



# Fire Safety

## State Minimum Regulations

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**STAFF: ROBERT CAIN**

**COUNTY OF SANTA CLARA DEPARTMENTS OF:**

- 1) PLANNING AND DEVELOPMENT,
- 2) ROADS AND AIRPORTS,
- 3) PARKS AND RECREATION,
- 4) FIRE MARSHAL'S OFFICE,
- 5) OFFICE OF COUNTY COUNSEL

# Introduction

## Wildfire Risk

### State-wide risk

- Wildfires have increased in number and intensity, especially over the last five years
- Wildfires threaten communities, sensitive habitats, and fire responders

**Severe wildfires are likely to continue to occur**

Photo credit: fire.ca.gov

# Introduction

## County Risk Mitigation

### Policies

- The County General Plan discourages increase to density and use in the rural areas most at risk to wildfires
- County Fire has developed site specific plans to mitigate fire risks

**The General Plan limits development type and intensity**

### Actions

- County Fire works with local neighborhoods to remove vegetation
- County Fire and Parks use prescribed burns to reduce risk

**County Fire works with other agencies and local communities**

Photo credit: sccfd.org

**The County largely supports the goals of the Board of Forestry and other State entities to reduce the risks related to wildfires.**

# Background

## Applicability

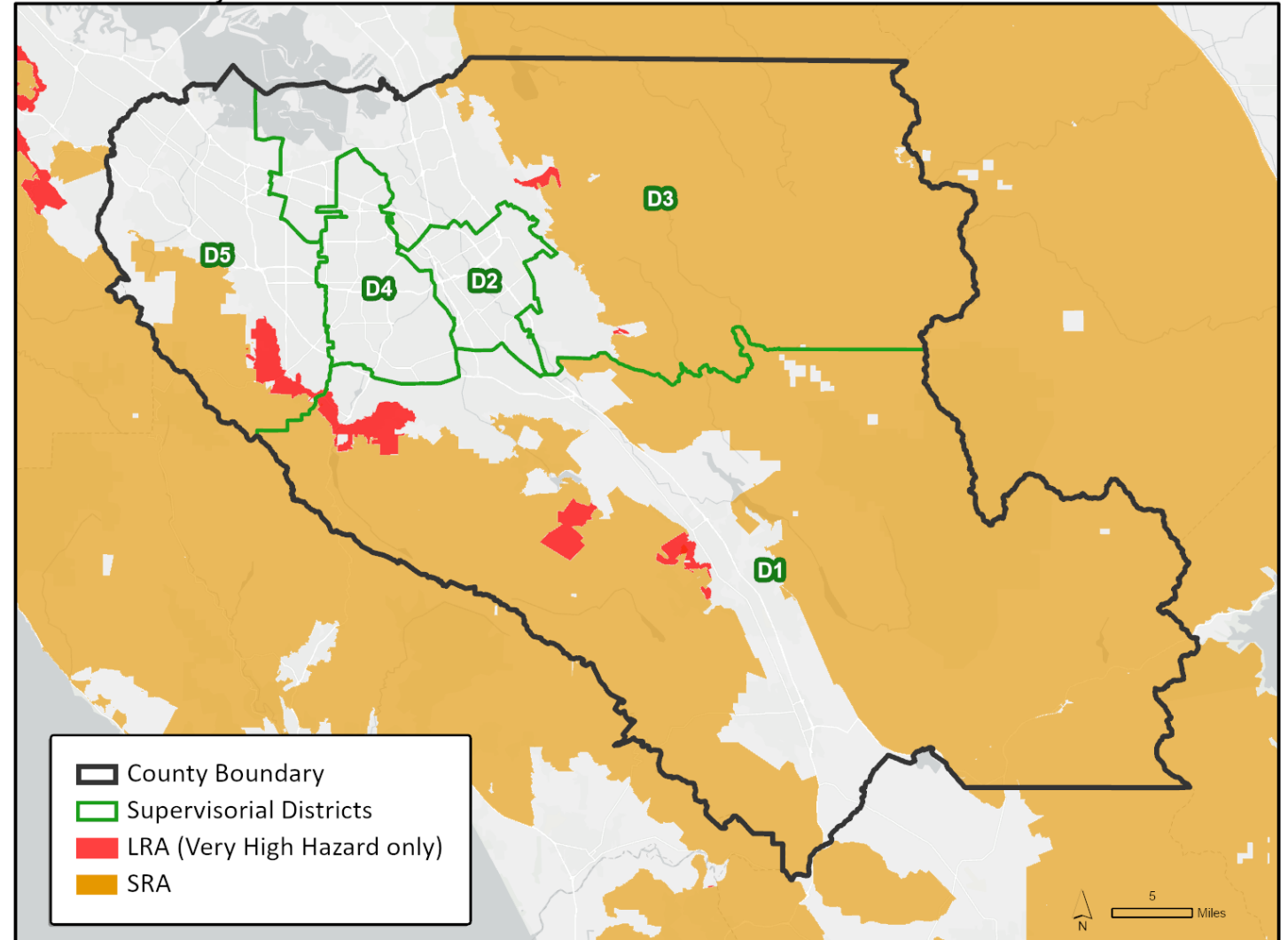
### State Responsibility Area (SRA)

