



Public Comment #38
County of El Dorado Clerk of the Board <edc.cob@edcgov.us>
Box Recd. 11-16-21

11/16/21 Agenda Item #38

Lori Parlin <lori.parlin@edcgov.us>
To: County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

Mon, Nov 15, 2021 at 4:48 PM

Please add the attached document to the public record for the 11/16/21 Agenda Item #38, File #21-1698.

Thank you,

Lori Parlin

El Dorado County District IV Supervisor

Phone: (530) 621-6513

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 **6-sra-fire-safe-regulations-2020-approved-ada.pdf**
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**State of California
Office of Administrative Law**

In re:
Board of Forestry and Fire Protection

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections: 1276.04

**Amend sections: 1270 amended and
renumbered as 1270.00;
1270.01; 1270.03; 1270.04;
1270.05; 1270.06; 1271.00;
1273.00; 1273.01; 1273.02;
1273.03; 1273.04; 1273.05;
1273.06; 1273.07; 1273.08;
1273.09; 1274.00; 1274.01;
1274.02; 1274.03; 1274.04;
1275.00; 1275.01; 1275.10
amended and renumbered
as 1275.02; 1275.15
amended and renumbered
as 1275.03; 1275.20
amended and renumbered
as 1275.04; 1276.00;
1276.01; 1276.02; 1276.03**

**Repeal sections: 1270.07; 1270.08; 1270.09;
1271.05; 1272.00; 1273.10;
1273.11; 1274.05; 1274.06;
1274.07; 1274.08; 1274.09;
1274.10**

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2019-0725-02

OAL Matter Type: Regular (S)

RECEIVED BY


SEP 09 2019

BOARD OF FORESTRY AND FIRE PROTECTION

This action amends and reorganizes regulations which set standards for future design and construction of structures, subdivisions, and developments in State Responsibility Areas to ensure basic emergency access and perimeter wildfire protection, signage, building numbering, private water supply reserves, and vegetation modification. The purposes of the amendments and reorganization include addressing inconsistencies and conflicts within and between codes and regulations, addressing the needs of fire apparatus and civilian vehicles during wildfire emergencies, and clarifying the applicability, enforcement, and implementation of the regulations for the regulated public.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 1/1/2020.

Date: September 6, 2019



Dale P. Mentink
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Matt Dias, Executive Officer
Copy: Edith Hannigan

1 **SRA FIRE SAFE REGULATIONS, 2020**

2 **14 CCR, Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 1-5.**

3 **SRA Fire Safe Regulations**

4
5 1270.00 Title

6 These regulations shall be known as the "SRA Fire Safe
7 Regulations," and shall constitute the basic wildfire ~~land fire~~
8 protection standards of the California Board of Forestry and
9 Fire Protection.

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

11 Reference: Sections 4102, 4126, 4127 and 4290, Public Resources
12 Code.

13
14 1270.01 Purpose

15 (a) These regulations have been prepared and adopted for the
16 purpose of establishing minimum wildfire protection standards in
17 conjunction with building, construction and development in the
18 State Responsibility Area (SRA).

19 ~~(b) A local jurisdiction may petition the Board for~~
20 ~~certification pursuant to section 1270.03. Where Board~~
21 ~~certification has not been granted, these regulations shall~~
22 ~~become effective September 1, 1991. The future design and~~
23 construction of structures, subdivisions and developments in the
24 ~~State Responsibility Area (SRA)~~ shall provide for basic
25

1 emergency access and perimeter wildfire protection measures as
2 specified in the following articles.

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

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

9 Reference: Sections 4290 and 4291, Public Resources Code.

10
11 1270.02 Scope

12 (a) These regulations shall apply to:

13 (1) the perimeters and access to all residential, commercial,
14 and industrial building construction within the SRA approved
15 after January 1, 1991 except as set forth below in subsection
16 (b.);

17 (2) the siting of newly installed commercial modulars,
18 manufactured homes, mobilehomes, and factory-built housing, as
19 defined in Health and Safety Code sections 18001.8, 18007,
20 18008, and 19971;

21 ~~(23)~~ all tentative and parcel maps or other developments
22 approved after January 1, 1991; and

23 ~~(43)~~ applications for building permits on a parcel approved in a
24 pre-1991 parcel or tentative map to the extent that conditions
25

1 relating to the perimeters and access to the buildings were not
2 imposed as part of the approval of the parcel or tentative map.

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

12 (c) Affected activities include, but are not limited to:

13 (1) permitting or approval of new parcels, excluding lot line
14 adjustments as specified in Government Code (GC) section
15 66412(d) ti

16 (2) application for a building permit for new construction, not
17 relating to an existing structure ti

18 (3) application for a use permit ti

19 ~~(4) the siting of manufactured homes (manufactured homes are as~~
20 ~~defined by the National Fire Protection Association, National~~
21 ~~Fire Code, section 501A, Standard for Fire Safety Criteria for~~
22 ~~Manufactured Home Installations, Sites and Communities, chapter~~
23 ~~1, section 1-2, Definitions, page 4, 1987 edition and Health and~~
24 ~~Safety Code sections 18007, 18008, and 19971).~~

1 (54) road construction, including construction of a road that
2 does not currently exist, or extension of an existing road.

3 (d) EXEMPTION: Roads used solely for agricultural, ~~or~~ mining,
4 ~~use and or roads used solely for~~ the management and harvesting
5 of wood products.

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

7 Reference: Sections 4290 and 4291, Public Resources Code.

8
9 1270.03 ~~Local Ordinances~~ Provisions for Application of These
10 Regulations

11 This subchapter shall be applied as follows:

12 (a) the local jurisdictions shall provide the Director of the
13 California Department of Forestry and Fire Protection (CAL FIRE)
14 or their designee with notice of applications for building
15 permits, tentative parcel maps, tentative maps, and installation
16 or use permits for construction or development within the SRA.

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

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

23 ~~Nothing contained in these regulations shall be considered as~~
24 ~~abrogating the provisions of any ordinance, rule or regulation~~
25 ~~of any state or local jurisdiction providing such ordinance,~~

1 ~~rule, regulation or general plan element is equal to or more~~
2 ~~stringent than these minimum standards. The Board may certify~~
3 ~~local ordinances as equaling or exceeding these regulations when~~
4 ~~they provide the same practical effect. The Board's~~
5 ~~certification of local ordinances pursuant to this section is~~
6 ~~rendered invalid when previously certified ordinances are~~
7 ~~subsequently amended by local jurisdictions without Board re-~~
8 ~~certification of the amended ordinances. The Board's regulations~~
9 ~~supersede the amended local ordinance(s) when the amended local~~
10 ~~ordinance(s) are not re-certified by the Board. Amendments made~~
11 ~~by local jurisdictions to previously certified ordinances shall~~
12 ~~be re-certified as described in 14 CCR §§ 1270.01 and 1270.03.~~

13 Note: Authority cited: Sections ~~4111~~ and ~~4290~~, Public Resources
14 Code. Reference: Sections 41174290 and 42901, Public Resources
15 Code.

16
17 1270.04 Provisions for Application of These Regulations-Local
18 Ordinances

19 (a) Nothing contained in these regulations shall be considered
20 as abrogating the provisions of any ordinance, rule or
21 regulation of any state or local jurisdiction provided that such
22 ordinance, rule, regulation or general plan element is equal to
23 or more stringent than these minimum standards.
24
25

1 (b) The Board may certify local ordinances as equaling or
2 exceeding these regulations when they provide the same practical
3 effect.

4 (c) Counties may submit their local ordinances for certification
5 via email to the Board.

