

# **ARCHITECTURAL REVIEW MANUAL STANDARDS AND PROCEDURES FOR TAMPA PALMS OWNERS ASSOCIATION, INC.**



The Tampa Palms Modifications Committee has adopted the Community Development Code- Local Use Standards (CDC LUS) and approved these architectural standards and procedures in order to preserve the harmonious design of the community.

Original Tampa Palms

May 8, 1987

Modified 1996, 1998, 2007, 2008, (metal tiles) 2015 (Florida Friendly Landscape) 2023 (Flags and Roofs) 2024 (Fencing, Hurricane Specifications, Ground Signs)

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## **ARCHITECTURAL REVIEW IN TAMPA PALMS**

Your concern for the value of your home, as well as the character and beauty of all of Tampa Palms, has resulted in this very important set of architectural standards and criteria. These standards and criteria are designed to maintain and enhance the appearance of Tampa Palms. They will be enforced by the Tampa Palms Property Manager and the Tampa Palms Board of Directors.

All residents benefit from the planning and design that has been an important part of the development of Tampa Palms. The intent of these architectural standards is to assure the residents that the level of design and quality will be maintained. This, in turn, protects the property values and enhances the overall environment of Tampa Palms.

An essential element of architectural review is the recognition by all homeowners of the importance of maintaining the ambiance of the community. It must be understood as a benefit, and not as a burden, to the community.

## **INTRODUCTION TO THE RESIDENTIAL MODIFICATIONS COMMITTEE**

### **PURPOSE**

The Declaration of Covenants, Conditions and Restrictions for Tampa Palms Owners' Association, (Association) assures each owner that the quality design of Tampa Palms will be maintained in order to protect their property value and enhance the community's overall environment. The Association is responsible for administering these covenants and providing administrative support to the Residential Modifications Committee and Commercial Modifications Committee (RMC/CMC & CMC).

The RMC/CMC/CMC ensures that exterior alterations in Tampa Palms comply with these guidelines as authorized in Article XI of the Declaration of Covenants, Conditions and Restrictions and provided for in the Community Development Code- Local Use Standards, modified from time to time. All requests for exterior alterations must be submitted to the RMC/CMC/CMC and approval received before any changes may be undertaken. The purpose of this manual is to inform homeowners of the design guidelines for Tampa Palms and the procedures to be followed when requesting an exterior modification to their property. Each application received by the RMC/CMC/CMC will be evaluated on its own merits with reasonable flexibility for architectural creativity.

### **AUTHORITY**

The authority for the RMC/CMC/CMC is set forth in Article XI of the Declaration of Covenants, Conditions and Restrictions for Tampa Palms which was received by all homeowners when they purchased their homes. The Declaration encumbers all of the homes and commercial sites within Tampa Palms. The Declaration is a contract between the homeowners and the Association, wherein, per Article XI, the homeowners agree to refrain from making any modifications to the exterior of their homes without first receiving approval from the RMC/CMC.

The RMC/CMC/CMC is responsible to the Board of Directors of Tampa Palms Owners' Association. The Board is the ultimate authority for the Tampa Palms Owners' Association. The Modifications Committee **with the permission of the Board (improved 1996)** may delegate its authority to the appropriate board or committee of any residential association subject to the Declaration of Covenants, Conditions and Restrictions for Tampa Palms, so long as the RMC/CMC/CMC has determined that such board or committee has in force review and enforcement procedures and appropriate standards at least equal to those of the RMC/CMC/CMC.

### **MEMBERS**

The Residential Modifications Committee shall consist of members appointed by the Board of Directors. To the degree possible the RMC/CMC/CMC will include one member of the Board of Directors, the President if possible, to assure consistency with Board practices and policies.

### **MEMBERS MEETINGS**

The RMC shall meet, as necessary, and communicate electronically to review Applications submitted and in all cases shall approve or disapprove these applications within 45 days of receipt.

## **RESPONSIBILITIES**

On behalf of the Association, the Residential Modifications Committee is empowered to perform the following services:

1. To establish or modernize architectural motifs and exterior architectural themes.
2. To establish architectural review criteria for the protection of property values and to provide the best possible safeguards for maintaining these property values.
3. To review all Residential Modification Applications for compliance with architectural standards and criteria and with the Declaration of Covenants, Conditions and Restrictions.
4. To assure compatible architectural standards and harmonious relationships with neighboring properties to the degree allowed by Florida statutes.
5. To require high standards of architecture and quality construction.
6. To enforce the provisions of the Declaration by any legal or equitable remedy. (This function is normally carried out by the Licensed Community Manager in conjunction with the Board of Directors.)
7. To monitor violations of architectural standards and criteria and notify the developer and Board of Directors of the Association for appropriate action. (This function is normally carried out by the Licensed Community Manager.)
8. To amend architectural standards and criteria as may be required from time to time to address legal requirements or emerging standards such as drought tolerant landscaping practices.
9. To contact Applicants whose plans and specifications have been disapproved and offer to provide reasonable assistance and recommendations for adjustments to bring Applications into compliance with criteria and covenants.
10. To maintain copies of Applications, architectural documents and related records. (This function is carried out by the Licensed Community Manager.)
11. To inform members of the Association regarding activities of the Residential Modifications Committee and changes in criteria as they may occur. These changes include, but are not limited to, the following:
  - a) Roof and roof design
  - b) Fences, walls and similar structures
  - c) Exterior building materials and colors
  - d) Exterior landscaping
  - e) Mailboxes and exterior lighting
  - f) Building setbacks, side yards and related height and design criteria
  - g) Sidewalks and pathways
  - h) Driveways

## **LIABILITY**

The RMC/CMC approval is based only on the aesthetic features of the approved modification. The RMC/CMC assumes no liability nor makes any representation as to their expertise regarding either the structural integrity as shown on the submitted plans or on the ultimate construction of the approved modification.

# **ARCHITECTURAL MODIFICATIONS COMMITTEE POLICIES**

## **POLICY STATEMENT**

Property in Tampa Palms is subject to certain restrictions as further defined in the Declaration of Covenants, Conditions and Restrictions and contained in this Architectural Review Manual. The RMC/CMC/CMC does not seek to restrict individual taste or preferences. In general, its aim is to avoid harsh contrasts in the landscape and architectural themes of Tampa Palms and to foster thoughtful design so that there is a harmony between neighboring residences. The RMC/CMC/CMC intends to be completely fair and objective in the architectural review process and to maintain sensitivity to the individual aspects of design.

## **AREAS OF RESPONSIBILITY**

The RMC/CMC shall be concerned with modifications to the following areas:

1. Buildings/Patios/Courtyards
2. Signs
3. Outside Lighting
4. Fences
5. Landscape
6. Exterior Walls
7. Walks/Driveways
8. Exterior Doors
9. Windows
10. Any other exterior structures or plantings to be constructed, erected, removed, planted or maintained.

Permission or approval to repaint in accordance with an originally approved color scheme, or to rebuild in accordance with originally approved plans and specifications will be automatically granted by the RMC/CMC. However, all requests for modifications must still be submitted to the RMC/CMC prior to commencement of any alterations.

## **PLANS**

In the case of construction, two (2) complete sets of plans and specifications shall be submitted to the RMC/CMC. These plans and specifications shall be prepared by an architect, landscape architect, engineer or other person found to be qualified by the RMC/CMC/CMC.

Requests for color, roof or other changes should be made with sufficient information that the Committee can properly evaluate the proposed changes. The RMC/CMC shall have the right to request additional information if, in its opinion, the information submitted is incomplete or insufficient.

## **TIME LIMITATIONS**

After approval by the RMC/CMC, all improvements shall be completed within a reasonable time from commencement of the improvement. The RMC/CMC may establish a specific time for completion as a condition of its approval.

If approval or disapproval of any plan is not received within forty-five (45) days after written request is delivered to the RMC/CMC by the Owner or Owner's Agent, then no approval by the RMC/CMC shall be required. In no event may any modification be allowed to remain which violates any of the Covenants, Conditions or Restrictions contained in the Declaration, or which violates any zoning or building ordinance or regulation.

### **APPEAL PROCEDURES**

Should a request for an architectural modification be denied by the RMC/CMC/CMC, the homeowner business owner may request a hearing before the RMC/CMC to justify their position.

The RMC/CMC will attempt to work with the owner to suggest alternative methods that will accomplish the homeowner's objectives and also meet with RMC/CMC approval. The RMC/CMC should render its decision within ten (10) days after the appeal has been heard.

### **LIMITATION OF RESPONSIBILITIES**

The primary goal of the RMC/CMC is to review the applications, plans, specifications, materials, and samples submitted, to determine if the proposed modifications conform in appearance and construction criteria with the standards and policy as set forth by the RMC/CMC. The RMC/CMC does not assume responsibility for the following:

1. The structural adequacy, capacity or safety features of the proposed improvement or structure.
2. Soil erosion, uncompact able or unstable soil conditions.
3. Compliance with any and all building codes, safety requirements, governmental laws, regulations, or ordinances.
4. Performance or quality of work of any contractor.

