VICTORIA ESTATES HOMEOWNERS ASSOCIATION DESIGN GUIDELINES FOR LANDSCAPING

Adopted October 2011 Amended December 2012

Architectural and landscape improvements are under the purview of the Design Review Committee, as specified in the CC&R's, page 5, Section 3.1 <u>Design Review Committee</u>. These Design Guidelines for Landscaping (hereafter referred to as Landscape Guidelines) are in addition to the CC&R's and the Design Guidelines for Architectural Improvements and are binding on all owners. The Design Review Committee may amend these Landscape Guidelines from time to time, as it deems appropriate. After the Declarant no longer owns any Lot or any part of the Additional Property, the Board of Directors must approve any repeal or amendment of these Design Guidelines for Landscaping. It is the responsibility of each owner to obtain and adhere to the requirements in the most recent Landscape Guidelines applicable to their Lot.

Initial Landscape Installation

Homeowner will be responsible for installing all initial front yard landscaping after the close of escrow.

Timeline

Owners of Lots must submit front-yard landscaping plans within 30 days of close of escrow. All plans must be accompanied by the required submittal form signed by the owner of record. Forms signed by the homeowner's contractor will not be accepted. All front yard landscaping must be completed within 120 days of close of escrow. Please note that owners are eligible to receive reimbursement of the compliance deposit posted by Fulton Homes in the amount of \$3,000 if they complete their landscaping in accordance with these guidelines and submit the required request for inspection form signed by the homeowner.

Plans for future additions or changes to the front or rear yard landscaping must be submitted for review prior to installation or construction, which may not begin until/unless written approval is received by the homeowner.

Enforcement

Failure to meet either the submittal deadline or the completion deadline will result in forfeiture of the homeowner's deposit and referral to the association's attorney for injunctive relief unless the Board has granted a reasonable extension due to extenuating circumstances.

If any Owner installs or modifies any landscaping in violation of the Landscape Guidelines, the Association shall have all rights and remedies at law or in equity and as provided in the Declaration against the Owner to bring such landscaping into compliance with these Landscape Guidelines.

Submittal Requirements/Process

All landscape designs and improvements for front yards must be approved by the Design Review Committee, prior to the beginning of construction or installation. Due to their visibility, Lots with open view fence panels in the rear yard must submit landscape designs and improvements for the rear yard. This includes the installation of all trees, shrubs, ground covers (including turf) and hardscape materials. Landscaping in a rear yard that is fully enclosed with a solid block wall does not need to be submitted. Hardscape and decorative items in or on a front courtyard need not be submitted for architectural review, provided they are shielded from view by an accent wall. However, nothing from the Prohibited Plants and Trees List (part of Exhibit B) may be installed. Rear yard structures, such as swing sets, gazebos, armadas, fireplaces, and all other structures that are taller than the block portion of any fence must be reviewed and approved by the Architectural Committee prior to construction or installation and in accordance with the Design Guidelines. Please note that in all cases, such structures must be located at least six (6) feet from any party wall and the installation must comply with the Town of Queen Creek drainage and grading requirements.

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All landscape designs and improvements, including any future additions or changes to the original landscaping must be submitted to the Association at:

Mail or Hand Deliver to:

Victoria Estates Homeowners Association 16625 S Desert Foothills Pkwy Phoenix AZ 85048 (480) 759-4945 Email:victoriaestates@wearevision.com

What to submit:

- 1. Application Form One completed and signed copy of the submittal form. (Available at the management office).
- 2. Plot Plan One copy of the plans and specifications for the landscaping. Plans must be 11" x 17" and drawn to a scale of 1"=20' or 1"=10'. Plans must be in a (manual or AutoCAD) drafted form (original plots or photocopies are acceptable). Plans must be drafted by a landscape professional.

