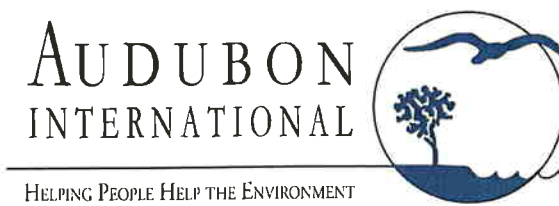


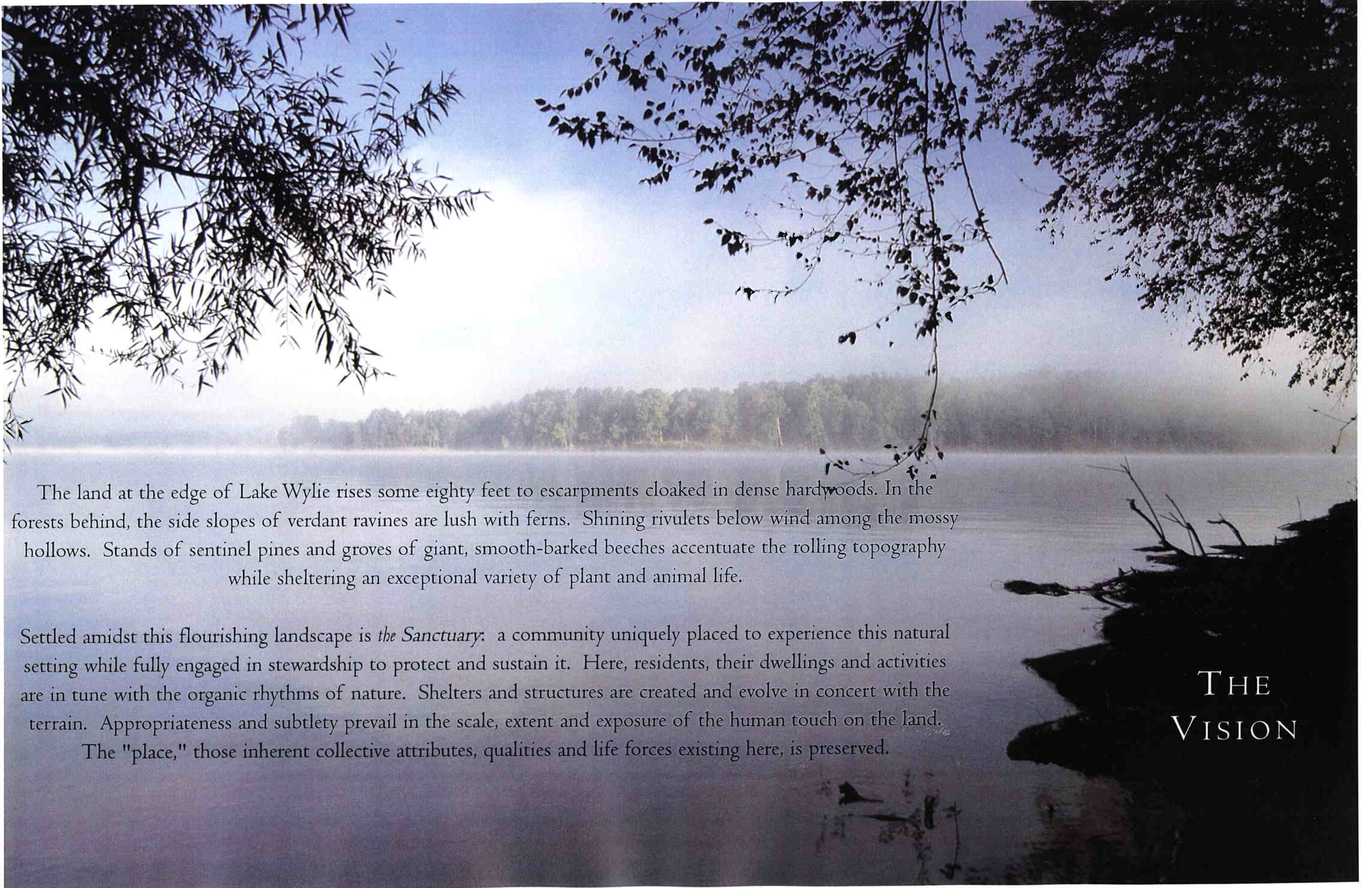
the SANCTUARY
Design Guidelines

August 31, 2004



877-295-0950





The land at the edge of Lake Wylie rises some eighty feet to escarpments cloaked in dense hardwoods. In the forests behind, the side slopes of verdant ravines are lush with ferns. Shining rivulets below wind among the mossy hollows. Stands of sentinel pines and groves of giant, smooth-barked beeches accentuate the rolling topography while sheltering an exceptional variety of plant and animal life.

Settled amidst this flourishing landscape is *the Sanctuary*: a community uniquely placed to experience this natural setting while fully engaged in stewardship to protect and sustain it. Here, residents, their dwellings and activities are in tune with the organic rhythms of nature. Shelters and structures are created and evolve in concert with the terrain. Appropriateness and subtlety prevail in the scale, extent and exposure of the human touch on the land.

The "place," those inherent collective attributes, qualities and life forces existing here, is preserved.

THE
VISION

INTRODUCTION

These Design Guidelines (the "Guidelines"), conservation corridor and lake buffer requirements have been prepared by the Architectural Control Committee (the "ACC") for the residential community known as *the Sanctuary* on Lake Wylie ("*the Sanctuary*"). The Guidelines, conservation corridor and lake buffer requirements are contemplated in and are promulgated pursuant to that certain Declaration of Covenants, Conditions and Restrictions for *the Sanctuary* (the "Declaration"). The Design Guidelines consist of four main parts as set forth below: Guidelines for the Architecture; Guidelines for The Site; Guidelines for the Environment & Conservation Corridor/Lake Buffer Requirements; and Owner Responsibilities & Construction Rules. All defined terms used in the Guidelines, as indicated by the initial capitalization thereof, shall have the same meaning ascribed to such terms in the Declaration, unless otherwise specifically defined herein.

The Guidelines shall be employed in conjunction with the Declaration. If there is an express conflict between the terms of the Declaration and the terms of the Guidelines, the terms of the Declaration shall control and prevail; provided, however, the mere fact that the terms of the Guidelines may be more restrictive than the terms of the Declaration, or vice versa, shall not be construed as an express conflict, and in such case the most restrictive provision shall control and prevail. Of course, in the event governmental or quasi-governmental rules, regulations or requirements that are applicable to the Sanctuary are more restrictive or more stringent than the terms of the Declaration and/or the terms of the Guidelines, the applicable governmental or quasi-governmental rules, regulations or requirements shall control and prevail.

PURPOSE

The Guidelines have been developed to implement the vision for *the Sanctuary*; namely, to blend structures, Lake Wylie ("the Lake"), the natural forest, and residents' lifestyles into a harmonious and aesthetically pleasing residential community which places a strong emphasis on the preservation and enhancement of the natural environment. One of the ways in which this is accomplished is through limiting the number of divisions of the overall *Sanctuary* lands into individual holdings. The number of individual Private Preserves within the 1300-acre *Sanctuary* will not exceed 190. Each Preserve is necessarily quite large, ranging in size from 2+ to 13+ acres. The intent is to allow sufficient area for residents to realize their individual vision of "home", whether grand or modest, while still conserving those qualities of the natural environment that enlightened, responsible persons of conscience know are our heritage and our duty to protect. To this end, *the Sanctuary* has engaged in a conservation partnership with Audubon International to create an ecologically-based, sustainability-oriented community. These Guidelines are intended to provide direction to Preserve owners and builders in the planning, design and construction of residences and related improvements on their Private Preserves ("Preserves"). It is not the purpose of the Guidelines to create look-alike residences and other improvements or to suggest that all residences employ the same colors, styles and materials. Rather, the primary emphasis of *the Sanctuary* is on quality of design and compatibility among all improvements, without unduly restricting the ability of Preserve owners to exercise individuality in their choice or design of a residence and related improvements. The principal goal is the achievement of an appropriate fit of structure and landform. The ACC will be open to and will encourage creativity, innovative use of materials and design and unique (if appropriate) methods of construction as long as the final result is consistent with the spirit of the Guidelines and the guiding philosophy of *the Sanctuary*. The authority of the ACC to approve or disapprove plans, specifications and drawings for residences, appurtenances, outbuildings, related improvements and landscape improvements is provided by the Declaration.

The Guidelines have been established to provide Preserve owners and their architects and builders with a set of parameters for (i) the preparation of plans, specifications and drawings for the construction of residences and related improvements on Preserves ("Building Plans and Specifications"), and (ii) the general application of the "Conservation Corridor & Lake Buffer Requirements." Each Preserve owner and each Preserve owner's building team should become familiar with the Guidelines and the process set forth herein for the submittal, review and approval of building plans and specifications. If building within *the Sanctuary* for the first time, Preserve owners and their builders and designers are encouraged to consult the ACC with questions regarding the application of the Guidelines to the Preserve owners' initial design concepts prior to the undertaking of any design work.

The ACC has been created to explain and assist in the design review process as well as to review, approve, or disapprove plans and specifications. It is the ACC's objective to maintain a pleasing aesthetic relationship of building to site and building to building and not to restrict individual creativity or preferences. The ACC will use the Guidelines for the purpose of reviewing each design, but the ACC may consider creative and innovative approaches in order to address special site conditions or circumstances, provided such approaches are permitted under the Declaration and are otherwise consistent with the spirit of the Guidelines. The ACC may retain advisory design professionals to serve as members of the ACC to aid in the review of plans and specifications.

FUTURE AMENDMENTS

The ACC reserves the right to amend any or all provisions of the Guidelines periodically and at any time, at the sole and absolute discretion of the ACC. Also, the ACC reserves the right to rule on all issues on a case by case basis, taking into account the fact that these Guidelines are to be used as benchmarks for policies and procedures, and may be interpreted from time to time by the ACC to reflect certain circumstantial issues. Decisions made by the ACC bearing upon specific conditions at one Preserve will not necessarily constitute a precedent for a decision on a different Preserve.

All building plans and specifications shall be prepared in compliance with the most current version of the Guidelines (and all amendments thereto) that has been promulgated by the ACC at the time such building plans and specifications are prepared.

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1.1 ARCHITECTURAL GUIDELINES

The following section sets forth guidelines and standards for all work relating to the creation of all habitable and non-habitable structures, including design, recommended building envelopes, setbacks and buffers, massing and form, placement and site considerations, size restrictions, exterior materials and their coloration, and sustainability measures. To produce high quality, appropriately sited, environmentally sound buildings that preserve and enhance *the Sanctuary* setting, architectural design shall utilize the following guidelines:

1.2 ARCHITECTURAL OBJECTIVES

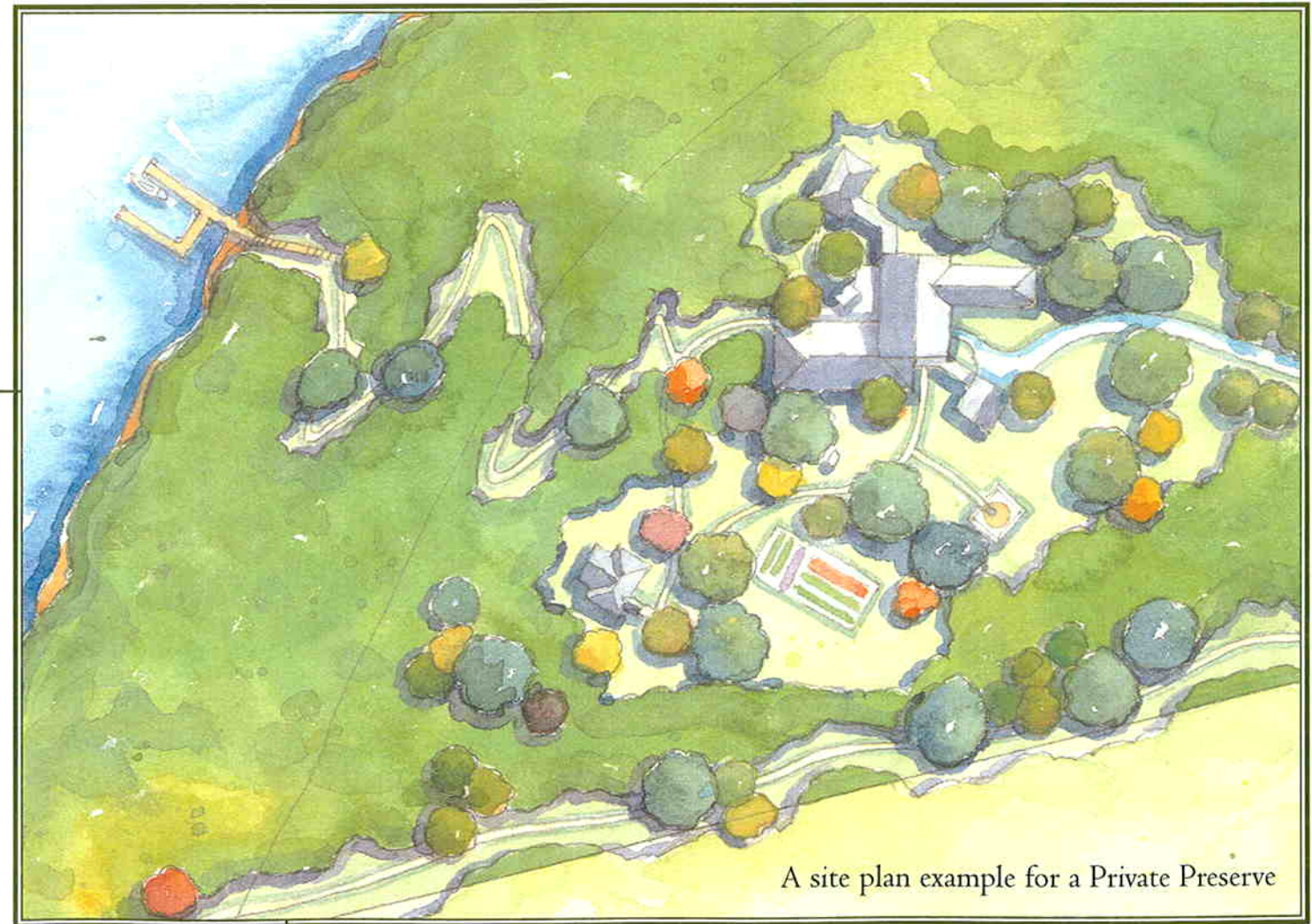
Outlined below are the main objectives for the design of all buildings and structures at *the Sanctuary*:

- 1.2.1 To draw upon those precepts of architectural design that carefully consider the characteristics of the site in the placement of structures so that an appropriate fit between building and surroundings is gracefully achieved.
- 1.2.2 To draw upon the design aesthetic and building practices of skilled craftsmen for building detailing and stylistic direction. The appropriateness of the fit between building and site is often the result of the indigenous nature of the architecture, the craftsmanship and the materials used. The more that materials appear to be derived from the site itself (stone, rough hewn timbers, wood shakes, etc.) the more natural the fit seems. In general, design should focus on interpretations of architectural traditions for informal, comfortable, understated, yet elegant structures finished with natural materials and hand crafted details. Innovative variations and contemporary interpretations of this tradition are encouraged.
- 1.2.3 To create individual buildings or building groups that efficiently provide the appropriate spaces for a desired lifestyle or pattern of activities while limiting the amount of impervious cover required for these purposes. The placement and overall size of structures must always achieve a balance with the size and characteristics of the site.
- 1.2.4 To encourage sustainability measures in design and execution of all buildings and sites. Along with exterior finish selection and mechanical system design, architecture should consider key site characteristics including existing tree canopy, slope, prevailing wind patterns and climate data, building orientation, aspect and solar exposure.

1.3 THE PRIVATE PRESERVE CONCEPT

Individual land holdings within *the Sanctuary* are limited to less than 190 Private Preserves varying in size from 2+ to 13+ acres. While conservation of the natural environment, enhancement of wildlife habitat and sustainability are critical objectives in design, the large size of the Preserves also allows for a wide expression of lifestyle manifestations in architecture and outdoor amenities. Residents may fulfill their aspirations for a grand manor home on a large country estate; for a compound of variously sized structures developed over time; or for a single, modest, rustic dwelling nestled in the privacy and seclusion of the deep forest. As long as the guiding architectural objectives are followed, a large range of uniquely individual interpretations is available. Further, the architectural realization need not happen all at once; additional dwellings, outbuildings and lifestyle-supporting ancillary features may be added over time as lifestyles expand, residents age, new needs arise and the wherewithal to provide them becomes available. Some examples of architectural configurations appropriate for typical Preserves are described below. As examples, they do not include the full array of possibilities available; rather, they are models from which owners may derive some inspiration for their own particular visions.

SECTION ONE DESIGN GUIDELINES for ARCHITECTURE



A site plan example for a Private Preserve

1.4 EXPRESSIONS OF ARCHITECTURE

A wide variety of possibilities are open to owners of Preserves in creating a unique architectural expression suited to their space needs and personal lifestyles. The following examples are of three different approaches to this expression. For ease of reference these have been called *Compounds*, *Manors* and *Retreats* based upon their individual distinctive characteristics. They offer typical examples of how Preserves might be designed in response to the needs of the owner and the natural environment of the specific property.

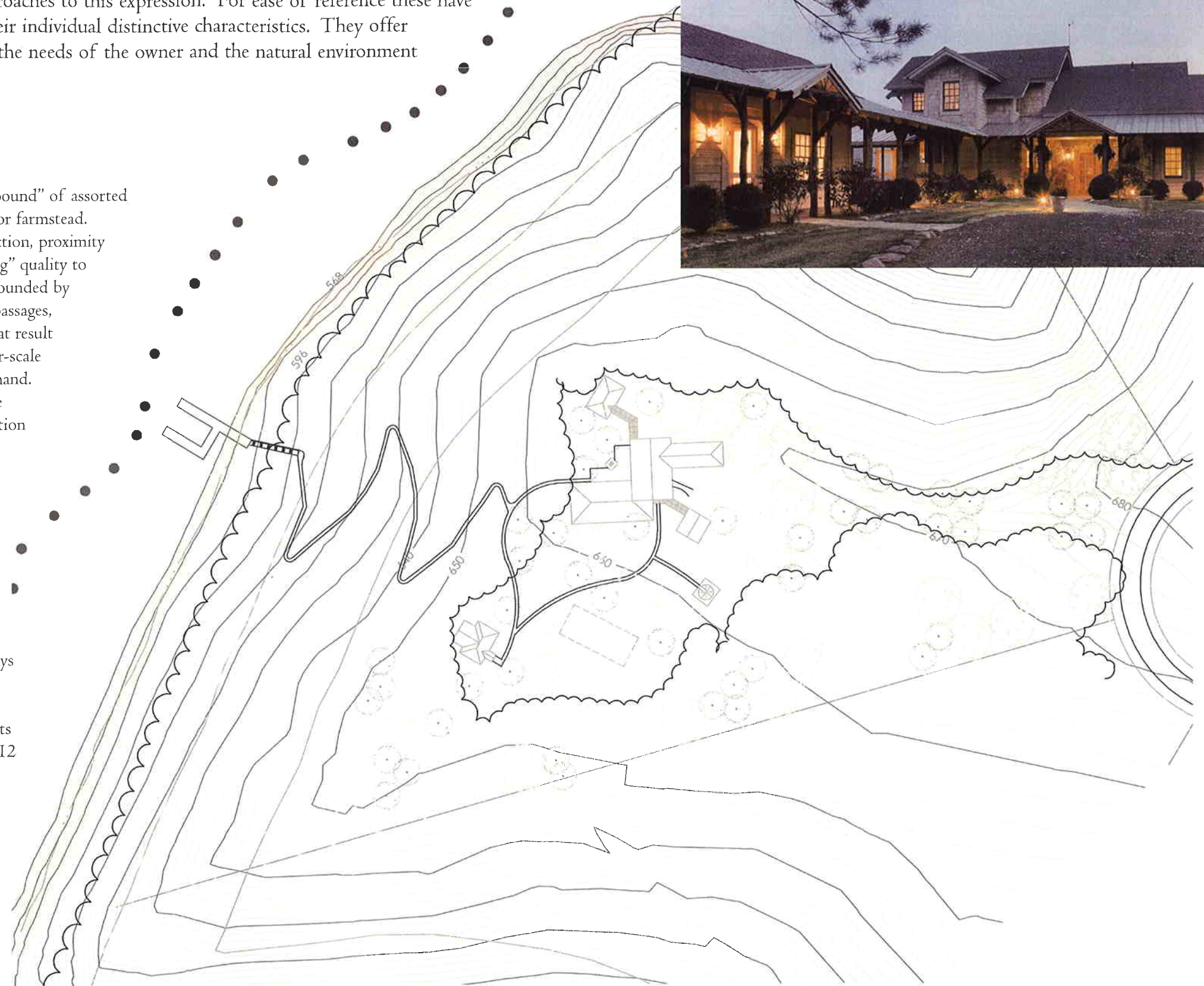
1.4.1 ARCHITECTURAL EXPRESSION A: COMPOUNDS

A suitable site design for certain Preserves might utilize the pattern of a "Compound" of assorted structures. This pattern is based in the regional rural tradition of a homestead or farmstead. Historically, these consisted of a collection of structures, each with its own function, proximity and relationship to a primary structure and the given terrain, lending a "rambling" quality to the overall organization. Typically, Compounds will include a main cottage surrounded by related secondary cottages and ancillary structures, often connected by covered passages, enclosed but unheated galleries, open breezeways, trellises and informal paths that result in a series of functional outdoor spaces. Individual structures tend to be smaller-scale as a result of rugged terrain, weather conditions and the labor and materials at hand. secondary cottages and ancillary structures are often constructed first, to provide immediate living and working space. However, these are always sited in anticipation of the construction of a main cottage.

1.4.2 ELEMENTS OF THE ARCHITECTURE

For the Compound, it is appropriate and preferred to employ stone, rough sawn timbers, recycled logs, wood shingles, wood shakes and other indigenous materials in the manner of camps, cabins and lodges characteristic of the Adirondack and Appalachian Regions.

- Stone or rough-textured stucco foundations, support piers and capped chimneys
- Wide roof overhangs, often supported by knee braces or brackets
- Large covered porches or verandahs
- Generally steep roofs that incorporate traditional dormer or shed roof elements with pitches of 5:12 to 12:12. Double pitch roofs may utilize a minimum 9:12 roof for the main body of the roof and a minimum 6:12 roof over the porch elements. Shed roof elements may utilize 2:12 to 4:12 pitches.
- Notched log, wood shingle, vertical board-and-batten, or wood lapped siding
- "Twig" railings and ornamentation
- Structure colors of dark browns or grays, highlighted with red, green or cream trim
- Roof colors of browns, grays and small areas of muted reds or greens to mimic seasonal leaf coloration.
- Gutters and downspouts that drain water from roofs, designed to empty into natural drainage systems such as crushed rock beds or grass-lined swales and carry water away from foundations and paved surfaces

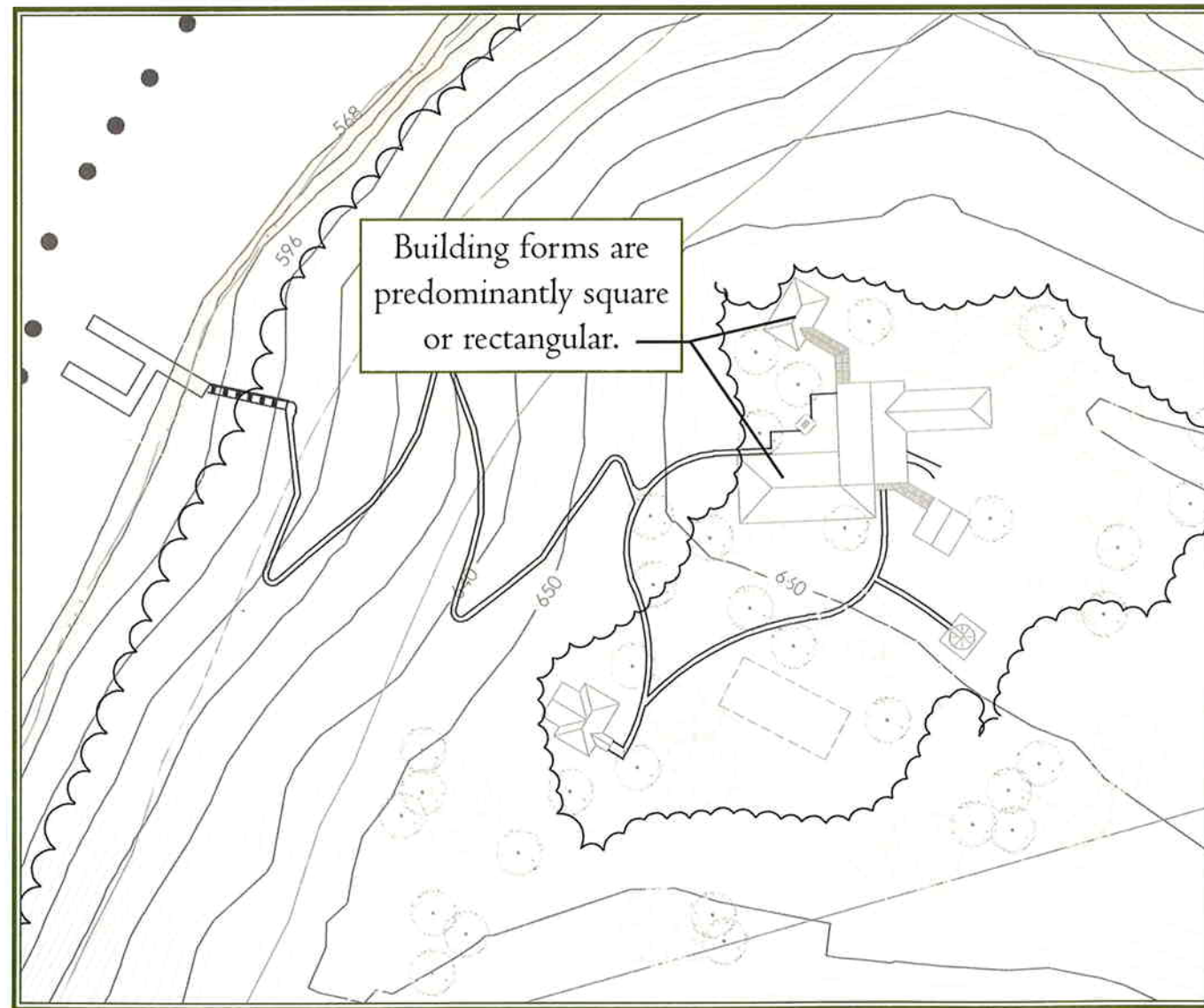


Typical Compound Site Plan

1.4.3 COMPOUND FORMS, MASSING AND PLACEMENT

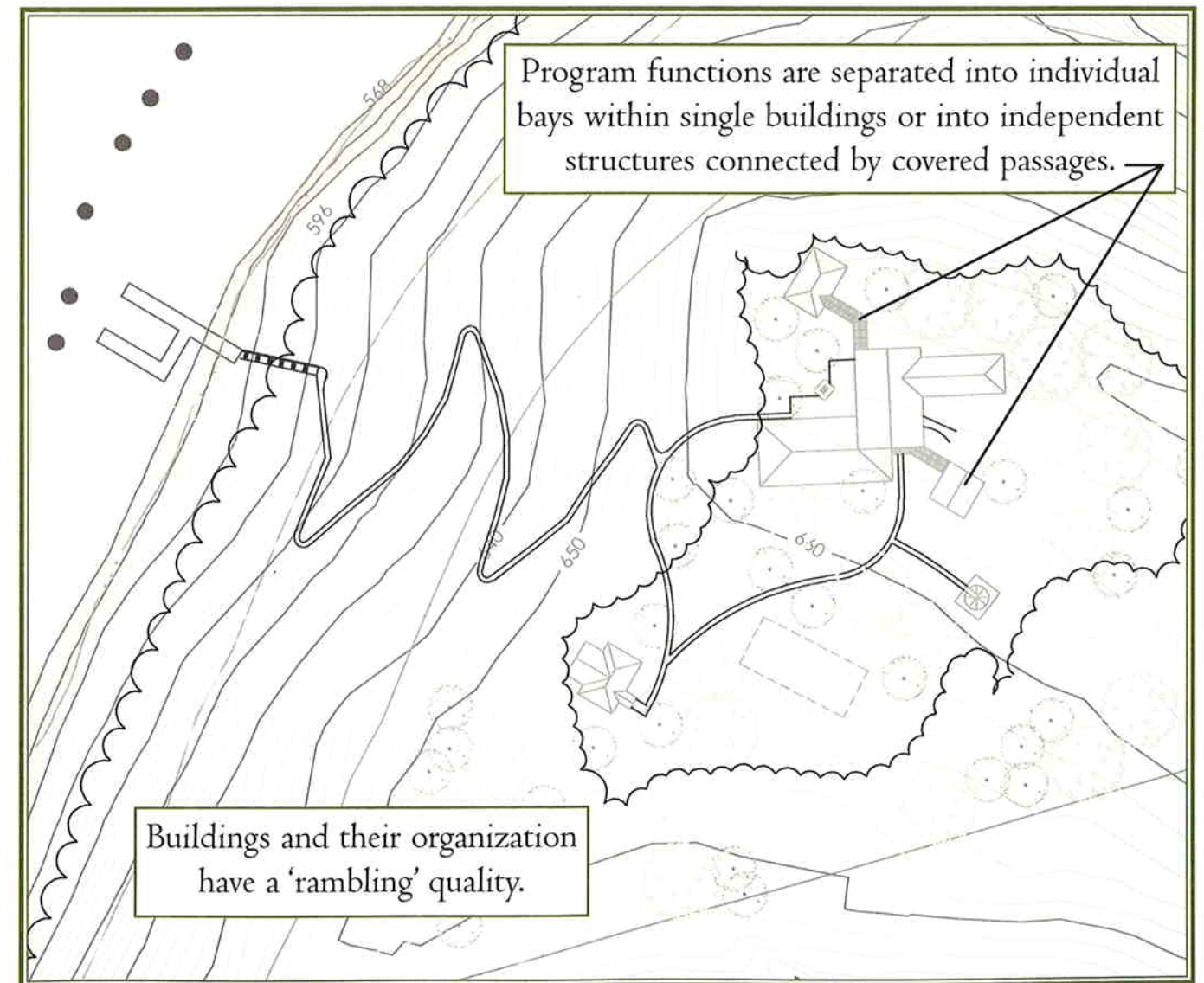
The following considerations should be utilized when designing and placing buildings within the recommended building envelopes on the site:

1.4.3A Compound Forms: Building forms for the Compound are generally variously-sized footprints of square or rectangular shape.



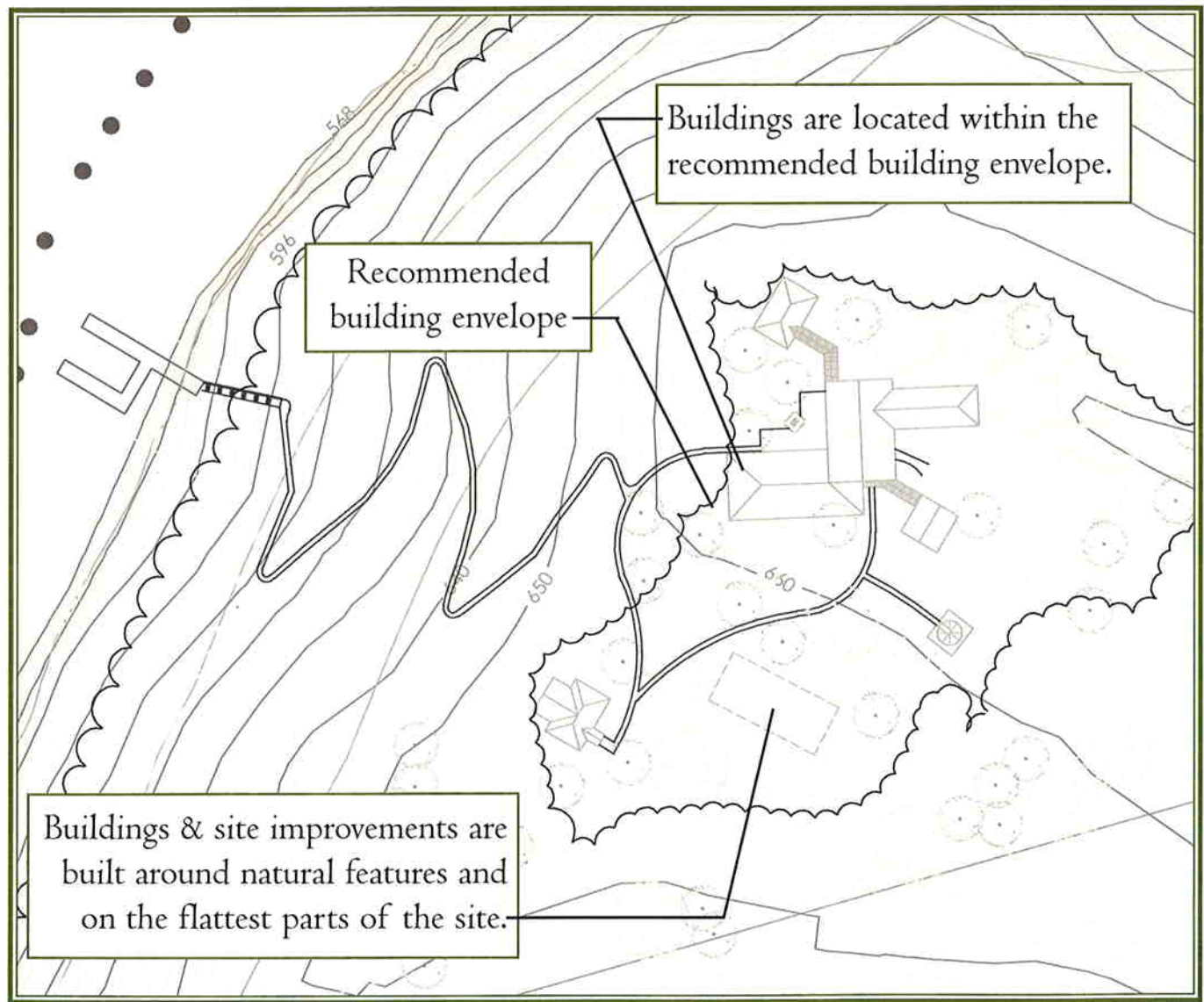
Compound Forms

1.4.3B Compound Massing: Massing, whether of individual structures or groups of structures, should convey a rambling quality that connects them to the site. Functional elements (living areas, kitchens, bedrooms, dining areas, studios, etc.) should be articulated either as individual roofed spaces connected by galleries or breezeways or a few, low-profile structures assembled as if added to over time. Individual buildings that are primary, permanent dwellings shall not have less total heated area than the minimum required shown on Figure I.9, p. 15. Standards governing the size and relationship of separate structures within the same Preserve as stated in the Mecklenburg County Zoning Ordinance Section 4 also apply.



