



FIRST COLONY
COMMUNITY ASSOCIATION

STREET AND YARD TREE GUIDELINES

Article VIII, Section 5 of the Declaration of Covenants, Conditions, and Restrictions for First Colony (the "deed restrictions") require that:

... plans and specifications showing the nature, kind, shape, color, size, materials, and location of such modifications, additions, or alternatives shall be submitted to the Modifications Committee for approval ...

The following guidelines have been developed to assist homeowners in complying with the above requirement of the deed restrictions. Provided these modifications are in compliance with these particular guidelines, it is not necessary to submit for approval, however, in the event there is any deviation from these guidelines, approval is needed or it will be considered a deed restriction violation and may be subject to fines.

STREET TREES

ONE OF THE MOST IMPORTANT LANDSCAPE ELEMENTS IN FIRST COLONY IS THE CONSISTENT USE OF STREET TREES.

Street trees are to be located in the area between the sidewalk and the street. The trees are to be placed a maximum distance of 25 feet apart. Street trees that are closer than 25 feet to a street or school safety sign may only be planted if the tree can be effectively trimmed to offer clear visibility of the sign. A street tree that is too close to sign may be removed after having been granted a variance by FCCA. Any homeowner removing a tree without having a variance granted will be considered in violation of the deed restrictions. A minimum of two street trees per lot is required. However, due to the various sizes, shapes, and obstructions of these areas, the following exceptions to the general rule exist:

- Corner lots should have trees spaced along the street around the corner at 25' foot intervals.
- Homeowners with less planting space than normal due to concrete, light poles, water meters, fire hydrants, or the shape of the cul-de-sac may warrant exceptions to the two tree rule, but specific approval must be received.
- Any other exception will require the homeowner to receive specific approval from the Modifications Committee.

Most streets in the FCCA have been assigned a specific street tree. Homeowners are required to have that type of tree unless otherwise provided for in the neighborhood documents.

The minimum size of the replacement tree is 30 gallons or greater with a minimum 2" caliper and 5 feet in height. Some neighborhoods may require a larger size tree according to individual neighborhood guidelines. If the builder never put a street tree on the property, the homeowner may be allowed to plant a 15-gallon tree with at least a 1.5" caliper. Replacement trees must be similar in size to the tree that is being replaced. If that is the case, the custom home neighborhood guidelines should be followed.

YARD TREES

Yard trees are to be planted between the sidewalk and the front of the house. Approved shade trees may be planted in the yard; approved ornamental trees may be planted in the yards or incorporated into the landscape beds. A minimum of two yard trees per lot is required. In all cases, trees must be a minimum of 30 gallon and 2 - 2.5" caliper in size. The trees must meet a minimum height requirement of six (6') feet. The species of yard tree is to be taken from the list of shade trees or ornamental trees on the approved plant list. If any other tree type is desired, specific approval must be granted.

REMOVAL OF YARD TREES

Shade trees planted in the yard that have become a nuisance (i.e. cause excessive shading, cause foundation damage, are in poor health, are dead, are hazardous, are negatively impacting adjacent trees, are negatively impacting community appearance, etc.) or are apparent to become a nuisance in the future may be considered for removal. FCCA must grant written approval for removal of shade trees. The above requirement of two yard trees is applicable; therefore, after removal of shade trees, two ornamental trees must be either in the yard or incorporated into the landscape beds as stated above.

FCCA strongly recommends that homeowners utilize a qualified arborist with adequate insurance to remove large trees. Stumps must be ground to at least six (6) inches below grade. Removed trees should be disposed of off site within one week. Portions of the removed tree not disposed of within 48 hours must be out of public view. Landscape site should be re-sod and restored to meet FCCA requirements within one week.

TREE MAINTENANCE

The homeowner is responsible for maintaining the health of their street and yard trees. This includes proper pruning (for street trees, prune to a minimum of 8 foot clearance unless city requirements are more stringent, then must meet those requirements); removing suckers (sprouts that grow along the trunk), removing deadwood, watering, staking fallen or crooked trees, and performing any other procedure to ensure the tree remains healthy and viable including removing the metal tree stakes from the yard and street trees after approximately one year to ensure that the tree roots will not be damaged when the stakes are removed.

The homeowner is responsible for replacing dead or missing trees, including street trees. If trees are not growing properly and there is no upper (crown) growth, topping the trees off (cutting the crown back to the main trunk) is not an appropriate action. If the top portion of the tree is dead, the tree must be replaced.

Newly planted trees should be watered as needed during the first and second growing seasons after planting. Watering thoroughly is better than a light daily watering. During the summer months, water trees once per week; in the spring and fall, water once every two weeks. In the winter, water once a month.

APPROVED TREE LIST

The following plants are recommended and have been selected due to their hardiness in our area. Most of these plants also have low water requirements once established. Plant species not specified on this approved plant palette may be considered on an individual basis.

Shade Trees: Live Oak, Red Oak (only the Shumardi and Texas varieties), Bur Oak, Nuttall Oak, Sawtooth Oak, Chinquapin Oak, Eastern Red Cedar, Elms, Chinese Pistache, Baldcypress, Montezuma Cypress, Southern Magnolia, Drummond Red Maple, Mexican Sycamore, Mexican White Oak, Pecan, Eldarica Pine, Palms, Sweetgum, Golden Raintree, Ginkgo

Ornamental Trees: Crapemyrtle, Wax Myrtle, Hollies, Little Gem Magnolia, Ornamental Pear, Mexican Plum, Texas Mountain Laurel, Vitex, Oleander, Austrian Pine, Palms, Ligustrum, Japanese Maple, Redbud, Loquat, Rose of Sharon, Saucer Magnolias, Cherry Laurel, Pineapple Guava, Bottlebrush

For information on foundation plantings, shrubs and other landscape requirements, please see the "Landscape Guidelines"

The FCCA Executive Director approved these guidelines on the 6th of December, 2004 based on authority by the Board of Directors. Changes to these guidelines may be made at any time without prior notice.


Sandra K. Denton, Executive Director