

# Cielito Lindo de Tubac

## HOMEOWNERS ASSOCIATION

P.O. Box 18108, Tucson AZ 85731

Ph. (520) 561-8497 or Fax (520) 647-2360

June 10, 2020

### RE: Changes Pertaining to Parking Variances

Dear Community Member:

As you may be aware, the Cielito Lindo Community has specific standards related to parking of vehicles. Cielito Lindo is a unique community in that regard. Streets are narrow, some members share driveway access and guest parking areas are limited.

The Design Review Committee recently recommended some changes to our parking variance policies to the Board of Directors and the Board voted to accept those recommendations.

One of the recommendations was to reset all variances currently in place beginning October 15<sup>th</sup> of 2020. This means if you currently have a parking variance for any reason, the variance will expire on October 15<sup>th</sup> and will need to be resubmitted to the Design Review Committee should it still be needed. The committee and the Board of Directors agreed that variances should not be granted open ended.

The committee also recommended, and the Board agreed that the phrase "No Exceptions" be removed from the language in the parking rules as reasonable accommodations are considered on a case-by-case basis resulting in an exception.

The revised parking regulations are attached with this letter. The only change made was removal of the phrase "No Exceptions". Please retain this information in your files.

We wish to thank all of our members for their continued support of the beneficial rules and regulations of the Cielito Lindo Community.

Should you have any questions concerning this or any other Association related concern, please do not hesitate to contact me at 520-561-8497

Respectfully,



Tammy Censky, CMCA, AMS, PCAM  
Association Manager  
Cielito Lindo de Tubac HOA

# Cielito Lindo de Tubac Homeowners Association

P.O. Box 18108, Tucson Arizona 85731

## Cielito Community Parking Rules and Regulations

### Owner/Renter Vehicles

Please review your CC&R Rules and Regulations regarding parking. (They are reproduced at the end of this document for your convenience.) It is a violation to park your vehicle(s) and motorcycles anywhere but in your garage – both day and night, with the garage door closed. Your vehicles may *occasionally* be in your driveway for a short reasonable time (not to exceed eight (8) hours) for loading and unloading. If your driveway apron is short, be sure your vehicle does not extend into the street. Street parking is not permitted in Cielito Lindo for safety reasons. Any extra vehicles beyond the number that will fit in your garage must be parked off site. Should an incident occur making your garage temporarily unavailable, please contact our Stellar Property Management Manager (520-561-8497) for a short-term variance to park in a guest parking spot. The Design Review Committee (DRC) will evaluate your request promptly.

### Visitor Parking

Your visitors may park in your driveway or guest parking for 48 hours, as long as no part of the street is blocked. If visitor vehicles will block the street, they must be parked in a garage or one of the visitor parking areas. Visits longer than 48 hours require a Guest Parking Permit and the visitor's vehicle must be located in one of the visitor parking areas:

- Adjacent to 13 Calle Dorado (one (1) space)
- Circulo Diego Rivera across from the pool (four (4) spaces)
- Calle Barrio de Tubac across from 128-132 (ten (10) spaces)

Guest Parking Permits: Each home is issued a generic permit that is to be placed, clearly visible, on your visitor's dash. These permits are good for up to two weeks. If your guest is staying for more than two weeks, an extended permit must be obtained from the Design Review Committee (DRC.) Contact the DRC directly. A list of DRC members can be found on our website.

### Moving and Construction Vehicles

Large moving vans and construction trailers and dumpsters that need to be parked overnight must be cleared through our Stellar Property Manager so that a workable location for the vehicle can be identified. Notifying neighbors of the scheduling of these large and obstructing vehicles is requested.

### Recreational Vehicles

Motorhomes, campers, trailers, and boats that do not fit in our garage are prohibited in the Cielito Lindo Community. They may be parked in the community briefly for the purposes of loading, unloading and cleaning. There is overnight parking for such vehicles at:

- The Trailer Tether in Tubac
- RV Park in Amado
- RV Park in Carmen

Motorized recreational vehicles such as go-carts, ATVs, etc. – with the exception of golf carts – are prohibited on Cielito Lindo’s private streets.

### Why Are Cielito Lindo’s Parking Rules So Strict?

Our community is very compactly laid out. Our homes are close together and our streets exceptionally narrow. This configuration limits visibility and makes vehicular passage in some driveways and on our streets difficult. Therefore, safety is a primary concern. Vehicles, especially emergency vehicles, require unimpeded access to all homes. Additionally, Cielito Lindo was designed as an intimate, picturesque, tidy little community. Parked vehicles scattered throughout the community detract from this character.

