



**Siskiyou County  
Planning Commission Staff Report  
November 20, 2024**

**New Business Agenda Item No. 1  
Brunner Use Permit (UP-21-27)**

**Applicant:** Holly Brunner

**Property Owners:** Holly Brunner  
2026 Deetz Road  
Mount Shasta, CA 96067

**Project Summary** The applicant is requesting approval of the following:

- Use Permit approval to allow short-term vacation rental use of an existing single-family dwelling.

**Location:** The project is located at 2026 Deetz Road, approximately 2 miles southwest of the city of Weed and approximately 3 miles northwest of the city of Mt. Shasta; APN: 021-500-360; Township 41N, Range 5W, Section 26, MDBM; Latitude 41.3671°, Longitude -122.4011°.

**General Plan:** Erosion Hazard; Building Foundation Limitations – Severe Pressure Limitations Soils; Wildfire Hazard; Woodland Productivity

**Zoning:** Single-Family Residential (Res-1)

**Exhibits:**

- A. Draft Resolution PC 2024-012  
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Denying the Brunner Use Permit (UP-21-27)
  - A-1. Recommended Findings
- B. Comments
- C. Project Timeline

## Background

The subject parcel is owned by Holly Brunner. The project is located at 2026 Deetz Road, within the sphere of influence of the city of Mt. Shasta.

The property is a legal parcel that was originally created as Parcel 1 of Block II, as shown on the map titled, "Woodside Meadow Estates Unit No. I". This subdivision map was filed in the Siskiyou County Recorder's Office on September 21, 1966, as Town Map Book No. 4 at pages 35 and 36. The parcel was subsequently modified by lot line adjustment when it incorporated the westerly 70 feet of Parcel 2 of Block II of that same subdivision. The lot line adjustment was filed with the Siskiyou County Recorder's Office on April 5, 1989, as Document Number 1989-0003663.

This approximately 1.17-acre parcel is developed with a single-family dwelling with an attached garage that is appropriate to the Single-Family Residential (Res-1) zoning district. Water is provided by a groundwater well and the property has an approved septic system (PN 24-87).

The surrounding properties are zoned for Res-1 uses and are mostly developed with single-family dwellings. One permitted short-term rental is within a mile-radius of the project site. Measured house to house, it is approximately 1,200 feet (0.23 miles) away.

As discussed more fully below, staff is recommending that the application be ***denied*** as the parcel is within the City of Mount Shasta's sphere of influence and the parcel is not at least 2.5 acres in size, as is required under SCC 10-6.1502(h)(10) (now 10-6.6104(B)), which was in effect at the time the application was submitted.



Figure 1: Project Site  
Brunner Use Permit (UP-21-27)

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Figure 2: Zoning Map



Figure 3: Short-Term Rental Map  
Brunner Use Permit (UP-21-27)

## **Analysis**

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Erosion Hazard, Building Foundation Limitations: Severe Pressure Limitations Soils, Wildfire Hazard, and Woodland Productivity. In addition, planning staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.6, 41.7, 41.9, and 41.18 apply to the proposed project.

### **General Plan Consistency**

Staff has conducted a detailed analysis of each of the required findings and has found that the proposed project is consistent with the applicable General Plan policies governing the subject site. In addition, the use has adequate roadway access for transportation and public health and safety provisions, and would not create environmental impacts to on- or off-site resources. The recommended findings are detailed in the General Plan Consistency Findings section of Exhibit A-1 attached to this staff report and are submitted for the Commission's review and consideration.

### **Zoning Consistency**

The proposed project site is situated in a Single-Family Residential district and the proposed vacation rental was a conditionally permitted use pursuant to Section 10-6.1502(h) of the Siskiyou County Code, which was in effect at the time this project application was submitted. Approximately two and one-half years after the application was submitted, Ordinance 24-04 passed, repealing Section 10-6.1502(h) and establishing Article 61, Vacation Rentals (Sections 10-6.6101 through 10-6.6111). Based on staff's analysis of the proposed use, staff believes that the necessary findings **cannot** be made for approval of the application due to the 1.17-acre parcel not meeting the 2.5-acre minimum parcel size. The 2.5-acre minimum parcel size was an applicable requirement for the original vacation rental code (Section 10-6.1502(h)) and the current vacation rental code (Section 10.6.6104(B)). The recommended findings are detailed in the Zoning Consistency/Use Permit Findings section of Exhibit A-1 attached to this staff report.

## **Discussion**

Siskiyou County Code Section 10-6.1502(h), which allowed for vacation rentals in single-family or two-family dwellings subject to the issuance of a use permit, was in effect at the time the project application as submitted on September 2, 2021. Section 10-6.6101 through 10-6.6111 is the current vacation rental code, which allows for vacation rentals subject to the issuance of a Vacation Rental Activity Permit instead of a use permit. Vacation rentals are subject to specific conditions, including property management requirements, maximum rental periods, occupancy limits, and parking requirements.

