

A GUIDE TO LIVING IN THE



COMMUNITY ASSOCIATION

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*Answers to the most commonly
asked questions about what
MCCA is and how it enhances life
in Mill Creek.*

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OUR PURPOSE

THE MILL CREEK COMMUNITY ASSOCIATION (MCCA) is a mandatory membership organization primarily dedicated to protecting the desirability of members' property and the natural beauty of the common areas. The Association's secondary role is to foster a sense of community among members by enhancing their security, civic, social and recreational interests.

USING THIS GUIDE

The Guide is a *summary* of the Governing Documents and Board Resolutions that affect day-to-day life in the Planned Residential Development (PRD) of Mill Creek. It does not replace the Articles of Incorporation, Restrictive Covenants, or Bylaws (collectively known as "The Governing Documents"). Rather, it provides an overview of our legal documents. Throughout the Guide you will see numbers in parentheses. These refer to specific sections of the Restrictive Covenants. Please refer to the Covenants for specific wording of actual restrictions and guidelines.

MEMBER SERVICES

Parks & Trails

All members have access to 160 acres of common areas owned and maintained by MCCA. Maps are available in the Association office. Common areas include the 120-acre Nature Preserve that encompasses Penny Creek with its fish ladder and playfield. Cherry Park located between the Vine Maple and Huckleberry divisions. Sixteen other pocket parks, and the sixteen-mile trail system that connects all of the above, are part of the common areas.

Security Enhancements

Mobile Telephone: (425) 328-0035

All members receive full security service. Our security personnel patrol each division a minimum of three times daily. They extend the eyes and ears of the City Police by being a watchful eye and assisting them as requested.

Security personnel are available should you be away and realize that your garage door may be open, windows open, or door unlocked. They have been known to stow a stray trash tote out of sight for vacationing members who call and ask. They carry jumper cables and first-aid kits. They are well practiced in searching for lost children and stray pets.

No security force can provide guarantees. However, their watchful eyes can be a preventive force, and therefore cost-effective deterrent to crime and unsafe situations in our community.

Vacation forms are available at the Mill Creek Community Association office or on the MCCA website: <http://www.mcca.info>. Please complete one if your home will be unoccupied for any length of time. Registered vacation homes are checked to ensure that doors and windows are closed. Security will pick up items left on your porch, delivering them to you upon notification of return.

Some residents do not want Security to stop and physically check their home. If so, simply mark the “drive by” box on the form; and provide an emergency contact and other information. Security will still know to keep a watchful eye on your home, even though they don't stop, and will report anything unusual to your contact person.

While our Security personnel provide a high level of personal service that many members have come to depend on, they are not police officers and they do not carry guns. If your concern should be reported to the Police, they will advise you to call **911** directly.

Covenant Enforcement

The Covenants are specifically designed to protect the desirability of all members' property. To that end, MCCA Member Volunteers and Staff work to educate residents relative to the provisions of the Covenants and By-Laws minimizing the need for enforcement. A summary of the rules can be found in the last three pages of this Guide.

Note: When MCCA and a Condo/Townhome Association have the same covenant, the Condo/Townhome Association makes the first enforcement action. MCCA will assist if requested by the Condo/Townhome Board of Directors.

Special Message to Off Site Members

To those who own an MCCA home and live off-site: We understand some of the problems associated with managing a property from a distance. We may be able to assist. A simple letter from our office is sometimes all that's needed to focus a renter's attention on taking care of your property.

As an owner, it is your responsibility to ensure that your property complies with the Covenants and By-Laws of MCCA.

Other Services Available to All Members

Service Provider Lists

The MCCA office has a list of service providers who have been recommended by residents in Mill Creek. MCCA cannot offer any guarantees or warranties that you will be satisfied with vendors on this list, we can only pass on names and telephone numbers from one member to another through the service provider list. You can obtain the list by visiting the office, or going to the MCCA website <http://www.mcca.info> and downloading the list there.

Community Involvement

MCCA depends on member participation to keep assessments at a minimum. Please participate by reading and providing feedback to our newsletter; The MILLSTREAM, completing surveys, attending monthly Board of Directors and committee meetings and calling or mailing opinions to the office at any time. Every member is strongly encouraged to attend the Annual General Membership Meeting, or at a minimum, to participate by returning proxy material as requested.

