SRA Fire Safe Regulations

(as of July 27, 2020)

Board of Forestry and Fire Protection

**** ****

§ 1270.04 Certification Request

County: Sonoma

Date: November 3, 2020

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# Instructions

Counties wishing to have the Board of Forestry and Fire Protection (Board) certify their ordinances as meeting or exceeding the SRA Fire Safe Regulations pursuant to 14 CCR § 1270.04 are recommended to complete this form when submitting their ordinances for review by the Board.

Fill in the table below each regulatory section with the requested information. See a definition for “same practical effect” in 14 CCR § 1271.00. When completing this document, include all local ordinances that relate to the wildfire protection standards encompassed by the SRA Fire Safe Regulations. Attach all local codes and any supporting documentation that are referenced in each table. Provide page numbering on each document.

The text of the regulations below is for informational use only. View the official regulatory text online at govt.westlaw.com/calregs ([link](file:///%5C%5Cfphq01%5CRoot%5CData%5CBoard_of_Forestry%5CGeneral%20Plans%20and%20Land%20Use%5CSRA%20Fire%20Safe%20Regulations%5CCertifications%5CCertification%20Matrix%5Cgovt.westlaw.com%5Ccalregs)).

Completion of this document does not indicate Board certification approval of submitted local ordinances under 14 CCR § 1270.04. This is a draft, deliberative document and the information contained within is for informational purposes.

# General Information Regarding this Analysis

Sonoma County relies on a combination of codes, standards, and policies to ensure the design of a safe, healthy, and thriving community in their County. This is especially true regarding their requirements for fire safe development – the County uses a suite of local and state codes, model codes, and local standards and policies to protect their residents from harm. In many respects, these codes adopted by the County provide greater nuance or require stricter standards than the state requirements. In order to apply those locally-developed standards uniformly throughout the County, the County has requested the Board of Forestry and Fire Protection certify their local codes (in Ordinance 6296 and Ordinance 6318) as meeting or exceeding the standards in the SRA Fire Safe Regulations. The analysis in this matrix is conducted to facilitate the Board’s determination as to whether the standards in the local code meet or exceed the Board’s standards in the SRA Fire Safe Regulations. Certification of the County’s local code requires all County standards to meet or exceed the standards set forth in the Fire Safe Regulations.

In order to evaluate these standards in the County Code, Board staff analyzed the information provided by the County in Ordinance 6296, Ordinance 6318, their Administrative Policy dated November 4, 2020, and their voluminous responses to specific questions Board members and staff posed regarding the standards in this document. Many of the questions and responses are copied verbatim into this matrix to facilitate the Board’s decisionmaking regarding whether the County’s standards can be certified.

In those responses, when attention is brought to places where the County Code does not appear to meet or exceed the Fire Safe Regulations, the County states that regardless of whether a standard in Chapter 13 meets the Fire Safe Regulations, the County has adopted the optional Appendix D of the California Fire Code, which sets standards for fire apparatus access roads, and, ergo, as optional requirements that the County voluntarily adopted, they have exceed the requirements in the Fire Safe Regulations.

The County states, on page 12 of their response,

The Sonoma County Board of Supervisors has exercised its police powers to adopt Appendix D of the California Fire Code. This is not required by any State law. It requires secondary access roads for large single family dwelling development projects over 30 units. It requires secondary access roads for large multifamily dwelling development projects over 50 units. It requires secondary access roads and aerial fire apparatus access roads for large commercial and industrial structures. This is not required by the Board of Forestry regulations.

Yet, some of the Board of Forestry regulations require more stringent restrictions, such as the grades mentioned above. For that reason, the Board of Supervisors has exercised its local police powers to blend those two sets of State fire safety protection laws to require the most rigorous standards throughout the Local Responsibility Area and the State Responsibility Area.

The requirement for secondary access roads is indeed stricter than the Fire Safe Regulations, which are silent on any specific requirements for secondary access. However, Appendix D, as amended by the County, has a number of other requirements that either do not meet the Fire Safe Regulations standards or that conflict with the standards in the Fire Safe Regulations and the County’s own Code.

A series of questions and responses between Board staff and County staff regarding the standards in Appendix D follows:

2.2 Appendix D of the California Fire Code is adopted by the County, with amendments. However, compliance with the California Fire Code does not ensure compliance with the minimum standards of the SRA Fire Safe Regulations. For instance, Section D103.2 of Appendix D authorizes road grades in excess of 10% as approved by the fire code official. Yet that standard does not satisfy the SRA Fire Safe Regulation standard in 14 CCR section 1273.03 that caps road grades at 20%. Thus, county adoption of California Fire Code Appendix D is relevant to certification only to the extent that those standards meet or exceed the SRA Fire Safe Regulation standards.

County’s Response: The Sonoma County Board of Supervisors has exercised its police powers to adopt Appendix D of the California Fire Code. This is not required by any State law. It requires secondary access roads for large single family dwelling development projects over 30 units. It requires secondary access roads for large multifamily dwelling development projects over 50 units. It requires secondary access roads and aerial fire apparatus access roads for large commercial and industrial structures. This is not required by the Board of Forestry regulations.

Yet, some of the Board of Forestry regulations require more stringent restrictions, such as the grades mentioned above. For that reason, the Board of Supervisors has exercised its local police powers to blend those two sets of State fire safety protection laws to require the most rigorous standards throughout the Local Responsibility Area and the State Responsibility Area.

Sonoma County Code section 13-17(b)(128):

Grade. California Fire Code Appendix D Section 103.2 is amended to read as follows: D103.2 Grade. Fire apparatus roads shall be in accordance with the Sonoma County Fire Safe Standards or as approved by the fire code official.

Sonoma County Code section 13-17(b)(129):

Turning radius. California Fire Code Appendix D Section D103.3 is amended to read as follows: D103.3 Turning radius. The minimum turning radius shall be determined by Sonoma County Fire Safe Standards or as approved by the fire code official.

Sonoma County Code section 13-17(b)(130)

Dead ends. California Fire Code Appendix D Section 103.4 is amended to read as follows: D103.4. Dead ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with the Sonoma County Fire Safe Standards or as approved by the fire code official.

Section D101.1 specifies that one or two family residential dwellings, certain detached utility buildings, and certain agriculturally exempt buildings “may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.”

2.3.1 The use of the term “may” makes this standard options, not required, and thus it does not constitute a minimum standard that the Board can compare to the standards in the SRA Fire Safe Regulations.

2.3.2 What does “may comply” mean? Can some one-family residential dwellings comply with the fire apparatus access road requirements in Appendix D, and others comply with the requirements in the Sonoma County standards?

County’s Response: Yes, “may comply” is optional. A single family building permit applicant is not required to solely pay for the neighborhood’s secondary access road.

Likewise, an agricultural exempt building (such as a barn) less than 8,000 square feet is allowed to have a secondary access road installed. However, the County of Sonoma does not mandate that all agricultural barn owners pay to install secondary access roads.

The County does not address the fact that while they do define “fire apparatus access roads” in Chapter 13 (Ordinance 6296, page 4), there are no standards for “fire apparatus access roads,” specifically, in their Code. The County uses multiple terms for vehicular pathways and residential structures that are frequently conflicting or unclear throughout their Code, and Board staff’s analysis of Appendix D confirms that the adoption of Appendix D and the County’s amendments to it only serve to more, not less, complicated to resolve the discrepancies and inconsistencies. An in-depth discussion on those issues can be found under § 1271.00 Definitions and Article 2 Access and Egress.

Appendix D, as noted in question 2.2 and the County’s responses therein, frequently establishes that a required standard is located in the Sonoma County Fire Safe Standards “or as approved by the fire code official.” To the degree Appendix D sets no limits on what the fire code official may or may not approve, the adoption of Appendix D and these local amendments undermines the standards in the Sonoma County Fire Safe Standards and provides unlimited opportunities for exceptions and exemptions from those standards.