THE FOLLOWING CRITERIA AND INFORMATION MUST BE ON THE PLAN OR THE APPLICATION AND PLAN WILL BE DISAPPROVED AND RETURNED AS INCOMPLETE

- The dimensions of the Lot, including Lot frontage width, the existing dwelling in relation to the Lot, and the proposed improvements in relation to the existing dwelling and property lines (setbacks).
- Total landscapable area (in square feet) of front and side yard (exclusive of walkways, driveways, patios, etc.)
- All plants with species and size labeled. Information must be provided for any plants not on the Recommended Plant List attached as Exhibit B.
- Percentage of "island" area relative to total front and side yard area. An island is defined as an area of turf or other plant material surrounded by granite.
- All trees with species and size labeled. Information must be provided for any trees not on the Recommended Tree List attached as Exhibit A.
- All turf areas and type of turf.
- Percentage of turf area relative to total front and side yard area.
- Distances between turf and each of the following: side property lines, the house, driveways, and sidewalks
- All granite areas, including size and color of decomposed granite to be used. Please refer to page 3 for a list of approved granite colors.
- All headers and borders with the material and colors labeled.
- Wall locations and elevations with construction details.
- Lot number and address clearly marked.
- All hardscape elements and lighting.
- State scale on plan.
- Designate North with a north arrow.
- Label and show outline of Residence.
- Show outline of all existing and proposed walkways, driveways, garden walls, and/or any other 'hardscape' features to be constructed, such as water features, fountains, benches, etc.
- Show fence returns (where the side yard perimeter fence connects to house).
- Show proposed location and type of each individual tree, shrub, or groundcover drawn to indicate approximate mature size.
- Include on the plan a plant schedule specifying botanical and common names, plant container size and

total number of each kind of plant.

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Design Review Committee meetings:

The Design Review Committee will review submittals during their regular meetings or at other times as they deem appropriate. The Committee will respond in writing no later than forty-five (45) days after submittal of the complete landscape design and any supporting information and specifications requested by the Committee.

Important Notes

<u>Turf</u>: The use of turf is encouraged. All turf areas are required to be 'sodded'. Sod must be a hybrid Bermuda grass from a local reputable turf farm. Turf may not abut any property line. Note that mowing different hybrid Bermuda grass requires different types of lawn mowers (rotary or reel).

A moisture barrier is required when turf is installed adjacent to driveways, walkways, and public sidewalks. Positive drainage must be maintained away from home, walkways, driveways, and over public sidewalks. Homeowners are advised that there are risks associated with inadequate or improper drainage and with expansive soils common to the area. Homeowners take the risk of damage to walkways, driveways, and sidewalks should water penetrate these areas.

All grass must be cut on a regular basis to a height no greater than 3 inches and must remain disease and weed free at all times. In addition, it is suggested that all grasses that are dormant in the winter months be overseeded with a winter grass utilizing a premium annual rye seed.

Artificial turf will be considered for approval provided the proposed product carries a minimum 10 year warranty and is professionally installed. **A sample of the product and a copy of the warranty must be submitted.**

Granite: The only colors of landscape rock that will be permitted are Desert Brown, Mountain Vista Brown, Saddleback Brown, Baja Brown or Gila Brown. The minimum granite size is ½" minus. These are the only granite colors that are permitted, and only one color of granite will be permitted in each front yard. Lava rock and/or cinder rock and wood chips are prohibited. All rock areas shall be treated with pre-emergent weed control at regular intervals to retard weed growth. Planting underliner is prohibited. River rock is prohibited.

- Desert Brown is available at All Star Materials (480-839-1442), Pioneer Landscaping Materials (480-988-1800), and Rock Source (480-279-0002)
- Mountain Vista Brown is available at All Star Materials and Rock Source
- Saddleback Brown is available at All Star Materials, Pioneer Landscaping Materials and Rock Source
- Baja Brown and Gila Brown are available at Rock Source

A <u>single</u> river run will be considered provided it is lined with granite rip rap of a color that complements the granite used throughout the front yard and no less than 3" in size. In addition, no river run may extend closer to the front sidewalk than 3 feet. River runs must be included on landscape plans and must be installed "at grade" so that water is dispersed over and not under any hardscape (sidewalk, walkway, driveway, etc.).

<u>Irrigation</u>: All landscaping on both sides of the driveway is to be irrigated by means of an automatic underground irrigation system. A drip system for trees and plants is encouraged for water conservation. Popup sprinkler heads are encouraged for use in the turf areas. Valves are to be installed underground and covered with a valve box.

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Mounding: Mounding and other proposed grade changes will be closely scrutinized by the Design Review Committee to assure mounding appears natural. Mounds should be a maximum of 24" in height and have natural looking shapes. Berms must not divert drainage in any way.

