

AGENDA

WOODSIDE FIRE PROTECTION DISTRICT

BOARD OF DIRECTORS MEETING

February 27th, 2024

7:00 P.M.

808 Portola Road

Portola Valley, CA 94028

(Note: Public May Also Attend Virtually at Address Listed Below)

Woodside Fire is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/81915778700?pwd=T2ZmSGpKaWtSVE5GaEp1ekJRckJsZz09>

Meeting ID: 819 1577 8700

Passcode: 055074

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District meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact the Fire Chief, at least 2 working days before the meeting at (650) 851-1594 and/or info@woodsidefire.org. Notification in advance of the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees to this meeting are reminded that other attendees may be sensitive to various chemical-based products.

If you wish to speak to the Board, please let staff know before the meeting, if possible, to assist the Board in recognizing you at the appropriate time.

I. CALL TO ORDER AND ROLL CALL

II. GENERAL PUBLIC COMMENT

This item is reserved for persons wishing to address the Board on any matters within the subject matter jurisdiction of the District that are not listed on the agenda. Speakers will be limited to three minutes, unless otherwise specified by the Presiding Officer. Members of the public will be given an opportunity to speak on each agenda item at the time it is called.

We request that members of the public who wish to address the Board should let staff know before the meeting to assist the Board in recognizing them at the appropriate time.

III. CONSENT AGENDA

Items of a routine or non-controversial nature are placed on the consent agenda. The Board will take public comment on the agenda items before approval of the consent agenda. Speakers will be limited to three minutes, unless otherwise specified by the Presiding Officer. All items on the consent agenda are approved by one action. Any Board member may request that any item be withdrawn from the consent agenda for separate discussion and action.

- C1. Approval of Minutes of the January 30th, 2024, Meeting of the Board of Directors.
- C2. Accept Financial Reports January 2024
- C3. Accept Statement of Accounts January 2024
- C4. Accept Warrant List January 2024
- C5. Accept Fiscal Year Spreadsheet 23-24

IV. REGULAR AGENDA BUSINESS ITEMS

Members of the public will be provided an opportunity to speak on each agenda item before or during the Board's consideration of the item. Speakers will be limited to three minutes, unless otherwise specified by the Presiding Officer.

- R1. Receive a presentation from CPM- Mike Wassermann providing a Station 7, 8, and Interim Station Project Update.
- R2. Approve and Authorize the Fire Chief to execute Amendment #4 to the Agreement Between Woodside Fire Protection District and Capital Program Management, Inc to increase compensation for facility replacement planning and construction management services.
- R3. Approve RESOLUTION NO. 24-02 "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WOODSIDE FIRE PROTECTION DISTRICT DESIGNATING THE FIRE CHIEF TO PERFORM THE DUTIES OF BOARD SECRETARY"

R4. 1st Reading: Introduce and waive the reading of Ordinance 24-01 (formerly numbered 23-03), "AN ORDINANCE OF THE WOODSIDE FIRE PROTECTION DISTRICT OF SAN MATEO COUNTY, CALIFORNIA, ESTABLISHING FUEL MITIGATION AND EXTERIOR HAZARD ABATEMENT STANDARDS IN ALL STATE AND LOCAL RESPONSIBILITY AREAS WITHIN THE DISTRICT, REQUIRING DOCUMENTATION OF COMPLIANCE PRIOR TO SALE OF THE PROPERTY, ADOPTING FINDINGS OF FACT, AND DETERMINING THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT."

R5. Receive a report from the Fire Chief on the possible purchase for District purposes of real property (3117 Woodside Road, Town of Woodside) owned by the estate of Shirley Bayerly, administered by Jim Kaufman, and consider designating the Fire Chief as the District's negotiator for such possible purchase.

V. STAFF REPORTS

- Training
- EMS
- Prevention
- Operations
- Facilities and IT

VI. FIRE CHIEF'S REPORT

- District Updates

VII. REPORT ON WRITTEN COMMUNICATIONS

VIII. REQUESTS FOR ITEMS ON FUTURE AGENDAS

IX. CLOSED SESSION

CS1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code section 54956.8)

Property: 3117 Woodside Road, Town of Woodside, California

District Negotiator: Fire Chief Tom Cuschieri

Negotiating Parties: Owned by the estate of Shirley Bayerly and administered by Jim Kaufman.

Under Negotiation: Instructions to negotiator will concern price and terms of payment.

ADJOURNMENT

Public records that relate to any item on the agenda for a regular board meeting are available for public inspection. Those records distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of members of the Board. The Board has designated the office of the Woodside Fire Protection District, located at 808 Portola Road, Portola Valley, CA, for the purpose of making those public records available for inspection. The documents are also available on the District's Internet Web site. The website is located at www.woodsidefire.org.

**Woodside Fire Protection District
Board of Directors Meeting
Administration Building
808 Portola Rd.
Portola Valley, CA 94028
January 30, 2024**

The meeting of the Board of Directors was called to order at 7:00pm by Director Miller

Directors Present: Miller, Holthaus, Cain

Directors Absent: None

Staff: Chief Cuschieri, FM Giuliacci, Chief Douthit, Finance Manager Liu, Chief Zabala,
Zoom Attendees: Chief Hird, DFM Hird, Chief Nannini, Capt. Witsoe, FFPM Armanino,

Other Attendees: WFPD General Counsel Rubin Cruse (RPLG); Mike Wassermann – Capital Program Management, David McQuilkin, Daniel Warren, Wynn White, Kim Hansen, John Foster, Alexis Dineen, Mike Dineen, Mike Robert, Lea Gottlieb, Renata Jarosz, Lynne, Susanne Chenelle, Jonathan Kaplan, Gamiel Gran

Public Comment Non-Agendized Topics: (Written as transcribed)

John Foster – “Thank you to the board. I sent you an email last week, and I just wanted to follow up. I sent it to the members of the board, as well as the Fire Chief and the Fire Marshal. I've been working with a group here in Ladera. We have been finding the proposed ordinance is a topic of great concern in Ladera. And how those regulations are going to affect us, and some of the particularities of Ladera as a community, which we wanted to raise here. As I said, it's been getting a lot of awareness within the community of Ladera. We formed a committee within Ladera to solicit support and coordinate that input from the community, to get input from all the community about issues that we have or concerns that we have about the proposed ordinance. And as part of this community involvement, we've had excellent engagement, very helpful engagement from Marshal Giuliacci. She came out in the community and walked through with us and answered a lot of community questions, which was extremely helpful. And we'd like to thank her for doing that for our community. What we would like to do as part of this community involvement is to request a special meeting of the board, to do a study session where we can collect input from our community. We'd like to request a special meeting where we can bring this community input. We'll coordinate it as part of our committee, bring it to the board and the Fire Marshal, to review concerns that we have about the ordinance. We've been quite active within our group, thinking about what changes we might like to propose to the ordinance or suggest and discuss with the Board and the Fire Marshal. I just want to be clear that we support the goals that the Fire Board is pursuing here, of making our communities as safe as possible from wildfire risks. And we think that the best way to really achieve that goal is to get community cooperation and support, which we think involves community input on the front end, so that everybody is supportive of the resulting ordinance. So, we'd like to request a special meeting. We've spoken with Chief Giuliacci about coordinating all of the input and bringing it to the board no later than February 20th. I think we can probably achieve a date even earlier than that. But we'd like to set a date for that special meeting. And we'd like to also further request that no second reading of the ordinance be held and no vote be held until that special session can be held, and the Ladera community can offer their input. Thank you.”

Wynn White – “Thanks. Yeah. So, I kind of like to echo John's comments a little bit and give you a little bit greater context. So, first of all, I guess, the Ladera community, you know, deeply appreciates

what the Woodside Fire Protection District does and how it, you know, basically keeps our community safe and secure. However, we are very concerned about this proposed defensible space and fuel ordinance as it's currently drafted. Our greatest concern is that the ordinance has been written to enforce defensible space requirements for areas reflective of those designated in wildfire urban interface areas, but not for a community that is on much smaller lots, close to one another, intersected by wide, numerous roads, creating natural firebreaks. It's very different from the rest of the district. The housing density of Ladera is estimated to be 8 to 10 times greater than that of the rest of the district. And given such, what we'd like to request is that the, you know, the Woodside Fire Protection District, to examine the differences of the Ladera neighborhood, and then modify this ordinance, taking into account that Ladera is a much more similar to neighborhood in Menlo Park than it is to one in Woodside or Portola Valley. You know, this ordinance is going to have a disproportionate impact on our community, and we request that this issue be studied, you know, per the comments that John's already made. So, that's all I'd like to make, but again, thank you for your working with the Ladera community in this matter.”

Director Miller thanked Wynn White and responded. He informed the attendees that the Board trusts the expertise of professionals to help decide on the best approach for different areas. Ladera is unique and presents various challenges, such as fire risks and home proximity. The Board defer to experts rather than relying solely on their own judgment as Board Members. Our goal is to adhere to California's fire safety standards and carefully assess why Ladera is different. We're closely monitoring Ladera, especially with new fire mapping processes. There are differing opinions on its risk level, but we recognize the need for thorough evaluation.

Director Cain also stated that moving this ordinance forward in timely manner was of concern.

Wynn White – “Yeah, I think we recognize that. I just think that the Ladera community has kind of gotten late into this process, and we've had a bit of scramble to form a committee to look at this. The more we look at this, we have more concerns we have. And I do feel before this ordinance gets passed, we need to at least examine these issues and the concerns, because I think there's a lot of them that are quite valid.”

Director Miller responded there is still a month before the Board reviews the proposal and another month before they vote on it. He recommended using this time to understand the process better. He stated everyone can learn together, perhaps through simpler means than a formal meeting, about the specific changes suggested for our area compared to the broader California ordinance. Initially, he had concerns when he first read the proposal, but as he went through it, he realized some of his assumptions were incorrect. He stated the District's main aim is to ensure the safety of our District so that we can all endure future events and maintain house insurance. This requires significant cleanup efforts, which is a common goal across California, especially for those living in areas with dense vegetation. While residents each own individual lots, the collective effort is essential to make our community fire-safe. This might encourage insurance companies to provide coverage. It's a significant adjustment, but necessary for our safety.

Kim Hansen – “Thank you. I live in Woodside, and I really didn't know much about this ordinance. It just kind of came on my radar. The portion of the ordinance that I specifically am concerned about is the section eight, point of sale, that requires documentation to be provided by a home seller. I'm assuming that you've seen -- I'm a Woodside homeowner and a realtor. I'm assuming you've seen the defensible space, documents that buyers and sellers have to agree to in a real estate transaction. currently, the defensible space compliance portion of a real estate transaction is negotiable as to who pays for the cost of being compliant, if it's the buyer or the seller. And currently, it doesn't have to be done before close of escrow. I'm super concerned that by requiring a seller, especially an elderly seller or someone who's divorcing or downsizing or is financially constrained, my concern is that a point of

sale requirement is going to really hurt the seller, who is selling to get the money. And there are some sellers who just don't have the ability to do that. So, that's my big concern about this ordinance. The other thing. You know, as a Woodside homeowner, we have utilized the defensible space program and the matching funds through the town of Woodside. And while we are super grateful for the \$3,000 that we can apply for and use, last year with the storms in the spring, we had tree removal bills in the tens of thousands of dollars. So, my problem is putting this down as a point of sale requirement, because I feel like the problem isn't -- it's not broken at this point.”

Director Miller responded by explaining the state implemented the requirement for high and very high zones to ensure compliance. While it may seem burdensome, it serves a purpose. He recognizes that these new ordinances do place burdens on homeowners.

Fire Marshal Giuliacci clarified to Kim that the fuel mitigation ordinance for resale is not something the District is adopting. It's already Assembly Bill 38, passed by the state of California, specifically for high and very high severity zones in the Wildland-Urban Interface (WUI). This requirement applies only to certain properties and is mandated by state law, not by the District.

Daniel Warren – “My name is Daniel Warren. I serve on the board of the Ladera Community Association. I'm here to talk a little bit about the draft defensible space ordinance 2303 that everybody's been talking about so far. I want to start by saying that, I appreciate all the work that you all do to keep our community safe and help us thrive. We've had positive experiences so far with Fire Marshal Giuliacci. She's been very engaged, and we plan to have, continue to have good relations. We've shared a lot of feedback with her as a community, both written and verbal. I want to back up what John and Wynn have said so far, and what I anticipate some of the other people are going to say. We want to make sure that the ordinance fits our community and ensure it is appropriate for all of the different landscapes that exist in your jurisdiction. We want it to match the intended enforcement instead of being broader than needed. Probably being one-size-fits-all doesn't actually work for all of the varied landscapes in the jurisdiction. As requested, we'd like a special study session meeting to review the concerns we have about the ordinance. Ideally, after we've had a chance to hand over a red line version, that has some of our feedback, in a format that it's easier to digest where the specific concerns are. I would say we feel we have -- the ordinance that's written doesn't quite fit our community very well, and it's going to get a lot of pushback. We're working hard within the community and with the Portola Valley Wildfire Preparedness Committee to have the ordinance tweaked to fit us, and that will help our community get on board and help keep us all safer, and get everybody to do the mitigations that are appropriate. I feel there are factors besides wildfire, that are also valid risks that need to be weighed. But the ordinance feels very heavy handed right now, and really is focused, seems focused on the areas that are in high and very high fire severity risk zones. But as far as we can tell, Ladera is not currently in those zones. So, it seems like a lot of the comments that seem focused on those zones don't necessarily apply to our area. We want to make the community safer for wildfire, but not at the expense of many other factors that need consideration as well. Those factors could include our safety, our security, privacy, property values, the ecosystem, beauty and enjoyment, sentimentality, hillside retention, the cost of doing it, resource availability, the timing, etc.. Thank you. And we hope to work together to keep the community safe. We want to be allies to educate our community and to encourage all of the safety improvements that will be appropriate. Thanks.”

Director Miller thanked Daniel for his thoughtful comments.

Susanne Chenette – “Thank you all so much. I just had three quick points. I think they have all been covered, but I just want to (Inaudible) my support for (Inaudible). My second point is that I really think we need to be careful about losing all of our (Inaudible) for a variety of reasons, including (Inaudible).”

Director Miller thanked Susanne for her comments, although it was mostly inaudible. He encouraged everyone to collaborate with Fire Marshal Giuliacci regarding safety concerns. Board members won't override fire staff on safety issues, nor will they make drastic changes to state fire codes. He stressed the importance of working with district staff to address concerns together.

Regular Agenda: (Audio recording available only)

Consent Agenda: Director Cain motioned to move items 1 to 5 from the regular agenda to the consent agenda and approve them as submitted, 2nd by Director Holthaus. Motion passed 3-0.

Item 6: Yearly Reorganization of the Board of Directors

- a. Election of Board President
- b. Election of Board Vice President

After a short discussion Director Holthaus made a motion to reorganize the Board of Directors and have Director Miller as President and Director Cain as Vice President, 2nd by Director Cain. Motion passed 3-0.

Item 7: Contract Amendment #4 between Woodside Fire Protection District and CJW Architecture to extend contract services for Fire Station 8 until March 31, 2024.

Item 8: Contract Amendment #8 between Woodside Fire Protection District and CJW Architecture to extend contract services for Fire Station 7 until June 30th, 2024.

Director Cain made a motion to approve Amendment #8 between Woodside Fire Protection District and CJW Architecture to extend contract services for Fire Station 7 until June 30th, 2024, 2nd by Director Holthaus. Motion passed 3-0.

Item 9: CPM – Mike Wasserman to Provide Station 7 and Station 8 Project Update

Program Budget Update

- Station 7 – VBI has confirmed that the remaining funds will cover all known construction costs. Contingencies have been transferred back to the Program Budget.
- Station 8 – VBI has confirmed that the remaining funds should cover all known construction costs. Contingencies have already been transferred back to the Program Budget. Contingency no longer needed per VBI. Balance transferred to IH7 Project contingency.
- Interim Station 7 Removal -Updated Budget
Received ROM construction estimate from VBI of \$337k
Project Budget available \$519k
- Overall Estimated Program Budget Balance +/- \$530k
Includes T-Mobile's reimbursement for underground infrastructure of \$178k

Interim Station 7- Removal Schedule

- SLAC and Pacific Mobile are negotiating a potential deal for purchasing all of the trailers.
- Demo Permit plans have been by SLAC and the County.
- Station 7 is now scheduled to be ready to move-in on February 19th.
- District move to be completed by February 23rd.
- VBI off site demo has to be completed prior to the County Permit expiring on March 29th. This work will need to be performed regardless of SLAC retaining the facility.

- All leased items (trailers, conex, and generator) are on track to end February 28th.

Station 7 – Project Schedule Update

- Construction scheduled to be completed by February 16th (extended 5-weeks).
 - District move dates scheduled for February 19th – 23rd.
 - Interior finishes, casework, and appliances are complete.
 - AT&T phone and fiber lines installed.
 - PG&E power and gas is complete.
 - Cellular On Wheel (COW) relocation is complete.
 - Turn-out lockers have been installed.
 - Furniture delivery and installation to begin on Feb 9th.
 - Bedside tables and the Lobby furniture ship on 2/15. Delivery takes about 1 week.
 - Library seating selection in progress.
 - Rain is impacting exterior work but working through the challenges.
 - Site work and landscaping in progress.
 - Interior Punch Walk was on January 23rd. Corrections to complete by February 19th.

Station 7 Project Schedule and Impact Concerns

- ❖ Generator Delay
 - Cummins has revised their estimated delivery date to the end of February.
 - The temporary generator is in parking spaces by future generator location.
- ❖ Elevator Delay
 - The phone lines for the elevators have impacted the schedule but have been resolved now.
 - KONE has indicated that the State Elevator Inspector may not approve installation with the temporary generator. However, inspections have been requested. If the inspector won't allow, this will delay occupancy until a permanent generator is installed.
 - VBI and their sub-contractor are working to resolve the issue since the temporary and permanent generators are nearly identical in specs.

T-Mobile Updates

- ❖ The COW was relocated to the front of the Station in the parking lot. It will remain there until the new mono-pole is installed and operational.
- ❖ The new mono-pole will take at least 1 to 2 years for new PG&E service. T-Mobile is exploring extending the existing temporary power feed to the new mono-pole so that the COW can be removed once the new mono-pole is installed.
- ❖ T-Mobile is coordinating with PG&E for new electrical service. They have verbally stated that they will allow the separate electrical service meter for the mono-pole. Power to come from Cedar Lane. Team is working on determining the location for the pad mounted transformer.
- ❖ T-Mobile working with the Town for new mono-pole Building Permit submittal.
 - Planning Commission approved the project at the 12/13/23 meeting.
 - T-Mobile is getting close to having CD's for Building Department submission.

Station 8 – Schedule Update

- ❖ New electrical service meter (PG&E) is now scheduled for mid-February.
- ❖ Final punch list backcheck has been completed and final few remaining items are being addressed.
- ❖ Replacement of section of storm drain outlet line to be completed soon.
- ❖ Notice of Completion has been filed and recorded.
- ❖ Town Closeout and Approvals
 - Encroachment permit for replacement storm drain line has been approved.

- Final inspections from the Town have been requested.
- Town has reviewed and approved final plan set.
- Irrigation audit reports, notarized recorded copy of the landscape maintenance agreement, and final landscaping plan have been submitted.

Staff Reports:

Congratulations were given to FF Scott Lory and FF Zack Martin on them successfully graduating from the Fire Academy.

Fire Chief's Report:

Winter Weather District Updates –

So far to date the District has seemed to have a mild winter weather pattern that is occurring. This could change starting tomorrow and over the next few days when they are anticipating some storms that will bring in a few inches of rain. Obviously, this is much different than last year where we had an absorbent amount of rain which triggered a variety of different calls and issues within the District. Because of last year's epic winter weather our policy and guideline team has been working on a Winter Weather Event Preparedness and Response Policy. This policy is similar to our Fire Weather and Red Flag Warning policy that we use for our operational contingency plans. These policies will help support the needs of the District prior to any floods or flood warnings, High Winds, and any other winter weather conditions that may arise especially since these forecast warnings can come days in advance. The policy supports three different levels of contingencies based on weather potentials, which includes staffing adjustments, notification and messaging updates, opening our DOC, CERT activations, and resource polling. This policy is in draft form and should be finalized next month.

Also, in anticipation of this week's storms We have decided to upstaff our Patrol unit to help with the anticipated call volume. Also, as of today our OES area operational coordinator has advised that additional coverage for this storm event will be covered by OES.

The District Updates

Grant Applications-

- Assistance to Firefighters Grant (AFG) process opened on January 29th and closes on March 8th. Currently we are evaluating the process to see what we should submit for.
- Measure K Grant Funding- Fire Chiefs Ari Delay, Ray Iverson, and I worked on a Measure "K" grant submittal to the County. The grant is asking for 6.7 million dollars to help with upgrading our County radio system which is made up of 42 radio sites within the county. We are looking for assistance with upgrading technology, security, and hardening of infrastructures.

Promotions

- Since our last meeting we had some promotions that occurred from within the District. Battalion Chief Eric Zabala was promoted to Deputy Fire Chief.
- Captain Robert Douthit was promoted to Battalion Chief taking over Eric's position on the "A" shift.
- FFPM Beau Witsoe was promoted to Captain. Both Eric, Robert, and Beau started in their new positions at the beginning of January.
- In Fire Prevention we have a new Fire Inspector 2 that filled Kim's vacant position. I'd like to welcome David Perrone to the District. David started the first week of January. He also lives here in the District.
- Our two newest recruits finished the Fire academy on December 9th and they are now online. They are probationary FFPM's Zach Martin and Scott Lory.

- Our intentions are to do a badge pinning ceremony shortly after we move into the new fire station.

Fire Chiefs Planning Session

- Early this month Deputy Chief Zabala and I attended the County Fire Chiefs planning session in Monterey. On the agenda were multiple issues and goals that we as a county would like to achieve for the year. Some of the major topics discussed were:
- Fixing issues with the new County Dispatch program and looking into a consultant to help identify the issues.
- EMS/Transport study- looking into hiring a consultant to evaluate the value of the EMS system and how it is operated. This would help us in deciding if Fire as a County would like to pursue taking over transport.
- Dissolution of Fire Net Six
- Policy discussion- review of county policies and procedures
- New SMCO Fire Chiefs Website

I was elected to be a liaison for the County Chiefs for two groups and will participate on the County Emergency Medical Care Committee and the Fire Safe Council Committee. I have also taken over as the treasurer for the County Fire Chiefs.

WRITTEN COMMUNICATIONS:

Letter from resident thanking the Fire District for their response on an incident.

Adjournment: The meeting was adjourned at 7:52P.M.

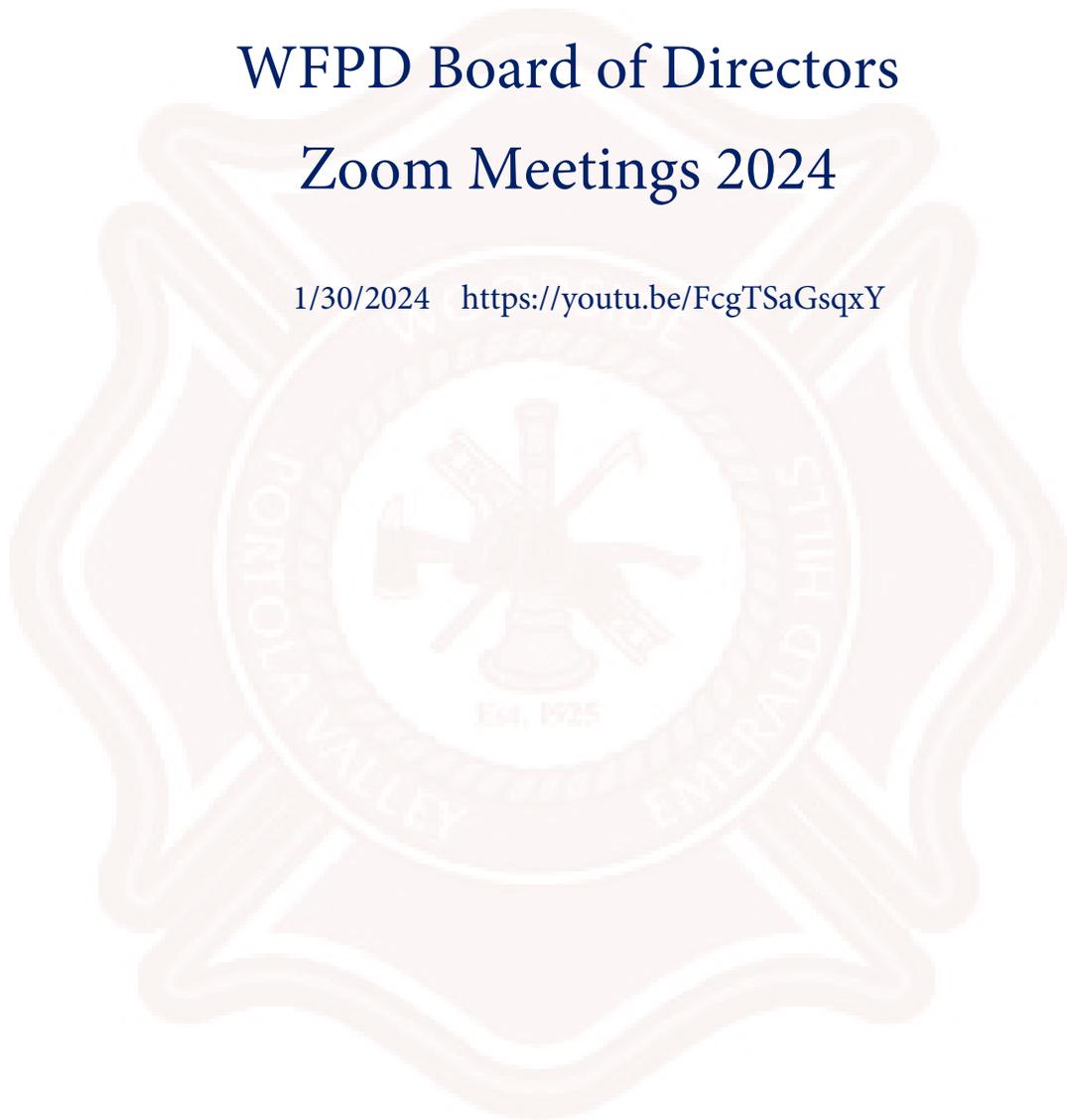
The next scheduled meeting will be held February 27th, at 7:00 P.M at the WFPD Administration Building, 808 Portola Rd. Portola Valley, CA 94028.

Respectfully Submitted,

Pat Cain – Board Secretary

WFPD Board of Directors Zoom Meetings 2024

1/30/2024 <https://youtu.be/FcgTSaGsqxY>



Woodside Fire Protection District
Financial Statement

Wed, Jan 31, 2024		2022-2023	2023-2024	+ (-)
Cash Balance - January 1, 2024		\$31,146,073.46	\$33,458,905.36	\$2,312,831.90
ACCT#	REVENUE			
1021	FY23-24 CUSEC Clean-Up 1stP		\$1,628,335.58	
1021	FY23-24 Secured Refunds Cor		\$36.31	
1021	FY23-24 Unitary Rev 01		\$1,363.20	
1041	FY23-24 Spplmntl Secured 12		\$100,631.19	
1521	Interest Allocation-Pool 1		\$242,631.71	
1831	FY23-24 HOPTR 01/24		\$21,994.31	
1042	FY23-24 Sppl Unsecured 12/2		\$69.75	
1043	FY23-24 REDEMP Suppl DEC 23		\$17,750.03	
1046	ERAF Rebate:FY23-24 50%		\$1,626,632.07	
2658	ChargePoint Revenue-Oct-Dec2023		\$35.68	
2660-1	OES-STRIKE TEAM REIMB		\$26,763.34	
2660-2	York Risk Services - workers comp		\$20,355.03	
4111	United States Treasure - Q2 2023 941X refund		\$83,355.84	
4111	Retiree Services-457 overage		\$249.12	
4111	Town of Woodside - Q1 2024 CERRP		\$10,748.08	
5156-1	WFPD House Fund		\$359.20	
5165	AMR107 - November 2023		\$3,200.00	
5733-20	Fire Safe SMC-Chipping @ Palmar Park		\$1,605.75	
5733-20	Fire Safe SMC-Chipping @ Thornewood		\$650.74	
5733-20	Fire Safe SMC-Chipping @ Sandhill		\$13,382.25	
5733-21	Fire Safe SMC-Chipping Maint @ Sandhill		\$581.87	
5733-21	Fire Safe SMC-Chipping Maint @ Palmar Park		\$240.86	
5733-21	Town of PV-Dec 23 Chipping Maint		\$1,736.17	
5733-21	Bear Gultch Grant-chipping Maint		\$1,314.53	
5733-22	Town of PV-Dec 23 Mitigation		\$11,574.42	
5733-3	Inspection Fees (5733-3)		\$7,886.42	
5733-55	SMC Thorne Grant (5733-55)		\$24,410.27	
5733-56	Bear Gultch Grant-chipping		\$7,235.91	
5733-72	Sprinkler*Permit Program(5733-72)		\$3,150.00	
5876-5	SMCO - US Bank Fees (Dec23)		(\$176.37)	
7011	SMC - Los Tranco Pmt		\$45,125.25	
7112	T-Mobile Reimb		\$178,497.73	
		\$3,602,533.34	\$4,081,726.24	
		\$34,748,606.80	\$37,540,631.60	\$2,792,024.80
EXPENDITURES :				
	SMCO Journal Entries void Dec ck#45884 in Jan		\$2,550.00	
	SMCO Journal Entries ADP fee refund & ADP State Tax		\$276.39	
	January 2023-2024	\$2,102,983.48	\$4,939,881.07	\$2,836,897.59
	Cash Balance February 1, 2024	\$32,645,623.32	\$32,603,576.92	(\$42,046.40)

*Woodside Fire Protection District
Statement of Accounts*

ACCT#	31-Jan-2024 Account	Amount Budgeted	Warrants DRAWN LAST MONTH	Warrants Drawn This Period	Warrants Drawn YTD	Budget Balance	% Used 7/12 Months
4111	Salary	\$13,328,962	\$6,471,850	\$1,043,093	\$7,420,590	\$5,908,372	56%
4321	Dist Retirement	\$4,515,319	\$3,211,924	\$186,750	\$3,398,674	\$1,116,645	75%
4413	District Medical	\$2,278,426	\$1,115,923	\$206,186	\$1,322,108	\$956,318	58%
4415	Medicare	\$193,270	\$96,490	\$14,614	\$111,105	\$82,165	57%
4451	Dist Umpl Benefits	\$12,180	\$5,012	\$6,496	\$11,508	\$672	94%
4631	Dist Empl Benefits	\$39,789	\$14,623	\$7,415	\$22,037	\$17,752	55%
ACCT#	SUB-TOTAL	\$20,367,945	\$10,915,821	\$1,464,554	\$12,286,022	\$8,081,924	60%
5121-8	OCC*Strike Team	\$10,000	-\$63,425		-\$90,189	\$100,189	-902%
5121	Clothing	\$136,060	\$52,379	\$23,405	\$75,784	\$60,277	56%
5156	Household	\$46,750	\$17,594	\$2,814	\$20,049	\$26,701	43%
5165	Medical Expense	\$181,931	\$14,423	\$16,204	\$27,427	\$154,504	15%
5199	Office Expense	\$4,725	\$1,011	\$788	\$1,800	\$2,925	38%
5212	Computer Program	\$240,656	\$61,574	\$20,571	\$82,145	\$158,511	34%
5231	Small Tools	\$3,000	\$32		\$32	\$2,968	1%
5332	Membership	\$10,927	\$10,275		\$10,275	\$652	94%
5341	Legal Notices	\$36,682	\$36,682		\$36,682	(\$0)	100%
5415	Maint Equipment	\$367,000	\$155,981	\$18,507	\$174,487	\$192,513	48%
5416	Gas * Oil	\$126,048	\$67,403	\$12,054	\$79,457	\$46,591	63%
5417	Maint Tires	\$25,000	\$6,571	\$655	\$7,226	\$17,774	29%
5424	Maint Radio	\$20,100	\$8,178	\$12	\$8,190	\$11,910	41%
5426	Maint Office Equip	\$10,550	\$4,778	\$1,233	\$6,011	\$4,539	57%
5428	Maint Structure	\$49,000	\$15,500	\$11,503	\$27,003	\$21,997	55%
5611	Other Insurance	\$106,773	\$106,773		\$106,773	\$0	100%
5612	Workers Comp	\$913,721	\$937,658		\$937,658	(\$23,937)	103%
5638	Utilities	\$89,500	\$30,881	\$12,792	\$43,674	\$45,826	49%
5639	Radio Dispatching	\$12,475	\$2,960	\$2,960	\$5,920	\$6,556	47%
5641	Telephone	\$113,114	\$50,950	\$9,541	\$60,491	\$52,623	53%
5722	Trans * Travel	\$1,500	\$424		\$424	\$1,076	28%
5731	Training*Education	\$317,742	\$139,921	\$5,263	\$145,184	\$172,558	46%
5732	Health & Wellness	\$70,000	\$19,033	\$1,304	\$20,337	\$49,663	29%
5733	Fire Prevention	\$138,034	\$170,084	\$115,066	\$211,381	(\$73,347)	153%
5734	Seminars*Cont*Class	\$11,000	\$0		\$0	\$11,000	0%
5876	Profess Services	\$157,385	\$196,169	\$28,061	\$224,406	(\$67,021)	143%
5878	GIS*Mapping	\$100,000	\$14,972	\$1,864	\$16,836	\$83,164	17%
5927	Program Act. Exp.	\$41,437	\$15,321		\$15,321	\$26,116	37%
5928	Emergency Operations	\$6,000	\$707		\$707	\$5,293	12%
5966	Dist Spec Exp.	\$45,630	\$27,658	\$1,646	\$29,304	\$16,326	64%
ACCT#	SUB-TOTAL	\$3,382,740	\$2,102,465	\$286,244	\$2,284,793	\$1,007,758	68%
7011	LTVV/CMD	\$0	-\$5,728	\$29,225	-\$21,628	\$21,628	
7112	Interim * New Station(s)	\$5,000	-\$273,806		-\$273,806	\$278,806	
7211	Struct. Improvement	\$23,500	\$0		\$0	\$23,500	0%
7311	Equipment	\$155,250	-\$143,214	\$7,359	-\$135,855	\$291,105	-88%
7410	Admin/808 Portola Rd	\$269,866	\$118,408	\$20,383	\$138,791	\$131,075	51%
ACCT#	SUB-TOTAL	\$453,616	-\$304,339	\$56,967	(\$292,498)	\$746,114	0%
8811	Interim Station 7 (Reso)	\$9,495,047	\$1,533,393	\$3,132,117	\$4,487,012	\$5,008,035	47%
8612	Equip Reserves (Reso)	\$3,202,454	\$288,261	\$0	\$288,261	\$2,914,193	9%
8824	Retire/GASB Reserves (Reso)	\$3,643,572	\$0	\$0	\$0	\$3,643,572	
	TOTAL	\$24,204,301	\$14,535,601	\$4,939,881	\$19,053,590	\$9,835,796	79%

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Date	Num	Name	Split	Paid Amount
01/01/2024	CC-PAYMT	ELAVON MERCHANT SERVICES	5733-3 · Inspection Fees-Revenue with OT	-381.32
01/01/2024	12-02R		4321 · District Retirement	271,449.88
01/02/2024	197	DAVID FERRONE	4111 · Salary	-788.40
01/03/2024	EFT-DEBIT	CALPERS*HEALTH BENEFITS DIVISION	-SPLIT-	-186,359.68
01/03/2024	198	AMERICAN PORTABLES	20000 · *Accounts Payable	-245.28
01/03/2024	199	C A P F	20000 · *Accounts Payable	-1,534.00
01/03/2024	200	CITY OF REDWOOD CITY	20000 · *Accounts Payable	-2,959.75
01/03/2024	201	CONSOLIDATED ENGINEERING LABORTORIES	20000 · *Accounts Payable	-427.06
01/03/2024	202	ERIK LOHMANN	20000 · *Accounts Payable	-400.00
01/03/2024	203	FUSION CLOUD SERVICES LLC	20000 · *Accounts Payable	-1,048.83
01/03/2024	204	GRAPHICS ON THE EDGE	20000 · *Accounts Payable	-7,285.94
01/03/2024	205	GUARDIAN SAFETY INVESTIGATIONS, LLC	20000 · *Accounts Payable	-2,650.00
01/03/2024	206	HEALTH CARE DENTAL TRUST	20000 · *Accounts Payable	-14,225.67
01/03/2024	207	JERICHO PROJECT	20000 · *Accounts Payable	-10,875.00
01/03/2024	208	JONATHAN FRANCISCO	20000 · *Accounts Payable	-250.00
01/03/2024	209	L.N. CURTIS & SONS	20000 · *Accounts Payable	-1,380.55
01/03/2024	210	MES - CALIFORNIA	20000 · *Accounts Payable	-7,909.75
01/03/2024	211	METRO MOBILE COMMUNICATIONS	20000 · *Accounts Payable	-383.09
01/03/2024	212	MOBILE MINI SOLUTIONS	20000 · *Accounts Payable	-272.31
01/03/2024	213	PACIFIC GAS & ELECTRIC	20000 · *Accounts Payable	-4,417.05
01/03/2024	214	PACIFIC MOBILE STRUCTURES, INC	20000 · *Accounts Payable	-23,760.65
01/03/2024	215	FITNEY BOWES GLOBAL FINANCIAL SERVICES LL	20000 · *Accounts Payable	-142.28
01/03/2024	216	PORTOLA VALLEY HARDWARE	20000 · *Accounts Payable	-232.22
01/03/2024	217	R & S ERECTION NORTH PENINSULA, INC	20000 · *Accounts Payable	-4,967.40
01/03/2024	218	RFI ENTERPRISES INC.	20000 · *Accounts Payable	-556.20
01/03/2024	219	RICOH USA, INC	20000 · *Accounts Payable	-490.44
01/03/2024	220	RIGHT NOW LOANS	20000 · *Accounts Payable	-388.93
01/03/2024	221	ROBERT GRIFFITHS	20000 · *Accounts Payable	-250.00
01/03/2024	222	ROBERT KAGLE	20000 · *Accounts Payable	-3,398.97
01/03/2024	223	SAFEGUARD BUSINESS SYSTEMS	20000 · *Accounts Payable	-404.70
01/03/2024	224	SCL	20000 · *Accounts Payable	-4,067.74
01/03/2024	225	SMOKE BUSTERS	20000 · *Accounts Payable	-750.00
01/03/2024	226	STEFFORD	20000 · *Accounts Payable	-12,708.93
01/03/2024	227	UKG KRONOS SYSTEMS LLC	20000 · *Accounts Payable	-5.42
01/03/2024	228	VISION SERVICE PLAN	20000 · *Accounts Payable	-3,524.90
01/03/2024	229	WAGeworks, INC	20000 · *Accounts Payable	-136.50
01/04/2024	ACH-FSA	ADP CARD SERVICES	4111 · Salary	-7.24
01/05/2024	P/R 12/23	ADP PAYROLL DEDUCTION	4111 · Salary	-457.60
01/05/2024	P/R DEC 23	ADP PAYROLL DEDUCTION	4111 · Salary	-1,471.81
01/09/2024	ACH-FSA	ADP CARD SERVICES	4111 · Salary	-10.00
01/10/2024	230	FARRELL SMITH	4111 · Salary	-10,708.73
01/10/2024	231	ALL IN ONE BUILDING MAINTENANCE	20000 · *Accounts Payable	-675.00
01/10/2024	232	APPLE, INC	20000 · *Accounts Payable	-1,424.78
01/10/2024	233	BENJAMIN ZOLNIEREK	20000 · *Accounts Payable	-302.00
01/10/2024	234	CALIFORNIA WATER SERVICE CO	20000 · *Accounts Payable	-39.62
01/10/2024	235	CAPITAL PROGRAM MANAGEMENT	20000 · *Accounts Payable	-23,311.00
01/10/2024	236	CITY OF REDWOOD CITY*WATER	20000 · *Accounts Payable	-531.25
01/10/2024	237	COMCAST	20000 · *Accounts Payable	-2.64
01/10/2024	238	CUMMING'S MOVING COMPANY	20000 · *Accounts Payable	-3,910.00
01/10/2024	239	EMBARCADERO MEDIA FOUNDATION	20000 · *Accounts Payable	-718.00
01/10/2024	240	ENGINEERED FIRE SYSTEMS, INC	20000 · *Accounts Payable	-1,000.00
01/10/2024	241	FIRE ASIDE, INC	20000 · *Accounts Payable	-3,500.00
01/10/2024	242	GRANICUS	20000 · *Accounts Payable	-3,000.00
01/10/2024	243	GRAY QUARTER, INC.	20000 · *Accounts Payable	-28,461.00
01/10/2024	244	GUARDIAN SAFETY INVESTIGATIONS, LLC	20000 · *Accounts Payable	-1,200.00
01/10/2024	245	HEALTH CARE EMPLOYEES MEDICAL TRUST	20000 · *Accounts Payable	-2,224.95
01/10/2024	246	MES - CALIFORNIA	20000 · *Accounts Payable	-4,124.18
01/10/2024	247	MOBIUS FIT	20000 · *Accounts Payable	-1,000.00
01/10/2024	248	MRC	20000 · *Accounts Payable	-99.03
01/10/2024	249	N P F B A * LONG TERM CARE	20000 · *Accounts Payable	-255.00
01/10/2024	250	NICK GREGORY	20000 · *Accounts Payable	-400.00
01/10/2024	251	NTA LIFE BUSINESS SERVICES GROUP	20000 · *Accounts Payable	-22.50
01/10/2024	252	RFI ENTERPRISES INC.	20000 · *Accounts Payable	-180.00

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01/10/2024	253	RIGHT NOW LOANS	20000 · *Accounts Payable	-265.90
01/10/2024	254	ROBERT DOUTHIT	20000 · *Accounts Payable	-72.96
01/10/2024	255	SMC INFORMATION SERVICES DEPARTMENT	20000 · *Accounts Payable	-356.52
01/10/2024	256	STATION AUTOMATION, INC.	20000 · *Accounts Payable	-3,900.00
01/10/2024	257	Total Compensation Systems, Inc.	20000 · *Accounts Payable	-2,550.00
01/10/2024	258	VANCE BROWN	20000 · *Accounts Payable	-4,197.65
01/10/2024	259	WITMER PUBLIC SAFETY GROUP, INC	20000 · *Accounts Payable	-1,132.86
01/10/2024	260	VANCE BROWN	20000 · *Accounts Payable	-1,783,195.74
01/11/2024	EFT-DEBIT	CALPERS*457 DEFERRED PROGRAM	4111 · Salary	-26,581.27
01/11/2024	EFT-DEBIT	ING LIFE INSURANCE & ANNUITY CO	4111 · Salary	-2,554.17
01/15/2024	P/R 11524	ADP PAYROLL DEDUCTION	-SPLIT-	-490,051.41
01/16/2024	ACH-FSA	ADP CARD SERVICES	4111 · Salary	-45.00
01/17/2024	261	ACCELA INC.	20000 · *Accounts Payable	-9,240.00
01/17/2024	262	AMERICAN MESSAGING	20000 · *Accounts Payable	-11.74
01/17/2024	263	ARBA	20000 · *Accounts Payable	-692.64
01/17/2024	264	AT&T MOBILITY	20000 · *Accounts Payable	-2,004.25
01/17/2024	265	BAYSIDE EQUIPMENT CO	20000 · *Accounts Payable	-3,629.00
01/17/2024	266	BCN*BENEFITS COMMUNICATION NETWORK	20000 · *Accounts Payable	-104.00
01/17/2024	267	BIN LIU	20000 · *Accounts Payable	-160.00
01/17/2024	268	COMCAST BUSINESS	20000 · *Accounts Payable	-1,834.35
01/17/2024	269	ESI GROUP	20000 · *Accounts Payable	-3,550.00
01/17/2024	270	JERICHO PROJECT	20000 · *Accounts Payable	-20,025.00
01/17/2024	271	LADRIS TECHNOLOGIES, INC	20000 · *Accounts Payable	-10,000.00
01/17/2024	272	LORI AREVALO	20000 · *Accounts Payable	-160.00
01/17/2024	273	MOBILE CALIBRATION SERVICES, LLC	20000 · *Accounts Payable	-591.25
01/17/2024	274	PORTA'S AUTO BODY & TOW INC	20000 · *Accounts Payable	-1,200.00
01/17/2024	275	PRODIGY PRESS, INC	20000 · *Accounts Payable	-183.33
01/17/2024	276	RECOLOGY SAN MATEO COUNTY	20000 · *Accounts Payable	-250.80
01/17/2024	277	Ricoh USA, Inc.	20000 · *Accounts Payable	-359.47
01/17/2024	278	RON RAMIES AUTOMOTIVE INC	20000 · *Accounts Payable	-4,500.35
01/17/2024	279	SAMBASAFETY	20000 · *Accounts Payable	-182.83
01/17/2024	280	STERICYCLE, INC	20000 · *Accounts Payable	-148.67
01/17/2024	281	U.S. BANK CORP PAYMENT SYSTEMS	20000 · *Accounts Payable	-27,841.95
01/17/2024	ACH-FSA	ADP CARD SERVICES	4111 · Salary	-1,603.02
01/18/2024	24-1.1	MANUALLY VOID CK#45526 DATED 6/26/23	5165-5 · Training	7,500.00
01/18/2024	ACH-FSA	ADP CARD SERVICES	4111 · Salary	-1,051.92
01/22/2024	EFT-DEBIT	CALPERS*RETIREMENT	-SPLIT-	-271,449.38
01/22/2024	ACH-FSA	ADP CARD SERVICES	4111 · Salary	-356.20
01/24/2024	ACH-FSA	ADP CARD SERVICES	4111 · Salary	-39.36
01/25/2024	282	REVIVE-87525 STANFORD CHILDRENS HEALTH	5165-5 · Training	-7,500.00
01/25/2024	283	JAMES LAUGHLIN	-SPLIT-	-6,231.14
01/25/2024	284	ACME BAY AREA BACKFLOW	20000 · *Accounts Payable	-225.00
01/25/2024	285	AMANDA LEE	20000 · *Accounts Payable	-1,550.00
01/25/2024	286	ARRASH MOGHADDASI	20000 · *Accounts Payable	-895.00
01/25/2024	287	C A P F	20000 · *Accounts Payable	-1,534.00
01/25/2024	288	CALIFORNIA WATER SERVICE CO	20000 · *Accounts Payable	-596.23
01/25/2024	289	CONSOLIDATED ENGINEERING LABORTORIES	20000 · *Accounts Payable	-1,504.05
01/25/2024	290	ELIAS BOUZEID	20000 · *Accounts Payable	-2,975.00
01/25/2024	291	GREG VAN HAUSER	20000 · *Accounts Payable	-950.00
01/25/2024	292	JAMES ELLIS	20000 · *Accounts Payable	-250.00
01/25/2024	293	JESSICA LEINO	20000 · *Accounts Payable	-355.00
01/25/2024	294	JOHN S VORHIES	20000 · *Accounts Payable	-1,089.92
01/25/2024	295	JUNE THOMPSON	20000 · *Accounts Payable	-800.00
01/25/2024	296	KIM BEIL	20000 · *Accounts Payable	-1,240.00
01/25/2024	297	KIRBY AND BJORN CONRAD	20000 · *Accounts Payable	-5,000.00
01/25/2024	298	LEGAL SHIELD	20000 · *Accounts Payable	-205.35
01/25/2024	299	MARC LEVAGGI	20000 · *Accounts Payable	-1,085.08
01/25/2024	300	MIKE AND LISA DOUGLAS	20000 · *Accounts Payable	-16,753.15
01/25/2024	301	MOBILE MINI SOLUTIONS	20000 · *Accounts Payable	-272.31
01/25/2024	302	NEW YORK LIFE	20000 · *Accounts Payable	-1,373.92
01/25/2024	303	PACIFIC GAS & ELECTRIC	20000 · *Accounts Payable	-1,774.21
01/25/2024	304	PETER GOLDSCHIEDER	20000 · *Accounts Payable	-250.00
01/25/2024	305	PORTOLA VALLEY HARDWARE	20000 · *Accounts Payable	-232.78

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Date	Num	Name	Split	Paid Amount
01/25/2024	306	RALPH AND RHONDA HYVER	20000 · *Accounts Payable	-1,950.00
01/25/2024	307	RENNE PUBLIC LAW GROUP	20000 · *Accounts Payable	-4,237.05
01/25/2024	308	ROTO~ROOTER	20000 · *Accounts Payable	-1,526.28
01/25/2024	309	SAN MATEO COUNTY FIREFIGHTERS L2400	20000 · *Accounts Payable	-6,037.00
01/25/2024	310	SCOTT'S PPE RECON INC	20000 · *Accounts Payable	-188.00
01/25/2024	311	SCOTT MCKENZIE	20000 · *Accounts Payable	-399.00
01/25/2024	312	SMCO TRAINING OFFICERS ASSOC	20000 · *Accounts Payable	-1,215.34
01/25/2024	313	SONIA MARTINEZ	20000 · *Accounts Payable	-5,000.00
01/25/2024	314	STATE BOARD OF EQUALIZATION	20000 · *Accounts Payable	-1,787.00
01/25/2024	315	STEPHEN BELL	20000 · *Accounts Payable	-250.00
01/25/2024	316	STEPHEN DUNNE	20000 · *Accounts Payable	-2,800.00
01/25/2024	317	STUART YOUNG	20000 · *Accounts Payable	-410.25
01/25/2024	318	TSING XUE	20000 · *Accounts Payable	-2,450.00
01/25/2024	319	VANCE BROWN	20000 · *Accounts Payable	-1,213,261.88
01/25/2024	320	VERIZON WIRELESS	20000 · *Accounts Payable	-956.58
01/25/2024	321	WAYNE AND JUDY SCHAR	20000 · *Accounts Payable	-425.00
01/25/2024	322	VANCE BROWN	20000 · *Accounts Payable	-4,262.32
01/25/2024	EFT-DEBIT	ING LIFE INSURANCE & ANNUITY CO	4111 · Salary	-2,554.17
01/25/2024	EFT-DEBIT	CALPERS*457 DEFERRED PROGRAM	4111 · Salary	-25,583.27
01/25/2024	323	TARIQ MOHAMMED	20000 · *Accounts Payable	-331.84
01/25/2024	ACH-FSA	ADP CARD SERVICES	4111 · Salary	-1,199.92
01/31/2024	P/R 013124	ADP PAYROLL DEDUCTION	-SPLIT-	-393,266.18
01/31/2024	01-01		4321 · District Retirement	-306,889.66
01/31/2024	324	BLOMBERG & GRIFFIN ACCOUNTANCY CORP	20000 · *Accounts Payable	-21,250.00
01/31/2024	325	BRANDON CUSCHIERI	20000 · *Accounts Payable	-1,000.00
01/31/2024	326	BUS & EQUIPMENT REPAIR	20000 · *Accounts Payable	-10,947.48
01/31/2024	327	CONSOLIDATED PARTITIONS INC.	20000 · *Accounts Payable	-67,600.00
01/31/2024	328	GREEN WASTE	20000 · *Accounts Payable	-432.35
01/31/2024	329	GYM DOCTORS	20000 · *Accounts Payable	-260.00
01/31/2024	330	INTERCARE	20000 · *Accounts Payable	-2,120.25
01/31/2024	331	MES - CALIFORNIA	20000 · *Accounts Payable	-4,061.09
01/31/2024	332	MICHAEL LAMBRECHTS	20000 · *Accounts Payable	-250.00
01/31/2024	333	PACIFIC GAS & ELECTRIC	20000 · *Accounts Payable	-4,750.75
01/31/2024	334	RED CLOUD INC.	20000 · *Accounts Payable	-12.50
01/31/2024	335	RICOH USA, INC	20000 · *Accounts Payable	-490.44
01/31/2024	336	RIGHT NOW LOANS	20000 · *Accounts Payable	-191.44
01/31/2024	337	SCL	20000 · *Accounts Payable	-3,723.19
01/31/2024	338	VISION SERVICE PLAN	20000 · *Accounts Payable	-3,559.80
01/31/2024	339	WFPD ENGINE CO 35	20000 · *Accounts Payable	-505.00
01/31/2024	340	WFPD House Fund	20000 · *Accounts Payable	-1,365.00
				-4,939,881.07
				<u>-4,939,881.07</u>

Monthly Board of Directors
Expense * Revenue Report for FY 23-24

<i>2/15/2024</i>														
in \$000's	31-Jul-23	31-Aug-23	30-Sep-23	31-Oct-23	30-Nov-23	31-Dec-23	31-Jan-24	31-Jan-24	29-Feb-24	31-Mar-24	30-Apr-24	31-May-24	30-Jun-24	
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	Estimated	ACTUAL	Estimated	Estimated	Estimated	Estimated	Estimated	
Beg.Cash Balance	\$33,041	\$27,460	\$27,090	\$25,527	\$24,994	\$22,204	\$31,146	\$33,461	\$32,681	\$31,038	\$30,108	\$37,779	\$37,314	
EXPENSES:														
Payroll	(\$824)	(\$1,029)	(\$893)	(\$891)	(\$1,401)	(\$945)	(\$952)	(\$921)	(\$952)	(\$952)	(\$952)	(\$952)	(\$952)	
Overtime	(\$202)	(\$183)	(\$213)	(\$185)	(\$228)	(\$176)	(\$159)	(\$122)	(\$159)	(\$159)	(\$159)	(\$159)	(\$159)	
Retirement	(\$1)	(\$341)	(\$172)	(\$166)	(\$170)	(\$164)	(\$376)	(\$187)	(\$376)	(\$376)	(\$376)	(\$376)	(\$376)	
Monthly Expenses	(\$673)	(\$715)	(\$575)	(\$482)	(\$134)	(\$342)	(\$493)	(\$578)	(\$493)	(\$493)	(\$493)	(\$493)	(\$493)	
SDRMA (WC Ins)	(\$903)													
Retirement*GASB														
New Engine		(\$38)	(\$13)	(\$41)										
Loan Payment											(\$711)			
Contingency Appropriations			(\$250)											
UAL Retirement * 115 Trust Account	(\$2,198)													
Sub-Total	(\$4,801)	(\$2,306)	(\$2,116)	(\$1,765)	(\$1,933)	(\$1,627)	(\$1,980)	(\$1,808)	(\$1,980)	(\$1,980)	(\$2,691)	(\$1,980)	(\$1,980)	
Interim Sta. 7* Remodel* Sta.8	(\$1,176)	(\$123)	(\$2,592)	(\$5,602)	(\$2,214)	(\$168)		(\$3,132)						
TOTAL EXPENSE	(\$5,977)	(\$2,429)	(\$4,708)	(\$7,368)	(\$4,147)	(\$1,795)	(\$1,980)	(\$4,940)	(\$1,980)	(\$1,980)	(\$2,691)	(\$1,980)	(\$1,980)	
REVENUE:														
1021 Property Tax Cur Sec					\$1,155	\$10,336	\$1,264	\$1,630		\$632	\$10,111	\$1,264	\$632	
1031 Property Tax Cur Unsec				\$884						\$171				
1033 Prior Yr. - Unsecured Tax				(\$6)						(\$4)				
1041 Property Tax SB813		\$19	\$22	\$18	\$44	\$56	\$64	\$101	\$64	\$64	\$64	\$64	\$64	
1521 Interest Earned (Allocation)	\$264			\$240			\$136	\$243						
1831 Homeowners Property Tax Relief						\$9	\$5	\$22	\$5	\$5	\$5	\$5	\$5	
2658 Misc Revenue-JPA-Cell Towers	\$43	\$122	\$43	\$43	\$44	\$55	\$51		\$51	\$51	\$51	\$51	\$51	
1046 ERAF		\$1,543					\$1,764	\$1,627						
Reimbursements-Refunds, etc*														
*State Comp*House Fund*Empl*VOIDS	\$89	\$354	\$80	\$356	\$114	\$157	\$131	\$432	\$131	\$131	\$131	\$131	\$131	
Strike Team monies received		\$21				\$159	\$101	\$27	\$85					
Woodside Fire Foundation			\$3,000	\$5,300		\$2,280								
TOTAL REVENUE	\$396	\$2,059	\$3,145	\$6,835	\$1,357	\$13,052	\$3,516	\$4,082	\$336	\$1,050	\$10,362	\$1,515	\$883	
End Cash Balance/Total Reserves	\$27,460	\$27,090	\$25,527	\$24,994	\$22,204	\$33,461	\$32,681	\$32,603	\$31,038	\$30,108	\$37,779	\$37,314	\$36,217	
GASB Postemployment Healthcare Cost	\$6,206	\$6,202												
Employer Retirement Liability	\$35,710													
Estimated Expenses	(\$2,891)	(\$2,346)	(\$1,980)	(\$2,221)	(\$1,980)	(\$1,980)	(\$1,980)	(\$1,980)	(\$1,980)	(\$1,980)	(\$2,691)	(\$1,980)	(\$1,980)	
Actual Expenses	(\$5,977)	(\$2,429)	(\$4,708)	(\$7,368)	(\$4,147)	(\$1,795)	(\$4,940)							
Difference +/-	\$3,086	\$83	\$2,728	\$5,147	\$2,167	(\$185)	(\$1,980)	\$2,960	(\$1,980)	(\$1,980)	(\$2,691)	(\$1,980)	(\$1,980)	
Estimated Revenue	\$215	\$1,513	\$251	\$1,001	\$1,655	\$10,262	\$3,902	\$3,902	\$135	\$1,574	\$6,388	\$1,515	\$2,393	
Actual Revenue	\$396	\$2,059	\$3,145	\$6,835	\$1,357	\$13,052	\$3,603	\$4,082	\$223	\$1,050	\$10,362	\$0	\$883	
Difference +/-	\$181	\$546	\$2,894	\$5,834	(\$298)	\$2,790	(\$299)	\$180	\$88	(\$524)	\$3,974	(\$1,515)	(\$1,510)	

List view of all incidents (last month)

Basic Incident Alarm Date Time (FD1.26)	CAD2 Basic Incident Number	CAD Basic Incident Street Name	CAD2 Basic Incident City Name	Basic Incident Type (FD1.21)	Basic Incident Postal Code (FD1.19)
Basic Incident City Name (FD1.16): AL					
01/12/2024 07:08:09	WF24-82	NB 280	AL	Cancelled en route, did not arrive on scene.	94028
Basic Incident City Name (FD1.16): ATN					
01/09/2024 19:44:05	MF24-292	EL CAMINO REAL	ATN	Cancelled en route, did not arrive on scene.	94027
Basic Incident City Name (FD1.16): Emerald Lakes					
01/01/2024 18:20:42	WF24-5	JEFFERSON	Emerald Lakes	EMS call, excluding vehicle accident with injury (MED)	94062
01/01/2024 20:47:09	WF24-7	LAKEMEAD	Emerald Lakes	Smoke detector activation (FAS)	94062
01/05/2024 03:56:40	WF24-28	CALIFORNIA	Emerald Lakes	Smoke detector activation (FAS)	94062
01/10/2024 17:24:29	WF24-69	WILMINGTON	Emerald Lakes	EMS call, excluding vehicle accident with injury (MED)	94062
01/11/2024 16:30:32	WF24-80	OAK PARK	Emerald Lakes	Public service, excluding Lift Assist (see 554) (PA)	94062
01/14/2024 14:06:39	WF24-91	JEFFERSON	Emerald Lakes	(UTL) No incident found on arrival at dispatch address	94062
01/18/2024 07:51:27	WF24-105	OAK KNOLL	Emerald Lakes	False Alarm - Smoke detector activation due to malfunction (FAS)	94062
01/21/2024 07:50:56	WF24-126	VERNAL	Emerald Lakes	EMS call, excluding vehicle accident with injury (MED)	94062
01/21/2024 15:51:16	WF24-129	OAK PARK	Emerald Lakes	EMS call, excluding vehicle accident with injury (MED)	94062
01/22/2024 01:33:37	WF24-131	OAK PARK	Emerald Lakes	EMS call, excluding vehicle accident with injury (MED)	94062
01/29/2024 11:02:36	WF24-181	LAKEMEAD	Emerald Lakes	EMS call, excluding vehicle accident with injury (MED)	94062
Basic Incident City Name (FD1.16): EPA					
01/08/2024 11:19:30	MF24-236	O'KEEFE	EPA	Lift Assist, no medical merit	94303
Basic Incident City Name (FD1.16): Kings Mountain					
01/07/2024 11:52:40	DF24-36	SKYLINE	Kings Mountain	Cancelled en route, did not arrive on scene.	94062
01/17/2024 04:04:51	WF24-101	SKYLINE	Kings Mountain	Tree Down (TDOWN)	94062
Basic Incident City Name (FD1.16): LAD					
01/07/2024 12:50:11	WF24-45	DURAZNO	LAD	EMS call, excluding vehicle accident with injury (MED)	94028
01/08/2024 14:52:37	WF24-51	LA MESA	LAD	EMS call, excluding vehicle accident with injury (MED)	94028
01/17/2024 05:18:37	WF24-102	MIMOSA	LAD	EMS call, excluding vehicle accident with injury (MED)	94028
01/23/2024 11:17:07	WF24-144	ALPINE	LAD	EMS call, excluding vehicle accident with injury (MED)	94028
01/31/2024 17:22:39	WF24-199	DEDALERA	LAD	EMS call, excluding vehicle accident with injury (MED)	94028
Basic Incident City Name (FD1.16): LTW					
01/06/2024 16:16:01	WF24-42	RAMONA	LTW	EMS call, excluding vehicle accident with injury (MED)	94028
01/09/2024 23:06:56	WF24-64	LOS TRANCOS	LTW	EMS call, excluding vehicle accident with injury (MED)	94028
01/12/2024 10:57:51	WF24-83	RAMONA	LTW	EMS call, excluding vehicle accident with injury (MED)	94028
01/14/2024 12:37:33	WF24-90	LOS TRANCOS	LTW	Tree Down (TDOWN)	94028
01/20/2024 13:13:02	WF24-122	LOS TRANCOS	LTW	EMS call, excluding vehicle accident with injury (MED)	94028
01/22/2024 10:47:02	WF24-135	JOAQUIN	LTW	Tree Down (TDOWN)	94028
Basic Incident City Name (FD1.16): Menlo Park					
01/01/2024 12:24:54	MF24-14	SAND HILL RD [ST BEDE CHURCH]	Menlo Park	False Alarm - Smoke detector activation due to malfunction (FAS)	94025
01/02/2024 19:35:34	DF24-9	NB 280	Menlo Park	Motor vehicle accident with no injuries. (TA)	94025
01/03/2024 20:12:28	MF24-84	SAND HILL	Menlo Park	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94025
01/11/2024 08:53:28	MF24-322	SAND HILL	Menlo Park	Gas leak (natural gas or LPG)	94025

Basic Incident Alarm Date Time (FD1.26)	CAD2 Basic Incident Number	CAD Basic Incident Street Name	CAD2 Basic Incident City Name	Basic Incident Type (FD1.21)	Basic Incident Postal Code (FD1.19)
01/15/2024 08:30:56	MF24-442	SAND HILL	Menlo Park	False Alarm - Smoke detector activation due to malfunction (FAS)	94025
01/16/2024 08:37:57	MF24-467	SAND HILL	Menlo Park	(UTL) No incident found on arrival at dispatch address	94025
01/17/2024 08:24:16	MF24-501	SAND HILL	Menlo Park	Extinguishing system activation, due to testing, unintentional	94025
01/19/2024 16:46:21	MF24-579	BRANNER	Menlo Park	Cancelled en route, did not arrive on scene.	94025
01/25/2024 17:28:30	MF24-749	SAND HILL	Menlo Park	False Alarm - Smoke detector activation due to malfunction (FAS)	94025
01/30/2024 06:59:34	MF24-917	SAND HILL	Menlo Park	False Alarm - Unintentional (Accidental) Alarm system activation, no fire (FA)	94025
01/31/2024 16:52:14	DF24-164	SNECKNER	Menlo Park	Tree Down (TDOWN)	94025
Basic Incident City Name (FD1.16): Portola Valley					
01/01/2024 19:16:50	WF24-6	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/02/2024 08:03:12	WF24-9	SHAWNEE	Portola Valley	False Alarm - Alarm Sounding (FA)	94028
01/02/2024 21:16:15	WF24-13	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/03/2024 07:26:42	WF24-15	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/04/2024 08:43:22	WF24-23	PORTOLA GREEN	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/04/2024 09:19:37	WF24-24	ALPINE	Portola Valley	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94028
01/04/2024 16:30:28	WF24-26	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/05/2024 09:02:33	WF24-30	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/05/2024 11:42:09	WF24-31	NATHHORST	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/06/2024 07:18:37	WF24-34	ECHO	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/06/2024 13:57:05	WF24-35	WOODFERN	Portola Valley	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94028
01/07/2024 08:05:40	WF24-43	PORTOLA	Portola Valley	Smoke detector activation (FAS)	94028
01/08/2024 10:12:46	WF24-49	PORTOLA	Portola Valley	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94028
01/08/2024 18:59:56	WF24-55	PORTOLA GREEN	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/08/2024 19:17:19	WF24-56	PORTOLA	Portola Valley	Unauthorized burning, lacking permit but not threatening	94028
01/10/2024 11:02:04	WF24-67	CANYON	Portola Valley	Electrical wiring/equipment problem, other	94028
01/10/2024 11:33:31	WF24-68	ALPINE	Portola Valley	False Alarm - Smoke detector activation due to malfunction (FAS)	94028
01/10/2024 22:12:04	WF24-72	PASO DEL ARROYO	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/11/2024 12:04:49	WF24-78	SHAWNEE	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/13/2024 10:13:18	WF24-86	HAWKVIEW	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/14/2024 18:01:49	WF24-93	WESTRIDGE	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/14/2024 20:36:56	WF24-94	ECHO	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/15/2024 09:29:00	WF24-95	ALPINE	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/15/2024 16:20:30	WF24-96	SAUSAL	Portola Valley	Smoke Investigation - Not SLAC (SI)	94028
01/16/2024 00:19:07	WF24-97	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/16/2024 17:19:51	WF24-100	PINE RIDGE	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/18/2024 14:16:39	WF24-108	PORTOLA	Portola Valley	False Alarm - Smoke detector activation	94028

