecture of the home and match as to material and color as offered by Del Webb. All handrails, rim joists, stringers, spindles and any other vertical member shall be constructed of pressure treated lumber, primed and painted to match the trim color of the home, or vinyl. Decking, flooring, and understructure can be constructed out of pressure-treated lumber. A dimensional plan, construction details, plat map, and photographs of the existing home must be submitted with the application to the Reviewing Entity. No deck, patio or courtyard will be constructed that is in conflict with the drainage pattern as established for the lot.
2. No extensions or modifications of decks, patios, or courtyards as constructed by Del Webb shall be permitted without prior written approval of the Reviewing Entity, and no extension or modification shall be approved if it is determined to have a material adverse impact upon neighboring properties and/or the community. The size of decks and patios shall be determined by

the available space per lot, within the Private Area. The Reviewing Entity reserves the right to limit the size and location of decks.

3. Man- made screens and shade devices, if any, must appear as an integral part of the building elevation and must be made of materials that complement the home and the Neighborhood. Roof-mount installation is prohibited. Awnings or similar shading devices are permitted on the side and rear of the home if the colors and materials are consistent with the house and Community-Wide Standard and approved by the Reviewing Entity. No advertising or logos are allowed on awnings. Attached arbors are permitted if approved by the Reviewing Entity.

L. Deck Rails and Attached Fencing

1. Deck rails and attached fencing cannot exceed forty-eight inches (48") in height, from decking, and must be constructed to match the material and color of the decking and trim of the home. A dimensional plan, construction details, plat map, and photographs of the existing home must be included in the submittal of an application to the Reviewing Entity. Please note: fences and rails may incur additional cost for standard landscape maintenance package.
2. An attached fence may extend up to twelve feet (12') from the rear corner of the home and must conjoin at ninety-degree (90) angles. Attached fences must be erected at grade and be used to enclose and/or define an existing space.
3. A rail may extend more than twelve feet (12') from the existing home, but only to surround a deck or patio. It must be constructed in such a manner as to meet local and national building codes. All rails must be constructed with a smooth top so as to be able to serve as a handrail.

M. Pergolas, Trellises, and Arbors

1. All pergolas, trellises, and arbors will be constructed of vinyl or pressure-treated lumber and be painted white or finished to match the trim color of the home. Construction drawings, elevations, and details must be submitted for all pergola, trellis, and arbor applications.
2. Structures must be constructed within the Private Area of the lot and may not exceed forty percent (40%) of the width of the home or be a maximum width of eighteen feet (18'), whichever is less.
3. Pergolas and shade structures must be structurally sound and anchored in accordance with local codes. Knee bracing or cross-bracing shall not be utilized on any side of the structure. The lowest member of framing of a

pergola may not exceed the eave height of the home. Pergolas or shade structures may not exceed the eave height of the home. Please see Appendix “D” for an example of a typical pergola.

4. One (1) or more trellises may be installed to shield a patio or deck if approved by the Reviewing Entity. Attaching a trellis to your home may void applicable warranties from Del Webb. Trellises used to screen decks or patios that have a height extending to the eaves of the home may have a maximum width of no greater than eight feet (8') if approved by the Reviewing Entity. Applications for trellises which do not extend to the eave height of the home shall be reviewed on a case-by case basis to determine allowable width and configuration. Each trellis must be designed to support plants or vine growth and thereafter maintained with plants or vines growing on it, and remain plumb, level, and structurally sound. The intent of these Design Guidelines is that trellises may not be used as substitutes for fences. Please see Appendix “D” for an example of a typical trellis.
5. One (1) arbor may be installed only if structurally sound and in accordance with local building codes. Arbors may not exceed eight feet (8') in height, four feet (4') in width, and four feet (4') in depth. The arbor must be designed to support plant or vine growth and thereafter be maintained with plants or vines growing on it. As all arbors are different, approval will rest with the Reviewing Entity. Please see Appendix “D” for an example of a typical arbor.