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

14 ~~This subchapter shall be applied as follows:~~

15 ~~(a) local jurisdictions shall provide the Director with notice~~
16 ~~of applications for building permits, tentative parcel maps,~~
17 ~~tentative maps, and use permits for construction or development~~
18 ~~within SRA.~~

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

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

25

1 Note: Authority cited: Section 4111 and 4290, Public Resources
2 Code. Reference: Sections ~~4290~~4117 and ~~4291~~0, Public Resources
3 Code.

4
5 1270.05 Inspections Authority

6 Inspections shall conform to the following requirements:

7 (a) Inspection shall be made ~~pursuant to section 1270.06~~ by:

8 (1) the Director, or

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

11 (3) local jurisdictions where ~~these regulations have been~~
12 ~~incorporated verbatim into that jurisdiction's building permit~~
13 ~~or subdivision approval process and the inspection duties have~~
14 ~~been formally delegated by CAL FIRE to the local jurisdiction.~~7

15 ~~or~~

16 ~~(4) local jurisdictions where the local ordinances have been~~
17 ~~certified pursuant to 14 CCR §§ 1270.01 and 1270.03 and the~~
18 ~~inspection duties have been formally delegated by CAL FIRE to~~
19 ~~the local jurisdiction.~~

20 (b) Inspections made under 14 CCR § 1270.05(a)(2) or 14 CCR §
21 1270.05(a)(3) shall occur only when these regulations are
22 incorporated into local ordinance in one of the following
23 manners:

1 (1) these regulations have been incorporated verbatim or by
2 reference into that jurisdiction's permitting or approval
3 process for the activities described in 14 CCR § 1270.02; or
4 (2) the local ordinances have been certified pursuant to 14 CCR
5 § 1270.04.

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

9 ~~(d)~~ Reports of violations shall be provided to the CAL FIRE
10 Unit headquarters that administers SRA fire protection in the
11 local jurisdiction.

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

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

19
20 1270.06—Inspections Exceptions to Standards

21 (a) Upon request by the applicant, exceptions to standards
22 within this subchapter or to local jurisdiction certified
23 ordinances may be allowed by the inspection entity listed in 14
24 CCR § 1270.05, where the exceptions provide the same practical
25 effect as these regulations towards providing defensible space.

1 Exceptions granted by the inspection entity listed in 14 CCR §
2 1270.05 shall be made on a case-by-case basis only. Exceptions
3 granted by the inspection entity listed in 14 CCR § 1270.05
4 shall be forwarded to the appropriate CAL FIRE Unit Office that
5 administers SRA fire protection in that county and shall be
6 retained on file at the Unit Office.

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

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

17 (c) Where an exception is not granted by the inspection entity,
18 the applicant may appeal such denial to the local jurisdiction.

19 The local jurisdiction may establish or utilize an appeal
20 process consistent with existing local building or planning
21 department appeal processes.

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

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

8 ~~The inspection entity listed in 14 CCR 1270.05 may inspect for~~
9 ~~compliance with these regulations. When inspections are~~
10 ~~conducted, they should occur prior to: the issuance of the use~~
11 ~~permit; certificate of occupancy; the recordation of the parcel~~
12 ~~map or final map; the filing of a notice of completion; or the~~
13 ~~final inspection of any project or building permit.~~

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

15 Reference: Sections 4290 and 4291, Public Resources Code.

16
17 ~~1270.07. Exceptions to Standards.~~

18 ~~Upon request by the applicant, exceptions to standards within~~
19 ~~this subchapter or local jurisdiction certified ordinances may~~
20 ~~be allowed by the inspection entity listed in 14 CCR 1270.05,~~
21 ~~where the exceptions provide the same overall practical effect~~
22 ~~as these regulations towards providing defensible space.~~

23 ~~Exceptions granted by the inspection entity listed in 14 CCR~~
24 ~~1270.05 shall be made on a case-by-case basis only. Exceptions~~
25 ~~granted by the inspection entity listed in 14 CCR 1270.05 shall~~

1 ~~be forwarded to the appropriate CAL FIRE Unit Office that~~
2 ~~administers SRA fire protection in that county and shall be~~
3 ~~retained on file at the Unit Office.~~

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

5 ~~Reference: Sections 4290 and 4291, Public Resources Code.~~

6
7 ~~1270.08 Requests for Exceptions~~

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

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

16 ~~Reference: Sections 4290 and 4291, Public Resources Code.~~

17
18 ~~1270.09 Appeals~~

19 ~~Where an exception is not granted by the inspection entity, the~~
20 ~~applicant may appeal such denial to the local jurisdiction. The~~
21 ~~local jurisdiction may establish or utilize an appeal process~~
22 ~~consistent with existing local building or planning department~~
23 ~~appeal processes.~~

24 ~~Before the local jurisdiction makes a determination on an~~
25 ~~appeal, the inspection authority shall be consulted and shall~~

1 ~~provide to that local jurisdiction documentation outlining the~~
2 ~~effects of the requested exception on wildland fire protection.~~
3 ~~If an appeal is granted, the local jurisdiction shall make~~
4 ~~findings that the decision meets the intent of providing~~
5 ~~defensible space consistent with these regulations. Such~~
6 ~~findings shall include a statement of reasons for the decision.~~
7 ~~A written copy of these findings shall be provided to the CAL~~
8 ~~FIRE Unit headquarters that administers SRA fire protection in~~
9 ~~that local jurisdiction.~~

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

11 ~~Reference: Sections 4290 and 4291, Public Resources Code.~~

12
13 1271.00 Definitions

14 ~~Accessory building: Any building used as an accessory to~~
15 ~~residential, commercial, recreational, industrial, or~~
16 ~~educational purposes as defined in the California Building Code,~~
17 ~~1989 Amendments, chapter 11, group M, division 1, Occupancy that~~
18 ~~requires a building permit.~~

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

21 ~~Building: Any structure used or intended for supporting or~~
22 ~~sheltering any use or occupancy, except Utility and~~

23 ~~Miscellaneous Group U buildings. that is defined in the~~
24 ~~California Building Code, 1989 Amendments, chapter 11, except~~
25 ~~group M, division 1, Occupancy. For the purposes of this~~

1 ~~subchapter, building includes mobile homes and manufactured~~
2 ~~homes, churches, and day care facilities.~~

3 CDFCAL FIRE: California Department of Forestry and Fire
4 Protection.

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

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

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

21 Director: Director of the Department of Forestry and Fire
22 Protection or ~~his/her~~ their designee.

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

1 ~~than two buildings, with no more than 3 dwelling units on a~~
2 ~~single parcel, and any number of accessory buildings.~~

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

5 ~~Dwelling unit: Any building or portion thereof which contains~~
6 ~~living facilities, including provisions for sleeping, eating,~~
7 ~~cooking and/or sanitation for not more than one family.~~

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

13 Fire valve: see hydrant.

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

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

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

25

1 Hydrant: A valved connection on a water supply/ or storage
2 system, having ~~at least~~ either one two and a half (2 ½) inch or
3 one four and a half (4 ½) inch outlet, with male American
4 National Fire Hose Screw Threads (NH), used to supply fire
5 apparatus and hoses with water.

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

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

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

15 Residential unit: Any building or portion thereof which contains
16 living facilities, including provisions for sleeping, eating,
17 cooking and/or sanitation for one or more persons. Manufactured
18 homes, mobilehomes, and factory-built housing are considered
19 residential units for the purposes of mandatory measures
20 required in 14 CCR § 1270.01(c).

