

Quiet Water Homeowners Association

Guidelines, Procedures and Practices of the Design Review Committee

Rules applicable to all QWHA members

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<http://www.qwha.org>

***Policy Manual #1
Adopted June 8, 2019***

The Quiet Water Homeowners Association Design Review Committee

The Design Review Committee (DRC) derives its authority from *Article III* of the Association Covenants, Codes and Restrictions, *Article III, Section 3.15* of the Association Bylaws and directives from the Board of Directors. It is subordinate to and accountable to the Board of Directors.

In addition to the specifications found in the cited directives, the DRC is given the additional task to oversee the Common properties of the Association.

The provisions of the CC&Rs and the Bylaws will be respected as basic governing considerations.

The guidelines, procedures, practices and rules promulgated herein are applicable upon all members, their families and guests, as well as renters of members' facilities. They apply to new construction, remodeling, repair, rebuilding, or use of the common areas.

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Guiding Values

- The Design Review Committee (DRC) will seek to build a sense of community through architectural design and landscaping, emphasizing that which we already share.
- The Committee will seek to promote, encourage and maintain natural zones in the common area.
- Decisions will seek to demonstrate a consideration for and incorporation of all member interests.
- Undisturbed areas for educational purposes and to encourage wildlife will be maintained.
- Fabricated items or structures, changes in topography and landscaping shall be designed to minimize adverse impact on the common areas. Improvements will minimize the degradation of the natural environment.
- Safety needs will be considered when planting trees and making changes in the landscaped areas.
- Use of indigenous plants around home sites and in the common areas is encouraged.
- The common areas will be managed and maintained in accordance with a master plan.

Chapter 1

Architectural and Site Design Guidelines

Any new construction and / or property improvements, or repairs or remodels to existing structures or property improvements, require review and approval by the DRC prior to commencement of work.

The DRC in making its decisions shall be ruled by the conditions and restrictions contained in the CC&Rs and the following criteria, and its authority shall be limited to the interpretation and enforcement of these criteria.

Structures of all kinds shall meet all applicable Zoning Ordinance and Building Code requirements.

1. Criteria pertaining to standard platted lots:

- 1.1 Conditions, yards, setbacks, landscaping, and other criteria and restrictions, shall be as described in the CC&Rs.
- 1.2 Caution: the City of Yachats and/or Lincoln County may have additional regulations affecting lots, including corner lots.
- 1.3 Fences, while allowed on some properties by the CC&Rs, shall be discouraged. When utilized, they shall be constructed as described in the CC&Rs.
- 1.4 Pet enclosures and privacy screens are allowed subject to the following provisions: they must be attached to the house, may not be greater than 100 square feet in area, and shall be constructed as prescribed in the CC&Rs for fences. Pet enclosures must be located in the rear yard with a minimum five

(5) foot setback from the property lines. Plans for pet enclosures must be approved by the DRC before construction is initiated.

- 1.5 Accessory buildings are allowed provided that they conform to requirements as prescribed in the CC&Rs, and meet all applicable Zoning Ordinance and Building Code requirements. Plans for accessory buildings, storage facilities or privacy screens must be approved by the DRC before construction begins.
- 1.6 While outside storage facilities for recreational vehicles are allowed, approval will be strongly discouraged as not in keeping with the overall character of the community. Storage of recreational vehicles within an enclosed garage is encouraged if such can be designed and built within the allowable lot setbacks. See also CC&Rs for additional requirements and criteria.

2. Criteria pertaining to Cluster lots:

- 2.1 Conditions, yards, setbacks, landscaping, and other criteria and restrictions, shall be as described in the CC&Rs.

3. Criteria pertaining to both Cluster and Standard lots:

- 3.1 The exterior color of (the basic building of) all houses must be a shade of gray. Trim which includes windows, sash, doors, skirting fascia, gutters, railings, decks may be of

appropriate accent colors. The color of the roof shall be a single color, dark gray to black. All colors shall be specifically approved by the DRC.

- 3.2 Approved roofing materials shall include composition shingles, shakes, and concrete tile. Upon request, other comparable appearing materials may be approved by the DRC.
- 3.3 The pitch of the basic building roof shall be a minimum of 8/12 (as adopted July 16, 1994). Porch roofs, dormers, accessory roofs may be a lesser pitch (they are 7/12 typically at the Cluster Cottages) only with specific approval of the DRC.
- 3.4 All roofs must have some overhang. The minimum overhang will be eighteen (18) inches for the eaves and twelve (12) inches for the rake.
- 3.5 Long unbroken walls greater than twenty-five (25) feet will not be permitted. Members may use bump-outs, jogs, and other significant structural features that break up exterior walls greater than twenty-five (25) feet in length.
- 3.6 Deck skirting will be required based on the following criteria:

- Deck height 0-1 feet – no skirt required
- Deck height 1-8 feet – skirt required
- Deck height > 8 feet – no skirt required

Deck elevations are measured from the finish grade to the bottom of the deck floor joists.