Areas are classified based on primary fire responder: Federal, State, or Local Responsibility Areas. CAL-FIRE reviews development in the SRA in our County

### Local Very High Fire Hazard Severity Zone (VHFHSZ)

Areas are separately classified based on the Fire Hazard Severity: low, moderate, high, or very high

Santa Clara County Fire Hazard Districts



# Background

## State Minimum Fire Regulations

### Current Regulations

- Applies to new development in SRA
- Enforced by CAL-FIRE in our County's SRA
- Expands to VHFHSZ in LRA on July 1
- Covers on-site improvements and access to site
- Intended to reduce risk to life of residents and responders, property, the environment



## CAL-FIRE is now requiring improvements on existing roads

CAL-FIRE reviews proposals for compliance and may issue an exception. Exceptions are rarely approved. **The applicant may appeal CAL-FIRE's denial of an exception to the County.**

# Proposed Amendments

## State Minimum Fire Regulations

### Key Changes

- Stricter standards for new dead-end and one-way roads
- Stricter standards for defensible space and water supply
- Local jurisdictions can no longer propose alternate standards
- Separate standards for existing roads



1. **Few exemptions, most private and public development must comply with road standards**
2. **Much of the County road network was built to prior standards**

**Public comment period now open;  
Board of Forestry meeting on June 22<sup>nd</sup> to consider adoption**



# Concerns

## State Minimum Fire Regulations

### Big Picture Issues

- Road network and public facility costs
- Fair-share & timing issues in private development
- Feasibility and environmental impacts
- Potential growth inducement
- **Existing funding sources will not cover improvements (roads, public facilities such as parks)**

Photo credit: [emergencymanagement.sccgov.org](http://emergencymanagement.sccgov.org)

**Appeals currently directed to entities that do not normally consider fire safety issues.**

# Impacts

## High-Level Implications

### Options if proposed amendments are adopted as currently drafted

No.	Policy Option	Anticipated Result
1	No County Intervention	Difficult to develop in covered area
2	County approves exceptions for all single-site development	Puts County at odds with State regulations, could lead to lawsuits, does not decrease fire
3	County approves exceptions on a case-by-case basis	Need <b>guidelines</b> to determine when County will intervene, avoid bias

