

TABLE OF CONTENTS

PLANNING COMMISSION MEETING November 3, 2020

FILE NUMBER:	317.05
PROPERTY OWNER:	NONE
AGENT:	Lassen County
TYPE OF APPLICATION:	Amend Lassen County Code Chapter 9.16 (Fire hazards) to comply with the “SRA Fire safe Regulations” (Title 14 of the California Code of Regulations, Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 1-5.

Staff Report	001
Draft Ordinance Amending Chapter 9.16 (Fire Hazards) of the Lassen County Code ...	007
Letter to Lassen County Fire Warden, Scott Packwood	037
Notice of Public Hearing and Distribution List	039
Public Resources Code, Section 4290 and 4291	042
Lassen County Board of Supervisors Resolution #83/84-47	045



County of Lassen
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

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October 29, 2020

Zoning & Building
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Phone: 530 257-5263

TO: Lassen County Planning Commission
November 3, 2020

FROM: Maurice L. Anderson, Director

SUBJECT: Amend Lassen County Code Chapter 9.16 (Fire Hazards) to comply with the "SRA Fire Safe Regulations" (Title 14 of the California Code of Regulations, Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 1-5)

Summary

In accordance with section 4290 of the Public Resources Code, the California Board of Forestry and Fire Protection has adopted regulations implementing minimum fire safety standards. These standards are mandatory in the State Responsibility Area (SRA), and, as of July 1, 2021, will be mandatory in Local Responsibility Area (LRA) with a very high fire hazard severity rating. As such, Lassen County Code Chapter 9.16 (Fire Hazards) is no longer enforceable in the SRA (see the attached May 19, 2020, letter from the Planning and Building Services Department for further discussion) because said Chapter has not been certified by the California Board of Forestry and Fire Protection as being consistent with the new state regulations. Certification is required by section 1270.04 of Title 14 of the California Code of Regulations.

Resolution #83/84-47 (attached), establishes the California Department of Forestry and Fire Protection Ranger stationed in Lassen County as the Lassen County Fire Warden. In accordance with County Code section 9.16.105, the County Fire Warden is empowered by the Board of Supervisors to enforce Chapter 9.16 (Fire Hazards), but, again, said Chapter is no longer enforceable. Instead, Articles 1-5 of Title 14 of the California Code of Regulations, Division 1.5, Chapter 7 Fire Protection, Subchapter 2 are being enforced by the Lassen County Fire Warden's Office.

It is the recommendation of the Department that Lassen County Code Chapter 9.16 be amended to establish standards applicable in the SRA and in the LRA for all fire hazard severity ratings. This recommendation is consistent with the current Chapter 9.16, which was applicable in all unincorporated areas of Lassen County until the state regulations were amended. As such, the Department has worked with the California Board of Forestry and Fire Protection, the County Fire Warden and others on to develop the attached draft ordinance.

If adopted, the draft ordinance would apply to all development in the unincorporated areas of Lassen County. Development is defined as parcel map applications, subdivisions and other development which includes commercial, industrial, residential and any development requiring a county permit, whether ministerial (e.g. a building permit) or discretionary (e.g. a use permit or tentative parcel map).

“State Responsibility Area” versus “Local Responsibility Area” and Fire Hazard Severity

Many of the more populated areas of the County are included in fire protection districts. Land within a fire protection district is in the “Local Responsibility Area” (LRA). However, much of the County, even many areas that are developed, is not included in a fire protection district. The “State Responsibility Area” (SRA) is the land outside of fire protection districts where the State of California (e.g. the California Department of Forestry and Fire Protection; Cal Fire) is financially responsible for the prevention and suppression of wildfires. This area does not include city boundaries or federal ownership. The more precise definition of SRA is found at sections 4126-4127 of the Public Resources Code (PRC) and sections 1220-1220.5 of Title 14 of the California Code of Regulations (see the Definitions section of the draft ordinance; section 9.16.100).

The fire hazard severity rating for both SRA and LRA land is determined by the State of California in accordance with section 4203 of the PRC. The following is an internet link provided by the state to show responsibility area and the applicable fire hazard severity rating (or search for “Cal Fire SRA” on your internet browser):

<http://www.arcgis.com/home/webmap/viewer.html?url=https%3A%2F%2Fegis.fire.ca.gov%2Farcgis%2Frest%2Fservices%2FFRAP%2FSRA%2FMapServer&source=sd>

Those interested in more information regarding the above may also contact the Planning and Building Services Department at the address, phone number and email address identified on the cover page of this memorandum. Alternatively, those interested may contact Cal Fire regarding the above resource and mapping.

Ordinance Adoption Process

The purpose of the proposed ordinance is to update the existing chapter of Lassen County Code to implement the current state regulations (as detailed above). The Planning Commission will make a recommendation to the Board of Supervisors after conducting a public hearing. The Board of Supervisors will then hold a public hearing and consider introduction of the proposed ordinance. At a subsequent meeting (typically the next meeting of the Board of Supervisors) the Board would then consider adoption of the ordinance. If there were any changes after introduction, the proposed ordinance must be re-introduced before it can be adopted.

After adoption, the Board of Supervisors will direct that the ordinance be forwarded to the California Board of Forestry and Fire Protection for certification (most likely at the meeting where

the ordinance is adopted). Staff has been working directly with Board of Forestry staff. As such, there is confidence that the ordinance will be certified as it written.

Outreach

On September 25, 2020, the Department provided notice (see attached) to the Lassen County Fire Warden's office, local fire protection districts, the Board of Forestry and Fire Protection Protection, Cal Fire and others regarding this public hearing and encouraging comment on the proposed ordinance. Said notice was in addition to the typical noticing required to conduct this public hearing. However, in actuality the Department has been working cooperatively with allied agencies since the inception of this ordinance.

Alternate Exception Language

The process for the consideration of proposals for a variance/exception from the standards is found in section 9.16.090 of the draft ordinance. As written, the process would be similar to the current chapter 9.16. Specifically, the Planning Commission would consider setback variance applications. Other exceptions, would be considered by the Fire Warden.

Below is some alternate language presented for the Planning Commission's consideration. This new language would establish the Planning Commission and Board of Supervisors as the appeal body for determinations made by the Fire Warden. It is anticipated that, in most (but not all) cases, this language would allow routine proposals to be evaluated faster, while still allowing adequate Due Process for proposals that are contested. Since this version of the section is new, the Department has not yet received comment from the Fire Warden or Board of Forestry and Fire Protection:

9.16.090 Exceptions

Section 1270.06 (Exceptions to Standards) of the Fire Safe Regulations is amended to read as follows:

- (a) Any legal owner of property subject to the requirements of this chapter and the Fire Safe Regulations may request an exception in accordance with section 1270.06 of the Fire Safe Regulations:
 - i. Exceptions shall be considered by the fire warden in accordance with the Fire Safe Regulations, except that the fire warden shall consult with and consider any recommendation made by any applicable fire protection district before making a decision regarding a request for an exception. The fire warden shall notify the planning and building services department and any applicable fire protection district of the fire warden's decision. If for any reason the fire warden fails to provide notice to the planning and building services department, the property owner may submit evidence to the planning and building services department of the fire warden's action regarding the exception.

- ii. Within 15 days of the receipt of the fire warden's decision regarding a request for an exception, the planning and building services department shall mail a notice of said decision in accordance with the following:
 - A. If the request for an exception is disapproved by the fire warden, the planning and building services department shall mail notice of the fire warden's action and appeal rights to the property owner only.
 - B. If the request for an exception is approved or conditionally approved by the fire warden, the planning and building services department shall mail notice of the fire warden's action and appeal rights to the property owner and to all property owners adjoining the subject property.
- iii. The fire warden's action regarding a request for an exception may be appealed to the planning commission in accordance with the following:
 - A. Either the property owner or any adjoining property owner, not satisfied with the fire warden's approval or conditional approval of a request for an exception may appeal in accordance with this section.
 - B. Only the property owner may appeal the fire warden's disapproval of a request for an exception.
- iv. To be considered, any appeal to the planning commission must be submitted within ten days of the notice provided by the planning and building services department. Such an appeal shall be submitted in writing to the planning and building services department, on a form provided by the planning and building services department, along with the appropriate fee established by the board of supervisors for appeals to the planning commission. The appeal shall provide the basis for the appeal.
 - A. Public Hearing. Within sixty days of filing an appeal with the planning and building services department, the appeal shall be scheduled for public hearing before the planning commission. Notice of the hearing shall be given by publication at least one time in a newspaper of general circulation, and by mail or delivery to the subject property owner and to all record owners of property immediately adjacent to the subject property, at least ten days prior to the hearing. If there is no newspaper in general circulation, the notice will be posted in at least three locations.

Notice of the public hearing shall be provided to the fire warden and any applicable fire protection district at least ten days prior to the public hearing.

- B. Action by planning commission. Following the public hearing, the planning commission shall make findings of fact showing whether the qualifications of this section have been met, and whether the exception is in harmony with the general purposes of this chapter. Based on the findings, the planning commission shall make a determination to grant the appeal, disapprove the appeal, or modify any conditions that may have been established by the fire warden. The planning and building services department shall notify the fire warden and any applicable fire protection district of the planning commission's decision and provide a copy of any resolution that may have been adopted.
 - C. Appeal to the board of supervisors. Any affected party not satisfied with the planning commission's decision, including the fire warden or any applicable fire protection district, may appeal to the board of supervisors within ten days of the planning commission's action regarding the appeal. Such an appeal shall be submitted in writing to the county clerk, along with the appropriate fee established by the board of supervisors for appeals, and shall detail the basis for the appeal. Whenever possible, the board shall hold a public hearing on the appeal within sixty days of receipt by the clerk. Notice of the hearing shall be given by publication at least one time in a newspaper of general circulation, and by mail or delivery to the subject property owner and to all record owners of property immediately adjacent to the subject property, at least ten days prior to the hearing. If there is no newspaper in general circulation, the notice will be posted in at least three locations. The fire warden and any applicable fire protection district will also be provided notice at least ten days prior to the hearing. The planning and building services department shall notify the fire warden and any applicable fire protection district of the board of supervisor's decision and provide a copy of any resolution that may have been adopted.
- b. An exception approved pursuant to this section shall not authorize any variance from any other fire, zoning or building codes applicable to the proposed project.

