



Code Enforcement ad hoc Committee
1/15/19
VEGETATION MANAGEMENT



Vegetation Management – Presentation Outline

- Today's presentation is about an update on the vegetation management work that the Code Enforcement Ad Hoc Committee is working on which will include:
 - Why are we here
 - The process to date
 - Basis for work to date
 - Ideas/issues regarding different subject variables
 - Upcoming work and schedule



Why Are We Here?

- Fire danger seems to be increasing
 - 15 of the largest 20 fires in California have happened since 2000
- Since 2007, the County has seen major fires that have destroyed structures
- With the increase in fire activity we need to think about increasing prevention measures
 - Fire insurance issues



The Process to Date

- As part of agenda item 18-0033, on January 23rd, the Board of Supervisors directed staff to study different aspects of code enforcement. In addition, it created an ad hoc code enforcement committee
- The ad hoc Code Enforcement committee saw the issue being broad in nature and decided to study each code enforcement issue separately
- There have been four meetings with different stakeholders from different governments and nonprofits regarding vegetation management



Basis of Work - Rough Draft Ordinance

- The ad hoc Committee is working on a rough draft ordinance which is based on the Cameron Park ordinance. Along with other data, many different ideas/issues have been identified. The following are other data points that have assisted the group in identifying ideas and issues:
 - Looked at other county or fire district ordinances
 - Interviewed different counties and fire districts
 - Discussions with CAL FIRE, county fire districts and fire safe council
 - Initial feedback from the public



Ideas and Issues

- Ideas and issues that have been explored in the ad hoc meetings:
 - Have countywide rules that are equivalent or in some areas a little more stringent than CAL FIRE (e.g. some unimproved lot rules)
 - Idea - Allow for different areas to adopt own rules as long as it is above the County's baseline standard
 - Idea - Improved lot rules similar to CAL FIRE to keep consistent, especially to facilitate cooperation
 - Issue – It will take central coordination with all county fire districts and CAL FIRE



Ideas and Issues

- Ideas and issues that have been explored in the ad hoc meetings:
 - What should be the rules for unimproved lots?
 - Idea – Unimproved lots should be treated if they are within 100 feet/200 feet of structures
 - Committee felt this is a good starting point
 - Many counties and districts have rules for unimproved lots with treatment rules changing for different acres (e.g. under 5 acres treatment is more comprehensive than above 5 acres)
 - 8 counties have rules for unimproved lots and 2 have situational rules
 - Rough draft El Dorado rule would be situational for unimproved lots
 - Issue – Starting with comprehensive unimproved lot rule would have been difficult with the brush as opposed to the grasslands in other counties
 - Will need to continue to study this for the future



Ideas and Issues

- Ideas and issues that have been explored in the ad hoc meetings:
 - What should be the timeline for individuals to clean up – from first notice to clean up (without appeal hearing)?
 - Idea – Timeline needs to provide time to allow abatement but not too much time to where work would not be completed before the middle of the fire season
 - Rough draft El Dorado rule is 15 days
 - Five counties would have shorter time frames, two similar, three longer
 - Issue – Allowing more time could put the timeframe in the middle of fire season where abatement could create a fire, especially if an appeal is involved



Ideas and Issues

- Ideas and issues that have been explored in the ad hoc meetings:
 - What should be the timeline for individuals to clean up – from first notice through the appeal hearing?
 - Idea – Timeline needs to provide time to allow abatement but not too much time to where work would not be completed before the middle of the fire season
 - Rough draft El Dorado rule is 52 days
 - Eight counties would have shorter time frames and two similar
 - Issue – Allowing for more time could put the timeframe in the middle of fire season where abatement could create a fire
 - Issue – Length of time is to allow for people to come into compliance and not fine



Timeline for the Process

- In the ordinance the following is the timeline for the abatement process (this does not include the lien process):
 - 1) Parcel owner has 15 days (all days are calendar days) after mailing or posting of property of violation to abate or appeal
 - 2) The County hearing officer must notify appellant within 15 days prior to the hearing - 20 days for property owner outside the County.
 - 3) Hearing officer shall give order/ruling with 15 days of the hearing
 - 4) Property owner has 7 days after hearing notification deadline to abate. If not abated County can abate the parcel.



Ideas and Issues

- Ideas and issues that have been explored in the ad hoc meetings:
 - County work with CAL FIRE to complete abatement on improved parcels like the Sonoma County model?
 - Idea – Currently, CAL FIRE inspects improved lots but does not have the ability to abate the lots so it can be much more difficult to bring individuals into compliance
 - Issue – If the County works with CAL FIRE to abate lots, it will take county resources and coordination



Sonoma County Pilot Program

- Sonoma County program – Partnership with CAL FIRE in SRA
 - CAL FIRE inspects “improved parcels” – parcels with homes or structures on them
 - Sonoma County Fire Prevention inspects unimproved parcels that are 5 acres or less in size
 - Sonoma County conducts first, second and third inspections on unimproved parcels and third inspections on improved parcels
 - Sonoma County is looking to add parcels over 5 acres



Ideas and Issues

- Ideas and issues that have been explored in the ad hoc meetings:
 - Should the County create a seasonal or recurring model?
 - Idea – A “seasonal or recurring model” would eliminate the ability for a property owner to appeal an abatement following two years in a row of having their property abated
 - Idea – This designation would allow for the county to abate property that is continually not trying to come into compliance
 - Issue – This will cause the County to lien the property



Ideas and Issues

- Ideas and issues that have been explored in the ad hoc meetings:
 - Should the County create different abatement dates for different elevation zones?
 - Idea – The County would create different abatement deadlines for different elevation zones due to the different terrain and length of time to clean a lot
 - It was recommended not to do this but to allow owners to start cleaning up their property earlier in the process
 - This could be studied again after a few years
 - Issue – It would make the inspection and communication process difficult



Non Ordinance Issues to Think About

- The ordinance does not cover operational issues. Below you will find operational issues we will need to discuss for the ordinance to be a success in protecting the public:
- 1) Does the County contract with the fire districts to do the inspections?
- 2) Does the County provide central administrative support for the program



Administrative Questions

- 4) How many areas do we focus on in a year?
- 5) How many days will we allow between a complaint on a property and an inspection?
- 6) What happens if a complaint comes from outside one of the focus areas?
- 7) Communication for the public on rules, grants, treatment recommendations, etc.



Steps Moving Forward

- Recommended public meeting at night on 1/31/19 – TBD on Time
- Multiple stakeholder meetings
- Conceptual approve to the Board in February