

## LANDSCAPING AND EXTERIOR DECOR

1. Introduction. The purpose of this Landscaping and Exterior Decor Policy ("Landscaping Policy") is to establish rules which balance the members' interests in decorating their doorways, patios and balconies with plants and other objects, against the need to keep the Common Area free from hazards and unreasonable risk of damage, including water damage. Capitalized terms shall have the meaning set forth in the Bylaws and Occupancy Agreements. Once adopted by the Board, this Encroachments Policy shall replace and supersede Sections 2 through 5 of the Private Gardens; Landscaping Policy that was last revised on September 26, 2014. To the extent that there is a conflict between the terms of this Landscaping Policy and the Bylaws or the Occupancy Agreements, the terms of this Landscaping Policy shall control.
2. Use of Common Area. The Common Area, including the Exclusive Use Common Area, shall be kept free of rubbish, debris, and other unsightly or unsanitary materials. Each Member shall avoid causing any damage to the Common Area.
3. Private Patios, Balconies and Front Doors.
  - i. Patio Gardens are allowed only within a terrace, porch, patio or atrium in the following manor models: Carmel, Mendocino, Golden Gate, San Franciscan and Yosemite. The Sonoma and Sequoia models (G-11 buildings) can only support plants in pots on porches, balconies, or entry areas.
  - ii. Members may maintain a limited number of container plants and decorative items by their front door, provided that such items do not obstruct access to their manor, neighboring manors, stairways or walkways, and do not create a hazard. The collective weight of container plants and decorative items shall not compromise the structural integrity of the building, or otherwise cause damage or safety issues.
  - iii. No action by an occupant or Member is permitted that would adversely affect water lines, hose bibs, drainage, erosion or the manor structure. Second-level units must ensure plantings are watered with care.
  - iv. Trees or large shrubs may not be planted in containers larger than 24 inches in diameter and may not exceed 12 feet in height at maturity. All pots must have basins underneath that will catch water overflow.
  - v. Ivy and all other climbing plants must be controlled/pruned so that they do not climb on fences or buildings or extend onto sidewalks.

- vi. Overgrown shrubs or trees that have become invasive will be pruned or removed by FWCM Landscape Maintenance Division personnel at the Member's expense.
- vii. Potted plants may not rest on railings or hang outside the balcony railings creating a danger to cars or persons below.

4. Landscaping in Common Areas – NOTE: All landscaped areas in the Mutual are Common Areas.

- i. Members and occupants are not permitted to plant, prune, fertilize or remove shrubs, trees or any other plantings in Common Areas, with the exception of private patios and private balconies, without the Board's prior written approval. FWCM Landscape Maintenance Division personnel shall do all such work.
- ii. Potted plants or other objects may not be placed on stairways or walkways, restricting access by emergency personnel, delivery people or maintenance workers. This includes the cement drainage strip running in front of the G-11 buildings.
- iii. Artificial plants, garden supplies or pots may not be placed in Common Areas.
- iv. Members and occupants wanting changes or additions to the landscaping in the Common Area next to their manor should contact their landscape representative.

5. Watering.

- i. Members and occupants may not water Common Areas, except as may be authorized pursuant to written Board approval. Mutual Operations should be called to report sprinkler system problems in Common Areas.
- ii. All hoses related to patio gardens or pre-existing private gardens must be turned off at the hose bib when not in use.
- iii. Only ground-floor units may use automatic drip systems. A formal request that includes a description of the system and acknowledgment that the Member assumes all damage caused by the system must be approved by

the appropriate district director or FWCM Landscape Maintenance Division supervisor.

- iv. Upper-level porches and balconies may not have any type of drip system; therefore, all watering must be done by hand.
- v. Potted plants on upper-level landings or balconies must be placed in saucers large enough to handle water runoff
- vi. Potted plants must be placed in waterproof containers; wooden containers must contain waterproof liners.
- vii. Members are responsible for any damage occurring to property caused by planting or watering.

6. Absent Occupant or Member.

Should the Member or occupant be absent, that individual remains responsible for maintenance of the property as set forth in this Policy Manual and the Occupancy Agreement.

*The foregoing Landscaping and Exterior Decor Policy was adopted by the Board of Directors of First Walnut Creek Mutual at an open meeting of the Board held on \_\_\_\_\_, 2026, following notice to the members, the opportunity for member comment and Board consideration of member comments pursuant to Civil Code § 4360.*

Date: \_\_\_\_\_

FIRST WALNUT CREEK MUTUAL

By: \_\_\_\_\_

Its: \_\_\_\_\_