



COLUMBIA HOMEOWNERS ASSOCIATION

**ARCHITECTURAL**

**RULES & STANDARDS**

**2021-2022**

---

3195 Mecartney Road, Alameda, CA 94502  
(510) 865-3363  
[www.harborbay.org](http://www.harborbay.org)

Columbia Homeowners Association Architectural  
Revised Rules & Standards

Table of Contents

Article	Title	Page
<b>ADOPTION</b> .....		1
<b>COMMUNITY ARCHITECTURAL REVIEW</b> .....		1
<b>SECTION 1 CC&amp;R COMPLIANCE</b> .....		1
1.1.	Lots and Homes Subject to Architectural Review.....	1
1.2.	What is Included.....	1
1.3.	General Concept.....	1
<b>SECTION 2 RULES AND STANDARDS</b> .....		2
2.1.	Review Rules and Standards.....	2
2.2.	Final Inspections Required.....	2
<b>SECTION 3 ADDITIONS TO EXISTING DWELLINGS</b> .....		2
3.1.	Refer to Rules.....	2
3.2.	Additions to Dwellings.....	2
<b>SECTION 4 OTHER MODIFICATIONS</b> .....		2
4.1.	Refer to Rules.....	2
4.2.	Ancillary Structures.....	2
4.3.	Air Conditioners.....	3
4.4.	Animal Shelters (Dog Houses and Dog Runs).....	3
4.5.	Antennae/Satellite Dishes.....	3
4.6.	Arbors, Gazebos, and Attached Overhangs.....	3
4.7.	Attic Ventilation.....	3
4.8.	Awnings/Sun Shields.....	4
4.9.	Barbecues, Fire pits.....	4
4.10.	Basketball Standards.....	4
4.11.	Chimneys, Stove Pipes, Metal Flues, Vents and Exhaust.....	4
4.12.	Clearance for Maintenance.....	4
4.13.	Curb Street Address Painting and House Street Numbers.....	4
4.14.	Clothes Drying Facilities.....	4
4.15.	Decks.....	4
4.16.	Docks.....	4
4.17.	Doors.....	4
4.18.	Drainage.....	5
4.19.	Driveways.....	5
4.20.	Earth - Wood Contact.....	5
4.21.	Fence Extensions, Relocation, and Replacement.....	5
4.22.	Fountains and Garden Statuary.....	5
4.23.	Garages.....	5
4.24.	Garage Doors.....	5
4.25.	Gates and Gate Replacements.....	6
4.26.	Gutter and Downspout.....	6
4.27.	Light Fixtures and Lighting.....	6
4.28.	Painting (Exterior).....	6
4.29.	Patios.....	6
4.30.	Porches.....	6
4.31.	Planter and Window Boxes.....	6

Table of Contents (*continued*)

4.32.	Retaining Walls.....	6
4.33.	Roofs.....	6
4.34.	Satellite Dishes/Antennae.....	6
4.35.	Second/Third Story Additions.....	7
4.36.	Siding.....	7
4.37.	Skylights.....	7
4.38.	Solar Collectors.....	7
4.39.	Solariums.....	7
4.40.	Spas and Hot Tubs.....	7
4.41.	Speaker Systems.....	7
4.42.	Permanent Sports Apparatus.....	7
4.44.	Trellises (Vertical Plant Support).....	7
4.45.	Utility Wires.....	8
4.46.	View Protection Guidelines.....	8
4.47.	Walkways.....	8
4.48.	Weather Vanes.....	8
4.49.	Windows.....	8
4.50.	Window Tinting/Glass Replacement.....	8
4.51.	Wires and Lines.....	8
4.52.	Wood.....	8
<b>SECTION 5</b>	<b>LANDSCAPE GUIDELINES.....</b>	<b>8</b>
5.1.	Refer to Rules.....	8
5.2.	Prior Approval Required.....	9
5.3.	Drainage.....	9
5.4.	Groundcover.....	9
5.5.	Hardscape.....	9
5.6.	Maintenance Standards.....	9
5.7.	Minimum Area of Plant Material.....	9
5.8.	Rock Gardens.....	9
5.9.	Trees/Tree Replacements.....	9
5.10.	Vegetable Gardens.....	10
<b>SECTION 6</b>	<b>MISCELLANEOUS.....</b>	<b>10</b>
6.1.	Owner's Responsibility.....	10
6.2.	Information Resources.....	10
6.3.	Harbor Bay Isle's Water Conservation Policy.....	10
6.4.	Decision by Community Architectural Committee.....	10
6.5.	Community Board Appeal Process.....	10
6.6.	No Right of Appeal.....	11

