

Questions (and Answers) About Parking Commercial Vehicles

We have heard some questions lately about parking commercial vehicles in OOI. Members of the Board of Directors have reviewed our governing documents and discussed this matter with the Association attorney. Following are some basic questions and answers.

1. What kinds of vehicles can be parked in OOI?

Our CC&Rs are quite clear about this: only conventional passenger vehicles may be parked on covered property in OOI.

2. How do our governing documents define a “conventional passenger vehicle”?

According to our CC&Rs, "conventional passenger vehicles" are defined as station wagons, family sedans, sports utility vehicles, compacts, subcompacts, pick-up trucks, pick-up trucks with shell not extending above the cab level beyond six (6) inches, passenger vans and passenger vans with extended tops not extending above the top more than six (6) inches.

3. How do our governing documents define a “commercial vehicle”?

Again according to our CC&Rs, a “commercial vehicle” is defined as a truck of greater than one ton capacity and/or any vehicle with a sign displayed on any part thereof advertising any kind of trade or business or on which racks, materials, and/or tools are visible, or with a body type normally employed as a business vehicle whether or not a sign is displayed on any part thereof. The type of motor vehicle license plate shall not be material to the foregoing definition.

4. Does signage on a vehicle automatically define it as a commercial vehicle?

It depends on the signage and the vehicle type. Conventional passenger vehicles with city, county (Metro) or state markings are not prohibited because city, county, or state entities are not businesses. However, commercial vehicles with city, county, or state markings are prohibited because of their vehicle type (e.g., county utility trucks).

(Note: Homeowners who have signage on their conventional passenger vehicle have several options, such as using a car cover – or simply covering the signage with a blank magnetic sign that is color-matched to the vehicle. Other options, of course, include parking in a garage, on the side of the home completely out of view, or parking outside of OOI.)

5. What is “Covered Property”?

Our CC&Rs define “Covered Property” to include, without limitation, streets, driveways, or side and rear yards. Covered property also includes the 389 lots within OOI.

6. What about pick-up trucks? Are they commercial vehicles?

While a pick-up truck may certainly be someone’s conventional passenger vehicle (and, therefore, be in compliance with our governing documents), a pick-up truck with a rack is defined as a commercial vehicle.

7. Can a commercial vehicle be concealed from view by covering it?

No. A pick-up truck with a rack is not indistinguishable from a pick-up truck without a rack, and that fact cannot be concealed with a cover. A pick-up truck with a rack may not be parked on covered property. (Similarly, boats and RVs, even if covered, may not be parked on covered property.)

8. How about enforcement of the CC&Rs?

The Board of Directors and Architectural Committee are currently working with OOI members who have commercial vehicles parked in view on covered property. The goal is to achieve full compliance with our governing documents as soon as practical. This is what our governing documents demand.

Thank you for your cooperation.

OOI Architectural Committee