

# HPOA BOARD MEETING

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NOVEMBER 6, 2018

HIDDENBROOKE PROPERTY OWNERS ASSOCIATION



# BOARD MEETING -KEY TOPICS-

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- Adopt New ADU Rules
  - Recommendation: Adopt Rules as distributed to Members for comment
  - Members provided a 30 day review period to comment
- Davis Stirling Act – Stay under Davis Stirling Act or Opt Out?
  - Recommendation: Stay Under Davis Stirling Act
  - Direct Legal Counsel to update CC&Rs and Bylaws accordingly



# ADU RULES

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- Minimum Lot Size
  - ADU Inside Home: 8,000 sq ft
  - ADU Attached or Detached: 0.25 acres (10,900) sq ft
- Maximum Height
  - Single Story, 15 ft.
- ADU Location
  - Non-Custom Homes: Rear yard only
  - Custom Homes: Side or Rear Yard

# ADU RULES (CONT.)

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- Setbacks
  - 20 ft from Front property line
  - 10 ft from Rear and Side property lines
  - Detached ADU must be 5 ft from existing home
- Maximum ADU Size
  - 800 sq ft
- Number of Bedrooms
  - Limited to One (1) Bedroom

# ADU RULES (CONT.)

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- Prohibition of Multiple ADUs
  - No more than one primary dwelling unit and ADU (or Guest House) per Lot
- Design Standards
  - Compatible design with existing home (including, but not limited to, roof, trim, windows, doors, paint color, and siding)

# ADU RULES (CONT.)

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- Parking
  - One more off street space than required for primary home (must be covered space for Custom Home)
  - All cars must be able to be safely parked in Driveway and Garage(s)
  - Space on a pad next to a driveway is not counted towards meeting parking requirement
  - HARC may ask for written confirmation that garage is not being used for storage and can contain the maximum number of cars for which it was designed

# ADU RULES (CONT.)

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- Rentals
  - Owner occupancy required (owner can live in main house or ADU)
  - Prohibited - Rooming houses or other similar operations where individual rooms in the primary Residence or ADU are rented or leased to individuals under separate leases
- Notification of Neighbors
  - When submitting application for ADU to HARC, Owners must notify other Lot Owners within 500 ft of ADU Home
- Fines
  - After a Hearing, up to \$100 for each day in violation of these Rules

# DAVIS STIRLING CHOICES

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- Stay under Davis Stirling – *No Board Action Required*
  - A well established legal framework governing HPOA actions
  - Many mandatory procedural requirements = higher costs (\$)
  - HOAs can raise dues up to 20% each year without a member vote to cover costs
  - Due to complexity of laws and requirements, HPOA needs a professional management company
- Opt Out of Davis Stirling – *New Community Vote Required*
  - HPOA operated as a self-managed HOA for 9 years prior to electing to be under DS
  - More local control, less exposure to new laws, less overall cost
  - Less ability to raise dues; limited by Consumer Price Index
  - Would still need management company; some companies may be more reluctant to work for a non –DS HOA
  - Some Risk– if Members do not approve DS Opt Out as part of CC&R update, CC&Rs would need be redone again at additional cost





# OTHER FACTORS TO CONSIDER

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- Under Davis Stirling
  - Special Assessments limits not changed (10% increase under our CC&Rs)
  - Election Rules required (already adopted)
  - CPA Financial Audit required (report recently mailed out)
  - Multiple mailings to residents required (\$16K) = \$14 per Member
  - In event of a lawsuit, Attorney fees not collectable if HPOA prevails in a lawsuit



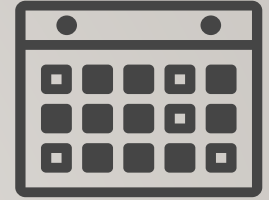
# WAYS TO SAVE \$\$ UNDER DAVIS STIRLING

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- Receive documents electronically instead of by mail (except Disclosures)
  - Large participation needed for any significant cost saving to be realized
- Reduce Quorum requirement for a Member vote
  - Reduces need for a second mailout to achieve a Quorum
- Allow for appointment of new Directors by Acclamation
  - Saves sending out double blind election ballots which is expensive



# NEXT MEETING/EVENTS...



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- December Board Meeting Date: To be Determined
  - Next HARC Meeting: November 14
  - First Draft of New CC&Rs: Mid-December