Boulders: Boulders shall all be surface select in color and be a minimum of 250 pounds in weight. All boulders are to be buried 1/3 in the ground.

Border material: The community encourages the sharing of common granite colors between neighbors and therefore, the use of border material along property lines is prohibited. Brick, concrete and flagstone borders are approved border materials for containing sod and granite areas. Metal or plastic edging is prohibited.

<u>Hardscape</u>: Paver sidewalks, flagstone stepping stones or concrete walkways as well as paver driveways can be used in proportion to the overall landscape of the front yard provided they do not become the dominant feature of the front yard landscaping. All additional concrete and or paved services in any areas must be approved by the Design Review Committee. The combined width of all concrete and/or paved surfaces in the front yard shall not exceed 50 percent of the total width of the front yard. Please consult the Design Guidelines for Architectural Improvements for further information on what must be submitted.

<u>Lighting</u>: Landscape accent lighting is encouraged. Lighting shall be shielded such that the light shines primarily on the Lot and should be shielded with plants or walls when possible. Colored lights are prohibited. Please consult the Design Guidelines for Architectural Improvements for additional requirements regarding Lighting.

<u>Decorative Walls</u>: Masonry planter and decorative walls must be no taller than 30" in height. Any wall not made from stone or brick shall be painted and stuccoed to match the house. Any stone or brick used in decorative walls should match or complement the stone or brick being used in the community.

CONCRETE ADDITIONS/DRIVEWAY EXPANSIONS: A single, thirty-six (36) inch wide walkway from the driveway to the rear yard gate may be installed without prior approval provided that it matches the existing walkway in color and texture. All other concrete additions must be submitted for and approved in writing prior to installation.

Additional flagstone, tile or paver surfaces will be considered for approval provided the combined width of all concrete and/or paved surfaces in the front yard shall not exceed 45 percent of the total area of the front yard. Landscaping must be part of the plan submittal showing where and what will be added to soften the look of the concrete. The expanded driveway may be no closer than 18 inches to the side Lot line or 12 feet to the side Lot line if it is adjacent to a street. Variances will be considered on a case-by-case basis if the side yard gate is closer than 18 inches to the property line and provided the flow of runoff water from the rear yard to the front yard is not impeded. Plans may require deco drains to provide for adequate runoff from the rear yard. Expanded driveways and any other border material may be no closer than 18 inches to any property lines. No parking shall be permitted on a driveway expansion when within five (5) feet of the property line or when space in the existing driveway is available. Plans to be submitted must include:

Plot plan and specifications showing:

- All dimensions of front of the Lot (total area not enclosed by the rear yard perimeter fence).
- Measurements of existing driveway and paved surfaces.
- Measurements of proposed concrete and/or paved surfaces.
- Measurements of space between paved surfaces where applicable.
- Distance from proposed concrete and/or paved surface to property line.

- Landscaping to be installed to soften the look of the concrete and/or paved surfaces.
- Whether or not the curb adjacent to the proposed paved surface is a rolled curb or an L-shaped curb.
- All building materials and colors to be used.

Note: The homeowner is responsible for ensuring that proposed improvements do not interfere with the established drainage patterns on the Lot and do not direct drainage toward or trap water against the foundation of the home. The homeowner is also responsible for making sure allowance is made for expansion and contraction between proposed improvements and existing structures or surfaces.

<u>Artifacts/Statuary/Yard Ornaments</u>: Wagons, wagon wheels, barrels, wishing wells, statuary, etc., are not permitted in front of any home. Please refer to Design Guidelines for Architectural Improvements for additional information.

<u>Water Features</u>: All front yard water features will need the approval of the Design Review Committee before installation. Details are to include pond depth, materials including color, heights and widths and plumbing specifications. Please consult the Design Guidelines for Architectural Improvements for additional requirements regarding Water Features.

Non-Uniformity: Different Lots may have different landscape design criteria. The Design Review Committee shall not be required to approve any landscaping design simply because another similar or exact design has previously been approved. The Design Review Committee may in extenuating circumstances grant variances from the restrictions set forth in these Landscape Guidelines if the Design Review Committee determines that a restriction would create an unreasonable burden on an Owner and when the modified restriction permitted under a variance would not have a substantial adverse effect on other owners or the project and is consistent with the high standards intended within the project.

