



Decision Paper Amendments to Covenants Rules

Issue:

The Covenants Private Property Storage and Vegetation Removal rules, and Fire Safety and Forest Health rules need amendment to provide further clarity to minimum standards. For any consideration of rule amendments a 45-day member notification must occur.

Background:

The Covenants Committee and Forestry department completed a programmatic review of the Homeowner Defensible Space Program including the procedures, rules for minimum standards and communications provided to accomplish the mission of maintaining a health forest and reducing the fire hazard to the community.

In this review three areas of the Covenants were recommended for amendment to create further clarity to the member for minimum standards of forest health and fire safety. This would also provide synergy between the inspection outcomes and the minimum standard rules relating to which a member must maintenance their lot or improved lot.

Additionally, through the last ten years of the defensible space program, the Forestry department has seen items which are either eyesores to the natural environment including blue tarps and/or inappropriate tree removal leaving tall stumps which pose an invasive species threat as well as eventual rotting and combustible unit. As such the committee is recommending two additional amendments in the private property rules section of the Covenants rules to regulate the color of tarps used on the lot and maximum stump height allowed.

The Covenants Committee and management are recommending the board consider approving the proposed amendments go out for 45-day member notification of board consideration of amendments.

Below you will find the recommended amendments and deletions to the Covenants private property storage and vegetation rules, and fire safety and forest health rules. Deletions are in blue and additional rule language is in red.

Options:

1. Do not approve going out to 45-day member notification for the consideration of amending the current private property storage and vegetation, and fire safety and forest health covenants rule.





2. Approve going out to 45-day member notification for the consideration of amending the current private property storage and vegetation, and fire safety and forest health covenants rule.

Recommendations:

The Covenants Committee and management requests the Board of Directors consider approving going out to 45-day member notification for the consideration of amending the current private property storage and vegetation, and fire safety and forest health covenants rule as detailed below.

IV. PRIVATE PROPERTY RULES

Storage. Storage of personal property (including without limitation, non-recreational-use trailers and construction materials) on any lot shall be entirely within enclosed storage areas. There shall be no storage piles accumulated on top or outside of any enclosed storage area with the exception of neatly stacked woodpiles with wood cut to fireplace length. The foregoing limitation shall not apply to construction materials placed on a lot during periods of approved construction. If tarpaulins are utilized, they must be earth-toned in color. C&RS Article VIII, Section 1(h). (This rule applies to slide in campers, cab over campers and camper shells that are not mounted on a vehicle.)

Vegetation Removal. No person may remove, cut, or limb any tree greater than four inches in diameter (measured three feet above the ground) without first obtaining a permit from the TDA Forestry Department. For any trees removed from the property the maximum stump height left shall not exceed 6 inches in height. No heavy equipment may be used to remove brush without first obtaining a permit from the TDA Forestry Department. C&RS Article VIII, Section 1(a) (xi).

Fire Safety. Owners of lots (both improved and unimproved) are responsible for the maintenance of their lots in a fire-safe condition. . **100-foot Defensible Space around Structures.** Property owners are responsible to maintain a defensible space zone for a distance of 100 feet (or to their property line) from all structures, including decks.

100-foot Defensible Space from Property Lines. Property owners of all lots are responsible to maintain a defensible space zone for a distance of 100 feet from all property lines.

Roofs Free of Dead Vegetation. Property owners are responsible to maintain all roofs of any structure free of leaves, needles, or other dead vegetative growth.

Pine needles on the Ground. Pine needles must be collected and removed within 10 feet of any structure or deck. On the rest of the property the pine needles should not be allowed to build up to over 2 inches in depth.

10-foot Clearance from Chimney or Stovepipe. Property owners are responsible to remove any portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe.

Chimney must have an Approved Spark Arrestor. In California, a spark arresting cap with 1/2-inch mesh or smaller screen is required on all chimneys.





10-foot Clearance from Propane Tank. Property owners are responsible to remove any portion of any tree, brush or dry flammable vegetation which extends within 10 feet of any propane tank.

Firewood Storage. Firewood should be stacked 30 feet away from any structure. Allowances may be agreed upon. Old, unused or decomposed (nuisance) wood must be removed. Firewood rounds cannot be stored on the property. The wood must be split and neatly stacked. Firewood, in any form, cannot be stored on undeveloped lots.

Down Woody Material. All woody material between 1/2 inch and 12 inches in diameter must be removed from the property.

Dead Tree Removal. All dead trees must be removed from the property.

Brush Removal. No brush is allowed within 10 feet of any structure. On the rest of the property individual bushes are allowed if there is 2 and a half times the height of the brush between bushes. No brush is allowed within 10 feet of the drip line of trees.

Small Tree Thinning. Individual small trees (<10 inches in diameter) may be designated by the forestry department for removal.

Lower Branch Removal. For trees greater than 15 feet in height, the lower branches will be removed 6 feet from the ground. For those less than 15 feet in height, the branches will be removed for 1/3 the height of the tree from the ground.

Dry Grass and Weeds. Within 30 feet of any structure, grass and weeds will be trimmed to a height of 6 inches or less. The cuttings must be removed.

No campfires, bonfires, or fireworks of any kind are allowed on private lots, common areas, or other association-owned properties at any time.

Commercially manufactured gas and charcoal barbeques, smokers, and commercially manufactured fire burning devices, such as outdoor fireplaces and chimineas, equipped with screening and/or spark arrestors, with a maximum screen opening of 1/8th inch, to prevent the escape of sparks and coals, and operated in compliance with the Town of Truckee and the Truckee Fire District's safety and building codes, and according to the manufacturer's instructions, on private property lots only, will be allowed. Property owners wanting to build their own permanent barbeques or other outdoor fire burning devices equipped with electricity or gas, must obtain the appropriate Town of Truckee building and plumbing permits and build to the Town's building codes. The appearance design and location must be approved by the Tahoe Donner ASC if any part of the permanent structure is over 3 feet high. The burning of yard debris is allowed, only after obtaining a permit from the Truckee Fire District, on permissive burn days as determined by the Fire District, from late fall depending on weather conditions, until no later than March 31. The first violation of these rules will result in a hearing.

Dumping Ashen Materials. No person shall dispose of charcoal briquettes or ashen material of any kind on any portion of a lot, if such creates a risk of fire or an unsightly condition.

C&RS Article VIII, Section 1(a)(iv)

Forest Health. Owners of lots (both improved and unimproved) are responsible for the maintenance of their lots, including the general health of the forest. TDA maintains on its staff a state-certified forester with the responsibility of determining what conditions are conducive to the health of the forest.





Owners are prohibited from permanently attaching anything to trees ~~without first obtaining written permission from the Forestry Department.~~

After making on-site inspections, the TDA Forester may determine that individual trees require removal,. Notice to remove such trees, indicating a compliance date, will be sent to owners. Failure to remove such trees prior to the stated compliance date will constitute a violation of the Association Rules. Fines for such violations will accrue until the trees are removed.

C&RS Article VII, Section 2; Article VIII, Sections (a) & (l).

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General Manager Approval to put on Agenda: *Robb Etzner* Date: 4/18/2017