### **VARIANCES**

All variance requests shall be made in writing. Any variance granted shall be considered unique and will not set any precedent for future decisions.

### **CONSTRUCTION INSPECTIONS**

Periodic inspections may be made by the RMC/CMC or by the Licenses Property Manager while construction is in progress to determine compliance with the approved architectural documents. The RMC/CMC through the Licensed Community Manager is empowered to enforce its policy, as set forth in the Declaration and this manual, by any action, including an action in a court of law, to insure compliance.

### **JOB SITE CONDITIONS**

1. All job sites will be kept in a neat and orderly condition.
2. All construction traffic, as applicable, shall enter through the appropriate entrance as established by the neighborhood association or neighborhood committee. .
3. Construction hours are subject to rules and regulations as established by the RMC/CMC and/or



#### **JOB SITE CONDITIONS (cont'd)**

the City of Tampa. Loud or unreasonable construction noise, including radios and other devices on the site are prohibited other than between the hours of: (1) 7:00 a.m. and 6:00 p.m. Monday through Friday; (2) 8:00 a.m. and 6:00 p.m. on Saturday; or (3) 10:00 a.m. and 6:00 p.m. on Sunday.

4. All construction operations must be performed in accordance with local government ordinances.

## KEY ARCHITECTURAL GUIDELINES

The RMC/CMC/CMC evaluates all submissions based on the individual merits of the application. Besides evaluation of the particular design proposal, this includes consideration of the characteristics of the housing type and individual site, since what may be an acceptable design of an exterior in one instance may not be for another. For example, exterior changes to townhouses, due to their relative closeness to each other, usually are more noticeable and have more of an impact on adjoining properties, than occurs for a detached home.

The following criteria are general in nature and apply, with some modification depending on product type, to all of the dwelling units in Tampa Palms.

### Relation To the Tampa Palms Open Area Concept

Fencing, in particular, can have damaging effects on open space. Other factors, such as removal of trees, disruption of the natural topography and changes in rate or direction of storm water run-off will also adversely affect Tampa Palms' open space.

### Conformance With Covenants

All applications are reviewed to confirm that the request is in conformance with all applicable covenants, conditions and restrictions affecting Tampa Palms as recorded in the records of Hillsborough County.

### Validity of Concept

The basic idea must be sound and appropriate to its surroundings.

### Design Compatibility

The proposed improvement must be compatible with the architectural characteristics of the applicant's house. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

### Location and Impact on Neighbors

The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage. For example, fences may obstruct views, breezes or access to neighboring property; decks or larger additions may cast unwanted shadows on an adjacent patio or infringe on a neighbor's privacy.

### Scale

The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.

### Color

Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house such as roofs and trim should be matching in color.

### Materials

Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, vertical wood siding on the original house should be reflected in an addition. On the other hand, an addition with wood siding may not be compatible with a stucco house.

### Workmanship

Workmanship is another standard which is applied to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards. The Association assumes no responsibility for the safety of new construction by virtue of design or workmanship.

### Timing

Projects which remain uncompleted for long periods of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include estimated completion dates. If such time period is considered unreasonable, the RMC/CMC may disapprove the application.

## **HOW TO MAKE APPLICATION TO THE RESIDENTIAL MODIFICATIONS COMMITTEE**

Applications for exterior changes may be obtained from the Tampa Palms office or online at [www.TPOA.net](http://www.TPOA.net) . Completed applications should be sent to the Tampa Palms office or emailed to [TPOAMAIL@aol.com](mailto:TPOAMAIL@aol.com), which will then forward them to the Residential Modifications Committee (RMC/CMC/CMC) for review.

A sample application is attached that indicates the information the RMC/CMC/CMC requires. For some homeowners the most difficult part of the application is adequately describing their request. If the request is not clear, the RMC/CMC may defer its decision and request that the homeowner resubmit a clarified application.

SITE PLAN. A site plan is a diagram of your property showing the location of your home and the boundaries of the property. In the case of a multi-family building, show the location of your unit in relation to the adjacent units. Proposed changes should be indicated including dimensions and distances from adjacent property and units.

MATERIALS AND COLOR. Samples of the materials and colors to be used and an indication of the existing colors and materials should be provided. In most cases, a statement that the proposed wall, for example, is to be painted to match existing house trim or major house color, is sufficient. Where materials and/or colors are compatible but different from those of the existing structures, samples or color chips should be submitted for clarity.

DRAWINGS AND PHOTOGRAPHS. A graphic description should be provided. Homeowners should not be intimidated by any shortcomings as draftsmen or architectural illustrators since a graphic description may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal. Relationships of major architectural features such as existing and proposed roof lines, window sizes and alignment, building heights, roof slopes, etc., should be shown as they affect the applicant's house and, in the case of attached houses, as they relate to adjacent houses. In any case, the sketch or photograph should be accompanied by a written description.

THIRD PARTY COMMENTS. Written comments from neighbors and other residents about proposed changes may be sent to Tampa Palms. These comments will be considered during the review process. The RMC/CMC, however, still must make its decisions based on the standards set forth in the Covenants, Conditions and Restrictions and as further described in this manual.

## ARCHITECTURAL STANDARDS FOR SINGLE-FAMILY HOMES

(PATIO, ZERO LOT LINES, TRADITIONAL, CLASSIC AND THE ESTATES)

### 1. EXTERIOR MATERIALS AND COLORS

Certain materials and finishes, and combinations thereof, are more appropriate than others. Materials not listed, or new building materials as they are developed, or become available, will be given special consideration, provided their use harmonizes with the community. Exterior artificial, simulated or imitation materials shall not be permitted without approval of the RMC/CMC

The use of the following materials are appropriate:

- A. Stucco
- B. Masonry: brick, ceramic
- C Metals: factory finished in durable anodized or baked-on enamel; wrought iron, or copper.
- D. Wood: timbers, boards, tongue and groove, wood siding, rough sawn lumber, wood shingles and shakes. Wood finishes should be painted or stained, but the application of glossy finishes such as high sheen enamels or varnish should be avoided.
- E. All exterior surfaces, with the exception of hardware items, shall have non-reflective finishes.
- F. All painted or stained surfaces shall be well maintained. Aluminum windows and doors are to be anodized or otherwise prefinished in a permanent color.
- G. Bright colors (other than white) as the dominant color are discouraged ~~prohibited~~. Exterior colors that, in the opinion of the RMC/CMC, would be inharmonious, discordant and/or incongruous shall ~~not be permitted~~ discouraged. **(Determined by attorney that “bright colors” wording is not definitive and in the absence of specific colors allowed, inconsistent with State statutes 2007).**
- H. Prior to any modifications, each homeowner must submit to the RMC/CMC/CMC a color plan showing the proposed colors of any exterior modifications. All exterior color plans are subject to the final approval of the RMC/CMC/CMC. The RMC/CMC/CMC shall consider how the color scheme conforms to the overall plans of Tampa Palms and may recommend that the owner “test” a color before approval.

### 2. ROOF STRUCTURES

Special care must be taken with materials used for roofing surfaces. Roof tiles shall be either clay tile, pre-colored concrete tile or metal tiles (non-sheet), cedar or wood shakes, slate or composite or polymer faux slate tiles. Dimensional asphalt shingles are also approvable.

Structures may have only a single type of roof material except that screen is approvable for patios.

Gravel or tar roofs may only be used on commercial properties and must not be visible from ground levels. Pan roofs and / or sheet metal roofs are only approvable on commercial buildings.

Roof colors should be considered as part of the exterior color scheme of the building.

### 3. WINDOWS, DOORS, SCREENED PORCHES AND PATIOS

Exterior finishes including doors, windows, screening, louvers or trim shall not consist of any bright plated or bright finished materials. All screening and screen enclosures shall be constructed of anodized aluminum. The use of reflective or mirror finishes on windows or doors is prohibited.

### 4. EXTERIOR LIGHTING

Proposed exterior lighting modifications must be detailed on plans submitted to the RMC/CMC. The RMC/CMC will not permit any lighting changes which, in their opinion, would create a nuisance to the adjoining property owners.

### 5. DRIVEWAYS

The RMC/CMC encourages the use of finished, patterned concrete, terrazzo, Chantahoochee or other stone finishes for all driveways. Blacktop may be permitted, if approved by the RMC/CMC, only in the Multi-family Home villages and Commercial properties. The use of plain concrete is prohibited in the Traditional homes and The Reserve.