COLUMBIA HOMEOWNERS ASSOCIATION  
REVISED ARCHITECTURAL RULES & STANDARDS

ADOPTION: These Architectural Rules and Standards were adopted by the Columbia Homeowners Association ("Columbia") Board of Directors on April 28, 1999 and revised August 10, 2011. The Rules and Standards were developed to maintain Columbia's harmonious design and to preserve the original concepts of the development.

These Rules and Standards were developed by the Columbia Project Architectural Committee ("PAC") based on the Rules and Standards adopted by the Community Architectural Committee ("CAC"). They are additionally based on the City-mandated Planned Development Agreement ("PD") between the City of Alameda, the Developer and the Columbia Covenants, Conditions and Restrictions ("CC&Rs").

COMMUNITY ARCHITECTURAL REVIEW: Owners are strongly encouraged to review the Community Architectural Rules and Standards for the specific requirements that apply to proposed property improvements. These more specific guidelines were developed for use by the Columbia homeowners in addition to the Community Architectural Rules and Standards. *This document covers those subjects not included in the Community's document, or requirements that the Columbia Homeowners Association has resolved to be more restrictive than the Community's Rules and Standards, and reflecting the unique City-mandated PD Agreement between the City and the Developer.*

SECTION 1  
CC&R COMPLIANCE

1.1. Lots and Homes Subject to Architectural Review: When you purchased your home, you took title to your Lot subject to all restrictions, easements, etc., which were recorded on your Lot as set forth in your Policy of Title Insurance. You also took title to your Lot subject to all of the provisions set forth in the CC&Rs recorded on your property as set forth by the Community of Harbor Bay Isle ("Community") and the Columbia Homeowners Association ("Columbia").

The Columbia Homeowners Association, through its Board of Directors, will strictly enforce the Covenants, Conditions and Restrictions ("CC&Rs") and these Architectural Rules and Standards to preserve the value and enhance the appearance of the property within the Association.

The Community and Columbia CC&Rs require that no exterior additions to homes or property are allowed, nor may any exterior alterations or improvements of any kind be made until approved in writing by the Architectural Committee and/or Board of Directors. Architectural applications and plans must be submitted and approved by the Architectural Committee prior to commencing exterior property improvement work. Architectural applications are available through the Community's offices at 3195 Mecartney Road, Alameda. The Architectural Department is available at (510) 865-3363, to help you complete the application and plans review process as easily and quickly as possible.

1.2. What is Included: Property improvements include all improvements to the exterior surfaces of the house, including repainting, any building modifications, and all improvements to the land, including landscape, or any structural additions to the land.

1.3. General Concept: Proposed improvements must be appropriate to their immediate surroundings, and must be compatible with the architectural and landscape characteristics of the applicant's house, adjoining houses, and the Columbia development as a whole.

SECTION 2  
RULES AND STANDARDS

- 2.1. Review Rules and Standards: Owners should review the Community's Architectural Rules and Standards and Landscape Guidelines (herein after referred to as the "Community's Document"), for the specific requirements that apply to proposed property improvements. The Association has created these more specific Rules for use by Columbia Homeowners.
- 2.2. Final Inspections Required: Applications approved by the Architectural Committee have a one (1)-year life. Owners must complete the work and call or write the Architectural Administrator to request a final inspection of their completed installations before the application approval expires.

SECTION 3  
ADDITIONS TO EXISTING DWELLINGS

- 3.1. Refer to Rules: Refer to the Community Rules and Standards, Section 2-Architectural Rules and Standards: Additions to Existing Dwellings.
- 3.2. Additions to Dwellings: Additions to second stories, including balconies, decks and window dormers, will be considered on a case-by-case basis and must comply with City of Alameda codes and the PD document between the City and the Developer. The proposed addition must be compatible in scale, material and color with the owner's house and adjacent properties. The addition shall not unreasonably impair the views, sunlight or natural ventilation of adjacent properties. Pitched roofs must match the slopes of the existing roof. Contact the Architectural Administrator for more information.

