

HILLER HIGHLANDS FOUR ASSOCIATION
30 Schooner Hill
Oakland, CA 94618-2335

Rules and Regulations – Architectural

Whereas the Declaration of Covenants, Conditions and Restrictions (“CC&Rs”) require Hiller Highlands Four Association (“Association”) to enforce the provisions of the CC&Rs; and

Whereas the CC&Rs gives the Association the power to adopt reasonable rules, and

Whereas various provisions of CC&Rs relate directly to architectural issues,

Now, therefore, the Board of Directors of the Association does hereby establish the following Rules and Regulations which apply to rebuilding, and maintenance or alteration of residences.

The CC&Rs provide for establishment of an Architectural Control Committee (“ACC”) to, among other things, consider and advise the Board of Directors (“Board”) regarding exterior changes requested by homeowners and to monitor the units in the Association for compliance with the Architectural Rules and minimum standards for residence maintenance.

RULES, REGULATIONS, and PROCEDURES

1. These rules, regulations, and procedures supercede inconsistent language set out in CC&R 7.5.
2. Owners shall provide their tenants and guests with notice of these architectural rules and regulations and shall be responsible for payment of fines and penalties assessed for violations by their tenants or guests.
3. These rules describe standards and general conditions governing the structure of HHIV units as well as accessories, colors, etc.
4. The ACC, in conjunction with the Board, conducts periodic “walk-arounds” to inspect the exteriors of the units and to note any corrective measures that are necessary to achieve compliance.
5. Owners of units requiring corrective action will be so advised and are expected to undertake the corrective measures in a timely manner. **Failure to comply within 180 days after notice from the ACC shall subject homeowner of a fine of up to five thousand dollars (\$5,000).**
6. Requests for architectural changes must be made in writing to the ACC well in advance of the proposed commencement of installation, to allow time for review by the ACC.
7. Any requested change to the exterior of the home must be reviewed and approved by the ACC before the proposed change is implemented. This includes any change or addition that is visible to the exterior of the home, including, but not limited to:
 - a. exterior light fixtures
 - b. address placards
 - c. awnings
 - d. garage or other doors
 - e. change in entry door color
 - f. air conditioner units
 - g. satellite TV dishes of 18” or less in diameter are permitted under the CC&Rs, with prior ACC/Board approval with the following requirements:
 - i. The written request for approval must include a drawing/sketch showing the proposed location of the device.
 - ii. The priority in placing the device must be to minimize visibility, consistent with obtaining satisfactory reception due to the unsightly nature of these devices.
 - iii. Homeowners must assume responsibility in communicating with the installer regarding the requirement to minimize visibility of the device, in their own best

interest and that of their neighbors. Installers tend to want to do what is easiest and simplest for their own purposes but their preferences are not necessarily consistent with the requirement to minimize visibility.

- iv. Visibility of any wiring must also be minimized.
 - v. Connecting wires should enter the interior of the house at a location as near as possible to the dish.
 - vi. Any wiring that runs on the exterior should be neatly and securely fastened, and installed to follow natural lines in the structure, such as placement next to vertical trim pieces or next to the lap in horizontal siding.
 - vii. Any visible exterior wiring should be painted to match the surface to which it is attached.
8. Requests must be accompanied by a drawing showing the proposed change and location on the building.
 9. Changes or addition of fixtures must include an excerpt from catalogue or brochure showing and describing the item (e.g. size, finish, etc.).
 10. Requests that involve alteration/rebuilding of the structure itself must be accompanied by two copies of detailed professional drawings for ACC use. Construction must not begin before ACC approval is obtained. Depending on complexity, the ACC may engage an independent professional to assist in reviewing the plan, at homeowner's expense.
 11. Any proposal that involves limited use of common area requires an application to the Board for a "Licensing Agreement." Approval of such applications requires action by the Board before any work is initiated.
 12. Requests for any exterior change affecting neighbors' property, view, etc. requires written concurrence from the affected neighbors before final approval can be considered.
 13. If any damage occurring to the common area landscape and streetscapes is the result of work done to an individual unit such as painting, roofing, or construction, all costs related to the repair of the plantings will be responsibility of the homeowner. Payments are due upon receipt of billing by the Association.
 14. Requests to repaint the exterior of the unit in the assigned colors are considered approved. The homeowner should advise the ACC that he/she will be repainting, via a note in the HHIV mail box. As a courtesy, nearby neighbors should also be advised as to when such work will take place and care should be taken to protect adjoining residences from paint spray.
 15. No exterior speakers, horns, whistles, bells wind chimes, or other sound devices, except for security devices used exclusively for security purposes, shall be located, used or placed on a Lot.