#### N. Prohibited Structures

Pursuant to the Declaration and/or these Design Guidelines, the following structures shall be prohibited from use in Falls Run:

- ~ Stand alone flagpoles
- ~ Storage buildings or sheds
- ~ Clothes lines or clothes poles
- ~ Detached garages
- ~ Tents of a permanent nature
- ~ Above-ground swimming pools
- ~ A bird or squirrel house exceeding the roof eave in height
- ~ Artificial vegetation
- ~ Accessory buildings, including gazebos, greenhouses and guest houses unless constructed by Del Webb
- ~ Non-portable children’s play equipment

**All intended structures must receive written approval by the Reviewing Entity before installation will be permitted.**

### III. COMMUNITY ASSOCIATION COMMON AREA AND RECREATIONAL

## **FACILITY DESIGN GUIDELINES**

The following Design Guidelines govern the maintenance and operation of the Common Area, Neighborhood Facilities, and Recreational Facilities, including the Recreation Center. In the event and to the extent additional Recreation Centers are constructed in the future, the singular reference herein shall include such additional assets.

### **A. Architectural Character**

1. The physical structures constructed by Del Webb and conveyed to the Community Association shall be maintained and/or replaced by the Community Association utilizing the same or similar design, size, location, style, structure, materials, color and architecture.

### **B. Landscaping**

1. The Community Association shall be responsible for the maintenance of the landscape corridors, medians, and other common area. The Community Association shall maintain the landscaping required to be maintained by the Community Association under any Supplemental Declaration which may be adopted by the Board of Directors of the Community Association creating a Neighborhood Expense without materially changing from the original design.
2. All Common Area at buildout, where not built upon or paved (and unless included in a wetland or other natural preserve area) will be landscaped. Landscaping shall extend to the back of the curb on all adjacent street sides of the site.
3. The minimum density of plant material shall depend upon the size of the site and the extent of the landscaped area. There shall be an appropriate amount of specimen sized trees (at maturity) and shrubs. Ground shall be covered with a combination of inert and living materials. Inert materials shall include the materials described in Appendix "E" of these Design Guidelines.
4. All areas paved for pedestrian traffic such as walkways, plazas, and courts shall be a hard surface material with limited vertical irregularities.
5. The plantings allowed in Falls Run were selected after consideration of several factors. A list of the prohibited plantings is set forth in Appendix "G".
6. All landscaping shall be designed and maintained so as not to interfere with the view of any ground signs on the site or adjacent properties, and not obstruct the view of traffic entering, exiting, or passing by the site.
7. Where the landscaping of a new project is to adjoin an existing landscaped area, the new landscaping shall include an appropriate transition between the

two areas.

C. Ancillary Equipment

Heating, ventilation, and air conditioning equipment, ancillary mechanical equipment, radio and television transmitting and receiving antennas, and similar appurtenances (as approved by the Reviewing Entity and in compliance with the Declaration) shall be screened from general view from neighboring properties, all residential areas, pathways, open areas, parks, and streets. Roof-mounted units are permitted on roofs with screening where the screen is integral with the building forms and materials. The placement of **any** such equipment must receive written approval from the Reviewing Entity.

D. Site Development

1. Fences and Walls. Fences up to six feet (6') in height (or higher if required by the Stafford County or a utility) may be used to screen and create privacy between the commercial or institutional developments, streetscape and the residential areas of the Community. Such fences must be constructed of materials described in Appendix "C".
2. Building Setbacks. All building setbacks shall conform to the criteria set forth in Paragraph B of Appendix "A".
3. Drainage. Site drainage will conform to the drainage analysis performed for the platted property.

E. Lighting

All lighting installed by Del Webb on Common Area, or installed by the Community Association, shall comply with any applicable local, state or federal law. No lighting will be permitted which causes unreasonable glare to neighboring Owners, neighborhoods or the Common Area; provided, however, the Community Association may maintain lighting on, in or around tennis courts, parking lots, Recreation Centers, Common Areas, Neighborhood Areas and other areas where such lighting is necessary or appropriate for the use and enjoyment of the community or for health and safety reasons.