Again, the above language is being presented as an alternate to the language found in section 9.16.090 of the attached draft ordinance. The Fire Warden's office has not commented on the above language.

California Environmental Quality Act

The Lassen County Environmental Review Officer (ERO) has made a determination that the project is independently exempt from the California Environmental Quality Act (CEQA) pursuant to sections 15307 (Actions by Regulatory Agencies for the Protection of Natural Resources), 15308 (Actions by Regulatory Agencies for the Protection of the Environment), and 15061(b)(3) (General Rule Exemption) of the CEQA Guidelines. In accordance with the Lassen County Environmental Review Guidelines (Board Resolution 01-043), the ERO will recommend that the Board affirm this determination if the ordinance is ultimately adopted.

The above exemptions are applicable because this ordinance would implement state regulation, which is already applicable, even if an ordinance is not adopted. Further, this ordinance would update existing County Code on the same topic to be in compliance with said state regulations. Given these facts, it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment and the adoption of the ordinance is exempt from CEQA under section 15061(b)(3) of the CEQA Guidelines. Guidelines sections 15037 and 15308 are applicable because this ordinance is authorized pursuant to the above state regulations and Statute to provide development standards for the protection of people, property and resources (see section 9.16.020 of the proposed ordinance).

MLA:gfn

Enclosures: Draft Lassen County Ordinance
May 19, 2020, letter from the Planning and Building Services Department
September 25, 2020, Notice from the Planning and Building Services department
Public Resources Code Section 4290 and 4291
Board of Supervisors Resolution 83/84-47

s/pla/admin/files/300.17.05?PC staff report

ORDINANCE NO. _____

Ordinance Amending Chapter 9.16 (Fire Hazards) of the Lassen County Code

The following ordinance, consisting of three sections, was duly and regularly passed and adopted by the Board of supervisors of the County of Lassen, State of California, at a regular meeting of the Board of supervisors held on the ____th day of _____, 20__, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman of the Board of supervisors, County of
Lassen, State of California

Attest: JULIE BUSTAMANTE
Clerk of the Board

By: _____
MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of the Board of supervisors, County of Lassen, do hereby certify that the foregoing ordinance was adopted by the said Board of supervisors at a regular meeting thereof held on the ____th day of _____, 20____.

Deputy Clerk of the County of Lassen Board of supervisors

THE BOARD OF SUPERVISORS OF THE
COUNTY OF LASSEN ORDAINS AS FOLLOWS:

SECTION ONE: This ordinance shall take effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of the County of Lassen, State of California.

SECTION TWO: Chapter 9.16 of the Lassen County Code is hereby repealed and replaced with the following:

Chapter 9.16 FIRE HAZARDS

9.16.010 Adoption

Public Resources Code section 4290 and any regulations promulgated pursuant to said section are adopted in full in the unincorporated areas of Lassen County, and shall be enforced in both the State Responsibility Areas (SRA) and Local Responsibility Areas (LRA). This Chapter shall be known as the "Lassen County Fire Safe Regulations," and shall constitute the basic wildfire protection standards of the California Board of Forestry.

It is the policy of Lassen County that all new development within the county meet the minimum standards for adequate fire protection for that type of development. Any law, regulation or ordinance involving fire safety which is more restrictive will take precedence over these standards. The standards do not apply to the city of Susanville. State and federal agencies are encouraged to utilize these standards as guidelines.

These fire safety standards shall apply to all new development in Lassen County. Development is defined as parcel map applications, subdivisions and other development which includes commercial, industrial, residential and any development requiring a county permit, whether ministerial (e.g. a building permit) or discretionary (e.g. a use permit or tentative parcel map).

9.16.020 Purpose

- (a) These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area (SRA) and Local Responsibility Area (LRA).
- (b) The future design and construction of structures, subdivisions and developments in the SRA and LRA shall provide for basic emergency access and perimeter wildfire protection measures as specified in this chapter.
- (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.

9.16.030 Scope

(a) These regulations shall apply to:

- i. 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 subsection (b.);
- ii. 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;
- iii. all tentative and parcel maps or other developments approved after January 1, 1991; and
- iv. applications for building permits on a parcel approved in a pre-1991 parcel or tentative map to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative map.

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

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

- i. permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d);
- ii. application for a building permit for new construction, not relating to an existing structure;
- iii. application for a use permit;
- iv. road construction, including construction of a road that does not currently exist, or extension of an existing road.

(d) Roads used solely for agricultural, mining, or the management and harvesting of wood products shall not be subject to this chapter.

9.16.040 Provisions for Application of These Regulations

This chapter shall be applied as follows:

(a) Lassen County shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE), the fire warden 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 and LRA.

(b) the California Department of Forestry and Fire Protection (CAL FIRE), the fire warden or their designee may review and make fire protection recommendations on applicable construction or development permits or maps provided by Lassen County.

- (c) Lassen County shall ensure that the applicable sections of this chapter become a condition of approval of any applicable construction or development permit or map.

9.16.050 Certification by the California Board of Forestry and Fire Protection

In accordance with section 1270.04 of Title 14 of the California Code of Regulations, this chapter is operative only after certification by the California Board of Forestry and Fire Protection. Any future amendments are also inoperative until certified by the Board of Forestry. Until this ordinance or any amendment is certified, the Fire Safe Regulations (14 CCR, Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 1-5) are operative if there is any inconsistency between this chapter and said Fire Safe Regulations. The Lassen County Planning and Building Department shall maintain a record of certification by the California Board of Forestry and Fire Protection.

9.16.060 Maintenance.

All fire hydrant locations, standpipe systems, signing, bridges, culverts, and other fire protective or extinguishing systems or appliances shall be maintained in an operative condition at all times. Provisions for continued adequate maintenance will be included in the development plans as a requirement for approval by the county. The persons responsible for maintenance must be designated in the development plans. Should the responsible person fail to provide adequate maintenance following proper notice by the responsible fire agency and the county, the county may cause the proper repair, replacement, or maintenance to be done and make the expense a lien against property upon which the work is accomplished.

9.16.070 Enforcement Authority

The fire warden is empowered to enforce all provisions of this chapter. The term "county fire warden" includes any person duly deputized as such by said county fire warden.

9.16.080 Inspections

- (a) Inspection shall be made by:
- i. the fire warden, or
 - ii. local jurisdictions that have assumed state fire protection responsibility on SRA lands, or
 - iii. Lassen County where the inspection duties have been formally delegated by CAL FIRE or the fire warden to the local jurisdiction.
- (b) Nothing in this section abrogates CAL FIRE's or the fire warden's authority to inspect and enforce state forest and fire laws even when the inspection duties have been delegated pursuant to this section.
- (c) Reports of violations shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in Lassen County and the fire warden.
- (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.

9.16.090 Fire Safe Setback Variance and Exceptions

Sections 1270.06 (Exceptions to Standards) of the Fire Safe Regulations is amended to read as follows:

- (a) Variance. Any legal owner of property subject to the setback requirement in section 1276.01 of the Fire Safe Regulations may request a variance from the setback requirement.
- i. Review of Variance Limited. The lead agency's review of a variance submitted pursuant to this section is limited to fire safety considerations related to people and property on the project site and vicinity.
 - ii. Application. An application for variance shall be submitted to the planning and building services department on a form provided by the planning and building services department, along with the appropriate fees established by the board of supervisors for fire safe variances. The application shall include: a description of the physical characteristics of the project site and surrounding lands, a detailed site plan showing the precise location of the proposed building(s) or other improvement(s) with the proposed setbacks from all property lines, and a vicinity map showing adjoining properties with the location of all structures located on the adjoining lands; the application shall include substantial evidence demonstrating the following:
 - A. The project is located in a development area that will provide at least the same practical effect with regard to fire safety as the setback requirements of the chapter; or, measures have been incorporated into the proposed project that will provide at least the same practical effect with regard to fire safety as the setback requirements of the chapter. For example, flammable vegetation has been modified by streets, pavement, lawns, landscaping, etc.; or non-flammable building materials will be used in construction; and
 - B. The granting of the variance would not adversely affect the health or safety of persons residing or working in the neighborhood, and will not be detrimental to property or improvements in the neighborhood, in terms of fire safety.
 - iii. Review and Recommendation. Upon accepting an application as complete by the planning and building services department, the application shall be forwarded to the appropriate fire protection agency and the county fire warden for review and recommendation.
 - iv. Public Hearing. Within sixty days after receipt by the planning and building services department of the recommendation of the appropriate fire protection agency and the county fire warden, the variance application shall be scheduled for public hearing before the planning commission. Notice of the hearing shall be given by publication at least one time in a newspaper of general circulation

and by mail or delivery to all record owners of property immediately adjacent to the subject property, at least ten days prior to the hearing. If there is no newspaper in general circulation, the notice will be posted in at least three locations.

- v. Action by planning commission. Following the public hearing, the planning commission shall make findings of fact showing whether the qualifications of this section have been met, and whether the variance is in harmony with the general purposes of this chapter. Based on the findings, the planning commission shall make a determination to approve, modify or disapprove the variance request. The planning and building services department shall notify the fire warden of the Planning commission's decision and provide a copy of any resolution that may have been adopted.
 - vi. Appeals. Any affected party not satisfied with the planning commission's decision may appeal to the board of supervisors within ten days of the planning commission's action. Such an appeal shall be submitted in writing to the county clerk, along with the appropriate fee established by the board of supervisors for appeals, and shall detail the basis for the appeal. Whenever possible, the board shall hold a public hearing on the appeal within sixty days of receipt by the clerk. Notice of the hearing shall be given by publication at least one time in a newspaper of general circulation, and by mail or delivery to all record owners of property immediately adjacent to the subject property, at least ten days prior to the hearing. If there is no newspaper in general circulation, the notice will be posted in at least three locations. The Planning and building services department shall notify the fire warden of the board of supervisor's decision and provide a copy of any resolution that may have been adopted.
 - vii. A variance approved pursuant to this subsection shall not authorize any variance from any other fire, zoning or building codes applicable to the proposed project.
- (b) All other proposed exceptions shall be considered by the fire warden in accordance with the Fire Safe Regulations, except that the fire warden shall consult with and consider any recommendation made by any applicable fire district before making a decision regarding the request for an exception. The fire warden shall notify the planning and building services department and any applicable fire district of the fire warden's decision and applicants shall be provided timely notice of their right to appeal, as follows:
- i. Appeal to planning commission. Any applicant not satisfied with the fire warden's decision may appeal to the planning commission within ten days of the fire warden's action. Such an appeal shall be submitted in writing to the planning and building services department, on a form provided by the planning and building services department, along with the appropriate fees established by the board of supervisors for appeals to the planning commission. The appeal shall provide the basis for the appeal.