Given the above issues, Board staff could have relied on the terms in Appendix D as adopted by the County as sufficient grounds to recommend that the Sonoma County Code categorically fails to satisfy the Board’s required standard for certification. In the interest of a more collaborative approach to creating fire safe communities, the following matrix and analysis prepared by Board staff have instead analyzed the standards found in Ordinances 6296 and 6318 and the Administrative Policy, without regard to any standards that may be in Appendix D.

# Article 1 Administration

## § 1270.00. Title

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

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| Not applicable for certification. |

## § 1270.01. Purpose

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

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-22.01, page 2 |
| **Board staff notes:** |
| **Ordinance 6318, sec 13-22.01, page 2, specifies the purpose of the adopted article (Article V, Fire Safe Standards) is to adopt standards for development in the SRA. This appears to conflict with Ordinance 6318, Sec 13-24, page 4****“Except as otherwise provided in Section 13-25, the provisions of this article shall apply to *all development on all lands* within the unincorporated area of the county.” (emphasis from staff).** |
| Determination:  | (Board use only) |

## § 1270.02. Scope

(a) These regulations shall apply to:

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

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

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-24, page 4“Except as otherwise provided in Section 13-25, the provisions of this article shall apply to all development on all lands within the unincorporated area of the county.” |
| **Board staff notes:** | **“Development approval” is defined in Ordinance 6296, page 4, but “development” is not. Creates confusion regarding what activities qualify as “development” and ergo where these ordinances apply (see also possible conflict with Sec 13-22.01, Purpose).** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-25(g), page 5 |
| Board staff notes: | Verbatim language from Fire Safe Regulations |
| Determination:  | (Board use only) |

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

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

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

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** |  |
| **No specific, relevant local ordinance identified.** **Board staff asked:** ***The County should note that it appears that their local Standards do not include an exemption for rebuilding structures damaged in a wildfire. If their Standards are certified, there would be no such exemption available for County residents to utilize if their structures are destroyed or damaged.*****County’s Response: The fire survivors across the State of California have suffered tragic loss. So have flood survivors. So have house fire survivors. So have earthquake survivors.** **The County does not need to exempt its rebuilds from the County’s Fire Safety Ordinance. The County’s Administrative Policy makes it clear that a single family building permit applicant does not have to solely finance the upgrade of the public road network outside of parcel boundaries. That would add the cost of hundreds of thousands of dollars (perhaps millions) to the price of a single family home building permit.** **The County seeks to enhance our fire survivors’ fire protections in an economically feasible, safe and efficient way. We ensure concurrent wildfire emergency equipment access and civilian evacuation if for all of our residents, including our fire survivors. Fortunately for our fire survivors, they can rebuild their homes with modern fire protection upgrades and turnouts and turnarounds on their driveways to ensure future concurrent wildfire emergency equipment access and concurrent civilian evacuation. This is a relatively small price to pay for ensuring our fire survivors’ future safety.****Additional Board staff notes:** **In their response, the County does not address the lack of an exemption for fire rebuilds in their local Code. Throughout this process, the County has insisted that without certification of their local Code, they would have no choice but to make wildfire survivors rebuild their road networks to meet the minimum requirements of the Fire Safe Regulation because the Fire Safe Regulations did not specifically address wildfire rebuilds (email from Linda Schiltgen, Deputy County Counsel, to Edith Hannigan, Land Use Planning Program Manager April 6, 2020 – “…the impact on fire disaster rebuilds throughout the State would be immediate and profound. If a home was destroyed by a fire or an earthquake, neighbors that share a private road could unilaterally prevent a rebuild…Even if the neighbors agreed to sell 20 foot easement rights, the victim of the disaster would be shouldered with the staggering expense of paying for a new modern 20 foot road to serve the entire neighborhood…” and Ms. Schiltgen’s comments to the same effect at the April 3-4, 2020, Board meeting).****In the summer of 2020, the Board approved emergency rulemaking to address this deficiency (among other reasons). This rulemaking specifically exempts wildfire rebuilds from the Fire Safe Regulations, under certain conditions, and also specifically exempts ADUs, another deficiency Sonoma County brought to the Board’s attention. Sonoma County does have a specific exemption for ADUs in section 13-35(d), which meets the Fire Safe Regulations standards. Following the County’s logic, if they wish to have their ordinances certified in order to apply them in lieu of the Fire Safe Regulations, it stands to reason that their Code must contain an explicit exemption for wildfire rebuilds, as it has for ADU construction. Otherwise, upon certification the County would have no choice but to apply their Code to wildfire rebuilds.** **If the County wishes to rely on certified local ordinances to implement the Fire Safe Regulations, they cannot also rely on requirements in the Fire Safe Regulations to address standards, definitions, etc, that are not addressed in the local ordinance. The certified local ordinances are applied in the County *in lieu of*, not in conjunction with, the Fire Safe Regulations.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-25(d) |
| Board staff notes: | Exemption exceeds Board minimum, requiring certain fire protection standards |
| Determination:  | (Board use only) |

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

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

(2) application for a building permit for new building construction;

(3) application for a use permit; and

(4) road construction.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296, section 13-6, page 4, definition of “Development approval”  |
| **Board staff notes:** |
| **Development approval includes lot line adjustments (arguably that component exceeds Fire Safe Regulations) – it appears this definition for “development approval” would meet or exceed this section (when the definition is used in context) but without subsequent definitions for “building” or “development” it is difficult to tell.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-25, page 4 |
| **Board staff notes:** |
| **Section 13-25 has a number of exemptions that do not exist in the Fire Safe Regulations. An analysis of each is below.****13-25(a): This exempts agricultural buildings of 8,000sqft or smaller and in the LRA. This exemption does not exist in the Fire Safe Regulations, but since it is limited to agricultural buildings in the LRA it may be determined to meet the Regulations.****13-25(b): Three components in this exemption. Road or bridge used exclusively for access to (1) an agricultural operation (meets Fire Safe Regulations, although see below for discussion regarding use of terms for vehicular pathways); (2) an agriculturally exempt structures (see discussion above re: 13-25(a)); (3) a Group U occupancy less than 1,000sqft and accessory to a one or two family residential dwelling (this description complies with the definition of a “building” in the Fire Safe Regulations, so this exemption meets the minimums in the Regulations, although please see discussions below regarding the terminology used to describe dwellings and their impact on the application and interpretation of these standards).** **13-25(c): Road or bridge used exclusively for the manufacturing or harvesting of wood products. This exemption exists in the Fire Safe Regulations, so this meets the Regulations, but the County should be aware that this exemption in the Regulations also includes roads used for mining. If their Code were to be certified, mining roads would not be exempt from the application of this Code.** **13-25(d): ADUs. Meets.** **13-25(e): Certain Group U occupancies. Meets the definition of “building” in the Fire Safe Regulations, and so meets the Regulations.** **13-25(f): Exemption for existing roads serving proposed development on a legal parcel. Existing roads must meet requirements in Administrative Policy. No such exemption in the Fire Safe Regulations, and requirements in the Administrative Policy do not meet the minimums in the Fire Safe Regulations nor provide for same practical effect. Does not meet or exceed.** **13-25(g): Pre-1991 exemption. Verbatim exemption from Fire Safe Regulations. Meets.** **13-25(h): Several components in this exemption. (1) Existing driveways shall comply with Division C, Signing and Building Numbering. No such requirement for existing driveways in the Fire Safe Regulations, and no requirements for retroactive application of the regulations, so this requirement is stricter than the Fire Safe Regulations. Meets or exceeds. (2) Existing driveways serving rebuilt or change of use structures shall be provided with, but not limited to, additional turnouts, turnarounds. There is no such requirement or exemption in the Fire Safe Regulations for existing driveways serving rebuilt or change of use structures to be provided with additional turnouts and/or turnarounds in lieu of full compliance with the relevant Fire Safe Regulations standards. Beyond that fact, this exemption is also difficult to interpret against the standards for driveways in the Fire Safe Regulations because there are no standards in 13-35(h) for how frequently turnouts or turnarounds must be installed, and there is no clarity regarding whether “turnouts/turnarounds” means both turnouts and turnarounds are required or only one of them are required. In addition, the language here states “shall be provided with, but not limited to,” and without knowing what further standards are required (“shall be provided with”) it is impossible to know if this exemption provides for the same practical effect of the Fire Safe Regulations. Finally, if Board staff understand Sonoma County’s response regarding fire rebuilds correctly, it is this exemption/requirement in 13-24(h) that is functioning as the exemption for fire rebuilds, except to place these “turnout/turnaround” requirements on fire rebuilds. It would meet or exceed the Fire Safe Regulations to place requirements on fire rebuilds relating to driveway improvements, but without a specific exemption for fire rebuilds from the Fire Safe Regulations as a whole, 13-25(h) does not and cannot function as that exemption. (3) All provisions of Chapter 13 apply to driveways that are extended, reconstructed, or improved, but only to those portions of the driveway. The Fire Safe Regulations do not have this exemption for driveways. The Fire Safe Regulations are applied to all portions of a driveway when an applicable activity (see various sections under Article 1) are undertaken. Does not meet Fire Safe Regulations.** **13-25(i): This exemption specifies that this Code does not apply retroactively to existing buildings or building permits prior to 1991, except that the conditions of this Code shall apply when the occupancy of those buildings is changed. In Article 1, the Fire Safe Regulations explain in detail the situations where the Fire Safe Regulations are to be applied, and existing buildings or building permits prior to 1991 absent any new permits, developments, etc, related to them are not subject to the Fire Safe Regulations. Meets.** **13-25(j): An addition to an existing building adding less than 640sqft, except that signing and number standards and fuel modification standards shall be applied. There is no such exemption for additions of any size in the Fire Safe Regulations, but the Board may determine that based on the impact to fire safety from a <640sqft addition, this exemption and the requirement to apply signing and fuel modification standards provides for same practical effect.**  |
| Determination:  | (Board use only) |