Members are also encouraged to serve on the various standing committees, short-term task forces and on the Board of Directors.

Please contact the Association office if you have any questions or wish to contribute in any way, (425) 316-3344.

Please sign up for our email notification service by logging into our website at www.mcca.info and logging in on the right hand side of the page. Community information and notices are sent out sparingly and you can easily unsubscribe if you are unhappy with the service.

Events

Through the Social Committee, MCCA currently sponsors four very popular events, the Easter Egg Hunt, the Santa Breakfast, the occasional Members Dinner and our ELF Awards (Holiday Home Lighting Contest).

Member Group Support

MCCA supports certain member organizations such as Mill Creek Garden Club, the West Coast Family Aquatics Center and the Mill Creek Women's Club.

HOW MCCA IS ORGANIZED

The Mill Creek Community Association was formed by its developer, United Development Corporation (UDC), on December 24, 1974. The MCCA Board of Directors consisted of four UDC employees and three MCCA members until 1982. Currently all seven MCCA Board of Directors are MCCA members and residents of MCCA.

Anyone who purchases a home, condominium or apartment complex within the original PRD of Mill Creek (or resides in a division that has been added by a two-thirds membership vote) is a voting member of MCCA. The Restrictive Covenants are provided to each property owner as part of their deed. Copies of all the Governing Documents are available from the Mill Creek Community Association office or available for download at <http://www.mcca.info>. The Board of Directors, staff, and members are legally bound to operate in accordance with the Governing Documents.

Members of MCCA elect the Board of Directors every year to serve the Association. Seven members serve staggered two-year terms. The Board depends on volunteer committees and staff for recommendations on certain issues. The board also uses member feed back to set MCCA direction and policy.

ASSESSMENTS

Members fall into one of three different Voting Power/Assessment Rate categories; 100 %, 75% or 50%. Rate assignments were made as each division was developed, and can only be changed by vote of two-thirds of the membership.

Assessment amounts are based on the budget requirements adopted by the Board of Directors. Assessments pay for the Member Services listed on pages 3 and 4. A copy of the budget is available from the Association office.

Assessments are due in full on July 1st each year. At this printing, assessment rates are:

100% Members	\$ 495.00
75% Members	\$ 371.25
50% Members	\$ 247.50

Assessment billing is mailed before May 31st, of each year. If you do not receive a bill by June 15th contact MCCA. ***It is, by Covenant, each member's responsibility to keep the office informed of the correct mailing address, phone number and property owner's name. Failure to do so does not release a member from responsibility for late fee or costs of collection.***

The delinquency procedures outlined in the Covenants are strictly adhered to; if the assessments are not paid by August 1st, they become delinquent and a late fee of \$25.00 or 5% (which ever is greater) is charged. A lien is filed on the property at 90 days of delinquency, and a fee of \$148.00 is charged. Any accounts over 180 days delinquent will have their lenders (if any) notified. In such event, the protection of the homestead exemption under RCW 6.13 shall not apply.

*** 75% and 50% Member assessments are collected by the division manager, not MCCA.**

WHICH NEIGHBORHOODS (DIVISIONS) ARE IN MCCA?

Members with 100% Voting Rights & Assessment Rates:

Aspen	Chatham Park
Cottonwood	Cypress
Douglas Fir	Evergreen
Fairway	Fairway Fountains
Heatherstone	Holly
Huckleberry	Juniper
Laurel	Magnolia
Red Cedar	Spring Tree
Sunrise	Sun Rose
Sweetwater Ranch	Swordfern
Vine Maple	Wildflower Park
Willow	Woodfern
Winslow	

Members with 75% Voting Rights & Assessment Rates:

Amberleigh	Belvedere Place
Emerald Heights	Fairwood Greens
Pembroke	The Pointe on 7 th

Members with 50% Voting Rights & Assessment Rates:

Copper Tree	Miller's Village I & II
Country Club Estates	Merrill Gardens
Country Place	Parkwood
Fairway Village I & II	St. Mortiz
Lakewood	Stratford Greens
Mill Lane	Surrey Park
Mill Run I & II	The Laurels Mill Creek
The Mill at Mill Creek	Trillium Court
The Master's	

MCCA AND THE CITY OF MILL CREEK

In 1983 the public voted to incorporate as a City. Subsequently, the City annexed the Highlands, and several other areas, making the City larger than the original PRD of Mill Creek. At the date of this publication, MCCA encompasses approximately 70% of the City of Mill Creek.