GENERAL CONDITIONS

1. Exception to any provision of these general conditions require review by the ACC and approval by the Board of Directors.
2. All construction must conform to provisions of the 1992 Bryan and Murphy sight line study, which was compiled at the Board's request. This provides a 5'7" person (assuming an eye level at 5'4") standing at the primary view windows of a residence an unobstructed view over the 30-degree primary view cone with a 4 degree declination. Standard chimneys are not considered obstructions.
3. A design and master plan to assure adequate drainage of surface and ground water has been established. Drainage systems for all units must be integrated properly with this plan. Specifications are available through the ACC.

4. The Association maintains sewer laterals from the edge of foundation to street main. The owner is responsible for portion of the lateral under the foundation of the unit.
5. Driveways and entry walks of all units will have two 4" PVC sleeves buried 18" deep beneath them for running tubes and wiring.
6. Soundproofing between contiguous units must meet code requirements, and in addition are required to meet these HHIV additional standards.
7. Between the shared walls of all units, there will be a 1" minimum clearance between outside face of studs to property line.
8. In each of the two walls is insulation of R-13 fiberglass batt.
9. Drywall thickness is one layer 5/8" gypsum board, Type X, at each face of studs to run through ceiling/floor cavity for one-hour construction, plus 1/2" gypsum board interior wall finish.
10. To provide rafter space ventilation, eave vents and continuous ridge vents, which must terminate 5' from property lines, are required by Hiller IV. Hiller IV has been granted a variance from the City of Oakland that allows use of eave vents. Each builder must apply to the City for this variance on an individual unit basis.
11. Rafter spaces within 5' of property lines should have cross-ventilation to adjacent spaces for adequate ventilation.
12. The ACC can provide a set of basic information, including specifications and drawings of exterior design and building details which apply to all units.

STANDARDS

1. Any new building must observe the foundation footprint, bulk and elevations as existed prior to 10-19-91.
2. Documented exterior changes and additions approved by the Board may be incorporated in the new building without additional approvals, subject to building permits and codes.
3. The approved exterior design, which combines wood and stucco, must be observed. See the following EXTERIOR PAINT section for paint brands and color schemes.
4. The siding is 5/4" horizontal, overlapping, re-sawn clear cedar and has a 6.5" exposure. It is rough finished and factory primed front and back. Siding is painted using approved colors (see below).
5. Roofing for pitched roofs is Celotex, Presidential, Shadow Grey. For tar and gravel flat roof sections, the gravel must be tinted to replicate the Shadow Grey color.
6. Windows are anodized bronze aluminum, thermal break, or wood with exterior metal cladding of dark bronze color. Mirror coatings or dark tinted glass will not be approved.
7. Glass sky lights are flat. Mirror coatings are not acceptable.
8. Balcony railings are curved, metal, either 36" or 42" high and painted with the approved color (see below). Specifications for the railings are available from the ACC.
9. Decking and exterior stairs are 2x6 redwood, natural finish. Entrance and view balconies are curved.
10. The front door can be of wood, fiberglass, or metal facing. It can be painted or stained. It is raised panel, of one color and is 36" to 42" wide.

11. The garage door is sectioned overhead in wood or metal. The door may consist of either four or five sections, each section consisting of four raised or recessed panels across. Glass panels are not allowed. The door must be painted as described in the EXTERIOR PAINT section below.
12. The posts of privacy fences must be pressure treated Douglas fir. Boards and rails are to be redwood. Standard fence height is six feet. A detail drawing is available from the ACC.
13. The address light (house number) is manufactured by Sparkle Plenty, Inc., Chicago, I1 (10-24 volts, Model "Ranch", black).
14. The letterbox plate (mail slot) is Baldwin, oiled bronze finish, No. 0012-102 and is to be placed at street entrance.
15. Any request to add light fixtures or change existing ones must be pre-approved by the ACC. Any exterior fixture should:
 - a. have a muted finish, such as oiled bronze (no bright brass fixtures)
 - b. should be understated to be consistent with the general exterior "look" of HHIV
 - c. should not exceed 6" X 12" when viewed head on, and not project more than 8" from the surface on which it is mounted
 - d. exterior light fixture is to have no more than a 60-watt light or equivalent in fluorescent
 - e. shades are translucent/obscure material
 - f. clear glass is prohibited
 - g. indirect lighting is an acceptable alternative light source and circular apertures are recommended.
 - h. the standard exterior light fixture adopted in 1993 for the street entrance and for all exterior fixtures which can be viewed by other units (Progress, No P5678-20, with bronze finish) is no longer in production
16. The chimney cap is metal, with spark arrestor exposed above. It is to be painted the same as the stucco color. Specifications are available from ACC.
17. Exterior awnings are Sunbrella fabric and the colors are:
 - a. Paint Scheme A - #4628 – Toast
 - b. Paint Scheme B - #4633 – Linen
 - c. Paint Scheme C - #4630 - Cadet Grey
18. Awning hardware should be anodized bronze. A recommended source is ACME Awning Company, San Leandro. Owners may work directly with them to plan for individual needs. Any other exterior sun protection device needs ACC/Board approval.
19. Wooden planter boxes placed on decks/balconies must be inside and not hung on the railing.
20. Downspouts must match unit's siding color (see below).
21. Placement of air-conditioning compressor pads requires ACC/Board Approval. Written request must include a drawing/sketch showing the proposed location of the A/C unit. A lattice surround is required to hide the equipment. The surround is to be of high-grade lattice and trimmed so that edges of the lattice are not visible.
22. All items protruding above roofs, such as plumbing vents, flues, etc., shall be painted to match the standard roofing color (Shadow Grey). This includes flat tar/gravel roofs.

