

# **FAIRWAY VILLAGE HOMEOWNERS ASSOCIATION**

## **RULES & REGULATIONS MANUAL FOR PROPERTY IMPROVEMENTS, MAINTENANCE, AND LANDSCAPING (R&Rs)**

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# FAIRWAY VILLAGE HOMEOWNERS ASSOCIATION RULES & REGULATIONS MANUAL FOR PROPERTY IMPROVEMENTS, MAINTENANCE, AND LANDSCAPING (R&R's)

## TABLE OF CONTENTS

INTRODUCTION .....	3
DEFINITIONS.....	4
1. ROLE OF THE CC&R COMMITTEE .....	6
Responsibilities.....	6
Criteria for Review.....	6
Standards.....	<b>Error! Bookmark not defined.</b>
2. APPLICATION PROCESS.....	7
2.01 — Committee Visitation.....	9
2.02 — Variance.....	9
2.03 — Appeal.....	9
2.04 — Reports of Non-Compliance.....	9
3. STRUCTURES.....	11
3.01 — DRIVEWAYS, SIDEWALKS, AND WALKWAYS.....	12
3.01(a) Driveways – Maintenance.....	12
3.01(b) Driveways – Replacement.....	12
3.01(c) Driveways – Replacement Other Material.....	12
3.01(d) Driveways – Extensions.....	12
3.01(e) Sidewalks – Maintenance.....	13
3.01(f) Sidewalks – Replacement – Review Required.....	13
3.01(g) Walkways –.....	13
3.02 — FENCES.....	13
3.02(b) Hot Tub Enclosures.....	14
3.02(c) Property line and privacy fences:.....	14
3.02(d) Golf Course and Common Area Fences.....	14
3.03 — RETAINING WALLS.....	14
3.03(a) — NON-RETAINING WALLS:.....	15
3.04 — GOLF BALL SCREENS.....	15
3.05 — OUTDOOR LIVING AREAS.....	15

3.06 — Covers for Outdoor Living Areas.....	17
3.07 — Exterior Walls.....	17
3.08 — Exterior Colors.....	17
<i>Guidelines for selecting paint:</i> .....	17
3.10 — Flagpoles and Antennas.....	18
3.11 — Heat pumps, A/C, Solar Heating Systems, And Whole House Generators.....	18
3.12 — Exterior Lighting and Sound Devices.....	19
3.13 — Hot Tubs.....	19
3.14 — Miscellaneous .....	19
4. LANDSCAPING .....	20
4.01 — Landscaping Design.....	20
4.02 — Private Backyards.....	21
4.03 — Landscaping Maintenance.....	21
4.04 — Artificial turf.....	21
4.05 — Property Line/Privacy Hedge.....	21
4.06 — Drivers’ Lines of Sight.....	21
4.07 — Trees.....	22
5. MINIMUM LANDSCAPING REQUIREMENTS .....	23
5.01 — General Considerations.....	23
5.02 — Yard and Outdoor Areas .....	23
5.03 — Seasonal and holiday decorations .....	23
5.04 — Common Area Landscaping & Maintenance.....	24
6. CONDITIONS .....	24
6.01 — Affecting Common Areas.....	24
6.02 — Owners’ Responsibility.....	24
7. REVISION OF RULES & REGULATIONS MANUAL .....	25
8. CONDOMINIUMS.....	25
9. Exhibits .....	26
Exhibit A: CC&R Online Project Application.....	26
Exhibit B – SAMPLE NON-COMPLIANCE REPORT .....	29
EXHIBIT C: SAMPLE CHECKLIST FOR NON-COMPLIANCE ISSUES.....	30
INDEX .....	<b>Error! Bookmark not defined.</b>

## TABLE OF FIGURES

Figure 1: Site Plan showing setbacks	13
Figure 2: Examples of Good Neighbor Fences	16
Figure 3: Outdoor Living Area abutting fairway	18
Figure 4: Drivers' Lines of Sight	20

## INTRODUCTION

Fairway Village Homeowners Association was established with a vision to ensure that our neighborhood community maintains excellence in standards and livability. This includes outside landscaping, exterior architectural changes, exterior painting, parking, and other aspects that contribute to the appeal of our community. These high standards are likely what attracted you to Fairway Village, and we take pride in maintaining them. It is because of these standards that our homes are in high demand and carry a strong market value. As a Fairway Village homeowner, you will receive a copy of the Declaration of Covenants, Conditions and Restrictions for Fairway Village (“the CC&Rs”), and Rules & Regulations (“R&R”), which contain detailed descriptions of the Fairway Village standards and the procedures for making changes to the exterior of your home, landscaping, and other related items. Any modifications to these items require review by the CC&R Committee before starting the work. The CC&R Committee is composed of volunteer neighbors who are familiar with the governing documents and can assist you with your application process if needed.

The R&R Manual's conditions and requirements are applicable to all residences in Fairway Village. However, the process of submitting project applications to the CC&R Committee, as described below, does not apply to individual condominium owners. Instead, condo owners should submit a project application to the Fairway View Condo Association CC&R Project Application. The Fairway View Condominium Association is responsible for submitting project applications for projects that affect more than one condominium or condo building.

Set forth in this Manual (R&R’s) are those procedures, rules and regulations adopted by the Board of Directors for the purpose of guiding the CC&R Committee and Owners through the application and review process.

This Manual establishes design standards for review of exterior remodeling, improvements, and landscaping of all single-family properties within Fairway Village. It explains and supports the property restrictions that bind each Owner as

stated in the CC&Rs, as those restrictions are periodically updated or amended by vote of the owners.

No amendment or change from previous editions of this Manual shall affect structures, improvements or landscaping approved prior to the adoption of this edition. This provision is called a “grandfather clause,” see CC&Rs at Section 2.3.1, and prevents an owner from having to remove or alter previously approved projects because of changes made within this updated document.

Owning a home in Fairway Village includes your agreement to be bound by all CC&Rs and Rules & Regulations. As a Fairway Village resident, you need to become familiar with both the CC&Rs and Rules and Regulations before beginning any changes to the exterior of your home or landscaping. These Rules & Regulations will guide you through the required application and approval process. Please keep this Manual in a handy place and refer to it whenever you want to make changes to the exterior of your home.

The effective date of this Manual is \_\_ Click or tap to enter a date.