21 Roads: , streets, private lanes: Vehicular access to more than
22 two (2) parcels; more than four (4) residential units; or access
23 to any industrial or commercial occupancy. Includes public and
24 private streets and lanes. ~~one parcel; access to any industrial~~
25

1 ~~or commercial occupancy; or vehicular access to a single parcel~~
2 ~~with more than two buildings or four or more dwelling units.~~

3 ~~Roadway: Any surface designed, improved, or ordinarily used for~~
4 ~~vehicle travel.~~

5 ~~Roadway or driveway structures: Bridges, culverts, and other~~
6 ~~appurtenant structures which supplement the traffic lane roadway~~
7 ~~bed or shoulders.~~

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

- 12 (a) access for emergency wildland fire equipment,
13 (b) safe civilian evacuation,
14 (c) signing that avoids delays in emergency equipment response,
15 (d) available and accessible water to effectively attack
16 wildfire or defend a structure from wildfire, and
17 (e) fuel modification sufficient for civilian and fire fighter
18 safety.

19 ~~Shoulder: Roadbed or surface~~ Vehicular access adjacent to the
20 traffic lane.

21 State Board of Forestry and Fire Protection (BoardSBOF): As
22 defined in Public Resources Code section 730. A nine member
23 ~~board, appointed by the Governor, which is responsible for~~
24 ~~developing the general forest policy of the state, for~~
25 ~~determining the guidance policies of the Department of Forestry~~

1 ~~and Fire Protection, and for representing the state's interest~~
2 ~~in federal land in California.~~

3 State Responsibility Area (SRA): As defined in Public Resources
4 Code sections 4126-4127; and the California Code of Regulations,
5 title 14, division 1.5, chapter 7, article 1, sections 1220-
6 1220.5.

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

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

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

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

17 Turnouts: A widening in a roadway or driveway to allow vehicles
18 to pass.

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

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

1 Wildfire: As defined in Public Resources Code Section 4103 and
2 4104.

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

4 Reference: Sections 4290 and 4291, Public Resources Code.

5
6 ~~1271.05 Distance Measurements~~

7 ~~All specified or referenced distances are measured along the~~
8 ~~ground, unless otherwise stated.~~

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

10 ~~Reference: Sections 4290 and 4291, Public Resources Code.~~

11
12 ~~1272.00 Maintenance of Defensible Space Measures~~

13 ~~To ensure continued maintenance of properties in conformance~~
14 ~~with these standards and measures and to assure continued~~
15 ~~availability, access, and utilization of the defensible space~~
16 ~~provided for in these standards during a wildfire, provisions~~
17 ~~for annual maintenance shall be included in the development~~
18 ~~plans and/or shall be provided as a condition of the permit,~~
19 ~~parcel or map approval.~~

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

21 ~~Reference: Sections 4290 and 4291, Public Resources Code.~~

22
23 1273.00 Intent

24 Roads and driveways, and street networks, whether public or
25 private, unless exempted under section 14 CCR § 1270.02 (ed),

1 shall provide for safe access for emergency wildfire ~~land fire~~
2 equipment and civilian evacuation concurrently, and shall
3 provide unobstructed traffic circulation during a wildfire
4 emergency consistent with ~~sections~~ 14 CCR §§ 1273.00 through
5 1273.0911.

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

7 Reference: Sections 4290 and 4291, Public Resources Code.

8
9 1273.01 ~~Road~~ Width

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

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

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

1 (2) In no case shall a one-way road exceed 2,640 feet in length.

2 A turnout shall be placed and constructed at approximately the
3 midpoint of each one-way road.

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

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

9 Reference: Sections 4290 and 4291, Public Resources Code.

10
11 1273.02 Roadway Surfaces

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

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

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

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

21 Reference: Sections 4290 and 4291, Public Resources Code.

22
23 1273.03 Roadway Grades

24 (a) At no point shall the ~~The~~ grade for all roads, streets,
25 private lanes and driveways ~~shall not~~ exceed 16 percent.

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

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

6
7 1273.04 ~~Roadway~~ Radius

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

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

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

18
19 1273.05 ~~Roadway~~ Turnarounds

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

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

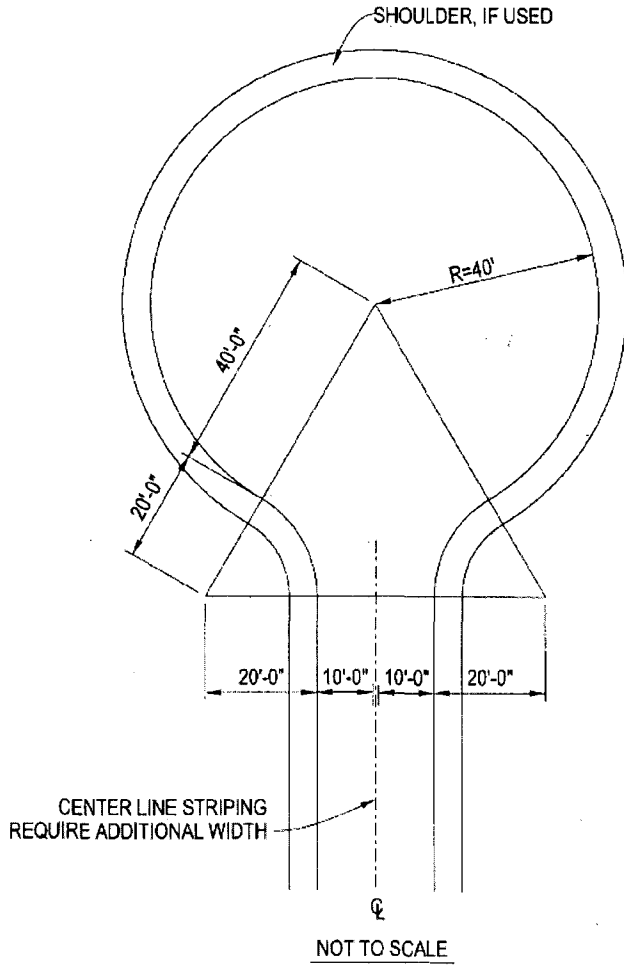
1 (c) Driveways exceeding 150 feet in length, but less than 800
2 feet in length, shall provide a turnout near the midpoint of the
3 driveway. Where the driveway exceeds 800 feet, turnouts shall be
4 provided no more than 400 feet apart.

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

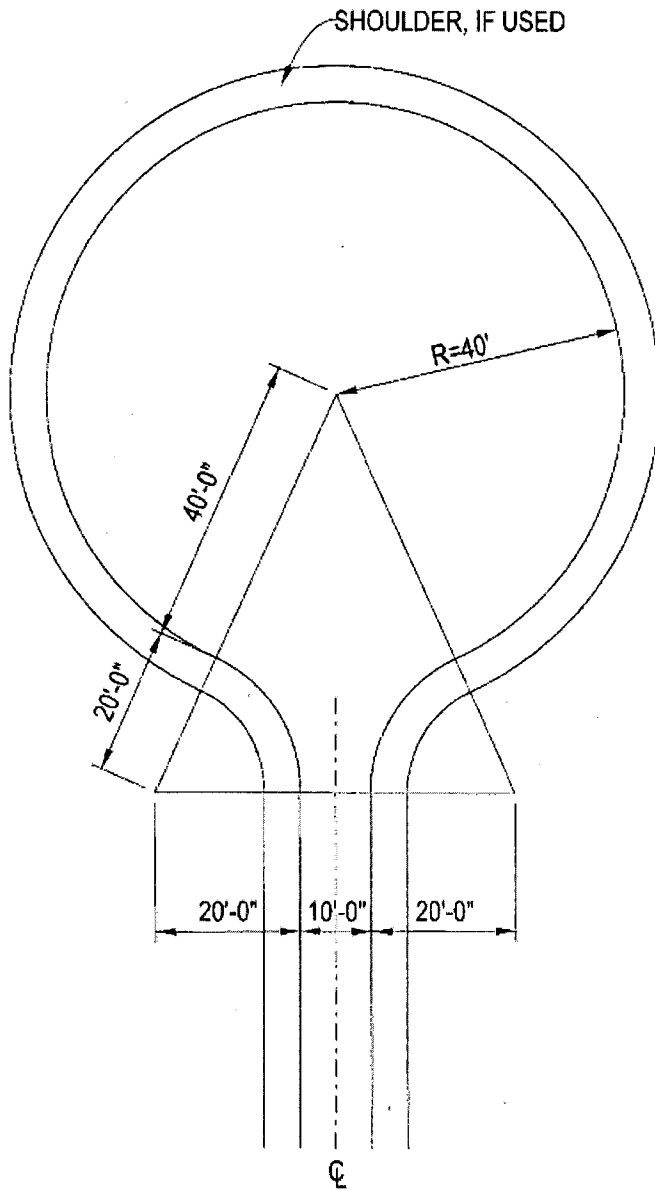
7 (d) Each dead-end road shall have a turnaround constructed at
8 its terminus. Where parcels are zoned five (5) acres or larger,
9 turnarounds shall be provided at a maximum of 1,320 foot
10 intervals.