### 6. AWNINGS AND SHUTTERS

Awnings, canopies and/or shutters require the approval of the RMC/CMC prior to installation. Hurricane storm shutters may not be stored on the exterior of the residence without approval of the RMC/CMC.

### 7. FENCES AND WALLS

All fences and walls must have the approval of the RMC/CMC prior to installation. All fencing must be installed along the rear portions of the property, coming no farther forward than 25% of the rear plane of the home on either side. The schedule below indicates the requirements for fences and walls in Tampa Palms.

	Zero Lot Line	Traditional & Classic	Reserve	Non-Village**
A. Fences cannot exceed six feet (6') in height	Yes	Yes	Yes	Yes
B. Finished side of all fencing must face the exterior side.	Yes	Yes	Yes	Yes
C. Fencing of front yard area is not permitted	Yes	Yes	Yes	No
D. No fences are allowed on the Golf Course side	Yes	Yes	Yes	Yes
E. Type of fence permitted:				
a. PVC	Yes	Yes	Yes	Yes
b. Wood or chain link	No*	No*	No*	No*
c. Metal	Yes	Yes	No	Yes
d. High quality decorative wrought iron	Yes	Yes	Yes	Yes
e. Brick, stucco or masonry	Yes	Yes	Yes**	No
F. Walls are permitted if they are w/in setback	Yes	Yes	Yes	Yes
G. Utility devices (i.e. Water softeners, trash containers, sprinkler controls) may be fenced	Yes	Yes	Yes	Yes

\* Existing wood fences approved before 1998 may be reconditioned, repaired or portions replaced so long as no more than 10% of the linear expanse of the fence is replaced within a twelve month period.

\*\* Corrected to be consistent with CDC LUS for Reserve.

## 8. AIR CONDITIONERS AND TRASH CONTAINERS

Air conditioning units shall not be visible from any street or adjacent property. They must be shielded or hidden from view in a properly approved manner. No window or wall air conditioning units are permitted. All trash containers must be placed in an enclosed or landscaped area approved by the RMC/CMC/CMC and may not be stored where visible from adjacent properties or the street. Trash bins and yard waste must be placed along the curb no earlier than the evening before scheduled collection. Trash bins and any uncollected yard waste must be removed no later than the evening of the scheduled collection.

## 9. SIGNS, ANTENNAS AND FLAGPOLES

Exterior antennas or satellite dishes, other than those less than one meter (39.37 in) shall not be permitted. These restrictions are subject to Section 207 of the Telecommunications Act of 1996, most recently amended in 2001 and shall comply with any future amendments. **(Modifications added 1999 to Comply with Federal Statutes regarding OTARD compliance.)**

Flags shall be permitted only for the display of one portable, removable official United State flag or official flag of the State of Florida and one flag no larger than 4-1/2 feet by 6 feet representing the United States Army, Navy, Air Force, Marine Corps, Space Force or Coast Guard, or a POW-MIA flag. Owners may also display a portable flag representing a sports team (by example and not limitation, the Buccaneers, the Lightning, or the Rays.)

In lieu of a portable flag, owners may erect a freestanding flagpole of no more than 20 feet high that must not obstruct sightlines at intersections or be placed on an easement or within a wetland setback to display one official United State flag or one official flag of the State of Florida and one official flag no larger than 4-1/2 feet by 6 feet representing the United States Army, Navy, Air Force, Marine Corps, Space Force or Coast Guard, or a POW-MIA flag. As with all exterior modifications, appropriate RMC/CMC application is required for flags and poles.

*(Modifications made to conform with 2023 Fl Statutes 720.304.*

Signs shall be permitted only with the approval of the RMC/CMC/CMC. The RMC/CMC/CMC shall have approval of size, color, content and location of any sign. All signs must be permanent and grounded and include the design elements of the community such as brick (CDC LUSs); No signs shall be permitted to be attached, in any manner, to a tree or streetlight. **(Modifications added 1996- supporting New Tampa Overlay Ordinance)**

The Board has approved automatic approval without RMC application for:

- One “For Rent” or “For Sale” sign that may be placed on the front yard, not between the sidewalk and the street. This sign must be the same type as the “TPOA For Sale by Owner” signs and be no larger than 2 ft high and 2 ft 6 in width.
- One sign supporting a political candidate or position may be erected in the front yard no more than 6 weeks before that election and must be removed the day after the election. The sign must be no larger than 2 ft high and 2 ft 6 in feet wide.

**(Modifications added 2008)**

The RMC/CMC shall approve the following composite, metal, or plastic ground signs with proper application specifying color (black, white, gold, red), blue, green), placement (front entry area), and sign size (maximum 18" wide by 18" high) :

- No Trespassing
- No Soliciting
- Security or Alarm

The following signs will not be approved and may not be used on the properties, residential or commercial;

- All banners
- All portable signs including snipe signs and A-frame signs
- All roof signs
- All inflatable signs
- All ground signs

**(Modifications added 1996- supporting New Tampa Overlay Ordinance)**

#### 10. SWIMMING POOLS AND TENNIS COURTS

Swimming pools shall not be permitted on the street side of a residence except on a corner lot, in which case the pool must be screened from the street. All pool screening and decks must be within the setback. No above ground swimming pools shall be permitted.

Tennis courts are not permitted except in The Reserve where they must be at least twenty-five feet (25') from the property line and all plans, including lighting, must be approved by the RMC/CMC

#### 11. PLAY EQUIPMENT AND ACCESSORY STRUCTURES

Playhouses, tool sheds, doghouses or other similar type structures may be permitted but must first receive written approval of the RMC/CMC prior to installation. All playground equipment, except basketball hoops, must be at the rear of the residence and must have the approval of the RMC/CMC.

Applications for play structures must include a site plan clearly showing its intended placement. The structure's visual impact to neighboring units and/or the street must be buffered as much as possible, preferably with landscaping. A landscaping/buffering plan must be included with the application.

Basketball goals may be located along the driveway and must be permanently mounted in the ground. The pole shall be black or white, 7-10 feet high, and must be erected approximately halfway between the garage and the sidewalk on either side, facing the driveway. The backboard must be clear with no conspicuous writing and minimal graphics.

Applications for sheds, doghouses, or other accessory structures must include a photo/brochure/diagram of the proposed structure, a description of its materials, colors, dimensions, elevation intended placement, and plan for buffering its visual impact from the street and/or neighboring units.

No decorative sculpture, such as fountains, shall be placed on the street side of the residence without the approval of the RMC/CMC



## 12. SAFETY – HURRICANE PROTECTION SPECIFICATIONS

The TPOA RMC at a regularly scheduled and noticed meeting with quorum present, adopted the following hurricane protection specifications for the association. This was done to codify the existing conditions and to comply with newly adopted [2024] portions of FS 720.3035 which required formal adoptions of hurricane protection specifications.

The following hurricane protections will be approved with the simple submission of an RMC form:

- Roof systems recognized by the Florida Building Code that meet ASCE 7-22 standards;.
- Permanent fixed storm shutters;
- Roll-down track storm shutters;
- Impact-resistant windows and doors;
- Polycarbonate panels;
- Reinforced garage doors;
- Erosion controls;
- Exterior fixed generators;
- Fuel storage tanks; and,
- Other hurricane protection products used to preserve and protect the structures or improvements on a parcel governed by the HOA.

## 13. MAILBOXES

Any modification to or replacement of existing mailbox and/or structure must be consistent in style with the original approved mailbox design (Pictured below). Wood or PVC structures and aluminum or plastic mailboxes are acceptable materials but must be approved by the RMC/CMC before any modification or replacement is made.

Mailboxes and structures must be gray in color. The mailbox must have a red "out-going" flag. Address numbers must be placed on the structure's arm, centered below the mailbox. The post cap must be white and pointed in shape, with the point not to exceed 3 inches in height. The mailbox height and distance from the curb must meet USPS standards.

Owners in sub-associations with specialty mailboxes must also refer to their specific documents when making any modifications to or replacement of the mailbox and/or structure. (*Revised to allow non-wood posts May 2023.*)

[illegible]

## ARCHITECTURAL STANDARDS AND CRITERIA MULTI-FAMILY / ATTACHED

### 1. EXTERIOR MATERIALS

When contemplating modifications to the exterior of multi-family homes, certain combinations of materials and finishes are more appropriate than others. Materials that are not listed below, or new materials as they are developed, will be given special consideration. At the present time the following materials are appropriate:

- A. Exterior rough hardware: hot dipped galvanized aluminum or stainless steel.
- B. Wood: timbers, boards, wood siding (other than plywood), rough sawn lumber, wood shingles and shakes (cypress and cedar shakes are recommended).
- C. Stucco: texture and finish will be considered on individual merit.
- D. Masonry: tile, brick, concrete, decorative concrete blocks (in limited application).
- E. Metals: factory finished in durable anodized aluminum, baked or enamel colors or wrought iron.

