

GENERATION CLUSTER ASSOCIATION
Policy Resolution No, 2007 – 1
(Establishing a Parking Policy and Rules and Regulations)

WHEREAS, Article IV, Section 1 of the Bylaws of Generation Cluster Association (“Bylaws”) provides that the affairs of the Association shall be managed by its directors; and,

WHEREAS, Article VII.2 of the Protective Covenants (Deed of Dedication of Reston) provides that a Cluster Association member’s use and enjoyment of Cluster Common Area is subject to such reasonable rules and regulations, including parking rules, which may be promulgated by the Board of Directors; and,

WHEREAS, Article II, Section 3 of the Declaration of Covenants, Conditions and Restrictions (“Declaration”) and Article X, Section 3 of the Bylaws of Generation Cluster Association (“Bylaws”) provide that the Association can assign one designated reserved parking space to each Lot; and,

WHEREAS, the Board of Directors has previously adopted rules and regulations relating to the parking of vehicles on the Property; and,

WHEREAS, the Board believes it to be in the best interests of the Association to revise and update the rules and regulations relating to the parking of vehicles on the Property.

NOW THEREFORE, be it resolved that the Board of Directors hereby adopts the following policy, rules and regulations regarding the parking, use and maintenance of vehicles upon the Cluster Association Property and hereby revokes all other rules, regulations and policy resolutions regarding these subjects:

Overview of Cluster Association Parking Plan Policy

Each Lot will retain its current reserved parking space for the exclusive use of household members and guests. All other parking spaces in the lot are unreserved and may be used by eligible vehicles. The regulations allow each Lot to have two (2) vehicles on Cluster Property, with allowance made for one additional vehicle for those residents who can show a need for a third resident vehicle. **The third vehicle with an overflow sticker must be parked in Overflow Areas**—unreserved spaces on upper Generation Drive and parallel parking on Millennium Lane. **There will no longer be any grandfathered allowances for more than three vehicles.** Residents with more than three vehicles must park on Glade Drive, or find other alternative parking. Stored vehicles will no longer be allowed. (See Section 2.5).

Visitors may park in any unreserved parking spaces or reserved parking of the resident of the Lot they are visiting. Visitors who will park in the Cluster must display a guest permit in their vehicle. (See Section 3.2).

Motorcycles belonging to a resident must be parked in the reserved space and may share the space with another vehicle. (See Section 1.4).

Vehicles of residents will be identified on the lot by a resident parking permit sticker, which must be visibly displayed in the vehicle. The **required** place for the permit sticker is on the lower left side of the rear window. The Cluster Association's Management Company, TWC Association Management ("Management Company") will be in charge of distribution of all parking permits. Each Lot will receive two (2) resident primary parking permit stickers and one (1) guest parking permit hangtag. Residents may apply for an overflow parking permit for a third resident vehicle. Resident and resident overflow parking permits are not assignable or transferable. Applications for the resident overflow permits must include proof that all three (3) resident vehicles are vehicles owned by residents whose primary place of residence is the Lot.

Commercial vehicles are defined and shall not be allowed to park in Generation parking areas overnight. (See Section 1.3.1). Recreational vehicles are prohibited. (See Section 1.3.2). PODS or similar storage containers may occupy the resident's assigned parking space for not more than one month, and TWC must be notified of the intent to use such a storage container. (See Section 2.4).

Enforcement of the parking policy will be by patrol of a contract towing company. A vehicle is subject to immediate towing without notice to the vehicle owner if the vehicle is (a) parked in a designated fire lane or within fifteen feet of a fire hydrant; (b) not displaying a valid resident parking permit sticker, guest parking permit hangtag, or resident overflow parking permit in or on the vehicle; (c) improperly parked in a reserved parking space of another Lot; (d) in repeated violation of the rules in section 4.2.3, or (e) constituting a safety hazard. (See section 4.2.2)

The Board of Directors may modify the rules or the assignment of reserve parking spaces in order to accommodate unusual circumstances involving individual Lot owners.

Section 1: General Information

1.1 All vehicles must have current and valid license plates and safety inspection stickers. Vehicle owners must comply with all applicable laws, ordinances, and regulations of the Commonwealth of Virginia and Fairfax County, Virginia governing the operation and registration of motor vehicles.

1.2 Owners, their tenants, employees, servants, agents, visitors, licensees and the families of owners shall obey all parking and vehicle covenants and rules and regulations of the Reston Association and the Generation Cluster Association (“Cluster Association”).

