MEMORANDUM

DATE: August 27, 2021

TO: Honoroble 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 (CALFIRE) 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 (Public Interactive Property Assessment)

- 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 (Maps and GIS Data)

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 (https://tinyurl.com/SCCSMFSR)

• 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 11,500 properties 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, bosagenda@cob.sccgov.org

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
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 HLUET Agenda page.

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

Written communications can be emailed to hluetagenda@cob.sccgov.org prior to the May 27th hearing date.
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.

The Administration has identified three separate but related issues with the fire safety regulations:

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 State-mandated 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. 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.

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 existing 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, bosagenda@cob.sccgov.org

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
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.


§ 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.


§ 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);
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.


§ 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.


§ 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.


§ 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.


§ 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.


§ 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.


§ 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").


§ 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.


§ 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.


§ 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.


§ 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.


§ 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.


§ 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.


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.


§ 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.


§ 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.


§ 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.


§ 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.


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.


§ 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.


§ 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.


§ 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.


§ 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


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.


§ 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-to-home 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.


§ 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.


§ 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.

Title 14 of the California Code of Regulations (14 CCR),
Division 1.5, Chapter 7
Subchapter 2, Articles 1-5
“DRAFT State Minimum Fire Safe Regulations, 2021”

Subchapter 2. SRA/VHFHSZ State Minimum Fire Safe Regulations

Article 1. Administration
§ 1270.00. Title.
These regulations shall be known as the “SRA/VHFHSZ State Minimum Fire Safe Regulations,” and shall constitute the basic minimum 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. Definitions Purpose
The following definitions are applicable to this Subchapter.
(a) Access: The Roads on a route from a Building to the nearest Collector Road.
(b) Agriculture: Land used for agricultural purposes as defined in a Local Jurisdiction’s zoning ordinances.
(c) Board: California Board of Forestry and Fire Protection.
(d) Building: Any Structure used or intended for supporting or sheltering any use or Occupancy, except those classified as
Utility and Miscellaneous Group U.

(e) CAL FIRE: California Department of Forestry and Fire Protection.

(f) Clear Width: A horizontal area free of vegetation, debris, fences, or other materials that may impede traffic flow; this area may include flexible posts or barriers.

(g) Collector Road: Roads identified by a Local Jurisdiction as a major or minor, or general, collector road pursuant to Title 23, Code of Federal Regulations, § 470.105 and in conformance with the procedures in the US Federal Highway Administration “Highway Functional Classification Concepts, Criteria, and Procedures,” 2013 Edition, hereby incorporated by reference.

(h) Dead-end Road: A Road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped Roads.

(i) Defensible Space: As defined in California Code of Regulations, Title 14, § 1299.02(a).

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

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

(l) Driveway: A vehicular pathway that serves up to two (2) parcels with no more than two (2) Residential Units and any number of non-commercial or non-industrial Utility or Miscellaneous Group U Buildings on each parcel. A Driveway shall not serve commercial or industrial uses at any size or scale.

(m) Exception: An alternative means or method to achieve a
specified standard requested by the applicant subject to § 1270.06 (Exceptions to Standards).

(n) Existing Road: A physical Road constructed and used by vehicles prior to a Development proposal.

(o) Fire Apparatus: A vehicle designed to be used under emergency conditions to transport personnel and equipment or to support emergency response, including but not limited to the suppression of fires.

(p) Fire Authority: A fire department, agency, division, district, or other governmental body responsible for regulating and/or enforcing minimum fire safety standards.

(q) Fire Hydrant: A valved connection on a water supply or storage system for the purpose of providing water for fire protection and suppression operations.

(r) Fuel Break: A strategically located area where the volume and arrangement of vegetation has been managed to limit fire intensity, fire severity, rate of spread, crown fire potential, and/or ember production.

(s) Greenbelts: Agricultural lands, open space, parks, wildlands, or a combination thereof, as designated by Local Jurisdictions, which surround or are adjacent to a city or urbanized area, and restrict or prohibit Development.

(t) Greenways: Linear open spaces or corridors that link parks and neighborhoods within a community through natural or manmade trails and paths.

(u) Hammerhead/T: A Road or Driveway that provides a “T”
shaped, three-point Turnaround space for Fire Apparatus, being no narrower than the Road or Driveway that serves it.

(v) Hazardous Land Use: A land use that presents a significantly elevated potential for the ignition, prolonged duration, or increased intensity of a Wildfire due to the presence of flammable materials, liquids, or gasses, or other features that initiate or sustain combustion. Such uses are determined by the Local Jurisdiction and may include, but are not limited to, power-generation and distribution facilities; wood processing or storage sites; flammable gas or liquids processing or storage sites; or shooting ranges.

(w) Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that approves or has the authority to regulate Development.

(x) Local Responsibility Area (LRA): Those areas of land not classified by the Board where the financial responsibility of preventing and suppressing Wildfires is that of the state or federal government, pursuant to Public Resources Code (PRC) section 4125.