### **Property Management**

Siskiyou County Code, Section 10-6.1502(h)(1) required that a vacation rental be managed by a County resident or professional property management firm located in Siskiyou County and that such resident or firm be available on a twenty-four (24) hour basis. That requirement is now reflected in Section 10-6.6109(B)(3).

### **Maximum Rental Period**

Maximum Rental period per Siskiyou County Code Section 10-6.1508(h)(2) for each occupancy is limited to no more than thirty (30) consecutive days. This requirement has been reduced to a maximum of twenty-nine (29) days and is reflected in Section 10-6.6109(B)(5).

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Occupancy

The single-family dwelling contains three (3) bedrooms that the applicant proposes to use as sleeping rooms. The three bedrooms may be used for occupancy purposes subject to building inspection requirements. The master bedroom is approximately 174 square feet. The remaining bedrooms are each approximately 115 square feet. Based on available square footage of the bedrooms, up to eight guests could be accommodated at any one time in the proposed vacation rental. This figure is less to the amount that was allowed by Siskiyou County Code Section 10-6.1502(h)(9), which limited occupancy of vacation rentals to a maximum of ten guests at any one time. Current code's maximum occupancy requirement is now based on two occupants per bedroom plus two additional occupants and does not take into consideration the size of the bedrooms. Therefore, the maximum occupancy allowed by Section 10.6.6104(F) for this property is also eight. However, the septic system is only designed to accommodate six people. Therefore, based on design capacity of the septic system, the maximum permitted occupancy would be six persons.

Inspections

Prior to the issuance of a use permit, both Siskiyou County Building and Environmental Health Division inspections are required to determine whether the facility complies with established standards. The subject property was inspected by the Siskiyou County Building Division on October 18, 2021. Several items were noted as needing corrections. The property has not had a follow-up inspection verifying that all items have been corrected.

Parking

Siskiyou County Code, Section 10-6.6.6104(G) requires one off-street parking space for the vacation rental, plus one additional space for each of the available sleeping rooms. Three sleeping rooms are within the proposed vacation rental; therefore, a total of four off-street parking spaces are required. Adequate off-street parking exists on the driveway for the required four spaces.

Sphere of Influence

Pursuant to Siskiyou County Code, Section 10-6.1502(h)(10), vacation rentals within the Sphere of Influence of the City of Mt. Shasta shall only be allowed on parcels of two and one-half (2.5) acres or greater. The subject parcel is approximately 1.17 acres and therefore does not meet the minimum parcel size pursuant to this section. Moreover, the current code for short-term rentals (Siskiyou County Code Section 10-6.6101-10-6.6111, inclusive), also requires a minimum parcel size of 2.5-acres for this property.