Compound Massing

1.4.3C **Compound Placement:** All buildings shall be located within the recommended building envelope and should be positioned in response to the characteristics of each individual Preserve. This may mean fitting buildings among existing trees, orienting buildings toward views, or situating buildings and their openings to promote the effective and energy-efficient use of shade, shadow, breezes and daylight. Because most Preserves contain sloping topography, full use should be made of living space set into the grade to lower the structure's overall profile.



Compound Placement

1.4.4 BUILDING COLORS AND FINISHES

The tones and finishes of exterior elements should reflect a logical and appropriate combination of colors, textures and forms to both express the structure of the building and complement the design aesthetic within *the Sanctuary*. Colors are to be subdued, recessive and should blend with predominant colors found in the surrounding environment. Accent colors are to be used judiciously to add warmth and visual interest. Stains or opaque and semi-opaque paints are to be used to protect wood from weathering, to give it a more refined texture or to achieve a darker hue. Opaque or semi-opaque stains and/or paint finishes are to be selected so that wood has a weathered texture in tones similar to those of the surrounding environment. Stains and paints should generally be of a darker value than tree bark.

- A. Building elements are preferred to have the following general color ranges:
 - (a) Roofs: Medium to dark browns, blacks, grays, or dark reds
 - (b) Walls: Subdued earth tones such as a range of browns, grays and/or muted colors found in the surrounding environment. Generally, the darker the wall color, the better.
 - (c) Trim and accent colors: Rich, warm hues such as greens, blues, browns, reds, creams and/or blacks
- B. Shiny or reflective finishes, asbestos shingle siding, imitation brick or stone roll siding, exposed concrete or concrete block and vinyl siding are not permitted. Vinyl-clad windows and vinyl trim may be allowed with prior written approval of the ACC.
- C. Stone, rough sawn timbers, recycled logs, wood shingles, wood shakes and other indigenous materials are encouraged as exterior cladding.

1.4.5 THE MAIN COTTAGE

The main cottage is the primary structure or gathering place within a Compound. In mass and scale, it is usually the largest building, positioned as the “heart” of the settlement in both location and function. The main cottage is the culmination of the architectural tone for the site and structures and may display the highest level of ornamentation and detailing of all the buildings within a site.



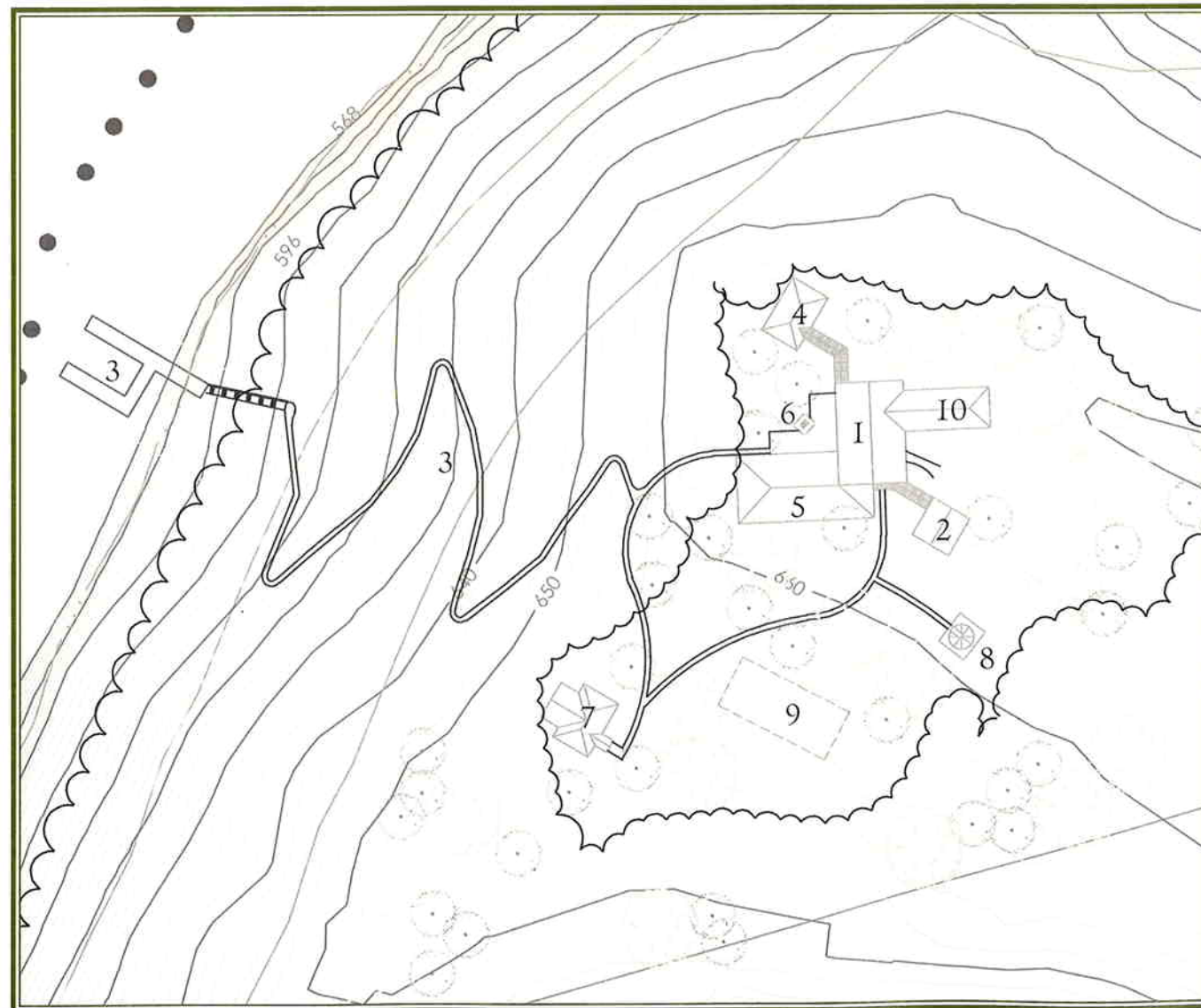
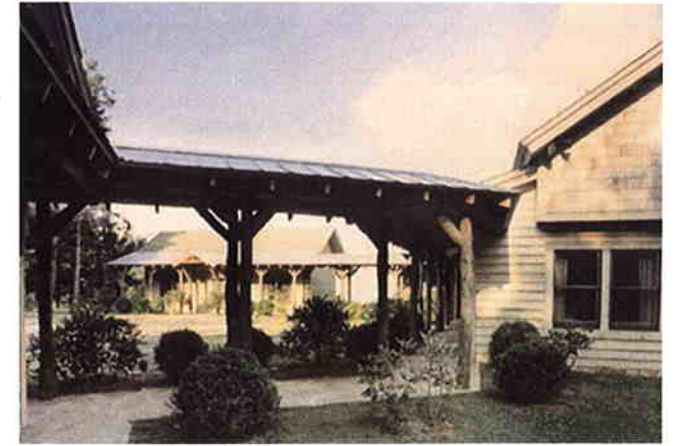
Although the main cottage may not be the first structure built, its placement is critical in the overall planning within the recommended building envelope to ensure that the appropriate interplay between the site and structures is established.

The architecture, location and construction of the main cottage shall be subject to the review and approval of the ACC (See Section Four, Parts A & B.).

1.4.6 SECONDARY COTTAGES AND ANCILLARY STRUCTURES

Secondary cottages and ancillary structures are crucial to the function of the Compound by providing specialized places for functions and activities not accommodated in the main cottage. Secondary cottages may include guest cottages, elderly or disabled housing, employee quarters, carriage houses containing residential quarters, cabins and studios. Ancillary structures may include detached garages, arbors, pavilions, gazebos, potting sheds, storage sheds, tree houses, gates, playhouses, etc. Secondary cottages and ancillary structures are to be subordinate to the main cottage in mass, scale and level of detail while maintaining a similar or compatible architectural character. While utilizing similar materials and keeping within the architectural design aesthetic, these structures may offer opportunities for more rustic and whimsical designs than the main cottage. Standards governing the size and relationship of separate structures within the same Preserve as stated in the Mecklenburg County Zoning Ordinance also apply.

- A. The placement of secondary cottages and ancillary structures is important in the overall planning within the recommended building envelope to ensure that a strong interrelationship is established between the main cottage and related subordinate structures.
- B. The construction and location of secondary cottages and ancillary structures shall be subject to the review and approval of the ACC (See Section Four, Parts A & B). Their design and location in relation to the house is essential. Wherever possible, buildings should be oriented so that access is indirect and their main opening does not face the street.
- C. Plans and architecture of secondary cottages and ancillary structures shall be submitted to the ACC for review and approval, prior to being shown on landscape plans. Approval of the landscape plans does not constitute approval of any ancillary structures shown on those plans.



Compound Sequential Development Diagram

1.4.7 COMPOUND SEQUENTIAL DEVELOPMENT DIAGRAM

To illustrate the Compound concept as it applies to the creation of dwellings and related structures within *the Sanctuary*, this sequential development diagram has been prepared for a typical Preserve. This shows how buildings and other site improvements may occur over time in response to changing lifestyle requirements while remaining responsive to the core environmental values and characteristics of a particular site.

Year One

1. Main Home, Initial Construction
2. Garage Connected With a Breezeway
3. Boat Slip and Forest Path

Year Three

4. Pottery Studio

Year Four

5. Main Home, Kitchen Expansion & Guest Wing Addition
6. Patio & Spa

Year Six

7. Guest Cottage
8. Observatory
9. Vegetable Garden

Year Ten

10. Main Home, Media Room Addition

1.4.8 ARCHITECTURAL EXPRESSION B: MANORS

An alternative envisioning of lifestyle at *the Sanctuary* might be the creation of a single, central, large, perhaps more formal, dwelling set in the midst of a country estate. The surroundings being naturally park-like lend themselves to this interpretation, provided that the guiding principles of minimizing clearing and disturbance and limiting overall impervious surface are followed. Wherever practical, existing cleared area should be utilized for positioning the main structure. Since the majority of the uses and functions will be contained within the main structure, secondary structures and outbuildings are less likely to be necessary, but are not precluded. The governing factor will be the amount of impervious surface created by the main structure, as this will determine what remains for other purposes.

1.4.9 ELEMENTS OF THE ARCHITECTURE

Overall architectural harmony is achieved through consistency in materials and detailing of Manors. Tall steeply pitched gabled rooflines are typical. Often the rooflines are punctuated by opposing gables extruded from the façade wall. The addition of a slight outward curve in the roofline as it meets the building wall, arched doorways and windows, along with rounded shapes in dormers and bays attached to the gable ends serve to soften the angular forms. Prominent, often over-scaled chimneys connect, anchor and emphasize the roofline and vertical components of the structure. Buildings rise directly from the ground without a distinction between foundation and wall. Typical and preferred elements include:

- Exterior walls: Natural stone, brick, lapped wood siding or cement stucco
- Roof shapes: Side-gabled, front-gabled, or cross-gabled; parapet gable-ends are appropriate
- Roof materials: Natural or manufactured slate, cement tile, or architectural asphalt shingles
- Roof slopes: Proportioned to the overall structure; generally, minimum slope is 8:12
- Exterior railings & details: Wrought iron, natural stone or cast stone

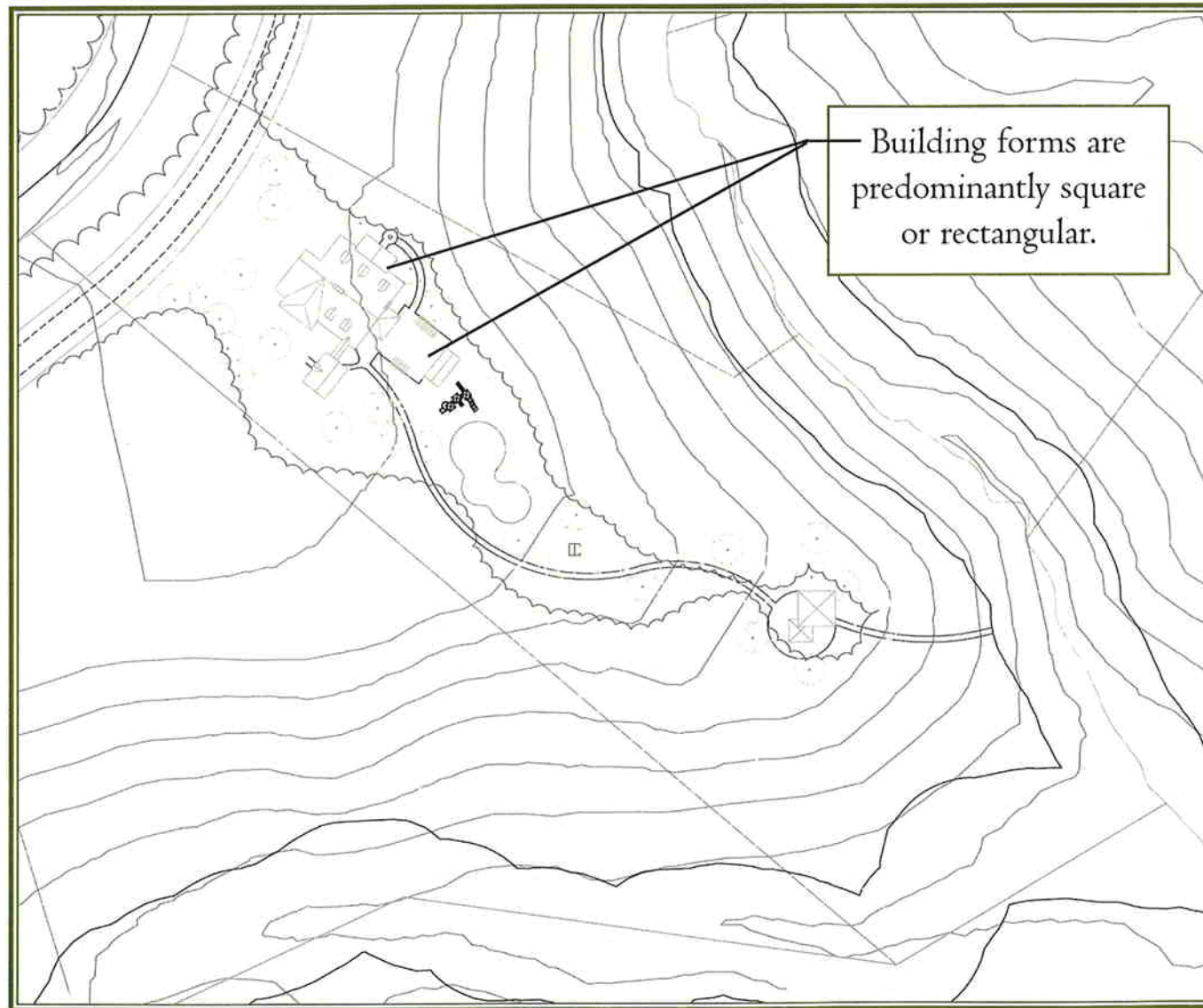


Typical Manor Site Plan

1.4.10 MANOR FORM, MASSING, AND PLACEMENT

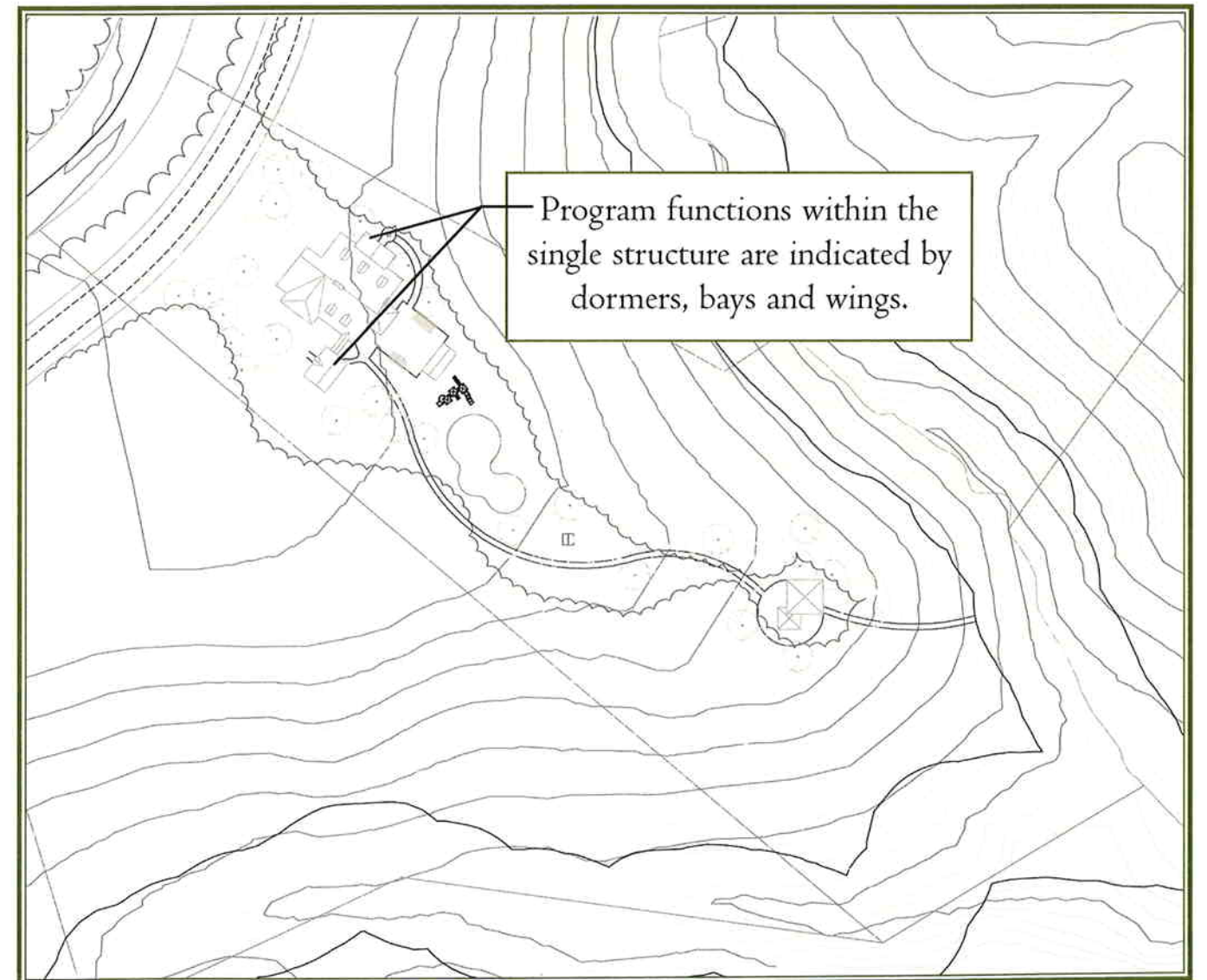
In plan, Manors may be a large, generally square or rectangular footprint with associated protrusions or appendages for special uses or visual interest. Even though large in plan, the structure should not overwhelm the building envelope. Manors must set into rather than sit upon the landscape and may have walls that extend from the main structure to enclose a courtyard, garden, pool, or car park. Planning these areas so that they contain existing specimen trees, tree groups, or other visually appealing natural features joins the built environment with the natural one.

1.4.10 A Manor Form: Forms are predominately singular, large footprints of square or rectangular shape.



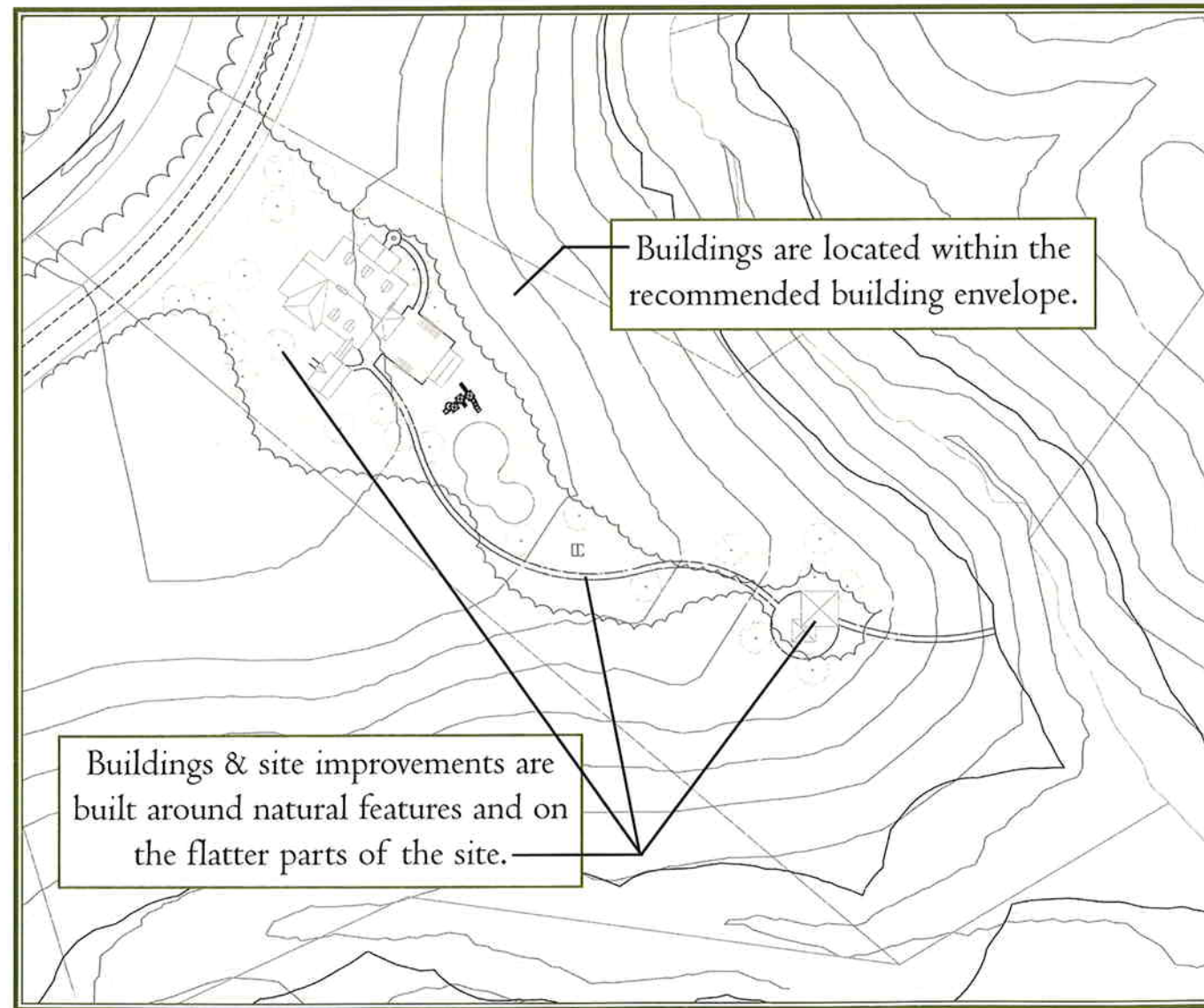
Manor Forms

1.4.10 B Manor Massing: Structures are generally a single mass with associated protrusions or appendages like dormers, porches, window bays and 'wings' for special uses or visual interest



Manor Massing

1.4.10C Manor Placement: All buildings shall be located within the recommended building envelope and should be positioned in response to the characteristics of each Preserve. This may mean fitting buildings among existing trees, orienting buildings toward views, or situating buildings and their openings to promote the effective and energy-efficient use of shade, shadow, breezes and daylight. Because most Preserves contain sloping topography, full use should be made of living space set into the grade to lower the structure's overall profile.

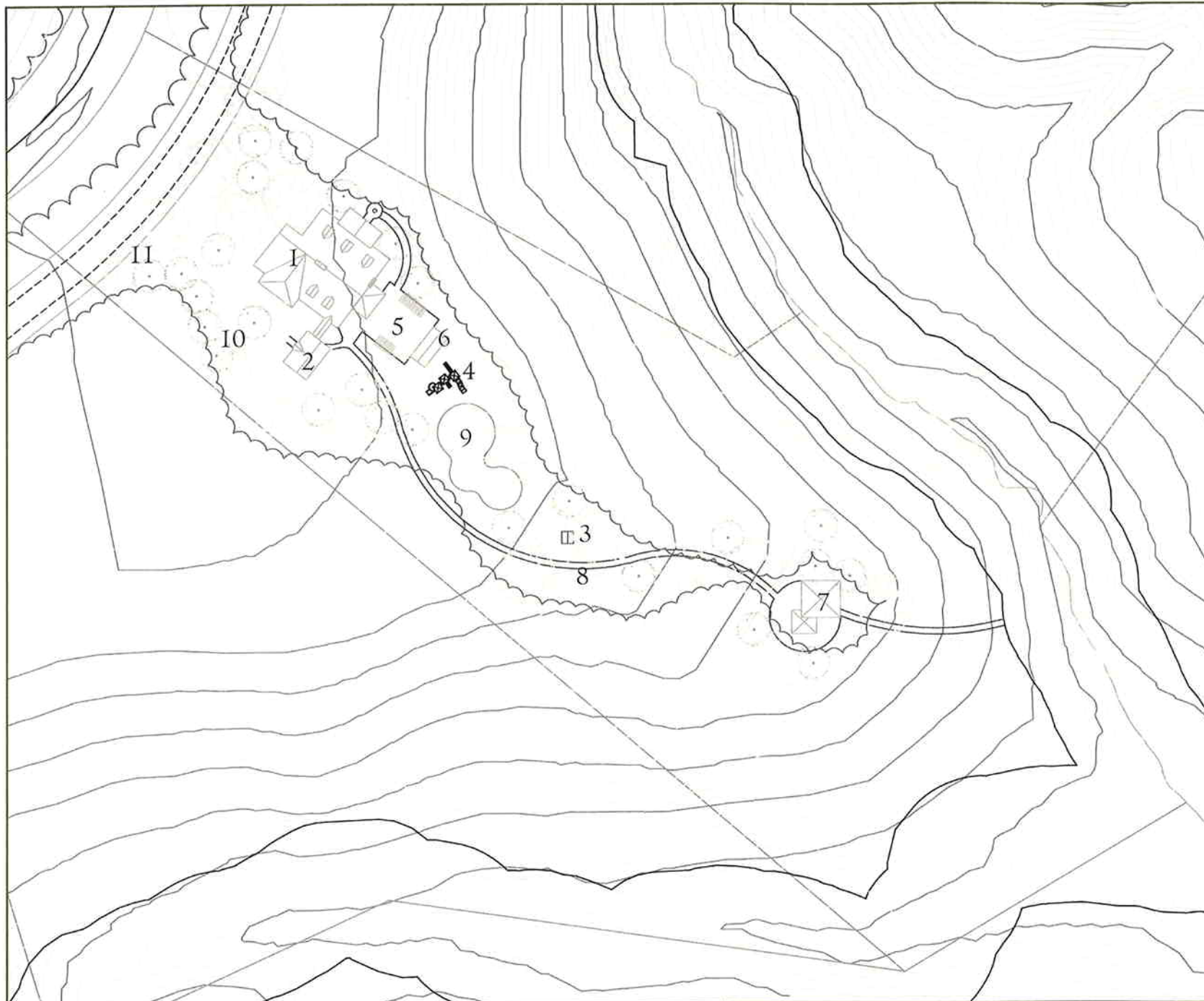


Manor Placement

1.4.11 SECONDARY AND ANCILLARY STRUCTURES

Secondary structures used as dwellings and ancillary, smaller, non-dwelling structures such as potting sheds, artist studios, etc. may accompany the Manor, provided that the maximum impervious surface limitations and clearing limits for the site are not exceeded. Trellises, pergolas, arbors and similar structures with pervious underlayment are permitted without restriction but are subject to the specific approval of the ACC.





Manor Sequential Development Diagram

1.4.12 MANOR SEQUENTIAL DEVELOPMENT DIAGRAM

To illustrate the Manor concept as it applies to the creation of dwellings and related structures within *the Sanctuary*, this sequential development diagram has been prepared for a typical Preserve. This shows how buildings and other site improvements may occur over time in response to changing lifestyle requirements while remaining responsive to the core environmental values and characteristics of a particular site.

Year One

1. Main Home
2. Garage with Nanny's Quarters Above
3. Tree House
4. Play Structure
5. Pool

Year Three

6. Pool House with Childrens' Play Room

Year Five

7. Writer's Cottage
8. Forest Path
9. Practice Green

Year Six

10. Auto Court
11. Oval Entrance Drive & Gates

1.4.13 ARCHITECTURAL EXPRESSION C: *RETREATS*

Another example of architectural expression for a desired lifestyle is the small, secluded dwelling set within a forest glade, at the edge of a meadow, or at a high point with a spectacular view of the lake. It is a haven; a hermitage; a retreat placed at some tranquil remove from the noise and bustle of the everyday. The focus is inward turning, introspective, contemplative, perhaps even isolated. The Retreat is modest in scale but perfectly proportioned and full of charm because pleasing forms and natural materials weave it into the landscape. It rests at the center of its Preserve, invisible from the road with only a narrow winding drive giving evidence of its presence.