(z) Municipal-Type Water System: A system having water pipes
servicing Fire Hydrants and designed to furnish, over and above domestic consumption, a minimum of 250 gpm (950 L/min) at 20 psi (138 kPa) residual pressure for a two (2) hour duration.

(aa) New Road: A theoretical Road proposed in a Development application.

(bb) Occupancy: The purpose for which a Building, or part thereof, is used or intended to be used.

(cc) One-way Road: A minimum of one Traffic Lane width designed for traffic flow in one direction only.

(dd) Perimeter: The boundary of an individual parcel and/or the boundary of a tentative and final or parcel map, pursuant to Government Code § 66411, within which lies any Building construction.

(ee) 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, mobile homes, and factory-built housing are considered residential units, unless being sited or installed as an accessory or junior accessory dwelling unit in accordance with § 1270.03(d) (Scope – Exemptions – ADUs).

(ff) Ridgeline: The line of intersection of two opposing slope aspects running parallel to the long axis of the highest elevation of land.

(gg) Road: A public or private vehicular pathway to more than two (2) parcels, more than four (4) Residential Units, or to any industrial or commercial Occupancy.
(hh) Road or Driveway Structures: Bridges, culverts, and other appurtenant structures which supplement the Traffic Lane or Shoulders.

(ii) Shoulder: A vehicular pathway adjacent to the Traffic Lane.

(jj) 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.

(kk) Structure: That which is built or constructed, a Building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

(ll) Substantial Compliance: Nearly complete satisfaction of all material requirements consistent with the purpose of the applicable State Minimum Fire Safe Regulations even though the formal requirements are not satisfied.

(mm) Substantial Evidence: Enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, in light of the whole record of evidence, even though other conclusions might also be reached. Argument, speculation, unsubstantiated opinion or narrative, or evidence which is clearly erroneous or inaccurate does not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

(nn) Traffic Lane: The portion of a Road or Driveway that provides a single line of vehicle travel.
(oo) Turnaround: A portion of a Road or Driveway, unobstructed by parking, which allows for a safe opposite change of direction for Fire Apparatus. Design of such area may be a hammerhead/T or terminus bulb.

(pp) Turnout: A widening in a Road or Driveway to allow vehicles to pass.

(qq) Undeveloped Ridgeline: A Ridgeline with no Buildings.

(rr) Utility and Miscellaneous Group U: 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.

(ss) Vertical Clearance: The minimum specified height of a bridge, overhead projection, or vegetation clearance above the Road or Driveway.

(tt) Very High Fire Hazard Severity Zone (VHFHSZ): As defined in Government Code section 51177(i).

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

(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.

§ 1270.02. Purpose. Scope

(a) These regulations have been prepared and adopted for the purpose of establishing state 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) Building construction in the SRA and, after July 1, 2021, the VHFHSZ shall provide for minimum Wildfire protection standards as specified in the following articles.

(c) These standards shall provide for emergency ingress and egress; signing and Building numbering; private water supply reserves for emergency fire use; vegetation modification, Fuel Breaks, Greenbelts, and measures to preserve Undeveloped
Ridgelines. The regulations which follow shall specify the minimums for such standards.

(d) 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.

(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.

§ 1270.03. Scope. Provisions for Application of The Regulations

(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), (c), (d), and (e) below.
(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 in the SRA 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.

(1) For this exemption to apply, the parcel map or tentative map that was approved prior to January 1, 1991, shall have imposed conditions relating to the Perimeters and Access to 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
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) These regulations shall not apply to Roads used solely for Agriculture, mining, or the management of timberland and harvesting of forest products.

This Subchapter shall be applied as follows:

(a) the Local Jurisdictions shall provide the Director of the California Department of Forestry and Fire Protection (CALFIRE) 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.

(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.

(e) 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.

§ 1270.04. Local Regulations—Ordinances.

(a) These regulations shall serve as the minimum Wildfire protection standards applied in SRA and VHFHSZ. However, these regulations do not supersede local regulations which equal or exceed the standards of this Subchapter. 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) A local regulation equals or exceeds a minimum standard of this Subchapter only if, at a minimum, the local regulation also fully complies with the corresponding minimum standard in this Subchapter. 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) A Local Jurisdiction shall not apply exemptions that are not enumerated in this Subchapter. Exceptions requested and approved in conformance with § 1270.06 (Exceptions to Standards) may be granted on a case-by-case basis. 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) A Local Jurisdiction or Fire Authority may notify the Board upon commencement of any revisions to relevant local regulations. The Board may provide technical assistance to the agency during the revision drafting process. 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.

(e) The Local Jurisdiction or Fire Authority may submit their draft regulation to the Board at least 90 days before the first meeting of the Local Jurisdiction or Fire Authority at which the proposed draft will be presented to the public.

(f) The Board may provide recommendations on the draft within 60 days.

(g) Notwithstanding a local regulation that equals or exceeds the State Minimum Fire Safe Regulations, Building construction shall comply with the State Minimum Fire Safe Regulations.