SECTION 4  
OTHER MODIFICATIONS

- 4.1. Refer to Rules: Refer to the Community Rules and Standards, Section 2, Architectural Rules and Standards: Other Modifications. In addition, the following rules and standards apply:
- 4.2. Ancillary Structures: The following types of one story ancillary structures with vertical mass may be permitted within the required rear yard setbacks, but not the City Code required five (5) foot side-yard setbacks. Such structures are: garden sheds and play houses, or similar structures.
- (a) Lagoon Lots: In addition to the Community's Document, such ancillary structures whose mass may block water views shall be set back at least 5 feet from the lagoon curb on lagoon lots as appropriate for the size of the lot area and in compliance with the View Protection Guidelines as determined on a case-by-case basis by the Architectural Committee. Such structures shall not exceed the height specified in the Community's Document and shall not unreasonably impede the Lagoon views of neighboring properties. The structure's height, exterior finish, color, and roofing material of ancillary structures shall be determined on a case-by-case basis by the Architectural Committee.
- (b) Sheds: Refer to the Community's Document "Ancillary Structures." Storage sheds shall be constructed of materials (e.g. wood) and colors that are compatible with the house, or shall be left natural, except for a clear sealer, and shall be maintained to meet the same standards as for house maintenance. Redwood paint or stain is prohibited. Metal

sheds are not permitted. Shed construction with windows, or roofs with metal, fiberglass, or plastic is prohibited. Sheds may be roofed with materials compatible with the house roof and City of Alameda roofing codes. Sheds may not be higher than the fence unless, on a case-by-case basis, a shed roofline matching the house roof line creates a more compatible appearance and does not interfere with a neighbor's view or impinge on neighboring privacy. Large sheds with a height above the adjacent fence height above grade must be set back from the fence at least five (5) feet from the fence. Small sheds with a height lower than the adjacent fence height above the grade must be set back at least six (6) inches from the fence post to allow for maintenance and replacement.

(c) Play Houses: Children's play houses shall comply with the Ancillary Structures storage shed rules, except that windows may be allowed on a case-by-case basis.

4.3. Air Conditioners: Air conditioners are permitted only in the rear or side yards non-window locations and must be appropriately concealed or screened from neighboring property. The operating sound level shall not intrude into neighboring property. Window and rooftop models are not permitted. Applications for appropriately concealed and sound-muffled air conditions, including those based upon bona fide medical necessity, will be considered.

4.4. Animal Shelters (Dog Houses and Dog Runs): In addition to the Community's Document, shelters shall not be visible from a public way and shall be at least thirty-six (36) inches lower than the top of the back or side yard fence. Shelters shall not be in contact with common fences or a neighboring house and must be located to avoid causing a nuisance to neighbors. In addition to the Community's document regarding "animal shelters", doghouses shall be compatible with the applicant's house in color and material, and shall be located where they will be visibly unobtrusive. Wire mesh windows fiberglass or plastic materials are prohibited. In certain cases, a barrier may be required to prevent animal contact with the fence in a dog run area.

4.5. Antennae/Satellite Dishes: Refer to the Community's Architectural Rules and Standards.

4.6. Arbors, Gazebos, and Attached Overhangs: Arbors, Gazebos and Attached Overhangs are defined as an overhead garden structure that is free standing or attached to a house. Such structures shall be constructed of redwood, which shall be left in its natural state or treated with a clear sealer, or painted white (colored stain is prohibited). Roof coverings such as canvas or plastic, etc. are not permitted. The structures must be set back from the fence as determined on a case-by-case basis depending on the proximity of neighboring houses. Arbor and gazebo heights shall not exceed 8 feet 6 inches above the grade. The height of overhangs attached to the house shall be determined by the height of the windows/doors on a case-by-case basis.

Lagoon Lot arbors and gazebos that are "see-through" (e.g. open with no side walls or view-obstructing plant material) shall be considered for a three (3)-foot setback from the lagoon curb on a case-by-case basis as appropriate for the size of the rear yard area. Such structures shall not cover more than 20% of the rear yard, and shall not exceed a height of eight (8) feet six (6) inches above the grade, and shall not unreasonably impede the Lagoon views of neighboring properties. The exterior finish/color shall be determined on a case-by-case basis by the Architectural Committee.

