



Proposed Changes Architectural Policies and Procedures

*Changes proposed December 23, 2020
Proposed revisions would take effect on April 1, 2021*

Proposed Changes to the Architectural Policies and Procedures

The following changes have been proposed for the *Architectural Policies and Procedures* formally adopted on April 1, 2020. Green text (**sample**) indicates an addition to the current standards. Strikethrough text (~~sample~~) indicates removal from the current standards. Additional changes not listed below include grammatical errors, minor verbiage modifications, reorganization, and clarification of the currently associated fines. The current *Architectural Policies and Procedures* document before proposed changes can be found online at www.mtparkhoa.com/governance-manual. Please refer to the full text as needed.

A. Application Procedures

~~The Architectural Committee maintains a list of materials and colors that are already approved. Projects that use only these materials will be approved more quickly, usually by e-mail.~~

Work may commence upon receipt of verbal or e-mail approval from the Compliance Manager, which will be followed by a written approval letter for your records. Please note that **approval of the aesthetics of an application does not connote approval of the structural or engineering design. Owner is responsible for acquiring all required permits.**

Violation of Application Procedures

1. **Failure to submit an application and receive formal approval prior to commencement of work is a Category 2 violation. The first occurrence will result in a \$200 fine.**
2. **Commencement or completion of previously approved projects with non-approved alterations is a Category 2 violation. The first occurrence will result in a \$200 fine.**
3. **Commencement or completion of projects after denial by the Architectural Committee will result in a Category 3 violation. The first occurrence will result in a \$500 fine.**
4. **Commencement or completion of projects after a committee decision is upheld by the Board is a Category 3 violation. The first occurrence will result in a \$500 fine.**

Subsequent offenses will result in higher fines. Property owners may be required to redo or remove non-approved projects within a specified period of time and incur the associated costs, in addition the assessment of fines for architectural standards violations. (See Penalty Schedule, Appendix A.)

Expectations of the Association [formerly section B]

Minor Repairs

- **Minor repairs to fencing, decking and siding, as well as paint touch up or complete repainting in the same colors, require an application. Please use the Express Application.**

After Receiving Approval

- **Any deviation from the approved plans will result in a penalty and may require modification or removal of the completed work.**

Violation of Expectations of the Association

Failure to comply with any of the expectations listed above will result in a Category 1 violation per incident. The first occurrence will result in a \$100 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

B. General External Changes [formerly section C]

1. Fences, Walls and Retaining Walls

All fences, walls and retaining walls, new or replacement, require approval by the Architectural Committee.

Fences and Walls

City code limits fence and wall heights to six feet above the ground in backyards and four feet above the ground in front yards. ~~When backyards back up to streets the maximum height is four feet unless approved by the City of Lake Oswego and the Architectural Committee. [LOC 50.06.004.2]~~ Berms, when used in conjunction with fences and walls, are included in the height determination. On corner lots, the wall and fence height is limited to 30" within a vision triangle as defined by the City of Lake Oswego ordinance.

Fences may be placed on property lines and a site plan should be included with the application. Front yard fences are typically not allowed. ~~Rails are the exception and will be reviewed on a case-by-case basis depending on aesthetics and safety.~~

Fences with sides facing the street or Common Property must be erected with the "good neighbor" side facing the public area. With wood fencing, this means that the posts and stretchers are on the inside of the yard and only the fence boards are seen from the public side. Good neighbor requirements do not apply between yards.

Fencing materials generally approved by the Architectural Committee include:

- Cedar board
- Cedar lattice
- Wire mesh up to 3" x 5" with decorative wood stringers posts and rails (also known as pig fencing)
- Black metal rails, not exceeding 4' in height
- Black vinyl-coated chain link, not exceeding 4' in height (Approved on the condition that, at the time of installation, evergreen plantings are placed on the outside of fence sections that parallel streets and/or abut common property or street rights-of-way. Plantings should be placed at each post with other shrubs placed along the outside of the fence to screen it from street view. Plants should be at least 60% of the height of the fence at the time of planting. It is not necessary to screen fence sections along property lines between private properties.)

Retaining Walls [formerly section H-2]

~~Keystone, cinderblock or similar type retaining walls are reviewed on a case-by-case basis. A~~ building permit is required from the City of Lake Oswego for all retaining walls that are greater than 4 feet in height, and any retaining wall that is over 2 feet in height that supports a surcharge (i.e., has a slope behind it). [LOC 45.15.020].

Retaining walls less than four feet in height may be located in the required setback, provided that if there are multiple retaining walls within the setback, each retaining wall shall be located no

closer than five feet to another retaining wall, as measured from the back of one retaining wall to the front of the other retaining wall. [LOC 45.15.020].

Owners with retaining walls that drop off near the street may be required to install fencing, rocks, or plantings to alleviate possible safety concerns.

The Committee will consider other ~~styles and~~ materials on a case-by-case basis.

