

# Homes Association of Cedar Hills

## Board Policy

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This policy is applicable to permits submitted after the adoption date of this policy

### **Accessory Structures – Permanent/Temporary/Seasonal: Detached Garages, Sheds, Workshops, Studios, Playhouses, Greenhouses, Gazebos, Pool Houses, Equipment Enclosures and Other Similar Structures**

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#### **Goals:**

- A) To be consistent with or more restrictive than the Washington County Development code and Development standards (zoning, setbacks).
  - B) To limit the visual impact of the accessory structure from the street and from adjacent homes/properties.
  - C) To provide setbacks from property lines which provide for maintenance of the accessory structure and surrounding landscape and for passage of fire department personnel as required by the State of Oregon Fire Code.
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#### **Policy:**

##### **1. Limitations on Size and Number:**

For purposes of classifying size of accessory structures consistent with County standards: square footage is calculated using corner-to-corner outside wall widths; height is measured from finish floor level to the average roof height (measured from bottom edge to peak).

See Figure 1 below for measurement diagram.

(a) Washington County and the Association both limit the total area of all accessory structures not used for living purposes (i.e., all structures other than the house itself) on any given property to a maximum of 600 square feet.

(b) The Association limits the total area of a detached garage to a maximum of 440 square feet (e.g., 20' x 22').

(c) The Association limits the total area of all accessory structures used for storage purposes on any given property to a maximum of 200 square feet.

(d) Washington County and the Association both limit the total area of all accessory structures built within the required back yard to no more than 25 percent (25%) of the required yard space.

Note: Washington County and the Association both require yard space free of structures (or structures above a certain size) on all sides of the house – the “required yard”:

- The required back yard is computed by multiplying the average lot width by the required setback of 15 feet (e.g., 60 ft (lot width) x 15 ft (setback) = 900 sq ft x 25% = 225 sq ft maximum total area of use).
- The required front yard is defined as the lot width from the front property line to the required front setback. Washington County and the Association may have different setback requirements. If different, the greater number is used.
- The required side yard is defined as a 5-foot strip from the front yard to the back yard, along the side property lines.

(e) If multiple small structures are proposed, they must be located at least six feet apart.

## **2. Appearance and setbacks based on size:**

### **(a) Accessory structures of any size:**

i. Shall be located behind the front setback line(s) as established in Exhibit C of the Restrictions, Article VI, (a). The Board of Directors may not waive the front or street side yard setback. Article I, (c).

ii. See Figure 2 below for required setbacks diagram.

iii. General appearance of accessory structures used for storage should reflect the look of the house in materials and color scheme. Some specialty use structures will necessarily use different materials and/or have a different look, without being considered exceptional. Examples:

- Glass roof and walls for a greenhouse.
- Natural wood finishes for a gazebo (if appropriately weather resistant).
- Different paint scheme for a child’s playhouse.

iv. Exceptions to the appearance policy in the structure-size categories below must be approved by a quorum of the Board of Directors (either at a regularly scheduled meeting, or during a permit review meeting). Size and setback requirements remain.

### **(b) Small buildings (80 or fewer square feet and less than 8 feet in height):**

i. Wooden accessory structures shall be painted to match or complement the color scheme of the house.

ii. If attached to the house, it must appear integrated into the house: siding, trim, roofing material and paint scheme to match the house, limited to a maximum of 40 square feet and may not be placed within any Association easement.

iii. Side yard setback: Not less than 5 feet from the side property line (Article VI (b)).

iv. Rear yard setback: Not less than 5 feet from the rear property line.

**(c) Medium buildings (more than 80 square feet and not more than 120 square feet and/or over 8 feet in height):**

i. The exterior finish, including trim, roofing material shall match or complement the house. The paint color shall match or complement the house.

ii. Side yard setback: Not less than 5 feet from the side property line Article VI (b).

iii. Rear yard setback: Not less than 5 feet from the rear property line.

**(d) Large buildings (more than 120 to a maximum of 200 square feet and/or over 10 feet in height):**

i. Large accessory structures are to be built on a permanent foundation or concrete slab.

ii. The structure shall be designed and built to match the appearance of the house, including roof design, roof pitch, roofing material and color, gutters and fascia board, soffit detailing, siding, and windows. The paint color shall match or complement the house.

iii. Side yard setback: Not less than 5 feet from the side property line Article VI (b).

iv. Rear yard setback: Not less than 15 feet from the rear property line (by County rules).