- A. Public Hearing. Within sixty days of filing an appeal with the planning and building services department, the appeal shall be scheduled for public hearing before the planning commission. Notice of the hearing shall be given by publication at least one time in a newspaper of general circulation, and by mail or delivery to all record owners of property immediately adjacent to the subject property, at least ten days prior to the hearing. If there is no newspaper in general circulation, the notice will be posted in at least three locations. The Planning and building services department shall notify the fire warden of the planning commission's decision and provide a copy of any resolution that may have been adopted.
- ii. Appeal to the board of supervisors. Any affected party not satisfied with the planning commission's decision may appeal to the board of supervisors within ten days of the planning commission's action regarding the appeal. Such an appeal shall be submitted in writing to the county clerk, along with the appropriate fee established by the board of supervisors for appeals, and shall detail the basis for the appeal. Whenever possible, the board shall hold a public hearing on the appeal within sixty days of receipt by the clerk. Notice of the hearing shall be given by publication at least one time in a newspaper of general circulation, and by mail or delivery to all record owners of property immediately adjacent to the subject property, at least ten days prior to the hearing. If there is no newspaper in general circulation, the notice will be posted in at least three locations. The planning and building services department shall notify the fire warden of the board of supervisor's decision and provide a copy of any resolution that may have been adopted.
- viii. An exception approved pursuant to this subsection shall not authorize any variance from any other fire, zoning or building codes applicable to the proposed project.

9.16.100 Definitions

The words set out in this section shall have the following meanings:

- 1. "Agriculture" means land used for agricultural purposes as defined in Title 18.
- 2. "Building" means any structure used or intended for supporting or sheltering any use or occupancy, except Utility and Miscellaneous Group U buildings.
- 3. "CAL FIRE" means the California Department of Forestry and Fire Protection.
- 4. "Chief" means the chief officer of a fire protection district or a community services district, or his or her authorized representative.
- 5. "County" means the county of Lassen.

6. “Dead-end road” means a road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.
7. “Defensible space” means 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.
8. “Development” is as defined in section 66418.1 of the California Government Code.
9. “Director” means the Director of the Department of Forestry and Fire Protection or their designee.
10. “Driveway” means 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.
11. “Distance Measurements” means all specified or referenced distances are measured along the ground, unless otherwise stated.
12. “Exception” means 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.
13. “Exposure hazard” means a structure within fifty feet of another building and one hundred square feet or larger in area. If a structure is of occupancy hazard classification number 3 or 4, it is considered an exposure hazard if within fifty feet of another building, regardless of size (NFPA Standard 1142).
14. “Fire Safe Regulations” means the regulations codified at Title 14 of the California Code of Regulations , Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 1-5, promulgated pursuant to section 4290 of the Public Resources Code.
15. Fire valve: see hydrant.

16. "Fire flow" means that amount of water available in water systems required for the protection of a building, occupancy, or hazard in addition to average domestic demand.
17. "Fire hazard severity zone" (FHSZ) means a classification of wildland fire behavior influenced by vegetation, climate and topography.
18. "Fire Warden" means the Lassen County fire warden, or their designee as designated by the Lassen County board of supervisors.
19. "Fuel modification area" means an area where the volume of flammable vegetation has been reduced, providing reduced fire intensity and duration.
20. "Greenbelts" means 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.
21. "Hammerhead/T" means 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.
22. "Heavy commercial" or "heavy industrial" means land use(s) included in occupancy hazard classification numbers 3 and 4 in Chapter 5 of NFPA Standard 1142. Since the listings in Standard 1142 are not exclusive, similar occupancies shall be assigned the same classification number (2017 Edition).
23. "High fire hazard severity zone" (HFHSZ) means those areas designated as "High Fire Hazard Severity" by the California Department of Forestry and Fire Protection in accordance with Section 4203, Public Resources Code.
24. "Hydrant" means 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.
25. "Light commercial" or "light industrial" means land use(s) included in occupancy hazard classification numbers 6 through 7 in Chapter 5 of NFPA Standard 1142. Since the listings in Standard 1142 are not exclusive, similar occupancies shall be assigned the same classification number (2017 Edition).
26. "Local responsibility area (LRA)" means an area within Lassen County located outside the jurisdiction of the California Department of Forestry and Fire Protection. LRAs may be within a local fire protection agency or district ("protected") or outside such an agency or district ("unprotected").

27. “Moderate commercial” means land use(s) included in the occupancy hazard classification number 5 in chapter 5 of NPFA Standard 1142. Since the listings in Standard 1142 are not exclusive, similar occupancies shall be assigned the same classification number (2017 Edition).
28. “Moderate fire hazard severity zone” (MFHSZ) means those areas designated as “Moderate Fire Hazard Areas” by the California Department of Forestry and Fire Protection in accordance with Section 4203, Public Resources Code.
29. “Multiple access” means a road or street that has more than one point of ingress/egress with a publicly maintained road.
30. “Occupancy: means the purpose for which a building, or part thereof, is used or intended to be used.
31. “One-way road” means a minimum of one traffic lane width designed for traffic flow in one direction only.
32. “Person” means a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.
33. “Responsible fire agency” means a fire protection district or a community services district having responsibility for providing fire protection within a legally established district boundary.
34. “Residential unit” means 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).
35. “Road” means a 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.
36. “Road or driveway structures” means bridges, culverts, and other appurtenant structures which supplement the traffic lane or shoulders.
37. “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:
 - i. access for emergency wildland fire equipment,
 - ii. safe civilian evacuation,
 - iii. signing that avoids delays in emergency equipment response,

- iv. available and accessible water to effectively attack wildfire or defend a structure from wildfire, and
 - v. fuel modification sufficient for civilian and fire fighter safety.
- 38. “Shall” indicates a mandatory requirement.
- 39. “Should” indicates a recommendation or that which is advised but not required.
- 40. “Shoulder” means vehicular access adjacent to the traffic lane.
- 41. “State Board of Forestry and Fire Protection” (Board): As defined in Public Resources Code section 730.
- 42. “State Responsibility Area” is 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.
- 43. “Structure” means 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.
- 44. “Subdivision” means any division of land, and shall include the definition provided in Section 66424 of the Government Code (Subdivision Map Act).
- 45. “Traffic lane” means the portion of a road or driveway that provides a single line of vehicle travel.
- 46. “Turnaround” means 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.
- 47. “Turnouts” means a widening in a road or driveway to allow vehicles to pass.
- 48. “Unclassified fire hazard” means those areas not designated by the California Department of Forestry and Fire Protection in accordance with Section 4203, Public Resources Code.
- 49. “Utility and Miscellaneous Group U building” means 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.
- 50. “Vertical clearance” means the minimum specified height of a bridge or overhead projection above the road or driveway.
- 51. “Very high fire hazard severity zone” (VHFHSZ) means those areas designated as “Very High Fire Severity Zone” by the California Department of Forestry

and Fire Protection in accordance with Section 4203, Public Resources Code, or Section 51176, Government Code.

- 52. "Wildland" means uncultivated areas, hilly or flat, covered by timber, woodland, brush and/or grass.
- 53. "Wildfire" is as defined in Public Resources Code Section 4103 and 4104.

9.16.110 Intent, Emergency Access and Egress

Roads and driveways, whether public or private, unless exempted pursuant to this chapter, 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.

9.16.120 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 chapter, by Title 16 (Subdivisions) or Title 18 (Zoning). Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.
- (b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. Lassen County may approve one-way roads.
- (c) 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.
- (d) 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.
- (e) 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").

9.16.130 Road Surfaces

- (a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.
- (b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.
- (c) Project proponent shall provide engineering specifications to support design, if requested by the Lassen County planning and building services department.

9.16.140 Grades

- (a) At no point shall the grade for all roads and driveways exceed 16 percent, unless approved in accordance with subsection “(b)” of this section.
- (b) The grade may exceed 16%, not to exceed 20%, with approval of an exception request pursuant to subsection “(b)” of section 9.16.090, with mitigations to provide for same practical effect.

9.16.150 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.

9.16.160 Turnarounds

- (a) Turnarounds are required on driveways and dead-end roads.
- (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f), and as shown in Figure “A” and Figure “B” below:
- (c) If a hammerhead/T is used instead, the top of the “T” shall be a minimum of sixty (60) feet in length.
- (d) 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.
- (e) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.
- (f) 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.

Figure "A" Turnarounds on roads with two ten-foot traffic lanes.

