

ARCHITECTURAL GUIDELINES
OF
UNIVERSITY TERRACE BERKELEY HOMES

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As provided in the University Terrace Property Use and Maintenance Regulations ("the Regulations"), the University of California Berkeley ("UCB") has approved the following Architectural Guidelines ("Guidelines"). These Guidelines are intended to assist owners and the University Terrace Berkeley Homeowners Association (the "Association") wishing to make minor improvements to University Terrace in conforming to the Regulations and in preparing submissions for the Architectural Review Board ("ARB"). These Guidelines implement the more general requirements of the Regulations. They do not, however, supersede the provisions of the Regulations. The Guidelines (unlike the Regulations) are subject to change by UCB at any time. Thus, you should check with the UCB Auxiliary Enterprises Office to be sure that you have the current Guidelines before undertaking any project covered by provisions of this document.

I. General Purpose.

As in the case of the Regulations, the general purpose of these Guidelines is to ensure that University Terrace remains an aesthetically pleasing and attractive community for all of its residents by assuring that changes in the buildings and other structures at University Terrace will be complementary to its basic architectural character. By establishing these Guidelines, UCB hopes to assure a continuity of concept and design that will preserve the quality of community life for all residents and enhance the value of the investment that each Owner has made in University Terrace. To that end, no Owner or group of Owners has a right to commence any construction, reconstruction, refinishing, refurnishing, repainting, alteration, demolition or removal of any part of the structural elements or exterior of the University Terrace buildings or of the landscaping in the common areas, including, but not limited to flowers, plants, ground covers,

bushes and trees which shall alter the structural integrity or the exterior appearance of the Project with respect to the color, appearance, design and landscaping. However, it is recognized that individual owners may from time to time want to make minor alterations to the exterior of their Units. Examples of these minor alterations include patio covers and installation of hot tubs within certain defined exclusive use common areas. The University Terrace ARB stands ready to provide homeowners with whatever assistance it reasonably can to facilitate these minor alteration projects in a manner that is consistent with the interests of the overall community. By promulgating these Guidelines, it is the intent of UCB to facilitate continuity of concept and design that will preserve the quality of community life for all residents and enhance the value of the investment which each homeowner has made in University Terrace.

II. Areas of Jurisdiction.

As provided in the Regulations, the areas over which the ARB has jurisdiction include, but are not limited to, the following:

- New construction
- Alterations to any structural element of any building or to the exterior appearance of Units, Common Areas and fences
- Alterations of Units for care, housing and confinement of animals
- Signs
- Setbacks
- Fences and screens
- Drainage and erosion control
- Landscaping of Common Areas and irrigation
- Antenna and other equipment
- Parking, storage and repair of vehicles
- Mailboxes

- Exterior lighting
- Window coverings
- Any structural, plumbing or electrical modification, alteration or addition to a Unit or the Common Areas
- Structural and landscape standards for exterior maintenance
- Certification of capital improvements for inclusion in resale price calculation

III. Submittal Procedure and Requirements.

As provided in the Regulations, no construction or improvements may be undertaken in any Unit or in the Common Areas of University Terrace without the prior approval of the ARB of the plans and specifications for such work. Similarly, no landscaping work in the Common Areas may be undertaken without ARB approval of a landscaping plan. The procedures for obtaining such approvals are described below. All owners are reminded that under the Declaration of Covenants, Conditions and Restrictions for University Terrace Berkeley Homes ("CC&Rs"), the Common Areas include all of the walls, floors, roofs, and the electrical and plumbing systems of the buildings at University Terrace, as well as the spaces and facilities actually used in common such as the walkways, meeting room and recreational facilities.

A. Plans and Specifications - General. An application package must be submitted to the ARB for every proposed work project that (i) affects the exterior appearance of any Unit or the Common Areas, or (ii) affects the structural integrity of the Common Areas or (iii) affects the electrical or plumbing systems of any portion of the Common Areas.

1. Each application package must contain (as appropriate):
 - a. An ARB Property Improvement Application (available at the Office of the Manager, Faculty & Community Housing.)

- b. A site plan showing the location of all proposed and existing structures on the site, including building setbacks, open space, driveways, walkways and parking spaces (as applicable);
- c. Exterior elevations of all proposed alterations to existing structures;
- d. Specifications of materials, color scheme, lighting scheme, and other details affecting the exterior appearance of all proposed structures and alterations to existing structures;
- e. Plans for landscaping and irrigation; and
- f. Estimate of costs for the proposed improvements.