Basic Incident Alarm Date Time (FD1.26)	CAD2 Basic Incident Number	CAD Basic Incident Street Name	CAD2 Basic Incident City Name	Basic Incident Type (FD1.21)	Basic Incident Postal Code (FD1.19)
				(Dust, Construction, etc..) (FAS)	
01/19/2024 02:44:25	WF24-111	PALMER	Portola Valley	Lock-out (residential, unoccupied) (LOR)	94028
01/19/2024 12:24:28	WF24-113	PORTOLA	Portola Valley	EMS call, Bicyclist Down (MED)	94028
01/19/2024 13:30:32	WF24-114	PORTOLA	Portola Valley	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94028
01/19/2024 23:53:21	WF24-116	THISTLE	Portola Valley	Water or steam leak	94028
01/21/2024 09:50:39	WF24-128	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/22/2024 06:50:58	WF24-132	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/23/2024 13:24:20	WF24-145	MEADOW	Portola Valley	Gas leak (natural gas or LPG)	94028
01/23/2024 20:13:36	WF24-150	INDIAN	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/25/2024 15:58:35	WF24-160	CERVANTES	Portola Valley	Cancelled en route, did not arrive on scene.	94028
01/25/2024 16:21:52	WF24-161	PORTOLA	Portola Valley	Smoke detector activation (FAS)	94028
01/26/2024 08:55:48	WF24-165	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/26/2024 10:52:08	WF24-168	WESTRIDGE	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/26/2024 13:18:39	WF24-169	ALPINE	Portola Valley	False Alarm - Smoke detector activation due to malfunction (FAS)	94028
01/26/2024 14:36:29	WF24-170	RAMOSO	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/27/2024 18:23:50	WF24-177	VERONICA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/28/2024 13:41:53	WF24-178	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/29/2024 08:25:31	WF24-180	ESCOBAR	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/30/2024 09:03:59	WF24-186	HAYFIELDS	Portola Valley	Tree Down (TDOWN)	94028
01/30/2024 13:30:49	WF24-190	PINE RIDGE	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/30/2024 22:05:21	WF24-193	PORTOLA	Portola Valley	EMS call, excluding vehicle accident with injury (MED)	94028
01/31/2024 04:17:17	WF24-195	PORTOLA GREEN	Portola Valley	Lift Assist, no medical merit	94028
Basic Incident City Name (FD1.16): Redwood City					
01/01/2024 14:05:45	RF24-17	EMERALD HILL	Redwood City	Smoke Investigation - Not SLAC (SI)	94062
01/03/2024 21:56:47	RF24-100	FARM HILL	Redwood City	Cancelled en route, did not arrive on scene.	94061
01/04/2024 17:23:32	RF24-132	LAKEVIEW	Redwood City	Smoke detector activation (FAS)	94062
01/04/2024 18:42:09	WF24-27	COLTON	Redwood City	Odor of Gas, gas scare (HMI)	94062
01/11/2024 23:57:24	WF24-81	EASTVIEW	Redwood City	False Alarm - Unintentional (Accidental) Alarm system activation, no fire (FA)	94062
01/12/2024 06:35:25	RF24-417	NEVADA	Redwood City	Building fire (SF)	94062
01/12/2024 21:52:54	RF24-462	SILVER HILL	Redwood City	Cancelled en route, did not arrive on scene.	94061
01/13/2024 18:50:47	RF24-484	MAPLE	Redwood City	Smoke Investigation - Not SLAC (SI)	94063
01/20/2024 05:09:50	RF24-753	HILLVIEW	Redwood City	Building fire (SF)	94062
Basic Incident City Name (FD1.16): San Mateo					
01/17/2024 15:08:49	SF24-733	SB 101	San Mateo	Cancelled en route, did not arrive on scene.	94402
Basic Incident City Name (FD1.16): Skylonda					
01/17/2024 20:12:28	DF24-85	SKYLINE	Skylonda	Cancelled en route, did not arrive on scene.	94062
Basic Incident City Name (FD1.16): SNC					
01/23/2024 08:30:32	RF24-841	NB 101	SNC	Cancelled en route, did not arrive on scene.	94070
Basic Incident City Name (FD1.16): Unicorporated South of 92					
01/06/2024 14:46:21	WF24-36	SB 280	Unicorporated South of 92	MVA with injuries (TA)	94062
01/06/2024 16:06:48	DF24-32	VISTA 1	Unicorporated South of 92	Cancelled en route, did not arrive on scene.	94062
01/08/2024 08:33:06	DF24-40	NB 280	Unicorporated South of 92	Cancelled en route, did not arrive on scene.	94002

Basic Incident Alarm Date Time (FD1.26)	CAD2 Basic Incident Number	CAD Basic Incident Street Name	CAD2 Basic Incident City Name	Basic Incident Type (FD1.21)	Basic Incident Postal Code (FD1.19)
01/16/2024 19:29:27	DF24-80	SB 280	Unicorporated South of 92	Cancelled en route, did not arrive on scene.	94002
01/20/2024 09:35:29	DF24-100	SB 280	Unicorporated South of 92	Cancelled en route, did not arrive on scene.	94062
01/24/2024 07:39:08	DF24-129	NB 280	Unicorporated South of 92	Motor vehicle accident with no injuries. (TA)	94070
01/24/2024 07:46:44	WF24-152	SB 280	Unicorporated South of 92	Cancelled en route, did not arrive on scene.	94062
01/25/2024 20:04:35	WF24-162	NB 280	Unicorporated South of 92	(UTL) No incident found on arrival at dispatch address	94062
01/31/2024 09:29:49	WF24-196	SKYLINE	Unicorporated South of 92	EMS call, excluding vehicle accident with injury (MED)	94062
Basic Incident City Name (FD1.16): Woodside					
01/01/2024 10:08:55	WF24-1	WOODSIDE	Woodside	Smoke detector activation (FAS)	94062
01/01/2024 12:09:47	WF24-2	RIDGE	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/01/2024 16:27:20	WF24-3	LA HONDA	Woodside	MVA with injuries (TA)	94062
01/01/2024 21:13:33	WF24-8	CREST	Woodside	False Alarm - CO detector activation due to malfunction (FACM)	94062
01/02/2024 09:09:44	WF24-10	WOODSIDE	Woodside	Cancelled en route, did not arrive on scene.	94062
01/02/2024 13:23:37	WF24-11	FARM HILL BLVD ON	Woodside	Tree Down (TDOWN)	94062
01/02/2024 17:26:33	WF24-12	FARM HILL	Woodside	False Alarm - Unintentional (Accidental) Alarm system activation, no fire (FA)	94061
01/03/2024 02:36:22	WF24-14	CANADA	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/03/2024 09:07:29	WF24-16	ELEANOR	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/03/2024 10:38:35	WF24-17	FARM HILL	Woodside	Cancelled en route, did not arrive on scene.	94061
01/03/2024 10:51:23	WF24-18	FARM HILL	Woodside	EMS call, excluding vehicle accident with injury (MED)	94061
01/03/2024 12:24:40	WF24-19	ALTA MESA	Woodside	Fire, other (FIRE)	94062
01/03/2024 18:43:14	WF24-21	PHILLIP	Woodside	Lift Assist, no medical merit	94062
01/03/2024 23:45:58	WF24-22	JOSELYN	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/05/2024 14:22:21	WF24-32	MANZANITA	Woodside	False Alarm - Smoke detector activation due to malfunction (FAS)	94062
01/05/2024 14:52:41	WF24-33	MANZANITA	Woodside	Cancelled en route, did not arrive on scene.	94062
01/06/2024 15:16:51	WF24-40	NB 280	Woodside	Motor vehicle accident with no injuries. (TA)	94062
01/06/2024 15:19:08	WF24-39	SB 280	Woodside	MVA with injuries (TA)	94062
01/06/2024 15:20:59	WF24-41	SB 280	Woodside	Motor vehicle accident with no injuries. (TA)	94062
01/07/2024 12:34:53	WF24-44	WOODSIDE	Woodside	Cancelled en route, did not arrive on scene.	94062
01/07/2024 17:19:38	WF24-46	ROCKY	Woodside	Unauthorized burning, lacking permit but not threatening	94062
01/07/2024 17:58:14	WF24-47	SAND HILL	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/08/2024 07:54:06	WF24-48	MANZANITA	Woodside	Cancelled en route, did not arrive on scene.	94062
01/08/2024 10:16:44	WF24-50	WOODSIDE	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/08/2024 15:16:16	WF24-52	BEAR GULCH	Woodside	False Alarm - Smoke detector activation due to malfunction (FAS)	94062
01/08/2024 16:44:53	WF24-54	CANADA	Woodside	Motor vehicle accident with no injuries. (TA)	94062
01/08/2024 20:58:14	WF24-58	ELEANOR	Woodside	False Alarm - Unintentional (Accidental) Alarm system activation, no fire (FA)	94062
01/09/2024 09:16:24	WF24-59	ALBION	Woodside	Cancelled en route, did not arrive on scene.	94062
01/09/2024 10:51:34	WF24-60	MANZANITA	Woodside	Cancelled en route, did not arrive on scene.	94062
01/09/2024 12:04:09	WF24-61	WOODSIDE	Woodside	Cancelled en route, did not arrive on scene.	94062
01/09/2024 12:42:29	WF24-62	WOODSIDE	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/09/2024 14:43:32	WF24-63	MISSION TRAIL	Woodside	Smoke detector activation (FAS)	94062

Basic Incident Alarm Date Time (FD1.26)	CAD2 Basic Incident Number	CAD Basic Incident Street Name	CAD2 Basic Incident City Name	Basic Incident Type (FD1.21)	Basic Incident Postal Code (FD1.19)
01/09/2024 23:14:57	WF24-65	WOODSIDE	Woodside	Motor vehicle accident with no injuries. (TA)	94062
01/10/2024 10:59:45	WF24-66	CHURCHILL	Woodside	Cancelled en route, did not arrive on scene.	94062
01/10/2024 18:06:46	WF24-70	HILLSIDE	Woodside	Wires Down, Power line down (WDOWN)	94062
01/10/2024 18:17:39	WF24-71	LA HONDA	Woodside	Motor vehicle accident with no injuries. (TA)	94062
01/11/2024 04:55:27	WF24-73	WOODSIDE	Woodside	Cancelled en route, did not arrive on scene.	94062
01/11/2024 07:47:33	WF24-74	FAMILY FARM	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/11/2024 08:13:10	WF24-75	WHISKEY HILL	Woodside	Cancelled en route, did not arrive on scene.	94062
01/11/2024 09:28:13	WF24-76	FARM HILL	Woodside	False Alarm - Smoke detector activation due to malfunction (FAS)	94061
01/11/2024 09:29:40	WF24-77	NB 280	Woodside	EMS call, excluding vehicle accident with injury (MED)	94027
01/11/2024 16:10:49	WF24-79	LA HONDA	Woodside	Cancelled en route, did not arrive on scene.	94062
01/12/2024 22:12:11	WF24-85	GODETIA	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/13/2024 21:44:23	WF24-87	SB 280	Woodside	MVA with injuries (TA)	94062
01/14/2024 07:58:17	WF24-88	SUNRISE	Woodside	Cancelled en route, did not arrive on scene.	94062
01/14/2024 09:28:37	WF24-89	OLIVE HILL	Woodside	Tree Down (TDOWN)	94062
01/14/2024 15:42:16	WF24-92	SAND HILL	Woodside	Animal rescue	94028
01/16/2024 09:21:40	WF24-98	WOODSIDE	Woodside	Cancelled en route, did not arrive on scene.	94062
01/16/2024 10:28:51	WF24-99	FARM HILL	Woodside	EMS call, excluding vehicle accident with injury (MED)	94061
01/17/2024 12:09:10	WF24-104	MOUNTAIN HOME	Woodside	False Alarm - Unintentional (Accidental) Alarm system activation, no fire (FA)	94062
01/18/2024 12:37:26	WF24-107	FARM HILL	Woodside	False alarm or false call, other (FA)	94061
01/18/2024 14:51:27	WF24-109	FOX HOLLOW	Woodside	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94062
01/18/2024 18:43:28	WF24-110	LA HONDA	Woodside	Motor vehicle accident with no injuries. (TA)	94062
01/19/2024 04:37:46	WF24-112	GLENCRAG	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/19/2024 20:02:09	WF24-115	ELEANOR	Woodside	Tree Down (TDOWN)	94062
01/20/2024 07:20:05	WF24-118	CANADA	Woodside	Public service, excluding Lift Assist (see 554) (PA)	94062
01/20/2024 08:38:12	WF24-119	WOODSIDE	Woodside	Public service, excluding Lift Assist (see 554) (PA)	94062
01/20/2024 09:38:40	WF24-120	NB 280	Woodside	MVA with injuries (TA)	94062
01/20/2024 12:50:00	WF24-121	SKYLINE	Woodside	Lock-out (vehicle, unoccupied) (LO)	94062
01/20/2024 16:41:00	WF24-123	RANCH	Woodside	Cancelled en route, did not arrive on scene.	94062
01/20/2024 17:02:27	WF24-124	RANCH	Woodside	MVA with injuries (TA)	94062
01/21/2024 03:11:04	WF24-125	HIGH	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/21/2024 08:58:34	WF24-127	LA HONDA	Woodside	Tree Down (TDOWN)	94062
01/22/2024 06:56:40	WF24-133	PATROL	Woodside	Tree Down (TDOWN)	94062
01/22/2024 09:19:13	WF24-134	SAND HILL	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/22/2024 10:57:07	WF24-136	NB 280	Woodside	Cancelled en route, did not arrive on scene.	94062
01/22/2024 15:25:31	WF24-137	GLENCRAG	Woodside	Medical assist, assist EMS crew with manpower for lift assistance (MED)	94062
01/23/2024 03:53:54	WF24-138	WOODSIDE	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/23/2024 07:57:09	WF24-139	MOUNTAIN MEADOW	Woodside	Cancelled en route, did not arrive on scene.	94062
01/23/2024 08:01:06	WF24-140	SAND HILL	Woodside	Smoke Investigation - SLAC (FAS)	94028
01/23/2024 09:37:08	WF24-141	MANZANITA	Woodside	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94062
01/23/2024 10:18:45	WF24-142	PROSPECT	Woodside	Cancelled en route, did not arrive on scene.	94062
01/23/2024 10:44:23	WF24-143	WOODSIDE	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/23/2024 16:20:31	WF24-146	WOODSIDE	Woodside	Motor vehicle accident with no injuries. (TA)	94062

Basic Incident Alarm Date Time (FD1.26)	CAD2 Basic Incident Number	CAD Basic Incident Street Name	CAD2 Basic Incident City Name	Basic Incident Type (FD1.21)	Basic Incident Postal Code (FD1.19)
01/23/2024 18:16:34	WF24-147	PATROL	Woodside	Cancelled en route, did not arrive on scene.	94062
01/23/2024 19:01:35	WF24-148	LA HONDA	Woodside	Cancelled en route, did not arrive on scene.	94062
01/23/2024 19:51:35	WF24-149	TRIPP	Woodside	Cancelled en route, did not arrive on scene.	94062
01/24/2024 07:06:51	WF24-151	SB 280	Woodside	Cancelled en route, did not arrive on scene.	94062
01/24/2024 08:17:47	WF24-153	SB 280	Woodside	Cancelled en route, did not arrive on scene.	94062
01/24/2024 10:09:57	WF24-154	OLD LA HONDA	Woodside	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94062
01/24/2024 10:34:49	WF24-155	PROSPECT	Woodside	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94062
01/24/2024 13:57:06	WF24-156	WOODSIDE	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/25/2024 09:50:42	WF24-157	WOODSIDE	Woodside	Motor vehicle accident with no injuries. (TA)	94062
01/25/2024 11:43:08	WF24-158	SAND HILL	Woodside	EMS call, excluding vehicle accident with injury (MED)	94028
01/25/2024 13:27:01	WF24-159	MOORE	Woodside	EMS call, Bicyclist Down (MED)	94062
01/25/2024 20:59:17	WF24-163	CANADA	Woodside	Smoke Investigation - Not SLAC (SI)	94062
01/26/2024 09:09:05	WF24-167	FARM HILL	Woodside	Cancelled en route, did not arrive on scene.	94061
01/26/2024 14:51:50	WF24-171	MARVA OAKS	Woodside	Public service, excluding Lift Assist (see 554) (PA)	94062
01/26/2024 17:16:06	WF24-172	CANADA	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/26/2024 23:23:44	WF24-173	CANADA	Woodside	Cancelled en route, did not arrive on scene.	94062
01/27/2024 09:31:02	WF24-174	LA HONDA	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/27/2024 13:13:42	WF24-175	JANE	Woodside	False Alarm - Unintentional (Accidental) Alarm system activation, no fire (FA)	94062
01/27/2024 14:11:56	WF24-176	ALBION	Woodside	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94062
01/28/2024 15:55:39	WF24-179	WOODSIDE	Woodside	(UTL) No incident found on arrival at dispatch address	94062
01/29/2024 16:27:01	WF24-183	PHILLIP	Woodside	Lift Assist, no medical merit	94062
01/29/2024 19:43:57	WF24-185	WOODSIDE	Woodside	Police matter	94062
01/30/2024 09:31:57	WF24-187	WOODSIDE	Woodside	Cancelled en route, did not arrive on scene.	94062
01/30/2024 09:59:36	WF24-188	SB 280	Woodside	MVA with injuries (TA)	94062
01/30/2024 10:41:46	WF24-189	PATROL	Woodside	Gas leak (natural gas or LPG)	94062
01/30/2024 15:54:16	WF24-191	GODETIA	Woodside	EMS call, excluding vehicle accident with injury (MED)	94062
01/30/2024 16:22:52	WF24-192	CREST	Woodside	False Alarm - Smoke detector activation (Dust, Construction, etc..) (FAS)	94062
01/31/2024 16:24:20	WF24-198	WOODSIDE	Woodside	Lift Assist, no medical merit	94062
Basic Incident City Name (FD1.16): WSB					
01/07/2024 00:47:48	MF24-189	SANTA CLARA	WSB	MVA with injuries (TA)	94061
01/18/2024 12:20:30	WF24-106	CHURCHILL	WSB	False Alarm - Unintentional (Accidental) Alarm system activation, no fire (FA)	94062
01/21/2024 22:48:18	WF24-130	CHURCHILL	WSB	Public service, excluding Lift Assist (see 554) (PA)	94062
01/25/2024 17:18:24	MF24-747	WOODSIDE	WSB	Cancelled en route, did not arrive on scene.	94061
01/29/2024 19:31:31	WF24-184	WOODSIDE	WSB	Motor vehicle accident with no injuries. (TA)	94062

Report Criteria

Basic Incident City Name (Fd1.16): Is Not Blank Ladera|Portola Valley|Skylonda|Town of Portola Valley|Town of Woodside|Woodside

Cad2 Basic Incident Date: Is Equal To Last Month

Description

This report displays a list view of all incidents and their corresponding area within WFPD

Woodside Fire Protection District
Board Meeting
Project Status Update

February 27, 2024



**WOODSIDE FIRE
PROTECTION DISTRICT**

Program Budget Update

- Station 7 – Project Budget \$31M – Construction Budget \$29.2M
 - VBI has confirmed that remaining funds will cover all know construction costs.
- Station 8 – Project Budget \$8.4M – Construction Budget \$7.6M
 - VBI has confirmed that remaining funds will cover all know construction costs.
- Interim Station 7 – Project Budget \$4.7M – Const. Budget \$3M
 - VBI has confirmed that remaining funds will cover all know construction costs.
- Overall Estimated Program Budget Balance remains at +/- \$500k



Interim Station 7 – Removal Schedule

- Demolition to proceed on March 4th.
- District move to the new Station 7 is to be completed by February 29th.
- VBI off site demo to has to complete prior to the County Permit expiring on March 29th.
- The Conex and Generator leases are on track to end February 29th.
- The PMSI trailers lease will end on March 20th.



Station 7 – Project Schedule Update

- Construction scheduled to be completed February 26th (extended 10 days).
 - District move is on-going (February 26th – 29th).
 - Interior finishes, casework, and appliances are complete.
 - Data services functional. Phone installation complete.
 - PG&E power and gas is complete.
 - Emergency Alerting is functional.
 - Elevators and Fire Alarms tested and signed off.
 - Furniture has been delivered and installed.
 - Site work and Landscaping is complete.
 - Punch list corrections are in progress.
- Project closeout is underway.



Station 7 Project Concerns

- **Generator Delay**

- Generator ship date is Feb. 27. Delivery expected to take about 1 week.
- Once the permanent generator is installed the elevators will be require another State elevator inspection (final).
- The temporary generator is located in parking spaces by future generator location.

- **Polished Concrete Floors**

- The interior concrete flooring finish, particularly at the entrance did not turn out well. Some type of resilient flooring is being considered as a remedy.



T-Mobile Updates

- The COW was relocated to the front of the Station in the parking lot. It will remain there until the new mono-pole is installed and operational.
- The new mono-pole will take about 6-months to construct. T-Mobile is working to see if we can extend the existing temporary power to temporarily feed the new mono-pole so that the COW can be removed once the new mono-pole is installed.
- T-Mobile is coordinating with PG&E for new permanent electrical service. The new service could take 1 to 2 years for PG&E. Power to come from Cedar Lane. Team is working on determining the location for the pad mounted transformer.
- T-Mobile expects to submit CD's to the Town for approval by the end of February.



Station 8 - Schedule Update

- New electrical service meter (PG&E) is now tentatively scheduled for the end of February.
- Final punch list backcheck has been completed and final few remaining items are being addressed.
- Replacement of section of storm drain has been completed.
- Notice of Completion has been filed and recorded.
- Town Closeout and Approvals
 - Final inspections from the Town have been requested.
 - Town has reviewed and approved final plan set.
 - Irrigation audit reports, notarized recorded copy of the landscape maintenance agreement, and final landscaping plan have been submitted.



Questions & Answers



Amendment #4

Agreement Between Woodside Fire Protection District And Capital Program Management, Inc.

Facility Replacement Planning and Construction Management Services

February 15, 2024

THIS AMENDMENT #4 to AGREEMENT dated February 22, 2022 by and between Woodside Fire Protection District, hereinafter called the Owner, and Capital Program Management, Inc., hereinafter called the PM/CM. The Owner and PM/CM are sometimes collectively referred to herein as the "Parties."

The Parties desire to amend the agreement to increase compensation from Eight Hundred Ninety Thousand Dollars (\$890,000) to Nine Hundred Thirty Thousand Dollars (\$930,000) an increase of Fifty Thousand Dollars (\$50,000).

REVISE ARTICLE 7, Paragraph A.1 and A.2: COMPENSATION AND PAYMENT

A. Compensation for Basic Services: The Owner shall compensate the PM/CM for performing the Basic Services described in Article 3, within timeframes established in Article 4 as follows:

1. An estimated fee budget in the amount Nine Hundred Thirty Thousand Dollars (\$930,000) to be paid as provided in subpart 7B, below. PM/CM's compensation under this Agreement shall not exceed this amount without a prior written amendment to this Agreement.
2. An amount of up to Five Thousand Dollars (\$5,000) of the aforementioned fee may be used as an allowance for reasonable expenses. Allowable reimbursable expenses are indicated in Exhibit "B" to this Agreement, which is incorporated herein by reference.

[Signatures on following page]

The undersigned hereby approves the foregoing Amendment #4 to Agreement for professional services comprised of this letter, its Exhibits and the accompanying Standard Terms.

For: Woodside Fire Protection District

For: Capital Program Management, Inc.

Signature



Signature

By: Mr. Thomas Cuschieri

Its: Fire Chief

Date: _____

By: Mr. Mark Rosson

Its: President

Date: 2/15/24

RESOLUTION NO. 24-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
WOODSIDE FIRE PROTECTION DISTRICT DESIGNATING THE FIRE CHIEF TO PERFORM THE
DUTIES OF BOARD SECRETARY**

WHEREAS, Health and Safety Code Section 13853(a), a provision of the Fire Protection District Law of 1987, provides for the Office of Board Secretary.

WHEREAS, the Board Secretary is responsible for maintaining a record of all of the actions of the Woodside Fire Protection District Board of Directors ("Board" or "Board of Directors"), in accordance with Health & Safety Code section 13868. In that regard, the duties of the Board Secretary include:

- a. Attending each session of the Board of Directors and attending committee meetings when requested to do so.
- b. Keeping and entering in the minute book of the Board of Directors a full and complete record of the proceedings of the Board at all regular and special meetings, including the entry in full of all resolutions and of all decisions on questions concerning the allowance of accounts. The vote of each member on every question shall be recorded.
- c. After each meeting of the board, delivering to and leaving with the Finance Manager all demands allowed for the payment of money.
- d. Filing and preserving, or disposing of pursuant to law, all petitions, applications, and other papers and records deposited with the Woodside Fire Protection District ("District").
- e. Authenticating with his or her signature and filing each ordinance passed by the Board.
- f. Serving as the District Clerk of the Board (also referred to as the Clerk, the District Clerk, or Clerk of the Board) and performing such duties as established by law and/or action by the Board.

WHEREAS, Health and Safety Code Section 13853(b) further provides that the Board Secretary may be either a member of the Board of Directors, or the Board may employ a clerk to perform the duties of Board Secretary.

WHEREAS, the Board of Directors desires to designate the Woodside Fire Protection District Fire Chief, an employee of the District, to perform the duties of Board Secretary.

NOW THEREFORE BE IT RESOLVED that the Board of Directors hereby designates and employs the Woodside Fire Protection District Fire Chief ("Fire Chief") to perform the duties of Board Secretary.

BE IT FURTHER RESOLVED, that the Fire Chief, in performing the duties of Board Secretary, may assign such duties to other District staff and/or consultants, while maintaining overall supervision and oversight of the performance of such duties.

PASSED, APPROVED and ADOPTED this ___ day of _____, 2024 at a regular meeting of the District Board held on _____, 2024 at 808 Portola Valley Road, Portola Valley, California 94028 with the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated:

Matt Miller, President
Board of Directors

ATTEST:

Board Secretary



WOODSIDE FIRE PROTECTION DISTRICT

FIRE PREVENTION BUREAU
808 PORTOLA ROAD
PORTOLA VALLEY, CA. 94028
(650) 851-1594

WWW.WOODSIDEFIRE.ORG
KIMBERLY GIULIACCI – FIRE MARSHAL

To: WFPD Board of Directors

From: Fire Marshal Giuliani

Date: February 23, 2024

Subject: Staff recommends that the Board introduce and waive the reading of Ordinance 24-01 (previously known as Ordinance 23-03, “AN ORDINANCE OF THE WOODSIDE FIRE PROTECTION DISTRICT OF SAN MATEO COUNTY, CALIFORNIA, ESTABLISHING FUEL MITIGATION AND EXTERIOR HAZARD ABATEMENT STANDARDS IN ALL STATE AND LOCAL RESPONSIBILITY AREAS WITHIN THE DISTRICT, REQUIRING DOCUMENTATION OF COMPLIANCE PRIOR TO SALE OF THE PROPERTY, ADOPTING FINDINGS OF FACT, AND DETERMINING THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.”

Recommendation:

It is recommended that the Board introduce and waive the reading of Ordinance 24-01, “AN ORDINANCE OF THE WOODSIDE FIRE PROTECTION DISTRICT OF SAN MATEO COUNTY, CALIFORNIA, ESTABLISHING FUEL MITIGATION AND EXTERIOR HAZARD ABATEMENT STANDARDS IN ALL STATE AND LOCAL RESPONSIBILITY AREAS WITHIN THE DISTRICT, REQUIRING DOCUMENTATION OF COMPLIANCE PRIOR TO SALE OF THE PROPERTY, ADOPTING FINDINGS OF FACT, AND DETERMINING THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Background:

The Woodside Fire Protection District (“District”) is an independent fire protection district established under the Fire Protection District Law of 1987. The District is empowered to provide fire protection services and to enforce violations of the California Fire Code, California Health and Safety Code, California Code of Regulations, Government Code, and all District ordinances.

The California Legislature has declared the following, at Government Code section 51175(a):

Wildfires are extremely costly, not only to property owners and residents, but also to local agencies. Wildfires pose a serious threat to the preservation of the public peace, health, or safety. The wildfire front is not the only source of risk since embers, or firebrands, travel far beyond the area impacted by the front and pose a risk of ignition to a structure or fuel on a site for a longer time. Since fires ignore civil boundaries, it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control. Preventive measures are therefore needed to ensure the preservation of the public peace, health, or safety.

Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California. The need for immediate action to prevent uncontrolled wildfire and its associated damage to life, health, property, and essential public services is well-documented. In recent years, the Governor has repeatedly issued emergency proclamations related to fire. These both evidence and acknowledge the need for immediate action to address wildfire hazards, particularly in fire-prone areas within the state.

Public Resources Code section 4291 requires, among other things, that private persons and entities who own, lease, control, operate, or maintain a building or structure in, upon, or adjoining, a mountain area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, which area or land is within a state responsibility area, maintain defensible space of 100 feet from each side and from the front and rear of a structure, but not beyond the property line.

Government Code section 51182 requires, among other things, that both private persons and private and public entities who own, lease, control, operate, or maintain an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by a local agency pursuant to Government Code Section 51179, maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line. In enacting this statute, as stated in Government Code section 51175, it is not the intent of the Legislature to limit or restrict the authority of a local agency to impose more restrictive fire and public safety requirements, as otherwise authorized by law.

Both Public Resources Code section 4291 and Government Code section 51182 authorize by local ordinance fuel modification beyond the property line in order to maintain 100 feet of defensible space from a structure.

Government Code section 51189 provides that the State Fire Marshal shall develop a model defensible space program that shall be made available for use by local agencies in the enforcement of the defensible space provisions in Government Code section 51182 and Public Resources Code section 4291.

Public Resources Code section 4117 provides that the District may adopt ordinances, rules, or regulations to provide fire prevention restrictions or regulations that are necessary to meet local conditions of weather, vegetation or other fire hazards. Such ordinances, rules, or regulations may be more restrictive than state statutes in order to meet local fire hazard conditions.

Ordinance Number 24-01 (formerly numbered as Ordinance 23-03) is designed to supplement the requirements of Public Resources Code section 4291 and Government Code section 51182, apply similar requirements that are more restrictive to all private persons and private and public entities throughout the District, utilize the State Fire Marshal's model defensible space program as a guide in establishing such requirements, and decrease the risk of structure fires spreading to adjacent vegetation and the risk of vegetation fires and wildfires spreading to structures, thereby slowing or stopping fires. As explained in Section 2 of the Ordinance, climatic, vegetative, geological, and topographical conditions within the Fire District create a grave risk of wildfire and resulting loss of life and property and environmental damage. These local hazardous fire conditions warrant extensive fuel clearing requirements throughout the Fire District up to within 100 feet of any structures.

Summary of Major Provisions of Ordinance 24-01

I. Fuel Mitigation & Exterior Hazard Abatement Standards.

Ordinance 24-01 establishes fuel mitigation and exterior hazard abatement standards in all state and local responsibility areas within the Fire District.

The primary standards in Ordinance 24-01 include, but are not limited to, the following:

1. Creating Defensible Space Around Structures. Defensible Space will be provided around each Structure, as defined in the Ordinance. The intensity of fuels management will vary within the one hundred (100') foot perimeter of a Structure (Zone 2), the most intense being used between five (5') feet and thirty (30') feet around the Structure (Zone 1), and an ember-resistant zone being required within five (5') feet of the structure, including attached decks (Zone 0).
2. Adjacent Parcels. When a Structure is less than 100 feet from a property line and Combustible Material or Hazardous Vegetation on an adjacent Parcel presents a Fire Hazard for the Structure, the Persons who have any ownership or possessory interest or easement obligation interest in or control of any adjacent Parcel where the Fire Hazard exists shall be responsible for clearing the area on their land which is within 100 feet of the Structure and is needed to provide the necessary fire protection in the manner and to the extent required by the Fire Code Official, in accordance with the Ordinance's requirements.

The Person or persons with an ownership or possessory interest or easement obligation interest in or control of the Improved Parcel with the Structure shall be responsible for fifty percent (50%) of the abatement costs on the adjacent parcel.

3. Photovoltaic Systems. Clearance requirements are established around free-standing (ground mounted) photovoltaic systems, equipment, and energy storage systems.
4. Roadside Vegetation. Clearance requirements are established for parcels adjacent to a Fire Apparatus Access Road or Driveway, as stated in the Ordinance.
5. Fences. Any new combustible fence shall have a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible materials.

No Person who has any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District shall construct or allow to be constructed or placed on the Parcel any screen, barrier, fence or other Structure made, in whole or in part, of bark, mulch, or wood chips within 100 feet of a Structure or within 10 feet of the edge of a Fire Apparatus Access Road or driveway.

The Fire Code Official may mandate additional or alternative fuels management of an area more or less than the above-referenced widths or height on a Parcel and all sidewalks and roadways on or immediately adjacent thereto, for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the additional or alternative fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.

The Fire Code Official shall prepare Standards and Guidelines for Defensible Space and Home Hardening (the "Guidelines"), which shall serve as a supplemental instruction and interpretation resource. The Board of Directors will approve the Guidelines.

II. Modification Process

Where there are practical difficulties involved in carrying out the provisions of this Ordinance, the Fire Code Official shall have the authority to grant Modifications for individual cases, provided that the Fire Code Official shall first find that:

(1) A modification is necessary to address an environmental, significant erosion, or sedimentation of surface waters concern as required by the provisions of this Ordinance, or

(2) Special individual reasons make the strict letter of this Ordinance impractical, and the Modification is in compliance with the intent and purpose of this Ordinance;

(3) The true intent of this Ordinance or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Ordinance do not fully apply or an equivalent or better form of fire protection is proposed.

(4) Phased compliance is necessary due to financial inability or practical difficulties as outlined in items (1), (2), or (3) of above.

Denials of Modification requests may be appealed to the Board of Directors.

III. Phased Compliance Due to Qualified Circumstances

The Fire District understands that this Ordinance will require much time, energy, and resources, especially on large properties and that owners will not be cited for non-compliance with the ordinance if they can show evidence of substantial progress toward compliance within the past year as determined by the Fire Code Official and recorded in an approved Wildfire Safety Plan.

Provisions have been added to support property owners in order to comply with this ordinance through a modification request for "Phased Compliance," which allows compliance over a period of time in excess of one year, but which shall not exceed a period of three years.

Modifications for Phased Compliance may be approved (1) for persons who are financially unable to comply with the Ordinance or make substantial progress to compliance within one year, or (2) when there are practical difficulties in complying with the Ordinance or making substantial progress to compliance within one year.

IV. Sale or Transfer of Property

Prior to the close of any Real Estate Transaction within the Fire District, the seller of any Improved Parcel must obtain documentation from the Fire Code Official that the property is in compliance with the fuel mitigation requirements of this Ordinance and provide that documentation to the buyer at or before the close of escrow.

Documentation of compliance obtained in the six-month period preceding the date of the close of escrow is sufficient to satisfy this section.

If documentation of compliance is not available at or before the close of escrow, the seller and buyer shall enter into a written agreement to which the buyer agrees to obtain documentation from the Fire Code Official stating the property is in compliance with the fuel mitigation requirements of this Ordinance within one year of the close of escrow, or within the time period of an approved Phased Compliance Modification, unless additional time is otherwise approved by the Fire Code Official.

Except as otherwise provided by this Ordinance, the Fire Code Official shall have the discretion to accept alternate means and measures to achieve compliance if completion of the required work will delay the sale or transfer of the property

Public Outreach

A draft of the Ordinance (then numbered Ordinance 23-03) was published to the WFPD website on November 10, 2023 in order to begin a process to raise awareness of the new ordinance.

In an effort to promote the new ordinance, The Town of Portola Valley Wildfire Preparedness Committee was kind enough to allow me to use their meeting time to host a workshop on November 15, 2023, to present the new ordinance to our community members. Advertising for the workshop was posted to all WFPD social media, Town of Portola Valley forum, IO groups throughout the community, Town of Woodside Next Door, flyers were dropped off to both Towns, Roberts' bulletin board, Hardware Stores, and WFPD website.

It was well attended and many residents expressed their concerns, comments and recommendations. I informed the community that there would be a second workshop on January 15, 2024 and during this workshop responses to questions and concerns would be provided.

From the recording of the November 15, 2023 workshop, I extracted questions and prepared a presentation.

In December, I attended a Community Meeting in Ladera for a Q&A on the new proposed ordinance. From this session, I added more questions to be answered during the second workshop. From November until January 15, 2024, I received many emails with questions.

During the second workshop, the presentation consisted of addressing all the questions compiled over the course of two months as well as amendments that would be made to the ordinance prior to the first reading. It was requested to delay the first reading another month in order to give additional time to residents to review and provide recommendations, which was granted.

The Fire District received recommended changes and comments on Ordinance 24-01 (previously numbered 23-03) from the Portola Valley Conservation Committee on 1/9/2024, the Ladera Community on 2/9/2024, and Councilman Craig Taylor on 2/19/2024. Those recommended changes and comments along with the District's responses to those changes and comments have been provided in the Board packet.

Ordinance 24-01 in the Board Packet reflects amendments based on requests and recommendations not just from those mentioned above but from community members during District workshops. A red-line copy and a clean copy with amendments are included in the Board Packet. Not all of the requested amendments were made, as explained in the responses to the comments.

In addition, a copy of the Model Defensible Space program prepared by the Office of the State Fire Marshal's office is included in the Board Packet. This Model Defensible Space Program served as a guide in preparing the Ordinance

California Environmental Quality Act

Reducing the potential for high intensity wildfire through this Ordinance would reduce the significant environmental impacts caused by uncontrolled wildfire and assure the maintenance, restoration, enhancement, and protection of the Fire District's natural resources and environment.

The Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the following categorical exemptions: Sections 15304 (i) (fuel management activities) as there are extra hazardous fire conditions in the Fire District, 15307 (actions taken as authorized by law to assure protection of natural resources), and 15308 (actions taken as authorized by law to assure protection of the environment). There are no significant or potentially significant negative environmental impacts from this Ordinance.

- The Ordinance is a regulatory change that would not directly cause any reasonably foreseeable physical change, nor would it determine or cause any future development.

- Indirect physical changes would require removal of flammable materials in areas with heightened risk to cause and spread wildfires. This would reduce environmental threats caused by wildfires and their spread and would be beneficial to the environment. The benefits of making wildfires less likely to start and spread include but are not limited to, benefits in the areas of air quality, biological resources, cultural and historical resources, hazards, greenhouse gas emissions, recreation, and tribal cultural resources.

- The Ordinance does not impact environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.

- The Ordinance also is required to be interpreted and applied to avoid the taking of any special status species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees.

- If compliance with the Ordinance could cause adverse environmental consequences, property owners are directed to request a modification of the fuel break requirements from the District.

There are no unusual circumstances under CEQA Guideline section 15300.2(c). No exception identified in CEQA Guideline Section 15300.2 applies to this Ordinance.

This Ordinance also is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15269 and Public Resources Code section 21080(b)(4) as specific actions necessary to prevent or mitigate an emergency.

In addition, it can be seen with certainty that there is no possibility that the Ordinance may have a significant impact on the environment pursuant to CEQA Guidelines section 15601(b)(3). The Ordinance is proposed for the protection of the environment, including human health and property. The regulatory enactment would require affected properties to remove combustible materials to provide defensible space.

These requirements will be beneficial to the environment by preventing the emergence and spread of wildfires, which can cause immense environmental harm. Further, the Ordinance contains provisions requiring it to be interpreted and implemented in a manner that avoids environmental impacts, and directs property owners to seek modification of the applicable requirements if compliance would cause any such impacts. Due to these requirements, there is no possibility that it will cause significant environmental effects.

Each exemption stands as a separate and independent basis for determining that this Ordinance is not subject to CEQA.

Respectfully,

Kimberly Giuliacci
Fire Marshal
Woodside Fire Protection District



WOODSIDE FIRE PROTECTION DISTRICT

FIRE PREVENTION BUREAU
808 PORTOLA ROAD PORTOLA VALLEY, CA. 94028
(650) 851-1594
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Table of Exhibits – Ordinance 24-01

- Current Version of Ordinance 24-01 (Previously Numbered 23-03) – Redline (For Board Consideration)
- Current Version of Ordinance 24-01 (Previously Numbered 23-03) – Clean (For Board Consideration)
- State Fire Marshal Model Defensible Space Program Template
- Responses to Comments from Portola Valley Conservation Committee
- Responses to Comments from Ladera Wildfire Preparedness Committee
- Responses to Comments from Craig Taylor
- Comment Letter from Ladera Wildfire Preparedness Committee

ORDINANCE NO. ~~23-03~~24-01

AN ORDINANCE OF THE WOODSIDE FIRE PROTECTION DISTRICT OF SAN MATEO COUNTY, CALIFORNIA, ESTABLISHING FUEL MITIGATION AND EXTERIOR HAZARD ABATEMENT STANDARDS IN ALL STATE AND LOCAL RESPONSIBILITY AREAS WITHIN THE DISTRICT, REQUIRING DOCUMENTATION OF COMPLIANCE PRIOR TO SALE OF THE PROPERTY, ADOPTING FINDINGS OF FACT, AND DETERMINING THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The Board of Directors (“Board”), as the governing body of Woodside Fire Protection District (“Fire District”) does ordain as follows:

SECTION 1. AUTHORITY

This Ordinance is authorized by state statutes and regulations, including but not limited to, Public Resources Code Section 4117, Health and Safety Code Sections 13801, 13804, 13861, 13862, and 13870, Government Code section 53069.4, and Government Code Section 51175.

SECTION 2. FINDINGS OF FACT

- (a) The California Legislature has declared the following, at Government Code section 8654.2(a):

Catastrophic threats exist to lives, property, and resources in California, including wildfire. Climate change, an epidemic of dead and dying trees, and the proliferation of new homes in the wildland urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25 million acres of California wildlands are classified as under very high or extreme fire threat, extending that risk to over one-half of the state.

- (b) The California Legislature has further declared the following, at Government Code section 51175(a):

Wildfires are extremely costly, not only to property owners and residents, but also to local agencies. Wildfires pose a serious threat to the preservation of the public peace, health, or safety. The wildfire front is not the only source of risk since embers, or firebrands, travel far beyond the area impacted by the front and pose a risk of ignition to a structure or fuel on a site for a longer time. Since fires ignore civil boundaries, it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control. Preventive measures are therefore needed to ensure the preservation of the public peace, health, or safety.

- (c) In adopting AB 3074 in 2020, the California Legislature made, among others, the following findings:

(1) Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California. The state experienced the deadliest and most destructive

wildfires in its history in 2017 and 2018. Fueled by five years of drought, unprecedented buildup of dry vegetation, and extreme winds, the size and intensity of recent wildfires caused the loss of more than 100 lives, the destruction of tens of thousands of homes and businesses, and the exposure of millions of urban and rural Californians to unhealthy air. Compared with fire activities in 1986, recent wildfires in the western United States have occurred nearly four times more often, burned more than six times the land area, and lasted almost five times as long.

(2) Climate change, an epidemic of dead and dying trees, a century of fire exclusion, and the proliferation of new homes in the wildland-urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25,000,000 acres of California wildlands are classified as under very high or extreme fire threat, extending that risk over one-half of the state. More than 2,000,000 California households and approximately one in four residential structures in California are located within or near “high” or “very high” fire hazard severity zones identified on maps drawn by the Department of Forestry and Fire Protection.

(3) Certain populations in the state are particularly vulnerable to wildfire. These Californians live in communities that face near-term public safety threats given their location and geography. Some residents in these areas are made further vulnerable due to factors such as age and lack of mobility. The tragic loss of life and property in the Town of Paradise during the 2018 Camp Fire demonstrates that vulnerability

(d) Public Resources Code section 4291 requires, among other things, that private persons and entities who own, lease, control, operate, or maintain a building or structure in, upon, or adjoining, a mountain area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, which area or land is within a state responsibility area, maintain defensible space of 100 feet from each side and from the front and rear of a structure, but not beyond the property line.

(e) Government Code section 51182 requires, among other things, that both private persons and private and public entities who own, lease, control, operate, or maintain an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by a local agency pursuant to Government Code Section 51179, maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line. In enacting this statute, as stated in Government Code section 51175, it is not the intent of the Legislature to limit or restrict the authority of a local agency to impose more restrictive fire and public safety requirements, as otherwise authorized by law.

(f) Both Public Resources Code section 4291 and Government Code section 51182 authorize by local ordinance fuel modification beyond the property line in order to maintain 100 feet of defensible space from a structure.

(g) Government Code section 51189 provides that the State Fire Marshal shall develop a model defensible space program that shall be made available for use by local agencies in the enforcement of the defensible space provisions in Government Code section 51182 and Public Resources Code section 4291.

(h) The Fire District's adoption of stringent fuel mitigation and exterior hazard abatement standards is designed to supplement the requirements of Public Resources Code section 4291 and Government Code section 51182, apply similar requirements that are more restrictive to all private persons and private and public entities throughout the District, utilize the State Fire Marshal's model defensible space program as a guide in establishing such requirements, and decrease the risk of structure fires spreading to adjacent vegetation and the risk of vegetation fires and wildfires spreading to structures, thereby slowing or stopping fires. The Board bases these standards upon its finding that the following climatic, vegetative, geological, and topographical conditions within the Fire District create a grave risk of wildfire and resulting loss of life and property and environmental damage. These local hazardous fire conditions warrant extensive fuel clearing requirements throughout the Fire District up to within 100 feet of any structures.

(1) Weather/Climatic Conditions

The climatic weather patterns within the Woodside Fire Protection District are moderate. The district, on average, experiences an annual rainfall of 26 inches. This rainfall can be expected between October and April of each year. However, during the summer months there is little, if any, measurable precipitation. During this dry period, the temperatures are generally between 70 ~~and~~ 95 F degrees with light to gusty westerly winds. These drying winds, combined with the natural and imported vegetation, which is dominant throughout the area, create a hazardous fuel condition that sets conditions for fire spread into the dense, heavily wooded and brush covered hillsides and canyons as well as grass covered areas where wind-driven fires can have severe consequences.

This climate supports the growth of native grasslands, chaparral, oaks, and other indigenous fire ~~adapted dependent~~ plant species in the area. Significant development has occurred within the Fire District, with the addition of primarily residential areas surrounded by large numbers of non-indigenous plant species. Due to the systematic exclusion of naturally occurring fire for over one hundred (100) years, and a reduction in historical grazing activity as pasture has been developed, these indigenous and non-indigenous plant species have created significant fuel loads far exceeding historical levels throughout the Fire District.

Due to the location of the Fire District in proximity to the Santa Cruz Coastal Range, in the fall the more moderate summer weather gives way to Diablo Wind events characterized by high winds and very low relative humidity. These conditions have contributed to major fire loss in the region and throughout the state, with 17 of the 20 most destructive fires in California history occurring in the fall. The Fire District is exposed to an increasing number of these wind events as climate change has delayed the onset of the rainy season, thus increasing the risk of major

fires. This has been demonstrated in several ~~like~~ similar climatic areas within the State of California and the western United States.

Because of variable weather patterns, normal rainfall cannot always be relied upon. This can result in water rationing and water allocation programs, as demonstrated in past drought patterns. Water shortages may also be expected in the future due to limited water storage capabilities and increased consumption. Water shortages often lead to restrictions on the irrigation of landscaping around structures, increasing the availability potential of vegetation ~~to~~ to ignite and spread fire to nearby structures and wildlands.

The district is bounded by San Francisco Bay on the east and the foothills of the Santa Cruz Coastal Range on the west. This setting allows for strong gusty winds to blow through the Fire District. These winds are a common occurrence each afternoon during summer months. Wind increases a fire's ability to spread and has been attributed to the rapid spread of both vegetation and structure fires. This is especially true during Diablo wind events when strong northerly winds are aligned with the upslope direction of the canyons and watersheds of the coastal mountains.

Throughout the Fire District, ~~many~~ most homes are surrounded by heavy vegetation with interspersed open areas, creating a semi-rural character. The resulting exposure to wildfire risk is increased by the negative effects of high wind conditions during the fire season. During May to October, critical climatic fire conditions regularly occur when the temperature exceeds 80F; wind speed is greater than 15 mph, fuel moisture is less than or equal to 10 percent, wind direction is from north to the east-southeast, and the ignition component is 65 or greater. These conditions occur more frequently during the fire season, but this does not preclude the possibility that a serious fire could occur during other months of the year. The critical climate fire conditions create a situation conducive to rapidly moving, high-intensity fires. Fires starting in the wild land areas along the northern border are likely to move rapidly southward into the populated areas creating the potential for significant property loss and a very challenging evacuation problem.

(2) Vegetative Conditions

The Fire District includes a diverse mosaic of vegetation types, including oak woodland, mixed evergreen forest, grassland, and chaparral. Oak woodlands are the most widespread, with coast live oak dominating, but also including blue oak, canyon live oak, valley oak, black oak, and interior oak. In areas with interlocking evergreen canopy, especially on north and east facing slopes, the understory is primarily tree duff and low growing woody and herbaceous vegetation. In more open oak savanna woodlands, annual grasses and forbs are the primary understory. Chaparral is characterized by woody, drought-tolerant shrubs, many with hard, small, evergreen leaves. Mature chaparrals are highly flammable. Common plants in the Fire District's chaparral include scrub oak, chamise, manzanita, buckeye, and ceanothus.

Much of the oak woodland, chaparral and grassland vegetation is recognized internationally as belonging to the “The California Interior Chaparral and Woodlands” Eco-Region, considered to be of outstanding global importance for the diversity of plant and animal species they support - many of those species only found in California. This Eco-Region covers 24,900 square miles in an elliptical ring around California’s Central Valley, and occurs on hills and mountains ranging from 300 to 3,000 feet in elevation. It² is estimated that 70% of this Eco-Region has been lost, and what remains is considered vulnerable to additional loss and fragmentation from development, fire suppression, overgrazing, conversion to annual grasses, and introduction of invasive species.

In their natural state, these vegetation types are characterized by periodic fires, occurring at intervals of as few as 10 years to over a hundred years. Many of the plants are pyrophytes, or “fire-loving,” adapted to (or even dependent on) fire for reproduction, recycling of nutrients, and the removal of dead or senescent vegetation. Plants known as “fire followers” will germinate after the first seasonal rains following a low intensity natural fire. Many fire followers are soft-leaved, non-woody annual plants that die back with the summer dry period. With the introduction of many non-native species, these communities are vulnerable to colonization by invasive species following fires and other types of disturbance. Many invasive plants rapidly form dense stands that increase the fire hazard relative to healthy, naturally occurring vegetation types.

All vegetation in the Fire District reaches some degree of combustibility during the dry summer months and, under certain conditions, during the winter months. With longer intervals between fires, the dead material that accumulates and dense vegetation that develops can become highly flammable. In severe drought years, additional plant material may die, increasing the fuel load relative to a stand’s age. A stand of 10 to 20-year-old brush typically contains enough dead material to produce rates of spread equivalent to fully cured grass. Because brush has a higher fuel load, fires in brush also yield much higher fire line intensity. The dead fuel load that has accumulated in a 20 to 30-year-old stand of brush may spread at twice the rate of a grass fire. Fire spread in very old brush (40 years or older) has been measured at eight times faster than grass (4 feet per second). Under extreme weather conditions these rates can be much higher, with the fastest fire spread rate in grass at up to 12 feet per second or about eight miles per hour, with the fastest fire spread rate in old brush at up to 96 feet per second or about 65 miles per hour. Residential structures near mature brush fields are thus at greater threat from wildfire.

~~The Fire District is in a “Chaparral Biome.” In its natural state, chaparral is characterized by regular and recurring fires, with intervals ranging between 10 to 15 years to over a hundred years. Mature chaparral (stands that have been allowed greater intervals between fires) is characterized by impenetrable, dense thickets. These plants are highly flammable. They grow as woody shrubs with hard and small leaves, are non-leaf dropping (non-deciduous), and are drought tolerant. After the first seasonal rains following a fire, the landscape is dominated by soft leaved, non-woody annual plants, known as fire followers, which die back with the summer dry period. The California Interior Chaparral and Woodlands Eco Region covers 24,900 square miles in an elliptical ring around the California Central Valley. It occurs on hills and mountains ranging from 300 to 3,000 feet in elevation. It is part of the Mediterranean forests, woodlands, and scrub biome. Many of the plants are pyrophytes, or “fire loving,” adapted to (or even depending on) fire for reproduction, recycling of nutrients, and the removal of dead or senescent vegetation. Many plant and animal species in this ecoregion are adapted to periodic fire.~~

~~The Fire District’s chaparral vegetation includes chamise, manzanita, buckeye, and ceanothus. Oak woodlands is the most widespread, with coast live oak dominating, but the chaparral vegetation also includes scrub oak, blue oak, canyon live oak, valley oak, tan oak, black oak, and interior oak. Open grasslands are the primary understory within the oak savannah woodlands. In areas with interlocking tree canopy, primarily north and east facing slopes, the understory is primarily tree duff and litter.~~

~~All vegetation in the Fire District reaches some degree of combustibility during the dry summer months, and under certain conditions, during the winter months. For example, as chaparral and other brush species age, twigs and branches within the plants die and are held in place, increasing the decadent material component. A stand of 10 to 20 year old brush typically contains enough dead material to produce rates of spread equivalent to fully cured grass. Due to the higher fuel load per acre, fires in brush fields also yield much higher fire line intensity.~~

~~In severe drought years, additional plant material may die, contributing to the fuel load. There will normally be enough dead fuel load that has accumulated in 20 to 30 year old brush to give rates of spread about twice as fast as the rates of spread in a grass fuel model. Under moderate weather conditions that produce a spread rate of a one half foot per second in grass, a 20 to 30 year old stand of brush may have a rate of fire spread of approximately one foot per second. Fire spread in old brush (40 years or older) has been measured at eight times faster than grass (4 feet per second). Under extreme weather conditions these rates can be much higher, with the fastest fire spread rate in grass at up to 12 feet per second or about eight miles per hour and the fastest fire spread rate in old brush at up to 96 feet per second or about 65 miles per hour. Residential structures within the wildland intermix or interface near mature brush fields are thus at greater threat from wildfire.~~

(3) Geological Conditions

Local geological conditions include high potential for seismic activity. The Fire District is comprised of built-up suburban areas having buildings and structures constructed near three major fault systems capable of producing major earthquakes, the modifications cited herein are intended to better limit life safety hazards and property damage in the aftermath of seismic activity.

The Fire District is in a region of high seismic activity with the Hayward fault running ~~just~~ east of its border. The San Andreas fault runs right through the district and the Calaveras Fault is to the east of the district. All three faults are known to be active, as evidenced by the damaging earthquakes they have produced in the last 100 years and can, therefore, be expected to do the same in the future. Of primary concern to the Fire District is the San Andreas Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7.0 on the Richter scale. Many underground utilities cross the fault, including major water supply lines.

Additional potential events following an earthquake include broken natural gas mains and ensuing fires in the streets; building fires, as the result of broken service connection, trapped occupants in collapsed structures; and requirements to render first aid and other medical attention to many residents.

(4) Topographical Conditions

Local topographical conditions include hillside housing with many narrow and winding streets with slide potential for blockage and limited firefighting water supply. These conditions create the potential for delays in responding when a major fire or earthquake occurs. Many situations will result in limiting or total blockage of fire district emergency vehicular traffic, overtaxed fire district personnel, and a lack of resources for the suppression of fire in both structures and vegetated areas in the Fire District.

The Fire District has many homes that are reached only by narrow and winding paved streets, which hamper access for fire apparatus and provide limited evacuation routes for residents. In addition, many of the hillside homes are in outlying areas that require longer response times for the total required firefighting force. Kings Mountain, Bear Gulch East, Skywood Estates, Old La Honda, Woodside Highlands, Los Trancos Woods and Vista Verde, and other areas with limited access via narrow and winding streets may face the problem of isolation from the rest of the Fire District and will suffer from the need for two-way traffic as evacuation and suppression response travel in opposite directions over limited roadways.

Effective road widths are further reduced by encroaching vegetation and mid-slope roads built without shoulders. This is particularly pronounced in older neighborhoods of Woodside and Portola Valley, some of which were laid out in the 1920s when vehicles were smaller, codes less stringent, and population density much lower.

Due to steep slopes that characterize many areas of the Fire District, the establishment of infrastructure to support adequate fire protection needs is not feasible. It is difficult to widen existing streets to meet present standards for emergency operations and fire hydrants, especially in the hillside areas, where we often have less than optimum water pressure levels.

In summary, portions of the Fire District have limited water supplies or roadways that delay the response of emergency equipment to carry out the extinguishment of a fire allowing the fire to increase in area.

(i) Environmental Damage

(1) Uncontrolled wildfire causes significant environmental impacts in the Fire District. These impacts include loss of vegetation and biodiversity; the potential for post fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHGs), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These impacts in turn can damage and sometimes destroy local natural resources.

(2) The Ordinance is intended to minimize the loss of structures ~~and vegetation during uncontrolled wildfire that lead to environmental~~ and ~~environmental and~~ natural resources impacts ~~of uncontrolled wildfire~~, including loss of vegetation and biodiversity; potential for post - fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHG), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These environmental and natural resources effects can also lead to public health impacts.

(3) Furthermore, fires that occur in the built environment contribute to air contamination from the fire plume, whose deposition is likely to subsequently include land and water contamination, contamination from water runoff containing toxic products, and other environmental discharges or releases from burned materials.

(4) ~~By reducing the severity of wildfire, s~~Studies have shown that low intensity, controlled fire, enhances biodiversity, by controlling invasive and noxious weed species, thereby allowing native plants to compete more effectively, as well as ~~by~~ opening overgrown understory to allow for wildlife to move more freely across the landscape. Additionally, several of the endemic species of the region require fire to germinate. With low-intensity fire, the chaparral habitat would become more stratified in life stages, and thereby increasing its fire resiliency and habitat value.

(5) Reducing the potential for ~~and the severity of~~ high intensity ~~uncontrolled~~ wildfire through this Ordinance would reduce the significant environmental impacts caused by uncontrolled wildfire and assure the maintenance, restoration, enhancement, and protection of the Fire District's natural resources and environment.

(6) Wildfires are inevitable in a fire dependent ecosystem such as California.

~~They often occur and spread unexpectedly and with surprising speed. Wildfires often occur and are usually uncontrolled, and fast moving fire with high intensity.~~ They ~~cause immense damage every year, putting~~ lives and property in clear and imminent danger ~~every year and cause immense damage to structures and the environment.~~ In the absence of measures to manage outcomes, wildfire is likely to lead to structure loss and damage to the environment as a result of uncontrolled fast moving and high intensity fires. As stated under Sections 2(a), 2(b) and 2(c) of this Ordinance, the California Legislature has found that “Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California.” Since October 30, 2015, the State has been under a Governor’s State of Emergency Proclamation due to the increased risk of wildfires related to vast tree mortality. In addition, according to the California Office of Emergency’s website, the State is currently under numerous separate State of Emergency Proclamations issued by the Governor related to wildfires. <https://www.caloes.ca.gov/office-of-the-director/policy-administration/legal-affairs/emergency-proclamations/>

(7) The need for immediate action to prevent uncontrolled wildfire and its associated damage to life, health, property, and essential public services is also well-documented. In recent years, the Governor has repeatedly issued emergency proclamations related to fire – five in 2022, seven in 2021, and six in 2020. These both evidence and acknowledge the need for immediate action to address wildfire hazards, particularly in fire-prone areas within the state.

(8) Some of California’s largest, deadliest, and most destructive wildfires have occurred within the last five years. This is due, in part, to climate change and global warming which causes both land and air to become drier than normal, thus making the perfect conditions for wildfires to ignite.

Experts predict that, as climate change continues, and global temperatures continue to rise, wildfire season in California will continue to extend with more months featuring conditions conducive to uncontrolled wildfire.

Several major wildfires raged in California in 2020, many of which are now amongst the largest wildfires in California history. The 2020 California lightning complex fires were particularly destructive, resulting in the loss of countless structures, several lives, and hundreds of thousands of acres of land.

The CZU Lightning Complex, LNU Lightning Complex, and SCU Lightning Complex fires impacted residents across the Bay Area as the result of dry lightning and major thunderstorms. The CZU Lightning Complex fires consisted of multiple fires throughout the San Mateo and Santa Cruz counties. The fires started in mid-August due to a severe thunderstorm that initially started several separate fires, including the Warnella and Waddell fires. Due to a change in wind conditions, these separate fires merged together and rapidly spread through nearby communities, including Swanton, Boulder Creek, and Bonny Doon.

The CZU Lightning Complex fire incident was finally contained on September 22,

2020, after burning 86,509 acres, destroying 1,490 structures, and causing one death.

As California's climate conditions continue to worsen, fires like these are becoming more common than ever, making it all the more important for California residents to protect themselves against these emergencies.

(9) Uncontrolled wildfires are emergencies, involving clear and imminent dangers, demanding immediate action to prevent or mitigate loss of, or damage, to life, health, property, or essential public services. This ordinance establishes actions necessary to prevent or mitigate such emergencies.

SECTION 3. APPLICABILITY

(a) This Ordinance establishes fuel mitigation and exterior hazard abatement standards in all state and local responsibility areas within the Fire District.

(b) The amount of fuel modification necessary shall consider 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.

(c) The intensity of fuels management will vary within the one hundred (100') foot perimeter of a Structure, the most intense being used between five (5') feet and thirty (30') feet around the Structure, and an ember-resistant zone being required within five (5') feet of the structure, including attached decks.

(d) This Ordinance shall apply to the following Parcels (the "Affected Parcels"):

(1) All Improved Parcels within the jurisdiction of the Woodside Fire Protection District, at all times of year.

(2) All Parcels adjacent to Improved Parcels where: (a) the owner/occupant of the Improved Parcel is unable to obtain the required Defensible Space, as delineated in this Ordinance; and (b) the current condition of fuels on the subject Parcel is assessed by the Fire Code Official as a Fire Hazard. The owner of the subject Parcel shall provide for the fuel modifications to meet the Defensible Space requirements of the adjacent Improved Parcel subject to this Ordinance and applicable law including the finding that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.

(3) All Parcels adjacent to a Fire Apparatus Access Road or Driveway.

(e) If any part of this Ordinance is in conflict with any other Ordinance adopted by the Fire District, the more restrictive provision(s) shall control.

(f) The Fire District Board of Directors reserves its right to adopt reasonable rules, regulations, and resolutions consistent with this Ordinance to enforce, interpret, and carry

out the provisions of this Ordinance. Such rules, regulations and resolutions may vary between different areas within the Fire District. Such rules, regulations, and resolutions shall not be construed to make new requirements not authorized by the Ordinance. In that regard, the Fire Code Official shall prepare Standards and Guidelines for Defensible Space and Home Hardening (the “Guidelines”), which shall serve as a supplemental instruction and interpretation resource. The Fire Marshal is responsible for proposing amendments to the Guidelines as necessary to maintain current instructions and interpretations. The Fire District Board of Directors shall approve by resolution the Guidelines and any amendments.

(g) It shall be the duty of every person who owns, leases, controls, operates, or maintains a dwelling or structure on an Affected Parcel to abate therefrom, and from Fire Apparatus Access Roads and driveways on or immediately adjacent thereto, all Combustible Material, and Hazardous Vegetation which constitutes a Fire Hazard.

SECTION 4. DEFINITIONS

ABATE or ABATEMENT. Shall mean an act used to remove, destroy, eliminate, seize, impound, or any action taken to mitigate a public nuisance.

ABATEMENT COSTS. Shall mean any and all reasonable and necessary costs incurred by the Woodside Fire Protection District to enforce this Ordinance and to abate the hazardous vegetation or combustible material on any property pursuant to this Ordinance, including physical abatement costs, administration fees and any additional actual costs incurred for the abatement proceeding(s), including attorney’s fees, if applicable.

APPROVED VEGETATION. Plants, shrubs, trees, groundcovers and other vegetation approved by the Fire Code Official as Fire Resistive Vegetation or that otherwise exhibit properties, such as high moisture content, little accumulation of dead vegetation, and low sap or resin content, that make them less likely to ignite, contribute heat or spread flame in a fire. Typically, vegetation must be irrigated to be Approved Vegetation.

AGENCY HAVING JURISDICTION. The agency that has legal authority to enforce, adopt or amend a code or ordinance.

BIOMASS. Shall mean all green waste material generated during the fuel treatment project. Biomass includes, without limitation, all grass, weeds, vegetation, and tree trimmings.

BRUSH. Vegetation (typically un-irrigated) with a woody component and multiple stems less than six-four (64) inches in diameter at breast height including Broom, Coyote Brush, Cypress, Juniper and Poison Oak.

COMBUSTIBLE MATERIAL. Rubbish, litter, or material of any kind other than Hazardous Vegetation, that is combustible, creates a fire hazard and/or endangers public safety.

DAYS. Shall mean calendar days.

DEFENSIBLE SPACE. Means that area described in 14 California Code of Regulations section

1299, Government Code section 51182, Public Resources Code Section 4291 and as otherwise described in this Ordinance, which is adjacent to each exterior side of a building or Structure and must be cleared of brush, Hazardous Vegetation, Combustible Material, and other items, as set forth in this Ordinance. The area includes Zone 0, Zone 1, and Zone 2, extending 100 feet from any Structure.

DRIVEWAY. An access road from the public way to a Structure that is used for public or private vehicular access, including fire and emergency apparatus or vehicles.

FIRE APPARATUS ACCESS ROAD. A public or private road that provides fire apparatus access from a fire station to a facility, building, or portion thereof. This is a general term that includes, but is not limited to, a fire lane, public street, public right of way, private street, parking lot lane, and access road.

FIRE CODE OFFICIAL. The Fire Chief or their duly authorized representatives.

FIRE HAZARD. Any condition, arrangement, act, or omission that:

1. Will increase, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing, or extinguishing fire, or
2. May obstruct, delay, hinder, or interfere with the operations of a fire department or the egress of occupants in the event of a fire.

FIRE-RESISTIVE VEGETATION. Plants that do not easily ignite, and their foliage and stems do not contribute to fire intensity. Supple leaves that are moist or have high water-content.

Characteristics include:

- Watery sap with little odor
- Plants with an **open-growth structure** (space between branches)
- No dead wood
- Thick bark that does not peel away from the trunk

Plants will be more resistant to wildfire by regular watering, fertilizing them with compost, and clearing away dry debris. Using drip irrigation can help both conserve water and deliver enough water to plants.

FUELS. Any combustible material, including petroleum-based products, cultivated landscape plants, grasses, ~~and~~ weeds, ~~and~~ wildland vegetation, and fences.

FUELS, AERIAL. Standing and supported live and dead combustibles not in direct contact with the ground and consisting mainly of foliage, twigs, branches, stems, cones, bark, and vines.

FUELS, LADDER. Any fuels that could carry fire vertically between or within Combustible Material or Hazardous Vegetation, including but not limited to ~~a~~ wood fences located within five (5) feet of any other Structure.

FUELS, SURFACE. Fuels found on the surface of the ground. They include ~~everything from~~ grasses, forbs, brush, logs, and stumps.

GROUND COVER. A plant with little to no aboveground woody material and a horizontally spreading growth pattern. (see guideline for examples)

HAZARDOUS VEGETATION. Shall mean any vegetation that is combustible and endangers public safety by creating a Fire Hazard. Hazardous vegetation is those vegetative materials that will readily ignite, burn, and transmit fire to any Structure or other surrounding and/or adjacent vegetation. Hazardous vegetation includes, but is not limited to, ~~wet~~ dry grass greater than four inches (4 in.) in height, accumulations of leaves, brush, weeds, green waste, dead or dying shrubs or trees, low-hanging branches, litter, or other flammable vegetation. Hazardous vegetation shall not include ~~loose surface litter in Zones 1 and 2, normally consisting of fallen leaves or needles, twigs bark, cones, and small branches below a maximum depth of four inches (4 in.) or a~~ commercial agricultural crop that is being actively grown and managed by the property owner or his or her legal tenant. Hazardous Vegetation shall not include healthy, mature, ~~senescent~~ trees.