Revised June 28, 1989; February 19, 1992; September 16, 1992; August 21, 1996; November 20, 1996; September 10, 2004; June 20, 2007; October 18, 2016, \_\_\_\_\_ 2023

## DEFINITIONS

1. **Application** shall mean the CC&Rs Project or Tree Application Form available online, as it may be changed or amended from time to time. (*See Exhibit A*).
2. **Association** shall refer to the Fairway Village Homeowners Association (“FVHOA”).
3. **Board** shall refer to the Board of Directors of FVHOA.
4. **CC&Rs** shall refer to the most recently recorded copy of the Amended and Restated Declaration of Covenants, Conditions & Restrictions for Fairway Village.
5. **Committee** shall refer to the Fairway Village CC&R Committee established and appointed by the Board.
6. **Common Areas** shall refer to those tracts of land and improvements that belong to the Association. The Common Areas are located throughout Fairway Village and are described on the various plats of Fairway Village as recorded with the Auditor of Clark County.
7. **Fairway Village** shall refer to real property in the plat of Fairway Village and recorded in Clark County, Washington, at Book H., Page 167 and the contiguous plats to which the CC&Rs are applicable.

8. **Fairway View** shall refer to the Fairway View Condominium Association, a sub-association of Fairway Village that is separately incorporated, with a separate Board of Directors. The Condo Association owns the buildings and limited common areas in Fairway View and comes to the CC&R Committee when projects are undertaken by the association itself.
9. **Ground cover** shall refer to low-growing vegetation, flower beds, or bark, decorative gravel or rock.
10. **Improvements** shall refer to any exterior addition to or modification of real property, either structurally or in landscaping.
11. **Maintenance – Regular** shall refer to ongoing upkeep or restoring property or structures to a serviceable condition.
12. **Maintenance – Corrective** shall refer to maintenance carried out after failure detection, aimed at restoring an asset to its intended function.
13. **Manual** shall refer to this Rules & Regulations Manual for Property Improvements, Maintenance, and Landscaping (R&R’S) and all future amendments.
14. **Owner** shall refer to a Proprietary Member; any entity that owns property in Fairway Village.
15. **Outdoor Living Areas include decks, patios, courtyards and terraces.**  
*See Section 3.05 of the R&Rs for more information.*
16. **Property Line/Privacy Hedge** shall refer to any plantings, including bushes, shrubs or trees, planted or maintained in a fence-like manner to define property boundaries or provide privacy.
17. **Retaining Wall** is a structure designed to retain soil to unnatural slopes, such as a wall for holding in place a mass of earth at the edge of a terrace. Retaining walls may not be constructed of railroad ties in Fairway Village.
18. **“Rough”** is the park-like area that is not part of the area of play on the golf course.
19. **Rules and Regulations** are the rules and regulations duly adopted by the Board to maintain the quality and livability of Fairway Village and to help preserve and protect property values. The rules and regulations apply to all residents. The rules and regulations apply to changes to residential property, clubhouse use, swimming pool use, and more, and are gathered in this document, other documents and various policies.
20. A **Setback** is a restriction on the proximity of any building or structure to property lines, other structures and features such as corners and streets. Setbacks are established by governmental entities for safety and prevention of fire spreading from one property to another, and for preservation of

drivers' lines of sight at intersections. *(See additional information near the beginning of Section 3, page .)*

21. **Street tree** as defined by the City of Vancouver, is “a tree in which the trunk is wholly or partially located within the right-of-way. A ‘street tree’ may also be the portions of a private tree residing in the right-of-way. Pruning or removal of a street tree will require a permit from the City of Vancouver.
22. **Tree Permit Center Link:**  
<https://www.cityofvancouver.us/publicworks/page/tree-permits>
23. **Unit** refers to a residential unit, a house.
24. Walkway includes steps, ramps and passageways on Owners’ lot for the sole use by the homeowner.

## 1. ROLE OF THE CC&R COMMITTEE

The CC&R Committee is comprised of volunteer homeowners. The Committee is established and appointed by the Board to assist in ensuring that the CC&Rs and the R&R’s are consistently and fairly applied to applications for changes.

### **Responsibilities:**

The primary responsibility of the Committee shall be to review residents’ applications and decide whether applications comply with the CC&Rs and the R&R’s, are compatible with standards and aesthetics of the community, and merit approval or require denial of the project application at the request of the administrator. (A link will be added to the schedule of fines.)

### **Criteria for Review:**

Each application shall be reviewed by the Committee based on the following general criteria:

- Is the project in compliance with the CC&Rs and with this Manual? If not, a variance from the Board of Directors will be required. Project must comply with all city codes including permit requirements prior to filing a Request for Variance.
- Does the project involve installing or altering a structure?
- Does the project involve replacing more than 50% of the landscaping that is visible from a street, Common Area or Golf Course?
- Are the colors, materials, and design selected harmonious with others in use elsewhere in the community?
- Will the project serve to advance the HOA’s goal of preserving the quality, livability, and property values of Fairway Village?

**Standards:**

The Committee shall apply the design criteria in this document to preserve the quality in external appearance, design, landscaping and compatibility with existing structures in Fairway Village.

The Committee does not assume responsibility for the structural integrity, safety features, mechanical operation or building code compliance of proposed improvements or structures. General land use requirements and building codes are established by the City of Vancouver and other governmental agencies. Any application presented to the Committee for review must comply with any and all such regulations.

## 2. APPLICATION PROCESS

The CC&Rs eliminated the requirement for prior review by the CC&R Committee for many maintenance and repair projects. The following are projects that do **NOT** require prior review; Owners do not need to submit an application for these projects.

### *Work that does not require prior review:*

- **DECKS, FENCES OR COVERS:** Replacing like-for-like, with **no** changes in size, color design, materials, or location.
- **GARAGE DOOR:** Replacing a garage door with one the same size, style, color, and design.
- **PAINTING:** Repainting house or trim with **no color change**. **Review is needed for color changes.** **INTERIOR WORK** that does not change the exterior of the house in any way (such as remodeling a room or adding tinted film to the inside of windows).
- **MAINTENANCE – LANDSCAPING:** Replacing dead or overgrown shrubs, annual flowers, or other landscaping changes affecting less than 50% of the Lot that is visible from the street, Golf Course, or a common area. (Landscaped area measurement does not include the residence, driveway and/or sidewalk for the purposes of this calculation.) Removing aggressive or noxious plantings, as described in section 4.01 below, is not considered “landscaping changes.” If in doubt about whether review is needed, contact the CC&R Committee.
- **MAINTENANCE – PRUNING:** Pruning of shrubs and trees to restore appropriate shape and size.
- **MAINTENANCE – DRIVEWAYS:** Clear Sealcoat.