Note: Authority cited: Section 4290, Public Resources Code.

§ 1270.05. Inspections.
Inspections shall conform to the following requirements:

(a) Inspections in the SRA 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 the Director to the Local Jurisdiction, pursuant to subsection (b).

(b) The Director may delegate inspection authority to a Local Jurisdiction subject to all of the following criteria:

(1) The Local Jurisdiction represents that they have appropriate resources to perform the delegated inspection authority.

(2) The Local Jurisdiction acknowledges that CAL FIRE’s authority under subsection (d) shall not be waived or restricted.

(3) The Local Jurisdiction consents to the delegation of inspection authority.

(4) The Director may revoke the delegation at any time.

(5) The delegation of inspection authority, and any subsequent revocation of the delegation, shall be documented in writing, and retained on file at the CAL FIRE Unit headquarters that administers SRA fire protection in the Local Jurisdiction.

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) Inspections in the VHFHSZ shall be made by the Local Jurisdiction or Fire Authority. Reports of violations shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in the Local Jurisdiction.

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

(e) Reports of violations within the SRA shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in the Local Jurisdiction.

(f) Inspections conducted by the Director shall be limited to confirming compliance with the State Minimum Fire Safe Regulations. Inspections conducted by the Local Jurisdiction or Fire Authority shall confirm compliance with the State Minimum Fire Safe Regulations. A Local Jurisdiction may, in its discretion, conduct additional inspections with respect to a local regulation that equals or exceeds the State Minimum Fire Safe Regulations.

(g) The Local Jurisdiction shall ensure that any applicable Building construction complies with the applicable sections of this Subchapter.

§ 1270.06. Exceptions to Standards.

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

(ba) Upon request by the applicant, an Exception to a standards within this Subchapter or to Local Jurisdiction certified ordinances may be granted by the inspection entity in accordance with § 1270.05 (Inspections), where the exceptions provide the same practical effect as these 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 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.

(bc) 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.

(1) At a minimum, the Exception requests shall state

   (i) the specific section(s) for which an Exception is requested;

   (ii) material facts supporting the necessity for an Exception contention of the applicant;

   (iii) material facts demonstrating the proposed alternative means Substantially Complies with the State Minimum Fire Safe Regulation for which the Exception is requested; the details of the exception proposed, and

   (iv) a map showing the proposed location and siting of the Exception, including address or parcel number, as applicable.

(2) Local Jurisdictions acting as inspection entities pursuant to § 1270.05 (Inspections) 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. Exception decisions may be appealed. The Local Jurisdiction may establish or utilize an appeal process consistent with existing local Building or planning department appeal processes.

(1) In addition to local requirements, the Local Jurisdiction shall consult with the inspection entity prior to making a determination on an appeal.

(2) The inspection entity shall provide documentation
demonstrating how the requested Exception does or does not substantially comply with the standards in this Subchapter.

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 written findings of the Exception’s Substantial Compliance, as defined § 1270.01 (Definitions), with the minimum standards in this Subchapter, supported by Substantial Evidence. that the decision meets the intent of providing defensible space consistent with these regulations. Such findings shall include a written statement of reasons for overriding the decision of the inspection entity, if necessary. A written copy of these findings shall be provided to the Board and the CAL FIRE Unit headquarters that administers SRA fire protection in that Local Jurisdiction, or in the county in which the Local Jurisdiction is located.

Note: Authority cited: Section 4290, Public Resources Code.


§ 1270.07. Distance Measurements.
All specified or referenced distances are measured along the ground, unless otherwise stated.

Note: Authority cited: Section 4290, Public Resources Code.

Article 2. Emergency Access Ingress and Egress

§ 1273.00. Purpose and Application - Intent.

(a) New Roads, and Driveways, and Road or Driveway Structures, whether public or private, unless exempted under § 1270.03(b)-(e) (Scope - Exemptions) 14 CCR 1270.02(c), shall provide for concurrent Fire Apparatus ingress and 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, as set forth in this Article.

(b) The provisions of this Article and Article 3 (Signing and Building Numbering) shall apply to all New Roads, Driveways, or Road or Driveway Structures. The provisions of this Article and Article 3 (Signing and Building Numbering) shall further apply to all Existing Roads, Driveways, or Road or Driveway Structures within a Perimeter.

(c) The provisions of this Article and Article 3 (Signing and Building Numbering) shall further apply to any Existing Road, Driveway, or Road or Driveway Structure that provides Access to Building construction which includes

(1) the permitting or approval of three (3) or more new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d); or

(2) an application for a change of zoning which proposes to increase zoning intensity or density; or
(3) an application for a change in use permit which proposes to increase use intensity or density.

(d) Notwithstanding any other provision in this Subchapter, Building construction is prohibited where Access is provided by a Road that does not meet the minimum requirements in § 1273.12 (Standards for Existing Roads).

Note: Authority cited: Section 4290, Public Resources Code.