IMPROVED PARCEL Shall mean a portion of real property on which a Structure is located, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

LOCAL RESPONSIBILITY AREA (LRA). An area of the state that is not a State Responsibility Area or federal property, and where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the city, town, county, city and county, district, or another local public agency.

MODIFICATION. An alternative to the specified standard requested by a person that owns, leases, or controls one or more of the Affected Parcels 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.

MULCH. Leaves, needles, duff, bark, twigs, small branches, wood chips and other loose surface litter or organic materials that help retain soil moisture and reduce invasion by flammable weeds.

OUTBUILDING. Buildings or Structures that are less than one hundred-twenty square feet in size and are not used for human habitation, and buildings or Structures with a roof but no walls.

PARCEL. A portion of real property of any size, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

PERSON. Includes any agency of the state, and any county, city, special district, or other local public agency, and any individual, firm, association, partnership, business trust, corporation, nonprofit corporation, limited liability company, or company.

REAL ESTATE TRANSACTION. Shall mean the transfer of real property between individuals or entities.

RESPONSIBLE PARTY. Shall mean an individual, association, co-partnership, political subdivision, government agency, municipality, industry, public or private corporation, firm, organization, partnership, joint venture or any other person or entity whatsoever whose act or omission caused or contributed to a violation of this Ordinance.

ROOF. Shall mean the top covering of a building, including all materials and constructions necessary to support it on the walls of the building or on uprights, providing protection against rain, snow, sunlight, extremes of temperature, and wind. A roof is part of the building envelope.

SAME PRACTICAL EFFECT. This term shall have the same definition as “Same Practical Effect” in the Fire Safe Regulations, California Code of Regulations, title 14, section 1270.01(a)(a).

STATE RESPONSIBILITY AREA (SRA). An area of the state identified by the Board of Forestry and Fire Protection pursuant to Public Resources Code Section 4125 where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the state.

STRUCTURE. Shall mean any dwelling, house, building, or other types of construction with an area of 120 square feet or greater, whether or not occupied which have a permanent roof structure and are supported by walls or posts that are secured to the ground.

UNIMPROVED PARCEL Shall mean a portion of land of any size, the area of which is determined by the Assessor’s maps and records and may be identified by an Assessor’s Parcel Number (APN) upon which no Structure is located.

WEEDS. Plants, typically nonnative, that to varying degrees spread invasively, grow rapidly, and are difficult to control.

WILDFIRE SAFETY PLAN. A plan approved by the Fire Code Official in accordance with Section 6 or 7 of this Ordinance.

ZONE 0. Referred to as the Ember-resistant Zone or Home Ignition Zone, it extends from 0 to 5 feet from any Structure, ~~and attached deck, or Outbuilding~~ on the Parcel. Zone 0 requires the most stringent wildfire fuel reduction. This Ember-resistant Zone is designed to ensure that fire or embers from igniting materials cannot spread to the Structure. In measuring distance from a Structure in Zone 0, distance is measured from the ground-level foundation of the Structure. In measuring from an attached deck, the distance is measured from the outer edge of the attached deck.

ZONE 1. Referred to as the Lean, Clean, and Green Zone, it extends from 5 feet to 30 feet from any Structure or attached deck.

ZONE 2. Referred to as the Reduced Fuel Zone, it extends from 30 feet to 100 feet from any Structure or attached deck.

SECTION 5. FUEL MITIGATION REQUIREMENTS

- (a) Defensible Space for Structures and Attached Decks. All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Improved Parcel within the Fire District shall maintain Defensible Space adjacent to all Structures and attached decks on the Improved Parcel as follows.

(1) Zone 0

(A) Requirements

(i) Remove Hazardous Vegetation and Combustible Materials that are within the first five feet (5 ft.) of or above a Structure and any attached deck.

(ii) Remove Hazardous Vegetation and Combustible Materials that are ~~adjacent to or~~ under combustibles decks, porches, balconies, stairs, or similar attached accessories.

(iii) No combustible bark or mulch is allowed in this zone. Consider using hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, bare ground, or other noncombustible materials.

Exception: Groundcovers consisting of irrigated, approved vegetation ~~Ornamental vegetative fuels or cultivated ground cover that are irrigated, such as irrigated green grass, succulents or similar plants may be used as ground cover,~~ if they do not form a means of readily transmitting fire as determined by the fire code official.

(iv) Ensure all live tree branches are kept a minimum of 10 feet above the roof and decking.

(v) Ensure all live branches are kept a minimum of 5 feet away from the sides of the structure.

(vi) Ensure all branches are a minimum of ten feet (10 ft.) away from chimney and stovepipe outlets for appliances/fireplaces that burn solid fuels.

(vii) All plants, shrubs, branches, leaves, weeds, and pine needles have been removed from around the "Structure" including on the roof or rain gutters of the "Building or Structure" or any other location within the Zone.

Exception: Groundcovers consisting of irrigated, approved vegetation if they do not form a means of readily transmitting fire as determined by the fire code official.

~~Ornamental vegetative species used as ground cover that are irrigated and have a high moisture content and configuration that would not promote or cause a fire to spread from the~~

~~vegetation to the structure. The District will provide lists of approved plant species that may be used as ground cover.~~

- (viii) Relocate ~~exposed~~ firewood piles ~~out of Zone 0 to Zone 2~~.
- (ix) Maintain the roof of a Structure free of leaves, needles, or any combustible debris.
- (x) Grasses and forbs must be either (1) ~~be~~ removed or (2) irrigated and cut to less than 4 inches.

~~(xi) For new construction of Structures arising after adoption of this Ordinance, Acacia (Genus Acacia), Bamboo (Genus Bambusa), Cypress (Genus Cupressus), Eucalyptus (Genus Eucalyptus), Junipers (Genus Juniperus) and Monterey Pines (Pinus Radiata), are not permitted.~~

(B) Suggestions and Education for Zone 0 (Not Requirements)

- (i) Use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, bare ground, or other noncombustible materials.
- (ii) Limit combustible items such as outdoor furniture, planters, and other combustible items on top of decks.
- (iii) Replace combustible fencing, gates, trellis, and arbors attached to the Structure(s) with noncombustible features. For existing fences, consider providing a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible material.
- (iv) Relocate garbage and recycling containers outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.
- (v) Relocate boats, RVs, vehicles, and other combustible items outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.

(vi) Removal of Acacia (Genus Acacia), Bamboo (Genus Bambusa), Cypress (Genus Cupressus), Eucalyptus (Genus Eucalyptus), Junipers (Genus Juniperus) and Monterey Pines (Pinus Radiata), which are highly flammable plants.

(2) Zone 1

(A) Requirements

(i) All hazardous vegetation and combustible material shall be removed by the owner or occupant of the parcel. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, ~~and~~ small branches, and mulch shall be permitted to a maximum depth of four inches (4 in.)

(ii) Relocate exposed firewood piles to Zone 2 unless they are completely covered ~~in~~with a fire-resistant material that will not allow embers to penetrate. Maintain clearance of 10 feet around the wood pile.

(iii) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. The "Fuel Separation" method is attached as Appendix A to this Ordinance. The "Continuous Tree Canopy" method is attached as Appendix B to this Ordinance.

(iv) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 1, the following standards shall apply:

a. All dead and dying woody surface fuels and aerial fuels shall be removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of ~~three~~ four inches (~~3~~4 in.)

b. Annual grasses and forbs shall be cut/trimmed down to a maximum height of four inches (4 in.).

(3) Zone 2

(A) Requirements

(i) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. The "Fuel Separation" method is attached as Appendix A to this Ordinance. The "Continuous Tree Canopy" method is attached as Appendix B to this Ordinance.

(ii) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 2, the following standards shall apply:

a. All dead and dying woody surface fuels and aerial fuels shall be removed. Examples shall be provided in the

Guidelines. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of four inches (4 in.).

b. Annual grasses and forbs (wildflowers) shall be cut/trimmed down to a maximum height of four inches (4 in.). Wildflowers shall be cut after they have finished blooming; usually after June 15th.

c. All exposed wood piles shall have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions, or shall use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

(4) All Zones

(A) Requirements

(i) All Outbuildings and non-portable/permanently installed Liquid Propane Gas (LPG) storage tanks shall have the following minimum clearance:

a. Ten feet (10 ft.) of clearance to bare mineral soil or use other noncombustible items such as gravel, permeable pavers or blocks, pervious or porous concrete.

b. No dead or dying vegetation for an additional ten feet (10 ft.) around their exterior.

(ii) Climbing vines must be removed from ~~trees and~~ Structures within the one hundred (100') foot defensible space zone around Structure(s)

Exception: Climbing vines greater than ½ inch in diameter that are Approved Vegetation, -that are irrigated, cleared of dead material, located and maintained so that they do not cause damage to any part of the structure-, as determined by the fire code official. The exception shall not apply to new construction of Structures arising after adoption of this ordinance, nor to the planting of new climbing vines on existing Structures after adoption of this Ordinance.

(iii) Maintain the Parcel free of ladder fuels within the 100 foot Defensible Space area around Structure(s).

(iv) For new construction of Structures arising after adoption of this Ordinance, Acacia (Genus Acacia), Bamboo (Genus Bambusa), Cypress (Genus Cupressus), Eucalyptus (Genus Eucalyptus), Junipers (Genus Juniperus) and Monterey Pines (Pinus Radiata), are not permitted. For existing structures, the planting of any of these plants after adoption of this Ordinance is not permitted.

(b) Photovoltaic Systems and Equipment. Clearance requirements around free-standing (ground-mounted) photovoltaic systems, ~~and~~ equipment, and energy storage systems shall comply with the following:

(1) A minimum 10-foot clearance for clusters of panels not exceeding 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent five feet of clearance shall meet the Zone 1 standards.

(2) A minimum 30-foot clearance for clusters of panels greater than 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent clearance shall meet the Zone 1 standards.

(3) Clusters shall be separated a minimum of 20 feet, edge to edge.

(c) Adjacent Parcels.

(1) When a Structure is less than 100 feet from a property line and Combustible Material or Hazardous Vegetation on an adjacent Parcel presents a Fire Hazard for the Structure, the Persons who have any ownership or possessory interest or easement obligation interest in or control of any adjacent Parcel where the Fire Hazard exists shall be responsible for clearing the area on their land which is within 100 feet of the Structure and is needed to provide the necessary fire protection in the manner and to the extent required by the Fire Code Official, in accordance with Section 3 of this Ordinance and the Zone 0, Zone 1, and Zone 2 clearance standards.

(2) Where the terrain, condition, or environment on the adjacent Parcel is such that it cannot or should not be disked or mowed, the Fire Code Official may approve modifications.

(3) The Person or persons with an ownership or possessory interest or easement obligation in or control of the Improved Parcel with the Structure shall be responsible for fifty percent (50%) of the abatement costs on the adjacent parcel.

(d) Roadside Vegetation.

(1) All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District that abuts a Fire Apparatus Access Road or driveway shall:

(A) Remove all Hazardous Vegetation that is within ten (10) feet, measured horizontally, from the edge of the Fire Apparatus Access Road or five (5) feet measured horizontally, from the edge of any driveway.

Exception: Groundcovers consisting of irrigated, approved vegetation, if they do not form a means of readily transmitting fire as determined by the fire code official.

(B) Ensure that all portions of any tree, located on a Parcel of which the Person has an ownership or possessory interest or easement obligation in or control, overhanging a Fire Apparatus Access Road or driveway has at least 13.5 feet, measured vertically, of clearance from the roadway surface.

(C) Maintain free of Ladder Fuels a minimum of a ten-foot-wide strip of land beyond the shoulder of a Fire Apparatus Access Road and of a driveway to a minimum height of six (6) feet according to appendix B of this ordinance along the boundary of a Parcel.

(2) No Parcel owner may allow any portion of vegetation on his or her property to interfere with street and emergency vehicle access, regardless of whether the access is along a public street or along a private residential access road. The Fire Code Official may provide written notice to the property owner requiring vegetation to be trimmed to at least 13.5 feet of vertical clearance and at least 10 feet of horizontal vegetation management from the edge of the roadway when the Fire Code Official determines the vegetation would otherwise interfere with street or emergency vehicle access.

(e) Fences. Any new combustible fence shall have a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible materials.

No Person who has any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District shall construct or allow to be constructed or placed on the Parcel any screen, barrier, fence or other Structure made, in whole or in part, of bark, mulch, or wood chips within 100 feet of a Structure or within 10 feet of the edge of a Fire Apparatus Access Road or driveway.

~~Any new combustible fence shall have a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible materials.~~

(f) Additional or Alternative Fuels Management. The Fire Code Official may mandate additional or alternative fuels management of an area more or less than the above-referenced widths or height on a Parcel and all sidewalks and roadways on or immediately adjacent thereto, for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the additional or alternative fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure. The Fire Code Official shall determine appropriate defensible space distances based upon a visual inspection of the Parcel and shall consider all factors that place the Structure(s) on the ~~adjacent Improved~~ Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the adjacent parcel or the Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

(g) Environmental Concerns.

(1) The fuel mitigation requirements of this Ordinance shall not impact any environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.

(2) The fuel mitigation requirements of this Ordinance shall be interpreted and applied to avoid the taking of endangered, rare, or threatened plant or animal species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees. [Exceptions to the fuel mitigation requirements will be made for very specific sensitive habitat locations, marsh lands, creek banks, and a minimum of 50 feet from any riparian corridor.](#) The Fire Code Official shall advise persons who own, lease or control Affected Parcels (a) to avoid the use of heavy equipment in and around streams and seasonal drainages, as this is important for protecting water quality, (b) that vegetation removal can cause soil erosion, especially on steep slopes and to keep soil disturbance to a minimum on steep slopes.

(3) The fuel mitigation requirements of this Ordinance do not apply to single specimens of trees or other vegetation that are well-pruned and maintained 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 or to interrupt the advance of embers toward a structure.

(4) Compliance with the fuel mitigation requirements of this Ordinance shall be done using the most ecologically and site appropriate treatment option, such as, but not limited to, prescribed burning, manual treatment, mechanical treatment, prescribed herbivory, and targeted ground application of herbicides.

(5) When the conditions stated in this Section 5(g) exist, persons who own, lease or control the Affected Parcel or Parcels at issue shall request a Modification of the fuel mitigation requirements and the Fire Code Official shall issue Modifications consistent with the requirements of this subsection.

SECTION 6. ENFORCEMENT

(a) The Fire Code Official shall be the primary authority for enforcement of this Ordinance and shall administer and enforce the requirements as provided in this Ordinance.

(b) The Fire Code Official shall have the following responsibilities and authorities in the enforcement and administration of the provisions of this Ordinance:

(1) Receive and respond to complaints through planning and conducting inspections within the limits of available resources.

(2) Review the requirements of this Ordinance with property owners and/or occupants found to be out of compliance, to support voluntary compliance with the provisions of this Ordinance.

(3) ~~The Make~~ determinations for appropriate clearance distances ~~will be made~~ based upon a visual inspection of the Parcel and shall consider all factors that place the Parcel or adjoining Structure(s) at risk from an approaching fire. These factors shall include local weather conditions, fuel type(s), topography, and the environment where the Parcel or adjoining Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

(4) Prepare and issue Notices to Abate in accordance with Fire District Ordinances, and such other notices as may be necessary to encourage voluntary compliance with the provisions of this Ordinance.

(5) Carry out all enforcement and abatement proceedings as provided by Fire District Ordinances or as otherwise authorized by law.

(6) Conduct post-notice/pre-abatement inspections and documentation and conduct post-abatement inspections and documentation as provided by Fire District Ordinances.

(7) The Fire Code Official may, at his or her discretion, issue an administrative citation for violations of this Ordinance, in lieu of abating a parcel.

(8) Within Fire District boundaries, inspections established by this Ordinance may be performed by designated fire district personnel.

(9) Conduct abatements and handle accounting, assessment, and collection of abatement costs, including recordation of liens as may be established by Fire District Ordinances.

(10) Re-inspections of the same violation shall incur an hourly re-inspection fee reflected in the Fire District's fee schedule at the time of re-inspection for every hour of re-inspection after the third inspection of the same violation, at the same location, within a one-year period.

(c) Nothing herein shall limit the ability of a Fire Code Official to enforce the provisions of this Ordinance, from making initial inspections or independent compliance checks without first receiving a complaint.

(d) Nothing in this Ordinance shall be construed as imposing on a Fire Code Official or the Fire District any duty to abate any Hazardous Vegetation or Combustible Material within a Parcel's Defensible Space, nor to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance, and neither the Fire Code Official nor the Fire District shall be held liable for failure to abate any unlawful Hazardous Vegetation or Combustible Material, nor for failure to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance.

(e) The Fire District understands that this Ordinance will require much time, energy, and resources, especially on large properties and that owners will not be cited for non-compliance with the ordinance if they can show evidence of substantial progress toward compliance within the past year as determined by the Fire Code Official and recorded in an approved Wildfire Safety Plan

SECTION 7. PHASED COMPLIANCE DUE TO QUALIFIED CIRCUMSTANCES FINANCIAL HARDSHIP

(a) ~~The Fire District understands that this Ordinance will require much time, energy, and resources, especially on large properties and that owners will not be cited for non-compliance with the ordinance if they can show evidence of substantial progress toward compliance within the past year as determined by the Fire Code Official and recorded in an approved Wildfire Safety Plan.~~ A person who is financially unable to comply with this Ordinance or make substantial progress to compliance within one year may file a Modification request for Phased Compliance.

(b) A Person who has any ownership or possessory interest or easement obligation interest in or control of any Parcel subject to this Ordinance may also file a Modification request for Phased Compliance, if there are practical difficulties in complying with the Ordinance or making substantial progress to compliance within one year. This can include, for example, the need to establish new Fire Resistive Vegetation to prevent erosion prior to removing existing Hazardous Vegetation. The term "practical difficulties" shall refer to any of the findings made by the Fire

Code Official under Section 9(a) of the Ordinance.

- (c) “Phased Compliance,” for purposes of this Ordinance, refers to a written Wildfire Safety Plan approved by the Fire Code Official by which the Person takes actions to comply with this Ordinance over a period of time in excess of one year, but which shall not exceed a period of three years.
- (d) A Modification request for Phased Compliance shall include an affidavit, together with any supporting documents or materials, demonstrating the person’s actual financial inability -or other practical difficulties as stated in Section 7(b) to comply with this Ordinance or make substantial progress to compliance within one year.
- (e) The Fire Code Official may approve a Modification Request for Phased Compliance only if the evidence submitted demonstrates to the satisfaction of the Fire Code Official the person’s actual financial inability or other practical difficulties as stated in Section 7(b) to ~~immediately~~ comply with this Ordinance or make substantial progress to compliance within one year.
- (f) The Fire Code Official shall issue a written determination listing the reasons for his or her determination to issue or not issue the Modification request for Phased Compliance.

SECTION 8. SALE OR TRANSFER OF PROPERTY.

(a) Prior to the close of any Real Estate Transaction within the Fire District, the seller of any ~~real residential property~~ Improved Parcel must obtain documentation from the Fire Code Official that the property is in compliance with the fuel mitigation requirements of this Ordinance and provide that documentation to the buyer at or before the close of escrow.

~~(b) — If documentation of compliance is not available at the time of sale, the buyer shall obtain documentation from the Fire Code Official stating the property is in compliance with this section within 90 days after the close of escrow, unless otherwise approved by the Fire Code Official.~~

(b) Documentation of compliance obtained in the six-month period preceding the date of the close of escrow is sufficient to satisfy this section.

(c) If documentation of compliance is not available at or before the close of escrow, the seller and buyer shall enter into a written agreement to which the buyer agrees to obtain documentation from the Fire Code Official stating the property is in compliance with the fuel mitigation requirements of this Ordinance within one year of the close of escrow, or within the time period of an approved Phased Compliance Modification, unless additional time is otherwise approved by the Fire Code Official.

(d) Except as otherwise provided by this Ordinance, the Fire Code Official shall have the discretion to accept alternate means and measures to achieve compliance if completion of the required work will delay the sale or transfer of the property

SECTION 9. MODIFICATIONS

(a) Where there are practical difficulties involved in carrying out the provisions of this Ordinance, the Fire Code Official shall have the authority to grant Modifications for individual cases, provided that the Fire Code Official shall first find that:

(1) A modification is necessary to address an environmental, significant erosion, or sedimentation of surface waters concern as required by the provisions of this Ordinance, or

(2) Special individual reasons make the strict letter of this Ordinance impractical, and the Modification is in compliance with the intent and purpose of this Ordinance;

~~(3) Phased compliance is necessary due to financial hardship; or~~

(3) The true intent of this Ordinance or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Ordinance do not fully apply or an equivalent or better form of fire protection is proposed.

~~(4) Phased compliance is necessary due to financial inability or practical difficulties as outlined in subsections (1), (2), or (3) of Section 9(a) above.~~

(b) Any such Modification shall be consistent with the following standards:

(1) The modification will not lessen health, life and fire safety requirements.

(2) The modification will provide for the Same Practical Effect in addressing fire hazards as stated in this Ordinance.

(3) The modification will comply with Section 5(g) (Environmental Concerns) of this Ordinance.

(c) A person requesting a Modification may also submit an individualized fire protection plan designed to address concerns due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem. Submitted fire protection plans shall be consistent with the standards for fire protection plans provided in Section 4903 of Chapter 49 of the State Fire Code.

(d) The details of actions granting a Modification shall be recorded and entered in the files of the Fire District.

(e) Where a Modification is not granted, the person requesting the Modification may appeal such denial to the Board of Directors.

(1) Within ten calendar days from service of the Fire Code Official's decision denying the requested Modification, the person seeking the Modification may

appeal the decision to the Board of Directors. Such appeal must be in writing and filed with the Fire Code Official.

(2) At a regular or special meeting of the Board of Directors not less than five days or more than thirty days after receipt of an appeal, the Board of Directors shall hear the appeal.

(3) The Board of Directors may continue the hearing.

(4) Upon conclusion of the hearing, the Board shall issue a decision granting, modifying, or denying the requested Modification.

(5) The decision of the Board of Directors is final.

(f) Additional procedures for the conduct of appeals may be established by resolution of the Board of Directors

SECTION 10. PENALTIES.

Every violation of any regulatory or prohibitory provision of this Ordinance is expressly declared to be a public nuisance. Failure to comply with the fuel mitigation requirements of this Ordinance may result in the issuance of an Administrative Citation as authorized by ordinance adopted by the District, or otherwise ordered by the Fire Code Official to be abated in accordance with law, provided, however, that nothing in this Ordinance shall limit the Fire District from pursuing other available legal remedies for violations of this Ordinance, including but not limited to civil penalties. In addition, any Person who violates any provision of this Ordinance shall be guilty of an infraction or a misdemeanor in accordance with Health and Safety Code Section 13871.

SECTION 11. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION

(a) The District finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the following categorical exemptions: Sections 15304 (i) (fuel management activities) as there are extra hazardous fire conditions in the Fire District, 15307 (actions taken as authorized by law to assure protection of natural resources), and 15308 (actions taken as authorized by law to assure protection of the environment).

There are no significant or potentially significant negative environmental impacts from this Ordinance.

- The Ordinance is a regulatory change that would not directly cause any reasonably foreseeable physical change, nor would it determine or cause any future development.
- Indirect physical changes would require removal of flammable materials in areas with heightened risk to cause and spread wildfires. This would reduce environmental threats caused by wildfires and their spread and would be beneficial to the environment. The benefits of making wildfires less likely to start and spread include but are not limited to, benefits in the areas of air quality, biological

resources, cultural and historical resources, hazards, greenhouse gas emissions, recreation, and tribal cultural resources.

- The Ordinance does not impact environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.
- The Ordinance also is required to be interpreted and applied to avoid the taking of any special status species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees.
- If compliance with the Ordinance could cause adverse environmental consequences, property owners are directed to request a modification of the ~~fuel~~ ~~break~~ requirements from the District.

There are no unusual circumstances under CEQA Guideline section 15300.2(c). No exception identified in CEQA Guideline Section 15300.2 applies to this Ordinance.

(b) The District also finds that this Ordinance is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15269 and Public Resources Code section 21080(b)(4) as specific actions necessary to prevent or mitigate an emergency.

(c) The District further finds that it can be seen with certainty that there is no possibility that the Ordinance may have a significant impact on the environment pursuant to CEQA Guidelines section 15601(b)(3). The Ordinance is proposed for the protection of the environment, including human health and property. The regulatory enactment would require affected properties to remove combustible materials to provide defensible space.

These requirements will be beneficial to the environment by preventing the emergence and spread of wildfires, which can cause immense environmental harm. Further, the Ordinance contains provisions requiring it to be interpreted and implemented in a manner that avoids environmental impacts, and directs property owners to seek modification of the applicable requirements if compliance would cause any such impacts. Due to these requirements, there is no possibility that it will cause significant environmental effects.

(d) Each exemption stands as a separate and independent basis for determining that this Ordinance is not subject to CEQA.

SECTION 12. SEVERABILITY.

If any section, subsection, paragraph, sentence, or clause of this ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any remaining portions of the ordinance. The Board hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, or clause thereof, irrespective of the fact that any portion of the ordinance be declared invalid.

SECTION 13. DATE OF EFFECT.

This ordinance shall take effect and be in full and force and effect 30 days after its passage. This ordinance shall be published as required by law.

PASSED, APPROVED and ADOPTED this ____ day of ~~January~~, 2024 at the regular meeting of the Board of Directors, on a motion made by Director _____, seconded by Director _____, and duly carried with the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ORDINANCE ~~23-03~~ 24-01

Matt Miller, President
Board of Directors

ATTEST:

~~Randy Holthaus~~
District Board Secretary

APPROVED AS TO FORM:

Jonathan V. Holtzman
District Counsel

APPENDIX A

Fuel Separation

The Fuel Separation method shall be implemented as follows:

(A) Minimum clearance between fuels surrounding each building or structure shall range from 4 feet to 40 feet in all directions, both horizontally and vertically.

(B) Clearance distances between vegetation shall depend on the slope, vegetation size, vegetation type (brush, grass, trees), and other fuel characteristics (fuel compaction, chemical content etc.). Properties with greater fire hazards, including but not limited to steep slopes and large vegetation, will require greater separation between fuels.

For example, properties on steep slopes having large-sized vegetation will require greater spacing between individual trees and bushes (see Plant Spacing Guidelines and Case Examples below).

(C) Groups of vegetation (numerous plants growing together less than 10 feet in total foliage width) may be treated as a single plant. For example, three individual manzanita plants growing together with a total foliage width of eight feet can be “grouped” and considered as one plant and spaced according to the Plant Spacing Guidelines in this document.

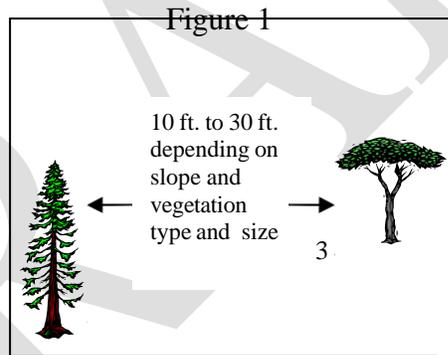
(D) Grass-Annual and dormant grasses should not exceed 4 inches in height.

(E) The Fire Code Official may modify clearance distances on a Parcel for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.

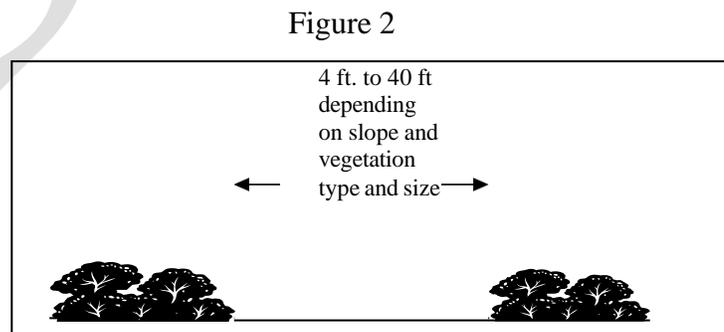
(F) The Fire Code Official shall determine appropriate clearance distances based upon a visual inspection of the Parcel and shall consider all factors that place the Structure(s) on the Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

(EG) Table 1. Plant Spacing RequirementsGuidelines. The guidelines are for general reference.

Plant Spacing <u>RequirementsGuidelines</u>		
Trees	Minimum horizontal space from edge of one tree canopy to the edge of the next	
	Slope	Spacing
	0% to 20 %	10 feet
	20% to 40%	20 feet
	Greater than 40%	30 feet
Shrubs	Minimum horizontal space between edges of shrub	
	Slope	Spacing
	0% to 20 %	2 times the height of the shrub
	20% to 40%	4 times the height of the shrub
	Greater than 40%	6 times the height of the shrub
Vertical Space	Minimum vertical space between top of shrub and bottom of lower tree branches: 3 times the height of the shrub	

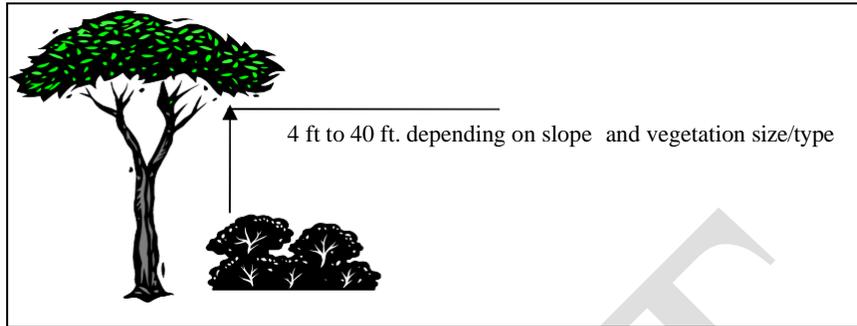


(FH) Figure 1. Horizontal clearance between trees to reduce the spread of fire from one fuel to the next. Figure 1 is a visual representation of paragraphs (A) and (B).



(GI) Figure 2. Horizontal clearance between shrubs to reduce the spread of fire from one fuel to the next. Figure 2 is a visual representation of paragraphs (A) and (B).

Figure 3



(HJ) Figure 3. ~~Horizontal-Vertical~~ clearance between aerial fuels and surface fuels to remove ladder fuels and reduce the spread of fire from shorter to taller fuels. Figure 3 is a visual representation of paragraphs (A) and (B).

APPENDIX B

Continuous Tree Canopy Requirements

To achieve defensible space while retaining a stand of larger trees with a continuous tree canopy, the Continuous Tree Canopy method shall be implemented as follows:

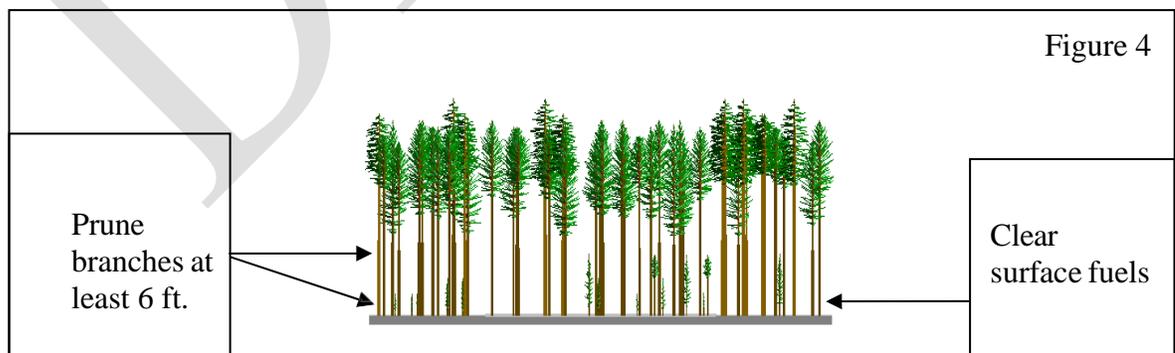
(A) All surface fuels greater than four inches (4 in.) in height shall be removed. Single-specimen trees or other vegetation may be retained provided they are well-spaced and well-pruned.

(B) Lower limbs of trees shall be pruned to at least six (6) feet up to 15 feet (or the lower 1/3 of branches for trees less than 18 feet tall). Properties with greater fire hazards, such as steeper slopes or more severe fire danger, will require pruning heights in the upper end of this range.

(C) The Fire Code Official may modify clearance distances on a Parcel for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.

(D) The Fire Code Official shall determine appropriate clearance distances based upon a visual inspection of the Parcel and shall consider all factors that place the Structure(s) on the Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

(~~E~~) Figure 4. Defensible space retaining continuous trees. Figure 4 is a visual representation of paragraphs (A) and (B).



ORDINANCE NO. 24-01

AN ORDINANCE OF THE WOODSIDE FIRE PROTECTION DISTRICT OF SAN MATEO COUNTY, CALIFORNIA, ESTABLISHING FUEL MITIGATION AND EXTERIOR HAZARD ABATEMENT STANDARDS IN ALL STATE AND LOCAL RESPONSIBILITY AREAS WITHIN THE DISTRICT, REQUIRING DOCUMENTATION OF COMPLIANCE PRIOR TO SALE OF THE PROPERTY, ADOPTING FINDINGS OF FACT, AND DETERMINING THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The Board of Directors (“Board”), as the governing body of Woodside Fire Protection District (“Fire District”) does ordain as follows:

SECTION 1. AUTHORITY

This Ordinance is authorized by state statutes and regulations, including but not limited to, Public Resources Code Section 4117, Health and Safety Code Sections 13801, 13804, 13861, 13862, and 13870, Government Code section 53069.4, and Government Code Section 51175.

SECTION 2. FINDINGS OF FACT

- (a) The California Legislature has declared the following, at Government Code section 8654.2(a):

Catastrophic threats exist to lives, property, and resources in California, including wildfire. Climate change, an epidemic of dead and dying trees, and the proliferation of new homes in the wildland urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25 million acres of California wildlands are classified as under very high or extreme fire threat, extending that risk to over one-half of the state.

- (b) The California Legislature has further declared the following, at Government Code section 51175(a):

Wildfires are extremely costly, not only to property owners and residents, but also to local agencies. Wildfires pose a serious threat to the preservation of the public peace, health, or safety. The wildfire front is not the only source of risk since embers, or firebrands, travel far beyond the area impacted by the front and pose a risk of ignition to a structure or fuel on a site for a longer time. Since fires ignore civil boundaries, it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control. Preventive measures are therefore needed to ensure the preservation of the public peace, health, or safety.

- (c) In adopting AB 3074 in 2020, the California Legislature made, among others, the following findings:

(1) Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California. The state experienced the deadliest and most destructive

wildfires in its history in 2017 and 2018. Fueled by five years of drought, unprecedented buildup of dry vegetation, and extreme winds, the size and intensity of recent wildfires caused the loss of more than 100 lives, the destruction of tens of thousands of homes and businesses, and the exposure of millions of urban and rural Californians to unhealthy air. Compared with fire activities in 1986, recent wildfires in the western United States have occurred nearly four times more often, burned more than six times the land area, and lasted almost five times as long.

(2) Climate change, an epidemic of dead and dying trees, a century of fire exclusion, and the proliferation of new homes in the wildland-urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25,000,000 acres of California wildlands are classified as under very high or extreme fire threat, extending that risk over one-half of the state. More than 2,000,000 California households and approximately one in four residential structures in California are located within or near “high” or “very high” fire hazard severity zones identified on maps drawn by the Department of Forestry and Fire Protection.

(3) Certain populations in the state are particularly vulnerable to wildfire. These Californians live in communities that face near-term public safety threats given their location and geography. Some residents in these areas are made further vulnerable due to factors such as age and lack of mobility. The tragic loss of life and property in the Town of Paradise during the 2018 Camp Fire demonstrates that vulnerability

(d) Public Resources Code section 4291 requires, among other things, that private persons and entities who own, lease, control, operate, or maintain a building or structure in, upon, or adjoining, a mountain area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, which area or land is within a state responsibility area, maintain defensible space of 100 feet from each side and from the front and rear of a structure, but not beyond the property line.

(e) Government Code section 51182 requires, among other things, that both private persons and private and public entities who own, lease, control, operate, or maintain an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by a local agency pursuant to Government Code Section 51179, maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line. In enacting this statute, as stated in Government Code section 51175, it is not the intent of the Legislature to limit or restrict the authority of a local agency to impose more restrictive fire and public safety requirements, as otherwise authorized by law.

(f) Both Public Resources Code section 4291 and Government Code section 51182 authorize by local ordinance fuel modification beyond the property line in order to maintain 100 feet of defensible space from a structure.

(g) Government Code section 51189 provides that the State Fire Marshal shall develop a model defensible space program that shall be made available for use by local agencies in the enforcement of the defensible space provisions in Government Code section 51182 and Public Resources Code section 4291.

(h) The Fire District's adoption of stringent fuel mitigation and exterior hazard abatement standards is designed to supplement the requirements of Public Resources Code section 4291 and Government Code section 51182, apply similar requirements that are more restrictive to all private persons and private and public entities throughout the District, utilize the State Fire Marshal's model defensible space program as a guide in establishing such requirements, and decrease the risk of structure fires spreading to adjacent vegetation and the risk of vegetation fires and wildfires spreading to structures, thereby slowing or stopping fires. The Board bases these standards upon its finding that the following climatic, vegetative, geological, and topographical conditions within the Fire District create a grave risk of wildfire and resulting loss of life and property and environmental damage. These local hazardous fire conditions warrant extensive fuel clearing requirements throughout the Fire District up to within 100 feet of any structures.

(1) Weather/Climatic Conditions

The climatic weather patterns within the Woodside Fire Protection District are moderate. The district, on average, experiences an annual rainfall of 26 inches. This rainfall can be expected between October and April of each year. However, during the summer months there is little, if any, measurable precipitation. During this dry period, the temperatures are generally between 70 and 95 F degrees with light to gusty westerly winds. These drying winds, combined with the natural and imported vegetation, which is dominant throughout the area, create a hazardous fuel condition that sets conditions for fire spread into the dense, heavily wooded and brush covered hillsides and canyons as well as grass covered areas where wind-driven fires can have severe consequences.

This climate supports the growth of native grasslands, chaparral, oaks, and other indigenous fire adapted plant species in the area. Significant development has occurred within the Fire District, with the addition of primarily residential areas surrounded by large numbers of non-indigenous plant species. Due to the systematic exclusion of naturally occurring fire for over one hundred (100) years, and a reduction in historical grazing activity as pasture has been developed, these indigenous and non-indigenous plant species have created significant fuel loads far exceeding historical levels throughout the Fire District.

Due to the location of the Fire District in proximity to the Santa Cruz Coastal Range, in the fall the more moderate summer weather gives way to Diablo Wind events characterized by high winds and very low relative humidity. These conditions have contributed to major fire loss in the region and throughout the state, with 17 of the 20 most destructive fires in California history occurring in the fall. The Fire District is exposed to an increasing number of these wind events as climate change has delayed the onset of the rainy season, thus increasing the risk of major

fires. This has been demonstrated in several similar climatic areas within the State of California and the western United States.

Because of variable weather patterns, normal rainfall cannot always be relied upon. This can result in water rationing and water allocation programs, as demonstrated in past drought patterns. Water shortages may also be expected in the future due to limited water storage capabilities and increased consumption. Water shortages often lead to restrictions on the irrigation of landscaping around structures, increasing the potential of vegetation to ignite and spread fire to nearby structures and wildlands.

The district is bounded by San Francisco Bay on the east and the foothills of the Santa Cruz Coastal Range on the west. This setting allows for strong gusty winds to blow through the Fire District. These winds are a common occurrence each afternoon during summer months. Wind increases a fire's ability to spread and has been attributed to the rapid spread of both vegetation and structure fires. This is especially true during Diablo wind events when strong northerly winds are aligned with the upslope direction of the canyons and watersheds of the coastal mountains.

Throughout the Fire District, most homes are surrounded by heavy vegetation with interspersed open areas, creating a semi-rural character. The resulting exposure to wildfire risk is increased by the negative effects of high wind conditions during the fire season. During May to October, critical climatic fire conditions regularly occur when the temperature exceeds 80F; wind speed is greater than 15 mph, fuel moisture is less than or equal to 10 percent, wind direction is from north to the east-southeast, and the ignition component is 65 or greater. These conditions occur more frequently during the fire season, but this does not preclude the possibility that a serious fire could occur during other months of the year. The critical climate fire conditions create a situation conducive to rapidly moving, high-intensity fires. Fires starting in the wild land areas along the northern border are likely to move rapidly southward into the populated areas creating the potential for significant property loss and a very challenging evacuation problem.

(2) Vegetative Conditions

The Fire District includes a diverse mosaic of vegetation types, including oak woodland, mixed evergreen forest, grassland, and chaparral. Oak woodlands are the most widespread, with coast live oak dominating, but also including blue oak, canyon live oak, valley oak, black oak, and interior oak. In areas with interlocking evergreen canopy, especially on north and east facing slopes, the understory is primarily tree duff and low growing woody and herbaceous vegetation. In more open oak savanna woodlands, annual grasses and forbs are the primary understory. Chaparral is characterized by woody, drought-tolerant shrubs, many with hard, small, evergreen leaves. Mature chaparrals are highly flammable. Common plants in the Fire District's chaparral include scrub oak, chamise, manzanita, buckeye, and ceanothus.

Much of the oak woodland, chaparral and grassland vegetation is recognized internationally as belonging to the “The California Interior Chaparral and Woodlands” Eco-Region, considered to be of outstanding global importance for the diversity of plant and animal species they support - many of those species only found in California. This Eco-Region covers 24,900 square miles in an elliptical ring around California’s Central Valley, and occurs on hills and mountains ranging from 300 to 3,000 feet in elevation. It is estimated that 70% of this Eco-Region has been lost, and what remains is considered vulnerable to additional loss and fragmentation from development, fire suppression, overgrazing, conversion to annual grasses, and introduction of invasive species.

In their natural state, these vegetation types are characterized by periodic fires, occurring at intervals of as few as 10 years to over a hundred years. Many of the plants are pyrophytes, or “fire-loving,” adapted to (or even dependent on) fire for reproduction, recycling of nutrients, and the removal of dead or senescent vegetation. Plants known as “fire followers” will germinate after the first seasonal rains following a low intensity natural fire. Many fire followers are soft-leaved, non-woody annual plants that die back with the summer dry period. With the introduction of many non-native species, these communities are vulnerable to colonization by invasive species following fires and other types of disturbance. Many invasive plants rapidly form dense stands that increase the fire hazard relative to healthy, naturally occurring vegetation types.

All vegetation in the Fire District reaches some degree of combustibility during the dry summer months and, under certain conditions, during the winter months. With longer intervals between fires, the dead material that accumulates and dense vegetation that develops can become highly flammable. In severe drought years, additional plant material may die, increasing the fuel load relative to a stand’s age. A stand of 10 to 20-year-old brush typically contains enough dead material to produce rates of spread equivalent to fully cured grass. Because brush has a higher fuel load, fires in brush also yield much higher fire line intensity. The dead fuel load that has accumulated in a 20 to 30-year-old stand of brush may spread at twice the rate of a grass fire. Fire spread in very old brush (40 years or older) has been measured at eight times faster than grass (4 feet per second). Under extreme weather conditions these rates can be much higher, with the fastest fire spread rate in grass at up to 12 feet per second or about eight miles per hour, with the fastest fire spread rate in old brush at up to 96 feet per second or about 65 miles per hour. Residential structures near mature brush fields are thus at greater threat from wildfire.

(3) Geological Conditions

Local geological conditions include high potential for seismic activity. The Fire District is comprised of built-up suburban areas having buildings and structures constructed near three major fault systems capable of producing major earthquakes, the modifications cited herein are intended to better limit life safety hazards and property damage in the aftermath of seismic activity.

The Fire District is in a region of high seismic activity with the Hayward fault running east of its border. The San Andreas fault runs right through the district and the Calaveras Fault is to the east of the district. All three faults are known to be active, as evidenced by the damaging earthquakes they have produced in the last 100 years and can, therefore, be expected to do the same in the future. Of primary concern to the Fire District is the San Andreas Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7.0 on the Richter scale. Many underground utilities cross the fault, including major water supply lines.

Additional potential events following an earthquake include broken natural gas mains and ensuing fires in the streets; building fires, as the result of broken service connection, trapped occupants in collapsed structures; and requirements to render first aid and other medical attention to many residents.

(4) Topographical Conditions

Local topographical conditions include hillside housing with many narrow and winding streets with slide potential for blockage and limited firefighting water supply. These conditions create the potential for delays in responding when a major fire or earthquake occurs. Many situations will result in limiting or total blockage of fire district emergency vehicular traffic, overtaxed fire district personnel, and a lack of resources for the suppression of fire in both structures and vegetated areas in the Fire District.

The Fire District has many homes that are reached only by narrow and winding paved streets, which hamper access for fire apparatus and provide limited evacuation routes for residents. In addition, many of the hillside homes are in outlying areas that require longer response times for the total required firefighting force. Kings Mountain, Bear Gulch East, Skywood Estates, Old La Honda, Woodside Highlands, Los Trancos Woods and Vista Verde, and other areas with limited access via narrow and winding streets may face the problem of isolation from the rest of the Fire District and will suffer from the need for two-way traffic as evacuation and suppression response travel in opposite directions over limited roadways.

Effective road widths are further reduced by encroaching vegetation and mid-slope roads built without shoulders. This is particularly pronounced in older neighborhoods of Woodside and Portola Valley, some of which were laid out in the 1920s when vehicles were smaller, codes less stringent, and population density

much lower.

Due to steep slopes that characterize many areas of the Fire District, the establishment of infrastructure to support adequate fire protection needs is not feasible. It is difficult to widen existing streets to meet present standards for emergency operations and fire hydrants, especially in the hillside areas, where we often have less than optimum water pressure levels.

In summary, portions of the Fire District have limited water supplies or roadways that delay the response of emergency equipment to carry out the extinguishment of a fire allowing the fire to increase in area.

(i) Environmental Damage

(1) Uncontrolled wildfire causes significant environmental impacts in the Fire District. These impacts include loss of vegetation and biodiversity; the potential for post fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHGs), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These impacts in turn can damage and sometimes destroy local natural resources.

(2) The Ordinance is intended to minimize the loss of structures and environmental and natural resources impacts of uncontrolled wildfire, including loss of vegetation and biodiversity; potential for post - fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHG), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These environmental and natural resources effects can also lead to public health impacts.

(3) Furthermore, fires that occur in the built environment contribute to air contamination from the fire plume, whose deposition is likely to subsequently include land and water contamination, contamination from water runoff containing toxic products, and other environmental discharges or releases from burned materials.

(4) Studies have shown that low intensity, controlled fire enhances biodiversity by controlling invasive and noxious weed species, thereby allowing native plants to compete more effectively, as well as by opening overgrown understory to allow for wildlife to move more freely across the landscape. Additionally, several of the endemic species of the region require fire to germinate. With low-intensity fire, the chaparral habitat would become more stratified in life stages, and thereby increasing its fire resiliency and habitat value.

(5) Reducing the potential for and the severity of high intensity uncontrolled wildfire through this Ordinance would reduce the significant environmental impacts caused by uncontrolled wildfire and assure the maintenance, restoration, enhancement, and protection of the Fire District's natural resources and environment.

(6) Wildfires are inevitable in a fire dependent ecosystem such as California. Wildfires often occur and are usually uncontrolled and fast moving with high intensity. They put lives and property in clear and imminent danger every year and cause immense damage to structures and the environment. In the absence of measures to manage outcomes, wildfire is likely to lead to structure loss and damage to the environment as a result of uncontrolled fast moving and high intensity fires. As stated under Sections 2(a), 2(b) and 2(c) of this Ordinance, the California Legislature has found that “Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California.” Since October 30, 2015, the State has been under a Governor’s State of Emergency Proclamation due to the increased risk of wildfires related to vast tree mortality. In addition, according to the California Office of Emergency’s website, the State is currently under numerous separate State of Emergency Proclamations issued by the Governor related to wildfires. <https://www.caloes.ca.gov/office-of-the-director/policy-administration/legal-affairs/emergency-proclamations/>

(7) The need for immediate action to prevent uncontrolled wildfire and its associated damage to life, health, property, and essential public services is also well-documented. In recent years, the Governor has repeatedly issued emergency proclamations related to fire – five in 2022, seven in 2021, and six in 2020. These both evidence and acknowledge the need for immediate action to address wildfire hazards, particularly in fire-prone areas within the state.

(8) Some of California’s largest, deadliest, and most destructive wildfires have occurred within the last five years. This is due, in part, to climate change and global warming which causes both land and air to become drier than normal, thus making the perfect conditions for wildfires to ignite.

Experts predict that, as climate change continues, and global temperatures continue to rise, wildfire season in California will continue to extend with more months featuring conditions conducive to uncontrolled wildfire.

Several major wildfires raged in California in 2020, many of which are now amongst the largest wildfires in California history. The 2020 California lightning complex fires were particularly destructive, resulting in the loss of countless structures, several lives, and hundreds of thousands of acres of land.

The CZU Lightning Complex, LNU Lightning Complex, and SCU Lightning Complex fires impacted residents across the Bay Area as the result of dry lightning and major thunderstorms. The CZU Lightning Complex fires consisted of multiple fires throughout the San Mateo and Santa Cruz counties. The fires started in mid-August due to a severe thunderstorm that initially started several separate fires, including the Warnella and Waddell fires. Due to a change in wind conditions, these separate fires merged together and rapidly spread through nearby communities, including Swanton, Boulder Creek, and Bonny Doon.

The CZU Lightning Complex fire incident was finally contained on September 22,

2020, after burning 86,509 acres, destroying 1,490 structures, and causing one death.

As California's climate conditions continue to worsen, fires like these are becoming more common than ever, making it all the more important for California residents to protect themselves against these emergencies.

(9) Uncontrolled wildfires are emergencies, involving clear and imminent dangers, demanding immediate action to prevent or mitigate loss of, or damage, to life, health, property, or essential public services. This ordinance establishes actions necessary to prevent or mitigate such emergencies.

SECTION 3. APPLICABILITY

(a) This Ordinance establishes fuel mitigation and exterior hazard abatement standards in all state and local responsibility areas within the Fire District.

(b) The amount of fuel modification necessary shall consider 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.

(c) The intensity of fuels management will vary within the one hundred (100') foot perimeter of a Structure, the most intense being used between five (5') feet and thirty (30') feet around the Structure, and an ember-resistant zone being required within five (5') feet of the structure, including attached decks.

(d) This Ordinance shall apply to the following Parcels (the "Affected Parcels"):

(1) All Improved Parcels within the jurisdiction of the Woodside Fire Protection District, at all times of year.

(2) All Parcels adjacent to Improved Parcels where: (a) the owner/occupant of the Improved Parcel is unable to obtain the required Defensible Space, as delineated in this Ordinance; and (b) the current condition of fuels on the subject Parcel is assessed by the Fire Code Official as a Fire Hazard. The owner of the subject Parcel shall provide for the fuel modifications to meet the Defensible Space requirements of the adjacent Improved Parcel subject to this Ordinance and applicable law including the finding that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.

(3) All Parcels adjacent to a Fire Apparatus Access Road or Driveway.

(e) If any part of this Ordinance is in conflict with any other Ordinance adopted by the Fire District, the more restrictive provision(s) shall control.

(f) The Fire District Board of Directors reserves its right to adopt reasonable rules, regulations, and resolutions consistent with this Ordinance to enforce, interpret, and carry

out the provisions of this Ordinance. Such rules, regulations and resolutions may vary between different areas within the Fire District. Such rules, regulations, and resolutions shall not be construed to make new requirements not authorized by the Ordinance. In that regard, the Fire Code Official shall prepare Standards and Guidelines for Defensible Space and Home Hardening (the “Guidelines”), which shall serve as a supplemental instruction and interpretation resource. The Fire Marshal is responsible for proposing amendments to the Guidelines as necessary to maintain current instructions and interpretations. The Fire District Board of Directors shall approve by resolution the Guidelines and any amendments.

(g) It shall be the duty of every person who owns, leases, controls, operates, or maintains a dwelling or structure on an Affected Parcel to abate therefrom, and from Fire Apparatus Access Roads and driveways on or immediately adjacent thereto, all Combustible Material, and Hazardous Vegetation which constitutes a Fire Hazard.

SECTION 4. DEFINITIONS

ABATE or **ABATEMENT**. Shall mean an act used to remove, destroy, eliminate, seize, impound, or any action taken to mitigate a public nuisance.

ABATEMENT COSTS. Shall mean any and all reasonable and necessary costs incurred by the Woodside Fire Protection District to enforce this Ordinance and to abate the hazardous vegetation or combustible material on any property pursuant to this Ordinance, including physical abatement costs, administration fees and any additional actual costs incurred for the abatement proceeding(s), including attorney’s fees, if applicable.

APPROVED VEGETATION. Plants, shrubs, trees, groundcovers and other vegetation approved by the Fire Code Official as Fire Resistive Vegetation or that otherwise exhibit properties, such as high moisture content, little accumulation of dead vegetation, and low sap or resin content, that make them less likely to ignite, contribute heat or spread flame in a fire. Typically, vegetation must be irrigated to be Approved Vegetation.

AGENCY HAVING JURISDICTION. The agency that has legal authority to enforce, adopt or amend a code or ordinance.

BIOMASS. Shall mean all green waste material generated during the fuel treatment project. Biomass includes, without limitation, all grass, weeds, vegetation, and tree trimmings.

BRUSH. Vegetation (typically un-irrigated) with a woody component and multiple stems less than four (4) inches in diameter at breast height including Broom, Coyote Brush, Cypress, Juniper and Poison Oak.

COMBUSTIBLE MATERIAL. Rubbish, litter, or material of any kind other than Hazardous Vegetation, that is combustible, creates a fire hazard and/or endangers public safety.

DAYS. Shall mean calendar days.

DEFENSIBLE SPACE. Means that area described in 14 California Code of Regulations section

1299, Government Code section 51182, Public Resources Code Section 4291 and as otherwise described in this Ordinance, which is adjacent to each exterior side of a building or Structure and must be cleared of brush, Hazardous Vegetation, Combustible Material, and other items, as set forth in this Ordinance. The area includes Zone 0, Zone 1, and Zone 2, extending 100 feet from any Structure.

DRIVEWAY. An access road from the public way to a Structure that is used for public or private vehicular access, including fire and emergency apparatus or vehicles.

FIRE APPARATUS ACCESS ROAD. A public or private road that provides fire apparatus access from a fire station to a facility, building, or portion thereof. This is a general term that includes, but is not limited to, a fire lane, public street, public right of way, private street, parking lot lane, and access road.

FIRE CODE OFFICIAL. The Fire Chief or their duly authorized representatives.

FIRE HAZARD. Any condition, arrangement, act, or omission that:

1. Will increase, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing, or extinguishing fire, or
2. May obstruct, delay, hinder, or interfere with the operations of a fire department or the egress of occupants in the event of a fire.

FIRE-RESISTIVE VEGETATION. Plants that do not easily ignite, and their foliage and stems do not contribute to fire intensity. Supple leaves that are moist or have high water-content.

Characteristics include:

- Watery sap with little odor
- Plants with an **open-growth structure** (space between branches)
- No dead wood
- Thick bark that does not peel away from the trunk

Plants will be more resistant to wildfire by regular watering, fertilizing them with compost, and clearing away dry debris. Using drip irrigation can help both conserve water and deliver enough water to plants.

FUELS. Any combustible material, including petroleum-based products, cultivated landscape plants, grasses, weeds, wildland vegetation, and fences.

FUELS, AERIAL. Standing and supported live and dead combustibles not in direct contact with the ground and consisting mainly of foliage, twigs, branches, stems, cones, bark, and vines.

FUELS, LADDER. Any fuels that could carry fire vertically between or within Combustible Material or Hazardous Vegetation, including but not limited to wood fences located within five (5) feet of any other Structure.

FUELS, SURFACE. Fuels found on the surface of the ground. They include grasses, forbs, brush, logs, and stumps.

GROUND COVER. A plant with little to no aboveground woody material and a horizontally spreading growth pattern. (see guideline for examples)

HAZARDOUS VEGETATION. Shall mean any vegetation that is combustible and endangers public safety by creating a Fire Hazard. Hazardous vegetation is those vegetative materials that will readily ignite, burn, and transmit fire to any Structure or other surrounding and/or adjacent vegetation. Hazardous vegetation includes, but is not limited to, dry grass greater than four inches (4 in.) in height, accumulations of leaves, brush, weeds, green waste, dead or dying shrubs or trees, low-hanging branches, litter, or other flammable vegetation. Hazardous vegetation shall not include commercial agricultural crop that is being actively grown and managed by the property owner or his or her legal tenant. Hazardous Vegetation shall not include healthy, mature, trees.

IMPROVED PARCEL Shall mean a portion of real property on which a Structure is located, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

LOCAL RESPONSIBILITY AREA (LRA). An area of the state that is not a State Responsibility Area or federal property, and where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the city, town, county, city and county, district, or another local public agency.

MODIFICATION. An alternative to the specified standard requested by a person that owns, leases, or controls one or more of the Affected Parcels 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.

MULCH. Leaves, needles, duff, bark, twigs, small branches, wood chips and other loose surface litter or organic materials that help retain soil moisture and reduce invasion by flammable weeds.

OUTBUILDING. Buildings or Structures that are less than one hundred-twenty square feet in size and are not used for human habitation, and buildings or Structures with a roof but no walls.

PARCEL. A portion of real property of any size, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

PERSON. Includes any agency of the state, and any county, city, special district, or other local public agency, and any individual, firm, association, partnership, business trust, corporation, nonprofit corporation, limited liability company, or company.

REAL ESTATE TRANSACTION. Shall mean the transfer of real property between individuals or entities.

RESPONSIBLE PARTY. Shall mean an individual, association, co-partnership, political subdivision, government agency, municipality, industry, public or private corporation, firm, organization, partnership, joint venture or any other person or entity whatsoever whose act or omission caused or contributed to a violation of this Ordinance.

ROOF. Shall mean the top covering of a building, including all materials and constructions necessary to support it on the walls of the building or on uprights, providing protection against rain, snow, sunlight, extremes of temperature, and wind. A roof is part of the building envelope.

SAME PRACTICAL EFFECT. This term shall have the same definition as “Same Practical Effect” in the Fire Safe Regulations, California Code of Regulations, title 14, section 1270.01(a)(a).

STATE RESPONSIBILITY AREA (SRA). An area of the state identified by the Board of Forestry and Fire Protection pursuant to Public Resources Code Section 4125 where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the state.

STRUCTURE. Shall mean any dwelling, house, building, or other types of construction with an area of 120 square feet or greater, whether or not occupied which have a permanent roof structure and are supported by walls or posts that are secured to the ground.

UNIMPROVED PARCEL Shall mean a portion of land of any size, the area of which is determined by the Assessor’s maps and records and may be identified by an Assessor’s Parcel Number (APN) upon which no Structure is located.

WEEDS. Plants, typically nonnative, that to varying degrees spread invasively, grow rapidly, and are difficult to control.

WILDFIRE SAFETY PLAN. A plan approved by the Fire Code Official in accordance with Section 6 or 7 of this Ordinance.

ZONE 0. Referred to as the Ember-resistant Zone or Home Ignition Zone, it extends from 0 to 5 feet from any Structure and attached deck on the Parcel. Zone 0 requires the most stringent wildfire fuel reduction. This Ember-resistant Zone is designed to ensure that fire or embers from igniting materials cannot spread to the Structure. In measuring distance from a Structure in Zone 0, distance is measured from the ground-level foundation of the Structure. In measuring from an attached deck, the distance is measured from the outer edge of the attached deck.

ZONE 1. Referred to as the Lean, Clean, and Green Zone, it extends from 5 feet to 30 feet from any Structure or attached deck.

ZONE 2. Referred to as the Reduced Fuel Zone, it extends from 30 feet to 100 feet from any Structure or attached deck.

SECTION 5. FUEL MITIGATION REQUIREMENTS

- (a) Defensible Space for Structures and Attached Decks. All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Improved Parcel within the Fire District shall maintain Defensible Space adjacent to all Structures and attached decks on the Improved Parcel as follows.

(1) Zone 0

(A) Requirements

(i) Remove Hazardous Vegetation and Combustible Materials that are within the first five feet (5 ft.) of or above a Structure and any attached deck.

(ii) Remove Hazardous Vegetation and Combustible Materials that are under combustible decks, porches, balconies, stairs, or similar attached accessories.

(iii) No combustible bark or mulch is allowed in this zone. Consider using hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, bare ground, or other noncombustible materials.

Exception: Groundcovers consisting of irrigated, approved vegetation if they do not form a means of readily transmitting fire as determined by the fire code official.

(iv) Ensure all live tree branches are kept a minimum of 10 feet above the roof and decking.

(v) Ensure all live branches are kept a minimum of 5 feet away from the sides of the structure.

(vi) Ensure all branches are a minimum of ten feet (10 ft.) away from chimney and stovepipe outlets for appliances/fireplaces that burn solid fuels.

(vii) All plants, shrubs, branches, leaves, weeds, and pine needles have been removed from around the "Structure" including on the roof or rain gutters of the "Building or Structure" or any other location within the Zone.

Exception: Groundcovers consisting of irrigated, approved vegetation if they do not form a means of readily transmitting fire as determined by the fire code official.

(viii) Relocate firewood piles out of Zone 0.

(ix) Maintain the roof of a Structure free of leaves, needles, or any combustible debris.

(x) Grasses and forbs must be (1) removed or (2) irrigated and cut to less than 4 inches.

(B) Suggestions and Education for Zone 0 (Not Requirements)

- (i) Use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, bare ground, or other noncombustible materials.
- (ii) Limit combustible items such as outdoor furniture, planters, and other combustible items on top of decks.
- (iii) Replace combustible fencing, gates, trellis, and arbors attached to the Structure(s) with noncombustible features. For existing fences, consider providing a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible material.
- (iv) Relocate garbage and recycling containers outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.
- (v) Relocate boats, RVs, vehicles, and other combustible items outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.
- (vi) Removal of Acacia (Genus Acacia), Bamboo (Genus Bambusa), Cypress (Genus Cupressus), Eucalyptus (Genus Eucalyptus), Junipers (Genus Juniperus) and Monterey Pines (Pinus Radiata), which are highly flammable plants.

(2) Zone 1

(A) Requirements

- (i) All hazardous vegetation and combustible material shall be removed by the owner or occupant of the parcel. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, small branches, and mulch shall be permitted to a maximum depth of four inches (4 in.)
- (ii) Relocate exposed firewood piles to Zone 2 unless they are completely covered with a fire-resistant material that will not allow embers to penetrate. Maintain clearance of 10 feet around the wood pile.
- (iii) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. The "Fuel Separation" method is attached as Appendix A to this Ordinance. The

“Continuous Tree Canopy” method is attached as Appendix B to this Ordinance.(iv) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 1, the following standards shall apply:

a. All dead and dying woody surface fuels and aerial fuels shall be removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of four inches (4 in.)

b. Annual grasses and forbs shall be cut/trimmed down to a maximum height of four inches (4 in.).

(3) Zone 2

(A) Requirements

(i) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. The “Fuel Separation” method is attached as Appendix A to this Ordinance. The “Continuous Tree Canopy” method is attached as Appendix B to this Ordinance.

(ii) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 2, the following standards shall apply:

a. All dead and dying woody surface fuels and aerial fuels shall be removed. Examples shall be provided in the Guidelines.

b. Annual grasses and forbs (wildflowers) shall be cut/trimmed down to a maximum height of four inches (4 in.). Wildflowers shall be cut after they have finished blooming; usually after June 15th.

c. All exposed wood piles shall have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions, or shall use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

(4) All Zones

(A) Requirements

(i) All Outbuildings and non-portable/permanently installed Liquid Propane Gas (LPG) storage tanks shall have the following minimum clearance:

a. Ten feet (10 ft.) of clearance to bare mineral soil or use other noncombustible items such as gravel, permeable pavers or blocks, pervious or porous concrete.

b. No dead or dying vegetation for an additional ten feet (10 ft.) around their exterior.

(ii) Climbing vines must be removed from Structures within the one hundred (100') foot defensible space zone around Structure(s)

Exception: Climbing vines greater than ½ inch in diameter that are Approved Vegetation, that are irrigated, cleared of dead material, located and maintained so that they do not cause damage to any part of the structure, as determined by the fire code official. The exception shall not apply to new construction of Structures arising after adoption of this ordinance, nor to the planting of new climbing vines on existing Structures after adoption of this Ordinance.

(iii) Maintain the Parcel free of ladder fuels within the 100 foot Defensible Space area around Structure(s).

(iv) For new construction of Structures arising after adoption of this Ordinance, Acacia (Genus Acacia), Bamboo (Genus Bambusa), Cypress (Genus Cupressus), Eucalyptus (Genus Eucalyptus), Junipers (Genus Juniperus) and Monterey Pines (Pinus Radiata), are not permitted. For existing structures, the planting of any of these plants after adoption of this Ordinance is not permitted.

(b) Photovoltaic Systems and Equipment. Clearance requirements around free-standing (ground-mounted) photovoltaic systems, equipment, and energy storage systems shall comply with the following:

(1) A minimum 10-foot clearance for clusters of panels not exceeding 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent five feet of clearance shall meet the Zone 1 standards.

(2) A minimum 30-foot clearance for clusters of panels greater than 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent clearance shall meet the Zone 1 standards.

(3) Clusters shall be separated a minimum of 20 feet, edge to edge.

(c) Adjacent Parcels.

(1) When a Structure is less than 100 feet from a property line and Combustible Material or Hazardous Vegetation on an adjacent Parcel presents a Fire Hazard for the Structure, the Persons who have any ownership or possessory interest or easement obligation interest in or control of any adjacent Parcel where the Fire Hazard exists shall be responsible for clearing the area on their land which is within 100 feet of the Structure and is needed to provide the necessary fire protection in the manner and to the extent required by the Fire Code Official, in accordance with Section 3 of this Ordinance and the Zone 0, Zone 1, and Zone 2 clearance standards.

(2) Where the terrain, condition, or environment on the adjacent Parcel is such that it cannot or should not be disked or mowed, the Fire Code Official may approve modifications.

(3) The Person or persons with an ownership or possessory interest or easement obligation in or control of the Improved Parcel with the Structure shall be responsible for fifty percent (50%) of the abatement costs on the adjacent parcel.

(d) Roadside Vegetation.

(1) All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District that abuts a Fire Apparatus Access Road or driveway shall:

(A) Remove all Hazardous Vegetation that is within ten (10) feet, measured horizontally, from the edge of the Fire Apparatus Access Road or five (5) feet measured horizontally, from the edge of any driveway.

Exception: Groundcovers consisting of irrigated, approved vegetation, if they do not form a means of readily transmitting fire as determined by the fire code official.

(B) Ensure that all portions of any tree, located on a Parcel of which the Person has an ownership or possessory interest or easement obligation in or control, overhanging a Fire Apparatus Access Road or driveway has at least 13.5 feet, measured vertically, of clearance from the roadway surface.