**(e) Detached Garages (maximum of 440 square feet):**

i. Detached garages are to be field built (not prefabricated) and are to be built on a permanent foundation or concrete slab.

ii. The structure shall be designed and built to match the appearance of the house, including roof design, roof pitch, roofing material and color, gutters and fascia board, soffit detailing, siding, and windows. The paint color shall match the house.

iii. Side yard setback: Not less than 5 feet from the side property line Article VI (b).

iv. Rear yard setback: Not less than 15 feet from the rear property line (by County rules).

v. Special setback considerations: Not located in front of the front or street-side corners of the house, regardless of the setback line as established in Exhibit C of the Restrictions. No portion of the structure may be located within any setback or easement area. The Board of Directors may not waive the front or street side yard setback. (Article I (c))

**(f) Exception:**

At the discretion of the Board of Directors, small and medium (no more than 120 square feet) non-permanent structures, not affixed to the ground, and not less than 6 feet from the home or garage/carport may be placed within the Association's side or rear easement, Article VI (b), (1). Structures larger than 120 square feet may not be approved to encroach in the County required setback.

- i. Such approval shall be conditioned upon the owner agreeing to remove the structure at the owner's expense within twenty (20) days if requested by the Association for good cause.
- ii. The minimum side (excepting a street side yard) or rear setback shall be three (3) feet (by County rules).
- iii. A quorum of the Board of Directors must approve any proposed encroachment into the Association's five (5)-foot side or rear easement (either at a regularly scheduled meeting, or during a permit review meeting). The Board may deny the request if good cause is not presented to support the request.

**3. Screening:**

- (a) Screening by fence or natural material may be required by the Board on a case-by-case basis.
- (b) For large buildings, rooflines should be oriented so as to limit their visibility and apparent height of the structure as viewed from the street above the fence line.
- (c) Placement of structures in the side yards, visible from the street is discouraged.

**4. Disallowed Uses:**

- (a) A detached accessory structure may not be finished or used for living purposes or converted to a living space (Article IV (a)(1)). Any other use disallowed by the Restrictions will apply equally to accessory structures.

**5. Permitting Requirements:**

**(a) Association Building Permit Required:**

- i. A building permit issued by the Association is required prior to the erection of any accessory structure on a home site. The permit shall be submitted with a site plan, drawn to scale, indicating:
  - a drawing of all four sides of the proposed structure drawn to scale or manufacturer's literature or other graphic representation indicating width, length and height of the proposed structure. Such graphic representation shall include a specification of roofing, siding, and other proposed materials, including the color scheme,
  - the location of the proposed structure,
  - the location of the house and garage,

- all property lines (with written setback dimensions),
- any fencing, hedges, etc.,
- other existing accessory structures (with size indicated).

**(b) Board Approval Required:**

- i. Small buildings (80 or fewer square feet) not attached to the house and less than eight (8) feet in height may be approved by a single director.
- ii. An accessory structure larger than 80 square feet and not more than 120 square feet and/or over eight (8) feet in height, or attached to the house, may be approved by two or more Directors in unanimous agreement. Disagreements shall be resolved by a quorum of the Board (either at a regularly scheduled meeting, or during a permit review meeting).
- iii. Large structures (more than 120 square feet) must be approved by a quorum of the Board (either at a regularly scheduled meeting, or during a permit review meeting).
- iv. Any exceptions to this policy shall be reviewed by a quorum of the Board.

**(c) Right of Denial:**

- i. Accessory structures can be denied a building permit because of size or appearance. Not all home sites may contain a location that minimizes visual impacts on the neighborhood or that would maintain adequate open space between homes. Accessory structures may be denied because of size or appearance, Article V, (a)(2).

**(d) Jurisdictional Permit Required:**

- i. For accessory structures requiring a jurisdictional (County) permit, the applicant shall provide the Association with a copy of the approved permit(s) for their file prior to commencement of work, if approved by the Association.
- ii. Generally, any accessory structure used for storage that is over ten (10) feet in height or over 200 square feet in area requires a building permit from the County in addition to the permit obtained from the Association. Special use structures smaller than 200 square feet may also require County approval – check with Washington County Land Use & Transportation to be sure.

Approved by  
Homes Association of Cedar Hills  
Board of Directors  
March 2022

Figures below:

Figure 1:



Figure 2: required setbacks example

