

# PROPOSED ARCHITECTURAL STANDARDS RULE CHANGE – 45-DAY NOTICE PUBLICATION

BOARD OF DIRECTORS MEETING April 25, 2025

# MEETING OUTCOME

The staff has presented the updated proposed Architectural Standards Rule change to the Board of Directors for discussion.

The desired outcome of today's meeting is:

## **ACTION – BY MOTION:**

The Board of Directors reviews and considers approving the publication of the proposed change to the Architectural Standards Rule for a 45-day notice, along with all supporting materials necessary to inform members about the purpose and effect of the rule change.

# PROPOSED RULE CHANGE PROCESS

The final development of the proposed ASC rule was completed between March 12 and April 9, 2025. During the ASC meeting on March 12, staff presented the initial draft of the proposed rule change, and the committee suggested several edits (Exhibit C). Staff then presented the updated working draft at a second ASC meeting on April 9, 2025, where further revisions were made. Additional wording changes were discussed and agreed upon between the staff and the ASC Chair. The proposed rule is now ready to be presented to the Board of Directors for its review and approval if the Board chooses to do so.

# RULE CHANGE PURPOSE + EFFECT

The purpose of the proposed change includes:

- To revise the current rule to accommodate changes in material quality, enhance aesthetic appeal, and address the increasing demand for improved fire resilience in home construction.
- To better meet Tahoe Donner's current and future needs while still allowing the Architectural Standards Committee to review each project individually, collaborating with members to find a mutually agreeable solution that balances existing siding standards with aesthetic harmony, fire resistance, and construction quality.
- To update the Architectural Standards siding rule to fit within the guidelines of Board of Directors Policy Resolution 2025-1.
- To preserve the purpose and intent of the original siding rule which was to discourage a sheet/plywood appearance.
- To support a long-term, sustainable, and equitable solution for balancing the desire of members for different siding materials while preserving the overall aesthetic standards within the Association.

# DECLARATION OF COVENANTS & RESTRICTIONS (C&RS)

## **ARTICLE V - SECTION 5**

ECC Rules. The Environmental Control Committee may, from time to time and with approval of the Board of Directors, adopt, amend and repeal rules and regulations to be known as "ECC Rules." The ECC Rules are currently set forth in a booklet entitled "Rules, Procedures and Restrictions for Building and Land Use." The procedures for adopting Association Rules generally (see Article III, section 7(b)) shall be applicable to the adoption of ECC Rules.

## **ARTICLE III, SECTION 7 (b)**

Adoption and Amendment of Rules, Association Rules may be adopted or amended from time to time by majority vote of the Board in accordance with this subparagraph (b). Except in the case of: (i) rules or regulations adopted to respond to an emergency which threatens the health or safety of the residents or immediate damage to or destruction of any Common Area; and (ii) rules or regulations concerning Board or committee administrative or procedural matters, no Association Rule shall be adopted until the proposed rule or amendment thereof has been published to the Members at least 45 days prior to the date when the Board is scheduled to act on the proposal. During the 45-day comment period at least one Board or community meeting shall be held at which the proposed rule is an agenda item.

# ARCHITECTURAL STANDARDS RULES, PROCEDURES AND RESTRICTIONS FOR LAND USE

## PROPOSED SIDING RULE CHANGE

*(EXISTING RULE, WITH PROPOSED NEW LANGUAGE IN RED ITALICS)*

### ARCHITECTURAL STANDARDS RULES, PROCEDURES AND RESTRICTIONS FOR LAND USE

#### III. SPECIFIC BUILDING REQUIREMENT

##### H. EXTERIOR SPECIFICATIONS

**5) EXTERIOR SIDING OR SHEATHING AND TRIM:** It is critical that the design of the exterior siding, trim and finish system be congruent on all sides of the structure and that the design coordinates the material and detailing of all sides with the design of the front elevation (street side(s)). All types of natural wood solid sawn siding are allowed alone, as well as with stucco, stone and split faced or textured concrete masonry units. Alternative exterior materials will be considered on a case-by-case basis. Samples and specifications must be submitted for ASC evaluation. The ASC may impose restrictions as to the grade, design and area where certain materials may be used.

# PROPOSED RULE CHANGE (CONT'D)

No type of plywood or sheet siding is allowed on any street side(s) or on any golf course side(s) where visible from the golf course. This includes the use of such siding with battens. On all other individual sides of the building, a maximum of 50% of the siding area may be plywood or 13 as amended February 22, 2020 sheet siding only to the extent that it is in harmony with the street/golf course view side(s) of the building, and it is appropriately coated or treated to minimize discoloration and deterioration.

**EXCEPTIONS:** Plywood or sheet siding exceeding the above 50% maximum may be allowed as an exception, on a case-by-case basis, on those sides not facing a street or the golf course only if: a) the design is in harmony with the street/golf course view side(s); and b) the plywood or sheet siding is properly coated or treated to minimize discoloration and deterioration.

***Exceptions for siding materials may be granted through a variance process on a case-by-case basis. When evaluating siding materials (including sheet materials), the Architectural Standards Committee (ASC) will base its decisions on existing standards, aesthetic harmony, and the quality of construction for the project. Applicants may propose fire-resistant materials; however, final approval from the ASC will be determined by criteria related to existing standards, aesthetic harmony, and construction quality.***

# ARCHITECTURAL STANDARDS COMMITTEE DECISION

## March 12, 2025

### **Committee Action:**

Mitch Clarin moved to accept the proposed rule change and to forward it to the Tahoe Donner Board of Directors for recommended 45-day notice and publication to the membership. Bill Staehlin seconded. (Passed 3:0 Whitten, Clarin, Staehlin).

## April 9, 2025

The committee agreed that the draft will be finalized by the ASC Chair and staff, then forwarded to the Board of Directors for review and possible approval for a 45-day notice to the membership.



# ARCHITECTURAL STANDARDS ACTION PROCEDURES

Did the Committee Act Accordingly?

- ✓ Meeting Proceedings – Did the committee follow meeting procedures and guidelines?
- ✓ ASC Rule Review– Did the committee review the proposed ASC rule change and make a determination?
- ✓ Meeting Decision – Were the actions taken by the committee within their authority, consistent with rules, regulations, and practices, and fair and reasonable?

# 45-DAY NOTICE PROCEDURES

- Staff provides an overview of the proposed rule change.
- Board asks questions of staff and committee chair.
- The Board may choose to adjourn to executive session for legal counsel.
- The board will then deliberate and act on the proposed rule change in open session minutes.
- The 45-day notice will be approved to be published to the membership.

# RECOMMENDED ACTION

## **By Motion:**

The Board of Directors will review and consider approving the proposed Architectural Standards Rule change for a 45-Day Notice, along with all necessary supporting materials to inform the members about the purpose and impact of the rule change.

**THANK YOU**