

Ballena Bay Townhouse Association #1

Architectural Committee Guidelines

The value of each of our homes is directly affected by the appearance of all the homes in the association. In the interest of maintaining our neighborhood and property values your association, the Ballena Bay Townhouse Association #1 (BBTA), is reminding all homeowners that any alteration to the exterior of your house or yard must be pre-approved by the BBTA. Work that is done without BBTA approval may have to be corrected at the homeowner's expense. Please work with us to keep the neighborhood looking good.

These guidelines are instituted in accordance with Article VIII, Section 1 and 2 of the CC&Rs and do not supersede but supplement the CC&Rs. Article XI outlines use restrictions for residential lots and Article XIV "Dock Easements" outlines rights and restrictions regarding such improvements. We recommend all homeowners read these sections of the CC&Rs in order to have a better understanding of the purpose and duties of the Architectural Committee and the restrictions imposed by the CC&Rs.

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OBTAINING REVIEW FORMS

A copy of Architectural Review Request Form, which must be submitted with all applications subject to approval by the BBTA, may be obtained from ~~Community Management by calling 925-405-4733 or at~~ the Ballena Bay Townhouse Association web site:

www.ballena.net

THE ARCHITECTURAL COMMITTEE

The Architectural Committee is defined as at least two (2) volunteers from the community and the current Officer of the BBTA Architectural Committee. The charter of the Architectural Committee is to maintain compliance with these guidelines, the CC&Rs, while maintaining harmony with the existing architectural standards and make recommendations to the BBTA. Architectural Request Forms concerning landscape and/or waterside changes will also be reviewed by the appropriate BBTA members.

CORRESPONDENCE WITH THE COMMITTEE

All Architectural Review Forms and other correspondence to the BBTA &/or the BBTA Architectural Committee should be addressed to:

BBTA C/O Christison Co., 7901 Stoneridge Drive #222, Plasanton, CA 94588
Farzana Ayub, Community Manager, 925-371-5730 - fayub@christisoncompany.com

APPLICATION PROCEDURES

To meet the terms of the CC&Rs in an orderly manner the BBTA adopts the following procedure:

- 1 Applications are to be mailed, to the BBTA, to the Property Managers office only. No architectural request will be considered until it has been date stamped by the Property Manager.
- 2 Property Manager sends acknowledgement of receipt of request to applicant making reference to the date stamp and submits the request to the BBTA Architectural Committee. This is the submittal date.
- 3 Architectural Committee (3 members at a minnum) convenes and reviews the request and prepares a recommendation for the next BBTA Board meeting per notices sent to the membership.
- 4 BBTA approves, disapproves, or makes a request for additional information at the first meeting after the request is submitted. Incomplete applications invalidate the previous date stamp.
- 5 Property Manager sends notification of the decision to the Owner making the request.

GENERAL REQUIREMENTS

The following are general requirements which apply to all improvements in Ballena Bay. Note that none of these requirements supersede local governmental codes and ordinances:

- Permits and Approvals must be obtained by the Homeowner prior to performing the work. This includes BCDC approval for waterside improvements if required.
- All improvements shall be performed according to the approved plans.
- Irrigation system must contain an anti-syphon device.
- Homeowners are responsible for providing drainage and erosion control. Bubbler-type drain outlets, if any, may surface no less than six (6) feet from a sidewalk.
- Hot tubs must drain into the sanitary sewer system.
- Maximum deck height from grade is 12 inches
- Maximum arbor/trellis height from grade is 8 feet and may not extend above an adjacent fence.
- Lighting, if installed, must be approved by the BBTA.
- Homeowners may not assume that any given home (or homes) have established precedents for architectural style.