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

This subchapter shall be applied as follows:

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |  |
| **Board staff notes:** | **No specific, relevant local ordinance identified that requires sending notices to the Department. May be satisfied by the delegation of authority that’s in place.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** | **No specific, relevant local ordinance identified. May be satisfied by the delegation of authority that’s in place.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-24(c), page 4 |
| **Board staff notes:** | **Section 13-24(c) states compliance must be met before construction begins – Board may determine this to be same practical effect.** |
| Determination:  | (Board use only) |

## § 1270.04. Local Ordinances.

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

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

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

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

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| Not applicable for certification. |

## § 1270.05. Inspections.

Inspections shall conform to the following requirements:

(a) Inspection shall be made by:

(1) the Director, or

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-26, page 6 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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| Not applicable for certification. |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** | **No specific, relevant local ordinance identified that requires violations to be sent to the CAL FIRE unit. Unclear if this topic is covered in existing delegation of authority.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** | **No specific, relevant local ordinance identified regarding the timing of inspections.** |
| Determination:  | (Board use only) |

## § 1270.06. Exceptions to Standards.

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-23, page 3 |
| **Board staff notes:** | **The term “development” is undefined, leading to potentially unclear application of the regulations/exceptions.** **No requirement for forwarding exceptions to CAL FIRE. Unclear if this topic is covered in existing delegation of authority.****May not meet Fire Safe Regulations minimums.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-23(c), page 3 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-23(e), page 3 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-23(e), page 3 |
| **Board staff notes:** |
| **Appeal to be adjudicated via Article III, or Chapter 25 or 26 of the Code. These appeal standards (Sonoma County Code Chapter 13, Article III; Sonoma County Code §§ 25-13-5 and 25-13.6; and Sonoma County Code §§26-92-040 and 26-92-050, as provided by the County) do not have a requirement that the inspection authority provide documentation outlining the effects of the exception on wildfire protection.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-23(e) and (f), pages 3-4 |
| **Board staff notes:** |
| **Appeals adjudicated by planning commission, etc, must find that “*the exception or mitigated practice proposed meets the intent of this article;”* Ordinance requires that a written copy must be submitted to CAL FIRE director.****While the language is not verbatim, this requirement for a finding regarding meeting the intent of the article may provide for same practical intent.**  |
| Determination:  | (Board use only) |

## § 1271.00. Definitions

**General note on definitions: The County utilizes definitions are they are provided for in Ordinance 6296, which was submitted to the Board for certification in late 2019. Parts of Ordinance 6296 are superseded by Ordinance 6318, submitted in September 2020 for certification, but the definitions section was not included in Ordinance 6318. The analysis of Sonoma County definitions are of those found in Ordinance 6296, Section 13-6, page 2.**

**Board staff asked the County:**

***The definitions provided in Ordinance 6296, Section 13-6, page 2, governs the definitions used in Chapter 13 of the Sonoma County Code, including Article V, the Fire Safe Standards. The introductory language of this section also states, “Definitions are also found in the California Code of Regulations, Title 24, adopted and amended by the County of Sonoma and California Code of Regulations, Title 14 Natural Resources Code, Division 1.5, Chapter 7, Subchapter 2, Article 1-5, SRA Fire Safe Regulations. Unless the provision of context requires otherwise, the definitions contained in this section shall govern the construction of this chapter.” If definitions are also found in Title 24 and Title 14, but the definitions contained in this section shall govern the construction of this chapter, what role do the definitions in Title 24 and Title 14 play in understanding how these Standards are applied, and what the Standards are?***

**County’s Response: It is customary to adopt the definitions contained in the California Fire Code and the Board of Forestry standards to supplement the County’s own definitions without having to repeat all of them in the local ordinance. (For example, the California Fire Code has 1,400 pages of fire protection laws so it is standard** **to adopt them by reference without repeating all of the provisions in the County’s ordinance.)**

**Additional Board staff notes: In terms of understanding the relationship between definitions in the three to four Codes the County cites, this response from the County did not provide any illumination. Staff analyzed the standards in the two Ordinances (6296 and 6318) against the definitions provided for in Ordinance 6296, section 13-6.**

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 2; definition for “agricultural operation:” *means, but is not limited to include, the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodity, including timber, viticulture, apiculture or horticulture, and the raising of livestock, fur-bearing animals, fish or poultry.* |
| **Board staff notes:** |
| **Regarding cannabis production, from the County:** **In Sonoma County, all commercial cannabis cultivation operators and indoor commercial cannabis cultivation operators require a permit, and therefore must comply with the County’s fire safe standards. Sonoma County Code Section 26-02-140 requires a permit to engage in commercial cannabis cultivation. That includes planting, growing, harvesting, drying, curing, grading or trimming of cannabis. That includes cannabis cultivation within any type of structure using artificial lighting. Commercial cannabis activities shall be permitted only in compliance with the requirements of Section 26-88-250 through 26-88-256 and all other applicable requirements for the specific type of use and those of the underlying base zone.****Sonoma County Code Chapter 37 regulates hemp cultivation. Hemp cultivation is an agricultural operation.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 2 has definitions for “existing building” and “new building” but doesn’t define what a “building” is |
| **Board staff notes:** |
| **It may be unnecessary to have a specific definition for a “building,” depending on how the term (and other terms for various structures/buildings in the code) are used.**  |
| Determination:  | (Board use only) |