STANDARDS OPTIONS (which require ACC review and Board approval)

1. There is an approved design for a crossing (opposing) gable roof element. Clerestory windows within these gables are encouraged.
2. The roof pitch shall be 4" -in- 12" except for flat roof units. A 6" -in- 12" pitch is acceptable only for opposing gables and dormer conditions.

3. Bay windows are trapezoidal in front (living room).
4. Bay windows on the side (dining room) of D2 units are rectangular. The sides can be either glass or solid. If neighbors are affected, their concurrence is necessary.
5. Entry for D2 units may be open, covered or enclosed. Designs for covered or enclosed entries must have ACC/Board approval.
6. The atrium (solarium) can be enclosed on D1 and D2 units.

EXTERIOR PAINTING RULES AND INFORMATION

The 80 units in the association are in groups of two, three or four. Each group of units is referred to as a POD. The exterior painting guidelines are:

1. each POD is assigned a color scheme; A, B or C
2. adjacent PODs are assigned different schemes
3. all units in a POD use the same stucco color
4. adjacent units in a POD shall not use the same siding color

Exterior color schemes:

The Board has approved the following color schemes. Color chips are available from the ACC upon request.

- Scheme A
 - Stucco Color A: Boulevard, G-87
 - Siding Color A-1a: Oak Bark, G-99
 - Siding Color A-1b: Oxford Twill, 2W17-5
 - Siding Color A-2a: Quadrille, G-100
 - Siding Color A-2b: Sedona Beige, 2W18-3

Units assigned the A-1 scheme may choose between siding colors A-1a and A-1b and those assigned the A-2 scheme may choose between siding colors A-2a and A-2b. They may use any of the A-Scheme colors for trim, except the one they choose for the siding.

- Scheme B
 - Stucco Color B: Dune Beige, G-102
 - Siding Color B-1a: Maltese, H-32
 - Siding Color B-1b: Pebblestone Beige, 3W24-3
 - Siding Color B-2a: Maison, H-33
 - Siding Color B-2b: Haze Green, 3W24-4

Units assigned the B-1 scheme may choose between siding colors B-1a and B-1b and those assigned the B-2 scheme may choose between siding colors B-2a and B-2b. They may use any of the B-Scheme colors for trim, except the one they choose for the siding.

- Scheme C
 - Stucco Color C: Sand Springs, H-42
 - Siding Color C-1a: Lone Prairie, H-39
 - Siding Color C-1b: Thornwood, 3W21-3
 - Siding Color C-2a: Ancient Stone
 - Siding Color C-2b: Belmont Brown, 3W24-5

Units assigned the C-1 scheme may choose between siding colors C-1a and C-1b and those assigned the C-2 scheme may choose between siding colors C-2a and C-2b. They may use any of the C-Scheme colors for trim, except the one they choose for the siding.

Railings: The blue railing color is standard throughout HHIV. This color can be requested by the name, "Ink" (no number) and is on file at Pursel Paints (see below) with the other HHIV colors.

Front Entry Doors: The approved standard for front entry doors is to use the stucco, siding or trim color assigned to the unit, or the blue railing color. If the unit has a different color or finish that was previously approved by the ACC it may be continued. If the homeowner is considering changing the front door color/finish to something other than the approved standard colors, he/she must obtain prior approval from the ACC. Address a note, including a color chip to, the ACC and drop in the HHIV mailbox at 30 Schooner Hill.

Other Exterior Doors: The main garage door, garage side entry door, utility closet door and any other exterior door should be painted the siding color assigned to the unit.

Paint Resource - Pursel Quality Paints (2161 University Ave in Berkeley) has a file for HHIV referencing the exterior paint selections indicated above. When the homeowner or his/her painter goes to Pursel Paints, provide the paint color names and numbers to the salesperson, making sure to tell the salesperson that the home is part of Hiller Highlands Four Homeowners' Association (HHIV) and remind them that the HHIV colors are on file. Paint samples are available from the association; contact the ACC Chair when appropriate.