Violation of Fencing, Wall and Retaining Wall Standards

Failure to comply with any of the standards listed above will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

2. Decks and Elevated Walkways Patios

Decks ~~patio additions~~ over 30 inches above ground level are subject to the same setback requirements as the residence to which they are appurtenant. This is a minimum of seven feet from the side property lines, 20 feet from the front and rear property lines, and 15 feet from the side property line if abutting a street. Decks ~~and patios~~ up to 30 inches above the ground may extend within three feet of the property line.

Materials and colors (if applicable) must be indicated for both decking and rails. Include site plan with deck, elevated walkway, and any stairs clearly indicated.

Approved materials for decks and elevated walkways are:

- Wood decking (pressure treated lumber, redwood, cedar, mahogany, ipe)
- Composite decking (Trex, TimberTech and similar)
- Metal railings
- Wood railings
- Railings with metal or wood posts with steel cables
- Railings with metal posts and glass panels

Violation of Deck and Elevated Walkway Standards

Failure to comply with any of the standards listed above will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

3. Mailboxes

Mailboxes must be metal, either black or painted to complement the home, and secured firmly in the ground with a metal or pressure-treated wood post. ~~Metal postings and brick~~ Mailbox structures in brick, stone, and wood have been previously approved. Plastic mailboxes or structures are not permitted. ~~will not be approved.~~

Violation of Mailbox Standards

Failure to comply with any of the standards listed above will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

C. Paint and Siding [formerly section D]

- 1. Paint:** Because color trends shift over time, the Architectural Committee does not have an approved color list. Colors that were approved in the 1970s may be discouraged today and colors that were

unthinkable then are commonly requested. It is recommended that structures be painted in “earth tones,” which includes various shades of brown, grey, blue, green and white. ~~This is understood to mean colors which blend in well with the surroundings.~~ Whatever color is selected for the body, it should complement its surroundings and contribute to the aesthetic harmony of neighboring structures. Trim colors should coordinate with the siding color. Homeowners may apply for an accent color for their front door.

Applications must indicate which areas will be painted and clearly note the specific color information for all painting areas, including main body, trim, shutters, garage door, front door, gutters and fascia:

- Paint brand
- Color name and number
- Color chip

Violation of Paint Standards

Failure to comply with any of the standards listed above will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

D. Roofing [formerly section E]

All roofing materials used in Mountain Park must meet the following minimum standards:

- Minimum weight of 225 lbs. per square (one square equals 100 square feet)
- Minimum air resistance of at least 110 mph
- UL certified to meet at least ASTM D3462 and ASTM D3018 Type I
- Must conform to CSA standard A123.5

Approved roofing materials are listed below. Materials not on this list must be approved by the Architectural Committee. A sample of the material must be submitted along with a product specification sheet. Materials must meet the minimum standards listed above and will be judged on their aesthetic harmony with surrounding structures. Special attention must be given to the roof’s appearance from neighboring residences that may look down on it.

Exposed metals on roofs such as flashings, plumbing stacks, flue pipes, etc. must be painted to blend in with the roofing material.

E. Windows and Doors ~~and Exposed Metals~~ [formerly section C-2]

The addition or relocation of windows or doors requires elevation drawings or a photo clearly showing the proposed placement of the new doors or windows.

1. Windows and sliders

Regardless of material, window and slider frames should be a color that complements the house’s exterior. Wood frames may be stained or painted.

Approved materials for window and sliding glass doors frames are:

- Vinyl-clad
- Composite, including wood-fiber blends such as Fibrex by Andersen Windows and uPVC blends such as Insignia by Apex Energy Solutions
- Wood
- Anodized or powder-coated aluminum

- ~~Aluminum sliding glass doors and windows must have an anodized or powder coated finish. Mill finish aluminum frames and screens are not allowed.~~
- ~~Vinyl clad windows are approved for use in Mountain Park. The color of the vinyl frames should complement the exterior color scheme of the house.~~
- ~~Composite windows, including wood fiber blends such as Fibrex by Andersen Windows and uPVC blends such as Insignia Windows by Apex Energy Solutions have been previously approved. Other brands and materials will be considered. The color of the frames should complement the exterior color scheme of the house.~~
- ~~Wood frames must be stained or painted to blend with the structure.~~

2. Doors

All applications for doors, whether front, garage, or other access, should include a photo and/or specification sheet for the requested product. Applications should indicate the selected finish type and color.

3. Security Bars

Metal security bars on doors (other access and sliders) have been approved on a case-by-case basis when they are out of view. A photo of the proposed design and finish color should be included with the application. Security bars on windows and front doors are not permitted.

Violation of Windows and Doors Standards

Failure to comply with any of the standards listed above will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

F. Accessory Structures

An accessory structure is any detached structure that is subordinate to the main building. Examples include (but are not limited to) sheds, gazebos, outdoor fireplaces, above ground spas, pool equipment, AC units, heat pumps, play structures and playhouses. They must be sited to minimize any negative impact on surrounding residences. On occasion, the Architectural Committee may require the installation of screening plants before approving an accessory structure.