1.3 The Cluster Association common area private streets, courts, and parking areas are private property and, as such, only Cluster Association members, their tenants, employees, servants, agents, visitors, licensees, and the families of Cluster Association members may park there.

1.3.1 No commercial vehicles shall be parked overnight in common area parking lots and private streets. For purposes of this policy resolution, the term “commercial vehicle” shall mean: (i) any special purpose vehicle including, but not limited to, tow trucks, dump trucks, hearses, tractors, ambulances, or construction vehicles and equipment, unless these vehicles are performing services on the Property; (ii) any vehicle with commercial signs, advertising or visible commercial or business equipment; (iii) any vehicles for hire (e.g. taxis, limousines); and (iv) any vehicle defined by the Virginia Code or the Fairfax County Code as a commercial vehicle.

1.3.2 The parking or storage of Recreational Vehicles on Cluster Association Property and the Lots is prohibited. For purposes of this policy resolution, the term “recreational vehicle” shall include the following vehicles: camping trailers, camper vans, truck and van campers, travel trailers, motor homes, boats, and vehicle trailers or any kind of similarly designed vehicle.

1.4 Every vehicle on Cluster Association Property must be parked within the confines of a designated parking space. Designated parking spaces shall be marked by lines drawn on the parking lot and signs posted around the Cluster Association Property. Vehicles not parked in a designated parking space may be towed following a warning notice and non-qualified vehicles (as specified in Sections 2 and 3 of this policy resolution) may be removed by towing without notice to the owner. Motorcycles shall be parked in the reserved parking spaces assigned to the Lots where motorcycle owners reside or are visiting. One (1) motorcycle may share the space with one additional vehicle provided that both vehicles can be parked within the confines of the designated parking space. If the motorcycle owner chooses to park in an unreserved space, the motorcycle must display one of the residents assigned parking stickers. Owners of motorcycles may use no more than 2 (two) parking spaces in the primary parking area for their vehicles.

1.5 The parking areas are designated as primary parking areas and overflow parking areas (see attached site plan).

1.5.1 Primary parking areas are defined as the spaces directly in front of the Lots. A **maximum of two (2)** resident vehicles from each Lot may be parked in the primary parking areas. Visitors may also park in the primary parking areas in any unreserved space.

1.5.2 Overflow parking is defined as the parallel parking on Millennium Lane and the unreserved parking spaces at the upper end of Generation Drive before the speed control humps. Vehicles with valid resident primary parking permit stickers and guest parking permit hangtags may be parked in the overflow parking areas. A Lot having a third resident vehicle **must** park the third vehicle in the overflow area and the vehicle must display a resident overflow parking permit.

1.6 Parking on Cluster Property shall be regulated by a parking permit policy as described in Sections 2 and 3 of this plan. Resident Parking regulations are described in Section 2. Visitor Parking regulations are described in Section 3 of this Policy Resolution.

Section 2: Resident Parking

2.1 Each Lot shall have one (1) specifically designated reserved parking space for the exclusive use of that Lot's residents and their guests.

2.1.1 Locations of designated parking spaces shall be determined by the Board of Directors.

2.1.2 Designated reserved parking spaces shall not be left empty except for those times when residents are not at home, the house is empty, the parking space is being saved for someone who will arrive later in the day, or some other emergency condition exists (such as snow or dangerous ice in the spot).

2.2 **A maximum of three (3) resident vehicles per Lot may be parked at one time on Cluster Association Property.**

2.3 Every resident vehicle must visibly display a parking permit.

2.3.1 Each Lot will receive two (2) primary permits. Vehicles displaying the primary permits may park in the reserved space assigned to the Lot and any unreserved space on Cluster Association Property.

2.3.2 A resident overflow parking permit, which is a different design than a resident primary permit sticker, may be obtained for the resident's third vehicle. **Vehicles displaying the overflow permit shall only park in the overflow areas.** (See attached site plan.)

2.3.3 In the event permits are lost, a \$50 fee will be charged in order to obtain a replacement permit. Waiver of the \$50 fee may be considered by the Board under extenuating circumstances. Residents will require Board authorization to obtain a new permit.

