ENVIRONMENTAL CONTROL COMMITTEE

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**Accessory Structure Guidelines**

Submittals received by the Association Office by **Friday** will be reviewed by the ECC the following Wednesday. Property Owners may contact the Association Office on Wednesday afternoon to find out if their submittal has been approved. A letter will also be mailed to the Property Owner. Submittal forms are available at bvsa.org by clicking the Document Library and then ECC Documents.

**All Accessory Structures require a submittal and approval with the ECC. Accessory Structures over 120 square feet require a Kern County Building Permit and a deposit to the ECC with the submittal.**

Below are the sections from the ECC Rules that pertain specifically to Accessory Structures:

**SECTION 202. Accessory Structures**
A. No permanent or temporary accessory structures shall be constructed, placed or maintained upon any lot prior to the construction and completion of the primary residence, except by written permit of the ECC in which case the construction, placement, maintenance and use of the accessory structure shall be subject to all of the limitations of the permit. This rule shall not apply to temporary construction shelters or facilities maintained during, and used exclusively in connection with the construction of the primary residence. A permanent accessory structure is defined as a garage, work-shop, storage building, storage shed, barn, accessory dwelling unit, or other structure designed as a stand-alone, unattached building. A temporary accessory structure is defined as a swing set with or without slides and other attached accessories, playhouses, above ground pools, trampolines and other similar structures.

**B.** Applications are required for construction of any permanent or temporary accessory structure, as well as additions made to accessory structures that have been previously approved. Both structure types may be required to include landscaping to mitigate the impact of the structure. Temporary structures must also follow Article 5. ECC Submittal and Approval Procedures, as well as Section 203 A. 1 through 4, and C. Detailed plans shall be submitted with each application. **Submittals for structures or additions to current structures over one hundred twenty (120) square feet in area will require a deposit and fee according to the current BVSA fee schedule. The ECC requires the completed and signed “job card” from Kern County on all applications for inspection for any structure or addition over one hundred twenty (120) square feet in area.**

**C.** Accessory structures shall not be obtrusive and must blend with surrounding buildings and landscaping, and shall not overwhelm the principal residence or the lot on which it is to be located.

**D.** Nothing in the foregoing shall be understood as all-inclusive and all of the provisions of Section 203 (paint and colors) below shall apply.

**SECTION 203. C.1. *Paint Match Primary Residence –*** All accessory structures shall be painted to match the primary residence unless otherwise approved in writing by the ECC.

**E.** Submittals for any accessory structure may also include the requirement to plant fast growing vegetation to mitigate the impact of said structures. Architectural amenities to the façade such as windows, doors, planter boxes, may be substituted for, or added to the vegetation to reduce any harsh visual impact when viewed from a distance or a neighboring dwelling, or common area. Detailed plans must be submitted with each application**.**

**F.** Accessory structures may not be higher than the primary residence and primary residence lot square footage is to be determined by the latest approved drawings on file with the ECC. Lots with less than one acre (high density lots) are allowed a single accessory structure with a square footage relative to the primary residence lot size in accordance with TABLE below (and are amended to reflect Kern County zoning Article 19.08.180.1 &2 for R1, R2, & R3 zoned properties):

TABLE

1. .32 to .49 acre lots are allowed one structure up to 900 Square feet.

2. .50 to .99 acre lots are allowed one structure up to 1250 Square feet.

Lot sizes are determined by Dart Industries maps as recorded in BVSA Data Base.

**G**. Accessory structures on lots 1.0 acre or greater (an acre contains 43,560 Square feet), and may be allowed multiple structures dependent on placement, use and architectural design, subject to additional ECC requirements for approval.

**H.** All lots are restricted as to placement of structure, vegetation, watering, and/or architectural amenities to the façade as may be required by the ECC on a case by case basis for compliance with ECC Rule 100D.

**I.** Accessory structures may not be attached to the primary residence under any circumstances and must be at least six (6) feet from any other building, with the exception of a Junior Accessory Dwelling Unit (JADU) as outlined in Section 201 and farm animal shelters as outlined in BVSA Rules Section 1901.f

**J. Required ECC Approval.** In addition to compliance with other provisions of these ECC Rules and the C&Rs regarding the construction and use of accessory structures, specific written permission from the ECC is required if an accessory structure is to be constructed, placed or maintained on a residential lot prior to the commencement of construction of the principal residence. The number of accessory structures, for residential lots may be limited in accordance with Paragraph 7.c.(2)(c)(bb) of the C&Rs.

**K. Construction Shack.** The Owner or the Owner’s authorized agent may apply to the ECC and receive permission to erect one construction shack on a lot, until the time that the primary dwelling is fully enclosed and secured, not to exceed a total of six (6) months after commencement of construction of the primary dwelling. Commencement of construction is defined for purposes of this Rule as the date building materials are first delivered to the lot, or when the foundation excavation for the primary dwelling begins, whichever date is earlier. A camper, motor home or trailer up to thirty-two (32) feet in overall length may be approved for use in place of a construction shack. Campers and motor homes or trailers approved for the above purpose shall NOT be used as living quarters, but only for storage of construction materials, tools, plans and other uses directly related to the coordination and supervision of construction activities

**L. Temporary Storage Units –** Prior ECC approval is required for all POD / metal storage containers. Such containers are not allowed for permanent installation or storage. Duration that the container may be kept on your property will be decided on a case by case basis.

**SECTION 100. B. Improving Residential Lot.**

**Each residential lot must be improved with a completed primary residence prior to the construction or installation of any accessory or temporary structures** or other improvements or any long-term or permanent parking or storage of vehicles, trailers, machinery or equipment on the lot (except that vehicles, trailers, machinery, equipment or temporary structures actually being used exclusively in the construction of the primary residence may be temporarily parked or used on the lot only during construction of the primary residence), unless otherwise authorized by written permit of the Environmental Control Committee (“ECC”). In the event the ECC issues a written permit allowing any alternative uses, such uses shall be subject to all limitations and restrictions contained in the permit. *[C&Rs, Para. 7.b(11)]*

**SECTION 1901 –GENERAL ANIMAL CONTROL**

**Accessory structures to shelter farm animals**, horses, cattle, goats, sheep, etc. shall not be permitted to feed or graze **within 50 feet of any residence** or other structure where food for human consumption is prepared, served or consumed and are **limited to lots of one acre or more**.