### 2. EXTERIOR COLORS AND FINISHES

Bright colors (other than white) as the dominant colors are not permitted. In the opinion of the RMC/CMC, any exterior colors that would be inharmonious, discordant and/or incongruous to Tampa Palms are prohibited. Glossy finishes such as varnishes or high sheen enamel shall not be permitted on wood materials. Paint and/or stain is permitted on all surfaces but must be well maintained. Non-reflective finishes shall be used on all exterior surfaces with the exception of hardware items. **(Determined by attorney that “bright colors” wording not definitive and in the absence of specific colors allowed, inconsistent with State law 2007)**

### 3. ROOF STRUCTURE

For roof structures, concrete tile and wood shake roofs are recommended. Asphalt or fiberglass shingles are discouraged and, if requested, are subject to approval by the RMC/CMC. Any other roofing materials will be reviewed as to their merit and are subject to rejection by the RMC/CMC. All flashings shall be aluminum and shall match the color of the roof.

### 4. WINDOWS AND SLIDING GLASS DOORS

Smoke and gray tints are encouraged for energy conservation purposes.

### 5. DRAINAGE

Tampa Palms has a master drainage plan which provides for the acceptance, storage and dissipation of storm water run-off. Any modifications to the land use will be subject to strict review by the

RMC/CMC/CMC These modifications include any alterations to the parking areas, landscaping or any other change that, in any way, would affect the drainage.

## 6. PARKING

No off-street parking areas shall be redesigned without prior approval of the RMC/CMC/CMC. No parking areas shall be located on the lake frontage. All parking must meet or exceed the City of Tampa requirements.

## 7. WALLS AND FENCES

The existing walls and fences were installed to provide privacy for residential areas, to screen objectionable site elements (i.e. trash containers) and define pedestrian circulation systems. All buffer areas are required to be maintained. Any modifications to the buffers must be approved by the RMC/CMC/CMS. No chain link fencing is permitted.

- Height: The normal approved height for fencing is six feet (6') from the ground.
- ~~Style: All fencing must be "picket style" or see through; fencing cannot be "wall like" in appearance.~~ Removed March 2023.
- Material: Approved material for fencing:
  1. PVC;
  2. Wrought Iron;
  3. Aluminum;

**Wood and chain link fencing are prohibited.**
- Placement: Fences must be installed along the rear of the property line, coming no farther forward than 25% of the rear plane of the home on either side.
- Additional fencing criteria: The installation of buffering landscaping or shrubbery may be required. Application MUST include the exact height, style, and material, as well as a site plan depicting the desired placement of the fence. NOTE: Existing wood fences may not be replaced with fencing of the same material, height, and style.

## 8. DRIVEWAYS AND PARKING AREAS

All driveways should be concrete or other low maintenance material. Use of asphalt may be acceptable for parking area.

## 9. LIGHTING

Any request for changes in existing site lighting, lighting of entry signs, walkways or landscaped area must be approved by the RMC/CMC. Proposed modifications must not interfere with vehicular traffic or become a nuisance to residents of adjacent buildings. Lights for exterior signs or fixtures must be shielded.

## 10. AWNINGS AND SHUTTERS

Prior approval is required before any awnings, canopies or shutters can be affixed to the exterior of the buildings. In no event shall storm shutters be stored on the exterior of the building.

11. SIGNS AND MAILBOXES Any modifications to the existing signage (i.e. house numbering, outside lampposts, etc.) must be uniform throughout the parcel and have the approval of the RMC/CMC/CMC before the modification is made. Mailbox structures must be enclosed in some type of architectural element

## 12. SWIMMING POOLS, SPAS AND/OR HOT TUBS

All swimming pools, spas and/or hot tubs must be enclosed by a natural barrier, retaining wall, screened enclosure, fence or other structure so as to obstruct unauthorized access. All enclosures must be approved by the RMC/CMC/CMC as to material, size and location. No above ground swimming pools will be permitted.

## LANDSCAPE AND IRRIGATION CRITERIA

### PURPOSE AND INTENT

The provisions of this Section are to promote and maintain the aesthetic character of the villages and the neighborhoods and to provide for the preservation of the natural vegetation existing within Tampa Palms. Nothing in this Section shall be construed to prohibit the use of creative design in landscaping. If a more creative design is presented which does not meet the requirements set forth herein in the strictest sense, but lends itself to a more unique and aesthetically pleasing design, such plans may be approved. The plans, however, must meet the requirements of the City of Tampa Tree Site Clearing and Landscape Ordinances. For the purposes of these Guidelines, site furniture, irrigation and landscape lighting are considered landscape elements.

### APPROVAL

Prior to commencement of original construction of a site or any reconstruction where fifty percent of the landscape is changed or modified or any tree is to be removed, the Owner shall submit to the NCC for approval a landscape plan conforming to the provisions of this Section and accompanied by a fully completed application. Such approval shall be in writing and once approved, the Owner shall construct and maintain the site in accordance with the approved plan.

### AUTHORITY

The authority for the New Construction Committee/ Residential Modifications Committee is set forth in the Declaration of Covenants, which encumbers every lot or parcel within Tampa Palms. The NCC /RMC/CMC is responsible for carrying out its duties on behalf of all members of the Association for the benefit of the total, community.

### LANDSCAPE PLAN

The Owner shall be responsible for the design, installation and maintenance of landscape material in accordance with accepted commercial planting procedures by qualified persons using the quality and type of plant materials approved by the NCC. ~~The landscape plans and specifications shall be prepared, signed and sealed by a registered, professional landscape architect licensed to practice in the State of Florida for any reconstruction where fifty percent of the landscape is changed or modified.~~ (Removed May 1996)

Such plans shall be drawn to scale and shall include dimensions and distances; clearly delineate existing or proposed structures, pavements, setbacks, rights—of—way, easements and other site features; and shall designate by name and location the plant material to be installed. The location, size and type of all existing trees which are to be saved shall also be clearly shown.

The landscape plan shall be implemented no later than thirty (30) days after substantial completion of construction or improvements on any property unless weather conditions reasonably require delay. In the event of weather delay, landscape plan implementation will commence when weather conditions become favorable.

### SUBMISSIONS REQUIREMENTS

In order for the RMC/CMC/CMC /to evaluate the owner's proposed landscape approach and its

compliance with the intent of these Guidelines, the Owner shall submit the following:

- A. Landscape and irrigation plans at a minimum scale of 1 inch equals 30 feet (1" = 30') showing the location, name and size of all plant material.
- B. Irrigation plan with legend calling out all materials.
- C. Plant materials list and details for construction.
- D. Blow-up detail plans of planter beds. as required.
- E. Location plan of and details for all site furniture and special site features such as, but not limited to, pools, fountains, arbors and berming.
- F. Site plan showing location, size and type of all natural vegetation indicating which trees the Owner intends to save.
- G. Landscape lighting plan.

## DESIGN GUIDELINES - RESIDENTIAL

### DESIGN CRITERIA- GENERAL

#### A. NATURAL VEGETATION PRESERVATIONS

The Owner shall make every effort to preserve natural vegetation on each site. All trees that have a trunk diameter five (5) inches or larger shall be located on an accurate topographic map. Such measurements shall be made at a point twelve (12) inches from the natural ground line.

Every effort shall be employed to maximize preserving these trees and site plans shall reflect this effort. Appropriate procedures' conversant with the best practices of "art of tree preservation" must be employed at each site.

Owners and designers are encouraged to use naturally occurring trees, shrubs and ground covers where possible.

All portions of each site which are not devoted to building, paving or special landscape features shall be grassed **or provided with an appropriate ground cover. (May 1996)**

#### B. UNIFORM STREET TREES

During the initial construction each Participating Builder will pay for the installation and maintenance of street trees as required. Said trees will be planted by a contractor designated by Tampa Palms and invoices will be paid by the Participating Builder for the service.

#### C. BERMS

Landscape berms shall be permitted so long as such berms do not exceed five (5) feet in height and are sodded or **planted with natural ground covers (May 1996)** at the time of construction. Berms constructed parallel or approximately parallel to a public roadway shall not exceed seventy-five- (75)

feet in length measured at the top of the slope; provided consecutive berms will be permitted. Berms may be constructed of topsoil or shall be top dressed to a minimum depth of nine (9) inches.

Berms more than thirty (30) inches in height shall not be constructed between sidewalks and adjacent primary or secondary roadway curbs. (See Figure 7: Typical Visual Screening).

Berms shall be smooth flowing natural forms. Smooth flowing natural berms must be carefully formed and finely graded to blend into the surrounding landscape. Architectural berms with straight lines, uniform slope and crisp angular change in direction **are not permitted**. The height of berms should vary to avoid a monotonous appearance.