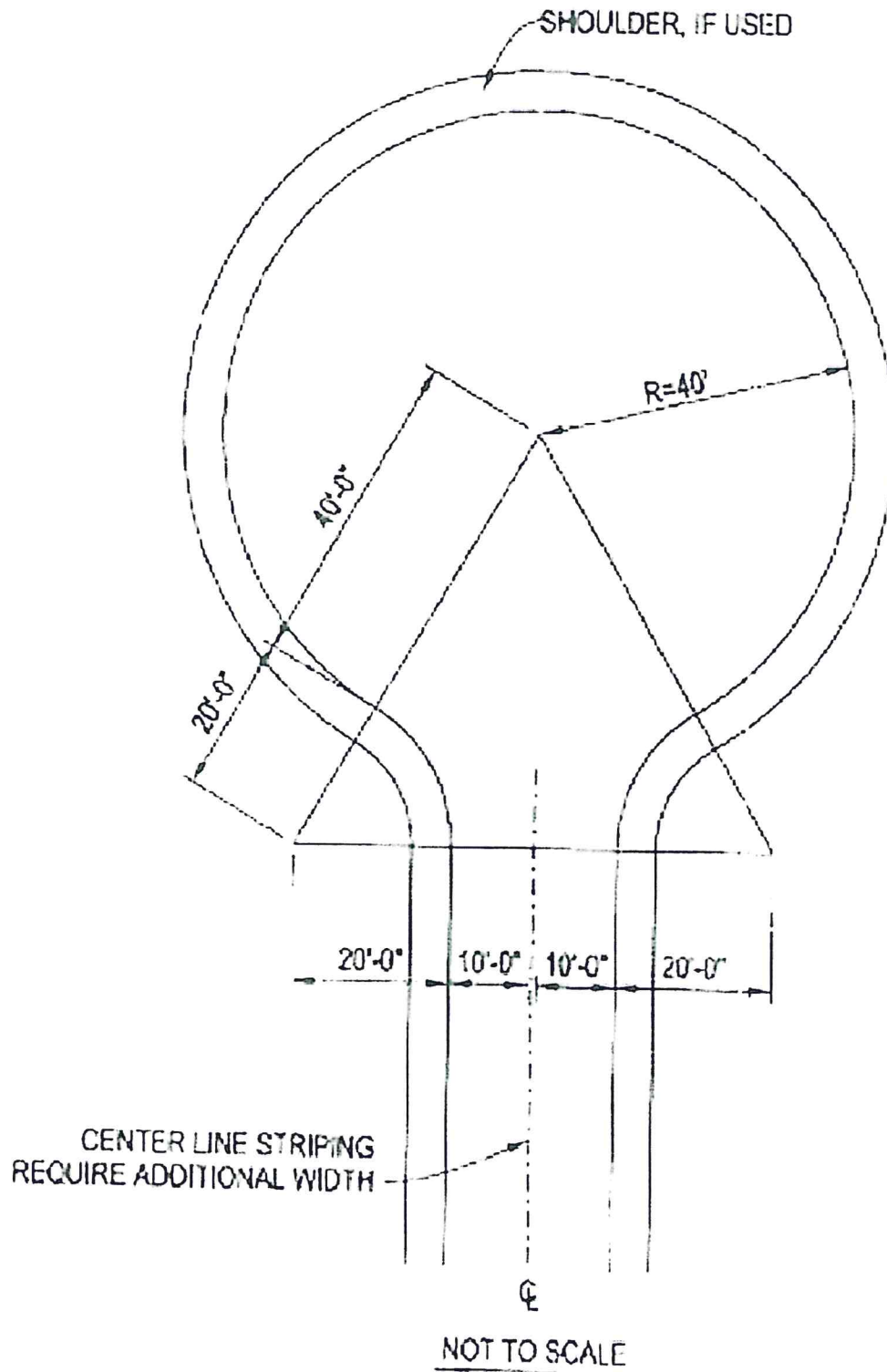
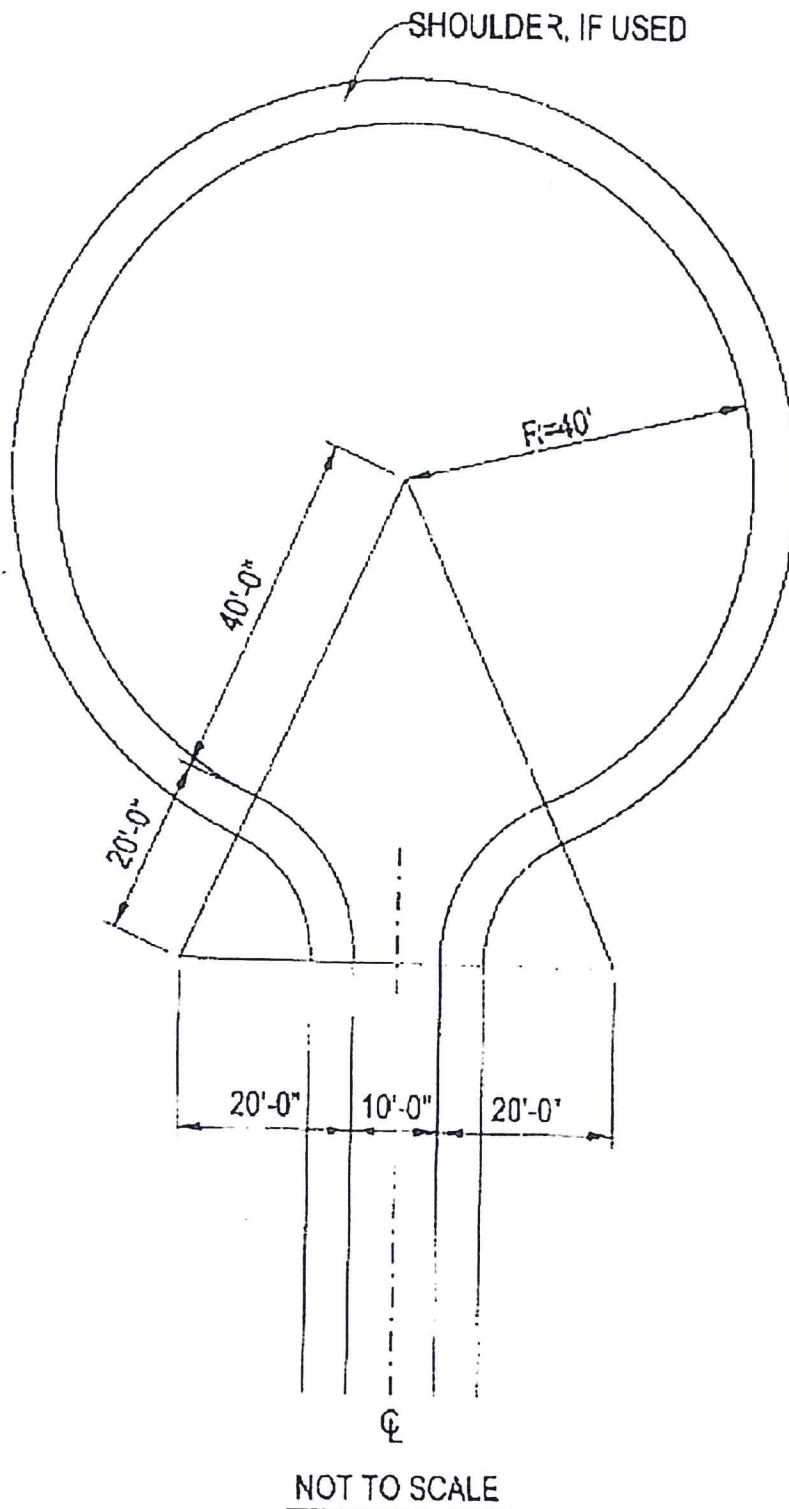


Figure "B" Turnarounds on driveways with one ten-foot traffic lane.



9.16.170 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.

9.16.180 Road and Driveway Structures.

- (a) Appropriate signing, including but not limited to weight or vertical clearance limitations, one-way road or single traffic lane conditions, shall reflect the capability of each bridge.
- (b) Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the American Association of State and Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition, published 2002 (known as AASHTO HB-17), hereby incorporated by reference. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by Lassen County.
- (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 Lassen County planning and building services department, shall be installed and maintained.
- (d) A bridge with only one traffic lane may be authorized by Lassen County; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

9.16.190 Access

Road networks, either public or private, shall provide for safe and ready access for emergency fire equipment. Road and street systems shall provide maximum circulation consistent with topography to meet fire safety needs.

- (a) Multiple access is required for all subdivision, parcel map and parcel map waiver applications to allow for evacuation and emergency equipment access unless otherwise recommended by the county fire warden or the responsible fire protection agency where applicable, and approved by the county, based on one or more of the following findings:
 - i. The acreage divided by the map will not result in parcels below forty acres in size; or
 - ii. The proposed division is within an unclassified fire hazard area; or
 - iii. The length of dead-end roads meets criteria established in section 1273.08 of the State Fire Safe Regulations; or
 - iv. The potential number of lots/parcels to be served by the one access route would not warrant a second route of ingress/egress;
 - v. An adequately maintained and continuously available emergency fire escape road is available. An emergency "fire escape road" requires a minimum twenty-

foot right-of-way with a sixteen-foot-wide roadbed. The right-of-way may be a deeded easement or an alternative acceptable to the department of public works. Emergency fire escape roads are to be posted with an approved sign; or

- vi. The resulting lots/parcels front on an existing publicly maintained road; or
- vii. Other suitable measures are recommended by the county fire warden or the responsible fire agency for approval.

Note: These options shall not override or supersede other Lassen County development standards or policies requiring multiple access.

(b) Access standards and road improvements requirements for primary and secondary access for subdivision, parcel map and parcel map waiver applications will be governed by the State Fire Safe Regulations and Title 16 of Lassen County Code, whichever is more restrictive.

- i. Bridges and culverts located on roads or streets 200 feet to one-fourth mile in length shall be designed to a minimum of AASHTO HS15-44, and alternate loading and seismic zone 3.
- ii. Bridges and culverts located on roads over one-fourth mile in length shall be designed to a minimum of AASHTO HS20-44, and alternate loading and seismic zone 3.

(c) Access standards for existing legally established parcels will be governed by the State Fire Safe Regulations or by Lassen County Code, whichever is more restrictive.

- i. Bridges and culverts located on private driveways 200 feet to one-fourth mile in length shall be designed to a minimum of AASHTO HS15-44, and alternate loading and seismic zone 3.
- ii. Bridges and culverts located on private driveways over one-fourth mile in length shall be designed to a minimum of AASHTO HS20-44, and alternate loading and seismic zone 3.

(d) 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:

- i. parcels zoned for less than one acre - 800 feet
- ii. parcels zoned for 1 acre to 4.99 acres - 1,320 feet
- iii. parcels zoned for 5 acres to 19.99 acres - 2,640 feet
- iv. parcels zoned for 20 acres or larger - 5,280 feet

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

(b) See section 9.16.160 for dead-end road turnaround requirements.

9.16.200 Gate Entrances

- (a) Gate entrances shall be at least two (2) feet wider than the width of the traffic lane(s) serving that gate and a minimum width of fourteen (14) feet unobstructed horizontal clearance and unobstructed vertical clearance of thirteen feet, six inches (13' 6").
- (b) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.
- (c) Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used.
- (d) Security gates shall not be installed without approval from the fire warden, upon consultation with any applicable fire protection district, and from the Lassen County planning and building services department, if a building permit is required. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.

9.16.210 Signage 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.

9.16.220 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 Lassen County. This section does not require any entity to rename or renumber existing roads, nor shall a road providing access only to a single commercial or industrial occupancy require naming or numbering.
- (b) The size of letters, numbers, and symbols for road signs shall be a minimum four (4) inch letter height, half inch (.5) stroke, reflectorized, contrasting with the background color of the sign.

9.16.230 Road Sign Installation, Location, and Visibility.

- (a) Road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred (100) feet.
- (b) Signs required by this article identifying intersecting roads shall be placed at the intersection of those roads.

