



## 2025-2026 PROPOSED RULE CHANGES RESULTS

This chart provides the action taken regarding each proposed rule and/or policy change.

The newly stated rule for any adopted change has been provided following the chart.

A copy of the update rule set, in its entirety, can be downloaded from the Association's website or a hard copy can be obtained in the Association's management office.

RULE NAME	ACTION TAKEN
<i>Appeal of Committee Decisions</i> Change: The recorded CC&Rs only allow the applicant to appeal – the rule conflicts with the recorded documents	Request pulled for wording adjustment with the adjusted wording to be provided in a future rule change
<i>Fines</i> Change: To comply with AB130	Change approved
<i>Use of Association Facilities</i> Change: To prohibit fund raising events being held on Common Area	Request pulled for wording adjustment with the adjusted wording to be provided in a future rule change
<i>Fecal Contamination</i> New Rule	Change approved
<i>Beach Bluff Use – General Conditions</i> Change: To prohibit fund raising events being held on Common Area	Request pulled for wording adjustment with the adjusted wording to be provided in a future rule change
<i>Human Propelled and Motorized Vehicles – Electric Bicycles</i> Change: To comply with new state regulations	Change disapproved
<i>Drones</i> Delete Rule: Unenforceable	Change approved
<i>General Parking Regulations – Overnight Parking</i> Change: Adjustment to waiver qualifications	Request pulled for wording adjustment with the adjusted wording to be provided in a future rule change
<i>General Parking Regulations – Beach Bluff Parking</i> Change: Wording adjusted to match new gate entry system/process	Change approved

*General Parking Regulations – Recreational Vehicle (Motorhome) Parking* Change approved

Change: Wording adjusted to match new gate entry system/process

*Enforcement Procedures* Change approved

Change: Wording adjusted to match new gate entry system/process

*Passes – General* Change approved

Delete Rule: New gate entry system makes this rule obsolete

*Barcode Decals* Change approved

Delete Rule: New gate entry system makes this rule obsolete

*Vehicle Decals – Authorized Persons/Vehicles (formerly Access Barcode Decals – Authorized Person/Vehicles)* Change approved

Change: Wording adjusted to match new gate entry system/process

*Non-Resident Short-Term Entry (formerly Types of Passes)* Change approved

Change: Wording adjusted to match new gate entry system/process

*Guest Parking Pass (Villas and Sea Terrace II)* Change approved

Delete Rule: New gate entry system makes this rule obsolete

*Non-Resident Long-Term Entry (formerly Permanent Guest List)* Change approved

Change: Wording adjusted to match new gate entry system/process

*Realtor Entry* Change approved

Change: Wording adjusted to match new gate entry system/process

*Applications and Project Review*  
(introduction paragraph only)

Change approved

Change: To confirm no additional adjustments are made to the building envelope once the house has been demolished and construction begins

*Modification Restrictions – Roof Heights and Building Additions*

Change approved

Change: To create a standardized base and provide clear direction regarding where building heights are measured

*Definitions – Guest*

Request pulled for wording adjustment with the adjusted wording to be provided in a future rule change

New Definition: To clarify who the Association considers a guest as opposed to a resident or tenant

<b>BOARD POLICY NAME</b>	<b>ACTION TAKEN</b>
<i>Board Hearing Procedures</i>	Procedure deleted
Change: To comply with AB130	
<i>Board Meeting Recording Policy</i>	Policy adopted
New: To establish standards of conduct regarding recording meetings	