#### D. IRRIGATION

The Owner shall be responsible for the design, installation, maintenance and proper utilization of automatically controlled landscape irrigation systems for each site providing 100% coverage. ~~Irrigation installation shall be performed by a contractor engaged full time in the installation of automatic underground irrigation systems.~~ (Revised Sept 2009)

Such irrigation systems shall be designed to be able to apply a minimum of 1-5 inches of water per week on all planting areas and shall not use water drawn from a well less than fifty (50) feet in depth. Irrigation devices shall not be installed above finish grade within roadside pedestrian system areas and adjacent secondary or primary roadway rights-of-way in such a manner as to be hazardous to pedestrian traffic. (Revised Sept 2009)

Low volume and drip line irrigation systems are encouraged.

### ACCEPTABLE LANDSCAPE MATERIALS AND PRACTICES

#### A. PLANTING MUST NOT CREATE A HAZARD

All landscape materials shall be planted in a manner which will not impede or create a hazard for vehicular or pedestrian traffic, and shrubs planted between sidewalks and adjacent primary or secondary roadway curbs shall not attain a height in excess of thirty-six (36) inches at maturity.

#### B. PLANT QUALITY AND SIZE

Plant material used for landscaping in conformance with the provisions of this section shall equal or exceed the standards for Florida No. 1 as given in the latest edition of Grades and Standards for Nursery Plants, State of Florida, Department of Agriculture and Consumer Services, Tallahassee. Standards for sizing and measurement of plant material shall also be in accordance with this document. The sizes for plant material given in this chapter shall be the minimum size at the time of installation.

1. All "major" shade trees required landscape areas shall conform to the specifications outlined in Sections E following. Major palms shall have a minimum of ten (10) feet of clear trunk before fronds. Major palms shall be substituted two (2) for one (1) with major trees. All trees shall have a minimum planting area of twenty-five (25) square feet with a minimum distance of two and one-half (2 1/2) feet from the center of the tree trunk to the near edge of any landscape area.
2. All "minor" trees required for landscape areas shall conform to the specifications outlined in Section F following. Minor palms shall have a minimum six (6) feet of clear t before



fronds. Minor trees can be substituted two for one with major trees for a maximum of up to twenty-five (25) percent of the total number of major trees to be placed on the site. A maximum of twenty-five (25) percent of all minor trees placed on the site can be palms.

3. Shrubs classified as a "spreading type" shall be in a minimum one (1) gallon container, those classified as an "upright type" shall be in a minimum three (3) gallon container at time of planting.
4. Vines - Vines shall be in a minimum of three gallon containers and placed at maximum of (10) feet on center. Vines may be used conjunction with fences, screens and walls.
5. Groundcovers - Groundcovers shall be in a minimum of four (4) inch pots or pips and planted at a minimum of six (6) inches on center, or twelve (12) inch maximum depending on genus.
6. Hedges - Hedges shall be planted a maximum of three (3) feet on center. Shrubs used in hedges shall be the minimum size of thirty-six (36) inches at planting.

### C. MINIMUM LANDSCAPE REQUIREMENTS

#### 1. ZERO LOT LINE / PATIO HOMES

The following landscape materials shall be provided and installed in all patio homes and zero lot line residential areas thirty (30) days after substantial completion of the unit and shall be maintained thereafter by the owner.

- a. Front areas from rear of home to street shall present an attractive appearance, emphasizing and reinforcing the major entry and the architectural design of the house. Landscaping shall incorporate a mix of four (4) approved trees and shrubs and groundcovers equal to 25% of front area in a design appropriate to the scale and design of the house.
- b. Rear of home must have two (2) trees, making a total of six (6) trees plus the approved street tree. (Combination major and minor)
- c. The immediate area around the home shall be provided with shrubs or hedges sufficient in size to provide effective foundation planting and screening of services. No more than 20% of the of the area, excluding the building and driveway, shall be sod.

#### 2. CLASSIC, CUSTOM AND TRADITIONAL HOMES

The following landscape materials shall be provided and installed in all single family residential areas thirty (30) days after substantial completion of the unit and shall be maintained thereafter by the owner.

- a. "Front areas" from rear of home to street shall present an attractive appearance, emphasizing and reinforcing the major entry and the architectural design of the house. Landscaping shall incorporate a mix of four (4) approved trees and shrubs and groundcovers equal to 45% of front area in a design appropriate to the scale and design of the house. "Front area" is defined as extending from the two back corners, down the sides to the front yard.
- b. Rear of home must have two (2) approved trees, making a total of eight (6) approved trees plus the approved street tree.
- c. *The immediate area around each house shall be provided with shrubs and/or hedges*

*sufficient in size and quantity to provide an effective foundation planting and screening of services. There must be a minimum of eight (8) trees per unit or one (1) tree per 2,500 square feet (less buildings and roadways) whichever is greater.*  
**(Original tree requirements did not take into consideration small unit village needs and will not be required for re-landscaping efforts. 2006)**

- d. Each lot shall also be provided with sufficient shrubs, hedges and/or groundcovers to provide partial screening, seasonal color and intermediate scale to the lot. No more than 35% of the area, excluding the building and driveway, shall be sod.
- e. All areas of the lot landscaped in planting beds shall be sodded with approved grass or ground cover species
- f. All landscaped and sodded areas shall be automatically irrigated.

D. RECOMMENDED PLANTING STYLE:

- a. The plants listed in this section are permitted for use in landscaping. Exceptions to this list must be approved by the NCC/RMC/CMC in writing.
- b. Some general recommendations for landscaping include:
  - ✓ Relate the number of different plants used to the size of the lot and building,
  - ✓ Keep plantings simple;
  - ✓ Make groupings of plants requiring similar water and sun needs to maximize resource use - avoid the variegated look of alternating plant types;
  - ✓ Consider the ultimate size of each plant and its mature scale, cold hardiness; and seasonal drought situations in Tampa Palms

E. MAJOR TREES

Camphora Tree (*Cinnamomum camphora*)\*

10-12' ht. x 4-6' sp.

Acer rubrum (Red Maple) \*

10-12' ht. x 4-6' sp.

Chinese Elm (*Ulmus parvifolia sempervirens*)\*

10-12' ht. x 4-6' sp.

Laurel Oak (*Quercus laurifolia*)\*

10-12' ht. x 4-6' sp.

Live Oak (*Quercus virginiana*)\*

10-12' ht. x 4-6' sp.

Sawtooth Oak (*Quercus acutissima*)

10-12' ht. x 4-6' sp.

Golden Shower (*Cassia fistula*)

10-12' ht. x 4-6' sp.

Slash Pine (*Pinus elliotti*)\*

10-12' ht. x 4-6' sp.

Southern Magnolia (*Magnolia grandiflora*) \*

10-12' ht. x 4-6' sp.

Sweet Gum (*Liquidambar styraciflua*)\*

10-12' ht. x 4-6' sp.

Sycamore (*Platanus occidentalis*)\*

10-12' ht. x 4-6' sp.  
Bald Cypress *Taxodium distichum*  
10-12' ht. x 4-6' sp.

- F. MINOR TREES  
American Holly (*Ilex opaca*)  
varieties: East Palatka  
8-10' ht. x 3-5' sp.  
Betula spp (Birch)  
12-14' ht. x 3-5' sp.  
Chinese Tallow Tree (*Sapium sebiferum*)\*  
8-10' ht. x 4-6' sp.  
Crape Myrtle (*Lagerstroemia indica*)  
8-10' ht. x 4-6' sp.  
Jerusalem Thorn (*Parkinsonia aculeata*)  
8-10' ht. x 3-5' sp.  
Loblolly Bay (*Gordonia lasianthus*)  
8-10' ht. x 4-6' sp.  
Wax Myrtle (*Myrica cerifera*)  
8-10' ht. x 4-6' sp.  
Loquat (*Eriobotrya japonica*)  
8-10' ht. x 4-6' sp.  
Silk Tree (*Albizzia julibrissin*)  
8-10' ht. x 4-6' sp.  
Tulip Tree (*Liriodendron spp*)  
8-10' ht. x 3-5' sp.  
Weeping willow (*Salix spp*)  
8-10' ht. x 4-6' sp.