4.7. Attic Ventilation: Ventilation devices shall be compatible in design and color to the existing structure as provided by original developer. Turbines are prohibited. Gable-end ventilator and roof-mounted ventilator will be dealt with on a case-by-case basis. Refer to the Community's Document

"Ventilation Devices" for additional requirements.

4.8. Awnings/Sun Shields: Awnings/sun shields are not permitted.

4.9. Barbecues, Fire pits: Permanent installations must be lower than the fence height and must be located in an area that will not permit smoke to unreasonably intrude into neighboring property and shall not be located within five (5) feet of the side and rear yard property lines.

4.10. Basketball Standards: Refer to the Community's Rules and Standards.

4.11. Chimneys, Stove Pipes, Metal Flues, Vents and Exhaust: Fireplace chimneys, stove pipes, metal flues, vents and exhaust must be compatible in material, color and detail of construction with the chimneys, stove pipes, metal flues, vents and exhaust installed by the original developer. Refer to the Community's Document "Ventilation Devices" for further requirements.

4.12. Clearance for Maintenance: Refer to the Community's Rules and Standards.

4.13. Curb Street Address Painting and House Street Numbers: Curb painting is not permitted unless the Columbia Board of Directors approves such a policy. House mounted street numbers replacements shall match or be compatible with the Developer's original selection.

4.14. Clothes Drying Facilities: Refer to the Community's Rules and Standards.

4.15. Decks: Refer to the Community's Architectural Rules and Standards and the Maximum Building Envelope for lagoon decks Exhibit "A". In addition to the requirements of the Community's document, ground level decks shall not exceed a height of twelve (12) inches from the grade and shall be no closer than six (6) inches to the fence. The deck surface shall be a minimum of five (5) feet below the top of surrounding fences. Wood decks shall be constructed of Redwood, which shall be left to the weather naturally or finished with a clear sealer. Colored stain or paint is prohibited. Adequate drainage and weed control must be maintained beneath above ground decks.

(a) For Lagoon Lot Decks: Refer to the Community's Document Exhibit "A": "Maximum Building Envelope for Lagoon Decks."

4.16. Docks: Do not apply in Columbia Homeowners Association.

4.17. Doors: Door design and replacement hardware must match or be compatible with the Developer's original installed door, or an alternate design approved by the Architectural Committee on a case-by-case basis. Paint colors for front entry doors shall be chosen from the Columbia Association's Paint Palette selected for the home.

(a) Front Entrance Screen Doors: Front Entrance Screen Doors may be approved on a case-by-case basis provided the screen door's material and finish shall match the existing entry door. The screen material in the door shall match the house window screens.

(b) Security Doors: Security doors with metal grills are not permitted. Movable or fixed barriers over the doors or windows of a dwelling that are visible from the exterior, such as metal grating, bars, expanded metal mesh, etc., for the purpose of preventing

persons from entering that dwelling or for any other purpose are prohibited. The installation of deadbolts on doors, windows locks, security alarm systems, and motion detecting lights are encouraged alternatives for owners desiring to enhance the security of their dwellings.

4.18. Drainage: Refer to the Community's Rules and Standards.

4.19. Driveways: Extensions to driveways, or extensions into landscaped areas for additional parking, are prohibited. Colored coatings or painting of driveways is prohibited except for clear sealers. Excessive oil or rust stains must be promptly removed.

4.20. Earth- Wood Contact: Refer to the Community's Rules and Standards.

4.21. Fence Extensions, Relocation, and Replacement: Any fence repair, replacement or new construction must match or be compatible with the Developer's original fence. Modifications to fence location or fence length require the approval of the Columbia Homeowners Association Board of Directors. **Fence wood shall be left natural or treated with a clear sealer. Colored paint or stain is prohibited.**