F. Temporary Facilities

Temporary buildings shall be allowed to be placed on Common Areas by the Community Association. Such uses shall be for temporary buildings used for Community Association purposes. There shall be no other temporary private facilities on Common Area.

G. Flagpoles

The Community Association may install flagpoles and flags at the Recreation Center, the entrance to the community, and on any other Common Area.

**IV. ARCHITECTURAL REVIEW AND RESIDENTIAL PROPERTY OWNER REQUIREMENTS**

The architectural review process has been established to maintain the integrity of the architectural and design character of Falls Run. To this end, the Reviewing Entity will review all proposed additions, improvements or alterations on homes for conformity with the Design Guidelines. Article VIII of the Declaration sets forth provisions with respect to the review process.

A. Residential Property Owners.

Home Owners are required to submit plans (described below) to, and receive written approval from, the Reviewing Entity prior to performing exterior (1) additions, alterations, or modifications to existing homes, (2) exterior painting, (3) landscaping, (4) the installing of pools, and spas and Jacuzzis, and walls and fences, (5) any exception to or deviation from the Design Guidelines, or (6) any concrete work, ancillary equipment, signage, and any and all other such on-site improvements not listed in the Design Guidelines. However, it shall be the responsibility of all Home Owners to comply with all standards and guidelines of Article II of these Design Guidelines, as well as all requirements of the Declaration.

B. Submittals For Changes and Additions.

1. The Home Owner shall submit an application form as provided in Appendix "B" showing the plans for the proposed improvement as follows:
  - a.) For landscaping plan approval, or amendments to an approved landscaping plan, the Home Owner shall submit a copy of the landscaping plan for the lot, including a description of all varieties and sizes of trees and shrubs, with the location of each tree and shrub clearly delineated on the plan. To the extent the Home Owner can color code the trees and shrubs and provide a legend, it will facilitate review. If the submittal is for an amendment to a previously approved landscape plan, the existing trees and shrubs shall be marked on the landscape plan with a circle marked with a dashed line and a cross in the center indicating their location, and with the proposed additions marked on the landscape plan with a circle marked with a solid line and a dot in the center. All deleted landscape materials shall be described as part of the submittal. The initial submittal shall also describe any proposed irrigation system,

with the location of the timer box, the valves, and of each sprinkler head and emitter. All irrigation systems shall have an automatic timer. In the event the Home Owner desires to install any hardscape, including but not limited to brick, masonry, railroad ties, wood trim, concrete, rocks or other inert material, such items shall be clearly marked on the landscape plan and a legend shall be provided so that the reviewer can easily determine the location and type of material. Lots have been designed and graded to provide positive drainage from the lot and to protect environmental resources; in the event Home Owner's plan proposes to alter the grade of the lot, the location of all drainage structures and direction and slope of flow must be indicated on the plan. Home Owner shall hold harmless Del Webb and the Community Association for any and all damage to any party caused by the alteration of the grade by the Home Owner in connection with the design or installation of the Home Owner's landscaping, including damage to the Home Owner's house. Home Owners will be responsible for any damage caused by any change to drainage by themselves or hired landscapers.

- b.) For exterior changes to or additions to the home, the Home Owner shall submit a copy of a floor plan for the site, including the plot plan and a copy of the floor plan for the model and elevation. On such plans, the Home Owner shall draw the proposed changes or additions to the exterior elevation. If the Home Owner has a photograph of another house, or picture out of a magazine that will assist the reviewer, such photo should be submitted. The application should contain a description of the materials the Home Owner plans to use in such changes or additions.

If the change or addition affects the roof or roof line, a roof plan should also be submitted. A building section may be requested depending on the complexity of the change or addition.

- c.) Home Owners are advised that Stafford County requires certain permits, depending on the proposed change, alteration or addition. It is the Home Owner's responsibility to comply with permit requirements. The Home Owner shall provide the Reviewing Entity with copies of any such required permits if so requested. Home Owners should contact the County of Stafford Building Department, 1300 Courthouse Road, P.O. Box 339, Stafford, VA, 22555-0339 (telephone [540] 658-8650) for further information.
- d.) Prior to submittal of a request for a permit to be issued by the County of Stafford, the Home Owner will obtain the approval of the Reviewing Entity of any plans, changes, alterations or additions inclusive of, but not limited to, those items outlined in IV.A. above.