CONDITIONS THAT DO NOT REQUIRE APPROVAL

The following improvements do not require application to and approval by the Architectural Committee, but **MUST** conform to the standards below:

- Entry walks, balconies, landings, decks and front porches are not to be used for storage of personal property such as bicycles, etc. Potted and hanging plants are allowed and encouraged as long as the plants are maintained in a neat and healthy condition and the containers do not restrict access to the front door. Benches or other decorative items are allowed as long as they are maintained in good condition. .
- Flags are permitted on wall-mounted type poles only. Flags may be flown on holidays only and removed thereafter. Flags may not obstruct common area or walkways.
- Firewood is to be kept out of neighbor's view as much as possible. Firewood must not be stacked against any wall and must be neatly kept.
- Garbage cans are to be placed out for collection for a reasonable time only, and must not be left out where they are visible from an immediately neighboring property other than during normal collection days.
- Mail boxes, if damaged, may be replaced as originally installed.
- Patio furniture and umbrellas must be kept in good condition at all times. No restriction on color of umbrellas or furniture.
- Seasonal lighting for the holidays is permitted during December and the first week of January. Lighting must be removed by the end of January.
- Security systems are allowed. Bell box is to be of standard size and as unobtrusive in coloring as possible.
- Signs are allowed for purposes of sale or rental of the subject house and for security systems, as detailed in the CC&Rs. Other signs are not allowed.

ALTERATIONS WHICH ARE NOT ALLOWED

The following Items are not currently permitted in Ballena Bay.

- Air conditioners ~ roof and window models.
- Artificial turf.
- Clotheslines that can be seen from any common area.
- Exterior speakers.
- Permanent structures for sports or recreational use.
- Exterior satellite dishes and antennas greater than eighteen inches in diameter.

WATERSIDE IMPROVEMENTS

Rear yard or waterside improvements must be approved by the BBTA. To obtain approval for rear yard improvements, follow these steps:

1. Submit a plan showing the proposed improvements. Show your lot and your house, and location, dimensions and materials of any structure to be installed. The plans submitted must be reasonably to scale and must show dimensions of permanent improvements.
2. If the existing drainage pattern or individual drains will be affected, show the proposed drainage pattern and the location of existing and proposed drains.
3. The BBTA will review and approve or disapprove your plans within 30 days of receipt by BBTA Property Manager: Associa/David Boone at 1855 Gateway Blvd, Suite 300 Concord, CA 94520.

You will be notified in writing of this decision. The Architectural Committee &/or BBTA may request further information and extend the review period by notifying you in writing of the revised schedule of review.

4. With approval from the BBTA and the City of Alameda (if applicable), or any other applicable governmental agency such as BCDC; you may install rear yard or waterside improvements.
5. When completed, notify the Architectural Committee in writing that you have completed work.
6. The Architectural Committee &/or BBTA may schedule a final inspection of your improvements within sixty days of receiving your written notice of completion. The purpose of this inspection is to determine whether your improvements were installed in substantial compliance with the approved plans. You will be notified of any non-compliance in writing within sixty days of your written notice of completion.
7. Be sure to retain all related information for your records.

ALTERATIONS OR ADDITIONS TO A HOME OR DECK

To obtain approval for any addition or alteration of your house, submit one set of drawings showing work to be completed, materials to be used, the name of the person or company to perform the work (may be the homeowner), and a short written description of the work to be completed and the construction schedule. The Architectural Committee &/or BBTA may require additional information or plans in order to review your application. The Architectural Committee will review your submittal and make a recommendation to the BBTA.

Homeowners are encouraged to apply for preliminary approval for substantial improvements. The purpose of the preliminary approval procedure is to allow a homeowner proposing to make substantial improvements an opportunity to obtain guidance concerning design considerations before expending substantial sums for plans and other exhibits required to apply for final approval.

Expansion of, and additions to rooms is to be consistent with the adjacent homes. The roof lines, railings, windows, doors, etc are to be consistent with the architecture of the home prior to the modification &/or consistent with the adjacent homes.

Replacement of garage doors, sliding glass doors, and windows will be done in such a manner to be consistent with the architecture of the home prior to the modification &/or consistent with the adjacent homes. e.g. replacement sliding glass doors should be the same color and frame size as the existing style.

The homeowner will obtain all necessary permits and approvals required by the City of Alameda prior to start of work that requires such permit or approval. Copies of all such permits are to be furnished to the Association upon request.

Homeowner must begin construction within six months of approval and complete the installation within one year of the start of construction.

When applying for these improvements, refer to the CC&Rs, Article VIII. Section 1 & 2, as well as the information stated herein.