(C) Maintain free of Ladder Fuels a minimum of a ten-foot-wide strip of land beyond the shoulder of a Fire Apparatus Access Road and of a driveway to a minimum height of six (6) feet along the boundary of a Parcel.

(2) No Parcel owner may allow any portion of vegetation on his or her property to interfere with street and emergency vehicle access, regardless of whether the access is along a public street or along a private residential access road. The Fire Code Official may provide written notice to the property owner requiring vegetation to be trimmed to at least 13.5 feet of vertical clearance and at least 10 feet of horizontal vegetation management from the edge of the roadway when the Fire Code Official determines the vegetation would otherwise interfere with street or emergency vehicle access.

(e) Fences. Any new combustible fence shall have a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non- combustible materials.

No Person who has any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District shall construct or allow to be constructed or placed on the Parcel any screen, barrier, fence or other Structure made in whole or in part, of bark, mulch, or wood chips within 100 feet of a Structure or within 10 feet of the edge of a Fire Apparatus Access Road or driveway.

(f) Additional or Alternative Fuels Management. The Fire Code Official may mandate additional or alternative fuels management of an area more or less than the above-referenced widths or height on a Parcel and all sidewalks and roadways on or immediately adjacent thereto, for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the additional or alternative fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure. The Fire Code Official shall determine appropriate defensible space distances based upon a visual inspection of the Parcel and shall consider all factors that place the Structure(s) on the Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the adjacent parcel or the Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

(g) Environmental Concerns.

(1) The fuel mitigation requirements of this Ordinance shall not impact any environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.

(2) The fuel mitigation requirements of this Ordinance shall be interpreted and applied to avoid the taking of endangered, rare, or threatened plant or animal species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees. Exceptions to the fuel mitigation requirements will be made for very specific sensitive habitat locations, marsh lands, creek banks, and

a minimum of 50 feet from any riparian corridor. The Fire Code Official shall advise persons who own, lease or control Affected Parcels (a) to avoid the use of heavy equipment in and around streams and seasonal drainages, as this is important for protecting water quality, (b) that vegetation removal can cause soil erosion, especially on steep slopes and to keep soil disturbance to a minimum on steep slopes.

(3) The fuel mitigation requirements of this Ordinance do not apply to single specimens of trees or other vegetation that are well-pruned and maintained 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 or to interrupt the advance of embers toward a structure.

(4) Compliance with the fuel mitigation requirements of this Ordinance shall be done using the most ecologically and site appropriate treatment option, such as, but not limited to, prescribed burning, manual treatment, mechanical treatment, prescribed herbivory, and targeted ground application of herbicides.

(5) When the conditions stated in this Section 5(g) exist, persons who own, lease or control the Affected Parcel or Parcels at issue shall request a Modification of the fuel mitigation requirements and the Fire Code Official shall issue Modifications consistent with the requirements of this subsection.

SECTION 6. ENFORCEMENT

(a) The Fire Code Official shall be the primary authority for enforcement of this Ordinance and shall administer and enforce the requirements as provided in this Ordinance.

(b) The Fire Code Official shall have the following responsibilities and authorities in the enforcement and administration of the provisions of this Ordinance:

(1) Receive and respond to complaints through planning and conducting inspections within the limits of available resources.

(2) Review the requirements of this Ordinance with property owners and/or occupants found to be out of compliance, to support voluntary compliance with the provisions of this Ordinance.

(3) Make determinations for appropriate clearance distances based upon a visual inspection of the Parcel and shall consider all factors that place the Parcel or adjoining Structure(s) at risk from an approaching fire. These factors shall include local weather conditions, fuel type(s), topography, and the environment where the Parcel or adjoining Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

- (4) Prepare and issue Notices to Abate in accordance with Fire District Ordinances, and such other notices as may be necessary to encourage voluntary compliance with the provisions of this Ordinance.
 - (5) Carry out all enforcement and abatement proceedings as provided by Fire District Ordinances or as otherwise authorized by law.
 - (6) Conduct post-notice/pre-abatement inspections and documentation and conduct post-abatement inspections and documentation as provided by Fire District Ordinances.
 - (7) The Fire Code Official may, at his or her discretion, issue an administrative citation for violations of this Ordinance, in lieu of abating a parcel.
 - (8) Within Fire District boundaries, inspections established by this Ordinance may be performed by designated fire district personnel.
 - (9) Conduct abatements and handle accounting, assessment, and collection of abatement costs, including recordation of liens as may be established by Fire District Ordinances.
 - (10) Re-inspections of the same violation shall incur an hourly re-inspection fee reflected in the Fire District's fee schedule at the time of re-inspection for every hour of re-inspection after the third inspection of the same violation, at the same location, within a one-year period.
- (c) Nothing herein shall limit the ability of a Fire Code Official to enforce the provisions of this Ordinance, from making initial inspections or independent compliance checks without first receiving a complaint.
- (d) Nothing in this Ordinance shall be construed as imposing on a Fire Code Official or the Fire District any duty to abate any Hazardous Vegetation or Combustible Material within a Parcel's Defensible Space, nor to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance, and neither the Fire Code Official nor the Fire District shall be held liable for failure to abate any unlawful Hazardous Vegetation or Combustible Material, nor for failure to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance.
- (e) The Fire District understands that this Ordinance will require much time, energy, and resources, especially on large properties and that owners will not be cited for non-compliance with the ordinance if they can show evidence of substantial progress toward compliance within the past year as determined by the Fire Code Official and recorded in an approved Wildfire Safety Plan

SECTION 7. PHASED COMPLIANCE DUE TO QUALIFIED CIRCUMSTANCES

- (a) A person who is financially unable to comply with this Ordinance or make substantial progress to compliance within one year may file a Modification request for Phased Compliance.
- (b) A Person who has any ownership or possessory interest or easement obligation interest in or control of any Parcel subject to this Ordinance may also file a Modification request for Phased Compliance, if there are practical difficulties in complying with the Ordinance or making substantial progress to compliance within one year. This can include, for example, the need to establish new Fire Resistive Vegetation to prevent erosion prior to removing existing Hazardous Vegetation. The term “practical difficulties” shall refer to any of the findings made by the Fire Code Official under Section 9(a) of the Ordinance.
- (c) “Phased Compliance,” for purposes of this Ordinance, refers to a written Wildfire Safety Plan approved by the Fire Code Official by which the Person takes actions to comply with this Ordinance over a period of time in excess of one year, but which shall not exceed a period of three years.
- (d) A Modification request for Phased Compliance shall include an affidavit, together with any supporting documents or materials, demonstrating the person’s actual financial inability or other practical difficulties as stated in Section 7(b) to comply with this Ordinance or make substantial progress to compliance within one year.
- (e) The Fire Code Official may approve a Modification Request for Phased Compliance only if the evidence submitted demonstrates to the satisfaction of the Fire Code Official the person’s actual financial inability or other practical difficulties as stated in Section 7(b) to comply with this Ordinance or make substantial progress to compliance within one year.
- (f) The Fire Code Official shall issue a written determination listing the reasons for his or her determination to issue or not issue the Modification request for Phased Compliance.

SECTION 8. SALE OR TRANSFER OF PROPERTY.

- (a) Prior to the close of any Real Estate Transaction within the Fire District, the seller of any Improved Parcel must obtain documentation from the Fire Code Official that the property is in compliance with the fuel mitigation requirements of this Ordinance and provide that documentation to the buyer at or before the close of escrow.
- (b) Documentation of compliance obtained in the six-month period preceding the date of the close of escrow is sufficient to satisfy this section.
- (c) If documentation of compliance is not available at or before the close of escrow, the seller and buyer shall enter into a written agreement to which the buyer agrees to obtain documentation from the Fire Code Official stating the property is in compliance with the

fuel mitigation requirements of this Ordinance within one year of the close of escrow, or within the time period of an approved Phased Compliance Modification, unless additional time is otherwise approved by the Fire Code Official.

(d) Except as otherwise provided by this Ordinance, the Fire Code Official shall have the discretion to accept alternate means and measures to achieve compliance if completion of the required work will delay the sale or transfer of the property

SECTION 9. MODIFICATIONS

(a) Where there are practical difficulties involved in carrying out the provisions of this Ordinance, the Fire Code Official shall have the authority to grant Modifications for individual cases, provided that the Fire Code Official shall first find that:

(1) A modification is necessary to address an environmental, significant erosion, or sedimentation of surface waters concern as required by the provisions of this Ordinance, or

(2) Special individual reasons make the strict letter of this Ordinance impractical, and the Modification is in compliance with the intent and purpose of this Ordinance;

(3) The true intent of this Ordinance or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Ordinance do not fully apply or an equivalent or better form of fire protection is proposed.

(4) Phased compliance is necessary due to financial inability or practical difficulties as outlined in subsections (1), (2), or (3) of Section 9(a) above.

(b) Any such Modification shall be consistent with the following standards:

(1) The modification will not lessen health, life and fire safety requirements.

(2) The modification will provide for the Same Practical Effect in addressing fire hazards as stated in this Ordinance.

(3) The modification will comply with Section 5(g) (Environmental Concerns) of this Ordinance.

(c) A person requesting a Modification may also submit an individualized fire protection plan designed to address concerns due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem. Submitted fire protection plans shall be consistent with the standards for fire protection plans provided in Section 4903 of Chapter 49 of the State Fire Code.

(d) The details of actions granting a Modification shall be recorded and entered in the files of the Fire District.

- (e) Where a Modification is not granted, the person requesting the Modification may appeal such denial to the Board of Directors.
- (1) Within ten calendar days from service of the Fire Code Official's decision denying the requested Modification, the person seeking the Modification may appeal the decision to the Board of Directors. Such appeal must be in writing and filed with the Fire Code Official.
 - (2) At a regular or special meeting of the Board of Directors not less than five days or more than thirty days after receipt of an appeal, the Board of Directors shall hear the appeal.
 - (3) The Board of Directors may continue the hearing.
 - (4) Upon conclusion of the hearing, the Board shall issue a decision granting, modifying, or denying the requested Modification.
 - (5) The decision of the Board of Directors is final.
- (f) Additional procedures for the conduct of appeals may be established by resolution of the Board of Directors

SECTION 10. PENALTIES.

Every violation of any regulatory or prohibitory provision of this Ordinance is expressly declared to be a public nuisance. Failure to comply with the fuel mitigation requirements of this Ordinance may result in the issuance of an Administrative Citation as authorized by ordinance adopted by the District, or otherwise ordered by the Fire Code Official to be abated in accordance with law, provided, however, that nothing in this Ordinance shall limit the Fire District from pursuing other available legal remedies for violations of this Ordinance, including but not limited to civil penalties. In addition, any Person who violates any provision of this Ordinance shall be guilty of an infraction or a misdemeanor in accordance with Health and Safety Code Section 13871.

SECTION 11. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION

- (a) The District finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the following categorical exemptions: Sections 15304 (i) (fuel management activities) as there are extra hazardous fire conditions in the Fire District, 15307 (actions taken as authorized by law to assure protection of natural resources), and 15308 (actions taken as authorized by law to assure protection of the environment).

There are no significant or potentially significant negative environmental impacts from this Ordinance.

- The Ordinance is a regulatory change that would not directly cause any reasonably foreseeable physical change, nor would it determine or cause any future development.

- Indirect physical changes would require removal of flammable materials in areas with heightened risk to cause and spread wildfires. This would reduce environmental threats caused by wildfires and their spread and would be beneficial to the environment. The benefits of making wildfires less likely to start and spread include but are not limited to, benefits in the areas of air quality, biological resources, cultural and historical resources, hazards, greenhouse gas emissions, recreation, and tribal cultural resources.
- The Ordinance does not impact environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.
- The Ordinance also is required to be interpreted and applied to avoid the taking of any special status species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees.
- If compliance with the Ordinance could cause adverse environmental consequences, property owners are directed to request a modification of the requirements from the District.

There are no unusual circumstances under CEQA Guideline section 15300.2(c). No exception identified in CEQA Guideline Section 15300.2 applies to this Ordinance.

(b) The District also finds that this Ordinance is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15269 and Public Resources Code section 21080(b)(4) as specific actions necessary to prevent or mitigate an emergency.

(c) The District further finds that it can be seen with certainty that there is no possibility that the Ordinance may have a significant impact on the environment pursuant to CEQA Guidelines section 15601(b)(3). The Ordinance is proposed for the protection of the environment, including human health and property. The regulatory enactment would require affected properties to remove combustible materials to provide defensible space.

These requirements will be beneficial to the environment by preventing the emergence and spread of wildfires, which can cause immense environmental harm. Further, the Ordinance contains provisions requiring it to be interpreted and implemented in a manner that avoids environmental impacts, and directs property owners to seek modification of the applicable requirements if compliance would cause any such impacts. Due to these requirements, there is no possibility that it will cause significant environmental effects.

(d) Each exemption stands as a separate and independent basis for determining that this Ordinance is not subject to CEQA.

SECTION 12. SEVERABILITY.

If any section, subsection, paragraph, sentence, or clause of this ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any remaining portions of the ordinance. The Board hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, or clause thereof, irrespective of the fact that any portion of the ordinance be declared invalid.

SECTION 13. DATE OF EFFECT.

This ordinance shall take effect and be in full and force and effect 30 days after its passage. This ordinance shall be published as required by law.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2024 at the regular meeting of the Board of Directors, on a motion made by Director _____, seconded by Director _____, and duly carried with the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ORDINANCE 24-01

Matt Miller, President
Board of Directors

ATTEST:

Board Secretary

APPROVED AS TO FORM:

Jonathan V. Holtzman
District Counsel

DRAFT

APPENDIX A

Fuel Separation

The Fuel Separation method shall be implemented as follows:

(A) Minimum clearance between fuels surrounding each building or structure shall range from 4 feet to 40 feet in all directions, both horizontally and vertically.

(B) Clearance distances between vegetation shall depend on the slope, vegetation size, vegetation type (brush, grass, trees), and other fuel characteristics (fuel compaction, chemical content etc.). Properties with greater fire hazards, including but not limited to steep slopes and large vegetation, will require greater separation between fuels.

For example, properties on steep slopes having large-sized vegetation will require greater spacing between individual trees and bushes (see Plant Spacing Guidelines and Case Examples below).

(C) Groups of vegetation (numerous plants growing together less than 10 feet in total foliage width) may be treated as a single plant. For example, three individual manzanita plants growing together with a total foliage width of eight feet can be “grouped” and considered as one plant and spaced according to the Plant Spacing Guidelines in this document.

(D) Annual and dormant grasses should not exceed 4 inches in height.

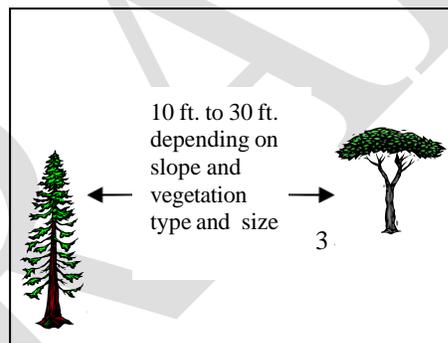
(E) The Fire Code Official may modify clearance distances on a Parcel for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.

(F) The Fire Code Official shall determine appropriate clearance distances based upon a visual inspection of the Parcel and shall consider all factors that place the Structure(s) on the Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

(G) Table 1. Plant Spacing Guidelines. The guidelines are for general reference.

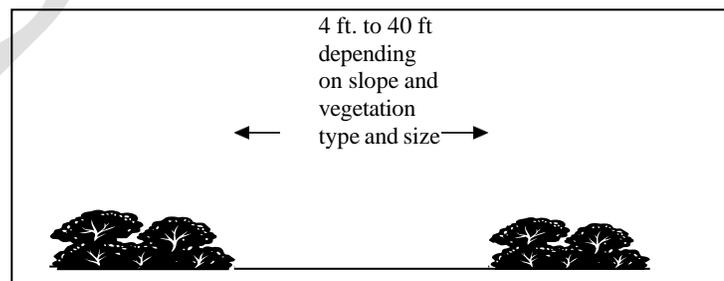
Plant Spacing Guidelines		
Trees	Minimum horizontal space from edge of one tree canopy to the edge of the next	
	Slope	Spacing
	0% to 20 %	10 feet
	20% to 40%	20 feet
	Greater than 40%	30 feet
Shrubs	Minimum horizontal space between edges of shrub	
	Slope	Spacing
	0% to 20 %	2 times the height of the shrub
	20% to 40%	4 times the height of the shrub
	Greater than 40%	6 times the height of the shrub
Vertical Space	Minimum vertical space between top of shrub and bottom of lower tree branches: 3 times the height of the shrub	

Figure 1



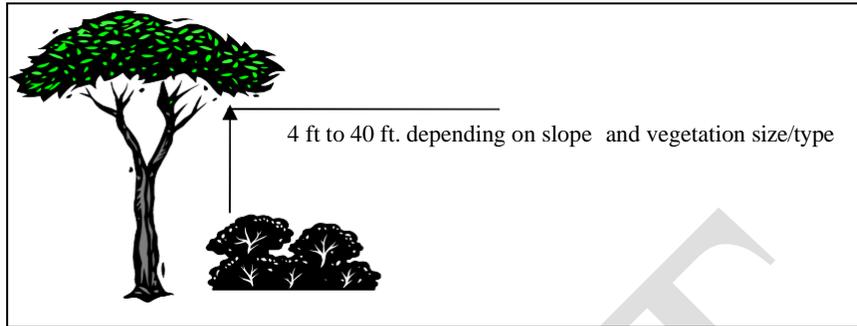
(H) Figure 1. Horizontal clearance between trees to reduce the spread of fire from one fuel to the next. Figure 1 is a visual representation of paragraphs (A) and (B).

Figure 2



(I) Figure 2. Horizontal clearance between shrubs to reduce the spread of fire from one fuel to the next. Figure 2 is a visual representation of paragraphs (A) and (B).

Figure 3



(J) Figure 3. Vertical clearance between aerial fuels and surface fuels to remove ladder fuels and reduce the spread of fire from shorter to taller fuels. Figure 3 is a visual representation of paragraphs (A) and (B).

APPENDIX B

Continuous Tree Canopy

To achieve defensible space while retaining a stand of larger trees with a continuous tree canopy, the Continuous Tree Canopy method shall be implemented as follows:

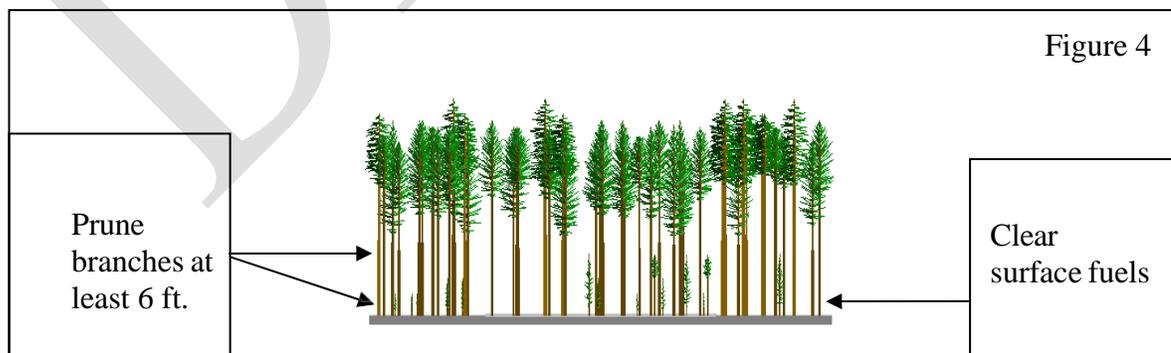
(A) All surface fuels greater than four inches (4 in.) in height shall be removed. Single-specimen trees or other vegetation may be retained provided they are well-spaced and well-pruned.

(B) Lower limbs of trees shall be pruned to at least six (6) feet up to 15 feet (or the lower 1/3 of branches for trees less than 18 feet tall). Properties with greater fire hazards, such as steeper slopes or more severe fire danger, will require pruning heights in the upper end of this range.

(C) The Fire Code Official may modify clearance distances on a Parcel for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.

(D) The Fire Code Official shall determine appropriate clearance distances based upon a visual inspection of the Parcel and shall consider all factors that place the Structure(s) on the Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

(E) Figure 4. Defensible space retaining continuous trees. Figure 4 is a visual representation of paragraphs (A) and (B).



(d) (1) The Office of the State Fire Marshal shall develop a model defensible space program that shall be made available for use by a city, county, or city and county in the enforcement of the defensible space provisions of Section 51182 of this code and subdivision (a) of Section 4291 of the Public Resources Code. In the development of this program, the State Fire Marshal shall consult with representatives from local, state, and federal fire services, local government, building officials, utility companies, the building industry, insurers and insurance research organizations, and the environmental community. Components of the program shall include, but not be limited to, all of the following:

(A) General guidelines for creating and maintaining defensible space around specified structures, including appropriate guidelines and definitions for vegetation management.

(B) Suggested minimum qualifications needed for enforcement personnel.

(C) Enforcement mechanisms for compliance with and maintenance of defensible space requirements, including, but not limited to, the following:

(i) Site inspections.

(ii) Procedures for notifying a property owner of a violation.

(iii) Timelines for corrective action by a property owner and for reinspection.

(iv) Citations requiring abatement of a violation and subsequent removal of a fire hazard within the defensible space boundaries.

(v) Suggested administrative procedures that allow for the appeal of the citation by the property owner.

(2) If a defensible space program is adopted, the local agency for enforcement of this program may recover the actual cost of abatement and may cause a notice of abatement lien to be recorded in the county in which the real property is located. The notice shall, at a minimum, identify the record owner or possessor of the property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement was ordered by the local agency and the date the abatement was completed, and include a description of the real property subject to the lien and the amount of the abatement cost.

(3) The model defensible space program required pursuant to this subdivision shall be updated whenever the department substantially updates the guidance documents created pursuant to subdivision (c) of Section 51182 of this code and subdivision (e) of Section 4291 of the Public Resources Code.

(4) In order to develop and implement this subdivision and support any required update of the guidance documents identified in subdivision (c) of Section 51182 of this code and subdivision (e) of Section 4291 of the Public Resources Code, the Office of the State Fire Marshal is authorized to expend funds from the Building Standards Administration Special Revolving Fund, upon an appropriation by the Legislature, pursuant to Section 18931.7 of the Health and Safety Code.

Appendix A:

HAZARDOUS VEGETATION AND COMBUSTIBLE MATERIAL ABATEMENT

Findings

- A. The City, County, or City and County City Council/Board of Supervisors supports improved defensible space for each parcel within the local agency's jurisdiction. This City Council/Board of Supervisors recognizes that abatement may be required of hazardous vegetation and combustible materials for a parcel on which a protected building or structure is located. This Article extends and supplements state law, utilizing the same treatment requirements as provided by Government Code 51182, to ensure defensible space is maintained on parcels adjacent to improved parcels and along emergency access and evacuation routes and fire access easements so that landowners benefit from defensible space on adjacent parcels where appropriate.
1. The City, County, or City and County City Council/Board of Supervisors supports improved defensible space for each parcel within the local agency's jurisdiction. This City Council/Board of Supervisors recognizes that abatement may be required of hazardous vegetation and combustible materials beyond the property line of a parcel on which a protected building or structure is located or the potential impact that hazardous vegetation beyond a property line could have on an adjacent improved parcel. This Article extends and supplements state law, utilizing the same treatment requirements as provided by Government Code 51182, to ensure defensible space is maintained on parcels adjacent to improved parcels and along emergency access and evacuation routes and fire access easements so that landowners benefit from defensible space on adjacent parcels where appropriate.

The City, County, or City and County generally has a dry, arid climate conducive to wildfires year round or during climatologically documented periods. City, County, or City and County also has a very diverse and complex landscape, which includes dry, brush-covered, and grass-covered wildlands, mountainous areas, dense heavily forested properties, and other terrains which are home to many sensitive plant and animal species. Many of the City, County, or City and County's native and non-native plant species can be highly combustible during climatologically normal precipitation conditions, prone to dry periods, and have contributed to significant wildfires within the City, County, or City and County. Topography, terrain, and weather conditions exacerbate the fire danger and the difficulty of fighting wildfires and have resulted in catastrophic impacts to human life, property, and the environment. All vegetation will burn given the right conditions, and wildfire risk reduction has more to do with the arrangement and health of plants than with particular species.

- A. Of paramount importance to the City, County, or City and County Council/Board of Supervisors and the citizens of City, County, or City and County are the protection of lives and structures from the threat of wildfire, and the safety of public safety personnel during wildfires. The proper establishment of maintained and enforced defensible space, benefits property owners, public safety personnel, and all citizens of City, County, or City and County by

dramatically increasing the likelihood that structures will survive a wildfire, provides for firefighter safety during a wildfire, and aids in the protection of lives, property, and the environment.

- B. The City, County, or City and County Council/Board of Supervisors finds and declares that the growth and/or accumulation of weeds, grasses, hazardous vegetation, and combustible materials or obstructions on sidewalks, streets, and on lands or lots within the City, County, or City and County is dangerous or injurious to a neighboring property and the health, safety, and welfare of residents of the City, County, or City and County. Such growth and accumulation constitute a public nuisance in that it creates fire hazards, and creates a hazard to the health, safety, and general welfare of the public.
- C. The purpose of this Article is to provide for the removal of hazardous vegetation and combustible material from around the exterior of improvements situated in the jurisdiction of the City, County, or City and County to reduce the potential for fire and to promote the public health, safety, and welfare of the community. It is the further purpose of this Article to establish a hazardous vegetation reduction program that provides a process to identify and abate hazardous vegetation on parcels and protects the lives and property of the citizens of City, County, or City and County, while at the same time protecting sensitive plant and animal species and protecting against significant erosion and sedimentation. The removal of hazardous vegetation in the areas subject to this Article is recognized as an essential action homeowners and property owners can take to increase the chances that homes, structures, and other property will survive a wildfire, while protecting the natural environment. Regular fuel management and modifications consistent with the requirements of this Article are necessary to ensure adequate defensible space is achieved. The defensible space required by this Article is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structures, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to structures on adjacent improved parcels.
- D. This Article is enacted by ordinance pursuant to the powers granted to the City Council/Board of Supervisors concerning the abatement of hazardous vegetation and combustible material as contained in applicable governing codes and regulations of the State of California. Additional authority for the abatement of nuisances, establishment of procedures, and establishment of real property liens through the City Council/Board of Supervisors is provided in applicable governing codes and regulations of the State of California.

Application of Article

This Article shall apply to:

- A. This Article shall, at all times of year, be applicable to all Improved Parcels within the jurisdiction of the City, County, or City and County.
- B. All Parcels adjacent to Improved Parcels where: (a) the owner/occupant of the Improved Parcel is unable to obtain the required Defensible Space, as delineated in adopted City, County, or City and County Codes; and (b) the current condition of fuels on the subject Parcel is assessed by the Public Official as a hazardous fire condition regardless of fire hazard severity zone. The owner of the subject Parcel shall provide or allow for the fuel modifications to meet the Defensible Space requirements of the adjacent Improved Parcel subject to applicable law including the finding that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the Structure.
- C. All Parcels where:
 - 1. The parcel is adjacent to a roadway which is determined by the Public Official to be necessary for the safe ingress and egress to the area served by the roadway or fire access easement; and
 - 2. The current condition of fuels on the adjacent Parcel is assessed by the Public Official as a hazardous fire condition.
- D. The owner, occupant or other person in control of the improved parcel shall be responsible for fifty (50) percent of the abatement cost on the adjacent parcel if the owner of said adjacent parcel consents in writing to the abatement.
- E. If any part of this Article is in conflict with any other part of this code the more restrictive provision(s) shall control.

Definitions

As used in this Article, the following definitions shall apply:

“Abate” or “Abatement” shall mean an act used to remove, destroy, eliminate, seize, impound, or any action taken to mitigate a public nuisance.

“Abatement costs” shall mean any and all costs incurred by the City, County, or City and County or a local independent fire district to enforce this Article and to abate the hazardous vegetation or combustible material on any property pursuant to this Article, including physical abatement costs, administration fees and any additional actual costs incurred for the abatement proceeding(s), including attorney’s fees, if applicable.

“Biomass” shall mean all green waste material generated during the fuel treatment project. Biomass includes, without limitation, all grass, weeds, vegetation, and tree trimmings.

“City Council/Council/Board of Supervisors” or “Board” shall mean the City Council/Board of Supervisors for the City, County, or City and County of _____.

“Citation” or “Administrative Citation” shall mean a civil citation issued pursuant to the Article stating there has been a violation of one or more provisions and setting the amount of the civil penalty to be paid by the responsible party.

“Combustible material” shall mean any material other than hazardous vegetation that is combustible, creates a fire hazard and/or endangers public safety.

“City, County, or City and County” shall mean the City, County, or City and County of _____, a political subdivision of the State of California.

“Days” shall mean calendar days.

“Defensible space” means that area described in 14 California Code of Regulations 1299, Government Code 51182, Public Resources Code Section 4291 and as otherwise described in this Code, which is adjacent to each exterior side of a building or Structure and must be cleared of brush, Hazardous Vegetation, or Combustible Material, as set forth in this Code.

“Fire hazard” shall mean any condition, arrangement, act, or omission which:

1. Increases, or may cause an increase of hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing, or extinguishing fire; or
2. May obstruct, delay, hinder, or interfere with the operations of a fire department or the egress of occupants in the event of a fire.

“Hazardous vegetation” shall mean any vegetation that is combustible and endangers public safety by creating a fire hazard. Hazardous vegetation is those vegetative materials that will readily ignite, burn, and transmit fire to any Structure or other surrounding and/or adjacent vegetation. Hazardous vegetation includes, but is not limited to, dry grass and leaves, brush, weeds, green waste, dead or dying trees, low-hanging branches, litter, or other flammable vegetation. Hazardous

vegetation shall not include a commercial agricultural crop that is being actively grown and managed by the property owner or his or her legal tenant.

“Improved Parcel” shall mean a portion of real property on which a Structure is located, the area of which is determined by the Assessor’s maps and records, and which may be identified by an Assessor’s Parcel Number.

“Ladder fuels” shall mean any fuels that could carry fire vertically between or within Combustible Material or Hazardous Vegetation, including but not limited to a wood fence located within five (5) feet of any other Structure.

“Public Official” shall include the Fire Chief of any local fire department/protection district located in whole or in part within the City, County, or City and County, City, County, or City and County Fire Marshal, the company officers and trained prevention staff as may be designated by a Fire Chief to enforce the provisions of this Article, and City, County, or City and County Office of Emergency Services staff. Public Officials include City, County, or City and County Code Compliance officers.

“Parcel” shall mean a portion of real property of any size, the area of which is determined by the Assessor’s maps and records, and which may be identified by an Assessor’s Parcel Number.

“Real Estate Transaction” shall mean the transfer of real property between individuals or entities.

“Responsible Party” shall mean an individual, association, co-partnership, political subdivision, government agency, municipality, industry, public or private corporation, firm, organization, partnership, joint venture or any other person or entity whatsoever whose act or omission caused or contributed to a violation of this Article.

“Structure” shall mean any dwelling, house, building, or other types of construction, whether or not occupied which have a permanent roof structure and are supported by walls or posts that are secured to the ground.

“Unimproved parcel” shall mean a portion of land of any size, the area of which is determined by the Assessor’s maps and records and may be identified by an Assessor’s Parcel Number (APN) upon which no Structure is located.

Nuisance Declared; Duty to Abate Hazardous Vegetation and Combustible Material

- A. Hazardous Vegetation and Combustible Materials within one hundred (100') feet of a Structure (or greater as determined by the Public Official) on properties located within City, County, or City and County, are hereby declared to be a public nuisance that may be abated in accordance with this Article, and by any other means available by law.
- B. Prior to the close of any Real Estate Transaction subject to Civil Code section 1102.19 within the County, the seller of any real residential property must obtain documentation from an Inspection Official that the property is in compliance with this section and provide that documentation to the buyer at or before the close of escrow. If documentation of compliance is not available at the time of sale, the buyer shall obtain documentation from an Inspection Official stating the property is in compliance with this section within 90 days after the close of escrow, unless otherwise approved by the enforcement official.
 - 1. Documentation of compliance with these requirements shall be provided to the buyer prior to the close of escrow.
 - 2. If documentation cannot be obtained prior to the close of escrow, the seller and buyer may enter into a written agreement whereby the buyer agrees to obtain documentation of compliance with these requirements within one year of the date of close of escrow.
 - 3. Documentation of compliance obtained in the six-month period preceding the date of the close of escrow is sufficient to satisfy this section.
- C. It shall be the duty of every person who owns, leases, controls, operates, or maintains a dwelling or structure in, upon, or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land, or land that is covered with flammable material, to abate therefrom, and from roadways on or immediately adjacent thereto (except for those roads accepted into the City, County, or City and County maintained system), all Combustible Material, and Hazardous Vegetation which constitutes a fire hazard and public nuisance.
- D. The requirements of this Section shall be satisfied if the Parcel and all roadways on or immediately adjacent thereto (except for those roads accepted into the City, County, or City and County maintained system) are cleared in accordance with a Notice to Abate by cutting brush, trimming trees, thinning trees, disking, mowing, plowing, or any other method described in a Notice to Abate, or, if no Notice to Abate is issued, by removing all Hazardous Vegetation and Combustible Materials as follows:
 - 1. Maintain a Defensible Space of one hundred (100') feet from each exterior side and from the front and rear of a Structure, but not beyond the property line except as provided in subparagraph (B) of Section 51182 of the Government Code. The amount of fuel modification necessary shall consider 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 would be less

likely to ignite the Structure. This subparagraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained 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 one hundred (100') foot perimeter of a Structure, the most intense being used between five (5') feet and thirty (30') feet around the Structure, and an ember-resistant zone being required within five (5') feet of the structure, including around attached decks. Consistent with fuels management objectives, steps should be taken to minimize erosion;

2. Maintain a one hundred (100') foot wide area of land around Structure(s) located on an adjacent Improved Parcel (some or all of this Defensible Space requirement may be required on an adjacent Parcel depending upon the location of the Structure on the Improved Parcel);
3. Maintain free of Ladder Fuels a minimum of a ten (10') foot wide strip of land beyond the shoulder of a roadway serving as primary ingress and egress to the parcel, to a height of six (6) feet along the boundary of a Parcel;

(a) Zone 0

1. Remove fuels and items that could catch fire that are within the first five feet (5 ft.) of or above the "Structure"
2. Remove fuels and items that could catch fire that are adjacent to or under combustible decks, porches, balconies, stairs, or similar attached accessories.
3. No combustible bark or mulch is allowed in this zone. Consider using hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.
4. Ensure all live tree branches are kept a minimum of 10 feet above the roof and decking.
5. Ensure all live branches are kept a minimum of 5 feet away from the sides of the structure.
6. Ensure all branches are a minimum of ten feet (10 ft.) away from chimney and stovepipe outlets.
7. All dead or dying grass, plants, shrubs, trees, branches, leaves, weeds, and pine needles have been removed from around the "Structure" including on the roof or rain gutters of the "Building or Structure" or any other location within the Zone.
8. Relocate exposed firewood piles outside of Zone 0.

Suggestions and Education in Zone 0:

- Use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

- Limit combustible items such as outdoor furniture, planters, and other combustible items on top of decks.
- Replace combustible fencing, gates, trellis, and arbors attached to the “Structure(s)” with noncombustible features.
- Relocate garbage and recycling containers outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.
- Relocate boats, RVs, vehicles, and other combustible items outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.

(b) Inspection Criteria for Zone 1:

1. All dead or dying grass, plants, shrubs, trees, branches, leaves, weeds, and pine needles have been removed from the Zone.
2. All exposed firewood piles are located outside of Zone 1 unless they are completely covered in a fire-resistant material.
3. No flammable vegetation and/or materials that could catch fire are located adjacent to or under combustible decks, balconies, and stairs.
4. Ensure horizontal and vertical spacing among shrubs and trees is maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements.
5. In both the Fuel Separation and Continuous Tree Canopy methods, the DSI will ensure the following standards apply:
 - a. All dead and dying woody surface fuels and aerial fuels have been removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of three inches (3 in.).
 - b. Annual grasses and forbs have been cut/trimmed down to a maximum height of four inches (4 in.).
 - c. Ensure all exposed wood piles have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, or use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

(c) Inspection Criteria for Zone 2:

1. Ensure horizontal and vertical spacing among shrubs and trees is maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements.
2. In both the Fuel Separation and Continuous Tree Canopy methods, the DSI will ensure the following standards apply:

- a. All dead and dying woody surface fuels and aerial fuels have been removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of three inches (3 in.).
- b. Annual grasses and forbs have been cut/trimmed down to a maximum height of four inches (4 in.).
- c. Ensure all exposed wood piles have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions.

(d) Inspection Criteria for both Zones 1 and 2:

1. The Public Official will ensure Outbuildings and Liquid Propane Gas (LPG) storage tanks have the following minimum clearance:
 - a. ten feet (10 ft.) of clearance to bare mineral soil or use other noncombustible items such as gravel, permeable pavers or blocks, pervious or porous concrete.
 - b. No dead or dying vegetation for an additional ten feet (10 ft.) around their exterior.
 2. Provide educational information to the occupant or property owner at the time of inspection.
 - a. Advise the occupant or property owner to avoid the use of heavy equipment in and around streams and seasonal drainages, as this is important for protecting water quality. Vegetation removal can cause soil erosion, especially on steep slopes. Keep soil disturbance to a minimum on steep slopes.
 3. Climbing vines must be removed from trees and Structures within the one hundred (100') foot defensible space zone around Structure(s);
 4. Maintain the roof of a Structure free of leaves, needles, or any combustible debris;
 5. Maintain the Parcel free of ladder fuels within the one hundred (100') foot Defensible Space area around Structure(s);
 6. Further guidance regarding these methods is contained in the City, County, or City and County, "General Guidelines for Creating Defensible Space, DATE UPDATED," incorporated herein by reference.
- E. The Public Official may mandate additional fuels management of an area more or less than the above-referenced widths or height on a Parcel and all sidewalks and roadways on or immediately adjacent thereto (except for those roads accepted into the City, County, or City and County maintained system), for the protection of public health, safety or welfare or the environment if the Public Official finds that the additional fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to a Structure on an Improved Parcel. The Public Official shall determine appropriate defensible space distances based upon a visual inspection of the Parcel and shall consider all

factors that place the Structure(s) on the adjacent Improved Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the adjacent parcel or the Structure(s) is located.

- F. Clearance requirements around free-standing photovoltaic systems and equipment shall comply with the following:
 - 1. A minimum 10-foot clearance for clusters of panels not exceeding 1,500 sqft of the combined panel area.
 - 2. A minimum 30-foot clearance for clusters of panels greater than 1,500 sqft of the combined panel area.
 - 3. Clusters shall be separated a minimum of 20 feet, edge to edge.
- G. When a building is less than one hundred feet from a property line and Combustible Material or Hazardous Vegetation on an adjacent parcel presents a fire hazard for the building, the owner of the adjacent parcel where the fire hazard exists shall be responsible for clearing the area on their land which is within one hundred feet of the occupied Structure and is needed to provide the necessary fire protection in the manner and to the extent required by the Public Official.
- H. Where the terrain, condition, or environment on the adjacent Parcel is such that it cannot or should not be disked or mowed, the Public Official may require, or authorize, other means of hazardous vegetation or combustible material removal.
- I. No Parcel owner may allow any portion of vegetation on his or her property to interfere with street and emergency vehicle access, regardless of whether the access is along a public street or along a private residential access road. The Public Official may provide written notice to the property owner requiring vegetation to be trimmed to at least 13.5 feet of vertical clearance and at least 10 feet of horizontal vegetation management from the edge of the roadway when the Public Official determines the vegetation would otherwise interfere with street or emergency vehicle access.
 - 1. If the Parcel Owner fails to maintain these clearance requirements, the Public Official may abate this nuisance without further notice and at the Parcel Owner's expense.
 - 2. Pursuant to applicable governing codes and regulations, as amended, a Public Official may summarily abate weeds or hazardous growth on private property that in any way hinders emergency access and may charge the Parcel Owner for the abatement cost.

Fuel Separation

The Fuel Separation method shall be implemented as follows:

(A) Minimum clearance between fuels surrounding each building or structure shall range from 4 feet to 40 feet in all directions, both horizontally and vertically.

(B) Clearance distances between vegetation shall depend on the slope, vegetation size, vegetation type (brush, grass, trees), and other fuel characteristics (fuel compaction, chemical content etc.). Properties with greater fire hazards, including but not limited to steep slopes and large vegetation, will require greater separation between fuels. For example, properties on steep slopes having large-sized vegetation will require greater spacing between individual trees and bushes (see Plant Spacing Guidelines and Case Examples below).

(C) Groups of vegetation (numerous plants growing together less than 10 feet in total foliage width) may be treated as a single plant. For example, three individual manzanita plants growing together with a total foliage width of eight feet can be “grouped” and considered as one plant and spaced according to the Plant Spacing Guidelines in this document.

(D) Grass generally should not exceed 4 inches in height. However,

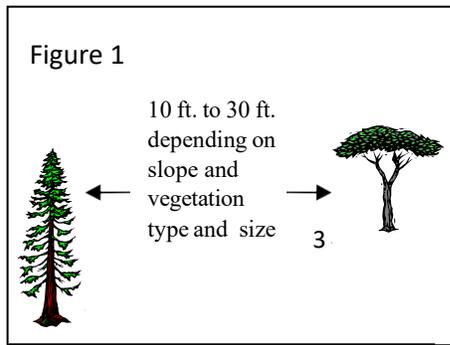
homeowners may keep grass and other forbs less than 18 inches in height

above the ground when these grasses are isolated from other fuels or

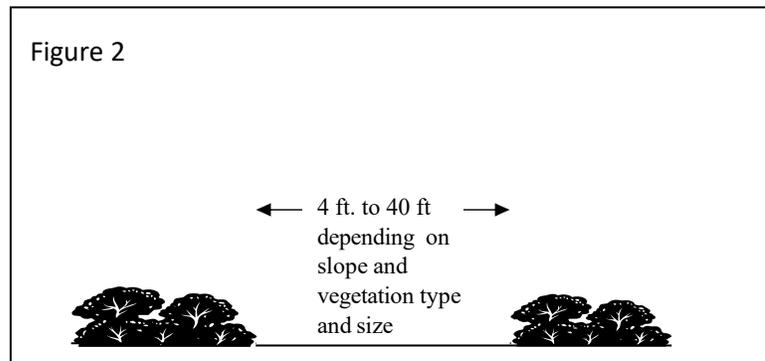
where necessary to stabilize the soil and prevent erosion.

(E) Table 1. Plant Spacing Requirements.

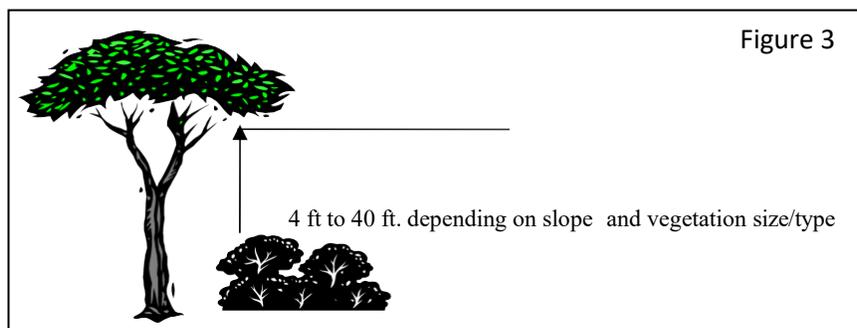
Plant Spacing Requirements		
Trees	Minimum horizontal space from edge of one tree canopy to the edge of the next	
	Slope	Spacing
	0% to 20 %	10 feet
	20% to 40%	20 feet
	Greater than 40%	30 feet
Shrubs	Minimum horizontal space between edges of shrub	
	Slope	Spacing
	0% to 20 %	2 times the height of the shrub
	20% to 40%	4 times the height of the shrub
	Greater than 40%	6 times the height of the shrub
Vertical Space	Minimum vertical space between top of shrub and bottom of lower tree branches: 3 times the height of the shrub	



(F) Figure 1. Horizontal clearance between trees to reduce the spread of fire from one fuel to the next. Figure 1 is a visual representation of paragraphs 2(A) and (B).



(G) Figure 2. Horizontal clearance between shrubs to reduce the spread of fire from one fuel to the next. Figure 2 is a visual representation of paragraphs 2(A) and (B).



(H) Figure 3. Horizontal clearance between aerial fuels and surface fuels to remove ladder fuels and reduce the spread of fire from shorter to taller fuels. Figure 3 is a visual representation of paragraphs 2(A) and (B).

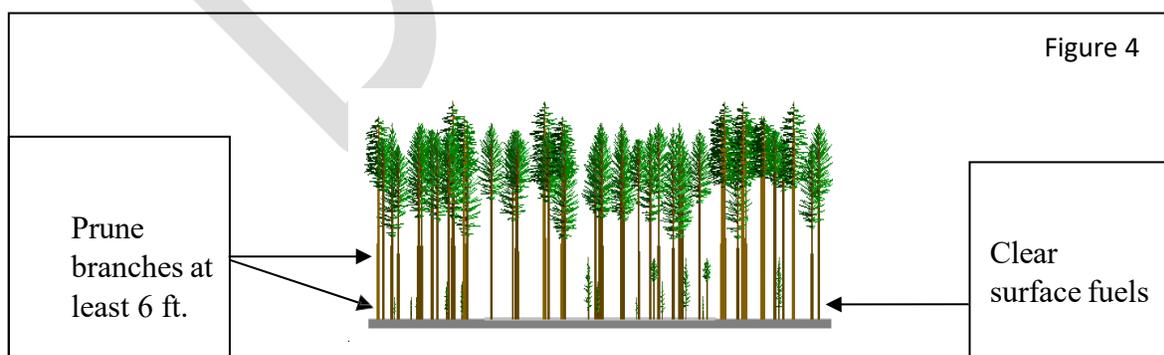
Wildfire Mitigation Advisory Committee Agenda Item – SB 190 – Model Defensible Space Program

(3) To achieve defensible space while retaining a stand of larger trees with a continuous tree canopy, the Continuous Tree Canopy method shall be implemented as follows:

(A) All surface fuels greater than four inches (4 in.) in height shall be removed. Single-specimen trees or other vegetation may be retained provided they are well-spaced, well-pruned, and create a condition that reduces the potential spread of fire.

(B) Lower limbs of trees shall be pruned to at least six (6) feet up to 15 feet (or the lower 1/3 of branches for trees less than 18 feet tall). Properties with greater fire hazards, such as steeper slopes or more severe fire danger, will require pruning heights in the upper end of this range.

(C) Figure 4. Defensible space retaining continuous trees. Figure 4 is a visual representation of paragraphs 3(A) and (B).



In both the Fuel Separation and Continuous Tree Canopy methods the following standards apply:

(A) Dead and dying woody surface fuels and aerial fuels shall be removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be maintained to a maximum depth of three inches (3 in.).

(B) Maintain-Cut annual grasses and forbs down to a maximum height of four inches (4 in.).

(C) All exposed wood piles must have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions.

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Enforcement

- A. The Public Official shall be the primary authority for enforcement of this Article and shall administer and enforce the requirements as provided in this Article.
- B. The Public Official shall have the following responsibilities and authorities in the enforcement and administration of the provisions of this Article:
 - 1. Receive and respond to complaints through planning and conducting inspections within the limits of available resources.
 - 2. Review the requirements of this Article with property owners and/or occupants found to be out of compliance, to support voluntary compliance with the provisions of this Article.
 - 3. The determination for appropriate clearance distances will be made based upon a visual inspection of the Parcel and shall consider all factors that place the Parcel or adjoining Structure(s) at risk from an approaching fire. These factors shall include local weather conditions, fuel type(s), topography, and the environment where the Parcel or adjoining Structure(s) is located.
 - 4. Prepare and issue Notices to Abate, and such other notices as may be necessary to encourage voluntary compliance with the provisions of this Article.
 - 5. Carry out all enforcement and abatement proceedings as described in this Article.
 - 6. Conduct post-notice/pre-abatement inspections and documentation and conduct post-abatement inspections and documentation.
 - 7. The Public Official may, at his or her discretion, issue an administrative citation for violations of this Article, in lieu of abating a parcel.
 - 8. Within local fire district boundaries, inspections established by this Article may be performed by designated fire district personnel.
 - 9. Conduct abatements and handle accounting, assessment, and collection of abatement costs, including recordation of liens.
- B. Nothing herein shall limit the ability of a Public Official, to enforce the provisions of this Article, from making initial inspections or independent compliance checks without first receiving a complaint.
- C. This Article may be enforced within those areas where independent fire districts have governing bodies other than the City, County, or City and County, provided the governing body acts to enforce this Article by adopting an appropriate resolution authorizing the fire chief of the district to enforce the requirements of this Article.

Notice to Abate

Whenever the Public Official determines, based on a planned inspection, that a Parcel is in violation of this Article and requires abatement, the Public Official shall send the owner of record for the Parcel a Notice to Abate. The Notice to Abate shall be in writing and shall:

- A. Identify the owner(s) of the Parcel upon which the violation exists, as named in the records of the City, County, or City and County Assessor, and identify the occupant(s) or person in control of the property, if other than the owner(s) and if known or reasonably identifiable.
- B. Describe the location of the Parcel by its commonly used street address, if any, and identify the Parcel by reference to the Assessor's Parcel Number, if any.
- C. Briefly describe the violation(s) on the Parcel and identify the fuel modification area(s) which are required to abate the violation(s) and bring the Parcel into compliance with this Article.
- D. Contain a statement that the legal owner or occupant is required to correct the violation and allow at least thirty (30) calendar days from the date the notice is served for the work to be completed.
- E. Outline the appeal process as provided in the Appeals Process section of this Article.
- F. Contain a statement that, unless the legal owner or occupant abates the violation(s) and brings the Parcel into compliance with this Article or seeks an appeal within the time prescribed in the notice, the violation may be abated at the legal owner's expense. It shall also state that the abatement costs, including administrative costs, may be made a special assessment added to the City, County, or City and County assessment roll and become a lien on the real property, or be placed on the unsecured tax roll.
- G. Contain a statement that this Article provides that the Parcel owner and any person in possession of the Parcel upon which the Hazardous Vegetation or Combustible Material is found to exist shall be jointly and severally liable for all abatement costs incurred by the City, County, or City and County.

Service of Notice to Abate

All notices required by this Article shall be served in the following manner:

- A. By delivering it personally to the legal owner(s) of the Parcel(s) and to the occupant(s), or by mailing it by first-class United States mail to the legal owner(s) of the Parcel at his or her address as it appears on the last equalized assessment roll and to any non-owner occupant(s), if known, at the street address for the Parcel.
 1. If the records of the City, County, or City and County Assessor show that the ownership has changed since the last equalized assessment roll was completed, the notice shall also be mailed to the new owner(s) at his or her address as it appears in said records; or
 2. In the event that, after reasonable effort, the Public Official is unable to serve the notice as set forth above, service shall be accomplished by posting copies of the notice along the frontage of the subject Parcel(s), and at such other locations on the Parcel(s) as are reasonably likely to provide notice to the owner(s) and any person known by the Public Official to be in possession of the Parcel(s). At least two (2) copies of the notice shall be posted on a Parcel pursuant to this Section.
- B. The date of service for the notice is deemed to be the date of personal delivery or posting, or three (3) days after deposit in the United States mail.

Enforcement Process

- A. Not less than thirty (30) days after the Notice to Abate is served, the Public Official shall conduct a post-notice/pre-abatement inspection on the Parcel and, if the required fuel modification area(s) have not been performed, the Public Official may require that the required fuel modification area(s) be completed by the City, County, or City and County, and the cost of enforcement and the abatement costs, including administrative costs, may be made a special assessment added to the City, County, or City and County assessment roll and become a lien on the real property, or be placed on the unsecured tax roll.
- B. For Parcels owned or controlled by public agencies, the Public Official or designee may provide a Notice of Nuisance and include the project area in the local community wildfire protection plan and request the Hazardous Vegetation or Combustible Material be abated in accordance with the Healthy Forest Restoration Act of 2003 (H.R. 1904) or Government Code 51182.

Appeals Process

- A. Any person upon whom a Notice to Abate has been served may appeal the determination of the Public Official by delivering a written request for hearing to the Clerk of the City Council/Board's office within ten (10) calendar days of the date of the Notice to Abate, together with payment of any appeal fee as may be duly adopted by the City Council/Council/Board of Supervisors. The written request shall include a statement of all facts supporting the appeal. The time requirement for filing such a written request shall be deemed jurisdictional and may not be waived.
- B. If a timely appeal is filed with the Clerk of the City Council/Board, no further enforcement action will be taken until after the Hazardous Vegetation Abatement Hearing Body has made a determination on the appeal. In the absence of a timely filed written request that complies fully with the requirements of this section, the determination of the Public Official as set forth in the Notice to Abate shall become final and conclusive on the thirty-first (31st) day following service of the notice.
- C. The hearing on the appeal shall occur not more than thirty (30) days after receipt of a timely appeal and shall provide written notice of the hearing date and time to the appellant at least ten (10) days prior to the date of the hearing unless such time limits are waived in writing by the Public Official and the appellant. Continuances of the hearing will only be granted on a showing of good cause. Unavailability of an attorney does not constitute "good cause."

Hazardous Vegetation Abatement Hearing Body

A Hazardous Vegetation Abatement Hearing Body is hereby established to hear appeals on any Notice to Abate issued by a Public Official. The Hazardous Vegetation Abatement Hearing Body shall consist of the City, County, or City and County Fire Marshal or designee, the City, County, or City and County's Emergency Services Program Manager or designee, and a Fire Chief from a local fire department/protection district selected by the City, County, or City and County Fire Chiefs' Association; provided, however, that if the Notice to Abate being appealed was issued by the City, County, or City and County Fire Marshal or designee, then the Hazardous Vegetation Abatement Hearing Body shall consist of the City, County, or City and County's Emergency Services Program Manager or designee, and two (2) Fire Chiefs from a local fire department/protection district selected by the Emergency Services Program Manager. The Hazardous Vegetation Abatement Hearing Body shall have the authority to amend, dismiss, or uphold a Notice to Abate by a majority vote.

Abatement by Public Official

- A. If, at the end of the time allowed for compliance in the original Notice to Abate, or as extended in cases of appeal, or as specified by the Hazardous Vegetation Abatement Hearing Body, compliance has not been accomplished, the Public Official issuing the notice, or the agency of which he or she is an officer, may pursue a lawful abatement. The Public Official may proceed with the abatement of the Hazardous Vegetation or Combustible Material and provide that it be removed by Public Official or by employees of the agency or by a private contractor selected by the agency in accordance with applicable governing codes and regulations. The cost of such removal and enforcement accompanied by a reasonable administrative cost, may be made a special assessment added to the City, County, or City and County assessment roll and become a lien on the real property, or be placed on the unsecured tax roll.
- B. The costs so assessed shall be limited to the actual costs incurred by the Public Official and the City, County, or City and County in enforcing the violation and abatement upon the subject Parcel. Such costs may include, but are not limited to, the costs of all prior inspections, appeal hearings, and other enforcement actions leading up to the abatement, payments to the contractor, costs of site inspection, costs of notice, boundary determination, and measurement, costs for material disposal and all clerical, personnel, consultant, and other administrative costs.

Abatement Penalties and Costs

Upon expiration of the time limits and appeal processes established by this Article, the Public Official shall acquire jurisdiction to abate the nuisance, and may carry out the following as appropriate:

- A. Disposal of Materials. Any materials abated may be disposed of as a part of the removal process including, as appropriate, recycling or as a part of a Biomass utilization program.
- B. Cost Accounting, Receipts, and Notice of Assessment. The Public Official shall keep an itemized account of the costs of enforcing the provisions of this Article. Upon completion of the abatement, the Public Official shall prepare a notice to be served on the affected Parcel(s) as provided in City, County, or City and County code and specifying:
 1. The work done (supported by before and after pictures);
 2. An itemized account of the costs and receipts of performing the work;
 3. An address, legal description, or other description sufficient to identify the Parcel that was subject to abatement costs, including administrative costs, and added to a special assessment roll and become a lien on the real property, or be placed on the unsecured tax roll;
 4. The amount of the assessment proposed to be levied against the Parcel(s), or the amount to be refunded, if any, due to excess proceeds over the expenses;
 5. The time and place where the Public Official will submit the account to the Hazardous Vegetation Abatement Hearing Body for confirmation. The time and place specified shall be no less than fifteen (15) days after the service of the notice;
 6. A statement that the Hazardous Vegetation Abatement Hearing Body will hear and consider objections and protests to the account and proposed assessment or refund.

Hearing on Proposed Assessment and/or Lien

At the time and place fixed in the notice, the Hazardous Vegetation Abatement Hearing Body will hear and consider the account and proposed assessment, together with objections and protests thereto. At the conclusion of the hearing, the Hazardous Vegetation Abatement Hearing Body may make such modifications and revisions of the proposed account and assessment as deemed just and may order the account and proposed assessment confirmed or denied, in whole or in part, or as modified and revised, and shall issue a written recommendation regarding the proposed assessment and/or lien to the Council/Board of Supervisors. The City Council/Board of Supervisors may summarily adopt the recommendation of the Hazardous Vegetation Abatement Hearing Body without further notice of hearing or may set the matter for a de novo hearing in accordance with applicable governing codes and regulations. The determination of the Council/Board of Supervisors as to all matters contained therein shall be final and conclusive.

Notice, Recordation, and Collection of Assessment and/or Lien:

Upon confirmation of an assessment by the City Council/Council/Board of Supervisors, Code Compliance shall notify the affected Parcel owners by certified mail, return receipt requested, of the amount of the pending lien confirmed by the City Council/Council/Board of Supervisors, and advise them that they may pay the account in full within thirty (30) days in order to avoid the lien being recorded against the parcel(s). If the lien amount is not paid by the date stated in the letter, Code Compliance shall prepare and have recorded a Notice of Lien with the City, County, or City and County Clerk-Recorder's office. The Notice of Lien shall contain:

1. A legal description, address and/or other description sufficient to identify the Parcel(s) to be liened;
 2. A description of the proceeding under which the special assessment was made, including the order of the City Council/Board of Supervisors under this code confirming the assessment;
 3. The amount of the assessment;
 4. A claim of lien upon the described Parcel(s).
- A. Upon the recordation of a Notice of Lien, the amount claimed shall constitute a lien upon the described Parcel(s), pursuant to applicable governing codes and regulations. Such lien shall be at parity with the liens of State and City, County, or City and County taxes, to the extent allowed by applicable law.
- B. After recordation, the Notice of Lien shall be delivered to the City, County, or City and County Auditor-Controller, who shall enter the amount of the lien on the assessment roll as a special assessment. The amount set forth shall be subject to the same penalties and interest as ordinary City, County, or City and County taxes. All laws applicable to the levy, collection and enforcement of City, County, or City and County taxes are hereby made applicable to such assessment to the extent allowed by applicable law.

Violations

Pursuant to City, County, or City and County Code, it shall be an infraction or misdemeanor for any person, natural or corporate, owning, possessing, occupying, or controlling any lands or premises to fail to perform the duty set forth in this Article, or to fail to comply with the requirements in the Notice to Abate as specified in this Article, or to interfere with the performance of the duties herein specified for any of the Public Officials named in this part, or to refuse to allow any such Public Official, or approved private contractors, to enter upon any Parcel for the purpose of lawfully inspecting and/or as ordered, removing any Hazardous Vegetation and Combustible Material hereinbefore described as a public nuisance, or to interfere in any manner whatever with the Public Officials or contractors in the work of a lawful inspection and ordered removal herein provided.

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Penalties for Violations

- A. This Article is a local safety code. Every violation of this Article which is determined to be an infraction or an administrative violation shall be punishable in accordance with Government Code Sections 53069.4 and 25132, as may be amended from time to time.
- B. Any person violating or failing to comply with the provisions of this Article shall be guilty of a misdemeanor, except that when the District Attorney or City, County, or City and County Counsel shall elect to charge such violation as an infraction, it shall be an infraction. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Article is committed, continued, or permitted by such person and shall be punishable accordingly.
- C. Notwithstanding any other law, a violation of local building and safety codes that is an infraction is punishable under applicable governing codes and regulations., as may be amended from time to time, by the following:
 - 1. A fine not exceeding one hundred thirty dollars (\$130) for a first violation.
 - 2. A fine not exceeding seven hundred dollars (\$700) for a second violation of the same ordinance within one year of the first violation.
 - 3. A fine not exceeding one thousand three hundred dollars (\$1,300) for each additional violation of the same ordinance within one year of the first violation.
 - 4. Upon a subsequent violation within a two (2) year period the violator shall be liable to the City, County, or City and County for the abatement costs, including, but not limited to, costs incurred by local independent fire districts, in accordance with applicable governing codes and regulations.
 - 5. Unless a violation creates an immediate danger to health and safety, a Responsible Party shall be provided with notice and an opportunity to correct the violation prior to the imposition of the administrative penalty such as, but not limited to, fines, citation, or forced abatement.
 - 6. Acts, omissions, or conditions in violation of this Article that continue to exist, or occur on more than one day, constitute separate violations on each day. Fines may be levied.
- D. Pursuant to applicable governing codes and regulations, if the City, County, or City and County levies a fine pursuant to this section, the City, County, or City and County shall establish a process for granting a hardship waiver to reduce the amount of the fine upon a showing by the responsible party that the responsible party has made a bona fide effort to comply after the first violation and that payment of the full amount of the fine would impose an undue financial burden on the responsible party.
- E. Any person convicted of a misdemeanor under the provisions of this Code shall be punishable by imprisonment in the City, County, or City and County jail not exceeding six months, or by fine not exceeding one thousand dollars (\$1,000), or by both.

- F. The administrative penalty, or any portion thereof, for a first-time violation which has become effective following the corrective period, may be waived by the Public Official in his or her sole discretion only if the Responsible Party corrects the violation in accordance with all conditions established by the Public Official.
- G. If after a third inspection a Parcel owner continues to be noncompliant, the Public Official may issue a noncompliance citation. This can be waived by the Public Official if the Parcel owner is cooperating, performing best efforts, and mitigation progress is visible.
- H. Whenever a notice has been issued, the Public Official may record a notice of noncompliance with the office of the City, County, or City and County Recorder of City, County, or City and County and shall notify the Parcel owner of such action. The notice of noncompliance shall describe the Parcel, shall set forth the noncomplying conditions, and shall state that any abatement costs incurred by the City, County, or City and County as a result of the violations of this Article may be specially assessed as a lien on the property and that the Parcel owner has been so notified.
- I. Alternatively, the Public Official may prosecute violations of this Article by civil action, including, without limitation, issuance of administrative citations.

Authority to Promulgate Reasonable Rules and Regulations

The City Council/Board of Supervisors reserves its right to adopt reasonable rules, regulations, and resolutions consistent with this Article to enforce, interpret, and carry out the provisions of this Article. Such rules, regulations and resolutions may vary between different areas within City, County, or City and County.

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No Duty to Enforce

Nothing in this Article shall be construed as imposing on a Public Official or the City, County, or City and County of _____, any duty to issue a Notice to Abate, nor to abate any Hazardous Vegetation or Combustible Material within a Parcel's Defensible Space, nor to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material, and neither the Public Official nor the City, County, or City and County shall be held liable for failure to issue a Notice to Abate any unlawful Hazardous Vegetation or Combustible Material, nor for failure to abate any unlawful Hazardous Vegetation or Combustible Material, nor for failure to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material.

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Appendix B

DEFENSIBLE SPACE INSPECTION IMPLEMENTATION

[###-#]

OVERVIEW

Defensible Space Inspections ensure that required clearance and vegetation management practices within the City, County, or City and County of _____, are followed and always maintained at all times of the year.

The City, County, or City and County of _____, provides the local coordination and support of the Defensible Space Inspection Program. These efforts include but are not limited to:

- Hiring, scheduling, and supervision of Defensible Space Inspectors
- Allocated budget management
- Coordination of supplies, transportation, training, personal protective equipment (PPE), and all other necessary items for the successful implementation of the program

PERSON / PROGRAM / FUNCTION AND ACTIONS

Person / Program / Function	Actions
<u>City, County, or City and County of _____</u>	Position Funding Allocation
Chief	Support and coordinate the Defensible Space Inspection Program
Defensible Space Coordinator	Coordinate the <u>City, County, or City and County of _____</u> , Defensible Space Program

RELATED FORM(S) / LINK(S)

Defensible Space Inspection Policy
Training and Reference Material

SUBJECT MATTER EXPERT(S)

Wildfire Prevention Division

REVISION DATE

Revision Date: 12/2022
Last Reviewed: 12/2022

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Appendix C

DEFENSIBLE SPACE INSPECTION PROGRAM

[###-#]

POLICY STATEMENT

The City, County, or City and County of _____, Defensible Space (DSpace) Inspection Program helps ensure that structures in wildland and wildland-urban interface (WUI) areas have sufficient clearance for firefighter and public safety, and to ensure structures have the best possible chance of survivability when exposed to unwanted and destructive wildfires.

DEFINITION(S)

Defensible Space: The buffer created between a building or structure including attached structures and the grass, trees, shrubs, plants, other vegetation, or fuel that surrounds it. This space is needed to slow or stop the spread of wildfire and it helps protect the home from catching fire—either from embers, direct flame contact and/or radiant heat.

Defensible Space Inspection: A systematic inspection of the space between a building and the surrounding vegetation to ensure compliance with vegetation management directives.

Defensible Space Inspector (DSI): An inspector trained and authorized to evaluate the defensible space surrounding a structure.

*Additional definitions can be found in 14 CCR § 1299.03, PRC § 4291, BOF General Guidelines, 2013 CFC § 505.1, 2013 CBC § 2113.9.2.

AUTHORITY AND RESPONSIBILITIES

Authority	Responsibilities
Defensible Space Unit	Jurisdiction-wide program administration, electronic data collection support, statistical tracking, and reports
Chief	Department level program management

RELATED FORM(S) / LINK(S)

(Replace all below with local forms and handbooks)

[Defensible Space Inspection Procedure](#)

[Conducting Defensible Space Inspections](#)

[Documenting Defensible Space Inspections](#)

AUTHORITY

14 California Code of Regulations § 1299

Government Code 51182

California Building Code

California Fire Code Chapter 49

BOF General Guidelines Item 3

REFERENCE(S)

SUBJECT MATTER EXPERT(S)

Defensible Space Unit

REVISION DATE

Revision Date: 12/2022

Last Reviewed: 12/2022

Appendix D

CONDUCTING DEFENSIBLE SPACE INSPECTIONS [###-#]

OVERVIEW

The Defensible Space Inspector (DSI) ensures that required clearance and vegetation management practices within the City, County, or City and County of _____, are followed and always maintained at all times of the year.

For purposes of this procedure, “defensible space” means that area described in 14 California Code of Regulations 1299, Government Code 51182, Public Resources Code Section 4291, and as otherwise described in this Code

For purposes of this procedure, “fuel” means any combustible material, including petroleum-based products, cultivated landscape plants, grasses, and weeds, and wildland vegetation.