- e.) Any permit or approval issued by Stafford County shall in no manner whatsoever bind the Reviewing Entity with respect to approval or denial of any application for items submitted for consideration; the Reviewing Entity shall be fully independent and will have full authority for approval or denial of any such matters.
2. The Reviewing Entity shall review such submittals without a hearing and based solely on the information contained within each submittal. Every effort shall be made to respond within thirty (30) days. The Reviewing Entity's decision shall be presumed to be correct on all reviews; however, a Home Owner may, if desired, request that a formal hearing be scheduled before the Covenants Committee to appeal any decision by the Reviewing Entity in accordance with Article VIII, Section 8.3 of the Declaration.
  3. Upon completion of review by the Reviewing Entity, one (1) set of plans shall be returned to the Home Owner accompanied by a letter indicating the Reviewing Entity's decision and shall be rendered in one (1) of the following three (3) forms:
    - a.) Approved - The entire document submitted is approved in total.
    - b.) Approved As Noted - The document submitted is partially approved. A Home Owner may proceed with the work to be performed as modified, but must comply with any and all notations on the submittal.
    - c.) Not Approved - The entire document submitted is not approved and no work may commence.

C. Fees.

Review of all applications and all landscaping plans may be subject to a nominal fee structure payable to the Reviewing Entity to cover costs, if deemed necessary at some time in the future.

D. Effect of Building Permit.

If the plans submitted by a Home Owner require a building permit, the approval by the Reviewing Entity is not a guarantee that such plans will be approved by Stafford County. If Stafford County requires modification to such plans, such modifications must also be approved of by the Reviewing Entity for the Home Owner to remain in compliance with these guidelines.

**V. NON-LIABILITY FOR APPROVAL OF PLANS**

Article VIII, Section 8.7 of the Declaration contains a disclaimer by Del Webb, the Community Association, and the Modifications Committee of liability or responsibility for the approval of plans and specifications contained in any request by a Home Owner. **PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW YOU SHOULD READ AND UNDERSTAND THIS DISCLAIMER. IF YOU DO NOT UNDERSTAND IT, PLEASE ASK A REPRESENTATIVE OF THE REVIEWING ENTITY TO EXPLAIN IT.**

## VI. ENFORCEMENT OF INSTRUMENTS

Article VIII of the Declaration describes scope of authority of the Community Association, including the review and determination of alleged violations by Home Owners and Residents, execution of certain remedies, and recommendations to the Board of Directors of the Community Association for further action. The Community Association may execute certain remedies as provided for in Article VIII of the Declaration.

### A. Non-compliance by Home Owner.

Article VIII, Section 8.8 of the Declaration describes the Community Association's right to require the Home Owner to remedy any non-compliance. After notice of the violation, the Home Owner shall have thirty (30) days to complete the remedy. If the remedy cannot be performed within thirty (30) days, the Community Association shall take the time estimated for taking the remedial action into consideration. If Home Owner has not complied within thirty (30) days, or the time period otherwise designated by the Community Association if applicable, a duly authorized representative of the Community Association shall have the right to enter the property to perform the necessary work to bring the property into compliance. All costs incurred by the Association to bring the non-complying Home Owner into compliance, including the cost of the work and interest, shall be charged to the Home Owner as a Benefited Assessment. Any amounts invoiced to the Home Owner pursuant to this paragraph or pursuant to the Declaration as Benefited Assessments shall be due and payable within thirty (30) days of receipt of such invoice by Home Owner. The failure of the Home Owner to pay a Benefited Assessment levied against Home Owner is a default and could subject Home Owner to suspension of his voting rights and rights to use the Common Area(s) and the Recreation Center and such additional remedies as provided in the Declaration. The decision to suspend a Home Owner/Member's rights to use such facilities will be made by the Board of Directors of the Community Association.