§ 1273.01. Horizontal and Vertical Curves / Curb Radii Width.

(a) No Road or Road Structure shall have a horizontal inside radius of curvature (measured from the centerline of the inside lane) of less than fifty (50) feet, except as provided for in subsections (b), (c), and (d).

(1) An additional four (4) feet of surface width shall be added to the required widths in § 1273.05 (Road and Driveway Traffic Lane Width and Clear Width) to curves of 50-100 feet radius.

(2) One (1) foot of additional Road width shall be added to curves of 100-200 feet, as illustrated on Figure 1 and Figure 2.

(3) Flexible posts may be placed within the required radius.

(b) Where the operating speed of a Road is 15 miles per hour (mph) or less, an alternative standard to subsection (a) based on modeling performed by a Professional Engineer, as described within the Professional Engineers Act (Chapter 7 of Division 3
of the Business and Professions Code), that demonstrates Fire Apparatus can negotiate the proposed horizontal inside radius satisfies the requirement of this section.

(c) At intersections where on-street parking and bike lanes may be present or where width allows, smaller curb radii or curb extensions to minimize pedestrian exposure and collision severity are present, the effective turning radius shall not be less than fifty (50) feet as illustrated in Figure 3 below.

(d) At intersections in areas without on-street parking and/or bike lanes where speeds approaching the intersection are less than 15 mph; and traffic volumes on the receiving road are less than 120 vehicles per hour during either an evacuation event or during the peak commute hour, whichever is a higher volume, curb radii of twenty (20) feet based on modeling performed by a Professional Engineer, as described within the Professional Engineers Act (Chapter 7 of Division 3 of the Business and Professions Code), that demonstrates Fire Apparatus can negotiate the proposed horizontal inside radius as illustrated in Figure 4, satisfies the requirement of this section.

(e) The length of vertical curves of roads, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.
Figure 1
Effective Turning Radius for Horizontal Curvature with 50 Foot Radius
Figure 2
Effective Turning Radius for Horizontal Curvature with 100 Foot Radius
Figure 3
Effective Turning Radius for Intersections with Bike Lanes or Parking
Figure 4
Effective Turning Radius for 20 Foot Wide Road Intersection

20 foot curb radius conducive for pedestrian activity
(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.

§ 1273.02. Road and Driveway 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. The surface material of the Road shall be non-erodible (including, but not limited to, a binding agent, gravel, lime slurry, or pavement) and designed to support the required weight at all times, including during saturated soil conditions.

(b) Driveways and road and driveway structures shall be designed and maintained to support at least 36,000 pounds.

(c) The project proponent shall provide certified engineered engineering specifications to support the Road design, if requested by the Local authority having Jurisdiction.


§ 1273.03. Bridge or Elevated Structures on Roads and Driveways.
Grades.
(a) Signing in conformance with the requirements in Article 3 (Signing and Building Numbering), shall reflect the capability of each bridge or elevated structure, including but not limited to weight or vertical clearance limitations, one-way road or single Traffic Lane conditions, or bridge weight rating limits.

(b) Bridges and elevated structures shall be designed and constructed to accommodate a gross vehicle weight rating of 75,000 pounds. Vehicle load limits shall be posted at both
(1) Bridges or elevated structures may support a maximum weight of less than 75,000 pounds if the Fire Authority verifies that the Fire Apparatus most likely to be used will be under the maximum load weight of the bridge.

(2) If the bridge or elevated structure is designed for a lower weight, then it shall be identified through signing as required in Article 3 (Signing and Building Numbering). In no case shall the bridge or elevated structure be designed to support a weight below 36,000 pounds.

(3) American Association of State Highway and Transportation Officials (AASHTO) Standard Specifications for Highway Bridges, 17th Edition, published 2002 (known as AASHTO HB-17), hereby incorporated by reference, may be used in lieu of total vehicle weight if bridges and elevated structures are designed and certified by a Professional Engineer, as described within the Professional Engineers Act (Chapter 7 of Division 3 of the Business and Professions Code).

(c) Where elevated surfaces designed for Fire Apparatus use are adjacent to surfaces which are not designed for such use, barriers, signs, and/or other distinguishing features, as approved by the Local Jurisdiction, shall be installed and maintained.

(d) Notwithstanding the above requirements, a bridge or elevated structure with only one Traffic Lane satisfies the requirements of this section so long as it provides for
unobstructed visibility from one end to the other and Turnouts at both ends. Bridges or elevated structures with only one Traffic Lane shall be implemented consistent with requirements outlined in § 1273.05 (Road and Driveway Traffic Lane Width and Clear Width).

(e) Bridges and elevated structures shall be constructed of non-combustible materials.

(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.

§ 1273.04. Road and Driveway Grades. Radius.

(a) The grades for all Roads and Driveways shall not exceed sixteen (16) percent.

(b) Notwithstanding subsection (a), Road or Driveway grades of 16 to 20 percent satisfy the requirements of this section if the Road has been treated to prevent slippage (including, but not limited to, aggregate treatments, binding agents, and/or paving) and scraping.

