

LAKELAND VILLAGE COMMUNITY CLUB

RESOLUTION – 25

NON-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 home businesses that could have an adverse effect on the quality of the neighborhood. **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 LakeLand Village Community Club wants to specify the uses allowed in its neighborhoods, understand the rules as they will be applied, and develop a process for registration and permitting of such non-residential uses **AND BE IT FURTHER**

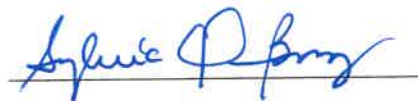
RESOLVED that this resolution was amended and adopted at the regular board meeting of the Lakeland Village Community Club Board of Directors on April 26, 2023, and replaces previous resolution No. 25 file No.2099123, adopted by the Lakeland Village Board of Directors on August 22, 2018. This resolution was amended on June 16, 2023, and filed No. 2198419 in Mason County. A new amendment to this resolution was approved by the Board of Directors on March 26, 2025 to clarify many of the topics in the previous version.



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 the registration and permitting of residential rentals and home businesses that have the potential to impact the quality of the neighborhood.

LakeLand Village specifies the uses allowed in its neighborhoods so that current, prospective, and future owners can understand the rules as they are 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 from 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.
- parking that cannot be accommodated off street
- 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.

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 interpret the applicable covenants.

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

EXAMPLES OF USES REQUIRING PERMITS

Some examples of non-residential uses requiring permits include long-term rentals, short-term vacation rentals; babysitting and small-scale childcare, businesses that park commercial vehicles on the property and conduct business from home.

EXAMPLES OF NON-OBTRUSIVE USES NOT REQUIRING A PERMIT

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, gardener work from a residence. Note, parking a commercial vehicle on the property that is used for commuting does not require a permit.

These are simply examples. All uses are also subject to other LakeLand Village restrictions, including restrictions against undesirable behaviors. Members who use their residential premises for short-term vacation rentals must communicate clearly with their renters to ensure compliance. All owners are responsible for the actions of their renters and may be fined for violations.

PROCESS

Any member who wants to make non-residential use of a 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 may be withdrawn. 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 home-based workspaces and businesses, long-term rentals (LTR) and short-term rentals (STR) properties within LLVCC.

- Owners of rental properties 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 a single-family rental.
- A bed and breakfast is not allowed as it is non-incident and considered multifamily use.
- All rental property owners must register with the LLVCC office, even if using corporate platforms such as Airbnb, VRBO, property management company 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 or LTR 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) tenants per approved bedroom. Example: an approved 2-bedroom home can have up to four guests.
- A copy of materials used to market a rental shall be provided to LLVCC at the time of registration. Rental materials should clearly list the maximum number of occupants and shall not exceed the limit.
- An 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 rental property.
- The Architectural Control Committee will be responsible for issuance, denial, or revocation of any rental 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 provide their personal information to the office in case a complaint is filed against a tenant. The owner must respond to complaints within 48 hours via 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 rental.
- 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 or provide a copy of the rules of conduct, covenants for the division, a map with property boundaries, quiet hours, prohibition of fireworks, rules associated with common areas, and current burn restrictions.
- Weekly solid waste collection or appropriate means to remove solid waste shall be the responsibility of the rental property owner. Solid waste shall be stored in non-visible, completely enclosed and secured solid waste receptacles. Include provision for waste disposal in the materials provided to LLVCC with your non-residential use permit application.

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.