2. The application package should be submitted to the ARB at the UCB Office of the Manager, Faculty & Community Housing. Two (2) complete sets of all plans are required for each submission. At the time of submission, you may also be required to pay an application fee, as set forth on the fee schedule attached as Exhibit A to these Guidelines.

3. Plans should, insofar as applicable, be prepared in accordance with the City of Berkeley Building Code (as defined in the Regulations) and with clarity and completeness.

4. As required by the Regulations, each application package must be accompanied by written evidence that Adjoining Owners have been informed of the proposed work for which ARB approval is sought at least thirty (30) calendar days prior to submission of the ARB application. (The ARB Property Improvement Application will set out more specifically the form of written evidence required.)

5. If the proposed alteration work will require the use of Common Areas property - whether for purposes of transporting materials or the temporary storage of materials - the

application package to the ARB must be accompanied by a letter from the University Terrace Berkeley Homeowners Association granting permission for such "right of entry" during the course of construction. In such cases, as deemed necessary by the Association or the ARB, a security deposit or bond may be required from the contractor to assure that any damage to the Common Areas will be repaired.

6. Under the Regulations, the ARB is obliged to act on your application within forty-five (45) calendar days following your submission of a complete application package. If the ARB fails to make a decision within such period, your application is deemed to be approved. If the ARB disapproves your application, you have the right, within ten (10) business days thereafter, to appeal the decision to the Chancellor of UCB or his or her designate, who may elect to consider it (although the Chancellor is not required to hear each appeal).

7. If your application is approved, one (1) set of approved plans bearing an ARB approval stamp will be returned to you. The second set will be retained in the ARB files in the UCB Office of the Manager, Faculty & Community Housing. At the same time, you will be given an ARB permit which must be prominently displayed on the construction site until the work is completed.

B. Timing of Approved Construction. All work undertaken pursuant to ARB-approved plans and specifications shall be pursued diligently and shall be completed within sixty (60) calendar days of the date of such approval. If the scope of work warrants a more extended completion period, the ARB may grant such extensions as are necessary. If construction pursuant to approved plans and specifications is not commenced within ninety (90) calendar days of ARB approval, a new application package may be required to be submitted.

IV. Architectural Standards.

A. Height Restrictions. Without specific approval of the ARB, no improvements to existing structures may exceed the height restrictions for the building as originally constructed. The height limitations set forth herein apply to the highest point of any structure, including the roof measured from the original finished pad elevation, but excluding any chimney.

B. Materials and Colors.

1. Acceptable colors and materials are the original colors and materials of University Terrace buildings, fences and signs as identified on colorboards and display boards retained by the Association and/or the Office of the Manager, Faculty & Community Housing. Other colors and materials will be considered by the ARB.

2. Exterior painting, including front doors of individual units or other Common Areas, must be approved in advance by the ARB unless the repainting is of the same color as previously approved by the ARB.

C. Accessory Structures.

1. Structural or material additions or alterations to the exterior of any building or other structure must generally conform to the materials, colors, character, and detailing of the existing building or structure.

2. All patio covers, garden windows, balcony screens, screen doors, security screens or bars and sunshades shall conform to the following requirements:

- a. All such structures shall be consistent with the architectural character of the project.
- b. All such structures shall be constructed of materials compatible with those used in the original construction of, or approved modifications to, the project.
- c. All such structures shall be stained or painted so as to match one of the approved colors of the project, except that if exterior grade redwood is used it may be left in a natural state.

D. Mechanical Equipment.

1. Installation of all mechanical equipment, including but not limited to air conditioning, spa equipment, and water softeners shall require specific ARB approval.
2. Drawings of such equipment must indicate the location of the equipment and, if it is exposed to view, the proposed method for screening.

E. Drainage and Fill.

1. The original course of surface water flow shall not be disturbed or altered.
2. Gutters, downspouts, and scuppers must be primed and painted to match the color of adjacent surfaces or the color of other similar devices in the project, whichever, in the judgement of the ARB, is more appropriate.

F. Landscaping and Related Improvements.

1. Individual owners are permitted to do landscaping only within their own private patios, within the limitations stated in the Declaration of Covenants, Conditions and Restrictions of University Terrace. The following section, therefore, refers only to Common Areas landscaping which is the responsibility of University Terrace Berkeley Homeowners Association.

2. All landscaping must present an attractive appearance for the property and include a reasonable combination of lawn and/or ground cover, shrubs, and trees. No specific proportions of landscaping materials are required. For advisory purposes, the original landscape plan for University Terrace which identifies species and planting locations is available from the Association and/or the Housing Office.

