

**Approved 5/10/2010
Revised May 2020**

**UNITARY
ARCHITECTURAL REVIEW COMMITTEE GUIDELINES**

A. Introduction

1. The Declarations (Covenants), as defined in Article II of the By-Laws, provide authority for the activities of the Architectural Review Committee (ARC) and its Guidelines by the statements contained within Article II and its paragraph, "Purpose of Declaration."

2. Property characteristics, which include construction, exterior changes and landscape improvements, shall not be altered in any respect without ARC written approval. Any work that will modify the exterior dimension or appearance of your property must be submitted to the ARC for prior approval. **"Landscape lighting plans for the installation or alteration of down-lighting or up-lighting must be submitted to the Highlands Falls Community Association office for ARC approval prior to installation. "** (BOD May 2020)

3. Any owner, authorized agent, or contractor who plans to construct, enlarge, alter, repair, replace, paint, move, or demolish a building or structure in the Highlands Falls Community must submit plans for such action to the Architectural Review Committee of the Highlands Falls Community Association (HFCA).

4. The Board of Directors must agree in advance upon changes or additions to the current ARC Guidelines. (BOD 10/11/1993)

5. The terms "Highlands Falls Architectural Review Committee," "Architectural Review Committee," or "Committee" and the acronym "ARC" all have the same meaning and are used interchangeably herein.

6. Although much of the language in these guidelines and rules is directed toward the contractor, the Architectural Review Committee of Highlands Falls Community Association has no direct contractual relationship with the contractor. Further, the owner bears ultimate responsibility for compliance with these guidelines and all associated fees, fines, and other charges.

B. Landscaping Guidelines (BOD 5/10/2004)

1. New construction and major landscaping changes require that a landscape plan be submitted to and approved by the ARC and the HFCA Landscape Committee. Landscape plans must show:

- existing trees and plants, with names
- proposed trees and plants, with names
- any fences, walls, water features, or walkways, showing design and materials
- location of trees to be removed
- location of the improvement on the property.
- **“Landscape lighting plans for the installation or alteration of down-lighting or up-lighting must be submitted to the Highlands Falls Community Association office for ARC approval prior to installation.” (BOD May 2020)**

2. No topographic or vegetation characteristics of the property shall be altered by removal, reduction, cutting, excavation or any other means without the prior written approval of HFCA, except for routine maintenance. Failure to get written approval from HFCA could result in fines up to \$500 per violation. (BOD 9/13/2005)

Tree Policy (BOD 7/14/2008)

A homeowner requesting permission for a contractor to cut or otherwise alter a tree greater than 6 inches in diameter (or 20 inches in circumference) as measured at chest level or a tree that could pose a threat of damage to structures, driveways or roads, must ascertain that the contractor has the required insurance.

For trees on homeowners' property: Proof of current general liability insurance is required and must be submitted to the HFCA office prior to work being approved by HFCA.

For trees on HFCA property: Proof of current general liability insurance and current workers' compensation insurance is required and must be submitted to the HFCA office prior to work commencing.

Tree topping is not permitted except in very limited circumstances such as hedge maintenance for a privacy screen. (BOD 7/12/2004)

If tree removal is the only alternative for view enhancement, a replacement tree of a lower growing variety is to be planted in that approximate area.

Any pruning, thinning, or removal of trees must be approved in writing by HFCA. BOD (08/18/1993)

3. When soil is disturbed, appropriate silt and erosion control measures must be taken as required by HFCA Protective Covenants and North Carolina State law. ARC and the Landscape Committee will do periodic inspections during a landscaping project; state or county inspectors may inspect areas where the potential for erosion or siltation exists.

4. Water conservation is imperative and the responsibility of each property owner. The following rules apply:

- Permanent yard sprinkler systems, hose sprinklers or soaker hoses are NOT permitted.
- Grass, if included in the landscape plan must not exceed 25% of the total footprint area of the house, including the garage (excluding porches).
- Installation of a water feature requires installation of a water meter by HFCA at the owner's expense. (1-2-09)

5. A five foot right-of-way, from the edge of the blacktop, must be reserved with no obstructions, such as rock columns or landscape plantings. (BOD 5/17/1994) If obstructions, existing prior to May, 2004, must be removed for HFCA improvements or maintenance, they will be removed at the owner's expense. (BOD 8/19/1999) Landscaped areas on this right-of-way may not be "donated" to HFCA and shall be maintained by the property owner. Any additional areas to be landscaped and maintained by HFCA will need the recommendation of the Landscape Committee and the approval of the HFCA Board of Directors.