1.4.14 ELEMENTS OF THE ARCHITECTURE

Ideally, Retreats are adapted to their setting in terms of scale and materials. Modest in size, much of the surroundings are left to the free play of nature. Informal in plan, movement is easy from the indoors out. At every opportunity advantage is taken of views of special places. In general, characteristic architectural elements include:

- Broadly extended eaves
- Wide exterior porches
- Gabled roofs
- Prominent brackets or bracing
- Foundation walls: Natural stone, earth-toned concrete, or rough stucco
- Wooden lapped, board-and batten, or cedar-shake siding
- French doors
- Dominant exterior chimneys of stone, stone-and-clinker, or rough cement stucco
- Roof materials: Slate, cedar shake, or warm-colored metal
- Roof slope: Generally, 8:12 pitch except for porches, dormers, bays, etc.
- Railings: Unpeeled timber, natural, stained or painted wood or twigs

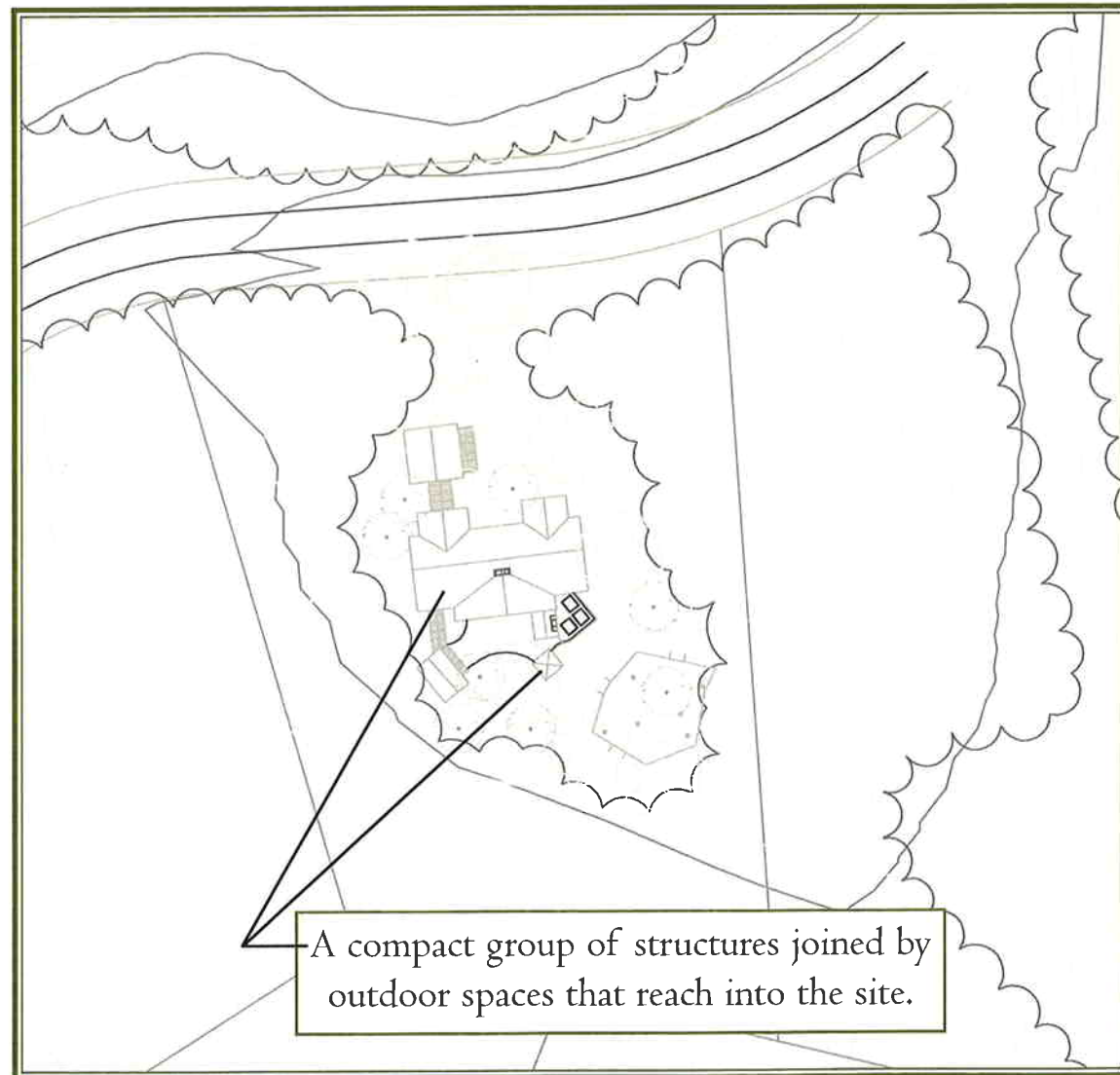


Typical Retreat Site Plan

1.4.15 RETREAT FORM, MASSING, AND PLACEMENT

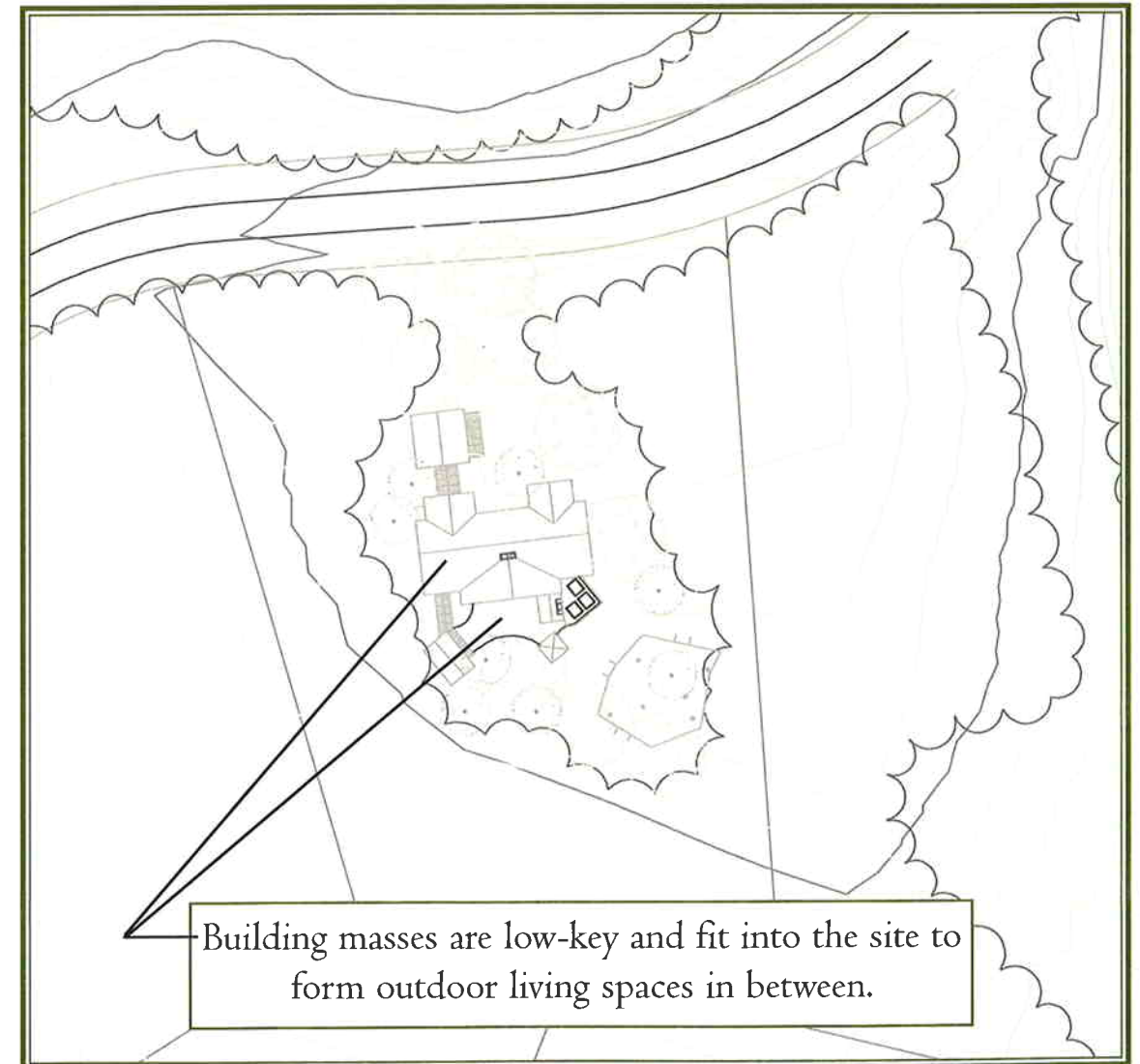
Retreats may be a single, compact structure or several small buildings set close together, joined by enclosed porches or open breezeways. Careful siting takes advantage of exterior views, but disturbs little of the site. Covered porches and stone patios provide appealing extensions of the home into the out-of-doors. No large paved areas or formal lawns are desired.

1.4.15 A Retreat Form: Building form is a compact footprint of structures, joined by outdoor rooms that reach into the site.



Retreat Form

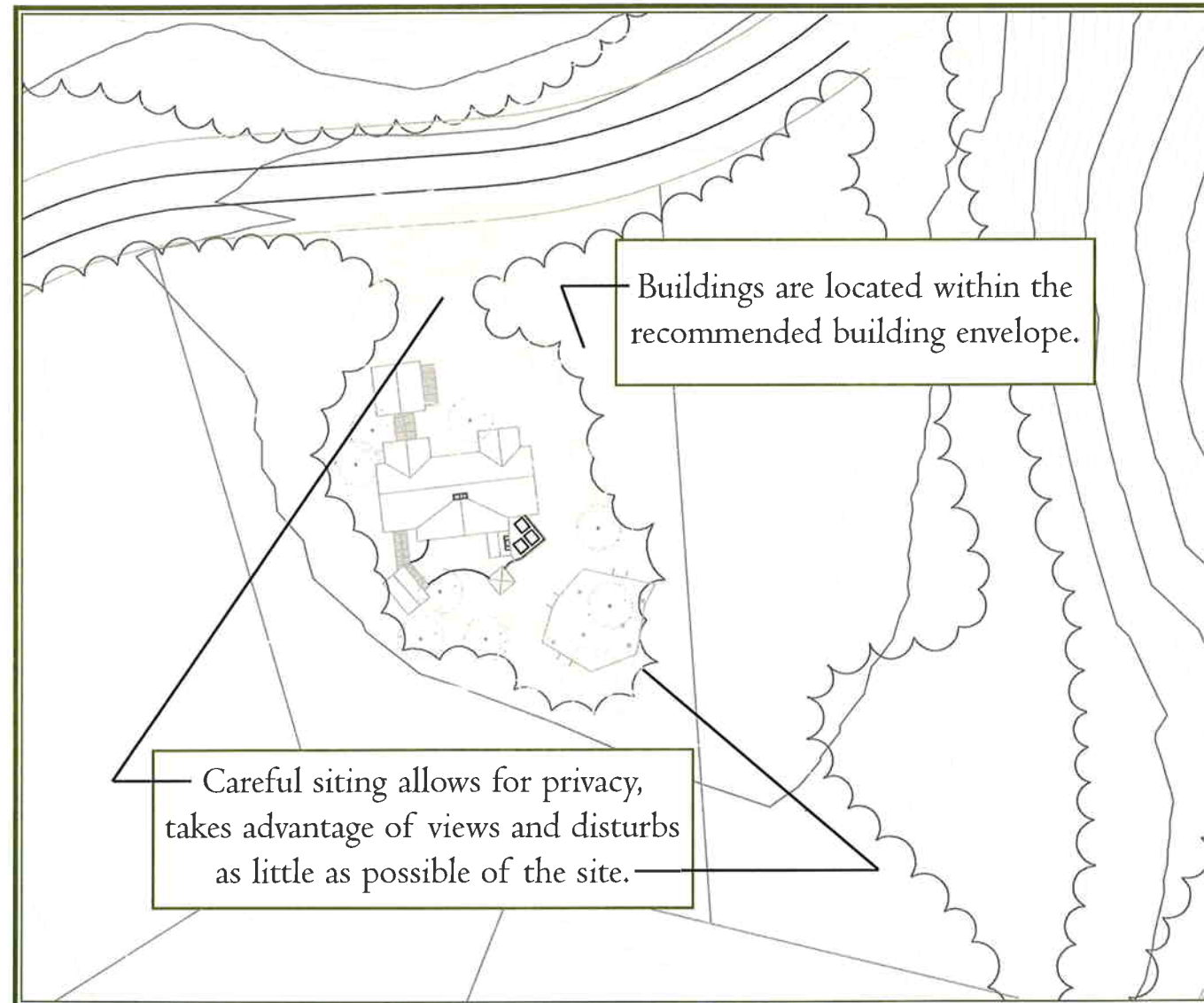
1.4.15 B Retreat Massing: Structures are generally a low-key single mass or compact group of structures that function together, along with outdoor living spaces, as a larger whole.



Retreat Massing

1.4.15C Retreat Placement:

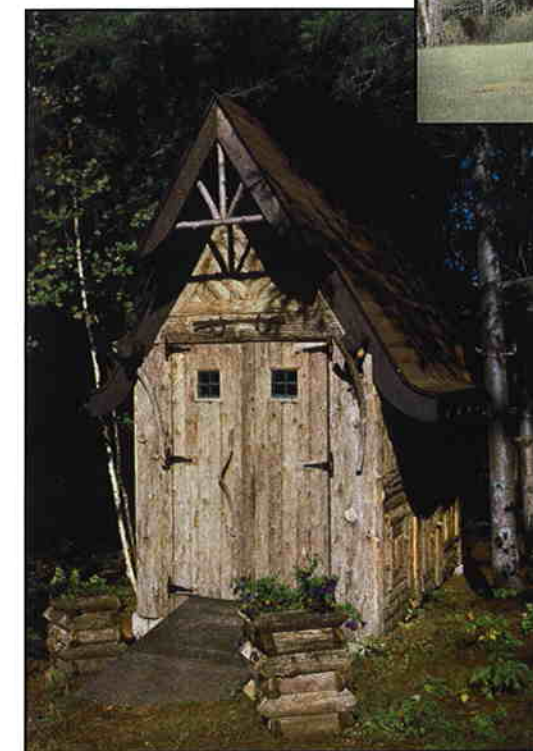
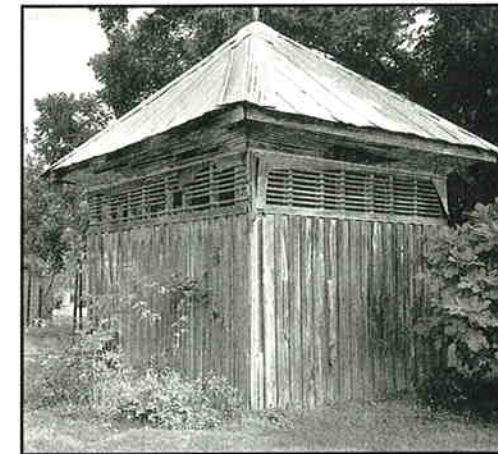
All buildings shall be located within the recommended building envelope and should be positioned in response to the characteristics of each Preserve. This may mean fitting buildings among existing trees, orienting buildings toward views, or situating buildings and their openings to promote the effective and energy-efficient use of shade, shadow, breezes and daylight. Because most Preserves contain sloping topography, full use should be made of living space set into the grade to lower the structure's overall profile.



Retreat Placement

1.4.16 SECONDARY AND ANCILLARY STRUCTURES

The number of secondary structures should be kept to a minimum. However, appropriate examples might include a detached garage with guest quarters, a barn-like outbuilding and a small shed. Ancillary structures might include a grape arbor, trellises, or a gazebo.





Retreat Sequential Development Diagram

1.4.17 RETREAT SEQUENTIAL DEVELOPMENT DIAGRAM

To illustrate the Retreat concept as it applies to the creation of dwellings and related structures within *the Sanctuary*, this sequential development diagram has been prepared for a typical Preserve. This shows how buildings and other site improvements may occur over time in response to changing lifestyle requirements while remaining responsive to the core environmental values and characteristics of a particular site.

Year One

- I. Main Home, Original Construction
2. Darkroom & Studio Connected to the Main Home with a Breezeway

Year Two

3. Fenced Birdhouse Assemblage with Photography Blinds

Year Three

4. Garage with Room for a Car and a Motorcycle

Year Five

5. Main Home Addition with a Patio
6. Outdoor Kitchen
7. Screened Dining Room

Year Six

8. Kitchen Garden, Enclosed to Deter Nibbling Wildlife

1.5 RECOMMENDED BUILDING ENVELOPES

Recommended building envelopes define the area within each Preserve where all habitable structures and most impervious surfaces (with the exception of the driveway) must occur. Multiple structures may occur within each recommended building envelope and may be connected by covered passages or open paths, provided the impervious cover and disturbed area maximums specific to that Preserve are not exceeded. (Please refer to Section Three, Part A.2 and the site illustration diagram.)

In general, recommended building envelopes have been determined based upon the unique characteristics of each Preserve, the setback criteria and the planning and design objectives for *the Sanctuary*. Specifically, these objectives are:

- I.5.1 To determine the most appropriate general areas for placement of structures and improvements in relation to topography, overall forest composition and adjacent Preserves;
- I.5.2 To protect and enhance the distinctive natural features of each Preserve, such as specimen trees or tree groups, species mix and understory providing habitat, long or specialized views, visually appealing rock or land formations and natural drainage corridors;
- I.5.3 To minimize disturbance to the site; and
- I.5.4 To preserve the privacy and seclusion provided by each site by fitting buildings as unobtrusively as possible into the natural setting.

1.6 ADJUSTMENTS TO RECOMMENDED BUILDING ENVELOPES

It is recognized that each Preserve presents its own unique design opportunities and challenges. Depending on programming needs, design solutions involving encroachments outside of the recommended building envelope may be considered. However, all proposals for improvements that encroach outside of the recommended building envelope shall be evaluated by the ACC for continuity with the goals and objectives of these Guidelines. All decisions regarding such proposals shall be made solely at the discretion of the ACC. No adjustments will be made to allow encroachments into the lake buffer or conservation corridors.

1.7 BUILDING SETBACKS AND BUFFERS

Minimum building setbacks have been established for *the Sanctuary*. No structures shall be built within building setbacks or buffer areas as established on the recorded plat and shown on the site illustration diagram. Specifically, these setbacks are:

- I.7.1 Conservation Corridor: 200' total, in most areas but varies in several locations with unique circumstances; measured landward from the 570' contour.
- I.7.2 Lake Buffer: The first 100' of the conservation corridor; measured landward from the 570' contour.
- I.7.3 Dwelling Unit Setback from Lake: 200', measured landward from the 570' contour. (In special circumstances, these vary.)
- I.7.4 Side Setback: 40', measured from the side property line of the Preserve. (In special circumstances, these vary.)
- I.7.5 Rear Setback: 60', measured from the rear property line of the Preserve. (In special circumstances, these vary.)
- I.7.6 Street Setback: 100', measured from the street right-of-way. (In special circumstances, these vary.)

1.8 SITE CONSIDERATIONS

Site planning for individual Preserves at *the Sanctuary* shall emphasize preserving the overall forest character of the community. The typical development examples provided in the sequential development diagrams described in Section I.4.7, I.4.12 and I.4.17, should be used in combination with the site illustration diagram (Section I.10) that is provided for every Private Preserve in *the Sanctuary* to assist owners in understanding each site's unique qualities, constraints and development potential.

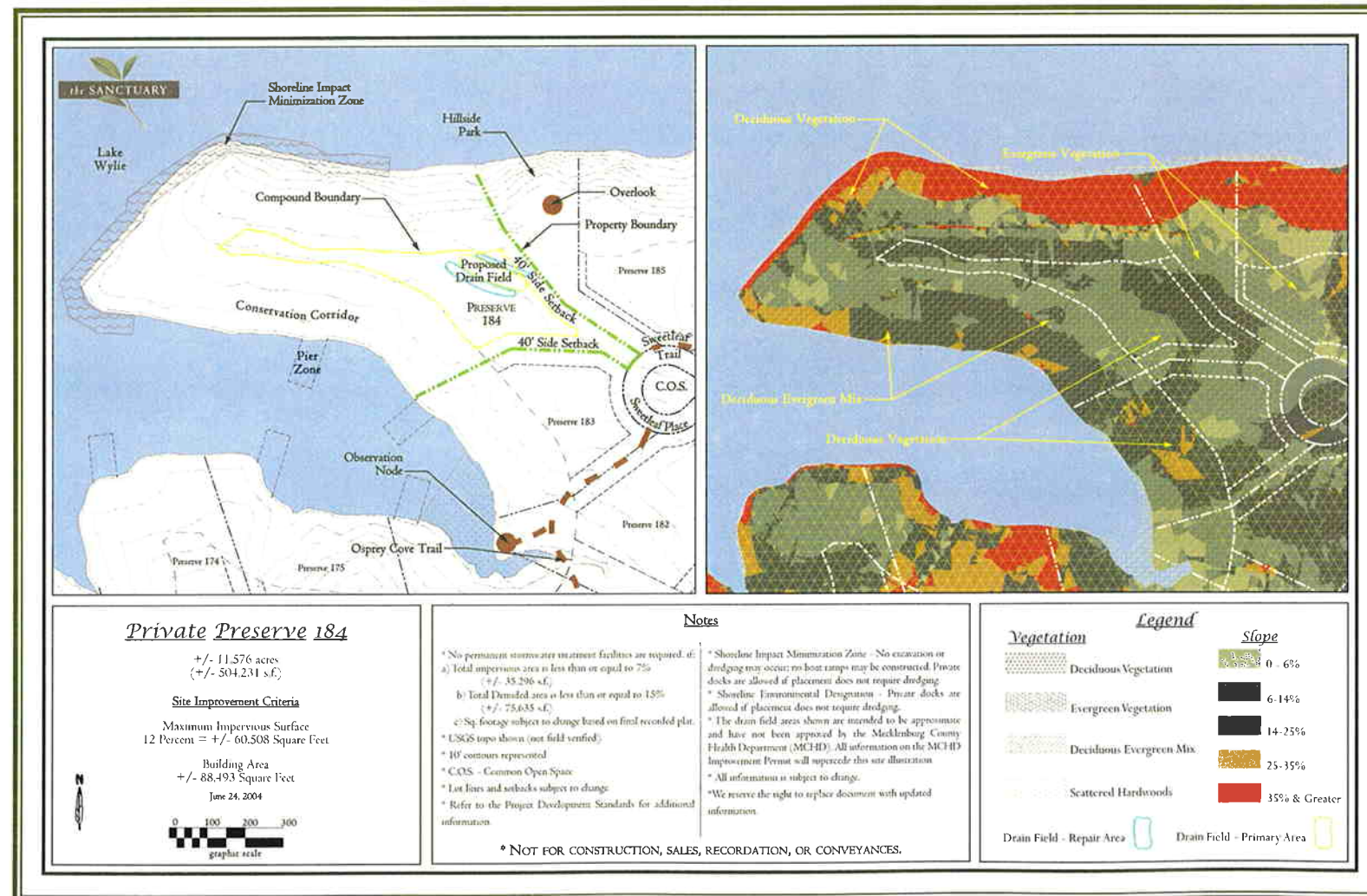
1.9 PERMANENT DWELLING STRUCTURES: MINIMUM REQUIREMENTS

It is the intent of these Guidelines to ensure that an individual structure or structures in combination should not overwhelm the building envelope. A balance between the desire for enclosed space and the limitations on impervious cover must be achieved. At the same time, permanent residential dwellings must meet minimum size requirements to maintain the overall high standards of quality and value proposed at *the Sanctuary*. The square footage requirements presented in Figure 1.9 are for enclosed, heated floor area. They are measured from the ground level up and are exclusive of the areas in heated or unheated basements, vaulted ceiling areas and attics, unheated porches of any type, attached or detached garages, porte-cocheres, unheated storage areas, decks and patios.

Notwithstanding the foregoing requirements, the ACC shall have the right (but not the obligation), because of restrictive topography, lot dimensions or unusual site related conditions or other reasons, to allow variances from such minimum square footage requirements by granting a specific written variance.

Permanent Residential Dwelling	Minimum Total Heated Area	Minimum Ground Floor Heated Area
I Story	1,500	1,500
1½ Story, Split-level, Tri-level, Others	1,800	1,000
2 - 2½ Story	2,500	1,500
3 Story +	3,500	1,500

Figure 1.9



Example of the Site Illustration Diagram for Private Preserve 184

1.10 SITE ILLUSTRATION DIAGRAMS

A site illustration diagram has been prepared for every individual Preserve to serve as a guide in understanding the unique qualities, characteristics and possibilities of each. The site illustration diagram describes the observable natural attributes of the property and indicates important design considerations for the planning of site improvements. The delineated information includes geographic orientation, lake buffers, conservation corridors, setbacks, an analysis of slope in percentages, existing vegetation types and location, clearing limits, easement areas, the designated location for a drain field, pier zones (if applicable) and the recommended driveway access. At the request of Preserve owners, the ACC may determine that other locations not within the recommended building envelope also meet these objectives. A sample site illustration diagram is shown here. The applicable site illustration diagram for the owner's specific Preserve may be obtained from the ACC.

2.1 SITE GUIDELINES

The following section sets forth Guidelines and standards for all site disturbance and site work relating to Preserves. This includes all activities engaging in or related to clearing, grading, drainage, landscaping, re-vegetation, outdoor areas, amenities, shoreline and water-related structures and sustainability measures. To produce high quality, environmentally sound site improvements that preserve and enhance *the Sanctuary* setting and contribute to its sustainability, the site and landscape design shall utilize the following Guidelines:

2.2 SITE OBJECTIVES

Outlined below are the main objectives for the landscape and site design of all improvements at *the Sanctuary*:

The existing canopy forest and the habitat it provides for wildlife shall be conserved in the development of improvements within individual Preserves. Buildings and /or outdoor improvements shall be subordinate to the goal of maintaining the quality and viability of the overall landscape. The forest is to be reinforced, conserved and enhanced to provide generous vegetative borders that give visual privacy to the interior of Preserves, screen views of buildings and landscape structures from the lake, as well as from facing and adjacent properties.

To use natural materials and handcrafted details in paving, planters, walls, fences, gates and /or any exterior site applications that reinforce the architectural aesthetic of “appropriateness” and “in concert with the land” that *the Sanctuary* espouses.

To develop landscape and site designs that are environmentally sound, aesthetically pleasing and functional while meeting sustainability goals. Sustainability considerations are to be integrated into all project decisions regarding site development, including plant material selection and placement, positioning of structures, exterior lighting, drainage and paving. Practices such as selecting indigenous plant materials, minimizing intensively irrigated planting areas, limiting the amount of impervious area, utilizing materials from local sources and confining the effects of site disturbance, site improvements and related activities within the Preserve from which they originate are prime examples of measures supporting sustainability.

2.3 SITE COMPONENTS

2.3.1 Planting Areas

- A. The Landscaped Area: The landscaped area is defined as the area within 50 feet of structures or other improvements that will most likely be disturbed during construction activities and require complete re-vegetation. In re-vegetating this area, the plant palette may contain limited amounts of non-native and turf grass species as defined in the approved plant list (Appendix A) in more formal and geometric arrangements. Within the landscaped area, a gradual transition should be made from the more ornamental and “formal” planting areas near the structures to more informal, naturalistic landscape of the natural area and the conservation corridor.
- B. The Natural Area: The natural area consists of all remaining areas within the Preserve, including the conservation corridor and the lake buffer. The natural area should remain essentially in its existing vegetated state to maintain wildlife habitat, provide visual privacy and act as screening for built improvements from adjacent properties, streets, waterways and open space areas. However, additional tree planting, as well as limited clearing, thinning and under-brushing of vegetation may occur elsewhere in the natural area with the prior approval of the ACC. Any additional plantings in this area are to be indigenous species to complement any existing material as described in the approved plant list (Appendix A).

2.3.2 Driveways and Arrival Areas

Driveways and arrival areas shall be designed to minimize tree clearing and site disturbance. They should blend into the landscape through careful routing and design articulation to follow topographic contours. All paving or surfacing materials must be reviewed and approved by the ACC.

- A. Driveways shall be placed so as to utilize existing cleared and/or disturbed areas to the extent possible and should be routed parallel to existing site contours to minimize grading. Drives shall also avoid special site features such as mature tree stands, specimen trees, or rock formations within the Preserve. Straight-shot alignments from road to dwelling are also to be avoided.
- B. Private entry gates and monuments are encouraged at driveway entries outside the right-of-way. The size, design and materials of all such private entry gates and related monumentation is subject to the specific review and approval of the ACC prior to any installation. Lighting of entry gates and monuments may be permitted if, in the opinion of the ACC, it is kept to the minimum amount necessary.
- C. Headwalls, driveway storm drain piping and permanent driveway location: Headwalls will be required to be installed in most instances along each lot entrance at lot clearing and at the same time of installation of the temporary construction drive. In no instance shall a builder install a temporary construction entrance at any location other than the permanent driveway location. It shall be the responsibility of the builder to ensure the pipe and headwalls are adequately sized and placed so they do not inhibit the functionality of the community drainage/storm water runoff system established by *the Sanctuary*. In no instance may the ditch section be paved or otherwise altered. Any deviation from the standard established with this Section will need to be approved in advance by the ACC and *the Sanctuary, LLC*. The future functionality of the community drainage/storm water runoff system in front of each lot will be the responsibility of the lot owner. The ACC reserves the right to repair any deficiencies at the expense of the lot owner. The ACC recommends that a minimum 15” reinforced concrete pipe (RCP) be used for driveway storm drain piping and that all headwalls be faced with natural stone.

SECTION TWO DESIGN GUIDELINES for THE SITE

2.3.3 Paths and Walkways

In general, the use of pervious surfaces such as mulch and raised boardwalks, where appropriate, shall be encouraged and impervious surfaces such as concrete, asphalt or paved areas shall be limited. If impervious surfaces are used, they are to be used in areas immediate to a structure, with a transition to pervious or "softer" surfaces into natural areas. No fully impervious surfaces may be used in the conservation corridor or the lake buffer.

2.3.4 Site Walls, Fences and Gates

Walls and fences shall extend the architecture of structures within a Preserve into the landscape to create enclosures or "outdoor rooms," or to screen service and/or storage areas. Gates shall complement the design, scale and materials of the fencing or wall of which they are a part, and must be reviewed and approved by the ACC prior to installation.

Generally, fencing should be minimized and planting solutions should be used to screen and/or define areas. Fencing within individual Preserves for security or containment shall not extend into nor intrude upon conservation corridors or areas designated as open space for community use or access. Fencing within the lake buffer is not permitted.

A retaining wall that is attached to the residence on a Preserve shall utilize the same materials as the residence wall that it adjoins, if visible from the street. Cross-tie timber walls may be used for retaining walls if set apart from the residence.

Fences and walls shall not be located within ten (10) feet of any septic system component.

Fences shall not be located within one hundred (100) feet of the 570' contour and cannot be light in color.

All fences and walls are subject to approval by the ACC prior to installation. The ACC reserves the right to disapprove, modify, or otherwise alter the design, location and color of all fencing and walls.

2.3.5 Pools, Therapy Pools and Spas

The size, shape and setting of pools (including standard swimming pools, therapy pools and spas) must be carefully designed to be compatible with the surrounding natural and man-made environment. In locating swimming pools, therapy pools and spas, the following shall be considered:

- A. Indoor/Outdoor relationship;
- B. Setbacks imposed by the applicable building envelope;
- C. Views both to and from the pool area;
- D. Terrain (grading and excavation); and
- E. Fencing and privacy screening.

Pools, decks and related equipment will not be allowed outside of the building envelope area. Provided, however, pool decks may encroach into the setback area imposed by the building envelope on Preserves that are not contiguous to the lake if such deck is either at or within two (2) feet of natural grade and no closer than forty (40) feet to any Preserve boundary line. Pool and pool equipment enclosures must be architecturally consistent and harmonious with the residence and other structures on the Preserve in terms of their placement, mass and detail. Pools, decks and related equipment and pool and pool equipment enclosures shall be screened or treated so as to avoid distracting noise and views.

2.3.6 Remodeling and Additions

A Preserve owner desiring to remodel existing improvements and/or to construct additions to existing improvements is required to follow the Guidelines to the same extent as if such remodeling or addition were new construction. All criteria governing site location, grading and excavating, structures, roofs, landscape, colors and aesthetics will apply to remodeling and additions to the same extent as to new construction. Possible future improvements or additions that will be of particular concern to the ACC are skylights and solar collectors, recreational features, lighting, antennas, satellite television, and new colors. An approval from the ACC is required for remodeling and additions just as it is for new construction. Placement of an addition shall remain ten (10) feet outside of any septic system component.

As set forth in the Declaration, the Board (i.e. the Board of Directors of the Owners' Association) may hereafter create and establish an Architectural Changes Committee (the "Changes Committee") to review and approve building plans and specifications for all renovations, changes and additions to existing improvements on Preserves. In the event the Board acts to create and establish the Architectural Changes Committee, with regard to renovations, changes and additions to existing improvements on Preserves, the Changes Committee shall have all rights and powers that are reserved to the ACC in the Guidelines.

2.3.7 Shoreline Structures

All shoreline and water-related structures as well as the paths or other means provided to access them are to be designed and constructed so as to minimize the impact on vegetation while preserving views both outward from the property and inward to the property from the water side. However, in no case shall any structure other than a water-related structure specifically approved by the ACC be located within the lake buffer.

Each pier and/or boat slip shall be constructed of materials of good quality and shall be compatible in style with other improvements on the Preserve. They shall also be compatible in scale to the Preserve width on the lake side, the shoreline configuration and vegetation massing.

All shoreline structures and improvements shall be located so as to absolutely minimize the need for grading and clearing of vegetation at or near the waterfront. Wherever practical, all such improvements shall be constructed from the water. No mechanized equipment shall enter, cross or otherwise encroach into the conservation corridor or the lake buffer. The installation of riprap or other shoreline stabilization methods or materials may not be initiated without approval by Duke Energy Corporation and the ACC. (Please see Section 4, Part D.6.) Plans showing the point of access of a pier or shoreline structure and any site disturbance associated with its placement or construction must be submitted to the ACC for approval along with the final plans.

A. Piers: Structures that extend into the water either perpendicular or parallel to the shoreline of some Preserves in defined locations, identified and designated specifically as "Pier Zones" on the recorded plat.

Piers may extend from the shore for a distance of 80 feet regardless of the water depth and may extend to a maximum length of 120 feet to achieve a water depth of 10 feet, measured at full pond. Notwithstanding the foregoing, in no event may a pier extend more than 1/3 of the width of the cove in which it is located. The top decking of all piers must be at least 1 foot above the water level at full pond.

B. Boat Slips: Floating structures accessed by piers that provide dockage for watercraft on designated waterfront sites on the body of water defined as Lake Wylie.

C. Associated Paths / Walkways / Boardwalks: Paths to all shoreline and water-related structures within the conservation corridor and the lake luffer shall not be greater than 5 ft. in width and shall be composed of wood mulch or raised, slatted boardwalks. All on-grade paths and walkways shall follow the natural topographic contours. Any handrails shall be installed so as to be visually unobtrusive in the landscape, incorporating only those components necessary for safety.

D. Materials and Colors: Generally, all shoreline structures shall use suitable disease and rot-resistant wood as the primary material. Preferably, wood shall be left to weather to its natural color. Wood polymer or plastic lumber may be used, but shall be approved in writing by the ACC. Stains and sealants may be used provided that the colors are dark browns, grays, or are clear over the natural wood. Light-colored paints or stains that make structures visually prominent against the background of the shoreline are not permitted. Where structures have roofs, the materials must be wood shakes, slate, dark-painted metal, or dark-toned bark that blends with the background. Specifically:

1. Structural Components:

- a. Wooden structural components such as joist and girders shall be of no less than grade 2.40 treated pine. Wooden posts or vertical members shall be grade 1.40 treated pine or other wood compatible in style with other improvements on the Preserve. No vinyl or plastic is permitted for or on vertical elements unless approved by the ACC in advance.
- b. Steel structural components shall be adequately protected against corrosion and chemical breakdown. Hot-dipped galvanizing is the most common and effective method in freshwater.

