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# *AUBURN COMMUNITY ASSOCIATION*

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Date: July 2014  
To: Auburn Homeowners  
From: Scott Adam, Community Manager  
Re: Proposed Rule Change – On-street Parking Permit Rule

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Dear Auburn Homeowner/Resident:

An On-street Parking Permit Rule was recently mailed to the membership for your review and comment. The Board of Directors reviewed and considered your comments during the Board meeting held on June 18, 2014. After careful review and consideration, the proposed rule change was adopted as presented.

Should you have any questions regarding the change, or would like to obtain another copy, please contact Management at 949-450-0202 or via email at [sadam@actionlife.com](mailto:sadam@actionlife.com).

In addition, please see enclosed information regarding the parking permit program.

## **On-Street Parking Permit Rule Adopted June 18, 2014**

Background. Section 2.5 of the Auburn Covenants, Conditions, and Restrictions (CC&Rs) requires that each Auburn condominium maximize the use of their garage parking space. Specifically, CC&R paragraph 2.5.3 requires that each owner ensure that their condominium's garage will accommodate parking for two Authorized Vehicles as described in CC&R paragraph 2.5.1. CC&R paragraph 2.5.3 also requires that the resident's automobiles be parked inside their garage.

All Auburn owners are required to abide by the Auburn CC&Rs, including the use of their garage space for vehicle parking. However, historical experience has confirmed that Auburn's owner-residents and renters from off-site owners demonstrate limited compliance with these CC&R garage parking requirements.

Responding to oft expressed long standing concerns by many Auburn residents, Auburn is implementing a parking pass requirement for overnight parking on Auburn owned streets. This parking pass requirement has three components:

- Section I – A procedure to recognize and allow overnight parking by Authorized Vehicles unable to use condominium garage space on a routine basis, and
- Section II – A procedure to recognize and allow occasional overnight parking by Authorized Vehicles belonging to visitors to Auburn addresses, and by vehicles belonging to Auburn residents which are usually parked in condominium garage or driveway space.
- Section III – Enforcement procedures for parking described in Sections I and II.

### Definitions.

- Authorized parking space – any legal parking space, used on a first-come first-served basis, on Auburn owned streets.
- Authorized Vehicle – as defined in paragraph 2.5.1 of the Auburn CC&Rs – see the “References” section below.
- Overnight parking – use of authorized parking spaces on Auburn streets at any time between 7:00 PM and 07:00 AM.
- Prohibited Vehicle – as defined in paragraph 2.5.2 of the Auburn CC&Rs – see the “References” section below.
- Resident – owners who reside in their own condominiums and renters who rent from owners not residing in their own condominiums (here-in-after referred to as residents or Auburn residents).

Auburn Owned Streets. The Auburn Community Association owns, and is responsible for the maintenance of the following streets:

- Lockford – entire street
- Hayward – entire street
- Talmadge – between Olivehurst and Lockford

These streets are recognized by the City of Irvine as California Vehicle Code (CVC) enforceable.

Note – Olivehurst is owned by the Northpark Maintenance Association. Parking along Olivehurst is not within the scope of this Rule; however Auburn owners are urged to abide by the spirit of this Rule with regard to their parking along Olivehurst.

Rule Application. This Rule applies to:

- All Auburn residents.
- All planned and routine overnight parking of Authorized Vehicles operated on a routine basis by residents on Auburn owned streets.
- All occasional overnight parking by Authorized Vehicles on Auburn owned streets by residents and their guests.

Rule Purpose. This Rule's purpose is to maximize the authorized on-street parking space available to visitors to the residents of Auburn.

References. The following excerpts from the Auburn CC&Rs are germane:

- Paragraph 2.5.1 Authorized Vehicles – standard passenger vehicles including automobiles, passenger vans ( $\leq$  10 person capacity), motorcycles, and pickup trucks (capacity of one ton or less).
- Paragraphs 2.5.2 Prohibited Vehicles – recreational vehicles, commercial-type vehicles, busses, passenger vans ( $>$  10 person capacity), vehicles with more than two axles, trailers, inoperable vehicles, and any other vehicle not classified as Authorized. Vehicles qualifying in both categories are presumed to be Prohibited Vehicles.
- Paragraph 2.5.3 General Restrictions – must maintain two four wheel Authorized Vehicle spaces in each garage, must use the garage spaces for up to two vehicles.
- Paragraph 2.5.4 Parking Regulations – Auburn Community Associate shall adopt reasonable rules and regulations regarding the parking of vehicles along the private streets and/or otherwise within Auburn which are not in conflict with applicable law.

## **Section I – Resident's Vehicles Unable to Use Garage/Driveway Space**

On-Street Permit Parking Program Description. Residents with more vehicles than the combined parking capacity of their garage plus driveway (if any – see below) will be eligible to routinely park their additional vehicles, if they meet the above definition of an Authorized Vehicle, in on-street authorized parking spaces. In addition, residents possessing Authorized Vehicles that do not physically fit in the available garage space (e.g., one ton or less pickup truck that is longer than the resident's garage dimension) will be similarly eligible.

