# County of Santa Clara

Department of Planning and Development County Government Center, East Wing, 7th Floor 70 West Hedding Street San Jose, CA 95110 Phone: (408) 299-5700 www.sccplandev.org



#### **MEMORANDUM**

DATE:	August 27, 2021
TO:	Honorable Board of Supervisors
FROM:	Jacqueline R. Onciano, Director, Dept. of Planning and Development
SUBJECT:	Public Outreach Surrounding State Fire Safety Regulations and Fire Exception Request Appeal Ordinance

#### Background

On August 17, 2021, the Board of Supervisors (Board) preliminarily adopted Ordinance No. NS-1100.134 relating to State Minimum Fire Safe Regulations and County appeal procedures (Item No. 106 on the August 17 Board meeting agenda). At the August 17 meeting and at the request of Supervisor Lee, the Board directed the Administration to provide an update on outreach completed to date, and to conduct additional community outreach relating to the Ordinance, prior to the August 31, 2021 Board meeting.

This memorandum is intended to provide an update on the public outreach conducted by the Administration regarding State fire safety regulations (fire safety regulations) established by the California Board of Forestry and Fire Protection (BOF) and implemented by the California Department of Forestry and Fire Protection (CAL-FIRE) that affect private development and public facilities in Santa Clara County.

Commencing January 2021, the Administration's outreach efforts can be placed into five categories:

1) Outreach to the Public (prior to August 17, 2021), 2) County Interdepartmental Coordination, 3) Lobbying Efforts, 4) County Reports, and 5) Additional Outreach (after August 17, 2021).

#### 1) Outreach to the Public: (Prior to August 17, 2021 Board meeting)

- Written correspondence to applicants with *active projects* (land use entitlements and plan checks) who are impacted by the implementation of the 1991 fire safe regulations
- Virtual meetings with directly impacted property owners, applicants, architects, engineers, applicants' attorneys, County staff (subject matter experts) and CAL FIRE staff to discuss the requirements and/or alternatives for *active projects* with the County—described the impacts to both private property owners and public projects
- Courtesy Notice sent to property owners with *active projects* who are impacted by fire safe regulations and the Applicants' Roundtable to attend/participate in the May 27, 2021 Housing, Land Use, Environment, and Transportation (HLUET) meeting (please refer to Attachment A)
- Encouragement of public participation in the BOF's consideration of amended State regulations—provided direct links to comment on amendments and address the BOF directly on individual efforts
- Provide information to the public concerning which properties are located in the State Responsibility Area (SRA) and/or Very High Fire Hazard Severity Zone (VHFHSZ) (and therefore subject to the State fire safety regulations) through the County's Interactive Property Profile Map available online (<u>Public Interactive Property Assessment</u>)
- Inform property owners, architects, engineers, etc., when requesting general property and development information and/or information on specific properties. This occurs through phone calls, emails, pre-application requests, and virtual counter calls.
- Established GIS mapping project to provide layers and information available to the public through the public GIS interface online (<u>Maps and GIS Data</u>)

#### 2) County Interdepartmental Coordination:

• Since January 2021, established weekly meetings with various County Departments to understand the changes to implementation of existing fire safe regulations, impacts to County properties and roads, and the public (private properties), and established technical teams to discuss various aspects of impact to enable reporting to HLUET, and the public, and to prepare extensive comments on the BOF's proposed amendments to the fire safe regulations. The Departments' cross-coordination has involved:

- Department of Planning and Development (DPD)
- Roads and Airports Department
- Department of Parks and Recreation
- Office of the County Counsel
- Fire Marshal's Office
- Facilities and Fleet Department
- Cross-coordination of reports, memoranda, presentations, comments on BOF amendments, drafted amendments to BOF on proposed amendments

#### 3) Lobbying Efforts:

- Communicated extensively with Rural County Representatives of California (RCRC) and other County Counsel offices across the state regarding impacts of BOF's proposed amendment to the fire safe regulations
  - Resulted in RCRC and other counties providing comments on the BOF's proposed amendments to fire safe regulations that were substantially similar to the County of Santa Clara's comments
- Attended and held a session at the California Counties Planning Directors Association Conference (CCPDA) in March 2021
  - Resulted in several local jurisdictions across the state providing comments and recommended edits to proposed regulations to the BOF, and significant attendance at the BOF public hearings
- Conducted outreach to other park and open space districts
  - Resulted in other park and open space districts submitting comments on the proposed amendments to the fire safe regulations that aligned with the County of Santa Clara's comments
- County Administration and President Wasserman submitted letters to the BOF with extensive comments on the proposed amendments to the fire safe regulations

#### 4) County Reports:

• Cross-coordination of an Off-Agenda Memorandum to the Board, dated May 10, 2021, to inform the Board of impacts of fire safe regulations on private and public lands (please refer to Attachment B)

- Public Meeting at HLUET on May 27, 2021, with a Courtesy Notice sent/emailed to: Applicants' Roundtable, interested parties (members of the public on a list established by DPD with current applications impacted by regulations) (Attachment A)
  - Resulted in establishing a GIS mapping layer that informs which properties are located within the SRA or Local Responsibility Area (LRA)/VHFHSZ
- Report back to HLUET on August 12, 2021—included Draft Ordinance for Appeals of fire safe regulation exception determinations in SRA and LRA/VHFHSZ
  - Resulted in providing language to inform the public of the regulations through established pre-application process with DPD
- 1st Reading of Fire Safe Regulations Appeal Ordinance—August 17, 2021 Board meeting (Item No. 106)
- 2nd Reading of Fire Safe Regulations Appeal Ordinance—slated for August 31, 2021 (would become effective 30 days thereafter)

#### 5) Additional Outreach: (since August 17, 2021 and ongoing)

- Created an informational website on the DPD website. Provides information and access from the main page of the DPD (<u>https://tinyurl.com/SCCSMFSR</u>)
- Sent a Courtesy Notice regarding the fire safe regulation appeal ordinance on August 26, 2021 to: Applicants' Roundtable and interested parties (members of the public on a list established by DPD with current applications impacted by regulations). This is consistent with previous courtesy notices sent since January 2021 (please refer to Attachment C)
- Sent a Courtesy Notice regarding the fire safe regulations and appeal ordinance to all persons registered for notification on the Nextdoor application on August 26, 2021 (**Countywide unincorporated area**) (please refer to Attachment D)
- Add language to the DPD County Planning application checklists for projects—tentatively scheduled to be completed September 2021
- Create a FAQ handout for the public (to be available on DPD website) tentatively scheduled to be completed by September 2021

- Continued coordination with members of the public impacted by regulations
- Continued coordination with the BOF on the proposed fire safe regulation amendments (ongoing—not finalized yet—BOF is conducting outreach to all local jurisdictions)
- As there are approximately <u>11,500 properties</u> located within the SRA or LRA/VHFHSZ, the Administration will conduct a community outreach meeting in the month of September 2021 to inform the 11,500 property owners of the applicability of the State's regulations to their properties and schedule a virtual meeting to allow questions and answers.

The Administration recognizes the serious threat that wildfires pose to life and property that is growing due to the effects of Climate Change, and fully supports the underlying intent of State regulations to discourage development or mitigate wildfire impacts in the SRA and the local VHFHSZ. Adopted County land use policies and associated regulations reinforce these principles. The Administration is eager to work with State and County officials to develop the best way to mitigate the threats caused by wildfires while balancing the concerns and rights of County residents and property owners.

#### **Next Steps**

Staff of the Department of Planning and Development will work with the Fire Marshal's Office to implement Ordinance No. NS-1100.134 once in effect, and are proposing that the Board adopt an appropriate fee for appeals of exception decisions—to be presented to HLUET and the Board in September 2021. The Administration will also continue to engage with the BOF concerning updates to their regulations and with individual applicants impacted by the State fire safety regulations.

c: Tiffany Lennear, <u>bosagenda@cob.sccgov.org</u>

Attachments:

Attachment A – May 27, 2021 HLUET Courtesy Notice Attachment B – May 19, 2021 Off-Agenda Memo to the Board of Supervisors Attachment C – August 25, 2021 Courtesy Notice – Appeal Ordinance

Attachment D – Nextdoor Application Courtesy Notice

#### County of Santa Clara

Department of Planning and Development Planning Office

County Government Center, East Wing, 7th Floor 70 West Hedding Street San Jose, California 95110-1705 (408) 299-5770 FAX (408) 288-9198 www.sccplanning.org



**COURTESY PUBLIC NOTICE** that the Board of Supervisors Housing, Land Use, Environment, and Transportation (HLUET) Committee is scheduled to receive the following report on:

#### Thursday, May 27, 2021 at 10:00 a.m.

#### Receive report from the Department of Planning and Development, Roads and Airports Department, and Department of Parks and Recreation relating to the Board of Forestry and Fire Protection State Minimum Fire Safe Regulations.

The purpose of the meeting is for staff to update HLUET on the State Minimum Fire Safe Regulations and potential impacts to current and future building construction of public facilities and private development projects in the County. Commencing July 1, 2021, per the adoption of Senate Bill (SB) 901, the regulations will also apply to Very High Fire Hazard Severity Zones (VHFHSZ) outside the State Response Area (SRA). The California Board of Forestry (BOF) is currently updating the regulations that will apply to both areas; the proposed updates will place greater restrictions on development. A State-mandated 45-day comment period for the proposed updates began on April 23, 2021. The report to HLUET can be reviewed on the <u>HLUET Agenda</u> page.

**INTERESTED PERSONS MAY APPREAR AND BE HEARD** during the public hearing which will take place via virtual teleconference (Zoom) meeting. Please visit <u>http://sccgov.iqm2.com/citizens/default.aspx?frame=no</u> to access the virtual teleconference meeting.

Written communications can be emailed to <u>hluetagenda@cob.sccgov.org</u> prior to the May 27<sup>th</sup> hearing date.

# County of Santa Clara

Department of Planning and Development County Government Center, East Wing, 7th Floor 70 West Hedding Street San Jose, CA 95110 Phone: (408) 299-5700 www.sccplandev.org



#### MEMORANDUM

DATE:	May 10, 2021
TO:	Honorable Board of Supervisors
FROM:	Jacqueline R. Onciano, Director, Dept. of Planning and Development Harry Freitas, Director of Roads and Airports Don Rocha, Director of Parks and Recreation
SUBJECT:	State Fire Safety Regulations Update & Report to HLUET

#### Background

This memorandum is intended to provide the Board an update on developments regarding State fire safety regulations (fire safety regulations) adopted by the California Board of Forestry and Fire Protection (BOF) and implemented by the California Department of Forestry and Fire Protection (CAL-FIRE) that affect private development and public facilities in Santa Clara County. Proposed changes in the content and application of these fire safety regulations may create a significant unanticipated financial burden, environmental impacts, and growth inducement implications throughout California.

<u>The Administration has identified three separate but related issues with the fire</u> <u>safety regulations</u>:

- **1) Existing Regulations:** CAL-FIRE has been responsible for reviewing development and enforcing fire safety regulations in the State Responsibility Area (SRA) since 1991. However, it appears that the regulations were applied inconsistently until January 2021, when CAL-FIRE became stricter in its enforcement of regulations.
- **2) Expansion of Regulations:** Senate Bill 901, adopted September 21, 2018, mandates that beginning July 1, 2021, the fire safety regulations will apply to Very High Fire Hazard Severity Zones (VHFHSZ) in the Local Responsibility Area (LRA). Cities and counties are responsible for applying the regulations in the LRA.

**3) Draft Modified Regulations:** Updated draft fire safety regulations, currently under consideration for adoption by the BOF, will apply to both SRA and VHFHSZ. The draft regulations will, generally, apply more restrictive standards on public and private development. These draft regulations began a Statemandated 45-day public comment period on April 23, 2021.

The Administration recognizes the serious threat that wildfires pose to life and property that is growing due to the effects of Climate Change, and fully supports the underlying intent of State regulations to discourage development or mitigate wildfire impacts in the SRA and the local VHFHSZ. Adopted County land use policies and associated regulations reinforce these principles. <u>However, the identified issues in this memo relate to the specific methods and standards used under State regulations and the resulting unintended consequences that impact Santa Clara County.</u>

The current and amended fire safety regulations address site development and access for virtually all residential, commercial, and industrial building construction and subdivisions located in the SRA and local VHFHSZ. According to BOF staff, the purpose of the proposed amendments is to establish minimum requirements for development and building construction in the SRA and local VHFHSZ, and limit construction where standards are not met. *"By limiting Building construction in those areas where these minimum Wildfire protection standards are not satisfied, this reduces the risk of wildfires in these areas, which among other things protects the health, safety and welfare of residents, and protects natural resources and the environment."* (§ 1270.02, April 23, 2021 draft).

#### Next Steps

Staff of Planning and Development, Parks and Recreation, Roads and Airports, Facilities and Fleet, the Fire Marshal's Office, and Office of the County Counsel are working together to prepare comments to the BOF on the draft fire safety regulations, including suggested amendments, to submit during the 45-day comment period.

These comments and requested text amendments will attempt to adjust road access improvements to existing roads to be proportionate to the size and impact of the proposed development, clarify some of the terminology and thresholds, streamline procedural issues, and address technical issues.

The Administration will be presenting this issue at the Housing, Land Use, Environment, and Transportation (HLUET) Committee at its May 27, 2021 meeting to receive additional feedback and direction. Additional considerations include anticipated road access improvement costs and the establishment of a process to consider appeals of CAL-FIRE decisions unless draft regulations are significantly altered.

#### **Roles and Responsibilities of Agencies**

The BOF and CAL-FIRE are separate but related entities that report to the same director. BOF establishes fire safety regulations for the SRA and local VHFHSZ (commencing July 1, 2021). CAL-FIRE is the primary fire responder in the SRA and is responsible for enforcing BOF standards in the SRA through project review and inspection.

#### **Fire Safety Regulations Specifics**

The fire safety regulations (both existing and the proposed updates) establish standards regarding:

- **1) On-site Improvements:** These include defensible space, water supply, and driveway standards. These are enforced at the time of development, and generally only impact the individual property owner.
- 2) Road Access Improvements: These require new development to improve access from a development site, to a road that meets the BOF/CAL-FIRE standards. This applies to new and existing roads, although in the proposed amendments new and existing roads are held to different standards. On existing roads, this may include widening, strengthening, removing vegetation or structures, significant grading or retaining walls, stream alterations, creating turnouts and turnarounds, and/or creating secondary access roads.

While the Administration supports the need to create minimum safety standards to allow safe road access to residences and other structures and facilities located in high fire hazard areas, and to reduce impacts caused by wildfires, staff has identified several concerns with these proposed regulations and how they will affect County residents and public facilities.

#### **Existing Road Networks**

A proposed development that will utilize existing roads that do not meet BOF/CAL-FIRE minimum standards for existing roads would be prohibited, until such time the road is improved to meet the standard. Although the <u>existing</u> fire safety regulations have been in effect for 30 years within the SRA, CAL-FIRE has not consistently applied the regulations to development projects in the County SRA. CAL-FIRE is now requiring the entire length of an access road be improved to meet the standards at the time of an individual property development, which places the burden on one property rather than all properties benefitting from the required improvement.

The requirement to upgrade some of these roads is both technically and financially infeasible. Road widening, for example, would require tree removal, extensive grading, and likely impact watercourses that run alongside existing roads. Such projects could conflict with a number of important County and State policies regarding habitat preservation, wetland and waterway protection, and environmental

stewardship, including the Santa Clara Valley Habitat Plan and Regional Water Board standards.

In addition, these improvements will likely far exceed the value of the raw or entitled land. In that case, it will be likely that the owners of the parcels will look for County assistance with the improvements to the road, or to add a private road to the County road inventory. While the County is under no obligation to comply with these requests, the Administration foresees political pressure to do so. Since the County is unable to fund these improvements, there may be disputes and challenges associated with the ability of private development projects to comply with the fire safety regulations.

The Administration is concerned about costs being distributed in a fair manner. For example, if a property owner wishes to build on a single parcel in a neighborhood where the other lots have already been developed, that last property may need to bear the entire cost of a road improvement that benefits the entire neighborhood. There are rarely mechanisms in place to require collective funding of such improvements, and any new mechanism would require the consent of all participants.

The Roads and Airports Department maintains a list of County-maintained roads that is updated and published annually, known as the "Official County Road Book." The Road Book currently reports attributes, such as paved width, right-of-way width, average daily traffic, pavement condition index, and classification such as valley, hill or mountain. To better understand the impacts of the new BOF regulations, staff will perform additional surveys this year to develop data sets that describe vertical slope and horizontal curve radius, in the VHFHSZ. This work will be targeted to dead-end roads with higher traffic volume.

This data will allow County Roads and the Fire Responders, CAL-FIRE and local Services, to identify and quantify excessively steep and curved locations that might benefit from improvements. This will also help the community better understand the physical limitations of the local road network as it is adapted to the local terrain.

#### **Growth Implications/Moratorium**

The Administration is concerned that improvement of the rural roads to meet these regulations, if implemented, may lead to additional growth pressure for development in the high fire hazard areas. While the General Plan designates most of the high fire hazard areas for resource conservation and has a number of policies that significantly limit the intensity of development allowed, road upgrades could intensify real estate speculation for rural lot development in these areas. Conversely, if these regulations are strictly enforced and no road improvements are made, it will create a virtual moratorium on development in much of the rural hillsides. Thus, the Administration recommends modifications that allow road and safety improvements proportionate to

the new development proposed, to avoid either scenario of growth inducement or a prohibition on all development.

#### **Impacts to County Parks**

Application of the current and amended fire safety regulations may also significantly impact County Parks within the SRA and local VHFHZ. The County maintains 26 parks or Parks properties within the SRA and local VHFHZ. These parks and properties include 113 buildings (82 of which are actively used), which could be subject to the fire safety regulations, including small structures that are minimally occupied, such as visitor centers, restrooms, kiosks, offices, shops, and lease facilities. There are about 23 miles of existing paved and unpaved roads that provide access and support buildings within the SRA and local VHFHZ that may not meet the standards in the proposed fire safety regulations.