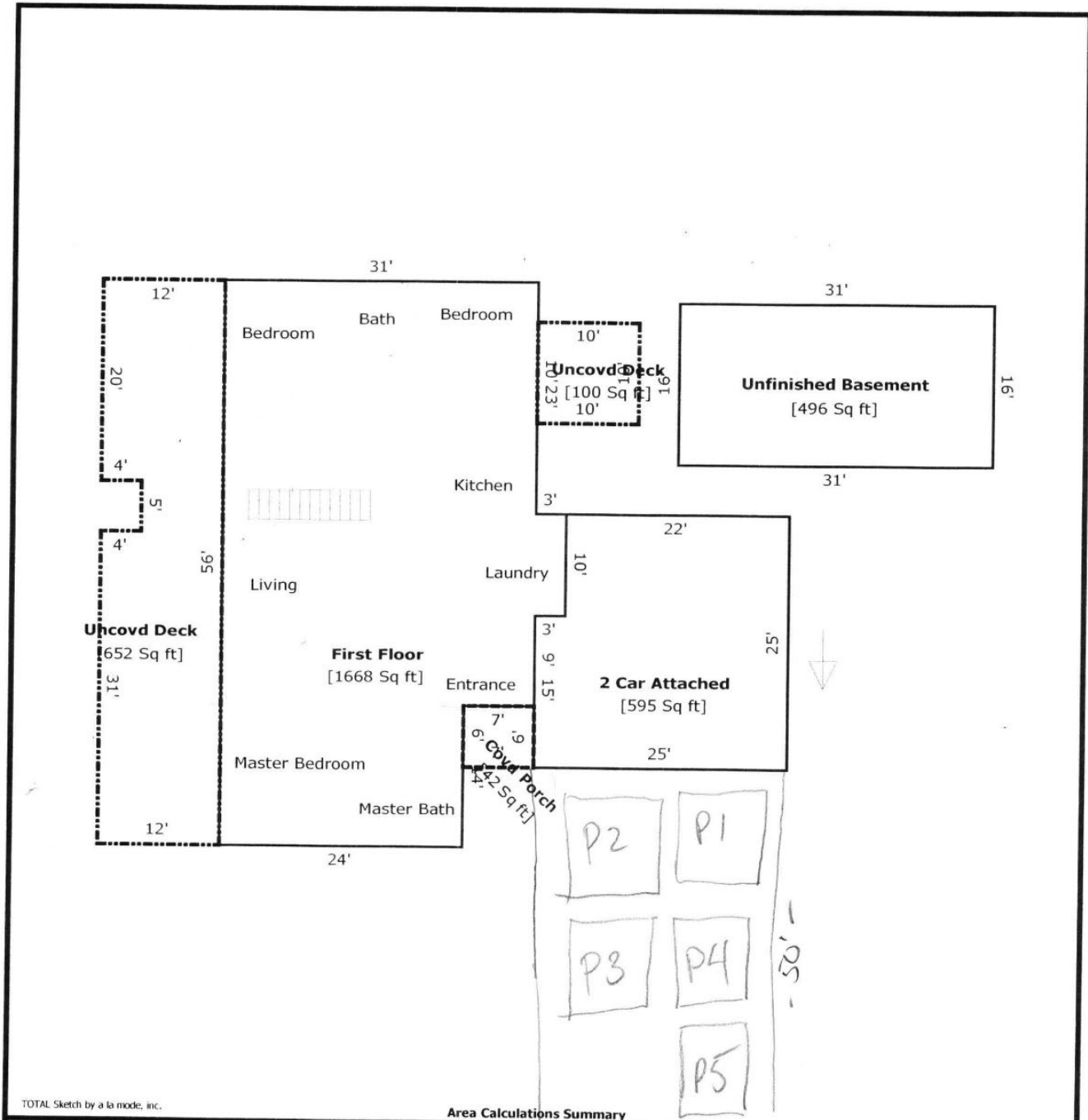


Figure 4: Site Map

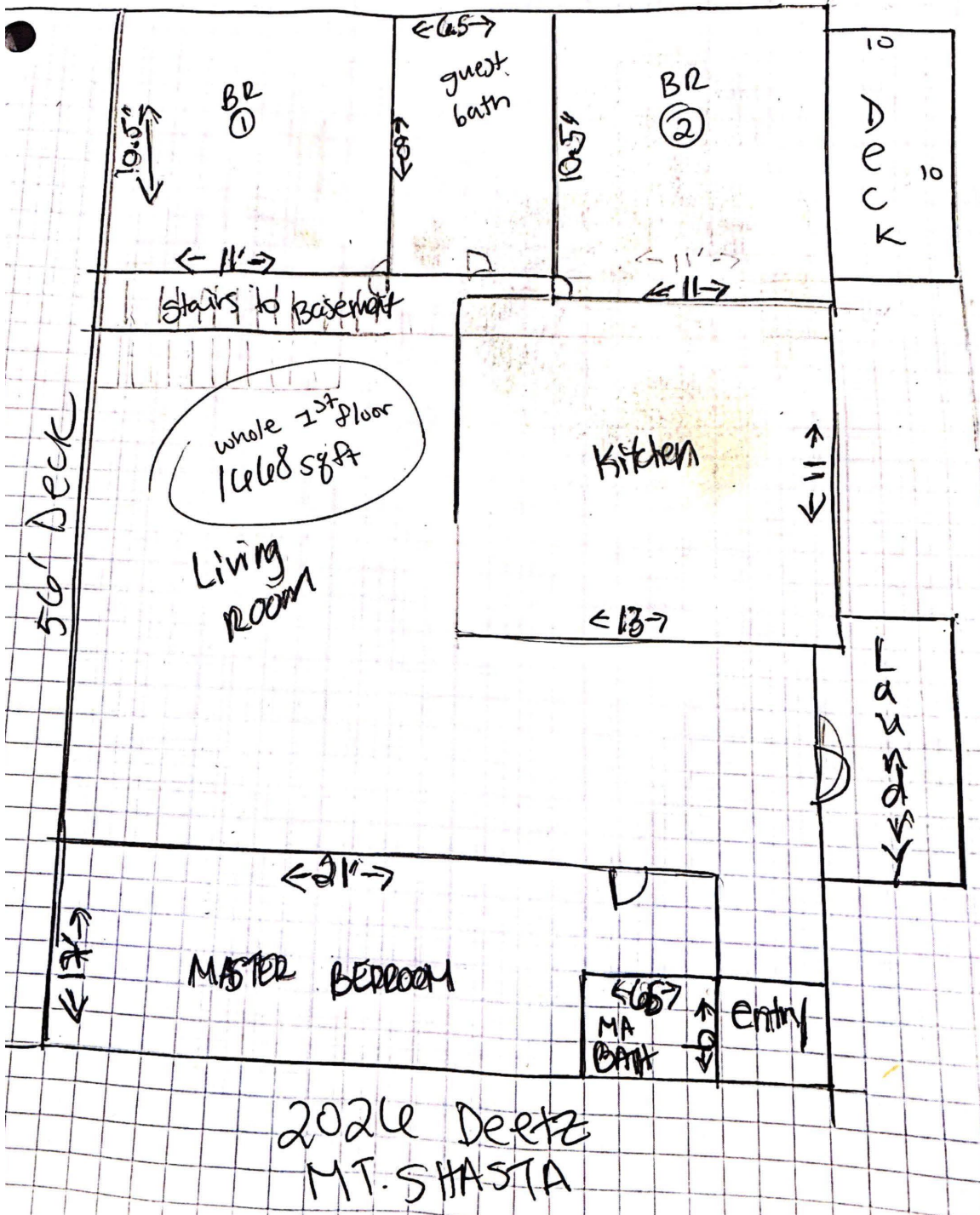


Figure 5: Floor Plan

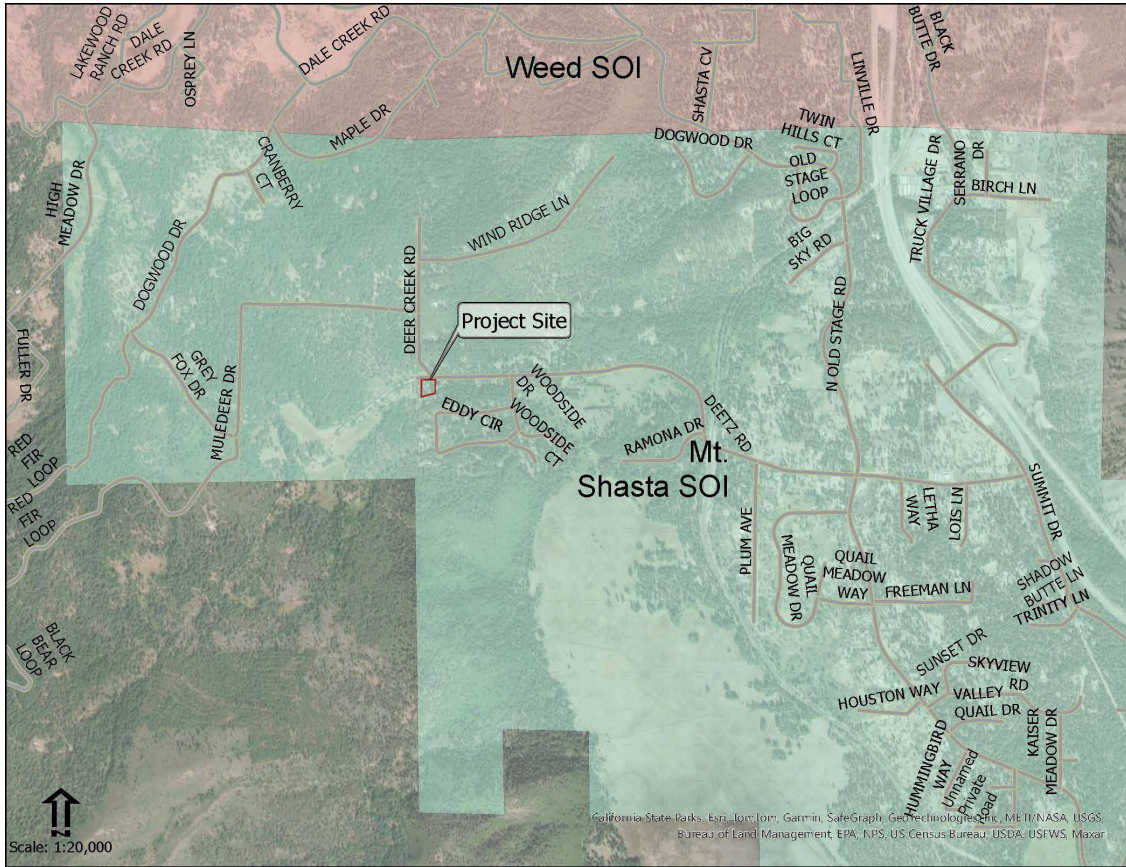


Figure 6: Sphere of Influence Map

## Environmental Review

The proposed project (i.e., use of an existing single-family dwelling as a vacation rental) is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270(a), *Projects Which Are Disapproved*. This exemption applies to projects which a public agency rejects or disapproves.

## Comments

A Notice of Public Hearing was published in the Siskiyou Daily News on November 6, 2024, and mailed to property owners within 300 feet of the subject property. No public comments have been received at the time this staff report was written.

### **Siskiyou County Building Division – October 18, 2021**

The Building Division reviewed the information related to the proposed short-term vacation rental and performed an on-site inspection on October 18, 2021. The inspection noted several items that needed corrections.

***Planning Response:*** *Although the remodel of the existing deck has passed inspection, a second comprehensive inspection of the entire structure has not been performed.*



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**California Department of Forestry and Fire Protection (CAL FIRE) – August 18, 2022**

Comments were submitted regarding CAL FIRE’s requirements for this project, specifically those pertaining to emergency access and egress, signing and building numbering, and fuel modification and standards as specified pursuant to Public Resources Code 4290.

**Siskiyou County Environmental Health Division – September 11, 2022**

Environmental Health has reviewed information related to the proposed short-term vacation rental and provided comments regarding garbage receptacles and trash removal, pool and spa facilities, and well and septic systems. Septic system is adequate for 6 persons.

**Planning Staff Recommendations**

- Adopt Resolution PC 2024-012 taking the following actions:
  - Deny the Use Permit (UP-21-27) request based on the recommended findings; and
  - Determine the project statutorily exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15270(a), *Projects Which Are Disapproved*.

