

The Reserve at Pinewood Lakes Policy Paper No. 6 - Vehicle Parking

Effective Date: January 28, 2021

Last Revision Date: None

Ratified: May 3, 2022

CC&R References: CC&Rs: §4.9(a), §4.9(c), §4.9(g), §4.9(h)

Vehicle Parking Policy

Preface: Vehicle parking has been a consistent common source of complaints to the Reserve HOA Board. By far, the vast majority of CC&R violations issued in “The Reserve” involve vehicle parking. The Board receives complaints that residents are not complying with the CC&R parking regulations, however, when the Board or HOA Management Company notifies the Resident of the violation, in many cases, the notification is ignored or strongly contested. The purpose of this policy is to clarify the expectations and requirements for parking vehicles on the private streets and private driveways; and to provide a waiver process for situations in which meeting these requirements is unreasonable.

Background:

and private driveways.

The CC&Rs (§4.9(a), §4.9(c), §4.9(g) and §4.9(h)) address vehicle parking in the streets

Specific CC&R language related to these issues is stated below:

§4.9(a): "all on-street parking shall be limited to those specific areas where on-street parking is not expressly prohibited;"

§4.9(c): "no motor homes, motor coaches, campers, trailers, snowmobiles, aircraft, boats, recreational vehicles, all-terrain vehicles, abandoned or inoperable vehicles (that is, any vehicle which has not been driven under its own propulsion for a period of seven (7) days or longer), oversized vehicles (that is, which are too high or wide to clear the entrance of an approved residential garage door opening), dilapidated or unrepaired and unsightly vehicles or similar equipment such as snow removal equipment, garden maintenance equipment and all other potentially unsightly equipment and machinery shall be placed on any portion of the Property including without limitation, streets, parking areas and driveways, unless the same are enclosed by a structure concealing them from view in a manner approved by the Design Committee or Modifications Committee, as applicable;"

§4.9(g): "No vehicles of persons residing in a residence or employed in the residence shall be regularly parked on the streets;"

§4.9(h): "Vehicles of residents residing in a residence or employed in the residence shall be garaged when not in use."

In summary, there is confusion as to whether parking is allowed in the streets and if so for how long. Our streets are private so it is unclear as to whether parking is covered by the City of Star street parking 72 hour limitation. Additionally, it is not clear how long vehicles can be parked in driveways and if so, for how long. CC&R §4.9(c) prohibits any type of recreational vehicle, equipment, or machinery from being parked on the property or streets unless garaged. CC&R §4.9(g) prohibits residents from regularly parking in the streets and CC&R §4.9(h) states that vehicles of residents shall be garaged when not in use. Also, there are no provisions or waivers for unique/unavoidable situations a resident may encounter.

To provide reasonable guidelines for vehicle parking in the streets and driveways, the Reserve HOA Board has adopted the following vehicle parking regulations:

Parking Regulations:

1. Street Parking is prohibited except for the following situations:
 - a. Residents may park an RV, boat or trailer or similar in the street adjacent to their lot for up to 24 consecutive hours and no more than 48 total hours during a one-week period for loading, unloading, cleaning and servicing if it is too large to fit in the driveway. The resident shall place warning cones around the vehicle. The use of “pop-outs” on the street side of the vehicle is prohibited after dark unless a waiver is approved
 - b. No overnight street parking by guests is permitted unless a waiver is approved by the Board.
 - c. Construction vehicles and related equipment may park in the street adjacent to the Property in which the work during daylight hours only is being conducted for up to one week. Warning cones shall be placed around the vehicle(s)/equipment. Parking for after dark shall only be allowed if a waiver is granted by the Board.
 - d. Routine maintenance and delivery vehicles (lawn mowing, landscape maintenance, etc.) may park in the street for no more than eight (8) hours in a one-week period.

2. Driveway Parking for extended periods is prohibited except for the following situations:
 - a. Guests of residents may park in the driveway for up to one week.
 - b. Residents may park an RV, boat or trailer or similar in their driveway for up to one week for loading, unloading, cleaning and servicing.
 - c. Construction vehicles, maintenance vehicles and related equipment may be parked in the driveway for up to one week.
 - d. New residents moving in will be allowed to park in the driveway for 30 days following commencement of moving in to allow time to unpack and situate furnishings that may be stored in the garage.

Waivers:

The Board may grant waivers to the above Parking Regulations for unique and or unavoidable and or hardship situations. Waiver requests for a period of three days or less can be made by contacting the HOA Management Company who may either approve the waiver if it meets the guidelines established by the Board or if it does not meet guidelines, the HOA Manager will consult with the HOA President for an approval decision. The decision will be sent via email or phone. If the waiver request is for a period longer than three days, the request shall be made to the HOA Management Company on a form prescribed by the Board. The HOA Manager will forward the waiver request to the Board for consideration. Waivers if granted, will be for a specified period of time. The applicant will receive a response of the Boards decision via email from the HOA Management Company.

Waivers will not normally be granted for situations when available garage parking is being used for RV storage, non-primary use vehicles, material storage, etc. when the use of RV storage lots and other storage facilities are reasonably available and would resolve the issue.

The Reserve at Pinewood Lakes

Community Mgr.

Parking Waiver Request Form

Name: _____

Date: _____

Address: _____

Phone: _____

Requested time frame for Waiver: Start date _____ End date _____ ***

Reason for Waiver Request. Check box(s) below.

Primary vehicle too large to fit in garage. If so, please provide the following:
vehicle make _____ color _____ license number _____

More Primary Vehicles* than total Garage Spaces**. If so, please provide the following:
List of the drivers in the household _____
vehicle make _____ color _____ license number _____

Temporary guests or family members staying longer than one week.
vehicle make _____ color _____ license number _____

Construction activity lasting longer than one week. Please provide a schedule for the construction activity.

Other / Additional Information. Please explain: _____

Applicant signature _____ Date _____

* * * * *

HOA Use Only:

Waiver approved. The Waiver approval period is from _____ to _____

Special conditions include: _____

Waiver denied.

Board Dir _____ Date _____

Board Dir _____ Date _____

Board Dir _____ Date _____

* Primary Vehicle: The vehicle normally used by the licensed driver for day to day activities.

** Garage Spaces: The total number of available vehicle parking spaces in the garage when it is totally empty.


*** Both start and end date is required

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Ratified May 3, 2022 by The Reserve at Pinewood Lakes HOA Board.



William Kinard, President



Date