**Fines**

HEALTH / SAFETY VIOLATIONS	1 <sup>st</sup> HEARING – PER PROPERTY	ADDITIONAL ENFORCEMENT - PER PROPERTY
Dog/Animal Bites Uncollected Pet Waste Pool/Spa Contamination Vandalism (specific)	Fine up to \$1,000 Collect costs of cleaning (if applicable)	Refer to NSCA counsel for legal action
Assault & Other Physical Violations	Immediate hearing, fine of \$1,000 - \$3,000, and/or refer of NSCA counsel for legal action	Refer to NSCA counsel for legal action
NON-HEALTH/SAFETY VIOLATIONS	1 <sup>st</sup> HEARING - PER PROPERTY	ADDITIONAL ENFORCEMENT - PER PROPERTY
Common Area Use Violations <ul style="list-style-type: none"> <li>- Beach Bluff</li> <li>- Clubhouse</li> <li>- Dog off leash</li> <li>- Loitering</li> <li>- Nuisance</li> <li>- Trash containers</li> <li>- Trespass, unauthorized access</li> </ul> Parking/Vehicle Operation  View Blockage (plant material)  Architectural Violations <ul style="list-style-type: none"> <li>- Failure to complete project</li> <li>- Failure to maintain property</li> <li>- Unauthorized modifications</li> </ul>	Fine of \$100	Refer to NSCA counsel for legal action

Fines are imposed for the purpose of obtaining compliance with the Association’s CC&Rs, Bylaws, and Rules and Regulations. The Board of Directors will exercise its reasonable discretion in determining the amount of the fine, taking into consideration, among other relevant factors, the nature and frequency of the violation and amount sufficient to obtain compliance and serve as a deterrent to further violations. Such fines shall become an obligation of the owner and shall be billed with the quarterly assessments. When circumstances such as the need for prompt action require, the Board may, in its discretion, proceed directly to a Board hearing or referral to legal counsel. After hearing and notice, the Board may vote to suspend the privileges of any member for a period not exceeding thirty (30) days.

### **Fecal Contamination**

Fecal contamination of the pool and spa is prohibited. If fecal contamination of the pool or spa occurs, the responsible member (homeowner) will be charged all costs of decontamination and will be subject to a fine for a health and safety violation pursuant to the fine schedule.

### **Drones – DELETED**

### **General Parking Regulations – Beach Bluff Parking**

Parking is only permitted between the hours of 6:00 a.m. – 10:00 p.m. Guests are required to park in the top parking tier. Guest parking is prohibited in the entire beach lot on the Fourth of July. Loitering is not permitted in the parking lot areas.

### **General Parking Regulations–Recreational Vehicle (Motorhome) Parking**

Recreational vehicles (motor homes included) are allowed to be temporarily parked provided that:

- a) The entry has been authorized by staff.
- b) Such parking is for the purpose of short-term loading and unloading of passengers and/or equipment only.
- c) There is no electrical or other utility hook-up between the vehicle and any property.
- d) There is no overnight sleeping or residing of persons in the vehicle.
- e) Such parking does not exceed twenty-four (24) hours and recreational vehicle is not permitted more than one entrance into the community in a seventy-two (72) hour period
- f) Such parking is otherwise in compliance with these rules.

### **Enforcement Procedures**

- 1) Notice for Violations: Before a fine may be assessed, a written warning notice (citation or Notice of Violation) will be given. The notice will state the nature of the violation.
- 2) Removal (tow) of Vehicle: May be made, without notice, of any vehicle parked as follows:
  - a) Not having been properly registered either as a resident with a valid vehicle decal or as a guest/service provider through the gate entry system
  - b) In a marked fire lane.
  - c) Within fifteen (15) feet of a fire hydrant.
  - d) In a space designated for handicapped without proper authority.
  - e) In a manner that interferes with entrance to or exit from NSCA.
  - f) In a manner that interferes with entrance to or exit from any residence, parcel or area owned by a member of the NSCA.