CAL FIRE: California Department of Forestry and Fire Protection.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Not applicable for certification |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 4 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-59.5, page 25 |
| **Board staff notes:** | **Requirements for Fire Protection Plan that include defensible space, but no specific definition for “defensible space”** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | “Development approval” is a term defined in Ordinance 6296, page 4, but no definition for the term “development” exists |
| **Board staff notes:** |
| **Definition of “development” would help understand the various Purpose and Scope sections in the local ordinance that use that term (see for example, Ordinance 6318, sec 13-22.01, page 2, and Sec 13-24, page 4). Definition of “development” from Government Code: *“Development” means the uses to which the land which is the subject of a map shall be put, the buildings to be constructed on it, and all alterations of the land and construction incident thereto.*****Board staff asked the County:*****The term “development approval” is defined, and is not in conflict with the SRA Fire Safe Regulations. However, the term “development” is used frequently, and “development” is not defined. Is development defined? Where?*****County’s Response: Development is defined in the State’s Fire Safe Regulations. 14 CCR §1271.00. “Development approval” is defined in Sonoma County Chapter 13-6. Sonoma County Code Chapter 13, Article V, Purpose, section 13-22.01, applies the Board of Forestry’s Fire Safe Regulations definitions of “development” verbatim where it is not defined in the County’s ordinance. The purpose of the State Fire Safe Regulations is “to establish minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area.” 14 CCR §1270.01; 14 CCR §1271.00. However, Sonoma County’s ordinance expands throughout the SRA and the LRA.****Additional Board staff notes:** **If the County wishes to rely on certified local ordinances to implement the Fire Safe Regulations, they cannot also rely on requirements in the Fire Safe Regulations to address standards, definitions, etc, that are not addressed in the local ordinance. The certified local ordinances are applied in the County *in lieu of*, not in conjunction with, the Fire Safe Regulations.** **May not meet Fire Safe Regulations minimums.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Not applicable for certification |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 4  |
| **Board staff notes:** |
| **Upon clarification from Sonoma County, the County’s definition of “driveway” is stricter than the definition in the Fire Safe Standards. However, numerous conflicts still exist with the terms defined in this section as they relate to vehicular access and the standards imposed on such access further in Chapter 13.** **Driveway definition meets or exceeds Fire Safe Regulations.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-27, page 6 |
| Board staff notes: | Meet Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 4 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

Fire valve: see hydrant.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296, section 13-6, page 5 |
| Board staff notes: | No definition for “fire valve” but “hydrant” definition meets Fire Safe Standards minimum |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** | **No specific, relevant local ordinance has been identified, but may not be necessary depending on if or how this term is used** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 5 |
| Board staff notes: | Meets Fire Safe Standard minimums. |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 5 |
| Board staff notes: | Meets Fire Safe Standard minimums. |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 5 |
| **Board staff notes:** | **Missing language on outlet specifications, but may equal or exceed based on hydrant standards in Ordinance 6318** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 5-6 Ordinance 6296 Sec 13-6, page 4 |
| Board staff notes: | Multiple definitions relevant to local land use decision makers included. Meets Fire Safe Regulations minimums.  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 6 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 6  |
| **Board staff notes:** |
| **The definition for a one-way road meets the intent of the Fire Safe Regulations (ie, a vehicular pathway going in one direction), but the use of the term “road” in the Ordinance versus “traffic lane” in the Fire Safe Regulations may cause conflicts in later sections.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Definition for “residential building” in Ordinance 6296 Sec 13-6, page 7, references Building Code occupancy (R-3) and is limited to one or two family dwellings[Building Code R-3:](https://up.codes/viewer/california/ca-building-code-2016/chapter/3/use-and-occupancy-classification#310.5) (link) *Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-2.1, R-3.1, R-4 or I, including…* |
| **Board staff notes:** |
| **Local ordinance does not specify whether manufactured homes, etc, are considered “residential buildings.”** **Board staff asked:*****Local ordinance does not specify where manufactured homes, etc. are considered “residential buildings.” Where are fire safe standards for manufactured homes, mobile homes, etc (see section 1270.02(a)(2) for a complete list) addressed?*****County’s Response: Sonoma County Code Chapter 7 adopts the California Building Code requirements for newly installed commercial modular, manufactured homes, mobile homes, and factory built housing as defined in Health and Safety Code sections 18001.8, 18007, 18008, and 19971. Sonoma County Code §7-13. Sonoma County Code also requires mobile homes and manufactured homes to have automatic sprinklers. Sonoma County Code §7-13(C)(21). Sonoma County Code Chapter 7 requires those mobile homes, manufactured homes, installed commercial modular, and factory built housing to comply with the Sonoma County Code Fire Safe Standards unless they qualify as a new accessory dwelling unit that complies with Government Code section 65852.2 or 65852.22, as applicable. Section 7-11.5; Section 13-24.****Additional Board staff notes:** **County Code section 7-11.5. states *“Compliance with fire safe standards.******Any building or structure subject to the provisions of this chapter shall comply with the fire safe standards set forth in Chapter 13 of this code.”*****However, the definitions for “building, existing” and “building, new” in Chapter 13 do not address if commercial modular, manufactured homes, mobile homes, and factory built housing are buildings for the purposes of the application of these requirements. Chapter 7 has no definition for “building” or “structure.” Section 7-5 in the County Code requires “*No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, convert or demolish any building or structure in the unincorporated area of this county, or cause the same to be done, without first obtaining a separate building permit for each such building or structure as required by this chapter.”* One might infer that such pre-fabricated homes are considered “buildings,” but this issue is never directly addressed by Sonoma County either in answer to the Board’s staff questions or in the County Code, to the best of staff’s research ability.** **A separate issue for Board consideration:****A two-family residential building in the County would be considered two residential units in the Fire Safe Regulations. The term “residential unit” is relevant to the Board’s minimum standards in the definitions of driveways, roads, and the dead-end road minimum standards. Depending on how these terms are used in the rest of the Code, this may not meet or exceed the Fire Safe Regulations minimums.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 7 defines road as “any public or private road” and defines “roadway” as the portion of any road improved, designed, or ordinarily used for vehicle travel (“roadway” definition is from previous versions of the Fire Safe Regulations) |
| **Board staff notes:** |
| **The various road definitions are conflicting and inconsistent. The definition of “private road” uses undefined terms and specifies that a “private road” serves a particular number of parcels or residential buildings, but the definition for “public road” provides no such specifics. The definition of “road,” for the purposes of applying the Fire Safe Regulations and, if certified, local ordinances, does not differentiate on the basis of road ownership (if the road is privately or publicly owned), but rather the types and numbers of uses the vehicular pathway is serving. The term “roadway” is defined in the County Code without reference to ownership, but the term “roadway” is not used consistently in the County Code. It is difficult to establish to which vehicular pathways the stated County standards apply.** **It is difficult to ascertain whether these various road-related defined terms and the accompanying standards for each meet or exceed the Board’s minimum standards. See further discussions under Article 2.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | “roadway structure” in Ordinance 6296 Sec 13-6, page 7; “driveway structure” in Ordinance 6296 Sec 13-6, page 4 |
| **Board staff notes:** |
| **The term “roadway” in the County Code is verbatim language from previous versions of the Fire Safe Regulations. A separate definition in the County Code is provided for “driveway structures.” May not meet or exceed. It is difficult to ascertain whether road-related terms and the accompanying standards for each meet or exceed the Board’s minimum standards.**  |
| Determination:  | (Board use only) |

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.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 7 |
| Board staff notes: | Meets Fire Safe Regulations standard |
| Determination:  | (Board use only) |

Shoulder: Vehicular access adjacent to the traffic lane.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 7 |
| Board staff notes: | Meets Fire Safe Regulations standard |
| Determination:  | (Board use only) |