**Suggested Motion**

I move that we adopt Resolution PC 2024-012, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Denying the Brunner Use Permit (UP-21-27) and determining the Project Exempt from CEQA.

**Preparation**

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Rachel Jereb, Senior Planner  
Siskiyou County Planning Division  
806 S. Main Street  
Yreka, CA 96097

## Resolution PC 2024-012

### **A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Denying the Brunner Use Permit (UP-21-27)**

**Whereas**, Section 10-6.1502(h), now 10-6.6101 et seq, of the Siskiyou County Code permits vacation rentals within single-family and two-family dwellings subject to approval of a use permit and provided specific conditions are met; and

**Whereas**, Holly Brunner applied for a use permit to allow for a vacation rental use of a single-family dwelling located at 2026 Deetz Road, northwest of the city of Mt. Shasta and within said city's Sphere of Influence, on Assessor Parcel Number 021-500-360; and

**Whereas**, a Notice of Public Hearing was published in the Siskiyou Daily News on July 3, 2024; and

**Whereas**, on July 17, 2024, the project was continued to a date uncertain; and

**Whereas**, a Notice of Public Hearing was published in the Siskiyou Daily News on November 6, 2024; and

**Whereas**, hearing notices were posted pursuant to Siskiyou County Code Section 10-6.2805 et seq.; and

**Whereas**, the Planning Division presented its oral and written staff report on proposed Use Permit UP-21-27 at the Planning Commission's regularly scheduled meeting on November 20, 2024; and

**Whereas**, the Planning Division recommended Use Permit UP-21-27 be determined statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15270 of the CEQA Guidelines; and

**Whereas**, the Planning Division recommended denial of Use Permit UP-21-27 as the subject parcel does not meet the minimum parcel size required for vacation rentals within the Vacation Rental Area parcel size requirement found in Section 10-6.6104(B); and

**Whereas**, on November 20, 2024, the Chair of the Planning Commission opened the duly noticed public hearing on Use Permit UP-21-27 to receive testimony, both oral and written, following which the Chair closed the public hearing and the Commission discussed Use Permit UP-21-27 prior to reaching its decision.

**Now, therefore be it resolved** that the Planning Commission adopts the recommended findings set forth in Exhibit A-2 of the written staff report referenced hereto and incorporated herein;

**Be it further resolved** that the Planning Commission, based on the evidence in the record and the findings set forth in Exhibit A-2, determines the project statutorily exempt from CEQA pursuant to Section 15270 of the CEQA Guidelines and denies Use Permit UP-21-27.

**It is hereby certified** that the foregoing Resolution PC 2024-012 was duly adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, at a regular meeting of the Siskiyou County Planning Commission held on the 20th day of November 2024, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

\_\_\_\_\_  
Jeff Fowle, Chair

Witness, my hand and seal this 20th day of November 2024.

\_\_\_\_\_  
Hailey Lang, Secretary of the Commission

## Findings

### Zoning Consistency/Use Permit Findings

1. The proposed Use Permit is consistent with the applicable elements and policies of the Siskiyou County General Plan.
2. The proposed vacation rental is **inconsistent** with the applicable zoning provisions outlined in Section 10-6.6104 of the Siskiyou County Code.
  - a. Section 10-6.6104(B) requires that vacation rentals shall only be allowed on parcels of two and one-half acres or greater within the as set forth in the "Vacation Rental Areas" map.
  - b. The subject parcel was measured as being approximately 1.1 acres in size based upon the property dimensions in Town Map Book 4 at page 36, which is less than the required minimum of two and one-half acres.
3. The Planning Commission has considered all written and oral comments received and based on its analysis of the public testimony and staff's analysis, the Commission has determined that the project would be **incompatible** with existing and planned uses of the area.

### General Plan Consistency Findings

#### Composite Overall Policies

Policy 41.3(e) - All proposed uses of the land shall be clearly compatible with the surrounding and planned uses of the area.

*The proposed vacation rental would be clearly compatible with existing uses adjacent to the project site and would not in any way threaten the public health, safety, peace, morals, comfort, convenience, or general welfare of the surrounding area.*

Policy 41.3(f) – All proposed uses of the land may be allowed if they clearly will not be disruptive or destroy the intent of protecting each mapped resource.

*No new development is proposed as part of this project and, therefore, no disruption of a mapped resource would occur.*

Policy 41.6 - There shall be a demonstration to the satisfaction of the Siskiyou County Environmental Health Department and/or the California Regional Water Quality Control Board that sewage disposal from all proposed development will not contaminate ground water.

*Sewage disposal for the existing single-family dwelling is provided by connection to an approved private septic system. No new development is proposed as part of this project.*

Policy 41.7 - Evidence of water quality and quantity acceptable to the Siskiyou County Environmental Health Department must be submitted prior to development approval.