- **ROOF:** Replacing an existing roof with one of similar color and material. *Review is needed for color change or material change.*
- **SATELLITE DISH:** Installing a satellite dish 1 meter (39-3/8”) in diameter or less. *It would be appreciated if the installer can place the dish in a discreet location, such as under the eaves, but it should be installed wherever it needs to be in order to provide the best reception, unless it is located in an area or in a manner that may cause legitimate safety concerns.*
- **WINDOWS:** Replacing windows (“like for like”) with no change in trim color or size.
- **SIDING:** Repair or Replacing siding due to dry rot or other failure, as long as the new siding is the same style and color.
- **STORM DOOR OR SECURITY DOOR:** Installing a storm door or security door. Refer to Section 3.14b Security Bars.

**Application Overview:**

Project Application Forms Link:

<https://www.ourfairwayvillage.org/projectapplications>

Sample Project Application: Exhibit A

- Only electronic processing is available for Project and Tree Removal Applications. These applications can be found on the FVHOA website. If help is required in finding or filling out the application, the HOA office staff will provide assistance. Online applications should include any relevant plans, drawings, samples, photos, or other materials that might aid in the review process.
- Project Review can only begin after all necessary documents are received by the committee.
- Review may require up to 10 business days. Owners should therefore allow time for applications to be reviewed.
- Work may not commence until review is completed and approved.
- Any modification to an approved project requires additional review and approval from the CC&R Committee prior to installation.

***As a courtesy, neighbors who may be inconvenienced by the project, or those whose view may be impacted or changed, should be notified of the proposed project. Neighbors do not have the authority to approve or reject a project.***

The homeowner is responsible for reading and understanding the CC&R's, Rules & Regulations and City of Vancouver code compliance pertaining to the project BEFORE submitting the application. By applying, homeowner acknowledges an understanding of the stated guidelines. If you have questions, please contact the CC&R Committee or the HOA office staff for further information or assistance.

**CC&R PROJECT TIME LIMIT:** If a project remains unfinished for more than 6 MONTHS following its review, the Owner must notify the CC&R Committee and provide reasons for the delay. The Committee may grant an extension in case of extenuating circumstances that hindered completion. If not, the Owner must submit a new application.

SAMPLE CC&R Project Application from website – see Exhibit A

#### 2.01 — Committee Visitation

#### 2.02 — Variance

Owners share responsibility with the CC&R Committee for knowing whether a proposed project complies with the CC&Rs and this Manual. After review by the Committee and notification that a variance request is required, it is the owner's responsibility to submit a Request for Variance for a CC&R Project Application (Exhibit B) to the Board of Directors. Project must comply with all City codes including permit requirements prior to filing a request for Variance. The Variance Request can be found on the HOA website. Documentation of the need for the variance, such as photos of damage to the residence from errant golf balls when requesting a golf ball screen over 15' high, is helpful in the Board's decision-making process.

#### 2.03 — Appeal

Any Owner has the right to appeal a decision rendered by the CC&R Committee to the Board of Directors. To file an appeal, an Owner must provide a *written request for a hearing to the Board within 10 days of receiving the decision of the CC&R Committee.*

#### 2.04 — Reports of Non-Compliance

Allegations of non-compliance with any of the procedures and guidelines set forth in this Manual may be reported by any resident, in writing. Reports of Non-Compliance shall be submitted using the online form. Owners requiring assistance in preparing the complaint may call or email the administrator who will help process the complaint through the online system. All reports of noncompliance will be

treated as confidential. Allegations of non-compliance will normally be processed in the following manner:

The report shall be investigated by a person or persons designated by the Board. Members of the CC&R Committee may be asked to participate in the investigation. Steps in the investigation shall include:

- Verifying that an issue of non-compliance exists;
- If an issue exists, discussing it with the resident and establishing a plan and timeline for correcting the non-compliance;
- Sending a confirmation letter to the resident;
- Verifying whether the issue has been corrected at the end of the established timeline.

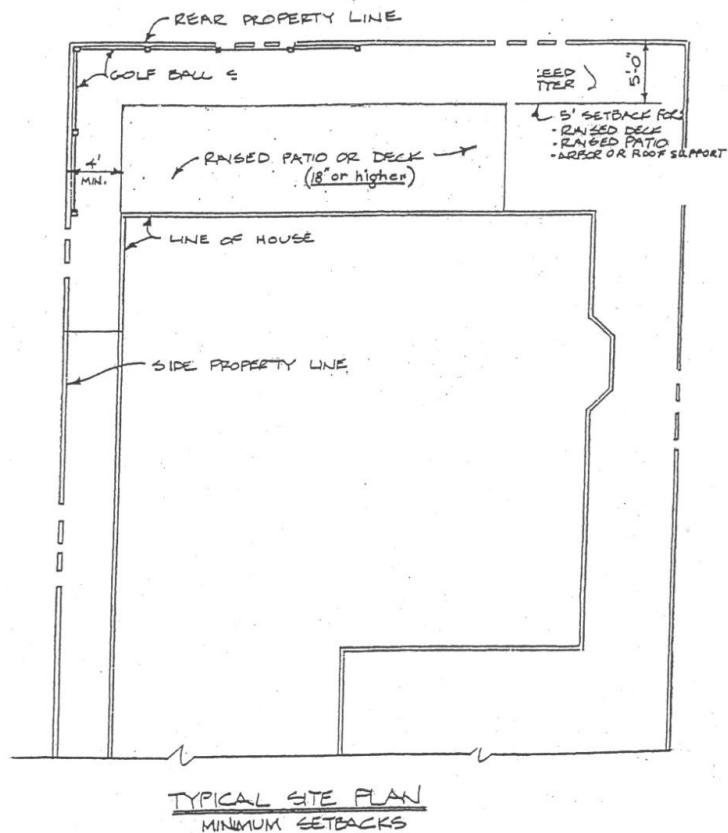
If the issue persists beyond the established timeline, the matter will be referred to a Compliance Review Panel (“CRP”) as described in Policy 103.23, Enforcement, as that policy may be amended from time to time. Policy 103.23 describes the process, including Notice and an Opportunity to be Heard, that will be followed before a fine is levied or other action taken. The [Schedule of Fines](#) is included in Policy 103.23, on the website. If the Owner contacts the office with an explanation of any delays and a date by which the work can be completed, an extension may be granted by the CRP.