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

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



NOT TO SCALE

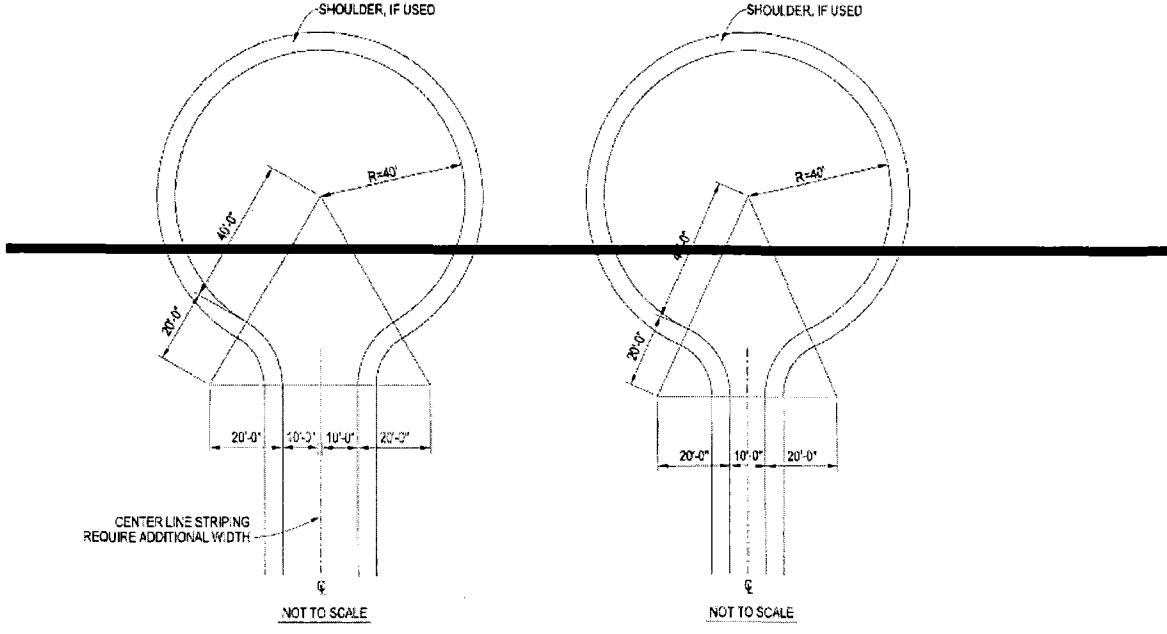


FIGURE FOR 14 CCR § 1273.05. TURNAROUND EXAMPLES

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

Reference: Sections 4290 and 4291, Public Resources Code.

1274.06 ~~Roadway~~ Turnouts

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

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

Reference: Sections 4290 and 4291, Public Resources Code.

1273.07. Roadway and Driveway Structures.

1 ~~(a) All driveway, road, street, and private lane roadway~~
2 ~~structures shall be constructed to carry at least the maximum~~
3 ~~load and provide the minimum vertical clearance as required by~~
4 ~~Vehicle Code Sections 35250, 35550, and 35750.~~

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

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

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

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

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

2 Reference: Sections 4290 and 4291, Public Resources Code.

3
4 ~~1273.08 One-Way Roads~~ Dead-end Roads

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

9 parcels zoned for less than one acre - 800 feet

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

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

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

13 All lengths shall be measured from the edge of the roadway
14 surface at the intersection that begins the road to the end of
15 the road surface at its farthest point. Where a dead-end road
16 crosses areas of differing zoned parcel sizes, requiring
17 different length limits, the shortest allowable length shall
18 apply.

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

21 ~~All one-way roads shall be constructed to provide a minimum, not~~
22 ~~including shoulders, of one twelve (12) foot traffic lane. The~~
23 ~~local jurisdiction may approve one-way roads. All one-way roads~~
24 ~~shall connect to a two-lane roadway at both ends, and shall~~
25 ~~provide access to an area currently zoned for no more than ten~~

1 ~~(10) dwelling units. In no case shall it exceed 2,640 feet in~~
2 ~~length. A turnout shall be placed and constructed at~~
3 ~~approximately the midpoint of each one-way road.~~

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

5 Reference: Sections 4290 and 4291, Public Resources Code.

6
7 1273.09 Dead-end Roads Gate Entrances

8 (a) Gate entrances shall be at least two (2) feet wider than the
9 width of the traffic lane(s) serving that gate and a minimum
10 width of fourteen (14) feet unobstructed horizontal clearance
11 and unobstructed vertical clearance of thirteen feet, six inches
12 (13'6").

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

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

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

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

5 ~~parcels zoned for less than one acre - 800 feet~~

6 ~~parcels zoned for 1 acre to 4.99 acres - 1320 feet~~

7 ~~parcels zoned for 5 acres to 19.99 acres - 2640 feet~~

8 ~~parcels zoned for 20 acres or larger - 5280 feet~~

9 ~~All lengths shall be measured from the edge of the roadway~~
10 ~~surface at the intersection that begins the road to the end of~~
11 ~~the road surface at its farthest point. Where a dead-end road~~
12 ~~crosses areas of differing zoned parcel sizes, requiring~~
13 ~~different length limits, the shortest allowable length shall~~
14 ~~apply.~~

15 ~~(b) Where parcels are zoned 5 acres or larger, turnarounds shall~~
16 ~~be provided at a maximum of 1320 foot intervals.~~

17 ~~(c) Each dead-end road shall have a turnaround constructed at~~
18 ~~its terminus.~~

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

20 Reference: Sections 4290 and 4291, Public Resources Code.

21
22 ~~1273.10 Driveways~~

23 ~~(a) All driveways shall be constructed to provide a minimum of~~
24 ~~one (1) ten (10) foot traffic lane and fourteen (14) feet~~

1 ~~unobstructed horizontal clearance and unobstructed vertical~~
2 ~~clearance of fifteen (15) feet.~~

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

7 ~~(c) A turnaround shall be provided to all building sites on~~
8 ~~driveways over 300 feet in length, and shall be within fifty~~
9 ~~(50) feet of the building.~~

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

11 ~~Reference: Sections 4290 and 4291, Public Resources Code.~~

12
13 ~~1273.11 Gate Entrances~~

14 ~~(a) Gate entrances shall be at least two (2) feet wider than the~~
15 ~~width of the traffic lane(s) serving that gate and a minimum~~
16 ~~width of fourteen (14) feet unobstructed horizontal clearance~~
17 ~~and unobstructed vertical clearance of fifteen (15) feet.~~

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

22 ~~(c) Security gates shall not be installed without approval and~~
23 ~~where security gates are installed, they shall have an approved~~
24 ~~means of emergency operation. Approval shall be by the local~~
25 ~~authority having jurisdiction. The security gates and the~~

1 ~~emergency operation shall be maintained operational at all~~
2 ~~times.~~

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

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

7 ~~Reference: Sections 4290 and 4291, Public Resources Code.~~

8
9 1274.00 Intent

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

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

17 Reference: Sections 4290 and 4291, Public Resources Code.

18
19 ~~1274.01. Size of Letters, Numbers and Symbols for Street and~~
20 ~~Road Signs.~~

21 (a) Newly constructed or approved roads must be identified by a
22 name or number through a consistent system that provides for
23 sequenced or patterned numbering and/or non-duplicative naming
24 within each local jurisdiction. This section does not require
25 any entity to rename or renumber existing roads, nor shall a

1 road providing access only to a single commercial or industrial
2 occupancy require naming or numbering.