Special Considerations:

Tree Placement: Caution must be used when placing trees near the dwelling, sidewalks and neighboring property lines to allow adequate space for their growth. Various resources are available which will provide information on the size of a tree at maturity. The Town of Queen Creek may also supply publications to new owners.

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Water: Here are concerns, which must be kept in mind:

- The water source for plants and shrubbery should not be placed close to or directed toward the
 foundation of the home. This could create problems with the foundation and could invite termites.
 It is recommended that plants and shrubs and any water source be placed a minimum of 24 inches
 from the stem wall. <u>Dirt should not be placed against the foundation</u> of the home for installation of
 planters for the same reason.
- Planters should not be installed where dirt is placed against the builder-installed perimeter fence wall or boundary wall. These walls are not retaining walls and cannot support dirt placed against them or handle the additional moisture that would be absorbed by the fence without causing damage to the fence. A retaining wall would have to be constructed in front of the perimeter wall or boundary wall and sealed to ensure the boundary wall or perimeter wall is properly protected. The homeowner should bear in mind that these fences are boundary walls with neighbors, and the homeowner may incur liability if he does something on his property which causes damage to the shared fence wall. Consult page 32, Section 8.5 Boundary Walls, of the CC&R's for further information.

- The homeowner is responsible for ensuring that proposed improvements do not interfere with the established drainage patterns and do not direct drainage toward the foundation of the home. The homeowner is responsible to make sure his contractor allows for expansion and contraction between additions and existing structures or surfaces. It is also the homeowner's responsibility to confine runoff from your irrigation system to his own lot and to ensure that weepholes are not obstructed in any way so that they provide for drainage as intended.
- Homeowners may not drain their yards into an HOA common area.

These Design Guidelines for Landscaping may be amended by the Design Review Committee from time to time by a majority vote of the Design Review Committee. After the Declarant no longer owns any Lot or any part of the Additional Property, the Board of Directors must approve any repeal or amendment of these Design Guidelines for Landscaping.

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Landscape Overview

The placement of trees and shrubs shall be designed to create a complete landscape. The landscape should compliment the home using materials and finishes consistent with architectural style and the patterning and alignment should echo the massing and plan form of the home. The landscape should extend the living space of the home providing functional outdoor space and visual accents. A beautiful yard can be composed using a limited variety of plant material. The smaller the yard the less the variety should be. Landscape designs that mass all of the trees and shrubs near the home and place nothing at the outside edges of the lot are not appropriate.

The following Zones identify different areas of the front yard and side yards visible from the street.

Screen Planting Zone - Screen planting provides visual relief to large exposed hardscape and walls. It can also be used for private residential space to provide privacy and visual accents. Screening planting includes vines and/or a combination of large and medium shrubs.

Transition Planting Zone - Transition planting is required between widely varying landscapes, such as between a turf and a non-turf front yard of adjoining Houses. Transition planting generally consist of low ground cover intermingled with small shrubs.

Foundation Planting Zone - Foundation planting is required to conceal the foundation of residences. Plant spacing should be a maximum of four (4) feet on-center. Foundation planting need not typically consist of one type of plant but can be massings of complementary shrubs juxtaposed to create an attractive frontage to the Home.

Accented Mass Planting - Planting can further be accentuated through enhanced planting in focal areas and entry points. Formative mass plantings can also be utilized in lieu of large areas of turf. Mass plantings should respect hierarchy in heights and organized in groups of not less than three (3) shrubs.

Enhanced Planting Zone - The enhanced planting area is typically located along residential entries to create a focal or accent to the arrival. The enhanced plantings typically provide color and interest to key points in the landscape.

Transitions Between Planting Area - Where there is no wall or architectural edge, plant material selection, layout and densities must blend seamlessly in the landscape without abrupt changes. The landscape must also blend seamlessly where there is not a wall between Adjacent Lots. Concrete headers demarcating the property lines are not permitted. When a vertical separation such as a wall exists, the change is allowed to be abrupt.