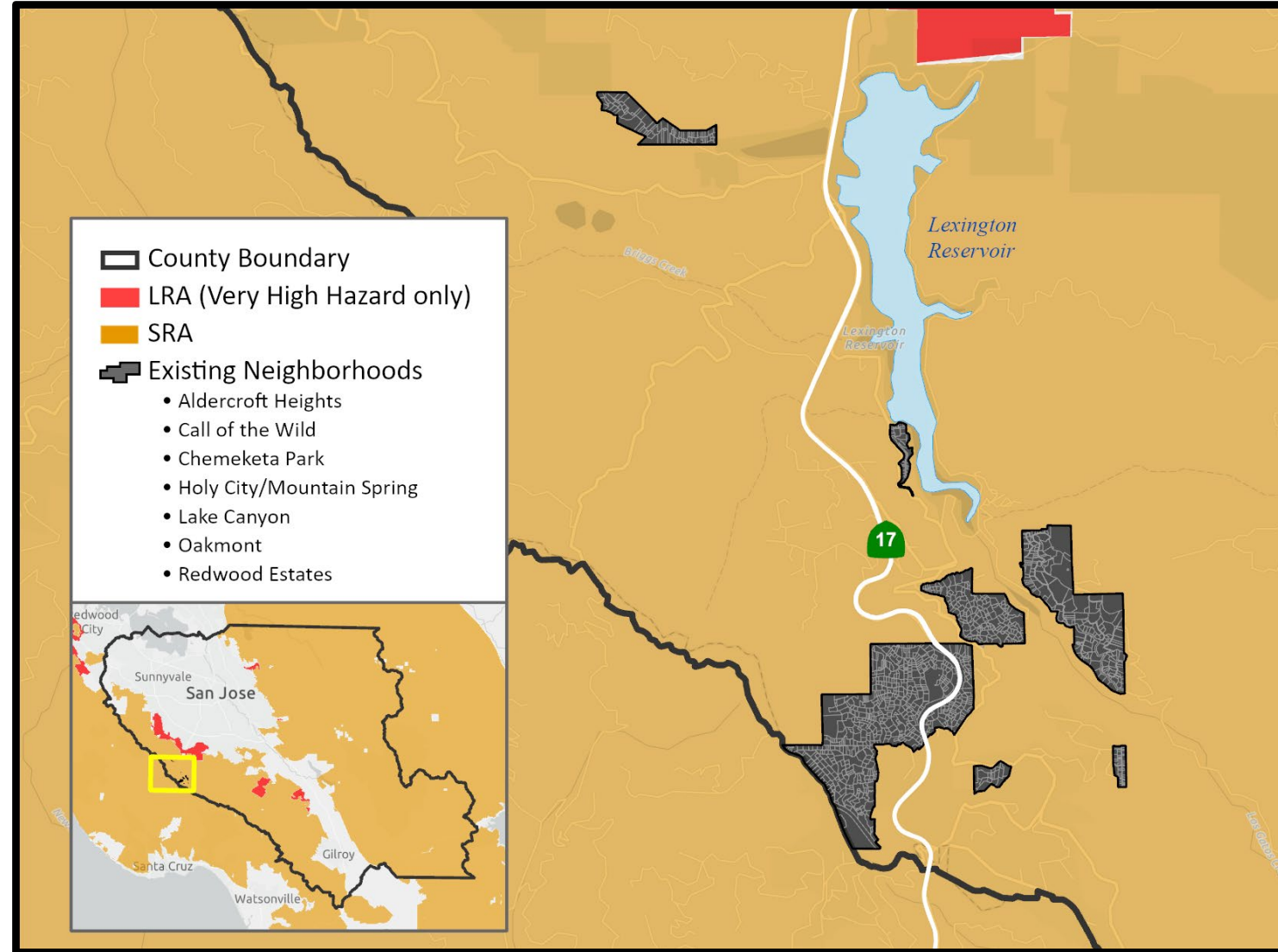
Staff recommends Option No 3.



# Planning

## Existing Neighborhoods

- Subdivided before the current General Plan, more densely populated than currently allowed
- Most roads are private, still need to meet standards
- New construction on undeveloped parcels, rebuilds, and additions to existing homes could trigger CAL-FIRE access requirements
- Many existing roads in these neighborhoods built to earlier standards