C. Guidelines for All Construction (Remodeling and New)

1. All ARC Guidelines are requirements of the Community Association. Please consult either the Macon County or Jackson County ordinances, depending on location, to determine what regulations apply to your project for permitting of construction and inspections such as those dealing with building permit, soil disturbing activity (erosion control), and septic systems. These ARC Guidelines are in addition to the regulations imposed by the county. If the ARC Guidelines and the county building codes have different standards, the higher standard will prevail.

2. Set-backs

All building setbacks must be observed or a specific variance sought from the ARC before construction begins. The setbacks are:

- a. Twenty-five (25) feet from the front lot line in Section I and thirty-five (35) feet in Section II.
- b. Ten (10) feet from side and rear lot lines in Sections I and II, EXCEPT, thirty (30) feet from the rear lot line when abutting the golf course or a lake in Sections I and II.

3. Erosion control

a. Introduction

It is the policy of the Highlands Falls Community Association to prevent erosion from home construction sites and siltation of streams and lakes to the maximum extent possible. Building homes in our mountainous rainforest terrain creates abundant opportunity for erosion. Special efforts are required to prevent siltation and pollution. (BOD 6/11/1996) Compliance with Macon and Jackson County codes and ordinances as well as North Carolina statutes regarding erosion control is strongly recommended.

b. A copy of the Macon or Jackson County Land Disturbance permit application and permit must be included with the construction application. (BOD 8/17/2009)

c. All applications for construction permits will include a site plan that shows all erosion control devices.

d. Silt fencing will be installed on the downhill periphery of any area of disturbed earth immediately after trees are removed, before earth is disturbed, and shall be maintained throughout construction, and removed after living ground cover is established (not pine straw). The HFCA Manager must approve the stability of the ground cover. Silt fences shall also be maintained around drainage inlets and outlets. Silt fences shall be 24 inches above ground with the lower 12 inches dug-in on the uphill side of the fence, covered with soil and packed so as to prevent blowouts. (BOD 6/11/1996) ***Silt screens must remain in place until the ARC gives approval for their removal. (BOD 6/13/1995)***

e. Silt fences shall also be maintained around drainage inlets and outlets. (BOD 6/11/1996)

f. A construction drive of 2-3" clean stone of 2-3" depth must be installed for the first 50 ft from the paved road or road. (BOD 8/17/2009)

g. A stream buffer of 25 ft is required. (BOD 8/17/2009)

h. Additional minimum requirement where slope exceeds 25% (BOD 6/11/1996) – items 1-4 below.

1) Where the footprint area of the house has a slope

greater than 25% (25 feet of fall in 100 feet of horizontal run), the site plan must show the following preventative methods:

2) An additional silt fence will be installed six to ten feet below the primary silt fence and will be situated in the area expected to receive the greatest volume of water. The length of the additional silt fence will be determined by the HFCA Manager.

3) Where appropriate, catch basins will be installed to collect concentrated run-off and will be evacuated through dug-in six-inch flexible drain pipes discharging to the sides and away from disturbed earth areas, if possible, so that the volume of water flow over disturbed earth areas is reduced.

4) Where necessary to prevent erosion, rip-rap will be used at the ends of flexible drainpipes to slow and spread the discharge.

i. Rocky sites (BOD 6/11/1996)

Where rock around the house footprint prevents the normal installation of a silt fence, the rock will be drilled to a depth of 20 inches and steel "T" posts will be installed to support the silt fence. Soil or gravel will be used to anchor the lower 12 inches of silt fabric.

j. Slope of 1:1 (45%) or greater (BOD 8/17/2009)

A copy of the approved land disturbance plan required by Macon or Jackson County ordinance must be included in the construction application.

k. Earth disturbance of ½ acre (21,750 sq ft) or greater

A copy of the approved land disturbance plan required by Macon or Jackson County ordinance must be included in the construction application. (BOD 8/17/2009)

l. Fines for erosion control violation

The penalty for failure to comply with or maintain erosion control methods is up to \$500 per day for any day in which such non-compliance or maintenance failure occurs. (BOD 7/15/1997) These fines will be deducted from the contractor's compliance deposit. (BOD 6/11/1996) The owner is ultimately responsible for payment of these fines. (BOD 8/17/2009)

4. Ornamental structures and mailboxes

Lampposts, columns, walls or signs to be erected alone, or as part of new construction or remodeling, must be approved by ARC. (BOD 10/11/1993) Please submit a detailed drawing showing material, design and location. Vertical arrangements of stone or rock shall be at least five feet from the edge of the asphalt road to the column or wall.