Accessory structures are subject to the same setback requirements as dwellings. On non-flag lots, these may be reduced to five feet for the side yard and three feet for the rear yard if the following conditions are met:

- Accessory structure is more than 40 feet from any street
- If greater than four feet in height, accessory structure is detached from other buildings by 3 feet or more
- Accessory structure does not exceed 10 feet in height
- Accessory structure is not noise-producing mechanical equipment

For noise-producing mechanical equipment, setbacks are as follows: interior side yards, five feet; street side yard, 10 feet; rear, 10 feet; front, 20 feet.

Enclosed structures like sheds and playhouses may not exceed 200 square feet in size, be on a concrete slab, or exceed 10 feet in height. Depending on their amenities, owners may be required to obtain electrical, plumbing, or mechanical permits from the city.

Violation of Accessory Structure Standards

Failure to comply with any of the standards listed above will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

G. Swimming Pools and Miscellaneous Equipment

Swimming pools and miscellaneous equipment, including (but not limited to) flag poles, “little libraries,” canvas awnings or tents, and trampolines, may be placed on the property with the approval of the Architectural Committee.

Swimming Pools

Applications for in-ground swimming pools must include a site map with proposed placement of the pool, product brochure, decking material, design and materials for pump house enclosure, and an explanation of how the pool will be enclosed to meet state safety standards. This could include, but is not limited to, an existing locking fence around the property, installation of a new fence, or use of a locking pool cover.

Above ground swimming pools are not permitted.

Miscellaneous Equipment

Applications for miscellaneous equipment must include a site map with the proposed placement. Little libraries should be finished in a manner that complements the residence. Retractable canvas awnings and canvas tents should be a color that complements the residence. Trampolines must be sited to minimize any negative impact on surrounding residences. On occasion, the Architectural Committee may require the installation of screening plants before approving trampolines.

Violation of Swimming Pools and Miscellaneous Equipment Standards

Failure to comply with any of the standards listed above will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

H. Driveways, Parking Pads and Fire Lanes [formerly section F]

Applications for driveways, parking pads and fire lanes must provide a sample photo of the planned design, finish and color. Include a site map if there are any changes to the existing footprint and show setbacks from lot lines. If the driveway is elevated, include materials and design for railings and engineering plans if applicable.

Approved materials for driveways and parking pads are:

- Concrete with a broom finish
- Stamped concrete
- Asphalt
- Pavers

Violation of Driveways and Parking Pad Standards

Failure to comply with any of the standards listed above will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

J. Landscape [formerly section H]

2. Hardscaping [formerly section H-3]

Hardscaping is any permanent landscape feature that is not organic in nature. Examples include but are not limited to patios, steps, walkways, water features, boulders, river rock beds and sport courts. Applications for the addition or alteration of hardscape features must include a site plan showing the proposed location(s).

Violation of Hardscaping Standards

Failure to comply with any of the standards listed above will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

L. Satellite Dishes and Other Antennas [formerly section J]

Satellite dishes with a diameter of one meter or larger require the approval of the **Architectural Committee**. ~~The concern of the Association is to minimize the aesthetic impact of the dish on the neighborhood.~~ FCC regulations have nullified Mountain Park conditions placed on smaller satellite dishes and other communications antennas. However, owners are asked to voluntarily place dishes and antennas in inconspicuous locations, without sacrificing signal quality, in order to minimize the negative impact on the neighborhood.

Painting the dish a dark gray color does not affect the reception and renders the dish inconspicuous. Mountain Park is appreciative of residents who carry out this simple modification.

Violation of Satellite Dishes and Other Antennas Standards

Failure to comply with standards relating to satellite dishes one meter or larger in diameter will result in a Category 2 violation per incident. The first occurrence will result in a \$200 fine. Owners are required to correct all violations within the timeframe established by the Committee or be subject to additional fines.

M. Penalties Associated with Architectural Standards [combined with section A]

- ~~• Commencement of any projects that alter the external appearance of the property, prior to submission of a completed application to the Architectural Committee and without formal approval from the Committee, is not permitted.~~
- ~~• Commencement and/or completion of denied projects is not permitted.~~
- ~~• Commencement and/or completion of previously approved projects with non-approved alterations is not permitted.~~
- ~~• Property owners may be required to redo or remove non-approved projects within a specified period of time and incur the associated costs, in addition to the assessment of fines for architectural standards violations.~~
- ~~• Violation of these standards is a Category 2 violation with a fine of \$200 (See Penalty Schedule, Appendix A.)~~

N. Restrictions on New Structures [formerly section L]

4. Paint, Siding, Roofing, **Windows and Doors** [formerly section L-4]

Applications for paint color, siding material, **roofing material, windows and doors** on new construction are subject to the same procedures noted earlier in this document.