

BELSERA COMMUNITY ASSOCIATION

ARCHITECTURAL GUIDELINES

CONTENTS

- I. INTRODUCTION
- II. GENERAL SUBMISSION
- III. SUBMITTAL REQUIREMENTS
- IV. SITE DEVELOPMENT GUIDELINES
- V. SUBMITTAL PROCESS & PROCEDURES
- VI. ARCHITECTURAL APPLICATION

INTRODUCTION

One of the most important functions of the Belsera Community Association is the preservation of the architectural character of Belsera at Tierrasanta in order to enhance the desirability and attractiveness of the entire community. The Belsera Community Association has been charged with the administration and enforcement of architectural control within the community by the authority given to it in Article IV of the Covenants, Conditions and Restrictions (hereinafter referred to as the CC&R's) for Belsera at Tierrasanta. The CC&R's provide for an Architectural Review Committee to be appointed initially by the Declarant, and later, by the Board of Directors. This Committee has the authority to review and approve or disapprove all plans and specifications submitted to it for any proposed Improvement as provided in Article IV, Section 4.2 of the CC&R's.

- A. Intent of the Guidelines: These guidelines are primarily concerned with the physical appearance of the community environment. It is the intent of these guidelines to direct design efforts towards a homogeneous and quality response to the natural and built environments.
- B. Approval: The Architectural Review Committee may condition its approval of plans and specifications on such changes it deems appropriate and may require submission of additional plans and specifications or other information or materials prior to approving or disapproving plans and specifications. In the event the Architectural Review Committee fails to approve or disapprove plans and specifications within forty-five (45) days after receipt by the Committee of all materials requested, such plans and specifications shall be deemed approved. (See Article IV, Section 4.2).
- C. The applicant must also satisfy all City of San Diego and/or other governmental entity review or permit requirements before making any alterations or Improvements. In the event of a conflict between the provisions of these Architectural Guidelines and any applicable City or county ordinance or regulation, the more restrictive requirements shall prevail.

II.

BELSERA COMMUNITY ASSOCIATION

ARCHITECTURAL GUIDELINES

It shall be the responsibility of the Owner of the Residence on which an approval was granted to ensure that the conditions set forth below are enforced upon all persons or firms used, engaged or employed in carrying out any operation or trade in conjunction with the construction or installation of the Improvement.

- A. Signs: No signs shall be displayed on any Residence without prior written Belsera Community Association Architectural Review Committee approval other than a sign advertising the property for sale or rent as permitted by the CC&R's. This includes tradesmen's, contractors', and installers' signs of any type, including the signs identifying the Residence as the site of their activities or operations.
- B. Hours of Operations: All operations shall be carried on between the hours of 7:00 a.m. and 5:00 p.m. on Monday through Friday and 9:00 a.m. and 4:00 p.m. on Saturdays, Sundays and holidays. In the event City ordinances are more restrictive, the City ordinances shall prevail.
- C. Temporary Structure: No structure of a temporary character, including motorhomes and trailers, will be permitted to remain in the Project without the written approval of the Architectural Review Committee.
- D. Unsightly Items: All rubbish, debris and unsightly material or objects of any kind shall be regularly removed from the site and will not be allowed to accumulate thereon. Removal shall be made weekly, preferably on Friday and will not be allowed to accumulate on the street right-of-ways or Common Property.
- E. Streets and Walkways: No construction debris or materials such as sand or bricks may be permitted to remain on the streets or walkways. All items of such nature must be stored on the Owner's property. In the event that any materials are delivered and deposited on the streets or Common Property, the owners will be held responsible for the costs involved in cleaning and/or restoring the Common Property, streets and walkways.