5. Mailboxes are available for purchase and installation from HFCA. Mailboxes not purchased through HFCA must be approved by the ARC before installation. (BOD 11/11/2005)

6. Driveways

The first thirty feet from the road of all driveways must be surfaced with pavers, asphalt, or concrete. The type and color of driveway chains must be submitted for approval. (BOD 10/11/1993)

7. Carports

Carports are permitted only if they do not open onto the road and are screened accordingly. (BOD 10/11/1993) Community patterns help determine acceptability. (BOD 9/9/1997)

8. Vent stacks, etc.

Vent stacks, pipes, etc. must be located on roofs where they would not be visible or unsightly from the road, golf course or adjacent properties. The least objectionable location must be determined and approved by the ARC. Vent stacks or pipes must also be painted to match roof color. (BOD 9/10/1997 and 10/14/1997)

9. Exterior building materials

Exterior building materials are limited to wood, rock, stone or brick construction only. Wood shakes and fibre cement siding such as "hardieboard" siding may be considered commensurate with the design and décor of adjacent homes. Stucco is not allowed except for accent or decorative purposes. (BOD 10/11/1993) Vinyl siding and aluminum siding are not permitted. Log cabins or similar construction are not permitted. (BOD 5/17/1994)

10. Concrete block, foundation walls, chimneys, decks, porches

Concrete block, concrete foundation walls and chimneys must be stuccoed smooth and painted (not exposed). Foundation walls must be properly screened with landscaping. The underside of decks and porches which are more than 6' above finished grade must be screened with acceptable wood fencing, lattice or screened with landscaping as needed if they are exposed to view.

11. Roofs

Roofs of wooden shakes must have chimney "spark arresters." Color of roofing material must be submitted for approval at the time of plan submission. Approved roofing materials include cedar shakes, pine shakes, composite shake roofing Enviroshake, Engineered Slate Charcoal, CertianTeed Roofin-Highland Shake" Color: Tudor Brown, dimensional shingles including: Owens Corning Oak Road Ridge; Celotex Presidential, Timberline Ultra, Grand Canyon, and Georgia Pacific Summit and TAMCO Heritage 30AR. Other materials of equal quality and appearance may be submitted to the Committee for approval. It is strongly urged that composition roofing material be mildew proof or resistant such as the

TAMCO product. Installation of zinc strips may also inhibit mildew.

The ARC will consider metal roofs using the following guidelines:
(05/14/1993)

a). The roof shall be an architectural standing-seam type without exposed fasteners, with seams on 12" to 16" centers, depending on the length of run for each panel.

b). The panels shall be either aluminum or steel. If they are steel, they shall have a "galvalum" treatment prior to finishing. The finish shall be a "Kynar 500" resin based coating.

c). A roof sample and color sample must be submitted along with the application.

d). A metal roof installation will be considered on a case-by-case basis with other critical factors such as adjoining property.

e). A licensed North Carolina contractor shall install a metal roof.

12. Paint color

Color samples showing brand and color must be submitted for all exterior painting (BOD 9/9/1997), including repainting the same color. The HFCA office has a sample of all colors that are pre-approved. The use of white hues for trim is discouraged in our community due to the high humidity and prevalence of mildew. All exterior paint must be mildew inhibiting or mildew inhibitors must be added. (BOD 9/9/1997)

13. Miscellaneous

No TV antennas are allowed. 18" Satellite dishes are permitted. The location of the dish will be at the discretion of the HFCA Manager. (BOD 9/22/1994)
Exterior, above ground gas tanks, generators, air conditioning units, and heat pumps are permitted with prior approval of location and screening from road and golf course view by ARC. (BOD 5/17/1994)

14. Port-a-John

Port-a-Johns MUST be inconspicuous, serviced weekly, and be at least 25' from the road, if the terrain allows.

15. Job identification sign

After final approval from the ARC to begin construction, a job identification sign may be erected on the job site during construction. The sign must be 2 ½' x 2 ½', with the Contractor's name/architects name, and lot number.

16. Contractor's compliance deposit

If the owner acts as contractor, the same requirements shall apply. Upon depletion of the contractor compliance deposit, the owner shall be responsible for any balance of fees or fines.

It is recommended that the owner negotiate with the contractor as to who will be responsible for fees such as permit extensions and fines such as for inadequate erosion control.

