

**ROSS VALLEY FIRE DEPARTMENT
STAFF REPORT**

For the meeting of April 14, 2021

To: Board of Directors
From: Scott Alber, Fire Marshal
Subject: Receive Fire Prevention Report on Neighboring Jurisdictions Additions to Municipal Code to Mitigate the Effects of Wildfire

RECOMMENDATION:

Staff recommends the Board receives and files the report.

BACKGROUND:

For homes/structures built in wildland-urban interface (WUI) areas, State law requires California homeowners to maintain 100 feet (or to the property line) of defensible space around their homes. The defensible space comprised of the first 30 feet — which is called the “lean, green and clean” zone — and an additional 70-foot zone called the “reduced fuel zone.”

For the first 30 feet, homeowners are required to remove all fire prone vegetation surrounding their home. Fire prone vegetation includes but is not limited to dead plants, dead leaves on the ground, weeds including invasive species like Scotch Broom, and tree limbs less than 6 feet from the ground. Further, homeowners are required to clean leaves and pine needles from gutters and the dwellings’ roofs to prevent sparks/embers from a wildfire from igniting them.

DISCUSSION:

At least two local jurisdictions have currently modified their respective Municipal Codes to enable the enforcement of regulations immediately. The modifications include banning the planting of certain types or varieties of plants, and if such plants are present, their removal is mandatory. These measures are required to mitigate the spread of wildfire as removing these plants enhances the defensible space zone around structures. Additionally, when the two local jurisdictions made the modification to the Municipal Code, they added the modifications to avoid waiting for the California Fire Code's tri-annual adoption and amending the Fire Code with these requirements.

Ross Valley Fire Department has amended the California Fire Code’s Wildfire Prevention and Mitigation Measures in each of their code adoptions for the Towns and District. For instance, a portion of Section 4907.2 of the ordinance requires removing “fire-prone” plants from within 30-ft of structures. Moreover, requiring the removal of fire prone plants without naming specific plant species gives broad latitude and flexibility to Fire Code Officials to enforce the code’s defensible space provisions. Therefore, The Fire Board should remain on schedule with the tri-annual Fire Code adoption cycle, reserving any changes to the code’s requirements for defensible space for that time.

FISCAL IMPACT:

None to the Department at this time.

Attachment: Section 4907.2 – Fire Hazard Reduction – Attachment 1

Buildings and structures within the Wildland-Urban Interface Fire Area of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in the Government Code Sections 51175-51189 and local standards of the authority having jurisdiction.

Section 4907.2 is added to Chapter 49 to read as follows:

Section 4907.2 **Fire Hazard Reduction.** Any person who owns, leases, controls or maintains any building or structure, vacant lands, open space, and/or lands within specific Wildland Urban Interface areas of the jurisdiction of the Town of Ross, shall comply with the following:

1. Cut and remove all fire prone vegetation within 30 feet of structures, up to 150 feet when topographic or combustible vegetative types necessitate removal as determined by the Fire Code Official.
2. Remove accumulated dead vegetation on the property.
3. Cut and remove tree limbs that overhang wood decks and roofs.
4. Remove that portion of any tree which extends within 10 feet of any chimney or stovepipe, roof surfaces and roof gutters.
5. Clean any leaves and needles from roof and gutters.
6. Cut and remove growth less than 3-inches in diameter, from the ground up to a maximum height of 10 feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third of the tree's total height.
7. Vegetation clearance requirements for new construction and substantial remodels in Wildland-Urban Interface Areas shall be in accordance with the 2018 International Wildland-Urban Interface Code, as amended by the (Your Fire Department/District).

EXCEPTION 1: When approved by the Fire Code Official, single specimens of trees, ornamental shrubbery or similar plants, or plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

EXCEPTION 2: When approved by the Fire Code Official, grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize soil, and prevent erosion.

Section 4908 is added to Chapter 49 to read as follows:

Section 4908 **Fire Hazard Reduction from Roadways.** The Fire Code Official is authorized to cause areas within 10 feet (3048 cm) on each side of portions of highways, fire apparatus access roads (improved or unimproved), and driveways (improved or unimproved), which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. Corrective action, if necessary, shall be the same as the actions required in section 4907.2. The Fire Code Official is authorized to enter upon private property to do so in accordance with Section 14.04.120 of the Ross Municipal Code.