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

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| Not applicable for certification. |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 8 |
| Board staff notes: | Meets Fire Safe Regulations standard |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** |
| **No specific, relevant ordinance identified. There are no definitions for “building” or “structure,” which creates confusion regarding the application of these standards throughout the Code.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 8 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 8 |
| **Board staff notes:** |
| **The term “traffic lane” in the County Code is verbatim language from previous versions of the Fire Safe Regulations. The County’s definition for “traffic lane” does not address driveways as the Fire Safe Regulations do.** **Does not meet Fire Safe Regulations.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 8 |
| **Board staff notes:** |
| **This term in the County Code uses outdated language from previous Fire Safe Regulations (“roadways”) and does not include driveways.** **Does not meet the Fire Safe Regulations minimums.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 8 |
| **Board staff notes:** |
| **Uses outdated language from previous Fire Safe Regulations (“roadways”).** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Definition of “accessory building” in Ordinance 6296, sec 13-6, page 2, meets the definition for “Utility and Miscellaneous Group U Building” in the Fire Safe Regulations.  |
| Board staff notes: | See County definition for “accessory building;” meets Fire Safe Regulations minimums. |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 8 |
| **Board staff notes:** |
| **Uses outdated language from previous Fire Safe Regulations (“roadways”) and does not include driveways.****Does not meet the Fire Safe Regulations minimums.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6296 Sec 13-6, page 8 |
| Board staff notes: | Meets Fire Safe Standards minimums.  |
| Determination:  | (Board use only) |

# Article 2 Emergency Access and Egress

## § 1273.00. Intent

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, section 13-28, page 6 |
| **Board staff notes:** |
| **The intent section in Ordinance 6318 does not include key components of the Intent section in the Fire Safe Regulations, notably “roads and driveways, *whether public or private…”* (Board staff emphasis added). This may be verbatim language from previous versions of the Fire Safe Regulations.** **Does not meet the Fire Safe Regulations minimums.** |
| Determination:  | (Board use only) |

## § 1273.01. Width.

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-34, page 11, specifications for two-way road widths |
| **Board staff notes:** |
| **Fire Safe Regulations specify two 10’ traffic lanes plus shoulder & striping; although the County Code only specifies two 10’ traffic lanes (without specifying whether that includes striping), it also requires an overall 25’ right of way, which may provide for same practical effect.** **There are exceptions to this County standard:****13-34(1) for minor subdivisions (4 or fewer parcels) allows a two-way road 12’ with 2’ shoulders on each side, and turnouts and turnarounds. No such exemption exists in the Fire Safe Regulations.** * **All two-way roads in the Fire Safe Regulations must have two traffic lanes of 10’. There are no exceptions.**
* **“Driveways” in the Fire Safe Regulations require a 10’ foot traffic lane and 14’ unobstructed horizontal clearance, however, in the Fire Safe Regulations a “driveway” may not serve more than 2 parcels. County Code does not allow a “driveway,” as defined by the County, to serve more than 1 parcel. Ergo, this exception and the standards contained in it is not a sufficient analog or “same practical effect” for the application of the driveway versus road standards.**

**This exception does not meet or exceed the Fire Safe Regulations, however, the shoulders (16’ total road width) and clearance requirements (at least 6’ on one side – total clearance of 22’ feet) may be determined to provide for the same practical effect as the Board’s standards for roads.** **A similar exception is in the County’s Administrative Policy, which cross references section 13-34(a). Board staff asked the County:** ***Standard 3.a. Minor Subdivisions: As the Board defines a driveway (serving 2 or fewer parcels or four or fewer residential units), this standard might be appropriate. However, the definition of “residential building” in the County Standard considers a two family home to be a single residential building, whereas a residential unit in the SRA Fire Safe Regulations is a single dwelling unit – so a two family residential building (per the County Standard) are actually two residential units in the SRA Fire Safe Regulations and so this standard for minor subdivisions, as well as the cross-referenced Ordinance section [13-34, under discussion here], do not meet the qualification for a lesser road standard.*** ***If the County disagrees, please identify how that this exception provides for the same practical effect of the State’s road and driveway standards.*** **County Response: Please see Board of Forestry Planner Ms. Edith Hannigan’s analysis why the County’s standards for width – including the minor subdivision width requirements – meet or exceed State standards and have the same practical effect. This draft recommendation was sent to the County on September 4, 2020. Her recommendations are repeated in this document in the Responses to Questions 1.1.3.1-1.1.3.4.** **In addition, the County’s Response to 3.8.2 provides additional information to clarify this question. Some of the County’s definitions are different than State law that is true. For example, the State’s definition of driveway includes two parcels with no more than two residences on each parcel. A new “driveway” serving two parcels and up to four new residential units is only required to be 10 feet in width. 14 CCR §1273.01(c). If there are more than two parcels and more than four residential units, then the Board of Forestry’s Fire Safe Regulations deems the vehicular access to be required to meet “road” standards. 14 CCR §1271.00.** **The State’s road standard does not apply for residential units unless there are three parcels. A new 10 foot lane “driveway” serves two parcels pursuant to the State regulations. A new 10 foot lane “driveway” can serve 4 residential dwelling units. 14 CCR §1271.00.** **In contrast, these are the County’s standards:** **Driveway is defined in Sonoma County Code § 13-6. It means “any way or place in private ownership that provides vehicular access to no more than two residential buildings, containing no more than three dwelling units, and any number of accessory buildings – on a single parcel.** **Private road is defined in Sonoma County Code §13-6. It means any place or way in private ownership that provides vehicular access to: more than 1 parcel; to a commercial building or agricultural operation on a single parcel; to more than 2 residential buildings; to more than 2 residential buildings containing more than three dwelling units on a single parcel.** **Pursuant to the County’s definition, a driveway is limited to a single parcel that contains no more than two residential buildings, containing no more than three dwelling units.****Additional Board staff notes:** **We do not deny that the County has a stricter threshold for the application of road versus driveway standards, issues with the definition of “private road” and other related terms notwithstanding. However, this stricter standard only serves to further highlight the inadequacy of this minor subdivision exemption. Per the County’s own standard, any vehicular pathway serving more than one parcel must meet the County’s road standards. Yet this exemption specifies that subdivisions of four or few parcel do not need to meet those standards. So, for example, under the County’s Code, a two-parcel subdivision must apply the road standards – which is indeed a stricter requirement than the Fire Safe Regulations – but this exemption in 13-34 makes that requirement moot, as a two-parcel subdivision would be allowed to apply this lesser road standard in lieu of the private road standard. This waters down the County’s argument that their application of driveway versus road standards is stricter than the Board’s because in effect, *all* vehicular pathways serving 1-4 parcels may meet this lower standard in 13-34 rather than the stricter road standard.** **This exemption for minor subdivisions and the alternative requirements it offers do not meet or exceed the Fire Safe Regulations or provide for same practical effect, and they do not meet or exceed or provide same practical effect under the County’s standards.****Finally, the September 4, 2020 matrix was intended to be a deliberative, draft document – as expressly stated in the header of each page – to use as the basis for discussion between Sonoma County officials and Board of Forestry and Fire Protection representatives. The County specifically requested the matrix be prepared as a draft document for deliberation, not distribution, and not as a reflection of any final evaluation or determination on the Sonoma County Code. It in no way represents any staff recommendations, conclusions, or final analysis, and is thus of little value to cite that matrix in response to the questions posed to the County in mid-October 2020.** |
| Determination:  | (Board use only) |