Parks and open space comprise a highly desirable use of land within areas at high risk for wildfires. The Parks and Recreation Department is concerned by both the potential cost and the possible degradation of park land if these standards are applied without exception to parks and open space, and related projects. The Parks and Recreation Department uses existing infrastructure and develops the necessary facilities and infrastructure to provide public access and support to County Parks' operations, maintenance, and land stewardship within these areas. Changes to road access may not be possible due to topography, environmental impacts, or adjacent property rights. Where feasible, improvements will likely have substantial costs and impacts on the natural environment to meet the fire safety regulations.

The draft regulations could impact property protected as parklands and increase the cost of future acquisitions of new County parkland due necessary road improvements. There may be requirements and pressure on County parks to provide new secondary egress or evacuation routes serving private development. County parklands are often targeted for this purpose as they are large, contiguous parcels with regularly maintained trails and unpaved roads. Expansions of the existing roads to meet the proposed fire safety regulations could take parklands that are adjacent to public and private roads and easements. In addition, appropriate public access, balanced with stewardship, is the goal for properties purchased with Park Charter funds. Development of buildings and facilities necessary to support and enhance public access would likely trigger significant development required by the proposed fire safety regulations despite the low impact of open space recreation.

#### **Review Process and Appeals**

CAL-FIRE reviews projects for BOF regulation compliance in the SRA and the County Fire Marshal's Office reviews projects in the VHFHSZ; the reviewing entities may grant an exception to the fire safety regulations on a case-by-case basis if the developer's proposal provides "the same practical effect" as the regulations. An applicant may appeal CAL-FIRE's decision to deny an exception to the County. Staff is currently anticipating several appeals, which may ultimately need to be considered by the Board of Supervisors or a County-created appeals board.

c: Megan Doyle, <u>bosagenda@cob.sccgov.org</u>

Attachments:

- Attachment A SRA/VHFHSZ Fire Safe Regulations (current)
- Attachment B State Minimum Fire Safe Regulations, 2021 (April 23, 2021 draft)
- Attachment C SRA/VHFHSZ in Santa Clara County Map

Title 14. Natural Resources

Division 1.5. Department of Forestry and Fire Protection

Chapter 7. Fire Protection [FNA2]

Subchapter 2. SRA/Vhfhsv Fire Safe Regulations

Article 1. Administration

14 CCR § 1270

#### Article 1. Administration

#### § 1270.00. Title.

These regulations shall be known as the "SRA/VHFHSZ Fire Safe Regulations," and shall constitute the basic wildfire protection standards of the California Board of Forestry and Fire Protection.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4102, 4126, 4127 and 4290, Public Resources Code.

### § 1270.01. Purpose.

(a) These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area (SRA) and, after July 1, 2021, the Very High Fire Hazard Severity Zones as defined in Government Code § 51177(i) (VHFHSZ).

(b) The future design and construction of structures, subdivisions and developments in the SRA and, after July 1, 2021, the VHFHSZ shall provide for basic emergency access and perimeter wildfire protection measures as specified in the following articles.

(c) These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification. The fire protection standards which follow shall specify the minimums for such measures.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

#### § 1270.02. Scope.

(a) These regulations shall apply to:

(1) the perimeters and access to all residential, commercial, and industrial building construction within the SRA approved after January 1, 1991, and those approved after July 1, 2021 within the VHFHSZ, except as set forth below in subsections (b) through (d), inclusive, and (f);

(2) the siting of newly installed commercial modulars, manufactured homes, mobilehomes, and factory-built housing, as defined in Health and Safety Code sections 18001.8, 18007, 18008, and 19971, except where being sited or installed as an accessory or junior accessory dwelling unit as set forth in subsection (d) below;

(3) all tentative and parcel maps or other developments approved after January 1, 1991; and

(4) applications for building permits on a parcel approved in a pre-1991 parcel or tentative map to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative map.

(b) These regulations do not apply where an application for a building permit is filed after January 1, 1991 for building construction on a parcel that was formed from a parcel map or tentative map (if the final map for the tentative map is approved within the time prescribed by the local ordinance) approved prior to January 1, 1991, to the extent that conditions relating to the perimeters and access to the buildings were imposed by the parcel map or final tentative map approved prior to January 1, 1991.

(c) (1) At the discretion of the local jurisdiction, and subject to any requirements imposed by the local jurisdiction to ensure reasonable ingress, egress, and capacity for evacuation and emergency response during a wildfire, these regulations shall not apply to the reconstruction or repair of legally constructed residential, commercial, or industrial buildings due to a wildfire, to the extent that the reconstruction or repair does not:

(A) increase the square footage of the residential, commercial, or industrial building or buildings that previously existed; or

(B) change the use of the building or buildings that had existed previously; or

(C) construct a new building or buildings that did not previously exist on the site.

(2) Nothing in this subsection shall be construed to alter the extent to which these regulations apply to the reconstruction or repair of a legally constructed residential, commercial, or industrial building for reasons unrelated to a wildfire.

(d) These regulations do not apply to the creation of accessory or junior accessory dwelling units that comply with Government Code sections 65852.2 or 65852.22, or any local ordinances enacted thereunder, as applicable, including any local ordinances requiring provisions for fire and life safety.

(e) Unless otherwise exempt pursuant to this subchapter, affected activities include, but are not limited to:

(1) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d);

- (2) application for a building permit for new building construction;
- (3) application for a use permit; and
- (4) road construction.

(f) EXEMPTION: Roads used solely for agricultural, mining, or the management and harvesting of wood products.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1270.03. Provisions for Application of These Regulations.

This subchapter shall be applied as follows:

(a) the local jurisdictions shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE) or their designee with notice of applications for building permits, tentative parcel maps, tentative maps, and installation or use permits for construction or development within the SRA or, after July 1, 2021, the VHFHSZ.

(b) the Director or their designee may review and make fire protection recommendations on applicable construction or development permits or maps provided by the local jurisdiction.

(c) the local jurisdiction shall ensure that the applicable sections of this subchapter become a condition of approval of any applicable construction or development permit or map.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1270.04. Local Ordinances.

(a) Nothing contained in these regulations shall be considered as abrogating the provisions of any ordinance, rule, or regulation of any state or local jurisdiction provided that such ordinance, rule, or regulation is equal to or exceeds these minimum standards.

(b) Counties may submit their local ordinances for certification via email to the Board, and the Board may certify them as equaling or exceeding these regulations when they provide the same practical effect. If the Board determines that the local requirements do not equal or exceed these regulations, it shall not certify the local ordinance.

(c) When the Board grants certification, the local ordinances, in lieu of these regulations, shall be applied as described in 14 CCR § 1270.02 and used as the basis for inspections performed under 14 CCR § 1270.05.

(d) The Board's certification of local ordinances pursuant to this section is rendered invalid when previously certified ordinances are subsequently amended by local jurisdictions, or the regulations are amended by the Board, without Board re-certification of the amended ordinances. The Board's regulations supersede the amended local ordinance(s) when the amended local ordinance(s) are not re-certified by the Board. Amendments made by local jurisdictions to previously certified ordinances shall be submitted for re-certification.

Note: Authority cited: Sections 4111 and 4290, Public Resources Code. Reference: Sections 4117 and 4290, Public Resources Code.

### § 1270.05. Inspections.

Inspections shall conform to the following requirements:

(a) Inspection shall be made by:

(1) the Director, or

(2) local jurisdictions that have assumed state fire protection responsibility on SRA lands, or

(3) local jurisdictions where the inspection duties have been formally delegated by CAL FIRE to the local jurisdiction.

(b) Nothing in this section abrogates CAL FIRE's authority to inspect and enforce state forest and fire laws even when the inspection duties have been delegated pursuant to this section.

(c) Reports of violations shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in the local jurisdiction.

(d) When inspections are conducted, they shall occur prior to: the issuance of the use permit or certificate of occupancy; the recordation of the parcel map or final map; the filing of a notice of completion; or the final inspection of any project or building permit.

Note: Authority cited: Sections 4111, 4119 and 4290, Public Resources Code. Reference: Section 4290, Public Resources Code.

### § 1270.06. Exceptions to Standards.

(a) Upon request by the applicant, exceptions to standards within this subchapter or to local jurisdiction certified ordinances may be allowed by the inspection entity listed in 14 CCR § 1270.05, where the exceptions provide the same practical effect as these regulations towards providing defensible space. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be made on a case-by-case basis only. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be forwarded to the appropriate CAL FIRE Unit Office that administers SRA fire protection in that county and shall be retained on file at the Unit Office.

(b) Requests for an exception shall be made in writing to the inspection entity listed in 14 CCR § 1270.05 by the applicant or the applicant's authorized representative. At a minimum, the request shall state the specific section(s) for which an exception is requested, material facts supporting the contention of the applicant, the details of the exception proposed, and a map showing the proposed location and siting of the

exception. Local jurisdictions listed in 14 CCR section 1270.05 may establish additional procedures or requirements for exception requests.

(c) Where an exception is not granted by the inspection entity, the applicant may appeal such denial to the local jurisdiction. The local jurisdiction may establish or utilize an appeal process consistent with existing local building or planning department appeal processes.

(d) Before the local jurisdiction makes a determination on an appeal, the inspection authority shall be consulted and shall provide to that local jurisdiction documentation outlining the effects of the requested exception on wildfire protection.

(e) If an appeal is granted, the local jurisdiction shall make findings that the decision meets the intent of providing defensible space consistent with these regulations. Such findings shall include a statement of reasons for the decision. A written copy of these findings shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in that local jurisdiction.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1271.00. Definitions.

Agriculture: Land used for agricultural purposes as defined in a local jurisdiction's zoning ordinances.

Building: Any structure used or intended for supporting or sheltering any use or occupancy, except Utility and Miscellaneous Group U buildings.

CAL FIRE: California Department of Forestry and Fire Protection.

Dead-end road: A road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

Defensible space: The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, road names and building identification, and fuel modification measures.

Development: As defined in section 66418.1 of the California Government Code.

Director: Director of the Department of Forestry and Fire Protection or their designee.

Driveway: A vehicular access that serves up to two (2) parcels with no more than two (2) residential units and any number of non-commercial or industrial buildings on each parcel.

Distance Measurements: All specified or referenced distances are measured along the ground, unless otherwise stated.

EXCEPTION: An alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.

Fire valve: see hydrant.

Fuel modification area: An area where the volume of flammable vegetation has been reduced, providing reduced fire intensity and duration.

Greenbelts: A facility or land-use, designed for a use other than fire protection, which will slow or resist the spread of a wildfire. Includes parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards or annual crops that do not cure in the field.

Hammerhead/T: A road or driveway that provides a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road that serves it.

Hydrant: A valved connection on a water supply or storage system, having either one two and a half (2 1/2) inch or one four and a half (4 1/2) inch outlet, with male American National Fire Hose Screw Threads (NH), used to supply fire apparatus and hoses with water.

Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that issues or approves building permits, use permits, tentative maps or tentative parcel maps, or has authority to regulate development and construction activity.

Occupancy: The purpose for which a building, or part thereof, is used or intended to be used.

One-way road: A minimum of one traffic lane width designed for traffic flow in one direction only.

Residential unit: Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and/or sanitation for one or more persons. Manufactured homes, mobilehomes, and factory-built housing are considered residential units for the purposes of mandatory measures required in 14 CCR § 1270.01(c), unless being sited or installed as an accessory or junior accessory dwelling unit in accordance with 14 CCR § 1270.02(d).

Road: Vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

Road or driveway structures: Bridges, culverts, and other appurtenant structures which supplement the traffic lane or shoulders.

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

(a) access for emergency wildland fire equipment,

- (b) safe civilian evacuation,
- (c) signing that avoids delays in emergency equipment response,

(d) available and accessible water to effectively attack wildfire or defend a structure from wildfire, and

(e) fuel modification sufficient for civilian and fire fighter safety.

Shoulder: Vehicular access adjacent to the traffic lane.

State Board of Forestry and Fire Protection (Board): As defined in Public Resources Code section 730.

State Responsibility Area (SRA): As defined in Public Resources Code sections 4126-4127; and the California Code of Regulations, title 14, division 1.5, chapter 7, article 1, sections 1220-1220.5.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Subdivision: As defined in section 66424 of the Government Code.

Traffic lane: The portion of a road or driveway that provides a single line of vehicle travel.

Turnaround: A road or driveway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be a hammerhead/T or terminus bulb.

Turnouts: A widening in a road or driveway to allow vehicles to pass.

Utility and Miscellaneous Group U building: A structure of an accessory character or a miscellaneous structure not classified in any specific occupancy permitted, constructed, equipped, and maintained to conform to the requirements of Title 24, California Building Standards Code.

Vertical clearance: The minimum specified height of a bridge or overhead projection above the road or driveway.

Wildfire: As defined in Public Resources Code Section 4103 and 4104.

### Article 2. Emergency Access and Egress

#### § 1273.00. Intent.

Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1273.01. Width.

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.

(b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.

(2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1273.02. Road Surfaces.

(a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.

(b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.

(c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction.

### § 1273.03. Grades.

(a) At no point shall the grade for all roads and driveways exceed 16 percent.

(b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1273.04. Radius.

(a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet.

(b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1273.05. Turnarounds.

(a) Turnarounds are required on driveways and dead-end roads.

(b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.

(c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.

(d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.

(d) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.

(e) Figure A. Turnarounds on roads with two ten-foot traffic lanes.

Figure A/Image 1 is a visual representation of paragraph (b).

(f) Figure B. Turnarounds on driveways with one ten-foot traffic lane.

Figure B/Image 2 is a visual representation of paragraph (b).

### § 1273.06. Turnouts.

Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1273.07. Road and Driveway Structures.

(a) Appropriate signing, including but not limited to weight or vertical clearance limitations, one-way road or single traffic lane conditions, shall reflect the capability of each bridge.

(b) Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the American Association of State and Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition, published 2002 (known as AASHTO HB-17), hereby incorporated by reference. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the local authority having jurisdiction.

(c) Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, barriers, or signs, or both, as approved by the local authority having jurisdiction, shall be installed and maintained.

(d) A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1273.08. Dead-end Roads.

(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

parcels zoned for less than one acre - 800 feet

parcels zoned for 1 acre to 4.99 acres - 1,320 feet

parcels zoned for 5 acres to 19.99 acres - 2,640 feet

parcels zoned for 20 acres or larger - 5,280 feet

All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end

road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.

(b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

#### § 1273.09. Gate Entrances.

(a) Gate entrances shall be at least two (2) feet wider than the width of the traffic lane(s) serving that gate and a minimum width of fourteen (14) feet unobstructed horizontal clearance and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

(b) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(c) Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used.

(d) Security gates shall not be installed without approval. Where security gates are installed, they shall have an approved means of emergency operation. Approval shall be by the local authority having jurisdiction. The security gates and the emergency operation shall be maintained operational at all times.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### Article 3. Signing and Building Numbering

### § 1274.00. Intent.

To facilitate locating a fire and to avoid delays in response, all newly constructed or approved roads and buildings shall be designated by names or numbers posted on signs clearly visible and legible from the road. This section shall not restrict the size of letters or numbers appearing on road signs for other purposes.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1274.01. Road Signs.

(a) Newly constructed or approved roads must be identified by a name or number through a consistent system that provides for sequenced or patterned numbering and/or non-duplicative naming within each local jurisdiction. This section does not require any entity to rename or renumber existing roads, nor shall a road providing access only to a single commercial or industrial occupancy require naming or numbering. (b) The size of letters, numbers, and symbols for road signs shall be a minimum four (4) inch letter height, half inch (.5) inch stroke, reflectorized, contrasting with the background color of the sign.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1274.02. Road Sign Installation, Location, and Visibility.

(a) Road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred (100) feet.

(b) Signs required by this article identifying intersecting roads shall be placed at the intersection of those roads.

(c) A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end roads, one-way roads, or single lane conditions, shall be placed:

(i) at the intersection preceding the traffic access limitation, and

(ii) no more than one hundred (100) feet before such traffic access limitation.

(d) Road signs required by this article shall be posted at the beginning of construction and shall be maintained thereafter.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1274.03. Addresses for Buildings.

(a) All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Utility and miscellaneous Group U buildings are not required to have a separate address; however, each residential unit within a building shall be separately identified.

(b) The size of letters, numbers, and symbols for addresses shall conform to the standards in the California Fire Code, California Code of Regulations title 24, part 9.

(c) Addresses for residential buildings shall be reflectorized.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1274.04. Address Installation, Location, and Visibility.

(a) All buildings shall have a permanently posted address which shall be plainly legible and visible from the road fronting the property.

(b) Where access is by means of a private road and the address identification cannot be viewed from the public way, an unobstructed sign or other means shall be used so that the address is visible from the public way.

(c) Address signs along one-way roads shall be visible from both directions.

(d) Where multiple addresses are required at a single driveway, they shall be mounted on a single sign or post.

(e) Where a road provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site, or otherwise posted to provide for unobstructed visibility from that intersection.

(f) In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### Article 4. Emergency Water Standards

#### § 1275.00. Intent.

Emergency water for wildfire protection shall be available, accessible, and maintained in quantities and locations specified in the statute and these regulations in order to attack a wildfire or defend property from a wildfire.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1275.01. Application.

The provisions of this article shall apply in the tentative and parcel map process when new parcels are approved by the local jurisdiction having authority.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1275.02. Water Supply.

(a) When a water supply for structure defense is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when alternative methods of protection are provided and approved by the local authority having jurisdiction.

(b) Water systems equaling or exceeding the California Fire Code, California Code of Regulations title 24, part 9, or, where a municipal-type water supply is unavailable, National Fire Protection Association (NFPA) 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 2017 Edition, hereby incorporated by reference, shall be accepted as meeting the requirements of this article.