### **Passes–General – DELETED**

### **Barcode Decals – DELETED**

## **Vehicle Decals-Authorized Persons/Vehicles**

- 1) Owner:
  - a) Must provide a copy of the current vehicle registration for verification of ownership.
  - b) Address on registration not required to match NSCA property address.
- 2) Household Member:
  - a) Must provide a copy of the current registration for verification of ownership.
  - b) Must provide a valid driver's license with the name of the household member and the NSCA property address.
- 3) Tenant:
  - a) Must provide a copy of the current vehicle registration for verification of vehicle ownership.
  - b) Address on registration not required to match NSCA property address
  - c) Only individuals listed on the lease may obtain a decal.
  - d) Must provide a valid driver's license with the name of the tenant as reflected in the lease.
  - e) Each decal issued to a tenant must be renewed during the month the lease expires.
- 4) Company Owned Vehicle: A vehicle registered in a company name and issued to a resident for transportation.
  - a) Must provide a copy of the current vehicle registration.
  - a) Must provide a business card or other written confirmation on company letterhead that links the resident to the company that the vehicle is registered to.
- 5) Guest:
  - a) Each property may authorize up to four (4) guest decals.
  - b) Each guest decal that is issued will remove one spot on the long-term guest list in the gate entry system.
  - c) Must provide a copy of the current registration. Vehicle may not be registered to a resident or to a Niguel Shores property address.
  - d) Decal is active for six (6) months after issuance.
  - e) The Association has the authority to revoke a guest decal at any time.

## **Non-Resident Short-Term Entry**

Individuals entering Niguel Shores Community must be pre-authorized through the gate entry system. Once authorized, a QR code and 6-digit pin code will be sent to the non-resident that can be used to access the community from any vehicle entry gate. QR codes/pin codes are specific and will not allow access to an individual and/or vehicle that does not match the information provided in the gate entry system. Misuse of the QR code/pin code will result in revocation of the entry authorization. The boundaries for each type of non-resident are as follows:

- 1) Guest

A guest is defined by an individual that does not reside, own a home, or hold a lease in Niguel Shores and does not stay overnight for more than 14 days within 6 months or for 7 nights in a row

  - a) No more than 10 guests can be authorized for entry to one property per day
  - b) Short-term QR codes/pin codes can only be authorized for up to 7 consecutive days
- 2) Service Provider

A service provider is defined as an individual or company providing monthly, weekly, or daily standard property maintenance services (such as landscape maintenance, housekeeping or laundry services, food delivery services, handyman services, etc.) and not construction services

  - a) There is no limit to the number of service entries
  - b) Short-term QR codes/pin codes can be authorized for up to 3 consecutive months

3) Health or Homecare Provider

A health or homecare provider is defined as an individual or company providing in-home medical based services

- a) There is no limit to the number of health or homecare provider entries
- b) Short-term QR codes/pin codes can be authorized for up to 3 consecutive months

4) Construction Contractor

A contractor is defined as an individual or company hired for the purpose of performing modifications to the interior or exterior of a home and/or yard

- a) There is no limit to the number of construction service entries
- b) Short-term QR codes/pin codes can be authorized for up to 3 consecutive months
- c) Entry access will be terminated upon completion of the project
- d) Construction Hours (interior and exterior):  
Monday – Friday from 7:30 a.m. to 5:00 p.m.  
Saturday from 8:00 a.m. to 5:00 p.m.  
No construction is permitted (interior and exterior) on Sunday or on a Federal Holiday

**Guest Parking Passes (Villas and Sea Terrace II) – DELETED**

**Non-Resident Long-Term Entry**

Individuals entering Niguel Shores Community must be pre-authorized through the gate entry system. Once authorized, a QR code and 6-digit pin code will be sent to the non-resident that can be used to access the community from any vehicle entry gate. QR code/pin codes are specific and will not allow access to an individual and/or vehicle that does not match the information provided in the gate entry system. Misuse of the QR code/pin code will result in revocation of the entry authorization. The boundaries for authorizing a long-term entry pass are as follows:

- 1) Long-term entry can be authorized for 6 months.
- 2) Each property must renew authorization for the individuals on their long-term entry list every January and July by submitting written confirmation in the form of a new list to the NSCA Management office. If no authorization is received, the long-term entry list will expire.
- 3) Each property may authorize up to 5 long-term entries. This number will be reduced by one for each guest decal purchased for the property.
- 4) Large-scale construction projects or construction projects lasting longer than 3 months are not eligible for a long-term entry QR code and must purchase entry decals from the NSCA Management Office.