- (c) A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end roads, one-way roads, or single lane conditions, shall be placed:
 - i. at the intersection preceding the traffic access limitation, and
 - ii. no more than one hundred (100) feet before such traffic access limitation.
- (d) Road signs required by this article shall be posted at the beginning of construction and shall be maintained thereafter.

9.16.240 Addresses for Buildings

- (a) All buildings shall be issued an address in accordance with Chapter 12.26 (House Numbering). Utility and miscellaneous Group U buildings are not required to have a separate address; however, each residential unit within a building shall be separately identified.
- (b) The size of letters, numbers, and symbols for addresses shall conform to the standards in the California Fire Code, California Code of Regulations title 24, part 9.
- (c) Addresses for residential buildings shall be reflectorized.

9.16.250 Address Installation, Location, and Visibility.

- (a) All buildings shall have a permanently posted address which shall be plainly legible and visible from the road fronting the property.
- (b) Where access is by means of a private road and the address identification cannot be viewed from the public way, an unobstructed sign or other means shall be used so that the address is visible from the public way.
- (c) Address signs along one-way roads shall be visible from both directions.
- (d) Where multiple addresses are required at a single driveway, they shall be mounted on a single sign or post.
- (e) Where a road provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site, or otherwise posted to provide for unobstructed visibility from that intersection.
- (f) In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter.

9.16.260 Water Supply 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.

9.16.270 Application

The provisions of sections 9.16.280, 9.16.290 and 9.16.300 shall apply in the tentative and parcel map process when new parcels are approved by Lassen County.

9.16.280 Water Supply

- (a) When a water supply for structure defense is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when alternative methods of protection are provided and approved by the local authority having jurisdiction.
- (b) Water systems equaling or exceeding the California Fire Code, California Code of Regulations title 24, part 9, or, where a municipal-type water supply is unavailable, National Fire Protection Association (NFPA) 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 2017 Edition, hereby incorporated by reference, shall be accepted as meeting the requirements of this article.
- (c) Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man made containment structure, as long as the specified quantity is immediately available.
- (d) Nothing in this article prohibits the combined storage of emergency wildfire and structural firefighting water supplies unless so prohibited elsewhere.
- (e) Freeze or crash protection may be recommended by the fire warden and approved by the planning commission or board of supervisors.

9.16.290 Hydrants and Fire Valves.

- (a) The hydrant or fire valve shall be eighteen (18) inches above the finished surface. Its location in relation to the road or driveway and to the building(s) or structure(s) it serves shall comply with California Fire Code, California Code of Regulations title 24, part 9, Chapter 5, and Appendix C.
- (b) The hydrant head shall be a two and half (2 1/2) inch National Hose male thread with cap for pressure and gravity flow systems and four and a half (4 1/2) inch for draft systems.
- (c) Hydrants shall be wet or dry barrel and have suitable freeze or crash protection as required by the local jurisdiction.

9.16.300 Signing of Water Sources

- (a) Each hydrant, fire valve, or access to water shall be identified as follows:
 - i. 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
 - ii. if located along a road,

- A. 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
- B. as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

9.16.310 Application

The provisions of this chapter regarding water supply shall apply in the tentative subdivision map and the parcel map process when new parcels are proposed and accepted for processing by Lassen County.

9.16.320 Intent of Defensible Space

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.

9.16.330 Setback for Structure Defensible Space

- (a) All parcels in an SRA shall provide a minimum thirty (30) foot setback for all buildings from all property lines and/or the center of a road. On or after July 1, 2021, parcels in a LRA with a very high fire hazard severity rating, shall also provide a minimum thirty (30) foot setback for all buildings from all property lines and/or the center of a road.
- (b) The required setback for all parcels, in addition to that described in subsection “(a)” of this section, shall be provided in accordance with Title 18 (Zoning), Title 12 (Buildings and Construction) or other applicable setback requirement.
- (c) 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 applicant shall provide for same practical effect pursuant to this chapter.
- (d) Same practical effect requirements shall reduce the likelihood of home-to-home ignition.
- (e) 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. The fire warden or their designee shall determine if the same practical effect has been met, subject to appeal to the planning commission as detailed in the Fire Safe Variance and Exceptions section of this chapter.

- (f) 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.

9.16.340 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.

9.16.350 Disposal of Flammable Vegetation and Fuels.

Disposal, including chipping, burying, burning or removal to a site approved by the applicable fire protection district and Lassen County (if applicable), 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.

9.16.360 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 planning commission or board of supervisors (if applicable or on appeal) and may be consistent with the CAL FIRE Unit Fire Management Plan or Contract County Fire Plan.

9.16.370 Recreational vehicle or mobile home parks access requirements.

Road networks in recreational vehicle or mobile home parks shall provide for safe and ready access for emergency fire equipment. Road and street systems shall provide maximum circulation consistent with topography to meet fire safety needs.

- i. Multiple Access. Multiple access is required for all recreational vehicle or mobile home parks to allow for evacuation and emergency equipment access unless waived by the following:
 - A. The location of the recreational vehicle or mobile home park is within an unclassified fire hazard area; or
 - B. The length of dead-end roads meets criteria established in paragraph ii of this section.
 - C. The potential number of recreational vehicles or mobile homes to be served by one route would not warrant a second route of ingress/egress as determined by the county fire warden and/or the responsible fire agency where applicable; or
 - D. An adequately maintained and continuously available emergency fire escape road is available. An emergency "fire escape road" requires a minimum twenty foot right-of-way with a sixteen foot wide roadbed. The right-of-way may be a deeded easement or an alternative acceptable to the department of

public works. Emergency fire escape roads are to be posted with an approved sign; or

- E. Other suitable measures are recommended for approval by the county fire warden and/or the responsible fire agency where applicable.

ii. Access Standards.

A. Roads and Streets. All roads and streets will comply with the following:

1. Under eight percent grade: see Chapter 16.32 of the Lassen County Code;
2. Eight to twelve percent grade: shall be paved with asphalt or concrete, to the width of the required traffic lane;
3. Over twelve percent grade: No road or street grades in excess of twelve percent will be allowed;
4. Vertical clearance: an unobstructed vertical clearance of fifteen feet along entire width and length of roadway.

B. Dead-End Roads. The length of dead-end roads shall not exceed the following lengths from a twenty-four foot wide minimum publicly maintained road:

Very high fire hazard — 800 feet;
High fire hazard — 1000 feet;
Moderate fire hazard — 1200 feet;

C. Turnarounds.

1. Lots/Parcels — Greater Than Three Acres. For subdivisions that create lots/parcels greater than three acres in size, all turnarounds will comply with Fire Standard No. 1, following this chapter.
2. Lots/Parcels — Greater Than One Acre Up to Three Acres. For subdivisions that create lots/ parcels greater than one acre up to three acres, all turnarounds will comply with Fire Standard No. 2, following this chapter.
3. Lots/Parcels — Less Than or Equal to One Acre. For subdivisions that create lots/parcels less than or equal to one acre, all turnarounds will comply with Fire Standard No. 3, following this chapter.s

D. Minimum bridge and culvert requirements for recreational vehicle and mobile home parks shall be the same as the requirements for other projects detailed in this chapter and in the Fire Safe Regulations. If more stringent requirements are detailed in Statute, State Regulation or County Ordinance, those more stringent standards shall apply.

- iii. Street and Road Identification. To facilitate fire location and to avoid delays in response, all roads and streets will be designated by name or number on signs clearly visible from the main traveled roadway, as required by Lassen County Code Chapter 12.26.

9.16.380 Recreational vehicle or mobile home parks where fire department services are not available

- (a) Recreational vehicle and mobile home parks are discouraged outside areas where public entities provide structure fire protection. In areas where structure fire protection services are not available, a private fire protection system shall be installed and maintained consisting of hydrant risers connected to the park water main or a separate system capable of delivering seventy-five gallons per minute at thirty pounds per square inch for a period of two hours with at least two lines open, in addition to the normal requirement of the park, and with the hydrants located within one hundred feet of each lot. Each hydrant shall be provided with an approved one-and-one-half inch national standard male outlet and shall have connected thereto one hundred feet of one and one-half inch synthetic, single jacketed fire hose with an approved nozzle. Fire hose shall be mounted on an approved hose rack or reel enclosed in a wooden or metal cabinet which shall be painted red and marked "FIRE HOSE" in four-inch letters of contrasting color. An annual check of this system will be required of the property owner.
- (b) All debris caused by construction of structures, building sites, spaces, roads and driveways including brush and timber fuels removed before occupancy.

9.16.390 Recreational vehicle or mobile home parks where fire department services are available

- (a) Water is the most important single factor in fighting structure fires and is vital to the suppression of wildland fires that may occur in recreational vehicle and mobile home parks. All related plumbing, tanks and connections must be approved on-site by the responsible fire agency/ county fire warden before covering with soil. These requirements must be met prior to occupancy of any building on the created parcels.

All debris caused by construction of structures, building sites, spaces, roads and driveways including brush and timber fuels removed before occupancy.

- (b) The requirements are determined based on the number of recreational vehicles or mobile home spaces, as follows:
 - i. 1 to 4 spaces are proposed
 - A. Water for fire protection is required unless waived by the county fire warden and/or the responsible fire agency where applicable. Each project will be analyzed for individual water requirements. Water supply options may include fire department nurse tankers, storage tanks or other suitable on-site options.
 - B. Storage Tank requirements. Provisions must be made to ensure the water supply is always available and the connection point is readily accessible to

fire department equipment. Thermal protection for storage tanks and the distribution system is required to ensure the water supply is available during the winter period. The specific location of the water supply and the type of fire department connection must be approved by the county fire warden and/or the responsible fire agency where applicable.

ii. 5 to 15 spaces are proposed

- A. Storage Tanks. Water for fire protection is required. Provisions must be made to ensure the water supply is always available and the connection point is readily accessible to fire department equipment. The specific location of the water supply and the type of fire department connection must be approved by the county fire warden and/or the responsible fire agency where applicable. Thermal protection for storage tanks and the distribution system is required.
- B. There must be at least one thousand gallons of water available for each space. One water source may serve up to ten spaces. In no case will a single water source serve more than ten spaces. Example: Eleven spaces would require two separate systems.

iii. 16 or more spaces are proposed

- A. Pressurized Hydrant System. A pressurized hydrant system is required. See the general requirement section for the hydrant requirements. The specific location of the fire hydrants will be determined by the county fire warden and/or the responsible fire agency where applicable, in connection with the developer.
- B. The fire flow requirements for a pressurized system are as follows:

	Minimum		
	Fire Flow Hydrant Requirements	Minimum Spacing	Hydrant Size
Spaces	(GPM)	(Feet)	
16 to 40	500	300	6"
41 to 75	750	300	6"
76 or more	1000	300	6"

Local fire protection district agency requirement for hydrants or requirements may be more restrictive.