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

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-35, page 12 |
| **Board staff notes:** |
| **Regarding the term “dwelling unit:”****The term “dwelling unit” is not defined in the Sonoma County ordinance, but is used in these standards. Without a definition, it’s difficult to determine if the requirement that a one-way road provide access to no more than 10 dwelling units meets the minimum standards.** **Board staff asked:** ***The term dwelling unit is not defined in the Sonoma County ordinance but is used in this County Standard. Identify how that this requirement in section 13-35 meets or exceeds the standard in section 1273.01(b)(1).*****County’s Response: The 2019 California Fire Code defines dwelling unit in Section 202. Sonoma County Code Chapter 13 incorporates the California Fire Code into the Chapter 13 fire protection ordinance. Please see Board of Forestry Planner Ms. Edith Hannigan’s analysis why the County’s standards for width – including the turnout and one way road requirements– meet or exceed State standards or have the same practical effect. This draft recommendation was sent to the County on September 4, 2020. Her recommendations are repeated in this document in the Responses to Questions 1.1.3.1-1.1.3.4.****Additional Board staff notes:** **The September 4, 2020 matrix was intended to be a deliberative, draft document – as expressly stated in the header of each page – to use as the basis for discussion between Sonoma County officials and Board of Forestry and Fire Protection representatives. The County specifically requested the matrix be prepared as a draft document for deliberation, not distribution, and not as a reflection of any final evaluation or determination on the Sonoma County Code. It in no way represents any staff recommendations, conclusions, or final analysis, and is thus of little value to cite that matrix in response to the questions posed to the County in mid-October 2020.****Regarding the definition of a “dwelling unit,” Section 202 of the California Fire Code defines a “dwelling unit” with the same terminology the Board uses to define a “residential unit,” which for the purposes of the one-way road standard, could be determined to provide same practical effect.** **Regarding turnouts and turnarounds:****Fire Safe Regulations require a turnout in the middle of each one-way road. Sonoma County ordinance only requires turnouts on one-way roads of 500+ feet.** **Board staff asked:** ***Fire Safe Regulations require a turnout in the middle of each one-way road. Sonoma County ordinance only requires a turnout on one-way roads of 500+ feet. Identify how that this requirement meets or exceeds the standards in section 1273.01(b)(2).*****County’s Response: The County’s requirements require more turnouts than the State regulations. 13-35(c) requires all one-way roads exceeding 500 feet to have a turnout constructed at the midpoint. Subsection (d) requires a one-way road exceeding 1,000 feet to have a turnout constructed every 500 feet along the entire length of the road. Please see Board of Forestry Planner Ms. Edith Hannigan’s analysis why the County’s standards for width – including the turnout and one way road requirements– meet or exceed State standards or have the same practical effect. This draft recommendation was sent to the County on September 4, 2020. Her recommendations are repeated in this document in the Responses to Questions 1.1.3.1-1.1.3.4.****Additional Board staff notes:** **The County’s response does not address the fact that a one-way road under the Fire Safe Regulations is required to have a turnout in the middle of the road, *regardless of whether the road is 10 feet or 10,000 feet*. While the County may require more turnouts overall on one-way roads exceeding 500 feet, without a requirement that *all* one-way roads have at least one turnout in the middle of the road this standard does not meet the minimum requirements for one-way roads in the Fire Safe Regulations. Additionally and as discussed several times above, references to the September 4, 2020, matrix, are not sufficient responses to these questions.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-37, page 14 |
| **Board staff notes:** |
| **Fire Safe Regulations minimums for driveways requires*****All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6”).*****Regarding turnouts on driveways, the Fire Safe Regulations require*****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.*****Sonoma County driveway standard requires one 12-foot traffic lane and 15’ vertical clearance, and a turnout that is 22’ wide, including the road.** * **Meets traffic lane minimum.**
* **Meets vertical clearance minimum.**
* **Does not meet minimum 14’ unobstructed horizontal clearance.**
* **Does not meet minimum turnout width. Because the standard for turnout width in the County Code uses the term “road,” but the standard for driveway width uses the term “traffic lane,” and the definition for “turnout” uses the term “roadway,” and the County Code does not define the term “road,” it is impossible to determine if the required 22’ turnout width meets or exceeds the Fire Safe Regulations minimums.**
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| Determination:  | (Board use only) |

## § 1273.02. Road Surfaces

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-30, page 7 |
| Board staff: | Meets Fire Safe Regulations minimums.  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-30, page 7 |
| Board staff: | Meets Fire Safe Regulations minimums.  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-30, page 7 |
| Board staff: | Meets Fire Safe Regulations minimums.  |
| Determination:  | (Board use only) |

## § 1273.03. Grades

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-31, page 7 |
| **Board staff notes:** |
| **The County standards for road and driveway standard grades states “A road or driveway may include grades up to twenty percent unless sufficient grade reductions are provided to allow for vehicle cool down periods as approved by the fire code official.”** **It is unclear what this standard means. If grades are allowed above 20%, this does not meet or exceed the Fire Safe Regulations minimums.** **Board staff asked the County:** ***6.3.1 Section 13-37(a) lacks enough clarity to determine if the standard in that section meets or exceeds the SRA Fire Safe Regulations (see section 1273.03), in general but also specifically in regard to grades in excess of 16% but less than 20%, and grades over 20%.*** **County’s Response: Driveway grades are set forth in Section 13-31. No road or driveway shall have a maximum grade in excess of 16% without the approval of the Fire Marshal.** **A road or driveway may include grades up to 20% with mitigations. 13-31(a).** **Fire apparatus cool down areas shall have a minimum width of 22 feet wide and 30 feet long with a minimum taper of 25 feet on each end. Cool down areas shall be located on a maximum grade not exceeding 5%. Cool down turnout shall not be allowed on the inside of the horizontal curves without the approval of the fire code official. §13031(e).****Board staff also asked:*****Identify how that this County Standard meets or exceeds the requirements in section 1273.03.*** **County’s response: Please see response immediately above. The driveway surface requirements are set forth in Section 13-30 and the driveway grading requirements are set forth in Section 13-31.** **Additional Board staff notes:** **The response from Sonoma County did not provide any illumination to Board staff regarding the meaning of the quoted language regarding 20% grades. Unknown if this meets or exceeds the Fire Safe Regulations.**  |
| Determination:  | (Board use only) |

## 1273.04. Radius

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-32, page 8-9 |
| Board staff notes: | Meet Fire Safe Regulations minimums. |
| Determination:  | (Board use only) |

## § 1273.05. Turnarounds

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** |
| **There does not appear to be a single, specific local code section that addresses the standards for turnarounds. Instead, the turnaround standard for “road and driveway structures” is inserted into the various relevant road sections (ie, under one-way roads, two-way roads, etc etc). That regulatory decision and the specific minimum standard for turnarounds *do* meet the minimum requirements in the Fire Safe Regulations, but it appears an editorial or typographical error has resulted in this standard being repeated, rather than the term “road and driveway structure” being replaced with the term appropriate for infrastructure in question (ie, one-way roads, two-way roads, etc). This presents a number of conflicts:*** **It is unclear if this standard is meant to apply to roads, and driveway structures, or road structures and driveway structures. Neither the term “road structure” nor “road and driveway structure” is defined in the County Code.**
* **As the term “road structure” is not defined in section 13-6, the standard for a turnaround arguably does not apply to any infrastructure that is not a “road,” or a “driveway structure.” Given the discrepancies in definitions for vehicular pathways described earlier, it is likely this does not meet the Fire Safe Regulations minimums.**
* **The term “driveway,” although defined in section 13-6, is not used in the turnaround standard, so there are arguably no standards for turnarounds on driveways. This does not meet the Fire Safe Regulations minimums.**
* **The County Code is silent on how a “driveway structure” standard applies to a private road structure, given that “road structure” is not defined.**