17. Extensions beyond the stated time limit

If a project is expected to take longer than the stated time limit for its type, the owner/contractor may submit a request for additional time without penalty as part of the application. The reasons for the extension must be included and the extension will be subject to ARC approval.

An owner/contractor may request additional time without penalty during an approved project if there is good reason as solely determined and approved by ARC. (BOD July 2011)

18. Certificate of compliance

An HFCA certificate of compliance must be requested by the contractor at the completion of new or remodeling construction. A certificate of compliance will not be issued until the structure is completed and the contractor has received the occupancy permit from the County Building Inspector. (BOD 10/11/1993) Repairs to damaged roads and roadside must be completed, construction finished according to approved plans, job site clean, ground cover established, driveway surfaced and landscaping plans approved prior to the issuance of this certificate. The ARC understands that paving is seasonal. (BOD 10/11/1993) The compliance deposit paid at the time of plan submission, less any fees and fines not collected and less any actual costs to the HFCA for repair of damage, will be refunded with interest (BOD 6/13/1995) at the rate earned by the HFCA Compliance Deposit Account and at the time of the issuance of the Certificate of Compliance.

19. Water supply T-connections from the main, water meters, and cut-off valves shall be owned and supplied by HFCA. (BOD 9/20/2010)

D. Rules for Contractors and Workers.

1. Pursuant to the Highlands Falls Restrictive Covenants, no topographic or vegetation characteristics of the property shall be altered by removal, reduction, cutting, excavation or any other means without the prior written approval of the ARC. No trimming or removal of vegetation is allowed without an on-site inspection by the HFCA Manager and written approval by the ARC. (BOD 8/19/1999)

2. Failure to contact the ARC for permission could result in fines up to \$500.00 per incident.

3. Vehicles and equipment

a. Vehicles must observe the following speed limits: for all trucks, work vans, and equipment - 20 mph; for automobiles - 25 mph. The speed limit will be enforced and fines will be levied against the contractor's deposit. Workers are only authorized to travel directly to and from the job sites(s). The Contractor is responsible for the actions of his employees, subs and suppliers. All trucks must cover material or properly secure it for delivery to or removal from Highlands Falls Community. (BOD 07/30/1993)

b. Workers' vehicles shall be parked off the road and on the job site whenever possible. Parking on road shoulders may be allowed with approval from the HFCA Manager; and, the contractor is responsible for repair of any damage as determined by HFCA. When there is insufficient parking available, contractor will provide transportation for the workers to and from the job site. Parking on roadside is not allowed overnight or after working hours. The Community Association assumes no responsibility for vehicles parked on the roads, roadside or job sites.

c. Additional construction equipment and dump trucks must be parked off the roads and on the construction site at all times.

4. Any deliberate or negligent damage to the roads, roadside or any other property caused by a Contractor, his employees, sub-contractors or suppliers will be repaired at the Contractor's or property owner's expense. All repairs to HFCA property damaged during construction will be subject to approval of the ARC.

5. HIGHLANDS FALLS WORKING HOURS

8:00 AM – 6:00 PM MONDAY – FRIDAY

SATURDAY UNTIL 4:00

SUNDAY – None (BOD 10/11/1993)

No construction or related activity permitted on Sunday or observed holidays. (BOD 6/13/1995) Observed holidays are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Construction personnel are not allowed on the property outside of these work hours except for emergency services as determined by security staff. (BOD 9/22/1994)

6. The contractor is responsible for all activity on the job site including, but not limited to, the following.

a. Paint and other harmful material disposal (BOD 5/10/2010)

Discharge by any means of paint, paint residue, or any other harmful material into the HFCA sewer system is strictly forbidden. Such discharges interfere with the normal operation of the waste water treatment plant and can result in it becoming non-compliant with NC state regulations.

Discharges into the system can be back-tracked to the location of the violator. Information regarding the discharge will be forwarded and the State may fine the violator up to \$10,000 for every day that the discharge causes the HFCA waste water treatment plant to be non-compliant. The information forwarded to the State will include the identity of the property owner of and the contractor who has a permit to perform work at the location where the violation occurred. Further, the owner and contractor shall reimburse HFCA for all expenses incurred because of the violation. These costs may include but are not limited to repairs to the waste water treatment plant, costs associated with bringing the waste water treatment plant back into compliance with State requirements, and any fines or fees assessed to HFCA by the State authorities.

HFCA will fine any owner who disposes of paint, paint residue, and other harmful material into the waste water system. A contractor who violates the rule against discharge into the waste water system will be fined \$500.00 for the first violation and will be banned from further entrance into the Highlands Falls Community until such fine is paid in full. A second violation may cause the contractor to be permanently banned from doing work in the Highlands Falls Community.