The City of Mill Creek and MCCA work as a team to provide the highest possible level of cost effective service to Mill Creek Community Association members. The respective staffs coordinate efforts. MCCA Security increases Police effectiveness by assisting with traffic control, emergency evacuation procedures, reporting sightings of specific vehicles or individuals, and other duties as requested by City Police. Security staff serves as an effective early warning system for police.

MCCA's road maintenance and street sweeping generally falls to the City of Mill Creek while common areas are maintained by MCCA crews.

PROJECTS REQUIRING PERMITS

Prior written approval is required for:

Storage Units, Pods, Dumpster etc

Used in your driveway for construction, storage etc.

Grading

Grading, clearing, removal or cutting of natural vegetation and/or stumps.

Trees

Removal or significant alteration (topping, limbing up, etc.) of any tree with a trunk measuring over eight inches in diameter at a point three feet above the surrounding high grade.

New Construction

New homes and their landscaping and drainage plans.

Fences

Fence installation or replacement.

Painting

Including re-painting an existing color. For verification purposes, we must have a sample of the intended colors.

Other Projects

Any significant change visible from surrounding properties, buildings, or streets. For example, additions & significant alterations such as re-roofing, additions to existing structures, garages, decks, gazebos, hot tubs, walls, rockeries, sport courts, patios, swimming pools, parking bays, significant landscape changes, play structures, tree houses, arbors, temporary storage units or dumpsters etc.

Landscaping Common Areas

See details under “Common Areas” in the Restrictions on Property Use section later in this Guide.

Please review the Architectural Guidelines. These are the factors the ACC is required to use to establish approval of the projects listed above.

HOW TO GET A PERMIT

- Pick up a submittal form at the Association office or download one from <http://www.mcca.info>
- Review the Architectural Guidelines for your project.
- Accurately identify the property lines of your property. This is your responsibility.
- Complete the submittal form and deliver to the Association office.
- (8.3.2) Committee must respond within thirty days.
- (8.3.3) Rejections must include reasons.

NOTE: MCCA approval does not fulfill City permit requirements. City permits are required on many projects including tree removal and construction. Each lot owner is responsible for fulfilling City requirements.

ARCHITECTURAL GUIDELINES *(Permit Approval Standards)*

Driveways & Parking Bays: (9.1.3) Must be constructed of concrete with a troweled, brushed or exposed aggregate finish, unless the Architectural Control Committee grants approval of other material. Gravel parking bays are not permitted. (By Board Resolution) new surfaces that abut existing surfaces must match as closely as possible. **A separate City permit is required.**

Fences: (9.1.1) Plans must be submitted for installation or replacement. Plans must detail the nature, kind, shape, height, color, materials and location. The lot owner is responsible for the accurate location of lot boundaries. The Committee will look for harmony of external design and location in relation to surrounding structures and topography. (9.1.10) Chain link or similar metal fencing is not permitted. Any fence facing a street or common property must be concealed with evergreen landscaping. (By Board Resolution) fences are not permitted in front yards. Fences are not permitted in the back or side yard of any golf course fairway lot except to enclose a swimming pool. The finished grade to the top of the fence shall be **no higher than six feet**; this includes hedges used as fences. Horizontal rails must face the property unless both sides of the fence are designed the same. Along collector roads (not inside a division) evergreen screening must be installed prior to installation of the fence. **A separate City permit is also required.**

Grading, Clearing, etc.: (7.1.7) Grading, clearing, removal or cutting of natural vegetation and/or stumps. A detailed grading plan must be submitted. It must show how adjoining properties will be protected from impact by water or soil, and must be approved by a licensed engineer. Tree removal will require separate approval, see below. **A separate City permit may be required.**

Heat Pumps, Propane Tanks, Solar Devices, Chimney Flues, Hot Tub Pumps, etc.: (9.1.8) Must be aesthetically concealed from view on all sides and shielded to minimize noise and safety impacts. **A separate City permit may be required.**

Landscape Completion: (7.1.9) landscaping must be completed within six months of occupancy, or one year from the date of, the final building inspection, whichever comes first. **A separate City permit may be required.**

Mail & Paper Delivery Boxes: (9.1.4 & Board Resolution) MCCA maintains mailbox hutches in single-family home divisions that do not have their own HOA inside MCCA. MCCA provides the labor to replace boxes & numbers as necessary. The owner pays for the materials. Original boxes are provided by the developer (United Development Corporation). Location and size of boxes are determined by the Post Office. Other division boxes are handled by the division Board of Directors. Newspaper delivery boxes are not permitted on the hutches. Owners in single-family divisions may purchase a locking mailbox from MCCA. MCCA will install it.