- G. PALMS  
Bismarck Palm (*Bismarckia nobilis*)  
Cabbage Palm (*Sabal palmetto*)  
Canary Island Date Palm (*Phoenix canariensis spp*)  
European Fan Palm (*Chamaerops humilis*)  
Fan Palm( *Livistonia*)  
Formosa Palmosa (*Arenga engleri*)  
Mexican Fan Palm (*Washingtonia Robusta spp*)  
Paurotis Palm (*Acoelorrhaphe wrightii*)  
Pindo Palm (*Butia capitata*)  
Senegal Date Palm (*Phoenix reclinata*)  
Windmill Palm (*Trachycarpus fortunei*)

- H. GROUND COVERS  
Asparagus Fern (*Asparagus spp*)  
Boston Fern (*Nephrolepis exaltata*)  
California Daisy (*Gamolepsis chrysanthemoides*)  
Cape Honeysuckle (*Tecomaria capensis*)

Cast—Iron Plant (*Aspidistra elatior*) Climbing Fig (*Ficus repens*)  
 Confederate Jasmine (*Trachelospermum jasminoides*)  
 Coontie (*Zamia floridana*)  
 Day Lily (*Emerocallis* spp./single color)  
 Downy Jasmine (*Jasminum multiflorum*) English Ivy (*Hedera helix*)  
 Flame Vine (*Pyrostegia ignea*)  
 Japanese Honeysuckle (*Lonicera japonica*)  
 Lily Turf (*Liriodendron muscari*)  
 Oyster Plant (*Rhoeo discolor*)  
 Juniper (*Juniperus* spp)  
 Mondo Grass (*Ophiopogon* spp)  
 Petunia (*Petunia*) Purple Heart (*Setcreasea purpurea*)  
 Society Garlic (*Tulbaghia fragrans*)  
 Wandering Jew (*Zebrina* spp)  
 Sword Fern (*Nephrolepis exalata*)  
 Wandering Gem (*Zebrina pendula*)  
 Wax Begonia (*Begonia* spp)  
 Wedelia (*Wedelia trilobata*)

#### I. SHRUBS

All plant material used for hedges and screens shall be planted to create an 80% opaque screen at 36" of height at planting.

All designers must be aware of cold conditions and hard pan areas that can exist in Tampa Palms, as well as the seasonal dry conditions.

Abelia (*Abelia* spp)  
 Azalea (*Rhododendron indicum*)  
 Bird of Paradise (*Strelitzia reginae*)  
 Blue Plumbago (*Plumbago capensis*)  
 Oleander (*Nerium oleander*) \*  
 Dwarf Azalea (*Rhododendron* spp)  
 Firethorn (*Pyracantha coccinea*)  
 Heavenly Bamboo (*Nandina domestica*)  
 India Hawthorn (*Raphiolepis indica*)  
 Barberry (*Berberis* spp) .  
 Bottle Brush (*Callistemon* spp)  
 Laurel Leaf Snailseed (*Cocculus laurifolius*)  
 Trumpet Vine (*Allamanda nerifolia*)  
 Asparagus Fern (*Asparagus sprengeri* spp)  
 Camellia (*Camellia* spp)  
 Spider Lily (*Crinum asiaticum* spp)  
 Ixora (*Ixora* spp)  
 Pittosporum (*Pittosporum tobira* spp)  
 Junipers (*Juniperus* spp)  
 Silver Thorne (*Elaeagnus Purgens*)  
 Virburnum (all)  
 Thryallis (*Thryallis glauca*)

Cotoneaster (Cotoneaster spp)  
 Gardenia (Gardenia spp)  
 Hydrangea (Hydrangea spp)  
 Jasmine (Jasminum spp)  
 Star Jasmine (Trachelospermum)  
 Privet (Ligustrum spp)  
 Miniature Holly (Malpighia spp)  
 Guava (Psidium spp)  
 Boxthorn (Severinia buxifolia)  
 Cape Honeysuckle (Tecomaria capensis)  
 Ternstroemia (Cleyera japonica)  
 Shiny Xylosma (Xylosma congestum)  
 Wax Myrtle (Myrica cerifera)

#### J. GRASSES

1. All yard grasses which may be installed by sod or sprigging except in cases herein where sodding is a specific requirement and in such cases the term “sodding” shall be construed to mean the application of solid cover of sod upon the surface specified except where the landscape calls for an acceptable ground cover.
2. Maximum turf limits exist for all residential properties – see Sections C1 and C2 above.
3. Grass Types Permitted
  - St. Augustine (*Stenotaphrum secundatum*)
  - Bermuda Hybrids
  - Bahia
  - Zosia
  - Centipede (*Evermochloa ophiuroides*)
  - Pampasgrass (*Cortaderia selloana*)
  - Mondo Grass, (*Ophiopogon japonicas*)

**(Modified 2008 to increase drought and cold tolerant options consistent with Florida Friendly Landscape objectives.)**

#### K. PROHIBITED SPECIES

The following plant material is expressly prohibited:

1. Australian Pine (*Casuarina* Spp.)
2. Melaluca Leuadudron (Punk Tree)
3. Schinus Terebinthifolius (Brazilian Pepper)

#### L. INORGANIC MATERIALS:

1. Use of indigenous inorganic materials (i.e., rocks, gravel) to function as ground cover or paving substitutes shall be allowed only with the NCC or RMC/CMC approval and shall be used only when governed by a strong design concept or in areas where organic material will present maintenance or logistics problem.

2. All major and minor trees shall have a mulch bed that has a minimum radius of two and one half (2 1/2) feet measured from the center of the tree trunk(s) and three inches deep.
3. Each shrub shall have a mulch bed that has a minimum radius of twelve (12) inches measured from the center of the plant and three inches deep. Shrubs planted in mass shall have a continuous mulch bed. All vines and ground covers shall be minimum two (2) inches in depth

## **DESIGN GUIDELINES- COMMERCIAL LANDSCAPE**

It is the purpose of this section to establish certain requirements and regulations that will insure a minimum standard for functional and aesthetic landscape treatment for Tampa Palms. This proposed treatment of the landscape is composed of living and non-living elements which, properly and effectively combined, will greatly enhance the total man-made and natural environment.

It is recognized that, among many benefits, the use of these landscape elements can most effectively provide shade and cooling, aid in channeling traffic, control and modulate views and at the same time contribute to air purification, oxygen regeneration, noise absorption, glare reduction, wind and heat abatement and increased water absorption into the soil due to the reduction of water run-off.

In summary, the landscape treatment will achieve two highly desirable attributes in community development,

- the implementation of a high level of community aesthetics and
- the preservation of the best characteristics of the natural environment.

## **ACCEPTABLE LANDSCAPE MATERIALS AND PRACTICES**

### **A. PLANTING MUST NOT CREATE A HAZARD**

All landscape materials shall be planted in a manner which will not impede or create a hazard for vehicular or pedestrian traffic, and shrubs planted between sidewalks and adjacent primary or secondary roadway curbs shall not attain a height in excess of thirty-six (36) inches at maturity.

### **B. PLANT QUALITY AND SIZE**

Plant material used for landscaping in conformance with the provisions of this section shall equal or exceed the standards for Florida No. 1 as given in the latest edition of Grades and Standards for Nursery Plants, State of Florida, Department of Agriculture and Consumer Services, Tallahassee. Standards for sizing and measurement of plant material shall also be in accordance with this document. The sizes for plant material given in this chapter shall be the minimum size at the time of installation.

1. All "major" shade trees required landscape areas shall conform to the specifications outlined in Sections E following. Major palms shall have a minimum of ten (10) feet of clear trunk before fronds. Major palms shall be substituted two (2) for one (1) with major trees. All trees shall have a minimum planting area of twenty-five (25) square feet with a

minimum distance of two and one-half (2 1/2) feet from the center of the tree trunk to the near edge of any landscape area.

2. All "minor" trees required for landscape areas shall conform to the specifications outlined in Section F following. Minor palms shall have a minimum six (6) feet of clear t before fronds. Minor trees can be substituted two for one with major trees for a maximum of up to twenty-five (25) percent of the total number of major trees to be placed on the site. A maximum of twenty-five (25) percent of all minor trees placed on the site can be palms.
3. Shrubs classified as a "spreading type" shall be in a minimum one (1) gallon container, those classified as an "upright type" shall be in a minimum three (3) gallon container at time of planting.
4. Vines - Vines shall be in a minimum of three gallon containers and placed at a maximum of (10) feet on center. Vines may be used conjunction with fences, screens and walls.
5. Groundcovers - Groundcovers shall be in a minimum of four (4) inch pots or pips and planted at a minimum of six (6) inches on center, or twelve (12) inch maximum depending on genus.
6. Hedges - Hedges shall be planted a maximum of three (3) feet on center. Shrubs used in hedges shall be the minimum size of thirty-six (36) inches at planting.

## INTERIOR YARD (BUILDING PERIMETER) LANDSCAPING

For the purpose of determining the minimum landscape requirements at the building perimeter a five feet zone is hereby created around each principle building constructed. This zone is considered to exist around all projections to the building including screened service yards. The building perimeter zone shall be protected from and shall not include any automobile overhang, driveways, aisles, or parking spaces, except that service drives leading to service entrances shall be allowed.

The minimum building perimeter landscape requirement shall consist of fifty (50) percent of the area contained in this zone. One (1) tree shall be provided for each one thousand (1,000) square feet or majority portion thereof contained in the zone. No more than seventy (70) percent of the required landscape area may be grassed, the balance to be landscaped in shrub and ground covers.