- F. Maintenance of Improvements: The repair and maintenance of any work or Improvement will be the responsibility of the installing Owner(s) or subsequent Owner(s).
- G. Inapplicability to Declarant: Pursuant to Article VII of the CC&R's, nothing in these Guidelines shall limit the right of the Declarant to alter the Common Property or the Residences or to construct such additional improvements as Declarant deems advisable prior to the completion of Improvements thereon and sale of the entire development. No approvals shall be required from the Architectural Review Committee for any construction by the Declarant. No Architectural Review Committee approvals shall be required for maintenance and repair activities of the Association or the Association's contractors on Association maintained property.

III.

SUBMITTAL REQUIREMENTS

In addition to the general submission procedures described in Article V of these Architectural Guidelines, Owners in the Belsera Community Association, other than Declarant, shall comply with the following submission standards:

- A. Preliminary Drawings: If you are submitting plans for a major Improvement, it is highly recommended that you submit preliminary plans in order to save the time and cost of having to revise working drawings. Preliminary drawing submissions shall include, where applicable, the following:

1. Plot Plan:

- a. Show property boundaries accurately as to length, angles and amount of curve. Show all existing and proposed buildings, structures, fences, walls, sidewalks and other Improvements; indicate all required setbacks, easements, street right-of-ways and top or toe of slopes.
- b. Show all dimensions on work to be considered, distances between existing and proposed work and distances between proposed work and property boundaries, setback lines and slopes.
- c. Site photos of all surrounding conditions adjacent to the location of the proposed Improvements including neighboring properties and Common Property.

2. Roof Plan:

- a. Show all existing and proposed roofs with slope pitches and overhangs noted.
- b. Designate existing and proposed roofing material.
- c. Indicate any unusual conditions and details involved in or resulting from the work.

3. Floor Plan:

- a. Indicate all walls, columns, openings and any condition or feature that will affect the exterior design of the structure.

- b. Show dimensions of proposed work and related existing work; indicate relationship.
- c. Delineate all parts of the exterior that cannot be shown on elevation.
- d. Set out square footage of proposed and existing work.

4. Elevations:

- a. Provide exterior elevations of all proposed structures.
- b. Note all finish materials, colors and textures of proposed work. For alterations or additions note if finish is to match existing finish.
- c. Delineate all height limits in relation to proposed work.

5. Fence and Wall Plans:

- a. Drawings shall include specifications of materials, color and height.
- b. Heights should be shown in relation to adjacent ground elevations.

B. Construction Drawings and Specifications: Submissions shall include, where applicable, the following:

1. Working Drawings: Include all of the drawings required for the preliminary submission, if utilized, revised as required by the Committee's preliminary review along with all working drawings.

2. Grading Plan:

- a. Show contours, flow lines, finish grades and proposed drainage systems.
- b. Changes of finished grade must be accompanied by a grading plan prepared by a registered civil or professional engineer or landscape architect.

NOTE: Plot and grading plan may be incorporated on the same drawing.

3. Landscape Plan: Include grading, drainage systems, walks and hardscape, planting area, planters, decks, fences and walls, stairs, trellises, arbors, gazebos, ponds, fountains, ground covers, shrubs, trees, slope stabilization, ornamental rocks, recreation areas, courts, apparatus and courtyard lighting.
4. Pool Plan: Include pools, spas, hot tubs, heating and filtering equipment and enclosures or screening and drainage.
5. Mechanical and Solar Energy Plans: Include all mechanical devices exposed to the exterior and all solar collectors, racks, storage facilities, and distribution components.
6. Exterior Colors and Finishes: For any proposed modification of exterior material and color requirements, the following must be included:
 - a. A color sample board or an elevation sheet with color chips attached clearly noting where colors are to be used.
 - b. Samples of masonry and finish roofing materials. Descriptions are acceptable for common materials to match existing. No composition, brick, wood shake, shingle or tin roofs will be allowed.
 - c. Color and material samples are not required when drawings indicate "color and materials to match existing."
7. Specifications: List materials and finishes together with method of installation or application. Please see preliminary and final checklists in the appendix of this document for submittal requirements.

IV.