(c) Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man made containment structure, as long as the specified quantity is immediately available.

(d) Nothing in this article prohibits the combined storage of emergency wildfire and structural firefighting water supplies unless so prohibited by local ordinance or specified by the local fire agency.

(e) Where freeze or crash protection is required by local jurisdictions having authority, such protection measures shall be provided.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

## § 1275.03. Hydrants and Fire Valves.

(a) The hydrant or fire valve shall be eighteen (18) inches above the finished surface. Its location in relation to the road or driveway and to the building(s) or structure(s) it serves shall comply with California Fire Code, California Code of Regulations title 24, part 9, Chapter 5, and Appendix C.

(b) The hydrant head shall be a two and half (2 1/2) inch National Hose male thread with cap for pressure and gravity flow systems and four and a half (4 1/2) inch for draft systems.

(c) Hydrants shall be wet or dry barrel and have suitable freeze or crash protection as required by the local jurisdiction.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

§ 1275.04. Signing of Water Sources.

(a) Each hydrant, fire valve, or access to water shall be identified as follows:

(1) if located along a driveway, a reflectorized blue marker, with a minimum dimension of three (3) inches shall be located on the driveway address sign and mounted on a fire retardant post, or

(2) if located along a road,

(i) a reflectorized blue marker, with a minimum dimension of three (3) inches, shall be mounted on a fire retardant post. The sign post shall be within three (3) feet of said hydrant or fire valve, with the sign no less than three (3) feet nor greater than five (5) feet above ground, in a horizontal position and visible from the driveway, or

(ii) as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

## Article 5. Fuel Modification Standards

#### § 1276.00. Intent.

To reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation, the strategic siting of fuel modification and greenbelts shall provide for increased safety for emergency fire equipment and evacuating civilians by its utilization around structures and roads, including driveways, and a point of attack or defense from a wildfire.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1276.01. Setback for Structure Defensible Space.

(a) All parcels shall provide a minimum thirty (30) foot setback for all buildings from all property lines and/or the center of a road.

(b) When a thirty (30) foot setback is not possible for practical reasons, which may include but are not limited to parcel dimensions or size, topographic limitations, or other easements, the local jurisdiction shall provide for same practical effect.

(i) Same practical effect requirements shall reduce the likelihood of home-tohome ignition.

(ii) Same practical effect options may include, but are not limited to, noncombustible block walls or fences; five (5) feet of noncombustible material horizontally around the structure; installing hardscape landscaping or reducing exposed windows on the side of the structure with a less than thirty (30) foot setback; or additional structure hardening such as those required in the California Building Code, California Code of Regulations title 24, part 2, Chapter 7A.

(c) Structures constructed in the SRA are required to comply with the defensible space regulations in Title 14. Natural Resources Division 1.5. Department of Forestry and Fire Protection Chapter 7. Fire Protection Subchapter 3. Fire Hazard.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1276.02. Maintenance of Defensible Space Measures.

To ensure continued maintenance of commonly owned properties in conformance with these standards and to assure continued availability, access, and utilization of the defensible space provided by these standards during a wildfire, provisions for annual maintenance shall be provided in emergency access covenants or similar binding agreements.

### § 1276.03. Disposal of Flammable Vegetation and Fuels.

Disposal, including chipping, burying, burning or removal to a site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

Note: Authority cited: Section 4290, Public Resources Code. Reference: Sections 4290 and 4291, Public Resources Code.

### § 1276.04. Greenbelts.

Subdivision and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the local authority having jurisdiction and may be consistent with the CAL FIRE Unit Fire Management Plan or Contract County Fire Plan.

1 Title 14 of the California Code of Regulations (14 CCR), **Division 1.5, Chapter 7** 2 Subchapter 2, Articles 1-5 3 "DRAFT State Minimum Fire Safe Regulations, 2021" 4 5 6 Subchapter 2. SRA/VHFHSZ State Minimum Fire Safe Regulations 7 Article 1. Administration 8 § 1270.00. Title. 9 These regulations shall be known as the "SRA/VHFHSZ State 10 Minimum Fire Safe Regulations," and shall constitute the basic 11 minimum #Wildfire protection standards of the California Board 12 of Forestry and Fire Protection. 13 Note: Authority cited: Section 4290, Public Resources Code. 14 Reference: Sections 4102, 4126, 4127 and 4290, Public Resources 15 Code. 16 17 § 1270.01. Definitions Purpose 18 The following definitions are applicable to this Subchapter. 19 (a) Access: The Roads on a route from a Building to the nearest 20 Collector Road. 21 (b) Agriculture: Land used for agricultural purposes as defined 22 in a Local Jurisdiction's zoning ordinances. 23 (c) Board: California Board of Forestry and Fire Protection. 24 (d) Building: Any Structure used or intended for supporting or 25 sheltering any use or Occupancy, except those classified as

1	Utility and Miscellaneous Group U.
2	(e) CAL FIRE: California Department of Forestry and Fire
3	Protection.
4	(f) Clear Width: A horizontal area free of vegetation, debris,
5	fences, or other materials that may impede traffic flow; this
6	area may include flexible posts or barriers.
7	(g) Collector Road: Roads identified by a Local Jurisdiction as
8	a major or minor, or general, collector road pursuant to Title
9	23, Code of Federal Regulations, § 470.105 and in conformance
10	with the procedures in the US Federal Highway Administration
11	"Highway Functional Classification Concepts, Criteria, and
12	Procedures," 2013 Edition, hereby incorporated by reference.
13	(h) Dead-end Road: A Road that has only one point of vehicular
14	ingress/egress, including cul-de-sacs and looped Roads.
15	(i) Defensible Space: As defined in California Code of
16	<u>Regulations, Title 14, § 1299.02(a).</u>
17	(j) Development: As defined in section 66418.1 of the California
18	<u>Government Code.</u>
10	(k) Director: Director of the Department of Forestry and Fire
	Protection or their designee.
20	(1) Driveway: A vehicular pathway that serves up to two (2)
21	parcels with no more than two (2) Residential Units and any
22	number of non-commercial or non-industrial Utility or
23	Miscellaneous Group U Buildings on each parcel. A Driveway shall
24	not serve commercial or industrial uses at any size or scale.
25	(m) Exception: An alternative means or method to achieve a

1	specified standard requested by the applicant subject to §
2	1270.06 (Exceptions to Standards).
3	(n) Existing Road: A physical Road constructed and used by
4	vehicles prior to a Development proposal.
5	(o) Fire Apparatus: A vehicle designed to be used under
6	emergency conditions to transport personnel and equipment or to
7	support emergency response, including but not limited to the
8	suppression of fires.
9	(p) Fire Authority: A fire department, agency, division,
10	district, or other governmental body responsible for regulating
11	and/or enforcing minimum fire safety standards.
12	(q) Fire Hydrant: A valved connection on a water supply or
13	storage system for the purpose of providing water for fire
14	protection and suppression operations.
15	(r) Fuel Break: A strategically located area where the volume
16	and arrangement of vegetation has been managed to limit fire
17	intensity, fire severity, rate of spread, crown fire potential,
18	and/or ember production.
19	(s) Greenbelts: Agricultural lands, open space, parks,
20	wildlands, or a combination thereof, as designated by Local
21	Jurisdictions, which surround or are adjacent to a city or
22	urbanized area, and restrict or prohibit Development.
23	(t) Greenways: Linear open spaces or corridors that link parks
23	and neighborhoods within a community through natural or manmade
24	trails and paths.
20	(u) Hammerhead/T: A Rroad or Driveway that provides a "T"

1	shaped, three-point Turnaround space for Fire Apparatus, being
2	no narrower than the Road or Driveway that serves it.
3	(v) Hazardous Land Use: A land use that presents a significantly
4	elevated potential for the ignition, prolonged duration, or
5	increased intensity of a Wildfire due to the presence of
6	flammable materials, liquids, or gasses, or other features that
7	initiate or sustain combustion. Such uses are determined by the
8	Local Jurisdiction and may include, but are not limited to,
9	power-generation and distribution facilities; wood processing or
10	storage sites; flammable gas or liquids processing or storage
11	sites; or shooting ranges.
12	(w) Local Jurisdiction: Any county, city/county agency or
13	department, or any locally authorized district that approves or
14	has the authority to regulate Development.
15	(x) Local Responsibility Area (LRA): Those areas of land not
16	classified by the Board where the financial responsibility of
10	preventing and suppressing Wildfires is that of the state or
	federal government, pursuant to Public Resources Code (PRC)
18	section 4125.
19	(y) Local Road: Roads identified by a Local Jurisdiction as a
20	local road pursuant to Title 23, Code of Federal Regulations, §
21	470.105 and in conformance with the procedures in the US Federal
22	Highway Administration "Highway Functional Classification
23	Concepts, Criteria, and Procedures," 2013 Edition, hereby
24	
	incorporated by reference.
25	<u>incorporated by reference.</u> (z) Municipal-Type Water System: A system having water pipes

1	servicing Fire Hydrants and designed to furnish, over and above
2	domestic consumption, a minimum of 250 gpm (950 L/min) at 20 psi
3	(138 kPa) residual pressure for a two (2) hour duration.
4	(aa) New Road: A theoretical Road proposed in a Development
5	application.
6	(bb) Occupancy: The purpose for which a Building, or part
7	thereof, is used or intended to be used.
8	(cc) One-way Road: A minimum of one Traffic Lane width designed
9	for traffic flow in one direction only.
10	(dd) Perimeter: The boundary of an individual parcel and/or the
11	boundary of a tentative and final or parcel map, pursuant to
12	Government Code § 66411, within which lies any Building
13	construction.
14	(ee) Residential Unit: Any Building or portion thereof which
15	contains living facilities, including provisions for sleeping,
16	eating, cooking and/or sanitation for one or more persons.
17	Manufactured homes, mobile homes, and factory-built housing are
18	considered residential units, unless being sited or installed as
19	an accessory or junior accessory dwelling unit in accordance
20	with § 1270.03(d) (Scope - Exemptions - ADUs).
21	(ff) Ridgeline: The line of intersection of two opposing slope
22	aspects running parallel to the long axis of the highest
23	elevation of land.
24	(gg) Road: A public or private vehicular pathway to more than
25	two (2) parcels, more than four (4) Residential Units, or to any
20	industrial or commercial Occupancy.

1	(hh) Road or Driveway Structures: Bridges, culverts, and other
2	appurtenant structures which supplement the Traffic Lane or
3	<u>Shoulders.</u>
4	(ii) Shoulder: A vehicular pathway adjacent to the Traffic Lane.
5	(jj) State Responsibility Area (SRA): As defined in Public
6	Resources Code sections 4126-4127; and the California Code of
7	Regulations, title 14, division 1.5, chapter 7, article 1,
8	<u>sections 1220-1220.5.</u>
9	(kk) Structure: That which is built or constructed, a Building
10	of any kind, or any piece of work artificially built up or
11	composed of parts joined together in some definite manner.
12	(11) Substantial Compliance: Nearly complete satisfaction of all
13	material requirements consistent with the purpose of the
14	applicable State Minimum Fire Safe Regulations even though the
15	formal requirements are not satisfied.
16	(mm) Substantial Evidence: Enough relevant information and
17	reasonable inferences from this information that a fair argument
18	can be made to support a conclusion, in light of the whole
19	record of evidence, even though other conclusions might also be
20	reached. Argument, speculation, unsubstantiated opinion or
20	narrative, or evidence which is clearly erroneous or inaccurate
	does not constitute substantial evidence. Substantial evidence
22	shall include facts, reasonable assumptions predicated upon
23	facts, and expert opinion supported by facts.
24	(nn) Traffic Lane: The portion of a Road or Driveway that
25	provides a single line of vehicle travel.

1	(oo) Turnaround: A portion of a Road or Driveway, unobstructed
2	by parking, which allows for a safe opposite change of direction
3	for Fire Apparatus. Design of such area may be a hammerhead/T or
4	terminus bulb.
5	(pp) Turnout: A widening in a Road or Driveway to allow vehicles
6	to pass.
7	(qq) Undeveloped Ridgeline: A Ridgeline with no Buildings.
8	(rr) Utility and Miscellaneous Group U: A Structure of an
9	accessory character or a miscellaneous Structure not classified
10	in any specific Occupancy permitted, constructed, equipped, and
11	maintained to conform to the requirements of Title 24,
12	<u>California Building Standards Code.</u>
13	(ss) Vertical Clearance: The minimum specified height of a
14	bridge, overhead projection, or vegetation clearance above the
15	Road or Driveway.
16	(tt) Very High Fire Hazard Severity Zone (VHFHSZ): As defined in
	Government Code section 51177(i).
17	(uu) Wildfire: As defined in Public Resources Code Section 4103
18	<u>and 4104.</u>
19	(a) These regulations have been prepared and adopted for the
20	purpose of establishing minimum wildfire protection standards in
21	conjunction with building, construction and development in the
22	State Responsibility Area (SRA) and, after July 1, 2021, the Very
23	High Fire Hazard Severity Zones as defined in Government Code §
24	<del>51177(i) (VHFHSZ).</del>
25	(b) The future design and construction of structures,

1	subdivisions and developments in the SRA and, after July 1,
2	2021, the VHFHSZ shall provide for basic emergency access and
3	perimeter wildfire protection measures as specified in the
4	following articles.
5	(c) These measures shall provide for emergency access; signing
6	and building numbering; private water supply reserves for
7	emergency fire use; and vegetation modification. The fire
8	protection standards which follow shall specify the minimums for
9	such measures.
10	Note: Authority cited: Section 4290, Public Resources Code.
11	Reference: Sections 4290 and 4291, Public Resources Code.
12	
13	§ 1270.02. <u>Purpose.</u> Scope
14	(a) These regulations have been prepared and adopted for the
15	purpose of establishing state minimum Wildfire protection
16	standards in conjunction with Building construction and
17	Development in the State Responsibility Area (SRA) and, after
18	July 1, 2021, the Very High Fire Hazard Severity Zones, as
19	defined in Government Code § 51177(i) (VHFHSZ).
20	(b) Building construction in the SRA and, after July 1, 2021,
21	the VHFHSZ shall provide for minimum Wildfire protection
22	standards as specified in the following articles.
23	(c) These standards shall provide for emergency ingress and
24	egress; signing and Building numbering; private water supply
25	reserves for emergency fire use; vegetation modification, Fuel
	Breaks, Greenbelts, and measures to preserve Undeveloped

1	Ridgelines. The regulations which follow shall specify the
2	minimums for such standards.
3	(d) By limiting Building construction in those areas where these
4	minimum Wildfire protection standards are not satisfied, this
5	reduces the risk of Wildfires in these areas, which among other
6	things protects the health, safety and welfare of residents, and
7	protects natural resources and the environment.
8	(a) These regulations shall apply to:
9	(1) the perimeters and access to all residential, commercial,
10	and industrial building construction within the SRA approved
11	after January 1, 1991 , and those approved after July 1, 2021
12	within the VHFHSZ, except as set forth below in subsections (b)
13	through (d), inclusive, and (f);
14	(2) the siting of newly installed commercial modulars,
15	manufactured homes, mobilehomes, and factory-built housing, as
16	defined in Health and Safety Code sections 18001.8, 18007,
17	18008, and 19971, except where being sited or installed as an
18	accessory or junior accessory dwelling unit as set forth in
19	subsection (d) below;
20	(3) all tentative and parcel maps or other developments approved after January 1, 1991; and
21	
22	(4) applications for Building permits on a parcel approved in a pre-1991 parcel or tentative map to the extent that conditions
23	relating to the perimeters and access to the Buildings were not
24	imposed as part of the approval of the parcel or tentative map.
25	(b) These regulations do not apply where an application for a

1	Building permit is filed after January 1, 1991 for Building
2	construction on a parcel that was formed from a parcel map or
3	tentative map (if the final map for the tentative map is
4	approved within the time prescribed by the local ordinance)
5	approved prior to January 1, 1991, to the extent that conditions
6	relating to the perimeters and access to the Buildings were
7	imposed by the parcel map or final tentative map approved prior
8	to January 1, 1991.
9	(c) (1) At the discretion of the Local Jurisdiction, and subject
10	to any requirements imposed by the Local Jurisdiction to ensure
11	reasonable ingress, egress, and capacity for evacuation and
12	emergency response during a Wildfire, these regulations shall
13	not apply to the reconstruction or repair of legally constructed
14	residential, commercial, or industrial Buildings due to a
15	Wildfire, to the extent that the reconstruction or repair does
16	not:
	(A) increase the square footage of the residential, commercial,
17	or industrial Building or Buildings that previously existed; or
18	(B) change the use of the Building or Buildings that had existed
19	previously; or
20	(C) construct a new Building or Buildings that did not
21	previously exist on the site.
22	(2) Nothing in this subsection shall be construed to alter the
23	extent to which these regulations apply to the reconstruction or
24	repair of a legally constructed residential, commercial, or
25	industrial Building for reasons unrelated to a Wildfire.

1	(d) These regulations do not apply to the creation of accessory
2	or junior accessory dwelling units that comply with Government
3	Code sections 65852.2 or 65852.22, or any local ordinances
4	enacted thereunder, as applicable, including any local
5	ordinances requiring provisions for fire and life safety.
6	(e) Unless otherwise exempt pursuant to this Subchapter,
7	affected activities include, but are not limited to:
8	(1) permitting or approval of new parcels, excluding lot line
9	adjustments as specified in Government Code (GC) section
10	<del>66412(d);</del>
11	(2) application for a Building permit for new Building
12	construction;
13	(3) application for a use permit; and
14	(4) road construction.
15	(f) EXEMPTION: Roads used solely for agricultural, mining, or
16	the management and harvesting of wood products.
17	Note: Authority cited: Section 4290, Public Resources Code.
18	Reference: Sections 4290 and 4291, Public Resources Code.
19	
20	§ 1270.03. <u>Scope.</u> Provisions for Application of The Regulations
21	(a) These regulations shall apply to:
22	(1) the Perimeters and Access to all residential,
23	commercial, and industrial Building construction within the SRA
24	approved after January 1, 1991 and those approved after July 1,
25	2021 within the VHFHSZ, except as set forth below in subsections
	(b), (c), (d), and (e) below.