3 (b) The Ssize of letters, numbers, and symbols for ~~street and~~
4 road signs shall be a minimum four (4) inch letter height, half
5 inch (.5) inch stroke, reflectorized, contrasting with the
6 background color of the sign.

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

8 Reference: Sections 4290 and 4291, Public Resources Code.

9
10 1274.02. Road Sign Installation, Location, and Visibility

11 ~~Visibility and Legibility of Street and Road Signs.~~

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

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

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

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

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

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

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

4 Reference: Sections 4290 and 4291, Public Resources Code.

5
6 ~~1274.03. Height of Street and Road Signs. Addresses for~~
7 ~~Buildings.~~

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

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

17 (c) Addresses for residential buildings shall be reflectorized.
18 ~~Height of street and road signs shall be uniform county wide,~~
19 ~~and meet the visibility and legibility standards of this~~
20 ~~article.~~

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

22 Reference: Sections 4290 and 4291, Public Resources Code.

23
24 ~~1274.04. Names and Numbers on Street and Road Signs. Address~~
25 ~~Installation, Location, and Visibility.~~

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

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

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

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

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

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

19 ~~Newly constructed or approved public and private roads and~~
20 ~~streets must be identified by a name or number through a~~
21 ~~consistent countywide system that provides for sequenced or~~
22 ~~patterned numbering and/or non-duplicating naming within each~~
23 ~~county. All signs shall be mounted and oriented in a uniform~~
24 ~~manner. This section does not require any entity to rename or~~
25 ~~renumber existing roads or streets, nor shall a roadway~~

1 ~~providing access only to a single commercial or industrial~~
2 ~~occupancy require naming or numbering.~~

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

4 Reference: Sections 4290 and 4291, Public Resources Code.

5
6 ~~1274.05. Intersecting Roads, Streets and Private Lanes.~~

7 ~~Signs required by this article identifying intersecting roads,~~
8 ~~streets and private lanes shall be placed at the intersection of~~
9 ~~those roads, streets, and/or private lanes.~~

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

11 Reference: Sections 4290 and 4291, Public Resources Code.

12
13 ~~1274.06. Signs Identifying Traffic Access Limitations.~~

14 ~~A sign identifying traffic access or flow limitations, including~~
15 ~~but not limited to weight or vertical clearance limitations,~~
16 ~~dead-end road, one-way road or single lane conditions, shall be~~
17 ~~placed:~~

18 ~~(a) at the intersection preceding the traffic access limitation,~~

19 ~~and~~

20 ~~(b) no more than 100 feet before such traffic access limitation.~~

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

22 Reference: Sections 4290 and 4291, Public Resources Code.

23
24 ~~1274.07. Installation of Road, Street and Private Lane Signs.~~

1 ~~Road, street and private lane signs required by this article~~
2 ~~shall be installed prior to final acceptance by the local~~
3 ~~jurisdiction of road improvements.~~

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

6
7 ~~1274.08. Addresses for Buildings.~~

8 ~~All buildings shall be issued an address by the local~~
9 ~~jurisdiction which conforms to that jurisdiction's overall~~
10 ~~address system. Accessory buildings will not be required to have~~
11 ~~a separate address; however, each dwelling unit within a~~
12 ~~building shall be separately identified.~~

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

15
16 ~~1274.09. Size of Letters, Numbers and Symbols for Addresses.~~

17 ~~Size of letters, numbers and symbols for addresses shall be a~~
18 ~~minimum 4 inch letter height, .5 inch stroke, reflectorized,~~
19 ~~contrasting with the background color of the sign.~~

20 ~~Address identification shall be plainly legible and visible from~~
21 ~~the street or road fronting the property. Addresses shall be~~
22 ~~Arabic numbers or alphabetical letters.~~

23 ~~Where access is by means of a private road and the address~~
24 ~~identification cannot be viewed from the public way, a monument,~~

1 ~~pole or other sign or means shall be used to identify the~~
2 ~~address.~~

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

4 ~~Reference: Sections 4290 and 4291, Public Resources Code.~~

5
6 ~~1274.10. Installation, Location and Visibility of Addresses.~~

7 ~~(a) All buildings shall have a permanently posted address, which~~
8 ~~shall be placed at each driveway entrance and visible from both~~
9 ~~directions of travel along the road. In all cases, the address~~
10 ~~shall be posted at the beginning of construction and shall be~~
11 ~~maintained thereafter, and the address shall be visible and~~
12 ~~legible from the road on which the address is located.~~

13 ~~(b) Address signs along one-way roads shall be visible from both~~
14 ~~the intended direction of travel and the opposite direction.~~

15 ~~(c) Where multiple addresses are required at a single driveway,~~
16 ~~they shall be mounted on a single post.~~

17 ~~(d) Where a roadway provides access solely to a single~~
18 ~~commercial or industrial business, the address sign shall be~~
19 ~~placed at the nearest road intersection providing access to that~~
20 ~~site.~~

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

22 ~~Reference: Sections 4290 and 4291, Public Resources Code.~~

23
24 1275.00. Intent.
25

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

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

6 Reference: Sections 4290 and 4291, Public Resources Code.

7
8 1275.01. Application.

9 The provisions of this article shall apply in the tentative and
10 parcel map process when new parcels are approved by the local
11 jurisdiction having authority. ~~When a water supply for structure~~
12 ~~defense is required to be installed, such protection shall be~~
13 ~~installed and made serviceable prior to and during the time of~~
14 ~~construction except when alternative methods of protection are~~
15 ~~provided and approved by the local authority having~~
16 ~~jurisdiction.~~

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

18 Reference: Sections 4290 and 4291, Public Resources Code.

19
20 1275.02. Water Supply ~~10. General Standards.~~

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

1 ~~comply with the below standard or standards meet or exceed the~~
2 ~~intent of these regulations.~~

3 (b) Water systems equaling or exceeding the California Fire
4 Code, California Code of Regulations title 24, part 9, or, where
5 a municipal-type water supply is unavailable, National Fire
6 Protection Association (NFPA) 1142, "Standard on Water Supplies
7 for Suburban and Rural Fire Fighting," 2012 2017 Edition, hereby
8 incorporated by reference, and ~~California Fire Code, California~~
9 ~~Code of Regulations title 24, part 9,~~ shall be accepted as
10 meeting the requirements of this article.

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

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

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

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

23 Reference: Sections 4290 and 4291, Public Resources Code.

24
25 1275.0315. Hydrants and ~~Fire~~ Valves.