For purposes of this procedure, a “Structure” for the purpose of an ember-resistant zone shall include any attached or detached deck that falls within Zone 0 and/or Zone 1.

Adhering to all Injury and Illness Protection Policies, the DSI will conduct defensible space inspections using the following criteria:

(a) Inspection Criteria for Zone 0:

- J. Remove fuels and items that could catch fire which are the first five feet (5 ft.) of or above the “Structure”
- K. Remove fuels and items that could catch fire which are adjacent to or under combustible decks, porches, balconies, stairs, or similar attached accessories.
- L. No combustible bark, or mulch is allowed in this zone.
- M. Ensure all live tree branches are kept a minimum of 10 feet above the roof and decking.
- N. Ensure all live branches are kept a minimum of 5 feet away from the sides of the structure.
- O. Ensure all branches are a minimum of ten feet (10 ft.) away from chimney and stovepipe outlets.
- P. All dead or dying grass, plants, shrubs, trees, branches, leaves, weeds, and pine needles have been removed from around the " Structure” including on the roof or rain gutters of the "Building or Structure" or any other location within the Zone.

Relocate exposed firewood piles outside of Zone 0.

Suggestions and Education in Zone 0:

- Q. Use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.
- R. Limit combustible items such as outdoor furniture, planters, and other combustible items on top of decks.
- S. Replace combustible fencing, gates, trellis, and arbors attached to the "Structure(s)" with noncombustible features.
- T. Relocate garbage and recycling containers outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.
- U. Relocate boats, RVs, vehicles, and other combustible items outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.

(b) Inspection Criteria for Zone 1:

- (1) All dead or dying grass, plants, shrubs, trees, branches, leaves, weeds, and pine needles have been removed from the Zone.
- (2) All exposed firewood piles are located outside of Zone 1 unless they are completely covered in a fire-resistant material.
- (3) No flammable vegetation and/or materials that could catch fire are located adjacent to or under combustible decks, balconies, and stairs.
- (4) Ensure horizontal and vertical spacing among shrubs and trees is maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements.
- (5) In both the Fuel Separation and Continuous Tree Canopy methods, the DSI will ensure the following standards apply:
 - a. All dead and dying woody surface fuels and aerial fuels have been removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of three inches (3 in.).
 - b. Annual grasses and forbs have been cut/trimmed down to a maximum height of four inches (4 in.).
 - c. Ensure all exposed wood piles have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions.

(c) Inspection Criteria for Zone 2:

- (1) Ensure horizontal and vertical spacing among shrubs and trees is maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements.
- (2) In both the Fuel Separation and Continuous Tree Canopy methods, the DSI will ensure the following standards apply:

- a. All dead and dying woody surface fuels and aerial fuels have been removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of three inches (3 in.).
- b. Annual grasses and forbs have been cut/trimmed down to a maximum height of four inches (4 in.).
- c. Ensure all exposed wood piles have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions.

(d) Inspection Criteria for both Zones 1 and 2:

- (1) The DSI will ensure Liquid Propane Gas (LPG) storage tanks have the following minimum clearance: ten feet (10 ft.) of clearance to bare mineral soil or other noncombustible hardscapes such as gravel, flagstone, permeable pavers or blocks, pervious or porous concrete and no flammable vegetation for an additional ten feet (10 ft.) around their exterior.
- (2) Provide educational information to the occupant or property owner at the time of inspection.
 - a. Advise the occupant or property owner to only clear vegetation to bare mineral soil around outbuildings, LPG tanks and exposed wood piles. Avoiding the use of heavy equipment in and around streams and seasonal drainages is important for protecting water quality. Vegetation removal can cause soil erosion, especially on steep slopes. Keep soil disturbance to a minimum on steep slopes.

PERSON / PROGRAM / FUNCTION AND ACTIONS

Person / Program / Function	Actions
Defensible Space Inspector	Using the proper forms, instruments, and materials, conduct defensible space inspections respectfully and professionally

RELATED FORM(S) / LINK(S)

(Replace all below with local forms and handbooks)

[Defensible Space Inspection Policy](#)

[Defensible Space Inspection Procedure](#)

IIPP-2

IIPP-3

LE100a

Training Guides and Reference Material

Property Inspection Guide, 2021 version (DRAFT), December 2021

SUBJECT MATTER EXPERT(S)

Defensible Space Unit

REVISION DATE

Revision Date: 12/2022
Last Reviewed: 12/2022

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Appendix E

DOCUMENTING DEFENSIBLE SPACE INSPECTIONS

[####-#]

OVERVIEW

Using the approved Documentation of Compliance and the approved electronic data collection application, the Defensible Space Inspector (DSI) will accurately document all defensible space inspections conducted within the City, County, or City and County of _____.

- Legible inspection documentation will be left in a conspicuous place after each defensible space inspection.
 - Any violations found will be marked on the form and explained to the occupant, agent, or owner of the property.
- Using methods described within the training and reference material, each defensible space inspection will be documented using the approved electronic data collection application, as determined by the City, County, or City and County.
- Using quality control measures described within the training and reference material, each inspection will be checked for accuracy.
- Dashboards are used to track all defensible space activity and provide an easy-to-understand reference for personnel.
 - Dashboards will be maintained by the City, County, or City and County.
- Template reports are available through the Report Request program.
- Custom reports will be generated by the City, County, or City and County which can be requested through DSI support.

PERSON / PROGRAM / FUNCTION AND ACTIONS

Person / Program / Function	Actions
Defensible Space Inspector	Document defensible space inspections accurately and efficiently Use quality control measures and dashboards to ensure accuracy and efficiency
Defensible Space Unit	<u>City, County, or City and County of _____</u> , program management, electronic data collection support, statistical tracking, and reports

RELATED FORM(S) / LINK(S)

(Replace all below with local forms and handbooks)

Defensible Space Inspection Policy

Dashboards

Training and Reference Material

Reports

SUBJECT MATTER EXPERT(S)

Defensible Space Unit

REVISION DATE

Revision Date: 12/2022

Last Reviewed: 12/2022

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Appendix F

Training Curriculum

Home Ignition Zone / Defensible Space Assessor

Unit 1: Introduction

Topic 1-1: Orientation and Administration

Unit 2: Roles and Responsibilities

Topic 2-1: Position Description

Topic 2-2: Roles and Responsibilities

Unit 3: Wildfire in the Natural and Built Environment

Topic 3-1: Wildfire Development

Topic 3-2: Fire Mechanics and Behavior

Unit 4: Codes and Regulations

Topic 4-1: Responsibility Areas

Topic 4-2: Statutes, Regulations, and Ordinances

Topic 4-3: Fire Hazard Severity Zones

Unit 5: Research, Case Studies, and Data Analysis

Topic 5-1: Research, Case Studies, and Data Analysis

Unit 6: Defensible Space

Topic 6-1: Defensible Space Standards

Unit 7: Home Hardening

Topic 7-1: Home Components and Vulnerabilities

Topic 7-2: Ember Resistant Materials and Construction Methods

Topic 7-3: Retrofitting Existing Homes

Unit 8: Assessment Process

Topic 8-1: Preparing for an Assessment

Topic 8-2: Safety Considerations

Topic 8-3: Communications

Topic 8-4: Data Collection Requirements

Topic 8-5: Conducting an Assessment

Topic 8-6: Other Prevention Measures

Topic 8-7: Validating Assessment Data

Appendix G

POSITION ESSENTIAL FUNCTIONS DUTIES

Under close supervision of the XXXX, the Defensible Space Inspector (DSI) conducts defensible space inspections in accordance with City, County, or City and County Hazardous Vegetation and Combustible Material Abatement Ordinance.

Defensible Space Inspections and Home Hardening Education

*Conduct Inspections of property within the City, County, or City and County jurisdiction to ensure City, County, or City and County Hazardous Vegetation and Combustible Material Abatement Ordinance (Defensible Space) compliance for persons who own, lease, control, operates, or maintain 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. *Contact landowners/residents/tenants to provide education on Defensible Space requirements, wildfire safety/preparedness, and a defensible space inspection with corresponding documentation. *Implement the inspection plan to efficiently cover the targeted areas and maximize public contact through defensible space inspections. *Assist in the development and distribution of educational material and media releases pertaining to Defensible Space. Provide guidance and education on Home Hardening.

Defensible Space Inspection Program Management

*Receive requests for, and schedule initial inspections, for defensible space to ensure compliance with City, County, or City and County Hazardous Vegetation and Combustible Material Abatement Ordinance. *Schedule and conduct re-inspections on a property when necessary. *For non-compliant properties, identify the need for appropriate enforcement action and notify the City, County, or City and County Fire Prevention Bureau of such. *Conduct quality control and validation measures on field collected data to ensure compliance with City, County, or City and County Fire Department standards. *Maintain defensible space mobile smart devices (tablets/phones) assigned to the City, County, or City and County to the Fire Department standard. *Assist the Defensible Space Program manager in determining defensible space inspection areas to be targeted for inspection by the DSIs.

Report Writing, Records Management and Training

*Review all documents, laws, rules, and regulations related to defensible space inspections. *Utilize specified Department forms to document inspection results. *Prepare documents which include: Inspection Schedule, notice of defensible space inspection, notice to abate, inspection completions, re-inspections, and records of total number of inspections. *Maintain orderly files for City, County, or City and County use

containing all work completed. *Provide recurring City, County, or City and County specific training to returning and new DSIs, including changes to the defensible space laws, defensible space database and smart device use, and public education related to wildfire safety/preparedness. *Utilize computers, mobile smart devices (tablets/phones), GPS units, digital cameras and other digital devices as needed. *Documents to be reviewed and approved by supervisor.

Other Duties

*Employees are expected to conduct themselves in a professional manner that demonstrates respect for all employees and others they meet during work hours, during work related activities, and anytime they represent the City, County, or City and County. Additionally, all City, County, or City and County employees are responsible for promoting a safe and secure work environment free from discrimination, harassment, inappropriate conduct, or retaliation.

*Complete required training. Other duties as assigned.

ORDINANCE NO. 23-03

AN ORDINANCE OF THE WOODSIDE FIRE PROTECTION DISTRICT OF SAN MATEO COUNTY, CALIFORNIA, ESTABLISHING FUEL MITIGATION AND EXTERIOR HAZARD ABATEMENT STANDARDS IN ALL STATE AND LOCAL RESPONSIBILITY AREAS WITHIN THE DISTRICT, REQUIRING DOCUMENTATION OF COMPLIANCE PRIOR TO SALE OF THE PROPERTY, ADOPTING FINDINGS OF FACT, AND DETERMINING THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The Board of Directors (“Board”), as the governing body of Woodside Fire Protection District (“Fire District”) does ordain as follows:

SECTION 1. AUTHORITY

This Ordinance is authorized by state statutes and regulations, including but not limited to, Public Resources Code Section 4117, Health and Safety Code Sections 13801, 13804, 13861, 13862, and 13870, Government Code section 53069.4, and Government Code Section 51175.

SECTION 2. FINDINGS OF FACT

- (a) The California Legislature has declared the following, at Government Code section 8654.2(a):

Catastrophic threats exist to lives, property, and resources in California, including wildfire. Climate change, an epidemic of dead and dying trees, and the proliferation of new homes in the wildland urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25 million acres of California wildlands are classified as under very high or extreme fire threat, extending that risk to over one-half of the state.

- (b) The California Legislature has further declared the following, at Government Code section 51175(a):

Wildfires are extremely costly, not only to property owners and residents, but also to local agencies. Wildfires pose a serious threat to the preservation of the public peace, health, or safety. The wildfire front is not the only source of risk since embers, or firebrands, travel far beyond the area impacted by the front and pose a risk of ignition to a structure or fuel on a site for a longer time. Since fires ignore civil boundaries, it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control. Preventive measures are therefore needed to ensure the preservation of the public peace, health, or safety.

- (c) In adopting AB 3074 in 2020, the California Legislature made, among others, the following findings:

(1) Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California. The state experienced the deadliest and most destructive

Summary of Comments on Comments and Responses Re Ordinance 24-01 (formerly 23-03).pdf

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wildfires in its history in 2017 and 2018. Fueled by five years of drought, unprecedented buildup of dry vegetation, and extreme winds, the size and intensity of recent wildfires caused the loss of more than 100 lives, the destruction of tens of thousands of homes and businesses, and the exposure of millions of urban and rural Californians to unhealthy air. Compared with fire activities in 1986, recent wildfires in the western United States have occurred nearly four times more often, burned more than six times the land area, and lasted almost five times as long.

(2) Climate change, an epidemic of dead and dying trees, a century of fire exclusion, and the proliferation of new homes in the wildland-urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25,000,000 acres of California wildlands are classified as under very high or extreme fire threat, extending that risk over one-half of the state. More than 2,000,000 California households and approximately one in four residential structures in California are located within or near “high” or “very high” fire hazard severity zones identified on maps drawn by the Department of Forestry and Fire Protection.

(3) Certain populations in the state are particularly vulnerable to wildfire. These Californians live in communities that face near-term public safety threats given their location and geography. Some residents in these areas are made further vulnerable due to factors such as age and lack of mobility. The tragic loss of life and property in the Town of Paradise during the 2018 Camp Fire demonstrates that vulnerability

(d) Public Resources Code section 4291 requires, among other things, that private persons and entities who own, lease, control, operate, or maintain a building or structure in, upon, or adjoining, a mountain area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, which area or land is within a state responsibility area, maintain defensible space of 100 feet from each side and from the front and rear of a structure, but not beyond the property line.

(e) Government Code section 51182 requires, among other things, that both private persons and private and public entities who own, lease, control, operate, or maintain an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by a local agency pursuant to Government Code Section 51179, maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line. In enacting this statute, as stated in Government Code section 51175, it is not the intent of the Legislature to limit or restrict the authority of a local agency to impose more restrictive fire and public safety requirements, as otherwise authorized by law.

(f) Both Public Resources Code section 4291 and Government Code section 51182 authorize by local ordinance fuel modification beyond the property line in order to maintain 100 feet of defensible space from a structure.

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(g) Government Code section 51189 provides that the State Fire Marshal shall develop a model defensible space program that shall be made available for use by local agencies in the enforcement of the defensible space provisions in Government Code section 51182 and Public Resources Code section 4291.

(h) The Fire District's adoption of stringent fuel mitigation and exterior hazard abatement standards is designed to supplement the requirements of Public Resources Code section 4291 and Government Code section 51182, apply similar requirements that are more restrictive to all private persons and private and public entities throughout the District, utilize the State Fire Marshal's model defensible space program as a guide in establishing such requirements, and decrease the risk of structure fires spreading to adjacent vegetation and the risk of vegetation fires and wildfires spreading to structures, thereby slowing or stopping fires. The Board bases these standards upon its finding that the following climatic, vegetative, geological, and topographical conditions within the Fire District create a grave risk of wildfire and resulting loss of life and property and environmental damage. These local hazardous fire conditions warrant extensive fuel clearing requirements throughout the Fire District up to within 100 feet of any structures.

(1) Weather/Climatic Conditions

The climatic weather patterns within the Woodside Fire Protection District are moderate. The district, on average, experiences an annual rainfall of 26 inches. This rainfall can be expected between October and April of each year. However, during the summer months there is little, if any, measurable precipitation. During this dry period, the temperatures are generally between 70- 95 F degrees with light to gusty westerly winds. These drying winds, combined with the natural and imported vegetation, which is dominant throughout the area, create a hazardous fuel condition that sets conditions for fire spread into the dense, heavily wooded and brush covered hillsides and canyons as well as grass covered areas where wind-driven fires can have severe consequences.

This climate supports the growth of native grasslands, chaparral, oaks, and other indigenous fire adapted plant species in the area. Significant development has occurred within the Fire District, with the addition of primarily residential areas surrounded by large numbers of non-indigenous plant species. Due to the systematic exclusion of naturally occurring fire for over one hundred (100) years, and a reduction in historical grazing activity as pasture has been developed, these indigenous and non-indigenous plant species have created significant fuel loads far exceeding historical levels throughout the Fire District.

Due to the location of the Fire District in proximity to the Santa Cruz Coastal Range, in the fall the more moderate summer weather gives way to Diablo Wind events characterized by high winds and very low relative humidity. These conditions have contributed to major fire loss in the region and throughout the state, with 17 of the 20 most destructive fires in California history occurring in the fall. The Fire District is exposed to an increasing number of these wind events as climate change has delayed the onset of the rainy season, thus increasing the risk of major

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fires. This has been demonstrated in several similar climatic areas within the State of California and the western United States.

Because of variable weather patterns, normal rainfall cannot always be relied upon. This can result in water rationing and water allocation programs, as demonstrated in past drought patterns. Water shortages may also be expected in the future due to limited water storage capabilities and increased consumption. Water shortages often lead to restrictions on the irrigation of landscaping around structures, increasing the potential of vegetation to ignite and spread fire to nearby structures and wildlands.

The district is bounded by San Francisco Bay on the east and the foothills of the Santa Cruz Coastal Range on the west. This setting allows for strong gusty winds to blow through the Fire District. These winds are a common occurrence each afternoon during summer months. Wind increases a fire's ability to spread and has been attributed to the rapid spread of both vegetation and structure fires. This is especially true during Diablo wind events when strong northerly winds are aligned with the upslope direction of the canyons and watersheds of the coastal mountains.

Throughout the Fire District, homes are surrounded by heavy vegetation with interspersed open areas, creating a semi-rural character. The resulting exposure to wildfire risk is increased by the negative effects of high wind conditions during the fire season. During May to October, critical climatic fire conditions regularly occur when the temperature exceeds 80F; wind speed is greater than 15 mph, fuel moisture is less than or equal to 10 percent, wind direction is from north to the east-southeast, and the ignition component is 65 or greater. These conditions occur more frequently during the fire season, but this does not preclude the possibility that a serious fire could occur during other months of the year. The critical climate fire conditions create a situation conducive to rapidly moving, high-intensity fires. Fires starting in the wild land areas along the northern border are likely to move rapidly southward into the populated areas creating the potential for significant property loss and a very challenging evacuation problem.

(2) Vegetative Conditions

The Fire District includes a diverse mosaic of vegetation types, including oak woodland, mixed evergreen forest, grassland, and chaparral. Oak woodlands are the most widespread, with coast live oak dominating, but also including blue oak, canyon live oak, valley oak, black oak, and interior oak. In areas with interlocking evergreen canopy, especially on north and east facing slopes, the understory is primarily tree duff and low growing woody and herbaceous vegetation. In more open oak savanna woodlands, annual grasses and forbs are the primary understory. Chaparral is characterized by woody, drought-tolerant shrubs, many with hard, small, evergreen leaves. Common plants in the Fire District's chaparral include scrub oak, chamise, manzanita, buckeye, and ceanothus.

Much of the oak woodland, chaparral and grassland vegetation is recognized internationally as belonging to the "The California Interior Chaparral and Woodlands" Eco-Region,

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considered to be of outstanding global importance for the diversity of plant and animal species they support - many of those species only found in California. This Eco-Region covers 24,900 square miles in an elliptical ring around California's Central Valley, and occurs on hills and mountains ranging from 300 to 3,000 feet in elevation. It's estimated that 70% of this Eco-Region has been lost, and what remains is considered vulnerable to additional loss and fragmentation from development, fire suppression, overgrazing, conversion to annual grasses, and introduction of invasive species.

In their natural state, these vegetation types are characterized by periodic fires, occurring at intervals of as few as 10 years to over a hundred years. Many of the plants are pyrophytes, or "fire-loving," adapted to (or even dependent on) fire for reproduction, recycling of nutrients, and the removal of dead or senescent vegetation. Plants known as "fire followers" will germinate after the first seasonal rains following a low intensity natural fire. Many fire followers are soft-leaved, non-woody annual plants that die back with the summer dry period. With the introduction of many non-native species, these communities are vulnerable to colonization by invasive species following fires and other types of disturbance. Many invasive plants rapidly form dense stands that increase the fire hazard relative to healthy, naturally occurring vegetation types.

All vegetation in the Fire District reaches some degree of combustibility during the dry summer months and, under certain conditions, during the winter months. With longer intervals between fires, the dead material that accumulates and dense vegetation that develops can become highly flammable. In severe drought years, additional plant material may die, increasing the fuel load relative to a stand's age. A stand of 10 to 20-year-old brush typically contains enough dead material to produce rates of spread equivalent to fully cured grass. Because brush has a higher fuel load, fires in brush also yield much higher fire line intensity. The dead fuel load that has accumulated in a 20 to 30-year-old stand of brush may spread at twice the rate of a grass fire. Fire spread in very old brush (40 years or older) has been measured at eight times faster than grass (4 feet per second). Under extreme weather conditions these rates can be much higher, with the fastest fire spread rate in grass at up to 12 feet per second or about eight miles per hour. Residential structures within the wildland intermix or interface near mature brush fields are thus at greater threat from wildfire.

(3) Geological Conditions

Local geological conditions include high potential for seismic activity. The Fire District is comprised of built-up suburban areas having buildings and structures constructed near three major fault systems capable of producing major earthquakes, the modifications cited herein are intended to better limit life safety hazards and property damage in the aftermath of seismic activity.

The Fire District is in a region of high seismic activity with the Hayward fault running just east of its border. The San Andreas fault runs right through the district and the Calaveras Fault is to the east of the district. All three faults are known to be active, as evidenced by the damaging earthquakes they have produced in the last 100 years and can, therefore, be expected to do the same in the future. Of primary

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concern to the Fire District is the San Andreas Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7 .0 on the Richter scale. Many underground utilities cross the fault, including major water supply lines.

Additional potential events following an earthquake include broken natural gas mains and ensuing fires in the streets; building fires, as the result of broken service connection, trapped occupants in collapsed structures; and requirements to render first aid and other medical attention to many residents.

(4) Topographical Conditions

Local topographical conditions include hillside housing with many narrow and winding streets with slide potential for blockage and limited firefighting water supply. These conditions create the potential for delays in responding when a major fire or earthquake occurs. Many situations will result in limiting or total blockage of fire district emergency vehicular traffic, overtaxed fire district personnel, and a lack of resources for the suppression of fire in both structures and vegetated areas in the Fire District.

The Fire District has many homes that are reached only by narrow and winding paved streets, which hamper access for fire apparatus and provide limited evacuation routes for residents. In addition, many of the hillside homes are in outlying areas that require longer response times for the total required firefighting force. Kings Mountain, Bear Gulch East, Skywood Estates, Old La Honda, Woodside Highlands, Los Trancos Woods and Vista Verde, and other areas with limited access via narrow and winding streets may face the problem of isolation from the rest of the Fire District and will suffer from the need for two-way traffic as evacuation and suppression response travel in opposite directions over limited roadways.

Effective road widths are further reduced by encroaching vegetation and mid-slope roads built without shoulders. This is particularly pronounced in older neighborhoods of Woodside and Portola Valley, some of which were laid out in the 1920s when vehicles were smaller, codes less stringent, and population density much lower.

Due to steep slopes that characterize many areas of the Fire District, the establishment of infrastructure to support adequate fire protection needs is not feasible. It is difficult to widen existing streets to meet present standards for emergency operations and fire hydrants, especially in the hillside areas, where we often have less than optimum water pressure levels.

In summary, portions of the Fire District have limited water supplies or roadways that delay the response of emergency equipment to carry out the extinguishment of a fire allowing the fire to increase in area.

(i) Environmental Damage

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(1) Uncontrolled wildfire causes significant environmental impacts in the Fire District. These impacts include loss of vegetation and biodiversity; the potential for post fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHGs), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These impacts in turn can damage and sometimes destroy local natural resources.

(2) The Ordinance is intended to minimize the loss of structures and natural resources impacts of uncontrolled wildfire, including loss of vegetation and biodiversity; potential for post-fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHG), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These environmental and natural resources effects can also lead to public health impacts.

(3) Furthermore, fires that occur in the built environment contribute to air contamination from the fire plume, whose deposition is likely to subsequently include land and water contamination, contamination from water runoff containing toxic products, and other environmental discharges or releases from burned materials.

(4) Studies have shown that low intensity, controlled fire enhances biodiversity by controlling invasive and noxious weed species, thereby allowing native plants to compete more effectively, as well as by opening overgrown understory to allow for wildlife to move more freely across the landscape. Additionally, several of the endemic species of the region require fire to germinate. With low-intensity fire, the chaparral habitat would become more stratified in life stages, and thereby increasing its fire resiliency and habitat value.

(5) Reducing the potential for high intensity wildfire through this Ordinance would reduce the significant environmental impacts caused by uncontrolled wildfire and assure the maintenance, restoration, enhancement, and protection of the Fire District's natural resources and environment.

(6) Wildfires are inevitable in a fire dependent ecosystem such as California. They often occur and spread unexpectedly and with surprising speed. They cause immense damage every year, putting lives and property in clear and imminent danger. As stated under Sections 2(a), 2(b) and 2(c) of this Ordinance, the California Legislature has found that "Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California." Since October 30, 2015, the State has been under a Governor's State of Emergency Proclamation due to the increased risk of wildfires related to vast tree mortality. In addition, according to the California Office of Emergency's website, the State is currently under numerous separate State of Emergency Proclamations issued by the Governor related to wildfires. <https://www.caloes.ca.gov/office-of-the-director/policy-administration/legal-affairs/emergency-proclamations/>

(7) The need for immediate action to prevent wildfire and its associated damage

 Author: Kim Giuliacci Date: 2/7/2024 4:30:00 PM
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to life, health, property, and essential public services is also well-documented. In recent years, the Governor has repeatedly issued emergency proclamations related to fire – five in 2022, seven in 2021, and six in 2020. These both evidence and acknowledge the need for immediate action to address wildfire hazards, particularly in fire-prone areas within the state.

(8) Some of California’s largest, deadliest, and most destructive wildfires have occurred within the last five years. This is due, in part, to climate change and global warming which causes both land and air to become drier than normal, thus making the perfect conditions for wildfires to ignite.

Experts predict that, as climate change continues, and global temperatures continue to rise, wildfire season in California will continue to extend with more months featuring conditions conducive to uncontrolled wildfire.

Several major wildfires raged in California in 2020, many of which are now amongst the largest wildfires in California history. The 2020 California lightning complex fires were particularly destructive, resulting in the loss of countless structures, several lives, and hundreds of thousands of acres of land.

The CZU Lightning Complex, LNU Lightning Complex, and SCU Lightning Complex fires impacted residents across the Bay Area as the result of dry lightning and major thunderstorms. The CZU Lightning Complex fires consisted of multiple fires throughout the San Mateo and Santa Cruz counties. The fires started in mid-August due to a severe thunderstorm that initially started several separate fires, including the Warnella and Waddell fires. Due to a change in wind conditions, these separate fires merged together and rapidly spread through nearby communities, including Swanton, Boulder Creek, and Bonny Doon.

The CZU Lightning Complex fire incident was finally contained on September 22, 2020, after burning 86,509 acres, destroying 1,490 structures, and causing one death.

As California’s climate conditions continue to worsen, fires like these are becoming more common than ever, making it all the more important for California residents to protect themselves against these emergencies.

(9) Uncontrolled wildfires are emergencies, involving clear and imminent dangers, demanding immediate action to prevent or mitigate loss of, or damage, to life, health, property, or essential public services. This ordinance establishes actions necessary to prevent or mitigate such emergencies.

SECTION 3. APPLICABILITY

- (a) This Ordinance establishes fuel mitigation and exterior hazard abatement standards in all state and local responsibility areas within the Fire District.
- (b) The amount of fuel modification necessary shall consider the flammability of the

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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.

(c) The intensity of fuels management will vary within the one hundred (100') foot perimeter of a Structure, the most intense being used between five (5') feet and thirty (30') feet around the Structure, and an ember-resistant zone being required within five (5') feet of the structure, including attached decks.

(d) This Ordinance shall apply to the following Parcels (the "Affected Parcels"):

(1) All Improved Parcels within the jurisdiction of the Woodside Fire Protection District, at all times of year.

(2) All Parcels adjacent to Improved Parcels where: (a) the owner/occupant of the Improved Parcel is unable to obtain the required Defensible Space, as delineated in this Ordinance; and (b) the current condition of fuels on the subject Parcel is assessed by the Fire Code Official as a Fire Hazard. The owner of the subject Parcel shall provide for the fuel modifications to meet the Defensible Space requirements of the adjacent Improved Parcel subject to this Ordinance and applicable law including the finding that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.

(3) All Parcels adjacent to a Fire Apparatus Access Road or Driveway.

(e) If any part of this Ordinance is in conflict with any other Ordinance adopted by the Fire District, the more restrictive provision(s) shall control.

(f) The Fire District Board of Directors reserves its right to adopt reasonable rules, regulations, and resolutions consistent with this Ordinance to enforce, interpret, and carry out the provisions of this Ordinance. Such rules, regulations and resolutions may vary between different areas within the Fire District.

(g) It shall be the duty of every person who owns, leases, controls, operates, or maintains a dwelling or structure on an Affected Parcel to abate therefrom, and from Fire Apparatus Access Roads and driveways on or immediately adjacent thereto, all Combustible Material, and Hazardous Vegetation which constitutes a Fire Hazard.

SECTION 4. DEFINITIONS

ABATE or **ABATEMENT**. Shall mean an act used to remove, destroy, eliminate, seize, impound, or any action taken to mitigate a public nuisance.

ABATEMENT COSTS. Shall mean any and all costs incurred by the Woodside Fire Protection District to enforce this Ordinance and to abate the hazardous vegetation or combustible material on any property pursuant to this Ordinance, including physical abatement costs, administration fees and any additional actual costs incurred for the abatement proceeding(s), including attorney's fees, if applicable.

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APPROVED VEGETATION. Plants, shrubs, trees, groundcovers and other vegetation approved by the Fire District which exhibit properties, such as ~~high moisture content, little accumulation of dead vegetation, and low sap or resin content,~~ that make them less likely to ~~ignite, contribute heat or spread flame in a fire.~~ Typically, vegetation must be irrigated to be fire resistant.  

[Note: The following sources contain examples of types of vegetation that can be considered as fire-resistant vegetation:

Portola Valley Conservation Committee's guide to Understory Habitat and Defensible Space

(<https://www.portolavalley.net/home/showpublisheddocument/15183/637728279341370000>);

Portola Valley Conservation Committee's list of Low Fire Hazard California Native Plants

(<https://www.portolavalley.net/home/showpublisheddocument/14083/637425259236670000>)

Fire resistant plants for home landscapes a Pacific Northwest Extension publication;
Home landscaping for Fire, University of California Division of Agriculture and National Resources;
Sunset Western Garden Book]

AGENCY HAVING JURISDICTION. The agency that has legal authority to enforce, adopt or amend a code or ordinance.

BIOMASS. Shall mean all green waste material generated during the fuel treatment project. Biomass includes, without limitation, all grass, weeds, vegetation, and tree trimmings.

BRUSH. Vegetation—typically un-irrigated--with a woody component and multiple stems less than four (4) inches in diameter at breast height including Broom, Coyote Brush, Cypress, Juniper and Poison Oak.

COMBUSTIBLE MATERIAL. Rubbish, litter, or material of any kind other than Hazardous Vegetation, that is combustible, creates a fire hazard and/or endangers public safety.

DAYS. Shall mean calendar days.

DEFENSIBLE SPACE. Means that area described in 14 California Code of Regulations section 1299, Government Code section 51182, Public Resources Code Section 4291 and as otherwise described in this Ordinance, which is adjacent to each exterior side of a building or Structure and must be cleared of brush, Hazardous Vegetation, Combustible Material, and other items, as set forth in this Ordinance. The area includes Zone 0, Zone 1, and Zone 2, extending 100 feet from any Structure.

DRIVEWAY. An access road from the public way to a Structure that is used for public or private vehicular access, including fire and emergency apparatus or vehicles.

FIRE APPARATUS ACCESS ROAD. A public or private road that provides fire apparatus

 Author: Kim Giuliacci Date: 2/7/2024 4:31:00 PM
This will be added to the guideline.

 Author: Megan Richards Date: 11/7/2023 9:07:00 PM
We suggest adding a description of characteristics that make vegetation less flammable, and including resources here - as an alternative to referencing an approved groundcover list to be provided by the District.

access from a fire station to a facility, building, or portion thereof. This is a general term that includes, but is not limited to, a fire lane, public street, public right of way, private street, parking lot lane, and access road.

FIRE CODE OFFICIAL. The Fire Chief or their duly authorized representatives.

FIRE HAZARD. Any condition, arrangement, act, or omission that:

1. Will increase, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing, or extinguishing fire, or
2. May obstruct, delay, hinder, or interfere with the operations of a fire department or the egress of occupants in the event of a fire.

FUELS. Any combustible material, including petroleum-based products, cultivated landscape plants, grasses, weeds, wildland vegetation, and fences.

FUELS, AERIAL. Standing and supported live and dead combustibles not in direct contact with the ground and consisting mainly of foliage, twigs, branches, stems, cones, bark, and vines.

FUELS, LADDER. Any fuels that could carry fire vertically between or within Combustible Material or Hazardous Vegetation including but not limited to a wood fences located within five (5) feet of any other Structure.

FUELS, SURFACE. Fuels found on the surface of the ground. They include grasses, brush, logs, and stumps.

HAZARDOUS VEGETATION. Shall mean any vegetation that is combustible and endangers public safety by creating a Fire Hazard. Hazardous vegetation is those vegetative materials that will readily ignite, burn, and transmit fire to any Structure or other surrounding and/or adjacent vegetation. Hazardous vegetation includes, but is not limited to, dry grass greater than four inches (4 in.) in height, accumulations of leaves, brush, weeds, green waste, dead or dying shrubs or trees, low-hanging branches, litter, or other flammable vegetation. Hazardous vegetation shall not include commercial agricultural crop that is being actively grown and managed by the property owner or his or her legal tenant. Hazardous Vegetation shall not include healthy, mature trees.

IMPROVED PARCEL Shall mean a portion of real property on which a Structure is located, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

LOCAL RESPONSIBILITY AREA (LRA). An area of the state that is not a State Responsibility Area or federal property, and where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the city, town, county, city and county, district, or another local public agency.

MODIFICATION. An alternative to the specified standard requested by a person that owns, leases, or controls one or more of the Affected Parcels that may be necessary due to health, safety,

 Author: Kim Giuliacci Date: 2/7/2024 4:39:00 PM

The other recommendations for this definition were rejected because that is not part of the definition of ladder fuels.

 Author: Kim Giuliacci Date: 2/7/2024 4:37:00 PM

The fences have to be made of wood to make them combustible as well as a ladder fuel.

 Author: Kim Giuliacci Date: 2/7/2024 5:01:00 PM

Highly is not part of the definition of hazardous vegetation.

environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.

Mulch. Leaves, needles, duff, bark, twigs, small branches, wood chips and other loose surface litter or organic materials that help retain soil moisture and reduce invasion by flammable weeds.

OUTBUILDING. Buildings or Structures that are less than one hundred-twenty square feet in size and are not used for human habitation, and buildings or Structures with a roof but no walls.

PARCEL A portion of real property of any size, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

PERSON. Includes any agency of the state, and any county, city, special district, or other local public agency, and any individual, firm, association, partnership, business trust, corporation, nonprofit corporation, limited liability company, or company.

REAL ESTATE TRANSACTION. Shall mean the transfer of real property between individuals or entities.

RESPONSIBLE PARTY. Shall mean an individual, association, co-partnership, political subdivision, government agency, municipality, industry, public or private corporation, firm, organization, partnership, joint venture or any other person or entity whatsoever whose act or omission caused or contributed to a violation of this Ordinance.

SAME PRACTICAL EFFECT. This term shall have the same definition as "Same Practical Effect" in the Fire Safe Regulations, California Code of Regulations, title 14, section 1270.01(a)(a).

STATE RESPONSIBILITY AREA (SRA). An area of the state identified by the Board of Forestry and Fire Protection pursuant to Public Resources Code Section 4125 where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the state.

STRUCTURE. Shall mean any dwelling, house, building, or other types of construction with an area of 120 square feet or greater, whether or not occupied which have a permanent roof structure and are supported by walls or posts that are secured to the ground.

UNIMPROVED PARCEL Shall mean a portion of land of any size, the area of which is determined by the Assessor's maps and records and may be identified by an Assessor's Parcel Number (APN) upon which no Structure is located.

WEEDS. Plants, typically nonnative, that to varying degrees spread invasively, grow rapidly, and are difficult to control.

WILDFIRE SAFETY PLAN. A plan approved by the Fire Code Official in accordance with Section 7 of this Ordinance.

ZONE 0. Referred to as the Ember-resistant Zone or Home Ignition Zone, it extends from 0 to 5 feet from any Structure, attached deck, or Outbuilding on the Parcel. Zone 0 requires the most

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stringent wildfire fuel reduction. This Ember-resistant Zone is designed to ensure that fire or embers from igniting materials cannot spread to the Structure.

ZONE 1. Referred to as the Lean, Clean, and Green Zone, it extends from 5 feet to 30 feet from any Structure or attached deck.

ZONE 2. Referred to as the Reduced Fuel Zone, it extends from 30 feet to 100 feet from any Structure or attached deck.

SECTION 5. FUEL MITIGATION REQUIREMENTS

(a) Defensible Space for Structures and Attached Decks. All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Improved Parcel within the Fire District shall maintain Defensible Space adjacent to all Structures and attached decks on the Improved Parcel as follows.

(1) Zone 0

(A) Requirements

(i) Remove Hazardous Vegetation and Combustible Materials that are within the first five feet (5 ft.) of or above a Structure and any attached deck.

(ii) Remove Hazardous Vegetation and Combustible Materials that are adjacent to or under combustible decks, porches, balconies, stairs, or similar attached accessories.

(iii) No combustible bark or mulch is allowed in this zone. Consider using hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

Exception: Groundcovers consisting of irrigated, approved vegetation if they do not form a means of readily transmitting fire as determined by the fire code official.

(iv) Ensure all live tree branches are kept a minimum of 10 feet above the roof and decking.

(v) Ensure all live branches are kept a minimum of 5 feet away from the sides of the structure.

(vi) Ensure all branches are a minimum of ten feet (10 ft.) away from chimney and stovepipe outlets.

(vii) All plants, shrubs, branches, leaves, weeds, and pine needles have been removed from around the “Structure” including

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on the roof or rain gutters of the "Building or Structure" or any other location within the Zone.

Exception: Groundcovers consisting of irrigated, approved vegetation if they do not form a means of readily transmitting fire as determined by the fire code official.

(viii) Relocate firewood piles out of Zone 0.

(ix) Maintain the roof of a Structure free of leaves, needles, or any combustible debris.

(x) Grasses must be (1) removed or (2) irrigated and cut to less than 4 inches.

(xi) For new construction of Structures arising after adoption of this Ordinance, Acacia (Genus Acacia), Bamboo (Genus Bambusa), Cypress (Genus Cupressus), Eucalyptus (Genus Eucalyptus), Junipers (Genus Juniperus) and Monterey Pines (Pinus Radiata), are not permitted.

(B) Suggestions and Education for Zone 0

(i) Use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

(ii) Limit combustible items such as outdoor furniture, planters, and other combustible items on top of decks.

(iii) Replace combustible fencing, gates, trellis, and arbors attached to the Structure(s) with noncombustible features. For existing fences, consider providing a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible material.

(iv) Relocate garbage and recycling containers outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.

(v) Relocate boats, RVs, vehicles, and other combustible items outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.

(2) Zone 1

(A) Requirements

Author: Kim Giuliacci Date: 2/7/2024 5:14:00 PM

It is but first we are providing the alternate to no combustible bark or mulch and then here, its an overall suggestion.i

Author: Nona Chiariello Date: 1/22/2024 4:47:00 PM

Redundant with (iii) above

(i) All hazardous vegetation and combustible material shall be removed by the owner or occupant of the parcel. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, small branches, and mulch, shall be permitted to a maximum depth of four inches (4 in.).

(ii) Relocate exposed firewood piles to Zone 2 unless they are completely covered in a fire-resistant material.

(iii) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. The "Fuel Separation" method is attached as Appendix A to this Ordinance. The "Continuous Tree Canopy" method is attached as Appendix B to this Ordinance. Remove branches from no more than 1/3 the height of young trees.

(iv) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 2, the following standards shall apply:

a. All dead and dying woody surface fuels and aerial fuels shall be removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of three four inches (3 4 in.)

Exceptions:

Single specimens of dead trees in zone 2 or beyond with trunk diameters of 12 inches or greater with only major limbs remaining that are of likely benefit to wildlife will be allowed at the discretion of the Fire Code Official.

b. Annual grasses and forbs shall be cut/trimmed down to a maximum height of four inches (4 in.) (3) Zone 2

(A) Requirements

(i) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. The "Fuel Separation" method is attached as Appendix A to this Ordinance. The "Continuous Tree Canopy" method is attached as Appendix B to this Ordinance.

Author: Kim Giuliacci Date: 2/7/2024 5:18:00 PM
Also reworded to include the language from the previous draft as requested.

Author: Kim Giuliacci Date: 2/7/2024 5:15:00 PM
This has been completely removed and further information on mulch and acceptable types and usage will be in the guideline. As well as what is permitted like fallen leaves, twigs, up to 4 inches.

Author: Kim Giuliacci Date: 2/7/2024 5:19:00 PM
done

Author: Nona Chiariello Date: 1/22/2024 4:49:00 PM
Please restore this from the previous version

Author: Kim Giuliacci Date: 2/7/2024 5:30:00 PM
This has been added to the guideline.

Author: Nona Chiariello Date: 1/22/2024 4:51:00 PM
Please restore this from the previous version of the draft ordinance.

Author: Kim Giuliacci Date: 2/7/2024 5:36:00 PM
This will be added to the guideline but will only be allowed beyond zone 2. In forest health, this is fine, but not when it's within 100 ft of any structure, will not be allowed. So if a property is large enough, this will be acceptable as it would be acceptable in a forest, for the reasons I already described above, which is why it was taken out.

Author: Nona Chiariello Date: 1/22/2024 4:56:00 PM
Please restore these Exceptions which were in the previous draft ordinance.

Author: Kim Giuliacci Date: 2/7/2024 5:39:00 PM
This is no longer the case, this will be required to be maintained throughout the entire fire season, almost year round, outside of the wet months.

(ii) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 2, the following standards shall apply:

a. All dead and dying woody surface fuels and aerial fuels shall be removed. Mulch shall be permitted to a maximum depth of four inches (4 in.).

Exceptions:

Single specimens of dead trees in zone 2 or beyond with trunk diameters of 12 inches or greater with only major limbs remaining that are of likely benefit to wildlife will be allowed at the discretion of the Fire Code Official.

Tree trunks greater than 8 inches in diameter can be left in place on the ground to decay over time if the entire trunk surface is in contact with the ground.

b. Annual grasses and forbs shall be cut/trimmed down to a maximum height of four inches (4 in.) no later than 15 June each year.

c. All exposed wood piles shall have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions, or shall use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

(4) All Zones

(A) Requirements

(i) All Outbuildings and Liquid Propane Gas (LPG) storage tanks shall have the following minimum clearance:

a. Ten feet (10 ft.) of clearance to bare mineral soil or use other noncombustible items such as gravel, permeable pavers or blocks, pervious or porous concrete.

b. No dead or dying vegetation for an additional ten feet (10 ft.) around their exterior.

(ii) Climbing vines must be removed from trees and Structures within the one hundred (100') foot defensible space zone around Structure(s).

 Author: Kim Giuliacci Date: 2/7/2024 5:47:00 PM
This will be listed in the guideline.

 Author: Kim Giuliacci Date: 2/7/2024 5:48:00 PM
This will be in the guidelines to be acceptable beyond zone 2. It will be recommended if you have these in zone 1 or 2, then chip it and spread around your property.

 Author: Kim Giuliacci Date: 2/7/2024 5:50:00 PM
Again there's no date that will be stated, it just has to be done.

Exception: Approved vegetation that is irrigated, cleared of dead material, located and maintained so that it does not act as a ladder fuel, as determined by the fire code official.

(iii) Maintain the Parcel free of ladder fuels within the 100 foot Defensible Space area around Structure(s).

(b) Photovoltaic Systems and Equipment. Clearance requirements around free-standing (ground-mounted) photovoltaic systems and equipment shall comply with the following:

(1) A minimum 10-foot clearance for clusters of panels not exceeding 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent five feet of clearance shall meet the Zone 1 standards.

(2) A minimum 30-foot clearance for clusters of panels greater than 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent clearance shall meet the Zone 1 standards.

(3) Clusters shall be separated a minimum of 20 feet, edge to edge.

(c) Adjacent Parcels.

(1) When a Structure is less than 100 feet from a property line and Combustible Material or Hazardous Vegetation on an adjacent Parcel presents a Fire Hazard for the Structure, the Persons who have any ownership or possessory interest or easement obligation interest in or control of any adjacent Parcel where the Fire Hazard exists shall be responsible for clearing the area on their land which is within 100 feet of the Structure and is needed to provide the necessary fire protection in the manner and to the extent required by the Fire Code Official, in accordance with Section 3 of this Ordinance and the Zone 0, Zone 1, and Zone 2 clearance standards.

(2) Where the terrain, condition, or environment on the adjacent Parcel is such that it cannot or should not be disked or mowed, the Fire Code Official may approve modifications.

(d) Roadside Vegetation.

(1) All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District that abuts a Fire Apparatus Access Road or driveway shall:

 Author: Kim Giuliacci Date: 2/7/2024 5:51:00 PM

Funny, I was going to add that in, thanks for putting that together.

(A) Remove all Hazardous Vegetation that is within ten (10) feet, measured horizontally, from the edge of the Fire Apparatus Access Road or five (5) feet measured horizontally, from the edge of any driveway.

(B) Ensure that all portions of any tree, located on a Parcel of which the Person has an ownership or possessory interest or easement obligation in or control, overhanging a Fire Apparatus Access Road or driveway has at least 13.5 feet, measured vertically, of clearance from the roadway surface.

(C) Maintain free of Ladder Fuels a minimum of a ten-foot-wide strip of land beyond the shoulder of a Fire Apparatus Access Road and of a driveway to the appropriate height according to appendix B of this ordinance along the boundary of a Parcel.

(2) No Parcel owner may allow any portion of vegetation on his or her property to interfere with street and emergency vehicle access, regardless of whether the access is along a public street or along a private residential access road. The Fire Code Official may provide written notice to the property owner requiring vegetation to be trimmed to at least 13.5 feet of vertical clearance and at least 10 feet of horizontal vegetation management from the edge of the roadway when the Fire Code Official determines the vegetation would otherwise interfere with street or emergency vehicle access.

(e) Fences. No Person who has any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District shall construct or allow to be constructed or placed on the Parcel any screen, barrier or other Structure made in whole or in part, of bark, mulch, or wood chips within 100 feet of a Structure or within 10 feet of the edge of a Fire Apparatus Access Road or driveway.

Any new combustible fence shall have a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible materials.

(f) Additional Fuels Management. The Fire Code Official may mandate additional fuels management of an area more or less than the above-referenced widths or height on a Parcel and all sidewalks and roadways on or immediately adjacent thereto, for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the additional fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure. The Fire Code Official shall determine appropriate defensible space distances based upon a visual inspection of the Parcel and shall consider all factors that place the Structure(s) on the adjacent Improved Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the adjacent parcel or the Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

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(g) Environmental Concerns.

(1) The fuel mitigation requirements of this Ordinance shall not impact any environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.

(2) The fuel mitigation requirements of this Ordinance shall be interpreted and applied to avoid the taking of endangered, rare, or threatened plant or animal species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees. Exceptions to the fuel mitigation requirements will be made for very specific sensitive habitat locations, marsh lands, creek banks, and a minimum of 50 feet from any riparian corridor as determined by the Fire Code Official. The Fire Code Official shall advise persons who own, lease or control Affected Parcels (a) to avoid the use of heavy equipment in and around streams and seasonal drainages, as this is important for protecting water quality, (b) that vegetation removal can cause soil erosion, especially on steep slopes and to keep soil disturbance to a minimum on steep slopes.

(3) The fuel mitigation requirements of this Ordinance do not apply to single specimens of trees or other vegetation that are well-pruned and maintained 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 or to interrupt the advance of embers toward a structure.

(4) Compliance with the fuel mitigation requirements of this Ordinance shall be done using the most ecologically and site appropriate treatment option, such as, but not limited to, prescribed burning, manual treatment, mechanical treatment, prescribed herbivory, and targeted ground application of herbicides.

(5) When the conditions stated in this Section 5(g) exist, persons who own, lease or control the Affected Parcel or Parcels at issue shall request a Modification of the fuel mitigation requirements and the Fire Code Official shall issue Modifications consistent with the requirements of this subsection.

SECTION 6. ENFORCEMENT

(a) The Fire Code Official shall be the primary authority for enforcement of this Ordinance and shall administer and enforce the requirements as provided in this Ordinance.

(b) The Fire Code Official shall have the following responsibilities and authorities in the enforcement and administration of the provisions of this Ordinance:

(1) Receive and respond to complaints through planning and conducting inspections within the limits of available resources.

Author: Kim Giuliacci Date: 2/7/2024 5:53:00 PM
Agreed, thanks for recommending.

Author: Nona Chiariello Date: 11/17/2023 12:40:00 PM
Adding back creek buffer from earlier version of 23-03

- (2) Review the requirements of this Ordinance with property owners and/or occupants found to be out of compliance, to support voluntary compliance with the provisions of this Ordinance.
 - (3) The determination for appropriate clearance distances will be made based upon a visual inspection of the Parcel and shall consider all factors that place the Parcel or adjoining Structure(s) at risk from an approaching fire. These factors shall include local weather conditions, fuel type(s), topography, and the environment where the Parcel or adjoining Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.
 - (4) Prepare and issue Notices to Abate in accordance with Fire District Ordinances, and such other notices as may be necessary to encourage voluntary compliance with the provisions of this Ordinance.
 - (5) Carry out all enforcement and abatement proceedings as provided by Fire District Ordinances or as otherwise authorized by law.
 - (6) Conduct post-notice/pre-abatement inspections and documentation and conduct post-abatement inspections and documentation as provided by Fire District Ordinances.
 - (7) The Fire Code Official may, at his or her discretion, issue an administrative citation for violations of this Ordinance, in lieu of abating a parcel.
 - (8) Within Fire District boundaries, inspections established by this Ordinance may be performed by designated fire district personnel.
 - (9) Conduct abatements and handle accounting, assessment, and collection of abatement costs, including recordation of liens as may be established by Fire District Ordinances.
 - (10) Re-inspections of the same violation shall incur an hourly re-inspection fee reflected in the Fire District's fee schedule at the time of re-inspection for every hour of re-inspection after the third inspection of the same violation, at the same location, within a one-year period.
- (c) Nothing herein shall limit the ability of a Fire Code Official to enforce the provisions of this Ordinance, from making initial inspections or independent compliance checks without first receiving a complaint.
- (d) Nothing in this Ordinance shall be construed as imposing on a Fire Code Official or the Fire District any duty to abate any Hazardous Vegetation or Combustible Material within a Parcel's Defensible Space, nor to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance, and neither the Fire Code Official nor the Fire District shall be held liable for failure to abate any unlawful Hazardous Vegetation or Combustible Material, nor for failure to take any other

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action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance.

SECTION 7. PHASED COMPLIANCE DUE TO FINANCIAL HARDSHIP

- (a) The Fire District understands that this Ordinance will require much time, energy, and resources, especially on large properties and that owners will not be cited for non-compliance with the ordinance if they can show evidence of substantial progress toward compliance within the past year as determined by the Fire Code Official and recorded in an approved Wildfire Safety Plan.
- (b) A person who is financially unable to comply with this Ordinance or make substantial progress to compliance within one year may file a Modification request for Phased Compliance.
- (c) “Phased Compliance,” for purposes of this Ordinance, refers to a written Wildfire Safety Plan approved by the Fire Code Official by which the Person takes actions to comply with this Ordinance over a period of time in excess of one year, but which shall not exceed a period of three years.
- (d) A Modification request for Phased Compliance shall include an affidavit, together with any supporting documents or materials, demonstrating the person’s actual financial inability to comply with this Ordinance or make substantial progress to compliance within one year.
- (e) The Fire Code Official may approve a Modification Request for Phased Compliance only if the evidence submitted demonstrates to the satisfaction of the Fire Code Official the person’s actual financial inability to immediately comply with this Ordinance.
- (f) The Fire Code Official shall issue a written determination listing the reasons for his or her determination to issue or not issue the Modification request for Phased Compliance.

SECTION 8. SALE OR TRANSFER OF PROPERTY.

- (a) Prior to the close of any Real Estate Transaction within the Fire District, the seller of any real residential property must obtain documentation from the Fire Code Official that the property is in compliance with the fuel mitigation requirements of this Ordinance and provide that documentation to the buyer at or before the close of escrow.
- (b) If documentation of compliance is not available at the time of sale, the buyer shall obtain documentation from the Fire Code Official stating the property is in compliance with this section within 90 days after the close of escrow, unless otherwise approved by the Fire Code Official.
- (c) Documentation of compliance obtained in the six-month period preceding the date of the close of escrow is sufficient to satisfy this section.

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- (d) Except as otherwise provided by this Ordinance, the Fire Code Official shall have the discretion to accept alternate means and measures to achieve compliance if completion of the required work will delay the sale or transfer of the property

SECTION 9. MODIFICATIONS

- (a) Where there are practical difficulties involved in carrying out the provisions of this Ordinance, the Fire Code Official shall have the authority to grant Modifications for individual cases, provided that the Fire Code Official shall first find that:

- (1) A modification is necessary to address an environmental concern as required by the provisions of this Ordinance, or
- (2) Special individual reasons make the strict letter of this Ordinance impractical, and the Modification is in compliance with the intent and purpose of this Ordinance;
- (3) Phased compliance is necessary due to financial hardship; or
- (4) The true intent of this Ordinance or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Ordinance do not fully apply or an equivalent or better form of fire protection is proposed.

- (b) Any such Modification shall be consistent with the following standards:

- (1) The modification will not lessen health, life and fire safety requirements.
- (2) The modification will provide for the Same Practical Effect in addressing fire hazards as stated in this Ordinance.
- (3) The modification will comply with Section 5(g) (Environmental Concerns) of this Ordinance.

- (c) A person requesting a Modification may also submit an individualized fire protection plan designed to address concerns due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem. Submitted fire protection plans shall be consistent with the standards for fire protection plans provided in Section 4903 of Chapter 49 of the State Fire Code.

- (d) The details of actions granting a Modification shall be recorded and entered in the files of the Fire District.

- (e) Where a Modification is not granted, the person requesting the Modification may appeal such denial to the Board of Directors.

- (1) Within ten calendar days from service of the Fire Code Official's decision denying the requested Modification, the person seeking the Modification may

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appeal the decision to the Board of Directors. Such appeal must be in writing and filed with the Fire Code Official.

(2) At a regular or special meeting of the Board of Directors not less than five days or more than thirty days after receipt of an appeal, the Board of Directors shall hear the appeal.

(3) The Board of Directors may continue the hearing.

(4) Upon conclusion of the hearing, the Board shall issue a decision granting, modifying, or denying the requested Modification.

(5) The decision of the Board of Directors is final.

(f) Additional procedures for the conduct of appeals may be established by resolution of the Board of Directors

SECTION 10. PENALTIES.

Every violation of any regulatory or prohibitory provision of this Ordinance is expressly declared to be a public nuisance. Failure to comply with the fuel mitigation requirements of this Ordinance may result in the issuance of an Administrative Citation as authorized by ordinance adopted by the District, or otherwise ordered by the Fire Code Official to be abated in accordance with law, provided, however, that nothing in this Ordinance shall limit the Fire District from pursuing other available legal remedies for violations of this Ordinance, including but not limited to civil penalties. In addition, any Person who violates any provision of this Ordinance shall be guilty of an infraction or a misdemeanor in accordance with Health and Safety Code Section 13871.

SECTION 11. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION

(a) The District finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the following categorical exemptions: Sections 15304 (i) (fuel management activities) as there are extra hazardous fire conditions in the Fire District, 15307 (actions taken as authorized by law to assure protection of natural resources), and 15308 (actions taken as authorized by law to assure protection of the environment).

There are no significant or potentially significant negative environmental impacts from this Ordinance.

- The Ordinance is a regulatory change that would not directly cause any reasonably foreseeable physical change, nor would it determine or cause any future development.
- Indirect physical changes would require removal of flammable materials in areas with heightened risk to cause and spread wildfires. This would reduce environmental threats caused by wildfires and their spread and would be beneficial to the environment. The benefits of making wildfires less likely to start and spread include but are not limited to, benefits in the areas of air quality, biological

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resources, cultural and historical resources, hazards, greenhouse gas emissions, recreation, and tribal cultural resources.

- The Ordinance does not impact environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.
- The Ordinance also is required to be interpreted and applied to avoid the taking of any special status species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees.
- If compliance with the Ordinance could cause adverse environmental consequences, property owners are directed to request a modification of the fuel break requirements from the District.

There are no unusual circumstances under CEQA Guideline section 15300.2(c). No exception identified in CEQA Guideline Section 15300.2 applies to this Ordinance.

(b) The District also finds that this Ordinance is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15269 and Public Resources Code section 21080(b)(4) as specific actions necessary to prevent or mitigate an emergency.

(c) The District further finds that it can be seen with certainty that there is no possibility that the Ordinance may have a significant impact on the environment pursuant to CEQA Guidelines section 15601(b)(3). The Ordinance is proposed for the protection of the environment, including human health and property. The regulatory enactment would require affected properties to remove combustible materials to provide defensible space.

These requirements will be beneficial to the environment by preventing the emergence and spread of wildfires, which can cause immense environmental harm. Further, the Ordinance contains provisions requiring it to be interpreted and implemented in a manner that avoids environmental impacts, and directs property owners to seek modification of the applicable requirements if compliance would cause any such impacts. Due to these requirements, there is no possibility that it will cause significant environmental effects.

(d) Each exemption stands as a separate and independent basis for determining that this Ordinance is not subject to CEQA.

SECTION 12. SEVERABILITY.

If any section, subsection, paragraph, sentence, or clause of this ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any remaining portions of the ordinance. The Board hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, or clause thereof, irrespective of the fact that any portion of the ordinance be declared invalid.

This page contains no comments

SECTION 13. DATE OF EFFECT.

This ordinance shall take effect and be in full and force and effect 30 days after its passage. This ordinance shall be published as required by law.

PASSED, APPROVED and ADOPTED this ____ day of January, 2024 at the regular meeting of the Board of Directors, on a motion made by Director _____, seconded by Director _____, and duly carried with the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ORDINANCE 23-03

Matt Miller, President
Board of Directors

ATTEST:

Randy Holthaus
District Secretary

APPROVED AS TO FORM:

Jonathan V. Holtzman
District Counsel

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APPENDIX A

Fuel Separation

The Fuel Separation method shall be implemented as follows:

(A) Minimum clearance between fuels surrounding each building or structure shall range from 4 feet to 40 feet in all directions, both horizontally and vertically.

(B) Clearance distances between vegetation shall depend on the slope, vegetation size, vegetation type (brush, grass, trees), and other fuel characteristics (fuel compaction, chemical content etc.). Properties with greater fire hazards, including but not limited to steep slopes and large vegetation, will require greater separation between fuels.

For example, properties on steep slopes having large-sized vegetation will require greater spacing between individual trees and bushes (see Plant Spacing Guidelines and Case Examples below).

(C) Groups of vegetation (numerous plants growing together less than 10 feet in total foliage width) may be treated as a single plant. For example, three individual manzanita plants growing together with a total foliage width of eight feet can be “grouped” and considered as one plant and spaced according to the Plant Spacing Guidelines in this document.

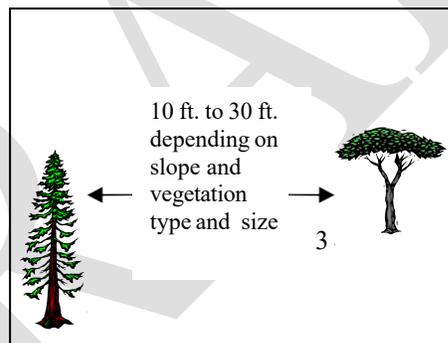
(D) Annual and dormant grasses should not exceed 4 inches in height.

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(E) Table 1. Plant Spacing Requirements.

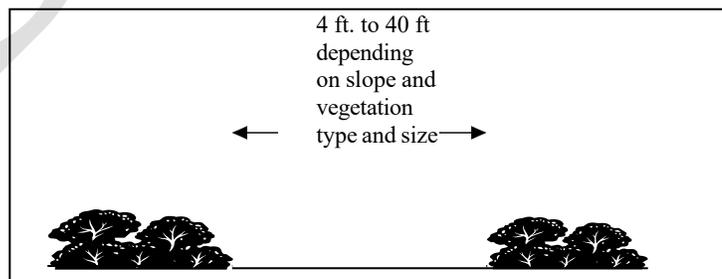
Plant Spacing Requirements		
Trees	Minimum horizontal space from edge of one tree canopy to the edge of the next	
	Slope	Spacing
	0% to 20 %	10 feet
	20% to 40%	20 feet
	Greater than 40%	30 feet
Shrubs	Minimum horizontal space between edges of shrub	
	Slope	Spacing
	0% to 20 %	2 times the height of the shrub
	20% to 40%	4 times the height of the shrub
	Greater than 40%	6 times the height of the shrub
Vertical Space	Minimum vertical space between top of shrub and bottom of lower tree branches: 3 times the height of the shrub	

Figure 1



(F) Figure 1. Horizontal clearance between trees to reduce the spread of fire from one fuel to the next. Figure 1 is a visual representation of paragraphs (A) and (B).

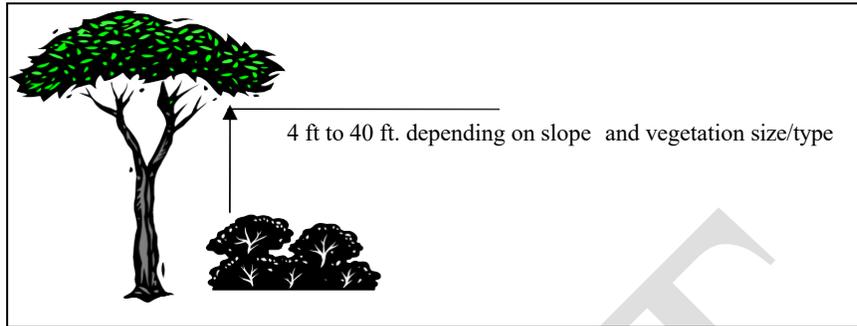
Figure 2



(G) Figure 2. Horizontal clearance between shrubs to reduce the spread of fire from one fuel to the next. Figure 2 is a visual representation of paragraphs (A) and (B).

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Figure 3



(H) Figure 3. Vertical clearance between aerial fuels and surface fuels to remove ladder fuels and reduce the spread of fire from shorter to taller fuels. Figure 3 is a visual representation of paragraphs (A) and (B).

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APPENDIX B

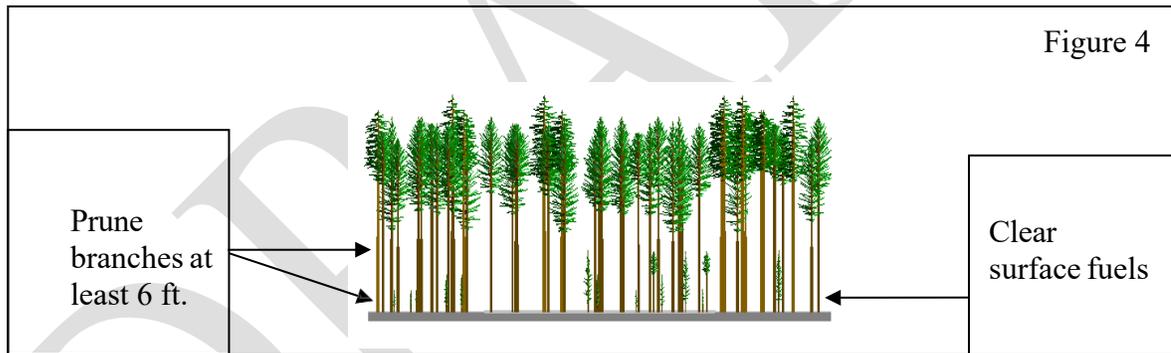
Continuous Tree Canopy Requirements

To achieve defensible space while retaining a stand of larger trees with a continuous tree canopy, the Continuous Tree Canopy method shall be implemented as follows:

(A) All surface fuels greater than four inches (4 in.) in height shall be removed. Single-specimen trees or other vegetation may be retained provided they are well-spaced and well-pruned.

(B) Lower limbs of trees shall be pruned to at least six (6) feet up to 15 feet (or the lower 1/3 of branches for trees less than 18 feet tall). Properties with greater fire hazards, such as steeper slopes or more severe fire danger, will require pruning heights in the upper end of this range.

(C) Figure 4. Defensible space retaining continuous trees. Figure 4 is a visual representation of paragraphs (A) and (B).



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WOODSIDE FIRE PROTECTION DISTRICT

BUREAU OF FIRE PREVENTION & LIFE SAFETY
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KIMBERLY GIULIACCI – FIRE MARSHAL

To: Ladera Wildfire Preparedness Committee of the Ladera Community Association

From: Kim Giuliacci, Woodside Fire Protection District Fire Marshal

Date: February 21, 2024

RE: ORDINANCE 23-03 RECOMMENDED CHANGES

Dear Ladera Wildfire Preparedness Committee,

Thank you for your thorough review of Ordinance 23-03 as presented in your correspondence dated February 9, 2024. The District appreciates your input and analysis. Below, you will find the District's responses to your comments. The following also serves as the responses to the specific red-line suggestions made by the Committee to Ordinance 23-03, with the District's comments on the red-line suggestions attached.

Please feel free to contact me with any questions.

Comment # 1: Lack of Clarity. Some aspects of the Ordinance are unspecified or unclear. We have proposed language to specify and clarify certain areas. Noted areas are:

- The process and time limits for cyclic home inspections and compliance inspections
- Types of hazardous vegetation and non-hazardous vegetation
- How distances are measured

District Response to Comment # 1: The District respectfully disagrees that there is a lack of clarity in the Ordinance. The Committee's Comment # 1 focuses on issues of interpretation. In order to assist in the Ordinance's interpretation, Section 3(f) of the Ordinance now provides that the Fire Code Official shall prepare Standards and Guidelines for Defensible Space and Home Hardening (the "Guidelines"), which will be approved by the Board of Directors. The Guidelines will serve as a supplemental instruction and interpretation resource. The Guidelines will address such issues as specific types of hazardous and non-hazardous vegetation, how distances are measured, and the process for inspections.

In addition, Section 3(f) of the Ordinance provides that the Fire District may adopt reasonable rules, regulations, and resolutions consistent with the Ordinance to enforce, interpret, and carry out the provisions of this Ordinance. Such rules, regulations, and resolutions may vary between different areas within the Fire District. As such, the Fire District may adopt specific rules, consistent with the Ordinance, for parcels that are one acre or less in size or otherwise have a high

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density.