1	(2) the siting of newly installed commercial modulars,
2	manufactured homes, mobilehomes, and factory-built housing, as
3	defined in Health and Safety Code sections 18001.8, 18007,
4	18008, and 19971, except where being sited or installed as an
5	accessory or junior accessory dwelling unit as set forth in
6	subsection (d) below;
7	(3) all tentative and parcel maps or other Developments
8	approved after January 1, 1991; and
9	(4) applications for Building permits on a parcel approved
10	in a pre-1991 parcel or tentative map to the extent that
11	conditions relating to the Perimeters and Access to the
12	Buildings were not imposed as part of the approval of the parcel
13	<u>or tentative map.</u>
14	(b) These regulations do not apply where an application for a
15	Building permit in the SRA is filed after January 1, 1991 for
16	Building construction on a parcel that was formed from a parcel
17	map or tentative map (if the final map for the tentative map is
18	approved within the time prescribed by the local ordinance)
19	approved prior to January 1, 1991, to the extent that conditions
20	relating to the Perimeters and Access to the Buildings were
21	imposed by the parcel map or final tentative map approved prior
22	<u>to January 1, 1991.</u>
22	(1) For this exemption to apply, the parcel map or
	tentative map that was approved prior to January 1, 1991, shall
24	have imposed conditions relating to the Perimeters and Access to
25	the Building construction that is the subject of the Building

permit application filed after January 1, 1991.
(2) These regulations shall apply to the Building
construction to the extent that conditions relating to the
Perimeters and Access to the Buildings were not imposed as part
of the approval of the parcel map or tentative map.
(c) At the discretion of the Local Jurisdiction, and subject to
any requirements imposed by the Local Jurisdiction to ensure
reasonable ingress, egress, and capacity for evacuation and
emergency response during a Wildfire, these regulations shall
not apply to the reconstruction or repair of a Building due to a
Wildfire, subject to the following:
(1) this exemption shall not apply if the reconstruction or
repair encroaches on the minimum setback requirements in §
1276.01 Building and Parcel Siting and Setbacks;
(2) this exemption shall not apply if the reconstruction or
repair changes the use of the Building or Buildings that had
existed previously;
(3) nothing in this subsection shall be construed to alter
the extent to which these regulations apply to the
reconstruction or repair of a Building for reasons unrelated to
a Wildfire; and
(4) nothing in this subsection shall be construed to alter
the legal character of a Building reconstructed or repaired
pursuant to this exemption.
(d) These regulations do not apply to the creation of accessory
or junior accessory dwelling units that comply with Government

1	Code sections 65852.2 or 65852.22, or any local ordinances
2	enacted thereunder, as applicable, including any local
3	ordinances requiring provisions for fire and life safety.
4	(e) These regulations shall not apply to Roads used solely for
5	Agriculture, mining, or the management of timberland and
6	harvesting of forest products.
7	This Subchapter shall be applied as follows:
8	(a) the Local Jurisdictions shall provide the Director of
9	the California Department of Forestry and Fire Protection (CAL
10	FIRE) or their designee with notice of applications for Building
11	permits, tentative parcel maps, tentative maps, and installation
12	or use permits for construction or development within the SRA.
13	(b) the Director or their designee may review and make fire
14	protection recommendations on applicable construction or
15	development permits or maps provided by the Local Jurisdiction.
16	(c) the Local Jurisdiction shall ensure that the applicable
17	sections of this Subchapter become a condition of approval of
18	any applicable construction or development permit or map.
19	Note: Authority cited: Section 4290, Public Resources Code.
20	Reference: Sections 4290 and 4291, Public Resources Code.
21	
22	§ 1270.04. Local <u>Regulations Ordinances</u> .
23	(a) These regulations shall serve as the minimum Wildfire
	protection standards applied in SRA and VHFHSZ. However, these
24	regulations do not supersede local regulations which equal or
25	exceed the standards of this Subchapter. Nothing contained in

1	these regulations shall be considered as abrogating the
2	provisions of any ordinance, rule or regulation of any state or
3	Local Jurisdiction provided that such ordinance, rule, or
4	regulation is equal to or exceeds these minimum standards.
5	(b) A local regulation equals or exceeds a minimum standard of
6	this Subchapter only if, at a minimum, the local regulation also
7	fully complies with the corresponding minimum standard in this
8	Subchapter. Counties may submit their local ordinances for
9	certification via email to the Board, and the Board may certify
10	them as equaling or exceeding these regulations when they
11	provide the same practical effect. If the Board determines that
12	the local requirements do not equal or exceed these regulations,
13	it shall not certify the local ordinance.
14	(c) A Local Jurisdiction shall not apply exemptions that are not
15	enumerated in this Subchapter. Exceptions requested and approved
16	in conformance with § 1270.06 (Exceptions to Standards) may be
17	granted on a case-by-case basis. When the Board grants
18	certification, the local ordinances, in lieu of these
	regulations, shall be applied as described in 14 CCR § 1270.02
19	and used as the basis for inspections performed under 14 CCR §
20	<del>1270.05.</del>
21	(d) A Local Jurisdiction or Fire Authority may notify the Board
22	upon commencement of any revisions to relevant local
23	regulations. The Board may provide technical assistance to the
24	agency during the revision drafting process. The Board's
25	certification of local ordinances pursuant to this section is

1	rendered invalid when previously certified ordinances are
2	subsequently amended by Local Jurisdictions, or the regulations
3	are amended by the Board, without Board re-certification of the
4	amended ordinances. The Board's regulations supersede the
5	amended local ordinance(s) when the amended local ordinance(s)
6	are not re-certified by the Board. Amendments made by Local
7	Jurisdictions to previously certified ordinances shall be
8	submitted for re-certification.
9	(e) The Local Jurisdiction or Fire Authority may submit their
10	draft regulation to the Board at least 90 days before the first
11	meeting of the Local Jurisdiction or Fire Authority at which the
12	proposed draft will be presented to the public.
13	(f) The Board may provide recommendations on the draft within 60
14	days.
15	(g) Notwithstanding a local regulation that equals or exceeds
16	the State Minimum Fire Safe Regulations, Building construction
17	shall comply with the State Minimum Fire Safe Regulations.
18	Note: Authority cited: Section 4290, Public Resources Code.
10	Reference: Sections 4290 and 4291, Public Resources Code.
20	
21	§ 1270.05. Inspections.
	Inspections shall conform to the following requirements:
22	(a) Inspections in the SRA shall be made by:
23	(1) the Director, or
24	(2) Local Jurisdictions that have assumed state fire
25	protection responsibility on SRA lands, or

1	(3) Local Jurisdictions where the inspection duties have
2	been formally delegated by <del>CAL FIRE the Director to the Local</del>
3	Jurisdiction, pursuant to subsection (b).
4	(b) The Director may delegate inspection authority to a Local
5	Jurisdiction subject to all of the following criteria:
6	(1) The Local Jurisdiction represents that they have
7	appropriate resources to perform the delegated inspection
8	authority.
9	(2) The Local Jurisdiction acknowledges that CAL FIRE's
10	authority under subsection (d) shall not be waived or
11	restricted.
12	(3) The Local Jurisdiction consents to the delegation of
13	inspection authority.
14	(4) The Director may revoke the delegation at any time.
15	(5) The delegation of inspection authority, and any
16	subsequent revocation of the delegation, shall be documented in
17	writing, and retained on file at the CAL FIRE Unit headquarters
18	that administers SRA fire protection in the Local Jurisdiction.
10	Nothing in this section abrogates CAL FIRE's authority to
	inspect and enforce state forest and fire laws even when the
20	inspection duties have been delegated pursuant to this section.
21	(c) Inspections in the VHFHSZ shall be made by the Local
22	Jurisdiction or Fire Authority.Reports of violations shall be
23	provided to the CAL FIRE Unit headquarters that administers SRA
24	fire protection in the Local Jurisdiction.
25	(d) Nothing in this section abrogates CAL FIRE's authority to

1	inspect and enforce state forest and fire laws in the SRA even
2	when the inspection duties have been delegated pursuant to this
3	section. When inspections are conducted, they shall occur prior
4	to: the issuance of the use permit or certificate of occupancy;
5	the recordation of the parcel map or final map; the filing of a
6	notice of completion; or the final inspection of any project or
7	Building permit.
8	(e) Reports of violations within the SRA shall be provided to
9	the CAL FIRE Unit headquarters that administers SRA fire
10	protection in the Local Jurisdiction.
11	(f) Inspections conducted by the Director shall be limited to
12	confirming compliance with the State Minimum Fire Safe
13	Regulations. Inspections conducted by the Local Jurisdiction or
14	Fire Authority shall confirm compliance with the State Minimum
15	Fire Safe Regulations. A Local Jurisdiction may, in its
16	discretion, conduct additional inspections with respect to a
17	local regulation that equals or exceeds the State Minimum Fire
18	Safe Regulations.
19	(g) The Local Jurisdiction shall ensure that any applicable
20	Building construction complies with the applicable sections of
	this Subchapter.
21	Note: Authority cited: Section 4290, Public Resources Code.
22	Reference: Sections <u>4102</u> , <u>4119</u> , <u>4125</u> , <u>4290</u> and <u>4291</u> , Public
23	Resources Code.
24	
25	

11

12

13

14

15

16

17

18

19

20

21

22

23

1 § 1270.06. Exceptions to Standards.

2 (a) The requirements in this section apply to requests for 3 Exceptions from the standards in the State Minimum Fire Safe 4 Regulations.

5 (ba) Upon request by the applicant, an eExceptions to a 6 standards within this sSubchapter or to Local Jurisdiction 7 certified ordinances may be granted allowed by the inspection 8 entity in accordance with listed in § 1270.05 (Inspections). 9 where the exceptions provide the same practical effect as these 10 regulations towards providing defensible space.

(1) Exceptions shall only be granted where the Exception provides for Substantial Compliance with the minimum standards provided in this Subchapter.

(2) Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be made on a case-by-case basis only, shall be in writing, and shall be supported by Substantial Evidence. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be forwarded to the Board and the appropriate CAL FIRE unit headquarters Unit Office that administers SRA fire protection in that Local Jurisdiction, or the county in which the Local Jurisdiction is located county. Exceptions shall be retained on file at both offices for a period of no less than five (5) years. and shall be retained on file at the Unit Office.

 $^{24}$  (bc) Requests for an eException shall be made in writing to the inspection entity listed in 14 CCR § 1270.05 by the applicant or

1 the applicant's authorized representative. (1) At a minimum, the Exception requests shall state 2 (i) the specific section(s) for which an *e*Exception is 3 4 requested;; (ii) material facts supporting the necessity for an 5 Exception contention of the applicant,; 6 (iii) material facts demonstrating the proposed 7 alternative mean(s) Substantially Complies with the State 8 Minimum Fire Safe Regulation for which the Exception is 9 requested; the details of the exception proposed, and 10 (iv) a map showing the proposed location and siting of 11 the eException, including address or parcel number, as 12 applicable. 13 (2) Local Jurisdictions acting as inspection entities 14 pursuant to listed in § 1270.05 (Inspections) may establish 15 additional procedures or requirements for *e*Exception 16 requests. 17 (ed) Where an exception is not granted by the inspection entity, 18 the applicant may appeal such denial to the Local Jurisdiction. 19 Exception decisions may be appealed. The Local Jurisdiction may 20 establish or utilize an appeal process consistent with existing 21 local Building or planning department appeal processes. 22 addition to local requirements, the (1) In Local 23 Jurisdiction shall consult with the inspection entity prior to 24 making a determination on an appeal. 25 The inspection entity shall provide documentation (2)

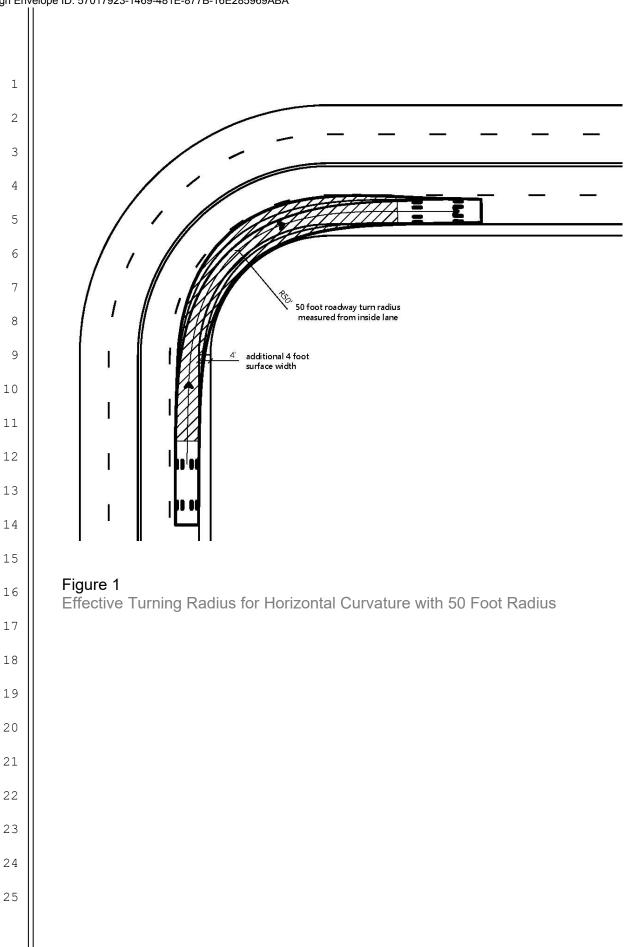
1 demonstrating how the requested Exception does or does not substantially comply with the standards in this Subchapter. 2 Before the Local Jurisdiction makes a determination on an 3 appeal, the inspection authority shall be consulted and shall 4 provide to that Local Jurisdiction documentation outlining the 5 effects of the requested exception on Wildfire protection. 6 (e) If an appeal is granted, the Local Jurisdiction shall make 7 written findings of the Exception's Substantial Compliance, as 8 defined § 1270.01 (Definitions), with the minimum standards in 9 this Subchapter, supported by Substantial Evidence. that the 10 decision meets the intent of providing defensible space 11 consistent with these regulations. Such findings shall include a 12 written statement of reasons for overriding the decision of the 13 inspection entity, if necessary. A written copy of these 14 findings shall be provided to the Board and the CAL FIRE <del>U</del>unit 15 headquarters that administers SRA fire protection in that Local 16 Jurisdiction, or in the county in which the Local Jurisdiction 17 is located. 18 Note: Authority cited: Section 4290, Public Resources Code. 19 Reference: Sections 4290 and 4291, Public Resources Code. 20 21 § 1270.07. Distance Measurements. 22 All specified or referenced distances are measured along the 23 ground, unless otherwise stated. 24 Note: Authority cited: Section 4290, Public Resources Code. 25 Reference: Sections 4290 and 4291, Public Resources Code.

1 Article 2. Emergency Access Ingress and Egress 2 § 1273.00. Purpose and Application Intent. 3 4 (a) New Roads, and dDriveways, and Road or Driveway Structures, whether public or private, unless exempted under § 1270.03(b)-5 (e) (Scope - Exemptions) 14 CCR 1270.02(e), shall provide for 6 concurrent Fire Apparatus ingress and safe access for emergency 7 wildfire equipment and civilian evacuation concurrently, and 8 shall provide unobstructed traffic circulation during 9 а Wwildfire emergency consistent with 14 CCR §§ 1273.00 through 10 1273.09, as set forth in this Article. 11 12 (b) The provisions of this Article and Article 3 (Signing and 13 Building Numbering) shall apply to all New Roads, Driveways, or Road or Driveway Structures. The provisions of this Article and 14 Article 3 (Signing and Building Numbering) shall further apply 15 to all Existing Roads, Driveways, or Road or Driveway Structures 16 17 within a Perimeter. (c) The provisions of this Article and Article 3 (Signing and 18 Building Numbering) shall further apply to any Existing Road, 19 20 Driveway, or Road or Driveway Structure that provides Access to Building construction which includes 21 (1) the permitting or approval of three (3) or more new 22 parcels, excluding lot line adjustments as specified in 23 Government Code (GC) section 66412(d); or 24 (2) an application for a change of zoning which proposes to 25 increase zoning intensity or density; or

