



TITLE: Proposed Architectural Standards Rules Changes to the Policies and Siding Sections 45-Day Notice Publication Authorization

RECOMMENDED ACTION:

By Motion:

The Board of Directors authorizes the publication of a 45-Day Notice for the proposed changes to the Policies and Siding Sections of the Architectural Standards Rules (Exhibit A), including supporting materials necessary to inform members about the purpose and impact of the rule change.

BACKGROUND:

According to Article III, Section 7 of the Tahoe Donner Covenants and Restrictions, the board has the authority to propose, enact, or amend rules and regulations that apply to the Owners of Separate Interests within the community. Specifically, Article III, Section 7 (b) states that "no association rule shall be adopted until the proposed rule or amendment has been published to the members at least 45 days before the scheduled date for the board to act on the proposal." This notice is commonly referred to as the "45-Day Notice" within the Tahoe Donner rule-making process.

The First Restated Covenants and Restrictions (C&Rs) empower the Architectural Standards Committee (ASC) to oversee architectural standards. The committee's objective is to ensure architectural consistency, quality, and harmony within Tahoe Donner. Under the authority granted in the C&Rs, the ASC can adopt, amend, or repeal Architectural Standards Rules (AS Rules) with a majority vote and the approval of the Board of Directors. These rules are designed to interpret and implement the relevant provisions of the C&Rs, as outlined in Article III, Section 7b.

One design element the ASC regularly reviews before construction is the choice of siding material. The ASC has the authority to approve or deny exceptions to the siding rule on a case-by-case basis as provided for in the AS Rules.

Under AS Rule H.5, plywood or sheet siding that exceeds the maximum limit of 50% may be considered an exception, but this is only permitted on sides that do not face a street or the golf course. This exception is contingent upon two conditions:

- a) The design must be harmonious with the view from the street or golf course, and
- b) The plywood or sheet siding must be adequately coated or treated to minimize the risk of discoloration and deterioration.

The suggested changes are based on guidance from the Board of Directors, as specified in Board Resolution 2025-1 (Exhibit B). These proposed AS Rules amendments aim to encourage the use of modern, fire-resistant materials in home construction. The revised language acknowledges the



existing rules for siding and establishes a process for the ASC to consider applications that align with the board's directive to incorporate fire-resistant materials. This amendment explicitly states that fire-resistant features are encouraged as part of the design process, of which siding is a component. Additionally, it reaffirms the authority of the ASC to review and approve proposals on a case-by-case basis.

This staff report is prepared for the board to review and approve the change, and to consider approving the publication of the proposed AS Rule changes for a 45-Day Notice, along with all necessary supporting materials to inform members about the purpose and effects of the rule change.

DISCUSSION:

The current applicable AS Rules were established over thirty years ago to prohibit the use of plywood and sheet siding, promoting a more natural wood appearance. However, advancements in material quality and aesthetic appeal, along with an increasing demand for improved fire resistance in home construction, require updates to the existing rules.

The purpose of the proposed change to the AS Rules is to better address the current and future needs of Tahoe Donner. This revision will still enable the ASC to review each project individually, collaborating with members to find mutually agreeable solutions that balance existing siding standards with aesthetic harmony, fire resistance, and construction quality.

Additionally, the effects of the proposed rule changes are as follows:

- Update the AS Rules in the Policy and Siding section to align with the intent of Board of Directors Policy Resolution 2025-1.
- Accommodate members' desire for fire-resistant home construction materials.
- Preserve ASC authority over the approval of construction materials.
- Maintain the original intent of the siding rule, which was to discourage a sheet or plywood appearance. Specifically noted is the prohibition on using grooved siding.
- Support a long-term, sustainable, and equitable solution that balances members' preferences for various siding materials while preserving the overall aesthetic standards within the Association.

RECOMMENDATION:

Staff recommends the following next steps:

1. Board action at the July 25, 2025 Regular Board Meeting: The Board of Directors authorizes the publication of a 45-Day Notice for the proposed Architectural Standards Rules change (Exhibit A), including all necessary supporting materials to inform members about the purpose and impact of the rule change.
2. The publication of the 45-Day Notice will be included in the September Tahoe Donner News.
3. Future board agenda item: The Board will hear member comments on the proposed rule changes at the September 26, 2025 regular board meeting.



4. Future action item: The Board will consider adopting the rule change at the October 24, 2025 board meeting following the expiration of the 45-day notice period.

Alternative(s) the Board may consider:

1. The Board of Directors may direct staff or the ASC to modify the language and bring it back to a future board meeting. The staff and ASC believe that the proposed approach to amending the Policies and Siding sections of the AS Rules meets the intent of the Board's direction.
2. The Board of Directors may postpone any portion of the initiative and provide feedback or direction to staff and the ASC.

OUTREACH:

The Architectural Standards Committee has discussed the proposed siding rule change at the following properly noticed meetings: March 12, 2025, April 9, 2025, May 14, 2025 and May 28, 2025. Additionally, this item was presented to the board at the meeting on April 25, 2025, during which the board instructed staff and the ASC to refine the language for further consideration.

FISCAL IMPACT:

None.

ATTACHMENTS:

Exhibit A: Proposed Changes to the Architectural Standards Rules Policies and Siding Section

Exhibit B: Resolution 2025-1

Exhibit C: Draft 45-Day Notice of Proposed Rule Change – Introduction

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Reviewed by: Rod Whitten, Architectural Standards Committee Chair

Reviewed by: Annie Rosenfeld, General Manager

Board of Directors Meeting: 07/25/2025