### Violations and Fines

Cielito Lindo’s Board of Directors requests and encourages compliance with our parking regulations. While we anticipate that all of our homeowners will appreciate and comply with our parking rules, in the instance that a resident fails to comply with *Cielito Lindo Community’s Parking Rules and Regulations* he/she will be subject to fines as determined by the Board of Directors and according to the document: *Procedures for Correcting Violations to Cielito Lindo de Tubac HOA Design Guidelines and Rules and Regulations*.

### Definitions

- Vehicles: automobiles; ¾ ton or less pick-up trucks with or without attached camper shells no higher than 7’ as measured from the ground; mini-motorhomes that are no more than 7’ high and no more than 18’ long.
- Recreational Vehicles: golf carts; motorhomes; campers; trailers; boats; off-road quads and tricycles; go-carts; and any similar vehicles.
- Commercial Vehicles: service vehicles; trailers; dumpsters; one-ton and larger trucks.
- Motorcycles: two and three wheeled.

**TRACT DECLARATION OF  
Covenants, Conditions, Restrictions and Easements  
FOR  
CIELITO LINDO DE TUBAC**

Section 10.7 Parking and Storage of Vehicles.

A. General Rule. Any and all motor vehicles not prohibited by the provisions hereof shall be stored in a garage so as to conceal the same from view from adjoining property or from the street or public way. No vehicles may be parked in the streets, upon the ingress and egress easements created pursuant to Section 8.8 herein, or upon Common Area, unless the Association has designated parking spaces in the Common Area.

B. Recreational and Commercial Vehicles. Parking and/or storing of recreational vehicles, commercial vehicles, motorhomes, campers, trailers, boats and similar vehicles is prohibited on all portions of the Properties, and on any public streets adjacent thereto, except within the confines of an enclosed structure which has been first approved by the Design Review Committee, in its sole and absolute discretion. Such vehicles may be parked on the parking area of an owner's Lot, but only for short periods of time solely for purposes of loading or unloading.

The foregoing prohibition shall not apply to (1) pick-up trucks with no more than a 3/4 ton capacity with camper shells attached that are no more than seven feet in height as measured from ground level; (2) mini-motorhomes that are no more than seven feet in height and no more than eighteen feet in length; or (3) non-commercial pick-up trucks larger than 3/4 ton capacity that the Design Review Committee finds to be substantially similar in size and appearance to smaller vehicles; so long as any such vehicles are used on a regular and recurring basis for regular transportation and are parked in accordance with the provisions of Section 10.7A.

C. Use of Recreational Vehicle as Living Quarters. The use or occupancy of a recreational vehicle, motorhome, van, camper, trailer, or boat as living quarters on either a temporary or permanent basis is strictly prohibited on any portion of the Properties.

Section 8.8 Easements for Ingress and Egress Between Certain Adjacent Lots.

Certain Lots in the Properties require easements over and across adjacent Lots and driveways for purposes of ingress and egress and turnaround areas. The following Lot pairings identify those Lots over which reciprocal easements are hereby granted and established for purposes of such ingress and egress: Lots 3- 4, Lots 7-8, Lots 13-14, Lots 15-16, Lots 18-19, Lots 21-22, Lots 24-25, Lots 26-27, Lots 30-31, Lots 31-32, Lots 33-34, Lots 36-37, Lots 39-40, Lots 41-42, Lots 42-43, Lots 45-46, Lots 51-52, Lots 55-56. By virtue of the easements herein granted, each Owner shall be authorized to drive over and across the adjacent Lot's driveway and turnaround areas for purposes of ingress and egress. Each Owner covenants and agrees to keep the easement property free and clear of any obstruction, including vehicles, bicycles, storage facilities, materials, supplies, containers, tools, toys, and all other items at all times, and shall not construct any improvements or other structures (including landscaping) which will obstruct, limit, hinder or otherwise negatively impact the adjacent Owner's ability to utilize the easement as provided herein. Each Owner shall nevertheless be solely responsible for all maintenance and repair of the driveway and associated improvements located upon his or her Lot. No additional structural improvements may be built upon the easement property unless the same have been approved in writing, in advance, by the Design Review Committee. Declarant's actual construction of improvements will determine the precise limits of the driveway easements as provided herein. Easements, if any, over the Lots enumerated in this Section which are not in fact used for the benefit of an adjacent Lot, as determined by Declarant's actual construction of improvements, shall be deemed abandoned.