(c) Grade transitions shall be constructed and designed to accommodate maximum approach and departure angles of twelve (12)
degrees.

(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.


§ 1273.05. Road and Driveway Traffic Lane Width and Clear Width

Turnarounds.

(a) All bidirectional Roads shall provide a minimum of two ten (10) foot Traffic Lanes, not including Shoulders or striping. Where topographic or other limitations require the two Traffic Lanes to be constructed non-adjacently, each Traffic Lane shall provide a minimum of twelve (12) feet.

(b) All One-way Roads shall provide a minimum of one twelve (12) foot Traffic Lane.

(c) One-way Roads shall maintain a Clear Width of 20 feet. Bidirectional Roads with a center median shall maintain a Clear Width of 20 feet on either side of the median. This Clear Width may include bike lanes, Shoulders, or flexible barriers used as traffic calming devices or to delineate a bicycle facility, or
(d) All Driveways shall be constructed to provide a minimum of one (1) ten (10) foot Traffic Lane, fourteen (14) feet Clear Width, and unobstructed Vertical Clearance of thirteen feet, six inches (13' 6”).

(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 SS 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.

(e) 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).
§ 1273.06 Road and Driveway Vertical Clearances Turnouts

Roads and Driveways shall provide for a minimum of thirteen feet and six inches (13’ 6”) of unobstructed Vertical Clearance. 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.

§ 1273.07 Maximum Lengths of New One-Way Roads

Road and Driveway Structures

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

(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.

§ 1273.08 Maximum Lengths of New Dead-end Roads

(a) The maximum length of a New 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:

(1) for Roads with parcels zoned for less than not to exceed one (1) acre - 800 feet;

(2) for Roads with parcels zoned for 1 acre up to 4.99 acres - 1,320 feet;

(3) for Roads with parcels zoned for 5 acres to 19.99 or larger - 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) All New Dead-end Roads shall meet the Turnaround requirements in § 1273.10 (Road and Driveway Turnarounds). See 14 CCR § 1273.05 for dead-end road turnaround requirements.

(c) All New Dead-end Roads shall meet the width requirements in § 1273.05 (Road and Driveway Traffic Lane Width and Clear Width).
(d) Each New Dead-end Road shall be connected directly to a through Road (a Road that is connected to other Roads at both ends).

(e) The length of New Dead-end Roads shall be measured from the center line of the through Road it connects to, to the terminus of the Dead-end Road at its farthest point.

(f) Where a New Dead-end Road provides access to differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.

Note: Authority cited: Section 4290, Public Resources Code.

§ 1273.09 Road and Driveway Turnouts Gate Entrances

(a) Turnouts shall be a minimum of twelve (12) feet wide from the shoulder stripe, twenty-two (22) feet long with a minimum twenty-five (25) foot taper on each end and be facilitated outside of the Traffic Lane to accommodate one passenger vehicle as illustrated on Figure 5.

(b) On One-way Roads and Dead-end Roads over 400 feet in length, a Turnout shall be located at approximately the midpoint of the Road, in addition to any other Turnouts Required.

(c) Turnouts shall be provided no more than 400 feet apart on One-way Roads or on Roads that do not meet the width requirements.

(d) Driveways that are less than 20 feet wide and exceed 150
feet in length shall require a Turnout.

e) Driveways greater than 150 feet in length and less than 800 feet in length shall provide a Turnout near the midpoint of the Driveway.

f) Where the Driveway exceeds 800 feet, Turnouts shall be provided no more than 400 feet apart.
Figure 5
Turnout Dimensions
(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.


§ 1273.10 Road and Driveway Turnarounds

(a) Each Dead-end Road shall have a Turnaround constructed at its terminus. Where a Dead-end Road crosses parcels zoned for five (5) acres or larger, a Turnaround shall also be provided
halfway along the Dead-end Road.

(b) A Turnaround shall be provided on Driveways over 300 feet in length and shall be within fifty (50) feet of the Building.

(c) A Turnaround shall meet one of the following requirements in accordance with Figures 6.1, 6.2, or 6.3.

(d) Turnarounds with a radius smaller than 40 feet, shown in Figures 6.2 and 6.3 below, may be approved by the Local Jurisdiction when physical constraints prohibit the ability to install a 40-foot Turnaround.

(e) The center of the Turnaround shall remain clear of vegetation or decorative elements.

(f) If a hammerhead/T is used instead, the top of the “T” shall be a minimum of sixty (60) feet in length.
Figure 6.1
Turnarounds with 40-foot radius
Figure 6.2
Turnarounds with 35-foot radius
Figure 6.3
Turnarounds with 30-foot radius
§ 1273.11 Gates

(a) Gates shall have an approved means of emergency operation. Electronic gates shall have a manual method of opening in case of electronic failure. The manual method shall be maintained operational at all times.