- (a) Fence Extensions (On Top Of Existing Fences): Fence extensions are not allowed on fences along Mecartney Road. Fence extensions are discouraged and may require a City Building Permit. If approved, the fence extension shall comply with the "Community of Harbor Bay Isle Standard Details for Community Fence Extensions." Materials other than redwood lattice extensions are not permitted.
- (b) Temporary Fence Removal: The Columbia Association may approve temporary removal of fences for rear and side yard property improvement installations. Owners must restore the fence to its original location and condition within two (2) days of the installation completion. Any fence restoration shall be as originally installed.
- (c) Clearance: In order to maintain properties and structures, and to assure proper drainage on residential lots, the Community Architectural Rules and Standards require specific clearances when installing permanent (not easily moved) items. Items include, but are not limited to: paving materials, cement, flagstone, bricks, decks, docks, trees, plant material, fences, arbors, sheds, play structures, etc. The minimum clearance for trees is 3 (three) feet; the minimum clearance for fence to sidewalk is twelve inches; for all other items clearance is minimum of 6 (six) inches. (Community of Harbor Bay Isle, Architectural Rules and Standards & Plant Guidelines, Revised April 2018, p. 37)
- (d) Drainage: Each property owner shall maintain and, if necessary, improve the drainage scheme that was originally approved for the property by the City of Alameda and constructed by the original developer. Drainage from one property may not negatively impact another property. Minor alterations to the drainage scheme can be made if the original overall drainage pattern is maintained and no adverse impact results to neighboring property or association common areas. City of Alameda drainage requirements including, but not limited to foundations, sidewalks, curbs and gutters/downspouts, shall be met. (Community of Harbor Bay Isle, Architectural Rules and Standards & Plant Guidelines, Revised April 2018, p. 11)



- (e) **Retaining Walls:** All retaining walls where the top of the wall is more than 3'-0" above the grade at the foot of the wall must include foundation drainage (e.g.: back-of-wall drain). The foundation drain shall consist of 4" diameter perforated PVC pipe which shall collect water behind the wall and drain by gravity to the adjacent grade at the foot of the wall. The perforated pipe must be wrapped in engineered filter fabric or embedded in gravel placed above the foundation and behind the wall prior to backfill. If gravel is selected, the gravel bed must be at least 2'-0" wide and 6" below the top of the wall and surrounded with engineered filter fabric prior to backfill. (Community of Harbor Bay Isle, Architectural Rules and Standards & Plant Guidelines, Revised April 2018, pp. 15-16)

4.22. **Fountains and Garden Statuary:** Front yard fountains and garden statuary are discouraged but will be considered on a case-by-case basis by the Columbia Architectural Committee based on lot size, location and any impact on neighboring properties, and the appropriateness of the design of the fountain or garden statuary.

- (a) **In Rear Yards:** Rear yard fountains not visible from public ways and not exceeding the height of the adjacent fence are permitted if they do not create noise which interferes with concentration or sleep of neighbors. Rear yard fountains on lagoon lots will be considered on a case-by-case basis. Rear yard statuary is permitted if its height does not exceed the height of the adjacent fence. Rear yard garden statuary on lagoon lots will be considered on a case-by-case basis.

4.23. **Garages:** Garage use shall be limited to the storage of vehicles and typical household items only. Garages shall not be remodeled to create habitable space or used for purposes that interfere with the accommodation of the family vehicles. Owners are urged to keep their garage doors closed except when in use to maintain the attractive appearance of the neighborhood and to reduce opportunities for unlawful entry.

4.24. **Garage Doors:** In addition to the Community's Document, garage doors must match or be compatible with the developer-installed door design. The door color shall match the house siding or trim color. Two-color doors are not permitted. Roll-up, wood or wood-grain metal doors are permitted.

Garage doors with windows will be considered if an application is made for a type pre-approved by the Association. The window types are Stockton long & Sunray. Property owners are responsible for assuring garage door replacements meet the safety requirements mandated by State of California statute.

4.25. Gates and Gate Replacements: Gates and gate replacements shall be constructed of materials matching or compatible with the developer-installed fence in design, materials and finish. Hinges must not be visible from the outside. Additional gates or other openings are not permitted in the Association perimeter fences.

4.26. Gutter and Downspout: Gutter and downspout design must match the Developer-installation in size and design and shall match the house color to which they are attached (e.g. siding or trim color.) Drainage shall not adversely impact the neighboring property.