SITE DEVELOPMENT GUIDELINES

The following site development guidelines shall apply to all Improvements undertaken on the Property, except such work undertaken by Declarant:

A. Workmanship: All works of improvement shall be performed in a manner consistent with the guidelines of the existing structures, fences or Common Property Improvements. Any work deemed by the Architectural Review Committee as not meeting the guidelines shall be reworked to meet those standards or removed and the building or Common Property restored to their condition prior to commencement of the work by the Owner. In the event the Owner refuses to rework, remove and/or restore as called for above, the Architectural Committee shall request the Board of Directors to cause such rework, removal and/or restoration to be performed and the cost thereof shall be assessed to the Owner as provided in the CC&R's.

B. General Development Guidelines:

1. Heights:

a. Dwellings: Heights of Improvements shall be restricted to the maximum height of the first structure constructed on the site and must be compatible with the intent of the existing structure with respect to massing and enclosure. Single story houses shall remain single story. Any Improvements to dwellings which have any portions above ten (10) feet are subject to view analysis to determine whether a neighbor's view would be unreasonably obstructed.

b. Other Structures: Maximum height of the occupiable area of all other structures including patio structures, trellises and gazebos shall be limited to nine (9) feet in height. All portions of proposed structures that are decorative and unoccupiable and exceed the nine (9) foot limit are subject to special review and may not be permitted.

2. Setbacks: Minimum setback standards for Belsera Community Association are established by the City of San Diego Planning Commission in conformance with the applicable City of San Diego building and zoning codes. These standards affect all Improvements including, without limitation,

buildings, out-buildings, garages, carports, pools, recreation facilities, parking areas, awnings, patio covers, balconies, stairs and decks.

3. Chimneys:

a. Heights: Chimney heights may not exceed City of San Diego Building Code Standards.

b. Exterior Dimensions: The exterior dimensions of chimneys shall be subject to the control of the Architectural Review Committee so as to minimize obstruction of view or line of sight of other Residences.

4. Overhangs and Other Projections: Cornices, eaves and projected windows projecting above the footing of the dwelling may project up to two and one-half feet (2-1/2') into any front, side or rear yard set back.

5. Fences, Walls and Hedges:

a. Windbreaks and sound screens shall be considered to be fences.

b. Fences, walls and hedges shall not exceed six (6) feet in height, except within six (6) feet of the front property line where a maximum height of three (3) feet is permitted.

c. Fences, walls and hedges which will abut any existing wall or fence shall not exceed the established height of the existing wall or fence, except heights required by building codes for protection of swimming pools or spas.

d. Any fence, wall or hedge which would block the view from other Residences shall be subject to the approval of the Architectural Review Committee. Retaining walls shall be subject to the approval of the Architectural Review Committee.

e. The height of all fences, walls and hedges shall be measured vertically from the average finished grade at the base of the fence or wall. Tops of all fencing, walls or hedges installed on level ground shall be

dead level. Tops of fencing, walls or hedges installed on slopes, where permitted, may be parallel with the slope or stepped.

- f. Existing fencing or walls shall not be modified by alteration, additions or color without the express written approval of the Architectural Review Committee. The Architectural Review Committee may approve the addition of wrought-iron fencing, clear and nonpatterned tempered glass or plexiglass to the walls at the tops of slopes.
- g. Structural framing and/or unfinished sides of fences or walls shall not be exposed to any adjacent lot, Common Property or street.

6. Patio Structures, Sun Shades and Gazebos:

- a. Side elevations of structures shall not be enclosed in any manner, except in the case where a wall of a dwelling forms a natural enclosure to some or all portions of a side elevation.
- b. No objects such as urns, pots, artificial flowers, planters, etc. shall be placed on top of structures in this section. All such "adornment" shall be located under, around or suspended within the structure.

7. Sundecks: No sundecks are permitted.

8. Mailboxes: Mailboxes shall not be changed from what was installed by builders and shall be subject to the control and approval of the Architectural Review Committee unless otherwise controlled by the U.S. Postal Service.