*Water service to the existing single-family dwelling is provided by connection to an approved private groundwater well. No new development is proposed as part of this project.*

Policy 41.8 – All proposed development shall be accompanied by evidence acceptable to the Siskiyou County Health Department as to the adequacy of on-site sewage disposal or the ability to connect into an existing city or existing Community Services District with adequate capacity to accommodate the proposed development. In these cases, the minimum parcel sizes and uses of the land permitted for all development will be the maximum density and land uses permitted that will meet minimum water quality and quantity requirements, and the requirements of the county's flood plain management ordinance.

*No new development is proposed as part of this project. Sewage disposal and water service is supplied to the existing single-family residence by an approved private groundwater well and septic system.*

Policy 41.9 - Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

*The project site has access to Deetz Road, a public roadway capable of accommodating the vehicular traffic generated by the proposed use.*

Policy 41.18 – Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

*Staff has reviewed all Land Use Element policies and has determined that the proposed vacation rental conforms to the General Plan.*

## **Map 2: Erosion Hazard**

Policy 7 – Specific mitigation measures will be provided that lessen soil erosion, including contour grading, channelization, revegetation of disturbed slopes and soils, and project time (where feasible) to lessen the effect of seasonal factors (rainfall and wind).

*No new development is proposed as part of this project. Therefore, there would be no potential for erosion impacts due to implementation of the project.*

### **Map 3: Building Foundation Limitations**

Policy 8 – Enforce building construction standards (uniform building code) and public works requirements.

*No new development is proposed as part of this project; however, Siskiyou County Code Section 10-6.6104(I) requires a Building Department inspection to determine whether the facility complies with established standards. Proposed vacation rental properties are required to pass a comprehensive Building Department inspection prior to issuance of a permit.*

### **Map 11: Woodland Productivity**

Policy 31 – The minimum parcel size shall be one acre on 0-15% slope, and 5 acres on 16-29% slope.

Policy 32 – Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted. The permitted uses will not create erosion or sedimentation problems.

Policy 33 – All land uses and densities shall be designed so as not to destroy timber productivity on large parcels of high suitability woodland soils. (Class I and II.)

*No new parcels are proposed as part of this project. Vacation rentals are a permitted use per Policy 32 and the proposed use will not create erosion or sedimentation problems. No new land use or change in density is proposed as a part of this project.*

### **California Environmental Quality Act Findings**

1. Pursuant to CEQA Guidelines, Section 15270, projects which a public agency rejects or disapproves are statutorily exempt. Because the proposed short-term vacation rental has been recommended for denial by Planning staff and then subsequently denied by the Planning Commission, the project is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15270(a).
2. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.



# COUNTY OF SISKIYOU

COMMUNITY DEVELOPMENT DEPARTMENT  
 Building ♦ Environmental Health ♦ Planning  
 806 South Main Street · Yreka, California 96097  
 Phone: (530) 841-2100 · Fax: (530) 841-4076  
Siskiyou County Building Division

RICHARD J. DEAN  
 DIRECTOR

AARON STUTZ, MD  
 PUBLIC HEALTH OFFICER

## Vacation Rental Inspection Report

### Building Department Vacation Rental Inspection Report

Section 10-6.1502, Title 10, Siskiyou County Code

#### Applicant General Information

(\*Required)

\*Owner's Name: Holly Brunner \*APN: \_\_\_\_\_ Log No.: \_\_\_\_\_

\*Owner's Address (City, State, ZIP) 2020 Deetz Rd. MT. SHASTA

\*Owner's Cellphone: 707-845-6435 \*Owner's Email: Ihollybrunner@gmail.com

\*Vacation Rental Address (City, ZIP): 2020 Deetz Rd. MT. SHASTA CA

\*Number of Bedrooms: 3 \*Number of Stories: 2

\*Swimming Pool, Spa, Hot Tub, Other (specify): N/A

\*Water Supply:  Well  Public \*Sewage Disposal:  Private  Public

\*Off-Street Parking (one plus number of bedrooms—spaces may be tandem): 5

**Building Department:** Verify if and when a building permit was issued for the building.

Permit #: 19174 Date: 1987

**If no permit was issued, no inspection will be performed until resolved.**

#### Vacation Rental Inspection Checklist

Category	Conforms Date:	Non-Conforming Date:	Remarks: Supplemental Report Attached—Yes / No If yes, number of pages _____
<b>Location:</b> Building, fuel tank, debris away from bldg., etc.	✓		<u>MONITOR FUEL TANK</u>
<b>Sanitation:</b> Potable water (cold & hot), sewage disposal	✓		
<b>Room Dimensions:</b> Ceiling Height, Room Size, etc.	✓		

