



STAFF REPORT

DATE July 20, 2023

TITLE

Adoption of Proposed Changes to the Architectural Standards Fee Schedule

RECOMMENDATION

By Motion:

The Board of Directors adopts the proposed changes to the Architectural Standards Fee Schedule as presented in Exhibit B. The fee schedule changes are effective July 28, 2023.

BACKGROUND

Pursuant to Tahoe Donner Covenants and Restrictions (C&Rs) Article V Environmental and Architectural Regulation, modifications to the architectural standards fees and fines must go out for 45-day member notification prior to the board of directors' consideration and approval.

The board of directors approved the publication of a 45-day notice and member comment period for the proposed Architectural Standards Fee Schedule changes presented at the April 28, 2023 board meeting. See Exhibit A for the staff report and presentation.

As the 45-day notification period has closed, the Architectural Standards Committee and staff request the board consider approving the proposed Architectural Standards Fee Schedule changes as published without modification.

ANALYSIS

Changes to the Architectural Standards Fee Schedule must comply with rule-making provisions in the C&Rs Article III, Section 7, and Civil Code §4355. Prior to the board of directors' consideration of adoption/approval, the following compliance with requirements must be met:

1. Provide general notice of the proposed change at least 45 days prior to the date before board action. Tahoe Donner's rule-making provision on member notice is more stringent than Davis-Stirling, requiring a 45-day notice rather than a 30-day notice; and
2. The notice will include the text of the proposed change and a description of the purpose and effect of the proposed change; and
3. A decision on a proposed change will be at a board meeting.

The Proposed Changes to the Architectural Standards Fee Schedule 45-day notice was published in the June Tahoe Donner News, see Exhibit B. The notice was also posted on the 45-day notice webpage on www.tahoedonner.com.





The board of directors held a member comment period on the proposed changes at the June 23, 2023 board of directors meeting, where no member comments were made. All submitted written member comments from June 1 – July 21 are included as Exhibit C.

The rule-making requirements set forth in the Tahoe Donner C&Rs and Davis-Stirling Act were complied with by, 1) the publication of the 45-day notice, 2) providing member comment at a board meeting within the 45 days of board consideration, and 3) receiving written and verbal comments. Therefore, the board of directors can consider the adoption of the proposed changes at the July 28, 2023 board meeting.

After considering the member comments, the committee and staff are not suggesting any modifications and recommend the board of directors consider approving the proposed changes as detailed in Exhibit B.

OUTREACH

The following member outreach efforts were made.

- March 24, 2023 Board of Directors meeting - Board and member preview of the proposed changes
- Tahoe Donner News - 45-day notice of proposed changes and member comment period
- June 23, 2023 – Board of Directors meeting - member comments accepted
- Tahoe Donner 45-Day Notice Webpage – notice and information posted
- Member Eblast Blog on 6/20 & 27; 7/4, 11 & 18 – Reminder of the 45-day notice and member comment period

FISCAL IMPACT

The positive fiscal impact of proposed changes was anticipated in the 2023 operating budget revenues.

ALTERNATIVE(S)

The board has a number of alternatives:

1. The board may reject the proposed changes to the Architectural Standards Fee Schedule; or
2. The board may reject the proposed changes and direct staff and the committee to other actions; or
3. The board may make minor, non-substantive modifications and adopt the Schedule.





ATTACHMENTS

Exhibit A: April 28, 2023 Board Meeting Material – Proposed Changes to the Architectural Standards Fee Schedule

Exhibit B: Tahoe Donner News June 2023 – 45-Day Notice and Member Comment Period

Exhibit C: Submitted Member Comments for the period of June 1 – July 21, 2023

Prepared By: Annie Rosenfeld, Director of Administrative Services

Reviewed By: Rod Whitten, Architectural Standards Committee Chair

Board Meeting Date: July 28, 2023

General Manager Approval to Place on the Agenda: _____