A primary concern of the Committee is that the Ordinance infers immediate action or otherwise immediate consequences will result. To address that concern, the District has added to Section 6 a provision recognizing that persons will not be cited for non-compliance if they can show evidence of substantial progress toward compliance within the past year as determined by the Fire Code Official and recorded in an approved Wildfire Safety Plan. Section 7 (Phased Compliance) has also been expanded to allow for a period of time of up to three years to achieve compliance under qualified circumstances as explained in the Ordinance.

Comment # 2: Severity Distinctions - While the District includes Moderate Severity areas as well as High and Very High severity areas, the Ordinance does not make severity distinctions in its provisions. We question the value of risk assessment if all areas are treated the same; lower-risk areas should be provided with lower-impact provisions.

District Response to Comment # 2: Public Resources Code section 4117 authorizes the District to adopt fire prevention regulations that are necessary to meet local conditions of weather, vegetation, or other fire hazards. Such regulations may be more restrictive than statutes state in order to meet local fire hazard conditions. Section 2 of the Ordinance (including but not limited to Section 2(h)) explains the local fire hazard conditions making the defensible space regulations in the Ordinance applicable throughout the District. The first paragraph of Section 2(h) of the Ordinance reads as follows:

The Fire District's adoption of stringent fuel mitigation and exterior hazard abatement standards is designed to **supplement the requirements of Public Resources Code section 4291 and Government Code section 51182, apply similar requirements that are more restrictive to all private persons and private and public entities throughout the District**, utilize the State Fire Marshal's model defensible space program as a guide in establishing such requirements, and **decrease the risk of structure fires spreading to adjacent vegetation and the risk of vegetation fires and wildfires spreading to structures, thereby slowing or stopping fires**. The Board bases these standards upon its finding that the following climatic, vegetative, geological, and topographical conditions within the Fire District create a grave risk of wildfire and resulting loss of life and property and environmental damage. **These local hazardous fire conditions warrant extensive fuel clearing requirements throughout the Fire District up to within 100 feet of any structures.**

Comment # 3: Adjoining Property - While we understand that there is a problem when an adjoining property is not able to remediate a fire risk, we do not think that it is justifiable to be a liability of the property owner that does not benefit from or have any influence upon the structure needing defensible space. However, we have added a provision for allocating some of the cost to the adjacent parcel.

District Response to Comment # 3: Section 5(c) of the Ordinance reads as follows:

- (1) When a Structure is less than 100 feet from a property line and Combustible Material or Hazardous Vegetation on an adjacent Parcel presents a Fire Hazard for the Structure, the Persons who have any ownership or possessory interest or easement obligation interest in or control of any adjacent Parcel where the Fire Hazard exists shall be responsible for clearing the area on their land which is within 100 feet of the Structure and is needed to provide the necessary fire protection in the manner and to the extent required by the Fire

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Code Official, in accordance with Section 3 of this Ordinance and the Zone 0, Zone 1, and Zone 2 clearance standards.

- (2) Where the terrain, condition, or environment on the adjacent Parcel is such that it cannot or should not be disked or mowed, the Fire Code Official may approve modifications.
- (3) The person or persons with an ownership or [possessory interest or easement obligation in or control of the Improved parcel with the Structures shall be responsible for fifty percent (50%) of the abatement costs on the adjacent parcel.

Section 2 of the Ordinance outlines the reasons for the defensible space regulations in the Ordinance, including the regulations referenced above, requiring defensible space work on an adjacent property. An uncontrolled fire does not recognize property lines. It is necessary for public health and safety, and the protection of the environment and natural resources, to maintain sufficient defensible space around structures to reduce the risk and severity of uncontrolled wildfires. The adjacent property owners benefit because the actions will also help reduce the risk of transmission of fire to their own property.

Comment # 4: Housing Density - The housing density in Ladera is approximately 8-10 times that of Portola Valley.

- o Many homes in Ladera have only Zone 0 space on the sides and Zone 0 or 1 space in the front and back of the home. If Zone 0 is defined by the extent of the eaves, some homes will have only Zone 0 in the side yards, prohibiting or restricting vegetation, sheds and planter boxes. Similar disproportionate mitigations come from restrictions 10 feet from the road and 5 feet from a driveway.

District Response to Comment # 4: The District respectfully disagrees with the characterization that the defensible space requirements are “disproportionate,” based on the findings in Section 2 of the Ordinance. The Zone 0 requirements do not require the removal of all vegetation. Language has been added to the Zone 0 requirements, and to the roadside vegetation requirements, to clarify that groundcovers consisting of irrigated, approved, vegetation are allowed, if they did not form a means of readily transmitting fire as determined by the Fire Code Official.

In addition, as explained above, Section 3(f) now provides that the Fire Code Official shall prepare Standards and Guidelines for Defensible Space and Home Hardening (the “Guidelines”), which will be approved by the Board of Directors. The Guidelines will serve as a supplemental instruction and interpretation resource. The Guidelines will address such issues as types of hazardous and non-hazardous vegetation, how distances are measured, and the process for inspections.

Section 3(f) of the Ordinance also provides that the Fire District may adopt reasonable rules, regulations, and resolutions consistent with the Ordinance to enforce, interpret, and carry out the provisions of this Ordinance. Such rules, regulations, and resolutions may vary between different areas within the Fire District. As such, the Fire District may adopt specific rules, consistent with the Ordinance, for parcels that are one acre or less in size or otherwise have a

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high density.

Comment # 5: Phased Compliance - Phased compliance should not be restricted to financial hardship. Some remediation may require construction or engineering work for soil stabilization. We suggest that Phased Compliance be available as an option in other situations and be available to be included by default for some very large and complex mitigations.

District Response to Comment # 5: The District agrees in part with this comment. Phased compliance is being extended beyond financial hardship for specific circumstances as noted in the Ordinance. However, the District sees no rational basis to make it available “by default.”

Comment # 6: Appeals Process - The appeal process is limited to only the WFPD board, with no members of the community or local government, to consider a perspective beyond solely fire risk. We would like for there to be broader concurrence that includes a voice of others.

District Response to Comment # 6: The District respectfully disagrees with the characterizations made in this comment. Appeals of Modification requests are heard by the District’s Board of Directors. The Board of Directors are members of the community, duly elected by the community. By statute, the Board of Directors makes decisions on appeals from written orders by Fire District staff to correct or eliminate a fire hazard or life hazard. Health & Safety Code section 13870.

Comment # 7: Compliance Timing at Sale - Requiring compliance before a property sale can be completed will adversely impact sales, especially for sellers who do not have the financial resources for compliance. We suggest that the obligation for compliance be included as part of the negotiation between buyer and seller.

District Response to Comment # 7: To address the Committee’s concerns, the District has proposed revisions to Section 8 of the Ordinance to read as follows. See, in particular, Section 8(c):

- (a) Prior to the close of any Real Estate Transaction within the Fire District, the seller of any Improved Parcel shall obtain documentation from the Fire Code Official that the property is in compliance with the fuel mitigation requirements of this Ordinance and provide that documentation to the buyer at or before the close of escrow.
- (b) Documentation of compliance obtained in the six-month period preceding the date of the close of escrow is sufficient to satisfy this section.
- (c) If documentation of compliance is not available at or before the close of escrow, the seller and buyer shall enter into a written agreement to which the buyer agrees to obtain documentation from the Fire Code Official stating the property is in compliance with the fuel mitigation requirements of this Ordinance within one year of the close of escrow, or within the time period of an approved Phased Compliance Modification, unless additional time is otherwise approved by the Fire Code Official.
- (d) Except as otherwise provided by this Ordinance, the Fire Code Official shall have the discretion to accept alternate means and measures to achieve compliance if completion of the required work will delay the sale or transfer of the property.

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Respectfully,

A handwritten signature in blue ink, appearing to read "Kimberly Giuliacci". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kimberly Giuliacci
Fire Marshal
Woodside Fire Protection District

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ORDINANCE NO. 23-03

AN ORDINANCE OF THE WOODSIDE FIRE PROTECTION DISTRICT OF SAN MATEO COUNTY, CALIFORNIA, ESTABLISHING FUEL MITIGATION AND EXTERIOR HAZARD ABATEMENT STANDARDS IN ALL STATE AND LOCAL RESPONSIBILITY AREAS WITHIN THE DISTRICT, REQUIRING DOCUMENTATION OF COMPLIANCE PRIOR TO SALE OF THE PROPERTY, ADOPTING FINDINGS OF FACT, AND DETERMINING THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The Board of Directors (“Board”), as the governing body of Woodside Fire Protection District (“Fire District”) does ordain as follows:

SECTION 1. AUTHORITY

This Ordinance is authorized by state statutes and regulations, including but not limited to, Public Resources Code Section 4117, Health and Safety Code Sections 13801, 13804, 13861, 13862, and 13870, Government Code section 53069.4, and Government Code Section 51175.

SECTION 2. FINDINGS OF FACT

- (a) The California Legislature has declared the following, at Government Code section 8654.2(a):

Catastrophic threats exist to lives, property, and resources in California, including wildfire. Climate change, an epidemic of dead and dying trees, and the proliferation of new homes in the wildland urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25 million acres of California wildlands are classified as under very high or extreme fire threat, extending that risk to over one-half of the state.

- (b) The California Legislature has further declared the following, at Government Code section 51175(a):

Wildfires are extremely costly, not only to property owners and residents, but also to local agencies. Wildfires pose a serious threat to the preservation of the public peace, health, or safety. The wildfire front is not the only source of risk since embers, or firebrands, travel far beyond the area impacted by the front and pose a risk of ignition to a structure or fuel on a site for a longer time. Since fires ignore civil boundaries, it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control. Preventive measures are therefore needed to ensure the preservation of the public peace, health, or safety.

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- (c) In adopting AB 3074 in 2020, the California Legislature made, among others, the following findings:
- (1) Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California. The state experienced the deadliest and most destructive wildfires in its history in 2017 and 2018. Fueled by five years of drought, unprecedented buildup of dry vegetation, and extreme winds, the size and intensity of recent wildfires caused the loss of more than 100 lives, the destruction of tens of thousands of homes and businesses, and the exposure of millions of urban and rural Californians to unhealthy air. Compared with fire activities in 1986, recent wildfires in the western United States have occurred nearly four times more often, burned more than six times the land area, and lasted almost five times as long.
 - (2) Climate change, an epidemic of dead and dying trees, a century of fire exclusion, and the proliferation of new homes in the wildland-urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25,000,000 acres of California wildlands are classified as under very high or extreme fire threat, extending that risk over one-half of the state. More than 2,000,000 California households and approximately one in four residential structures in California are located within or near “high” or “very high” fire hazard severity zones identified on maps drawn by the Department of Forestry and Fire Protection.
 - (3) Certain populations in the state are particularly vulnerable to wildfire. These Californians live in communities that face near-term public safety threats given their location and geography. Some residents in these areas are made further vulnerable due to factors such as age and lack of mobility. The tragic loss of life and property in the Town of Paradise during the 2018 Camp Fire demonstrates that vulnerability
 - (d) Public Resources Code section 4291 requires, among other things, that private persons and entities who own, lease, control, operate, or maintain a building or structure in, upon, or adjoining, a mountain area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, which area or land is within a state responsibility area, maintain defensible space of 100 feet from each side and from the front and rear of a structure, but not beyond the property line.
 - (e) Government Code section 51182 requires, among other things, that both private persons and private and public entities who own, lease, control, operate, or maintain an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by a local agency pursuant to Government Code Section 51179, maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line. In enacting this statute, as stated in Government Code section 51175, it is not the intent of the Legislature to limit or restrict the authority of a local agency to

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impose more restrictive fire and public safety requirements, as otherwise authorized by law.

- (f) Both Public Resources Code section 4291 and Government Code section 51182 authorize by local ordinance fuel modification beyond the property line in order to maintain 100 feet of defensible space from a structure.
- (g) Government Code section 51189 provides that the State Fire Marshal shall develop a model defensible space program that shall be made available for use by local agencies in the enforcement of the defensible space provisions in Government Code section 51182 and Public Resources Code section 4291.
- (h) The Fire District's adoption of stringent fuel mitigation and exterior hazard abatement standards is designed to supplement the requirements of Public Resources Code section 4291 and Government Code section 51182, apply similar requirements that are more restrictive to all private persons and private and public entities throughout the District, utilize the State Fire Marshal's model defensible space program as a guide in establishing such requirements, and decrease the risk of structure fires spreading to adjacent vegetation and the risk of vegetation fires and wildfires spreading to structures, thereby slowing or stopping fires. The Board bases these standards upon its finding that the following climatic, vegetative, geological, and topographical conditions within the Fire District create a grave risk of wildfire and resulting loss of life and property and environmental damage. These local hazardous fire conditions warrant extensive fuel clearing requirements throughout the Fire District up to within 100 feet of any structures.

(1) Weather/Climatic Conditions

The climatic weather patterns within the Woodside Fire Protection District are moderate. The district, on average, experiences an annual rainfall of 26 inches. This rainfall can be expected between October and April of each year. However, during the summer months there is little, if any, measurable precipitation. During this dry period, the temperatures are generally between 70 and 95 F degrees with light to gusty westerly winds. These drying winds, combined with the natural and imported vegetation, which is dominant throughout the area, create a hazardous fuel condition that sets conditions for fire spread into the dense, heavily wooded and brush covered hillsides and canyons as well as grass covered areas where wind-driven fires can have severe consequences.

This climate supports the growth of native grasslands, chaparral, oaks, and other indigenous fire dependent plant species in the area. Significant development has occurred within the Fire District, with the addition of primarily residential areas surrounded by large numbers of non-indigenous plant species. Due to the systematic exclusion of naturally occurring fire for over one hundred (100) years, and a reduction in historical grazing activity as pasture has been developed, these indigenous and non-indigenous plant species have created significant fuel loads far exceeding historical levels throughout the Fire District.

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Due to the location of the Fire District in proximity to the Santa Cruz Coastal Range, in the fall the more moderate summer weather gives way to Diablo Wind events characterized by high winds and very low relative humidity. These conditions have contributed to major fire loss in the region and throughout the state, with 17 of the 20 most destructive fires in California history occurring in the fall. The Fire District is exposed to an increasing number of these wind events as climate change has delayed the onset of the rainy season, thus increasing the risk of major fires. This has been demonstrated in several like climatic areas within the State of California and the western United States.

Because of variable weather patterns, normal rainfall cannot always be relied upon. This can result in water rationing and water allocation programs, as demonstrated in past drought patterns. Water shortages may also be expected in the future due to limited water storage capabilities and increased consumption. Water shortages often lead to restrictions on the irrigation of landscaping around structures, increasing the availability of vegetative fuels.

The district is bounded by San Francisco Bay on the east and the foothills of the Santa Cruz Coastal Range on the west. This setting allows for strong gusty winds to blow through the Fire District. These winds are a common occurrence each afternoon during summer months. Wind increases a fire's ability to spread and has been attributed to the rapid spread of both vegetation and structure fires. This is especially true during Diablo wind events when strong northerly winds are aligned with the upslope direction of the canyons and watersheds of the coastal mountains.

Throughout the Fire District, ~~many~~¹ homes are surrounded by heavy vegetation with interspersed open areas, creating a semi-rural character. The resulting exposure to wildfire risk is increased by the negative effects of high wind conditions during the fire season. During May to October, critical climatic fire conditions regularly occur when the temperature exceeds 80F; wind speed is greater than 15 mph, fuel moisture is less than or equal to 10 percent, wind direction is from north to the east-southeast, and the ignition component is 65 or greater. These conditions occur more frequently during the fire season, but this does not preclude the possibility that a serious fire could occur during other months of the year. The critical climate fire conditions create a situation conducive to rapidly moving, high-intensity fires. Fires starting in the wild land areas along the northern border are likely to move rapidly southward into the populated areas creating the potential for significant property loss and a very challenging evacuation problem.

(2) Vegetative Conditions

¹ Ladera home density is much higher, and the description in this paragraph and the next is not characteristic of our neighborhood.

T Author: District Response Subject: Highlight Date: 2/19/2024 3:53:58 PM
The District has modified this section, using the word "most."

The Fire District is in a “Chaparral Biome.” In its natural state, chaparral is characterized by regular and recurring fires, with intervals ranging between 10 to 15 years to over a hundred years. Mature chaparral (stands that have been allowed greater intervals between fires) is characterized by impenetrable, dense thickets. These plants are highly flammable. They grow as woody shrubs with hard and small leaves, are non-leaf dropping (non-deciduous), and are drought tolerant. After the first seasonal rains following a fire, the landscape is dominated by soft-leaved, nonwoody annual plants, known as fire followers, which die back with the summer dry period. The California Interior Chaparral and Woodlands Eco-Region covers 24,900 square miles in an elliptical ring around the California Central Valley. It occurs on hills and mountains ranging from 300 to 3,000 feet in elevation. It is part of the Mediterranean forests, woodlands, and scrub biome. Many of the plants are pyrophytes, or “fire-loving,” adapted to (or even depending on) fire for reproduction, recycling of nutrients, and the removal of dead or senescent vegetation. Many plant and animal species in this ecoregion are adapted to periodic fire.

The Fire District’s chaparral vegetation includes chamise, manzanita, buckeye, and ceanothus. Oak woodlands is the most widespread, with coast live oak dominating, but the chaparral vegetation also includes scrub oak, blue oak, canyon live oak, valley oak, tan oak, black oak, and interior oak. Open grasslands are the primary understory within the oak savannah woodlands. In areas with interlocking tree canopy, primarily north and east facing slopes, the understory is primarily tree duff and litter.

All vegetation in the Fire District reaches some degree of combustibility during the dry summer months, and under certain conditions, during the winter months. For example, as chaparral and other brush species age, twigs and branches within the plants die and are held in place, increasing the decadent material component. A stand of 10 to 20-year-old brush typically contains enough dead material to produce rates of spread equivalent to fully cured grass. Due to the higher fuel load per acre, fires in brush fields also yield much higher fire line intensity.

In severe drought years, additional plant material may die, contributing to the fuel load. There will normally be enough dead fuel load that has accumulated in 20 to 30-year-old brush to give rates of spread about twice as fast as the rates of spread in a grass fuel model. Under moderate weather conditions that produce a spread rate of a one-half foot per second in grass, a 20- to 30-year-old stand of brush may have a rate of fire spread of approximately one foot per second. Fire spread in old brush (40 years or older) has been measured at eight times faster than grass (4 feet per second). Under extreme weather conditions these rates can be much higher, with the fastest fire spread rate in grass at up to 12 feet per second or about eight miles per hour and the fastest fire spread rate in old brush at up to 96 feet per second or about 65 miles per hour. Residential structures within the wildland

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intermix or interface near mature brush fields are thus at greater threat from wildfire.

(3) Geological Conditions

Local geological conditions include high potential for seismic activity. The Fire District is comprised of built-up suburban areas having buildings and structures constructed near three major fault systems capable of producing major earthquakes, the modifications cited herein are intended to better limit life safety hazards and property damage in the aftermath of seismic activity.

The Fire District is in a region of high seismic activity with the Hayward fault running just east of its border. The San Andreas fault runs right through the district and the Calaveras Fault is to the east of the district. All three faults are known to be active, as evidenced by the damaging earthquakes they have produced in the last 100 years and can, therefore, be expected to do the same in the future. Of primary concern to the Fire District is the San Andreas Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7.0 on the Richter scale. Many underground utilities cross the fault, including major water supply lines.

Additional potential events following an earthquake include broken natural gas mains and ensuing fires in the streets; building fires, as the result of broken service connection, trapped occupants in collapsed structures; and requirements to render first aid and other medical attention to many residents.

(4) Topographical Conditions

Local topographical conditions include hillside housing with many narrow and winding streets with slide potential for blockage and limited firefighting water supply. These conditions create the potential for delays in responding when a major fire or earthquake occurs. Many situations will result in limiting or total blockage of fire district emergency vehicular traffic, overtaxed fire district personnel, and a lack of resources for the suppression of fire in both structures and vegetated areas in the Fire District.

The Fire District has many homes that are reached only by narrow and winding paved streets, which hamper access for fire apparatus and provide limited evacuation routes for residents. In addition, many of the hillside homes are in outlying areas that require longer response times for the total required firefighting force. Kings Mountain, Bear Gulch East, Skywood Estates, Old La Honda, Woodside Highlands, Los Trancos Woods and Vista Verde, and other areas with limited access via narrow and winding streets may face the problem of isolation from the rest of the Fire District and will suffer from the need for two-way traffic as evacuation and suppression response travel in opposite directions over limited roadways.

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Effective road widths are further reduced by encroaching vegetation and mid-slope roads built without shoulders. This is particularly pronounced in older neighborhoods of Woodside and Portola Valley, some of which were laid out in the 1920s when vehicles were smaller, codes less stringent, and population density much lower.

Due to steep slopes that characterize many areas of the Fire District, the establishment of infrastructure to support adequate fire protection needs is not feasible. It is difficult to widen existing streets to meet present standards for emergency operations and fire hydrants, especially in the hillside areas, where we often have less than optimum water pressure levels.

Areas where access and water supply is less of a concern include those with wider paved streets, sufficient fire hydrants, short driveways, and/or houses accessible from the street. This includes, for example, most of Ladera, parts of Emerald Hills, and selected streets in the town of Woodside, Woodside Glens, and Woodside Heights.

In summary, portions of the Fire District have limited water supplies or roadways that delay the response of emergency equipment to carry out the extinguishment of a fire allowing the fire to increase in area.

- (i) Environmental Damage
 - (1) Uncontrolled wildfire causes significant environmental impacts in the Fire District. These impacts include loss of vegetation and biodiversity; the potential for post fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gasses (GHGs), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These impacts in turn can damage and sometimes destroy local natural resources.
 - (2) The Ordinance is intended to minimize the loss of structure and vegetation during uncontrolled wildfire that lead to environmental and natural resources impacts, including loss of vegetation and biodiversity; potential for post fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gasses (GHG), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These environmental and natural resources effects can also lead to public health impacts.
 - (3) Furthermore, fires that occur in the built environment contribute to air contamination from the fire plume, whose deposition is likely to subsequently include land and water contamination, contamination from water runoff containing toxic products, and other environmental discharges or releases from burned materials.
 - (4) By reducing the severity of wildfire, studies have shown that low intensity, controlled fire, enhances biodiversity by controlling invasive and noxious weed

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species, thereby allowing native plants to compete more effectively, as well as opening overgrown understory to allow for wildlife to move more freely across the landscape. Additionally, several of the endemic species of the region require fire to germinate. With low-intensity fire, the chaparral habitat would become more stratified in life stages, and thereby increasing its fire resiliency and habitat value.

- (5) Reducing the potential for high intensity wildfire through this Ordinance would reduce the significant environmental impacts caused by uncontrolled wildfire and assure the maintenance, restoration, enhancement, and protection of the Fire District's natural resources and environment.
- (6) Wildfires are inevitable in a fire dependent ecosystem such as California. They often occur and spread unexpectedly and with surprising speed. They cause immense damage every year, putting lives and property in clear and imminent danger. In the absence of measures to manage outcomes, wildfire is likely to lead to structure loss and damage to the environment as a result of uncontrolled fast moving and high intensity fires. As stated under Sections 2(a), 2(b) and 2(c) of this Ordinance, the California Legislature has found that "Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California." Since October 30, 2015, the State has been under a Governor's State of Emergency Proclamation due to the increased risk of wildfires related to vast tree mortality. In addition, according to the California Office of Emergency's website, the State is currently under numerous separate State of Emergency Proclamations issued by the Governor related to wildfires. <https://www.caloes.ca.gov/office-of-the-director/policy-administration/legal-affairs/emergency-proclamations/>
- (7) The need for immediate action to prevent wildfire and its associated damage to life, health, property, and essential public services is also well-documented. In recent years, the Governor has repeatedly issued emergency proclamations related to fire – five in 2022, seven in 2021, and six in 2020. These both evidence and acknowledge the need for immediate action to address wildfire hazards, particularly in fire-prone areas within the state.
- (8) Some of California's largest, deadliest, and most destructive wildfires have occurred within the last five years. This is due, in part, to climate change and global warming which causes both land and air to become drier than normal, thus making the perfect conditions for wildfires to ignite.

Experts predict that, as climate change continues, and global temperatures continue to rise, wildfire season in California will continue to extend with more months featuring conditions conducive to uncontrolled wildfire.

Several major wildfires raged in California in 2020, many of which are now amongst the largest wildfires in California history. The 2020 California lightning

This page contains no comments

complex fires were particularly destructive, resulting in the loss of countless structures, several lives, and hundreds of thousands of acres of land.

The CZU Lightning Complex, LNU Lightning Complex, and SCU Lightning Complex fires impacted residents across the Bay Area as the result of dry lightning and major thunderstorms. The CZU Lightning Complex fires consisted of multiple fires throughout the San Mateo and Santa Cruz counties. The fires started in midAugust due to a severe thunderstorm that initially started several separate fires, including the Warnella and Waddell fires. Due to a change in wind conditions, these separate fires merged together and rapidly spread through nearby communities, including Swanton, Boulder Creek, and Bonny Doon.

The CZU Lightning Complex fire incident was finally contained on September 22, 2020, after burning 86,509 acres, destroying 1,490 structures, and causing one death.

As California's climate conditions continue to worsen, fires like these are becoming more common than ever, making it all the more important for California residents to protect themselves against these emergencies.

(9) Uncontrolled wildfires are emergencies, involving clear and imminent dangers, demanding immediate action to prevent or mitigate loss of, or damage, to life, health, property, or essential public services. This ordinance establishes actions necessary to prevent or mitigate such emergencies.

SECTION 3. APPLICABILITY

- (a) This Ordinance establishes fuel mitigation and exterior hazard abatement standards in all state and local responsibility areas within the Fire District.
- (b) The amount of fuel modification necessary shall consider 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.
- (c) The intensity of fuels management will vary within the one hundred (100') foot perimeter of a Structure, the most intense being used between five (5') feet and thirty (30') feet around the Structure, and an ember-resistant zone being required within five (5') feet of the structure, including attached decks.
- (d) This Ordinance shall apply to the following Parcels (the "Affected Parcels") **that are within a very high fire hazard severity zone² and:**

² If not using the  hazard severity zone system, how is the whole district justified to make all these changes uniformly?

 Author: District Response Subject: Sticky Note Date: 2/20/2024 10:59:46 AM
Please See Section 2 (Findings of Fact) of the Ordinance.

- (1) All Improved Parcels within the jurisdiction of the Woodside Fire Protection District, at all times of year.
- (2) All Parcels adjacent to Improved Parcels where: ~~(a) the owner/occupant of the Improved Parcel is unable to obtain the required Defensible Space, as delineated in this Ordinance; and (b)~~ the current condition of fuels on the subject Parcel is assessed by the Fire Code Official as a Fire Hazard. The owner of the subject Parcel shall provide for the fuel modifications ~~to meet the Defensible Space requirements of the adjacent Improved Parcel subject to this Ordinance and applicable law including the finding that the clearing is necessary~~ to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.³
- (3) All Parcels adjacent to a Fire Apparatus Access Road or Driveway.
- (e) If any part of this Ordinance is in conflict with any other Ordinance adopted by the Fire District, the more restrictive provision(s) shall control.
- (f) The Fire District Board of Directors reserves its right to adopt reasonable rules, regulations, and resolutions consistent with this Ordinance to enforce, interpret, and carry out the provisions of this Ordinance. Such rules, regulations and resolutions may vary between different areas within the Fire District. ~~For example: higher density residential neighborhoods contain smaller parcels that may include no or limited Zone 2 regions and with side yards that may include no or limited Zone 1 regions requiring modified abatement guidelines.~~⁴
- (g) It shall be the duty of every person who owns, leases, controls, operates, or maintains a dwelling or structure on an Affected Parcel to abate therefrom, and from Fire Apparatus Access Roads and driveways on or immediately adjacent thereto, all Combustible Material, and Hazardous Vegetation which constitutes a Fire Hazard.

SECTION 4. DEFINITIONS

ABATE or **ABATEMENT**. Shall mean an act used to remove, destroy, eliminate, seize, impound, or any action taken to mitigate a public nuisance.

ABATEMENT COSTS. Shall mean ~~only the reasonable and necessary any and all~~ costs incurred by the Woodside Fire Protection District to enforce this Ordinance and to abate the hazardous vegetation or combustible material on any property pursuant to this Ordinance,

³ While we understand that there is a problem when an adjoining property is not able to remediate a fire risk, we do not think that it is legally justifiable to be a liability of the property owner that does not benefit from or have any influence upon the Structure needing defensible space. A neighbor's activities shouldn't be allowed to cause a burden. Real property laws likely will not allow any of this. See discussions also in Sections 5(c)(1) and 6(b)(3).

⁴ This section inspired the concept of an Appendix C, highlighting some major differences in rules between different areas of the district. That construct could be helpful in clarification.

Author: District Response Subject: Sticky Note Date: 2/19/2024 3:59:50 PM

The District respectfully disagrees. An uncontrolled fire does not recognize property lines. It is necessary for public health and safety, and the protection of the environment and natural resources, to maintain sufficient defensible space around structures to reduce the risk and severity of uncontrolled wildfires. The adjacent property owners benefit because the actions will also help reduce the risk of transmission of fire to their own property.

Author: District Response Subject: Sticky Note Date: 2/20/2024 4:40:06 PM

An Appendix C, and proposed edits related to such, are not necessary. As stated above, the Fire District may adopt reasonable rules, regulations, and resolutions consistent with the Ordinance to enforce, interpret, and carry out the provisions of this Ordinance. Such rules, regulations, and resolutions may vary between different areas within the Fire District. As such, the Fire District may adopt specific rules, consistent with the Ordinance, for parcels that are one acre or less in size or otherwise have a high density.

Standards and Guidelines for Defensible Space and Home Hardening (the "Guidelines"), which will be approved by the Board of Directors, will also be created.

including physical abatement costs, **but not including** administration fees **or and** any additional actual costs incurred for the abatement proceeding(s), including attorney's fees, if applicable.⁵

AGENCY HAVING JURISDICTION. The agency that has legal authority to enforce, adopt or amend a code or ordinance.

BIOMASS. Shall mean all green waste material generated during the fuel treatment project. Biomass includes, without limitation, all grass, weeds, vegetation, and tree trimmings.

BRUSH. Vegetation with a woody component and multiple stems less than six (6) inches in diameter at breast height including Broom, Coyote Brush, Cypress, Juniper and Poison Oak.

COMBUSTIBLE MATERIAL. Rubbish, litter, or material of any kind other than Hazardous Vegetation, that is combustible, creates a fire hazard and/or endangers public safety.

DAYS. Shall mean calendar days.

DEFENSIBLE SPACE. Means that area described in 14 California Code of Regulations section 1299, Government Code section 51182, Public Resources Code Section 4291 and as otherwise described in this Ordinance, which is adjacent to each exterior side of a building or Structure and must be cleared of brush, Hazardous Vegetation, Combustible Material, and other items, as set forth in this Ordinance. The area includes Zone 0, Zone 1, and Zone 2, extending 100 feet from any Structure.

DRIVEWAY. An access road from the public way to a Structure that is used for public or private vehicular access, including fire and emergency apparatus or vehicles.

FIRE APPARATUS ACCESS ROAD. A public or private road that provides fire apparatus access from a fire station to a facility, building, or portion thereof. This is a general term that includes, but is not limited to, a fire lane, public street, public right of way, private street, parking lot lane, and access road.

FIRE CODE OFFICIAL. The Fire Chief or their duly authorized representatives.

FIRE HAZARD. Any condition, arrangement, act, or omission that:

1. Will increase, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing, or extinguishing fire, or
2. May obstruct, delay, hinder, or interfere with the operations of a fire department or the egress of occupants in the event of a fire.

FUELS. Any combustible material, including petroleum-based products, cultivated landscape plants, grasses, and weeds, and wildland vegetation.

⁵ This gives the FPD unchecked ability to incur attorney and admin fees and pass them along to the homeowner without any "reasonableness" standard or oversight.

 Author: District Response Subject: Sticky Note Date: 2/21/2024 10:57:48 AM

The proposed ordinance has been amended to include the words "reasonable and necessary" in describing the costs. The other proposed edits have not been accepted. The District does not accept the idea of imposing cost burdens on taxpayers instead of the person or persons responsible.

FUELS, AERIAL. Standing and supported live and dead combustibles not in direct contact with the ground and consisting mainly of foliage, twigs, branches, stems, cones, bark, and vines.

FUELS, LADDER. Any fuels that could carry fire vertically between or within Combustible Material or Hazardous Vegetation, including but not limited to a wood fence located within five (5) feet of any other Structure.

FUELS, SURFACE. Fuels found on the surface of the ground. They include everything from grasses, brush, logs, and stumps.

HAZARDOUS VEGETATION. Shall mean any vegetation that is combustible and endangers public safety by creating a Fire Hazard. Hazardous vegetation is those vegetative materials that will readily ignite, burn, and transmit fire to any Structure or other surrounding and/or adjacent vegetation. Hazardous vegetation includes, but is not limited to, uncut dry grass greater than four inches (4 in.) in height, accumulations of leaves, brush, weeds, green waste, dead or dying trees, low-hanging branches, litter, or other flammable vegetation. Hazardous vegetation shall not include loose surface litter in Zones 1 and 2, normally consisting of fallen leaves or needles, twigs bark, cones, and small branches below a maximum depth of four inches (4 in.) or a commercial agricultural crop that is being actively grown and managed by the property owner or his or her legal tenant. Hazardous Vegetation shall not include healthy, mature, scenic trees.

IMPROVED PARCEL Shall mean a portion of real property on which a Structure is located, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

LOCAL RESPONSIBILITY AREA (LRA). An area of the state that is not a State Responsibility Area or federal property, and where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the city, town, county, city and county, district, or another local public agency.

MODIFICATION. An alternative to the specified standard requested by a person that owns, leases, or controls one or more of the Affected Parcels 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.

NON-HAZARDOUS VEGETATION. Shall mean any vegetation that is not considered combustible nor endangering public safety as a Fire Hazard. Non-hazardous vegetation is those vegetative materials that do not readily ignite and burn. Non-Hazardous vegetation includes certain varieties of healthy, mature trees with dead branches removed appropriately, well irrigated green ground cover, succulents, maintained agricultural crop, and other vegetation listed in WFPD fire safe guidelines.⁶

⁶ It would be helpful to explicitly define the concept of allowable non-hazardous vegetation, and reference that throughout the text as the exception example. This calls out a set of guidelines to be separately created. Some examples to use for inspiration:

<https://www.montereypark.ca.gov/DocumentCenter/View/4828/LA-County-Approved-Plant-List-10-2015>

 Author: District Response Subject: Sticky Note Date: 2/19/2024 4:06:10 PM
Revisions have been made to the Ordinance defining "Approved Vegetation" and "Fire Resistive Vegetation."

OUTBUILDING. Buildings or Structures that are less than one hundred-twenty square feet in size and are not used for human habitation, and buildings or Structures with a roof but no walls.

PARCEL A portion of real property of any size, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

PERSON. Includes any agency of the state, and any county, city, special district, or other local public agency, and any individual, firm, association, partnership, business trust, corporation, nonprofit corporation, limited liability company, or company.

REAL ESTATE TRANSACTION. Shall mean the transfer of real property between individuals or entities.

RESPONSIBLE PARTY. Shall mean an individual, association, co-partnership, political subdivision, government agency, municipality, industry, public or private corporation, firm, organization, partnership, joint venture or any other person or entity whatsoever whose act or omission caused or contributed to a violation of this Ordinance.

SAME PRACTICAL EFFECT. This term shall have the same definition as "Same Practical Effect" in the Fire Safe Regulations, California Code of Regulations, title 14, section 1270.01(a)(a).

STATE RESPONSIBILITY AREA (SRA). An area of the state identified by the Board of Forestry and Fire Protection pursuant to Public Resources Code Section 4125 where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the state.

STRUCTURE. Shall mean any dwelling, house, building, or other types of construction with an area of 120 square feet or greater, whether or not occupied, which have a permanent **continuous enclosed**⁷ roof structure and are supported by walls or posts that are secured to the ground.

UNIMPROVED PARCEL Shall mean a portion of land of any size, the area of which is determined by the Assessor's maps and records and may be identified by an Assessor's Parcel Number (APN) upon which no Structure is located.

WILDFIRE SAFETY PLAN. A plan approved by the Fire Code Official in accordance with Section 7 of this Ordinance.

ZONE 0. Referred to as the Ember-resistant Zone or Home Ignition Zone, it extends from 0 to 5 feet from any Structure, attached deck, or Outbuilding on the Parcel. Zone 0 requires the most stringent wildfire fuel reduction. This Ember-resistant Zone is designed to ensure that fire or embers from igniting materials cannot spread to the Structure. **All Zones, including Zone 0 are measured from the ground-level foundation of the structure.**⁸

⁷ The intention of this change is to exclude detached/freestanding pergolas and arbors. This would prevent the backyard areas in the house's Zone 1 or Zone 2 from becoming the pergola's Zone 0 and thus requiring removal of much vegetation that wasn't in the house's Zone 0.

⁸ Setback from the foundation is the definition used by the county building code, and thereby defines the space from the Structure to the property boundary in location such as Ladera.

Author: District Response Subject: Sticky Note Date: 2/20/2024 12:50:25 PM

The District will include a definition of "roof" in the Ordinance.

Author: District Response Subject: Sticky Note Date: 2/21/2024 11:12:35 AM

The District agrees to have the distance for structures in Zone 0 measured from the ground level foundation of the structure and has included such language in the Ordinance.. Additional information on measuring distances from an attached deck are also included in the Ordinance.

Additional information on measuring distances will be addressed specifically in the Standards and Guidelines consistent with the goal of fire protection

ZONE 1. Referred to as the Lean, Clean, and Green Zone, it extends from 5 feet to 30 feet from any Structure or attached deck.

ZONE 2. Referred to as the Reduced Fuel Zone, it extends from 30 feet to 100 feet from any Structure or attached deck.

SECTION 5. FUEL MITIGATION REQUIREMENTS

(a) Defensible Space for Structures and Attached Decks. All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Improved Parcel within the Fire District shall maintain Defensible Space adjacent to all Structures and attached decks on the Improved Parcel as follows.

(1) Zone 0

(A) Requirements

- (i) Remove Hazardous Vegetation and Combustible Materials that are within the first five feet (5 ft.) of or above a Structure and any attached deck. **Non-hazardous Vegetation is allowed in Zone 0. Trees may not have dead small branches, typically smaller than 1 inch in diameter, within Zone 0.⁹**
- (ii) Remove Hazardous Vegetation and Combustible Materials that are adjacent to or under combustible decks, porches, balconies, stairs, or similar attached accessories. **Non-hazardous Vegetation is allowed in Zone 0. Trees may not have dead small branches, typically smaller than 1 inch in diameter, within Zone 0.**
- (iii) No combustible bark or mulch is allowed in this zone. Consider using hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials. **Some types of organic mulch may be acceptable.¹⁰**

Exception: **Non-hazardous vegetation such as** ornamental vegetative fuels or cultivated ground cover that are irrigated, such as irrigated green grass, succulents or similar plants may be used as ground cover, if they do not form a means of readily transmitting fire as determined by the fire code official.

⁹ For this section and the next few, we use the new Non-Hazardous Vegetation definition.

¹⁰ The guidelines should reference which types of organic mulch is preferable. The study referenced here is relevant: <https://firesafemarin.org/create-a-fire-smart-yard/mulch/>

Author: District Response Subject: Sticky Note Date: 2/20/2024 11:02:02 AM

The District has proposed definitions of "Approved Vegetation" and "Fire Resistive Vegetation." As such, the District disagrees with these proposed amendments.

Author: District Response Subject: Sticky Note Date: 2/20/2024 11:02:45 AM

The District has proposed a definition for "mulch." The District has also provided the following exception:

Groundcovers consisting of irrigated, approved vegetation if they do not form a means of readily transmitting fire as determined by the fire code official

- (iv) Ensure all live tree branches are kept a minimum of 10 feet above the roof and decking, **measured straight up from the roof.**
- (v) Ensure all live branches are kept a minimum of 5 feet away from the sides of the structure, **measured such that there are at least 5 feet of separation from a branch to the side of the structure.**
- (vi) Ensure all branches are a minimum of ten feet (10 ft.) away from chimney and stove pipe outlets, **where embers may be present. For example, the output from a wood-burning stove or fireplace without a spark arrestor. This excludes the plastic pipe output of a gas furnace or gas water heater. This distance is measured from the closest edge or plane of the outlet opening.**¹¹
- (vii) All ~~plants, shrubs, branches,~~ loose leaves, weeds, and pine needles have been removed from around the "Structure" including on the roof or rain gutters of the "Building or Structure" or any other location within the Zone.

Exception: **Non-hazardous Vegetation such as** ornamental vegetative species used as ground cover that are irrigated and have a high moisture content and configuration that would not promote or cause a fire to spread from the vegetation to the structure **do not need to be removed.** The District will provide lists of approved plant species that may be used as ground cover.
- (viii) Relocate exposed firewood piles to Zone 2. **If there is no nearby Zone 1 or 2 available, then firewood can stay in Zone 0 or 1 but should be protected with a fire-resistant cover or container, such as a metal storage shed or fire-resistant tarp.**¹²
- (ix) Maintain the roof of a Structure free of leaves, needles, or any combustible debris.
- (x) Grasses must either (1) be removed or (2) irrigated and cut to less than 4 inches

¹¹ This was clarified in discussion with the previous fire marshal, and reconfirmed by current fire marshal - the intention is to stop ember transmission.

¹² This would be something to go in the guidelines document, like this:
<https://firesafemarin.org/harden-your-home/fire-resistance-tips>

Author: District Response Subject: Sticky Note Date: 2/20/2024 4:39:03 PM

The District will add language that this section applies to "chimney and stove pipe outlets from appliances/fireplaces that burn solid fuels."

Additional clarification can also be addressed in the Standards and Guidelines, as well as through the Modification process.

Author: District Response Subject: Sticky Note Date: 2/20/2024 11:03:25 AM

The Ordinance has been revised to "Relocate exposed firewood piles out of Zone 0."

- (xi) For new construction of Structures arising after adoption of this Ordinance, Acacia (Genus Acacia), Bamboo (Genus Bambusa), Cypress (Genus Cupressus), Eucalyptus (Genus Eucalyptus), Junipers (Genus Juniperus) and Monterey Pines (Pinus Radiata), are not permitted.
- (xii) Climbing vines with diameter smaller than 1/2" must be removed from trees and Structures within Zone 0.¹³
- (B) Suggestions and Education for Zone 0¹⁴
 - (i) Use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.
 - (ii) Limit combustible items such as outdoor furniture, planters, and other combustible items on top of decks. Favor non-combustible materials when replacing furniture and planters.¹⁵
 - (iii) Replace combustible fencing, gates, trellis, and arbors attached to the Structure(s) with noncombustible features. For existing fences, consider providing a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible material. Existing fencing and gates will NOT need to be removed, even during a targeted repair, but non-combustible materials should be favored.
 - (iv) Relocate garbage and recycling containers outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material. In situations where garbage and recycling cannot be moved beyond Zone 0, the garbage containers should be contained into a non-flammable storage structure if possible.
 - (v) Where possible on a large parcel with a large paved driveway or dedicated parking area with a non-combustible substrate such as gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials, relocate boats, RVs, vehicles, and other combustible items outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material. Cars in garages or carports are acceptable.

¹³ This was relocated from the All Zones section and tweaked to attempt to match the intended enforcement. It was an open question from the Ladera walking tour if some amount of vines and foliage are allowable directly on a Structure, like ivy on a detached garage. The intention was to move this to the appropriate section and highlight the variables to adjust after research.

¹⁴ These items were discussed during the Ladera walking tour, and here we try to capture what was explained.

¹⁵ Is there a better goal for the limiting, and how might this be changed in the future? Is there a guideline for what will be acceptable?

 Author: District Response Subject: Sticky Note Date: 2/21/2024 11:13:34 AM
The provisions related to climbing vines have been revised under Section 5(a)(4)(A)(ii) of the Ordinance.

 Author: District Response Subject: Sticky Note Date: 2/20/2024 1:24:53 PM
These items identified in Footnotes 14 and 15 are suggestions and not requirements.

(2) Zone 1

(A) Requirements

- (i) All hazardous vegetation and combustible material shall be removed by the owner or occupant of the parcel. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of four inches (4 in.) **Non-Hazardous vegetation is allowed.**
- (ii) **Where possible,** relocate exposed firewood piles to Zone 2 unless they are completely covered in a fire-resistant material, **such as a fire-resistant tarp.**
- (iii) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements **to a Structure.** The "Fuel Separation" method is attached as Appendix A to this Ordinance. The "Continuous Tree Canopy" method is attached as Appendix B to this Ordinance. **Continuous hedges are allowed, such as privacy hedges, but with the indicated clearance needed to the Structure.¹⁶**
- (iv) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 1, the following standards shall apply.
 - a. All dead and dying woody surface fuels and aerial fuels shall be removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of ~~three~~ four inches (~~3~~ 4 in.)¹⁷
 - b. Annual grasses and forbs shall be cut/trimmed down to a maximum height of four inches (4 in.).

(3) Zone 2

(A) Requirements

- (i) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous

¹⁶ This should be updated to match the intended enforcement, from discussion with the fire marshal during the Ladera walking tour. The fuel separation rules seem to only be required to the Structure, not in areas away from a Structure. A similar item is in Zone 2 as well.

¹⁷ This strikethrough was in the original draft, just highlighting it for a future revision.



 Author: District Response Subject: Sticky Note Date: 2/21/2024 11:14:55 AM

The suggested revision is not necessary, as the matter is addressed in Appendix A, section (C).

 Author: District Response Subject: Sticky Note Date: 2/20/2024 11:05:03 AM

The District appreciates the notation of that strikethrough and will make that revision. Thank you.

Tree Canopy" method or a combination of both to achieve defensible space clearance requirements to a Structure. The "Fuel Separation" method is attached as Appendix A to this Ordinance. The "Continuous Tree Canopy" method is attached as Appendix B to this Ordinance. Continuous hedges are allowed, such as privacy hedges, but with the indicated clearance needed to the Structure.

(ii) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 2, the following standards shall apply:

- a. All dead and dying woody surface fuels and aerial fuels shall be removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of four inches (4 in.).
- b. Annual grasses and forbs shall be cut/trimmed down to a maximum height of four inches (4 in.).
- c. All exposed wood piles shall have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions, or shall use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

(4) All Zones

(A) Requirements

(i) All ~~Outbuildings and non-portable~~ / permanently installed Liquid Propane Gas (LPG) storage tanks shall have the following minimum clearance:¹⁸

- a. Ten feet (10 ft.) of clearance to bare mineral soil or use other noncombustible items, such as gravel, permeable pavers or blocks, pervious or porous concrete.
- b. No dead or dying vegetation for an additional ten feet (10 ft.) around their exterior.

~~(ii) Climbing vines must be removed from trees and Structures within the one hundred (100') foot defensible space zone around Structure(s).¹⁹~~

¹⁸ This should target large permanent tanks, not the small portable ones attached to small BBQ grills. "Outbuildings" are not defined, and it's not clear why they would fit the rules of propane tanks, compared to the rules of a Structure.

¹⁹ This was moved to the Zone 0 section to match the fire marshal's planned enforcement.

Author: District Response Subject: Sticky Note Date: 2/20/2024 1:40:36 PM

The term "outbuilding" is defined. The revised Ordinance clarifies that LPG tanks are "non-portable/permanently installed."

Author: District Response Subject: Sticky Note Date: 2/20/2024 11:06:14 AM

The District has kept the section on Climbing Vines as applicable to all zones, with an exception as noted in the Ordinance.

- (iii) Maintain the Parcel free of ladder fuels within the 100 foot Defensible Space area around Structure(s).
- (b) Photovoltaic Systems and Equipment. Clearance requirements around freestanding (ground-mounted) photovoltaic systems and equipment shall comply with the following:
- (1) A minimum 10-foot clearance for clusters of panels not exceeding 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent five feet of clearance shall meet the Zone 1 standards.
 - (2) A minimum 30-foot clearance for clusters of panels greater than 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent clearance shall meet the Zone 1 standards.
 - (3) Clusters shall be separated a minimum of 20 feet, edge to edge.
- (c) Adjacent Parcels.
- (1) When a Structure is less than 100 feet from a property line and Combustible Material or Hazardous Vegetation on an adjacent Parcel presents a Fire Hazard for the Structure, the Persons who have any ownership or possessory interest or easement obligation interest in or control of any adjacent Parcel where the Fire Hazard exists shall be responsible for clearing the area on their land which is within 100 feet of the Structure and is needed to provide the necessary fire protection in the manner and to the extent required by the Fire Code Official, in accordance with Section 3 of this Ordinance and the Zone 0, Zone 1, and Zone 2 clearance standards. **If the owner of any Structure has violated building code property-line setback requirements resulting in remediation requirements to be performed by the adjoining Parcel owner, any compliance requirements under this Ordinance will be deferred until a court of law establishes the rights of both parties. If the court of law determines that the Structure has lawfully complied with building code requirements, then any remediation required by the Parcel owner will be paid by the owner of the Structure, to the quality and aesthetic standards set by the Parcel owner, and no work performed without written consent of the Parcel owner.²⁰**
 - (2) Where the terrain, condition, or environment on the adjacent Parcel is such that it cannot or should not be disked or mowed, the Fire Code Official may approve modifications.

²⁰ See discussions also in Sections 3(d)(2) and 6(b)(3).



Author: District Response Subject: Sticky Note Date: 2/20/2024 11:06:54 AM

The District disagrees with the suggested revisions as explained previously. The District is not willing to sacrifice public health and safety due to property disputes between adjacent landowners.

Roadside

(d) Roadside Vegetation.

(1) All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District that abuts a Fire Apparatus Access Road or driveway shall:

(A) Remove all Hazardous Vegetation that is within ten (10) feet, measured horizontally, from the edge of the Fire Apparatus Access Road or five (5) feet measured horizontally, from the edge of any driveway, **where the house is not accessible by fire engine from the street and the street is under 25 feet wide. Some less-flammable organic mulch types and Non-Hazardous Vegetation will be allowed to remain.**²¹

(B) Ensure that all portions of any tree, located on a Parcel of which the Person has an ownership or possessory interest or easement obligation in or control, overhanging a Fire Apparatus Access Road or driveway has at least 13.5 feet, measured vertically, of clearance from the roadway surface.

(C) Maintain free of Ladder Fuels a minimum of a ten-foot-wide strip of land beyond the shoulder of a Fire Apparatus Access Road and of a driveway to the appropriate height according to appendix B of this ordinance along the boundary of a Parcel.

(2) No Parcel owner may allow any portion of vegetation on his or her property to interfere with street and emergency vehicle access, regardless of whether the access is along a public street or along a private residential access road. The Fire Code Official may provide written notice to the property owner requiring vegetation to be trimmed to at least 13.5 feet of vertical clearance and at least 10 feet of horizontal vegetation management from the edge of the roadway when the Fire Code Official determines the vegetation would otherwise interfere with street or emergency vehicle access.

(e) Fences. No Person who has any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District shall construct or allow to be constructed or placed on the Parcel any screen, fence or other Structure made, in whole or in part, of bark, mulch, or wood chips within 100 feet of a Structure or within 10 feet of the edge of a Fire Apparatus Access Road or driveway.

²¹ The needs of a dense neighborhood with wide streets and small parcels may be different than a woodsier area. This rule, combined with Zone 0, would otherwise eliminate the majority of organic mulch from much of our properties. This would be detrimental to the soil  plant health and our ecosystems. Perhaps the research linked here can help guide a list of acceptable mulches:
<https://firesafemarin.org/create-a-fire-smart-yard/mulch/>

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These requirements are intended to protect sufficient ingress and egress for the public and fire apparatus in fire emergencies and natural disasters.

An exception to the roadside vegetation requirements has been included in the Ordinance for groundcovers consisting of irrigated, approved, vegetation.

These issues can be further addressed through the Modification process, if determined to be needed, as well as in the Standards and Guidelines and the creation of additional rules and regulations, as authorized by the Ordinance.

Any new combustible fence shall have a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible materials.

- (f) Additional Fuels Management. The Fire Code Official may mandate additional fuels management of an area more or less than the above-referenced widths or height on a Parcel and all sidewalks and roadways on or immediately adjacent thereto, for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the additional fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure. The Fire Code Official shall determine appropriate defensible space distances based upon a visual inspection of the Parcel and shall consider all factors that place the Structure(s) on the adjacent Improved Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the adjacent parcel or the Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.
- (g) Environmental Concerns.
- (1) The fuel mitigation requirements of this Ordinance shall not impact any environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.
- (2) The fuel mitigation requirements of this Ordinance shall be interpreted and applied to avoid the taking of endangered, rare, or threatened plant or animal species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees. The Fire Code Official shall advise persons who own, lease or control Affected Parcels (a) to avoid the use of heavy equipment in and around streams and seasonal drainages, as this is important for protecting water quality, (b) that vegetation removal can cause soil erosion, especially on steep slopes and to keep soil disturbance to a minimum on steep slopes.
- (3) The fuel mitigation requirements of this Ordinance do not apply to single specimens of trees or other vegetation that are well-pruned and maintained 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 or to interrupt the advance of embers toward a structure.
- (4) Compliance with the fuel mitigation requirements of this Ordinance shall be done using the most ecologically and site appropriate treatment option, such as, but not

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limited to, prescribed burning, manual treatment, mechanical treatment, prescribed herbivory, and targeted ground application of herbicides.

- (5) When the conditions stated in this Section 5(g) exist, persons who own, lease or control the Affected Parcel or Parcels at issue shall request a Modification of the fuel mitigation requirements and the Fire Code Official shall issue Modifications consistent with the requirements of this subsection.

SECTION 6. ENFORCEMENT

(a) The Fire Code Official shall be the primary authority for enforcement of this Ordinance and shall administer and enforce the requirements as provided in this Ordinance.

(new b) As this ordinance applies to all Parcels within the fire district and all Parcels require inspection for compliance by Fire Code Official and/or designated personnel, routine inspections of any given Parcel are expected to occur approximately every three years based on existing fire district resources. The initial inspection for compliance of any given Parcel is expected to occur within three years of this ordinance going into effect. The Parcel owner may also choose to schedule an inspection for a sooner date by directly contacting the fire district.²²

- (1) The initial inspection shall include an overall fire risk assessment of the Parcel with remediation recommendations and requirements provided to the Parcel owner. These recommendations and requirements will be discussed with the Parcel owner during the inspection, documented in the remediation report provided to the owner within a reasonable timeframe, such as 30 days following the inspection, and entered into a fire district database accessible to the owner.
- (2) The scope of the required remediation efforts may range from simple (such as brush removal) to complex involving substantial time and expense. There may be high risk / high priority actions that are expected to be completed by the owner more quickly. There may be other items where a phased compliance approach is allowed. The remediation plan may outline a general expected completion date and may include built-in Phased Compliance timeline measures.
- (3) For follow-on inspections, the fire district shall refer to the remediation report and database established for the Parcel. Progress towards fire mitigation requirements

²² The new item “(new b)” is being added based on the expected inspection procedures often described by the Fire Marshal. It is important to convey to parcel owners how this ordinance will affect them and how inspections are expected to proceed. Otherwise, this ordinance seems to infer immediate actions needed by the Parcel owners for all required abatement finding, or otherwise immediate consequences will result. When it is determined by the fire district that immediate actions are needed or immediate consequences could result this would be addressed by the fire district as per item “(b)” below . This new item “(new b)” should make cooperative parcel owners feel less threatened by the otherwise onerous-sounding content of this ordinance. The timelines suggested here are what we recall from discussion with the Fire Marshal, and are placeholders that can be adjusted.

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This new section is unnecessary and adds additional layers of bureaucracy, with associated costs. Clarification of process can be provided in the Standards and Guidelines.

and recommendations from previous inspections shall be noted in the database as well as new requirements and recommendations that may result from changes on the Parcel or adjoining Parcels.

- (4) The Parcel owner will also be provided means to update the fire district regarding completion or progress towards compliance with mitigation requirements. Such means may include a District authorized web application enabling the means to upload digital photographic images.
- (5) It is encouraged that Parcel owners contact the fire district to schedule an inspection when interpretation of this ordinance is in question regarding required landscape modifications.
- (6) During any inspection the fire code official may determine that:
 - (a) Updates are needed to the Parcel mitigation requirements based on recent Parcel changes including structures and landscaping.
 - (b) One or more mitigation requirements demand immediate attention due to imposing a high or severe fire risk. In such cases the fire district may elect to schedule a near term follow-up inspection, or inspections, for mitigation compliance.
 - (c) One or more mitigation requirements demand less immediate attention due to imposing a low or moderate fire risk. The fire code official may also deem that less immediate attention is applicable in more complex mitigation efforts such as involving substantial landscape modifications, the need to establish new Non-Hazardous Vegetation to replace Hazardous Vegetation prior to its removal on an erosion-prone slope, or other circumstances where immediate abatement actions are not feasible or practical. In such cases, the fire code official may elect to monitor progress of such abatement activity during the periodic routine inspections.
 - (d) A lack of progress, or unsubstantial progress, has been made towards previously directed abatement requirements. In such cases the fire district may elect to schedule a near term follow-up inspection, or inspections, for abatement compliance.
- (7) Depending on circumstances and mitigation requirements for a given Parcel, the Fire Marshal may arrange for a near term inspection, or inspections, with the owner to review progress. These compliance verification inspections will focus on remediation compliance for items outlined in the remediation report. Such compliance verification inspections will give adequate time for mitigation design and implementation. As such, will not be more frequent than a reasonable period, such as once per three months, unless progress towards compliance has not been noted in prior inspections, and the owner has not submitted a phased compliance

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request nor phased compliance included in the inspection report and remediation plan.

- (b) The Fire Code Official shall have the following responsibilities and authorities in the enforcement and administration of the provisions of this Ordinance:
- (1) Receive and respond to complaints through planning and conducting inspections within the limits of available Fire Marshal resources.
 - (2) Review the requirements of this Ordinance with property owners and/or occupants found to be out of compliance, to support voluntary compliance with the provisions of this Ordinance.
 - (3) The determination for appropriate clearance distances will be made based upon a visual inspection of the Parcel and shall consider all factors that place the Parcel or adjoining Structure(s) at risk from an approaching fire. These factors shall include local weather conditions, fuel type(s), topography, and the environment where the Parcel or adjoining Structure(s) is located. If the owner of any Structure has violated building code property-line setback requirements resulting in remediation requirements to be performed by the adjoining Parcel owner, any compliance requirements under this Ordinance will be deferred until a court of law establishes the rights of both parties. If the court of law determines that the Structure has lawfully complied with building code requirements, then any remediation required by the Parcel owner will be paid by the owner of the Structure, to the quality and aesthetic standards set by the Parcel owner, and no work performed without written consent of the Parcel owner.²³ Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.
 - (4) Prepare and issue Notices to Abate in accordance with Fire District Ordinances, and such other notices as may be necessary to encourage voluntary compliance with the provisions of this Ordinance.
 - (5) Carry out all enforcement and abatement proceedings as provided by Fire District Ordinances or as otherwise authorized by law.
 - (6) Conduct post-notice/pre-abatement inspections and documentation and conduct post-abatement inspections and documentation as provided by Fire District Ordinances. Post-notice inspections will be conducted after the time period identified in the Notice. Re-inspections will not be conducted more frequently than monthly, with advance notice, and will always be conducted in the presence of the Owner or designated Owner's

²³See discussions also in Sections 3(d)(2) and 5(c)(1).



Author: District Response Subject: Sticky Note Date: 2/20/2024 11:08:33 AM

The District disagrees with the suggested revisions as explained previously. The District is not willing to sacrifice public health and safety due to property disputes between adjacent landowners.

representative. Any progress towards compliance shall be noted in the post-notice inspection report, which will be provided to the Owner.

- (7) The Fire Code Official may, at his or her discretion, issue an administrative citation for violations of this Ordinance, in lieu of abating a parcel.
 - (8) Within Fire District boundaries, inspections established by this Ordinance may be performed by designated fire district personnel.
 - (9) Conduct abatements and handle accounting, assessment, and collection of abatement costs, including recordation of liens as may be established by Fire District Ordinances.
 - (10) **If compliance has not been demonstrated after three re-inspections of the same violation at the same location within a one-year period or what was agreed in the initial mitigation plan, and where a Modification has not been established for Phased Compliance shall incur an hourly re-inspection fee reflected in the Fire District's fee schedule at the time of re-inspection for every hour of re-inspection ~~after the third inspection of the same violation, at the same location, within a one-year period.~~**
- (c) Nothing herein shall limit the ability of a Fire Code Official to enforce the provisions of this Ordinance, from making initial inspections or independent compliance checks without first receiving a complaint.
- (d) Nothing in this Ordinance shall be construed as imposing on a Fire Code Official or the Fire District any duty to abate any Hazardous Vegetation or Combustible Material within a Parcel's Defensible Space, nor to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance, and neither the Fire Code Official nor the Fire District shall be held liable for failure to abate any unlawful Hazardous Vegetation or Combustible Material, nor for failure to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance.

SECTION 7. PHASED COMPLIANCE ~~DUE TO FINANCIAL HARDSHIP~~²⁴

- (a) The Fire District understands that the ~~mitigation prescribed by that~~ this Ordinance ~~may require a property owner to invest will require~~ much time, energy, and resources ~~depending on factors including what changes are required for fire mitigation and Parcel size. especially on large properties and that~~ owners will not be cited for non-compliance with the ordinance if they can show evidence of substantial progress toward compliance within the past year as determined by the Fire Code Official and recorded in an approved Wildfire Safety Plan.

²⁴ There were a variety of reasons highlighted to enable Phased Compliance, so this section will expand beyond just financial hardship.



 Author: District Response Subject: Sticky Note Date: 2/20/2024 11:08:47 AM
The District has expanded the availability of Phased Compliance, as explained in the revised Ordinance

- (b) A person who is financially unable to comply with this Ordinance or make substantial progress to compliance within one year may file a Modification request for Phased Compliance.
- (c) The owner of a property with a high level of prescribed changes for mitigation may also file a Modification request for Phased Compliance, if the plan established by the initial inspection is deemed to be impractical or not ideal. This can include, for example, the need to establish new Non-Hazardous Vegetation to prevent erosion prior to removing existing Hazardous Vegetation. The inspection report and mitigation plan may already include provisions for Phased Compliance in some situations.
- (d) “Phased Compliance,” for purposes of this Ordinance, refers to a written Wildfire Safety Plan approved by the Fire Code Official by which the Person takes actions to comply with this Ordinance over a period of time in excess of one year, but which shall not exceed a period of three years.
- (e) A Modification request for Phased Compliance shall include an affidavit, together with any supporting documents or materials, demonstrating the person’s actual financial inability to comply with this Ordinance or other reasons to make substantial progress to compliance within one year not practical or less optimal.
- (f) The Fire Code Official may approve a Modification Request for Phased Compliance only if the evidence submitted demonstrates to the satisfaction of the Fire Code Official the person’s actual financial inability or other justifiable reason to not immediately comply with this Ordinance.
- (g) The Fire Code Official shall issue a written determination listing the reasons for his or her determination to issue or not issue the Modification request for Phased Compliance.

SECTION 8. SALE OR TRANSFER OF PROPERTY.²⁵

- ~~(a) Prior to the close of any Real Estate Transaction within the Fire District, the seller of any real residential property must obtain documentation from the Fire Code Official that the~~

²⁵ Compliance should not be tied to the sale or transfer of property. For sellers this is a discriminatory, expensive, and time-consuming burden at a very sensitive time. Costs of remediation, delays in listing the property and a prolonged closing can be unmanageable. For buyers, requiring quick and expensive compliance measures immediately after the purchase can negatively impact property values and the decision to purchase in our community.

If Compliance in high/very high fire severity zones must be tied to a real estate transaction, it should be a negotiable item between the parties.

State Assembly Bill 38 (2019) established that, as of July 1, 2021, California Civil Code Section 1102.19 requires a seller of real property located in a High or Very High Fire Hazard Severity Zone (FHSZ) to provide the buyer with documentation the property is in compliance with defensible space requirements. The law allows that if documentation demonstrating compliance cannot be obtained by the close of escrow, the seller and buyer can enter into a written agreement showing that the buyer agrees to obtain documentation of compliance within one year of the close of escrow.

 Author: District Response Subject: Sticky Note Date: 2/20/2024 11:08:57 AM
The District has revised this section to address the concerns noted.

~~property is in compliance with the fuel mitigation requirements of this Ordinance and provide that documentation to the buyer at or before the close of escrow.~~

- (b) For Properties located in either a high or very high fire hazard severity zone, if documentation of compliance is not available at the time of sale, the Buyer shall obtain documentation from the Fire Code Official stating the property is in compliance with this section within **one year** ~~90 days~~ after the close of escrow, unless otherwise approved by the Fire Code Official. **In the Purchase Agreement, the Buyer and Seller will negotiate and agree which party is responsible for obtaining compliance.**
- (c) Documentation of compliance obtained in the six-month period preceding the date of the close of escrow is sufficient to satisfy this section.
- (d) Except as otherwise provided by this Ordinance, the Fire Code Official shall have the discretion to accept alternate means and measures to achieve compliance if completion of the required work will delay the sale or transfer of the property.

SECTION 9. MODIFICATIONS

- (a) Where there are practical difficulties involved in carrying out the provisions of this Ordinance, the Fire Code Official shall have the authority to grant Modifications for individual cases, provided that the Fire Code Official shall first find that:
 - (1) A modification is necessary to address an environmental, **significant erosion, or sedimentation of surface waters** concern as required by the provisions of this Ordinance, or
 - (2) Special individual reasons make the strict letter of this Ordinance impractical, and the Modification is in compliance with the intent and purpose of this Ordinance;
 - (3) Phased compliance is necessary due to financial hardship **or other reasons listed in Section 7**; or
 - (4) The true intent of this Ordinance or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Ordinance do not fully apply or an equivalent or better form of fire protection is proposed.
- (b) Any such Modification shall be consistent with the following standards:
 - (1) The modification will not lessen health, life and fire safety requirements.
 - (2) The modification will provide for the Same Practical Effect in addressing fire hazards as stated in this Ordinance.

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- (3) The modification will comply with Section 5(g) (Environmental Concerns) of this Ordinance.
- (c) A person requesting a Modification may also submit an individualized fire protection plan designed to address concerns due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem. Submitted fire protection plans shall be consistent with the standards for fire protection plans provided in Section 4903 of Chapter 49 of the State Fire Code.
- (d) The details of actions granting a Modification shall be recorded and entered in the files of the Fire District.
- (e) Where a Modification is not granted, the person requesting the Modification may appeal such denial to the Board of Directors.
 - (1) Within ~~ten~~ thirty²⁶ calendar days from service of the Fire Code Official's decision denying the requested Modification, the person seeking the Modification may appeal the decision to the Board of Directors. Such an appeal must be in writing and filed with the Fire Code Official.
 - (2) At a regular or special meeting of the Board of Directors not less than five days or more than thirty days after receipt of an appeal, the Board of Directors shall hear the appeal.
 - (3) The Board of Directors may continue the hearing.
 - (4) Upon conclusion of the hearing, the Board shall issue a decision granting, modifying, or denying the requested Modification.
 - (5) The decision of the Board of Directors ~~is final~~ can be appealed to an appeals or mediation committee, with members to be determined from the local community and/or government²⁷.
- (f) Additional procedures for the conduct of appeals may be established by resolution of the Board of Directors

SECTION 10. PENALTIES.