9.16.400 Hydrant Systems for Recreational Vehicle or Mobile Home Parks

General requirements that apply to any hydrant system include:

- (a) **Duration.** The minimum fire flow requirements detailed for pressurized hydrant system shall be sustained for a period of at least two hours. Minimum fire flow requirements are in addition to the area average daily demand.
- (b) **Main Size.** The distribution system shall be of an adequate size and so designed in conjunction with related facilities to maintain the minimum fire flow and pressure required. In no event, however, will the minimum pipe size for new mains be less than six inches in diameter.
- (c) **Spacing.** In no case shall fire hydrant spacing be more than eight hundred feet from hydrant to hydrant, measured along the traveled roadway.
- (d) **Location.** Fire hydrants shall be attached to the distribution system at locations designated by the county fire warden and/or the responsible fire agency where applicable.
- (e) **Materials and Hydrants.** Six-inch fire hydrants shall be A.W.W.A. approved with one four-and-one-half inch and two two-and-one-half inch NST connections. Four-inch fire hydrants shall be A.W.W.A. with one two-and-one-half inch NST connections. All fire hydrants shall be dry barrel type. Each hydrant shall be fitted with a properly sized inlet bury and gate valve as per this chapter and the Fire Safe Regulations.

Each hydrant gate valve shall be supplied with an eight-inch valve box with metal cover, set to finish grade, installed to allow operation of gate valve as detailed herein and in the Fire safe Regulations. All hydrants, valves, fittings, pipe and installation shall be approved by the county and the responsible fire agency where applicable.

- (f) **Construction.** Fire hydrants shall be installed as detailed in this chapter and in the Fire safe Regulations.
- (g) **No Parking Zone.** A fifteen-foot no parking zone will be established and indicated for each hydrant.
- (h) **Shut-off Valves.** The distribution system shall be equipped with a sufficient number of valves so located that no single case of accident, breakage or repair to hydrants or distribution will necessitate the shutdown of pipe greater than one thousand three hundred feet.
- (i) **Color Coding.** The following color coding of fire hydrant bonnets and caps is required to indicate the expected flow from the main. The exterior surfaces of all fire hydrant riser barrels, heads and guard posts which extend above ground shall be painted chrome yellow. The tops and nozzle caps of all fire hydrants shall be painted as follows:

Flow	Color of Bonnets and Caps
1,000 gpm or greater	Green
500—1,000 gpm	Orange
Less than 500 gpm	Red

9.16.410 Water Requirement Reductions.

Upon request by the applicant, the county fire warden and/or the responsible fire agency where applicable may reduce the water requirements required by section 9.16.390 if the findings are that:

- (a) Water necessary to produce the fire flow required is not available; and
 - i. Adequate year-round alternate means (tanks, ponds, pools, etc.) of providing fire protection is available; and
 - ii. The construction of the development is such that reduction of the fire flows can be reasonably justified; and
 - iii. The granting of the reduction in a specific case will not be reasonably detrimental to the public safety or welfare or be injurious to the property in the vicinity;

9.16.420 Waiver of storage tank requirement.

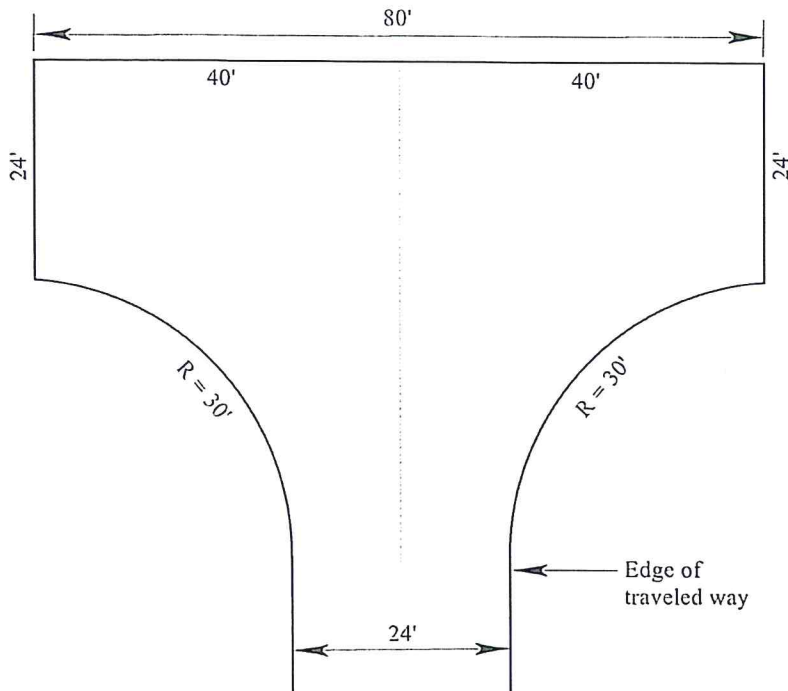
- (a) Notwithstanding any provision to the contrary contained in this chapter, no storage tank shall be required for a building permit for single-family residence, if each of the following conditions apply:

- i. The development is located within a special district which provides fire protection services, which is equipped with a two-thousand-gallon-capacity water tender and within a twenty-minute response time; and
- ii. The developer/property owner agrees to pay a water hauling fee to the agency responsible for providing fire protection services, as established by the fire agency.
- iii. The water hauling fee identified herein shall constitute an alternative method to comply with fire safety requirements and shall not affect any other fee imposed.
- iv. Any aggrieved party may appeal any decision regarding implementation of this section to the agency providing fire protection services. The decision of that agency shall be final.

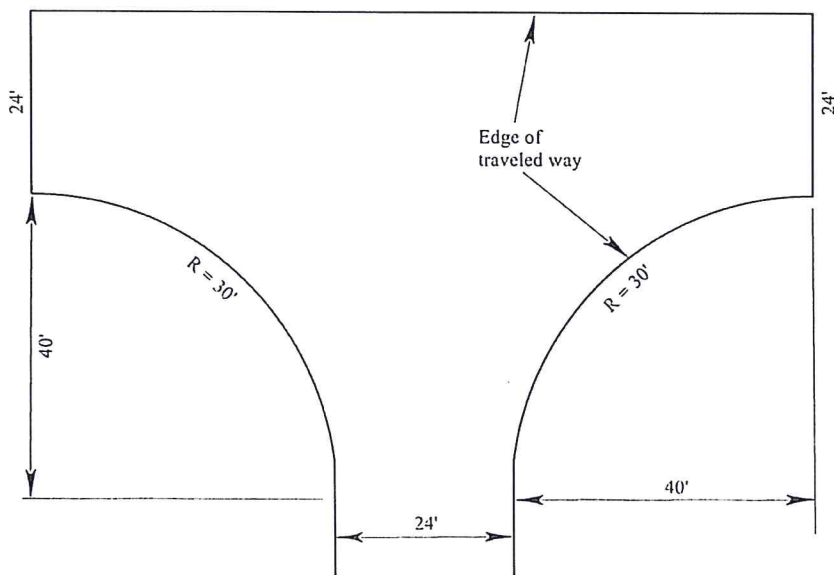
Exhibit A Fire Standards.

The following graphics illustrate the requirements for the Fire Standards turnaround alternatives related to recreational vehicle and mobile home park requirements described in this chapter:

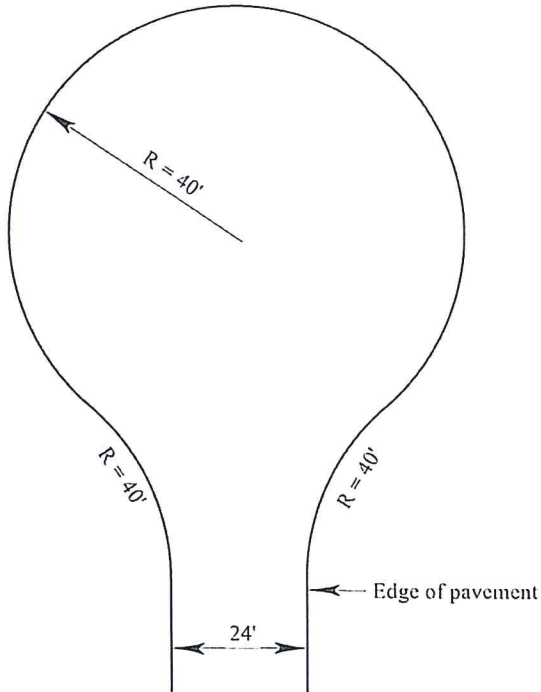
Fire Standard No. 1: Alternative A, Minimum fire standard turnaround alternatives for parcels greater than 3 acres:



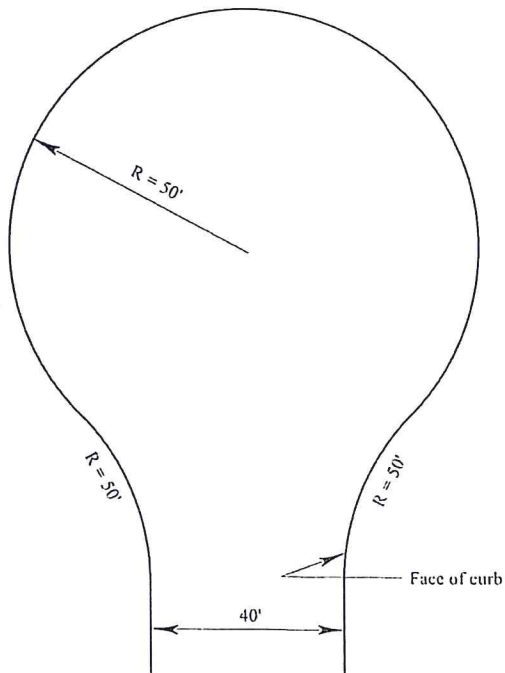
Fire Standard No. 1: Alternative B, Minimum fire standard turnaround alternatives for parcels greater than 3 acres:



Fire Standard No. 2: Minimum fire standard turnaround for parcels greater than 1 acre to 3 acres:



Fire Standard No. 3: Minimum fire standard turnaround for parcels less than or equal to 1 acre:



SECTION THREE: If any section, subsection, sentence, clause, or phase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.