2. Flotation:

All flotation material shall be approved by Duke Energy Lake Management. Encapsulated polystyrene is the most commonly accepted flotation material.

3. Piles:

- a. Wood piles should be of no less than .60 treated pine.
- b. Steel piles should be protected against corrosion. Painting with an epoxy or hot-dip galvanizing are the most common methods.

4. Hardware and Miscellaneous:

All nails, bolts, screws, hangers, brackets and miscellaneous hardware items shall be stainless steel or hot-dipped galvanized.

5. Handrails:

Handrails shall be minimal and should be in keeping with the architectural aesthetic of the Preserve and *the Sanctuary*. Handrails shall be of ACC approved material only. Twig railings of laurel or rhododendron, or marine-style rope may be considered.

2.4 IMPERVIOUS LIMITS, DISTURBED LIMITS & SITE INSPECTIONS

To limit the impact of development on the indigenous forest, related wildlife and bird habitats and Lake Wylie, impervious surface limitations and site disturbance standards have been established. In general, the imposition of impervious surfaces, including roofs, driveways, other paving, etc. should not exceed 7% of the total square footage of the Preserve. In addition, the area actively cleared for development activities on any Preserve should not exceed 15% of the total Preserve area. Familiarization with these standards is an important first step before initiating any planning or design of improvements within a Preserve. (Please see Section 3, Part A.2 for more information.)

2.5 GRADING AND DRAINAGE

Grading and drainage improvements shall take into account the localized attributes of the topography and soil as well as the microclimatic characteristics within each Preserve. Design and installation of improvements shall minimize negative impacts to the site and existing landscape in order to preserve water quality and stabilized natural drainage systems, conserve habitat, and limit offsite effects on neighboring properties. The following standards are to be incorporated into all grading and drainage plans for *the Sanctuary*:

- 2.5.1 Grading: Grading and excavation shall minimize disturbance within the recommended building envelopes and shall only occur within fifty (50) feet of proposed structures with the exception of access drives, minor paths and utility improvements. (Exceptions to this requirement may occur when swimming pools, tennis courts or similar outdoor recreational facilities are contemplated. All such improvements will be subject to the specific approval of the ACC prior to the initiation of any related development activities.)
- A. Grade transitions are to be smooth and not abrupt. Grading designs shall echo existing topography and flow into natural contours with curvilinear shapes rather than with straight and angular solutions.
 - B. Slopes may not exceed 2:1 unless it can be demonstrated that a steeper slope will not erode through appropriate stabilization measures.
 - C. Cut and fill slopes are to be re-vegetated with native plant materials and blended into the surrounding environment. In general, cut and fill quantities from grading operations should balance on-site.
 - D. Retaining walls may be used when it is necessary to preserve unique site attributes such as existing trees or topographic features or where they are designed as “architectural extensions” of buildings. Retaining walls are to be a maximum of 6 feet in height unless otherwise approved by the ACC and utilize materials that complement the architecture. When additional retaining height is needed, terraced wall solutions may be used with a minimum of 4 horizontal feet of planting area between walls.
- 2.5.2 Drainage: Natural drainage patterns are to be maintained in their existing, stabilized condition wherever possible. Introduced drainage systems shall be designed as landscape amenities to function in concert with natural or otherwise established drainage systems. Crushed rock beds or rock cobbles and/or planted swales with native vegetative cover should be used to naturally slow, absorb and filter runoff while promoting infiltration. The adequate proper functioning, as well as the on-going maintenance of natural and introduced drainage systems within individual Preserves is solely the responsibility of the Preserve owner. All drainage deriving from the development of improvements within a Preserve must be managed when possible within that Preserve for absorption and infiltration. The ACC, in its sole discretion, has the right but not the obligation to rule on the effects and responsibilities for off-site impacts and may determine appropriate remedies.
- A. Impervious surfaces (such as concrete paving) are to be minimized to the extent feasible to encourage water percolation into the ground. The use of more pervious (water permeable) materials, such as crushed rock, porous asphalt, pervious concrete and sand-laid or open-celled concrete pavers is encouraged.
 - B. Increased water flow from the recommended building envelopes is to be managed to the greatest extent possible with systems that retain water and encourage percolation.
 - C. Materials for all culverts, headwalls and other visible drainage structures are to be approved by the ACC.
 - D. Gutters and downspouts are to direct drainage away from foundations and paved surfaces into natural drainage systems such as crushed rock beds or grass-lined swales. In no event shall gutters and/or downspouts direct drainage directly onto neighboring Preserves.
 - E. Diversion swales for stormwater drainage shall be used when applicable to protect excessive water runoff moving over the septic system drainfield areas. Water runoff will not be allowed to encroach on the “drainfield envelope” of any individual lot from adjacent lots. If the natural slopes drain the stormwater across multiple lots, swales shall be cut to intercept and redirect the water around the “drainfield envelopes.” In addition, if within an individual lot, water runoff from any area greater than 10% of the total lot size drains onto or over the “drainfield envelope,” a swale will be cut to direct the runoff away from the envelope of the drainfield. Swales shall not be cut within the “drainfield envelope.”
 - F. Berms for the purpose of redirecting water runoff away from the septic system, can be used as long as they do not “hold” the water as a dam resulting in subsurface saturation and possible horizontal flows that could encroach on the “drainfield envelope.” This effect could cause premature septic system failures from overloading of the drainlines. Berms can be used where complex topography situations occur in order to redirect a section of runoff to avoid the “drainfield envelope.”
 - G. The final grade over all septic system components should contain slight mounding or sloping to properly shed rainwater. Ponding should not be allowed to occur as would happen with “flat” topography.
- 2.5.3 For any Preserve that adjoins a conservation corridor or lake buffer (as defined in Section 3, Parts BI & B2), downspouts and storm drainage structures must fully dissipate into sheet flow no closer to the lake than the 200' boundary line as noted on the plat.

2.6 PRESERVATION OF EXISTING TREES

The existing trees at *the Sanctuary* are a prized natural amenity adding value to the community in a multitude of ways. *the Sanctuary* at Lake Wylie, LLC has exercised care to retain as much of the existing vegetation as possible in the design of the land plan for *the Sanctuary* and it is expected that Preserve owners, home builders and contractors of the Preserve owners will continue to preserve and protect this valuable resource during the course of construction.

2.6.1 Applicability

- A. Lake Buffer (defined specifically in Section 3B, Conservation Corridor & Lake Buffer Guidelines): All trees that are 2" in caliper and greater may not be removed unless dead or diseased.
- B. Conservation Corridor (defined specifically in Section 3B, Conservation Corridor & Lake Buffer Guidelines): All trees that are 2" in caliper and greater may not be removed unless dead or diseased.
- C. Building Envelopes: Clearing may be conducted as needed for construction and as agreed upon at the site inspection (defined in Section I.5). All trees remaining after such clearing are subject to protection and preservation as outlined in Section 2.6.3 - 2.6.6 below.

2.6.2 Owner Responsibilities

Each Preserve owner shall be responsible for ensuring that such Preserve owner's general contractors and subcontractors adhere to the requirements of the provisions in the Guidelines (including the provisions in the conservation corridor & lake buffer guidelines) pertaining to the protection and preservation of existing trees outside of the homesite, driveway corridors and septic areas. A special individual assessment will be used by the ACC if, in the sole discretion of the ACC, the provisions in the Guidelines (including the provisions in the conservation corridor & lake buffer guidelines) pertaining to the protection and preservation of existing trees are not followed and result in the destruction of, or severe damage to otherwise healthy and desirable existing vegetation.

The Owners' Association may employ the services of a qualified arborist and/or landscape architect (at the Preserve owner's expense as a special individual assessment levied under the Declaration) to analyze the condition of existing trees and to assist the ACC in monitoring adherence to the provisions in the Guidelines pertaining to the protection and preservation of existing trees.

2.6.3 Tree Protection and Preservation Procedures

It is essential that tree trunks, canopies and root systems all be protected from heavy equipment and other harmful construction practices. Soil located from the "dripline" of the tree to the trunk of the tree must remain undisturbed to enhance the likelihood that the tree will survive. Studies have shown that damaged root systems, especially damage to the feeder roots in the top twenty- four (24) inches of the soil where a tree "breathes", are the most common cause of the fatal decline of otherwise healthy existing trees. Signs of the resulting stress often are not evident for months or sometimes years after the damage occurs, resulting in additional, often unforeseeable, costs and inconvenience to the then-current Preserve owner and to the community as a whole.

It is recommended that a qualified arborist or Landscape Architect shall be consulted by each Preserve owner or such Preserve owner's builder for an on-site evaluation of the existing trees prior to, during and after construction. In addition, the following plan of protective measures is recommended to be followed by the Preserve owner and the Preserve owner's builder to ensure the protection of existing trees that are intended to remain on the Preserve following the construction of improvements thereon.

Before commencement of construction and before the required site visit by a Crescent Representative, each lot owner is required to have the limits of clearing shown by a continued stand of orange fencing supported by steel posts. This required practice is to ensure that the grading contractor and all other persons thereafter clearly see the limits of disturbance. No grading, storing of materials or any other disturbance shall be allowed beyond the orange fencing unless otherwise approved in writing by the ACC. All orange barrier fencing must remain in place and in good condition until the final landscaping is installed on the Preserve. When changes in grade are required near existing trees, erect a retaining wall or walls outside the "drip line" of the existing trees, to preserve the existing grade around the tree. Supply supplemental water and/or deep-root fertilization, as recommended by the arborist, to ease the stress of possible root loss due to grading and construction operations, the erection of retaining walls, as well as during severe and prolonged heat, cold and/or drought conditions that often cause an adverse lowering of available groundwater levels.

In some instances, the ACC may require additional tree protection measures to ensure the preservation of especially valuable existing trees.

- 2.6.4. All healthy, individual existing "protected trees" (as defined in Section 3, Part B.I hereof) and all groups of trees comprising a "tree save area" must be identified with blaze-orange flagging tape prior to any clearing, grading or other construction activity commencing on the Preserve.
- 2.6.5. Having identified the existing trees to be protected, stakes identifying the "drip-line" of such trees must be erected before any clearing, grading, or other construction activity is commenced on the Preserve. Such staking must stand erect, completely enclosing the tree or trees and must be maintained erect and in good condition until the installation of the landscape improvements is completed in accordance with the landscape guidelines. The Preserve owner is responsible for ensuring that such staking remains intact and in good condition throughout the construction process.
- 2.6.6. Trash, construction debris, fires, chemical liquids and stored construction materials shall be kept out of the staked area around protected trees and no closer than ten (10) feet to the tree drip-line.

Please refer to the lake buffer guidelines regarding requirements and restrictions relating to tree and vegetation protection and removal within the lake buffer areas.

2.7 TREE REMOVAL AND SELECTIVE THINNING

The removal of trees is strictly controlled within *the Sanctuary*. It is prohibited within the lake buffer except under special, defined circumstances and is generally to be avoided whenever possible. However, the ACC may approve tree removal and/or selective tree thinning within a Preserve provided the Applicant can provide legitimate reasons for the request. With ACC approval, selective thinning may occur to create appropriate and approved view corridors, improve the health of the forest, or for safety reasons. Within the conservation corridors, selective vegetation thinning and removal may occur to maintain the health of the forest or for habitat enhancement, but only with specific approval in advance by the ACC and only in accordance with the Natural Resource Management Plan. (See also Section 2.16 LANDSCAPING.)

2.8 VIEW CORRIDORS

The thinning, limbing-up and trimming of trees may be considered for the purpose of establishing view corridors, provided that a request for all such activities is submitted to and prior approval is received from the ACC (See Section 4, Part B.4). Limbing-up and trimming may be performed on no more than one-half of the total height of any tree.

When contemplating the creation of view corridors, the strategic placement and routing of trails and drives may aid in opening view corridors while minimizing the extent of extra thinning, pruning, or trimming required. This is particularly true within Preserves where the best views are from the higher portion of the property, well within its interior.

Within the conservation corridors and the lake buffer all pruning and trimming shall be performed using handheld gas or electric chain saws and/or manual handsaws and may not proceed without prior approval by the ACC (See Section 3, Part B). No other mechanical equipment or vehicles may be used in performing any pruning or trimming within the conservation corridor or the lake buffer.

2.9 IRRIGATION

To aid in water conservation and avoid artificially affecting the natural ecosystems and habitats of *the Sanctuary*, the extent of irrigation systems shall be minimized through careful planting design and utilization of indigenous or naturalized materials. Where feasible, irrigation systems shall employ water-conserving materials and methods such as drip lines and weather sensors. All permanent irrigation systems are to be below ground.

2.10 EXTERIOR LIGHTING

In general, exterior lighting shall preserve the night sky and the quality of darkness. Exterior lighting shall utilize low intensity light sources directed downward. Lighting of tennis courts or other outdoor areas must utilize down-directed, specific-area lighting that produces no light-spill onto, or otherwise affects neighboring properties. After installation of exterior lighting, all lighting is to be tested to ensure no light spills onto or into unintended areas.

2.11 MAIL AND NEWSPAPER BOXES

A uniform combination mailbox and newspaper holder has been selected and approved by the ACC for use at all Preserves within *the Sanctuary*. No mailbox or newspaper holder other than the one selected and approved by the ACC may be used.

2.12 SCREENING OF HVAC UNITS, UTILITY METERS, UTILITY TRANSFORMERS, OUTSIDE REFUSE CONTAINERS, ETC.

All heating, ventilating and air conditioning units, utility meters, electric utility transformer boxes, swimming pool pump equipment, permitted satellite or microwave dishes and similar equipment, apparatus and fixtures on each Preserve, including all refuse containers stored outdoors must be screened from view from streets, the lake and neighboring Preserves. Plants used as screening shall be from the approved plant list. Any fencing or walls used for screening are subject to the specific approval of the ACC.

2.13 TRAIL EASEMENTS

Trail easements may occur on or adjacent to some Preserves. All habitable structures on Preserves with a trail easement shall be set back a minimum of 50' from the easement unless written approval from the ACC is received in advance of construction.

2.14 LANDSCAPING WITHIN EASEMENTS

Landscape improvements (as defined in the Landscape Guidelines) and the building of driveways or fencing within utility easements is permissible (unless otherwise prohibited by a recorded easement instrument). However, if in the future there is a need to disturb or remove such landscape improvements, driveways or fencing to access such utilities, such removal and any necessary repair and restoration shall be the responsibility of the owner of the Preserve.

2.15 PLAY EQUIPMENT

Unless part of a common area, swing sets, trampolines, basketball goals and similar outdoor play structures and equipment should generally be located where they will have a minimum impact on adjacent Preserves and where they will be screened from general public view. Such play equipment on lots contiguous to the waterfront shall be located in the middle of the Preserve unless waived in writing by the ACC. No play equipment may be located within one hundred (100) feet of the 570' contour on waterfront Preserves. Such play equipment should be located within the middle third of the Preserve.

All play equipment must have ACC approval before being erected. All play equipment should be constructed of wood and colors should be earth tones, i.e. dark greens, browns, tans, to blend with surrounding environs. Bright, eye-catching colors will not be permitted. In addition, all play equipment and or play sets contiguous to the waterfront must be screened from public view by landscaping approved by the ACC.

2.16 LANDSCAPING

The following Guidelines for Landscaping are intended to reinforce the philosophy of environmental stewardship, habitat enhancement and sustainability repeated throughout this document by establishing minimum standards and preferred practices for introducing new plant material within Private Preserves.

Landscaping of Private Preserves at *the Sanctuary* should place primary emphasis on preserving the existing forested condition to the extent possible. This gentle approach to clearing and disturbance has many benefits. First, with architecture that is fitted to the land, the area that must be stabilized and re-vegetated is reduced. Then, the focus of careful and sensitive plant material selection and placement can be to highlight natural features, create comfortable outdoor living spaces and attract wildlife while enhancing their habitat.

These Landscape Guidelines have been prepared for use by all Preserve owners and their builders, contractors, architects and landscape architects who are involved in making site improvements to Preserves in *the Sanctuary* community. Adherence to the landscape guidelines by all such parties will help ensure the continued success of *the Sanctuary* as an environmentally responsible sustainable residential community. The landscape guidelines, implemented in concert with the Guidelines for Architecture, the Guidelines for the Environment and the Owner Responsibilities & Construction Rules (which are the other three primary components of the Guidelines), will help assure that the stated objectives will be realized. All landscape improvements should be installed in accordance with industry standards and practices.

2.16.1 General Goals

- A. Provide minimum standards for the installation of landscape improvements and associated site improvements within Preserves at *the Sanctuary*;
- B. Present clear, concise and enforceable guidelines for the installation and maintenance of landscape improvements at *the Sanctuary*;
- C. Preserve and enhance beneficial habitat through the use of appropriate plant materials; and,
- D. Encourage the use of native plant species in landscape improvements.

2.16.2 Specific Objectives

When designing landscape plans and selecting landscape materials, the following factors which should be considered:

- A. Preserve in an undisturbed state healthy hardwood specimen trees, tree groupings and “grandfather” trees utilizing all practical means necessary.
- B. Preserve in an undisturbed state, where practical, existing thicket and understory vegetation that provides shelter and habitat for wildlife.
- C. Select trees and plants that attract songbirds.
- D. Select deer-resistant plant materials for the “landscaped area.”
- E. Anticipate loss of additional trees along the periphery of newly cleared areas. Plan for the addition of understory and edge-typical species to replace them.
- F. Leave snags in place, where possible and without creating a hazard, as nesting locations for owls and tree-nesting birds and as attractions for woodpeckers.
- G. Utilize the approved plant list in Appendix A, “Approved Plant List” for all new plantings. The approved plant list is a combination of indigenous and non-invasive naturalized species adapted to the climate. These plants require less water and maintenance and are generally deer-resistant. Only those plants designated as “native” may be planted outside of the landscaped area.



Plants not included on the approved plant list in Appendix A, “Approved Plant List” may be used with ACC approval, provided they are not invasive and are suited to the climate, natural setting and design concept. A gradual transition should be made from the more ornamental and formal planting areas near a structure to the more informal, naturalistic landscape of the natural area.

2.16.3 “Landscape” and “Landscape Improvements” Defined

For the purpose of the Guidelines and to distinguish landscape elements from other site structural elements (which are covered by the separate Guidelines for Architecture), “landscape” shall be deemed to be the combination of existing and introduced plant material and all of the land area within each Preserve located outside the boundaries of building perimeters. As used in the Guidelines, “landscape improvements” include, but are not limited to, trees, shrubs, ground covers, annual and perennial flowers, turf grasses, mulches, site retaining walls, irrigation and landscape lighting systems and similar existing and introduced improvements.

2.16.3 Septic System Matters

Builders and landscape contractors shall become familiar with the layout and installation of the septic system components and “drainfield envelope” requirements prior to performing any work in these designated areas. This information can be found under separate covers titled, “*the Sanctuary* Septic System Installation and Landscape Specifications” and “*the Sanctuary* Septic System Information for Builders and Homeowners” as issued to the builders by The ACC and Crescent Communities NC, LLC. Additional information can be received by contacting Tri-County Wastewater Management at 704-821-8841.

Failure to comply with these guidelines, by the builders or their contractors, resulting in damage to the septic system or its components shall result in their being liable and responsible for repair costs and/or fines imposed by the Owners’ Association, or the ACC as its agent.

2.17 MINIMUM PLANTING REQUIREMENTS

Most Preserves at *the Sanctuary* are densely forested. Therefore, planting requirements are based upon the size of the area that is cleared, with certain stated minimums. First to be considered is the planting within the cleared area between the architectural improvements and the existing forest. This is the Net Cleared Area. The quantity of planting for the Net Cleared Area is calculated using the following formula:

$$(\text{Square Feet of Total Cleared Area}) - (\text{Square Feet of Primary Residence Footprint}) = \text{Square Feet of Net Cleared Area}$$

This calculation of SF of Net Cleared Area must be confirmed by a stamped survey submitted with the landscape plan.

Next to be considered is the newly created edge formed by the clearing and the existing forest. Once in the center of the forest stand, trees along this edge have grown very tall, with most of their canopy in the top third of the height. This leaves them top-heavy and vulnerable to wind and other factors since the support they depended on is gone. So, to re-establish a healthy forest edge and to stabilize the transition from forest to open area, the planting of subcanopy trees along cleared edges is included as part of the planting requirements. The quantity of planting for the Cleared Edge is calculated using the following formula:

$$(\text{Linear Feet of Cleared Edge}) \div (100 \text{ Linear Feet}) \times (2 \text{ Subcanopy Trees} / 100 \text{ LF}) = \text{Total Quantity of Subcanopy Trees}$$

In some instances, the landscaped area, defined in Section 2.3.1 as "the area within 50 feet of structures or their improvements that will most likely be disturbed during construction activities" may be smaller than the ultimate cleared area. Therefore, the area between the landscaped area and the ultimate cleared area may require re-vegetation. Where re-vegetation is required due to clearing, plant materials in keeping with the informal, naturalistic landscape of the conservation corridor should be utilized.

2.17.1. Minimum landscape planting requirements for individual preserves based upon total cleared area including building footprint:

Plant Type	Quantity / SF of Net Cleared Area	Size	Minimum Installed Dimensions & Remarks
Shade Trees	1 / 10,000 sf	3"-3.5" caliper	14' Height, Straight Trunk, B&B
Small / Ornamental Trees	3 / 10,000 sf	2-2.5" caliper	12' - 14' Height
Sub-Canopy Trees (Edge Condition)	2 / 100 lf of newly cleared edge	.75" - 1.5" caliper	8' - 10' Height
Evergreen Tree	1 / 10,000 sf	8' ht.	Appropriate height to spread ratio per "American Standard for Nursery Stock"
Evergreen Shrubs	6 / 10,000 sf	7 gallon	24" x24" Container
Small Deciduous Shrubs	6 / 10,000 sf	3 gallon	16" x16" Container
Groundcovers	300 sf / 10,000 sf	Herbaceous: Flats or 2" Pots Shrubs: 1-gallon	Evergreen or Deciduous
Annual Flowers	75 sf, Total	Flats or 4" Pots	Full Coverage
Lawn Seed	All disturbed /graded areas other than planting or groundcover beds; over septic drainfields.		
Mulch/Pine Straw	All plant beds and natural areas.		

Note 1: "B&B" means "Ball and Burlap"

Note 2: Additional plant material may be required above these established minimums. See Section 2.21 for additional requirements.

2.17.2 Postponement of Planting

Under circumstances of extreme weather conditions, the ACC may, in its sole discretion, grant a Preserve owner a postponement of the initial landscape improvements planting. The request for such a postponement must appear in writing on the final landscape plans and specifications as submitted to the ACC for review. Generally, postponements of the initial landscape improvements planting will be considered only for the hotter summer months between mid-June and mid-September and for prolonged periods of below-freezing weather forecasted during the winter months. Such a postponement, when granted by the ACC, in no way releases the Preserve owner from the obligation to install the initial landscape improvements pursuant to the approved final landscape improvements plans and specifications at the earliest time that weather permits and in all events not later than the timetable set forth in the ACC's written postponement.

2.18 TREE REPAIR PROCEDURES

When trees are inadvertently damaged during construction, the Preserve owner shall retain a qualified arborist to make the necessary repairs. The following tree repair measures shall be taken by the arborist (as deemed appropriate by him or her) subsequent to their thorough inspection of the damaged area and determination as to the severity thereof. The arborist selected by the Preserve owner must have a minimum of five (5) years of working experience as an arborist and must be actively involved in the care and maintenance of trees in the southeastern United States.

- 2.18.1 Tree trunks scarred during the construction process shall be treated immediately. The scarred area must be properly cleaned. Any and all torn bark and/or ragged edges shall be cut cleanly away, and the wound shall be shaped into an ellipse where possible. (See Figure 2.18.1)

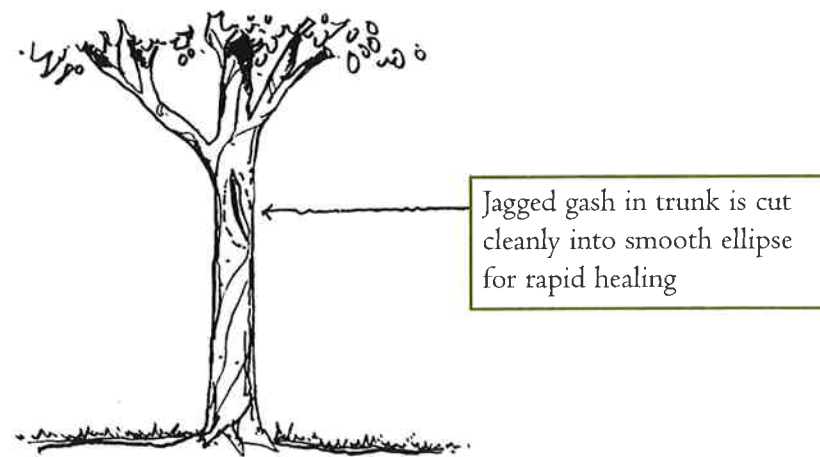


Figure 2.18.1 Tree Repair

- 2.18.2 Limbs or branches damaged by construction operations shall be removed. Clean cuts with sharp pruning tools are to be made at the nearest lateral branch or flush with the trunk for major limbs. (See Figure 2.18.2)

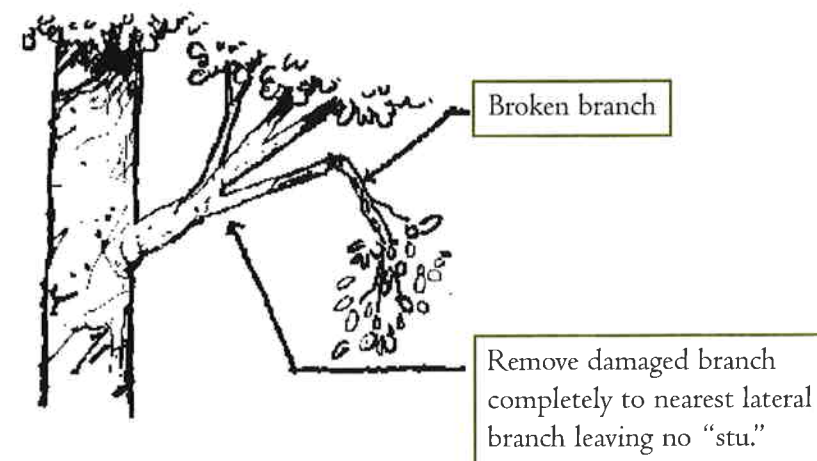


Figure 2.18.2 Tree Repair -Broken Branch

- 2.18.3 If, during or after construction, minor root damage is observed, reducing the crown by as much as thirty percent (30%) during the appropriate season of the year may be advisable. Crown reduction by pruning several of the small to medium-sized branches will reduce the demand on the damaged root system, thereby increasing the tree's prospects for survival and eventual full recovery.

2.19 TREE VALUATION SCHEDULE AND REIMBURSEMENT OBLIGATIONS RELATING TO DAMAGED OR DESTROYED TREES

With the care given to protecting and preserving existing trees as outlined above and as set forth in the lake buffer guidelines, there should be little or no damage to trees during the course of construction on any Preserve. However, accidents and possibly even negligence on the part of contractors and/or subcontractors will likely occur to some limited degree, resulting in the destruction of existing trees intended to remain on the Preserve after the completion of construction of the improvements thereon. A qualified arborist and/or landscape architect, at the Preserve owner's expense, shall evaluate the quality of the damaged or destroyed tree(s), as they would have existed prior to their being damaged or destroyed.

2.20 REPLACEMENT OF EXISTING TREES

The Owners' Association, or the ACC as its agent, in its sole discretion, may require the planting of additional trees as a result of disturbance, damage, or destruction of existing trees on individual Preserves. In this instance, a replanting plan, a separate document from the landscape plan, may be requested by the ACC, detailing the size, type and location of replacement vegetation. The ACC may have different mitigation requirements than NCDEHNR and Mecklenburg County, the authorities governing the NC Catawba Buffer Rules and the Lower Lake Wylie Watershed overlay, or vice versa. Compliance with one organization shall not constitute compliance with the others.

All vegetation planted for the purposes of replacement must be guaranteed for one year after installation. Any vegetation that is noted as dying, dead, or otherwise in poor health at the end of its first installation year will be required to be replaced. If such trees are replaced, the newly installed trees will also be subject to an additional one-year guarantee requirement.

In general, replacement trees must be planted expediently once the violation has occurred and the replacement planting plan has been approved. The ACC may grant, during times of extreme weather conditions, that replacement tree planting be postponed until such time as weather conditions are optimum for planting. A formal request, in writing, must be given to the ACC once the replanting plan has been approved. The ACC will review the request in accordance with Section 2.17.2 of the landscape guidelines. If the ACC grants a postponement, failure to install the replacement trees by the agreed upon date will result in a minimum fine of the actual installed cost of the replacement trees as previously agreed upon per the approved replanting plan, assessed against such Preserve (as a lien), and shall constitute a personal obligation of the applicable Preserve owner.

For trees to be placed within the lake buffer areas, all trees installed as part of a replanting plan will be considered "protected" regardless of caliper size.

2.21 REQUIRED PRACTICES

The following guidelines shall be followed by all Preserve owners and the builders, contractors, subcontractors and architects for the Preserve owners when planning for and installing landscape improvements on Preserves within *the Sanctuary*. These guidelines contain specific required practices and techniques for creating an aesthetically pleasing landscape.

2.21.1 Screening of HVAC Units, Utility Meters, Outside Refuse Containers, Etc.:

All heating, ventilating and air conditioning units, utility meters, swimming pool pump equipment, permitted satellite or microwave dishes and similar equipment, apparatus and fixtures on each Preserve, including all refuse containers stored outdoors, must be screened from view from streets, from the lake and from neighboring Preserves. Plants used as screening should be maintained by the Preserve owner so that the equipment, apparatus or fixture being screened is accessible (wherever possible) by service personnel and/or meter readers. Plant materials used for screening shall be of evergreen species from the approved plant list and should, upon installation, be of sufficient size and height to effectively screen the intended equipment, apparatus, or fixture.

2.21.2 Retaining Walls: All retaining walls must be approved by the ACC prior to construction and the material, location and height of all retaining walls must be clearly labeled on the final building plans and specifications. Where retaining walls are located on a Preserve in an area that is visible from a street, additional plant material, over and above the minimum initial landscape improvements planting requirements herein, will be required to screen, or otherwise “soften” the retaining wall from view at the street. Additionally, it is recommended that retaining walls that are visible from neighboring Preserves and the lake be screened and/or “softened” with plant material. Additional plant screening material required to be installed pursuant to this Section 2.21.2 must be installed at the same time the minimum initial landscape improvements are installed hereunder.

2.21.3 Lawn Ornaments / Bric-a-Brac:

All lawn ornaments (i.e. flagpoles) and bric-a-brac constitute landscape improvements and therefore are subject to review and approval by the ACC. Without limiting the generality of the foregoing, no such landscape elements will be permitted in the front yard of any Preserve without the prior written approval of the ACC. If, in the sole discretion of the ACC, such landscape elements are incompatible with the objectives of the Guidelines, they must be removed or relocated by the responsible Preserve owner, as specified by the ACC, within ten (10) days from the date of written notification to the Preserve owner.

2.21.4 Respect for “No-Clear” areas:

“No-Clear” areas are all areas outside of the barrier fencing and driveway borderlines. Selective clearing can be performed in the no-clear areas once the clearing plan has been approved by the ACC during a scheduled site visit.

2.21.5 Walkway Layout:

Walkways from the driveway to the main entry of the house shall be designed with smooth, flowing curves (where possible), rather than rigid straight lines. Walkways shall be at least three (3) feet wide.

2.21.6 Elevated Deck and Patio Foundation Planting:

Decks, porches and patios elevated above ground level shall be landscaped around their perimeters with appropriately sized plant material to screen the view of the underside of the structure and the space beneath the structure if it is unsightly. This is particularly so for structures visible from the street or from the lake. The ACC shall, in its sole discretion, have the right but not the obligation to determine the necessity for such screening on a case-by-case basis.

2.21.7 Septic Systems - Special Requirements:

Having accessibility to the septic system components is necessary for scheduled preventative maintenance and regular service. The planting of shrubbery and decorative landscaping items shall not be placed within a 5' radius of any septic system component that extends above ground. All planting and decorating must be approved by the ACC.

The septic system electrical control panels associated with certain system types will be attached to the side of the dwelling. No landscaping items will be allowed within a 3' radius from the box to allow for service without obstruction.

The planting of trees within the area of the septic system should be performed carefully and very selectively. Only with the approval of the ACC will certain trees be allowed to be planted within the “drainfield envelope” or in the tankage area. No tree of any type shall be planted within 3' of any septic system component; e.g., tankage, distribution devices or drainlines.

The “drainfield envelope” shall have sufficient vegetative covering of the type approved for use by the ACC. Mulching is not permitted over the drainfield area. For a landscape design that shows mulching extending into the “drainfield envelope” and covering more than 10% of the “envelope” area, approval will be at the sole discretion of the ACC. If mulching is desired over the tankage or distribution device areas, detailed plans delineating septic system component locations must be submitted to the ACC for review.

2.22 RECOMMENDED PRACTICES

2.22.1 Condensation Drains:

Condensation drains from HVAC units can dispose of considerable amounts of water during their hours of operation. The drain tubes must be piped in a direction away from any septic system component and “daylighted” downslope of the system.