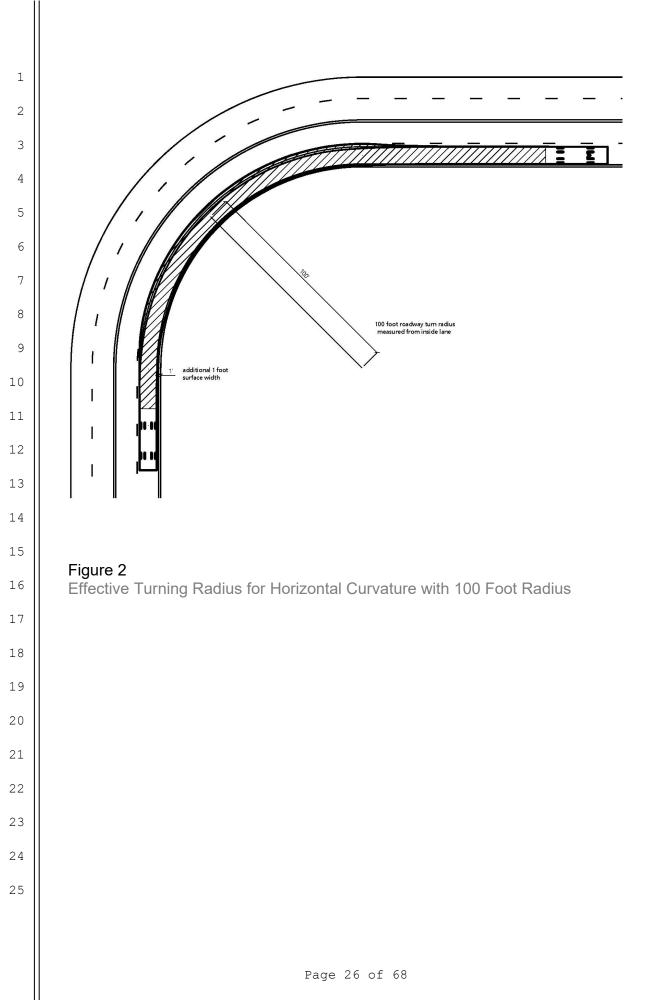
1	(3) an application for a change in use permit which
2	proposes to increase use intensity or density.
3	(d) Notwithstanding any other provision in this Subchapter,
4	Building construction is prohibited where Access is provided by
5	a Road that does not meet the minimum requirements in § 1273.12
6	(Standards for Existing Roads).
7	Note: Authority cited: Section 4290, Public Resources Code.
8	Reference: Sections 4290 and 4291, Public Resources Code.
9	
10	§ 1273.01. Horizontal and Vertical Curves / Curb Radii Width.
11	(a) No Road or Road Structure shall have a horizontal inside
12	radius of curvature (measured from the centerline of the inside
13	lane) of less than fifty (50) feet, except as provided for in
14	subsections (b), (c), and (d).
15	(1) An additional four (4) feet of surface width shall be
16	added to the required widths in § 1273.05 (Road and Driveway
17	Traffic Lane Width and Clear Width) to curves of 50-100 feet
18	radius.
19	(2) One (1) foot of additional Road width shall be added to
20	(3) Flexible posts may be placed within the required
21	(3) Flexible posts may be placed within the required radius.
22	(b) Where the operating speed of a Road is 15 miles per hour
23	(mph) or less, an alternative standard to subsection (a) based
24	on modeling performed by a Professional Engineer, as described
25	within the Professional Engineers Act (Chapter 7 of Division 3

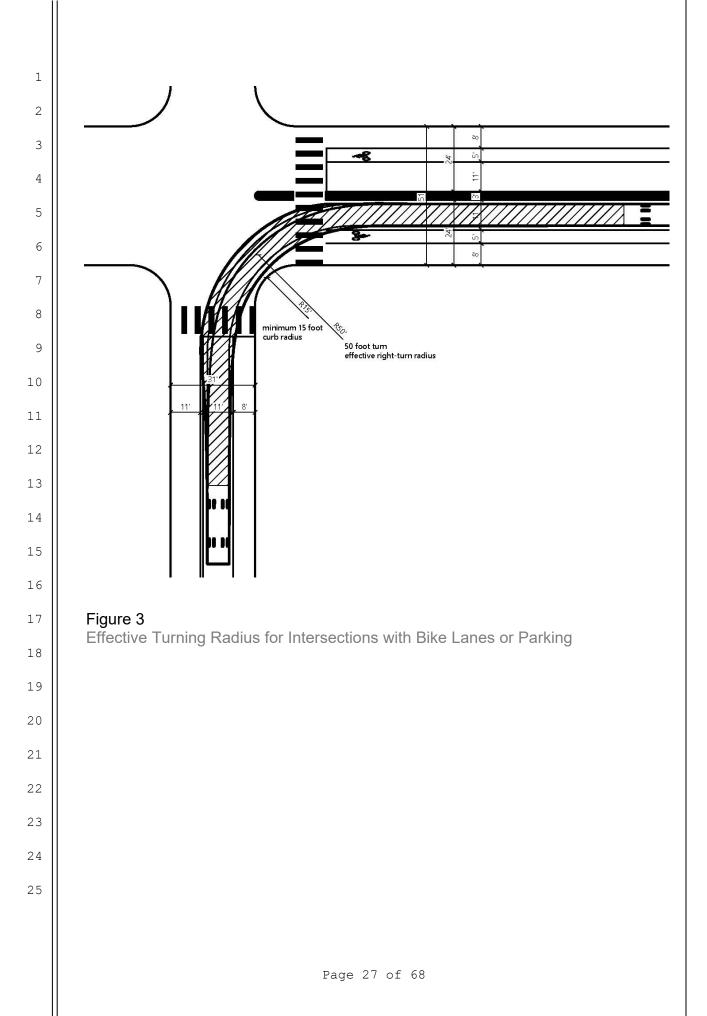
1	of the Business and Professions Code), that demonstrates Fire
2	Apparatus can negotiate the proposed horizontal inside radius
3	satisfies the requirement of this section.
4	(c) At intersections where on-street parking and bike lanes may
5	be present or where width allows, smaller curb radii or curb
6	extensions to minimize pedestrian exposure and collision
7	severity are present, the effective turning radius shall not be
8	less than fifty (50) feet as illustrated in Figure 3 below.
9	(d) At intersections in areas without on-street parking and/or
10	bike lanes where speeds approaching the intersection are less
11	than 15 mph; and traffic volumes on the receiving road are less
12	than 120 vehicles per hour during either an evacuation event or
13	during the peak commute hour, whichever is a higher volume, curb
14	radii of twenty (20) feet based on modeling performed by a
15	Professional Engineer, as described within the Professional
16	Engineers Act (Chapter 7 of Division 3 of the Business and
17	Professions Code), that demonstrates Fire Apparatus can
18	negotiate the proposed horizontal inside radius as illustrated
19	in Figure 4, satisfies the requirement of this section.
20	(e) The length of vertical curves of roads, exclusive of
21	gutters, ditches, and drainage structures designed to hold or
22	divert water, shall be not less than one hundred (100) feet.
23	
24	
25	

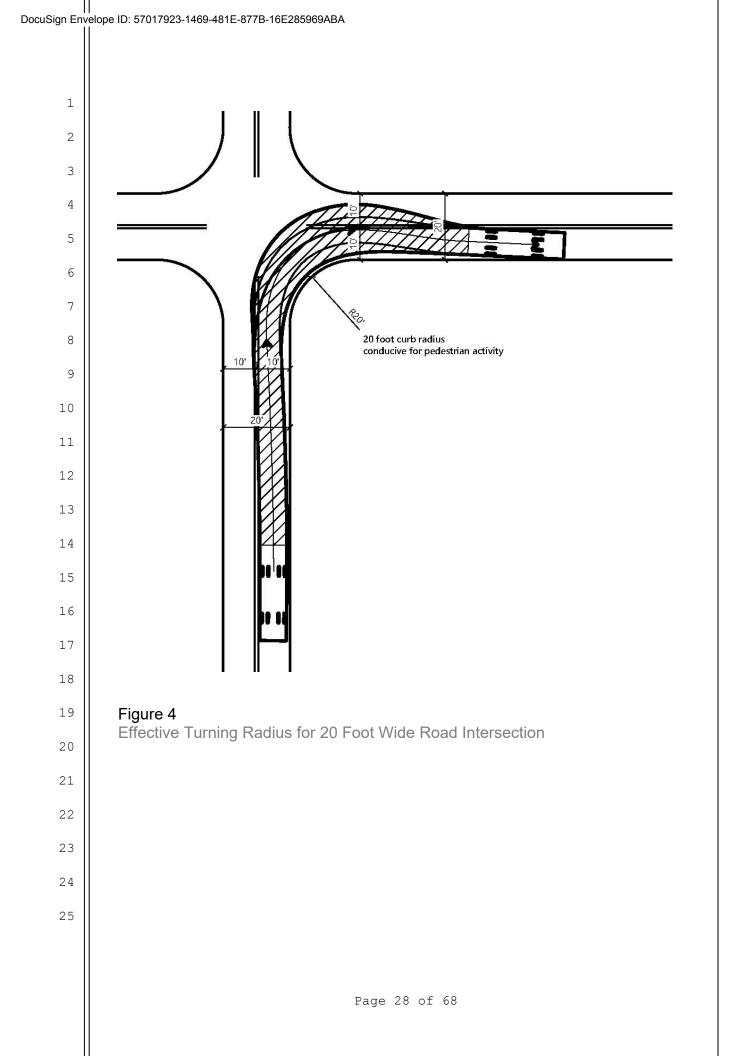
```
||
DocuSign Envelope ID: 57017923-1469-481E-877B-16E285969ABA
```



```
UncuSign Envelope ID: 57017923-1469-481E-877B-16E285969ABA
```







1 (a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and 2 striping. These traffic lanes shall provide for two-way traffic 3 4 flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional 5 requirements are mandated by Local Jurisdictions or local 6 subdivision requirements. Vertical clearances shall conform 7 the requirements in California Vehicle Code section 35250. 8 (b) All one-way roads shall be constructed to provide a minimum 9 of one twelve (12) foot traffic lane, not including shoulders. 10 The Local Jurisdiction may approve one-way roads. 11 (1) All one-way roads shall, at both ends, connect to a road 12 with two traffic lanes providing for travel in different 13 directions, and shall provide access to an area currently zoned 14 for no more than ten (10) residential units. 15 (2) In no case shall a one-way road exceed 2,640 feet in length. 16 A turnout shall be placed and constructed at approximately the 17 midpoint of each one-way road. 18 (c) All driveways shall be constructed to provide a minimum of 19 one (1) ten (10) foot traffic lane, fourteen (14) feet 20 unobstructed horizontal clearance, and unobstructed vertical 21 clearance of thirteen feet, six inches (13' 6"). 22 Note: Authority cited: Section 4290, Public Resources Code. 23 Reference: Sections 4290 and 4291, Public Resources Code. 24 25

1 § 1273.02. Road and Driveway Surfaces. 2 (a) Roads shall be designed and maintained to support the imposed load of <del>f</del>Fire aApparatus weighing at least 75,000 3 4 pounds., and provide an aggregate base. The surface material of the Road shall be non-erodible (including, but not limited to, a 5 binding agent, gravel, lime slurry, or pavement) and designed to 6 support the required weight at all times, including during 7 saturated soil conditions. 8 (b) Driveways and road and driveway structures shall be designed 9 and maintained to support at least 36,0000 40,000 pounds. 10 (c) The Pproject proponent shall provide certified engineered 11 <del>engineering</del> specifications to support the Road design, if 12 requested by the lLocal authority having jJurisdiction. 13 Note: Authority cited: Section 4290, Public Resources Code. 14 Reference: Sections 4290 and 4291, Public Resources Code. 15 16 § 1273.03. Bridge or Elevated Structures on Roads and Driveways. 17 Grades. 18 (a) Signing in conformance with the requirements in Article 3 19 (Signing and Building Numbering), shall reflect the capability 20 of each bridge or elevated structure, including but not limited 21 to weight or vertical clearance limitations, one-way road or 22 single Traffic Lane conditions, or bridge weight rating limits. 23 Bridges and elevated structures shall be designed and (b) 24 constructed to accommodate a gross vehicle weight rating of 25 75,000 pounds. Vehicle load limits shall be posted at both

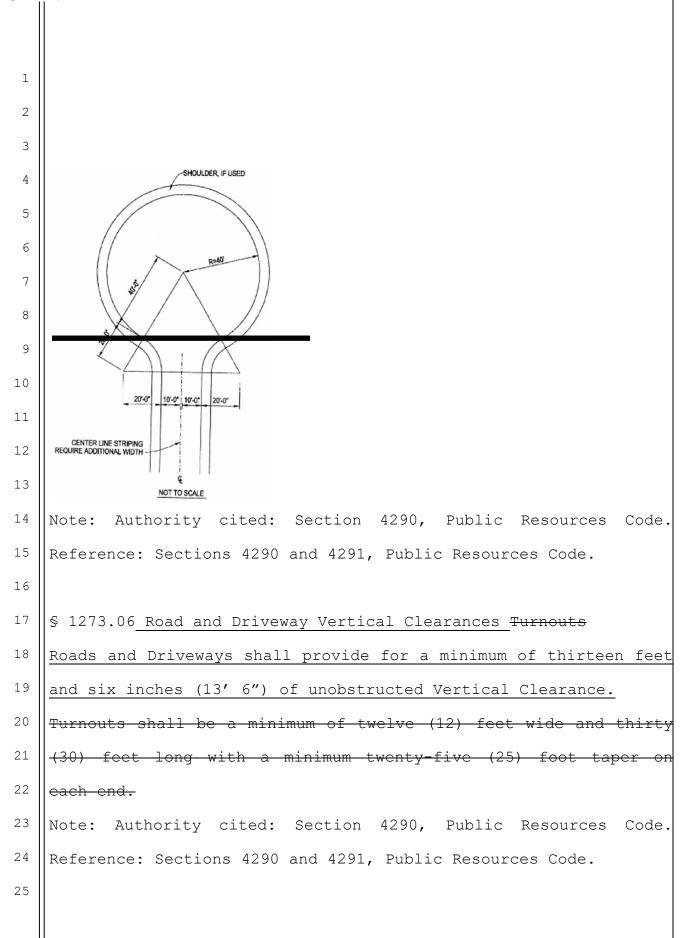
1 entrances to bridges. 2 (1) Bridges or elevated structures may support a maximum weight of less than 75,000 pounds if the Fire Authority verifies 3 that the Fire Apparatus most likely to be used will be under the 4 maximum load weight of the bridge. 5 (2) If the bridge or elevated structure is designed for a 6 lower weight, then it shall be identified through signing as 7 required in Article 3 (Signing and Building Numbering). In no 8 case shall the bridge or elevated structure be designed to 9 support a weight below 36,000 pounds. 10 (3) American Association of State Highway and 11 Transportation Officials (AASHTO) Standard Specifications for 12 Highway Bridges, 17th Edition, published 2002 (known as AASHTO 13 HB-17), hereby incorporated by reference, may be used in lieu of 14 total vehicle weight if bridges and elevated structures are 15 designed and certified by a Professional Engineer, as described 16 within the Professional Engineers Act (Chapter 7 of Division 3 17 of the Business and Professions Code). 18 Where elevated surfaces designed for Fire Apparatus use are (C) 19 adjacent to surfaces which are not designed for such use, 20 barriers, signs, and/or other distinguishing features, as 21 approved by the Local Jurisdiction, shall be installed and 22 maintained. 23 (d) Notwithstanding the above requirements, a bridge or 24 elevated structure with only one Traffic Lane satisfies the 25 requirements of this section so long as it provides for

1	unobstructed visibility from one end to the other and Turnouts
2	at both ends. Bridges or elevated structures with only one
3	Traffic Lane shall be implemented consistent with requirements
4	outlined in § 1273.05 (Road and Driveway Traffic Lane Width and
5	<u>Clear Width).</u>
6	(e) Bridges and elevated structures shall be constructed of
7	non-combustible materials.
8	(a) At no point shall the grade for all roads and driveways
9	exceed 16 percent.
10	(b) The grade may exceed 16%, not to exceed 20%, with approval
11	from the local authority having jurisdiction and with
12	mitigations to provide for same practical effect.
13	Note: Authority cited: Section 4290, Public Resources Code.
14	Reference: Sections 4290 and 4291, Public Resources Code.
15	
16	§ 1273.04. Road and Driveway Grades. Radius.
17	(a) The grades for all Roads and Driveways shall not exceed
18	sixteen (16) percent.
19	(b) Notwithstanding subsection (a), Road or Driveway grades of
20	16 to 20 percent satisfy the requirements of this section if the
21	Road has been treated to prevent slippage (including, but not
22	limited to, aggregate treatments, binding agents, and/or paving)
23	and scraping.
23	
	(c) Grade transitions shall be constructed and designed to
25	accommodate maximum approach and departure angles of twelve (12)

1 degrees.

2	(a) No road or road structure shall have a horizontal inside
3	radius of curvature of less than fifty (50) feet. An additional
4	surface width of four (4) feet shall be added to curves of 50-
5	100 feet radius; two (2) feet to those from 100-200 feet.
6	(b) The length of vertical curves in roadways, exclusive of
7	gutters, ditches, and drainage structures designed to hold or
8	divert water, shall be not less than one hundred (100) feet.
9	Note: Authority cited: Section 4290, Public Resources Code.
10	Reference: Sections 4290 and 4291, Public Resources Code.
11	
12	§ 1273.05. Road and Driveway Traffic Lane Width and Clear Width
13	<del>Turnarounds.</del>
14	(a) All bidirectional Roads shall provide a minimum of two ten
15	(10) foot Traffic Lanes, not including Shoulders or striping.
16	Where topographic or other limitations require the two Traffic
17	Lanes to be constructed non-adjacently, each Traffic Lane shall
18	provide a minimum of twelve (12) feet.
19	(b) All One-way Roads shall provide a minimum of one twelve
20	(12) foot Traffic Lane.
21	(c) One-way Roads shall maintain a Clear Width of 20 feet.
22	Bidirectional Roads with a center median shall maintain a Clear
23	Width of 20 feet on either side of the median. This Clear Width
24	may include bike lanes, Shoulders, or flexible barriers used as
25	traffic calming devices or to delineate a bicycle facility, or

1	for other uses.
2	(d) All Driveways shall be constructed to provide a minimum of
3	one (1) ten (10) foot Traffic Lane, fourteen (14) feet Clear
4	Width, and unobstructed Vertical Clearance of thirteen feet, six
5	<u>inches (13' 6").</u>
6	(a) Turnarounds are required on driveways and dead-end roads.
7	(b) The minimum turning radius for a turnaround shall be forty
8	(40) feet, not including parking, in accordance with the figures
9	in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is
10	used instead, the top of the "T" shall be a minimum of sixty
11	(60) feet in length.
12	(c) Driveways exceeding 150 feet in length, but less than 800
13	feet in length, shall provide a turnout near the midpoint of the
14	driveway. Where the driveway exceeds 800 feet, turnouts shall be
15	provided no more than 400 feet apart.
16	(d) A turnaround shall be provided on driveways over 300 feet in
17	length and shall be within fifty (50) feet of the Building.
18	(d) Each dead-end road shall have a turnaround constructed at
19	its terminus. Where parcels are zoned five (5) acres or larger,
20	turnarounds shall be provided at a maximum of 1,320 foot
21	intervals.
22	(e) Figure A. Turnarounds on roads with two ten-foot traffic
23	lanes.
24	Figure A/Image 1 is a visual representation of paragraph (b).
25	



1 § 1273.07 <u>Maximum Lengths of New One-Way Roads</u> Road and

## 2 Driveway Structures

3 (a) In no case shall a New One-Way Road exceed 2,640 feet in 4 length.