### B. Appeal of Decision.

Any Home Owner, lessee, or other resident aggrieved by a decision of the Reviewing Entity may appeal such decision, by requesting a formal hearing with the Covenants Committee in accordance with Article VIII, Section 8.3 of the Declaration and subsection 3.18 (b) of the By Laws. A final appeal, if desired by the Home Owner, may subsequently be made to the Board of Directors of the Community Association.

## **VII. CHANGES AND AMENDMENTS TO THE DESIGN GUIDELINES**

The Design Guidelines may be amended as follows:

- A. Changes to these Design Guidelines may be proposed by the Board of Directors of the Community Association and/or the Modifications Committee. Additionally, any Home Owner may submit to the Board of Directors proposed changes to these Design Guidelines for review and consideration.
- B. Any Modifications Committee recommendation to amend the Design Guidelines shall be approved by two-thirds (2/3rds) of the Committee members and be forwarded to the Board of Directors for consideration.
- C. If the Board of Directors approves the proposed amendment, it shall become an amendment to the Design Guidelines. Such amendment shall be promptly posted at all Recreational Facilities bulletin boards and copies made available at the Community Association office.
- D. All amendments shall become effective upon adoption by the Board of Directors. Such amendments shall not be retroactive to previous work or approved work in progress.
- E. In no way shall any amendment to the Falls Run Design Guidelines change, alter or modify any provision of the Declaration, any Supplemental Declaration or the Articles or Bylaws of the Community Association.

**MEMBERS OF THE BOARD OF DIRECTORS OF FALLS RUN COMMUNITY ASSOCIATION, INC.**

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## **APPENDIX A**

### **BUILDING SETBACKS**

#### **A. RESIDENTIAL AREAS**

The building setbacks described below are applicable to detached single-family homes in Falls Run and recognized by the Reviewing Entity. Notwithstanding any other provision of law, all building setbacks must meet these requirements, except for such buildings which are built by Del Webb pursuant to approvals obtained from the County of Stafford. The building setback requirements generally define the Private Area, except as noted in Section II.B.1 of the Design Guidelines:

- |    |             |   |
|----|-------------|---|
| 1. | Front Yard: | 10'0" Minimum<br>(measured from the curb) |
| 2. | Side Yard:  | 5'0" Minimum<br>10'0" Combined            |
| 3. | Rear Yards: | 20'0" Minimum                             |

#### **B. COMMON AREAS TO BE OWNED BY THE COMMUNITY ASSOCIATION**

The non-residential areas of Falls Run will be Common Area as defined in the Declaration.

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## **APPENDIX B**

### **APPLICATION FOR CHANGES, ADDITIONS, OR LANDSCAPING APPROVALS**

The application is a separate document. Copies may be obtained at the Community Center.

## **APPENDIX C**

### **APPROVED MATERIALS FOR WALLS, YARD FENCES, AND RAILS**

#### **A. APPROVED MATERIALS FOR WALLS**

Brick, cultured or natural stone, or masonry block.

#### **B. APPROVED MATERIALS FOR FENCES**

Wrought iron, steel, composite or aluminum tubular fencing (no chain link) examples of which are shown below:

If installed on top of a knee wall, core drilling is required for post installation. The total height of any combination wall and fence cannot exceed forty-eight inches (48").

**APPENDIX D**

**EXAMPLES OF PERGOLAS, TRELLISES, AND ARBORS**

## **APPENDIX E**

### **APPROVED INERT MATERIALS**

Approved inert materials shall include those described below and other materials as may be approved by the Reviewing Entity from time to time. Determination of whether a material is acceptable for inclusion in any specific situation shall be made by the Reviewing Entity and shall be in writing. Currently approved materials are as follows:

#### **A. MULCH/BARK**

Dark, hardwood shredded mulch may be approved as inert ground cover, except that compost may be used on perennial and annual planting beds. Stone mulch may be used, provided that it adheres to the following standards:

Minimum size:	3/4" in diameter
Maximum size:	1/1/2" in diameter
Colors:	buff, beige, charcoal, red, brown, black or white

#### **B. DECORATIVE ROCK MATERIAL**

With the exception of above, decorative rock shall not be permitted as ground cover. Categories of decorative boulders which may be approved within the Private Area are as follows:

- i) Moss Rock;
- ii) Tan Limestone;
- iii) Tan Sandstone;
- iv) Granite: or
- v) Fieldstone

The Reviewing Entity reserves the right to limit the number of decorative stones in the landscape.