4.27. Lighting Fixtures and Lighting: In addition to the Community's Document, Mercury Vapor and quartz lights are prohibited.

4.28. Painting (Exterior): The Columbia Board of Directors approved additional color schemes to the Developer's original colors. They are designed for both the Doric Developer and Greenstone phases of the Columbia development. Information about exterior paint palette color schemes approved by the Architectural Committee is available from the Community's Architectural Administrator. Owners must submit an architectural application for all house repainting including repainting with the existing colors. All exterior house repainting shall comply with Columbia Association's House Painting Rules, which is attached to all house repainting applications approval letters. The final inspection must conclude that the finished work matches the approved colors. Pipes and sheet metal vents that protrude through the roof and other miscellaneous metal elements on the roof such as rainwater diverters, shall be painted to match the roof material color.

4.29. Patios: Patio size shall be in reasonable proportion to the landscaped yard area. Acceptable surfaces are brushed neutral, earth tone, aggregate mix concrete, brick, flagstone, slate, and tiles. Painted or colored coatings are prohibited, except for a clear sealer. Patios and other hardscape (e.g. walks) areas shall not exceed 75% of the total rear and side yard area. A clearance of at least six (6) inches must be maintained between patios and fence posts and neighboring structures.

4.30. Porches: Screened-in rear yard porches are discouraged. Existing front porches shall not be enclosed or screened in.

4.31. Planter and Window Boxes: Window boxes shall be constructed of redwood, cedar, spruce, brick, or masonry matching the exterior house masonry. The redwood or cedar or spruce shall have a clear finish, be unfinished, or painted to match the house siding or trim color. Planter boxes should match the color of the house.

4.32. Retaining Walls: Refer to the Community's Architectural Rules and Standards.

4.33. Roofs: Roofs are to be maintained in good condition. The homeowner is responsible for all architectural and/or engineering necessary to assure structural and functional integrity of the house when modifying the existing roof or installing a new roof over a house addition. The new roof shall match the Developer's original roofing material and color on the existing dwelling.

4.34. Satellite Dishes/Antennae: Refer to the Community's Document "Antennae."

4.35. Second/Third Story Additions: Additions to second stories, including balconies, decks and window dormers, will be considered on a case-by-case basis and must comply with the City of Alameda codes. The proposed addition must be compatible in scale, material and color with the owner's house and adjacent properties. The addition shall not unreasonably impair the views or sunlight or natural ventilation of adjacent properties. Pitched roofs must match the slope of the existing roof. Contact the Architectural Administrator for more information. Third story additions are not permitted.

4.36. Siding: New or replacement house siding material, design and finish shall match or be compatible with the Developer's original installations. Siding manufactured from metal, fiberglass or vinyl, etc. is prohibited.

4.37. Skylights: Refer to the Community's Rules and Standards.

4.38. Solar Collectors: Refer to the Community's Rules and Standards.

4.39. Solariums: A solarium is defined as a glass-enclosed habitable room attached to a house. Applications for solariums shall be considered as applications for Additions to Existing Dwellings (Refer to the Community's Architectural Rules and Standards). Solarium additions will be reviewed on a case-by-case basis.

All new room additions to existing dwellings shall be of wood frame construction to match the existing construction and be harmonious with the architectural character of the existing dwelling. Exterior finish materials, colors and details, such as doors and windows sash, roof eave, and architectural trim details of the proposed addition shall match similar details of the existing dwelling.

In addition to the application submittal requirements of the Community Architectural Committee (CAC), applications for room additions reviewed by the Columbia Architectural Committee shall include accurately drawn, typical architectural details to show clearly that the proposed exterior conditions will match the existing design.

- (a) Solariums- Pre-Manufactured Additions: Solariums- Pre-Manufactured Additions will be reviewed on a case-by-case basis. All lagoon and bay-front lots will be restricted to the Community Architectural Rules and Standards "Additions to Existing Dwellings."

4.40. Spas and Hot Tubs: Refer to the Community's Rules and Standards.

4.41. Speaker Systems: Amplified outdoor installations are not permitted.

4.42. Permanent Sports Apparatus: Refer to the Community's Rules and Regulations. Permanent installations that exceed the adjacent fence height are not permitted. An exception is children's play structures that do not exceed a height of eight feet six inches above the grade. Permanent sports apparatuses are not permitted in front yards. Refer to the Community's Document "Basketball Standards Rules" for additional restrictions. Structures in the street are a City of Alameda code violation issue and should be referred to City of Alameda Code Enforcement.