- 2.4 PODS or similar storage containers may occupy the assigned parking space of the resident for no longer than a month. The resident must notify the Management Company when such a storage container will arrive and the date it will be removed. If the resident owns two vehicles, one of those vehicles must park in the overflow area or on Glade Drive during the duration of the storage container rental. Failure to abide by these regulations will result in the assessment of a monetary charge of \$10.00 per day until such time as the container is removed.
- 2.5 Parking a vehicle anywhere on Cluster Association Property for more than forty-five (45) days without regular use, either covered or not, is prohibited. Simply moving a vehicle from one spot to another does not constitute use. Such stored vehicles will need to be moved to premises away from Cluster Association Property for continued storage. Exceptions may be made for people deployed to other areas for extended periods, i.e. military or government employees, unless their residence is leased to other occupants who will be using the parking spaces. The Management Company must be notified about the intent to store vehicles on Cluster Association Property during an extended absence.
- 2.6 Parking privileges may be suspended or revoked at such time that an owner is in violation of the Virginia Property Owners' Association Act or Cluster Association Bylaws or Rules and Regulations.

Section 3: Visitor and Guest Parking

- 3.1 Visitors and guests may park in any unreserved parking space, the overflow parking area, or the reserved parking space assigned to the Lot of the resident he or she is visiting.
- 3.2 Each Lot will receive one (1) guest parking permit hangtag. Visitors and guests must visibly display the guest parking permit in their vehicle. A visiting vehicle shall not use the guest permit for a period of longer than 2 weeks at any one stay.
- 3.3 **The use of guest parking permit tags in resident vehicles is prohibited.**

Section 4: Notification and Enforcement

- 4.1 Notification of Regulations
 - 4.1.1 All owners and residents of Generation Cluster will receive a copy of these regulations and a schematic of the parking lots showing each resident's designated reserved parking space.
 - 4.1.2 Parking signs shall be displayed at the entrance to Generation I and Generation II to disclose the permit policy, fire lane policy, and 10 MPH speed limit for the cluster.

4.2 Enforcement of Regulations

- 4.2.1 The Board of Directors may have any vehicle not in compliance with these regulations removed from Cluster Association Property. The Board may delegate this authority to the Management Company. The owners of Lots are authorized to have a vehicle removed from the reserved parking space assigned to the owner's Lot. The Lot owner assumes all liability for damages sustained by a vehicle owner for a wrongful towing of a vehicle from the reserved parking space assigned to the owner's Lot.
- 4.2.2 **Violations Subject to Immediate Action: Any vehicle (a) parked in a designated fire lane or within fifteen feet of a fire hydrant, (b) not displaying a valid resident parking permit sticker, guest parking permit hangtag, or resident overflow parking permit in or on the vehicle, (c) improperly parked in a reserved parking space of another Lot, (d) in repeated violation of the rules in section 4.2.3, or (e) constituting a safety hazard, shall be subject to immediate towing without notice to the vehicle owner.**
- 4.2.3 Violations Subject to Notice Before Action is Taken. The owner of a vehicle not in compliance with all other parking rules and regulations and covenants shall be notified of the violation by the posting of notice on the vehicle. If the violation is not corrected within seventy-two (72) hours, the vehicle may be removed from the Property by towing. Subsequent violations of these rules within a twelve month period shall subject the vehicle to immediate towing without notification to the vehicle owner and suspension of parking privileges.
- 4.2.4 Failure to Pay Cluster Association Assessments. The Board of Directors reserves the right to suspend the parking privileges assigned to a Lot if the Owner of the Lot fails to pay any assessment due to the Cluster Association within sixty (60) days of the due date until all assessments are paid in full including costs of collections and any reasonable attorney's fees associated with the collection of the assessment debt. Before parking privileges are suspended, the Owner of the Lot shall be afforded the right to a hearing before the Board of Directors in accordance with the requirements of Section 55-513 of the Virginia Property Owners' Association Act.
- 4.2.5 The Cluster Association reserves the right to exercise all other powers and remedies available to it under the Reston Association governing documents, the Cluster Association governing documents, and Virginia law, including, but not limited to the right to assess charges and suspend privileges pursuant to and in accordance with the requirements of Section 55-513 of the Virginia Property Owners' Association Act.

Effective this _____ day of _____, 2007. This Resolution shall supersede and replace any previously-adopted Policy Resolution regarding parking on the Cluster Association Property.

GENERATION CLUSTER ASSOCIATION

By: _____
Joan Eimas, President

ATTEST:

I, _____, Secretary of the Generation Cluster Association, hereby attest that the foregoing Policy Resolution No. 2007-1, was duly adopted by the Board of Directors on the _____ day of _____, 2007.

Secretary

CERTIFICATE OF MAILING

I, Kim Hendon, Community Manager for Generation Cluster Association, hereby certify that a copy of the foregoing Policy Resolution No. 2007-1 was mailed, postage prepaid, to all unit owners of the Association on the _____ day of _____, 2007.

Kim Hendon, Community Manager
TWC Association Management