New Construction: (8.2.1) Building plans and specifications including roofing and siding materials, color indications, grading and landscape plans including any trees to be retained, must be submitted. Plans are reviewed by MCCA's professional architect. (9.1.9) No structural facade may be repeated on the same street. (7.1.8) Roof drains and storm drains must be connected to the public storm sewer system by the time the Certificate of Occupancy is issued. Exposed curb connections should be screened from view. See other Guidelines for roofs, drives, fences, etc. **A separate City permit is required.**

Painting: (9.1.1) Paint samples must be submitted, even if planning to re-paint the existing colors. We need the existing color on record before it is covered up. (By Board Resolution) all exterior colors must be earth tone transparent or semitransparent stain, or solid colors approved by the ACC. The Committee will approve colors that are in harmony with the rest of your division.

Roofing Materials: (9.1.2) All roofing material shall be limited to either cedar shakes, cedar shingles, earth-tone concrete tile, flat roofs with asphalt materials shielded from public view, or such other materials as the Board may from time to time designate by rule as being appropriate. All proposed installations of roofing materials must be approved in writing by the Committee before construction. **A separate City permit is required.**

Satellite Dishes, Antennas, Aerials, etc.: (9.1.6) The Association shall regulate the placement, installation and use of all outside aerials, antennas and satellite dish antennas. Prior written approval by the ACC committee shall be required prior to placement or installation of any aerial, antenna or satellite dish antenna upon any property governed by MCCA. All outside radio aerials/antennas and satellite dish antennas greater than 39 inches in length or diameter are prohibited. The ACC will work closely with the submitting member in an attempt to ensure the location is suitable for reception while minimizing the impact to the common areas and neighboring properties.

Tree Removal or Significant Alteration: (7.1.5) Removal or significant alteration of any tree requires prior written ACC approval. "Significant alteration" means topping, limbing, thinning, severe pruning, etc. (7.1.5, 8.2.2, & *By Board Resolution*). **A separate City permit is required.**

It is Architectural Control Committee and MCCA Board policy that all native old growth trees (those on-site before the structure) are protected and will not be removed unless the tree is dead, dying or dangerous, presenting immediate threat to life or property. Native species trees include douglas fir, red cedar, spruce and hemlock. The Committee may request an Arborist report if they are unable to determine the condition of the tree. If permission is granted for removal of native old growth trees, replacement is recommended on a 1 to 1 ratio with a **native species tree**. If removed without ACC approval, a fine may be levied and replacement required on a 2 to 1 ratio.

If the committee determines that a healthy native old growth tree, has been removed, without written permission of the ACC, a penalty of up to \$1,000 may be assessed for each tree removed. The MCCA Board of Directors will have final authority.

The violator will have the right to appeal the fine to the Covenant Hearing Board within 30 days of the receipt of notification of penalty.

Cutting preserve trees and native vegetation cannot be removed for any reason, including construction, fencing, etc., unless the tree or vegetation is dead, dying or dangerous. The Committee may request an Arborist report if they are unable to determine the condition of the tree.

Other Trees: (not Native Evergreens) By Covenant, the Association is responsible to insure the continued maintenance of MCCA as a "high-class residential district". Removal of dead, diseased or dying trees will be approved. Removal of healthy trees must be considered in relation to the aesthetics of the yard, and how it relates to other yards in the division. Information on planned replacement plants or trees, or long-term landscape plans must be submitted. Landscaping and non-native species trees that are 8" in diameter 3' from the ground or larger require approval for removal.