## **APPENDIX F**

### **STATUES AND ARTIFACTS**

Statue and artifact guidelines shall be as provided for below; such guidelines shall constitute an addition to, and not an exclusion of, the guidelines referenced in Section II.B.2 above. All statues and artifacts must be located within the Private Area.

#### **A. TERMS; DEFINITIONS**

- i) Artifact: Shall include the following:

Clay, masonry, metal, or wooden objects including bird baths, animals, gnomes, cut-out objects, and planters. Artifacts may not exceed four feet (4') in height. Pots made from traditional garden materials are encouraged. The Reviewing Entity reserves the right to limit the number of artifacts in the Private Area.

- ii) Statues: Shall include the following:

Clay, masonry, metal, or wood statuary, including human figurines, animals, religious figures, etc. Statues may not exceed four feet (4') in height. The Reviewing Entity reserves the right to limit the number of statues in the Private Area.

- iii) No ornaments or statuary shall be attached to the home (with the exception of seasonal decorations as outlined in Section II.C.g.1) without the prior written authorization of the Reviewing Entity.

- iv) Bird or Squirrel House (and) Bird Feeders: One (1) Bird or Squirrel House and up to three (3) bird feeders not exceeding the roof eave in height may be permitted in the Private Area. Installation on perimeter walls or wrought iron fences and under/on house eaves is not allowed. Multiple bird dwellings, e.g. bird coops, are not allowed.

- v) Adequate Screening: The Reviewing Entity reserves the right to require screening of artifacts and statues. If plantings are used for screening, adequate screening shall be plantings which initially (i.e. when first installed/planted) screen a minimum fifty percent (50%) of the statue or artifact and which substantially screens the statue or artifact one (1) year from date of approval.

## **APPENDIX G**

### **LIST OF PROHIBITED PLANTINGS**

Following is a list of the currently prohibited residential landscape plantings for Falls Run.

#### **TREES AND ORNAMENTALS**

Common Name:

Apple  
Black Locust  
Black Walnut  
Boxelder  
Catalpa  
Common Buckthorn  
Cottonwood  
Elms\*  
Female Ginkgo  
Glossy Buckthorn  
London Plane Tree  
Mulberry  
Osage Orange  
Russian Olive  
Silver Maple  
Silver White Poplar  
Tree-of-Heaven

Botanic Name:

Malus pumila  
Robinia pseudoacacia  
Juglans nigra  
Acer negundo  
Catalpa speciosa  
Rhamnus cathartica  
Populus deltoides  
Ulmus species  
Ginkgo biloba (female)  
Rhamnus frangula  
Platanus acerifolia  
Morus species  
Maclura pomifera  
Elaeagnus angustifolia  
Acer saccharinum  
Populus alba  
Ailanthus altissima

\*While the elms are a prohibited family of trees, several species and varieties will be permitted. These are:

Lacebark Elm  
Smoothleaf Elm

Ulmus parvifolia  
Ulmus carpinifolia varieties: Homestead,  
Pioneer, Horizon, Regal

#### **SHRUBS, VINES, GROUNDCOVERS & GRASSES**

**APPENDIX G (continued)**

**LIST OF PROHIBITED PLANTINGS**

Common Name:

American Bittersweet  
Amur Honeysuckle  
Asiatic (Oriental) Bittersweet  
Bishop's Goutweed  
Creeping Jenny  
Crown Vetch  
Curly Pondweed  
Japanese Honeysuckle  
Japanese Knotweed  
Japanese Stilt Grass  
Korean Barberry  
Leafy Spurge (Wolf's Milk)  
Mile-A-Minute Vine  
Multiflora Rose  
Porcelain Ivy  
Purple Loosestrife  
Spotted Knapweed (Bachelors Buttons)  
Tansy (Golden Buttons)  
Tatarian Honeysuckle  
Variegated Yellow Archangel  
Water Chestnut

