

# 2198419 MASON CO WA

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LAKELAND VILLAGE #187857 Rec Fee: \$208.50 Pages: 6



**Name and Return Address:**

Lakeland Village Community  
Club  
740 E Country Club Dr  
PO Box 184  
Allyn, WA 98524

**Document Title(s)**

1. Resolution 25
- 2.

**Reference Numbers(s) of Documents Assigned or Released**

Replaces 2099123 ADDITIONAL REFERENCE #'S ON PAGE \_\_\_\_\_

**Grantor(s)**

1. Lakeland Village Community Club
2. ADDITIONAL GRANTORS ON PAGE \_\_\_\_\_

**Grantee(s)**

1. Public
2. ADDITIONAL GRANTEE(S) ON PAGE \_\_\_\_\_

**Legal Description** (abbreviated form: i.e. lot, block, plat or section, township, range, quarter/quarter)

Lakeland Village Divisions 1-14  
ADDITIONAL LEGAL IS ON PAGE \_\_\_\_\_

**Assessor's Property Tax Parcel/Account Number(s)**

ADDITIONAL PARCEL #'S ON PAGE \_\_\_\_\_

THE AUDITOR/RECORDER WILL RELY ON THE INFORMATION PROVIDED ON THIS FORM. THE STAFF WILL NOT READ THE DOCUMENT TO VERIFY THE ACCURACY OR COMPLETENESS OF THE INDEXING INFORMATION PROVIDED HEREIN.

**LAKELAND VILLAGE COMMUNITY CLUB  
RESOLUTION – 25**

**RESIDENTIAL USE RESTRICTIONS**

The original Resolution 25 was signed by Richard Caron, President and Cindy Ross, Secretary-Treasurer and was filed with the Mason County Auditor on September 13, 2018.

**DIVISIONS 1 THROUGH 14**

**WHEREAS** Lakeland Village is a residential community with several Divisions, in which most residents are peaceful, quiet, and preferring of a calm residential environment, **AND**

**WHEREAS** the LLVCC Board wishes to establish standards for the operation and governance of rentals and short-term rentals. **AND**

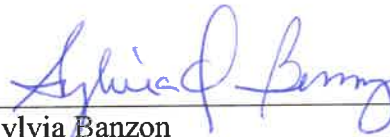
**WHEREAS** it is the responsibility of the Board of Directors of the LakeLand Village Community Club to enforce the protective covenants, by-laws, and other governing documents, **THEN BE IT THEREFORE**

**RESOLVED** that the LakeLand Village wants to specify the uses allowed in its neighborhoods and understand the rules as they will be applied, **AND BE IT FURTHER**

**RESOLVED** that this resolution was amended and adopted at the regular board meeting of the Lakeland Village Community Club Board of Directors on April 26, 2023, and replaces previous resolution No. 25 file No.2099123, adopted by the Lakeland Village Board of Directors on August 22, 2018.



James Byrne  
President, Board of Directors  
LakeLand Village Community Club



Sylvia Banzon  
Secretary-Treasurer, Board of Directors  
LakeLand Village Community Club

## **PURPOSE**

This amended resolution provides clarification on the residential use restrictions for LakeLand Village Community Club and establishes a process for residential rentals.

LakeLand Village specifies the uses allowed in its neighborhoods so that current, prospective, and future owners can understand the rules as they applied. Each use that is not strictly residential will be reviewed individually, under the criteria below.

## **NEIGHBORHOOD EFFECT**

An important consideration is the effect on the neighborhood. The goal is to maintain the character of the neighborhoods as residential. Some "businesses" are unobtrusive and do not make a neighborhood less attractive or livable for residential purposes. People working out of their homes with no appreciable increase in structural building changes, traffic, or parking, or any signs or other outward indications of anything other than purely residential use, are not of concern to the Association.

Additional factors to consider include, but not limited to,

- noise, or anything else perceived by the senses.
- increased pedestrian and vehicular traffic.
- increased pollution, odors, vibration, smoke, heat, fumes.
- toxic, explosive, flammable, combustible, or otherwise dangerous substances.
- hours of operation.
- public safety.
- employees, clients, or associates that come and go.
- materials stored within sight, outside of enclosures.
- consistency with applicable laws and ordinances.
- regular parcel pickup and delivery beyond normal residential uses.
- storage of heavy equipment, trucks, vans, trailers, other c. associated with business.
- interference with others' home electronic systems.
- off-site advertising of business location.
- advertising in any way on the residential lot except for limited advertising on vehicles.
- trash more than normal residential uses; and
- whether the use complies with all applicable local, state, and federal laws and ordinances.

It is important to stress that the primary use of a residence may be for living, but if a secondary or incidental use is for something else that is in addition to the residential uses, it can still be a violation of the LakeLand covenants. One way of determining this is if the business provides an on-site service, activity, or circumstances that are beyond residential or incidental uses.

Also, members must respect LakeLand Village covenant restrictions against undesirable behaviors, in addition to the residential use covenants.

