

CAPITOL CITY GOLF CLUB ESTATES ASSOCIATION

BOARD RESOLUTION RE:

ACC STANDARDS AND RULES APPLICABLE TO CONSTRUCTION AND USE OF FRONT-YARD VEHICLE CUT-OUT PARKING AREAS

DATE ADOPTED:

September 8, 2016

DATE EFFECTIVE:

December 11, 2016

At a **regular / special** meeting of the Board of Directors ("Board") of the Capitol City Golf Club Estates Association ("Association") held on the 8 day of Sept., 2016, at the address of: 4532 INTELCORP SE COLEY WA 98503 at the time of 6:30 PM the Board states as follows:

WHEREAS, a meeting of the Board was convened at the time, date, and location set out above.

WHEREAS, the Association Secretary, by signing below, attests that Board members were provided the notice of the meeting per Bylaws Article V (or by their attendance waived notice), and that a quorum of Board members was present either in person or by telephone conference.

WHEREAS, the Association is organized to provide community services to the area, consistent with, and including those listed in, the recorded covenants for the Capitol City Golf Club Estates. To fulfill this purpose, the Association is empowered to exercise all of the powers and privileges and perform all of the duties and obligations of the Association as set forth in the Third Amended Declaration of Covenants, Conditions and Restrictions of Capitol City Golf Club Estates, recorded at Thurston County Auditor's No. 3795417 ("Declaration"), the Association's Bylaws ("Bylaws"), and its Articles of Incorporation ("Articles"), as well as the Homeowners Association Act (RCW 64.38, *et seq.*, "HOA Act") and the Nonprofit Corporations Act (RCW 24.03, *et seq.*, "Nonprofit Act").

WHEREAS, the HOA Act states that: "[u]nless otherwise provided in the governing documents, an association may: ... adopt and amend bylaws, rules, and regulations." RCW 64.38.020(1). The Association's Bylaws state that the Board has the power to "make such action and establish such rules and procedures as they deem necessary to carry out their duties and accomplish the purpose of the Association." Bylaws, Article IV, Section 6(d).

WHEREAS, the Declaration states that the Board may, from time to time, "promulgate architectural standards to be administered through the [ACC]." Declaration, Article 2, Section I.

WHEREAS, Declaration Article 2, Section C, states, in pertinent part, that no new structure, driveway, parking area, fence or wall, and no existing structure, driveway, parking area, fence or wall, shall be repaired or remodeled on any lot until the construction

plans, specifications, materials, and a plat plan showing the location of the structure, driveway, parking area, fence or wall have been submitted to and approved by the ACC.

WHEREAS, Bylaws Article IV, Section 6(d) allow the Board to make and establish such rules and procedures as necessary to carry out the duties and accomplish the purposes of the Association.

WHEREAS, by designation as a nuisance, the Declaration prohibits keeping or parking any vehicle on any lot except in a driveway or *adjacent area* paved with concrete, asphalt, or crushed rock free of weeds and grass. Such driveway or adjacent area must be approved by the ACC. Declaration, Article 3, Section B (12).

WHEREAS, this resolution concerns a specific type of *adjacent area* for parking consisting, generally, of the front yard of a lot nearest the street where owners construct a pad or area for parking vehicles. These are called front yard "cut out" parking areas, and the Board considers them to fit within the meaning of "adjacent area" under Declaration, Article 3, Section B (12).

WHEREAS, Article 3, Section A (4) of the Declaration designates as a nuisance anything that detracts from the overall attractive appearance of the Estates. The Board believes adopting and enforcing consistent ACC construction standards and use rules concerning cut-out parking areas on lots will help ensure that such areas do not diminish the overall attractive appearance of the Estates.

WHEREAS, to accommodate requests from owners to construct front yard cut-out parking areas on their lots, the Board desires to adopt and set forth reasonable ACC standards and conditions, consistent with the provisions and restrictions of the Declaration, for ACC consideration and approval of adjacent parking areas on lots (such areas referred to herein as "front yard cut-outs," or "cut-outs").

WHEREAS, after review and deliberation regarding the matters and resolutions herein, the Board believes that the findings, procedures and rules adopted by way of this resolution are reasonable, necessary and in the best interests of the Association.

NOW THEREFORE, BE IT RESOLVED that the attached "**ACC STANDARDS APPLICABLE TO FRONT-YARD VEHICLE CUT-OUT PARKING AREAS**" are hereby adopted by the Board, and may be numbered and incorporated into the existing Association Rules and Regulations, or may exist as a stand-alone addendum to the Rules, as the Secretary sees fit, and shall be distributed to Association members by mail, and shall become effective as set forth on the Effective Date listed at the top of this Resolution, which date shall not be less than 30 days after the rules are distributed to owners.

//////////

//////////

ACC STANDARDS APPLICABLE TO FRONT-YARD VEHICLE CUT-OUT PARKING AREAS

The following rules shall constitute ACC standards applicable to the application for and approval of installation of an adjacent parking space in the front yard of their lot (referred to herein as a "front yard cut-out vehicle parking space", or just "cut-out parking space"), together with rules regarding use of such cut-out spaces:

- 1) **APPLICATION.** Owners must apply for ACC approval before constructing a front yard cut-out parking space on their lot.
- 2) **DIMENSIONS.** The dimensions of a cut-out parking space shall be a minimum of nine (9) feet deep measured from the edge of the paved street inward toward the center of the lot. The length of a cut-out parking space shall be a minimum of ten feet and a maximum of fifteen feet, subject to ACC approval. ACC approval of proposed dimensions shall consider the Declaration requirement that allows only one vehicle to be parked in a cut-out. Declaration, Article III, B (12).
- 3) **PERIMETER.** The perimeter of the cut-out parking space shall be lined with a retaining wall built of wall rock 4 ½ inches x 11.5 inches, or comparable dimensions, approved by the Architectural Committee. The height of the perimeter retaining wall shall be a minimum of 4 ½ inches, but must be at least as high as the adjacent yard lawn area.
- 4) **SURFACE.** The surface of the cut-out must be constructed of concrete, asphalt, or crushed rock. The cut-out must be kept free of weeds and grass.
- 5) **USE.** Front yard cut-out parking may only be used for parking vehicles. Only one vehicle at a time may be parked in the cut-out space. Parking of utility trailers, recreational vehicles or construction equipment is prohibited. Upon written application, the Board may permit alternative use of the cut-out space for a temporary period upon good cause shown. CC&R Article III, B., 12 states "no more than one vehicle may be kept or parked in such adjacent parking".

Dated this 8 day of Sept., 2016.

CAPITOL CITY GOLF CLUB ESTATES ASSOCIATION

By: [Signature] (signature)
LARRY DITTLER (print name)
Its President

ATTEST: The above resolution was properly adopted.

By: [Signature] (signature)
[Signature] (print name)
Its Secretary