### 3. STRUCTURES

No exterior alteration or addition shall be made to any premises, including walls, fences, decks and buildings without prior Committee review. (*Reference CC&Rs Section 2.3.*)

It is the Owner's responsibility to check with the City of Vancouver regarding permits, setbacks and codes, and to ensure that contractors and workers clean up the site daily. Owners may check the licensing of a contractor at: [Verify a Contractor, Tradesperson or Business \(wa.gov\)](https://www2.gov.bc.ca/gov2/industry/verify_a_contractor).

- Setbacks: All structures shall be located within the setback requirements as specified by the Planned Unit Development Approval for Fairway Village. Clark County setback requirements were used when Fairway Village was developed and remain in force. *See illustration, next page.*
- Utility Easements: Blanket utility easements for installation and maintenance of utilities and drainage facilities are found on the outer six feet of the front and rear boundary lines of all Lots (excluding Fairway View Condominiums). Owners are reminded that utility easements are permanent, and that no structure, planting or other improvement may be placed on a utility easement that may damage or interfere with the installation or maintenance of utilities. Any structure or planting may be removed by employees of a public utility in order to access the utility structures for maintenance.
- Permits & Inspections: The Owner is responsible for obtaining and paying for any permits or inspections required by governmental entities.
- It is the Owner's responsibility to contact the City Code Compliance Officer for more information. You can request a complimentary on-site visit from the City of Vancouver's Code Compliance Officer. 2023 telephone number for the City of Vancouver Building Permits is (360) 487-7800 and the City of Vancouver Code Compliance is (360) 487-7810 or email [codecompliance@cityofvancouver.us](mailto:codecompliance@cityofvancouver.us)



**Figure 1: Site Plan showing setbacks**

### 3.01 — DRIVEWAYS, SIDEWALKS, AND WALKWAYS

#### 3.01(a) Driveways – Maintenance

- Clear Sealcoat: No review Required

#### 3.01(b) Driveways – Replacement

- Exposed Aggregate - Allowed - Review Required
- Slab Concrete – Allowed - Broom Finish - Review Required

#### 3.01(c) Driveways – Replacement Other Material

- Pavers - Allowed - Review Required
- Stamped Concrete - Allowed - Review Required

#### 3.01(d) Driveways – Extensions

- Not allowed (Reference CC&Rs Sections 2.9.7 and 2.12.8)  
Homeowners with a 2-3 car garage may not widen the driveway beyond its original dimensions to accommodate additional cars.

### 3.01(e) Sidewalks – Maintenance

- Owners must maintain the sidewalks in front of their homes, including repairing cracks, deteriorations, removal of snow, organic debris, and low hanging branches. Sidewalks are dedicated public rights of way and the responsibility of abutting property owners.

### 3.01(f) Sidewalks – Replacement – Review Required

- Replacements and new installation of sidewalks - Review Required.
- City of Vancouver Permit Required - It's crucial to consult the official sources or contact the City of Vancouver's Public Works Department to obtain the accurate regulations and guidelines specific to sidewalk replacement in the City of Vancouver, WA.
- Acceptable Materials and finishes Stipulated by City Of Vancouver

### 3.01(g) Walkways –

- New Installations And Replacements – Review Required

**No hedge, fence, temporary fence, wall or other structure shall be constructed, altered, or allowed to exist anywhere on a Lot without prior written review from the Committee. (Reference CC&Rs Section 2.4.1.)**

## 3.02 —FENCES

3.02(a) General Considerations: All fences shall be constructed to maintain the aesthetic quality of the community. All new fences and fence extensions require review pertaining to location, length and materials. (Reference CC&Rs Section 2.4.1.) The impact on your neighbors should also be a consideration.

**The City of Vancouver Building Code limits fence heights. Presently, the height limit is six feet. Height is measured from the grade level adjacent to the inside edge of the wall or fence. The City of Vancouver may require the Owner to obtain a permit for a fence. It is the Owner's responsibility to find out whether a permit is needed. Fences shall not extend or be located forward of the front-line of the basic structure (dwelling and garage).**

- ACCEPTABLE MATERIALS: Wood (natural or clear finish; other colors require review); vinyl; wrought iron or other decorative metal; aluminum (preferably powder coated or painted black or bronze); brick, stone, decorative preformed concrete block and small picket. All other materials require a variance.
- UNACCEPTABLE MATERIALS: Cinderblock and Chain Link

### 3.02(b) Hot Tub Enclosures:

Hot Tub Enclosures. Hot tub enclosures that are part of a deck or are attached to a house are not considered fences. These privacy enclosures should be of sufficient height to provide privacy for the Owner(s) of the hot tub, but may not exceed 6' in height, even if the property abuts the golf course. A hot tub enclosure requires a minimum of 5' setback from the golf course. Refer to Section 3.13 for additional criteria regarding golf course lots.

### 3.02(c) Property line and privacy fences:

Review of proposed property line and privacy line fences shall be done on a case-by-case basis. Review shall include consideration of topography regarding fence height. Maximum fence height shall comply with City Building Code. Fences on a corner lot must meet City code relative to height, length and placement. In particular, "line-of-sight" may be an issue. Therefore, the solid portion of the fence shall not exceed 36 inches in height with maximum height of fence limited to 48 inches. Further, lot size and shape, location of utilities, easements, right-of-way or common areas owned by the HOA may play a factor. It is the Owner's responsibility to contact the City. Other requirements may include design and color to be harmonious with the FV community.



Figure 2: Examples of Good Neighbor Fences

### 3.02(d) Golf Course and Common Area Fences:

Good Neighbor style or solid fences constructed abutting any portion of the golf course and/or Common Areas must not exceed 36" in height for side and rear yards. Wrought iron or other openwork fences abutting the golf course or common areas may be up to 48" in height. See Section 4.05 for information on hedges or similar plantings.

### 3.03 — Retaining Walls:

Retaining walls are used to create and maintain permanent changes in elevation, such as to separate trees and plantings at the boundaries of a lot from a grassy terrace below. Retaining walls may not be constructed of railroad ties. An

application for a retaining wall shall be reviewed based upon the topography of the lot and the purpose of the proposed wall, which may include leveling the lot or retaining soil above lot level for trees. The height and construction of any retaining wall must be in keeping with the purpose of the wall. Maintenance of retaining walls is the responsibility of the Owner(s). Retaining walls are to be aesthetically incorporated into the landscaping of the lot. *(Reference CC&Rs Section 2.4.3.)*

### 3.03(a) — Non-Retaining Walls:

Short non-retaining walls visible to the public are subject to review for material, size, location, and are to be aesthetically incorporated into the landscaping of the lot.