Category	Conforms Date:	Non-Conforming Date:	Remarks: Supplemental Report Attached—Yes / No If yes, number of pages _____
<b>Structural:</b> Foundation floor, walls, ceiling, porch, deck, landing and railing, exterior/interior guardrails, steps		✓	DECK IN NEED OF REPAIR (LOOSE RAILING)
<b>Plumbing:</b> Required fixtures in good working order, water heater, etc.	✓		
<b>Mechanical:</b> Proper installation, capable of maintaining 68 degrees 3' off of floor, proper heating equipment installation	✓		
<b>Weather Protection:</b> Exterior walls, roof, windows, closure around pipes/venting etc.	✓		
<b>Fire Hazard:</b> Location of LPG tanks, Combustible fuels tanks, etc.	✓		MONITOR FUEL TANK
<b>Electrical:</b> Exterior WP GFCI outlets, Interior GFCI outlets, lights, switches outlets in good working order	✓		
<b>Electrical:</b> Smoke detectors carbon monoxide alarms		✓	ONE WIRELESS/DOW STAIRS
<b>Hazardous Premises:</b> Ponds, open wells, etc.		✓	DEBRIS PILES
<b>Exits:</b> Doors, windows, egress windows, width, height, etc.	✓		<del>DEBRIS PILES</del>
<b>Natural Light:</b> Habitable rooms	✓		
<b>Natural Ventilation:</b> Habitable rooms, Bath-rooms etc.	✓		
<b>Handrails/Guardrails:</b> Height/spacing etc.	✓		OUTSIDE DECK RAILING MEETS '87 CODE



Category	Conforms Date:	Non-Conforming Date:	Remarks: Supplemental Report Attached—Yes / No If yes, number of pages _____
<b>Fenestration (glazing):</b> Safety glazing doors, showers/tubs, stairs	✓		
<b>Nuisance (hazard):</b> Anything injurious to health. Sec 3479 CC	✓		Environmental Health check for adequate garage storage, vermin, or rodents
<b>Improper Occupancy:</b> Room or area used for other than designed or intended	✓		
<b>Laundry Facilities:</b> Washer or laundry sink located on premise	✓		
<b>Swimming Pool:</b> Pool, spa, hot tub equipped with required barriers and drains		N/A	Environmental Health check for adequate garage storage, vermin, or rodents
<b>Other:</b>			

### Vacation Rental Inspection Results

- Conforms** County of Siskiyou Building Inspector initials and date: \_\_\_\_\_
- Non-Conforming** County of Siskiyou Building Inspector initials and date: DM 10/18/21  
Provide acceptable modifications and/or corrections.  
**Inspection corrections are listed above.** Refer to the above-noted items and/or attached inspection report.
- Re-Inspection Conforms** County of Siskiyou Building Inspector initials and date: \_\_\_\_\_

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

P.O. Box 128  
1809 Fairlane Road  
YREKA, CA 96097-0128  
(530) 842-3516  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)



August 18, 2022

Siskiyou County Department of Public  
Health and Community Development  
806 South Main Street  
Yreka, CA 96097-3321

Attention: Dianne Johnson, Permit Technician

Subject: Project Application Review: Vacation Rental Brunner UP-2127

The California Department of Forestry and Fire Protection has the following Public Resources Code 4290 requirements for the above referenced project (reference Calif. Code of Regulations Title 14, Division 1.5, Chapter 7, Article 5, Subchapter 2, SRA Fire Safe Regulations):

**EMERGENCY ACCESS AND EGRESS**

1273.01, 1273.02, 1273.03, 1273.04, 1273.05, 1273.06, 1273.07, 1273.08, 1273.09

**Note: Driveway access must meet the roadway width standards**

**SIGNING AND BUILDING NUMBERING**

1274.01, 1274.02, 1274.03, 1274.04

**FUEL MODIFICATION AND STANDARDS**

1276.01, 1276.02, 1276.03, 1276.04

**SEE THE ATTACHED "4290 SRA FIRE SAFE REGULATIONS" FOR SPECIFIC CODE REQUIREMENTS.**

If you have any questions please call me at (530) 842-3516.

A handwritten signature in blue ink, appearing to read "NP".

Nicholas Pisano  
Fire Captain Specialist- Fire Prevention  
CAL FIRE

For: Phillip Anzo  
Unit Chief

*"The Department of Forestry and Fire Protection serves and safeguards the people and protects the property and resources of California."*

# SRA Fire Safe Regulations

## Board of Forestry and Fire Protection



FOR INFORMATIONAL USE ONLY

View the official California Code of Regulations online at  
[govt.westlaw.com/calregs](http://govt.westlaw.com/calregs)

As of July 28, 2020

California Code of Regulations  
Title 14 Natural Resources  
Division 1.5 Department of Forestry  
Chapter 7 - Fire Protection  
Subchapter 2 SRA Fire Safe Regulations  
Articles 1-5

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## Article 1 Administration

### § 1270.00. Title

These regulations shall be known as the "SRA Fire Safe Regulations," and shall constitute the basic wildfire protection standards of the California Board of Forestry and Fire Protection.

### § 1270.01. Purpose

(a) These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area (SRA).

(b) The future design and construction of structures, subdivisions and developments in the SRA shall provide for basic emergency access and perimeter wildfire protection measures as specified in the following articles.

(c) These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification. The fire protection standards which follow shall specify the minimums for such measures.