When specified large shrubs range 5-6' diameter, medium shrubs range 3-4' diameter, and small shrubs range 1-2' diameter

PLEASE REFER TO THE SPECIFICATIONS BELOW. IT IS THE HOMEOWNER'S RESPONSIBILITY TO ENSURE THAT THE APPROPRIATE SPECIFICATIONS ARE USED.

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- Screen Planting Zone
 - Vines
 - Medium and large shrubs
 - Required for corner lots
- Transition Planting Zone
 - Generally located at front corners of the lot
 - Small shrubs and medium shrubs
- Foundation Planting Zone
 - Plant spacing should be a maximum of four (4) feet on-center and consist of two (2) to three (3) species of medium shrub plants.
 - Required between turf and non-turf front yards
 - Minimum five (5) gallon plants
- Accented Mass Planting
 - Required for all landscape
 - Minimum two (2) required for non-turf landscapes
 - May include large masses and multiple layers (height and color) of plant material
- Enhanced Planting Zone
 - Along driveway and front entry pathway
- Variety of plant material should be limited to generally include no more than seven (7) to ten (10) species.
- Trees
 - One (1) tree per every one thousand five hundred (1,500) square feet of landscape area (excludes driveways, patios and walkways). Minimum tree size – twentyfour (24) inch box.
- Shrubs and groundcover
 - One (1) shrub for every forty (40) square feet of landscape area (minus turf).
 - Minimum shrub size one (1) gallon.
 - Plants that need to be replaced may be replaced with five (5) gallon plants with the same specie being replaced.

Turf

- Turf should be located so that it provides a visual and functional extension of the home and is required when fronting a park with turf
- If used, turf should be approximately sixty (60) percent of the landscape area (minimum area of eight (8) feet by eight (8) feet)
- Turf may not extend to side property.
- Turf must be a hybrid Bermuda grass species in sod form, and it is recommend that the turf be over seeded with perennial Ryegrass in cool seasons. Tiff grass should be avoided unless enclosed and not in "public" view
- The turf must be irrigated by a permanent, automatic irrigation system
- Brick, stone or concrete headers must be used to delineate turf areas if the turf does not extend to another hardscape element such as a pathway, driveway or wall
- Groundplane treatment
 - Decomposed granite recommended, but require multiple accent zones
 - River rock swales are prohibited
- Hardscape
 - Standard finishes acceptable
 - Homeowner may upgrade to pavers, stained concrete or other approved
 - finish that complements the architectural style of the home

Lighting

- Landscape lighting not required but is permitted with architectural approval
- Hardware must complement the architectural style of the home

VICTORIA ESTATES HOMEOWNERS ASSOCIATION **RECOMMENDED TREE LIST EXHIBIT A**

BOTANICAL/SCIENTIFIC NAME

COMMON NAMES

Swan Hill Olive "Multi-Trunk"

Thornless Chilean Mesquite

Australian Willow

Evergreen Elm

Brazilian Pepper

Southern Live Oak

Indian Laurel Fig

Canopy trees

Giejera Parviflora Ulmus Parvifolia

Schinus Terebinthifolius Olea Eruopaea "Swan Hill"

Prosopis Chilensis "Thornless Variety"

Quercus Virginiana Jacaranda Aucutifolia

Ficus Nitida

Fraxinus Velutina "Rio Grande"

Dalbergia Sisoo

Citrus (Back yard only) Cercidium Floridum Cercidium Microphyllum Cercidium Praecox Acacia Farnesiana Olneya Tesota

Sissoo

Jacaranda

Fan-Tex Ash

Citrus (dwarf encouraged - back yard only)

Blue Palo Verde Little Leaf Palo Verde

Palo Brea Sweet Acacia Iron Wood

Vertical trees Acacia

Salicinia Brachychiton

Populneus Pinus

Elderica

Pinus Canariensis Pinus Roxburghii

Podocarpus Macrophyllus

Cocos Plumosa

Washingtonia Robusta Phoenix Dactilifera Phoenix Roebelenii Acacia Stenophylla Chilopsis Linearis

Flowering trees

Nerium Oleander "White or Red"