Nearly 1200 existing parcels

# County Roads

## Overview of Impacts

### County maintained roads in SRA/VHFHSZ:

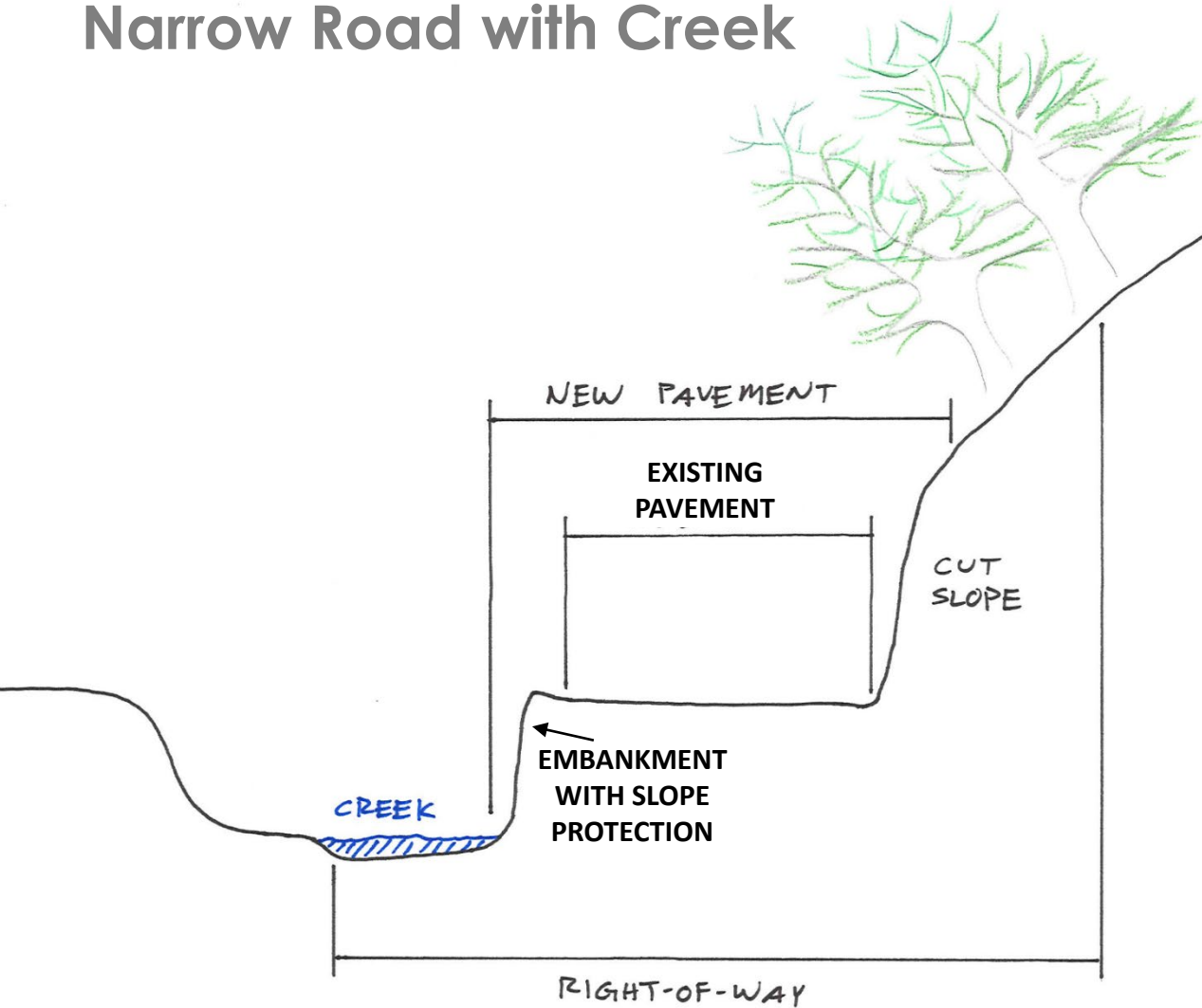
- **230 roads** totaling over **300 miles**
- 48 roads totaling over 55 miles **narrower than 20'**
  - Average width of 16'
  - Some roads as narrow as 10'
- Many roads established over 100 years ago to serve homesteads and followed existing wagon trails
- Traffic volumes generally low and improvements have been preventive and corrective maintenance





