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14 CA ADC § 1268.01

Barclays Official California Code of Regulations

Effective: February 7, 2022

Barclays California Code of Regulations

Title 14. Natural Resources

Division 1.5. Department of Forestry and Fire Protection (Refs &amp; Annos)

Chapter 7. Fire Protection (Refs &amp; Annos)

Subchapter 1. Subdivision Safety

Article 3. Fire Risk Reduction Community List

Effective: February 7, 2022

14 CCR § 1268.01

**§ 1268.01. Criteria for Local Agencies that are Cities, City and County, or Counties.**Currentness

(a) A Local Agency that is a city, city and county, or county shall qualify for placement on the Fire Risk Reduction Community List if it meets all of criteria (1)-(4) and two of criteria (5)-(10). A Low-income Local Agency that is a city, city and county, or county shall qualify for the list if two or more of criteria (5)-(10) have not yet been met but are included in the safety element of the Local Agency's general plan as policy objectives.

(1) The applicant has adopted a local ordinance designating Very High Fire Hazard Severity Zones (VHFHSZ) pursuant to Government Code § 51179(a) and submitted it to the Board pursuant to 14 CCR § 1280.02. The applicant shall provide the date the ordinance was submitted to the Board, or submit the ordinance with their application.

(2) Applicants who are counties have submitted the findings for all tentative and parcel maps approved for areas located in SRA or LRA VHFHSZ to the Board pursuant to 14 CCR § 1266.02. The applicant shall provide a list of subdivisions submitted to the Board since January 1, 2013, or since the last time the Local Agency submitted an application for the Fire Risk Reduction Community List, whichever is most recent.

(3) The safety element of the Local Agency's general plan has been submitted to the Board for review pursuant to Government Code § 65302.5(b) within the last eight years, and all recommendations have been adopted. The applicant shall provide the final adopted safety element.

(4) After July 1, 2022, a progress report on implementation of the most recent fire safety recommendations from the Board upon subdivision review in a Fire Safety Survey, pursuant to 14 CCR § 1267.01, for each community reviewed within the jurisdiction. This report shall be generated by the Local Agency and submitted to the Board. The applicant shall provide the date this report was submitted to the Board, or attach the report to their application.

(5) The applicant has adopted one or more local requirements which exceed the minimum regulations adopted by the state in the Fire Safe Regulations (14 CCR §§ 1270.00-1276.04). The applicant shall cite the local requirement(s) and which state minimum requirement(s) it exceeds.

(6) The applicant has adopted one or more local defensible space ordinances, rules, or regulations which exceed state minimum regulations in 14 CCR § 1299.03. The applicant shall specify how the local requirements exceed the state minimum requirements.

(7) The applicant has adopted a Wildland Urban Interface code stricter than Chapter 49, Part 9, of Title 24 of the California Code of Regulations. The applicant shall cite the local requirement(s) and which state minimum requirement(s) it exceeds.

(8) The applicant has adopted a zoning ordinance, special district, or special overlay zone that includes fire hazard mitigation requirements which exceed state minimum requirements. Such requirements may address safe zones or areas of refuge, structure density, ornamental vegetation, subdivision design, structure design features, or other fire safety features. The applicant shall provide the ordinance, district, or overlay zone and cite which state minimum requirements the local requirements exceed.

(9) The applicant has adopted a comprehensive retrofit code or plan for existing homes. The applicant shall provide the adopted code or plan.

(10) The applicant has identified wildfire as a high priority hazard in a Local or Multi-Jurisdictional Hazard Mitigation Plan (LHMP or MJHMP) updated within the last five years, or as a low or medium priority hazard with the inclusion of one or more mitigation actions, and has adopted the LHMP or MJHMP into the general plan safety element. The applicant shall provide the adopted LHMP or MJHMP.

**Credits**

NOTE: Authority cited: Section 4290.1, Public Resources Code. Reference: Sections 4126, 4127 and 4290.1, Public Resources Code.

HISTORY

1. New section filed 2-7-2022; operative 2-7-2022 (Register 2022, No. 6). (Filing deadline specified in Government Code section 11349.3(a) extended 60 calendar days pursuant to Executive Order N-40-20).

This database is current through 12/8/23 Register 2023, No. 49.

Cal. Admin. Code tit. 14, § 1268.01, 14 CA ADC § 1268.01

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