2.22.2 Automatic Irrigation Systems:

Preserve owners at *the Sanctuary* are encouraged to minimize water use for landscaping by limiting areas of introduced landscaping, selecting drought-tolerant plant materials and watering efficiently. If an automatic irrigation system is the preference of a Preserve owner, the use of “smart” irrigation systems that operate only when rainfall quantities are insufficient to sustain plant health is highly encouraged. In designing an automatic irrigation system it is recommended that lawn area and shrub beds be placed on separate zones since their watering requirements differ substantially. Wherever it is practical to do so, drip-irrigation lines rather than spray heads should be used to reduce evaporation. If an automatic irrigation system is employed, it shall be designed and operated so that water from the system remains on the Preserve for which the irrigation is intended and does not overspray onto other Preserves, trails, or streets. No irrigation or trenching shall occur through the septic “drainfield envelope.” Any irrigation that waters the “drainfield envelope” should be placed on a separate zone or zones that are independent from the rest of the irrigation system. If the zone must be shut down for maintenance of the septic system, the remainder of the irrigated areas will not be affected.

2.22.3 Landscape Lighting Systems:

Subject to the restrictions in Section 2.10 of these Guidelines, well-designed landscape lighting systems are generally encouraged although approval of such systems may be granted or denied by the ACC in its sole discretion. Landscape lighting shall be designed and installed to provide safety for pedestrian and vehicular movement during hours of darkness or poor visibility. It may also enhance or highlight the appearance of architecture or vegetation. Over-lighting that is garish, offensive to other Preserves or view-spoiling must be avoided. Landscape lighting shall be confined to the owner’s Preserve only and no direct illumination shall encroach onto any other Preserve, the lake, or other locations beyond the boundaries of such owner’s Preserve. In general, only low-level, low-voltage, down-directed path lighting or tree-mounted “moonlighting” will be considered for approval. Trenching for landscape lighting systems shall not occur through the septic “drainfield envelope.”

3.1 ENVIRONMENTAL OBJECTIVES

Environmental guidelines are intended to encourage “sustainable” building systems, site improvements, materials and construction techniques in all site development. *the Sanctuary* is committed to the implementation of sustainable concepts such as utilizing energy and water conservation measures, reusing and recycling building materials and preserving the forest and lake frontage. Many of the sustainable design principles described in these design guidelines are based on *the Sanctuary's* partnership with Audubon International and their recommendations.

Part A: STORMWATER MANAGEMENT

3A.1 Impervious Cover Limits & Disturbed Area Limits

Impervious surfaces such as concrete or asphalt paving and crusher-run gravel increase surface water run-off and can lead to the degradation of water quality. Disturbed areas reduce the quality of the indigenous landscape that provides *the Sanctuary* with its intrinsic value. To limit the impact of development on the indigenous forest and Lake Wylie, strict impervious surface and disturbance standards are in place.

3A.2 Stormwater Management

3A.2.1. *the Sanctuary* site is located within the Critical Area, as defined in the Mecklenburg County Lower Lake Wylie Watershed Protection Ordinance. Accordingly, its development will adhere to or exceed the requirements of the Development Standards and City of Charlotte ordinance.

3A.2.2 Impervious cover on individual lots will be managed throughout the development and will be limited as follows:

- Parcel A: 12% percent maximum total impervious cover.
- No permanent stormwater treatment facilities are required if:
 1. Total impervious area within each Preserve is less than or equal to 7%, and
 2. Total denuded area within each Preserve is less than or equal to 15%.

3A.2.3 For impervious areas greater than the 7% and disturbed area greater than 15% within a single Preserve in Parcel A, the Preserve owner shall be required to implement source control/low impact stormwater management strategies to achieve average annual 85% Total Suspended Solids (TSS) removal resulting from the first one inch of rainfall.

Within Preserves in Parcel A, builders will be required to establish on-lot stormwater management and erosion control which meet the following criteria as a minimum:

- A. Provide specific on-lot erosion control in accordance with guidance and typical details that will be provided by *the Sanctuary* ACC and approved by City and County Water Quality staff during final design.
- B. Submit final building/site/storm water/erosion control plans to *the Sanctuary* ACC for approval.
- C. Construct and continuously maintain Low Impact Development (LID) measures to the extent that prevents adverse downstream impact.
- D. Implement an innovative erosion control plan to use all reasonable efforts to limit the size of denuded areas.
- E. If desired by the builder/owner, utilize ACC-approved innovative development practices in addition to the standards and details that will be provided by *the Sanctuary* ACC.
- F. Utilize energy dissipation measures or devices at all storm drainage outfalls discharging at any buffer. For those areas where stormwater runoff from the Preserve crosses adjoining properties, the builder/owner will evaluate the downstream offsite drainage system and control the stormwater runoff from the Preserve during and after construction to prevent associated damage to downstream properties.

3A.3 Best Management Practices. The stormwater Best Management Practices (BMPs) that will be reviewed and their assumed TSS removal efficiencies, if constructed according to the design and specifications, are:

1. Bioretention Area: 85%
2. Grassed Swales: 35%
3. Extended Dry Detention: 50%
4. Filter Strips: 25%-40%
5. Infiltration Devices: 85%
6. Rain Barriers: N/A
7. Dry Wells: 85%

The BMPs can be used alone or in combination to achieve the required pollutant removal of 85% TSS. As experience grows in the use and effectiveness of the devices, other BMPs or other specifications may be allowed or required. *the Sanctuary* ACC, in concert with The City of Charlotte, will continue to review both the design and the removal efficiencies and modify them as needed. Innovative and/or proprietary BMPs may be approved on a case-by-case basis.

Acceptable LID stormwater management options will be provided by *the Sanctuary* ACC through on-going builder education programs.

SECTION THREE

DESIGN GUIDELINES

for

THE ENVIRONMENT

3A.4 Erosion & Sediment Controls

The design and development concepts of *the Sanctuary* community call for the utilization and enhancement of the existing natural environment. The ACC is particularly conscious of the erosion and sediment disturbances that can occur during any clearing, grading, or construction activity on a Preserve. To help minimize erosion and sediment disturbances, as part of the final building plans and specifications, an erosion control plan (using erosion control measures such as crushed stone entrances, silt fences, hay bales, diversion swales, stone filter dams, etc., as required) must be designed in accordance with Schedule G - Erosion Control Measures (available from the ACC) and must be incorporated within the site plan. Approval of the erosion control plan must be obtained from the ACC (as part of the approval of the ACC of the final building plans and specifications) prior to any clearing or earth-disturbing operations on any Preserve. Particular care must be exercised on Preserves fronting the lake to prevent any negative effect or impact upon the lake and/or the lake buffer. Erosion control measures implemented pursuant to an approved erosion control plan must remain in place until such time as all disturbed areas have been stabilized.

3A.4.I All erosion control plans submitted to the ACC shall be considered individually for each Preserve. Recommendations or requirements of the ACC in that regard will be based on individual Preserve location, terrain, soil conditions, vegetation, drainage, proposed cuts and fills and any other conditions the ACC determines impact upon the possible erosion and sediment disturbances for the Preserve. ACC approval of an erosion control plan is independent from any required approval from any governmental or other regulatory agency. At a minimum, however, each Preserve owner shall be responsible for causing the following minimum erosion control practices to be implemented and maintained throughout the course of all earth-disturbing operations until final stabilization:

- A. Roadway and Homesite Construction Entrance: Prior to the commencement of any earth-disturbing operation, a stone construction entrance shall be installed on the Preserve. The construction entrance shall: (i) if possible, be installed in the same location as the proposed driveway so as to minimize the amount of disturbed area; (ii) extend a minimum of fifty (50) feet from an existing roadway; and (iii) be installed, preserved and replaced, if necessary, in accordance with the standards more particularly set forth on Schedule G. During construction, each owner shall use diligent efforts to minimize traffic traveling off of the driveway onto such owner's Preserve.
- B. Silt Control Devices: Prior to the commencement of any earth-disturbing operation, a diversion ditch and rock check (or stone filter) dam, silt fence, tree protection fence and/or other similar measures approved by the ACC shall be constructed/installed and maintained on the Preserve (collectively, "silt control devices"). The silt control devices shall be located at the boundary of the estimated disturbed areas as set forth more particularly on Schedule G and shall be constructed, preserved and replaced, if necessary, in accordance with the standards set forth on Schedule G.

3A.4.2 In order to ensure the effectiveness of a particular Preserve owner's erosion control measures, the ACC shall have the right to enter any Preserve to inspect any and all erosion control measures and to require additional erosion control measures, as necessary.

Part B: CONSERVATION CORRIDOR & LAKE BUFFER GUIDELINES

3B.I Lake Buffer Requirements

3B.I.I Introduction

In order to ensure the natural beauty and the recreational benefits of the lake and to help preserve the quality of water in Lake Wylie, the ACC has prepared the following conservation corridor and lake buffer guidelines for *the Sanctuary*:

The conservation corridor and lake buffer guidelines provide for a two-part setback. The first is called the "lake buffer," which is a 100-foot minimum distance setback from the full pond contour elevation 570' along the entire shoreline of the lake, within the boundaries of *the Sanctuary* as noted on the final plat. The areas within the lake buffer compose the "lake buffer areas." The conservation corridor and lake buffer guidelines also provide for an additional 100' setback landward from the lake buffer for the majority of the shoreline, making a 200' total setback.

the Sanctuary project is also under the jurisdiction of The North Carolina Catawba Buffer Rules, administered by the North Carolina Department of Environmental Health and Natural Resources (NCDEHNR), as well as the Lower Lake Wylie Watershed Overlay, administered by the Mecklenburg County Department of Environmental Protection. These rules may or may not coincide with the rules and conditions of the lake buffer guidelines as promulgated and administered by the ACC. Compliance with the ACC guidelines does not constitute compliance with or approval of NCDEHNR, NC Catawba Buffer Rules, Mecklenburg County, or any other governmental or regulatory agency's rules, laws, ordinances or provisions. It shall be each Preserve owner's responsibility to ensure compliance with any applicable parties or organizations and their rules, laws, ordinances or provisions.

In order to create *the Sanctuary*, some work has occurred in the conservation corridor and lake buffer areas such as utility and drainage improvement construction and construction of pathways for water access. However, any disturbances thus far inside the conservation corridor and lake buffer areas have been stabilized. Mature trees within the conservation corridor and lake buffer areas are considered "protected" and may not be removed unless dead or diseased. Protected trees are defined within the conservation corridor and lake buffer as any trees 2" in caliper and over.

Any construction (or modification of the surrounding environment) by individual homeowners near, or in the conservation corridor and lake buffer areas must be reviewed and approved by the ACC, Mecklenburg County and NCDEHNR (or its successors or assigns), in accordance with the conservation corridor and lake buffer guidelines before commencing any such activity. Prior to approval by ACC, the contractor designated to perform the work must be approved by the ACC and must have obtained training required by the ACC. Lists of such approved contractors are on file at *the Sanctuary* ACC office.

Although the Preserves in *the Sanctuary* are situated to create a low-density development, the construction of new streets and homes increases the rate of storm water run-off from rainfall. *the Sanctuary* at Lake Wylie, LLC, through its planning and engineering consultants, has developed and received approval for a two-stage plan of stormwater management for *the Sanctuary* (i.e. during construction and after construction). During construction, storm water run-off creates the potential for erosion and sedimentation. This potential impact on the streams and the lake exists during the development of the streets and utility systems and continues until the last home within *the Sanctuary* is completed. Erosion control devices have been installed as part of *the Sanctuary* development and will remain present until contributory areas are stabilized (as contained herein). Such erosion control devices, including silt ponds and other structures that have been installed by *the Sanctuary* at Lake Wylie, LLC, at the outlets for storm water drainage, will be maintained by *the Sanctuary* at Lake Wylie, LLC until such time as they are removed. While the silt ponds and other structures are in operation, *the Sanctuary* at Lake Wylie, LLC may remove silt from said ponds as needed to insure their effective performance. No owner shall disturb or interfere with the operation of the silt ponds or any other erosion control device installed by *the Sanctuary* at Lake Wylie, LLC.

3B.I.2 General Requirements

- A. Paths to provide access to the lake are limited and subject to approval from NCDEHNR and Mecklenburg County in regards to the NC Catawba Buffer Rules. Materials are subject to ACC approval.
- B. Erosion control devices are to be installed upstream and out of the conservation corridor and lake buffer areas.
- C. Shoreline stabilization is allowed as long as all work is performed by barge from the lake, so that no disturbance to the conservation corridor and lake buffer occurs. ACC and all other approvals from any and all applicable governmental and regulatory agencies, including Duke Power Company, NCDEHNR, the Army Corps of Engineers and Mecklenburg County are required prior to any stabilization activities.
- D. The following may be permitted once written ACC approval has been granted:
 - Removal of dead or diseased trees
 - Removal of poisonous plants
 - Selective clearing of underbrush
 - Planting of shrubs and groundcover

3B.I.3 Conservation Corridor & Lake Buffer Prohibitions and Restrictions

- A. No grass or lawn areas will be permitted within the 100' lake buffer.
- B. No grass or lawn areas will be permitted within the conservation corridor unless otherwise approved in writing by the ACC.
- C. Structures such as driveways, boathouses and other impervious improvements are subject to the restrictions of Section 10.608 'Catawba River/Lower Lake Wylie Watershed Overlay' of the Mecklenburg County Zoning Ordinance and ACC approval.
- D. Removal of natural leaf fall from within the lake buffer is discouraged.
- E. No trees two (2) inches in caliper and larger are to be removed, unless dead or diseased. Dead or diseased trees can be removed only after written ACC approval has been granted.

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- A. Tree pruning within the conservation corridor and lake buffer is allowed by removing only lateral links from the lower fifty percent of the tree's height. Topping is not allowed.
- B. Planting of additional trees, shrubs, groundcovers and perennials within the conservation corridor and lake buffer may be approved if done with minimal disturbance to root systems of existing trees. In general, only native-type vegetation is permitted.

3B.2 Stream Buffer Requirements

3B.2.I Stream Buffers: A stream buffer is defined as the forested/vegetated area on both sides of the stream. The natural functions of stream buffers:

- 1. Decrease velocity of storm water, thereby reducing the risk of erosion;
- 2. Store flood waters;
- 3. Allow streams to meander, creating a diversity of habitats;
- 4. Filter out pollutants, sediment and excess nutrients;
- 5. Shade stream channels, thereby decreasing temperature in the buffer area to enhance existing vegetation; and,
- 6. Provide wildlife habitat and corridors.

The width of the buffer will be fifty (50) feet on each side of the stream bank as defined by the Mecklenburg County Surface Water Improvement and Management (SWIM) Stream Buffer Ordinance. No permanent structures, built-upon areas, or septic systems shall be permitted within this buffer. No clearing of existing vegetation within the buffer shall be permitted except as follows:

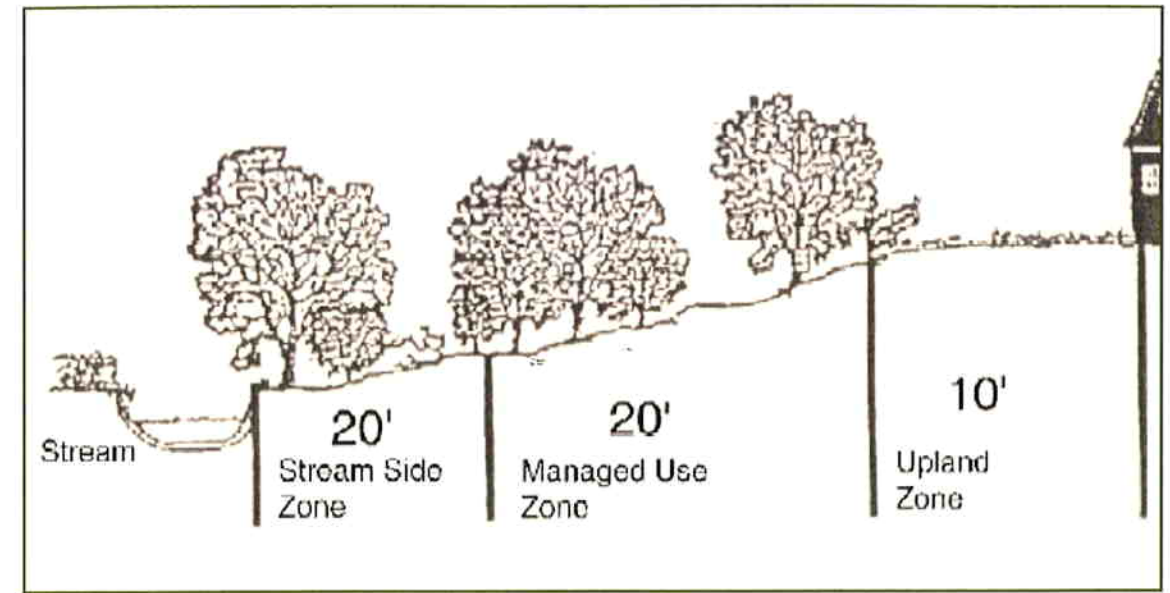
- a. Any trees less than 2" caliper may be removed.
- b. Undergrowth may be removed if it is replaced with mulch or a suitable ground cover if approved in writing by the ACC. Grassed areas will not be allowed in the buffer area.
- c. Dead or diseased trees or undergrowth of any size may be removed if approved in writing by the ACC.
- d. Selective thinning or limbing up of trees to provide view enhancement is permitted only if a plan is submitted to and approved by the ACC. At no time may a tree be trimmed or limbed up past a point one half the height of the tree.
- e. New trees, shrubs and ground cover may be planted in the buffer area to enhance existing vegetation provided there is no disturbance to the root systems of existing trees. Plans delineating the location and type of all additional plant material must be submitted to the ACC and its approval in writing must be obtained prior to planting.

Paths through the 100' buffer must be of pervious materials, either wood chips, mulch, or a raised slatted "catwalk" or boardwalk and must be approved in advance in writing by the ACC.

3B.2.2. Stream Side Zone: The stabilization and protection of this zone is critical to water quality; clearing and cutting of vegetation is not allowed. Permitted uses include flood control structures, bank stabilization and utility/road crossings.

3B.2.3. Managed Use Zone: This area provides space for the storage of flood waters and the filtering of pollutants. Limited clearing is allowed but existing tree density must be retained to a minimum of 8 healthy trees (minimum 6" caliper) per 1000 square feet. Greenway trails/bike paths are allowed.

3B.2.4. Upland Zone: This area is located farthest from the stream. Grass is allowed, along with gardens, gazebos, decks and storage buildings less than 150 square feet in size.



Stream Buffers

3B.3 Shoreline Management

3B.3.1 Environmental Areas: Certain areas of shoreline have been designated by Duke Power Company, in its Shoreline Management Plan, as "environmental areas." These areas contain bottom conditions and submerged or emergent vegetation which provide desirable fish habitat. No placement of docks or piers or other disturbance of these areas will be permitted, nor will removal of submerged vegetation below the 570' contour. Environmental areas are shown on the site illustration diagrams and recorded plats.

3B.3.2 Other Areas of Productive Habitat: Additional areas along the shoreline called "impact minimization zones" have been identified as providing desirable habitat but have not been officially designated as "environmental areas." Piers and docks may be permitted on waterfront lots upland of these areas, subject to approval by Duke Power Company, with the additional restriction that no dredging will be permitted.

3B.4 Homeowner Responsibilities

3B.4.1. General

the Sanctuary, as a unique, wooded, lake front community, gains its intrinsic value from the conservation corridor and lake buffer areas. The conservation corridor and the lake buffer areas are to be preserved by the homeowner in accordance with the conservation corridor and lake buffer guidelines. This does not mean that these areas cannot be entered or modified, but activities are limited and subject to review and approval.

3B.4.2 Additional Permissible and Impermissible Activities

Recreation - The natural habitat preserved in the lake buffer areas is an amenity for the homeowner and can be used for walks, nature study and limited children's play. These areas should be shown consideration and respect by limiting children's impact and not allowing play areas to cause erosion. Repeated, intense use could lead to denuded areas and subsequent erosion.

Disposal - Disposal of spent oil, chemicals (household cleaners, paint thinner, etc.), or other solids or liquids with the potential for damage into any drainage system or on the ground near the conservation corridor and lake buffer areas is prohibited. Construction of piers must be permitted by Duke Power Company. Any part of the pier or access thereto which is located over the conservation corridor and lake buffer areas must be reviewed by the ACC. In addition to the specific regulations, the homeowner is encouraged to avoid the use of fertilizers, pesticides, or herbicides and to avoid land-disturbing activities immediately adjacent to the conservation corridor and lake buffer areas.

Part C: AUDUBON INTERNATIONAL GUIDELINES

3C.1 Signature Sustainable Development Program General Description

the Sanctuary on Lake Wylie, LLC (*the Sanctuary*) has entered into a partnership agreement with Audubon International to adopt and facilitate an ongoing program of environmental stewardship that seeks to improve the quality of life for its residents and the habitat of the property.

3C.2 Role of Audubon International

3C.2.1 Goals of the Signature Sustainable Development Program. The main focus is on the development of the community through an ecosystem approach to siting, design, construction and management. These initiatives are designed to be implemented by the developer, Audubon International and Preserve owners through a continually evolving set of principals and guidelines that take the total ecological balance into account. The following sections seek to lay the groundwork of understanding the process, which is to be implemented in stages over time. The Natural Resource Manager will continually update and educate Preserve owners on different initiatives, how they are evolving and producing the desired results, as well as what they can do to further the goals of each initiative. See Section 3C.4 for a detailed list of Program Goals.

3C.2.2 Requirements to Join the Program. In order to receive certification in the Audubon Signature Sustainable Development Program, the project had to be registered as a member of the program prior to the design of the project. The second condition of this designation was that Audubon International prepare the Environmental Master Plan for the project, which is based on ecological considerations of the property and presents a common vision for the property.

3C.2.3 Certifications. *the Sanctuary*, upon successful completion of program requirements, will receive the following designations:

- A. An Audubon International Approved Land Plan; and
- B. A Certified Audubon Signature Sustainable Development, Gold Level.

3C.2.4 The Environmental Master Plan. Audubon International will apply the “Audubon Principles for Sustainable Resource Management,” “Principles for Ecological Restoration” and “Principles for Natural Landscaping” to the site. Audubon International is working with the project team to ensure that all aspects of the project are consistent with the common vision and with the Environmental Master Plan. The Environmental Master Plan is implemented in phases: Phase I is the Planning and Permitting phase; Phase 2 is the Construction phase; and Phase 3 is the Management and Education phase. *the Sanctuary* development team is actively pursuing each phase to completion. These phases are described below along with other important aspects of the program.

- A. Phase I - Planning and Permitting: The goal of Phase I is to successfully design and permit the development based upon ecological characteristics of the property and surrounding landscapes. Audubon International assists in the design process by providing Sustainable Resource Management Guidelines for the project. These guidelines describe the development in context of our principles for sustainable resource management. Audubon International then produces the Ecological Design, which is the vision for the property and is based on significant site elements, water and habitat. At this phase, appropriate “green building” components of the development are identified. These elements will serve as the basis for our permitting efforts.
- B. Phase 2 - Construction Planning and Practices: The goal of Phase 2 is to successfully develop and implement environmentally sound construction planning and practices. Considerations identified in Phase I, the Ecological Design, as well as Phase 2 are implemented at the site in order to minimize site disturbance and promote ecological sensitivity. Important components of Phase 2 include prevention practices, management practices and monitoring. At the completion of construction phases, the project receives recognition identifying the successful implementation of Audubon International guidelines.
- C. Phase 3 - Management and Education: The goal of Phase 3 is to successfully integrate environmental management and education into the project with the result being a Sustainable Development. Audubon International prepares a Natural Resource Management Plan that integrates natural resource protection and human use of the property. Audubon International also prepares a Community Education and Information Plan for the community that is the blueprint for creating and nurturing the environmental ethic for those who live, work and recreate in *the Sanctuary*. These plans serve as the long-term management and education tools for the project.

3C.3 Natural Resource Manager

A key component of Audubon International's and *the Sanctuary's* approach to building a sustainable community is the Natural Resource Manager. As part of the development team, this professional will lead the community in the creation and implementation of environmental programs, workshops and training seminars for staff, contractors and property owners and will promote education to enhance wildlife habitat and protect water quality. The Natural Resource Manager is also a member of the Architectural Control Committee, assisting in siting and design, as well as landscaping principles that further the “green building” recommendations in *the Sanctuary*.



3C.4 Sustainable Development Program Goals

The following are the initiatives and goals that *the Sanctuary* development team and Audubon International are focusing on to ensure a Sustainable Development:

3C.4.1 Site Design and Planning

- A. Incorporate Audubon International conceptual site review recommendations
- B. Site properly based on regional and site-specific elements (contextual design)
- C. Meet both human and wildlife habitat needs (eco-centric design)
- D. Minimize land clearing
- E. Maximize preserves and open space

3C.4.2 Landscaping

- A. Meet native planting requirements
- B. Minimize turf areas
- C. Minimize water and chemical use
- D. Identify habitat enhancement/restoration projects
- E. Implement an integrated pest management program based on sound science

3C.4.3 Wildlife

- A. Identify and protect conservation areas
- B. Develop and protect corridors and connections
- C. Identify habitat enhancement/restoration projects
- D. Monitor changes in biodiversity

3C.4.4 Water

- A. Implement conservation measures
- B. Protect water quality with recommended drainage Best Management Practices (BMPs)
- C. Facilitate proper irrigation design, installation and use
- D. Facilitate routine water quality monitoring (ground and surface water)

3C.4.5 Green Building

- A. Recommend existing programs that have a track record (Florida Green Building Coalition)
- B. Develop an Audubon International upgrade package

3C.4.6 Education

- A. Promote corporate environmental stewardship and educate staff
- B. Develop resident and guest education programs
- C. Develop contractor education programs (landscape, infrastructure and homebuilders)
- D. Involve and educate the general public



3.1 ENVIRONMENTAL OBJECTIVES

Environmental guidelines are intended to encourage “sustainable” building systems, site improvements, materials and construction techniques in all site development. *the Sanctuary* is committed to the implementation of sustainable concepts such as utilizing energy and water conservation measures, reusing and recycling building materials and preserving the forest and lake frontage. Many of the sustainable design principles described in these design guidelines are based on *the Sanctuary's* partnership with Audubon International and their recommendations.

Part A: STORMWATER MANAGEMENT

3A.1 Impervious Cover Limits & Disturbed Area Limits

Impervious surfaces such as concrete or asphalt paving and crusher-run gravel increase surface water run-off and can lead to the degradation of water quality. Disturbed areas reduce the quality of the indigenous landscape that provides *the Sanctuary* with its intrinsic value. To limit the impact of development on the indigenous forest and Lake Wylie, strict impervious surface and disturbance standards are in place.

3A.2 Stormwater Management

3A.2.1. *the Sanctuary* site is located within the Critical Area, as defined in the Mecklenburg County Lower Lake Wylie Watershed Protection Ordinance. Accordingly, its development will adhere to or exceed the requirements of the Development Standards and City of Charlotte ordinance.

3A.2.2 Impervious cover on individual lots will be managed throughout the development and will be limited as follows:

- Parcel A: 12% percent maximum total impervious cover.
- No permanent stormwater treatment facilities are required if:
 1. Total impervious area within each Preserve is less than or equal to 7%, and
 2. Total denuded area within each Preserve is less than or equal to 15%.

3A.2.3 For impervious areas greater than the 7% and disturbed area greater than 15% within a single Preserve in Parcel A, the Preserve owner shall be required to implement source control/low impact stormwater management strategies to achieve average annual 85% Total Suspended Solids (TSS) removal resulting from the first one inch of rainfall.

Within Preserves in Parcel A, builders will be required to establish on-lot stormwater management and erosion control which meet the following criteria as a minimum:

- A. Provide specific on-lot erosion control in accordance with guidance and typical details that will be provided by *the Sanctuary* ACC and approved by City and County Water Quality staff during final design.
- B. Submit final building/site/storm water/erosion control plans to *the Sanctuary* ACC for approval.
- C. Construct and continuously maintain Low Impact Development (LID) measures to the extent that prevents adverse downstream impact.
- D. Implement an innovative erosion control plan to use all reasonable efforts to limit the size of denuded areas.
- E. If desired by the builder/owner, utilize ACC-approved innovative development practices in addition to the standards and details that will be provided by *the Sanctuary* ACC.
- F. Utilize energy dissipation measures or devices at all storm drainage outfalls discharging at any buffer. For those areas where stormwater runoff from the Preserve crosses adjoining properties, the builder/owner will evaluate the downstream offsite drainage system and control the stormwater runoff from the Preserve during and after construction to prevent associated damage to downstream properties.

3A.3 Best Management Practices. The stormwater Best Management Practices (BMPs) that will be reviewed and their assumed TSS removal efficiencies, if constructed according to the design and specifications, are:

1. Bioretention Area: 85%
2. Grassed Swales: 35%
3. Extended Dry Detention: 50%
4. Filter Strips: 25%-40%
5. Infiltration Devices: 85%
6. Rain Barriers: N/A
7. Dry Wells: 85%

The BMPs can be used alone or in combination to achieve the required pollutant removal of 85% TSS. As experience grows in the use and effectiveness of the devices, other BMPs or other specifications may be allowed or required. *the Sanctuary* ACC, in concert with The City of Charlotte, will continue to review both the design and the removal efficiencies and modify them as needed. Innovative and/or proprietary BMPs may be approved on a case-by-case basis.

Acceptable LID stormwater management options will be provided by *the Sanctuary* ACC through on-going builder education programs.

SECTION THREE

DESIGN GUIDELINES

for

THE ENVIRONMENT

3A.4 Erosion & Sediment Controls

The design and development concepts of *the Sanctuary* community call for the utilization and enhancement of the existing natural environment. The ACC is particularly conscious of the erosion and sediment disturbances that can occur during any clearing, grading, or construction activity on a Preserve. To help minimize erosion and sediment disturbances, as part of the final building plans and specifications, an erosion control plan (using erosion control measures such as crushed stone entrances, silt fences, hay bales, diversion swales, stone filter dams, etc., as required) must be designed in accordance with Schedule G - Erosion Control Measures (available from the ACC) and must be incorporated within the site plan. Approval of the erosion control plan must be obtained from the ACC (as part of the approval of the ACC of the final building plans and specifications) prior to any clearing or earth-disturbing operations on any Preserve. Particular care must be exercised on Preserves fronting the lake to prevent any negative effect or impact upon the lake and/or the lake buffer. Erosion control measures implemented pursuant to an approved erosion control plan must remain in place until such time as all disturbed areas have been stabilized.

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Part B: CONSERVATION CORRIDOR & LAKE BUFFER GUIDELINES

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- 2. Store flood waters;
- 3. Allow streams to meander, creating a diversity of habitats;
- 4. Filter out pollutants, sediment and excess nutrients;
- 5. Shade stream channels, thereby decreasing temperature in the buffer area to enhance existing vegetation; and,
- 6. Provide wildlife habitat and corridors.

The width of the buffer will be fifty (50) feet on each side of the stream bank as defined by the Mecklenburg County Surface Water Improvement and Management (SWIM) Stream Buffer Ordinance. No permanent structures, built-upon areas, or septic systems shall be permitted within this buffer. No clearing of existing vegetation within the buffer shall be permitted except as follows:

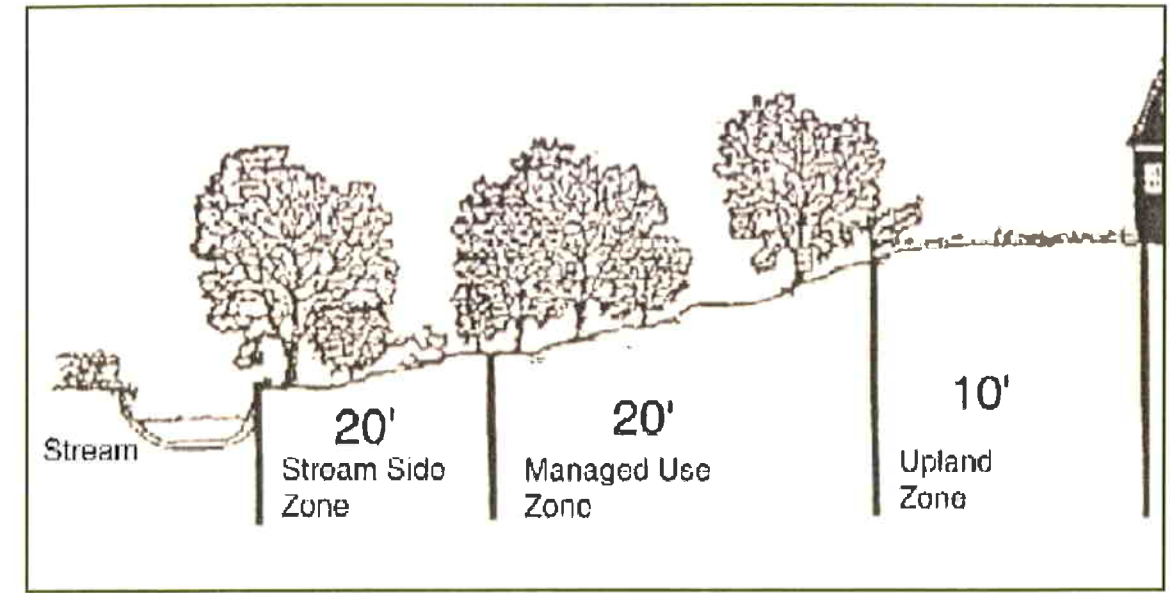
- a. Any trees less than 2" caliper may be removed.
- b. Undergrowth may be removed if it is replaced with mulch or a suitable ground cover if approved in writing by the ACC. Grassed areas will not be allowed in the buffer area.
- c. Dead or diseased trees or undergrowth of any size may be removed if approved in writing by the ACC.
- d. Selective thinning or limbing up of trees to provide view enhancement is permitted only if a plan is submitted to and approved by the ACC. At no time may a tree be trimmed or limbed up past a point one half the height of the tree.
- e. New trees, shrubs and ground cover may be planted in the buffer area to enhance existing vegetation provided there is no disturbance to the root systems of existing trees. Plans delineating the location and type of all additional plant material must be submitted to the ACC and its approval in writing must be obtained prior to planting.