9. Antennae: No television and/or radio sending or receiving devices shall be affixed to the exterior of any Unit nor allowed in the Common Property. All devices of this type shall be restricted to the attic of the Residence.

10. Trash Containers: Stored trash containers must be completely screened from streets, Common Property and other Residences. It is recommended that trash containers be of a plastic material to reduce collection noise.

11. Exterior Colors: Exterior colors of buildings, fences, walls and structures as first applied by the Declarant and exterior colors as approved by the Architectural Review Committee for new construction, additions and/or alterations shall not be changed or altered without the approval of the Committee.
12. Flagpoles: The design, material and installation of flagpoles shall be subject to the review and approval of the Architectural Review Committee.
13. Mechanical or Solar Devices: All mechanical equipment exposed to the exterior, including pumps, heaters and air-conditioning compressors, and solar devices including collectors, racks, storage facilities and distribution components shall be subject to review and approval of the Architectural Review Committee.
14. Basketball Backboards: Backboards are prohibited.
15. Exterior Lighting: Exterior lights, with bright light sources that can be seen from adjacent streets or homes, shall not be allowed. (Examples of light sources are bulbs, lenses, reflector openings, etc.) Acceptable exterior lighting shall be directed or screened from being visible from adjacent streets or Residences.

C. Landscaping, Pool and Recreational Standards

1. Landscaping:

- a. No trees, bushes, shrubs or other plants which would exceed the permitted height of the Residence at any site shall be planted or installed until the plans and specifications for the placement of such trees, bushes, shrubs or plants have been submitted to and approved by the Architectural Review Committee. Said plans shall show in detail the proposed locations and elevations and the heights at maturity of said trees, bushes, shrubs or plants, including location, elevation and height in relation to other Residences.

- b. The Committee shall have the right, but not the obligation, to require any Owner to remove, trim, top or prune any tree, bush, shrub or plant which in the reasonable belief of the Committee impedes or detracts from the view or line of sight of any Residence.
 - c. Lots have been engineered and graded to allow for proper drainage. Retain a civil engineer to review any significant modification of established grading or drainage. The Committee may require grading or drainage plans be prepared by a licensed or registered civil engineer or landscape architect.
2. Pool, Spas, Hot Tubs, Ponds and Fountains:
- a. All accessory equipment, except solar collector panels, shall be located, screened, or recessed in such a manner so as not to be viewed from any Residence or street right-of-way. Solar collector panels shall be located in a manner to minimize visual impacts.
 - b. Heaters shall be stackless or low-profile in configuration.
 - c. Solar collector panels including racks and distribution components shall be subject to Architectural Review Committee review and approval as to materials, method of installation and exposure of any portion thereof.
 - d. All installations shall be located, sound controlled and maintained in such a manner so as not to disturb residents of other Units. The Committee shall have the right, but not the obligation, to require any Owner to repair or restore any installation to quiet operation or restrict its use or operation if in the reasonable opinion of the Committee, continued use or operation disturbs residents of other Units.
3. Recreational: The Architectural Review Committee may consider the possible impact to other Residences when reviewing proposed outside

recreational use or activity areas. Such review shall include, but not be limited to, noise and light intrusion.

D. Building Material Standards: All requirements noted within this section shall be incorporated into the final plan submission in form of general notes, details or drawings.

1. Window & Door Openings: Window openings within exterior wall surfaces shall be located in a manner consistent with the existing treatment.
2. Window Glazing, Tinting, Shading and Awnings: Glass tinting or shading must be compatible with the existing treatment. Reflective glass film and plastic roll up shades shall not be permitted. Exterior shades of any type shall not be permitted.

