

# **Foothills Reserve Master Owners' Association**

## **On-Street Parking Variance Policy**

**Approved on 5/19/2025**

The Foothills Reserve Master Owners' Association ("Association") hereby creates this On-Street Parking Variance Policy for the purpose of delineating on-street parking variance guidelines and establishing a process through which an Owner may request a parking variance.

### **Authority to Create and Adopt Rules**

Pursuant to Article V, Section 5.3 of the of the Foothills Reserve Master Owners' Association's ("Association") CC&Rs, in relevant part,

[b]y a majority vote of the Board, the Association may, from time to time and subject to the provisions of this Declaration, adopt, amend, and repeal rules and regulations to be known as the Foothills Reserve Rules. The Foothills Reserve Rules may restrict and govern the use of the Common Area by any Member or Resident, by the family of such Member, or by any invitee, licensee or tenant of such Member; provided, however, that the Foothills Reserve Rules shall not discriminate among Members and shall not be inconsistent with this Declaration, the Articles and the Bylaws.

Furthermore, pursuant to Article V, Section 5.5 of the CC&Rs, in relevant part,

[t]he governing documents for any Sub-Association must specify that such association and the rights of its members are subject to the provisions of this Declaration, the provisions of the Articles and Bylaws of the Association and the provisions of the Foothills Reserve Rules and Architectural Guidelines.

Based on the foregoing, the following guidelines and procedures shall apply to each Member of the Association, including the members of any Sub-Association.

### **On-Street Parking Variance Guidelines**

Pursuant to the Association's Parking Policy and Section 4.1.22 of the Association's CC&Rs, no Owner, Resident or guest shall park on the Association's streets from the hours of **dusk to dawn** without the prior consent of the Association's Board of Directors.

The purpose of the on-street parking variance request process is to permit on-street parking for single-day events such as celebrations, subject to the limitations further set forth below:

1. No variance shall be granted for overnight parking. Vehicles on the street after 11:59PM are subject to parking violations.
2. Guest vehicles from an approved On-Street Parking Variance must park on the same side of the street as host residence making sure that they do not block driveways or fire hydrants and are not on curbed bump outs.
3. The Owner requesting the variance shall assume responsibility for on-street, safe vehicle passage for neighbors and emergency vehicles.
4. On-Street Parking Variance requests must be sent via email to [PARKINGFOOTHILLSRESERVEHOA@gmail.com](mailto:PARKINGFOOTHILLSRESERVEHOA@gmail.com) They should be done with as much notice as possible, but no later than one business day notice. You will get approval/denial reply within two business days.
5. In the event an on-street parking variance request is granted to a renter/tenant, the Lot Owner shall assume the responsibilities set forth above.

### **On-Street Parking Variance Request Process**

To request an On-Street Parking Variance, an emails must be sent to [PARKINGFOOTHILLSRESERVEHOA@gmail.com](mailto:PARKINGFOOTHILLSRESERVEHOA@gmail.com) The email request must include the following:

- 1) Owner/Tenant full name
- 2) Date the parking variance request.
- 3) Number of vehicles.
- 4) Year, make, model and license plate number, if possible, of the vehicles that will be on the street. This will help administer violations more efficiently.
- 5) Reason for exception request. For example: Birthday party, Diamondback's play-off gathering, etc. (enough detail for a decision must be provided)

Additional policy guidelines include the following:

- A) If an unplanned circumstance arises, member/tenant can submit an Unplanned Variance request the evening of with all the same information required for a pre-approved variance and that will be taken into consideration after the fact, for any resulting parking violation.
- B) Additional scrutiny will be given to member/tenants submitting more than five unplanned in 60-day period and/or on consecutive days.
- C) Any member/tenant found to be abusing this exception process will be denied future exception request privileges and issued violations in accordance with HOA rules and guidelines.