Additionally, should a property owner or contractor dispose of paint or other harmful substance by burial, dumping, or otherwise such that it enters the surface water, lakes or streams, of Highlands Falls Community and which results in action by a local or State regulatory agency, the property owner and/or contractor shall be held responsible for all costs of fines and/or remedial action imposed by the agency upon HFCA.

b. The ARC insists on a clean job site at all times. Contractors must either provide adequate waste containers or remove trash and debris on a regular basis. The burying of debris is not permitted on construction site. (BOD 8/13/1998)

c. ARC requires construction debris dumpsters on all new home sites, and may require them on remodeling sites. BOD (07/30/1993 and 9/19/1999)

d. Loud noise, other than that associated with normal construction, is not allowed. Radios or music players of any type must have the volume turned down. Fines will be charged for loud music or noise.

e. Excessive construction noise, such as jack hammering, will only be permitted for twelve (12) working days without prior permission. (BOD 3/14/2006)

- f. Dogs and other animals are not allowed on job sites.
- g. Children under the age of twelve (12) are prohibited on all working job sites. (BOD 5/17/1994)
- h. Open burning is not permitted. (BOD 1/2/2009)
- i. Blasting is only permitted by prior written permission from the ARC and then only if the proper safety precautions are observed (blasting mat, fill dirt, etc.) (BOD 6/14/1994) Blasting must be in accordance with all NC State laws. Proof of adequate insurance for each blasting job is required. The fine for blasting without ARC permission is per occurrence. Blasting permits are the responsibility of the General Contractor. The contractor is responsible for notifying HFCA at least one full business day (24 hours) prior to blasting. HFCA will notify homeowners of the anticipated blasting. (BOD 5/17/1994)

E. Existing Homes and Other Structures

1. Maintenance

- a. Any change to the exterior of a home that will alter the appearance of the structure must be reviewed by the ARC. This includes standard maintenance items such as re-roofing, replacing a deck, and painting or repainting with the same color. This review insures that the actions are replacement only and meet HFCA criteria.
- b. Please review "Guidelines for All Construction" which includes sections on roofing materials, exterior building materials, paint color, etc. for criteria which must be met.
- c. The written application for maintenance must be submitted to the ARC and must include specifications of exterior colors and materials to be used.
- d. A maintenance permit has a time limit of 3 months.
- e. No fee is required.
- f. There will be a charge of \$250 for each full month that work continues beyond the 3 month time limit.
- g. No contractor compliance deposit is required.

2. Exterior remodeling of a home must be approved in advance by the ARC.

- Examples of remodeling are: adding square footage, changing the exterior façade by changing or adding doors or windows, installing new siding or rock facing, enclosing a porch, adding a golf cart shed or garage, adding dormers, or any other change in the exterior appearance.
- C. "Guidelines for All Construction" apply.

a. Exterior remodeling within the existing footprint

1.) The written application for remodeling must be submitted to the ARC and must include a description of the changes and specifications of exterior colors and materials to be used.

2.) A remodeling within existing footprint permit has a time limit of 3 months.

3.) The permit fee is \$250.

4.) There will be a charge of \$250 for each full month that work continues beyond the 3 month time limit.

5.) The contractor's compliance deposit is \$1,000.

b. Remodeling/renovation with footprint expansion of less than 1,000 sq ft

1.) In its sole discretion ARC may apply any or all of the requirements contained within F. New Construction depending upon the scope of the project.

2.) The written application for remodeling with footprint expansion must be submitted to the ARC and must include a description of the changes, detailed plans and specifications for structural attachment to the existing foundation, and specifications of exterior colors and materials to be used.

3.) A remodeling with footprint expansion under 1,000 sq ft. permit has a time limit of 6 months.

4.) The permit fee is \$500 plus \$2 per added heated or unheated sq foot and/or \$0.50 per added sq ft of decking (ARC 10/30/2003)

5.) There will be a charge of \$500 for each full month that work continues beyond the 6 month time limit.

6.) The contractor's compliance deposit is \$1,500.

c. Extensive remodel/renovation with expansion of footprint over 1000 sq ft

1.) In its sole discretion ARC may apply any or all of the requirements contained within F. New Construction depending upon the scope of the project.

2.) The ARC should request a review of submitted plans and specifications by an architect or a consultation with an engineer of its choosing to insure that its criteria are being met and that the new structure will blend harmoniously within the Highlands Falls Country Club community. The consultation fee will be paid from the permit fee.