3. Without specific approval of the ARB, the following materials may not be used for landscaping:

a. Decorative rock, sand, gravel, or any other artificial rock substance used as ground cover in any area visible from any street or path, with the exception of decomposed granite and/or stone paving compatible with similar pavings or ground covers used in the original design;

b. Hedge-type plants adjacent to sidewalks where such planting exceeds eighteen (18) inches in width and seventy-two (72) inches in height;

c. Shrubs with thorns planted adjacent to sidewalks and which may be considered hazardous--e.g., roses, natal plum, and cactus; and

d. Such plant materials (including trees) as interfere, or at maturity will interfere, with the views of adjacent neighbors, excepting those original trees and shrubs retained on the site and incorporated in the original landscape plan for University Terrace.

- e. Plants with vines or creepers that climb or entwine any portion of any structure or elsewhere within the Project, including, but not limited to, deck railings and fencing.

G. Solar Energy Equipment.

1. Application for ARB approval of installation of solar heating or cooling systems or equipment may only be submitted by the Association or by individual owners in such cases where, in the judgment of the ARB, the installation will not unreasonably affect other residents or adjacent units or common mechanical or structural systems.

2. ARB approval of solar energy equipment will be based generally on the Association's ability to design and accommodate the installation of such facilities and equipment with the least amount of exposure consistent with general requirements of state law respecting the efficient placement of collector units. (For these purposes, solar energy equipment includes all panels, collectors, piping, attachments, bracing, flashing, mechanical hardware, supporting structure, and any other related elements.)

3. All such installations should conform to the following additional requirements:

a. Such structures should have as low a profile as functionally practical and efficient;

b. Piping should go through the roof rather than on the face of the roof when possible;

c. Long runs of piping should be condensed and concealed as much as possible; and

d. Equipment or equipment enclosures should be painted or stained to match the colors of adjacent surfaces.

H. Solid Waste. All materials located on any parcel during construction or alteration of any Structure or other improvement, shall be removed at the completion of construction, but in no case later than 60 days from the date of ARB approval of the project. The ARB may grant an extension if compliance with this section is deemed a hardship by the ARB.

I. Athletic Equipment.

1. No athletic equipment may be permanently attached to any Unit or Common Areas.

2. No freestanding permanent athletic equipment is permitted except with the prior written approval of the ARB.

J. Skylight and Window Additions.

1. The ARB may not unreasonably deny applications by residents to add skylights or windows to their units or modify existing skylights or windows or applications that provide new or modified skylights or windows that:

a. do not look directly into a window or windows of another unit or units at close range or otherwise, in the judgment of the ARB, compromise the privacy or enjoyment of another unit by its residents;

b. do not represent a design style or incorporate materials that are, in the judgment of the ARB, incompatible with the design character of University Terrace;

c. are determined upon review by a competent engineering authority not to compromise the structural integrity of the building where they will be placed;

d. are constructed in such a manner as to minimize any potential problems for water penetration or other deterioration of the buildings that could be caused by modifications to the exterior of a building, including roofs and walls.

2. The ARB may, at its discretion, require the applicant to indemnify the Association and/or the University from any liability resulting from any damage or voiding of builder's warranties occurring as a result of the installation of additional skylights or windows.

K. Major Additions to Exclusive Use Common Areas. Major alteration to Exclusive Use Common Areas, including excavation of private yards or enclosures of space, will require more thorough review and analysis than more minor alterations. The burden of proof with respect to architectural compatibility with University Terrace shall be on the Owner proposing a major alteration to Exclusive Use Common Areas, and no such alteration may be made unless such Owner shall covenant to assume the same obligations of maintenance and repair with respect to the alteration as required in Section 5.1(a) of the CC&Rs for his or her Unit. Notwithstanding the foregoing, the ARB may withhold approval of a major alteration of an Exclusive Use Common Area in its sole discretion.

EXHIBIT "A" TO ARCHITECTURAL GUIDELINES

ARB FEE SCHEDULE

Plan/Design Review for General Home Improvements	No Charge
Review of Landscaping Plans	No Charge
Plan/Design Review for Construction of Improvements Not Submitted Prior to Commencement of Work*	\$ 50.00

* The fee does not include any costs which may be incurred by UCB or the ARB in pursuing various remedies available under the Regulations, or the Common Areas Lease (including costs associated with the required removal of any unauthorized structure). All such costs may be separately assessed against an Owner violating the provisions of the Regulations and Guidelines.