Solar Heating and/or Electrical Systems. Refer to the BBTA Rules For Installation And Maintenance Of Solar Energy Systems

Alteration	Color	Style
Room expansion	Same as original	Same as original, balcony to be maintained and not less than 12 to 18 inches wide. Railing style is defined in these guidelines
Replacement of Garage door	Same as original	Consistent with architecture prior to modification

		OR 4 x 4 rectangle raised long panel pattern for 2X doors
Replacement of Sliding glass doors	Same as original	Consistent with architecture prior to modification. When undesirable wider glass doorframes are used they are to be white, the trim will then be removed and painted to match the original design.
Window & Glass Door Replacement		See Below

WINDOW & GLASS DOOR REPLACEMENT

Purpose: The purpose of this guideline is to maintain compliance with the CC&R’s while maintaining consistency and conformity with the existing architectural standards. It is understood that while past widow and glass door replacements may not conform to this guideline, they do not set the standard for future window additions or replacements.

Guideline: Homeowners who intend to replace their windows and glass doors must comply with the requirements below. All window and door replacements must be approved by the BBTA prior to installation.

1. Replacement windows or glass doors are to be aluminum or vinyl clad. Wood trim windows are not approved.
2. ***Replacement windowpane and door pane configuration is to be the same as that described in Exhibit A for the respective unit.*** Window or door grills are not approved.
3. Window or door glass frame is to be white or, if currently existing, anodized aluminum in clear or bronze.
4. Window trim is to be the same width of the existing trim or painted to achieve the same appearance. Door trim is to be white or, if currently existing, anodized aluminum in clear or bronze. Door trim of aluminum doors is to be the same width of the existing trim. ***Vinyl clad window and door trim is not to exceed that specified in Exhibit A.***
5. Window trim is to be the same color or painted to match the existing approved paint colors of the respective unit.
6. Window and door glass color is to be “clear” with a low “E” rating. Window glass with bronze or green color and/or mirror reflective is not approved.
7. Window flanges must be installed behind the trim boards. Windows are to be installed flush or recessed within existing window trim. No protrusion of any part of the installed window on top of frame and/or beyond the existing trim is allowed.
8. Window and door hardware and screen are required to match existing developer installed.

Amendment adopted by the Board November 18, 2004

The cosmetic restrictions of section (guidelines 2-7 above) are relaxed for first floor courtyards not visible from common or public areas. In these areas, the use of French or sliding glass doors as replacement for existing opening or for new openings is permitted providing that:

1. Guideline 1 – the requirement for aluminum or vinyl cladding is followed, and;
2. All other applicable provisions of this document, other BBTA governing documents, local and state building codes and permit processes are observed.

Compliance: All applications for window or glass door replacement must include a sample of the color, legible Manufacture Cut Sheets of the window(s) to be used, and specifications and details of the window(s) to be installed. Strict compliance to the requirements is the homeowner's responsibility. A homeowner who installs a window or door not in compliance with the requirements or without BBTA approval will be subject to fines and removal at homeowner's expense.

OTHER CHANGES

Application for installation or the following miscellaneous changes will be considered by the BBTA with the following requirements:

- Proposed changes to front yard (common area) and landscaping are to be requested using the Architectural Request Form..
- Pest control devices such as bird spikes are to be as unobtrusive as possible. e.g. bird wire is preferred over bird spikes.
- The terms TEMPORARY or SHORT TERM are defined to be less than 14 days.

REFERENCE INFORMATION.

Homes painted by the association during 2014 and subsequent years will be painted in these colors. Colors were chosen by a vote of the community in August, 2014.

Addresses	Kelley Moore Color Name
300-314 Tideway	San Francisco Fog
320-334 Tideway	Sequoia Fog
340-354 Tideway	City Tower
400-422 Tideway	Greystone
1201-1213 Ballena	City Tower
1223-1237 Ballena	Sequoia Fog
401-415 Cola Ballena	City Tower
421-435 Cola Ballena	San Francisco Fog
441-455 Cola Ballena	Sequoia Fog
459-465 Cola Ballena	City Tower
Fascia and Window Trim - All Homes	Swiss Coffee
Chimneys,Pipes and Railing Caps - All Homes	Charcoal Gray

All paint is Kelly Moore 1240 Acry-Shield

~~Older Home Colors (Obsolete)~~

~~These colors are provided for reference for those wishing to buy touch-up paint. These colors will be phased out as homes are repainted during annual siding maintenance cycles.~~