3.) A remodeling with footprint expansion over 1,000 sq ft. permit has a time limit of 6 months.

4.) The permit fee is \$500 plus \$2 per added heated or unheated sq foot and/or \$0.50 per added sq ft of decking (ARC 10/30/2003)

5.) There will be a charge of \$500 for each full month that work continues beyond the 6 month time limit.

6.) The contractor's compliance deposit is \$3,000.

d. Total rebuild/tear down and rebuild.

Activity in this category shall be treated as new construction and all rules, conditions, applications, etc. will apply. For an extensive remodel/total rebuild, fees shall be charged as new construction, with appropriate modifications as determined by the ARC.

F. New Construction

1. Introduction

a. Highlands Falls property owners must satisfy all outstanding assessments, fines, and fees in-full prior to the submission of plans for new construction.

b. No construction or clearing may be started prior to the receipt of written approval of the ARC.

c. The Committee may require that the property owner return the property to its previous condition if any construction, site work or landscaping is not approved in writing. All costs involved shall be at the expense of the owner.

d. It is strongly urged that the owner and architect/landscape designer meet with representatives of the ARC early in the design process to avoid problems that might arise should the design not meet Highlands Falls criteria.

e. A construction application is not complete until preliminary plans have been submitted and a meeting between the owner, his/her contractor, ARC representatives, and the HFCA Manager with these plans as the subject has been concluded. Final ARC approval will require submission of plans which have received pertinent building authority approval. To avoid expensive changes due to failure to meet HFCA criteria, there should be no significant difference between the preliminary plans which have been reviewed with ARC and those which are submitted for building authority approval. (BOD 8/19/1999)

f. New construction submittals must be complete; a partial submission will not be processed and will not be held by the ARC until all items are

submitted. All exterior changes from an approved plan must be submitted and approved by the ARC.

g. The ARC should request a review of submitted plans by an architect or a consultation with an engineer of its choosing to insure that its criteria are being met and that the new structure will blend harmoniously within the Highlands Falls Country Club community. The consultation fee will be paid from the plan submission fee.

h. The ARC may reject any plans it deems not complimentary with existing construction in the Highlands Falls Country Club community.

i. New construction must commence within ninety (90) days of approval of plans.(08/19/1993)

j. All exterior work on the structure, site work and landscaping to control erosion must be completed within twelve (12) months from the first day of construction. (09/04/1993) Failure to complete these requirements within twelve (12) months may result in fines up to \$500 a month.

k. Final completion, issuance of certificate of occupancy by the County, and issuance of certificate of compliance by HFCA must occur no later than eighteen (18) months from the start of construction. Failure to complete all work within this time shall result in a charge against the contractor compliance deposit of \$500 for each additional full month. (BOD 7/20/2009)

2. NEW CONSTRUCTION SUBMISSION REQUIREMENTS

a. Application for Approval must be fully completed. (BOD 8/13/1999)

b. All applicable impact fees are payable to the Highlands Falls Community Association, Inc.

c. A landscape compliance deposit of \$1,500 is required from the owner prior to final approval.

d. A compliance deposit, paid by the Contractor with a separate check, is made payable to the HFCA Compliance Deposit Account. (BOD 7/12/1994) The compliance deposit (less any fines not collected and less any actual costs to the HFCA) will be refunded with interest at the rate earned in the HFCA Compliance Deposit Account when the Compliance Checklist is fully satisfied. (BOD 8/19/1999)

- e. Topographical site plan drawn to scale and showing:
- set-backs
 - surface run-off direction with arrows
 - grading and drainage
 - drainage piping as needed
 - erosion control measures (BOD 6/11/1996)
 - streams
 - all tree and vegetation removal
 - electrical, telephone, and cable service lines as applicable
 - water system as applicable:
 - water connection at HFCA water service box
 - water line
 - sewer system as applicable:
 - gravity sewer line
 - sewer tank, pump, line, check valves
 - septic tank and field
 - house footprint
 - port-a-john location (BOD 8/13/1998)
 - sidewalks and driveway areas and their drainage
 - culvert and headwall if applicable
 - appurtenant structures as applicable:
 - lampposts, columns, walls, signs, mailbox
 - fences, retaining walls, parking area, rock columns
 - in ground or screened gas tank
 - generator, A/C compressor(s), heat pump(s)
 - house location on adjacent lots (BOD 6/13/1995)
 - webbed fencing

f. Two copies of the final plans and specifications that have been approved by the Macon or Jackson County building authority. These copies are to be of the plans which have been stamped by a North Carolina registered architect or certified by a North Carolina registered engineer. (BOD 08/18/1993) A NC Engineer's letter of certification will be acceptable, if reference is made to each page, specifically insuring structural integrity of the entire plans submitted. These plans must be drawn to scale and include exterior house elevations, sidewalks and drives.