Awnings shall be subject to the following standards:

- a. Material: Woven cloth of natural fiber such as cotton canvas.
 - b. Frame Work and Mechanical Parts: Must be concealed from view of other Residences or public rights of way.
 - c. Color: Material shall be of one color and compatible with exterior colors of building to which awnings are to be attached.
 - d. Finish: No tassels or scalloped edges.
 - e. Conditions of Approval: Because awnings are subject to fading, may deteriorate with time or may be damaged by the elements, Owners agree to remove or replace with like kind any awning which, in the opinion of the Architectural Review Committee, has become discolored, deteriorated or damaged. Said removal or replacement shall be completed within 60 days of written notice having been sent to Owner of said awnings.
3. Walls and Fences:
- a. Materials utilized for perimeter walls and fences shall be consistent with the perimeter walls, fences and gates originally

installed by Declarant. Clear non-colored and nonpatterned glass for protection from wind is permitted where approved by the Committee.

b. Acceptable color and finishes:

- (1) Wood gates colored to match existing trim or siding color.
- (2) Stucco applied to masonry - color and texture to match existing developer installed stucco.
- (3) Wrought iron - color to match existing wrought iron installation.

c. Unacceptable Materials:

- (1) Chain link, poultry wire or other types of woven wire, including plastic coated wire.
- (2) Aluminum or sheet metal.
- (3) Plastic or fiberglass materials other than clear nonpatterned tempered glass or plexiglass.
- (4) Reed or straw-like materials.
- (5) Rope or other fibrous strand elements.
- (6) Glass block.
- (7) Concrete block, plain or painted.
- (8) Grape stake or tri-stake or per direction of the Committee.

4. Patio Structure, Sunshades, Trellises and Gazebos:

a. Acceptable Materials:

- (1) Structure of framework, including any overhead portions, to be of wood construction only with the exception of vertical support members. Vertical support members may be clad with stucco or brick to relate to existing structures.

- (2) Roofing materials shall match the roof materials of the dwelling.

b. Unacceptable Materials:

- (1) Structures and frameworks of exposed metal.
 - (2) Roofing materials of:
 - (a) Crushed rock.
 - (b) Built-up roofing.
 - (c) Asphalt shingles or shakes.
 - (d) Composition roofing.
 - (e) Plastic or fiberglass, flat or corrugated.
 - (f) Canvas.
 - (g) Aluminum.
5. Roof Vents: All roof vents to be colored to match the dominant roofing material.
 6. Chimney Flashing: All chimney flashing to be colored to match integral or applied color of chimney.
 7. Sheet Metal: All exposed sheet metal to be colored to match related material or surface being flashed.
 8. Landscaped Slope Areas: No building or structure of any kind will be allowed on or abutting sloped areas.

V.

SUBMITTAL PROCESS & PROCEDURES
RE ARCHITECTURAL PLANS AND SPECIFICATIONS

BELSERA COMMUNITY ASSOCIATION

- A. Intent: By way of illustration, but without limitation, submissions to the Architectural Review Committee for Approval are required for the following improvements:
1. New construction or installation, including dwellings, accessory buildings, garages, fences, retaining walls, steps, awnings, canopies, poles, mailboxes, trellises, patio overheads or decks, gazebos, wind screens, swimming pools, fountains, spas, hot tubs, recreational apparatus, exterior lighting, sound systems, and solar energy systems.
 2. Installation or revision of landscaping, hardscaping or surface improvements including ground covers, trees, shrubs, plants, irrigation or drainage systems, recreation areas or courts and surface drainage revisions.
- B. City of San Diego and Other Approval: Approval of any project by the Architectural Review Committee does not waive the requirement for the permits, nor does obtaining all required permits waive the need for Architectural Review Committee approval. The Architectural Review Committee will not knowingly approve a project which violates the building or zoning codes or those of any other governmental agency or entity, and takes no responsibility for plan conformance to any criteria other than these Design Standards.
- C. Submittal Fees: The Architectural Review Committee may require the Owner to pay a submission fee to cover the cost to the Belsera Community Association of the review of plans and specifications for the proposed improvements.

The Architectural Review Committee may also require the posting of a five hundred dollar (\$500.00) deposit to cover the cost of restoration or repairs to the Common Property. Any security deposit not utilized for repair to the Common Property shall be returned to the Owner.