- ACCEPTABLE MATERIALS: Brick, Stone, Preformed Decorative Concrete Block
- UNACCEPTABLE MATERIALS: Railroad Ties, Cinderblock, Gabion Baskets

3.03(b) — Planters Or Raised Planting Beds: All fixed planters or raised planting beds visible from the street, common area or golf course, require a review for material, location and size. Screening may be required. No planters or raised beds should extend forward of the front-line of the basic structure (dwelling and garage). This does not apply to hanging flower baskets or decorative potted plants/flowers.

### 3.04 — Golf Ball Screens:

All improvements for the purpose of providing protection from golf balls must be reviewed by the Committee prior to construction. Maximum height should not exceed 15' unless a Variance is obtained from the Board. Landscaping may be used for side and rear yard protection. All framing materials and screening are to be of design and finish that complements the architecture of the house. Maintenance, such as replacing the screen or supports, does not require review as long as the location, length and height of the screen is not changed, and acceptable materials are used (see below).

- ACCEPTABLE MATERIALS: Metal piping, preferably 1-5/8" diameter black or white powder coated, with nylon mesh screening to match supports.

### 3.05 — Outdoor Living Areas:

Outdoor living areas, such as decks, patios, courtyards, and terraces, shall have an appearance consistent with the exterior of the Unit, and must be reviewed prior to installation. *(Reference CC&Rs Section 2.3.) Walls enclosing outdoor living areas*



at the front of the dwelling (street side) shall not exceed 48" in height. Design is encouraged to allow open visibility to the street.

- ACCEPTABLE MATERIALS: brick, wrought iron, welded steel tube, stone, decorative concrete block
- UNACCEPTABLE MATERIALS: Plain concrete block.

Outdoor living areas, and associated protective railings or walls, may require a permit from the City. Be aware that a blanket utility easement covers the front and rear six feet of all properties. (see page for more information).

Committee review of new decks and extensions of existing decks is required. Any deck over 18" in height requires a railing, planters, screening, or other safety protection, and may require a permit from the City of Vancouver. Decks that abut a fairway must be no higher than 18" over the rear five feet of the property to the property line. Decks that abut the golf course in the park-like areas that are not part of the golf play area ("rough") will be subject to case-by-case review based on topography. These decks are not subject to the 18" height restriction over the rear five feet of the property to the property line. *See illustration below.*

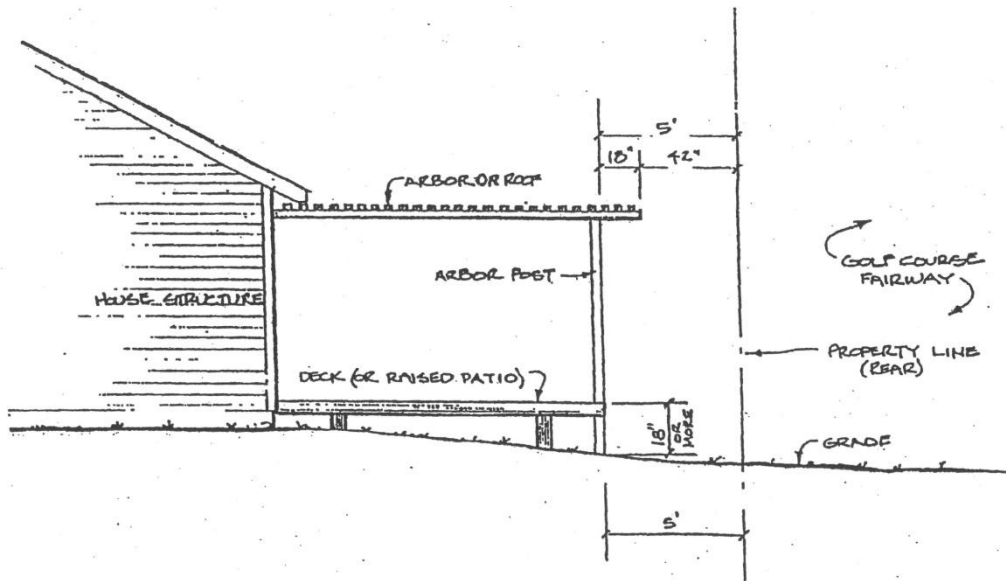


Figure 3: Outdoor Living Area abutting fairway

Posts and supports of elevated outdoor living areas must be screened from view with materials compatible with the residence, landscaping or the outdoor living area. Replacing a deck or patio does not require review as long as the size and location of the deck or patio are not changed.

### 3.06 — Covers for Outdoor Living Areas:

New overhead covers for Outdoor Living Areas require prior Committee review. Replacing an overhead covering does not require prior review, as long as the color, material and size are not changed.

### 3.07 — Exterior Walls:

All changes in exterior walls from original construction, such as moving a wall out toward the property line to expand interior space, must be reviewed, and may require a permit from the City.

### 3.08 — Exterior Colors:

Repainting a house, a portion of a house, or trim, *in the existing color(s)* does not require prior review. Review is needed if the color of any portion of the house is to be changed. Paint, semi-transparent or solid stains must be compatible with existing houses and trim colors in Fairway Village.

#### Guidelines for selecting paint:

a) Colors should blend with others in the community. Neutral and subdued colors are preferred over bright colors.

b) Matte, satin, and semi-gloss finishes are acceptable.

c) Trim, gutters, entry doors, shutters and garage door color should be compatible with the house color.

d) As indicated in Section 2, Application Process, the required procedure is to either paint or supply a 10" x 12" swatch of each color that will be used. Please indicate the location of each color on the side of your house to facilitate the committee's review of your color selection(s).

### 3.09 — Service Areas:

3.09(a) The location, size, height, and design of structures such as storage sheds, gazebos, accessory buildings or enclosures are subject to prior review by the Committee, and screening may be required. (*Reference CC&Rs Section 2.3.*) The committee assesses applications to ensure that the color and structure of the project will be complementary and unobtrusive when viewed from the street, common areas, or golf course. The City will require a permit for sheds over a certain size.

3.09(a) Carports and pole buildings are not allowed.

3.09(b) Garbage and other waste shall be kept in sanitary containers and are to be enclosed or screened from the view of neighbors and passersby. (*Reference CC&Rs Section 2.12.2.*)

### 3.10 — Flagpoles and Antennas:

3.10(a) One freestanding metal flagpole, not to exceed 15' in height, is permitted for displaying the United States flag. Under the United States Flag Code, lighting must be provided if the American flag is to be left out overnight. Approval by the Committee is required as to location. The height restriction may be waived by the Board based on unique and reasonable circumstances. (*Reference CC&Rs Section 2.12.4.*)

3.10(b) A television or broadcast radio receiving or transmitting antenna, satellite dish or similar implement may be erected on any single-family Unit, only in such a way so as to minimize the impact on the Unit's appearance consistent with providing optimal reception. **Please ask the installer to choose a location that is as discreet as possible.** No satellite dish with a diameter greater than 1 meter (approximately 39") will be permitted.

