

Homes Association of Cedar Hills Board Policy

General Landscaping

RECITALS

- A. The Board wishes to adopt this policy to clarify the rules governing yard landscaping and maintenance within the Association.
- B. While this policy is intended to be consistent with federal law and the Washington County Development Code and Development Standards, the Association's policy may be more restrictive.
- C. The Association wishes to:
 - a. Enforce the Restriction (Article III (g)(2)) which states that yards shall be attractively landscaped and maintained in a neat and orderly manner, free of weeds and debris. (Please see the Amended and Restated Declaration of Restrictions of Homes Association of Cedar Hills adopted on May 11, 2023 [HERE](#).)
 - b. Remind homeowners of their responsibility to maintain jurisdictional (County) rights-of-way and Association easements on and adjacent to their property. (Article VI (b))
 - c. The Association wishes to acknowledge homeowners' rights to landscape their yards in their own way, while acknowledging the community's interest in having an attractive neighborhood. Both interests come into play with landscaping of the yard.

POLICY

1. **Association Permit Required:** Association permits are not required for most aspects of landscaping (e.g. planting a new tree in the yard (not in the planter strip), adding flowers, etc.). Landscape-related changes that *do* require permits involve significant changes to the appearance of the property.

The following relates to structures placed in the landscaping and have individual policies and permit requirements. Please refer to these policies on the Association Policies webpage for details:

- Sidewalk replacement (County permit/inspection also required). See "Sidewalk Repair/Replacement"
- New or replacement structures such as sheds, gazebos, etc. See "[Accessory Buildings](#)"
- HVAC units. See "[Ground Mounted HVACs](#)"
- Adding areas of poured concrete or pavers (patios, walkways, retaining walls, etc.). See "Driveway, Walkway and Parking Surface [Standards](#)"

The following are landscaping items with specific standards and permitting requirements. Please refer to the

“Permit-Required Landscaping” section below for details:

- Street trees removal/replacement. See “[Street Trees](#)”
- “Eco-Lawns.” See “Lawns and Lawn [Alternatives](#)”
- Front yard gardening boxes for growing fruit or vegetables. See “Front Yard Gardening [Boxes](#)”
- Major overhaul or replacement of 50% or more of the yard (front, back, or street planter strip). See “Major overhaul”

2. **Community Norms for landscaping** allow for a great variety of approaches. Basic Board policy attempts to be simple and to the point:

- A majority of the yard is to be “green.”
 - Something that grows and includes year-round interest: grass, bushes, flowers, trees, etc. (tree canopy coverage counts toward square footage).
 - The planter strip, in itself, is also to be “majority green,” with bark or rocks as accents and not the main feature.
 - Drought-tolerant and “naturescape” plantings are permitted with consideration of basic principles of water management, appropriate plant selection, placement and maintenance. [East Multnomah Soil and Water Conservation District has online resources for native plants and naturescaping tips See website at www.emswcd.org.]
- Thoughtful use of hardscape is permitted, although hardscape should not comprise more than 50-percent of the landscape. This also applies to the planter strip.
- Lawns should be kept mowed and trimmed/edged. Watering is not required in the summer; lawns can go dormant, but still need to be maintained.
- Weeds should be kept under control.
- Access to the home’s front door should be “welcoming” and not obscured by vegetation or other barriers.

3. **Considerations for different areas of the yard:**

The County Right-of-Way:

The homeowner is responsible for maintenance of the County right-of-way, including:

- Sidewalk maintenance, including repairing trip hazards (e.g. raised or broken panels), and removing slip hazards (e.g. moss).
- Sidewalks free of obstructions (e.g. overgrown bushes, overhanging branches, parked cars).
- Street tree replacement from an approved Washington County [list](http://www.washingtoncountyor.gov/lut/road-maintenance/street-trees) (www.washingtoncountyor.gov/lut/road-maintenance/street-trees).
- The planter strip (between the curb and sidewalk) is considered part of your front yard. See “majority green” requirement above (rocks and bark are accents, not main features).
 - The Restrictions limit the contents of the planter strip to:
 - Trees, shrubs and other plantings: maintained to height, spacing and density as may be required by the Association.
 - Commonly used landscaping materials (e.g., gravel, rock, railroad ties, lumber) if permitted by the Association (and Washington County).