On-street overnight parking permits will be issued for specifically approved vehicles, as described below, will be permanently attached on the back window (driver's side), and

will not be transferrable between vehicles. On-street parking availability will be on a first-come, first-served basis; i.e., a vehicle with an on-street overnight parking permit is not guaranteed a parking space.

Olivehurst residents with additional Authorized Vehicles, as described above, who desire to use Auburn owned streets for overnight parking as defined above, are also eligible for on-street parking permit(s) as described here-in.

#### Authorized Vehicle On-Street Parking Permit Eligibility.

- Within Auburn there are three garage or garage/driveway combinations that effect eligibility for On-Street Parking Permits. These configurations are:
  - Group A – side by side two car driveways of sufficient length to allow driveway parking without parked cars impinging on the street-side pedestrian sidewalk
    - Hayward – 146 and 188
    - Lockford – 142, 188, 210, 226, 250, 251, 253, and 267
    - Olivehurst – 77 (driveway on Talmadge)
    - Talmadge – 79, 109, 139, 140, and 141
  - Group B – single car driveways of sufficient length to allow driveway parking without parked cars impinging on the adjoining courtyard
    - Hayward – 164, 166, 168, and 170
  - Group C – either no driveway or, if a driveway exists it is too short to allow driveway parking without impinging on the street-side pedestrian sidewalk
    - All Auburn addresses other than those in Groups A or Group B above
- Eligibility for On-Street Parking Permits includes the requirement that all garaged vehicles have two axles and four wheels, and the documentation requirements listed in the Application Process paragraph below are met for each vehicle associated with the applicant's address.
- On-Street parking permits for Authorized Vehicles may, upon resident application, be issued if the resident has more than the number of vehicles specified below that are owned/operated by residents of their address:
  - Group A – all vehicles more than four (maximum number of permits that may be issued per address - one)
  - Group B – all vehicles more than three (maximum number of permits that may be issued per address - one)
  - Group C – all vehicles more than two (maximum number of permits that may be issued per address - two)
- Authorized Vehicles, as described in CC&R paragraph 2.5.1, that are longer than the garage space available and/or are higher than the garage entrance dimension, are eligible to receive on-street parking permits for these vehicles.
- Note – all vehicles parked in driveways and in authorized on-street parking between the hours of 7:00 PM and 7:00 AM must be Authorized Vehicles.

Application Process. Administrative application procedures for both initial issue of on-street parking permits for qualifying Authorized Vehicles, and for subsequent qualifying Authorized Vehicles will be separately promulgated by the Auburn Property Manager,

and are explicitly not part of this rule. However, residents shall be required to provide the following documents when applying for one or more on-street overnight parking permit(s):

- Current registration for each vehicle associated with the on-street parking permit applicant's address. There must be sufficient documentation to affirm that each of the resident's on-site vehicles is operable, owned by the resident, and routinely used by the residents of the applicant's address.
- For company owned vehicles, in addition to the current registration, the applicant must also show a letter from the owning company (on company letterhead) affirming that the applicant or another resident at the applicants address is the operator of the vehicle.

## **Section II – Auburn Visitor and Resident Occasional Overnight On-Street Parking**

Safe-Listing Program Description. Authorized Vehicles operated by visitors to Auburn addresses (including Olivehurst addresses) may be authorized to park overnight in authorized parking spaces within Auburn. Additionally, Authorized Vehicles that usually park in garages/driveways may occasionally park overnight in authorized parking spaces within Auburn. The procedure for pre-authorizing such overnight parking is referred to as "Safe-Listing".

Safe-Listing Limits. Each Authorized Vehicle, as described immediately above, is permitted to be Safe-Listed 25 nights every 180 days. The 180 day period is a rolling period determined by counting back 180 days from the current date Safe-Listing is requested. Authorized Vehicle identification for Safe-Listing purposes is tied to the vehicles license plate, not an Auburn address associated with the Safe Listed vehicle.

Safe-Listing Procedure. The detailed Safe-Listing procedure is explicitly not part of this Rule, and will be published by the Property Manager. However, the procedure will include notification by telephone or a web site by the Auburn resident associated with the Auburn vehicle or the resident's visitor.

## **Section III – On-Street Authorized Parking Enforcement**

### Enforcement.

- Between the hours of 7:00 PM and 7:00 AM all vehicles parked in authorized parking spaces on Auburn streets must:
  - Be Authorized Vehicles
  - Display an on-street parking permit issued in accord with Section I of this Rule (Section I above), or
  - Be "Safe Listed" for that night (Section II above)
- Between the hours of 7:00 PM and 7:00AM vehicles observed by the Patrol Company as not parking in compliance with this Rule will receive a Patrol Company citation (only one citation will be issued per overnight period).

- The first citation shall be the only action taken for each specific vehicle's first non-compliance. This citation will serve as the initial written warning required by CC&R paragraph 2.5.4.
- A citation for the second non-compliance by a specific vehicle will be issued, and the citation will be marked "Second Citation for Parking Permit Non-Compliance".
- A citation for the third non-compliance by a specific vehicle will be issued, and the vehicle will be towed per CC&R paragraph 2.5.4.