# Case Study

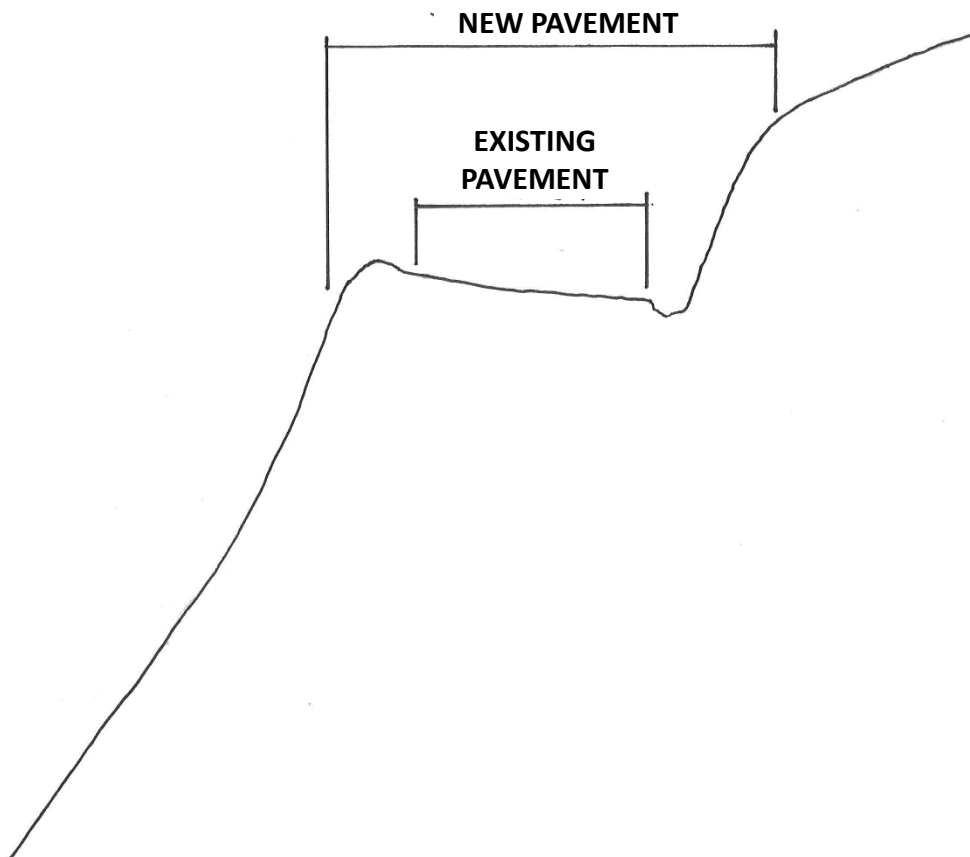
## Narrow Road with Creek





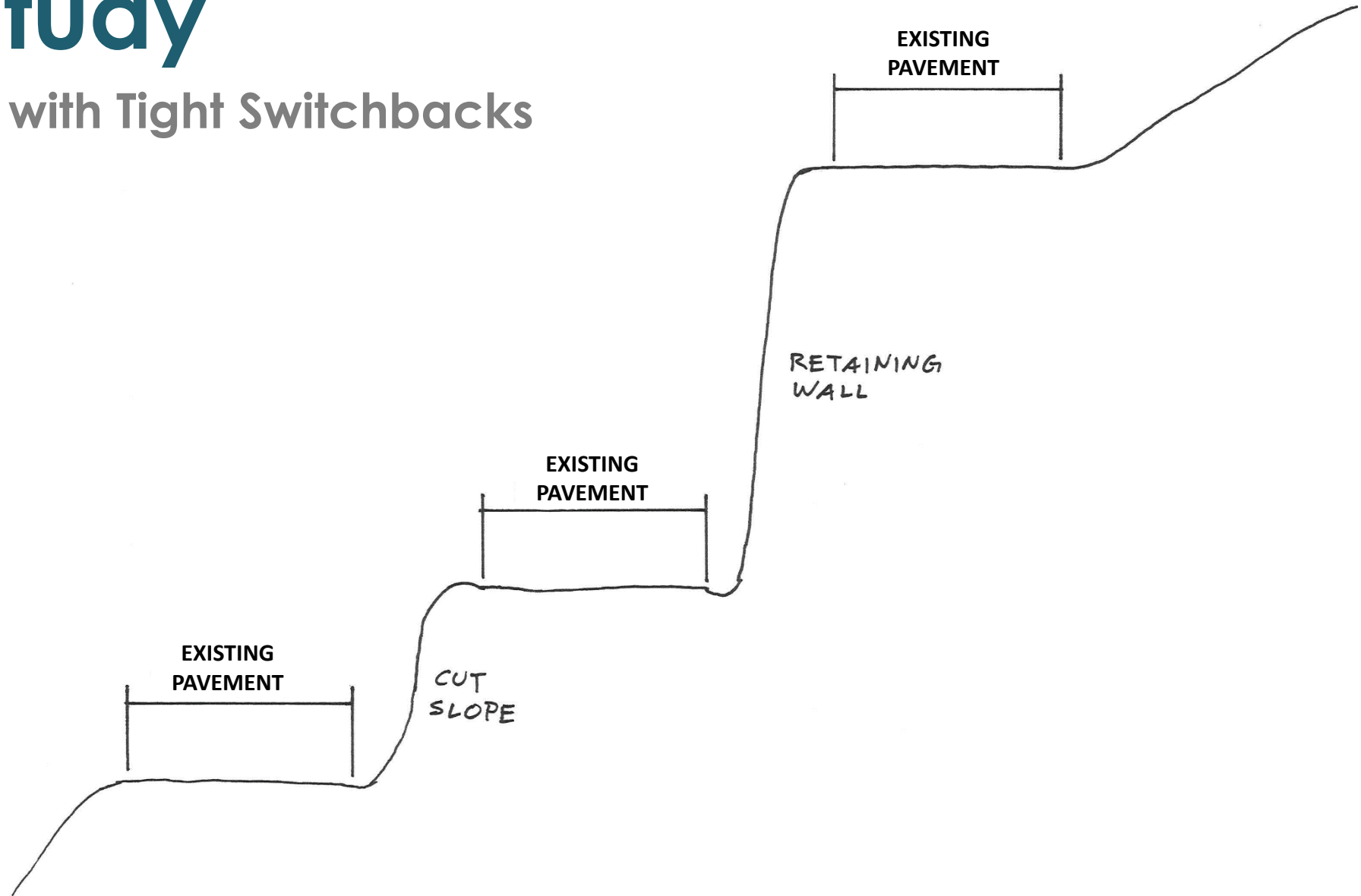
# Case Study

## Narrow Road with Steep Hillside



# Case Study

## Narrow Road with Tight Switchbacks





# Case Study

## Narrow Road with Tight Switchbacks





# Case Study

## Narrow Road with Tight Switchbacks





# County Bridges

## Overview of Impacts

### County-owned bridges in SRA/VHFHSZ:

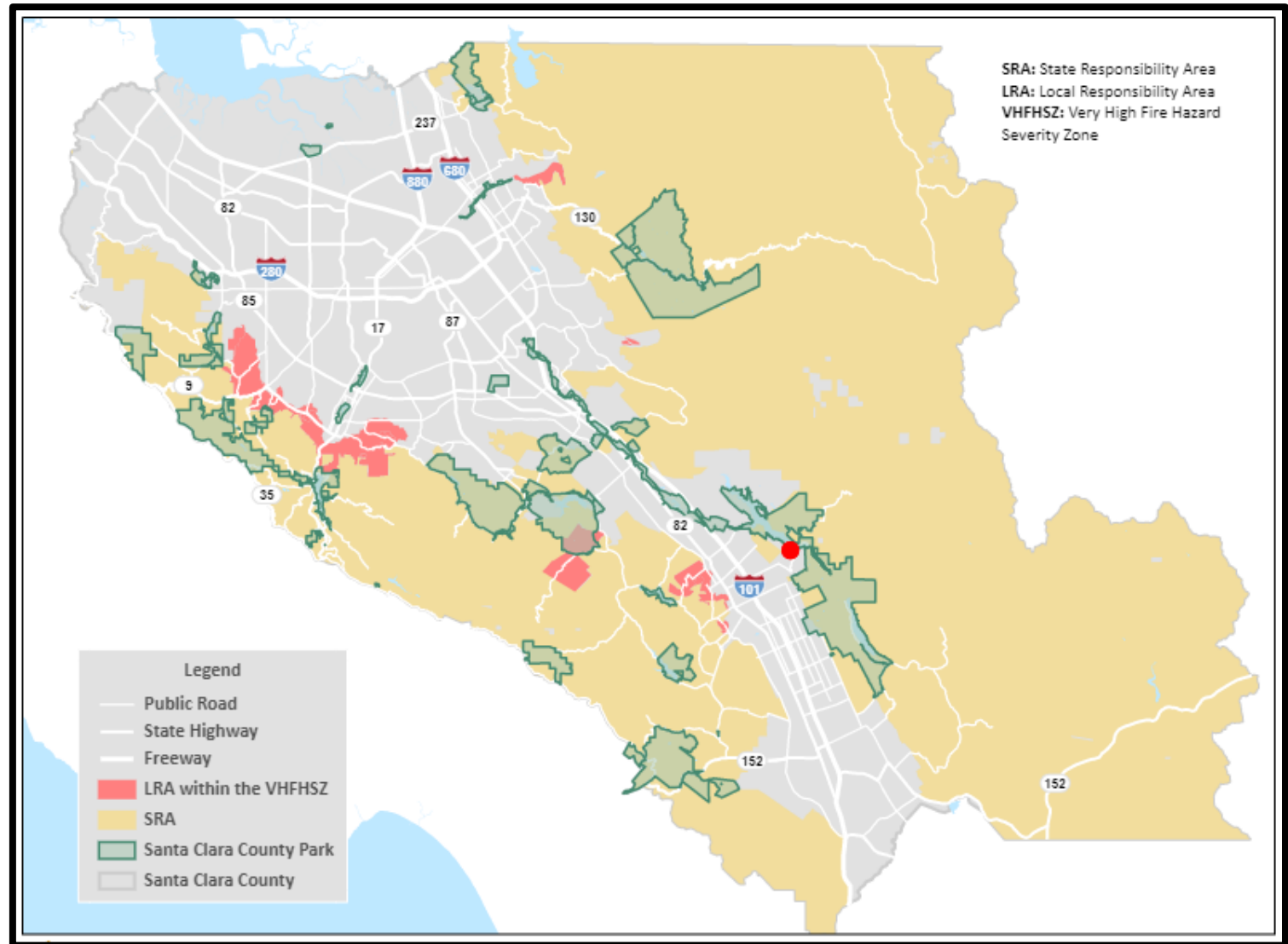
- **22 bridges** total meet at least one of:
  - Width narrower than 20' (18 bridges)
  - Posted for reduced load capacity (13 bridges)
  - Partial timber construction (14 bridges)



# County Parks and Infrastructure

## Within the SRA/VHFHZ:

- **26 Parks** and outlying properties
- **113 Buildings** (82 actively used)
  - Kiosks, restrooms, office, etc.
- 23 miles of paved and unpaved roads
- 3 vehicles bridges