Any Other Additions or Alterations that are Visible from Adjoining Buildings or Properties:

(9.1.1) This includes re-roofing, additions to existing structures, garages, decks, sheds, walls, rockeries, sport courts, patios, hot tubs, gazebos, storage buildings, swimming pools, significant landscape changes, etc. The Committee will look for harmony of external design and location in relation to surrounding structures and topography. Where feasible, we recommend that out buildings be attached to or made part of the dwelling house. (9. 1. 1) Building plans, specifications including materials, plot plans and landscape plans must be submitted for approval. **A City permit may be required.**

RESTRICTIONS ON PROPERTY USE

Why have Restrictions?

The Restrictions exist to protect the desirability of members' property values and preserve the community as (7.1.3) "a high-class residential district". The following Restrictions are from the Declaration of Restrictive Covenants. Some have been further clarified by resolution of the Board of Directors. Numbers in parentheses refer to the appropriate section of the Covenants. If a member continually refuses to comply, Section 12.3 of the Covenants provides that legal action may be taken and that the Association's court costs and attorney fees are assessed to that member. This is a time consuming and costly process for all concerned. Experience shows that the sooner we are made aware of a problem, the better are our chances of finding a solution without resorting to the legal system.

All residents, owners and employees are encouraged to contact MCCA as soon as they notice a potential problem in the community. If you're not sure about a violation, please call. We may be working with a resident on it, or you may be the first to report the violation. The name of the person or entity filing the Enforcement Request is confidential. Anonymous enforcement requests are not accepted and all requests are verified for accuracy before any action is taken. Once verified, the Association becomes the complainant.

Most residents of MCCA are in compliance with the Declaration of Restrictive Covenants. Some residents were not made aware of the Covenants before they purchased their home and need gentle

reminders from time to time. Only a very few are repeatedly out of compliance. These Restrictions exist to protect your property values, and the property values of all MCCA members.

Common Areas: (7.1.5) No one shall remove or significantly alter any tree in any street, right-of-way, park or recreational area or other part of the common properties unless permission in writing is first granted by the Association. *By Board Resolution* common areas may not be reserved for the exclusive use of any less than all MCCA members and their guests without a Board approved contract. (10.2) If approved in advance and in writing by the Association, an owner may landscape certain specific portions of common property. Members who get approval to landscape have a maintenance obligation that is binding on the current and all future owners of that lot and may not be constructed as conveyance of ownership. Further, no member will be permitted to fence off or restrict access to landscaped common property adjacent to his/her property.

Cordwood: (7.1.3) Must be screened from view from the street. Tarps and other similar covers are **not** considered proper screening.

Exterior Surface Maintenance: (7.1.3) Painted or stained surfaces must be maintained. Surfaces that are water stained, faded, uneven, or blotchy, have peeling or blistered paint, or show raw wood must be corrected. Fences that are mossy or discolored must be cleaned and properly maintained.

Flyers & Notices: (7.1.3 & the Post Office) Flyers, notices, etc. are not permitted on mailboxes or their hutches. Please help by notifying Security (328-0035) if you see someone attaching them. Please remove any on your hutch. Security brings a sample to the office. The office contacts the person responsible. The Post Office may bill the responsible party for postage.

Garage Doors: (*By Board Resolution*) Security personnel have been directed to call residents to let them know that their garage door is open after midnight. Anyone who does not wish to be called must file a waiver with the Association office. **Note: We cannot provide this service unless we have your telephone number.**

Garage Sales: (9.1.5) (*By Board Resolution*) MCCA does not enforce the "No Signs" Covenant on Garage Sale signs that are posted on the first Saturday of May or October. This is in support of the popular City wide garage sales that take place on these two days. Anyone may participate by simply opening his or her garage door on those days. The City in the past has helped organize traffic control efforts on garage sale days. Garage Sale signs are not permitted on other days.

Pets: (7.1.1) Only domestic dogs, cats and caged birds are permitted. No pet is permitted to run at large, or be bred for commercial purposes. By City ordinance anyone walking a pet must have on their person equipment for removing droppings and their pet on a leash. Droppings must be immediately removed from common areas. It is illegal to deposit droppings in litter containers. Trash removal employees will not knowingly remove it. Chain link and metal dog pens are not permitted.