**Board staff asked:** ***Please address this [the issue described above re: potential editorial error]. If this is not an error, how do these sections meet or exceed the requirements for turnouts and turnarounds on vehicular infrastructure that are not “road and driveway structures?”*** **County’s Response: This is not an error. This is creative problem solving. This is designed to ensure concurrent wildfire equipment access and civilian evacuation – while simultaneously addressing other critical priorities such as social justice, civil rights, affordable housing and the homeless crisis.** **The County Fire Experts have used turnouts and turnarounds through the County’s Fire Safe Standards to significantly improve the concurrent wildfire equipment access and civilian evacuation. There are numerous turnout and turnaround requirements throughout the County’s ordinance to improve concurrent access and evacuation. For example, there are turnout and turnaround requirements for dead end roads located in §13-36. There are turnout requirements for one-way roads in §13-35. There are turnout and turnaround requirements for two-way roads in §13-35. There are turnaround and cool down areas required for certain grades. §13-31.** **Additional Board staff notes:** **No information was provided by the County to allow Board staff to satisfactorily determine what, if any, County standards existed for turnarounds on vehicular infrastructure that is not a “road or driveway structure.” Does not meet or exceed the Fire Safe Regulations.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** |
| **See above for analysis related to this section. The specific minimum standard for a turnaround meets the Fire Safe Regulations minimums, but it is unclear to what vehicular infrastructure these standards apply.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-37(b), page 14 |
| **Board staff notes:** |
| **Board staff appreciate the County’s response to a question regarding the County’s requirement for frequency of turnouts on driveways. Section 13-37(b) meets the Fire Safe Regulations.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-37, page 14 |
| Board staff notes: | Meets Fire Safe Regulations minimums.  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-36, page 13 |
| **Board staff notes:** |
| **Spacing of turnarounds in local ordinance meets Fire Safe Regulations minimums, but the standards for the design of the turnaround is for “road and driveway structures,” not dead-end roads. See analysis under § 1273.05. Turnarounds.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** |
| **Design of turnarounds in local ordinance meets Fire Safe Regulations minimums, but the standards for the design of the turnaround is for “road and driveway structures,” not dead-end roads. See analysis under § 1273.05. Turnarounds.** |
| Determination:  | (Board use only) |

## § 1273.06. Turnouts

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |       |
| **Board staff notes:** |
| **Unclear if design of turnouts in County Code meets Fire Safe Regulations minimums and the standards for the design of the turnout is for “road and driveway structures,” not dead-end roads. See analysis under § 1273.01(c) Width and § 1273.05. Turnarounds.** |
| Determination:  | (Board use only) |

## § 1273.07. Road and Driveway Structures

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-33(b) & (h), page 10, meets 1273.07(a) |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-33(a), page 10, and Ordinance 6296, sec 13-6, page 4, meets 1273.07(b) |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |  |
| **Board staff notes:** |
| **No specific, relevant ordinance identified; sec 13-33(b), page 10, may provide for same practical effect.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-33(c), page 10, meets 1273.07(d) |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

## § 1273.08. Dead-end Roads

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

parcels zoned for less than one acre - 800 feet

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

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

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-36, page 13 |
| **Board staff notes:** |
| **Length requirements meet Fire Safe Regulations minimums, but the Fire Safe Regulations require the length of the road to be determined by the smallest allowable length, not the average, as Sonoma County allows.****Board staff asked:*****The length requirements in the County Standards meet the requirements in the State Fire Safe Regulations, but the State Regulations require the length of the road crossing parcels zoned for different sizes to be determined by the smallest allowable length, not the average, as Sonoma County allows. How does Section 13-36 meet or exceed the standard in Section 1273.08 regarding situations where a dead end road crossing areas of differing zoned parcel sizes requiring different length limits?*****County’s Response: The County’s standards are more restrictive. The State’s regulations are based on zoning standards for newly created parcels (14 CCR §1273.08(a); the County’s ordinance standards for dead end roads length is based on actual parcel size [§13-36(a)]. The Fire Safe Standards regulations measure the “shortest allowable length” by the zoning allowed. Zoning is different than actual parcel size. Parcel sizes are often smaller than modern zoning standards if the parcels were created before the zoning code was adopted. The County’s standard is based on the average size of the actual parcels served by the dead end road. That is a more restrictive standard than measuring this to the zoning authorized by modern zoning laws.****Additionally, the County’s ordinance requires all dead-end roads serving five parcel acres or larger to have turnarounds constructed every one thousand three hundred twenty feet along the entire length of the road. §13-36(b). Moreover, all dead-end roads shall have a turnaround constructed at the terminus of the road. Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet. §13-36(c).****Additional Board staff notes:** **Regardless of whether the allowable dead-end road length is determined by the size of the actual parcels or the parcels’ zoning, the Fire Safe Regulations require that any dead-end road crossing parcels of differing sizes are to be limited in length to the *shortest* allowable distance of the different sized parcels. “Average,” as in, the arithmetic mean of the parcel sizes (zoned or actual), is larger than “shortest,” as in, the least large. This does not meet or exceed the Fire Safe Regulations standard for dead-end road lengths.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-36, page 13 |
| Board staff notes: |
| **There does not appear to be a single, specific local code section that addresses the standards for turnouts. Instead, an individual turnout standard for the various road types (two-way, one-way, dead-end, driveways, etc) is included in the section establishing the standards for that particular road type. The standard does not meet the Fire Safe Regulations; please see analysis under § 1273.01(c) Width and § 1273.05 Turnarounds.**  |
| Determination:  | (Board use only) |

## § 1273.09. Gate Entrances

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-38(a), page 15 |
| **Board staff notes:** |
| **No definition for “rebuilt.” May or may not meet or exceed Fire Safe Regulations.** |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-38(b), page 15 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |  |
| **Board staff notes:** |
| **No specific, relevant ordinance requiring such turning radius was identified.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-38(c), page 15 |
| **Board staff notes:** |
| **Does not require security gates to have pre-approval.****Board staff asked:** ***Section 13-38(c) is silent on whether approval or authorization for security gates is required. How does Section 13-38 meet or exceed the requirements in section 1273.09(d)?*****County’s Response: The County’s fire safe standards for gate entrances are in Section 13-38. Those requirements include the following:****Where a gate entrance is locked, a lock box or other emergency release device approved by the County Fire Marshal shall be provided for emergency access. Sonoma County Code §13-38(c)****Moreover, all new gates installed on private roads where the distance from the gate to the intersection of a public or private road is greater than 300 feet shall be provided a turnaround in a location approved by the Fire Code Official. All turnarounds shall have a minimum turning radius of forty feet. Sonoma County Code §13-38(d)****All new and rebuilt gate entrances and similar structures shall be at least two feet wider than the width of the traffic lane serving the gate or structure. Sonoma County Code §13-38(a).****All gates providing access from a public road to a private driveway shall be located at least thirty feet from the road and shall open to allow a vehicle to stop without obstructing traffic on the road. Sonoma County Code §13-38(b)****Additional Board staff notes:** **The response from the County did not address the issue of prior authorization for locked gates. Does not meet or exceed the Fire Safe Regulations minimums.**  |
| Determination:  | (Board use only) |

# Article 3 Signing and Building Numbering

## § 1274.00. Intent

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-40(a), page 16 |
| **Board staff note: Ordinance 6318, sec 13-40(a), page 16, only requires road names on roads serving more than 2 parcels; the Fire Safe Regulations require all roads to have names. Per the County Code, a “private road” serves more than one parcel, so under this requirement, a private road that serves two parcels is not required to be named. The Fire Safe Regulations require all roads, regardless of how many parcels they serve, and regardless of whether they are in private or public ownership, to have a name.** **Board staff asked:** ***Ordinance 6318, Section 13-40(a), page 16, only requires road names on roads serving more than 2 parcels; the Fire Safe Regulations require all roads to have names. How does Section 13-40(a) meet or exceed the requirement in Section 1274.00 for all roads to be names?*** **County’s Response: The State’s Regulations define driveways more broadly than the County. The County defines a driveway as serving only one residential parcel. The State regulations define a driveway as serving two parcels with up to four residential units. So, the County’s requirement for road names is established to more closely match the State’s definition of what constitutes a road.** **In addition, the County has added local amendments to the 2019 California Fire Code that help address this issue. Section 13-17(b)(33) Multiple addresses. Where multiple addresses are required at a single driveway, they shall be mounted on a single post.** **Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.****Additional Board staff notes:** **The County is correct that their definition of a driveway and private road are more restrictive than the State’s. However, the Fire Safe Regulations require all roads, as defined by either the State or by a local county requesting certification, to be named. If Sonoma County would like to define roads as those vehicular pathways serving more than one parcel, then all vehicular pathways that fall under that definition (ie, all roads) must be named in order to meet the requirements in the Fire Safe Regulations regarding road names. Does not meet or exceed.** |
| Determination:  | (Board use only) |