- Plantings and associated hardscape should not impede opening car doors parked on the street.

The Front Yard:

This is what is seen from the street, when looking at the house. Corner houses are deemed to have two frontages (the part of the property fronting onto a street), one being the front postal address and the other being a side yard. Having many homeowners in the Association means a diverse definition of “attractively landscaped,” but yard maintenance (mowing, weeding, trimming, etc.) applies in all cases. Some aspects of front yard landscaping require permits (see the “Association Permit Required” section above).

Trees that have been cut down should not have visible stumps remaining. Stumps need to be ground out or cut flush at or below ground level.

The Side Yard:

Landscaping in front of the fence is classed the same as the front yard, behind the fence is the back yard. If no fence screens the view, what you can see from the street should be under front yard rules.

County setbacks and Association easement rights apply. An Association easement of five feet from the property line needs to be kept clear of:

- Structures, such as sheds;
- Equipment, such as HVAC units (including screening if not behind the fence);
- Poured concrete driveways, walkways, other slabs.
- Any exceptions must be permitted by the Association, pending Board approval, with the caveat that removal can be required with notice from the Board.

The Back Yard:

County setbacks and Association easement rights apply. An easement of five feet from the rear property line needs to be kept clear of structures and equipment (see Side Yard list above).

County setback rules apply to structures (sheds, etc.). Size of structure determines setback from the rear property line (typically five feet on small structures, 15 feet on larger ones - see “[Accessory Buildings](#)” policy for details).

Landscaping the back yard generally doesn’t affect the neighborhood, so vegetable gardens and outdoor living spaces belong here. It is generally considered private space except where it affects the direct neighbors:

- It cannot be used to store items prohibited by the CC&Rs.
- Adding poured concrete or pavers (patios, walkways, etc., as these could affect drainage and cause water flow into neighbors’ properties) and permanent structures (sheds, gazebos, etc.) require an Association permit.
- “Weed free” and “neat and attractive” still apply. Directly affected neighbors have standing to complain to the Association about violations encroaching on their property.

4. Permit-Required Landscaping:

Street Trees:

Association Permit Required:

Removal or planting of street trees in the planter strip between sidewalk and street requires an Association permit. Washington County provides a list of approved trees for use.

"If tree removal in the right-of-way is necessary, and a tree will not be planted in its place, the stump of the old tree must be removed by digging out or grinding to below ground level."

Resources:

"Call Before You Dig" Call 8-1-1 for the Utility Notification Center. Important to locate gas and water lines, etc. before you grind or dig out a stump.

Washington County Street Tree list: Washington County's list is the only list approved by the Association. Trees and other plantings not listed here are specifically not approved:

- Website: <https://www.washingtoncountyor.gov/lut/road-design-and-construction-standards> - download **Appendix G - Road Right-Of-Way Plant List**
- Document: <https://www.washingtoncountyor.gov/traffic-road-engineering/documents/appendix-g-street-trees-road-construction-standards/download?inline>

Permit Contents:

The permit application should include the following:

- Described location of tree(s) to be removed and/or planted.
- Site plan of the property, with dimensions, showing location of tree(s) to be removed/planted and whether any power lines are involved.
- Identification of new tree(s), using the approved list from Washington County.
- If removing and not replacing, an explanation of why. Examples of why a tree may not be appropriate to replace include ensuring street site-lines at corner houses, reducing density of existing street trees planted too close to each other, or too close to drainage, utilities, driveways, etc.

Removing a large street tree can impact the neighborhood through the need to close the street for safety. Be sure you (or your tree removal service provider) check with Washington County before you try to take down a large tree. You may need a county permit, as well. The Association permit **does not** provide approval from the county.

Lawns and Lawn Alternatives:

Association Permit Required for Lawn Alternatives:

Lawn alternatives are diverse and ecologically beneficial mixtures of lawn grasses and water-wise broadleaf perennials that form a dense lawn-type planting. Lawn alternatives must be planted from commercially available seed mixtures designated for the Pacific Northwest. This must be an intentional process and homeowners must notify the Association of their intent to grow a lawn alternative prior to planting.