Every violation of any regulatory or prohibitory provision of this Ordinance is expressly declared to be a public nuisance. Failure to comply with the fuel mitigation requirements of this Ordinance may result in the issuance of an Administrative Citation as authorized by ordinance adopted by the District, or otherwise ordered by the Fire Code Official to be abated in accordance with law, provided, however, that nothing in this Ordinance shall limit the Fire

²⁶ Ten days seems implausibly fast to create and submit the written documentation required by this section.

²⁷ This references the appeals process discussed that can include a neutral third party that can balance the needs of wildfire prevention against all other considerations.

Author: District Response Subject: Sticky Note Date: 2/20/2024 11:10:03 AM

Ten days is the time period established by Health & Safety Code section 13870 to request an appeal to the Board of Directors of an order to correct or eliminate a fire hazard or life hazard.

Author: District Response Subject: Sticky Note Date: 2/20/2024 11:10:19 AM

The Board of Directors is authorized by statute to hear appeal from orders to correct or eliminate a fire hazard or life hazard. Health & Safety Code 13870.

District from pursuing other available legal remedies for violations of this Ordinance, including but not limited to civil penalties. In addition, any Person who violates any provision of this Ordinance shall be guilty of an infraction or a misdemeanor in accordance with Health and Safety Code Section 13871.

SECTION 11. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION

- (a) The District finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the following categorical exemptions: Sections 15304 (i) (fuel management activities) as there are extra hazardous fire conditions in the Fire District, 15307 (actions taken as authorized by law to assure protection of natural resources), and 15308 (actions taken as authorized by law to assure protection of the environment).

There are no significant or potentially significant negative environmental impacts from this Ordinance.

- The Ordinance is a regulatory change that would not directly cause any reasonably foreseeable physical change, nor would it determine or cause any future development.
- Indirect physical changes would require removal of flammable materials in areas with heightened risk to cause and spread wildfires. This would reduce environmental threats caused by wildfires and their spread and would be beneficial to the environment. The benefits of making wildfires less likely to start and spread include but are not limited to, benefits in the areas of air quality, biological resources, cultural and historical resources, hazards, greenhouse gas emissions, recreation, and tribal cultural resources.
- The Ordinance does not impact environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.
- The Ordinance also is required to be interpreted and applied to avoid the taking of any special status species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees.
- If compliance with the Ordinance could cause adverse environmental consequences, property owners are directed to request a modification of the fuel break requirements from the District.

There are no unusual circumstances under CEQA Guideline section 15300.2(c). No exception identified in CEQA Guideline Section 15300.2 applies to this Ordinance.

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- (b) The District also finds that this Ordinance is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15269 and Public Resources Code section 21080(b)(4) as specific actions necessary to prevent or mitigate an emergency.
- (c) The District further finds that it can be seen with certainty that there is no possibility that the Ordinance may have a significant impact on the environment pursuant to CEQA Guidelines section 15601(b)(3). The Ordinance is proposed for the protection of the environment, including human health and property. The regulatory enactment would require affected properties to remove combustible materials to provide defensible space.

These requirements will be beneficial to the environment by preventing the emergence and spread of wildfires, which can cause immense environmental harm. Further, the Ordinance contains provisions requiring it to be interpreted and implemented in a manner that avoids environmental impacts, and directs property owners to seek modification of the applicable requirements if compliance would cause any such impacts. Due to these requirements, there is no possibility that it will cause significant environmental effects.

- (d) Each exemption stands as a separate and independent basis for determining that this Ordinance is not subject to CEQA.

SECTION 12. SEVERABILITY.

If any section, subsection, paragraph, sentence, or clause of this ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any remaining portions of the ordinance. The Board hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, or clause thereof, irrespective of the fact that any portion of the ordinance be declared invalid.

SECTION 13. DATE OF EFFECT.

This ordinance shall take effect and be in full ~~and~~ force and effect 30 days after its passage. This ordinance shall be published as required by law.

PASSED, APPROVED and ADOPTED this _____ day of January, 2024 at the regular meeting of the Board of Directors, on a motion made by Director _____, seconded by Director _____, and duly carried with the following vote:

AYES:

NOES:

ABSENT: ABSTAIN:

ORDINANCE 23-03

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Matt Miller, President
Board of Directors

ATTEST:

Randy Holthaus
District Secretary

APPROVED AS TO FORM:

Jonathan V. Holtzman
District Counsel

DRAFT

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APPENDIX AFuel Separation

The Fuel Separation method shall be implemented as follows:

- (A) Minimum clearance between fuels surrounding each building or structure shall range from 4 feet to 40 feet in all directions, both horizontally and vertically.
- (B) Clearance distances between vegetation shall depend on the slope, vegetation size, vegetation type (brush, grass, trees), and other fuel characteristics (fuel compaction, chemical content etc.). Properties with greater fire hazards, including but not limited to steep slopes and large vegetation, will require greater separation between fuels.

For example, properties on steep slopes having large-sized vegetation will require greater spacing between individual trees and bushes (see Plant Spacing Guidelines and Case Examples below).

- (C) Groups of vegetation (numerous plants growing together less than 10 feet in total foliage width) may be treated as a single plant. For example, three individual manzanita plants growing together with a total foliage width of eight feet can be “grouped” and considered as one plant and spaced according to the Plant Spacing Guidelines in this document.
- (D) Grass lawns should not exceed 4 inches in height above the ground when in a resting position.²⁸
- (E) Table 1. Plant Spacing Requirements. *Clarification Request: It should be clarified here if this applies only to plants on different levels of the slope only and not plants on the same level of the slope, or if it applies to all plants on the slope including both plants at different levels and the same level of the slope.*

Plant Spacing Requirements		
Trees	Minimum horizontal space from edge of one tree canopy to the edge of the next	
	Slope	Spacing
	0% to 20 %	10 feet
	20% to 40%	20 feet
	Greater than 40%	30 feet
Shrubs	Minimum horizontal space between edges of shrub	
	Slope	Spacing
	0% to 20 %	2 times the height of the shrub

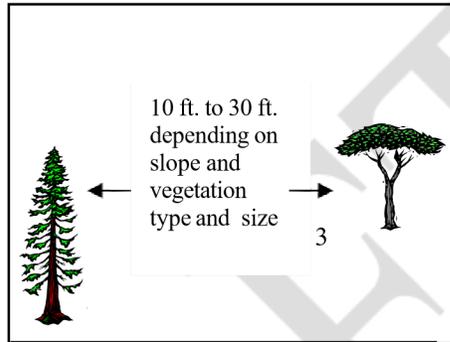
²⁸ This is to try to differentiate lawns that are expected to be mowed from patchier ornamental grasses that naturally flop over and self-limit their size.



 Author: District Response Subject: Sticky Note Date: 2/20/2024 11:10:42 AM
The District disagrees with this proposal. The term "resting position" is vague.

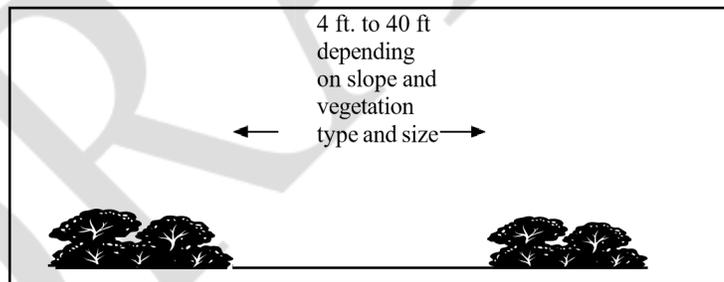
	20% to 40%	4 times the height of the shrub
	Greater than 40%	6 times the height of the shrub
Vertical Space	Minimum vertical space between top of shrub and bottom of lower tree branches: 3 times the height of the shrub	

Figure 1



(F) Figure 1. Horizontal clearance between trees to reduce the spread of fire from one fuel to the next. Figure 1 is a visual representation of paragraphs (A) and (B).

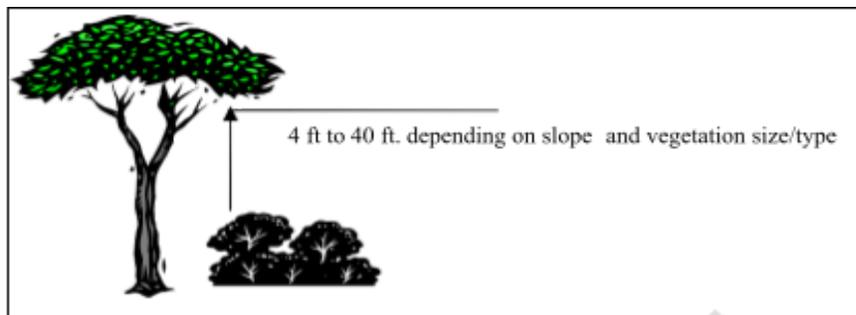
Figure 2



(G) Figure 2. Horizontal clearance between shrubs to reduce the spread of fire from one fuel to the next. Figure 2 is a visual representation of paragraphs (A) and (B).

Figure 3

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(H) Figure 3. Horizontal clearance between aerial fuels and surface fuels to remove ladder fuels and reduce the spread of fire from shorter to taller fuels. Figure 3 is a visual representation of paragraphs (A) and (B).

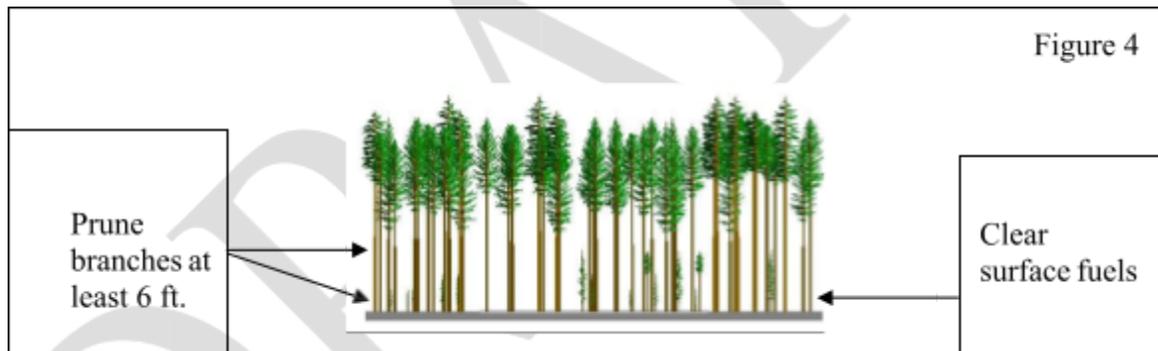
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APPENDIX B

Continuous Tree Canopy Requirements

To achieve defensible space while retaining a stand of larger trees with a continuous tree canopy, the Continuous Tree Canopy method shall be implemented as follows:

- (A) All surface fuels greater than four inches (4 in.) in height shall be removed. Single specimen trees or other vegetation may be retained provided they are well-spaced and wellpruned.
- (B) Lower limbs of trees shall be pruned to at least six (6) feet up to 15 feet (or the lower 1/3 of branches for trees less than 18 feet tall). Properties with greater fire hazards, such as steeper slopes or more severe fire danger, will require pruning heights in the upper end of this range.
- (C) Figure 4. Defensible space retaining continuous trees. Figure 4 is a visual representation of paragraphs (A) and (B).



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APPENDIX C²⁹

Fuel Mitigation Requirements in Suburban Environments

As provided for in Section 3b and 3f, these alternate guidelines supplement or replace Section 5's Mitigations for suburban communities like Ladera, as well as areas not covered by high or very high fire hazard severity zone rating.

[Edits made to Section 5 could go here]

DRAFT

²⁹ This is an alternate suggestion for how to handle graduated mitigation requirements based on hazard severity / lot size / neighborhood characteristics.



Author: District Response Subject: Sticky Note Date: 2/20/2024 4:39:48 PM

Given the other provisions in the Ordinance allowing for the creation of Standards and Guidelines, additional rules and regulations, and the Modification process, the proposed Appendix C is duplicative and unnecessary.

ORDINANCE NO. 23-03

AN ORDINANCE OF THE WOODSIDE FIRE PROTECTION DISTRICT OF SAN MATEO COUNTY, CALIFORNIA, ESTABLISHING FUEL MITIGATION AND EXTERIOR HAZARD ABATEMENT STANDARDS IN ALL STATE AND LOCAL RESPONSIBILITY AREAS WITHIN THE DISTRICT, REQUIRING DOCUMENTATION OF COMPLIANCE PRIOR TO SALE OF THE PROPERTY, ADOPTING FINDINGS OF FACT, AND DETERMINING THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The Board of Directors (“Board”), as the governing body of Woodside Fire Protection District (“Fire District”) does ordain as follows:

SECTION 1. AUTHORITY

This Ordinance is authorized by state statutes and regulations, including but not limited to, Public Resources Code Section 4117, Health and Safety Code Sections 13801, 13804, 13861, 13862, and 13870, Government Code section 53069.4, and Government Code Section 51175.

SECTION 2. FINDINGS OF FACT

- (a) The California Legislature has declared the following, at Government Code section 8654.2(a):

Catastrophic threats exist to lives, property, and resources in California, including wildfire. Climate change, an epidemic of dead and dying trees, and the proliferation of new homes in the wildland urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25 million acres of California wildlands are classified as under very high or extreme fire threat, extending that risk to over one-half of the state.

- (b) The California Legislature has further declared the following, at Government Code section 51175(a):

Wildfires are extremely costly, not only to property owners and residents, but also to local agencies. Wildfires pose a serious threat to the preservation of the public peace, health, or safety. The wildfire front is not the only source of risk since embers, or firebrands, travel far beyond the area impacted by the front and pose a risk of ignition to a structure or fuel on a site for a longer time. Since fires ignore civil boundaries, it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control. Preventive measures are therefore needed to ensure the preservation of the public peace, health, or safety.

- (c) In adopting AB 3074 in 2020, the California Legislature made, among others, the following findings:

(1) Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California. The state experienced the deadliest and most destructive

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wildfires in its history in 2017 and 2018. Fueled by five years of drought, unprecedented buildup of dry vegetation, and extreme winds, the size and intensity of recent wildfires caused the loss of more than 100 lives, the destruction of tens of thousands of homes and businesses, and the exposure of millions of urban and rural Californians to unhealthy air. Compared with fire activities in 1986, recent wildfires in the western United States have occurred nearly four times more often, burned more than six times the land area, and lasted almost five times as long.

(2) Climate change, an epidemic of dead and dying trees, a century of fire exclusion, and the proliferation of new homes in the wildland-urban interface magnify this threat and place substantially more people and property at risk than in preceding decades. More than 25,000,000 acres of California wildlands are classified as under very high or extreme fire threat, extending that risk over one-half of the state. More than 2,000,000 California households and approximately one in four residential structures in California are located within or near “high” or “very high” fire hazard severity zones identified on maps drawn by the Department of Forestry and Fire Protection.

(3) Certain populations in the state are particularly vulnerable to wildfire. These Californians live in communities that face near-term public safety threats given their location and geography. Some residents in these areas are made further vulnerable due to factors such as age and lack of mobility. The tragic loss of life and property in the Town of Paradise during the 2018 Camp Fire demonstrates that vulnerability

(d) Public Resources Code section 4291 requires, among other things, that private persons and entities who own, lease, control, operate, or maintain a building or structure in, upon, or adjoining, a mountain area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, which area or land is within a state responsibility area, maintain defensible space of 100 feet from each side and from the front and rear of a structure, but not beyond the property line.

(e) Government Code section 51182 requires, among other things, that both private persons and private and public entities who own, lease, control, operate, or maintain an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by a local agency pursuant to Government Code Section 51179, maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line. In enacting this statute, as stated in Government Code section 51175, it is not the intent of the Legislature to limit or restrict the authority of a local agency to impose more restrictive fire and public safety requirements, as otherwise authorized by law.

(f) Both Public Resources Code section 4291 and Government Code section 51182 authorize by local ordinance fuel modification beyond the property line in order to maintain 100 feet of defensible space from a structure.

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(g) Government Code section 51189 provides that the State Fire Marshal shall develop a model defensible space program that shall be made available for use by local agencies in the enforcement of the defensible space provisions in Government Code section 51182 and Public Resources Code section 4291.

(h) The Fire District's adoption of stringent fuel mitigation and exterior hazard abatement standards is designed to supplement the requirements of Public Resources Code section 4291 and Government Code section 51182, apply similar requirements that are more restrictive to all private persons and private and public entities throughout the District, utilize the State Fire Marshal's model defensible space program as a guide in establishing such requirements, and decrease the risk of structure fires spreading to adjacent vegetation and the risk of vegetation fires and wildfires spreading to structures, thereby slowing or stopping fires. The Board bases these standards upon its finding that the following climatic, vegetative, geological, and topographical conditions within the Fire District create a grave risk of wildfire and resulting loss of life and property and environmental damage. These local hazardous fire conditions warrant extensive fuel clearing requirements throughout the Fire District up to within 100 feet of any structures.

(1) Weather/Climatic Conditions

The climatic weather patterns within the Woodside Fire Protection District are moderate. The district, on average, experiences an annual rainfall of 26 inches. This rainfall can be expected between October and April of each year. However, during the summer months there is little, if any, measurable precipitation. During this dry period, the temperatures are generally between 70- 95 F degrees with light to gusty westerly winds. These drying winds, combined with the natural and imported vegetation, which is dominant throughout the area, create a hazardous fuel condition that sets conditions for fire spread into the dense, heavily wooded and brush covered hillsides and canyons as well as grass covered areas where wind-driven fires can have severe consequences.

This climate supports the growth of native grasslands, chaparral, oaks, and other indigenous fire adapted plant species in the area. Significant development has occurred within the Fire District, with the addition of primarily residential areas surrounded by large numbers of non-indigenous plant species. Due to the systematic exclusion of naturally occurring fire for over one hundred (100) years, and a reduction in historical grazing activity as pasture has been developed, these indigenous and non-indigenous plant species have created significant fuel loads far exceeding historical levels throughout the Fire District.

Due to the location of the Fire District in proximity to the Santa Cruz Coastal Range, in the fall the more moderate summer weather gives way to Diablo Wind events characterized by high winds and very low relative humidity. These conditions have contributed to major fire loss in the region and throughout the state, with 17 of the 20 most destructive fires in California history occurring in the fall. The Fire District is exposed to an increasing number of these wind events as climate change has delayed the onset of the rainy season, thus increasing the risk of major

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fires. This has been demonstrated in several similar climatic areas within the State of California and the western United States.

Because of variable weather patterns, normal rainfall cannot always be relied upon. This can result in water rationing and water allocation programs, as demonstrated in past drought patterns. Water shortages may also be expected in the future due to limited water storage capabilities and increased consumption. Water shortages often lead to restrictions on the irrigation of landscaping around structures, increasing the potential of vegetation to ignite and spread fire to nearby structures and wildlands.

The district is bounded by San Francisco Bay on the east and the foothills of the Santa Cruz Coastal Range on the west. This setting allows for strong gusty winds to blow through the Fire District. These winds are a common occurrence each afternoon during summer months. Wind increases a fire's ability to spread and has been attributed to the rapid spread of both vegetation and structure fires. This is especially true during Diablo wind events when strong northerly winds are aligned with the upslope direction of the canyons and watersheds of the coastal mountains.

Throughout the Fire District, homes are surrounded by heavy vegetation with interspersed open areas, creating a semi-rural character. The resulting exposure to wildfire risk is increased by the negative effects of high wind conditions during the fire season. During May to October, critical climatic fire conditions regularly occur when the temperature exceeds 80F; wind speed is greater than 15 mph, fuel moisture is less than or equal to 10 percent, wind direction is from north to the east-southeast, and the ignition component is 65 or greater. These conditions occur more frequently during the fire season, but this does not preclude the possibility that a serious fire could occur during other months of the year. The critical climate fire conditions create a situation conducive to rapidly moving, high-intensity fires. Fires starting in the wild land areas along the northern border are likely to move rapidly southward into the populated areas creating the potential for significant property loss and a very challenging evacuation problem.

(2) Vegetative Conditions

The Fire District includes a diverse mosaic of vegetation types, including oak woodland, mixed evergreen forest, grassland, and chaparral. Oak woodlands are the most widespread, with coast live oak dominating, but also including blue oak, canyon live oak, valley oak, black oak, and interior oak. In areas with interlocking evergreen canopy, especially on north and east facing slopes, the understory is primarily tree duff and low growing woody and herbaceous vegetation. In more open oak savanna woodlands, annual grasses and forbs are the primary understory. Chaparral is characterized by woody, drought-tolerant shrubs, many with hard, small, evergreen leaves. Common plants in the Fire District's chaparral include scrub oak, chamise, manzanita, buckeye, and ceanothus.

Much of the oak woodland, chaparral and grassland vegetation is recognized internationally as belonging to the "The California Interior Chaparral and Woodlands" Eco-Region,

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considered to be of outstanding global importance for the diversity of plant and animal species they support - many of those species only found in California. This Eco-Region covers 24,900 square miles in an elliptical ring around California's Central Valley, and occurs on hills and mountains ranging from 300 to 3,000 feet in elevation. It's estimated that 70% of this Eco-Region has been lost, and what remains is considered vulnerable to additional loss and fragmentation from development, fire suppression, overgrazing, conversion to annual grasses, and introduction of invasive species.

In their natural state, these vegetation types are characterized by periodic fires, occurring at intervals of as few as 10 years to over a hundred years. Many of the plants are pyrophytes, or "fire-loving," adapted to (or even dependent on) fire for reproduction, recycling of nutrients, and the removal of dead or senescent vegetation. Plants known as "fire followers" will germinate after the first seasonal rains following a low intensity natural fire. Many fire followers are soft-leaved, non-woody annual plants that die back with the summer dry period. With the introduction of many non-native species, these communities are vulnerable to colonization by invasive species following fires and other types of disturbance. Many invasive plants rapidly form dense stands that increase the fire hazard relative to healthy, naturally occurring vegetation types.

All vegetation in the Fire District reaches some degree of combustibility during the dry summer months and, under certain conditions, during the winter months. With longer intervals between fires, the dead material that accumulates and dense vegetation that develops can become highly flammable. In severe drought years, additional plant material may die, increasing the fuel load relative to a stand's age. A stand of 10 to 20-year-old brush typically contains enough dead material to produce rates of spread equivalent to fully cured grass. Because brush has a higher fuel load, fires in brush also yield much higher fire line intensity. The dead fuel load that has accumulated in a 20 to 30-year-old stand of brush may spread at twice the rate of a grass fire. Fire spread in very old brush (40 years or older) has been measured at eight times faster than grass (4 feet per second). Under extreme weather conditions these rates can be much higher, with the fastest fire spread rate in grass at up to 12 feet per second or about eight miles per hour. Residential structures within the wildland intermix or interface near mature brush fields are thus at greater threat from wildfire.

(3) Geological Conditions

Local geological conditions include high potential for seismic activity. The Fire District is comprised of built-up suburban areas having buildings and structures constructed near three major fault systems capable of producing major earthquakes, the modifications cited herein are intended to better limit life safety hazards and property damage in the aftermath of seismic activity.

The Fire District is in a region of high seismic activity with the Hayward fault running just east of its border. The San Andreas fault runs right through the district and the Calaveras Fault is to the east of the district. All three faults are known to be active, as evidenced by the damaging earthquakes they have produced in the last 100 years and can, therefore, be expected to do the same in the future. Of primary

 Author: Craig Taylor Date: 2/19/2024 12:27:00 PM
What defines "just"? Isn't the Hayward fault ~20 miles away?

 Author: Kim Giuliacci Date: 2/20/2024 2:30:00 PM
The District will remove the word just.

concern to the Fire District is the San Andreas Fault, which has been estimated to be capable of earthquakes exceeding a magnitude of 7 .0 on the Richter scale. Many underground utilities cross the fault, including major water supply lines.

Additional potential events following an earthquake include broken natural gas mains and ensuing fires in the streets; building fires, as the result of broken service connection, trapped occupants in collapsed structures; and requirements to render first aid and other medical attention to many residents.

(4) Topographical Conditions

Local topographical conditions include hillside housing with many narrow and winding streets with slide potential for blockage and limited firefighting water supply. These conditions create the potential for delays in responding when a major fire or earthquake occurs. Many situations will result in limiting or total blockage of fire district emergency vehicular traffic, overtaxed fire district personnel, and a lack of resources for the suppression of fire in both structures and vegetated areas in the Fire District.

The Fire District has many homes that are reached only by narrow and winding paved streets, which hamper access for fire apparatus and provide limited evacuation routes for residents. In addition, many of the hillside homes are in outlying areas that require longer response times for the total required firefighting force. Kings Mountain, Bear Gulch East, Skywood Estates, Old La Honda, Woodside Highlands, Los Trancos Woods and Vista Verde, and other areas with limited access via narrow and winding streets may face the problem of isolation from the rest of the Fire District and will suffer from the need for two-way traffic as evacuation and suppression response travel in opposite directions over limited roadways.

Effective road widths are further reduced by encroaching vegetation and mid-slope roads built without shoulders. This is particularly pronounced in older neighborhoods of Woodside and Portola Valley, some of which were laid out in the 1920s when vehicles were smaller, codes less stringent, and population density much lower.

Due to steep slopes that characterize many areas of the Fire District, the establishment of infrastructure to support adequate fire protection needs is not feasible. It is difficult to widen existing streets to meet present standards for emergency operations and fire hydrants, especially in the hillside areas, where we often have  than optimum water pressure levels.

In summary, portions of the Fire District have limited water supplies or roadways that delay the response of emergency equipment to carry out the extinguishment of a fire allowing the fire to increase in area.

- (i) Environmental Damage

Author: Craig Taylor Date: 2/19/2024 5:41:00 PM

More residents are installing roof sprinklers, is there a provision to limit the use of the community water supply? Requirements for onsite water or approved low-volume emitters?

Author: Craig Taylor Date: 2/19/2024 5:40:00 PM

At least in the Highlands it seems we have adequate hydrants.

Author: Kim Giuliacci Date: 2/20/2024 2:37:00 PM

The Fire District will look into this concern, but is not relevant to this ordinance.

Author: Kim Giuliacci Date: 2/20/2024 2:35:00 PM

The Fire District notes that the hillside areas often have less than optimum water pressure levels.

(1) Uncontrolled wildfire causes significant environmental impacts in the Fire District. These impacts include loss of vegetation and biodiversity; the potential for post fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHGs), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These impacts in turn can damage and sometimes destroy local natural resources.

(2) The Ordinance is intended to minimize the loss of structures and natural resources impacts of uncontrolled wildfire, including loss of vegetation and biodiversity; potential for post-fire erosion, landslides, and debris flows; adverse air quality, increased greenhouse gases (GHG), climate change, and water quality impacts; and contaminated and hazardous material disposal challenges. These environmental and natural resources effects can also lead to public health impacts.

(3) Furthermore, fires that occur in the built environment contribute to air contamination from the fire plume, whose deposition is likely to subsequently include land and water contamination, contamination from water runoff containing toxic products, and other environmental discharges or releases from burned materials.

(4) Studies have shown that low intensity, controlled fire enhances biodiversity by controlling invasive and noxious weed species, thereby allowing native plants to compete more effectively, as well as by opening overgrown understory to allow for wildlife to move more freely across the landscape. Additionally, several of the endemic species of the region require fire to germinate. With low-intensity fire, the chaparral habitat would become more stratified in life stages and thereby increasing its fire resiliency and habitat value.

(5) Reducing the potential for high intensity wildfire through this Ordinance would reduce the significant environmental impacts caused by uncontrolled wildfire and assure the maintenance, restoration, enhancement, and protection of the Fire District's natural resources and environment.

(6) Wildfires are inevitable in a fire dependent ecosystem such as California. They often occur and spread unexpectedly and with surprising speed. They cause immense damage every year, putting lives and property in clear and imminent danger. As stated under Sections 2(a), 2(b) and 2(c) of this Ordinance, the California Legislature has found that "Catastrophic wildfires pose an urgent threat to lives, properties, and resources in California." Since October 30, 2015, the State has been under a Governor's State of Emergency Proclamation due to the increased risk of wildfires related to vast tree mortality. In addition, according to the California Office of Emergency's website, the State is currently under numerous separate State of Emergency Proclamations issued by the Governor related to wildfires.
<https://www.caloes.ca.gov/office-of-the-director/policy-administration/legal-affairs/emergency-proclamations/>

(7) The need for immediate action to prevent wildfire and its associated damage

Author: Craig Taylor Date: 2/19/2024 5:42:00 PM
Talking about what the ordinance does, seems out of place in the findings of fact.

Author: Kim Giuliacci Date: 2/20/2024 2:40:00 PM
The Findings of Fact reflect the purpose and intent of the ordinance.

Author: Craig Taylor Date: 2/19/2024 12:34:00 PM
Same as above. Talking about what the ordinance does in this section seems out of place.

Author: Kim Giuliacci Date: 2/20/2024 2:40:00 PM
The Findings of Fact reflect the purpose and intent of the ordinance.

Author: Kim Giuliacci Date: 2/7/2024 4:30:00 PM
This was all reworded.

to life, health, property, and essential public services is also well-documented. In recent years, the Governor has repeatedly issued emergency proclamations related to fire – five in 2022, seven in 2021, and six in 2020. These both evidence and acknowledge the need for immediate action to address wildfire hazards, particularly in fire-prone areas within the state.

(8) Some of California’s largest, deadliest, and most destructive wildfires have occurred within the last five years. This is due, in part, to climate change and global warming which causes both land and air to become drier than normal, thus making the perfect conditions for wildfires to ignite.

Experts predict that, as climate change continues, and global temperatures continue to rise, wildfire season in California will continue to extend with more months featuring conditions conducive to uncontrolled wildfire.

Several major wildfires raged in California in 2020, many of which are now amongst the largest wildfires in California history. The 2020 California lightning complex fires were particularly destructive, resulting in the loss of countless structures, several lives, and hundreds of thousands of acres of land.

The CZU Lightning Complex, LNU Lightning Complex, and SCU Lightning Complex fires impacted residents across the Bay Area as the result of dry lightning and major thunderstorms. The CZU Lightning Complex fires consisted of multiple fires throughout the San Mateo and Santa Cruz counties. The fires started in mid-August due to a severe thunderstorm that initially started several separate fires, including the Warnella and Waddell fires. Due to a change in wind conditions, these separate fires merged together and rapidly spread through nearby communities, including Swanton, Boulder Creek, and Bonny Doon.

The CZU Lightning Complex fire incident was finally contained on September 22, 2020, after burning 86,509 acres, destroying 1,490 structures, and causing one death.

As California’s climate conditions continue to worsen, fires like these are becoming more common than ever, making it all the more important for California residents to protect themselves against these emergencies.

(9) Uncontrolled wildfires are emergencies, involving clear and imminent dangers, demanding immediate action to prevent or mitigate loss of, or damage, to life, health, property, or essential public services. This ordinance establishes actions necessary to prevent or mitigate such emergencies.

SECTION 3. APPLICABILITY



- (a) This Ordinance establishes fuel mitigation and exterior hazard abatement standards in all state and local responsibility areas within the Fire District.
- (b) The amount of fuel modification necessary shall consider the flammability of the

Author: Craig Taylor Date: 2/19/2024 12:36:00 PM
Same as above. Not part of the finding of fact

Author: Kim Giuliacci Date: 2/20/2024 2:41:00 PM
The Findings of Fact reflect the purpose and intent of the ordinance.

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.

(c) The intensity of fuels management will vary within the one hundred (100') foot perimeter of a Structure, the most intense being used between five (5') feet and thirty (30') feet around the Structure, and an ember-resistant zone being required within five (5') feet of the structure, including attached decks.

(d) This Ordinance shall apply to the following Parcels (the "Affected Parcels"):

(1) All Improved Parcels within the jurisdiction of the Woodside Fire Protection District, at all times of year.

(2) All Parcels adjacent to Improved Parcels where: (a) the owner/occupant of the Improved Parcel is unable to obtain the required Defensible Space, as delineated in this Ordinance; and (b) the current condition of fuels on the subject Parcel is assessed by the Fire Code Official as a Fire Hazard. The owner of the subject Parcel shall provide for the fuel modifications to meet the Defensible Space requirements of the adjacent Improved Parcel subject to this Ordinance and applicable law including the finding that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure.

(3) All Parcels adjacent to a Fire Apparatus Access Road or Driveway.

(e) If any part of this Ordinance is in conflict with any other Ordinance adopted by the Fire District, the more restrictive provision(s) shall control.

(f) The Fire District Board of Directors reserves its right to adopt reasonable rules, regulations, and resolutions consistent with this Ordinance to enforce, interpret, and carry out the provisions of this Ordinance. Such rules, regulations and resolutions may vary between different areas within the Fire District.

(g) It shall be the duty of every person who owns, leases, controls, operates, or maintains a dwelling or structure on an Affected Parcel to abate therefrom, and from Fire Apparatus Access Roads and driveways on or immediately adjacent thereto, all Combustible Material, and Hazardous Vegetation which constitutes a Fire Hazard.

SECTION 4. DEFINITIONS

ABATE or **ABATEMENT**. Shall mean an act used to remove, destroy, eliminate, seize, impound, or any action taken to mitigate a public nuisance.

ABATEMENT COSTS. Shall mean any and all costs incurred by the Woodside Fire Protection District to enforce this Ordinance and to abate the hazardous vegetation or combustible material on any property pursuant to this Ordinance, including physical abatement costs, administration fees and any additional actual costs incurred for the abatement proceeding(s), including attorney's fees, if applicable.

Author: Craig Taylor Date: 2/19/2024 11:32:00 AM
How is this taken into consideration?

Author: Kim Giuliacci Date: 2/20/2024 2:42:00 PM
The Fire District relies on the training, expertise and knowledge of the Fire Code Official and Staff.

Author: Craig Taylor Date: 2/19/2024 12:39:00 PM
How is this defined? Not in the definitions below.

Author: Kim Giuliacci Date: 2/20/2024 2:45:00 PM
Please refer to zone zero definition.

Author: Craig Taylor Date: 2/19/2024 12:41:00 PM
See my later comment on "taking"

Author: Craig Taylor Date: 2/19/2024 12:43:00 PM
Seems overly arcane

Author: Kim Giuliacci Date: 2/20/2024 2:46:00 PM
The Fire District notes your comment.

Author: Craig Taylor Date: 2/19/2024 12:45:00 PM
Would it be better to say something like "comply with this ordinance"?

Author: Kim Giuliacci Date: 2/20/2024 2:48:00 PM
The Fire District feels this establishes the general obligation of every person to maintain their dwelling or structures on their parcels free from fire hazards.

Author: Craig Taylor Date: 2/19/2024 5:44:00 PM
Small editorial comment. Some definition titles end with a period some do not. Some periods are bold some not. I didn't fix them, wasn't sure which direction you want to go.

APPROVED VEGETATION. Plants, shrubs, trees, groundcovers and other vegetation approved by the Fire District which exhibit properties, such as ~~high moisture content, little accumulation of dead vegetation, and low sap or resin content, that make them less likely to ignite, contribute heat or spread flame in a fire.~~ Typically, vegetation must be irrigated to be fire resistant.

[Note: The following sources contain examples of types of vegetation that can be considered as fire-resistant vegetation:

Portola Valley Conservation Committee's ~~guide to Understory Habitat and Defensible Space~~

(<https://www.portolavalley.net/home/showpublisheddocument/15183/637728279341370000>);

Portola Valley Conservation Committee's list of Low Fire Hazard California Native Plants

(<https://www.portolavalley.net/home/showpublisheddocument/14083/637425259236670000>)

Fire resistant plants for home landscapes a Pacific Northwest Extension publication;
Home landscaping for Fire, University of California Division of Agriculture and National Resources;
Sunset Western Garden Book]

AGENCY HAVING JURISDICTION. The agency that has legal authority to enforce, adopt or amend a code or ordinance.

BIOMASS. Shall mean all green waste material generated during the fuel treatment project. Biomass includes, without limitation, all grass, weeds, vegetation, and tree trimmings.

BRUSH. Vegetation—typically un-irrigated--with a woody component and multiple stems less than four (4) inches in diameter at breast height examples include: Broom, Coyote Brush, Cypress, Juniper and Poison Oak.

COMBUSTIBLE MATERIAL. Rubbish, litter, or material of any kind other than Hazardous Vegetation, that is combustible, creates a fire hazard and/or endangers public safety.

DAYS. Shall mean calendar days.

DEFENSIBLE SPACE. Means that area described in 14 California Code of Regulations section 1299, Government Code section 51182, Public Resources Code Section 4291 and as otherwise described in this Ordinance, which is adjacent to each exterior side of a building or Structure and must be cleared of Hazardous Vegetation, Combustible Material, and other items, as set forth in this Ordinance. The area includes Zone 0, Zone 1, and Zone 2, extending 100 feet from any Structure.

DRIVEWAY. An access road from the public way to a Structure that is used for public or private vehicular access, including fire and emergency apparatus or vehicles.

FIRE APPARATUS ACCESS ROAD. A public or private road that provides fire apparatus

Author: Kim Giuliacci Date: 2/7/2024 4:31:00 PM
This will be added to the guideline.

Author: Megan Richards Date: 11/7/2023 9:07:00 PM
We suggest adding a description of characteristics that make vegetation less flammable, and including resources here - as an alternative to referencing an approved groundcover list to be provided by the District.

Author: Craig Taylor Date: 2/19/2024 12:49:00 PM
What will be added to the guidelines, just the sources?

Author: Kim Giuliacci Date: 2/20/2024 2:49:00 PM
The Fire District will be adding sources and examples.

Author: Craig Taylor Date: 2/19/2024 12:10:00 PM
What defines combustible? Are asphalt shingles combustible?

Author: Kim Giuliacci Date: 2/20/2024 2:51:00 PM
The Fire District refers to the definitions of fire hazard and hazardous vegetation.

Author: Craig Taylor Date: 2/19/2024 12:53:00 PM
Hazardous Vegetation includes brush

Author: Kim Giuliacci Date: 2/20/2024 2:52:00 PM
Correct, as defined in the definition for brush.

Author: Craig Taylor Date: 2/19/2024 6:13:00 PM
Is the area defined by the zones? Could you say as defined by zones 0,1 and 2

Author: Kim Giuliacci Date: 2/20/2024 2:55:00 PM
The existing language accurately defines defensible space.

access from a fire station to a facility, building, or portion thereof. This is a general term that includes, but is not limited to, a fire lane, public street, public right of way, private street, parking lot lane, and access road.

FIRE CODE OFFICIAL. The Fire Chief or their duly authorized representatives.

FIRE HAZARD. Any condition, arrangement, act, or omission that:

1. Will increase, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing, or extinguishing fire, or
2. May obstruct, delay, hinder, or interfere with the operations of a fire department or the egress of occupants in the event of a fire.

FUELS. Any combustible material, including petroleum-based products, cultivated landscape plants, grasses, weeds, wildland vegetation, and fences.

FUELS, AERIAL. Standing and supported live and dead combustibles not in direct contact with the ground and consisting mainly of foliage, twigs, branches, stems, cones, bark, and vines.

FUELS, LADDER. Any fuels that could carry fire vertically between or within Combustible Material or Hazardous Vegetation including but not limited to a wood fences located within five (5) feet of any other Structure.

FUELS, SURFACE. Fuels found on the surface of the ground. These include grasses, brush, logs, and stumps.

HAZARDOUS VEGETATION. Shall mean any vegetation that is combustible and endangers public safety by creating a Fire Hazard. Hazardous vegetation is those vegetative materials that will readily ignite, burn, and transmit fire to any Structure or other surrounding and/or adjacent vegetation. Hazardous vegetation includes, but is not limited to, dry grass greater than four inches (4 in.) in height, accumulations of leaves, brush, weeds, green waste, dead or dying shrubs or trees, low-hanging branches, litter, or other flammable vegetation. Hazardous vegetation shall not include commercial agricultural crop that is being actively grown and managed by the property owner or his or her legal tenant. Hazardous Vegetation shall not include healthy, mature trees.

IMPROVED PARCEL Shall mean a portion of real property on which a Structure is located, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

LOCAL RESPONSIBILITY AREA (LRA). An area of the state that is not a State Responsibility Area or federal property, and where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the city, town, county, city and county, district, or another local public agency.

MODIFICATION. An alternative to the specified standard requested by a person that owns, leases, or controls one or more of the Affected Parcels that may be necessary due to health, safety,

Author: Kim Giuliacci Date: 2/7/2024 4:39:00 PM
The other recommendations for this definition were rejected because that is not part of the definition of ladder fuels.

Author: Craig Taylor Date: 2/19/2024 3:18:00 PM
Seems out of place and unnecessary. Are there other examples?

Author: Kim Giuliacci Date: 2/20/2024 2:57:00 PM
The Guidelines will provide additional examples.

Author: Kim Giuliacci Date: 2/7/2024 4:37:00 PM
The fences have to be made of wood to make them combustible as well as a ladder fuel.

Author: Craig Taylor Date: 2/19/2024 5:47:00 PM
Add forbs? Conservation add forbs in their language. Maybe in the definition, grasses could be grasses and forbs

Author: Kim Giuliacci Date: 2/20/2024 2:58:00 PM
The Fire District will add forbs to surface fuels.

Author: Craig Taylor Date: 2/19/2024 1:00:00 PM
Combustible is not defined

Author: Kim Giuliacci Date: 2/20/2024 3:01:00 PM
The term combustible is defined by reference to the term fire hazard and combustible material.

Author: Kim Giuliacci Date: 2/7/2024 5:01:00 PM
Highly is not part of the definition of hazardous vegetation.

Author: Craig Taylor Date: 2/19/2024 3:28:00 PM
So scrubs and tress are OK if they are not dying?

Author: Kim Giuliacci Date: 2/20/2024 3:02:00 PM
Shrubs and Trees that are alive are not hazardous vegetation.

environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.

MULCH. Leaves, needles, duff, bark, twigs, small branches, wood chips and other loose surface litter or organic materials that help retain soil moisture and reduce invasion by flammable weeds.

OUTBUILDING. Buildings or Structures that are less than one hundred-twenty square feet in size and are not used for human habitation, and buildings or Structures with a roof but no walls.

PARCEL A portion of real property of any size, the area of which is determined by the Assessor's maps and records, and which may be identified by an Assessor's Parcel Number.

PERSON. Includes any agency of the state, and any county, city, special district, or other local public agency, and any individual, firm, association, partnership, business trust, corporation, nonprofit corporation, limited liability company, or company.

REAL ESTATE TRANSACTION. Shall mean the transfer of real property between individuals or entities.

RESPONSIBLE PARTY. Shall mean an individual, association, co-partnership, political subdivision, government agency, municipality, industry, public or private corporation, firm, organization, partnership, joint venture or any other person or entity whatsoever whose act or omission caused or contributed to a violation of this Ordinance.

SAME PRACTICAL EFFECT. This term shall have the same definition as "Same Practical Effect" in the Fire Safe Regulations, California Code of Regulations, title 14, section 1270.01(a)(a).

STATE RESPONSIBILITY AREA (SRA). An area of the state identified by the Board of Forestry and Fire Protection pursuant to Public Resources Code Section 4125 where the financial responsibility for preventing and suppressing fires is primarily the responsibility of the state.

STRUCTURE. Shall mean any dwelling, house, building, or other types of construction with an area of 120 square feet or greater, whether or not occupied which have a permanent roof structure and are supported by walls or posts that are secured to the ground.

UNIMPROVED PARCEL Shall mean a portion of land of any size, the area of which is determined by the Assessor's maps and records and may be identified by an Assessor's Parcel Number (APN) upon which no Structure is located.

WEEDS. Plants, typically nonnative, that to varying degrees spread invasively, grow rapidly, and are difficult to control.

WILDFIRE SAFETY PLAN. A plan approved by the Fire Code Official in accordance with Section 7 of this Ordinance.

ZONE 0. Referred to as the Ember-resistant Zone or Home Ignition Zone, it extends from 0 to 5 feet from any Structure, attached deck, or Outbuilding on the Parcel. Zone 0 requires the most

This page contains no comments

stringent wildfire fuel reduction. This Ember-resistant Zone is designed to ensure that fire or embers from igniting materials cannot spread to the Structure.

ZONE 1. Referred to as the Lean, Clean, and Green Zone, it extends from 5 feet to 30 feet from any Structure or attached deck.

ZONE 2. Referred to as the Reduced Fuel Zone, it extends from 30 feet to 100 feet from any Structure or attached deck.

SECTION 5. FUEL MITIGATION REQUIREMENTS

(a) Defensible Space for Structures and Attached Decks. All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Improved Parcel within the Fire District shall maintain Defensible Space adjacent to all Structures and attached decks on the Improved Parcel as follows.

(1) Zone 0

(A) Requirements

(i) Remove Hazardous Vegetation and Combustible Materials that are within the first five feet (5 ft.) of or above a Structure and any attached deck.

(ii) Remove Hazardous Vegetation and Combustible Materials that are adjacent to or under combustible decks, porches, balconies, stairs, or similar attached accessories.

(iii) No combustible bark or mulch is allowed in this zone. Consider using hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

Exception: Groundcovers consisting of irrigated, approved vegetation if they do not form a means of readily transmitting fire as determined by the fire code official.

(iv) Ensure all live tree branches are kept a minimum of 10 feet above the roof and decking.

(v) Ensure all live branches are kept a minimum of 5 feet away from the sides of the structure.

(vi) Ensure all branches are a minimum of ten feet (10 ft.) away from chimney and stovepipe outlets.

(vii) All plants, shrubs, branches, leaves, weeds, and pine needles have been removed from around the “Structure” including

Author: Craig Taylor Date: 2/19/2024 4:07:00 PM

How do we handle construction sites? Lots of flammable material in the zones?

Author: Kim Giuliacci Date: 2/20/2024 3:06:00 PM

The conditions of approval on a construction permit require specific safety measures. Upon completion of the constructed structure, this ordinance applies.

Author: Craig Taylor Date: 2/19/2024 1:12:00 PM

See the "taking" comments. Seems like all parcels have the obligation if there is a structure nearby.

Author: Craig Taylor Date: 2/19/2024 1:29:00 PM

"Remove" is an action. The requirement is that Hazardous Vegetation and Combustible Materials have been removed. See Zone 1 (A)(i)

Author: Kim Giuliacci Date: 2/20/2024 3:08:00 PM

Your comment is noted.

Author: Craig Taylor Date: 2/19/2024 1:14:00 PM

How is this defined? Doesn't (i) cover it?

Author: Kim Giuliacci Date: 2/20/2024 3:12:00 PM

The Fire District has removed the word adjacent.

Author: Craig Taylor Date: 2/19/2024 5:49:00 PM

How does this work with small "islands" with mulch at the base of a planting? Is there mulch that is not considered combustible?

Author: Kim Giuliacci Date: 2/20/2024 3:13:00 PM

Yes, there is fire resistive mulch. Further information will be provided in the guidelines.

Author: Craig Taylor Date: 2/19/2024 1:15:00 PM

Does this belong in the guidelines?

Author: Kim Giuliacci Date: 2/20/2024 3:14:00 PM

This language has also been included in the guidelines, but was provided here as a recommendation.

Author: Craig Taylor Date: 2/19/2024 5:51:00 PM

What defines "irrigated"? Moist or has to be watered? Are succulents irrigated? Other parts of the document use "typically irrigated". Could you say "maintained approved vegetation"?

Author: Kim Giuliacci Date: 2/20/2024 3:15:00 PM

Further information will be provided in the guidelines.

on the roof or rain gutters of the "Building or Structure" or any other location within the Zone.

Exception: Groundcovers consisting of irrigated, approved vegetation if they do not form a means of readily transmitting fire as determined by the fire code official.

(viii) Relocate firewood piles out of Zone 0.

(ix) Maintain the roof of a Structure free of leaves, needles, or any combustible debris.

(x) Grasses must be (1) removed or (2) irrigated and cut to less than 4 inches.

(xi) For new construction of Structures arising after adoption of this Ordinance, Acacia (Genus Acacia), Bamboo (Genus Bambusa), Cypress (Genus Cupressus), Eucalyptus (Genus Eucalyptus), Junipers (Genus Juniperus) and Monterey Pines (Pinus Radiata), are not permitted.

(B) Suggestions and Education for Zone 0

(i) Use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

(ii) Limit combustible items such as outdoor furniture, planters, and other combustible items on top of decks.

(iii) Replace combustible fencing, gates, trellis, and arbors attached to the Structure(s) with noncombustible features. For existing fences, consider providing a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible material.

(iv) Relocate garbage and recycling containers outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.

(v) Relocate boats, RVs, vehicles, and other combustible items outside of this zone unless in a secured, fire-resistant enclosure or covered with a secured, fire-resistant material.

(2) Zone 1

(A) Requirements

Author: Craig Taylor Date: 2/19/2024 1:21:00 PM
What is the intent? Is it just roof and gutters? Don't the previous items (i) and (ii) already cover most of this?

Author: Kim Giuliacci Date: 2/20/2024 3:18:00 PM
This language was taken from The State Fire Marshal's template for the Model D Space document.

Author: Craig Taylor Date: 2/19/2024 1:22:00 PM
Seem previous comment

Author: Kim Giuliacci Date: 2/20/2024 3:19:00 PM
Further information will be provided in the Guidelines.

Author: Craig Taylor Date: 2/19/2024 11:40:00 AM
Shouldn't this be no wood piles in Z0?

Author: Kim Giuliacci Date: 2/20/2024 3:21:00 PM
Noted.

Author: Craig Taylor Date: 2/19/2024 11:40:00 AM
How is this different from (vii)

Author: Kim Giuliacci Date: 2/20/2024 3:21:00 PM
This language was taken from The State Fire Marshal's template for the Model D Space document.

Author: Craig Taylor Date: 2/19/2024 1:35:00 PM
Add forbs

Author: Kim Giuliacci Date: 2/20/2024 3:21:00 PM
This has been added.

Author: Craig Taylor Date: 2/19/2024 5:52:00 PM
Why is this here? Are there suggestions for Z1 and Z2 and all zones? Should this be in the guidelines?

Author: Kim Giuliacci Date: 2/20/2024 3:22:00 PM
This language was taken from The State Fire Marshal's template for the Model D Space document.

Author: Kim Giuliacci Date: 2/7/2024 5:14:00 PM
It is but first we are providing the alternate to no combustible bark or mulch and then here, its an overall suggestion.i

Author: Nona Chiariello Date: 1/22/2024 4:47:00 PM
Redundant with (iii) above

Author: Craig Taylor Date: 2/19/2024 11:42:00 AM
How about a 4x4 wooden post next to non-combustible siding (stucco)?

Author: Kim Giuliacci Date: 2/20/2024 3:23:00 PM
This is a recommendation not a requirement.

Author: Craig Taylor Date: 2/19/2024 11:42:00 AM
How is this defined?

Author: Kim Giuliacci Date: 2/20/2024 3:24:00 PM
This is a recommendation and not requirement.

(i) All hazardous vegetation and combustible material shall be removed by the owner or occupant of the parcel. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, small branches, and ~~and~~ ~~match~~, shall be permitted to a maximum depth of four inches (4 in.).

(ii) Relocate exposed firewood piles to Zone 2 unless they are completely covered in a fire-resistant material.

(iii) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. The "Fuel Separation" method is attached as Appendix A to this Ordinance. The "Continuous Tree Canopy" method is attached as Appendix B to this Ordinance. Remove branches from no more than 1/3 the height of young trees.

(iv) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 2, the following standards shall apply.

a. All dead and dying woody surface fuels and aerial fuels shall be removed. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches, shall be permitted to a maximum depth of ~~three~~ four inches (3 4 in.)

Exceptions:

Single specimens of dead trees in zone 2 or beyond with trunk diameters of 12 inches or greater with only major limbs remaining that are of likely benefit to wildlife will be allowed at the discretion of the Fire Code Official.

b. Annual grasses and forbs shall be cut/trimmed down to a maximum height of four inches (4 in.) (3) Zone 2

(A) Requirements

(i) Horizontal and vertical spacing among shrubs and trees shall be maintained using the "Fuel Separation" method, the "Continuous Tree Canopy" method or a combination of both to achieve defensible space clearance requirements. The "Fuel Separation" method is attached as Appendix A to this Ordinance. The "Continuous Tree Canopy" method is attached as Appendix B to this Ordinance.

Author: Craig Taylor Date: 2/19/2024 5:54:00 PM

Capitalization? Most places you have these capitalized. I didn't correct these but I assume words with definitions get capitalized.

Author: Kim Giuliacci Date: 2/20/2024 3:25:00 PM

Noted.

Author: Kim Giuliacci Date: 2/7/2024 5:18:00 PM

Also reworded to include the language from the previous draft as requested.

Author: Kim Giuliacci Date: 2/7/2024 5:15:00 PM

This has been completely removed and further information on mulch and acceptable types and usage will be in the guideline. As well as what is permitted like fallen leaves, twigs, up to 4 inches.

Author: Kim Giuliacci Date: 2/7/2024 5:19:00 PM

done

Author: Nona Chiariello Date: 1/22/2024 4:49:00 PM

Please restore this from the previous version

Author: Craig Taylor Date: 2/19/2024 5:55:00 PM

Different that Z0 requirement?

Author: Kim Giuliacci Date: 2/20/2024 3:26:00 PM

Yes, one is allowed to have firewood piles in Zone 1 if they are covered with a fire-resistant material.

Author: Kim Giuliacci Date: 2/7/2024 5:30:00 PM

This has been added to the guideline.

Author: Nona Chiariello Date: 1/22/2024 4:51:00 PM

Please restore this from the previous version of the draft ordinance.

Author: Kim Giuliacci Date: 2/7/2024 5:36:00 PM

This will be added to the guideline but will only be allowed beyond zone 2. In forest health, this is fine, but not when it's within 100 ft of any structure, will not be allowed. So if a property is large enough, this will be acceptable as it would be acceptable in a forest, for the reasons I already described above, which is why it was taken out.

Author: Nona Chiariello Date: 1/22/2024 4:56:00 PM

Please restore these Exceptions which were in the previous draft ordinance.

Author: Craig Taylor Date: 2/19/2024 1:33:00 PM

Should this be in Zone 2 section?

Author: Kim Giuliacci Date: 2/20/2024 3:28:00 PM

This is not in our current redraft concerning zone 1.

Author: Kim Giuliacci Date: 2/7/2024 5:39:00 PM

This is no longer the case, this will be required to maintained throughout the entire fire season, almost year round, outside of the wet months.

Author: Craig Taylor Date: 2/19/2024 5:56:00 PM

Making it the entire year seems right given climate change

(ii) In both the Fuel Separation and Continuous Tree Canopy methods in Zone 2, the following standards shall apply:

a. All dead and dying woody surface fuels and aerial fuels shall be removed. Mulch shall be permitted to a maximum depth of four inches (4 in.).

Exceptions:

Single specimens of dead trees in zone 2 or beyond with trunk diameters of 12 inches or greater with only major limbs remaining that are of likely benefit to wildlife will be allowed at the discretion of the Fire Code Official.

Tree trunks greater than 8 inches in diameter can be left in place on the ground to decay over time if the entire trunk surface is in contact with the ground.

b. Annual grasses and forbs shall be cut/trimmed down to a maximum height of four inches (4 in.) no later than 15 June each year.

c. All exposed wood piles shall have a minimum of ten feet (10 ft.) of clearance, down to bare mineral soil, in all directions, or shall use hardscape like gravel, flagstone, permeable pavers or blocks, pervious or porous concrete, or other noncombustible materials.

(4) All Zones

(A) Requirements

(i) All Outbuildings and Liquid Propane Gas (LPG) storage tanks shall have the following minimum clearance:

a. Ten feet (10 ft.) of clearance to bare mineral soil or use other noncombustible items such as gravel, permeable pavers or blocks, pervious or porous concrete.

b. No dead or dying vegetation for an additional ten feet (10 ft.) around their exterior.

(ii) Climbing vines must be removed from trees and Structures within the one hundred (100') foot defensible space zone around Structure(s).

Author: Kim Giuliacci Date: 2/7/2024 5:47:00 PM
This will be listed in the guideline.

Author: Kim Giuliacci Date: 2/7/2024 5:48:00 PM
This will be in the guidelines to be acceptable beyond zone 2. It will be recommended if you have these in zone 1 or 2, then chip it and spread around your property.

Author: Kim Giuliacci Date: 2/7/2024 5:50:00 PM
Again there's no date that will be stated, it just has to be done.

Author: Craig Taylor Date: 2/19/2024 11:45:00 AM
Is a wood rat nest considered a wood pile?

Author: Kim Giuliacci Date: 2/20/2024 3:34:00 PM
Please refer to Section 5 (g) of the ordinance.

Author: Craig Taylor Date: 2/19/2024 1:38:00 PM
Is it ember resistant? Could you use zone 0 definition?

Author: Kim Giuliacci Date: 2/20/2024 3:36:00 PM
This language was taken from The State Fire Marshal's template for the Model D Space document.

Author: Craig Taylor Date: 2/19/2024 5:58:00 PM
Not sure how to parse this. Outbuilding containing LPG storage?

Also LPG storage seem like it should have its own section, similar to photovoltaic.

Author: Kim Giuliacci Date: 2/20/2024 3:36:00 PM
Noted.

Author: Craig Taylor Date: 2/19/2024 5:58:00 PM
Do storage tanks include 5 gallon tanks for BBQs

Author: Kim Giuliacci Date: 2/20/2024 3:37:00 PM
The Fire District has modified the language in the ordinance to specifically identify non-portable/permanently installed.

Exception: Approved vegetation that is irrigated, cleared of dead material, located and maintained so that it does not act as a ladder fuel, as determined by the fire code official.

(iii) Maintain the Parcel free of ladder fuels within the 100 foot Defensible Space area around Structure(s).

(b) Photovoltaic Systems and Equipment. Clearance requirements around free-standing (ground-mounted) photovoltaic systems and equipment shall comply with the following:

(1) A minimum 10-foot clearance for clusters of panels not exceeding 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent five feet of clearance shall meet the Zone 1 standards.

(2) A minimum 30-foot clearance for clusters of panels greater than 1,500 square feet of the combined panel area. The initial five feet of clearance shall meet the Zone 0 standards. The subsequent clearance shall meet the Zone 1 standards.

(3) Clusters shall be separated a minimum of 20 feet, edge to edge.

(c) Adjacent Parcels.

(1) When a Structure is less than 100 feet from a property line and Combustible Material or Hazardous Vegetation on an adjacent Parcel presents a Fire Hazard for the Structure, the Persons who have any ownership or possessory interest or easement obligation interest in or control of any adjacent Parcel where the Fire Hazard exists shall be responsible for clearing the area on their land which is within 100 feet of the Structure and is needed to provide the necessary fire protection in the manner and to the extent required by the Fire Code Official, in accordance with Section 3 of this Ordinance and the Zone 0, Zone 1, and Zone 2 clearance standards.

(2) Where the terrain, condition, or environment on the adjacent Parcel is such that it cannot or should not be disked or mowed, the Fire Code Official may approve modifications.

(d) Roadside Vegetation.

(1) All Persons who have any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District that abuts a Fire Apparatus Access Road or driveway shall:

(A) Remove all Hazardous Vegetation that is within ten (10) feet, measured horizontally, from the edge of the Fire Apparatus Access Road or five (5) feet measured horizontally, from the edge of any driveway.

Author: Craig Taylor Date: 2/19/2024 5:59:00 PM
Since this is in the "All Zones" section, you could delete this last part.

Author: Kim Giuliacci Date: 2/20/2024 3:37:00 PM
Noted

Author: Kim Giuliacci Date: 2/7/2024 5:51:00 PM
Funny, I was going to add that in, thanks for putting that together.

Author: Craig Taylor Date: 2/19/2024 5:59:00 PM
Fences were included as ladder fuel in the definition. I don't think you intend to ban fences in all zones. Needs clarification

Author: Kim Giuliacci Date: 2/20/2024 3:45:00 PM
The definition of ladder fuels refers to wood fences within 5 feet of the structure. Please see section 5 (e) for further explanation.

Author: Craig Taylor Date: 2/19/2024 11:46:00 AM
Are there standards for batteries and controllers?

Author: Kim Giuliacci Date: 2/20/2024 3:51:00 PM
The Fire District has add language to address that.

Author: Craig Taylor Date: 2/19/2024 6:14:00 PM
Let's TALK. Needs clarification. This seems like a "taking", in the legal sense, of another person's property rights. Example I put in an ADU 5 ft from the property line and require my neighbor to clear their property at their expense.

At a minimum should the owner of the structure bear the costs that are above and beyond what is required for their neighbor's property?

Author: Kim Giuliacci Date: 2/22/2024 8:17:00 PM
It is District Counsel's opinion that the regulations do not meet the legal definition of a "taking." A significant factor considered, in evaluating the existence of a regulatory "taking," is the character of the government action. In that regard, the Ordinance represents regulations to protect public health and safety, which is the type of action that does not generally qualify as a "taking."

Author: Craig Taylor Date: 2/19/2024 11:51:00 AM
This sounds like fuel break language, does it belong here?

Author: Kim Giuliacci Date: 2/20/2024 3:52:00 PM
This language was taken from The State Fire Marshal's template for the Model D Space document. It is intended to apply to properties that may have difficulty accessing areas of their parcel that pose a safety risk if they were to try to mitigate.

(B) Ensure that all portions of any tree, located on a Parcel of which the Person has an ownership or possessory interest or easement obligation in or control, overhanging a Fire Apparatus Access Road or driveway has at least 13.5 feet, measured vertically, of clearance from the roadway surface.

(C) Maintain free of Ladder Fuels a minimum of a ten-foot-wide strip of land beyond the shoulder of a Fire Apparatus Access Road and of a driveway to the appropriate height according to appendix B of this ordinance along the boundary of a Parcel.

(2) No Parcel owner may allow any portion of vegetation on his or her property to interfere with street and emergency vehicle access, regardless of whether the access is along a public street or along a private residential access road. The Fire Code Official may provide written notice to the property owner requiring vegetation to be trimmed to at least 13.5 feet of vertical clearance and at least 10 feet of horizontal vegetation management from the edge of the roadway when the Fire Code Official determines the vegetation would otherwise interfere with street or emergency vehicle access.

(e) Fences. No Person who has any ownership or possessory interest or easement obligation interest in or control of any Parcel within the Fire District shall construct or allow to be constructed or placed on the Parcel any screen, barrier or other Structure made in whole or in part, of bark, mulch, or wood chips within 100 feet of a Structure or within 10 feet of the edge of a Fire Apparatus Access Road or driveway.

Any new combustible fence shall have a separation distance of at least 6 feet from any structure unless the last 6 feet of fence connecting to the structure is constructed of non-combustible materials.

(f) Additional Fuels Management. The Fire Code Official may mandate additional fuels management of an area more or less than the above-referenced widths or height on a Parcel and all sidewalks and roadways on or immediately adjacent thereto, for the protection of public health, safety or welfare or the environment if the Fire Code Official finds that the additional fuels management is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite a Structure. The Fire Code Official shall determine appropriate defensible space distances based upon a visual inspection of the Parcel and shall consider all factors that place the Structure(s) on the adjacent Improved Parcel at risk from an approaching fire. These factors shall include but are not limited to, local weather conditions, fuel type(s), topography, and the environment where the adjacent parcel or the Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.

(g) Environmental Concerns.

(1) The fuel mitigation requirements of this Ordinance shall not impact any environmental resources of hazardous or critical concern where designated,

Author: Craig Taylor Date: 2/19/2024 3:30:00 PM
Why is this under fences? First part seems more like berms

Author: Kim Giuliacci Date: 2/20/2024 3:53:00 PM
The intent is to prevent residents from building a wall or privacy wall using these described materials.

Author: Craig Taylor Date: 2/19/2024 11:54:00 AM
Doesn't this belong under defensible space?

Author: Kim Giuliacci Date: 2/20/2024 3:59:00 PM
Noted.

Author: Craig Taylor Date: 2/19/2024 6:14:00 PM
Is a rebuilt fence considered "new"?

Author: Kim Giuliacci Date: 2/20/2024 3:58:00 PM
Yes it is.

Author: Craig Taylor Date: 2/19/2024 12:04:00 PM
How is a combustible fence defined? 4x4 post, continuous wood slates?

Author: Kim Giuliacci Date: 2/20/2024 3:58:00 PM
This specifically addresses "new" combustible fence.

precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.

(2) The fuel mitigation requirements of this Ordinance shall be interpreted and applied to avoid the taking of endangered, rare, or threatened plant or animal species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees. Exceptions to the fuel mitigation requirements will be made for very specific sensitive habitat locations, marsh lands, creek banks, and a minimum of 50 feet from any riparian corridor as determined by the Fire Code Official. The Fire Code Official shall advise persons who own, lease or control Affected Parcels (a) to avoid the use of heavy equipment in and around streams and seasonal drainages, as this is important for protecting water quality, (b) that vegetation removal can cause soil erosion, especially on steep slopes and to keep soil disturbance to a minimum on steep slopes.

(3) The fuel mitigation requirements of this Ordinance do not apply to single specimens of trees or other vegetation that are well-pruned and maintained 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 or to interrupt the advance of embers toward a structure.

(4) Compliance with the fuel mitigation requirements of this Ordinance shall be done using the most ecologically and site appropriate treatment option, such as, but not limited to, prescribed burning, manual treatment, mechanical treatment, prescribed herbivory, and targeted ground application of herbicides.

(5) When the conditions stated in this Section 5(g) exist, persons who own, lease or control the Affected Parcel or Parcels at issue shall request a Modification of the fuel mitigation requirements and the Fire Code Official shall issue Modifications consistent with the requirements of this subsection.

SECTION 6. ENFORCEMENT

(a) The Fire Code Official shall be the primary authority for enforcement of this Ordinance and shall administer and enforce the requirements as provided in this Ordinance.

(b) The Fire Code Official shall have the following responsibilities and authorities in the enforcement and administration of the provisions of this Ordinance:

(1) Receive and respond to complaints through planning and conducting inspections within the limits of available resources.

(2) Review the requirements of this Ordinance with property owners and/or occupants found to be out of compliance, to support voluntary compliance with the provisions of this Ordinance.



Author: Kim Giuliacci Date: 2/7/2024 5:53:00 PM
Agreed, thanks for recommending.

Author: Nona Chiariello Date: 11/17/2023 12:40:00 PM
Adding back creek buffer from earlier version of 23-03

Author: Craig Taylor Date: 2/19/2024 11:55:00 AM
What is the intent of this paragraph?

Author: Kim Giuliacci Date: 2/20/2024 4:01:00 PM
The intent of this paragraph is to address environmental concerns. It is also consistent with similar defensible space requirements as set forth in PRC 4291.