Paths through the 100' buffer must be of pervious materials, either wood chips, mulch, or a raised slatted "catwalk" or boardwalk and must be approved in advance in writing by the ACC.

3B.2.2. Stream Side Zone: The stabilization and protection of this zone is critical to water quality; clearing and cutting of vegetation is not allowed. Permitted uses include flood control structures, bank stabilization and utility/road crossings.

3B.2.3. Managed Use Zone: This area provides space for the storage of flood waters and the filtering of pollutants. Limited clearing is allowed but existing tree density must be retained to a minimum of 8 healthy trees (minimum 6" caliper) per 1000 square feet. Greenway trails/bike paths are allowed.

3B.2.4. Upland Zone: This area is located farthest from the stream. Grass is allowed, along with gardens, gazebos, decks and storage buildings less than 150 square feet in size.



Stream Buffers

3B.3 Shoreline Management

3B.3.1 Environmental Areas: Certain areas of shoreline have been designated by Duke Power Company, in its Shoreline Management Plan, as "environmental areas." These areas contain bottom conditions and submerged or emergent vegetation which provide desirable fish habitat. No placement of docks or piers or other disturbance of these areas will be permitted, nor will removal of submerged vegetation below the 570' contour. Environmental areas are shown on the site illustration diagrams and recorded plats.

3B.3.2 Other Areas of Productive Habitat: Additional areas along the shoreline called "impact minimization zones" have been identified as providing desirable habitat but have not been officially designated as "environmental areas." Piers and docks may be permitted on waterfront lots upland of these areas, subject to approval by Duke Power Company, with the additional restriction that no dredging will be permitted.

3B.4 Homeowner Responsibilities

3B.4.1. General

the Sanctuary, as a unique, wooded, lake front community, gains its intrinsic value from the conservation corridor and lake buffer areas. The conservation corridor and the lake buffer areas are to be preserved by the homeowner in accordance with the conservation corridor and lake buffer guidelines. This does not mean that these areas cannot be entered or modified, but activities are limited and subject to review and approval.

3B.4.2 Additional Permissible and Impermissible Activities

Recreation - The natural habitat preserved in the lake buffer areas is an amenity for the homeowner and can be used for walks, nature study and limited children's play. These areas should be shown consideration and respect by limiting children's impact and not allowing play areas to cause erosion. Repeated, intense use could lead to denuded areas and subsequent erosion.

Disposal - Disposal of spent oil, chemicals (household cleaners, paint thinner, etc.), or other solids or liquids with the potential for damage into any drainage system or on the ground near the conservation corridor and lake buffer areas is prohibited. Construction of piers must be permitted by Duke Power Company. Any part of the pier or access thereto which is located over the conservation corridor and lake buffer areas must be reviewed by the ACC. In addition to the specific regulations, the homeowner is encouraged to avoid the use of fertilizers, pesticides, or herbicides and to avoid land-disturbing activities immediately adjacent to the conservation corridor and lake buffer areas.

Part C: AUDUBON INTERNATIONAL GUIDELINES

3C.1 Signature Sustainable Development Program General Description

the Sanctuary on Lake Wylie, LLC (*the Sanctuary*) has entered into a partnership agreement with Audubon International to adopt and facilitate an ongoing program of environmental stewardship that seeks to improve the quality of life for its residents and the habitat of the property.

3C.2 Role of Audubon International

3C.2.1 Goals of the Signature Sustainable Development Program. The main focus is on the development of the community through an ecosystem approach to siting, design, construction and management. These initiatives are designed to be implemented by the developer, Audubon International and Preserve owners through a continually evolving set of principals and guidelines that take the total ecological balance into account. The following sections seek to lay the groundwork of understanding the process, which is to be implemented in stages over time. The Natural Resource Manager will continually update and educate Preserve owners on different initiatives, how they are evolving and producing the desired results, as well as what they can do to further the goals of each initiative. See Section 3C.4 for a detailed list of Program Goals.

3C.2.2 Requirements to Join the Program. In order to receive certification in the Audubon Signature Sustainable Development Program, the project had to be registered as a member of the program prior to the design of the project. The second condition of this designation was that Audubon International prepare the Environmental Master Plan for the project, which is based on ecological considerations of the property and presents a common vision for the property.

3C.2.3 Certifications. *the Sanctuary*, upon successful completion of program requirements, will receive the following designations:

- A. An Audubon International Approved Land Plan; and
- B. A Certified Audubon Signature Sustainable Development, Gold Level.

3C.2.4 The Environmental Master Plan. Audubon International will apply the “Audubon Principles for Sustainable Resource Management,” “Principles for Ecological Restoration” and “Principles for Natural Landscaping” to the site. Audubon International is working with the project team to ensure that all aspects of the project are consistent with the common vision and with the Environmental Master Plan. The Environmental Master Plan is implemented in phases: Phase 1 is the Planning and Permitting phase; Phase 2 is the Construction phase; and Phase 3 is the Management and Education phase. *the Sanctuary* development team is actively pursuing each phase to completion. These phases are described below along with other important aspects of the program.

- A. Phase 1 - Planning and Permitting: The goal of Phase 1 is to successfully design and permit the development based upon ecological characteristics of the property and surrounding landscapes. Audubon International assists in the design process by providing Sustainable Resource Management Guidelines for the project. These guidelines describe the development in context of our principles for sustainable resource management. Audubon International then produces the Ecological Design, which is the vision for the property and is based on significant site elements, water and habitat. At this phase, appropriate “green building” components of the development are identified. These elements will serve as the basis for our permitting efforts.
- B. Phase 2 - Construction Planning and Practices: The goal of Phase 2 is to successfully develop and implement environmentally sound construction planning and practices. Considerations identified in Phase 1, the Ecological Design, as well as Phase 2 are implemented at the site in order to minimize site disturbance and promote ecological sensitivity. Important components of Phase 2 include prevention practices, management practices and monitoring. At the completion of construction phases, the project receives recognition identifying the successful implementation of Audubon International guidelines.
- C. Phase 3 - Management and Education: The goal of Phase 3 is to successfully integrate environmental management and education into the project with the result being a Sustainable Development. Audubon International prepares a Natural Resource Management Plan that integrates natural resource protection and human use of the property. Audubon International also prepares a Community Education and Information Plan for the community that is the blueprint for creating and nurturing the environmental ethic for those who live, work and recreate in *the Sanctuary*. These plans serve as the long-term management and education tools for the project.

3C.3 Natural Resource Manager

A key component of Audubon International's and *the Sanctuary's* approach to building a sustainable community is the Natural Resource Manager. As part of the development team, this professional will lead the community in the creation and implementation of environmental programs, workshops and training seminars for staff, contractors and property owners and will promote education to enhance wildlife habitat and protect water quality. The Natural Resource Manager is also a member of the Architectural Control Committee, assisting in siting and design, as well as landscaping principles that further the “green building” recommendations in *the Sanctuary*.



3C.4 Sustainable Development Program Goals

The following are the initiatives and goals that *the Sanctuary* development team and Audubon International are focusing on to ensure a Sustainable Development:

3C.4.1 Site Design and Planning

- A. Incorporate Audubon International conceptual site review recommendations
- B. Site properly based on regional and site-specific elements (contextual design)
- C. Meet both human and wildlife habitat needs (eco-centric design)
- D. Minimize land clearing
- E. Maximize preserves and open space

3C.4.2 Landscaping

- A. Meet native planting requirements
- B. Minimize turf areas
- C. Minimize water and chemical use
- D. Identify habitat enhancement/restoration projects
- E. Implement an integrated pest management program based on sound science

3C.4.3 Wildlife

- A. Identify and protect conservation areas
- B. Develop and protect corridors and connections
- C. Identify habitat enhancement/restoration projects
- D. Monitor changes in biodiversity

3C.4.4 Water

- A. Implement conservation measures
- B. Protect water quality with recommended drainage Best Management Practices (BMPs)
- C. Facilitate proper irrigation design, installation and use
- D. Facilitate routine water quality monitoring (ground and surface water)

3C.4.5 Green Building

- A. Recommend existing programs that have a track record (Florida Green Building Coalition)
- B. Develop an Audubon International upgrade package

3C.4.6 Education

- A. Promote corporate environmental stewardship and educate staff
- B. Develop resident and guest education programs
- C. Develop contractor education programs (landscape, infrastructure and homebuilders)
- D. Involve and educate the general public



Part 4A: PROCEDURES & APPROVALS

4A.1 Design Review Process

Prior to the commencement of any construction activity of any type (including any grading work) on any Preserve, an Application for Approval (a form to be obtained from the ACC) of such work must be submitted to the ACC by the Preserve owner or such owner's designated agent. The ACC must receive, review and approve the information and documentation required to be submitted under Section 4A.3 herein entitled "Design Review Procedure" prior to the commencement of any such work. Also, all design and construction escrow fees required under these architectural and design guidelines must be paid to the ACC prior to the commencement of any such work.

4A.2 Pre-Application Procedure

Mecklenburg County and its Planning Department have jurisdiction over the community at *the Sanctuary*. Each Preserve owner or a representative of each Preserve owner should contact representatives of Mecklenburg County and its planning department at the beginning of the planning and design process relative to such owner's Preserve to ensure compliance with the rules, regulations and standards of Mecklenburg County. Compliance with all governmental and quasi-governmental rules, regulations and standards is the obligation of each Preserve owner and the Preserve owner's builder. It should not be assumed, however, that compliance with the rules, regulations and standards of Mecklenburg County and other governmental and quasi-governmental authorities will satisfy all requirements of the ACC.

4A.2.1 North Carolina Catawba Buffer Rules

Preserve owners shall become familiar with the North Carolina Catawba Buffer Rules. These guidelines are not intended to conflict with the NC Catawba Buffer Rules as administered by the State of North Carolina and the North Carolina Department of Environmental Health and Natural Resources (NCDEHNR). In the case where there is a direct conflict between any governmental or regulatory agency laws, ordinances, rules, or provisions including the NC Catawba Buffer Rules, the more stringent stipulations shall apply.

4A.2.2 Mecklenburg County Lower Lake Wylie Watershed District

These guidelines are not intended to conflict with the Lower Lake Wylie Watershed Ordinance. In the case where there is a direct conflict between any governmental or regulatory agency laws, ordinances, rules, or provisions including those of the Lower Lake Wylie Watershed Ordinance and the self-imposed lake buffer and conservation corridor rules that apply specifically to *the Sanctuary*, the more stringent stipulations shall apply.

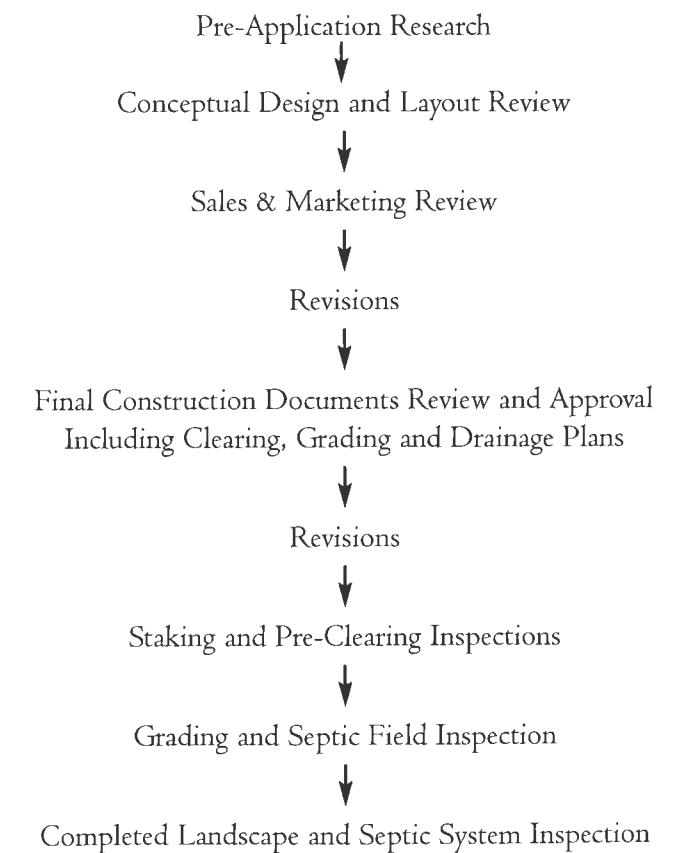
4A.3 Design Review Procedure

The successful completion of the design review procedure under the design guidelines will be facilitated by reviewing and complying with the requirements outlined in the design guidelines and by reviewing and following the step-by-step design review format described below. The review format has been structured to achieve a smooth and timely review from preliminary plan submittal to final site inspection and approval.

If a new residence is to be built by a guild builder, the builder must submit a set of building plans and specifications for such improvements to *the Sanctuary* sales office to receive the benefit of the review and comments of personnel in *the Sanctuary* sales office prior to submitting such building plans and specifications to the ACC for its review. An extra copy of the final building plans and specifications submittal is to be delivered to the sales office for future reference by sales office personnel. The review of the building plans and specifications by personnel in *the Sanctuary* sales office helps to ensure the quality and marketability of homes within *the Sanctuary* community.

4A.3.1 The flow chart at right represents the necessary procedures in the process of building a residence in *the Sanctuary*:

SECTION FOUR PRESERVE OWNER RESPONSIBILITIES and CONSTRUCTION RULES



4A.3.2 The ACC has established a schedule for submittal of building plans and specifications, review of building plans and specifications and meeting with the Preserve owner or the representative of the Preserve owner to discuss any questions or concerns of the ACC relative to the building plans and specifications. The established schedule permits a timely review of submitted building plans and specifications and allows Preserve owners and their representatives to accurately plan their schedules. Building plans and specifications must be submitted by the Preserve owner or the Preserve owner's representative to the ACC Coordinator at the Coordinator's office by 5:00 p.m. six (6) days prior to the scheduled ACC review meeting. Each submittal of building plans and specifications must be accompanied by the following:

- Completed Application for Approval (Schedule A and Schedule B available from the ACC)
- Three (3) Sets of building plans and specifications
- Three (3) Site Plans on a 1" = 40' Scale
- Three (3) Erosion Control Plans*
- Check, for ACC Review Fees, for \$750.00 made out to *the Sanctuary* ACC
- Check, for Construction Escrow* (explained further in section 4E.3), for \$5,000.00 made out to *the Sanctuary Owners' Association* and a completed "Schedule C - Construction Escrow Information Sheet" (available from the ACC)
- Check, for Septic Fees*, made out to *the Sanctuary Owners' Association* (Contact the ACC Coordinator for current amounts)
- Copy of Septic Permit from Mecklenburg County

* These items are due only if submitting for final review of building plans and specifications.

4A.3.3 The ACC has a review meeting once a week to review the building plans and specifications that have been submitted since the most recent ACC review meeting. Each Preserve owner that has submitted building plans and specifications for review is encouraged, although not required, to attend the ACC review meeting at which such Preserve owner's building plans and specifications will be reviewed to respond to any questions that the ACC may have relating to such Preserve owner's building plans and specifications.

4A.3.4 As set forth above, each Preserve owner will be charged a processing fee for the review of such Preserve owner's building plans and specifications. The processing fee, which is seven hundred, fifty dollars (\$750.00), shall be paid by check and shall be made payable to the ACC. The ACC shall have the right to increase the amount of the processing fee from time to time as stated in the declaration and these guidelines. The processing fee is intended to partially cover the expense incurred by the ACC in reviewing building plans and specifications, including the cost of compensating any consulting architects, landscape architects, designers, inspectors, or attorneys retained by the ACC.

4A.3.5 Septic fees are due at the time of final plan review. These fees include the Construction Inspection Fee and the Initial Contract Year. For each year thereafter, a Renewal Fee will be billed to each Preserve owner by the Owners Association. These fees are subject to change at any time. Current amounts for septic fees can be obtained by contacting the ACC Coordinator. In the case where multiple structures are present on a Preserve, there will be additional septic fees for each structure to cover additional septic inspections.

4A.3.6 All required items listed above, along with any other materials necessary for the ACC to review building plans and specifications, shall be sent to:

the Sanctuary on Lake Wylie
Architectural Control Committee
c/o Judy Mills
11104 Limehurst Place
Charlotte, NC 28278

Part 4B: SITE PLAN & BUILDING PLAN REVIEW

4B.1 Applicability

The ACC shall review all plans and specifications for all structures and site improvements, including primary structures, secondary structures, elderly or handicapped structures, ancillary structures, accessory structures or features, shoreline structures, entry monumentation, driveways, site and landscape walls and landscaping.

The ACC shall consider each Preserve independently but shall give consideration to the impact of each individual Preserve (and the improvements proposed to be constructed thereon) on adjacent Preserves. Care must be taken to locate each structure, when and where possible, so as not to infringe upon adjacent Preserves and structures constructed or to be constructed thereon, view corridors and natural amenities of the area. Consideration in this regard must be given to the following:

1. Topography of the Preserve and other Preserves in the vicinity;
2. Distant and intimate views from the Preserve;
3. Distant and intimate views of the Preserve from other Preserves and from the lake;
4. Existing vegetation type and quality;
5. Existing water and drainage patterns;
6. Driveway access; and,
7. Height of proposed structures on the Preserve and existing and proposed structures on adjacent Preserves and other Preserves in the vicinity.

4B.2 Review of Preliminary Building Plans & Specifications

The ACC encourages Preserve owners and builders who are building in *the Sanctuary* community for the first time to participate in the preliminary building plans and specifications review process. Although not required, the preliminary building plans and specifications review process may help avoid unnecessary expense and delay by expediting later phases of the building plans and specifications review process. The ACC will review with the Preserve owner or the Preserve owner's representative such Preserve owner's proposed design approach to confirm general compliance with the architectural and design guidelines and the appropriateness of the design concept. To fully utilize the preliminary building plans and specifications review process, a completed site plan and the architectural drawings for the improvements (as outlined in the "Application for Preliminary Design Approval" form, a copy of which may be obtained from the ACC) shall be included as part of the preliminary building plans and specifications submittal. The preliminary building plans and specifications submittal shall also include a completed application for approval and the processing fee (\$250.00) that shall apply to the final ACC review fees (\$750.00) if the "Application for Final Design Approval" is received within one year following the date of the preliminary application. Additional components of the submittal are described more particularly in Section 4A.3.2.

4B.2.1 The ACC shall review the preliminary building plans and specifications and return them to the owner marked "Approved," "Contingent Approved," or "Disapproved," as the case may be. As to any preliminary building plans and specifications that are marked "Approved" or "Contingent Approved" by the ACC, final building plans and specifications produced thereafter must be in substantial conformity therewith; provided, however, the ACC's approval of preliminary building plans and specifications shall in no way bind or obligate the ACC to approve the subsequent final building plans and specifications.

4B.2.2 The ACC may refuse to approve preliminary building plans and specifications or any component(s) thereof, including, without limitation, the overall site plan, structure location, style, exterior colors or finishes or other specifications of the proposed improvements for any reason or reasons, including purely aesthetic reasons, in the sole discretion of the ACC. Please note that approval of preliminary building plans and specifications does not constitute final approval. This only approves the owner to commence to final submittal of plans.

4B.3 Review of Final Building Plans & Specifications

The submittal of final building plans and specifications shall incorporate all of the requirements stated in the "Application for Final Design Approval" form, a copy of which may be obtained from the ACC, and other portions of the architectural and design guidelines as well as comments from previous meetings and design reviews.

The processing fee (\$750.00) must be submitted as part of the final building plans and specifications submittal if the processing fee has not been paid to the ACC previously. Additional components of the submittal are described more specifically in Section 4A.3.2.

In addition, the following items must be submitted to the ACC as a condition to the final building plans and specifications review process:

1. The construction escrow deposit, which is set and determined by the ACC as of the date the final building plans and specifications are submitted. The construction escrow deposit is currently five thousand dollars (\$5,000.00) per Preserve. The construction escrow deposit shall be paid by check made payable to *the Sanctuary* Owners' Association (the "Owners' Association"). The construction escrow deposit will be held by the Owners' Association and used for the purposes set forth in the "Construction Rules." With respect to featured builders in *the Sanctuary*, the construction escrow deposit will be carried forward from lot to lot as long as the builder remains in the guild builder program at *the Sanctuary*. The maximum construction escrow deposit required from any one guild builder in *the Sanctuary* will be ten thousand and no/100 Dollars (\$10,000.00). The ACC, in its sole discretion, may utilize funds from the construction escrow for a particular Preserve to cover expenses described in Section 4E.3 of this document. If construction escrow funds are utilized from a guild builder's escrow account, then the guild builder must replenish their construction escrow account prior to any other future approvals granted by the ACC. Furthermore, if it is deemed necessary given a particular ongoing problem, the ACC may require a larger construction escrow from a builder who is on probationary status.
2. Owner's prorata share of the cost of the common driveway, if any, serving such owner's Preserve, which is set and determined by the ACC as of the date the final building plans and specifications are submitted. This requirement applies only to Preserves sharing a common driveway in cases where another Preserve owner has assumed responsibility for construction of the common driveway. In the event the Preserve will share a common driveway and no other Preserve owner has assumed responsibility for the construction of the common driveway as of such time, the owner first seeking approval of final building plans and specifications shall include the cost and design of the common driveway in such owner's final building plans and specifications and shall construct the common driveway in accordance with the approved final building plans and specifications; and in such case, upon completion of the common driveway, the owner that constructed such common driveway shall be entitled to reimbursement from *the Sanctuary* at Lake Wylie, LLC, or its successor or assign as developer of *the Sanctuary*, for the prorata share of the total cost attributable to other Preserves served by the common driveway. *the Sanctuary* at Lake Wylie, LLC shall receive reimbursement for such prorated share from the owners of the other Preserves served by the common driveway at the time they acquire title to the applicable Preserves. The common driveway installation and maintenance costs will be shared equally among the Preserves served thereby.
3. Four (4) complete sets of the final building plans and specifications.
4. A true and complete copy of a fully executed contract for construction of the improvements between the owner and a guild builder must be submitted to the ACC. Furthermore, in the case of construction of improvements on a Preserve "on speculation" (i.e., where a builder is building such improvements for sale to a third party) or in the case of construction of improvements on a Preserve by a builder for such builder's personal occupancy, there shall be no requirement that a true and complete copy of a fully executed contract for construction of the improvements be submitted.

5. Evidence that the Preserve owner (or if the Preserve owner is a guild builder with a prospective purchaser, that guild builder's prospective purchaser) has executed at least one of the following *the Sanctuary* at Lake Wylie, LLC documents:
- A. Preserve Purchase and Sale Agreement;
 - B. Builder Purchase and Sale Agreement (in the case of a sale of a Preserve directly to a guild builder);
 - C. Home Purchase and Sale Agreement; or
 - D. Request for Waiver of Right of First Refusal.

The required evidence of compliance with this requirement shall be the delivery to the ACC of a counterpart fully executed original of each such *the Sanctuary* at Lake Wylie, LLC document. If found not to be in compliance with the guidelines or if found to be otherwise unacceptable to the ACC, one (1) set of the final building plans and specifications shall be returned to the Preserve owner marked "Resubmit" or "Disapproved," accompanied by a written statement of items found not to be in compliance with the guidelines or to be otherwise unacceptable to the ACC. If the first resubmittal of final building plans and specifications occurs more than a year from the original submittal of the final building plans and specifications, such resubmittal shall be accompanied by another processing fee (\$750.00); also, each resubmittal of final building plans and specifications in excess of two (2) submittals (including both the original submittal and any resubmittals) shall be accompanied by a supplemental processing fee of \$350.00.

At such time as the final building plans and specifications are approved (or conditionally approved) by the ACC, one (1) complete set of the approved final building plans and specifications shall be retained by the ACC and the other complete set of the approved final building plans and specifications shall be marked "Approved as Submitted" or "Approved as Noted" and returned to the Preserve owner, along with a written statement with design comments. Once the ACC has approved final building plans and specifications for improvements to be constructed on a particular Preserve, the construction of such improvements must be promptly commenced and diligently pursued to completion; and, if such construction is not commenced within one (1) year following the date of approval of the final building plans and specifications by the ACC, the approval of such final building plans and specifications by the ACC shall be deemed rescinded. In the event of any such rescission of the ACC's approval of final building plans and specifications pursuant to the immediately preceding sentence, construction of improvements on such Preserve may be commenced there after only after resubmission of final building plans and specifications to the ACC for approval, and approval of such final building plans and specifications by the ACC.

Any modification or change to the "Approved" set of final building plans and specifications must be submitted in triplicate to the ACC for its review and approval (using the same procedure as set forth herein relative to the submission and approval of the original final building plans and specifications). The ACC may require the Preserve owner to pay an additional review fee in connection with any submittal of modifications or changes to previously approved final building plans and specifications.

4B.3.I All sold lots shall have a lot sign with a rider displaying the builder's name once construction has commenced. The sales department will assist in this matter.

4B.4 Preserve Staking, Site Inspection & Approval to Commence Work

Once final building plans and specifications approval has been granted by the ACC, the Preserve owner or the Preserve owner's representative shall stake the Preserve for review and approval by the ACC prior to commencing any construction work thereon (including grading work). The Preserve owner or the Preserve owner's representative must clearly stake the proposed structure(s) and property lines and, if applicable, the lake buffer (as defined herein). Staking shall be with a continuous ribbon or string encircling the area(s) to remain undisturbed. "Protected trees" located outside the building envelope and the lake buffer may not be cut down, damaged or otherwise removed without specific written approval of the ACC. Therefore, any additional trees to remain undisturbed located outside the encircled area shall be ribboned individually or in groups. After such staking of the Preserve has been completed in accordance with this Section 4B.4, the landscape, the conservation corridor and lake buffer guidelines, the Preserve owner or the Preserve owner's representative shall request the ACC to make a site inspection prior to the commencement of clearing and construction work on the Preserve. A "Site Inspection Agreement" will be completed at this point (Schedule E and Schedule F, available from the ACC).

The primary purpose of the site inspection by the ACC is to ensure compliance with the approved building plans and specifications and to prevent any unnecessary damage to specimen trees and other unique site features. (Please refer to the "Design Guidelines for the Site," "Design Guidelines for the Environment," and the "Lake Buffer Requirements" regarding requirements and restrictions relating to tree and vegetation protection and removal.) In addition to the foregoing matters, the site inspection shall include a review of the following matters and issues:

- Building setbacks (as per stakes);
- Lake buffer area location (as per stakes);
- Conservation corridor location (as per stakes);
- Side yards (as per stakes);
- Clearing limits (as determined by the placement of orange barrier fencing prior to site inspection);
- Placement of excavation materials;
- Protection of septic field;
- Location of construction entrances;
- Location of temporary toilet;
- Location of trash containers; and
- Erosion control measures (silt fences, hay bales, diversion swales, stone filter dams, etc., as required). Note: All required silt fence must be installed with steel posts and be properly trenched in at the bottom.

Inspection by the ACC shall be made within seven (7) business days of the date the request is received by the ACC. Written authorization by the ACC to proceed with the Preserve clearing and construction work will be issued to the Preserve owner or to such Preserve owner's builder by the ACC promptly after the inspection is completed or, if problems are detected during the site inspection, written notification of such problems shall be given to the Preserve owner or such Preserve owner's builder by the ACC promptly after the inspection is completed. NO CLEARING OR CONSTRUCTION ACTIVITIES MAY BE COMMENCED PRIOR TO ISSUANCE OF THE SITE INSPECTION APPROVAL BY THE ACC. IF ANY CLEARING OR CONSTRUCTION ACTIVITY BEGINS PRIOR TO THE REQUIRED SITE INSPECTIONS, A \$500.00 PER DAY FINE WILL BE LEVIED AGAINST THE PRESERVE OWNER UNTIL THE SITE CAN BE PROPERLY STABILIZED AND A SITE INSPECTION IS ORDERED. The ACC shall have the right to stop any unauthorized clearing and/or construction activities that are commenced on a Preserve in violation of the terms and requirements of the Guidelines. The ACC may delegate its site inspection functions under this section to *the Sanctuary's* development construction manager for *the Sanctuary*.

The Preserve owner or builder will be required to submit a final foundation survey prior to the rough framing stage on each home site under construction. (Please refer to the "Foundation Survey Example" available from the ACC as Schedule H.) Landscape plans and specifications will not be reviewed until the final foundation survey has been submitted and approved. Preserve owners and/or builders whose landscape plans and specifications are withheld for failing to submit a foundation survey, will be subject to all penalties, fines or assessments associated with failure to submit landscape plans.

4B.5 Failure of the ACC to Act

If the ACC fails to approve or disapprove any final building plans and specifications and other submittals which conform (and which relate to improvements which will conform) with the requirements of the guidelines and of the declaration or to reject them as being inadequate or unacceptable within thirty (30) business days after receipt thereof; and provided such submittal was a full and complete submittal in accordance with the guidelines and the declaration of all items that were to have been submitted to the ACC; and provided the ACC shall again fail to approve or disapprove of such final building plans and specifications and other submittals within ten (10) business days after additional written request to act on such items is delivered to the ACC following the passage of such first above-described thirty (30) business day period, it shall be conclusively presumed that the ACC has approved such conforming building plans and specifications and other submittals; EXCEPT that the ACC has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the declaration or any additional declaration for the Phase in which the Preserve is located; and EXCEPT FURTHER, that the ACC shall not be deemed to have waived any of the requirements set forth in the Declaration or any corresponding provisions in the Guidelines. If final building plans and specifications or other submittals are not sufficiently complete or are otherwise inadequate, the ACC may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject or approve the balance. The ACC is authorized to request the submission of samples of proposed construction materials.

4B.6 Changes to Approved Plans

All changes, once final building plans and specifications have been reviewed and approved, must be submitted to the ACC for approval (as outlined in the "Minor Change Application," available from the ACC as Schedule D).

4B.7 Final Inspection & Construction Escrow Refund

Once all improvements have been completed, including landscape improvements, a final inspection must be conducted to ensure compliance with the ACC's approval of final building plans and specifications. A request must be made to the ACC in writing to conduct a final on-site inspection (see Schedule J, available from the ACC). The construction escrow deposit will be refunded after this inspection has been conducted and the Preserve is deemed to be "in compliance" with the approved plans and specifications and provided the escrow deposit has not been utilized during the building process as outlined in Section 4E.2.

Part C: LANDSCAPE PLAN REVIEW

4C.1 Landscape Review Process

Prior to the commencement of any landscape activity of any type (excluding any grading or similar site work encompassed by the building plans and specifications) on any Preserve, an "Application for Landscape Plans and Specifications Approval" (available from the ACC as Schedule K) must be submitted by the Preserve owner or such owner's designated agent to the ACC. The ACC must receive, review and approve the information and documentation required to be submitted under the section herein entitled "Final Landscape Plans and Specifications Review Procedure" prior to the commencement of any such landscape work.

The successful completion of the landscape review process under the landscape guidelines will be facilitated by reviewing and complying with the requirements outlined in the landscape guidelines and by reviewing and following the landscape review procedure described herein.

The "Landscape Plans and Specifications Review Application," the landscape plans and specifications and all other materials necessary for the ACC to review the landscape plans and specifications shall be sent to:

the Sanctuary ACC
c/o OPDA, Inc.
1415 South Church St., Suite I
Charlotte, NC 28203

The Preserve owner or builder will be required to submit a final foundation survey prior to the rough framing stage on each home site under construction. (Please refer to the "Foundation Survey Example," available from the ACC as Schedule H.) Landscape plans and specifications will not be reviewed until the final foundation survey has been submitted and approved. Preserve owners and/or builders whose landscape plans and specifications are withheld for failing to submit a foundation survey, will be subject to all penalties, fines or assessments associated with failure to submit landscape plans.

4C.2 Review of Preliminary Landscape Plans & Specifications

The ACC encourages Preserve owners and builders who are building in *the Sanctuary* community to participate in the preliminary landscape plans and specifications review process. Although not required, the preliminary landscape plans and specifications review process may help avoid unnecessary expense and delay by expediting later phases of the landscape plans and specifications review process. Each Preserve owner may, at such Preserve owner's discretion, submit preliminary landscape plans and specifications to the ACC at the time final building plans and specifications for the Preserve are submitted to the ACC (as contemplated in the Architectural and Design Guidelines). Four copies of the plan are to be submitted, along with a completed Schedule K form, available from the ACC.

The ACC shall review the preliminary landscape plans and specifications and return them to the owner marked "Approved," "Contingent Approved," or "Disapproved," as the case may be. As to any preliminary landscape plans and specifications that are marked "Approved" by the ACC, final landscape plans and specifications produced thereafter must be in substantial conformity therewith; provided, however, the ACC's approval of preliminary landscape plans and specifications shall in no way bind or obligate the ACC to approve the subsequent final landscape plans and specifications.