5 (a) Appropriate signing, including but not limited to weight or 6 vertical clearance limitations, one-way road or single traffic 7 lane conditions, shall reflect the capability of each bridge.

8 (b) Where a bridge or an elevated surface is part of a fire 9 apparatus access road, the bridge shall be constructed and 10 maintained in accordance with the American Association of State 11 and Highway Transportation Officials Standard Specifications for 12 Highway Bridges, 17th Edition, published 2002 (known as AASHTO 13 HB-17), hereby incorporated by reference. Bridges and elevated 14 surfaces shall be designed for a live load sufficient to carry 15 the imposed loads of fire apparatus. Vehicle load limits shall 16 be posted at both entrances to bridges when required by the 17 local authority having jurisdiction.

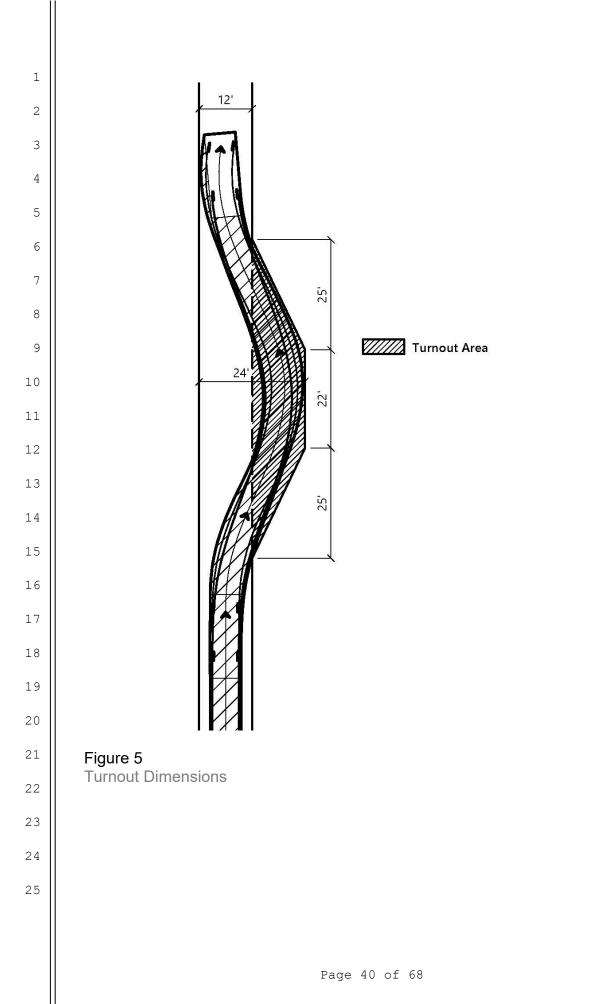
18 (c) Where elevated surfaces designed for emergency vehicle use 19 are adjacent to surfaces which are not designed for such use, 20 barriers, or signs, or both, as approved by the local authority 21 having jurisdiction, shall be installed and maintained.

(d) A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends. Note: Authority cited: Section 4290, Public Resources Code.

1	Reference: Sections 4290 and 4291, Public Resources Code.
2	
3	§ 1273.08 Maximum Lengths of New Dead-end Roads
4	(a) The maximum length of a <u>New D</u> $ ext{d}$ ead-end <u>R</u> $ ext{r}$ oad $ ext{r}$ _including all
5	dead-end roads accessed from that dead-end road, shall not
6	exceed the following cumulative lengths, regardless of the
7	number of parcels served:
8	<u>(1) for Roads with</u> parcels zoned <del>for less than <u>not</u> to</del>
9	<u>exceed one (1)</u> acre - 800 feet <u>;</u>
10	(2) for Roads with parcels zoned for 1 acre up to 4.99
11	<u>acres - 1,320 feet;</u>
12	(3) for Roads with parcels zoned for 5 acres_ <del>to 19.99</del> or
13	<u>larger - 2,640 feet.</u>
14	parcels zoned for 20 acres or larger - 5,280 feet
15	All lengths shall be measured from the edge of the road surface
16	at the intersection that begins the road to the end of the road
17	surface at its farthest point. Where a dead-end road crosses
18	areas of differing zoned parcel sizes requiring different length
19	limits, the shortest allowable length shall apply.
20	(b) All New Dead-end Roads shall meet the Turnaround
21	requirements in § 1273.10 (Road and Driveway Turnarounds). See 14
22	CCR § 1273.05 for dead-end road turnaround requirements.
23	(c) All New Dead-end Roads shall meet the width requirements in
24	§ 1273.05 (Road and Driveway Traffic Lane Width and Clear
25	<u>Width).</u>

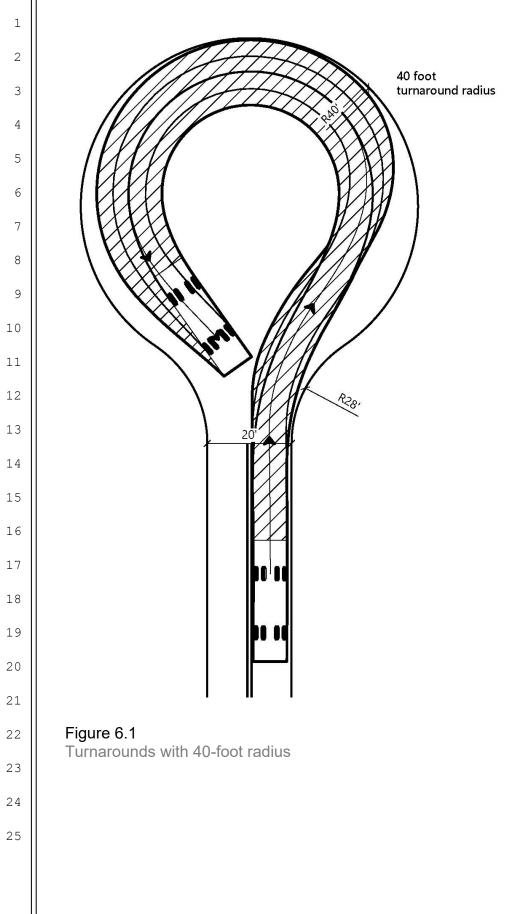
1	(d) Each New Dead-end Road shall be connected directly to a
2	through Road (a Road that is connected to other Roads at both
3	ends).
4	(e) The length of New Dead-end Roads shall be measured from the
5	center line of the through Road it connects to, to the terminus
6	of the Dead-end Road at its farthest point.
7	(f) Where a New Dead-end Road provides access to differing
8	zoned parcel sizes requiring different length limits, the
9	shortest allowable length shall apply.
10	Note: Authority cited: Section 4290, Public Resources Code.
11	Reference: Sections 4290 and 4291, Public Resources Code.
12	
13	§ 1273.09 Road and Driveway Turnouts Gate Entrances
14	(a) Turnouts shall be a minimum of twelve (12) feet wide from
15	the shoulder stripe, twenty-two (22) feet long with a minimum
16	twenty-five (25) foot taper on each end and be facilitated
17	outside of the Traffic Lane to accommodate one passenger vehicle
18	as illustrated on Figure 5.
19	(b) On One-way Roads and Dead-end Roads over 400 feet in length,
20	a Turnout shall be located at approximately the midpoint of the
21	Road, in addition to any other Turnouts Required.
22	(c) Turnouts shall be provided no more than 400 feet apart on
23	One-way Roads or on Roads that do not meet the width
24	requirements.
25	
	(d) Driveways that are less than 20 feet wide and exceed 150
	Page 38 of 68

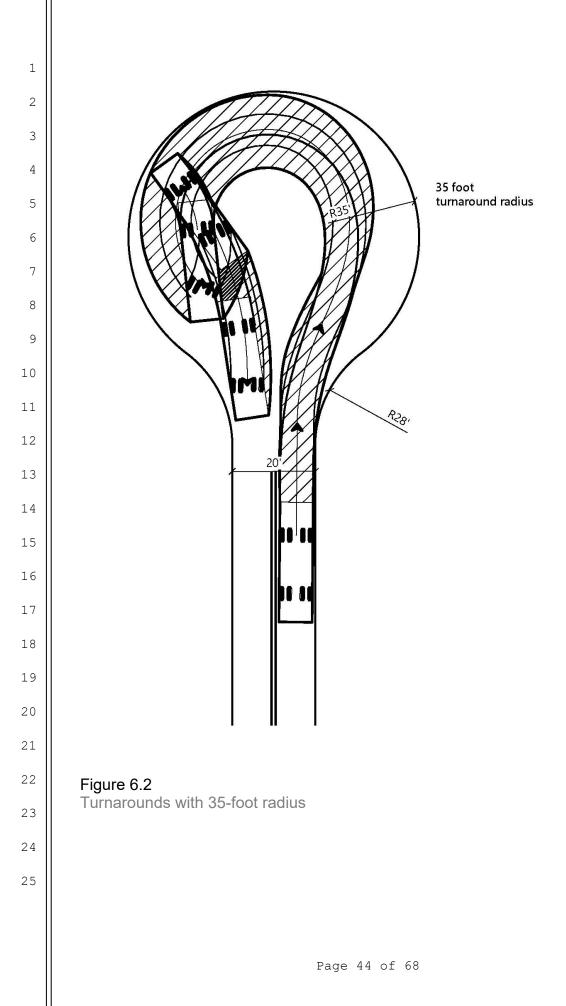
1	feet in length shall require a Turnout.
2	(e) Driveways greater than 150 feet in length and less than 800
3	feet in length shall provide a Turnout near the midpoint of the
4	Driveway.
5	(f) Where the Driveway exceeds 800 feet, Turnouts shall be
6	provided no more than 400 feet apart.
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
	Page 39 of 68

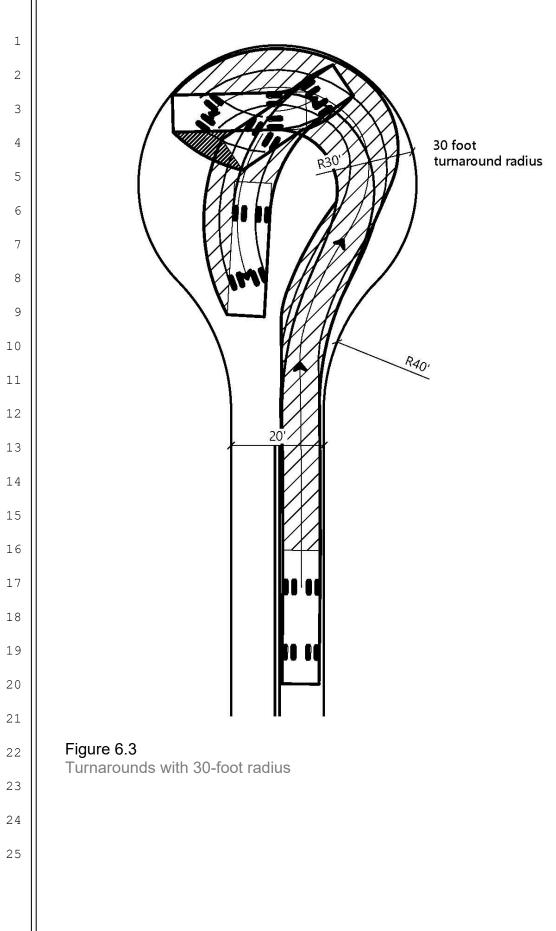


1 (a) Gate entrances shall be at least two (2) feet wider than the 2 width of the traffic lane(s) serving that gate and a minimum 3 width of fourteen (14) feet unobstructed horizontal clearance 4 and unobstructed vertical clearance of thirteen feet, six inches 5 <del>(13' 6").</del> (b) All gates providing access from a road to a driveway shall 6 7 be located at least thirty (30) feet from the roadway and shall 8 open to allow a vehicle to stop without obstructing traffic on 9 that road. 10 (c) Where a one-way road with a single traffic lane provides 11 access to a gated entrance, a forty (40) foot turning radius 12 shall be used. 13 (d) Security gates shall not be installed without approval. 14 Where security gates are installed, they shall have an approved 15 means of emergency operation. Approval shall be by the local 16 authority having jurisdiction. The security gates and the 17 emergency operation shall be maintained operational at <u>all</u> 18 times. 19 Note: Authority cited: Section 4290, Public Resources Code. 20 Reference: Sections 4290 and 4291, Public Resources Code. 21 22 § 1273.10 Road and Driveway Turnarounds 23 (a) Each Dead-end Road shall have a Turnaround constructed at 24 its terminus. Where a Dead-end Road crosses parcels zoned for 25 five (5) acres or larger, a Turnaround shall also be provided

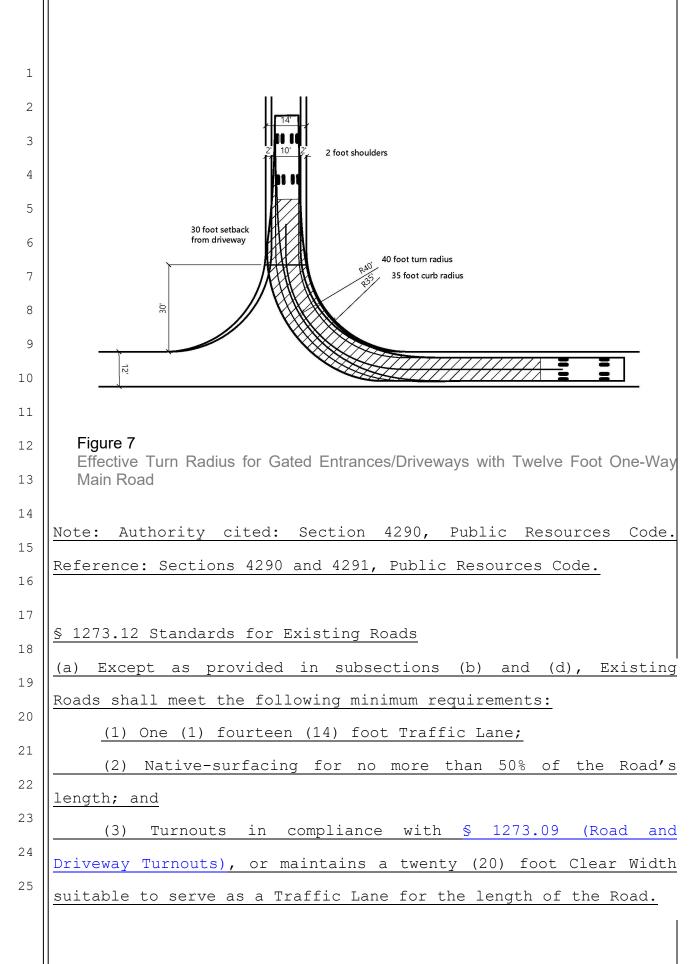
1	halfway along the Dead-end Road.
2	(b) A Turnaround shall be provided on Driveways over 300 feet in
3	length and shall be within fifty (50) feet of the Building.
4	(c) A Turnaround shall meet one of the following requirements in
5	accordance with Figures 6.1, 6.2, or 6.3.
6	
7	(d) Turnarounds with a radius smaller than 40 feet, shown in
8	Figures 6.2 and 6.3 below, may be approved by the Local
9	Jurisdiction when physical constraints prohibit the ability to
10	install a 40-foot Turnaround.
11	(e) The center of the Turnaround shall remain clear of
12	vegetation or decorative elements.
13	(f) If a hammerhead/T is used instead, the top of the "T" shall
14	be a minimum of sixty (60) feet in length.
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
	Page 42 of 68







1	Note: Authority cited: Section 4290, Public Resources Code.
2	Reference: Sections 4290 and 4291, Public Resources Code.
3	
4	<u>§ 1273.11 Gates</u>
5	(a) Gates shall have an approved means of emergency operation.
6	Electronic gates shall have a manual method of opening in case
7	of electronic failure. The manual method shall be maintained
8	operational at all times.
9	(b) Gate entrances shall be at least two (2) feet wider than the
10	width of the Road or Driveway, as shown in Figure 7 below. Where
11	a gate is installed across an existing Road or Driveway, the
12	gate shall be no less than ten (10) feet wide, with a minimum
13	Clear Width of fourteen (14) feet and unobstructed Vertical
14	Clearance of thirteen feet, six inches (13' 6"). Clearance shall
15	be maintained at all times.
16	(c) Where a One-way Road with a single Traffic Lane leads to a
17	gated entrance, a forty (40) foot turning radius shall be used
18	as illustrated on Figure 7.
19	(d) All gates on a Driveway shall be located at least thirty
20	(30) feet from the Road and shall open in direction of travel,
21	in accordance with Figure 7.
22	
23	
24	
25	



1	(b) Access to Buildings after a Wildfire shall provide for at
2	least one (1) fourteen (14) foot Traffic Lane for a distance of
3	at least twenty-two (22) feet at an interval of at least every
4	400 feet; provided, however, where such Traffic Lanes are not
5	possible due to physical site limitations such as localized
6	topography, slope stability or soil conditions, Access shall
7	provide for locations for vehicles to pass each other at
8	reasonable intervals.
9	(c) Existing Roads providing Access to Buildings shall not
10	exceed a grade of 25% over a distance of 500 linear feet.
11	(d) An Existing Road with a secondary route in conformance with
12	§ 1273.13 (Secondary Routes for Existing Roads) need not comply
13	with subsection (a).
14	Note: Authority cited: Section 4290, Public Resources Code.
15	Reference: Sections 4290 and 4291, Public Resources Code,
16	Section 51178 Government Code.
17	
18	§ 1273.13 Secondary Routes for Existing Roads
19	(a) Secondary routes shall meet the standards for New Roads in
20	this Subchapter and shall provide for legal and deeded Access
21	that serves as a typical travel way to and from the Building
22	construction. A secured secondary route shall meet the
23	requirements in § 1273.11 (Gates).
24	(b) Secondary routes shall connect a user to an alternative
25	route that would not be affected by a closure to the primary
	route, to the extent practicable.