1 (a) The hydrant or fire valve shall be eighteen (18) inches
2 above the finished surface. Its location in relation to the road
3 or driveway and to the building(s) or structure(s) it serves
4 shall comply with California Fire Code, California Code of
5 Regulations title 24, part 9, Chapter 5, and Appendix C. ~~grade,~~
6 ~~eight (8) feet from flammable vegetation, no closer than four~~
7 ~~(4) feet nor farther than twelve (12) feet from a roadway, and~~
8 ~~in a location where fire apparatus using it will not block the~~
9 ~~roadway.~~

10 ~~The hydrant serving any building shall:~~

11 ~~(1) be not less than fifty (50) feet nor more than 1/2 mile by~~
12 ~~road from the building it is to serve, and~~

13 ~~(2) be located at a turnout or turnaround, along the driveway to~~
14 ~~that building or along the road that intersects with that~~
15 ~~driveway.~~

16 (b) The hydrant head shall be a two and half (2 ½) inch National
17 Hose male thread with cap for pressure and gravity flow systems
18 and four and a half (4 ½) inch for draft systems.

19 ~~(c) Such hydrants shall be wet or dry barrel and have suitable~~
20 ~~freeze or crash protection as required by the local~~
21 ~~jurisdiction. delivery system. They shall have suitable crash~~
22 ~~protection as required by the local jurisdiction.~~

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

24 Reference: Sections 4290 and 4291, Public Resources Code.

25

1 1275.0420. Signing of Water Sources.

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

4 (a1) if located along a driveway, a reflectorized blue marker,
5 with a minimum dimension of three (3) inches shall be located on
6 the driveway address sign and mounted on a fire retardant post,
7 or

8 (b2) if located along a ~~street or~~ road,

9 (1i) a reflectorized blue marker, with a minimum dimension of
10 three (3) inches, shall be mounted on a fire retardant post. The
11 sign post shall be within three (3) feet of said hydrant or
12 ~~fire valve~~, with the sign no less than three (3) feet nor
13 greater than five (5) feet above ground, in a horizontal
14 position and visible from the driveway, or

15 (2ii) as specified in the State Fire Marshal's Guidelines for
16 Fire Hydrant Markings Along State Highways and Freeways, May
17 1988.

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

19 Reference: Sections 4290 and 4291, Public Resources Code.

20
21 1276.00. Intent.

22 To reduce the intensity of a wildfire by reducing the volume and
23 density of flammable vegetation, the strategic siting of fuel
24 modification and greenbelts shall provide for ~~(1)~~ increased
25 safety for emergency fire equipment and evacuating civilians by

1 its utilization around structures and roads, including
2 driveways, ~~and~~ ~~(2)~~ a point of attack or defense from a wildfire.

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

4 Reference: Sections 4290 and 4291, Public Resources Code.

5
6 1276.01. Setback for Structure Defensible Space.

7 (a) All parcels ~~1-acre and larger~~ shall provide a minimum thirty
8 (30) foot setback for all buildings and accessory buildings from
9 all property lines and/or the center of a road.

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

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

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

1 ~~For parcels less than 1 acre, local jurisdictions shall provide~~
2 ~~for the same practical effect.~~

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

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

8 Reference: Sections 4290 and 4291, Public Resources Code.

9
10 1276.02. Maintenance of Defensible Space Measures ~~Disposal of~~
11 ~~Flammable Vegetation and Fuels.~~

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

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

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

25 Reference: Sections 4290 and 4291, Public Resources Code.

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1276.03. Disposal of Flammable Vegetation and Fuels Greenbelts.

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.

~~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.~~

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

Reference: Sections 4290 and 4291, Public Resources Code.

1276.04. Greenbelts.

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

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

2 Reference: Sections 4290 and 4291, Public Resources Code.

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County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

11-16-21 Board of Supervisors Agenda, regarding #38 Legistar #21-1698 regarding ADU

Sue Taylor <sue-taylor@comcast.net>

Tue, Nov 16, 2021 at 7:38 AM

To: John Hidahl <bosone@edcgov.us>, George Turnboo <bostwo@edcgov.us>, Wendy Thomas <bosthree@edcgov.us>, Lori Parlin <bosfour@edcgov.us>, Sue Novasel <bosfive@edcgov.us>, Clerk of the Board <edc.cob@edcgov.us>

Please attach these comments to item #38 on todays agenda. Also I request for the third time that this be returned to the Planning Commission as a workshop in order to give the public the opportunity to engage in the process of majorly altering our zoning ordinance.

Thank you,
Sue Taylor

2 attachments

 **ADU Changes to the General Plan_BOS comments_11-16-21.pdf**
254K

 **Board of Forestry letter 271046.pdf**
94K

11-16-21 Board of Supervisors Agenda, Comments regarding #38 Legistar #21-1698 regarding ADU amendments to the Zoning Ordinance – submitted by Sue Taylor

First, I would like to file a complaint in how the County has dismissed the public in creating this ordinance. After the Planning staff told the Planning Commission that they had spent 2 years internally working on this they therefore did not need to spend anymore time given that they had gone over everything they felt they needed to internally within various departments.

I happen to fall across this item by chance with a quick review of the agenda, and was surprised that this item was on the agenda without there being any publicity about the changes. I ended up staying up all night so I could send in comments. This was difficult since the County did not have a matrix to show the changes that were made nor did the County create a path to show how they came up with making the changes (showing which changes went with which section of the state law would have been helpful).

Including myself there were only 3 members of the public that weighed in and each one asked for more time to review such a major change to our zoning codes. Since the Planning Commission approved this item, without addressing many of the issues that were brought forth, they made statements that things could get fixed later, and one Commissioner spent his commenting time ridiculing the public, apparently, they did not feel the need for public input or involvement.

After this item was approved at the Planning Commission, I sent an email to the Board of Supervisors asking that they send it back to the Planning Commission for review since there was misinformation presented (I'm assuming unintentional), no regard given to putting safeguards into the ordinance - as is allowed and required by the State Code, and no public participation in the creation of the ordinance. Neither the Planning Commission or the Board has acted or responded to any of my requests, except for Supervisor Parlin who did ask me for more clarification.

So not having the privilege of spending 2 years on this ordinance as the County has, I have done my best to point out issues within the ordinance and ask once again that the ordinance be returned to the Planning Commission, giving time enough to notice the item, for a workshop with the public. A vetted ordinance will be a much better ordinance and one full of issues.

Issues with the Ordinance:

First, I would like to draw the County's attention that 65852.2 does not become operative until 2025. So why are we doing this now? (Operative Definition: "functioning or having effect.")

"(o) This section shall become operative on January 1, 2025.
(Amended (as added by Stats. 2019, Ch. 659, Sec. 2.5) by Stats. 2020, Ch. 198, Sec. 4.5. (AB 3182) Effective January 1, 2021. Section operative January 1, 2025, by its own provisions.)"

Per State Code 65852.2: "(a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use.

The ordinance shall do all of the following:

- (A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services **shall consult** with the local water or sewer service provider regarding the adequacy of water and sewer services **before designating an area where accessory dwelling units may be permitted.**

Did the County consult with EID and are their areas that should be exempt due to being outside of the EID District and/or parcels on septic? The County has requirements relating to size of septic tanks and number of bedrooms that I don't see where that is addressed. If another septic tank is needed for the extra bedrooms, each tank needs have two leach fields on the site. Can that be accommodated throughout the County?

At the 10/14/21 Planning Commission Meeting, I asked the Commission and the Planning Staff to step back and evaluate the places that State Code 65852.2 can be applied. Instead Planning approved that the amendments to ADU's will apply "**throughout the County**", (see below) even though **State law requires the County** to check for sewer and water services "before designating an area where accessory dwelling units may be permitted". The law also allows the County to limit placement based on where ADU's would impact traffic flow and public safety. The law also requires the County to "impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review,, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources". Requiring standards to be applied has been done for an area within Meyers, but not for the rest of the County. The County has copied these words into the ordinance, but where has the work been done that shows setbacks for fire safety, how architectural review will take place for areas without any design criteria, and how adverse impacts will be avoided for Historic Resources?