### **EXAMPLES OF PERMITTED USES**

Some examples of permitted non-residential uses, if they are consistent with the standard of no appreciable effect on the residential quality of the neighborhoods, and are made by a primary resident of a home, are rentals, including short-term vacation rentals; babysitting and small-scale child care; home based professionals who do not meet associates or clients in their residences; computer-based remote work sites; the occasional garage sale at a residence; small, part-time, one-person handyman, housecleaning, or gardener work from a residence; and similar uses. Again, all these uses are also subject to other LakeLand Village restrictions, including restrictions against undesirable behaviors, and members who use their residential premises for short-term vacation rentals must collaborate with their renters to ensure compliance, and to avoid providing additional services on-site beyond residential uses. All owners are responsible for the actions of their renters, including short-term vacation renters.

Examples of uses that are likely to be consistent with the standard of no appreciable effect on the residential quality of the neighborhood include home-based businesses with no employee, associate, or client traffic; and those that are not obvious from a visual, smell, hearing, or other sensory perspective.

### **OTHER FACTORS**

A member who wants to make use of a residential lot for non-residential purposes must first come to the ACC for its approval. The ACC will do its best to interpret the applicable covenants so that the intent is respected, and the plain language controls. But even if the ACC and the Board approve non-residential use, all the other members in the same division may have the ability to disagree and take legal action themselves as individuals for an order preventing the use. Also, if the member proceeds without approval, then the member accepts the risk of loss of any investment in the project if the Board disapproves.

No failure of the Association to enforce its residential restrictions can be used as a basis for any member to claim that he or she can also make the same use, or any different non-residential use.

Also, this Resolution applies to all divisions in place as of the date of its passage, and all future additional divisions added to LakeLand Village.

### **PROCESS**

Any member who wants to make non-residential use of the member's residential lot must first seek permission from the ACC.

Each proposal will be considered according to the factors above. Permission may be unconditional, or it may be conditioned on any factors that are reasonable under the

circumstances. Approval will only constitute approval subject to those conditions, and if any of those conditions are violated at any time in the future, that approval is automatically withdrawn, and the matter should be brought back to the Board for further consideration. The Board shall make its decisions consistent with the applicable covenants, and in a way that is reasonable and fair. Its goal will be to understand and give effect to the purposes intended by the covenants in a way that protects the homeowners' collective interests.

The Board of Directors establishes standards for the operation and governance of rental and short-term rentals (STR) properties within LLVCC.

- Owners of STRs must comply with Washington State Short Term Rental RCW and Business license requirements (if required) and present documentation supporting required approvals to the LLVCC office.
- Owners may rent out any improved properties as an STR.
- A formal bed and breakfast are not allowed as it is considered a multifamily and an official business.
- All rental property owners must register with the LLVCC office, even if using corporate platforms such as Airbnb, VRBO, or others.
- Violations for not registering with the LLVCC office will result in a fine, as outlined in Resolution 16 LLVCC fee and fine schedule.
- No more than one STR will be allowed on a single parcel.
- The maximum occupancy of the rental shall be based on the number of bedrooms. No more than two (2) overnight guests per approved bedroom. Example: an approved 2-bedroom home can have up to four guests.
- A copy of materials used to market an STR shall be provided to LLVCC at the time of registration. Materials shall clearly list the maximum number of occupants and shall not exceed the limit.
- On-site parking space shall be provided for each bedroom within the vacation rental. Parking on the street, right-of-way or other LLVCC properties is not allowed.
- Large gatherings, parties, or other extraordinary events which would result in a violation of occupancy limits, traffic, parking, and excessive noise are prohibited from occurring at a STR property.
- The Architectural Control Committee will be responsible for issuance, denial, or revocation of any STR permit. Appeals of denials and/or revocation can be made to the Hearing Committee if previously denied by the ACC.
- The owner or responsible party must be available (telephone, text, or email) twenty-four (24) hours per day, seven (7) days per week for the purpose of responding within two (2) hours to complaints regarding the condition or the conduct of the occupant(s) of the STR.
- The owner or responsible party, upon notification that any occupant or guest has created any unreasonable noise or disturbance, engaged in disorderly conduct, or committed a violation of any applicable law, rule or regulation pertaining to the use and occupancy of the STR, shall promptly respond in an appropriate manner

within two hours. Failure to respond to calls or complaints regarding the condition, operation, or conduct of a guest constitutes a violation of this resolution.

- Prominently display in the STR the rules of conduct, covenants for the division, a map with property boundaries, quiet hours, prohibition of fireworks, and current burn restrictions. Evacuation maps must be placed in a highly visible location in the STR.
- Weekly solid waste collection or appropriate means to remove solid waste shall be the responsibility of the STR owner. Leases shall include a method for solid waste (garbage) disposal on the STR application in applying with LLVCC. Solid waste shall be stored in non-visible, completely enclosed and secured solid waste receptacles.

Any member in violation of this rule or the conditions of any permission given by the Board pursuant to it will be subject to the provisions of the LakeLand Village Bylaws regarding payment of expenses and fees. The Board may also fine any member for noncompliance, as outlined in Resolution 16- LLVCC fee and fine schedule.