Author: Craig Taylor Date: 2/19/2024 5:34:00 PM
How do we prioritize home hardening relative to defensible space? Is there room in the phased compliance to account for homeowners doing home hardening before spending money on defensible space? Maybe a ceiling on the required money spent per year

Author: Kim Giuliacci Date: 2/20/2024 4:01:00 PM
This will be addressed in the Guidelines.

- (3) The determination for appropriate clearance distances will be made based upon a visual inspection of the Parcel and shall consider all factors that place the Parcel or adjoining Structure(s) at risk from an approaching fire. These factors shall include local weather conditions, fuel type(s), topography, and the environment where the Parcel or adjoining Structure(s) is located. Any such inspection remains subject to all requirements established by the United States Constitution, the California Constitution, and any other applicable state and federal law.
 - (4) Prepare and issue Notices to Abate in accordance with Fire District Ordinances, and such other notices as may be necessary to encourage voluntary compliance with the provisions of this Ordinance.
 - (5) Carry out all enforcement and abatement proceedings as provided by Fire District Ordinances or as otherwise authorized by law.
 - (6) Conduct post-notice/pre-abatement inspections and documentation and conduct post-abatement inspections and documentation as provided by Fire District Ordinances.
 - (7) The Fire Code Official may, at his or her discretion, issue an administrative citation for violations of this Ordinance, in lieu of abating a parcel.
 - (8) Within Fire District boundaries, inspections established by this Ordinance may be performed by designated fire district personnel.
 - (9) Conduct abatements and handle accounting, assessment, and collection of abatement costs, including recordation of liens as may be established by Fire District Ordinances.
 - (10) Re-inspections of the same violation shall incur an hourly re-inspection fee reflected in the Fire District's fee schedule at the time of re-inspection for every hour of re-inspection after the third inspection of the same violation, at the same location, within a one-year period.
- (c) Nothing herein shall limit the ability of a Fire Code Official to enforce the provisions of this Ordinance, from making initial inspections or independent compliance checks without first receiving a complaint.
- (d) Nothing in this Ordinance shall be construed as imposing on a Fire Code Official or the Fire District any duty to abate any Hazardous Vegetation or Combustible Material within a Parcel's Defensible Space, nor to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance, and neither the Fire Code Official nor the Fire District shall be held liable for failure to abate any unlawful Hazardous Vegetation or Combustible Material, nor for failure to take any other action with regard to any unlawful Hazardous Vegetation or Combustible Material or violation of this Ordinance.

SECTION 7. PHASED COMPLIANCE

Author: Craig Taylor Date: 2/19/2024 6:06:00 PM
Replace with "Make determinations" (parallel construction)

Author: Kim Giuliacci Date: 2/20/2024 4:02:00 PM
Change made.

Author: Craig Taylor Date: 2/19/2024 11:56:00 AM
Is this necessary?

Author: Kim Giuliacci Date: 2/20/2024 4:03:00 PM
Yes.

Author: Craig Taylor Date: 2/19/2024 6:10:00 PM
Add "Invoice property owners for" (parallel construction)

Author: Kim Giuliacci Date: 2/20/2024 4:05:00 PM
Noted.

- (a) The Fire District understands that this Ordinance will require much time, energy, and resources, especially on large properties and owners will not be cited for non-compliance with the ordinance if they can show evidence of substantial progress toward compliance within the past year as determined by the Fire Code Official and recorded in an approved Wildfire Safety Plan.
- (b) A person who is financially unable to comply with this Ordinance or make substantial progress to compliance within one year may file a Modification request for Phased Compliance.
- (c) “Phased Compliance,” for purposes of this Ordinance, refers to a written Wildfire Safety Plan approved by the Fire Code Official by which the Person takes actions to comply with this Ordinance over a period of time in excess of one year, but which shall not exceed a period of three years.
- (d) A Modification request for Phased Compliance shall include an affidavit, together with any supporting documents or materials, demonstrating the person’s actual financial inability to comply with this Ordinance or make substantial progress to compliance within one year.
- (e) The Fire Code Official may approve a Modification Request for Phased Compliance only if the evidence submitted demonstrates to the satisfaction of the Fire Code Official the person’s actual financial inability to immediately comply with this Ordinance.
- (f) The Fire Code Official shall issue a written determination listing the reasons for his or her determination to issue or not issue the Modification request for Phased Compliance.

SECTION 8. SALE OR TRANSFER OF PROPERTY.

- (a) Prior to the close of any Real Estate Transaction within the Fire District, the seller of any real residential property must obtain documentation from the Fire Code Official that the property is in compliance with the fuel mitigation requirements of this Ordinance and provide that documentation to the buyer at or before the close of escrow.
- (b) If documentation of compliance is not available at the time of sale, the buyer shall obtain documentation from the Fire Code Official stating the property is in compliance with this section within 90 days after the close of escrow, unless otherwise approved by the Fire Code Official.
- (c) Documentation of compliance obtained in the six-month period preceding the date of the close of escrow is sufficient to satisfy this section.
- (d) Except as otherwise provided by this Ordinance, the Fire Code Official shall have the discretion to accept alternate means and measures to achieve compliance if completion of the required work will delay the sale or transfer of the property

 Author: Craig Taylor Date: 2/19/2024 3:38:00 PM
Maybe delete?

 Author: Kim Giuliacci Date: 2/20/2024 4:05:00 PM
Noted.

 Author: Craig Taylor Date: 2/19/2024 11:22:00 AM
Move above (b)

 Author: Kim Giuliacci Date: 2/20/2024 4:05:00 PM
Noted.

 Author: Craig Taylor Date: 2/19/2024 6:10:00 PM
Maybe delete?

 Author: Kim Giuliacci Date: 2/20/2024 4:06:00 PM
Noted.

 Author: Craig Taylor Date: 2/19/2024 3:39:00 PM
Maybe delete?

 Author: Kim Giuliacci Date: 2/20/2024 4:06:00 PM
Noted.

SECTION 9. MODIFICATIONS

- (a) Where there are practical difficulties involved in carrying out the provisions of this Ordinance, the Fire Code Official shall have the authority to grant Modifications for individual cases, provided that the Fire Code Official shall first find that:
- (1) A modification is necessary to address an environmental concern as required by the provisions of this Ordinance, or
 - (2) Special individual reasons make the strict letter of this Ordinance impractical, and the Modification is in compliance with the intent and purpose of this Ordinance;
 - (3) Phased compliance is necessary due to financial hardship; or
 - (4) The true intent of this Ordinance or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Ordinance do not fully apply or an equivalent or better form of fire protection is proposed.
- (b) Any such Modification shall be consistent with the following standards:
- (1) The modification will not lessen health, life and fire safety requirements.
 - (2) The modification will provide for the Same Practical Effect in addressing fire hazards as stated in this Ordinance.
 - (3) The modification will comply with Section 5(g) (Environmental Concerns) of this Ordinance.
- (c) A person requesting a Modification may also submit an individualized fire protection plan designed to address concerns due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem. Submitted fire protection plans shall be consistent with the standards for fire protection plans provided in Section 4903 of Chapter 49 of the State Fire Code.
- (d) The details of actions granting a Modification shall be recorded and entered in the files of the Fire District.
- (e) Where a Modification is not granted, the person requesting the Modification may appeal such denial to the Board of Directors.
- (1) Within ten calendar days from service of the Fire Code Official's decision denying the requested Modification, the person seeking the Modification may appeal the decision to the Board of Directors. Such an appeal must be in writing and filed with the Fire Code Official.
 - (2) At a regular or special meeting of the Board of Directors not less than five

 Author: Craig Taylor Date: 2/19/2024 3:40:00 PM
Maybe delete

 Author: Kim Giuliacci Date: 2/20/2024 4:06:00 PM
Noted.

days or more than thirty days after receipt of an appeal, the Board of Directors shall hear the appeal.

(3) The Board of Directors may continue the hearing.

(4) Upon conclusion of the hearing, the Board shall issue a decision granting, modifying, or denying the requested Modification.

(5) The decision of the Board of Directors is final.

(f) Additional procedures for the conduct of appeals may be established by resolution of the Board of Directors

SECTION 10. PENALTIES.

Every violation of any regulatory or prohibitory provision of this Ordinance is expressly declared to be a public nuisance. Failure to comply with the fuel mitigation requirements of this Ordinance may result in the issuance of an Administrative Citation as authorized by ordinance adopted by the District, or otherwise ordered by the Fire Code Official to be abated in accordance with law, provided, however, that nothing in this Ordinance shall limit the Fire District from pursuing other available legal remedies for violations of this Ordinance, including but not limited to civil penalties. In addition, any Person who violates any provision of this Ordinance shall be guilty of an infraction or a misdemeanor in accordance with Health and Safety Code Section 13871.

SECTION 11. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION

(a) The District finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the following categorical exemptions: Sections 15304 (i) (fuel management activities) as there are extra hazardous fire conditions in the Fire District, 15307 (actions taken as authorized by law to assure protection of natural resources), and 15308 (actions taken as authorized by law to assure protection of the environment).

There are no significant or potentially significant negative environmental impacts from this Ordinance.

- The Ordinance is a regulatory change that would not directly cause any reasonably foreseeable physical change, nor would it determine or cause any future development.
- Indirect physical changes would require removal of flammable materials in areas with heightened risk to cause and spread wildfires. This would reduce environmental threats caused by wildfires and their spread and would be beneficial to the environment. The benefits of making wildfires less likely to start and spread include but are not limited to, benefits in the areas of air quality, biological resources, cultural and historical resources, hazards, greenhouse gas emissions, recreation, and tribal cultural resources.
- The Ordinance does not impact environmental resources of hazardous or

Author: Craig Taylor Date: 2/19/2024 6:12:00 PM

Big picture: Is the only route for appeal via the denial of modification? Is it possible to have input from a fire expert, similar to our earthquake fault building ordinance, to provide an appeal directly to the Fire Code Official?

Author: Kim Giuliacci Date: 2/20/2024 4:08:00 PM

The Fire Code Official makes the initial determination. This was provided as a means for property owners to appeal should they not agree with the determination made by the Fire Code Official.

critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. Such areas include, but are not limited to, sites included on any list compiled pursuant to Government Code section 65962.5, designated historical resources, and designated scenic highways.

- The Ordinance also is required to be interpreted and applied to avoid the taking of any special status species, significant erosion and sedimentation of surface waters, and the removal of healthy, mature, scenic trees.
- If compliance with the Ordinance could cause adverse environmental consequences, property owners are directed to request a modification of the fuel break requirements from the District.

There are no unusual circumstances under CEQA Guideline section 15300.2(c). No exception identified in CEQA Guideline Section 15300.2 applies to this Ordinance.

(b) The District also finds that this Ordinance is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15269 and Public Resources Code section 21080(b)(4) as specific actions necessary to prevent or mitigate an emergency.

(c) The District further finds that it can be seen with certainty that there is no possibility that the Ordinance may have a significant impact on the environment pursuant to CEQA Guidelines section 15601(b)(3). The Ordinance is proposed for the protection of the environment, including human health and property. The regulatory enactment would require affected properties to remove combustible materials to provide defensible space.

These requirements will be beneficial to the environment by preventing the emergence and spread of wildfires, which can cause immense environmental harm. Further, the Ordinance contains provisions requiring it to be interpreted and implemented in a manner that avoids environmental impacts, and directs property owners to seek modification of the applicable requirements if compliance would cause any such impacts. Due to these requirements, there is no possibility that it will cause significant environmental effects.

(d) Each exemption stands as a separate and independent basis for determining that this Ordinance is not subject to CEQA.

SECTION 12. SEVERABILITY.

If any section, subsection, paragraph, sentence, or clause of this ordinance is determined in a final ruling by a court of competent jurisdiction to be invalid or unenforceable, such finding shall not invalidate any remaining portions of the ordinance. The Board hereby declares that it would have adopted this ordinance, and each section, subsection, sentence, or clause thereof, irrespective of the fact that any portion of the ordinance be declared invalid.

SECTION 13. DATE OF EFFECT.

This ordinance shall take effect and be in full and force and effect 30 days after its passage. This ordinance shall be published as required by law.

This page contains no comments

PASSED, APPROVED and ADOPTED this ____ day of January, 2024 at the regular meeting of the Board of Directors, on a motion made by Director _____, seconded by Director _____, and duly carried with the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ORDINANCE 23-03



Matt Miller, President
Board of Directors

ATTEST:

Randy Holthaus
District Secretary

APPROVED AS TO FORM:

Jonathan V. Holtzman
District Counsel

Author: Craig Taylor Date: 2/19/2024 11:29:00 AM
Change to appropriate date, March?

Author: Kim Giuliacci Date: 2/20/2024 4:08:00 PM
Change made.

APPENDIX A

Fuel Separation

The Fuel Separation method shall be implemented as follows:

(A) Minimum clearance between fuels surrounding each building or structure shall range from 4 feet to 40 feet in all directions, both horizontally and vertically.

(B) Clearance distances between vegetation shall depend on the slope, vegetation size, vegetation type (brush, grass, trees), and other fuel characteristics (fuel compaction, chemical content etc.). Properties with greater fire hazards, including but not limited to steep slopes and large vegetation, will require greater separation between fuels.

For example, properties on steep slopes having large-sized vegetation will require greater spacing between individual trees and bushes (see Plant Spacing Guidelines and Case Examples below).

(C) Groups of vegetation (numerous plants growing together less than 10 feet in total foliage width) may be treated as a single plant. For example, three individual manzanita plants growing together with a total foliage width of eight feet can be “grouped” and considered as one plant and spaced according to the Plant Spacing Guidelines in this document.

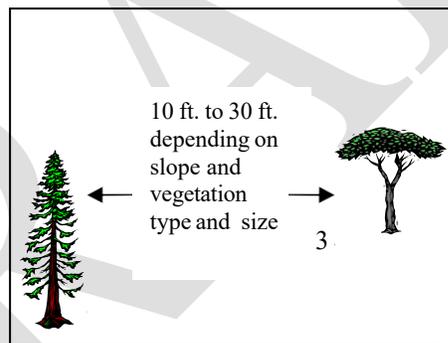
(D) Annual and dormant grasses should not exceed 4 inches in height.

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(E) Table 1. Plant Spacing Requirements.

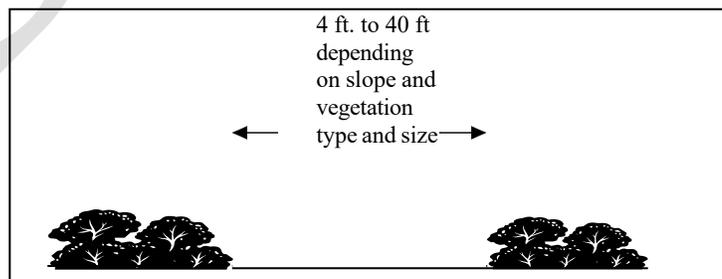
Plant Spacing Requirements		
Trees	Minimum horizontal space from edge of one tree canopy to the edge of the next	
	Slope	Spacing
	0% to 20 %	10 feet
	20% to 40%	20 feet
	Greater than 40%	30 feet
Shrubs	Minimum horizontal space between edges of shrub	
	Slope	Spacing
	0% to 20 %	2 times the height of the shrub
	20% to 40%	4 times the height of the shrub
	Greater than 40%	6 times the height of the shrub
Vertical Space	Minimum vertical space between top of shrub and bottom of lower tree branches: 3 times the height of the shrub	

Figure 1



(F) Figure 1. Horizontal clearance between trees to reduce the spread of fire from one fuel to the next. Figure 1 is a visual representation of paragraphs (A) and (B).

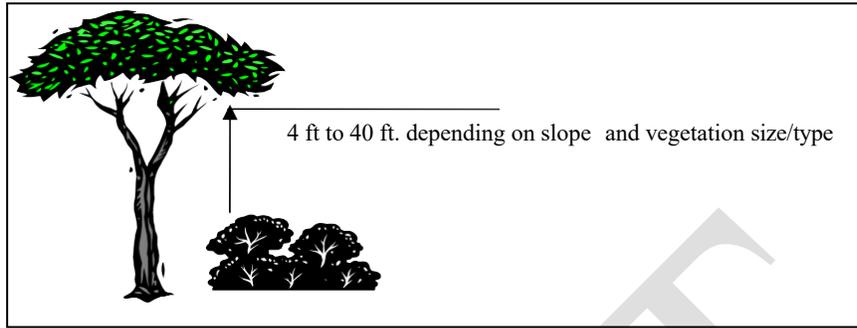
Figure 2



(G) Figure 2. Horizontal clearance between shrubs to reduce the spread of fire from one fuel to the next. Figure 2 is a visual representation of paragraphs (A) and (B).

This page contains no comments

Figure 3



(H) Figure 3. Vertical clearance between aerial fuels and surface fuels to remove ladder fuels and reduce the spread of fire from shorter to taller fuels. Figure 3 is a visual representation of paragraphs (A) and (B).

This page contains no comments

APPENDIX B

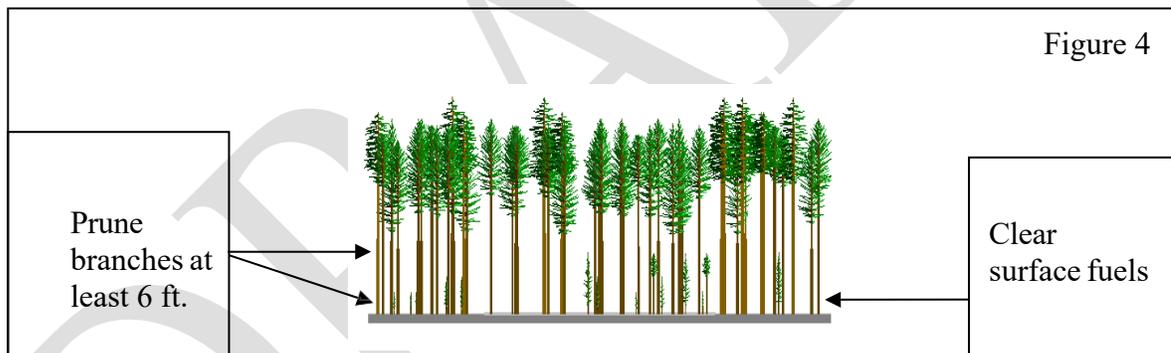
Continuous Tree Canopy Requirements

To achieve defensible space while retaining a stand of larger trees with a continuous tree canopy, the Continuous Tree Canopy method shall be implemented as follows:

(A) All surface fuels greater than four inches (4 in.) in height shall be removed. Single-specimen trees or other vegetation may be retained provided they are well-spaced and well-pruned.

(B) Lower limbs of trees shall be pruned to at least six (6) feet up to 15 feet (or the lower 1/3 of branches for trees less than 18 feet tall). Properties with greater fire hazards, such as steeper slopes or more severe fire danger, will require pruning heights in the upper end of this range.

(C) Figure 4. Defensible space retaining continuous trees. Figure 4 is a visual representation of paragraphs (A) and (B).



This page contains no comments

To: Woodside Fire Protection District Board, Fire Chief, Fire Marshal
808 Portola Road
Portola Valley, CA 94082

From: Ladera Wildfire Preparedness Committee of the Ladera Community Association

The attached document includes an edited markup of draft Ordinance 23-03 Defensible Space and Fuel. These recommended changes are submitted on behalf of the community of Ladera derived from resident feedback and Ladera Wildfire Preparedness Committee members based on their discussions with Fire Marshal Kim Giulacci.

Ladera residents are aware of the risk of wildfire in our community and support the need to mitigate those risks. We also support and appreciate the Woodside Fire Protection District (WFPD) and its efforts to protect our homes and lives.

While we very much appreciate Marshal Giulacci and the other WFPD personnel, including their visits to our neighborhood, we are concerned that the language in the draft Ordinance appears to be written to describe the larger lots and terrain more typical of Portola Valley and Woodside and does not take into account our smaller lot sizes, physical location, housing density, terrain, and other factors that are less reflective of a Very High Fire Hazard Severity Zone (VHFHSZ) – which as we know, due to the lack of updated Cal Fire maps, there is no conclusion that Ladera is located within.¹

Accordingly, we respectfully request that the WFPD consider modifying draft Ordinance 23-03 to reflect and address the unique characteristics of neighborhoods with smaller lots and higher density housing such as Ladera. The attached document's recommendations focus on the following key areas:

- Lack of Clarity - Some aspects of the Ordinance are unspecified or unclear. We have proposed language to specify and clarify certain areas. Noted areas are:
 - The process and time limits for cyclic home inspections and compliance inspections
 - Types of hazardous vegetation and non-hazardous vegetation
 - How distances are measured
- Severity Distinctions - While the District includes Moderate Severity areas as well as High and Very High severity areas, the Ordinance does not make severity distinctions in its provisions. We question the value of risk assessment if all areas are treated the same; lower risk areas should be provided with lower impact provisions.
- Adjoining Property - While we understand that there is a problem when an adjoining property is not able to remediate a fire risk, we do not think that it is justifiable to be a

¹ Since we may not be in a VHFHSZ, we question if § 51182 applies to us (per § 51179). It also seems that § 4291 may not apply to most homes in the neighborhood with the possible exception of parcels on the northern edge. The applicability of the ordinance remains uncertain.

liability of the property owner that does not benefit from or have any influence upon the structure needing defensible space.

- Housing Density - The housing density in Ladera is approximately 8-10 times that of Portola Valley.
 - Many homes in Ladera have only Zone 0 space on the sides and Zone 0 or 1 space in the front and back of the home. If Zone 0 is defined by the extent of the eaves, some homes will have only Zone 0 in the side yards, prohibiting or restricting vegetation, sheds and planter boxes. Similar disproportionate mitigations come from restrictions 10 feet from the road and 5 feet from a driveway.
- Phased Compliance - Phased compliance should not be restricted to financial hardship. Some remediation may require construction or engineering work for soil stabilization. We suggest that Phased Compliance be available as an option in other situations, and be available to be included by default for some very large and complex mitigations.
- Appeals Process - The appeal process is limited to only the WFPD board, with no members of the community or local government, to consider a perspective beyond solely fire risk. We would like for there to be broader concurrence that includes a voice of others.
- Compliance Timing at Sale - Requiring compliance before a property sale can be completed will adversely impact sales, especially for sellers who do not have the financial resources for compliance. We suggest that the obligation for compliance be included as part of the negotiation between buyer and seller.

We respectfully request that the WFPD consider our requests and modify proposed Ordinance 23-03 to account for the different risk posed by a community comprising smaller lots, higher-density, and different terrain such as Ladera.

Respectfully,

Ladera Wildfire Preparedness Committee



SICK LEAVE/WORKERS'S COMP. REPORT

January 2024	
Sick Leave/Workers' Comp. Report	
New Workers Compensation Cases	2 Total (0 New)
Retirements Announced	0
Sick Leave Shift Personnel	120 hours (3 Total)
Sick Leave Day Personnel	171.5 (5 Total)
Workers Compensation Time Off	312 hours
Light Duty	0 hours
Long Term Disability	0 hours
Bereavement Leave	0 hours
Maternity/Paternity Leave/FMLA	48 hours (1 Total)
Jury Duty	0 Hours



Woodside Fire Protection District Training Division Report January 2024 Battalion Chief Keenan Hird

It is the mission of the Woodside Fire Training Division to provide on-going training, education and funding to our fire service personnel to ensure competent, efficient and effective emergency response.

The Training Division helps support a multitude of different areas within our organization to help accomplish our many goals. These areas include our District Training, Probationary Training, Recruit Academy support, South Zone/County Training, Continuing Education Program, PPE Program and USAR Program. The Training Division Chief, while on shift, also attends the SMCO Training Officers Committee.

The Woodside Fire Training Cadre was developed to enhance the delivery and unify department training. The Cadre is a highly knowledgeable, skilled and certified group of firefighters dedicated to delivering modern training concepts, skills and evolutions.

Below are the topics the Training Division has covered for the month of January.

WOODSIDE FIRE TRAINING

A. Didactic Training: The Lead Instructors for the month of January were Battalion Chief Keenan Hird and Firefighter/Paramedic Cody Campbell on the topic of fire behavior. Keenan and Cody assigned multiple videos that covered fire behavior in both the structural and wildland environment.

B. Manipulative Training: January manipulative training was an interactive demonstration of structural fire flow path. Cody and a few B shift members built two small, two-story dollhouses. Fires were set in different rooms and the instructors demonstrated the effects of flow



Woodside Fire Protection District Training Division Report January 2024 Battalion Chief Keenan Hird

path and how uncoordinated fire suppression can negatively affect firefighters and victims

C. District Familiarization: Crews were assigned to walk the school properties in their districts and review the department preplans.

SOUTH ZONE MULTI-DEPARTMENT TRAINING

A. The South Zone training topic was covered by the EMS division for the month of January reviewing new airway equipment.

PROBATIONARY TRAINING

2022 Probationary Firefighters (Dale, Morales, Zolnierek)

The 2022 Probationary Firefighters have all opened their Woodside Fire Driver/Operator Task Books and continue to progress in their training. They will complete their probation on March 5th 2024.

2023 Probationary Firefighters (Lory and Martin)

The 2023 Probationary Firefighters have been assigned to station 8 on their prospective shifts since late December when they were assigned the Block I Probationary Training Guides. Their Block I training curriculum encompasses apparatus inventory, radio communications, water supply, ladder operations and basic fire attack fundamentals. Their first test will be Saturday, May 4th.

CONTINUING EDUCATION PROGRAM

- Community Risk Reduction
 - Captain Jared Abbott
- Company Officer 2A
 - Firefighter/Paramedic Erik Lohmann



Woodside Fire Protection District Training Division Report January 2024

Battalion Chief Keenan Hird

- Firefighter/Paramedic Ben Zolnierek
- Confined Space Technician
 - Firefighter/Paramedic Brandon Cuschieri
 - Firefighter/Paramedic Chris White

Meetings Attended:

- Board of Directors
- Command Staff
- San Mateo County Training Chiefs



WOODSIDE
FIRE PROTECTION DISTRICT

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[TRANSPARENCY](#)

[HOW DO I...](#)



Welcome to Woodside Fire Protection District

It is the mission of the Woodside Fire Protection District to protect life, property and the environment through prevention, education, preparedness, and emergency response.

REQUEST AN INSPECTION

ONLINE PAYMENT

PREVENTION SERVICES

CHIPPER PROGRAM

CURRENT INCIDENTS



Prevention Division Report

Bureau of Fire Protection and Life Safety

Prevention Division

January 2024

Summary

- I. Weekly Staff Meeting. Updates are provided to all staff on what is occurring around the Fire District. Debriefs are provided from all meetings staff members have attended and representing on behalf of the fire district, including our Command Staff meetings. We also share new ideas for changing, adding, or updating processes for plan reviews, inspections and code enforcement.
- II. New in-house training. We are adding a training module on the last Thursday of every month to train on a particular topic. February will be our first month implementing prevention training.
- III. Ongoing Website Design and Improvements (DeeDee, Selena and Kim) - Thank you to Selena and DeeDee, they have been working hard to post and create pages for Prevention to provide residents with the most up to date information, particularly to educate on Defensible Space and Home Hardening. They have also posted both workshops I did in promoting and educating the new Fuel Mitigation Ordinance No. 23-03. We are striving to improve our website with news on current hot topics, post events that are going on around the district and the state and provide as many resources as possible to support our community on various topics. The home page is featured on the cover of this report.
- IV. Fuel Mitigation Ordinance No. 23-03 - I have been working on providing responses to all residents' comments/feedback on the new ordinance and have been actively working on a re-draft with some revisions throughout the document. Within the staff report are attached various emails from residents regarding the new ordinance with District response.
- V. WFPD along with Palo Alto Fire and Stanford looked at a Pilot Program offered by the Department of Homeland Security (DHS) on bringing N5 Wildfire Sensor into our adjoining jurisdictions. DHS has selected N5 as their preferred sensor vendor. The offer by DHS is the opportunity to buy 25 sensors and get another 25 for free. A product we are looking at for our future. A presentation was conducted at the San Mateo County Fire Safe meeting couple of months back. For more information, feel free to reach out to me.

Meetings

There are many meetings multiple staff members attend throughout the month that are not regularly scheduled, examples include (software companies, vendors, residents, council members, construction project meetings). If we were to list every meeting, it would take up multiple pages. We have listed the common recurring meetings instead.

- ✓ Meetings throughout the month with Groups of Committees / Residents – Re: Fuel Mitigation Ordinance No. 23-03 (Kim)
- ✓ Quarterly Budget Meeting with LTCMD – Discuss this last fiscal year and plan for upcoming fiscal year. (Kim, Michael, and David)
- ✓ Recurring every Thurs at 3pm – WFPD Prevention Division Staff Meeting (Kim, Marshall, Michael, David, Selena, DeeDee, Dan, Interns: Dominic and Angelina)
- ✓ Recurring every 1st Thurs of the month – Town of Portola Valley Emergency Preparedness Committee Meeting (Kim)
- ✓ Recurring every 2nd Wed of the month – Town of Woodside Emergency Preparedness Committee Meeting (Kim, Selena)
- ✓ Recurring every 2nd Wed of the month – San Mateo County Fire Safe Meeting (no attendance this month)
- ✓ Recurring every 3rd Tues of the month – Cal Fire Wildfire Mitigation Advisory Committee Meeting (Kim)
- ✓ Recurring every 3rd Wed of the month – Town of Portola Valley Wildfire Preparedness Committee (Kim)
- ✓ Recurring every 3rd Wed of the month – San Mateo County Fire Prevention Officers Association Meeting (no attendance this month)
- ✓ Recurring every 4th Wed of the month – Town of Portola Valley Conservation Committee (Kim)
- ✓ Recurring every 4th Fri of the month – CA Fire Chiefs Association Fire Prevention Officers meeting (Kim)
- ✓ Recurring every last Tues of the month – WFPD Command Staff Meeting (Kim, Marshall)
- ✓ Recurring every last Tues of the month – WFPD Board Meeting (Kim, Marshall)

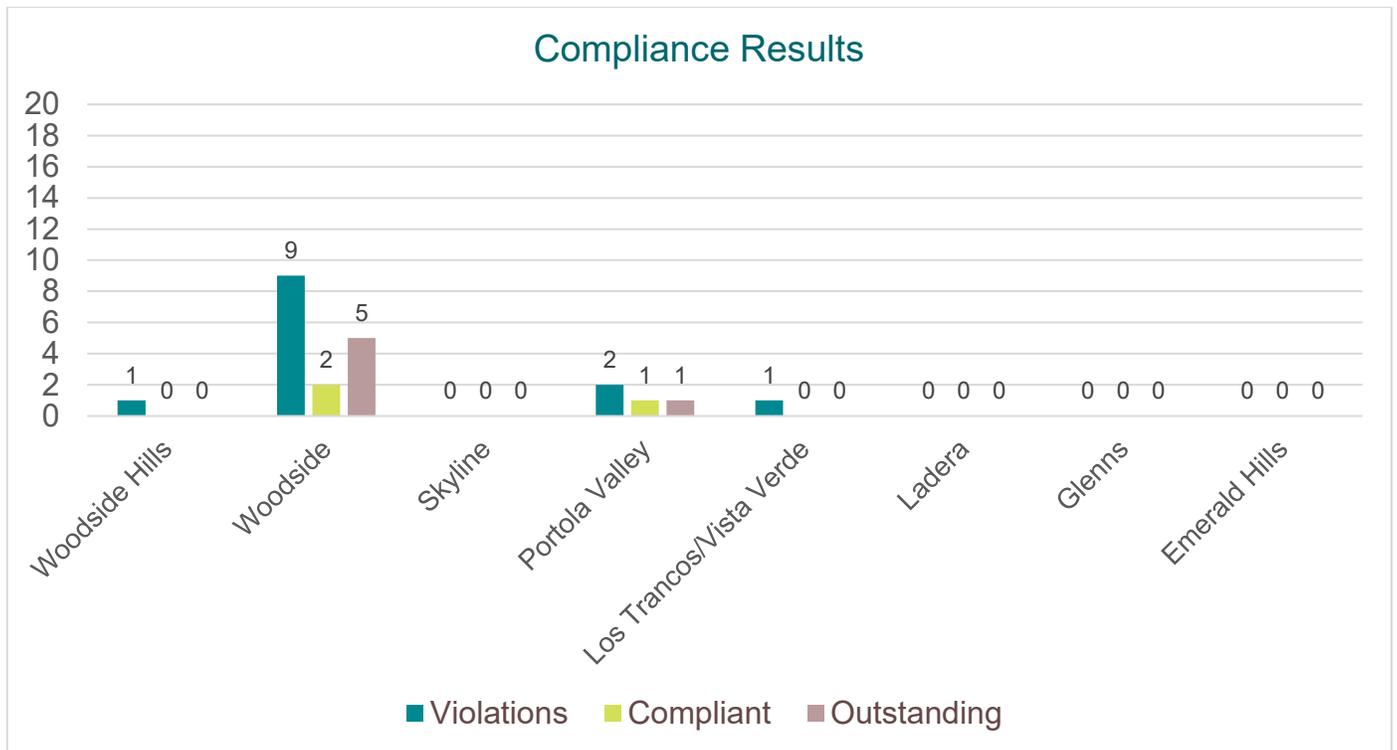
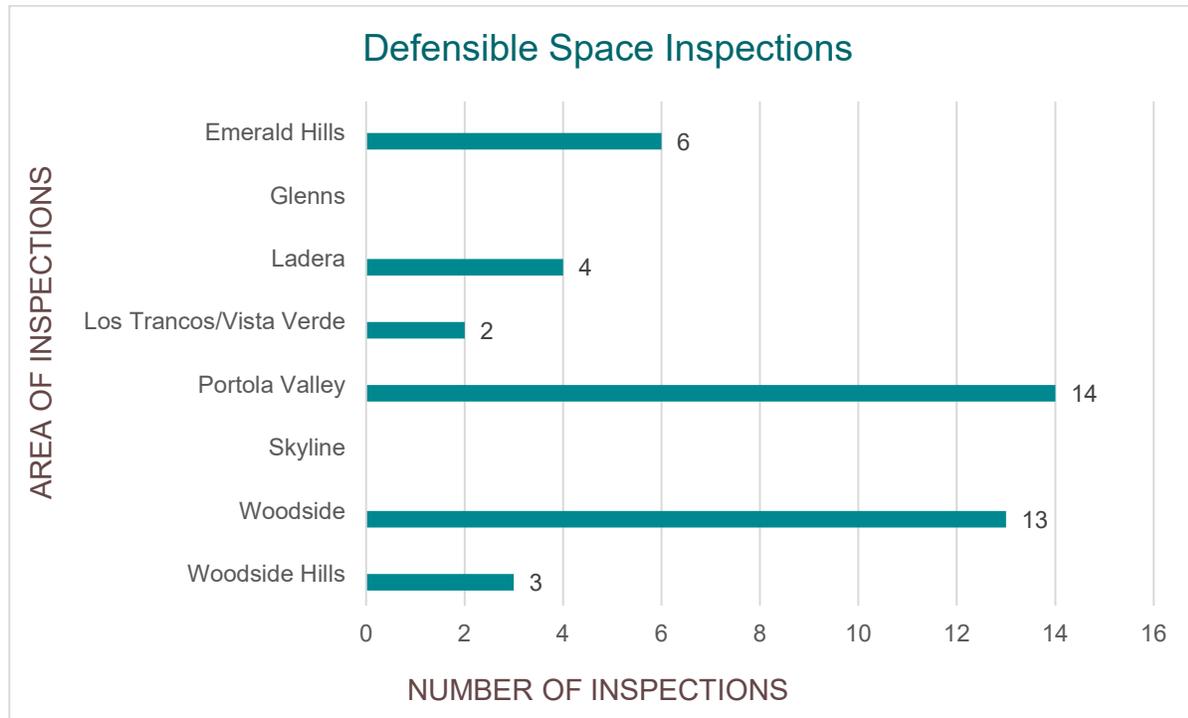
Classes / Training

Classes include conferences and webinars.

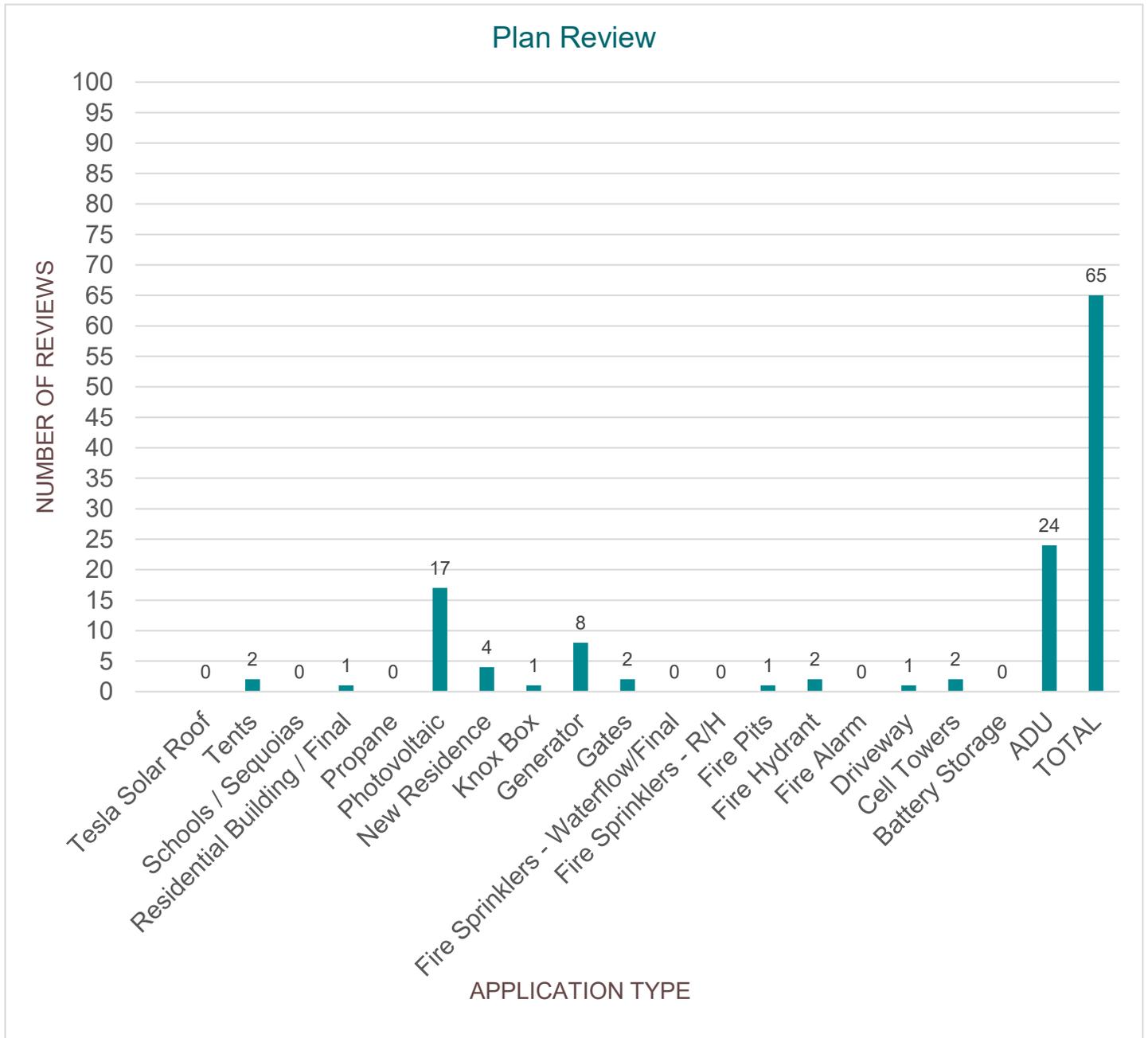
- ✓ Fire Aside Training - software used for defensible space inspections, chipper program and newly acquired grants module (in process of build out). A representative came to Admin office to train all prevention staff on the admin portal, inspector's app, chipper module, and grants module.

Statistics

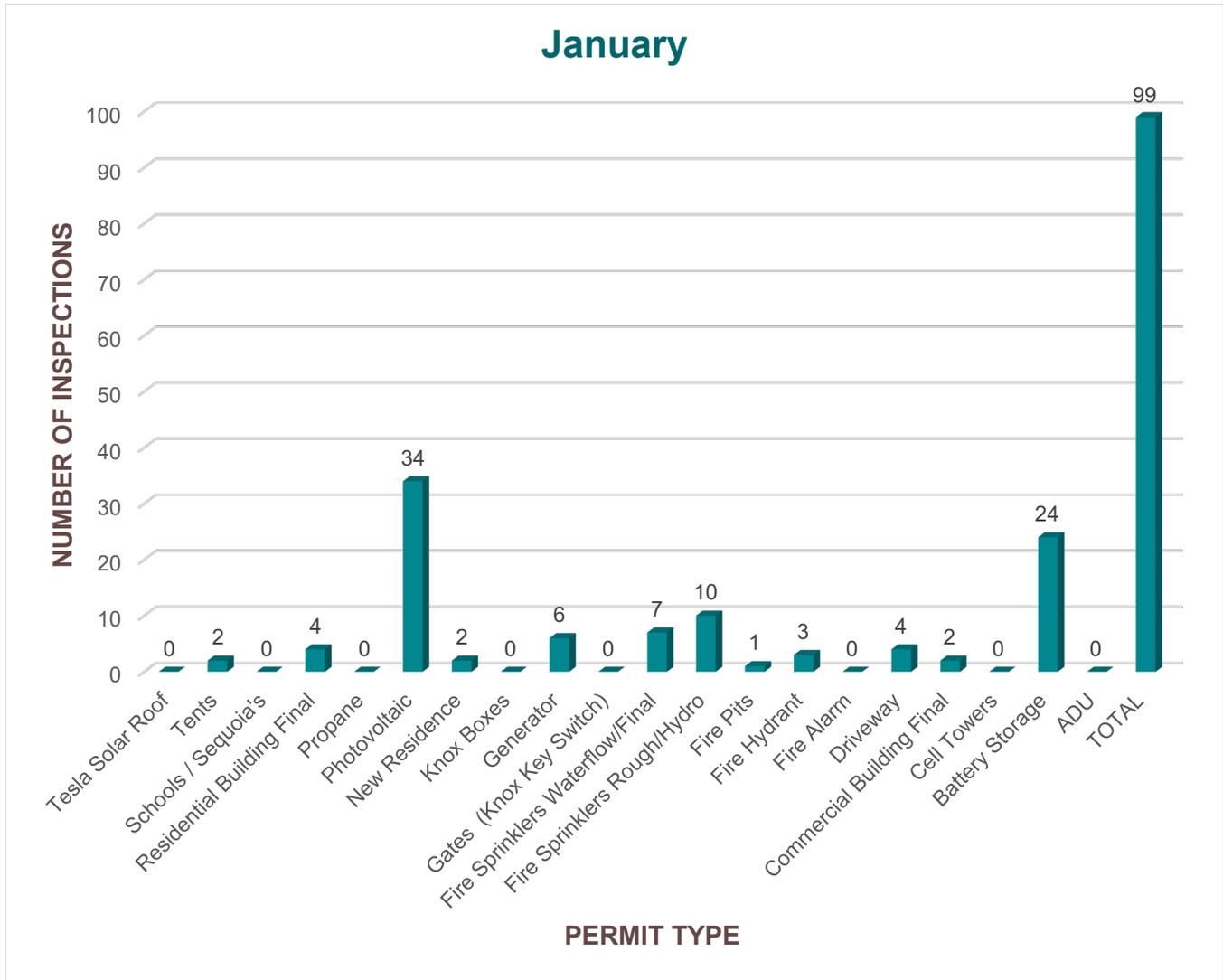
DEFENSIBLE SPACE



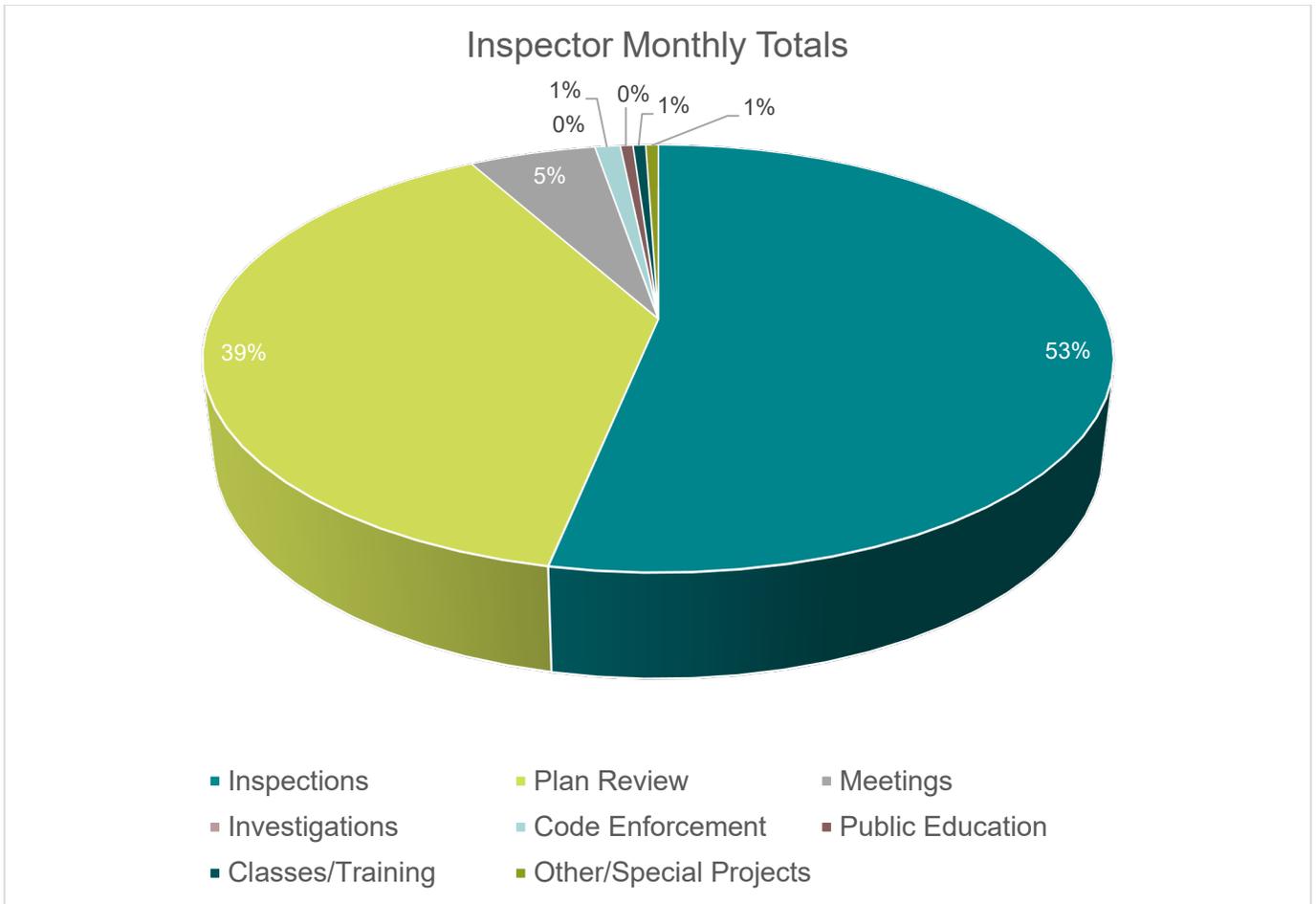
PLAN REVIEWS



CONSTRUCTION PERMIT INSPECTIONS



FIRE INSPECTOR END OF MONTH NUMBERS



Fuel Mitigation Division

Summary

Mitigation crews were able to get a lot done this month.

- I. In the beginning of January, the crew used County funded money to work in Emerald hills doing Right of Way clearing along Glencrag Way. The Mitigation crew oversaw a private tree crew while working alongside them. They lifted branches coming towards the street and created separation between the ground and ladder fuels. There were also 2 dead pine trees that were removed. The crew completed approximately a half mile of work.
- II. The crew worked in the Town of PV Right of Way clearing sections of Golden Oak Drive.
- III. On wet days the crew completed a shaded Fuel Break on Town of Portola Valley's owned properties next to Ford Field and Rossotti's Field. This created a break between trails and parking areas, (known areas for intentional fires).
- IV. The work along the Skyline corridor is moving right along. The crews started the month at the 13800 block of Highway 35 and extended North to the 13200 block: utilizing 2 Woodside mitigation crew members, 4-person hand crew from a contractor and a large contractor masticator. Most of the work was in the conifers with coyote brush and poison oak mixed in.
- V. The crew also had a maintenance day where they were able to rehab all of their equipment, digging deeper into cleaning than their daily standard. All chainsaw chains and chipper blades were sharpened providing the crew with sharp equipment for February.
- VI. Last year, a Bay Tree fell on the power line and the shed which caused damage including loss of power. We removed the tree immediately after. The delay has been on getting PG&E out there to repair the line and restore the power, which they finally did in January. Power was restored at the "Red Shed" in the LTCMD. Volunteers are now clear to continue restoring the historic Red Shed as a community area.
- VII. They focused a lot of their time on the Town of Portola Valley owned properties that needed attention. Attached is a before and after picture of one of the properties around Ford field.



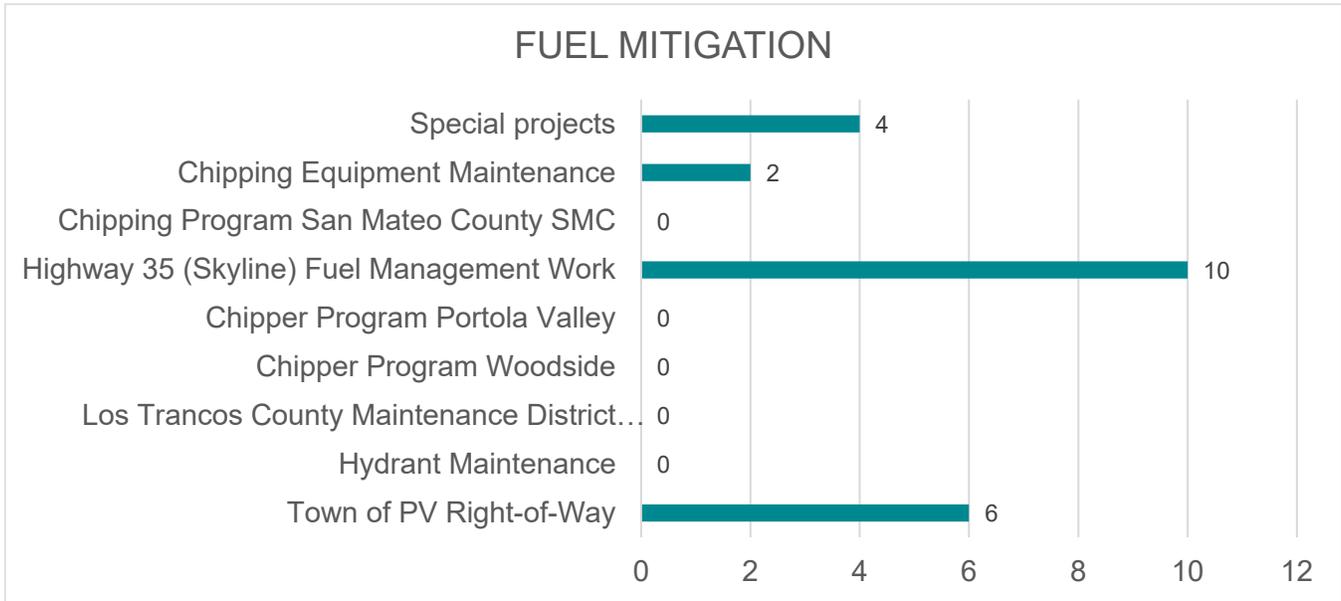
Ford Field - Before



Ford Field - After

Statistics

FUEL MITIGATION ACTIVITY



Public Education / Emergency Preparedness Division

WPV-READY & WPV-CERT

Summary

We conducted a 1 ½-day training session titled "When Disaster Strikes: Prepare, Act, Survive," where participants were equipped with essential knowledge and skills for handling various emergencies. Residents learned how to effectively prepare for disasters and take immediate action afterward. Practical techniques were taught, including identifying safe ways to escape a building or rescue loved ones, using everyday items creatively for emergency situations, and administering basic first aid. This course was tailored for non-first responders. We aim to encourage residents to further their education in life safety by enrolling in our CERT training scheduled for February.

Students breaking through sheetrock with anything they could find around them (PER334)



Cribbing Exercise – (PER334)

A new training program called **"Grandparents: Getting Started"** has been introduced by the same organization behind **"Safe Sitter"**. This program aims to educate grandparents on modern caregiving practices based on current research from medical professionals and scientists. Participants learn essential skills for providing safe and optimal care for their grandchildren, including up-to-date information on infant and childcare, managing child behavior, and life-saving techniques such as choking rescue and first aid. Additionally, the program offers guidance on fostering healthy relationships with both grandchildren and their parents, emphasizing the importance of setting boundaries while maintaining positive connections.



Diapers Practice – Grandparents: Getting Started

The Portola Valley School District continues to prioritize emergency preparedness and life safety training. Recently, we conducted a training session for staff members on the utilization of custom first aid kits, which are accessible to all residents. Staff received instructions on the contents of the kits, proper organization, and their application in addressing common injury scenarios.



Gloves Practice – PVSD First Aid Kit Training



Bandaging Practice – PVSD First Aid Kit Training



Bandaging Practice – PVSD First Aid Kit Training

Events

- ✓ CERT Workday
- ✓ PER 334 – “When Disaster Strikes: Prepare, Act, Survive”
- ✓ Grandparents: Getting Started
- ✓ Safe sitter
- ✓ Orange bag (first aid kit) training for Portola Valley School District
- ✓ Severe Weather Preparedness Zoom Mtg

Meetings / Classes

- ✓ San Mateo County CERT Coordinator Mtg
- ✓ Woodside Emergency Preparedness Committee
- ✓ Portola Valley Emergency Preparedness Committee
- ✓ WPV-Ready Committee Mtg
- ✓ WPV-CERT Committee Mtg
- ✓ Woodside School Site Council Mtg
- ✓ EPiC Officers Mtg
- ✓ EPiC Board Mtg
- ✓ WPV-CERT Website Mtg
- ✓ Safe Sitter Instructor Update Training
- ✓ #WinterReady – Best Practices for CERT Volunteers Webinar (FEMA)
- ✓ CERT Instructor Planning Session



Woodside Fire Protection District Operations Division Report

January 2024

Battalion Chief
Vince Nannini

The Woodside Fire Operations Division roles and responsibilities are to provide an efficient safe operating strategy that adheres to County and District Policies and Guidelines. We also maintain our fleet and all associated tools and equipment to maintain a constant state of readiness. To respond not only in our fire district but throughout the County and State. The Operations Div. is also responsible for the Health and Wellness program, Safety Committee and loss reduction. Which contributes to the organization's success.

The Operations Division helps support a multitude of different areas within our organization to help accomplish our many goals. These areas include Prevention and Fuel Mitigation support, manages our Single Resource program and equipment, Recruit Academy support, The Operations Division Chief, while on shift, also sits on committees such as SMCO Operations Committee, Safety and Loss Reduction committee and Apparatus committee.

Below is the status of the fleet and equipment status and an update of ongoing projects for the month.

Woodside Fire Operations

A. Apparatus Committee: -

1. WT 108 in for pump repair and annual service.
2. Decommissioning one Suburban and preparing for auction
3. Evaluate expiring equipment on reserve R7.
4. Apparatus meeting postponed for December, next meeting 01/20/24.



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January 2024

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B. Vehicles:

1. Eng. 7 back in-service, repairs completed.
2. Rescue 7 back in-service repairs have been completed.
3. E8 in for headset rebuild, Metro Mobile to complete.
4. E507 is back in-service and utilized for storm coverage. This was in addition to the 3 engines, rescue and an extra Battalion Chief.

C. Shift Work:

1. I would like to thank Prevention Div. with an emphasis to the Fuel Mitigation crew for their assistance with storm coverage.
2. This month crews studied their primary response district by driving the streets and reviewing maps.
3. Crews also trained in foul weather operations.
4. County Operations meeting (01/22/24)
5. Board of Directors / Command Staff Meeting
6. Officer expectations meeting (C shift Officers and Acting Officers).
7. Successor training with future BC's and Captains.
8. FF/PM Lohmann has opened his Acting Captains task book.
9. Probationary training, Firefighter/paramedic Dale's continues to perform well. Also, FF/PM Dale has opened her driver/operator task book.
10. FF Lory has been performing well under the guidance of Fire Captain Francisco.



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D. Health and Wellness:

1. Safety / loss reduction meeting, scheduled for 01/20/2024.
2. Mobius Fitness continues to support our crews with yoga and stretching.
3. Physicals have been completed with a few stragglers for makeup date TBA.
4. Have placed the order for replacement gym equipment in the anticipated move back into Sta. 7. Would like to thank the Foundation for the additional funding to make this project a success.



**Woodside Fire Protection District
Logistics Division
Facilities and Information Technology
Monthly report for January 2024
Battalion Chief Robert Douthit**

The Woodside Fire Logistics Division exists to provide oversight and organization to the maintenance and welfare of all Woodside Fire Protection District facilities, as well as the technology platforms necessary for our daily operations. We strive to provide the most current and relevant technologies and equipment to all of our facilities and apparatus ensuring that our employees have everything they need to serve our community at the highest standard. We maintain our stations in a manner that would make the citizens we serve proud, and we ensure the safety of all who work in and visit our stations daily. We research and apply for grants with both federal and local governments to leverage available public funds to help augment the budgets needed for our mission and the collective mission of the WFPD. The Logistics Division continually looks for new methods to keep our facilities and our technological and operational capabilities current with industry best practices of the modern fire service as well as plans and anticipates for the operational growth and technological advancements of the future.

Facilities

Station 7:

The construction at station 7 is largely complete and the workers continue to clean and chip away at the hundreds of small punch list items that our Station Build Committee creates during our inspection walk-throughs. There are paint touchups, small trim corrections and various wall defects that are all being diligently repaired. There are a few outstanding items holding us up from moving in, mainly the final finishing of the concrete floors and the final elevator inspections. Both are anticipated to be complete by February 23rd, the same day that the Cummins movers will deliver our furniture and equipment that we have kept in deep storage. The new furniture for the station will be delivered the next day on February 24th and we are planning on our first operational day at 3111 Woodside Road to be Wednesday February 28th. We have planned the move that day from the interim SLAC station and should be able to accomplish this very complicated process with the assistance of our on-duty crews, Cummins movers as well as the technology professionals at Stepford who will be handling the moving of our fire station offices and technology hardware.

Progress photos of Station 7:



Station 7 Main Entrance



Entry Foyer



Captains Office



Kitchen awaiting two refrigerators and Station 7 Crew dining table.



Front Corner Bedroom



Laundry Room awaiting washer/dryer units from SLAC station.



Level One Bathroom



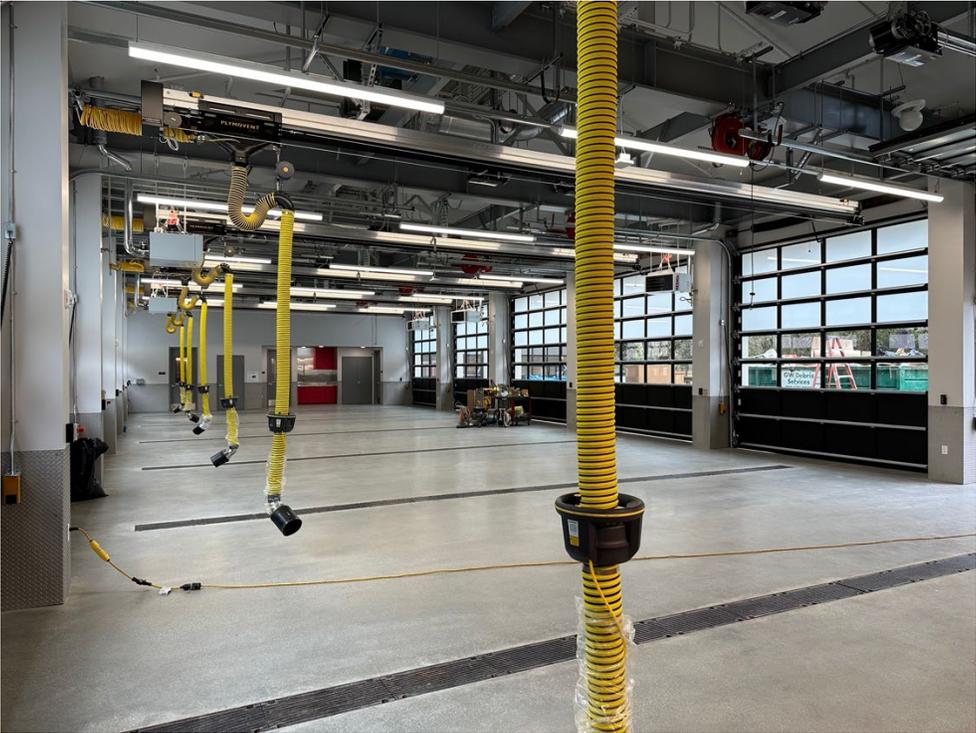
Gym



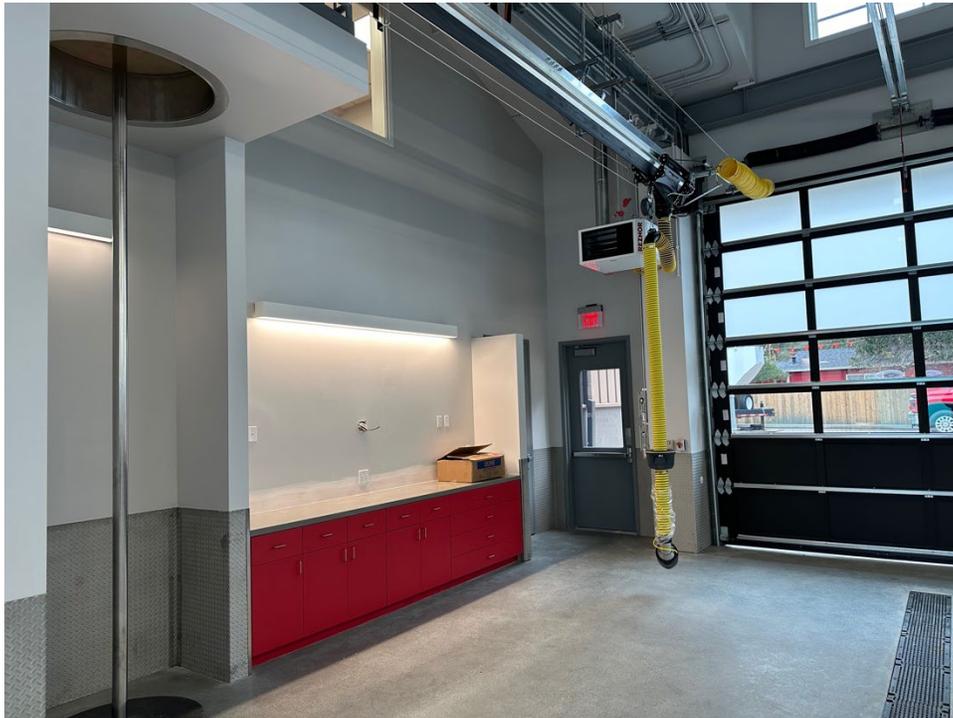
Library overlooking Woodside Road



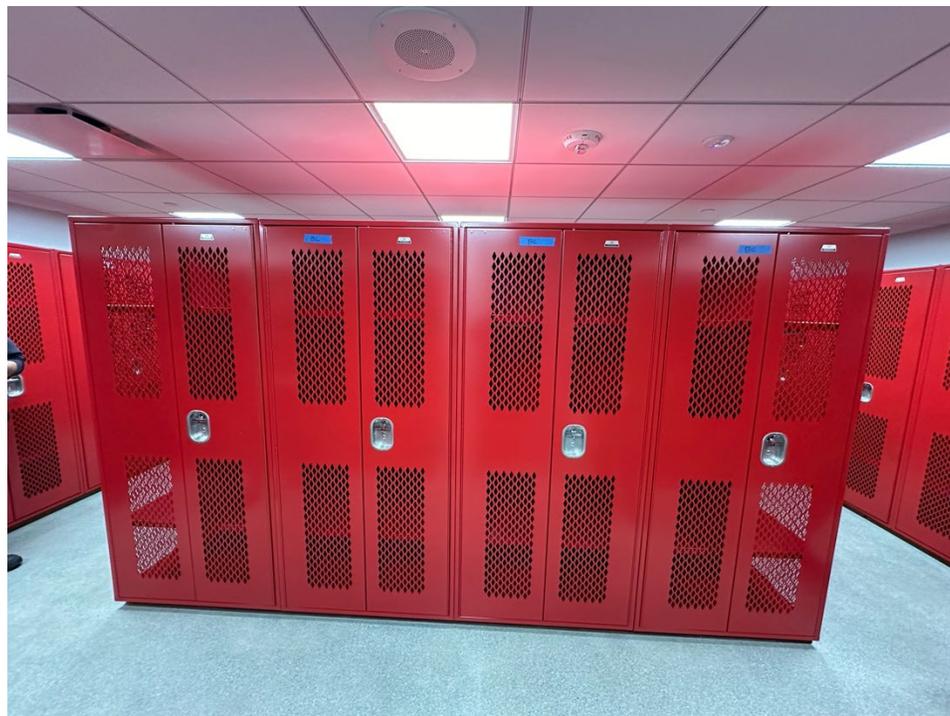
Apparatus Bay



Apparatus bay fire pole and dispatch station awaiting 1st Arrival Screen/Maps



Turnout Locker Room



Rear Shop



Exterior Apparatus Bay



New Fire Board Meeting Room



West architectural detail with preserved heritage tree



Interim Station 7-

The SLAC administration has officially chosen to not keep the interim station facilities, so their demobilization and demolition plans are moving forward. The move out plan is fully developed for the 28th of February and the firefighters will take an active role in the move assisted by Cummins movers and trucks. All the technology infrastructure and IT equipment removal and re-installation will be handled by Stepford.

IT

- The program building phase for PSTRAX is complete and we will be rolling out the program shortly.**
- The First Arrival monitors will be installed in the stations in the coming weeks.**
- We continue to work with Stepford for all our IT needs. They will also be playing a critical role in our station move as they transition our station 7 offices from SLAC to the new station.**

Grant Opportunities

The Logistics Division formed a committee of suppression personnel to pursue grant opportunities, manage successful programs and provide an educational working group to teach aspiring grant writers/managers in our organization. The committee will be applying for a grant through the FEMA Assistance to Firefighters grant program to replace our front-line SCBA's. The committee is working hard on the application which is due in early March. If successful, the grant could generate upwards of \$300,000 for the fire district.

The grant committee has also been working on the existing Cal Water grant project, sourcing and testing the new nozzles that the grant has paid for. WFPD was notified by Cal Water that the grant funding of \$32,355 will be arriving by the end of February.

Meetings attended-

- **Grant Committee**
- **Cal Water grant**
- **Station Build Committee**
- **Station Move Working Group**
- **Station Gym Equipment Working Group**
- **Stepford**
- **First Arrival**
- **PSTRAX**