The ACC may refuse to approve preliminary landscape plans and specifications, or any component(s) thereof, for any reason or reasons, including purely aesthetic reasons, at the sole discretion of the ACC.

4C.3 Final Landscape Plans & Specifications Review Procedure

The submittal of final landscape plans and specifications must incorporate all of the elements described herein as being required as part of the final landscape plans and specifications submittal. It is critical that final landscape plans and specifications (and the other required documentation, as described above) be submitted to the ACC for review in a timely manner. In that regard, four (4) complete sets of the final landscape plans and specifications for each Preserve must be submitted to the ACC when the exterior finish work on the house (i.e. masonry work, siding or stucco application, etc.) is completed. Preserve owners who have not submitted final landscape plans and specifications after the exterior finish work on the house has been completed will receive a written request for the final landscape plans and specifications from the ACC. Beginning on the thirtieth (30th) day following the date such written request is sent by the ACC to such Preserve owner, funds will be withheld from the construction escrow deposit (as defined in the architectural and design guidelines) at the rate of \$50.00 per day; and, such funds that are withheld shall be deemed earned by the ACC and shall be non-refundable to the Preserve owner. Such charges will accrue daily until the date that the final landscape plans and specifications submittal (including all elements and documentation required herein) is received by the ACC. Furthermore, if final landscape plans and specifications are not submitted to the ACC by the date the Preserve owner occupies the residence on the Preserve, whether or not landscape improvements have been installed and whether or not any written notice has been given to the Preserve owner by the ACC as described above, fines shall accrue against such Preserve (as a lien), and shall constitute a personal obligation of the applicable Preserve owner, at a rate of \$100.00 per day from the occupancy date until the date on which the final landscape plans and specifications submittal (including all elements and documentation required herein) are received by the ACC. Such fines will be deducted first from the construction escrow deposit and, if and when the construction escrow deposit is depleted as a result of such daily deductions, such fines will continue to accrue at the daily rate until final landscape plans and specifications are received by the ACC. No exceptions will be made to the circumstances described above which allow the ACC to withhold and retain part or all of the construction escrow deposit.

Landscape plans and specifications submitted to the ACC will be reviewed by a certified landscape architect who is licensed in the state of North Carolina and who is either a member of the ACC or is hired by the ACC to conduct such review on behalf of the ACC.

If found not to be in compliance with the landscape guidelines or if found to be otherwise unacceptable to the ACC, one (1) set of the final landscape plans and specifications shall be returned to the Preserve owner marked "Disapproved" or "Resubmit," accompanied by a written statement of items found not to be in compliance with the landscape guidelines or to be otherwise unacceptable to the ACC. If the final landscape plans and specifications for a Preserve are submitted and rejected two (2) or more times, the ACC may require an additional review or processing fee to be submitted by the Preserve owner to cover the additional time and expense incurred by the ACC in reviewing the resubmitted final landscape plans and specifications.

At such time as the final landscape plans and specifications are approved (or conditionally approved) by the ACC, one (1) complete set of the approved final landscape plans and specifications shall be retained by the ACC and the other complete set of the approved final landscape plans and specifications shall be marked "Approved as Submitted" or "Contingent Approved," and returned to the Preserve owner along with a written statement with any comments of the ACC. Once the ACC has approved final landscape plans and specifications for landscape improvements to be installed on a particular Preserve, the installation of such landscape improvements must be promptly commenced and diligently pursued to completion.

Any modification or change to the "Approved" set of final landscape plans and specifications must be submitted in triplicate to the ACC for its review and approval (using the same procedure as set forth herein relative to the submission and approval of the original final landscape plans and specifications). The ACC may require the Preserve owner to pay an additional review fee in connection with any submittal of modifications or changes to previously approved final landscape plans and specifications.

4C.4 Required Elements of Final Landscape Plans & Specifications

All final landscape plans and specifications shall include the following (see Schedules K & L, available from the ACC):

4C.4.1 A 24" x 36" blueprint or a 30" x 42" blueprint with accurate boundaries of the Preserve (i.e. as taken from the most recent boundary survey of the Preserve) drawn at a scale of 1" = 10' or larger (e.g. 1/8" = 1').

4C.4.2 A certified survey showing the percentage of impervious area. (See Section 3A.2)

4C.4.3 Accurate adjoining street right-of-way lines, accurate back edge of pavement lines and the appropriate names of adjoining street(s).

4C.4.4 Accurate locations and widths of any and all utility easements, each labeled as to the specific type of utility occupying the easement (i.e. water, electric power, etc.). Accurate location of primary and 100% repair "drainfield envelopes."

4C.4.5 Accurate location of the building envelope for the Preserve.

4C.4.6 Accurate North direction, shown and labeled.

4C.4.7 A title block located in either the lower right-hand corner of the sheet, across the entire bottom edge of the sheet, or down the entire right-hand edge of the sheet shall contain the following information:

- A. Preserve number within *the Sanctuary* community.
- B. Scale of the drawing.
- C. Date of the drawing, including any revision dates.
- D. The name, address and telephone number of the preparer of the landscape plans and specifications.
- E. Preserve owner's name.

4C.4.8 "Limits of Clearing and Grading Line" shall be shown exactly as it appears in the field.

4C.4.9 Precise location and extent of all view corridors.

4C.4.10 Precise location of the dwelling, garage and all other structures as depicted on the approved final building plans and specifications for the Preserve.

4C.4.11 Precise location of all exterior doors and windows on the first floor/ground level of the dwelling.

4C.4.12 Precise location of driveways, walkways, decks and steps, screened porches, gazebos, swimming (or other) pools, fountains, spas/hot tubs, fences and gates, garden walls, sculptures, sundials, bird houses, basketball goals, play equipment/swing sets, retaining and freestanding walls, etc. All retaining walls and decorative stone walls built by the landscape contractor must be shown on the plan and details of the walls must be included with the plans.

4C.4.13 Location of all proposed new landscape improvements, clearly labeled and indicating the species and quantities. Show all lawn areas as "lawn seed" or "lawn sod."

4C.4.14 Plant list/planting schedule listing all proposed plant material, quantities, their common name and their botanical/scientific name, their size at the time of planting and any special or notable distinguishing characteristics. (See the sample landscape plans and specifications available from the ACC as Schedule L.)

4C.4.15 Location of gas and electric meters, location of heating, ventilating and air conditioning units and pool equipment/pump or other utility-related equipment and apparatus. Location of septic tanks, pumps and related equipment.

4C.4.16 All plants shown on the final landscape plans and specifications are assumed to be scheduled for installation in the initial planting of the Preserve. Any plants to be installed at a later phase (i.e. following the initial planting of the Preserve) must be clearly labeled to that effect on the final landscape plans and specifications and in the plant list that constitutes a part of the final landscape plans and specifications.

4C.4.17 The type(s) and location(s) of mulch material(s) to be used.

4C.4.18 Drainage plan shall include, but not be limited to downspout locations, drain pipe locations and direction of overland water flow (See the "Sample Drainage Plan," available from the ACC Schedule M). The plan shall include both surface drainage information and downspout piping information in order to be inspected. All downspouts are required to be piped.

An initial fine of \$500.00 will be levied upon all Preserve owners who fail to submit a landscape plan and receive the reviewed plan with comments before they begin landscape installation. This fine will increase exponentially for each builder with each occurrence throughout the duration of *the Sanctuary* Project.

A fine of \$100.00 per day will be levied upon all Preserve owners whose homes are occupied before the final landscape inspection has been completed. Inspectors are available once every two weeks on regularly scheduled visits. Notify Oldham Planning & Design Associates, Inc. that all landscaping is complete and an inspection is needed by sending a completed Schedule E form, available from the ACC, and submit directly to:

Oldham Planning & Design Associates, Inc.
1415 South Church Street, Suite I
Charlotte, NC 28203
Phone: 704-342-1919
Fax: 704-342-2025

4C.5 Upgrades to Landscaping

All additional landscaping proposed for installation following final approval and/or installation of original landscaping must be reviewed and approved by the ACC prior to installation. Depending on the scope of the work, review fees may be required. All upgrade submittals are to be accompanied by a completed Schedule K, available from the ACC, marked for "upgrade review."

4C.6 Failure of the ACC to Act

If the ACC fails to approve or disapprove any final landscape plans and specifications and other submittals which conform (and which relate to landscape improvements which will conform) with the requirements of the landscape guidelines and of the declaration or to reject them as being inadequate or unacceptable within thirty (30) business days after receipt thereof; and, provided such submittal was a full and complete submittal in accordance with the landscape guidelines and the declaration of all items that were to have been submitted to the ACC; and, provided the ACC shall again fail to approve or disapprove of such final landscape plans and specifications and other submittals within ten (10) days after additional written request to act on such items is delivered to the ACC following the passage of such first above-described thirty (30) business day period, it shall be conclusively presumed that the ACC has approved such conforming landscape plans and specifications and other submittals; EXCEPT that the ACC has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the declaration or any additional declaration for the Phase in which the Preserve is located; and EXCEPT FURTHER, that the ACC shall not be deemed to have waived any of the requirements set forth in Article IX, Section 8, Section 9 or Section 10 of the declaration or any corresponding provisions in the guidelines. If final landscape plans and specifications or other submittals are not sufficiently complete or are otherwise inadequate, the ACC may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject or approve the balance.

4C.7 Preserve Owner Responsibility

Although a landscape contractor, landscape architect, or landscape designer may prepare the final landscape plans and specifications for a particular Preserve on behalf of the Preserve owner, it is the ultimate responsibility of the Preserve owner to review the final landscape plans and specifications for completeness (consistent with the landscape guidelines); and, it also is the ultimate responsibility of the Preserve owner to ensure the timely submission of the landscape plans and specifications and related documentation to the ACC for review as contemplated herein. Additionally, each Preserve owner is responsible for making those individuals acting on behalf of such Preserve owner aware of the requirements contained herein relating to the preparation and submittal of the final landscape plans and specifications.

4C.8 Field Verification

Following the approval of final landscape plans and specifications for a Preserve and the subsequent installation of landscape improvements in accordance with such approved final landscape plans and specifications, the Preserve owner shall so notify the ACC in writing (see Schedule N, available from the ACC) and the ACC shall inspect the landscape improvements installation for compliance with the approved final landscape plans and specifications. Plant locations, plant species and plant sizes shall be consistent with those shown on the approved final landscape plans and specifications. Plant sizes shall conform to the latest edition of the "American Standards For Nursery Stock," published by the American Association of Nurserymen, Inc. If the landscape improvements, as installed, do not conform to the approved landscape plans and specifications, at the sole discretion of the ACC and without limiting any other rights or remedies of the ACC or any other party under the guidelines or under the declaration, an assessment in the amount of the plant material deficiency will be applied until the landscape improvements installation is brought into conformance with the approved final landscape plans and specifications.

All re-submittals for disapproved installation inspections are to be submitted to the ACC by a completed Schedule N, available from the ACC.

Part D: PRESERVE OWNER RESPONSIBILITIES

4D.1 General

the Sanctuary protects its intrinsic value as a unique, wooded, lakefront landscape through the establishment of the protected lake buffer areas. The protected lake buffer areas are to be preserved by the Preserve owners in accordance with the lake buffer guidelines. Although these guidelines do not prohibit protected lake buffer areas from entrance or modification by the Preserve owner, activities are limited and subject to review and approval by one or more associations or regulatory agencies.

4D.2 Additional Permissible & Impermissible Activities

4D.2.1 Recreation: The natural habitat preserved in the lake buffer areas is an amenity for the Preserve owners and can be used for walks, nature study and limited children's play. These areas should be shown adequate care to avoid erosion related to children's play areas.

4D.2.2 Disposal: Disposal into any drainage system or on the ground near the lake buffer areas of spent oil, chemicals (household cleaners, paint thinner, etc.), or other solids or liquids with the potential for damage is prohibited. Construction of boat piers must be approved by Duke Power Company and any part of the pier or access thereto which is located over the protected lake buffer areas must be reviewed and approved by the ACC. In addition to the specific regulations, the Preserve owner is encouraged to avoid use of fertilizers, pesticides, or herbicides, as well as land disturbing activities immediately adjacent to the lake buffer areas.

4D.3 Shoreline Management

4D.3.1 Environmental Areas: Certain areas of shoreline have been designated by Duke Power Company, in its Shoreline Management Plan, as "Environmental Areas." These areas, shown on the recorded plats and the site illustration diagrams, contain bottom conditions and submerged or emergent vegetation that provide desirable fish habitat. Placement of docks or piers or other disturbance of these areas is not permitted. Removal of submerged vegetation below the 570' contour is not permitted.

4D.3.1 Other Areas of Productive Habitat: Additional areas along the shoreline, called "Impact Minimization Zones," have been identified as providing desirable habitat but have not been officially designated as environmental areas. Piers and docks may be permitted on waterfront Preserves upland of these areas, subject to approval by Duke Power Company and with the following additional restriction that removal of submerged vegetation below the 570' contour is not permitted.

4D.4 Shoreline Structures

ACC Approval and the construction escrow deposit are required prior to the installation of an individual pier and/or boat slip in *the Sanctuary* community. (See "Dock and Pier Request for Review," available from the ACC.)

Subject to approval by Duke Power Company and compliance with the terms of the declaration, the owner of certain waterfront Preserves within *the Sanctuary* will be permitted to construct one pier within the pier zone adjacent to said waterfront Preserve provided that, in the sole and absolute discretion of the ACC, Duke Power Company and or any applicable governmental authority, the waterfront Preserve is not located in an area where the narrowness or environmental condition of a cove precludes the construction of a pier with a boat slip. The pier zone will be shown on an individual pier location prepared for each waterfront Preserve by the ACC. Before planning a pier location, a Preserve owner should obtain a copy of the applicable map identifying the pier zone from the ACC. No owner shall have the right to construct more than one pier in front of a single waterfront Preserve.

The design, color, location, dimensions and materials of piers, boat slips, stabilization methods, pavilions and any other structure or improvement constructed adjacent to, or appurtenant to a waterfront Preserve, or otherwise within the boundary of Lake Wylie must conform to design guidelines and be approved in advance in writing by the ACC. It is the owner's sole responsibility to obtain any permits or approvals required from Duke Power Company.

All watercraft must be within the recorded pier zone when docked or moored.

4D.5 Maintenance

4D.5.1 Decking and Handrails: Annual pressure washing followed by the application of a water-based wood preservative is the most effective procedure in maintaining a wooden deck. Preservative lessens splintering and decay due to exposure to sun and moisture. Washing replenishes the overall appearance of the wood as well as allows the preservative to be applied to a clean surface. Wood polymer or plastic lumber shall be maintained according to manufacturer's recommendations and directions.

4D.5.2 Piers and Boat Slips: Floating structures are susceptible to wind and wake. Constant movement causes pile guides and other hinged components to wear and mooring cleats, screws and nails to loosen. Squeaking or grinding should be investigated to insure structural damage has not occurred and to avoid warping or heavy splintering. Dock bumpers should be inspected for tears and loose spots due to normal boat docking and mooring.

4D.6 Shoreline Stabilization

Shoreline Stabilization may occur only in the areas along the shoreline that are eroded due to heavy wind and wave action or within designated pier zones. This may be done to prevent further degradation to the shoreline. Additional shoreline stabilization areas on individual Preserves may be approved where determined necessary by the ACC. All trees fallen or nearly fallen into the water provide valuable habitat for aquatic organisms and should be left in place.

ACC approval and the construction escrow deposit are required prior to the installation of shoreline stabilization within *the Sanctuary* community. (See "Shoreline Stabilization Request for Review" available from the ACC as Schedule P.)

4D.6.1 For waterfront Preserves, shoreline stabilization is restricted to a limited number of uniform improvements of low visual impact. The following stabilization methods are allowed:

- A. Biological Methods: Low-growing herbaceous plant species (1'-3' high at maturity) that can accept dry conditions and/or shallow water depths. These plants may be placed in combination with netting, grids or any of a variety of other geo-binders to provide additional stabilization of the shore. Approved plants for meeting these requirements are:
 - Spikerush (*Eleocharis Quadrangulata*)
 - Arrow Arum (*Peltandra Virginica*)
 - Softstem Bulrush (*Scirpus Validus*)
 - Lizard Tail (*Saukurus Sagittaria*)
- B. Rip Rap or similar Quarry Stone: These materials shall be placed in two (2), or a maximum of three (3) layers, generally no more than 14" deep total. These materials shall not be placed upland of the 572' contour.
- C. Rounded River Rock: This technique provides a rock that will blend into the shoreline color. Its rounded edges are conducive to plant growth and easy to walk on. These improvements should be placed in two (2), or a maximum of three (3) layers, generally no more than 14" deep total, but not upland beyond the 572' contour.

4D.6.2 Installation of the stabilization methods listed above must occur only from the water side when water levels are low to minimize disturbance of shoreline and buffer areas above the 570' contour.

4D.6.3 Wooden bulkhead, Keystone, Allen Block, or similar vertical materials are not permitted

Part E: MISCELLANEOUS MATTERS

4E.1 Diligent Construction

All homesite improvements to be constructed on a Preserve must be completed within one (1) year following commencement of construction (i.e. commencement of grading) of the first of such improvements, unless a longer time is approved in writing by the ACC.

All waterfront improvements (including piers and shoreline stabilization) shall be completed in a time frame approved by the ACC at final approval of improvements. If construction activity ceases for a period of thirty (30) days, the area is to be stabilized to the ACC's satisfaction.

4E.2 Guild Builder Program

Except as otherwise specifically allowed by the ACC, only builders then in good standing under *the Sanctuary* Guild Builder Program (collectively, "guild builders;" each, a "guild builder") may serve as the general contractor/builder for the construction of improvements on any Preserve. Upon request, the ACC will make available to any Preserve owner a list of the then-current guild builders. To qualify as a guild builder, a builder must satisfy certain criteria and requirements established by the ACC and *the Sanctuary* at Lake Wylie, LLC. However, the criteria and requirements established by the ACC and *the Sanctuary* at Lake Wylie, LLC for a builder to qualify as a guild builder are solely for the protection and benefit of the ACC and *the Sanctuary* at Lake Wylie, LLC and are not intended to, and shall not be construed to, benefit any owner or any other party whatsoever. The ACC and *the Sanctuary* at Lake Wylie LLC make no representation, express or implied, to any owner or any other party whatsoever with regard to the guild builders, including, without limitation, the existence, nature and extent (including coverage amounts and deductibles) of insurance policies that may be maintained by the guild builders from time to time, the solvency or financial status of the guild builders from time to time, the nature and amount of any bonds that may be maintained by the guild builders from time to time, the performance (or the ability to perform) by the guild builders of their contractual obligations (including any contractual obligations of any of the guild builders in favor of any owner or any other party whatsoever), the use of any substance or material, including, without limitation, any stucco or synthetic stucco material by the guild builders, the compliance by the guild builders with building codes and other requirements, rules, laws and ordinances of federal, state and local governmental and quasi-governmental bodies and agencies relating to the construction of homes and other activities engaged in by the guild builders from time to time; and, the compliance by the guild builders with any licensing requirements imposed by federal, state and local governmental and quasi-governmental bodies and agencies from time to time, including without limitation, the maintenance of any required builders and or contractor's license. Furthermore, neither the ACC nor *the Sanctuary* at Lake Wylie LLC, nor the officers, directors, members, employees, agents or affiliates of either of them, shall have any responsibility whatsoever for any sum that any owner or any other party may deposit with a guild builder, including, without limitation, any earnest money or other deposit that any owner may deliver to a guild builder. The selection of a guild builder by an owner shall be conclusive evidence that such owner is independently satisfied with regard to any and all concerns such owner may have about the guild builder's work, product and or qualifications. Owners shall not rely on the advice or representations of the ACC, *the Sanctuary* at Lake Wylie LLC or the officers, directors, members, employees, agents or affiliates of either of them in that regard.

4E.3 Purpose & Use of Construction Escrow Deposit

The construction escrow deposit that is required to be paid to the ACC by each Preserve owner pursuant to Section 4, Parts A.3.2, B.2 and E.2 herein shall be deposited by the ACC in an escrow account. Any and all interest earned on the construction escrow deposit shall be credited to and retained by the ACC for its sole use and benefit. The construction escrow deposit paid by an owner may thereafter be used by the ACC for any of the following purposes:

- To pay for the cost to repair any damage to the roadways or common areas in *the Sanctuary* caused by the owner or the owner's builder or subcontractors and not repaired by the responsible owner or such owner's builder or subcontractors.

- To reimburse *the Sanctuary* at Lake Wylie, LLC for the cost of cleaning up any significant amount of dirt, cement, or debris left by the owner or by the owner's builder or subcontractors on any street, if and to the extent such materials and debris is not immediately removed by the owner or the owner's builder or subcontractors.
- To complete any landscape improvements shown on the approved final landscape plans and specifications for such owner's Preserve, if and to the extent such landscape improvements have not been completed within three (3) months after completion of the residence on such Preserve.
- To pay for the cost of completing any improvements so that they are in accordance with the approved final building plans and specifications, if and to the extent the owner fails to complete such improvements consistent with the terms of the guidelines and the declaration.
- To pay for the cost of restoring or replacing any trees, other vegetation, grades or other natural features improperly removed, altered or destroyed by the owner in violation of the guidelines.
- To reimburse *the Sanctuary* at Lake Wylie, LLC for the owner's share of street cleaning costs during construction, if the owner does not pay such amounts to *the Sanctuary* at Lake Wylie, LLC in a timely manner as specified in the "Construction Rules." In the event the ACC expends sums on the owner's behalf as provided above in excess of the owner's construction escrow deposit, the owner shall pay the excess to the ACC within twenty (20) days of notice thereof.
- To pay for the cost of enforcing any of the owner's other obligations under the guidelines or the declaration.
- To pay any other costs, fines or expenses, which, by the express terms of the guidelines, may be deducted from the construction escrow deposit.

Except for the reimbursements described in Section 4, Part E.3 above and except for the application of the construction escrow deposit in accordance with the express terms of other provisions in the guidelines, the ACC shall give an owner prior notice that the ACC intends to use such owner's construction escrow deposit for a particular purpose. Such owner thereafter shall have twenty-four (24) hours from the date of the notice to complete the performance that is required and for which the ACC intended to use such owner's construction escrow deposit, or, if the performance cannot be completed during that time, to begin the performance and to thereafter diligently pursue such performance to completion. Upon the completion of all improvements and all landscape improvements and the performance of all other obligations by an owner pursuant to the terms of the guidelines and the declaration, the ACC shall return to such owner the unused portion (if any) of such owner's construction escrow deposit.

All notices given to a Preserve owner or a Preserve owner's builder will be given in accordance with Section 4, Part E.4 and Schedule C, available from the ACC, to be submitted prior to the construction of improvements on any Preserve.

4E.4 Notices

Each notice, document or submittal (collectively, "notice") required or permitted to be given under the guidelines must be given in compliance with the requirements of this section.

- Each notice shall be in writing.
- Any notice to be given to the ACC shall be deemed to have been duly served and to be effective only when a receipt acknowledging such delivery (such as a registered mail, overnight express service or hand delivery receipt) is signed by a member or authorized representative of the ACC. The address of the ACC for delivery of notices hereunder shall be as follows:

the Sanctuary at Lake Wylie
 Architectural Control Committee
 c/o Judy Mills
 11104 Limehurst Place
 Charlotte, NC 28278
 (704) 295-1106
 (704) 295-1109 - Fax

A copy of each notice shall be mailed to Crescent Communities NC, LLC (via certified or registered mail, return receipt requested) at the following address:

the Sanctuary at Lake Wylie
 Notices
 Crescent Communities NC, LLC
 400 South Tryon Street, Suite 1300
 Charlotte, NC 28202

- Any notice to be given to an owner shall be deemed to be duly served when picked up by the owner (or the owner's builder, as the case may be) at the ACC's office or when delivered to the owner's address (or the owner's builder's address, as the case may be) by regular U.S. Mail Service (such delivery being presumed to have occurred on the second (2nd) day following the deposit of such notice by the ACC in the U.S. Mail), or when sent by facsimile to the owner's facsimile number (or the owner's builder's facsimile number, as the case may be) such delivery being presumed to have been duly served on the day same is sent by the ACC). The address of an owner (and facsimile number, if applicable) shall be as set forth in the owner's submittal of preliminary building plans and specifications, or, if different, then as set forth in the owner's submittal of final building plans and specifications.
- Either the ACC or an owner may change its address (or facsimile number, as the case may be) for notices hereunder by written notice to the other party designating the new address. Such written notice of the changed address (or facsimile number, as the case may be) is to be given to the other party in accordance with this Section 4, Part E.4.

4E.5 Septic System Installation & Maintenance: General

The method of residential waste disposal at *the Sanctuary* is individual on-site septic systems. Each Preserve will have an individual septic disposal system designed specifically for that Preserve. The type of system and designated placement within the Preserve have been predetermined by a North Carolina registered soil scientist (the "soil scientist") along with the Mecklenburg County Department of Environmental Health. Each Preserve has a planned initial primary system and a designated area for a repair system of equal size to the initial area. Some sites will utilize a gravity method of sewage disposal to their drainfield areas, while others may utilize an effluent pump system to "lift" the wastewater to the specific drain field area for disposal. The owner of each Preserve shall be responsible for becoming familiar with their system and its location. The Preserve owner shall always use "best efforts" to protect and extend the life of their system by employing good household habits as suggested within the contents of the separately issued document titled "*the Sanctuary* Septic System Information for Builders and Preserve Owners."

The builder shall contract with a reputable septic system contractor that is authorized by Mecklenburg County Health Department to do business in Mecklenburg County. A current "Featured Installer" list is available from Tri-County Wastewater Management of certified installers trained on the rigid specifications required at *the Sanctuary*. Specifications for the installation of septic systems are detailed under the separate cover "*the Sanctuary* Septic System Installation Specifications" as issued to the builders by *the Sanctuary*. These specifications exceed the minimum requirements set forth by the state rules and regulations. Periodic inspections are required by both Mecklenburg County Health Department and Tri-County Wastewater Management. Details on these inspections can be found in the aforementioned separate cover.

4E.6 Septic System Installation & Maintenance Program

An installation and maintenance program has been implemented by Crescent Communities NC, LLC to ensure a proper septic system environment. Tri-County Wastewater Management of Charlotte, NC, is the management company overseeing the septic program for *the Sanctuary* and will also perform maintenance of the septic systems under a maintenance plan administered by *the Sanctuary* Owners' Association. Additional information concerning any issue of construction affecting the septic system can be received by contacting:

Tri-County Wastewater Management
P.O. Box 1830
Indian Trail, NC 28079
(704) 821-8841

Specifications for the installation of septic systems are detailed under the separate cover "*the Sanctuary* Septic System Installation and Landscape Specifications." Details of the maintenance program can be found under separate cover entitled "*the Sanctuary* Septic System Information for Builders and Preserve owners."

4E.7 Required Practices

The septic drain fields (the "Septic Areas") of each Preserve in *the Sanctuary* have been reviewed and the location predetermined by a soil scientist and Mecklenburg County Health Department in a Preliminary Septic Permit for each Preserve. These drain fields are sensitive to pedestrian and vehicular traffic and must be protected from such activity to ensure the proper performance of the system. Misuse of this area may compact the soil of the drain field, thereby inhibiting the viability and permanently damaging the on-site septic system.

the Sanctuary Owners' Association and the ACC require the following in regards to the septic area:

1. Prior to commencement of construction, all septic areas are to be wrapped with blaze-orange barrier fencing.
2. Clearing of the septic area should be carried out by, or under the direction of a septic installer. Septic areas may not be cleared when the ground is saturated and/or during times of precipitation.
3. Storage of any kind of materials within the septic areas is absolutely prohibited.
4. Under no circumstances whatsoever may vehicular or pedestrian traffic traverse, infiltrate, or otherwise utilize the septic area.

The Owners' Association may, in their sole discretion, levy fines or other penalties as may be deemed necessary, for failure to abide by the provisions contained within this Section 4, Part E.7.

Part F: CONSTRUCTION RULES

- 4F.1. Applicability. These construction rules (collectively the "construction rules") shall apply to all Preserve owners and their builders, and any reference herein to an owner shall also apply to the owner's builder and subcontractors. All owners shall abide by the construction rules and such other rules as the Board and/or the ACC may establish from time to time.
- 4F.2. Construction Hours & Noise. All construction activities must be conducted and all deliveries must be made from 7:00 a.m. until 8:00 p.m. Monday through Saturday; provided, however, no construction activities shall be conducted and no deliveries shall be made on July 4, Labor Day, Thanksgiving Day, Christmas Day, or New Years Day. Additionally, construction activities are permitted on Sundays, but such activities shall be performed in a manner as to be considered "low impact" by the ACC in its sole discretion; excessive noise and the use of heavy equipment shall be prohibited on Sundays. No loud radios or distracting noise (other than normal construction noise) will be allowed within the community during construction. This is distracting to Preserve owners. Normal radio levels are acceptable within the interior of fully enclosed homes. Radio and stereo speakers shall not be mounted on vehicles or outside of homes under construction.
- 4F.3. Rubbish & Debris. In order to maintain a neat and orderly appearance at all times throughout *the Sanctuary*, the following rubbish and debris rules must be strictly followed:
- A. Interior Construction Debris. All parties are strongly encouraged to frequently clean up and remove rubbish and construction debris located within the walls of a residence that is under construction.
 - B. Exterior Construction Debris. With regard to all construction debris located on a Preserve outside the walls of a residence that is under construction, the following rules shall apply:
 - (1) At the end of each day on which work occurs on the Preserve, all lightweight, blowable construction debris, such as roofing paper, insulation bags, foam sheathing, polyethylene, etc., must be placed in a silt fence pen or other approved containment device on the Preserve;
 - (2) At the end of the day on each Friday, all non-blowable construction debris, such as wood scraps, shingles, brick bands, drywall, bricks and masonry blocks must be gathered into neat piles.
 - (3) During the last three (3) days of every month, all debris must be taken off the Preserve and out of *the Sanctuary*, leaving the pens and the Preserve free of all debris.
 - C. No Burning or Burial. Burning or burial of construction debris or vegetation is prohibited.
- 4F.4. Excess Natural Materials. Excess plant matter, rock, topsoil and similar materials must be offered first to *the Sanctuary* at Lake Wylie, LLC prior to their removal from *the Sanctuary*, and no such materials may be removed from *the Sanctuary* without the prior approval of *the Sanctuary* at Lake Wylie, LLC.
- 4F.5. Street Cleaning. *the Sanctuary* at Lake Wylie, LLC shall have the right, without notice, to clean up any significant amount of dirt, gravel, cement, etc., left on any street if the same is not immediately removed by the responsible owner, to charge the cost of such clean up to the responsible owner and to receive reimbursement for the expense of such clean up from the responsible owner. Approximately once each week near the end of the week, *the Sanctuary* at Lake Wylie, LLC will engage a street cleaning service to clean the streets in *the Sanctuary* of normal construction dirt, mud, and gravel. *the Sanctuary* at Lake Wylie, LLC shall pay for twenty-five percent (25%) of the cost of such service while there is development work going on in that particular phase. The owners who are constructing homes in *the Sanctuary* at the time such services are rendered shall pay for the remaining seventy-five percent (75%) of the cost, in accordance with the following formula:
- A particular owner's pro-rata share of street cleaning costs shall be determined by multiplying the total cost of the service times (a) .75 and (b) a fraction, the denominator of which is the total number of houses in *the Sanctuary* that have been under construction for six (6) months or less, and the numerator of which is the number of houses in *the Sanctuary* that such owner has had under construction for six (6) months or less. The intent of this formula is to ensure that each house under construction bears its fair share of the street cleaning costs for the first six (6) months it is under construction, but not thereafter. Invoices from *the Sanctuary* at Lake Wylie, LLC for reimbursement of the street cleaning costs must be paid within thirty (30) days.
- 4F.6. Silt Fences. Silt fences and/or other devices for sedimentation control shall be installed where necessary or as directed by the ACC, and as shown on the approved erosion control plan. Silt fences on the rear of Preserves contiguous to the waterfront must be of the reinforced wire mesh type with steel poles for support. All silt fences must have steel pole support.
- 4F.7. Material Storage. No construction materials, equipment or debris of any kind may be stored on any street, trail, any adjacent Preserves or otherwise than in the locations approved by the ACC.
- 4F.8. Trailers. No construction office trailers may be placed, erected or allowed to remain on any Preserve or in any other area in *the Sanctuary*, except as approved in writing by the ACC.
- 4F.9. Construction Access. During the time a residence or other improvements are being built, all construction access shall be confined to the approved driveway for the Preserve, unless the ACC approves an alternate access way.
- 4F.10. Gravel Drives. Prior to the commencement of construction on a Preserve, the owner of such Preserve or such owner's contractor shall provide at the approved driveway location a gravel drive from the paved street toward the house under construction, for a distance approved by the ACC. The ACC-approved pipe crossing must also be installed at this point of construction. (See section 2.3.I)
- 4F.11. Parking. All vehicles must be parked so as not to impede traffic or damage vegetation. No vehicles (trucks, vans, cars, trailers, construction equipment, etc.) may be left parked on any streets within *the Sanctuary* overnight. Construction vehicles may be left on the gravel drive of a Preserve overnight only if additional use of the vehicle will be made within the following three (3) days. Subcontractors are to be instructed to park within the Preserve only.