Ш

1	Note: Authority cited: Section 4290, Public Resources Code.
2	Reference: Sections 4290 and 4291, Public Resources Code.
3	
4	Article 3. Signing and Building Numbering
5	§ 1274.00. <u>Road Name Signs.</u> <del>Intent</del>
6	(a) All Road signs shall conform to the requirements of the
7	California Manual of Uniform Traffic Control Devices (CA MUTCD),
8	hereby incorporated by reference.
9	(b) New Roads shall be identified by a name or number through a
10	consistent system that provides for sequenced or patterned
11	numbering and non-duplicative naming within each Local
12	Jurisdiction. This section does not require any entity to rename
13	or renumber existing roads.
14	(c) The size of letters, numbers, and symbols for road signs
15	shall be a minimum four (4) inch letter height, half inch (.5)
16	inch stroke, reflectorized, contrasting with the background
17	color of the sign.
18	To facilitate locating a fire and to avoid delays in response,
19	all newly constructed or approved roads and Buildings shall be
20	designated by names or numbers posted on signs clearly visible
21	and legible from the road. This section shall not restrict the
22	size of letters or numbers appearing on road signs for other
23	<del>purposes.</del>
24	Note: Authority cited: Section 4290, Public Resources Code.
25	Reference: Sections 4290 and 4291, Public Resources Code.

1	
2	§ 1274.01. Road Sign <del>s</del> Installation, Location, and Visibility.
3	(a) Signs required by this article identifying intersecting
4	roads shall be placed at the intersection of those roads.
5	(b) A sign identifying traffic limitations, including but not
6	limited to weight or Vertical Clearance limitations, Dead-end
7	Roads, One-way Roads, or single lane Roads and bridges, shall be
8	placed:
9	(1) at the intersection preceding the traffic limitation,
10	and
11	(2) no more than one hundred (100) feet before such traffic
12	limitation.
13	(c) Road signs required by this article shall be posted at the
14	beginning of construction and shall be maintained thereafter.
15	(d) Road signs shall meet the minimum sign retroreflectivity
16	requirements in the CA MUTCD. Signs that are not required to
17	meet the retroreflectivity requirements (e.g., blue or brown
18	backgrounds) shall be retroreflective or illuminated to show the
19	same shape and color by both day and night.
20	(a) Newly constructed or approved roads must be identified by a
21	name or number through a consistent system that provides for
22	sequenced or patterned numbering and/or non-duplicative naming
23	within each local jurisdiction. This section does not require
24	any entity to rename or renumber existing roads, nor shall a
25	road providing access only to a single commercial or industrial

1	occupancy require naming or numbering.
2	(b) The size of letters, numbers, and symbols for road signs
3	shall be a minimum four (4) inch letter height, half inch (.5)
4	inch stroke, reflectorized, contrasting with the background
5	<del>color of the sign.</del>
6	Note: Authority cited: Section 4290, Public Resources Code.
7	Reference: Sections 4290 and 4291, Public Resources Code.
8	
9	§ 1274.02. Addresses for Buildings.
10	(a) All Buildings shall be issued an address by the Local
11	Jurisdiction consistent with the standards in the California
12	Fire Code, California Code of Regulations title 24, part 9.
13	(b) Addresses for residential Buildings shall be reflectorized.
14	(a) Road signs shall be visible and legible from both directions
15	of vehicle travel for a distance of at least one hundred (100)
16	feet.
17	(b) Signs required by this article identifying intersecting
18	roads shall be placed at the intersection of those roads.
19	(c) A sign identifying traffic access or flow limitations,
20	including but not limited to weight or vertical clearance
21	limitations, dead-end roads, one-way roads, or single lane
22	conditions, shall be placed:
23	(i) at the intersection preceding the traffic access limitation,
24	and
25	(ii) no more than one hundred (100) feet before such traffic

access limitation. 1 2 (d) Road signs required by this article shall be posted at the 3 beginning of construction and shall be maintained thereafter. 4 Note: Authority cited: Section 4290, Public Resources Code. 5 Reference: Sections 4290 and 4291, Public Resources Code. 6 7 § 1274.03. Addresses for Buildings. (a) All buildings shall be issued an address by the local 8 9 jurisdiction which conforms to that jurisdiction's overall 10 address system. Utility and miscellaneous Group U buildings are 11 not required to have a separate address; however, each 12 residential unit within a building shall be separately 13 identified. 14 (b) The size of letters, numbers, and symbols for addresses 15 shall conform to the standards in the California Fire Code, 16 California Code of Regulations title 24, part 9. 17 (c) Addresses for residential buildings shall be reflectorized. 18 Note: Authority cited: Section 4290, Public Resources Code. 19 Reference: Sections 4290 and 4291, Public Resources Code. 20 21 § 1274.04. Address Installation, Location, and Visibility. 22 (a) All Buildings shall have a permanently posted address which 23 shall be plainly legible and visible from the road fronting the 24 property. 25 (b) Where access is by means of a private road and the address

1	identification cannot be viewed from the public way, an
2	unobstructed sign or other means shall be used so that the
3	address is visible from the public way.
4	(c) Address signs along one-way roads shall be visible from both
5	directions.
6	(d) Where multiple addresses are required at a single driveway,
7	they shall be mounted on a single sign or post.
8	(e) Where a road provides access solely to a single commercial
9	or industrial business, the address sign shall be placed at the
10	nearest road intersection providing access to that site, or
11	otherwise posted to provide for unobstructed visibility from
12	that intersection.
13	(f) In all cases, the address shall be posted at the beginning
14	of construction and shall be maintained thereafter.
15	Note: Authority cited: Section 4290, Public Resources Code.
16	Reference: Sections 4290 and 4291, Public Resources Code.
17	
18	Article 4. <u>Water Supply. Emergency Water Standards</u>
19	§ 1275.00. Application. Intent
20	(a) The provisions of this Article shall apply in the tentative
21	and parcel map process when new parcels are approved by the
22	Local Jurisdiction having authority, or when new Building
23	construction is not already served by an existing water supply.
24	(b) These regulations shall not apply to existing water or
25	wastewater facilities that are not newly constructed, or to

1	existing water or wastewater facilities that are repaired,
2	reconstructed, or upgraded. For purposes of this subsection,
3	"water and wastewater facilities" includes, but is not limited
4	to, water storage tanks and reservoirs, pump stations, treatment
5	facilities, regulator stations, Fire Hydrants, and similar water
6	and wastewater system devices.
7	(c) Where a specific code standard from the California Fire Code
8	or National Fire Protection Association (NFPA) is referenced in
9	this Article, any sections of the California Fire Code or NFPA
10	standards regarding alternative methods of compliance,
11	equivalencies, or modifications to the specified standards shall
12	also apply.
13	Emergency water for Wildfire protection shall be available,
14	accessible, and maintained in quantities and locations specified
15	in the statute and these regulations in order to attack a
16	Wildfire or defend property from a Wildfire.
17	Note: Authority cited: Section 4290, Public Resources Code.
18	Reference: Sections 4290 and 4291, Public Resources Code.
19	
20	§ 1275.01. Approved Water Supply. Application
21	(a) Water supply shall meet or exceed the California Fire Code,
22	California Code of Regulations Title 24, Part 9.
23	(b) Where a Municipal-Type Water Supply is not available, the
24	Local Jurisdiction shall utilize the National Fire Protection
25	Association (NFPA) 1142, "Standard on Water Supplies for

incorporated by reference, as referenced in the California Code, California Code of Regulations Title 24, Part 9, App B and Appendix BB. (c) All Building construction shall include a water suppl structure defense. Such protection shall be serviceable pri and during the time of construction, except when altern methods of protection are provided and approved by the Jurisdiction. (d) Nothing in this article prohibits the combined storad Wildfire and structural firefighting water supplies unless prohibited by local ordinance or specified by the Local Authority. Water supplies required under the California Code, California Code of Regulations Title 24, Part 9, or law or regulation may also be used to satisfy the require of this Article, so long as the full amount of water s required by this article is provided.	endix y for or to ative
<ul> <li>B and Appendix BB.</li> <li>(c) All Building construction shall include a water suppled structure defense. Such protection shall be serviceable prid and during the time of construction, except when altern methods of protection are provided and approved by the Jurisdiction.</li> <li>(d) Nothing in this article prohibits the combined storad Wildfire and structural firefighting water supplies unless prohibited by local ordinance or specified by the Local Authority. Water supplies required under the California Code of Regulations Title 24, Part 9, or law or regulation may also be used to satisfy the requires of this Article, so long as the full amount of water supplies required by this article is provided.</li> </ul>	y for or to ative
<ul> <li>interpretention</li> <li>(c) All Building construction shall include a water suppled</li> <li>structure defense. Such protection shall be serviceable prider</li> <li>and during the time of construction, except when altern</li> <li>methods of protection are provided and approved by the</li> <li>Jurisdiction.</li> <li>(d) Nothing in this article prohibits the combined storage</li> <li>Wildfire and structural firefighting water supplies unless</li> <li>prohibited by local ordinance or specified by the Local</li> <li>Authority. Water supplies required under the California</li> <li>Code, California Code of Regulations Title 24, Part 9, or</li> <li>law or regulation may also be used to satisfy the required</li> <li>of this Article, so long as the full amount of water structures</li> <li>required by this article is provided.</li> </ul>	or to ative
<pre>6 structure defense. Such protection shall be serviceable pri 7 and during the time of construction, except when altern 8 methods of protection are provided and approved by the 9 Jurisdiction. 10 (d) Nothing in this article prohibits the combined storad 11 Wildfire and structural firefighting water supplies unles 12 prohibited by local ordinance or specified by the Local 13 Authority. Water supplies required under the California 14 Code, California Code of Regulations Title 24, Part 9, or 15 law or regulation may also be used to satisfy the required 16 of this Article, so long as the full amount of water supplies 17 required by this article is provided.</pre>	or to ative
and during the time of construction, except when altern methods of protection are provided and approved by the Jurisdiction. (d) Nothing in this article prohibits the combined storad Wildfire and structural firefighting water supplies unles prohibited by local ordinance or specified by the Local Authority. Water supplies required under the California Code, California Code of Regulations Title 24, Part 9, or law or regulation may also be used to satisfy the require of this Article, so long as the full amount of water s required by this article is provided.	ative
methods of protection are provided and approved by the Jurisdiction. (d) Nothing in this article prohibits the combined storage Wildfire and structural firefighting water supplies unless prohibited by local ordinance or specified by the Local Authority. Water supplies required under the California Code, California Code of Regulations Title 24, Part 9, or law or regulation may also be used to satisfy the requires of this Article, so long as the full amount of water s required by this article is provided.	
<sup>9</sup> Jurisdiction. <sup>10</sup> (d) Nothing in this article prohibits the combined storage <sup>11</sup> Wildfire and structural firefighting water supplies unless <sup>12</sup> prohibited by local ordinance or specified by the Local <sup>13</sup> Authority. Water supplies required under the California <sup>14</sup> Code, California Code of Regulations Title 24, Part 9, or <sup>15</sup> law or regulation may also be used to satisfy the required <sup>16</sup> of this Article, so long as the full amount of water supplied by this article is provided.	Local
10 (d) Nothing in this article prohibits the combined storad 11 Wildfire and structural firefighting water supplies unles 12 prohibited by local ordinance or specified by the Local 13 Authority. Water supplies required under the California 14 Code, California Code of Regulations Title 24, Part 9, or 15 law or regulation may also be used to satisfy the require 16 of this Article, so long as the full amount of water s 17 required by this article is provided.	
Wildfire and structural firefighting water supplies unles prohibited by local ordinance or specified by the Local Authority. Water supplies required under the California Code, California Code of Regulations Title 24, Part 9, or law or regulation may also be used to satisfy the require of this Article, so long as the full amount of water s required by this article is provided.	
12 prohibited by local ordinance or specified by the Local 13 Authority. Water supplies required under the California 14 Code, California Code of Regulations Title 24, Part 9, or 15 law or regulation may also be used to satisfy the require 16 of this Article, so long as the full amount of water s 17 required by this article is provided.	je of
Authority. Water supplies required under the California Authority. Water supplies required under the California Code, California Code of Regulations Title 24, Part 9, or law or regulation may also be used to satisfy the require of this Article, so long as the full amount of water s required by this article is provided.	S SO
14 Code, California Code of Regulations Title 24, Part 9, or 15 law or regulation may also be used to satisfy the require 16 of this Article, so long as the full amount of water s 17 required by this article is provided.	Fire
15 law or regulation may also be used to satisfy the require 16 of this Article, so long as the full amount of water s 17 required by this article is provided.	Fire
<pre>16 16 17 17 17 16 16 17 17 17 17 17 17 17 17 17 17 17 17 17</pre>	other
<sup>17</sup> required by this article is provided.	ments
	upply
18 (e) Where freeze or crash protection is required by the	
	Local
<sup>19</sup> Jurisdictions, such protection measures shall be provided.	
20 The provisions of this article shall apply in the tentativ	1
21 parcel map process when new parcels are approved by the	<del>:</del> and
22 jurisdiction having authority.	
<sup>23</sup> Note: Authority cited: Section 4290, Public Resources	
Reference: Sections 4290 and 4291, Public Resources Code.	
25	local

1	
1	§ 1275.02. Identification of Water Sources. Water Supply.
2	(a) Fire Hydrants or water access located along a Driveway shall
3	be identified by at least (1) reflectorized blue marker, with a
4	minimum dimension of three (3) inches. This marker shall be
5	mounted on a fire retardant sign post. The sign post shall be
6	located and mounted as specified by the Fire Authority.
7	(b) Fire Hydrants or water access located along a Road shall be
8	identified by a reflectorized blue marker, with a minimum
9	dimension of three (3) inches. This marker shall be mounted on a
10	fire-retardant sign post. The sign post shall be within three
11	(3) feet of the Fire Hydrant or water access. The sign shall be
12	no fewer than three (3) nor greater than five (5) feet above
13 14	ground, in a horizontal position, and visible from the Road, or
14	as specified by the Fire Authority.
16	(a) When a water supply for structure defense is required to be
17	installed, such protection shall be installed and made
18	serviceable prior to and during the time of construction except
19	when alternative methods of protection are provided and approved
20	by the local authority having jurisdiction.
21	(b) Water systems equaling or exceeding the California Fire
22	Code, California Code of Regulations title 24, part 9, or, where
23	a municipal-type water supply is unavailable, National Fire
24	Protection Association (NFPA) 1142, "Standard on Water Supplies
25	for Suburban and Rural Fire Fighting," 2017 Edition, hereby
	incorporated by reference, shall be accepted as meeting the

1	requirements	of	thic	artiala
-	Tequirements	01	UIIIS	artitle.

2	(c) Such emergency water may be provided in a fire agency mobile
3	water tender, or naturally occurring or man made containment
4	structure, as long as the specified quantity is immediately
5	available.
6	(d) Nothing in this article prohibits the combined storage of
7	emergency Wildfire and structural firefighting water supplies
8	unless so prohibited by local ordinance or specified by the
9	local fire agency.
10	(e) Where freeze or crash protection is required by Local
11	Jurisdictions having authority, such protection measures shall
12	be provided.
13	Note: Authority cited: Section 4290, Public Resources Code.
14	Reference: Sections 4290 and 4291, Public Resources Code.
15	
16	
	§ 1275.03. Secured Water Sources. Hydrants and Fire Valves.
17	<pre>§ 1275.03. Secured Water Sources. Hydrants and Fire Valves. Break away locks or similar systems approved by the Local</pre>
17 18	
	Break away locks or similar systems approved by the Local
18	Break away locks or similar systems approved by the Local Jurisdiction shall provide fire fighters with access to any
18 19	Break away locks or similar systems approved by the Local Jurisdiction shall provide fire fighters with access to any water connections, valves, or controls that are normally secured
18 19 20	Break away locks or similar systems approved by the Local Jurisdiction shall provide fire fighters with access to any water connections, valves, or controls that are normally secured by gates, doors, or other locking systems.
18 19 20 21	Break away locks or similar systems approved by the Local Jurisdiction shall provide fire fighters with access to any water connections, valves, or controls that are normally secured by gates, doors, or other locking systems. (a) The hydrant or fire valve shall be eighteen (18) inches
18 19 20 21 22	Break away locks or similar systems approved by the Local Jurisdiction shall provide fire fighters with access to any water connections, valves, or controls that are normally secured by gates, doors, or other locking systems. (a) The hydrant or fire valve shall be eighteen (18) inches above the finished surface. Its location in relation to the road

1	(b) The hydrant head shall be a two and half (2 1/2) inch
2	National Hose male thread with cap for pressure and gravity flow
3	systems and four and a half (4 1/2) inch for draft systems.
4	(c) Hydrants shall be wet or dry barrel and have suitable freeze
5	or crash protection as required by the Local Jurisdiction.
6	Note: Authority cited: Section 4290, Public Resources Code.
7	Reference: Sections 4290 and 4291, Public Resources Code.
8	
9	<u>§ 1275.04. Municipal-Type Water System Hydrants. Signing of</u>
10	Water Sources
11	(a) The Municipal-Type Fire Hydrant shall be eighteen (18)
12	inches above the finished surface. Its location in relation to
13	the Road or Driveway and to the Building(s) or structure(s) it
14	serves shall comply with California Fire Code, California Code
15	of Regulations Title 24, Part 9, Chapter 5, and Appendix C.
16	(b) The Municipal-Type Fire Hydrant shall be sizes designated
17	by the Local Jurisdiction, in consultation with the Fire
18	Authority, and shall have male American National Fire Hose Screw
19	Threads (NH).
20	(c) Where Municipal-Type water supply Fire Hydrant systems are
21	not practical due to the absence of a Municipal-Type Water
22	System, or other limiting factors, a performance-based water
23	supply alternative approved by the Local Jurisdiction, in
24	consultation with the Fire Authority, shall be designed and
25	installed to meet the minimum fire flow water supply

1	requirements of 250 gallons per minute (gpm) for two (2) hours.
2	(a) Each hydrant, fire valve, or access to water shall be
3	identified as follows:
4	(1) if located along a driveway, a reflectorized blue marker,
5	with a minimum dimension of three (3) inches shall be located on
6	the driveway address sign and mounted on a fire retardant post,
7	or
8	(2) if located along a road,
9	(i) a reflectorized blue marker, with a minimum dimension of
10	three (3) inches, shall be mounted on a fire retardant post. The
11	sign post shall be within three (3) feet of said hydrant or fire
12	valve, with the sign no less than three (3) feet nor greater
13	than five (5) feet above ground, in a horizontal position and
14	visible from the driveway, or
15	(ii) as specified in the State Fire Marshal's Guidelines for
16	Fire Hydrant Markings Along State Highways and Freeways, May
17	<del>1988.</del>
18	Note: Authority cited: Section 4290, Public Resources Code.
19	Reference: Sections 4290 and 4291, Public Resources Code.
20	
21	<u>§ 1275.05. Dry Hydrants</u>
22	When dry hydrants have been approved by the Local Jurisdiction,
23	the requirements of NFPA 1142 (2017) Chapter 8 (8.3, 8.4, 8.5,
24	8.6, 8.7 and 8.8), hereby incorporated by reference, shall be
25	met.