3.10(c) All exterior antennas must be reviewed before installation.

3.10(d) The Fairway View Condominium Association has separate rules and regulations pertaining to mounting antennas, including satellite dishes on their buildings, because the Association owns the buildings.

3.11 — Heat pumps, air conditioning A/C, solar heating systems, and whole house generators. Replacing an existing A/C unit in the same location does not require review.

3.11(a) Placement of new heat pumps and A/C units, with consideration regarding visual and noise screening for neighboring Units requires review.

3.11(b) Window installed air conditioning units are not permitted, except in special circumstances, which will require review.

3.11(c) Solar energy panels are permissible, subject to prior review, under the following conditions:

- (1) Panels meet all governmental and safety codes
- (2) Roof-mounted panels or collectors are not visible above the roofline or are complimentary to match the roofing materials
- (3) Ground-mounted panels are screened from view
- (4) Before installation, the owner agrees in writing to indemnify or reimburse the association or its members for any loss or damage incurred by the installation, maintenance, or use of the panel(s). Indemnification included within the project application form must be acknowledged by the homeowner.

3.11(d) Whole House Generator – Review Required

### 3.12 — Exterior Lighting and Sound Devices:

Type and placement of exterior lighting devices, other than those provided on the basic structure, must be reviewed by the Committee. Security lighting must be positioned to illuminate the Owner's property only, and not neighbors' property or Common Areas. The reason for restricting illumination to the Owner's property is to eliminate glare and annoyance to neighbors, as well as to avoid hazard to passersby and the driving public. No exterior speakers or other sound devices, except those used for security purposes, shall be installed on any Unit unless positioned or controlled to avoid being a nuisance to neighbors. (*Reference CC&Rs Sections 2.12.6 and 2.12.7.*)

### 3.13 — Hot Tubs:

Installation of a hot tub requires mechanical and electrical permits from the City. Placement of a hot tub requires review. A hot tub and enclosure may not be placed on the street side or within 5' of your golf course property line. Corner lots require screening at side yard to conceal view from street. The City of Vancouver offers suggestions should you need to drain the hot tub. See [www.cityofvancouver.us/publicworks/page/home-garden-clean-water-tips#pools](http://www.cityofvancouver.us/publicworks/page/home-garden-clean-water-tips#pools). See 3.06, above, for more information on hot tub enclosures.

### 3.14 — Miscellaneous:

3.14(a) Ramps and Handrails. **A review of material and placement location is required.** Most requests for ramps and/or handrails come under the provisions of Reasonable Modification. Ramps and safety handrails are to be constructed in compliance with applicable building codes.

3.14(b) Security bars. Security bars are allowed only on the inside of windows.

#### 3.14(c) Signs:

(1) Political signs may not be posted on Common Areas and may not be placed on a Lot in such a way that they obstruct drivers' lines of sight. Political signs are not to be displayed more than 60 days prior to an election and must be removed within three days of the election. No sign that requires more than a single stake for support is permitted. Banner-type signs requiring more than one support are not allowed.

(2) Contractor signs are allowed only during construction and must be removed within two weeks of completion of the project. The contractor sign must be placed on the Lot the contractor has been hired to work on and may not be placed in such a way that it obstructs drivers' lines of sight or interferes with pedestrians on

the sidewalk. Only standard-sized contractor signs requiring a single stake or support are allowed; oversized or banner-type signs requiring more than one support are not allowed.

3.14(d) Vehicle Size: Any passenger vehicle regularly parked in the Village should be able to fit in the garage with the door closed. This statement is intended to provide guidance on maximum vehicle size, not to require that a vehicle be garaged. Vancouver City Code prohibits blocking sidewalks, crosswalks and parking strips.

3.14(e) Newspaper Box: No freestanding newspaper receptacles shall be constructed or placed anywhere on a Lot.

3.14(f) Fire Pits: Wood and charcoal burning fire pits are not allowed. Permanent natural gas and propane fire pit location and materials require a review and may require a City of Vancouver permit. Fire Pits shall not be visible from the street.

## 4. LANDSCAPING

Replacing dead or overgrown shrubs, annual flowers, or other landscaping changes affecting less than 50% of the Lot that is visible from the street, Golf Course or a common area. (Landscaped area does not include the residence, driveway and/or sidewalk for the purposes of this calculation.) Removing aggressive or noxious plantings, as described in section 4.01 below, is not considered “landscaping changes.” If in doubt about whether review is needed, contact the CC&R Committee.

### 4.01 — Landscaping Design:

All lots shall be landscaped in a manner that is harmonious and compatible with the overall landscaping requirements as noted in (*Reference CC&Rs Sections 2.2 and 2.5.*)

4.01(a) Aggressive garden plants such as, but not limited to, peppermint, spearmint, raspberries, and Chinese Lantern must be planted in containers to contain the spread of such plants. Noxious and invasive plants, as identified by the State of Washington, are not allowed. For a listing of prohibited noxious and invasive weeds, visit [www.nwcb.wa.gov](http://www.nwcb.wa.gov), the website of the Noxious Weed Control Board. Laws and administrative rules regarding noxious weeds include RCW 17.10 and WAC Chapter 16.750. Information from these sources is available at <https://apps.leg.wa.gov/rcw/>

#### 4.02 — Private Backyards:

Plantings, including artificial turf, located in backyards that are not visible from the street, golf course or a Common Area are not within the purview of the Committee. Review is not required for plantings in such areas. Plantings in the back yard shall comply with the restrictions on aggressive garden plants and noxious plants found in Section 4.01.

#### 4.03 — Landscaping Maintenance:

Landscape maintenance includes trimming, pruning, weeding, thinning and/or removal of trees, plants, shrubs, hedges, and ground cover as necessary in order to preserve property values and keep the property in a condition that is harmonious and compatible with the Association and in compliance with these Rules & Regulations and the CC&R's (see Sec. 2.5.2, etc.) Homeowners are responsible for landscaping maintenance even when away from Fairway Village. In this context, “homeowner” is understood to mean owner, trustee, executor, guardian, or heir.