The specifications must include:

- all exterior materials and exterior colors or provide samples if not on pre-approved list
- type and color of roofing materials or provide samples if not on pre-approved list

- all specifications for the sewer system as applicable:
 - pressure sewer system shall require:
 - check valve
 - line of 2" pvc schedule 40 OR if on Spruce Lane, 1 ¼" pipe to the tap and E-1 Pump required.
 - minimum 2 horsepower lift station pump
 - minimum 500 gallon lift station tank
- design and materials as applicable for:
 - fences
 - walls
 - lampposts
- size and, if applicable, screening for gas tank

g. A copy of the Contractor's Certificate of Insurance naming Highlands Falls Community Association as additional insured. The Contractor must carry public liability, bodily injury and property damage insurance with minimum limits of \$500,000 per accident with \$1,000,000 aggregate as well as auto and truck, public liability, bodily injury and property damage insurance with a minimum combined single limit of \$500,000.

h. Copy of Builder's NC Contractor's License – Intermediate level or above Contractor's license is required for the entire duration of new construction. (BOD 07/30/1993)

i. A landscape plan must be submitted prior to completion of the structure. Landscaping must be finished within eight (8) months of the certificate of occupancy.

3. NEW CONSTRUCTION CRITERIA WHICH MUST BE MET

- a. C. "Guidelines for All Construction" apply.
- b. Driveway must be roughed-in prior to start of construction with necessary silt fences. To prevent mud and dirt being tracked onto roads, the first part of all construction driveways must be covered with 2" to 3" stone, 4" deep for the length determined by the HFCA Manager. (BOD 9/9/1997)
- c. A new home shall be no less than 1,500 square feet on the main floor (enclosed heated space – excluding porches, decks, garages, attics or other auxiliary spaces).
- d. The Community Association must locate water and sewer connections before construction begins. Each house must have its own water cut-off

valve at both the valve box and adjacent to the home (ball valve next to house) that are accessible to HFCA Maintenance staff (BOD 7/12/1994). A pressure reducing valve must also be installed inside. The sewer line shall include a check valve, a gate valve (BOD 7/12/1994), and a 2-horsepower 500-gallon lift station with a 2" line. For gravity feed sewer, there shall be a 4" line with a clean-out as per code. All connections are the responsibility of the contractor and, ultimately, the owner. A pressure sewer system shall include a check valve, line of two (2) inch pvc schedule forty (40), minimum two (2) horsepower lift station pump, and minimum five hundred (500) gallon lift station tank. (BOD 5/10/2010)

e. The first thirty feet from the road of Driveway must be surfaced with asphalt, concrete, or pavers.

f. All plans must include either a garage or a carport.

g. Culverts shall be 15" or larger in diameter with a headwall on the upper side. HFCA recommends the use of plastic, PVC-type, rather than galvanized culverts. (BOD 9/20/2010)

h. Interior: shower head and faucets must be low flow or contain water restrictors; toilets must be low flush.

i. Elevations, driveways, etc. must be planned to ensure that there is proper drainage run-off into the existing drainage system, taking care not to dump water onto adjoining property or roads. (BOD 10/11/1993) If driveways are downhill to the road, an across drive water trap of concrete with steel grate must be installed.

j. A freeze proof valve for the temporary standpipe must be installed according to Highlands Falls' standards. Failure to comply may cause breakage and a major loss of water to our system and other homes and will result in a fine. The cost of water loss and repairs will be charged against the compliance deposit. Copies of the required installation specifications are available at the HFCA office.

k. New construction must commence within ninety (90) days of approval of plans. The exterior structure, site work and landscaping to control erosion must be completed within twelve (12) months from the first day of construction. Failure to complete the exterior structure and site work and landscaping for erosion control within twelve (12) months shall result in a charge against the contractor compliance deposit of \$500 for each additional

full month.

Final completion, issuance of certificate of occupancy by the County, and issuance of certificate of completion by HFCA must occur no later than eighteen (18) months from the start of construction. Failure to complete all work within this time shall result in a charge against the contractor compliance deposit of \$500 for each additional full month.