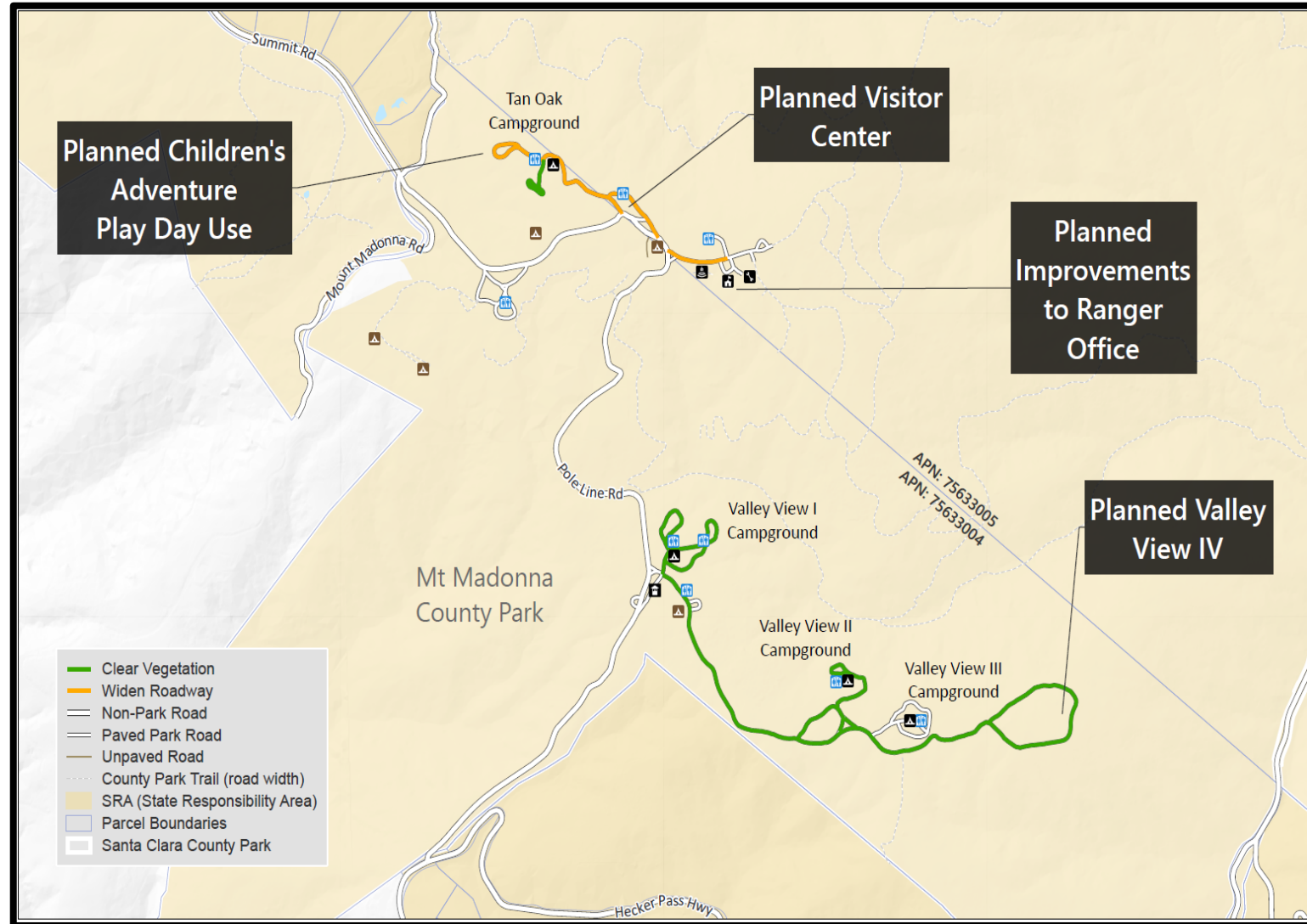
# Case Study

## Mount Madonna County Park Master Plan Implementation

### Master Plan Approved in 2017

#### Impacts to Development

- No exemptions or alternate standards for Parks projects
- Existing Roads connected to new development and within parcel must be upgraded
  - 0.5 miles of road must be widened to 14 feet
- Clear 1.2 acres of vegetation, including 100+ trees



# Summary

1. Wildfires are, and will likely, continue to be an **area of high concern**; State will continue to implement regulations to reduce risk
2. **Current enforcement** of State regulations is **impacting development**; future regulations will likely impact more
  1. Many **existing roads** (County-maintained and private) in high-risk areas were **built to prior standards**
  2. **County facilities**, especially Parks, will likely be **burdened** by these regulations as drafted
3. Fire Safety **appeals process** should be created