Botanic Name:

Celastrus scandens  
Lonicera maackii  
Celastrus orbiculatus  
Aegopodium podagraria  
Lysimachia nummularia  
Coronilla varia  
Potamogeton crispus  
Lonicera japonica  
Polygonum cuspidatum  
Microstegium vimineum  
Berberis koreana  
Euphorbia esula  
Polygonum perfoliatum  
Rosa multiflora  
Ampelopsis brevipedunculata  
Lythrum salicaria  
Centaurea maculosa  
Tanacetum vulgare  
Lonicera tatarica  
Lamium galeobdolon  
Trapa ratans

**Turf Grasses**

Bermuda grass  
Zoysia grass  
Perennial Ryegrass  
Fine Fescues  
Kentucky Bluegrass (in excess of 20% of total sod/seed mix)  
Annual Bluegrass

Landscape materials that are planted by the Home Owner shall meet the following minimum size requirements when planted.

Shade Trees - ½" Caliper Minimum  
Flowering/Ornamental Deciduous Trees - 3' Height Minimum  
Evergreen Trees - 3' Height minimum  
Deciduous and Evergreen Shrubs - 1 Gallon Minimum

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There are no minimum sizes required for ground cover, vines and grasses.

**APPENDIX H**

**FENCE PLACEMENT EXAMPLES**

These drawings are not to scale.

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## **APPENDIX I**

### **ILLUSTRATION OF LOT TERMS**

Drawings are not to scale

**Falls Run Design Guidelines**  
**Lawn Maintenance Standards**  
(Adopted August 2, 2006)  
(Modified October 22, 2008)

Section II, C, d.) of the Design Guidelines states the following: “The ground surfaces of all portions of the lot outside the Private Area shall be covered with turf. The ground surface of the Private Area shall be covered with approved living or inert materials. Where turf is used, it shall consist of Tall Fescue varieties of seed or sod with no more than a twenty (20) percent mixture of bluegrass varieties added to the blend [see the annual Virginia Turf Grass Recommendations by the Virginia and Maryland National Turf Grass Evaluation Program (NTEP) at <http://www.ext.vt.edu/pubs/np/2805-1003.pdf> for specific seed type recommendations]. See Appendix G for prohibited turf grasses. Approved inert materials are described in Appendix “E”; additions or variances may be approved by the Reviewing Entity from time to time. For the purpose of these Design Guidelines, topsoil or decomposed granite shall not be considered inert material. With the exception of stone mulch as described on Appendix “E”, no decorative rock shall be permitted as ground cover. Ground cover or inert material shall not be used to spell out names, nicknames, names of states, city athletic teams, slogans, states, emblems, geometric patterns or any other communication. The Reviewing Entity reserves the right to limit the number of stones or boulders used as decoration in a landscape.

This section of the Design Guidelines was amended by the Board of Directors of the Falls Run Community Association adding the following to Section II, C, d.):

“The following standards describe the specific maintenance that must be performed by homeowners in the event the lawn is invaded by excessive weeds or crabgrass or in the event the lawn deteriorates from lack of watering, maintenance or both. Four Types of lawn conditions may exist, each having prescribed maintenance.

Type 1: Minimum of 85% grass coverage (turf grass not crabgrass). Perform normal maintenance prescribed by Design Guidelines.

Type 2: Minimum of 70% grass coverage. Treat at earliest possible date for broadleaf weeds and/or crabgrass with appropriate granular and/or liquid sprays. Consider core aeration and over seeding in spring or fall.

Type 3: Minimum of 50% grass coverage. Treat weeds and or crabgrass as stated above. Core aeration and over seeding required in spring or fall whichever comes next in the calendar.

Type 4: Less than 50% grass coverage. Lawn must be replaced (either by sod or a reseeding process) in the spring or fall whichever comes next in the calendar.

Lawns will be inspected twice annually and notices will be sent to homeowners whose lawns are Type 2, Type 3, or Type 4.”

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