Lawn Appearance:

- Lawn and lawn alternatives must have uniform distribution of plant types.
- Lawns and lawn alternatives must be mowed and maintained at a uniform height.
- Broadleaf and invasive/noxious weeds typically found in residential lawns should be removed.

- Large, uncontrolled patches of white clover, especially within dormant or poor-quality grass are not considered neat and attractive. We encourage you to remove or reduce white clover and replace it with grass or a lawn alternative.
- Weeds can be removed by physically pulling them out. If you choose to use chemical herbicides to kill weeds or reduce their growth, we encourage you to spot treat individual weeds rather than broadcasting over entire areas. This is a more effective method to control weeds and reduces harm to people, pets, wildlife, groundwater and local streams and lakes.

Permit Contents:

- Prior to planting a lawn alternative, the homeowner must submit a permit with neighbor's signatures and a full description of the seed mix to be planted and a drawing or description of the area to be planted (e.g. front lawn).
- Acceptable "Alternative Lawn" or "Eco-Lawn" seed mixtures are composed of approximately 75% or more lawn grasses such as hard fescue and perennial rye grass and approximately 25% or less herbaceous plants such as yarrow, strawberry (or micro) clover, English daisies, baby blue eyes, etc.
- All lawn alternatives, like all lawns, must be maintained in neat and attractive condition, have a relatively uniform distribution of plant types, be of uniform height and be free of weeds as described above.

Front Yard Gardening Boxes:

Association Permit Required:

An Association permit is required for front yard gardening boxes. Because Gardening Boxes are considered "Hardscape." Limitations as to the size and number of boxes permitted are addressed below (Gardening Box Limitations).

Gardening Box Appearance:

- The boxes are harmonious with the main landscaping of the front yard.
- Materials need to be weather resistant (e.g. cedar with coated fasteners) and constructed and finished in a professional manner (e.g. square corners, installed level, etc.).
- Must remain in "neat & attractive" condition: weed free, tools removed, no composing refuse, etc.
- Boxes must have something growing year 'round: the expectation is a new planting will be planted once a harvest or season is over (not every plant will be appropriate; e.g. corn should be grown in the back yard).
- Maximum dimensions for an individual box is 4' wide by 8' long by 15" high.
 - Additional height of boxes may be approved by the Board depending on factors specific to the property (e.g. slope of property, adjacency to non-Association property, busyness of street, etc.).

Gardening Box Limitations:

- Two (2) boxes are allowed.
 - Additional boxes may be approved by the Board depending on size of yard, total square footage of boxes, history of homeowner maintaining previously approved boxes.
- Gardening boxes are to be located outside the County right-of-way. Exceptions to this may be approved by the Association if the following are met:
 - The boxes are harmonious with the main landscaping of the front yard.
 - The boxes do not impede normal use of the right-of-way (e.g. a door of a parked car is able to

- open without damage).
- The owner acknowledges removal of the boxes in the right-of-way may be requested by the County.
- The Association can require removal of the box if not maintained in a neat & attractive manner.

Permit Contents:

- A site plan drawn to scale, showing placement of the boxes in relation with the property lines and setbacks (dimensions/distances noted).
- A description of the box(es), including details such as size, height and materials used to construct them. If using a commercial kit, a photo or brochure of the finished product may be included.
- An explanation and seasonal plan for their use and proposed plantings.

Major Overhaul:

Association Permit Required:

Major overhaul or replacement of 50% or more of the front yard, back yard, or the street planter strip (between the curb and sidewalk) requires an Association permit. This communicates to both the Association and the neighbors that any disruption to the appearance of the property is temporary, and a plan is in place. Adherence to community norms for landscaping (see above) is presumed.

Permit Contents:

- A general description of the work to be done, including major design details such as trees, retaining walls/berms, hardscape/walkways, etc.
- A site plan drawn to scale, showing placement of the above design features.
- Proposed timeline or staging plan.

Adopted by Board of Directors
 Rex Wheeler , President
 Homes Association of Cedar Hills
 Date: _____