Upon depletion of the contractor compliance deposit the owner shall be responsible for any balance of charges or fines. (BOD 7/20/2009)

l. Landscaping must conform to the Landscaping Guidelines. Permanent sprinkler systems supplied by the community water system are not permitted. (BOD 10/11/1993)

m. Polybutylene may not be used for the entrance supply line. (BOD 10/14/1997)

n. If blasting and/or drilling is anticipated, HFCA shall be notified during the preliminary plans meeting or as soon as possible thereafter.

o. Webbed fencing must be placed ten (10) feet from the house footprint on three sides excluding the drive/parking area side. No construction activity will take place outside the enclosed area thereby limiting damage to the natural vegetation. (BOD 8/13/1998)

In addition to the above, the ARC strongly recommends that architects and builders/designers submit plans which:

use copper for exposed flashing (BOD 9/9/1997 and 10/14/1997)

use steel support rather than wood when decks are over 16 feet in height.

4. NEW CONSTRUCTION FEE STRUCTURE

Plan Submission	\$1,500.00
Road Impact fee*	\$3 per sq. foot
Water Impact	\$2,000.00
Wastewater Impact	\$2,000.00 (BOD 07/30/1993)
Contractor Compliance Deposit	\$2 per heated square foot (\$4,000.00 minimum) (BOD 8/13/1998)
Landscaping Deposit	\$1,500.00 (BOD 8/27/2002)

*The road impact fee of \$3 per sq. foot is applicable to the first 100 loads of concrete, fill dirt or retaining materials. Additionally, for construction that requires above-average concrete foundation work, extra fill dirt, gravel or retaining materials, a fee of \$100 for every load over 100 will be charged,

not to exceed \$15,000. All new construction fees must be paid at the time of application submission, including the truck fees as estimated at the time of plan submission. (After first sentence BOD 9/11/2006)

APPENDIX 1

Landscape Guidelines Appendix

Suggestions to homeowners for the preservation of nature's balance and biodiversity of the Highlands Plateau.

1. Learn what natural features and plants exist on your property. Large trees, rock outcrops and patches of wildflowers are valuable and irreplaceable landscape features. Community resources are available to help you with plant identification.
2. If you are building a home, involve your architect and landscape architect early in the process and let them help you blend your home into the natural contours of the land.
 - For water conservation:
 - (1) landscape plans should consist of vegetation that normally requires only natural rainfall.
 - (2) flowers should not require an inordinate amount of water.
 - (3) installation of gutters and downspouts is encouraged. It is recommended that underground plastic pipes be connected to all downspouts to direct water to planting areas and sized properly with surge stone at the termination point to control erosion.
 - Designate areas to be left natural. Require your contractor to provide construction barriers for protection of undeveloped areas of your property.
 - Think before you cut! Clearly mark trees and shrubs to be removed. Preserve all other trees and the under story growth for wildlife habitat.
 - Eliminate unnecessary removal of trees and shrubs.
 - Stockpile topsoil for future use where it will not be compacted.
 - Avoid unnecessary soil compaction and damage to trees from heavy equipment by limiting access paths on and off the construction site.
3. After construction is completed:
 - Stabilize disturbed areas to prevent erosion. Maintain silt fences until

mulch and ground cover are established.

- Create "windows" for a view by selectively trimming limbs leaving a canopy instead of topping, sacrificing entire trees or stands of trees.
- Enhance the natural look of your home by planting native trees, shrubs and wildflowers. Buy only nursery grown plants. Do not dig from the wild!
- Plant a replacement tree for every tree cut during the construction process..
- Know your North Carolina laws and understand the habitat need of fish and wildlife if you are building a water feature or pond.
- Beware of non-native plants that are invasive as they rapidly spread and displace native species.

4. Tree "topping" is a very undesirable practice. Preferred alternatives include proper early pruning or selective branch thinning leaving a tree's canopy intact.

5. Information is available at the HFCA office to assist you with landscaping in the mountains. These lists and articles include:

- List of native trees, shrubs and perennials available at local nurseries
- List of perennials that can withstand drought
- Substitute trees to replace native hemlocks in your landscape plans
- List of invasive plants to avoid
- An article titled "The Case Against Topping Trees"
- A brochure titled "Blooming Times of Native Flowers of the Highlands Plateau"
- A brochure titled "Designing Your Home and Gardens to Preserve the Beauty of the Mountains"

Further assistance is available by contacting any member of the HFCA Landscape Committee. Their names and phone numbers are available through the HFCA office.