Per the County:

This project is exempt as set forth in Section 21080.17 of the Public Resources Code (Statutory Exemption 15282(h) to implement the provisions of Sections 65852.2 and 65852.22 of the Government Code by adopting an ordinance addressing accessory dwelling units in single-family and multifamily residential zones. If the county wants to be exact to the code this should state, "by adopting

an ordinance to provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use.”

This is much different than allowing just in the single family and multifamily residential zone districts. Also stating that this policy is exempt as set forth in Section 21080.17 is a bit confusing since PUBLIC RESOURCES CODE - 21080.17 states: “This division does not apply to the adoption of an ordinance by a city or county to implement the provisions of Section 65852.1 or Section 65852.2 of the Government Code. *(Added by Stats. 1983, Ch. 1013, Sec. 10. Effective September 22, 1983.)*” Perhaps this is another item that should be cleared up by the State.

Per the County: “This project consists of comprehensive minor amendments to the County’s Zoning Code (Title 130) to update code sections applicable to secondary dwellings, now Accessory Dwelling Units (ADUs), for consistency with changes in state law. The amendments to the **ADU Ordinance will apply throughout the County.**”

Per Staff report, “Minor amendments can be approved by CAO’s office. Front and center these policy changes are not “minor amendments”, considering how this new ordinance will be impacting the density of growth in our county. That density was already greatly altered when the County revised the Floor Area Ratio .25 to .85 on Commercial, Research and Development, and Industrial properties. This increased the County’s build out from 24 million square feet to 84 million sq. ft. The Environmental Impact Report (EIR) for revising the Floor Area Ratio stated that adopting this amendment would add 26 significant and unavoidable impacts with no feasible mitigation measures that the Board of Supervisors (BOS) could adopt. Therefore, the BOS stated that the economic, legal, social, technological benefits outweighed the unavoidable environmental impacts, even though at build out, El Dorado County does not have the water to sustain this growth. This was adopted on 7/10/07.

Soon after the County, with a negative declaration did a rewrite of the County’s mixed use policy which included; authority of the Board to reduce the required 30% open space, increase of Dwelling Units from 10 to 16, commercial no longer to be the primary use, residential and commercial do not have to be built at the same time, a single site may include contiguous properties, residential can be on a separate parcel from commercial and can be single or multi-family, zero line setbacks, “by right” with planned development overlay. Taken out of the ordinance is; standard lot area and width, design review, coordination between projects, infrastructure, and open and public spaces.

The next blow was to remove Agricultural buffers, allowing more density adjacent to Ag properties. This was done by merely “reinterpreting” the General Plan. Next was the 2015 overhaul of the General Plan which again increased the density of the County, still without implementing protection policies that were promised in the 2004 General Plan. If the County did not have the water resources

when they increased the FAR in 2007 how does the County have the water resources now? Merely acquiring water rights without evaluating actual supply and demand along with the El Doraodo Irrigation's policy to not consider already promised water to already approved projects when giving out more water approval letters, the cumulative effects of these changes to the General Plan has already compromised the plan to where it is no longer valid. And now again the County is once again increasing density to possibly 3 times more in growth than already increased over the years. Always without taking seriously the other elements and health and safety measures required in the General Plan and within Government Code 65852.2 (A) & (C).

From the County's Summary of the Ordinance:

"10) add development standards for conversion of all or a portion of a legally permitted accessory structure to an ADU;" The County has not address adequate development standards in order to ensure health and life safety to the inhabitants of these structures.

"11) add minimum setback requirements of four feet with exceptions for fire and safety, public utility or drainage easements, or other recorded easements;"

Since the majority of the County is within a State Responsibility Area the 30 feet setback rule should be the requirement and not the exception. I had asked the Planning Commission to consider addressing this with the State and the Staff did not respond to my suggestion but rather spent quite a bit of time stating why they could not communicate with the State. The following is within the State Code:

Title 14. Natural Resources
Division 1.5. Department of Forestry and Fire Protection
Chapter 7. Fire Protection [FNA2]
Subchapter 2. SRA/Vhfhsv Fire Safe Regulations
Article 5. Fuel Modification Standards

14 CCR § 1276.01

§ 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.

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

Title 14. Natural Resources
Division 1.5. Department of Forestry and Protection
Chapter 7. Fire Protection [FNA2]
Subchapter 2. SRA/Vhfhsv Fire Safe Regulations
Article 1. Administration

14 CCR § 1271.00
§ 1271.00. Definitions

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.

For protection of the inhabitants of the County the State fire regulations should be considered and implemented within the new ordinance. I have also attached a letter from the State Board of Forestry and Fire Protection in which they requested the County consider fire safety when the County adopted the TGPA/ZOU. The County chose to ignore the State's request and therefore these issues have not yet been mitigated. Per the State and our County General Plan dwelling units should have never been allowed on TPZ and thus ADUs should not be allowed on TPZ even with a CUP.

14) add subsection to allow for one ADU and one junior ADU per lot under certain conditions; What are those certain conditions? It would be helpful if those were listed. The ordinance also states that these new policies "will apply throughout the county". Rather than these general statements there should have been more specific regulations within specific areas.

17) add subsection "e" to allow for ADUs in multi-family or mixed-use zones; If these policies are being put into the mixed-use zone (which is commercial zoned properties), then the mixed-use ordinance must be amended in order to protect the commercial element of the General Plan. The County all but gutted the mixed-use ordinance for commercial uses soon after the voters approved the General Plan in 2004. In order to protect our commercial properties, the mixed-use policies from the 2004 approvals must be restored.

20) revise parking requirements to one per ADU and allow for parking in setback areas, if feasible; 21) add provisions when no replacement parking is required due to conversion of parking structures to ADUs and other exceptions to parking requirements (Article 4, Subsection 130.40.300.4 – Parking);

There should be major concerns with reduction of parking requirements. The State thinks that everyone is going to stop driving cars and rely more on buses, bicycles and walking. That is not a reality in our spread-out rural lands where there are no longer job opportunities, therefore driving into job centers is a necessity. After stacking up the parcel with compacted housing, cars will end up in the street where there are no sidewalks or shoulders. Cars on the streets will cause a problem when these more compacted residents are once again needing to retreat out of their compacted subdivisions in the forest areas due to wildfires. The County needs to make sure that off street parking is still required in high fire areas and along roads without the required widths for fire egress.

Regarding Meyers:

3) add ADU as an allowed use in the Meyers Area Plan (MAP) for MAP-1 and MAP-3 zones; 4) revise MAP-3 Zone (Res/T) to remove limitation of second unit only on parcels greater than one acre; 5) add language to clarify Design Review exclusions for ADUs in MAP Zones;

How can the one-acre policy and other exclusions be limitations for Meyers only and not the rest of the county?

Why are some map areas of Meyers excluded from the ordinance? As added to the Meyers plan, this approval will be reviewed for consistency with the "Meyers Design Standards and Guidelines". This gives Meyer's protection not afforded to the rest of the County because Meyers is fortunate enough that the County established those

safety measures (Standards and Guidelines) prior to approving these ADU global policies being proposed.

“Any new development, additions to existing development, change in use, or exterior modifications to existing development shall be reviewed for consistency with the Meyers Design Standards and Guidelines, and subject to a Design Review Permit in compliance with Section 130.52.030 (Design Review Permit) in Article 5 (Planning Permit Processing) of this Title.”

