



ISSUE #1

MARKUP #1 ->

A.2 Land Use and Easements

No lot shall be used except for residential purposes. No type of business that is visible to the public view shall be conducted on any lot or within any dwelling or structure. No form of advertising shall be allowed that is visible to the street.

Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plats.

A.3 Landscaping and Yard Maintenance

As provided for in the original Planned Unit Development (PUD), the Goldcrest Homeowners Association has the responsibility for approving all landscaping and general land use throughout Goldcrest.

To meet this responsibility, the Goldcrest Homeowners Association requires that any property owner or developer in Goldcrest file a detailed landscape plan with the Association’s Architectural Control Committee. Landscape plan means the general conceptual design for the vegetation, decks, patios and pathways on the property. Homeowners are not expected to seek approval for actions consistent with general gardening, or for normal maintenance, such as pruning or replacement of vegetation or selection of plants.

Exterior lighting to illuminate entrances, decks and driveways shall be subdued and shall use low wattage bulbs whenever it is practical.

Lawns shall be maintained so that they present a mowed, clean and neat appearance. Owners must control weeds or other plants to prevent them from becoming a detriment to the lawns of other lots in the subdivision.

A.4 Signs

Unless approved by the Board, no sign of any kind shall be displayed to the public view on any lot, building, or structure, except signs used by a builder to advertise the property during construction, by a homeowner or his designated representative advertising for sale or rent, or political signs. For sale or rent signs on individual lots and in the subdivision shall be displayed only until the property is conveyed to the new owner or a residential lease agreement has been signed. Lot owners or residents may display political signs on their lot before any election. Political signs shall be removed within ten days after the election.

Newspaper boxes/receptacles are allowed only if they are attached to a dwelling. No curbside, utilities right-of-way, or driveway receptacles will be allowed.

A.5 Parking and Storing of Vehicles, Recreational Vehicles and Trailers

Only the approved residential building can be used for residential purposes. Temporary recreational use of a recreational vehicle, trailer or tent on a residential lot shall be permitted for no more than 30 days per year. Recreational vehicles, trailers or boats may be parked for loading or maintenance for no more than three days at a time. Recreational vehicles, trailers, or boats stored for a longer period shall be partially screened. Partially screened means a structure or landscaping, approved by the Architectural Control Committee, which screens at least 60% of the view of the item from the street.

No driveway or publicly viewed area of any lot shall be used for the long-term storage or maintenance of any inoperable vehicle for any purpose. Motor vehicle repairs must be completed within 72 hours of initiation or the vehicle must be stored away from public view.

A.6 Garbage and Refuse Disposal

No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall be kept in appropriate containers. No

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. 2 (p. 3): Protected Political/Real-Estate Signage, Flag, or Religious Display Restriction: Clause bans all yard signs without a statutory political/election sign carve-out or restricts protected U.S./military flags or religious displays under WA and federal law.

Statutory / Legal Reference: 4 U.S.C. § 5 Note (Freedom to Display the American Flag Act of 2005) & RCW Ch. 64.90 (WUCIOA), RCW Ch. 64.38 (HOA Act) & WAC 308-124C (WA DOL Association Management Rules)

Statutory Comparison: Under RCW 64.38.028, 64.38.034; 4 U.S.C. § 5, associations may not prohibit the display of the United States flag (4 U.S.C. § 5) or enforce blanket bans on residential yard signs that fail to carve out statutorily protected political election signs, religious door displays, or owner "For Sale/For Lease" signs where preempted by WA statute.

CURRENT WORDING IN DOCUMENT:

of 8 A.2 Land Use and Easements No lot shall be used except for residential purposes. No type of business that is visible to the public view shall be conducted on any lot or within any dwelling or structure. No form of advertising shall be allowed that is visible to the street. Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plats. Unless approved by the Board, no sign of any kind shall be displayed to the public view on any lot, building, or structure, except s

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section 2 to carve out statutorily protected political signs during election periods, U.S./State/Military flags under 4 U.S.C. § 5, and religious displays in accordance with RCW 64.38.028, 64.38.034; 4 U.S.C. § 5.