Address	Base Color	Railing style
300 - 314 Tideway Drive	Westwood	No wooden cap
320 - 334 Tideway Drive	Malibu Beige	No wooden cap
340 - 354 Tideway Drive	Plymouth Gray	No wooden cap
400 - 442 Tideway Drive	Plymouth Gray	No wooden cap
1201 - 1215 Ballena Blvd.	Plymouth Gray	Thin wooden cap
1223 - 1237 Ballena Blvd.	Graystone	Thin wooden cap
401 - 415 Cola Ballena	Westwood	Tall wooden cap
421 - 435 Cola Ballena	Plymouth Gray	Tall wooden cap
441 - 455 Cola Ballena	Graystone	Tall wooden cap
459 - 465 Cola Ballena	Plymouth Gray	Tall wooden cap

Base Color	Facia Trim Color	Window Trim Color	Garage Door Color
Westwood	Teton Blue	Sierra White	50/50 Mix of Charcoal & Plymouth Gray
Plymouth Gray	Teton Blue	Sierra White	Westwood
Graystone	Teton Blue	Sierra White	Graystone as base plus C3y, F5, R2
Malibu Beige	Teton Blue	Sierra White	B20, C24, F4 (1 gal mix)

~~All paints are Kelly Moore 1240 Acrylic Latex~~

APPENDIX A – REPLACEMENT WINDOWS & DOORS

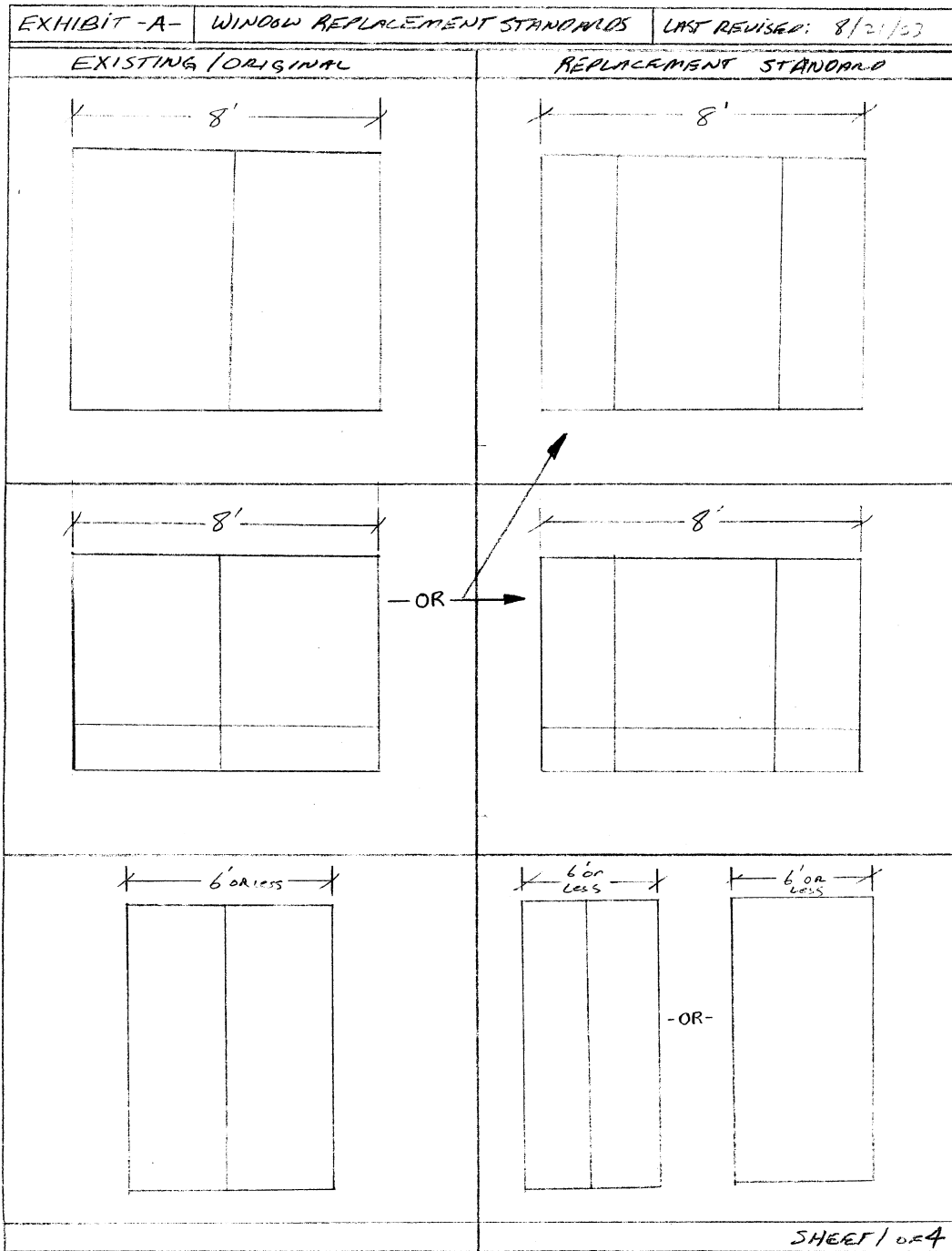


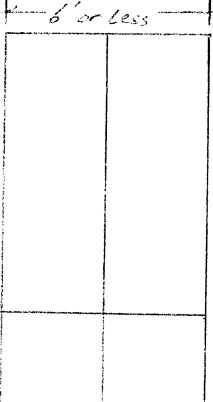
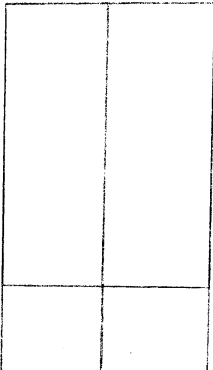
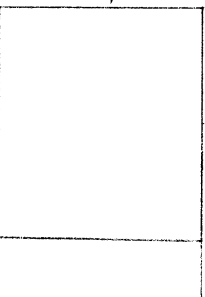
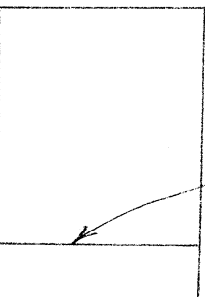