Re: Agricultural

The County’s intent of this ordinance is to allow this in the residential zoned parcels but by applying this in the Agricultural Preserves and Zones, this ordinance destroys the protections between residential and agricultural uses that was promised and is embedded in the 2004 voter approved General Plan. The State does give policies to retain these protections. The buffers and development standards being taken out of Section 10 should be restored:

Section 10. Section 130.40.060 entitled “Agricultural Preserves and Zones: Contracts, Criteria and Regulations” subsection C.3 is amended as set forth below:

- 3. **Residential Development.** In addition to a primary dwelling, one ~~secondary accessory dwelling unit may be allowed within a Preserve.~~ secondary accessory dwelling unit shall be allowed within a Preserve.

~~with Section 130.52.010 (Certificate of Occupancy) and Section 130.52.030 (Design Review Permit) in Article 5 (Planning Permit Processing) of this Title.~~

~~It is the intent of this ordinance to allow for the development of secondary accessory dwelling units within agricultural preserves and zones.~~

~~This ordinance is intended to be consistent with the County’s General Plan and the State’s policies regarding agricultural preserves and zones.~~

Section 13 needs some standards applied before stating that ADUs can be permanently placed in ALL zones and wherever there is a dwelling unit:

Section 13. Section 130.40.190 entitled “Mobile/Manufactured Homes” subsection B.1 is amended as set forth below:

B. Permit Requirements.

- 1. **Residential Dwellings.** In all zones ~~which that permit detached, single-unit residential or multi-family dwellings by right, the permanent placement of a mobile/manufactured home as primary and/or secondary accessory dwellings unit shall be allowed.~~ that permit detached, single-unit residential or multi-family dwellings by right, the permanent placement of a mobile/manufactured home as primary and/or secondary accessory dwellings unit shall be allowed by right.

In Section 15 why is the county adopting policies less restrictive than the requirements set forth in State law? The state law is hardly restrictive at all.

Re: Setbacks:

The County fails to consider this section of 65852.2: "(iii) The side and rear setbacks are sufficient for fire and safety."

Per State law: Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot. How is this policy being implemented?

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet. Why has the County stated that if there is a 2000 sq. ft. barn it can be converted to a 2000 sq. ft. ADU when there is this policy?

Per 65852.2: The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. **If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved. [Prior to approving this ordinance, the county must revise their policy on when an application is deemed complete.]** A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

These are just a few of the issues that I have come across in my short time with this proposed ordinance. Again, I will ask the Board of Supervisors to request that this ordinance be vetted once more at the Planning Commission level with a workshop in order for the public to engage in the process.

Thank you for your consideration,

Sue Taylor

BOARD OF FORESTRY AND FIRE PROTECTION

P.O. Box 944246
SACRAMENTO, CA 94244-2460
Website: www.bof.fire.ca.gov
(916) 653-8007



14 JUL 21 AM 11:35
RECEIVED
PLANNING DEPARTMENT

El Dorado County Community Development Agency
Long Range Planning
Attention: Shawna Purvines
2850 Fairlane Court
Placerville, CA 9566

July 17, 2014

RE: Targeted General Plan Amendment and Zoning Ordinance Update; SCH #2012052074

Dear Ms. Purvines:

The California State Board of Forestry and Fire Protection (Board) would like to issue comment on the scope and contents of the Targeted General Plan Amendment and Zoning Ordinance Update, specifically the Public Health, Safety, and Noise Element, and its accompanying Draft Environmental Impact Report.

This updated Public Health, Safety, and Noise Element is missing key information mandated in Government Code §65302(g)(1) and 65302(g)(3). See bolded/italicized language below.

§65302(g)(1) reads:

A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wildland and urban fires. ***The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.***

§65302(g)(3):

Upon the next revision of the housing element on or after January 1, 2014, the safety element shall be reviewed and updated as necessary to address the risk of fire for land classified as state responsibility areas, as defined in Section 4102 of the Public Resources Code, and land classified as very high fire hazard severity zones, as defined in Section 51177. This review shall consider the advice included in the Office of Planning and Research's most recent publication of "Fire Hazard Planning, General Technical Advice Series" and shall also include all of the following:

(A) Information regarding fire hazards, including, but not limited to, all of the following:

- (i) Fire hazard severity zone maps available from the Department of Forestry and Fire Protection.**
- (ii) Any historical data on wildfires available from local agencies or a reference to where the data can be found.**
- (iii) Information about wildfire hazard areas that may be available from the United States Geological Survey.**
- (iv) General location and distribution of existing and planned uses of land in very high fire hazard severity zones and in state responsibility areas...**
- (v) Local, state, and federal agencies with responsibility for fire protection, including special districts and local offices of emergency services.**

(B) A set of goals, policies, and objectives based on the information identified pursuant to subparagraph (A) for the protection of the community from the unreasonable risk of wildfire.

(C) A set of feasible implementation measures designed to carry out the goals, policies, and objectives based on the information identified pursuant to subparagraph (B) including, but not limited to, all of the following:

- (i) Avoiding or minimizing the wildfire hazards associated with new uses of land.**
- (ii) Locating, when feasible, new essential public facilities outside of high fire risk areas...**
- (iii) Designing adequate infrastructure if a new development is located in a state responsibility area or in a very high fire hazard severity zone, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression.**
- (iv) Working cooperatively with public agencies with responsibility for fire protection.**

(D) If a city or county has adopted a fire safety plan or document separate from the general plan, an attachment of, or reference to, a city or county's adopted fire safety plan or document that fulfills commensurate goals and objectives and contains information required pursuant to this paragraph.

This updated Public Health, Safety, and Noise Element should include:

- Fire hazard severity maps
- Historical information about wildfires in the planning area
- A discussion of planned and existing land uses in or near very high fire hazard severity zones and/or state responsibility areas (SRA)
- Implementation measures as described above in §65302(g)(3)(C)

In particular, the Board of Forestry and Fire Protection is concerned about plans to provide for adequate ingress and egress to developed land in high or very high fire hazard severity zones (H/VHFHSZ), as

well as changes in land use designations that may support population growth in those zones. The expansion of Commercial uses into Community Regions and Rural Centers, the increase in density in residential or mix-use land use designations, and the overall emphasis on expanded development and more intense residential use in the Targeted General Plan will put more residents into high or very high fire hazard severity zones.

Although the DEIR states, on page 3-2 "...none of the proposed changes in the General Plan policy or Zoning Ordinance regulations would substantively change projected population, change the amount of housing designated in the General Plan, or expand areas to be developed..." the Board would like to express concern that fire safety is not addressed adequately for the proposed increase in allowable densities. Without updating the Public Health, Safety, and Noise Element to meet the above Government Code sections and to include fire safe mitigations for communities affected by this update, this proposed TGPA-ZOU exposes people or structures to a significant risk of loss, injury, or death from wildland fires. This is contrary to the DEIR, page 2-19 "less than significant impacts" finding on question VIII (h).

The Board encourages El Dorado County to continue collaboration and cooperation with the Board and CAL FIRE Amador-El Dorado Unit through the Draft EIR and TGPA-ZOU adoption process. Thank you for your work to reduce the fire risk to residential and commercial development in the County.

Sincerely,



Edith Hannigan
Board Consultant, SRA
edith.hannigan@bof.ca.gov
(916) 653-2928

CC: Unit Forester, Amador-El Dorado Unit
Chris Browder, Deputy Environmental Coordinator
State Clearinghouse



County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

Board Meeting Agenda on ADUs 21-1698

Jim Wassner <jimwassner@gmail.com>

Tue, Nov 16, 2021 at 8:10 AM

To: edc.cob@edcgov.us

There is currently a great need for affordable housing for our senior and other lower income county residents. This ordinance does not identify a minimum size for the ADUs or JADUs. Adding the efficiency dwelling definition that is currently in Ordinance 5150, recently enacted for the Caldor Fire victims, could help provide smaller, affordable rental units throughout the county. The sunset clause is already two years past, out of five, and will be a detriment to renters if it is not extended by the Board.

Jim Wassner

Diamond Springs