#### 4.04 — Artificial turf:

Review Required for Artificial Turf Applications Before installing artificial turf in areas that are visible from the street or Common Areas, an application must be submitted for review. The review process will evaluate factors such as the location, topography, and overall appearance. (*Reference CC&Rs Sections 2.5.1*)

#### 4.05 — Property Line/Privacy Hedge:

4.05(a) Owners are responsible for appropriately trimming and controlling the growth of property line/privacy hedges to avoid encroaching on adjacent properties or overgrowing sidewalks.

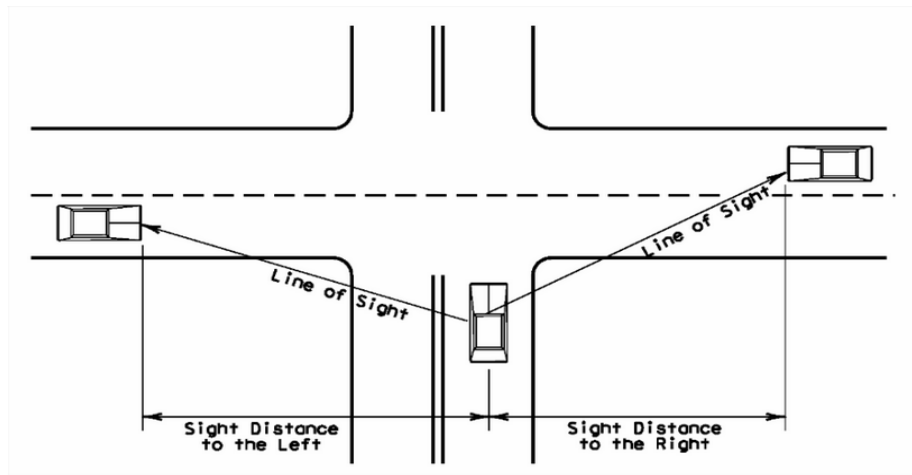
4.05(b) Hedges that form the boundaries between backyards that are not visible from the street, or a Common Area are not in the purview of the Committee.

4.05(c) No property line or privacy hedge in excess of three (3) feet in height may abut the Golf Course or on front property setback or property lines.

4.05(d) Property line or privacy hedges intended to screen side and back yards from Common Areas must be properly trimmed to avoid encroaching on the Common Areas or walkways. *See 3.02(c) for information on Property Line/Privacy Fences.*

#### 4.06 — Drivers’ Lines of Sight:

No structure or planting which may obstruct visibility at roadway intersections, driveways, pedestrian crossings, or other public areas shall be allowed. Line of sight complaints are handled by the City of Vancouver at the Public Works/Street & Transportation/Division.



Sight distance at intersection of roads

Figure SEQ Figure \\* ARABIC 4: Drivers' Lines of Sight

#### 4.07 — Trees:

No tree shall be removed, or excessively trimmed or pruned without prior review by the Committee. The review may require a written statement from an arborist certifying that a tree should be severely trimmed, pruned, or removed for the protection of persons or property. (*Reference CC&Rs Section 2.6.*)

4.07(a) Existing Trees: It is the practice of the Association to retain all living and undamaged trees, when possible, to maintain the park-like aesthetics required in the approval of the Planned Unit Development. No tree(s) regardless of location, will be removed from a Lot or severely trimmed without prior review by the Committee. The Committee may require the opinion of a licensed arborist before allowing tree removal or severe pruning. Stumps that are visible from the street, common area, or Golf Course shall be ground down below grade or removed. It is recommended that ALL stumps be treated, removed or ground down in order to deter carpenter ants and other wood destroying pests. It is the owner's responsibility to call 811 or 800-424-5555 to verify utility lines BEFORE you dig!

4.07(b) Street Trees: The City of Vancouver defines a street tree as "a tree in which the trunk is wholly or partially located within the right-of-way. A 'street tree' may also be the portions of a private tree residing in the right-of-way." Pruning or removal of a street tree requires a permit from the City of Vancouver.

4.07 (c)— Trees: Removal requiring common area or golf course access –

Any contractor requiring access to the golf course or any common area in order to remove or severely prune a tree must present evidence of current liability insurance naming the HOA as an additional insured. It is the homeowner's responsibility to confirm the contractor has obtained the required city permits. Before allowing tree removal or severe pruning, the Committee may require obtaining the opinion of a licensed arborist. (Reference CC&Rs Section 2.6.) Application will remain pending until all appropriate documentation is provided to the HOA office. Pending application will be withdrawn if documentation is not received within 10 business days from date of visitation. Homeowners will be required to resubmit the application should they wish to proceed.

## 5. MINIMUM LANDSCAPING REQUIREMENTS

### 5.01 — General Considerations:

It is the practice of the Association to encourage drought resistant landscaping and landscaping which conserves limited water resources in keeping with the intent of RCW 64.38.057. All yard areas of Units that are exposed to public view shall be landscaped in a fashion that is harmonious with the community.

#### ○ ACCEPTABLE MATERIALS:

- Lawn;
- Artificial turf;
- Trees or shrubs, decorative grasses, plants or planters;
- Decorative rock or stone; or
- Bark dust or mulch

#### ○ UNACCEPTABLE:

- New Installations of Red Lava Rock - See Section 4 of this document for additional information.

### 5.02 — Yard and Outdoor Areas:

All ornamentation over 30" in height such as fountains, statuary, garden art, birdbaths, and gazing balls is subject to review by the Committee. The Committee may restrict yard ornamentation of any size in terms of quantity, placement, and visibility. (*Reference CC&Rs Section 2.12.1.*)

### 5.03 — Seasonal and holiday decorations:

This section does not regulate signage, which is addressed in Section 3.14(c)



Seasonal and holiday decorations shall only be displayed for no longer than 30 days prior to a holiday event and are to be removed not more than 2 weeks after the holiday event. No display shall block the sidewalks abutting the property nor obstruct the view of drivers in the vicinity. Lighted displays shall not send out enough light after dark to disturb neighbors. Prior review shall not be required.

#### 5.04 — Common Area Landscaping & Maintenance:

No encroachment on Common Areas, including plantings, is allowed. Any damage caused to the common property by the installation of landscaping or sprinkler systems on a Lot by the Owner or contractor engaged by the Owner will be the sole responsibility of the Owner to remedy. In recognition of the unique circumstances that may arise within our community and in order to promote fair and reasonable solutions while maintaining the integrity of our common areas, the BOD may grant case-by-case waivers when an inadvertent encroachment on common area may occur. These waivers will be established with a memo of understanding and any associated legal cost will be borne by the encroaching party.

