

**PANILOLO HALE LANDSCAPE POLICY
APPROVED BY BOARD ON JULY 4, 2020.**

I. PURPOSE:

Because Paniolo Hale's landscape is an important asset, it is the desire of the Board of Directors of the Association of Apartment Owners (AOAO) of Paniolo Hale to implement a policy that establishes guidelines that will guide it in making landscape decisions.

II. SCOPE:

This landscape policy covers all landscaping within the exterior boundaries at Paniolo Hale. With respect to landscaping, this includes, but is not limited to, all vegetation, plants, trees, shrubs, and ground cover located on the Paniolo Hale property. The Paniolo Hale landscaping is one of the AOAO's Common Elements and as such is owned and controlled exclusively by the AOAO through its Board of Directors. No part of the AOAO landscaping is individually owned by any apartment owner and consequently all landscaping and decisions related thereto are controlled by the Board.

III. REVISIONS TO THIS POLICY:

This policy supersedes all prior editions and is subject to revision at any time by appropriate Board action.

IV. GENERAL PLAN:

The Paniolo Hale landscape is a plush oasis in an otherwise arid area. The overall landscape plan is intended to preserve the existing overall tropical ambiance consistent with best practices, and taking into consideration the obligation to provide for the safety of residents, structural wellbeing of the buildings and other infrastructure and compliance with insurance requirements.

All vegetation, including trees, should be pruned and trimmed so it does not come into contact with, endanger or overhang any structure. Furthermore, all vegetation should be pruned away from structures in a manner and to an extent necessary to mitigate fire danger and structure damage and also to preserve overall landscape health and appearance.

Trees that are invasive species shall, over time, be removed and replaced with non-invasive species, beginning with trees that have been identified in the Arborist Report on file that are closest to structures and/or present the most imminent danger to persons or property.

The Resident Manager shall be guided by the Paniolo Hale Firewise Assessment of 2019, the Firewise Approved Action Plan and the Arborist Report(s) all of which are available on the Paniolo Hale website. The Resident Manager is authorized and directed to carry out this General Plan within the constraints imposed by budget and staff limitations.

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V. LANDSCAPE COMMITTEE:

The President of the Paniolo Hale Board of Directors shall appoint one or more Board Members as the Landscape Committee Chairperson(s). The Chairperson(s), in conjunction with the President, shall appoint five volunteers from the general membership to complete the Landscape Committee.

The Landscape Committee shall only become involved in landscape issues to the extent as may be specifically directed by the Board of Directors from time to time and shall then advise and make recommendations to the Board of Directors in accordance with this Landscape Policy.

The Landscape Committee is an advisory committee only. Members should become familiar with the Arborist Report(s) located in the Resident Manager's office. Landscape Committee members shall not participate in any landscape matter which may affect their own apartment.

VI. LANDSCAPE GUIDELINES:

The following nonexclusive factors may be considered in making decisions relating to landscape issues:

1. Initial cost to Association.
2. Future ongoing maintenance costs, including labor.
3. Water conservation.
4. Fire resistance and compliance with Firewise Community commitments.
5. Plantings shall be maintained in a manner that will mitigate fire hazard or damage to people or structures.
6. Following any major removal of trees, or other vegetation, permanent replacement plantings may not be introduced for a period of time needed to assess the aesthetic need for replacement plantings and their cost.
7. In making changes to any existing landscape, plants identified as invasive by recognized governmental and horticulture organizations shall not be planted on the property and removal of such existing plantings shall be accomplished where appropriate at the discretion of the Resident Manager after taking into consideration other landscape guidelines.
8. The list of suggested plantings on file at the Resident Manager's office will be the guide for the acceptance of new ground covers, plants, shrubs and trees. The list is not all inclusive and may be updated by the Board from time to time.
9. Diseased trees or plants, trees or plants that are a safety hazard and/or are likely to cause immanent damage to structures shall be removed at the direction of the Resident Manager.

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VII. RULES GOVERNING APARTMENT OWNERS:

1. No owner shall plant or remove any tree, shrub or other vegetation within the Common Element. All plantings, as part of the Common Element, shall at all times be subject to removal or modification by the AOA without notice.
2. Owner requests regarding landscaping must be submitted to the Resident Manager on the "Landscape Maintenance Change Request Form" which can be obtained from the Resident Manager or on the Paniolo Hale webpage. The Resident Manager shall respond to the written request within thirty days. If the owner is not satisfied with the Manager's decision, the owner may bring the issue to the Board for review.
3. All expenses associated with damage to the landscape or removal of plants by an owner in violation of this policy will be charged to the owner.
4. There shall be no picking of individual buds or blossoms within 10 feet of another owner's entryway without the written permission of the Resident Manager.
5. Damaging or altering the Landscape (or any portion thereof) by Owners shall be subject to the provisions contained in Article V Section 3(a) of the AOA bylaws.

VIII. RESIDENT MANAGER:

The Resident Manager is responsible for maintaining the landscaping in accordance with the directives of the Board and this policy as it may exist from time to time.