4.44. Trellises (Vertical Plant Support): Vertical trellises not attached to the house may not be higher than the top of the fence, or attached thereto, and must be a minimum of six (6) inches from the fence. Trellis shall be constructed of natural redwood, which may be treated with a clear sealer. Vines or other

plants may not be attached to fences.

4.45. Utility Wires: Refer to the Community's Architectural Rules and Standards.

4.46. View Protection Guidelines: Refer to the Community's Architectural Rules and Standards: (Views).

4.47. Walkways: Refer to the Community's Architectural Rules and Standards. In addition to the Community's document, walkway materials are limited to brushed cement or aggregate finish compatible with the house and overall neighborhood design. On a case-by-case basis, the Columbia Architectural Committee will consider other surfaces. Painted surfaces or colored coatings are prohibited, except for a clear sealer. Non-plant material borders must be compatible with the existing house and overall neighborhood design.

4.48. Weather Vanes: Weather Vanes will be considered by the Columbia Architectural Committee on a case-by-case basis.

4.49. Windows: Refer to the Community's Architectural Rules and Standards "Windows and Doors." Proposed changes will be considered, but homeowners are urged to maintain the original developer-installed design, color and materials used in the Columbia Association. Window frame replacements are to be white only unless replacement is to match existing (like for like color which is the anodized bronze on the Doric side). Window additions or replacements and dormer additions must match or be compatible with the existing installation. Replacement hardware and screens are required to match or be compatible with the existing Developer-installed hardware. Neighbor privacy shall be considered while reviewing window applications. Window grills or bars are not permitted.

4.50. Window Tinting/Glass Replacement: Refer to the Community's Architectural Rules and Standards. Low E Glass is permitted upon approval of the Columbia Architectural Committee.

4.51. Wires and Lines: Refer to the Community's Architectural Rules and Standards "Utility Wires."

4.52. Wood: Refer to the Community's Architectural Rules and Standards.

## SECTION 5 LANDSCAPE GUIDELINES

5.1. Refer to Rules: Refer to the Community's Architectural Rules and Standards and the Community's separate Rules and Regulations for a full range of information regarding:

- Owners Responsibility
- Information Resources
- Harbor Bay Isle's Unique Conditions Harbor
- Bay Isle's Original landscape Intent Harbor
- Bay Isle's Water Conservation Policy
- Plant Materials — Prohibited, Discouraged & Encouraged
- Harbor Bay Isle's -What Plant are We in Danger of Losing and Why?
- The Lagoon System and Its Rules
- Boat Storage and Use in the Lagoons

5.2. Prior Approval Required: No landscaping may be installed nor any existing landscaping modified without the prior approval of the Architectural Committee. An architectural application and plans must be submitted for approval prior to commencing landscape installations. Owners should review the Community's Landscape Guidelines for the specific requirements that apply to proposed property improvements.

5.3. Drainage: Drainage must be appropriately maintained as originally installed by the developer to avoid impacting on neighboring property, including common areas.

5.4. Groundcover: Acceptable ground covers are plant material, tree bark, or gray, beige or aggregate (salt & pepper) rock. White or red rock is prohibited, as is bare dirt or barren landscape in areas with no other plantings. Barren landscape is defined as bare ground not covered with grass, approved ground cover (noted in CHBI's Architectural Rules and Standards & Plant Guidelines) or hardscape (i.e. walkway, patio, etc.). Additionally, shrubs or bushes with a trunk or significant spacing between shrubs where the bare ground is exposed would be considered barren landscape. Shrubs or bushes growing dense to the ground and the ground is not exposed would not be considered barren landscape.

5.5. Hardscape: (Patis, decks or other non-live materials) shall not exceed 75% of the total rear yard area.

5.6. Maintenance Standards: Owners shall maintain their landscape in good condition, removing all weeds, watering and fertilizing and trimming as necessary to maintain an attractive appearance and shall not permit front, rear or side yard grass or weeds to grow beyond five (5) inches in height. Trees or shrubs visible to neighboring property, common areas or commonly maintain areas or public areas shall be maintained in an appropriate and healthy condition.

