

October 2014

Lacamas Shores Policy on Trees and Views

This paper presents the policies of the Lacamas Shores Homeowners' Association (HOA) Board regarding trees and views in our neighborhood. The Board believes that all Lacamas Shores HOA members share the common goals of ensuring livability within our community, along with maintaining the value of our homes. The City of Camas has a significant impact on the neighborhood's tree and shrub policies. In addition, land designation - private, common, public, or wetland - is also important as this determines who has authority and what documentation is to be referenced.

Public Property

In the case of public property, the City of Camas is the authority, not the Board. The Board has learned the following facts from the City regarding views and the Conservancy Zone:

1. Only homes east of the road down to the boat dock that are directly adjacent to the Conservancy Zone have the right to request a primary and secondary view be established.
2. The City may or may not grant the requested views.
3. Once views are established, they are permanent and will not change -- even with a change in ownership.
4. A homeowner with designated views must request permission from the City every time maintenance is performed on the views.
5. The City maintains that homes that border the Common Area and are not directly adjacent to the Conservancy Zone have no view rights regarding the Conservancy Zone.
6. The City has indicated they have no plans to allow the cutting of trees in the Conservancy Zone that is adjacent to the Common Area.

The Board's policy is that issues regarding public land will be directed to the City for resolution.

Private Property

In the case of private property within the Lacamas Shores development, the CC&Rs state in Section 5.10 that:

"All trees and shrubs or landscaping of any kind shall be kept neat and orderly and trimmed so as to not obstruct another lots view and shall be consistent with the preferred list of plants and materials attached hereto as Exhibit C. provided that landscaping necessary for the wetlands shall not be subject to this section."

The Board's general understanding is as follows:

1. The CC&Rs define what it means to be a good neighbor in the Lacamas Shores development. It is, in essence, an agreement between neighbors.
2. The Board is elected to represent all neighbors equally.
3. Section 5.10 does not define view or the criterion to judge whether a view condition is satisfied.
4. The CC&Rs are clear when the Board is to take action and what methods can be employed to remedy a situation. Section 5.10 does not indicate specific actions by the Board, nor does it specify methods to ensure compliance.

The Board interprets Section 5.10 to indicate that tree and view issues between neighbors are generally a private property matter. In addition, the Board is elected to represent all neighbors equally and generally will not take sides due to potential financial risks to the greater community. Past Boards have acted as a mediator if requested by the involved parties. The present Board continues this same policy.

Common Property

In the case of common property, the Board has met with the City to ensure we understand their expectations as directed by the CC&Rs. The Board has collected the following points regarding the common property:

1. The CC&Rs describe a storm water swale and settling pond that are to be maintained by the HOA.
2. The CC&Rs describe a Wetland which is to be maintained by the HOA.
3. The CC&Rs indicate that wetland landscape is not subject to Section 5.10 requirements (see CC&R quote in Private Property above).
4. The City of Camas has designated the entire Common Area west of the soccer field as a Wetland and as such it is held in protection under local and federal law.
5. The designated Wetland area is not to be touched without special permits (aside from invasive species removal).
6. The City has indicated that manual removal of invasive species is allowed but not mandatory.

The Board will continue to enforce the hands-off policy for the Wetland as developed by past Boards and in compliance with what is stated in the CC&Rs regarding treatment of a wetland. The HOA maintains the fields and paths around the Wetland by cutting the grass and trimming back the invasive berry bushes. However, we will not enter the area, nor cut trees in the area, due to its special designation and will comply with the City of Camas and the State of Washington, as well as directions contained in the CC&Rs.

Regarding trees on other commonly held property, the Board will do what is believed to be right for the community. The Board understands that views can enhance the sale price for a specific home and that this may have some residual impact on the sale prices of surrounding homes. However, the value of a view is not the only impact trees have on surrounding home prices. The Board maintains that trees have a significant positive impact on home prices for our entire community through:

1. Shade and cooling breezes from the summer heat
2. Resilience to and protection from storms and other natural events
3. Sound abatement from public trails, lake traffic, or other sound sources
4. Visual privacy for homes from nearby private and public activities
5. Stabilization of soil, especially on steep slopes
6. Food and shelter for a wide variety of plants and animals which deliver nature to your doorstep
7. Ambiance in private and public areas such as the picnic area
8. Additional buffer to help maintain the health of the Conservancy Zone and Lacamas Lake
9. Continuity and continuation of the aesthetics of the Lacamas Lake public nature trail
10. Contributing to the aesthetic appeal of a Pacific Northwest neighborhood

The Board's policy on commonly held trees outside the Wetland area will be to decide each request on a case-by-case basis. The Board will weigh the value of the potential view and the factors listed above, along with any personal and property safety aspects, for each instance. We will also consult with our partners at the City, as we've been informed that they would like to have a say in these matters which have an impact on livability for the entire Camas community.

In summary, the Board believes these policies are beneficial to our community, in tune with the CC&Rs as well as rules and regulations from relevant governmental agencies, and fiscally responsible.