1	Note: Authority cited: Section 4290, Public Resources Code.
2	Reference: Sections 4290 and 4291, Public Resources Code.
3	
4	<u>§ 1275.06. Mobile Water Supply (Water Tenders)</u>
5	(a) Fire water delivery systems that rely on mobile water supply
6	(water tenders) shall only be permitted under the following
7	conditions:
8	(1) During the construction phase of a new Development,
9	prior to the permanent fire water delivery system installation;
10	<u>or,</u>
11	(2) When the Local Jurisdiction determines that all other
12	means of water supply is not practical.
13	(b) The mobile water supply shall, within five (5) minutes of
14	the arrival of the first Fire Apparatus on-scene, be capable of
15	providing the Fire Apparatus with a minimum 250 gpm for a 2-hour
16	duration.
17	(c) Mobile water supplies may use NFPA 1142 (2017) Annex C,
18	hereby incorporated by reference, to achieve minimum fire flow
19	requirements.
20	Note: Authority cited: Section 4290, Public Resources Code.
21	Reference: Sections 4290 and 4291, Public Resources Code.
22	
23	§ 1275.07. Protection of Water Supply Infrastructure from
24	Wildfire.
25	(a) All water supply infrastructure shall be protected from

Ш

1	Wildfire radiant heat, convective heat, and embers by at least
2	one of the following:
3	(1) underground burial; or
4	(2) construction of non-combustible materials, fittings and
5	valves, such as concrete or metal; or
6	(3) maintenance of a 100-foot, slope-adjusted defensible
7	space immediately surrounding the infrastructure; or
8	(4) placement within a Building constructed to the
9	requirements of the California Building Code (California Code of
10	Regulations Title 24, Part 2) Chapter 7A.
11	Note: Authority cited: Section 4290, Public Resources Code.
12	Reference: Sections 4290 and 4291, Public Resources Code.
13	
14	Article 5. Building Siting, Setbacks, and Fuel Modification Fuel
15	Modification Standards
16	§ 1276.00. Applicability Intent
17	(a) All Building construction shall comply with the following
18	provisions of this Article: § 1276.01 (Building and Parcel
19	Siting and Setbacks); § 1276.02(c) (Ridgelines); and § 1276.06
20	(Disposal of Flammable Vegetation and Fuels).
21	(b) The following provisions of this article shall further apply
22	in the tentative and parcel map process for new parcels: §
23	1276.01 (Building and Parcel Siting and Setbacks); § 1276.02(c)
24	(Ridgelines); § 1276.03 (Fuel Breaks); § 1276.04 (Greenbelts,
25	Greenways, Open Spaces and Parks); § 1276.05 (Maintenance of

1	Fuel Breaks); and § 1276.06 (Disposal of Flammable Vegetation
2	and Fuels).
3	To reduce the intensity of a Wildfire by reducing the volume and
4	density of flammable vegetation, the strategic siting of fuel
5	modification and greenbelts shall provide for increased safety
6	for emergency fire equipment and evacuating civilians by its
7	utilization around structures and roads, including driveways,
8	and a point of attack or defense from a Wildfire.
9	Note: Authority cited: Section 4290, Public Resources Code.
10	Reference: Sections 4290 and 4291, Public Resources Code.
11	
12	§ 1276.01. Building and Parcel Siting and Setbacks. Setback for
13	Structure Defensible Space
14	(a) All parcels shall provide a minimum thirty (30) foot setback
15	for all B <del>b</del> uildings from all property lines and/or the center of
16	a $\underline{R}$ +coad, except as provided for in subsection (b).
17	(b) <u>A reduction in the minimum setback shall be based upon When</u>
18	a thirty (30) foot setback is not possible for practical
19	reasons, which may include but are not limited to, parcel
20	dimensions or size; topographic limitations; development density
21	requirements or other development patterns that promote low-
22	carbon emission outcomes; sensitive habitat; or other site
23	constraints easements, and shall reduce Structure-to-Structure
24	ignition by incorporating features such as, but not limited to:
25	Same practical effect options may include, but are not limited

1	to: (1) non-combustible block walls or fences; or
2	(2) five (5) feet of non-combustible material extending
3	five (5) feet horizontally from the furthest extent of the
4	Building; <u>or</u>
5	(3) installing hardscape landscaping or reducing exposed
6	windows on the side of the <u>sS</u> tructure with a less than
7	thirty (30) foot setback; <u>or</u>
8	(4) additional structure hardening that exceeds the
9	requirements in the California Building Code, California Code of
10	Regulations Title 24, Part 2, Chapter 7A.
11	Note: Authority cited: Section 4290, Public Resources Code.
12	Reference: Sections 4290 and 4291, Public Resources Code.
13	
14	§ 1276.02. <u>Ridgelines.</u> Maintenance of Defensible Space Measures.
15	(a) The Local Jurisdiction shall identify strategic Ridgelines,
16	if any, in consultation with the Fire Authority. Strategic
17	Ridgelines shall be identified through an assessment of the
18	following factors:
19	(1) Topography;
20	(2) Vegetation;
21	(3) Proximity to any existing or proposed residential,
22	commercial, or industrial land uses;
23	(4) Ability to support effective fire suppression; and
24	(5) Other factors, if any, deemed relevant by the Local
25	Jurisdiction and Fire Authority.

1	(b) Preservation of Undeveloped Ridgelines identified as
2	strategically important shall be required.
3	(c) New Buildings on Undeveloped Ridgelines identified as
4	strategically important are prohibited. Nothing in this
5	subsection shall be construed to alter the extent to which
6	Structures or Development other than Buildings, such as but not
7	limited to Utility and Miscellaneous Group U Structures, may be
8	constructed on Undeveloped Ridgelines.
9	(d) The Local Jurisdiction may implement further specific
10	requirements to preserve Undeveloped Ridgelines.
11	To ensure continued maintenance of commonly owned properties in
12	conformance with these standards and to assure continued
13	availability, access, and utilization of the defensible space
14	provided by these standards during a wildfire, provisions for
15	annual maintenance shall be provided in emergency access
16	covenants or similar binding agreements.
17	Note: Authority cited: Section 4290, Public Resources Code.
18	Reference: Sections 4290 and 4291, Public Resources Code.
19	
20	<u>§ 1276.03.</u> Fuel Breaks <u>Disposal of Flammable Vegetation and</u>
21	Fuels.
22	(a) When Building construction meets the following criteria, the
23	Local Jurisdiction shall determine the need and location for
24	Fuel Breaks in consultation with the Fire Authority:
25	(1) the permitting or approval of three (3) or more new

1	parcels, excluding lot line adjustments as specified in
2	Government Code (GC) section 66412(d); or
3	(2) an application for a change of zoning increasing zoning
4	intensity or density; or
5	(3) an application for a change in use permit increasing
6	use intensity or density.
7	(b) Fuel Breaks required by the Local Jurisdiction shall be
8	located, designed, and maintained in a condition that reduces
9	the potential of damaging radiant and convective heat or ember
10	exposure to Access routes, Buildings, or infrastructure within
11	the Development.
12	(c) Fuel Breaks may be required at locations such as, but not
13	limited to:
14	
15	(1) Directly adjacent to Defensible Space to reduce radiant
16	and convective heat exposure, ember impacts, or support fire
17	suppression tactics;
18	(2) Directly adjacent to Roads to manage radiant and
19	convective heat exposure or ember impacts, increase evacuation
20	safety, or support fire suppression tactics;
	(3) Directly adjacent to a Hazardous Land Use to limit the
21	spread of fire from such uses, reduce radiant and convective
22	heat exposure, or support fire suppression tactics;
23	(4) Strategically located along Ridgelines, in Greenbelts,
24	or other locations to reduce radiant and convective heat
25	exposure, ember impacts, or support community level fire
	Carpobare, ember impaces, or support community rever file

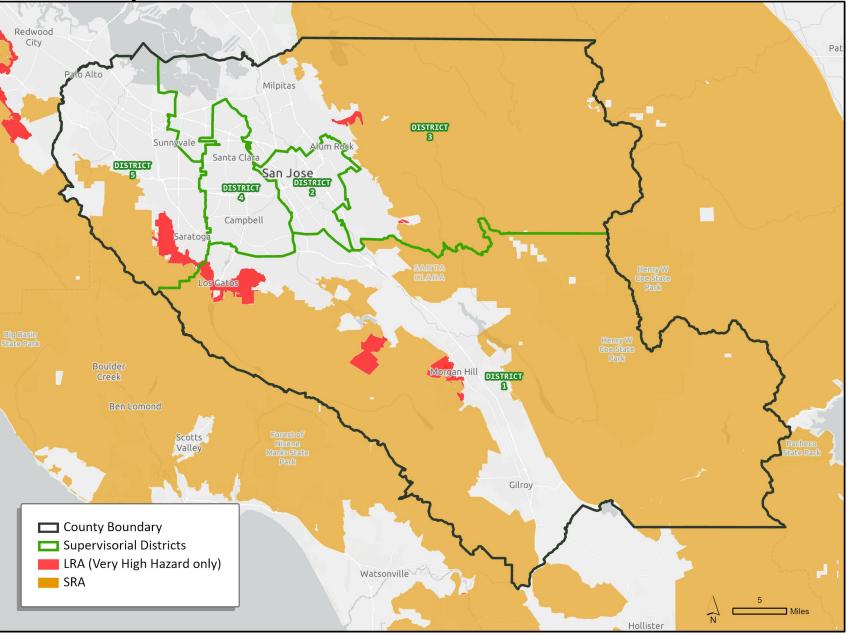
1	suppression tactics.
2	(d) Fuel Breaks shall be completed prior to the commencement of
3	any permitted construction.
4	(e) Fuel Breaks shall be constructed using the most ecologically
5	and site appropriate treatment option, such as, but not limited
6	to, prescribed burning, manual treatment, mechanical treatment,
7	prescribed herbivory, and targeted ground application of
8	herbicides.
9	(f) Fuel Breaks shall have, at a minimum, one point of entry for
10	fire fighters and any Fire Apparatus. The specific number of
11	entry points and entry requirements shall be determined by the
12	Local Jurisdiction in consultation with the Fire Authority.
13	Disposal, including chipping, burying, burning or removal to a
14	site approved by the local jurisdiction, of flammable vegetation
15	and fuels caused by site development and construction, road and
16	driveway construction, and fuel modification shall be completed
17	prior to completion of road construction or final inspection of
18	a building permit.
19	Note: Authority cited: Section 4290, Public Resources Code.
20	Reference: Sections 4290 and 4291, Public Resources Code.
21	
22	§ 1276.04. Greenbelts, Greenways, Open Spaces and Parks
23	Greenbelts
24	(a) Where a Greenbelt, Greenway, open space, park, landscaped or
25	natural area, or portions thereof, is intended to serve as a

1	Fuel Break, the space or relevant portion thereof shall conform
2	with the requirements in § 1276.03 (Fuel Breaks).
3	(b) Local Jurisdictions may require Greenbelts or Greenways or
4	other open areas for the purpose of providing potential areas of
5	refuge for the public or firefighters or other values as a last
6	resort, if safe evacuation is not practicable.
7	Subdivision and other developments, which propose greenbelts as
8	a part of the development plan, shall locate said greenbelts
9	strategically as a separation between wildland fuels and
10	structures. The locations shall be approved by the local
11	authority having jurisdiction and may be consistent with the CAL
12	FIRE Unit Fire Management Plan or Contract County Fire Plan.
13	Note: Authority cited: Section 4290, Public Resources Code.
14	Reference: Sections 4290 and 4291, Public Resources Code.
15	
16	<u>§ 1276.05. Maintenance of Fuel Breaks</u>
17	(a) Where a Local Jurisdiction requires Fuel Breaks pursuant to
18	§ 1276.03 (Fuel Breaks), maintenance mechanisms shall be
19	established to ensure the fire behavior objectives and
20	thresholds are maintained over time.
21	(b) The mechanisms required shall be binding upon the property
22	for which the Fuel Break is established, shall ensure adequate
23	maintenance levels, and may include written legal agreements;
24	permanent fees, taxes, or assessments; assessments through a
25	homeowners' association; or other funding mechanisms.

1	Note: Authority cited: Section 4290, Public Resources Code.
2	Reference: Sections 4290 and 4291, Public Resources Code.
3	
4	§ 1276.06 Disposal of Flammable Vegetation and Fuels
5	The disposal, including burning or removal to a site approved by
6	the Local Jurisdiction, of flammable vegetation and fuels caused
7	by site development and construction, road and driveway
8	construction shall be in accordance with all applicable laws and
9	regulations.
10	Note: Authority cited: Section 4290, Public Resources Code.
11	Reference: Sections 4290 and 4291, Public Resources Code.
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

DocuSign Envelope ID: 57017923-1469-481E-877B-16E285969ABA

## Santa Clara County Fire Hazard Districts



From:	Cain, Robert
To:	Cain, Robert
Subject:	Courtesy notice of ordinance establishing Santa Clara County implementation of State Minimum Fire Safe Regulations
Date:	Wednesday, August 25, 2021 4:04:12 PM
Attachments:	image001.png

### Notification to the Interested Public

On August 17, 2021, the County of Santa Clara Board of Supervisors preliminarily adopted an amendment to the County of Santa Clara Ordinance Code, relating to implementation of State Minimum Fire Safe Regulations, including a process for appeals of denials of exceptions to these regulations. For more information, click <u>here.</u>

For questions and input regarding the amendment, contact Robert Cain at <u>robert.cain@pln.sccgov.org</u> or (408) 299-5706. The Ordinance Code amendment is scheduled for final adoption by the Board of Supervisors on August 31, 2021.

Additional information on Fire Safe Regulations and impacts to development can be found on the County's Department of Planning and Development website <u>https://tinyurl.com/SCCSMFSR</u>.



**ROBERT A. CAIN** Associate Planner

Department of Planning and Development County of Santa Clara 70 W. Hedding Street | 7th Floor | East Wing San Jose | CA 95110 Phone: (408) 299-5706 robert.cain@pln.sccgov.org

**CONFIDENTIALITY NOTICE**: This email message and/or its attachments may contain information that is confidential or restricted. It is intended only for the individuals named as recipients in the message. If you are NOT an authorized recipient, you are prohibited from using, delivering, distributing, printing, copying, or disclosing the message or content to others and must delete the message from your computer. If you have received this message in error, please notify the sender by return email.

# **Attachment D**

(Next Door Courtesy Notice)



### (ONLY POST TO UNINCORPORATED AREAS)

#### SUBJECT: Amended Fire Safe Regulations Affecting New Major Construction

Dear Neighbors,

The County of Santa Clara's Board of Supervisors is considering new procedures to implement State fire safe regulations that may affect you.

Under State fire safe regulations, properties in the State Responsibility Area (orange) and local Very High Fire Hazard Severity Zones (red) are subject to certain requirements (such as road widths, grade, maximum length of dead-end roads) to ensure adequate access into and out of properties during a fire emergency. These regulations are not retroactive and, for residential properties, only affect property undergoing new major construction, such as additions, rebuilds, or builds on a vacant lot (new ADUs are exempt for existing legally permitted homes). **This new ordinance would create a process for the County to implement these regulations locally, including appeals.** 

The Board of Supervisors will vote on final adoption of the ordinance during the next Board meeting on Tuesday, August 31, 2021. To read the ordinance, go to <a href="http://sccgov.iqm2.com/Citizens/Detail\_LegiFile.aspx?Frame=SplitView&MeetingID=13226&MediaPositi">http://sccgov.iqm2.com/Citizens/Detail\_LegiFile.aspx?Frame=SplitView&MeetingID=13226&MediaPositi</a> on=&ID=106947

For questions and input regarding the amendment, contact Robert Cain at <u>robert.cain@pln.sccgov.org</u> or (408) 299-5706. Additional information on Fire Safe Regulations and impacts to development can be found on the County's Department of Planning and Development website <u>https://tinyurl.com/SCCSMFSR</u>.