The distribution of the landscape area shall be located along building frontages facing public road rights-of-way. The minimum required landscape area requirement may be located outside the zone provided that such required building perimeter landscaping shall be located between the building and limits of the parking lot. The NOC reserves the final review authority for community conformity and plan approval.

The immediate area around the home shall be provided with shrubs or hedges sufficient in size to provide effective foundation planting and screening of services. No more than 20% of the area, excluding the building and driveway, may be grassed.

## PARKING LOT LANDSCAPING

Landscaping shall be provided within all parking lots or areas to the extent that not less than twenty percent (20%) of the total nominal surface area of the parking lot shall be landscaped plus one (1) tree per forty (40) feet along the perimeter. All parking lot and all planter areas shall be irrigated. Refer to City of Tampa minimum standards.

The Owner is encouraged to consider the use of shrubs, ground covers and berms in the landscape area of the parking lot, provided that such use shall be consistent with required sight lines and can be maintained in a mature condition at no less than three (3) feet above the adjacent driveway surface.

The parking lots shall be buffered from view from the roadway by landscape or berms or a combination of landscape and berms at least four (4) foot in height and eighty percent (80%) opaque.

Refer to City of Tampa minimum standards.

## ACCEPTABLE LANDSCAPE MATERIALS

### A. RECOMMENDED PLANTING STYLE:

- c. The plants listed in this section are permitted for use in landscaping. Exceptions to this list must be approved by the CMC/RMC/CMC in writing.
- d. Some general recommendations for landscaping include:
  - ✓ Relate the number of different plants used to the size of the lot and building,
  - ✓ Keep plantings simple;
  - ✓ Make groupings of plants requiring similar water and sun needs to maximize resource use - avoid the variegated look of alternating plant types;
  - ✓ Consider the ultimate size of each plant and its mature scale, cold hardiness; and seasonal drought situations in Tampa Palms

### B. MAJOR TREES

Camphora Tree (*Cinnamomum camphora*)\*

10-12' ht. x 4-6' sp.

Acer rubrum (Red Maple) \*

10-12' ht. x 4-6' sp.

Chinese Elm (*Ulmus parvifolia sempervirens*)\*

10-12' ht. x 4-6' sp.

Laurel Oak (*Quercus laurifolia*)\*

10-12' ht. x 4-6' sp.

Live Oak (*Quercus virginiana*)\*

10-12' ht. x 4-6' sp.

Sawtooth Oak (*Quercus acutissima*)

10-12' ht. x 4-6' sp.

Golden Shower (*Cassia fistula*)

10-12' ht. x 4-6' sp.

Slash Pine (*Pinus elliotti*)\*

10-12' ht. x 4-6' sp.

Southern Magnolia (*Magnolia grandiflora*) \*

10-12' ht. x 4-6' sp.

Sweet Gum (*Liquidambar styraciflua*)\*

10-12' ht. x 4-6' sp.

Sycamore (*Platanus occidentalis*)\*

10-12' ht. x 4-6' sp.

Bald Cypress *Taxodium distichum*

10-12' ht. x 4-6' sp.



C. MINOR TREES

American Holly (*Ilex opaca*)

varieties: East Palatka

8-10' ht. x 3-5' sp.

Betula spp (Birch)

12-14' ht. x 3-5' sp.

Chinese Tallow Tree (*Sapium sebiferum*)\*

8-10' ht. x 4-6' sp.

Crape Myrtle (*Lagerstroemia indica*)

8-10' ht. x 4-6' sp.

Jerusalem Thorn (*Parkinsonia aculeata*)

8-10' ht. x 3-5' sp.

Loblolly Bay (*Gordonia lasianthus*)

8-10' ht. x 4-6' sp.

Wax Myrtle (*Myrica cerifera*)

8-10' ht. x 4-6' sp.

Loquat (*Eriobotrya japonica*)

8-10' ht. x 4-6' sp.

Silk Tree (*Albizzia julibrissin*)

8-10' ht. x 4-6' sp.

Tulip Tree (*Liriodendron* spp)

8-10' ht. x 3-5' sp.

Weeping willow (*Salix* spp)

8-10' ht. x 4-6' sp.

D. PALMS

Bismarck Palm (*Bismarckia nobilis*)

Cabbage Palm (*Sabal palmetto*)

Canary Island Date Palm (*Phoenix canariensis* spp)

European Fan Palm (*Chamaerops humilis*)

Fan Palm( *Livistonia*)

Formosa Palmosa (*Arenga engleri*)

Mexican Fan Palm (*Washingtonia Robusta* spp)

Paurotis Palm (*Acoelorrhaphe wrightii*)

Pindo Palm (*Butia capitata*)

Senegal Date Palm (*Phoenix reclinata*)

Windmill Palm (*Trachycarpus fortunei*)

E. GROUND COVERS

Asparagus Fern (*Asparagus* spp)

Boston Fern (*Nephrolepis exaltata*)

California Daisy (*Gamolepsis chrysanthemoides*)

Cape Honeysuckle (*Tecomaria capensis*)

Cast—Iron Plant (*Aspidistra elatior*) Climbing Fig (*Ficos repens*)

Confederate Jasmine (*Trachelospermum j asminoides*)

Coontie (*Zamia floridana*)  
 Day Lily (*Hemerocallis* spp./single color)  
 Downy Jasmine (*Jasminum multiflorum*) English Ivy (*Hedera helix*)  
 Flame Vine (*Pyrostegia ignea*)  
 Japanese Honeysuckle (*Lonicers janponica*)  
 Lily Turf (*Lilium muscari*)  
 Oyster Plant (*Rhoeo discolor*)  
 Juniper (*Juniperus* spp)  
 Mondo Grass (*Ophiopogon* spp)  
 Petunia (*Petunia*) Purple Heart (*Setoreasea purpurea*)  
 Society Garlic (*Tulbagis fragrans*)  
 Wandering Jew (*Zebrina* spp)  
 Sword Fern (*Nephrolepis exalata*)  
 Wandering Gem (*Zebrina pendula*)  
 Wax Begonia (*Begonia* spp)  
 Wedelia (*Wedelia trilobata*)

#### F. SHRUBS

All plant material used for hedges and screens shall be planted to create an 80% opaque screen at 36" of height at planting.  
 All designers must be aware of cold conditions and hard pan areas that can exist in Tampa Palms, as well as the seasonal dry conditions.

Abelia (*Abelia* spp)  
 Azalea (*Rhododendron indicum*)  
 Bird of Paradise (*Strelitzia reginae*)  
 Blue Plumbago (*Plumbago capensis*)  
 Oleander (*Nerium oleander*) \*  
 Dwarf Azalea (*Rhododendron* spp)  
 Firethorn (*Pyracantha coccinea*)  
 Heavenly Bamboo (*Nandina domestica*)  
 India Hawthorn (*Raphiolepis indica*)  
 Barberry (*Berberis* spp) .  
 Bottle Brush (*Callistemon* spp)  
 Laurel Leaf Snailseed (*Cocculus laurifolius*)  
 Trumpet Vine (*Allamanda nerifoliz*)  
 Asparagus Fern (*Asparagus sprengeri* spp)  
 Camellia (*Camellia* spp)  
 Spider Lily (*crinum asiaticum* spp)  
 Ixora (*Ixora* spp)  
 Pittosporum (*Pittosporum tobira* spp)  
 Junipers (*Juniperus* spp)  
 Silver Thorne (*Elaeagnus Purgens*)  
 Virburnum (all)  
 Thryallis (*Thryallis glauca*)  
 Cotoneaster (*Cotoneaster* spp)  
 Gardenia (*Gardenia* spp)  
 Hydrangea (*Hydrangea* spp)

Jasmine (*Jasminum* spp)  
 Star Jasmine (*Trachelospermum*)  
 Privet (*Ligustrum* spp)  
 Miniature Holly (*Malpighia* spp)  
 Guava (*Psidium* spp)  
 Boxthorn (*Severinia buxifolia*)  
 Cape Honeysuckle (*Tecomaria capensis*)  
 Ternstroemia (*Cleyera japonica*)  
 Shiny Xylosma (*Xylosma congestum*)  
 Wax Myrtle (*Myrica cerifera*)

#### G. GRASSES

3. All yard grasses which may be installed by sod or sprigging except in cases herein where sodding is a specific requirement and in such cases the term “sodding” shall be construed to mean the application of solid cover of sod upon the surface specified except where the landscape calls for an acceptable ground cover.
4. Maximum turf limits exist for all residential properties – see Sections c1 and C2 above.
- 3 Grass Types Permitted
  - St. Augustine (*Stenotaphrum secundatum*)
  - Bermuda Hybrids
  - Bahia
  - Zosia
  - Centipede (*Evermochoa ophiuroides*)
  - Pampasgrass (*Cortaderia selloana*)
  - Mondo Grass, (*Ophiopogon japonicas*)

**(Modified 2008 to increase drought and cold tolerant options consistent with Florida Friendly Landscape objectives.)**

#### H. PROHIBITED SPECIES

The following plant material is expressly prohibited:

1. Australian Pine (*Casuarina* Spp.)
2. Melaluca Leuadudron (Punk Tree)
3. Schinus Terebinthifolius (Brazilian Pepper)

#### I. INORGANIC MATERIALS:

1. Use of indigenous inorganic materials (i.e., rocks, gravel) to function as ground cover or paving substitutes shall be allowed only with the NCC or CMC approval and shall be used only when governed by a strong design concept or in areas where organic material will present maintenance or logistics problem.