(b) Gate entrances shall be at least two (2) feet wider than the width of the Road or Driveway, as shown in Figure 7 below. Where a gate is installed across an existing Road or Driveway, the gate shall be no less than ten (10) feet wide, with a minimum Clear Width of fourteen (14) feet and unobstructed Vertical Clearance of thirteen feet, six inches (13' 6”). Clearance shall be maintained at all times.

(c) Where a One-way Road with a single Traffic Lane leads to a gated entrance, a forty (40) foot turning radius shall be used as illustrated on Figure 7.

(d) All gates on a Driveway shall be located at least thirty (30) feet from the Road and shall open in direction of travel, in accordance with Figure 7.
Figure 7
Effective Turn Radius for Gated Entrances/Driveways with Twelve Foot One-Way Main Road

Note: Authority cited: Section 4290, Public Resources Code.

§ 1273.12 Standards for Existing Roads
(a) Except as provided in subsections (b) and (d), Existing Roads shall meet the following minimum requirements:

(1) One (1) fourteen (14) foot Traffic Lane;

(2) Native-surfacing for no more than 50% of the Road’s length; and

(3) Turnouts in compliance with § 1273.09 (Road and Driveway Turnouts), or maintains a twenty (20) foot Clear Width suitable to serve as a Traffic Lane for the length of the Road.
(b) Access to Buildings after a Wildfire shall provide for at least one (1) fourteen (14) foot Traffic Lane for a distance of at least twenty-two (22) feet at an interval of at least every 400 feet; provided, however, where such Traffic Lanes are not possible due to physical site limitations such as localized topography, slope stability or soil conditions, Access shall provide for locations for vehicles to pass each other at reasonable intervals.

(c) Existing Roads providing Access to Buildings shall not exceed a grade of 25% over a distance of 500 linear feet.

(d) An Existing Road with a secondary route in conformance with § 1273.13 (Secondary Routes for Existing Roads) need not comply with subsection (a).

Note: Authority cited: Section 4290, Public Resources Code.

§ 1273.13 Secondary Routes for Existing Roads

(a) Secondary routes shall meet the standards for New Roads in this Subchapter and shall provide for legal and deeded Access that serves as a typical travel way to and from the Building construction. A secured secondary route shall meet the requirements in § 1273.11 (Gates).

(b) Secondary routes shall connect a user to an alternative route that would not be affected by a closure to the primary route, to the extent practicable.
Article 3. Signing and Building Numbering

§ 1274.00. Road Name Signs. Intent

(a) All Road signs shall conform to the requirements of the California Manual of Uniform Traffic Control Devices (CA MUTCD), hereby incorporated by reference.

(b) New Roads shall be identified by a name or number through a consistent system that provides for sequenced or patterned numbering and non-duplicative naming within each Local Jurisdiction. This section does not require any entity to rename or renumber existing roads.

(c) 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.

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.
§ 1274.01. Road Signs Installation, Location, and Visibility.

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

(b) A sign identifying traffic limitations, including but not limited to weight or Vertical Clearance limitations, Dead-end Roads, One-way Roads, or single lane Roads and bridges, shall be placed:

(1) at the intersection preceding the traffic limitation,

and

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

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

(d) Road signs shall meet the minimum sign retroreflectivity requirements in the CA MUTCD. Signs that are not required to meet the retroreflectivity requirements (e.g., blue or brown backgrounds) shall be retroreflective or illuminated to show the same shape and color by both day and night.

(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.

§ 1274.02. Addresses for Buildings.
(a) All Buildings shall be issued an address by the Local Jurisdiction consistent with the standards in the California Fire Code, California Code of Regulations title 24, part 9.
(b) Addresses for residential Buildings shall be reflectorized.

(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.

§ 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.

§ 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.

§ 1275.00. Application. Intent

(a) 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, or when new Building construction is not already served by an existing water supply.

(b) These regulations shall not apply to existing water or wastewater facilities that are not newly constructed, or to
existing water or wastewater facilities that are repaired, reconstructed, or upgraded. For purposes of this subsection, "water and wastewater facilities" includes, but is not limited to, water storage tanks and reservoirs, pump stations, treatment facilities, regulator stations, Fire Hydrants, and similar water and wastewater system devices.

(c) Where a specific code standard from the California Fire Code or National Fire Protection Association (NFPA) is referenced in this Article, any sections of the California Fire Code or NFPA standards regarding alternative methods of compliance, equivalencies, or modifications to the specified standards shall also apply.

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.

§ 1275.01. Approved Water Supply. Application

(a) Water supply shall meet or exceed the California Fire Code, California Code of Regulations Title 24, Part 9.

(b) Where a Municipal-Type Water Supply is not available, the Local Jurisdiction shall utilize the National Fire Protection Association (NFPA) 1142, “Standard on Water Supplies for
Suburban and Rural Fire Fighting,” 2017 Edition, hereby incorporated by reference, as referenced in the California Fire Code, California Code of Regulations Title 24, Part 9, Appendix B and Appendix BB.