## § 1274.01. Road Signs.

(a) Newly constructed or approved roads must be identified by a name or number through a consistent system that provides for sequenced or patterned numbering and/or non-duplicative naming within each local jurisdiction. This section does not require any entity to rename or renumber existing roads, nor shall a road providing access only to a single commercial or industrial occupancy require naming or numbering.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-40(b), (c), and (d), page 16 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-41, page 17 |
| **Board staff notes:** |
| **County ordinance relies on “county road standards;” without those standards it is unknown if this meets the Fire Safe Regulations minimum.** |
| Determination:  | (Board use only) |

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-42, page 17 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-44, page 17-18 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-45, page 18 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |  |
| **Board staff notes:** |
| **No specific, relevant local ordinance identified, but Ordinance 6318, Sec 13-24(c), page 4, may qualify as same practical effect.** |
| Determination:  | (Board use only) |

## § 1274.03. Addresses for Buildings.

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-46, page 18-19 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-47, page 19 |
| **Board staff notes:** |
| **If the requirements in the local ordinance are the current Fire Code standards, then this meets the Fire Safe Regulations minimum.** |
| Determination:  | (Board use only) |

(c) Addresses for residential buildings shall be reflectorized.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-47, “Exceptions,” page 19Ordinance 6318, sec 13-48(b), “Exception,” page 19 |
| **Board staff notes:** |
| **There is an “exception” in the Ordinance for illuminated addresses on existing buildings in section 13-47 which requires reflective addressing, but it’s unclear where, to what, and how that applies. There are no specific requirements for illuminated address, nor a requirement for reflective addressing, and there’s another exception for reflective addressing in sec 13-48. There is an exception in place but no requirement that the exception is excepting certain buildings from.** **Board staff asked:** ***Regarding Ordinance 6318, Section 13-47, number 2, page 19, there is no specified standard for addresses on buildings to be reflective. However, Exception #2 states “illuminated address numbers are not required for existing buildings where approved; reflective numbers are to be installed.” Section 13-48(b) also provides for an exception regarding the use of illuminated address numbers.*****County Response: Section 13-47 applies to the size, letters, numbers and symbols for addresses. This applies to one-and two family dwellings as well as other dwellings. Illuminated address numbers are not required for existing buildings where approved. However, reflective numbers are to be installed.****Section 13-17(b)(34) Size of letters, numbers and symbols for street and road signs. Size of letters, numbers and symbols for street and road signs shall be a minimum of three inches for letter height and a three-eighths inch stroke, reflectorized, and contrasting with the background color of the sign.****Section 13-17(b)(30)****Complex directory. Where two or more buildings cannot be viewed from the public way or when determined by the fire code official, an approved illuminated complex directory, monument, pole or other approved sign or means shall be used to identify the structures at the main entrances to the property.****New and existing buildings shall be provided with approved illuminated or other approved means of address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. §13-17(b)(27).****Please also note County’s Chapter 13A-4 which requires street address numbers to be clearly visible from the roadside, have a minimum height of 4 inches, and address numbers should be reflective in a contrasting color for visibility pursuant to Sonoma County Code Chapter 13.****Board staff asked:*****The State Fire Safe Regulations require all residential buildings to have a reflective address. How does this exception meet or exceed the requirements in Section 1274.03(c)?*****County’s Response: Please see response above in 7.3.2.****Additional Board staff notes:** **Staff were unable to find the requirement for reflective addresses the County claims is in section 13-47. The County perhaps considers “reflective numbers are to be installed” as the requirement for reflective addresses, but that language is under the header “exceptions” and follows language stating *“Illuminated address numbers are not required for existing buildings where approved…”* The structure of this exception in the Code and the structure of the sentence itself suggest that, where approved, illuminated address numbers are not required for existing buildings, and reflective address is to be installed instead (ie, that the reflective address may be used in lieu of the illuminated address). There is no clear statement in the County Code requiring addresses for buildings to be reflective.** **Section 13-48 also does not specifically require reflective addressing, but also has an exception to allow for illuminated addressing in certain conditions. The Fire Safe Regulations do not allow illuminated addressing to replace reflective addressing in any circumstance.** **Regarding the County’s reference to the California Fire Code, the CFC requires street and road signs to be reflective. It does not require addressing on buildings to be reflective. That requirement is specific to the Fire Safe Regulations and goes beyond the CFC requirement that addresses be illuminated. The requirements in the California Fire Code for addressing on buildings is not an appropriate substitute for the requirements in the Fire Safe Regulations if they do not meet or exceed the Fire Safe Regulation standards, which in this case they do not.** **Does not meet or exceed the Fire Safe Regulations minimums.**  |
| Determination:  | (Board use only) |

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-48, page 19 |
| Board staff notes: | Meets Fire Safe Regulations minimum.  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, sec 13-47, page 19 |
| **Board staff notes:** |
| **Section 13-47 specifies that a sign shall be used to identify private addresses that cannot be viewed from the public way, but does not specify that that sign must be visible from the public way.**  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-48(c), page 19 |
| Board staff notes: | Meets Fire Safe Regulations minimum.  |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-48(d), page 19 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-48(e), page 19 |
| Board staff notes: | Meets Fire Safe Regulations minimum |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  |  |
| **Board staff notes:** |
| **No specific, relevant local ordinance identified, but Ordinance 6318, Sec 13-24(c), page 4, may qualify as same practical effect** |
| Determination:  | (Board use only) |

# Article 4 Emergency Water Standards

## § 1275.00. Intent

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

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| Not applicable to certification. |

## § 1275.01. Application

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-50.1, page 20 |
| **Board staff notes:** |
| **Meets Fire Safe Regulations minimum in terms of the specific application requirements, although the application/scope exemptions in sec 13-25 do not necessarily meet or exceed the application/scope in the Fire Safe Regulations, and so in that respect this section of the County Code does not meet or exceed the Fire Safe Regulations either.** |
| Determination:  | (Board use only) |

## § 1275.02. Water Supply.

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-51, page 20-21 |
| Board staff notes: | Meets Fire Safe Regulations minimums. |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-51, page 20-21 |
| Board staff notes: | Meets Fire Safe Regulations minimums. |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-51, page 20-21 |
| Board staff notes: | Meets Fire Safe Regulations minimums. |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-51, page 20-21 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-51, page 20-21 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

## § 1275.03. Hydrants and Fire Valves.

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-51(b), page 21-22 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-51(b), page 21-22 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-51(b), page 21-22 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

## § 1275.04. Signing of Water Sources.

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

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

(2) if located along a road,

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

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-53, page 23-24 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

# Article 5 Fuel Modification Standards

## § 1276.00 Intent

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

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| Not applicable for certification. |

## § 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.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-55, page 24 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

(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.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-55, page 24 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

(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.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-55, page 24 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

## § 1276.02. Maintenance of Defensible Space Measures.

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, section 13-59.5, page 25 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

## § 1276.03 Disposal of Flammable Vegetation and Fuels

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

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-58, page 25 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |

## § 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.

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| Applicable local ordinance(s) or code section(s) satisfying this requirement(s) (include page number):  | Ordinance 6318, Sec 13-59, page 25 |
| Board staff notes: | Meets Fire Safe Regulations minimums |
| Determination:  | (Board use only) |