5.7. Minimum Area of Plant Material: Plant material shall consist of living plants, including ground covers, shrubs and trees of any species approved by the Community and Columbia Architectural Committees. No less than 60% of the front yard area shall be landscaped with plant material. No less than 25% of the rear yard shall be landscaped with plant material. Planted groundcover installations shall be in reasonable proportion to other plantings.

5.8. Rock Gardens: Refer to the Community's Document "Rock Gardens."

5.9. Trees/Tree Replacements: In addition to the Community's Architectural Rules and Standards, installation requires prior approval of the species and planting location. Most fruit-bearing trees are permitted only in back yards. Tree branches shall not touch or overhang roofs. Root guards must be installed for any tree planted within six (6) feet of any structure, fence or walkway to minimize root invasion damage. The Columbia Architectural Committee will consider removal of trees or shrubs without replacement on a case-by-case basis. Normally a replacement tree or shrub is required.

Replacement of problem trees will be considered on a case-by-case basis provided a replacement tree or shrub is approved by the architectural committee. Tree and shrub installations shall not unduly interfere with neighboring property yards or views. Trees shall be maintained in a healthy condition. If a tree's disease becomes untreatable, or it dies, the owner should promptly apply to the architectural committee for approval of an appropriate replacement tree.

Species other than the trees on the Community's approved list will be considered if they meet the

criteria of maximum size and are compatible with the existing neighborhood landscape. Homeowners shall not remove trees without first submitting an application and receiving approval from the Community Architectural Committee.

5.10. Vegetable Gardens: Vegetable Gardens are permitted only in rear yards and in reasonable proportion to other landscape.

## SECTION 6 MISCELLANEOUS

6.1. Owner's Responsibility: Refer to the Community's Architectural Rules and Standards. If owners do not perform their landscape design and installation work, their landscape consultant and contractor must comply with these guidelines and all other applicable requirements of the Project Association, The Community of Harbor Bay Isle, and the City of Alameda. Nevertheless, the Community and the Project Association will ultimately hold the owner responsible for compliance with these requirements by the Community.

Approval of the plant materials owners propose does not constitute or imply an endorsement of their proposal. Owners take full responsibility for the performance and consequences of any plant material that is installed on their property.

6.2. Information Resources: Refer to the Community's Document "Information Resources."

6.3. Harbor Bay Isle's Water Conservation Policy: Refer to the Community's Document.

6.4. Decision by Community Architectural Committee: Any decision by the Community Architectural Committee must be in good faith, may not be unreasonable, arbitrary, or capricious, and must be consistent with the law. If an architectural request is disapproved, the written decision must include both an explanation of the disapproval and a description of the procedure for reconsideration by the Board.

6.5. Community Board Appeal Process:

(a) Right of Appeal: If a Columbia Board or Architectural Committee (PAC) or affected Owner is dissatisfied with a decision of a Community Standing Committee (e.g. an architectural applicant to the Community Architectural Committee), the affected party may appeal the decision to the Community Board of Directors by submitting a written request for a hearing with the Board within ten (10) days of receiving written notice of the Committee's decision. The Community Board President and the appropriate Village Representative shall determine within seven (7) days whether the appeal shall be heard by the Community Board or the Columbia Board, or whether the decision should be referred to the Standing Committee for reconsideration of its decision.

(b) Appeal to the Community Board: If an architectural applicant, Columbia Board or PAC, or affected Owner is dissatisfied with the subsequent ruling of a Columbia Board or a Community Standing Committee, the dissatisfied Party may appeal the action to the Community Board of Directors by submitting a written request for a hearing with the Board within ten (10) days of the date of the contested action.

(c) Final Decision of the Community Board: If the Community Board grants a request for an appeal hearing, the Board may uphold, reverse, or modify the decision of the Columbia Association Board or Community Standing Committee.

6.6. No Right of Appeal: There is no right to appeal the decision that is made by the Board of Directors, or a body that has the same membership as the Board of Directors, at an open meeting. Reconsideration by the Board does not constitute dispute resolution within the meaning of California Civil Code Section 1363.810, et. seq.