(c) All Building construction shall include a water supply for structure defense. Such protection shall be serviceable prior to and during the time of construction, except when alternative methods of protection are provided and approved by the Local Jurisdiction.

(d) Nothing in this article prohibits the combined storage of Wildfire and structural firefighting water supplies unless so prohibited by local ordinance or specified by the Local Fire Authority. Water supplies required under the California Fire Code, California Code of Regulations Title 24, Part 9, or other law or regulation may also be used to satisfy the requirements of this Article, so long as the full amount of water supply required by this article is provided.

(e) Where freeze or crash protection is required by the Local Jurisdictions, such protection measures shall be provided.

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.

(a) Fire Hydrants or water access located along a Driveway shall be identified by at least (1) reflectorized blue marker, with a minimum dimension of three (3) inches. This marker shall be mounted on a fire retardant sign post. The sign post shall be located and mounted as specified by the Fire Authority.

(b) Fire Hydrants or water access located along a Road shall be identified by a reflectorized blue marker, with a minimum dimension of three (3) inches. This marker shall be mounted on a fire-retardant sign post. The sign post shall be within three (3) feet of the Fire Hydrant or water access. The sign shall be no fewer than three (3) nor greater than five (5) feet above ground, in a horizontal position, and visible from the Road, or as specified by the Fire Authority.

(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.

§ 1275.03. Secured Water Sources. Hydrants and Fire Valves.
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
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.

§ 1275.04. Municipal-Type Water System Hydrants. Signing of Water Sources

(a) The Municipal-Type Fire Hydrant 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 Municipal-Type Fire Hydrant shall be sizes designated by the Local Jurisdiction, in consultation with the Fire Authority, and shall have male American National Fire Hose Screw Threads (NH).

(c) Where Municipal-Type water supply Fire Hydrant systems are not practical due to the absence of a Municipal-Type Water System, or other limiting factors, a performance-based water supply alternative approved by the Local Jurisdiction, in consultation with the Fire Authority, shall be designed and installed to meet the minimum fire flow water supply
requirements of 250 gallons per minute (gpm) for two (2) hours.

(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


Note: Authority cited: Section 4290, Public Resources Code.

§ 1275.05. Dry Hydrants

When dry hydrants have been approved by the Local Jurisdiction, the requirements of NFPA 1142 (2017) Chapter 8 (8.3, 8.4, 8.5, 8.6, 8.7 and 8.8), hereby incorporated by reference, shall be met.
§ 1275.06. Mobile Water Supply (Water Tenders)

(a) Fire water delivery systems that rely on mobile water supply (water tenders) shall only be permitted under the following conditions:

(1) During the construction phase of a new Development, prior to the permanent fire water delivery system installation; or,

(2) When the Local Jurisdiction determines that all other means of water supply is not practical.

(b) The mobile water supply shall, within five (5) minutes of the arrival of the first Fire Apparatus on-scene, be capable of providing the Fire Apparatus with a minimum 250 gpm for a 2-hour duration.

(c) Mobile water supplies may use NFPA 1142 (2017) Annex C, hereby incorporated by reference, to achieve minimum fire flow requirements.

Note: Authority cited: Section 4290, Public Resources Code.

§ 1275.07. Protection of Water Supply Infrastructure from Wildfire.

(a) All water supply infrastructure shall be protected from
Wildfire radiant heat, convective heat, and embers by at least one of the following:

(1) underground burial; or

(2) construction of non-combustible materials, fittings and valves, such as concrete or metal; or

(3) maintenance of a 100-foot, slope-adjusted defensible space immediately surrounding the infrastructure; or

(4) placement within a Building constructed to the requirements of the California Building Code (California Code of Regulations Title 24, Part 2) Chapter 7A.

Note: Authority cited: Section 4290, Public Resources Code.


Article 5. Building Siting, Setbacks, and Fuel Modification Standards

§ 1276.00. Applicability Intent

(a) All Building construction shall comply with the following provisions of this Article: § 1276.01 (Building and Parcel Siting and Setbacks); § 1276.02(c) (Ridgelines); and § 1276.06 (Disposal of Flammable Vegetation and Fuels).

(b) The following provisions of this article shall further apply in the tentative and parcel map process for new parcels: § 1276.01 (Building and Parcel Siting and Setbacks); § 1276.02(c) (Ridgelines); § 1276.03 (Fuel Breaks); § 1276.04 (Greenbelts, Greenways, Open Spaces and Parks); § 1276.05 (Maintenance of
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.


§ 1276.01. Building and Parcel Siting and Setbacks. 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, except as provided for in subsection (b).

(b) A reduction in the minimum setback shall be based upon 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; development density requirements or other development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints easements, and shall reduce Structure-to-Structure ignition by incorporating features such as, but not limited to:

Same practical effect options may include, but are not limited.
(1) non-combustible block walls or fences; or

(2) five (5) feet of non-combustible material extending five (5) feet horizontally from the furthest extent of the Building; or

(3) installing hardscape landscaping or reducing exposed windows on the side of the Structure with a less than thirty (30) foot setback; or

(4) additional structure hardening that exceeds the requirements in the California Building Code, California Code of Regulations Title 24, Part 2, Chapter 7A.