County of Lassen

Department of Planning and Building Services

• Planning

• Building Permits

• Code Enforcement

• Surveyor

• Surface Mining

Maurice L. Anderson, *Director*
707 Nevada Street, Suite 5
Susanville, CA 96130-3912
Phone: 530 251-8269
Fax: 530 251-8373
email: landuse@co.lassen.ca.us
website: www.co.lassen.ca.us

May 19, 2020

Zoning & Building
Inspection Requests
Phone: 530 257-5263

Scott Packwood, Lassen County Fire Warden
California Department of Forestry and Fire Protection
697-345 Highway 36
Susanville, CA 96130

SUBJECT: Lassen County Code Chapter 9.16 (Fire Hazards); Public Resources Code Section 4290; and Fire Safe Regulations (14 CCR, Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 1-5)

Dear Mr. Packwood:

The intent of this letter is to clarify how the above related regulations, ordinances, and statutes are enforced in Lassen County. Specifically, this letter is being written because you have informed us (informally) that Chapter 9.16 of the Lassen County Code is no longer fully in compliance with Public Resources Code (PRC) section 4290 and the Fire Safe Regulations (FSR).

As you know, the "California Department of Forestry and Fire Protection Ranger for Lassen County" has been designated the Lassen County Fire Warden by the Lassen County Board of Supervisors (Board Resolution Number 83/84-47). Further, the Lassen County Fire Warden is empowered to enforce County Code Chapter 9.16 (Fire Hazards) pursuant to County Code section 9.16.105 (Enforcement authority).

An amended version of the FSR became effective on January 1, 2020, and Lassen County Code Chapter 9.16 is no longer in compliance with the FSR. As a result, the Fire Warden is not enforcing Chapter 9.16 in State Responsibility Areas for Fire Protection (SRA). Further, starting July 1, 2021, the Fire Warden will no longer enforce Chapter 9.16 in Local Responsibility Areas (LRA) for Fire Protection, that have a very high fire hazard severity rating, as those areas will also become subject to the FSR. While our offices are aware of the above fact (that you are not currently enforcing all of Chapter 9.16), it has not been formally articulated and some may not be aware. The Fire Warden's and the California Department of Forestry and Fire Protection's (CAL FIRE) current enforcement of the FSR and Chapter 9.16 is consistent with the authority delegated in PRC section 4290 and by the Board of Supervisors at section 9.16.105 of Lassen County Code.

Scott Packwood, Lassen County Fire Warden
May 19, 2020
Page 2 of 2

You are also aware that we have been working with the Fire Warden, CAL FIRE and the California Board of Forestry and Fire Protection on an updated ordinance, intended to comply with the FSR. We expect that process to be complete in the next three months. Until an ordinance is adopted by the Board of Supervisors to amend Chapter 9.16, and certified by the Board of Forestry and Fire Protection, we expect that the Lassen County Fire Warden and CAL FIRE will continue enforcing the FSR in SRA's (as opposed to County Code Chapter 9.16). Once an updated County ordinance is adopted in compliance with PRC 4290 and the FSR, the County Fire Warden will again be able to enforce Lassen County Code in the SRA and in the LRA, in accordance with the authority delegated by the Board of Supervisors at County Code section 9.16.105 and Board Resolution Number 83/84-47.

We kindly ask that you respond to this letter in writing to confirm that your understanding of the information presented in this letter is consistent with our understanding.

If you have any questions regarding this letter, please contact Assistant Director Gaylon Norwood at (530) 251-8269 or by email at gnorwood@co.lassen.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Anderson', with a long horizontal flourish extending to the right.

Maurice L. Anderson, Director

MLA:gfn

cc: Lassen County Board of Supervisors
Board of Forestry and Fire Protection
Chris Christopherson, Battalion Chief Law (email only: Chris.Christopherson@fire.ca.gov)

s.pla/admin/files/317.05/letter to fire warden re 9.16



September 25, 2020

Maurice L. Anderson, *Director*
707 Nevada Street, Suite 5
Susanville, CA 96130-3912
Phone: 530 251-8269
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email: landuse@co.lassen.ca.us
website: www.co.lassen.ca.us

Zoning & Building
Inspection Requests
Phone: 530 257-5263

**NOTICE OF PUBLIC HEARING
LASSEN COUNTY PLANNING COMMISSION**

Applicant/Owner: Lassen County

File No.: 317.05, Lassen County Fire Safe Regulations

Project: Amend Lassen County Code Chapter 9.16 (Fire Hazards) to comply with the "SRA Fire Safe Regulations" (Title 14 of the California Code of Regulations, Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 1-5).

Location: All unincorporated area of Lassen County

A.P.N.: Multiple

Staff Contact: Gaylon F. Norwood, Assistant Director

NOTICE IS HEREBY GIVEN that Lassen County has initiated the process of amending Chapter 9.16 (Fire Hazards) of the Lassen County Code to comply with the "SRA Fire Safe Regulations" (Title 14 of the California Code of Regulations, Division 1.5, Chapter 7 Fire Protection, Subchapter 2, Articles 1-5). The "SRA Fire Safe Regulations" is mandated by section 4290 of the Public Resources Code. Chapter 9.16 will be applicable in all unincorporated areas of the County. The purpose of the Chapter is to:

1. Establish minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area (SRA) and Local Responsibility Area (LRA).
2. Provide for basic emergency access and perimeter wildfire protection measures for the future design and construction of structures, subdivisions and developments in the SRA and LRA
3. Provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification.

The draft ordinance will be presented to the Lassen County Planning Commission at 1:20 p.m. on November 3, 2020 at the Susanville Veterans Memorial Hall, 1205 Main Street, Susanville, CA 96130. Sometime thereafter (notice to be provided), the ordinance will be presented to the Lassen County Board of Supervisors. Interested persons and agencies are encouraged to review the text of the

proposed ordinance in detail and provide comment to the Lassen County Planning and Building Services Department, 707 Nevada Street, Suite 5, Susanville, CA 96130.

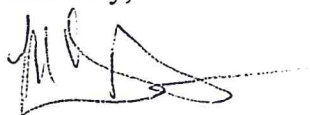
The draft ordinance is available at the Lassen County Planning and Building Services Department. You may also email landuse@co.lassen.ca.us to request that a copy of the draft ordinance be emailed, or you may view the draft ordinance at the following URL:

<http://www.lassencounty.org/dept/planning-and-building-services/meeting-agendas-and-packets>

The Lassen County Environmental Review Officer has determined that adoption of the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15307 (Actions by Regulatory Agencies for Protection of Natural Resources) and section 15308 (Actions by Regulatory Agencies for Protection of the Environment) of the CEQA Guidelines.

If you have any questions regarding this letter, please contact Assistant Director Gaylon Norwood at (530) 251-8269.

Sincerely,



Maurice L. Anderson
Director

MLA:gfn

Distribution: SEE ATTACHED LIST

S:\PLA\Admin\FILES\300 Legal-Legislative\17 Ord. 502\05 Amendment 2018\Circulate draft ordinance



Notice of Public Hearing

Lassen County Planning Commission

Lassen County Planning and Building Services

Draft Amendment to Lassen County Code Chapter 9.16 (Fire Hazards)

Distribution List

Adin Fire Protection District	Madeline Fire Protection District
Big Valley Fire Protection District	Maidu Cultural & Development Group
Big Valley Unified School District	McArthur Fire Protection District
Bureau of Land Management	Members of the Lassen County Board of Supervisors
CA Governor's Office of Emergency Services	Milford Fire Protection District
Cal EPA Air Resources Board	Modoc Joint Unified School District
California Correctional Center	Modoc National Forest
California Department of Fish and Wildlife	Native American Heritage Commission
California Geological Survey of the Dept. of Conservation	Office of Emergency Services C/O Calfire
Central Valley Regional Water Quality Control Board	Paiute of the Honey Lake Valley
City of Susanville	PG & E
Clear Creek Community Services	Pit River Tribe
County Fire Warden c/o CAL FIRE	Plumas National Forest
County Office of Emergency Services c/o CAL FIRE	Plumas-Sierra Rural Electric Cooperative
Doyle Fire Protection District	Ravendale School
Fall River Unified School District	Richmond Elementary School
FEMA Region IX, U. S. Dept. of Homeland Security	Shaffer Elementary School
Fletcher Walker Elementary School	Sierra Army Depot Fire Department
Fort Sage Unified School District	Spalding Fire Department
Frontier Communications	Spaulding Community Service District
Greenville Rancheria of Maidu Indians	Standish-Litchfield Fire Protection District
Hallelujah Junction (c/o Sierra Valley Fire District)	State Board of Forestry and Fire Protection
Herlong Public Utility District	Stones-Bengard Community Services District
Herlong Volunteer Fire Department	Surprise Valley Electrification Corporation
Honey lake Maidu	Surprise Valley Unified School
Janesville Elementary School	Susan River Fire Protection District
Janesville Fire Protection District	Susanville City Fire Department
Johnstonville Union School	Susanville Elementary School District
Kosealekte Band, Pit River	Susanville Indian Rancheria
Lahontan Regional Water Quality Control Board	Susanville Sanitary District
Lake Forest Volunteer Fire Dept.	Wadatkuta Band of the Northern Paiute of the Honey Lake Valley
Lassen Community College District	Washoe Tribal Historic Preservation Office
Lassen County Environmental Health Department	Westwood Fire Dept./Community Services District
Lassen County Historical Society	Westwood School District
Lassen County Waterworks	
Lassen Fire Safe Council	
Lassen Municipal Utility District	
Lassen National Forest	
Lassen Union High School District	
Leavitt Lake Community Service District	
Little Valley CSD	
Local Agency Formation Commission LAFCO	
Long Valley School District	



PUBLIC RESOURCES CODE - PRC

DIVISION 4. FORESTS, FORESTRY AND RANGE AND FORAGE LANDS [4001 - 4958] (*Division 4 repealed and added by Stats. 1965, Ch. 1144.*)

PART 2. PROTECTION OF FOREST, RANGE AND FORAGE LANDS [4101 - 4789.7] (*Part 2 added by Stats. 1965, Ch. 1144.*)

CHAPTER 2. Hazardous Fire Areas [4251 - 4290.5] (*Chapter 2 added by Stats. 1965, Ch. 1144.*)

4290. (a) The board shall adopt regulations implementing minimum fire safety standards related to defensible space that are applicable to state responsibility area lands under the authority of the department, and to lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code. These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code after July 1, 2021. The board may not adopt building standards, as defined in Section 18909 of the Health and Safety Code, under the authority of this section. As an integral part of fire safety standards, the State Fire Marshal has the authority to adopt regulations for roof coverings and openings into the attic areas of buildings specified in Section 13108.5 of the Health and Safety Code. The regulations apply to the placement of mobile homes as defined by National Fire Protection Association standards. These regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991, if the final map for the tentative map is approved within the time prescribed by the local ordinance. The regulations shall include all of the following:

- (1) Road standards for fire equipment access.
- (2) Standards for signs identifying streets, roads, and buildings.
- (3) Minimum private water supply reserves for emergency fire use.
- (4) Fuel breaks and greenbelts.