2. All major and minor trees shall have a mulch bed that has a minimum radius of two and one half (2 1/2) feet measured from the center of the tree trunk(s) and three inches deep.
3. Each shrub shall have a mulch bed that has a minimum radius of twelve (12) inches measured from the center of the plant and three inches deep. Shrubs planted in mass shall have a continuous mulch bed. All vines and ground covers shall be minimum two (2) inches in depth

## SCOPE OF GROUNDS MAINTENANCE WORK

### A. ITEMS OF CONTINUING MAINTENANCE

This section covers all items of grounds maintenance for the exterior site of Tampa Palms. Maintenance shall include other items of normal maintenance not listed below, but found to be necessary in order to keep the grounds in best appearance

Rubbish, papers, trash, debris, and all unsightly items picked up and disposed of from all areas of every yard. Care should be utilized to make certain that no rubbish, which shall include grass and landscape clippings, is allowed to enter the stormwater system, including the lakes.

Replace topsoil, mulches, etc. lost from washouts. Reconstruct slumped areas on sloping berms.

Keep all weeds out of planted areas, lawns of building—related areas and road—related areas at all times. This pertains to closely mown grass areas, building-related plantings, parking lot plantings, entrance sign plantings, and the hedgerow and screen plantings. Use natural methods when possible to treat weeds and pests.

Mow as required to keep lawns at a height of not less than two (2) inches, nor more than three (3) inches. Mowing shall be done at intervals no longer than seven (7) days apart during the portion of the season when mowing is necessary. Mow the bottom of the detention basins (if applicable) to maintain a height of not less than three (3) inches and not more than five (5) inches.

Trim grass around all trees, shrubs, plant beds, curbs, buildings, poles, fixed objects, etc., using hand or other tools in order to present a neat appearance at all times in building—related and road—related areas.

After mowing and remove all grass clippings from building-related lawns immediately after clipping. Clippings and grass must not be thrown into the lakes or stormwater system.

Maintain all turf and bed edges with a sharp edging tool at least once a month, more often if rain or other events cause edge damage.

Maintain all swales and water courses to minimize erosion. Maintain the banks of the detention basins and ponds to minimize erosion.

Maintain parking lots and roadways in a clean swept condition.

Prune back ground cover as necessary to prevent its overtaking shrub plantings.

Keep all paved surfaces at the building entrances, plazas, and terraces swept and neat in appearance at all times and free of gum and other substances which may become bonded to the paved surface.

Prune and/or trim trees in accordance with standard practices of the American Association of Nurserymen (AAN)

## **AVOIDING ARCHITECTURAL CONTROL VIOLATIONS**

The Tampa Palms Owners' Association, through the Residential Modifications Committee (RMC/CMC), has published this Architectural Review Manual and distributed it to all homeowners within Tampa Palms. These guidelines are meant to assist the homeowner in making his/her decision regarding any exterior modifications to his/her home. Most violations occur because homeowners are not aware of the architectural guidelines and the procedures that are required before making improvements.

Tampa Palms looks as good as it does because most people comply with the guidelines outlined in this manual. The RMC/CMC has standardized many of the more common items for which modification requests are normally received, (i.e., fences, painting exterior of units, etc.).

Your RMC/CMC Committee has streamlined the review process to make it as painless as possible. The standardization of many items, such as response in the shortest possible time, distribution of this Architectural Review Manual and the appeal process are all meant to assist you in complying with the RMC/CMC/CMC guidelines.

Despite all of our efforts, the day is likely to come when an unapproved fence, storage shed or air conditioner appears next to your home. The large majority of these problems can be easily resolved. In approaching your neighbor, be calm and moderate. Discuss the situation with your neighbor and if it cannot be resolved, turn it over to the Licensed Property Manager. If you do not wish to talk to your neighbor, report the violation to the Licensed Property Manager who will contact the offending party. Your name will not be used in any correspondence with the offending party.

Avoiding architectural violations can be best accomplished by communication between homeowners and the RMC/CMC. Should you have a question or problem either with a modification you wish to make or with a neighbor's modification, the RMC/CMC/CMC is always available to provide you with any assistance you may require.

## **ARCHITECTURAL REVIEW PROCESS**

After you have decided on the modification you wish to make, a request for approval to modify your property must be submitted to the Licensed Property Manager who will provide it to the RMC/CMC/CMC. The RMC/CMC/CMC reviews all requests and makes a determination as to whether to approve or disapprove the request.

If the request is approved you may proceed with the improvements provided you have obtained all necessary governmental permits. Approval by the RMC/CMC only refers to approval of the aesthetics of the modification and how it relates to the surrounding area. No representation is made as to the structural integrity of the improvement.

If the request for approval is disapproved by the RMC/CMC/CMC, the owner may appeal to the RMC/CMC to explain his position and ask for the RMC/CMC/CMC to again review the application after hearing his/her arguments.

If the request for approval is disapproved due to aspects of the request that can be remedied by the homeowner, the recommended changes should be made and returned to the RMC/CMC for approval. The homeowner always has the right to appeal his position to the RMC/CMC and ask that they reconsider their position. If the RMC/CMC does not change their position, the homeowner can either modify his request to conform with the RMC/CMC, in which case the request will be approved, or appeal to the Board of Directors.

## **PROCEDURE FOR ARCHITECTURAL VIOLATIONS**

### **Violation Reported**

The architectural procedures which are outlined below apply to three major categories:

1. Application approved by the RMC/CMC but alteration not executed in accordance with the approved application.
2. Exterior change made by the resident after disapproval by the RMC/CMC.
3. No application made to the RMC/CMC for external changes.

A potential architectural violation may be identified by the Licensed Property Manager, a member of the RMC/CMC/CMC, or by any resident of Tampa Palms. If a resident wishes to report a potential violation, he may do so by contacting the Licensed Property Manager.

After a potential violation is reported, the Licensed Property Manager checks the reported violation and determines whether an application for changes to the property in question has been made.

**Application Approved** - If an approved application is on file, the respective modifications committee visits the site and determines whether it has been executed in accordance with the approved application.

If construction has been properly executed, the case is closed.

If the construction is not in conformance with the approved application, the resident is notified by letter from Licensed Property Manager to correct the deficiency or submit an amended application. This amended application is then processed by the RMC/CMC/CMC in the normal manner.

If the amended application is approved, no further action is required and the case is closed. If the approval includes stipulations, then a follow-up by a member of the RMC/CMC is made to ascertain that final construction is properly executed.

**Application Disapproved** - If the application is disapproved, the owner is advised and is requested to correct the violation or meet with the RMC/CMC/CMC to determine what modifications must be made in order to receive RMC/CMC/CMC approval. If the owner refuses to comply, the Tampa Palms Board of Directors may initiate legal action by authority of the President of the Tampa Palms Board of Directors, based on advice of the RMC/CMC/CMC and legal counsel. A final court decision then becomes binding.

**Change Made After Disapproval by the RMC/CMC** - A violation of this sort follows the same basic process as noted above. The owner is notified and given the opportunity to make an amended application or meet with the RMC/CMC to discuss the problem. Legal action may be pursued by Tampa Palms if warranted.



Change Implemented Without Application to RMC/CMC - If an exterior change has been made without application, the RMC/CMC notifies the owner of the violation and requests that an application be submitted. A follow-up letter is sent if an application has not been received within two weeks.

When an application is submitted, it is processed as a normal application. If the application is disapproved and the owner and the respective modifications committee cannot reach some agreement regarding the application, legal action may be pursued by Tampa Palms.

### **CHANGES BY PREVIOUS OWNERS**

Residents who purchase property which has been previously occupied are often surprised and disturbed when they receive notice that some item on their property is in violation of the covenants because of an exterior, unapproved modification made by a previous owner. In fact, owners are responsible for any exterior modification made by previous owners. Therefore, an application should be submitted and the RMC/CMC approval obtained. The RMC/CMC should be sensitive to this particular situation and willing to work with residents to achieve a satisfactory and reasonable resolution.