Note: Authority cited: Section 4290, Public Resources Code.

(a) The Local Jurisdiction shall identify strategic Ridgelines, if any, in consultation with the Fire Authority. Strategic Ridgelines shall be identified through an assessment of the following factors:

(1) Topography;

(2) Vegetation;

(3) Proximity to any existing or proposed residential, commercial, or industrial land uses;

(4) Ability to support effective fire suppression; and

(5) Other factors, if any, deemed relevant by the Local Jurisdiction and Fire Authority.
(b) Preservation of Undeveloped Ridgelines identified as strategically important shall be required.

(c) New Buildings on Undeveloped Ridgelines identified as strategically important are prohibited. Nothing in this subsection shall be construed to alter the extent to which Structures or Development other than Buildings, such as but not limited to Utility and Miscellaneous Group U Structures, may be constructed on Undeveloped Ridgelines.

(d) The Local Jurisdiction may implement further specific requirements to preserve Undeveloped Ridgelines.

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.

Note: Authority cited: Section 4290, Public Resources Code.


§ 1276.03. Fuel Breaks Disposal of Flammable Vegetation and Fuels.

(a) When Building construction meets the following criteria, the Local Jurisdiction shall determine the need and location for Fuel Breaks in consultation with the Fire Authority:

(1) the permitting or approval of three (3) or more new
parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d); or

(2) an application for a change of zoning increasing zoning intensity or density; or

(3) an application for a change in use permit increasing use intensity or density.

(b) Fuel Breaks required by the Local Jurisdiction shall be located, designed, and maintained in a condition that reduces the potential of damaging radiant and convective heat or ember exposure to Access routes, Buildings, or infrastructure within the Development.

(c) Fuel Breaks may be required at locations such as, but not limited to:

(1) Directly adjacent to Defensible Space to reduce radiant and convective heat exposure, ember impacts, or support fire suppression tactics;

(2) Directly adjacent to Roads to manage radiant and convective heat exposure or ember impacts, increase evacuation safety, or support fire suppression tactics;

(3) Directly adjacent to a Hazardous Land Use to limit the spread of fire from such uses, reduce radiant and convective heat exposure, or support fire suppression tactics;

(4) Strategically located along Ridgelines, in Greenbelts, or other locations to reduce radiant and convective heat exposure, ember impacts, or support community level fire
suppression tactics.

(d) Fuel Breaks shall be completed prior to the commencement of any permitted construction.

(e) Fuel Breaks shall be constructed using the most ecologically and site appropriate treatment option, such as, but not limited to, prescribed burning, manual treatment, mechanical treatment, prescribed herbivory, and targeted ground application of herbicides.

(f) Fuel Breaks shall have, at a minimum, one point of entry for fire fighters and any Fire Apparatus. The specific number of entry points and entry requirements shall be determined by the Local Jurisdiction in consultation with the Fire Authority.

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.


§ 1276.04. Greenbelts, Greenways, Open Spaces and Parks

Greenbelts

(a) Where a Greenbelt, Greenway, open space, park, landscaped or natural area, or portions thereof, is intended to serve as a
Fuel Break, the space or relevant portion thereof shall conform with the requirements in § 1276.03 (Fuel Breaks).

(b) Local Jurisdictions may require Greenbelts or Greenways or other open areas for the purpose of providing potential areas of refuge for the public or firefighters or other values as a last resort, if safe evacuation is not practicable.

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 CALFIRE Unit Fire Management Plan or Contract County Fire Plan.


§ 1276.05. Maintenance of Fuel Breaks

(a) Where a Local Jurisdiction requires Fuel Breaks pursuant to § 1276.03 (Fuel Breaks), maintenance mechanisms shall be established to ensure the fire behavior objectives and thresholds are maintained over time.

(b) The mechanisms required shall be binding upon the property for which the Fuel Break is established, shall ensure adequate maintenance levels, and may include written legal agreements; permanent fees, taxes, or assessments; assessments through a homeowners’ association; or other funding mechanisms.
$ 1276.06 Disposal of Flammable Vegetation and Fuels

The disposal, including 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 shall be in accordance with all applicable laws and regulations.

Note: Authority cited: Section 4290, Public Resources Code.
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 here.

For questions and input regarding the amendment, contact Robert Cain at robert.cain@pln.sccgov.org 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 https://tinyurl.com/SCCSMFSR.

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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 [http://sccgov.igm2.com/Citizens/Detail_LegiFile.aspx?Frame=SplitView&MeetingID=13226&MediaPosition=&ID=106947](http://sccgov.igm2.com/Citizens/Detail_LegiFile.aspx?Frame=SplitView&MeetingID=13226&MediaPosition=&ID=106947)

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