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DATE: June 3, 2019
TO: Honorable Mayor and City Council Members
FROM: Aimee New, Fire Chief
SUBJECT: Ordinance No. 835 --“Defensible Space” Repeal and Replace Chapter 8.12.010-8.12.090

RECOMMENDATIONS:

The Sonora Fire Department and City Staff recommend that the City Council approve the following:

- 1) Introduce by title Ordinance No. 835 – Defensible Space Ordinance, introduce and waive the second reading.

BACKGROUND:

State law for defensible space, Public Resources Code (PRC) 4291 and Government Code Section 51175-51189, require that owners of improved parcels (parcels having a building, structure or dwelling) maintain 100 feet (or to the limit of their property line) of defensible space around any buildings, structures or dwellings. This ordinance will also address parcels that may or may not have buildings, structures or dwellings on them, by requiring the property owner to maintain a 10 foot reduced fuel zone along each property line that borders (1) a building, structure or dwelling or (2) an area that might be used for exiting and/or an evacuation route, including but not limited to a driveway.

DISCUSSION:

The intent of this ordinance is to provide guidance for implementation of Public Resources Code 4291 and Government Code Section 51175-51189 and minimize the spread of fire within a 100 foot defensible space around a building, structure or dwelling and define clearances for all property owners.

Under the ordinance, property owners will be required to maintain a 30 foot defensible space zone around a building, structure or dwelling by removing and clearing away all flammable vegetation. Property owners will also be required to complete a reduced fuel zone between 30-100 feet from each building, structure or dwelling on their property, or to the limit of their property line; And provide a 10 foot reduced fuel zone around the perimeter of their property line that borders a building, structure or dwelling; or an area that might be used for exiting and/or evacuation routes, including but not limited to a driveway.

The Fire Department and staff recommend the Sonora City Council approval of the described Ordinance No. 835, which would repeal and replace the Sonora Municipal Code Chapter 8.12.010 through 8.12.090.

TITLE 8, CHAPTER 8, SECTIONS 8.12.010 – 8.12.090.

ORDINANCE NO. 835

“Defensible Space”

The City Council of the City of Sonora, California, does hereby ordain as follows:

Section 8.12.010 – 8.12.090 is hereby adopted to read as follows:

8.12.010 Definitions

Aerial fuels: All live and dead vegetation in the tree canopy or above surface fuels, including tree branches, twigs, cones, snags, moss, and high brush.

Building, structure or dwelling: Any building, structure or dwelling whether occupied or not.

Contiguous parcels: One or more parcels of land held by the same owner(s) and not traversed by a public street.

Defensible space: Means the area adjacent to a building, structure or dwelling where wildfire prevention or protection practices are implemented to provide defense from an approaching wildfire or to minimize the spread of a building, structure or dwelling fire to wildlands or surrounding areas. The area is characterized by the establishment and maintenance of a defensible space zone within 30 feet of a building, structure or dwelling and a reduced fuel zone that extends between 30-100 feet away from a building, structure or dwelling or to the property line.

Flammable and combustible vegetation: Fuel defined as dead or dying.

Fuel: Vegetative material, live or dead, which is combustible during normal summer weather and/or any combustible material, including petroleum-based products and wildland fuels.

Horizontal spacing standard: The spacing standard depending on the slope of the land and the height of the shrubs or trees. (Reference CalFire Standard; <http://www.readyforwildfire.org/Defensible-Space/>)

Ladder fuels: Fuels that can carry a fire vertically between or within a fuel type.

ORDINANCE NO. 835

8.12.010 Definitions

Parcel of land: A geographical area of land identified by a specific Assessor's Parcel Number which is used or capable of being used under the regulations of this Article.

Reduced Fuel Zone: In all cases, reduced fuel zone means arranging the trees, shrubs and other fuel sources in a way that makes it difficult for fire to transfer from one fuel source to another. It does not mean cutting down all trees and shrubs, or creating a bare ring of earth across the property. This is the area within 30-100 feet of all buildings, structures or dwellings, or to the property line. All property lines that border (1) a building, structure or dwelling or (2) an area that might be used for exiting and/or an evacuation route, including but not limited to a driveway.

Single specimen Tree: any live tree that stands alone in the landscape so as to be clear of buildings, structures, combustible vegetation, or other trees, and that does not form a means of rapidly transmitting fire from the vegetation to a building, structure, dwelling or from a building, structure or dwelling to the vegetation.

Surface fuels: Loose surface litter on the soil surface, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches that have not yet decayed enough to lose their identity; also, grasses, low and medium shrubs, tree seedlings, heavier branches and downed logs.