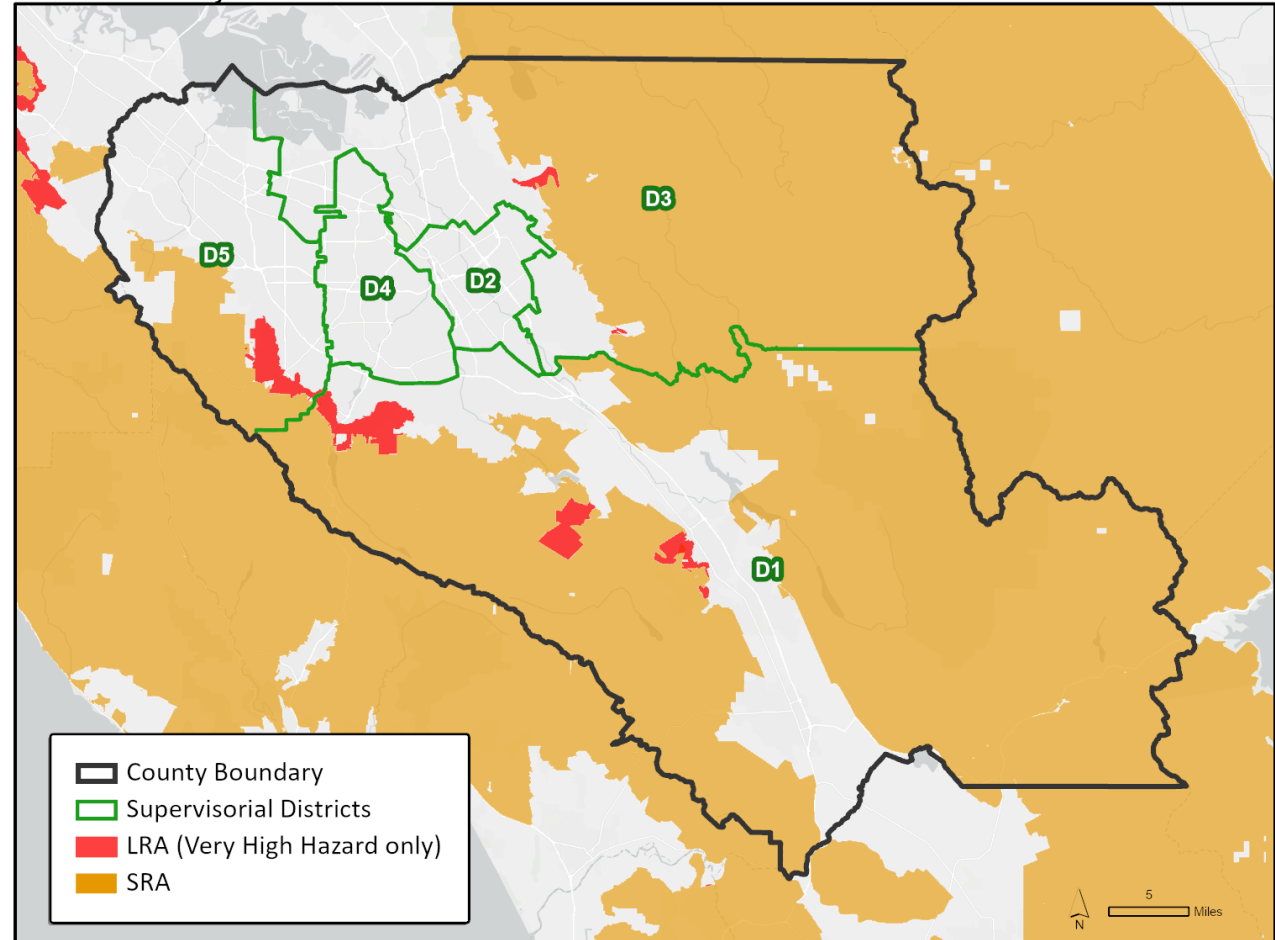
# Staff Recommendation

Receive report from the Departments of:

**Planning and Development**  
**Roads and Airports**  
**Parks and Recreation**  
**Offices of the Fire Marshal**

Relating to State Minimum Fire  
Safety Regulations for the State  
Responsibility Area & the local Very  
High Fire Hazard Severity Zone.

Santa Clara County Fire Hazard Districts





# Next Steps

1. **Work to reduce wildfire risks** – ongoing
2. **Submit comments on draft regulations to BOF** – expected by June 1
3. **Coordinate with other counties** – ongoing
4. **Initiate Board-authorized advocacy efforts**
5. **County Ordinance establishing County processes for compliance determinations and appeals** – expect to HLUET in August



# Questions?

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Director – Department of Planning & Development

**Harry Freitas**

Director – Department of Roads & Airports

**Don Rocha**

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