- 3.7 The height and exposure of concrete stem walls shall be limited to not more than twenty-four (24) inches. This may be accomplished by finished grades, stepping of the stem wall, or any other DRC-approved method.
- 3.8 Solar energy collectors are permitted provided that they are roof flush mounted and dark gray to black in color.
- 3.9 Dwelling units shall be detached single family homes, maximum of two (2) stories and 30 feet in height.
- 3.10 All improvements constructed upon the lots shall be composed of "natural" wood or masonry materials. Due to the current level of technology and the development of building materials to meet energy conservation and natural resource conservation requirements, composition, composite, and appropriate related materials currently available such as vinyl windows, vinyl gutters, vinyl lattice, composition cementitious panels, siding, shingles and decking as well as composite wood based products, which are compatible with the character of the Quiet Water community and meet other required Home Owner Association criteria and Guiding Values may be approved.
- 3.11 All new or remodeled dwelling or garage improvements will have gutters connected to down spouts and the water run-off directed to the street curb or dry well via an

underground drainage system or an existing open drainage way.

- 3.12 Any area of the lot not covered by a dwelling unit shall be landscaped. All landscaping shall be natural in appearance and shall preferably consist only of plants indigenous to the area. Plants listed as noxious and invasive vegetation in the City of Yachats Ordinance 5.08.110, shall not be planted.
- 3.13 Hedges exceeding three (3) feet will not be allowed.
- 3.14 All landscaping and building materials and colors must be compatible with the character of the community as a whole. Landscaping in the public right of way areas (between curb and property line) shall not exceed three feet in height.
- 3.15 *Article IV, Section 1.12* of the CC&Rs prohibits the installation of radio or television antennas outside of any building without the written permission of the DRC. Satellite dishes, whether for the receipt or transmission of radio or television signals, will be considered as antennae under this section, and must be reviewed by the DRC.
- 3.16 Definitions – in addition to Definitions listed in the CC&Rs, the following shall apply:
- Setback:* The term “setback”, as used in the CC&Rs, means the distance across an open space on a lot which is unobstructed from the ground upward, measured horizontally at

right angles to the lot line from the lot line to the nearest point of a building or structure.

Structure: The term "structure" shall mean something constructed or built having a fixed base on, fixed connection to, or above, the ground or another structure, and shall include, but not be limited to, buildings, elevated walkways, decks, stairs, handrails and guardrails. Walkways and other improvements at ground level do not constitute a structure.

4. Maintenance of Member Properties:

- 4.1 *Article II, section 5.4* of the CC&Rs specifies that the Association is authorized to perform maintenance if an owner-member neglects or fails to maintain his/her lot and improvements to a standard commensurate with the standard in the Development.
- 4.2 The DRC will monitor the improvements in this Planned Unit Development (PUD) and make recommendation to the President of the Association when it is the considered opinion of the DRC that a member's unit is not being maintained in a manner commensurate with the standards of the Development.
- 4.3 Pursuant to Paragraph 4.2 herein, the DRC will use the following maintenance guidelines (deficiencies visible from street or edge of lot):

4.3.1 BUILDING EXTERIORS:

.1 Walls, deck railings & fascias shall not have:

Visible dry rot or missing trim.

Worn, marred, peeled, faded or stained painted surfaces.

Incomplete / mis-matched paint colors.

Moss, algae.

Stained window frames & failing glass sections.

Exposed piping, conduits, wiring, etc. that has not been painted to match adjacent surfaces.

Skirting missing, damaged, stained or discolored - needing paint.

.2 Roof surfaces shall not have:

Broken, worn, damaged, or missing shingles / tiles, or roofing flashings.

Repairs with incompatible / mis-matched colors or improper materials.

Moss buildup on roof and / or skylights (numerous patches or areas of moss).

.3 Gutters & Downspouts shall not have:

Vegetation growing in gutters.

Missing downspouts.

Damaged components (bent, dented, missing, misaligned, etc.)

Colors incompatible with approved wall and trim colors, and / or components with mismatched colors.