Recreational Vehicles: (7.1.4) Motor homes, campers, trailers and boats must be stored in a garage or must be screened from view from the street and adjacent properties. *(By Board Resolution)* recreational vehicles may be kept in a driveway or ACC approved parking bay on an occasional basis, for up to twenty-four hours for loading and unloading prior to or upon return from a trip. "Occasional" has been defined as two times per month. Security must be notified. Boats, campers, camper tops, trailers, etc. are not permitted in any area visible from the streets, neighboring properties, recreation or common areas.

Signs: (9.1.5) The only permitted signs are: One 18"x 24" or smaller For Sale or For Rent sign. In single-family home divisions the sign must be on the lot, it represents. For those with a division Association, check with your Board of Directors about permitted sign location. *(By Board Resolution)* Family name and/or address signs in harmony with surroundings are permitted with prior written ACC approval. Alarm and other similar signs must be in windows, not yards. Garage Sale signs are permitted only on the first Saturday of May and October. **Washington State enacted State Law SB 6064 that prevents homeowners' associations from prohibiting political yard signs by owners or residents on their own property within the association. Governor Gregoire signed the bill into law on April 22, 2005. The new law allowed homeowners associations to set reasonable guidelines for political signs.**

The Mill Creek Community Association Board of Directors unanimously approved guideline below at their regular meeting held on July 20, 2005.

Political yard signs will be allowed during the period 60 days prior to and 3 days following a general or primary election. The sign must be a minimum of 20 feet from the street, and the height may not be more than 4 feet above the ground. The total sign area for an individual residence may not exceed 6 square feet.

Trash Containers: (7.1.6) All trash must be in suitable containers. All trash containers must be substantially shielded from view from adjoining properties and from the street. Yard waste may be left, properly bundled, by the street, for up to twenty-four hours. *(By Board Resolution)* containers may be left by the street for up to forty-eight hours.

Vehicle Parking/Storage: (7.1.4) Parking and storage of any vehicle with advertising logos, work related equipment and/or racks for attachment of work equipment or that is not properly maintained (damaged, neglected, rusted or aesthetically unappealing, etc.) is prohibited on properties within the Association.

Unacceptable Activity: (7.1.3) Noxious or offensive activities are not permitted. Nothing may be done or maintained on any property that is, or could become, an annoyance or nuisance, or "detract from the value of the community as high-class residential district".

Vacant Lot Maintenance: (10. 1) Lots must be maintained in reasonably presentable condition, i.e., no debris, waste material, dead vegetation, etc. is permitted. (*By Board Resolution*), naturally occurring grasses and weeds must be maintained at a height less than six inches. (10.4) If out of compliance the Association may, after reasonable notice, hire a company to get the work done and assess and lien the owner.

Yard Maintenance: (7.1.3) (*By Board Resolution*) Yards must be kept mowed, weeded, edged, fertilized and watered. Trees and shrubs must be maintained and watered, and dead vegetation removed. Tree stumps must be aesthetically incorporated into the landscape. Loose fence boards and rotted or defective posts or boards must be promptly repaired or replaced. Sagging or leaning fences must be repaired. Fences and hedges used as fences must be maintained at a height not to exceed six feet, (7.1.4) including City Right of Way areas. Easements must be maintained in keeping with the rest of the property. (7.1.6) All trash must be in suitable containers and screened from view between pick-up days. Animal feces must be removed from yards regularly for health reasons.

Home Businesses: (*By Board Resolution*) You must apply to the MCCA office for permission to have a home business. The consensus of the Architectural Control Committee and the Covenant Committee is that only those businesses that can operate in such a manner as to be invisible to residents and visitors to the neighborhood should be allowed within the MCCA. Washington State law supports the enforceability of "residential purposes only" covenants as long as they are reasonably enacted and enforced.

"No commercial activity (retail, service, distribution, assembly, manufacturing, etc.) shall be permitted on any residential lot or in any residential living unit except as may otherwise be approved or authorized in accordance with the plat of Mill Creek of the declaration of Restrictive Covenants of Mill Creek Community Association. The Association may permit certain home-based commercial activity to be conducted if allowed by law, and if such conduct will not, in the reasonable judgment of the Association, cause disruption of the residential character of Mill Creek. No home-based commercial activity shall occur without the prior written consent of the Board of Directors."

Existing businesses will not be exempt.

If you have any questions regarding any of the information contained in this guide please call the Mill Creek Community Association office at (425) 316-3344.