



TITLE: Community Standards Forest Health and Fire Safety Rules Update

RECOMMENDED ACTION:

By Motion:

The Board of Directors accepts staff's recommendation to postpone updates to the Forest Health and Fire Safety Rules (2025 Annual Strategic Objective) until the outcomes of regulatory changes are determined.

BACKGROUND:

Updating the Forest Health and Fire Safety Rules is a 2025 Tahoe Donner Strategic Annual Objective. The existing Forest Health and Fire Safety Rules were last updated in 2019 to clarify standards and better align with state regulations.

The concept of the objective is intended to incorporate best practices and updates to local, state, and federal regulations. Staff recognized that impending changes to fire defensible requirements would necessitate updates to existing rules within Tahoe Donner. These changes, including changes to Truckee Fire Protection defensible space standards, were anticipated to be completed in May of 2025, but have been delayed in adoption. The new deadline is sometime in 2026. Similarly, changes to state fire requirements, initially planned for 2025, have also been postponed until 2026.

This staff report is prepared to update the Board on agency regulation changes and to recommend postponing changes to the Forest Health and Fire Safety Rules (2025 Annual Strategic Objective) until the outcomes of regulatory changes are determined.

DISCUSSION:

Current regulations for Tahoe Donner create a system to ensure fire safety for individual members and the entire association. C&R Article VIII, Section 1 (iv) states that "The vegetation and landscaping on any Lot shall be planted and maintained by the Owner or resident in such a manner as to reduce the risk of fire..." Covenant Rule 4.21 (Fire Prevention and Safety) outlines the standard to which Owners are required to maintain their property to comply with C&Rs. Further, these standards are upheld through regular defensible space inspections through the association.

Tahoe Donner should update the Fire Safety and Forest Health Rules, inspection standards, and requirements to ensure consistency with regulatory agencies and provide the best possible fire prevention guidelines. Although Tahoe Donner can implement rules that are more restrictive than those required by law, but cannot make them less restrictive.

As stated above, staff anticipated Truckee Fire and the State to have updated their regulations; however, both agencies have prolonged their update process, which has delayed delivery of proposed amendments.



The California Board of Forestry and Fire Protection is holding regular meetings for AB 3074 (Fire prevention, wildfire risk: defensible space: ember-resistant zones) to develop specific language and implementation timeframes for the standards that have been established.

One example of how adopted standards could be impactful to Tahoe Donner's standards and community is the potential restriction of having zero trees allowed within Zone 0 (the area within 5 feet of a structure) as opposed to allowing trees, provided they are maintained without any dead or dying branches. Similarly, impactful changes may be included within the proposed Truckee Fire District defensible space ordinance.

Once the State Fire Marshal approves the vegetation clearance requirements outlined in AB 3074, the enforcement implementation and timelines for compliance with both new construction and existing structures will be established. This will enable Tahoe Donner to review the current standards and make recommendations for updates and the implementation timelines. These changes should be formally adopted in 2026; however, the timeframe for adoption has been steadily delayed.

As this matter is a 2025 Annual Strategic Objective, staff believes that the board accepts the recommendation to postpone the rule change is warranted.

RECOMMENDATION:

The recommended board action is as follows:

By Motion:

The Board of Directors accepts staff's recommendation to postpone updates to the Forest Health and Fire Safety Rules (2025 Annual Strategic Objective) until the outcomes of regulatory changes are determined.

OUTREACH:

Staff have communicated with partner agencies, including Truckee Fire, CalFire, and Forest Service, about expected changes to defensible space that may impact Tahoe Donner. Once these changes are finalized, staff will develop standards for adoption and will communicate these to the members after receiving board approval.

FISCAL IMPACT:

No fiscal impact



ATTACHMENTS:

No attachments

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Reviewed by: Annie Rosenfeld, General Manager

Board of Directors Meeting: 08/29/2025