4F.I2. Miscellaneous Practices. The following practices are prohibited at *the Sanctuary*:

- A. Changing oil of any vehicle or equipment;
- B. The washing or cleaning of any concrete trucks or equipment other than within the cleaning areas approved by the ACC for a Preserve, or at other locations, if any, designated for that purpose by the ACC;
- C. Careless disposition of cigarettes and other flammable material;
- D. Carrying and/or discharging any type of firearms, except by law enforcement officials and security personnel authorized in writing by *the Sanctuary* at Lake Wylie, LLC;
- E. Operators of vehicles are required to use due care to ensure that they do not spill any damaging materials while within *the Sanctuary*. If spillage does occur, it is the responsibility of the operator of the vehicle to properly clean up the spill. Any such clean up operations completed by *the Sanctuary's* personnel will be charged to the responsible party. Any spills must be reported to the ACC and *the Sanctuary* at Lake Wylie, LLC in writing as soon as possible.

4F.I3. Pets. Builder and contractor personnel may not bring pets into *the Sanctuary*.

4F.I4. Common Areas. Except with the prior written permission of the ACC, builder and contractor personnel are not allowed in the common areas and no construction access will be allowed across the common areas.

4F.I5. Accidents. *the Sanctuary* at Lake Wylie, LLC and the ACC shall be notified immediately of any accidents, injuries or other emergency occurrences.

4F.I6. Portable Chemical Toilets. An enclosed and regularly serviced portable chemical toilet must be provided for at least every two homes under construction and must be located in as inconspicuous a location as possible.

4F.I7. Signs. Building permits and the ACC approved builder sign are the only two signs or documentation that may be posted at a residence or on a Preserve during construction. Business signs or other forms of advertisement are not permitted. Building permits are to be attached to a post in a manner protected from the elements; and, in no event may building permits or any other signage or documentation be attached to existing trees.

4F.I8. Property Damage. Any damage to streets, drainage inlets, water meters or boxes, street lights, street markers, walls, fences, landscaping, etc. may be repaired by *the Sanctuary* at Lake Wylie, LLC and the cost of such repairs will be billed to the responsible owner. If not paid promptly, the repair cost will be assessed as a special individual assessment. If any telephone, cable TV, electrical, water or other utility lines are cut, it is the responsible party's obligation to report such an accident within thirty (30) minutes to the appropriate utility company.

4F.I9. Septic Areas. All septic areas shall be wrapped with blaze-orange barrier fencing to prevent access to the area and protect it from compaction by construction traffic. This fence is required to be maintained at all times, including after installation of the septic system, until the Preserve has been landscaped and all other related construction completed.

4F.I20. General Builder Responsibilities. Builders are encouraged to maintain strict control over subcontractors to minimize soil and mud build-up in streets. Builders are advised to educate employees and subcontractors as to the location of the conservation corridor and lake buffer areas, the restrictions applicable to the conservation corridor and lake buffer areas and the ramifications for violation of the conservation corridor and lake buffer guidelines (i.e., fines). Planning construction with erosion control measures and conservation corridor and lake buffer guidelines specifically in mind will be crucial to the success of each builder in *the Sanctuary*. Where the builder desires to modify the vegetation in the conservation corridor and lake buffer area or construct pathways or shoreline stabilization in the conservation corridor and lake buffer area, a proposed plan must be first submitted to the ACC for approval prior to construction. In addition to protecting the conservation corridor and lake buffer areas and controlling erosion, builders are encouraged to develop construction phasing and strategies that preserve natural wooded areas wherever possible and that minimize Preserve grading and disturbance. Alignment of utilities and access should be planned to minimize the cutting of protected trees.

4F.I21. Speed Limit. The established speed limit within *the Sanctuary* community is twenty-five miles per hour (25 mph) for all vehicles at all times.

4F.I22. Failure to Abide. Failure of a builder or contractor to abide by any of the construction rules may result in the loss of such builder's or contractor's privilege to enter *the Sanctuary* on a temporary or permanent basis. Or, a fine, the amount being at *the Sanctuary* at Lake Wylie, LLC's discretion, may be levied for infractions and failure to abide.

4F.I23. Builders are encouraged to be guardians against:

- Excessive trash build-up and/or disposal on the project either on Preserves or in common areas;
- Changing of oil, maintenance of equipment, or disposal of chemicals or paints resulting in spills on the Preserves or into any drainage system for *the Sanctuary*;
- Use of excessive amounts of fertilizer or herbicides on seeded areas;
- Destruction or modification of any part of the permanent storm drainage system for *the Sanctuary*;
- Un-permitted shoreline modification;
- Unauthorized disturbance of any lake buffer areas;
- Improper use of, or disregard for septic drainfield areas.

4F.I24. Building/Owner Education. Due to the fragile and pristine environment in which *the Sanctuary* exists, it is very important for our guild builders and Preserve owners of *the Sanctuary* to understand how best to care for the environment while constructing a home so that the vision of the community as a true nature "sanctuary" will be preserved for all to enjoy. It is because of this vision that all guild builders and a select group of subcontractors working for the guild builders including, but not limited to graders, landscapers, erosion control installers, septic system installers and flat work installers must go through an educational process to become "approved" to work in *the Sanctuary*. In order to learn more about the "Approved Contractor Program," please contact *the Sanctuary* ACC.

Large Trees

Common Name	Latin Name	Type	Exposure	Special Characteristics
Red Maple	<i>Acer rubrum</i>	D	FS/Sh	Red Fall Color
Sugar Maple	<i>Acer saccharum</i>	D	FS/Sh	Yellow to Orange Fall Color
Yellow Buckeye	<i>Aesculus flava</i>	D	FS/PS	
Yellow Birch	<i>Betula alleghanienses</i>	D	FS/PS	
Sweet Birch	<i>Betula lenta</i>	D	FS/PS	
River Birch	<i>Betula nigra</i>	D	FS/PS	Yellow Fall Color
European Hornbeam	<i>Carpinus betulus</i>	D	PS/PSh	Yellow Fall Color
Bitternut Hickory	<i>Carya cordiformis</i>	D	FS/Sh	
Pignut Hickory	<i>Carya glabra</i>	D	FS/Sh	
Yellowwood	<i>Cladrastis lutea</i>	D	FS/PS	Fragrant White Summer Bloom, Yellow Fall Color
Cryptomeria	<i>Cryptomeria japonica</i>	E	FS/PS	
Deodar Cedar	<i>Cedrus deodara</i>	E	PS/PSh	
Cedar of Lebanon	<i>Cedrus libani</i>	E	FS	
Sugar Hackberry	<i>Celtis laevigata</i>	D	PS/PSh	Dull Yellow Fall Color
Common Hackberry	<i>Celtis occidentalis</i>	D	FS	
Beech	<i>Fagus grandifolia</i>	D	FS/Sh	
Maidenhair Tree	<i>Ginkgo biloba</i>	D	FS	Yellow Fall Color
Thornless Honeylocust	<i>Gleditsia triacanthos inermis</i>	D	FS	Yellow Fall Color
Eastern Red Cedar	<i>Juniperus virginiana</i>	E	PS/PSh	
Sweet Gum	<i>Liquidambar styraciflua</i>	D	PS/PSh	Yellow Fall Color
Tulip Tree	<i>Liriodendron tulipifera</i>	D	FS/PS	Yellow Spring Bloom Yellow Fall Color
Southern Magnolia	<i>Magnolia grandiflora</i>	E	FS/PS	White flowers, Red Fall Fruit

* Denotes a plant that may be browsed by deer. Native Plant Material is indicated by **Bold Print**.

Approved Plant List

Appendix A

Using native or regionally adapted plant material is beneficial in many ways. These plants thrive with little specialized care, require significantly less irrigation and visually fit into the setting.

The plants listed here are usually readily available from commercial and retail growers. Organized by type and size, the list is a combination of native and non-native, but regionally adapted and appropriate species. However, this is by no means an exhaustive list, especially of native species. Many smaller-scale, local growers specialize in native material that may not usually be offered by large commercial nurseries.

Large Trees, Continued

Common Name	Latin Name	Type	Exposure	Special Characteristics
Black Gum	<i>Nyssa sylvatica</i>	D	FS/Sh	
Red Spruce	<i>Picea rubens</i>	D	FS/Sh	
Austrian Pine	<i>Pinus nigra</i>	E	FS	
White Pine	<i>Pinus strobus</i>	E	PS	
Scotch Pine	<i>Pinus sylvestris</i>	E	PS	
Loblolly Pine	<i>Pinus taeda</i>	E	FS/Ps	
Japanese Black Pine	<i>Pinus thunbergiana</i>	E	PS	
Sycamore	<i>Platanus occidentalis</i>	D	FS/PS	
London Plane Tree	<i>Platanus x acerifolia</i>	D	FS/PS	
Sawtooth Oak	<i>Quercus acutissima</i>	D	FS/PSh	
White Oak	<i>Quercus alba</i>	D	FS/PS	
Scarlet Oak	<i>Quercus coccinea</i>	D	PS	Red Fall Color
Darlington Oak	<i>Quercus laurifolia</i> 'Darlington'	D		
Chestnut Oak	<i>Quercus montana</i>	D	FS/PS	
Pin Oak	<i>Quercus palustris</i>	D	FS/PSh	Red Fall Color
Red Oak	<i>Quercus rubra</i>	D	FS/PS	
Shumard Oak	<i>Quercus shumardii</i>	D		
Post Oak	<i>Quercus stellata</i>	D	FS/PS	
Japanese Pagoda Tree	<i>Sophora japonica</i>	D	S/Sh	
American Linden	<i>Tilia americana</i>	D	FS/Sh	Fragrant Yellow Bloom in May, Yellow Fall Color
Littleleaf Linden	<i>Tilia cordata</i>	D	FS/PSh	Fragrant Yellow Bloom in May
Canadian Hemlock	<i>Tsuga canadensis</i>	E	FS/Sh	
Carolina Hemlock	<i>Tsuga caroliniana</i>	E	FS/Sh	
Japanese Zelkova	<i>Zelkova serrata</i>	D	S/PSh	

Type

D - Deciduous

E - Evergreen

Exposure Key

FS - Full Sun

FS/PS - Full Sun to Part Sun

FS/Sh - Full sun to Shade

FS/PSh - Full Sun to Part Shade

PS - Part Sun

PS/PSh - Part Sun to Part Shade

PS/Sh - Part Sun to Shade

PSh/Sh - Part Shade to Shade

PSh/FSH - Part Shade to Full Shade

FSH/Sh - Full Shade to Shade

* Denotes a plant that may be browsed by deer.
Native Plant Material is indicated by **Bold Print**.

Small / Ornamental Trees

Common Name	Latin Name	Type	Exposure	Special Characteristics
Trident Maple	<i>Acer buergeranum</i>	D	FS	Red to Orange Fall Color
Amur Maple	<i>Acer ginnala</i>	D	FS/PSH	Scarlet Fall Color
Japanese Maple	<i>Acer palmatum</i>	D	FS/PSH	Scarlet Fall Color
Serviceberry	<i>Amelanchier arborea</i>	D	FS/PS	Pink Spring Bloom Red or Yellow Fall Color
American Hornbeam	<i>Carpinus carolina</i>	D	PS/Sh	
Chinquapin	<i>Castanea pumila</i>	D	FS/Sh	
Eastern Redbud	<i>Cercis canadensis</i>	D	FS/Sh	Pink Spring Bloom Yellow Fall Color
Fringetree	<i>Chionanthus virginicus</i>	D	FS	Fragrant White Spring Bloom Yellow Fall Color
Flowering Dogwood	<i>Cornus florida</i>	D	PS/Sh	White or Pink Spring Bloom Red Fall Color
Kousa Dogwood	<i>Cornus kousa</i>	D	PS/Sh	White Late Spring Bloom Red Fall Color
Smoketree	<i>Cotinus coggyria</i>	D	FS	Pink Panicles in June-July Red, Orange or Yellow Fall Color
Washington Hawthorn	<i>Crataegus phaenopyrum</i>	D	FS/PS	White Spring Bloom Orange or Scarlet Fall Color
Persimmon	<i>Diospyros virginiana</i>	D	FS/PS	
Carolina Silverbell	<i>Halesia carolina</i>	D	FS/Sh	White Spring Bloom Yellow Fall Color
*Common Witch-hazel	<i>Hammamelis virginiana</i>	D	FS/Sh	Yellow Fall Bloom Yellow Fall Color
American Holly	<i>Ilex opaca</i>	E	FS/Sh	
Foster's Holly	<i>Ilex x attenuata 'Fosterii'</i>	E	FS/PSH	Red Berries in Winter
Savannah Holly	<i>Ilex x attenuata 'Savannah'</i>	E	FS	Red Berries in Fall and Winter
Emily Bruner Holly	<i>Ilex x 'Emily Bruner'</i>	E	FS/PSH	Red Berries in Fall and Winter
Nellie Stevens Holly	<i>Ilex x 'Nellie R. Stevens'</i>	E	FS/PS	Orange to Red Berries in Fall and Winter

Type

- D - Deciduous
E - Evergreen

Exposure Key

- FS - Full Sun
FS/PS - Full Sun to Part Sun
FS/Sh - Full sun to Shade
FS/PSH - Full Sun to Part Shade
PS - Part Sun
PS/PSH - Part Sun to Part Shade
PS/Sh - Part Sun to Shade
PSH/Sh - Part Shade to Shade
PSH/FSH - Part Shade to Full Shade
FSH/Sh - Full Shade to Shade

* Denotes a plant that may be browsed by deer.
Native Plant Material is indicated by **Bold Print**.

Small / Ornamental Trees, Continued

Common Name	Latin Name	Type	Exposure	Special Characteristics
Crape Myrtle	Lagerstroemia indica	D	FS	Flowers July to August
Bigleaf Magnolia	Magnolia macrophylla	D	FS/PSH	White Bloom in June
Saucer Magnolia	Magnolia x soulangiana	D	FS/PSH	Purple to White Bloom in March
Star Magnolia	Magnolia stellata	D	FS	Pink Bloom in March
Sweet Bay Magnolia	Magnolia virginiana	D	FS/PS	White Bloom early Summer
Umbrella Tree	Magnolia tripetala	D	FS/PS	White Bloom in May
Flowering Crab Apple	Malus hybrida	D	FS	White Blooms in April
Hop-Hornbeam	Ostrya virginiana	D	PS/Sh	
Sourwood	Oxydendrum arboreum	D	FS/Sh	Red Fall Color
Pistachio	Pistacia chinensis	D	FS	Red Fall Color
American Plum	Prunus americana	D	FS/PS	Pink Spring Bloom
Carolina Cherry-Laurel	Prunus caroliniana	E	FS/PSH	
Kwanzan Cherry	Prunus serrulata	D	FS/PSH	Pink Blooms April to May
Weeping Japanese Cherry	Prunus subhirtella pendula	D	FS	Pink Blooms late March to April
Yoshino Cherry	Prunus yedoensis	D	FS	Pink Blooms March
Common Sassafras	Sassafras albidum	D	FS/PS	Red Fall Color
Mountain Ash	Sorbus aucuparia	D	FS	White Spring Bloom Dull Red Fall Color
Japanese Snowbell	Styrax japonica	D	FS/PSH	White Blooms in May to June Red or Yellow Fall color
Pyramidal Arborvitae	Thuja occidentalis 'Pyramidalis'	E	FS/PS	
Snowball Viburnum	Viburnum macrocephalum 'Sterile'	D	FS/PSH	White Blooms in April to May
Southern Blackhaw Viburnum	Viburnum rufidulum	D	FS/Sh	White Summer Bloom Burgundy Fall Color

Type

D - Deciduous

E - Evergreen

Exposure Key

ES - Full Sun

FS/PS - Full Sun to Part Sun

FS/Sh - Full sun to Shade

FS/PSH - Full Sun to Part Shade

PS - Part Sun

PS/PSH - Part Sun to Part Shade

PS/Sh - Part Sun to Shade

PSH/Sh - Part Shade to Shade

PSH/FSH - Part Shade to Full Shade

FSH/Sh - Full Shade to Shade

* Denotes a plant that may be browsed by deer.
Native Plant Material is indicated by **Bold Print**.

Sub-Canopy Trees

Common Name	Latin Name	Type	Exposure	Special Characteristics
Serviceberry	<i>Amelanchier arborea</i>	D	FS/PS	Pink Spring Bloom Red or Yellow Fall Color
Common Hackberry	<i>Celtis occidentalis</i>	D	FS/PSH	Small Fruit in Fall
Eastern Redbud	<i>Cercis canadensis</i>	D	FS/Sh	Pink Spring Bloom Yellow Fall Color
Flowering Dogwood	<i>Cornus florida</i>	D	PS/Sh	White or pink Spring Bloom Red Fall Color
Carolina Silverbell	<i>Halesia carolina</i>	D	FS/Sh	White Spring Bloom Yellow Fall Color
Bigleaf Magnolia	<i>Magnolia macrophylla</i>	D	FS/PSH	White Bloom in June
Sweet Bay Magnolia	<i>Magnolia virginiana</i>	D	FS/PS	White Bloom early Summer
Umbrella Tree	<i>Magnolia tripetala</i>	D	FS/PS	White Bloom in May
Sourwood	<i>Oxydendrum arboreum</i>	D	FS/Sh	Red Fall Color
Common Sassafras	<i>Sassafras albidum</i>	D	FS/PS	Red Fall Color

Type

D - Deciduous

E - Evergreen

Exposure Key

ES - Full Sun

FS/PS - Full Sun to Part Sun

FS/Sh - Full sun to Shade

FS/PSH - Full Sun to Part Shade

PS - Part Sun

PS/PSH - Part Sun to Part Shade

PS/Sh - Part Sun to Shade

PSH/Sh - Part Shade to Shade

PSH/FSH - Part Shade to Full Shade

FSH/Sh - Full Shade to Shade

* Denotes a plant that may be browsed by deer.
Native Plant Material is indicated by **Bold Print**.

Low-Growing Shrubs (Mature Height under 4')

Common Name	Latin Name	Type	Exposure	Special Characteristics
Beautyberry	<i>Callicarpa dichotoma</i>	D	FS/Sh	Purple Fall Berries
New Jersey Tea	<i>Ceanothus americanus</i>	D	FS/PS	
Japanese Flowering Quince	<i>Chaenomeles japonica</i>	D	FS/Sh	White, Pink, Red or Orange Spring Bloom
Bearberry Cotoneaster	<i>Cotoneaster dammeri</i>	E	FS/PSh	White Blooms in June Red Berries in Fall
Winter Jasmine	<i>Jasminum nudiflorum</i>	D	FS/PSh	Fragrant Yellow Winter Bloom
Blue Pacific Juniper	<i>Juniperus conferta</i> 'Blue Pacific'	E	FS	
Blue Rug Juniper	<i>Juniperus horizontalis</i>	E	FS	
Snowhill Hydrangea	<i>Hydrangea aborescens</i>	D	FS/PS	White Summer Bloom
St. John's Wort	<i>Hypericum prolificum</i>	D	FS	Yellow Summer Bloom
Drooping Leucothoe	<i>Leucothoe fontanesiana</i>	E	FS/PS	
Dwarf Nandina	<i>Nandina domestica</i> 'Fire Power'	E	FS/PSh	Red Fall Color Red Berries in Fall to Winter
Otto Luyken Laurel	<i>Prunus laurocerasus</i> 'Otto Luyken'	E	FS/Sh	
Carolina Rose	<i>Rosa carolina</i>	D	FS/PS	
*Lowbush Blueberry	<i>Vaccinium angustifolium</i>	D	FS/PS	
Maple-leaf Viburnum	<i>Viburnum acerifolium</i>	D	FS	White Summer Bloom

Type

D - Deciduous

E - Evergreen

Exposure Key

ES - Full Sun

FS/PS - Full Sun to Part Sun

FS/Sh - Full sun to Shade

FS/PSh - Full Sun to Part Shade

PS - Part Sun

PS/PSh - Part Sun to Part Shade

PS/Sh - Part Sun to Shade

PSh/Sh - Part Shade to Shade

PSh/FSH - Part Shade to Full Shade

FSH/Sh - Full Shade to Shade

* Denotes a plant that may be browsed by deer.

Native Plant Material is indicated by **Bold Print**.

Medium-Growing Shrubs (Mature Height 4' - 10')

Common Name	Latin Name	Type	Exposure	Special Characteristics
Abelia	<i>Abelia x grandiflora</i>	E	FS/Sh	Pink or White Summer Bloom
Red Chokeberry	<i>Aronia arbutifolia</i>	D	FS/PS	White, Yellow, Pink & Red Spring Bloom
Black Chokeberry	<i>Aronia melanocarpa</i>	D	FS/PS	
Japanese Aucuba	<i>Aucuba japonica</i>	E	FS/PSH	
Mollis Azalea	<i>Azalea molle hybrida</i>	D	PS/Sh	
Japanese Barberry	<i>Berberis thunbergii</i>	E	FS/PSH	Red In Fall
Butterfly-Bush	<i>Buddleja davidii</i>	D	FS	White, Pink, Red or Purple Summer Bloom
Japanese Boxwood	<i>Buxus microphylla</i>	E	FS/Sh	
American Boxwood	<i>Buxus sempervirens</i>	E	PSH/Sh	
American Beautyberry	<i>Callicarpa americana</i>	D	PS/PSH	Purple Summer Bloom & Fall Berries
Sweetshrub	<i>Calycanthus floridus</i>	D	PS/Sh	Fragrant Red Spring Bloom Yellow Fall Color
Flowering Quince	<i>Chaenomeles speciosa</i>	D	FS/PSH	White, Pink & Red Spring Bloom
Camellia	<i>Camellia japonica</i>	E	PSH	White, Pink, Red or Variegated Flowers August to May.
Sasanqua Camellia	<i>Camellia sasanqua</i>	E	FS/PSH	Flowers in October through January
Slender Hinoki False Cypress	<i>Chamaecyparis obtusa 'Gracilis'</i>	E	FS	
Cleyera	<i>Cleyera japonica</i>	E	PSH	White Fragrant Flowers in Spring Red Fruit in Fall
"Hearts-a-Bustin' or Strawberry Bush	<i>Euonymus americanus</i>	D	PS/Sh	Red Fall Seed Pods, Color
Border Forsythia	<i>Forsythia x intermedia</i>	D	FS	Profuse Yellow Flowers in Early March
Large Fothergilla	<i>Fothergilla major</i>	D	FS/PS	Yellow Fall Color
Gardenia	<i>Gardenia jasminoides</i>	E	FS/PSH	Fragrant White Flowers May to June
Bigleaf Hydrangea	<i>Hydrangea macrophylla</i>	D	PS/Sh	Blooms Spring through Fall

Type

- D - Deciduous
E - Evergreen

Exposure Key

- ES - Full Sun
FS/PS - Full Sun to Part Sun
FS/Sh - Full sun to Shade
FS/PSH - Full Sun to Part Shade
PS - Part Sun
PS/PSH - Part Sun to Part Shade
PS/Sh - Part Sun to Shade
PSH/Sh - Part Shade to Shade
PSH/FSH - Part Shade to Full Shade
FSH/Sh - Full Shade to Shade

* Denotes a plant that may be browsed by deer.
Native Plant Material is indicated by **Bold Print**.

Medium-Growing Shrubs (Mature Height 4' - 10') Continued

Common Name	Latin Name	Type	Exposure	Special Characteristics
Oakleaf Hydrangea	Hydrangea quercifolia	D	PS/Sh	White Blooms in June
Dense Hypericum	Hypericum densiflorum	D	FS/PS	Yellow Summer Bloom
Common Winterberry	Ilex verticillata	D	FS/Sh	Red Winter Berries
Virginia Sweetspire	Itea virginica	D	FS/Sh	
Mountain Laurel	Kalmia latifolia	E	PS/Sh	White, Pink & Red Spring Bloom
Kerria	Kerria japonica	D	FS/PSh	Yellow Spring Bloom Yellow Fall Color
Dwarf Crape Myrtle	Lagerstroemia indica	D	FS	Blooms in July and August
Florida Leucothoe	Leucothoe populifolia	E	PSh/FSH	
Japanese privet	Ligustrum japonicum	E	FS/Sh	
Spicebush	Lindera benzoin	D	PS/Sh	Pretty with Rhododendron & Mountain Laurel
Winter Honeysuckle	Lonicera fragrantissima	D	FS/PS	Fragrant White Winter Bloom
Nandina	Nandina domestica	E	FS/PSh	Red Color in Fall - Winter Red Berries in Fall - Winter
Fortune Tea Olive	Osmanthus x fortunei	E	FS	Fragrant White Blooms in Fall
Mountain Andromeda	Pieris floribunda	E	PSh/FSH	White Spring Bloom
English Laurel	Prunus laurocerasus	E	FS/Sh	
Schipka Laurel	Prunus laurocerasus 'Schipkaensis'	E	FS/Sh	
Zabel Laurel	Prunus laurocerasus 'Zabeliana'	E	FS/Sh	
Sweet Azalea	Rhododendron aborescens	D	PS/Sh	White, Pink & Lavender Spring Bloom
Flame Azalea	Rhododendron calendulaceum	D	PS/Sh	Orange Spring Bloom
Carolina Rhododendron	Rhododendron carolinianum	E	PSh/Sh	White & Pink Spring Bloom

Type

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PS/PSh - Part Sun to Part Shade
PS/Sh - Part Sun to Shade
PSh/Sh - Part Shade to Shade
PSh/FSH - Part Shade to Full Shade
FSH/Sh - Full Shade to Shade

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Medium-Growing Shrubs (Mature Height 4' - 10') Continued

Common Name	Latin Name	Type	Exposure	Special Characteristics
Mountain Rosebay	Rhododendron catawbiense	E	FSh/Sh	White, Pink & Lavender Spring Bloom
Hybrid Rhododendron	Rhododendron hybrida	E	PS/PSh	White, Pink, Red, Lavender & Purple Spring Bloom
Pinxterbloom Azalea	Rhododendron periclymenoides	D	PSh	Fragrant Pink & White Bloom
Plumleaf Azalea	Rhododendron prunifolium	D	FS/PS	Red Summer Bloom
Bridalwreath Spirea	Spiraea prunifolia 'Plena'	D	FS/PS	Profuse White Blooms Covering Branches in March
Weigela	Weigela florida	D	FS	Pink Blooms in April or early May

Large-Growing Shrubs (Mature Height Over 10')

Common Name	Latin Name	Type	Exposure	Special Characteristics
Possumhaw	Ilex decidua	D	FS/PSh	Yellow Fall Color & Red Winter Berries
Mountain Winterberry	Ilex montana	D	FS/PS	Red Winter Berries
Hetzi Juniper	Juniperus chinensis 'Hetzii'	E	FS	
Wax Myrtle	Myrica cerifera	E	FS/PSh	
Fragrant Tea Olive	Osmathus fragrans	E	FS/PSh	Fragrant White Blooms October through January
Mock Orange	Philadelphus inodorus	D	FS/PS	
Rosebay Rhododendron	Rhododendron maximum	E	PS/Sh	White, Pink & Lavender Spring Bloom
Smooth Sumac	Rhus glabra	D	FS/PS	Red Fall Color
Arrowwood Viburnum	Virburnum dentatum	D	FS/PS	
Chaste-Tree	Vitex agnus-castus	D	FS/PSh	White, Pink or Violet Summer Bloom

Type

D - Deciduous

E - Evergreen

Exposure Key

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FS/Sh - Full sun to Shade

FS/PSh - Full Sun to Part Shade

PS - Part Sun

PS/PSh - Part Sun to Part Shade

PS/Sh - Part Sun to Shade

PSh/Sh - Part Shade to Shade

PSh/FSh - Part Shade to Full Shade

FSh/Sh - Full Shade to Shade

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Vines & Groundcovers

Common Name	Latin Name	Type	Exposure	Special Characteristics
Fiveleaf Akebia	<i>Akebia quinata</i>	E	FS/PS	Purple Winter Color
Dutchman's Pipe	<i>Aristolochia macrophylla</i>	D	FS/Sh	
Crossvine	<i>Bignonia capreolata</i>	E	FS/PS	Purple-red Fall/Winter Color
Trumpet Creeper	<i>Campsis radicans</i>	D	FS/PS	Orange-red Summer Bloom
Virgin's Bower	<i>Clematis radicans</i>	D	FS/Sh	White Summer Bloom Purple Fall Color
Wintercreeper	<i>Euonymus fortunei</i> 'Coloratus'	E	FS/Sh	Leaves Redish-purple in Winter
Carolina Jessamine	<i>Gelsemium sempervirens</i>	E	FS/Sh	Yellow Spring Bloom
Climbing Hydrangea	<i>Hydrangea anomala petiolaris</i>	D	FS/PS	White May Bloom Yellow Fall Color
Virginia Creeper	<i>Parthenocissus quinquefolia</i>	D	FS/Sh	Red Fall Color
Passion Flower, Maypop	<i>Passiflora incarnata</i>	D	FS/PS	Purple Summer Flower, Edible Fruit
Smilax	<i>Smilax lanceolata</i>	E	FS/Sh	Red Fall/Winter Berries
Big periwinkle	<i>Vinca major</i>	E	FS/Sh	Light Blue Blooms in March and April

Type

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Exposure Key

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FS/Sh - Full sun to Shade
FS/PSH - Full Sun to Part Shade
PS - Part Sun
PS/PSH - Part Sun to Part Shade
PS/Sh - Part Sun to Shade
PSH/Sh - Part Shade to Shade
PSH/FSH - Part Shade to Full Shade
FSH/Sh - Full Shade to Shade

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Design Guideline Definitions

Appendix B

- Ancillary Structures:** Ancillary structures provide specialized places for functions and activities not accommodated in the main cottage or secondary cottages. These may include arbors, pavilions, gazebos, potting sheds, storage sheds, tree houses, gates, playhouses, etc. They are to be subordinate to the main cottage and secondary cottages in mass, scale and level of detail while maintaining a similar or compatible architectural character. While utilizing similar materials, these structures should offer opportunities for more rustic and whimsical designs.
- Building Plans:** The technical drawings or blueprints for the construction of a specific structure or appurtenances and related improvements. These include plans for structures, structural landscape improvements and paving.
- Dwelling Unit:** A room or combination of rooms designed for year-round habitation, containing a bathroom and kitchen facilities, and designed for or used as a permanent residence by at least one family.
- Disturbed Area:** The area within a Preserve that is cleared and/or graded for development activities. It should not exceed 15% of the total Preserve square footage.
- Exterior Lighting:** Exterior lighting is the minimal illumination of elements in the landscape such as paths, drives and entry areas to provide for security, safety and emergency access. Design concepts should include energy efficient sources and systems utilizing low glare fixtures, downward directed light sources and minimized light levels, light spill and light pollution.
- Impervious Surface:** Any surface in the landscape through which water does not easily pass or is not easily absorbed. Impervious surface specifically includes all roofed structures; paving materials such as brick, concrete, asphalt, gravel or stone; swimming pool walls; and patios and terraces. Impervious surface does not include landscaping, furniture, or play equipment; slatted, raised decking, catwalks, boardwalks or grating, or the surface water area of swimming pools.
- Landscape Improvements:** Living trees, shrubs and groundcovers, as well as other exterior elements such as site walls, pathways, patios, terraces, arbors, trellises, fountains, ponds and fencing that are installed or built for the purpose of enhancing the aesthetic value or wildlife habitat of the land.
- Main Cottage:** The main cottage is the primary structure or gathering place within a compound. In mass and scale, it is usually the largest building, positioned as the “heart” of the settlement in both location and function.
- Percent of Impervious Cover:** The sum of the square footage, in plan view, of impervious surfaces, including all structures, roads, parking areas, hard-surface patios and walks or other constructed features, divided by the total square footage of the Preserve.
- Pier Zones:** On some Preserves, locations identified on the recorded plat within which a pier may be built.
- Recommended Building Envelopes:** Recommended building envelopes, shown on non-recordable plats and site illustration diagrams, define the general areas within each Preserve where all structures and most site disturbance and impervious surfaces may occur.

12. **Secondary Cottage:** Secondary cottages provide specialized places for functions and activities not accommodated in the main cottage. These may include guest cottages, cabins and studios. They are to be subordinate to the main cottage in mass, scale and level of detail while maintaining a similar or compatible architectural character. While utilizing similar materials, these structures should offer opportunities for more rustic and whimsical designs.
13. **Specifications:** A detailed description of the scope of work of a construction project and the quality and quantity of materials to be used. The specifications should also clearly indicate how the work will be carried out and what the final appearance will be. The specifications should form part of the contract.
14. **Sustainability:** As defined by the World Commission on Environment and Development in 1987: "Sustainable building attempts to consider the environmental, economic, and social impacts of a construction project as an integrated whole rather than looking at these areas individually. Building sustainably means using building methods and materials that promote environmental quality, economic vitality, and social benefit through the design, construction, operation, maintenance, and deconstruction of the built environment.

Some features of sustainable buildings typically noticeable to end users include the integration of natural daylight for lighting purposes, high indoor environmental air quality, and reduced utility bills.

Sustainable features that may not be noticeable include use of finishes and materials low in volatile organic compounds that improve indoor air quality; increased productivity of building occupants due to healthier workplaces; reduced impact of building construction on the environment through careful construction planning; use of locally produced materials to support the local economy; and enhanced social interaction through community involvement in building planning and operation."

15. **Trail Easements:** On some lots, easements identified on the recorded plat and site illustration diagrams within which trails may be created.