4.3.2 PLANTINGS & LANDSCAPE:

.1 The property shall not have:

Ivy climbing on walls, skirts, shrubs and trees; scotch broom, morning glory, clematis, holly, and Himalayan blackberry.

Unsightly grass / weed growth.

Plantings that overhang common area walkways & paths.

Dead plants.

Broken off tree branches lying on ground.

.2 The property shall be free from hazardous conditions, including but not limited to:

Dangerous tree limbs overhanging Common Areas or another owner's property.

Low hanging tree branches that interfere with mowing or the use of walkways and paths.

Moss and debris on walkway portions on property, that constitutes a slipping hazard.

4.3.3. MISC:

.1 Signs shall not be posted on property without review and approval of DRC. Signs, when approved by the DRC, must comply with all City Ordinances.

Chapter 2

Recreation and Common Area Guidelines

Several sections of *Article IV*, of the CC&Rs contain provisions relating to the use and misuse of Common property and specifically ascribe duty responsibilities to the DRC.

Vegetation

No owner shall remove or otherwise alter any plant or tree of any landscaping or improvement in any common area or in any recreational area without the written consent of the DRC.

The prohibition shall also extend to the digging, removal or depositing of soil or material of any sort, either organic or inorganic.

Areas established by the master landscape plan which contain (1) nurse logs or stumps, (2) decaying logs or stumps, and (3) undisturbed brush, grasses, ferns, and wild flowers will not be disturbed, cut or removed except as directed by the DRC.

Vegetation on private lots and around improvements as well as the common areas will conform to prudent safety considerations.

Scotch broom spreads prolifically and is an ever present fire hazard. Removal of any found on properties is required.

Roots of willow trees seek water sources and can penetrate water/sewer pipes.

Tall, dead, diseased single trees are subject to blow down during winter storms.

Parking, Paths, and River Banks

Article IV of the CC&Rs pertains to the use of areas, including public, common and private, for parking of “boats, trailers, motorcycles, trucks, truck-campers and like equipment,” which shall not be allowed on any part or public ways adjacent thereto excepting wholly within the confines of an enclosed garage. All other parking of equipment shall be prohibited except as approved in writing by the DRC. No junk cars or unsightly vehicles are allowed on the property.

In applying this section, the DRC will be insistent that no portion of any parked object may project beyond the enclosed area except under unusual conditions which must be approved by the DRC.

Other General Rules

1. Dogs will be allowed in the Common Areas only when on a leash. Exceptions: in special cases, members may apply to the Board for relief from this requirement. Property owners are subject to fines as provided in the Community Rules for non-compliance.
2. Barking dogs that disturb the tranquility of others within Quiet Water will not be allowed, and property owners are subject to fines as provided in the Community Rules for non-compliance.

3. Owners will pick up after their animals. This will allow all to enjoy the common areas without messy mishaps.
4. Vehicles and bicycles will not be driven over the pathways or common areas except when attending to required maintenance or construction, and when specifically approved by the DRC.
5. Boats, canoes, inflatable devices or any other water craft will not be beached or stored on the river bank or elsewhere on the Common area for more than 10 days.

Chapter 3

Design Review Committee Process

The Review Process

1. The Chairperson of the DRC may be contacted informally at any time for information or preliminary discussion. However, such contact is not considered official or binding nor will any pronouncement as a result of such contact be considered as an approval or a disapproval for a considered action.
2. Any request for action by the DRC-must be in writing and in sufficient detail to be clearly understood. All plans and supporting documents must be submitted in accordance with "Quiet Water DRC Submittal Guidelines", published separately. New construction requests must include a general plan for landscaping, which may be submitted separately but must also be approved prior to installation.
3. Requests for DRC approval may be emailed, given directly to the Chair of the DRC, or mailed to the Association at PO Box 34, Yachats, OR 97498. The DRC has thirty (30) days upon receipt of the submittal to respond, indicating that the review is in process or that processing is complete. The DRC may respond with changes, corrections needed to the submittal, or requesting

additional information as needed to process the application.

4. Approval or denial for any proposed action will always be in written form after consideration by the DRC or designated sub-committee.
5. Approval for any proposed action is valid for one year and construction must be completed within nine months of construction start.
6. The Design Review process will be undertaken only when requested by bonafide owners of the subject property.

Appeal Process

1. Any decision by the DRC may be appealed within 30 days. The appeal will be directed to the DRC for reconsideration.
2. A second level of appeal will be to the Board of Directors. A decision from that body will be final. However, the Board may solicit a hearing before a select committee of QWHA members in the event the matter is not clearly covered by homeowner rules, directives, or CC&R considerations.