## 6. CONDITIONS

#### 6.01 — Affecting Common Areas:

Owners of Units may not disturb the surface of the Common Areas or use any portion of the Common Areas for storage. If a Common Area is disturbed or used by Owners during the course of a project, or if a Common Area is incorporated into the project, the Association may require that the Common Area be restored and/or cleaned up, and may charge the Owner the related costs, or take action to place a lien on the Owner's property for the damage, after notice and an opportunity for a hearing.

#### 6.02 — Owners' Responsibility:

Owners are responsible for compliance with the standards and guidelines provided in this document and are held responsible for the actions of their contractors. It is therefore recommended that the standards and guidelines provided in this document be communicated clearly before work begins. Owners are responsible for contacting the City of Vancouver and obtaining any required permits, ensuring that proposed structures are within setbacks, and otherwise complies with all municipal codes. Owners are responsible for seeing that contractors daily clean up the outdoor area visible from the street and promptly remove construction debris when the job is complete. Dumpsters and portable toilets may only be left on the Lot or on the street for the duration of the job. Construction equipment is allowed on a Lot during a project.

## 7. REVISION OF RULES & REGULATIONS MANUAL

The Board may amend the provisions and practices in this Manual, but the changes shall not become effective until Owners have been provided with a review period of not less than 30 days after the Board approves the changes. No amendment or change shall affect structures, improvements or landscaping approved prior to the adoption of the amendment or change. *(Refer to CC&Rs Section 5 for the Association's authority to remedy violations of rules and standards set forth in this Manual and the Committee's decisions.)*

## 8. CONDOMINIUMS

This Manual applies to all properties within Fairway Village including the Fairway View Condominium Association, but not individual condominiums. The Fairway Village CC&R Committee reviews applications from the Board of Directors of Fairway View Condominiums for major landscaping and painting projects. Individual condominium Owners should review documents from the condominium association regarding procedures for applying for changes to their condominium.

## 9. Exhibits



15509 SE Fernwood Drive, Vancouver, WA 98683  
Phone: (360) 256-6626

Exhibit A: CC&R Online Project Application

# SAMPLE ONLINE CC&R Project Application

1. Please read the sections of the Fairway Village CC&Rs and Property Improvement and Maintenance Manual appropriate to your project.

<https://www.ourfairwayvillage.org/ccrs>

<https://www.ourfairwayvillage.org/pim>

2. It is your responsibility to check the city codes that will govern your project. See permit information here: <https://www.cityofvancouver.us/ced/page/residential-building-permits>  
For assistance, please call the City of Vancouver's Code Compliance Office for permits, restrictions, and setbacks at 360-487-7810.

3. As a courtesy, discuss your project with the neighbors whose view would be most affected or those who may be inconvenienced by work being done.

4. Please fill the first page out completely.

5. PLEASE CHECK ALL YOUR ANSWERS CAREFULLY. Your internet browser may autofill incorrect information on your behalf.

6. Leave the second page blank for the Committee's use, and hit submit at the bottom.

7. The CC&R Committee will contact you within 10 days to discuss your application and schedule a visit to your property.

A qualified contractor will always have an active business license and insurance. To check your contractor, go to: <https://www.lni.wa.gov/licensing-permits/contractors/hiring-a-contractor/verify-contractor-tradesperson-business>.

By submitting this application, you acknowledge to have read and understand the Rules & Regulations

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Rules and Regulations (R&Rs) Page 26

Approved by the Board of Directors on  Click or tap to enter a date.

Manual for Property Improvements (PIM) approved by the Board on 10/18/16 and the CC&R's dated 8/28/15. You also acknowledge and assume responsibility for compliance with Vancouver City codes applicable to your project (s).

The name and photo associated with your Google account will be recorded when you upload files and submit this form. Only the email you enter is part of your response.

\* Indicates required question

Email\*

\_\_\_\_\_

Date of Application\*

Date

Name of Resident(s):\*

\_\_\_\_\_

Resident's Phone Number:\*

\_\_\_\_\_

Fairway Village Address:\*

\_\_\_\_\_

Is this a change or addition to a previously submitted application?

If yes, write the application number in the space provided:

Your answer

[Next](#)

## Project Description

### Type of Work \*

- house painting
- reroofing
- deck
- patio
- deck/patio cover
- golf ball screen
- yard landscaping 50% or more
- window
- door
- driveway repair
- sidewalk repair
- shed
- fence

If not installing solar panels, move on to next question. If installing solar panels only, homeowner agrees: that panels will follow government safety guidelines, be hidden from view if ground mounted, and will not be mounted above the roofline. Homeowner also agrees to indemnify or reimburse Fairway Village Homeowners Association and its members against any loss or damage incurred by the installation, maintenance or use of the panels/solar power system. PLEASE ENTER NAME BELOW TO SIGNIFY AGREEMENT.

Your answer

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### Description of Work: \*

Your answer

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# Exhibit B – SAMPLE NON-COMPLIANCE REPORT



## Non-Compliance Report

CC&R or Rules & Regulations Violation:

If you are experiencing difficulty with issues of CC&R non-compliance, please report it here. The Administrator will contact the resident in question. The Association cannot respond to anonymous reports. All submissions are kept confidential.

**Address of Non-Compliance\***

**Name of Non-Compliant Resident (if known)**

**Name of Homeowner Submitting Form\***

**Submitter's Phone**

**Submitter's Email\***

**Type of Violation**

If "Other" Please describe:

**Section of CC&R's or R&R's in Violation**

**Notes or additional information:**

Anything else you would like to add?

**Submit**

Never submit passwords or credit card details through WorkForms

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**EXHIBIT C: SAMPLE CHECKLIST FOR NON-COMPLIANCE ISSUES**  
**SAMPLE: DOCUMENTATION CHECK LIST FOR RESOLVING ISSUES OF NON-COMPLIANCE**

Name of Resident Who May Not be in Compliance: \_\_\_\_\_

Date Report Received: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Name of Resident filing Report: \_\_\_\_\_ Phone Number: \_\_\_\_\_

ACTION	DATE	COMMENTS	INVESTIGATOR
Confirm that non-compliance exists (Step 1).			
Contact Non-Compliant Resident (Step 1).			
Issue Confirmation of Contact or Notice of Possible Non-Compliance (Step 2).			
Confirm whether non-compliance has been resolved (Step 3).			
<b>Forward for Enforcement</b> <i>Informal process ends</i>			
Review by Compliance Review Panel (CRP).			
Issue Notice of Fine and Hearing			
Hearing Held			
Issue Notice of Decision			
Issue Closed			

INVESTIGATOR(S) NOTES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

End of document.