8.12.011. Purpose

State law for defensible space, Public Resources Code (PRC) 4291 and Government Code Section 51175-51189, requires that owners of improved parcels (parcels having a building, structure or dwelling) maintain 100 feet (or to the limit of their property line) of defensible space around all buildings, structures and dwellings. Parcels that may or may not have buildings, structures or dwellings on them must keep the property maintained by clearing a ten (10) foot reduced fuel zone along each property lines that borders (1) any building, structure or dwelling or (2) an area that might be used for exiting and/or an evacuation route, including but not limited to a driveway.

The requirements of fuel modification measures are to create defensible space around all buildings, structures, dwellings and property lines as identified. A defensible space perimeter provides firefighters with a safe working environment that allows them to protect buildings, structures and dwellings from encroaching wildfires and minimize the chance that a building, structure or dwelling fire will escape to the surrounding wildland.

Nothing contained in this chapter shall be construed to require the removal from any such lots of any ornamental trees, shrubs, plants or lawns of a reasonable growth, provided the same are not in any manner obstructions to the free use of the sidewalks or streets in front of or along said property. (Ord. 250 § 4, 1954).

ORDINANCE NO. 835

8.12.012 Requirements

A. Defensible Space Zone: 0-30 foot clearance around the immediate building, structure or dwelling.

1. Maintain clearance by removing and clearing all dead or dying flammable or combustible vegetation within 30 feet of each building, structure or dwelling.
2. Remove all branches within 10 feet of stovepipes or chimneys. Equip chimneys/stovepipes with metal screens 3/8" to 1/2" openings.
3. Remove leaves, needles, and all dead or dying vegetation on roofs, gutters, decks, porches and stairways, etc.
4. Remove all dead or dying trees, branches, shrubs or other plants adjacent to, or overhanging, the building, structure or dwelling.
5. Remove lower branches of trees to a height of 6 feet or 1/3 of the tree height, whichever is less.
6. Cut all dead or dying grass to a maximum height of two (2) inches and remove all trimmings. (Recommendation is to remove all dead or dying grass and replace with a drought tolerant live vegetation).
7. Remove all fallen leaves.

B. Reduced Fuel Zone: 30-100 feet, and along certain property lines (See definition in Section 8.12.010).

1. Provide the additional 70 (30-100) feet of reduced fuel zone to complete the 100 foot defensible space. If the building, structure or dwelling is less than 100 feet from the property line, the owner is responsible for the reduced fuel zone up to the property line.
2. All property owners are required to maintain a ten (10) foot reduced fuel zone of clearance along each property line that borders or is adjacent to (1) a building, structure or dwelling or (2) an area that might be used for exiting and/or an evacuation route, including but not limited to a driveway.
 - 2.1 Single parcels or contiguous lots, which exceed an acre in size and/or where slope, fuel model, and/or topography make fuel reduction difficult, shall fall under a reduced fuel plan created by the Fire Chief or designee, which, in his or her discretion, comply with the provisions, set forth in this ordinance.

ORDINANCE NO. 835

3. Modify or reduce the amount of fuel 30-100 feet from any building, structure, or dwelling providing separation between fuel types and/or reshaping retained fuels/vegetation by trimming. Maintain the "horizontal spacing standard" appropriate to the parcel slope. (See definition in Section 8.12.010.)
4. Cut dead or dying grass to a maximum of two (2) inches; trimmings may remain on the ground.
5. Live flammable ground cover less than eighteen (18) inches in height may remain, However the lower branches of trees overhanging or adjacent to the ground cover must be removed to a height of 6 feet or 1/3 of the tree, whichever is less.
6. Single specimens of trees or other vegetation may be retained provided they are well spaced, well-trimmed and create a condition that avoids spread of fire to other vegetation or to a building, structure or dwelling. Remove lower branches of trees to a height of six (6) feet or 1/3 the tree height, whichever is less. Reduce any ladder fuels to a maximum height of eighteen (18) inches.
7. All dead or dying woody surface fuels and aerial fuels within the reduced fuel zone shall be removed. (Tree removal will be on a case by case basis and part of the reduced fuel zone plan.) Loose surface fuels shall be permitted to a depth of two (2) inches. This requirement is primarily intended to eliminate trees, bushes, shrubs and surface debris that are completely dead or with substantial amounts of dead branches or leaves/needles that would readily burn.
8. Down logs or stumps anywhere within 100 feet from a building, structure or dwelling, when embedded in the soil, may be retained when isolated from other vegetation.

ORDINANCE NO. 835

8.12.013 Violations

The violation of any provision of Sections 8.12.010 through 8.12.090 shall constitute an infraction and subject to the general penalties and code enforcement provisions set forth in Chapter 1.08, and all other applicable provisions of, the Sonora Municipal Code.