

Quiet Water Homeowners  
Association

**Policies, Procedures and Practices  
of the  
Design Review Committee**

Rules applicable to all QWHA members

*Policy Manual #1  
Adopted March 2000*

## 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 policies, 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, rebuilding or use of the common areas.

## 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 home owner rules, directives, or CC&R considerations.

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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 will 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 will be encouraged.
- The common areas will be managed and maintained in accordance with a master plan.

## Design Review Committee Process

### The Review Process

1. Members 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 a member must be in writing and in sufficient detail to be clearly understood. All plans and supporting documents must be submitted in duplicate. New construction requests will contain a general plan for landscaping.
3. Requests for DRC approval may be 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 to respond, indicating that the review is in process or that processing is complete.
4. Approval or denial for any proposed action will always be in written form after consideration by the Committee or designated sub-committee.
5. Approval for any proposed action is valid for one year and must be completed within nine months of construction start.

## Parking, Paths, and River Banks

*Section 1.6* 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 or under the positive control (immediate response to a verbal or hand signal) of its handler.
2. Owners will pick up after their animals. This will allow all to enjoy the common areas without messy mishaps.
3. Vehicles and bicycles will not be driven over the pathways or common areas except when attending to required maintenance or construction.
4. 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.

## Architectural Design and Site Policies

The DRC in making its decisions shall be ruled by the following all inclusive criteria and its authority shall be limited to the interpretation and enforcement of these criteria.

1. Criteria pertaining to **standard** platted lots:
  - 1.1 The minimum side yard setback is five (5) feet. The sum of the two side yard setbacks shall be fourteen feet.
  - 1.2 Minimum front yard setbacks will be ten (10) feet from property line for residential dwelling and twenty (20) feet from a garage entrance.
  - 1.3 The combined front and back yard setbacks will be a minimum of 35 feet. Caution: the city and/or Lincoln County may have additional regulations affecting corner lots.
  - 1.4 There shall be reserved a minimum of 25% of the total area of the lot for landscaping.
  - 1.5 Fences, while allowed by the CC&Rs, shall be discouraged. When allowed they shall not exceed six (6) feet in height and shall be constructed of natural wood or masonry. 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. 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.

- 1.6 Accessory buildings are allowed provided that they are attached to the rear of the residence. They shall be set back a minimum of 30 feet from the front lot line and a minimum of five (5) feet from the side and rear lot lines and shall not exceed 100 square feet in area. They shall be constructed of wood or masonry materials. Plans for accessory buildings or privacy screens must be approved by the DRC before construction begins.
- 1.7 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. Garage RV facilities will be encouraged for storage if such can be designed and built within the allowable lot setbacks.
- 1.8 Landscaping or other improvements will not be allowed to obstruct a driver's vision within a 45 foot radius of the center of any intersection.
- 1.9 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 or an existing open drainage way.

## Recreation and Common Area Policies

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 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. Its growth must be controlled.

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

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

in the public right of way areas (between curb and property line) shall not exceed three feet in height.

3.12 *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 an antenna under this section. The DRC will approve satellite dishes only if they will be installed so as to be non-visible (sight screened) from elsewhere in the development.

#### 4. Maintenance of Member Units:

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 improvement 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.

#### 2. Criteria pertaining to Cluster lots:

2.1 The minimum side yard setback will be five feet with a minimum separation of two feet for every three feet of height of the dwelling unit, as defined by the Uniform Building Code adopted by the State of Oregon.

2.2 Minimum front yard setback will be four feet from the property line for the residential dwelling.

2.3 The combined front and back yard setbacks will be a minimum of ten (10) feet.

2.4 There shall be reserved a minimum of twenty five percent (25%) of the total area for landscaping.

2.5 Any area of the lot not covered by a dwelling unit shall be landscaped. All landscaping shall be natural in appearance and consist only of plants indigenous to the area.

2.6 No fences or walls will be allowed except privacy screens within the lot lines.

2.7 No accessory buildings are allowed.

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 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 windowless 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 Hedges exceeding three (3) feet will not be allowed.

3.7 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.

- 3.8 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 landscaping and building materials and colors must be compatible with the character of the community as a whole. Landscaping