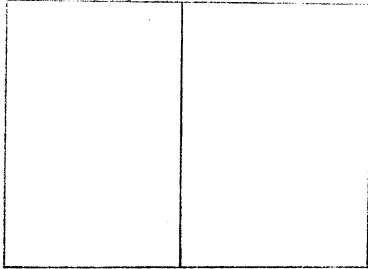
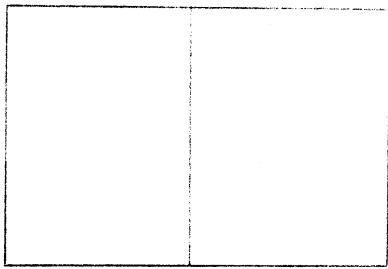
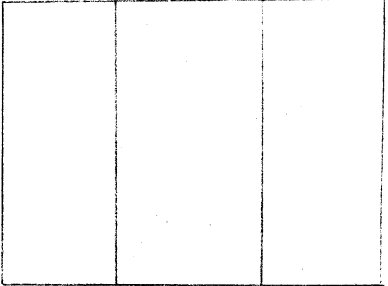
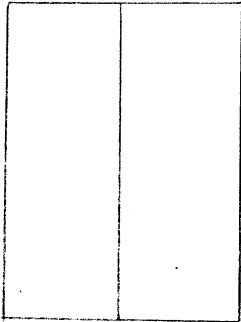
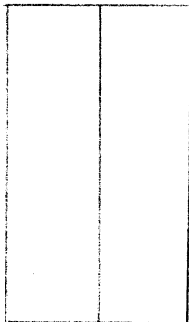
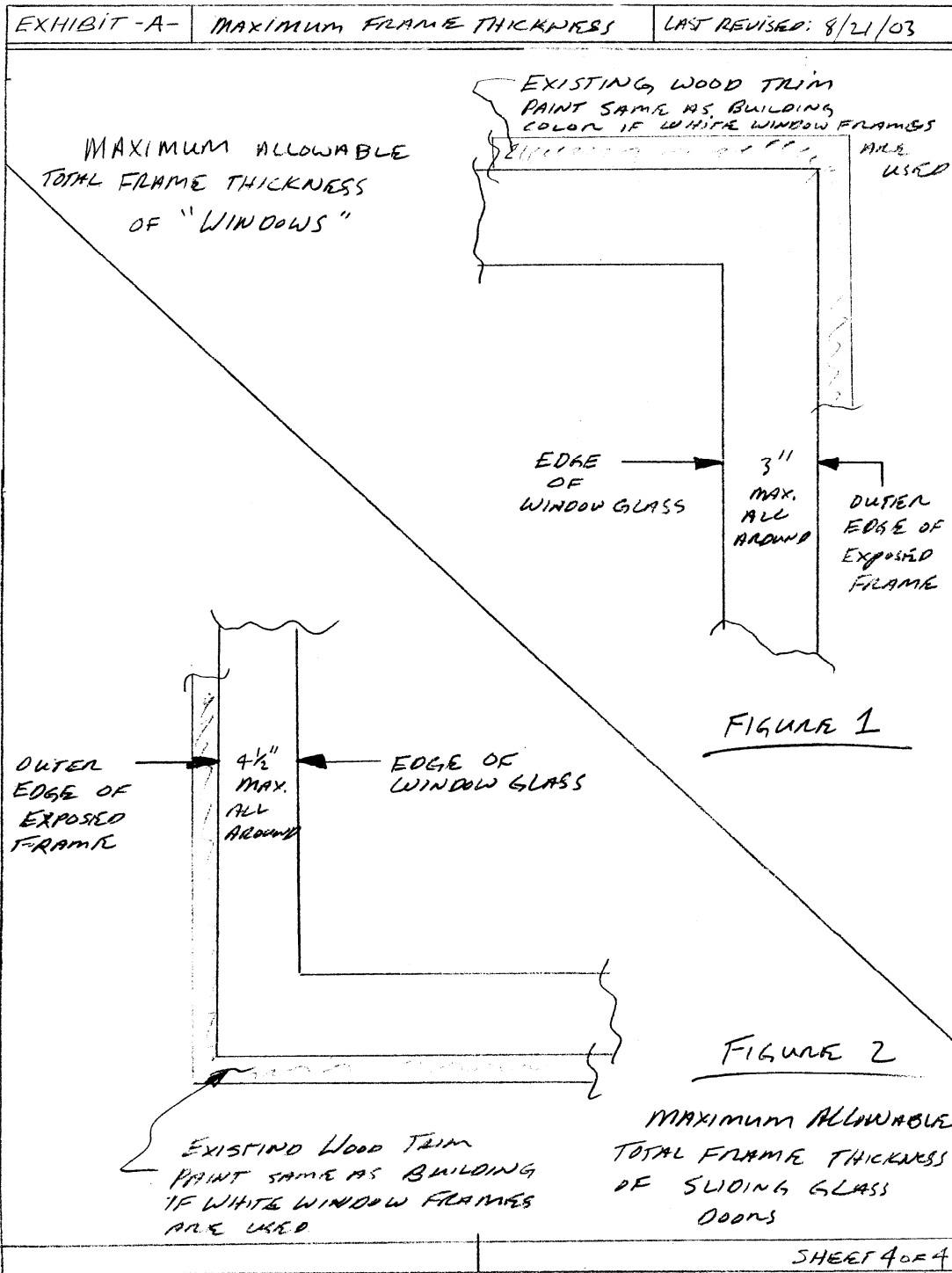
EXHIBIT -A- WINDOW REPLACEMENT STANDARDS		LAST REVISED: 8/21/03
EXISTING / ORIGINAL	REPLACEMENT STANDARD	
 <p>6' or less</p>		
 <p>ANY</p>	 <p>OPTIONAL</p>	
		
	SHEET 2 OF 4	

EXHIBIT - A -	SLIDING GLASS DOOR STANDARDS	LAST REVISED: 8/21/03
EXISTING / ORIGINAL	REPLACEMENT STANDARD	
<p>X — 10' or more — X</p> 		
<p>↓</p> <p>OR →</p>		
<p>← Less than 10' →</p> 		

SHEET 3 OF 4



APPENDIX B – REVISION HISTORY

Date	Revision
September 2003	First publication of this form
November 2004	Relaxation of types of doors that may be used in courtyard – see specific language in the section titled “Window and Glass Door Replacement”
January 2016	Administrative update to reflect: <ul style="list-style-type: none">• Added 2014 Paint color schemes• Now lists current community management company• Deleted references to \$20 architectural review fee• Removed out of date fine schedule• Removed out of date solar panel references