Pyrus Calleryana Prunus Cerasifera

Pithecellobium Flexicaule Saphora Secundiflora

Weeping Wattle Bottle Tree Mondel Pine Canary Island Pine

Chir Pine Yew Pine Queen Palm Mexican Fan Palm

Date Palm

Pigmy Date Palm Shoestring acacia **Desert Willow**

Oleander Tree Bradford Pear Purple Leaf Plum Texas Ebony

Texas Mountain Laurel

VICTORIA ESTATES HOMEOWNERS ASSOCIATION RECOMMENDED PLANT LIST

EXHIBIT B

BOTANICAL/SCIENTIFIC NAME

COMMON NAME

Ground covers and accents

Lantana "Species" Rosmarinum Officianalis "Prostratus" Verbena Species Asparagus

Sprengeri Lonicera Japonica "Halliana" Trachelospermum Asiaticum Hemerocallis

Asiaticum Hemerocaiii

Hybrid

Dietes Bicolor Strelitzia Reginae Dalea Greggi

Ruellia Brittoniana "Katie"
Drosanthemum Speciosum

Baccharis Pilularis "Centennial"

Shrubs and Vines

Nerium Oleander "Species" Leucophyllum Frutescens Juniperus Savina Arcadia

Cassia "Species"
Carissa Grandiflora
Rhapiolepsis "Species"

Photinia Fraseri Ruellia Peninsularis Bougainvillea

Pittosporum Tecomaria Capensis Plumbago Auriculata

Hibiscus

Thevetia Peruviana

Pyracantha

Gelsemium Sempercirens Trachelospermum Jasminoides

Ficus Pumila

Pennesethus Setaceum

Lantana Varieties Dwarf Rosemary Verbena Varieties Asparagus Fern Halls Honeysuckle Asian Jasmine Daylilly Varieties Fortnight Lilly

Tropical Bird of Paradise Prostrate Indigo Bush

Dwarf Ruellia

Dwarf Coyote Bush

Dwarf Oleander Varieties Green Cloud Texas Sage

Arcadia Juniper Cassia Varieties

Green Carpet Natal Plum India Hawthorne Varieties

Fraser's Photinia Baja Ruellia Bougainvillea Pittosporum

Cape Honeysuckle
Blue Cape Plumbago
Hibiscus Varieties
Yellow Oleander
Pyracantha Varieties
Carolina Jasmine
Star Jasmine
Creeping Fig

Purple Fountain Grass

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VICTORIA ESTATES HOMEOWNERS ASSOCIATION RECOMMENDED PLANT LIST – (CONT'D) EXHIBIT B

BOTANICAL/SCIENTIFIC NAME

COMMON NAME

Shrubs and Vines

Caisalpinia Pulcherrima
Caesalpinia Mexicana
Leucophyllum Laevigatum
Leucophyllum Frutescens
Leucophyllum Langmaniae
Leucophyllum Candidum
Convolvulus Cneorum
Convolvulus Mauritanicus

Salvia

Tecoma Stans Tecoma Stans Bougainvillea S.

Bougainvillea "Crimson Jewel"

Cactus/Agave/Yucca Accents

Saguaro Gigantea Echinocactus Grusonii Ferocactus Species Agave Vilmoriniana Agave Pacifica Hesperaloe Parvifolia Dasylirion Wheeleri Red Bird of Paradise
Mexican Bird of Paradise
Chihuahuan Sage
Green Cloud Texas Sage
Rio Bravo Sage
Thunder Cloud Sage
Bush Mourning Glory
Green Morning Glory
Autumn Sage
Arizona Yellow Bells
Orange Jubilee
Barbara Karst Bougainvillea
Bush Bougainvillea

Saguaro
Golden Barrel Cactus
Barrel Cactus Varieties
Octopus Agave
Pacific Agave
Red Yucca
Green Leaf Desert Spoon

Prohibited Plant and Tree List

BOTANICAL/SCIENTIFIC NAME

Olea Europaea
Pennesethus Setaceum
Cortaderia Selloana
Parkinsonia Aculeatea
Mulberry Trees
Citrus (Not allowed in front)
Eucalyptus (all varieties)

COMMON NAME

Olive Trees (Swan Hill allowed)
Fountain Grass (other than Purple Fountain Grass)
Pampas Grass
Mexican Palo Verde
Mulberry Trees
Citrus (Not allowed in front)
Eucalyptus (all varieties)

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