**Realtor Entry**

The following rules and boundaries apply to the entry of individuals that are involved in the sale or lease of a property within Niguel Shores:

- 1) Open house events are not permitted
- 2) Property viewing is based on individual entry access that is pre-authorized by the current owner through the gate entry system. Once authorized, a QR code and 6-digit pin code will be sent to the non-resident that can be used to access the community from any vehicle entry gate. QR codes/pin codes are specific and will not allow access to an individual and/or vehicle that does not match the information provided in the gate entry system. Misuse of the QR code/pin code will result in revocation of the entry authorization.
- 3) Preview Days:

- a) Tuesday – Thursday from 10:00 a.m. to 2:00 p.m.
- b) A realtor can access a property without pre-authorization on a designated preview day by providing the MLS listing and a photo identification with a business card to the Mariner Gate attendant. The attendant will provide a QR code for entry. The requirements for use of the QR code are the same as above.

### **Applications and Project Review (introduction paragraph)**

There are three types of applications submitted for consideration by the AC. A Preliminary Application is required for all changes to the exterior profile and/or footprint of a property. The preliminary review is less formal and results in the AC providing advice and counsel about the suitability of the plan. A Final Application must be submitted for a formal approval or disapproval by the AC. Application deadlines are published in the monthly community calendar. No demolition, construction, or external modification may be commenced unless a Final Application has been submitted and approved by the AC. Any change to an approved modification requires submission of a change order application. However, no additional changes to the building envelope are permitted once final approval has been issued to a remodel project.

### **Modification Restrictions-Roof Heights and Building Additions**

- a) Building height dimensions must be drawn from the finished floor using USGS values and dimensions
- b) Vertical raising of roof lines - The roof line of any residence is limited to the height stipulated by neighborhood. A roof line may not be modified if it imposes an unreasonable view blockage. Requests to change a flat roof to a pitched roof are taken on a case-by-case basis and approval of the request is not guaranteed.
- c) The height of all new houses and additions to existing houses shall be limited to avoid unreasonable view interference, and unreasonable privacy invasion.
- d) The addition of a second story to any one-story house is not allowed, except for some properties in Tract 7447 (Berkus Homes) as considered on a case-by-case basis.
- e) The construction of a single new home or modification of two existing homes to create a single new home, on two or more combined adjoining lots is not permitted.

## **BOARD MEETING RECORDING POLICY**

This policy is intended to address the recording of Niguel Shores Homeowners Association Board meetings, both in-person and via Zoom, in compliance with California law and the Davis-Stirling Common Interest Development Act.

1. **Authority:** Under California Civil Code § 4925, the Board may adopt reasonable rules for conduct at open meetings, including rules governing the use of recording devices.
2. **Official Recordings:** If the Board chooses to record a meeting (in-person or Zoom), it will be done as an official association action. Members will be notified at the start of the meeting that an official recording is being made.
3. **Member Recordings:** No attendee may record an open Board meeting—whether in person or via Zoom—without prior written consent from the Board. This includes audio, video, and screen captures.
4. **Zoom Meetings:** Because Zoom allows participants to capture video, audio, chat, and participant names, attendees must not record or distribute meeting content without written Board approval.
5. **Privacy & Liability:** Unauthorized recordings can expose the Association to privacy and reputational risks. This policy is designed to protect members and the Association from such risks.
6. **Enforcement:** Any member found recording without permission may be asked to stop immediately, removed from the meeting, and/or subject to enforcement actions permitted under the governing documents.

**Notice at Meetings:** The Board will include the following statement in the waiting room text for Zoom meetings and announce it at the start of all meetings:

“This meeting may be recorded by the Association for record-keeping. Recording by attendees is prohibited without Board consent.”