(b) The board shall, on and after July 1, 2021, periodically update regulations for fuel breaks and greenbelts near communities to provide greater fire safety for the perimeters to all residential, commercial, and industrial building construction within state responsibility areas and lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code, after July 1, 2021. These regulations shall include measures to preserve undeveloped ridgelines to reduce fire risk and improve fire protection. The board shall, by regulation, define “ridgeline” for purposes of this subdivision.

(c) These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

(d) The board may enter into contracts with technical experts to meet the requirements of this section.

(Amended by Stats. 2018, Ch. 626, Sec. 9. (SB 901) Effective January 1, 2019.)



PUBLIC RESOURCES CODE - PRC

DIVISION 4. FORESTS, FORESTRY AND RANGE AND FORAGE LANDS [4001 - 4958] (*Division 4 repealed and added by Stats. 1965, Ch. 1144.*)

PART 2. PROTECTION OF FOREST, RANGE AND FORAGE LANDS [4101 - 4789.7] (*Part 2 added by Stats. 1965, Ch. 1144.*)

CHAPTER 3. Mountainous, Forest-, Brush- and Grass-Covered Lands [4291 - 4299] (*Chapter 3 added by Stats. 1965, Ch. 1144.*)

4291. (a) A person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material, shall at all times do all of the following:

(1) Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line except as provided in paragraph (2). The amount of fuel modification necessary shall take into account the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This paragraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100-foot perimeter of the structure, the most intense being within the first 30 feet around the structure. Consistent with fuels management objectives, steps should be taken to minimize erosion. For the purposes of this paragraph, “fuel” means any combustible material, including petroleum-based products and wildland fuels.

(2) A greater distance than that required under paragraph (1) may be required by state law, local ordinance, rule, or regulation. Clearance beyond the property line may only be required if the state law, local ordinance, rule, or regulation includes findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. Clearance on adjacent property shall only be conducted following written consent by the adjacent landowner.

(3) An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the director, provides findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

(4) Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(5) Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(6) Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

(7) Prior to constructing a new building or structure or rebuilding a building or structure damaged by a fire in an area subject to this section, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building official, a copy of the final inspection report that demonstrates that the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure.

(b) A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property.

(c) (1) Except as provided in Section 18930 of the Health and Safety Code, the director may adopt regulations exempting a structure with an exterior constructed entirely of nonflammable materials, or, conditioned upon the contents and composition of the structure, the director may vary the requirements respecting the removing or clearing away of flammable vegetation or other combustible growth with respect to the area surrounding those structures.

(2) An exemption or variance under paragraph (1) shall not apply unless and until the occupant of the structure, or if there is not an occupant, the owner of the structure, files with the department, in a form as the director shall prescribe, a written consent to the inspection of the interior and contents of the structure to ascertain whether this section and the regulations adopted under this section are complied with at all times.

(d) The director may authorize the removal of vegetation that is not consistent with the standards of this section. The director may prescribe a procedure for the removal of that vegetation and make the expense a lien upon the building, structure, or grounds, in the same manner that is applicable to a legislative body under Section 51186 of the Government Code.

(e) The department shall develop, periodically update, and post on its Internet Web site a guidance document on fuels management pursuant to this chapter. Guidance shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species that are fire resistant or drought tolerant, or both, minimize erosion, minimize water consumption, and permit trees near homes for shade, aesthetics, and habitat; and suggestions to minimize or eliminate the risk of flammability of nonvegetative sources of combustion such as woodpiles, propane tanks, decks, and outdoor lawn furniture.

(f) As used in this section, "person" means a private individual, organization, partnership, limited liability company, or corporation.

(Amended by Stats. 2018, Ch. 641, Sec. 7. (AB 2911) Effective January 1, 2019.)

BOARD OF SUPERVISORS
COUNTY OF LASSEN, STATE OF CALIFORNIA

Date: December 13, 1983

Meeting: Regular (X)
Special ()

Present:

Supervisor, District 1 — Pete Vossler

Supervisor, District 2 — James Chapman - Chairman

Supervisor, District 3 — Jean Loubet

Supervisor, District 4 — Carl Parks

Supervisor, District 5 — John Lovelady

County Counsel Dawson Arnold

County Clerk Jacquelyn Fuller

PROCEEDINGS:

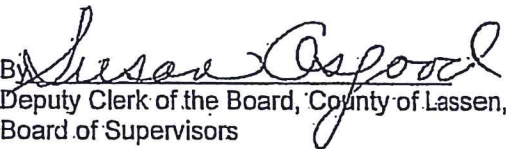
RESOLUTION #83/84-47

It is moved by Supervisor Lovelady, seconded by Supervisor Loubet and carried that Resolution #83/84-47 be adopted establishing the position in Lassen County of County Fire Warden and designating the California Department of Forestry State Forest Ranger in charge of Lassen County as the Lassen County Fire Warden.

County of Lassen County)
State of California) ss.

I, SUSAN OSGOOD, Deputy Clerk of the Board of Supervisors, County of Lassen, State of California, do hereby certify the foregoing to be a full, true and correct copy of the minute order of said Board of Supervisors on above date.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Official Seal of the said Board of Supervisors this 28th day of August, 2013.

By 
Deputy Clerk of the Board, County of Lassen,
Board of Supervisors

RESOLUTION NO. 83/84-47

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN
APPOINTING A COUNTY FIRE WARDEN

WHEREAS, Government Code Section 24008 authorizes the Board of Supervisors to appoint a County Fire Warden and such assistant and deputy County Fire Wardens as it consider necessary; and

WHEREAS, other counties have appointed employees of the California Department of Forestry to serve in this capacity; and

WHEREAS, the California Department of Forestry is agreeable to the appointment of its State Forest Ranger in charge of Lassen County as Lassen County Fire Warden along with his designated assistants and deputies as deputy county fire wardens; and

WHEREAS, the State Forest Ranger in charge of Lassen County is willing and able to be the Lassen County Fire Warden; and

WHEREAS, it is to the mutual benefit of the State of California and the County of Lassen to appoint the State Forest Ranger in charge of Lassen County as County Fire Warden;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. There is hereby established in the County of Lassen the position of County Fire Warden. The appointed County Fire Warden and his deputies shall perform such duties relating to fires or to fire protection and prevention as are required by the Board of Supervisors.
2. The California Department of Forestry State Forest Ranger in charge of Lassen County is hereby designated to be the Lassen County Fire Warden. His designated assistants and deputies shall be his Ranger Unit Operations Officer and Administrative Officer.
3. Said County Fire Warden, along with his assistants and deputies, shall serve at the pleasure of the Board of Supervisors and shall receive no compensation for said services.
4. The County Fire Warden is charged with the administration of mutual aid agreements and shall do all in his power to provide each fire agency with maximum fire attack and back-up forces during times of need.
5. The County Fire Warden shall endeavor to provide for a system of fire protection services to all areas of the County not within an incorporated city or legally established fire protection district. However, the County Fire Warden shall not have the duty to provide such services and this resolution shall not be construed to create a right in any individual for fire protection services.
6. As additional duties, the County Fire Warden shall:
 - (a) Explore alternative methods for funding fire protection in areas outside of cities and legal fire protection districts;
 - (b) Establish and provide a method for economical joint purchasing of fire equipment and apparatus for outside of cities and legal fire protection districts except that cities and legal fire protection districts may participate in joint purchasing if they so desire and specifically request in writing;

(c) Shall keep fire agencies informed of available training programs and assist, when requested, in obtaining training programs for the fire agencies;

(d) Make recommendations concerning fire service matters for the unprotected areas to the appropriate county regulatory agency and assist fire agencies, when requested, on recommendations concerning fire service matters within the agency jurisdictions;

(e) Serve the Board of Supervisors as a county officer for fire related matters;

(f) Enforce, within his means, all County Ordinances pertaining to fire and fire safety;

(g) Not have any responsibility for enforcement of the rules and regulations of the State Fire Marshal.

7. The Board of Supervisors declares that it is not the intent to unify under one control all fire services of the County.

8. The Board of Supervisors further declares that it is not the intent to eliminate any local control of fire services. But the Office of the Fire Warden is one of coordination with all other fire services, County Building Department, County Planning Department and other Departments and Agencies affecting the fire services. It is reiterated that the Office of Fire Warden shall be one of coordination and not one of direction when affecting other fire services.

The foregoing resolution was adopted by the Board of Supervisors of the County of Lassen at a regular meeting of said Board, held on the 13th day of December, 1983, by the following vote:

AYES: Supervisors Vossler, Chapman, Loubet, Parks, Lovelady

NOES: None

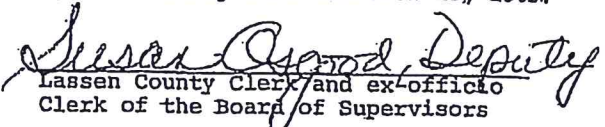
ABSENT: None

ATTEST:


Chairman, Board of Supervisors

 Clerk

I, JACQUELYN FULLER, County Clerk of the County of Lassen, State of California, and ex-officio Clerk of the Board of Supervisors thereof, do hereby certify that the foregoing resolution was duly adopted by said Board of Supervisors at a regular meeting held December 13, 1983.


Lassen County Clerk and ex-officio
Clerk of the Board of Supervisors

August 28, 2013