### § 1270.02. Scope

(a) These regulations shall apply to:

(1) the perimeters and access to all residential, commercial, and industrial building construction within the SRA approved after January 1, 1991 except as set forth below in subsections (b.)through (d), inclusive, and (f);

(2) the siting of newly installed commercial modulars, manufactured homes, mobilehomes, and factory-built housing, as defined in Health and Safety Code sections 18001.8, 18007, 18008, and 19971, except where being sited or installed as an accessory or junior accessory dwelling unit as set forth in subsection (d) below; (3) all tentative and parcel maps or other developments approved after January 1, 1991; and

(4) applications for building permits on a parcel approved in a pre-1991 parcel or tentative map to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative map.

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

(c)(1) At the discretion of the local jurisdiction, and subject to any requirements imposed by the local jurisdiction to ensure reasonable ingress, egress, and capacity for evacuation and emergency response during a wildfire, these regulations shall not apply to the reconstruction or repair of legally constructed residential, commercial, or industrial buildings due to a wildfire, to the extent that the reconstruction or repair does not:

(A) increase the square footage of the residential, commercial, or industrial building or buildings that previously existed; or

(B) change the use of the building or buildings that had existed previously; or

(C) construct a new building or buildings that did not previously exist on the site.

(2) Nothing in this subsection shall be construed to alter the extent to which these regulations apply to the reconstruction or repair of a legally constructed residential, commercial, or industrial building for reasons unrelated to a wildfire.

(d) These regulations do not apply to the creation of accessory or junior accessory dwelling units that comply with Government Code sections 65852.2 or 65852.22, or any local

ordinances enacted thereunder, as applicable, including any local ordinances requiring provisions for fire and life safety.

(e) Unless otherwise exempt pursuant to this subchapter, affected activities include, but are not limited to:

- (1) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d);
- (2) application for a building permit for new building construction;
- (3) application for a use permit; and
- (4) road construction.

(f) EXEMPTION: Roads used solely for agricultural, mining, or the management and harvesting of wood products.

### § 1270.03. Provisions for Application of These Regulations.

This subchapter shall be applied as follows:

(a) the local jurisdictions shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE) or their designee with notice of applications for building permits, tentative parcel maps, tentative maps, and installation or use permits for construction or development within the SRA.

(b) the Director or their designee may review and make fire protection recommendations on applicable construction or development permits or maps provided by the local jurisdiction.

(c) the local jurisdiction shall ensure that the applicable sections of this subchapter become a condition of approval of any applicable construction or development permit or map.

### § 1270.04. Local Ordinances.

(a) Nothing contained in these regulations shall be considered as abrogating the provisions of any ordinance, rule or regulation of any state or local jurisdiction provided that such ordinance, rule, or regulation is equal to or exceeds these minimum standards.

(b) Counties may submit their local ordinances for certification via email to the Board, and the Board may certify them as equaling or exceeding these regulations when they provide the same practical effect. If the Board determines that the local requirements do not equal or exceed these regulations, it shall not certify the local ordinance.

(c) When the Board grants certification, the local ordinances, in lieu of these regulations, shall be applied as described in 14 CCR § 1270.02 and used as the basis for inspections performed under 14 CCR § 1270.05.

(d) The Board's certification of local ordinances pursuant to this section is rendered invalid when previously certified ordinances are subsequently amended by local jurisdictions, or the regulations are amended by the Board, without Board re-certification of the amended ordinances. The Board's regulations supersede the amended local ordinance(s) when the amended local ordinance(s) are not re-certified by the Board. Amendments made by local jurisdictions to previously certified ordinances shall be submitted for re-certification.

### § 1270.05. Inspections.

Inspections shall conform to the following requirements:

(a) Inspection shall be made by:

- (1) the Director, or
- (2) local jurisdictions that have assumed state fire protection responsibility on SRA lands, or
- (3) local jurisdictions where the inspection duties have been formally delegated by CAL

FIRE to the local jurisdiction.

- (b) Nothing in this section abrogates CAL FIRE's authority to inspect and enforce state forest and fire laws even when the inspection duties have been delegated pursuant to this section.
- (c) Reports of violations shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in the local jurisdiction.
- (d) When inspections are conducted, they shall occur prior to: the issuance of the use permit or certificate of occupancy; the recordation of the parcel map or final map; the filing of a notice of completion; or the final inspection of any project or building permit.

#### § 1270.06. Exceptions to Standards.

- (a) Upon request by the applicant, exceptions to standards within this subchapter or to local jurisdiction certified ordinances may be allowed by the inspection entity listed in 14 CCR § 1270.05, where the exceptions provide the same practical effect as these regulations towards providing defensible space. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be made on a case-by-case basis only. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be forwarded to the appropriate CAL FIRE Unit Office that administers SRA fire protection in that county and shall be retained on file at the Unit Office.
- (b) Requests for an exception shall be made in writing to the inspection entity listed in 14 CCR § 1270.05 by the applicant or the applicant's authorized representative. At a minimum, the request shall state the specific section(s) for which an exception is requested, material facts supporting the contention of the applicant, the details of the exception proposed, and a map showing the proposed location and siting of the exception. Local jurisdictions listed in 14 CCR section 1270.05 may establish additional procedures or requirements for exception requests.
- (c) Where an exception is not granted by the inspection entity, the applicant may appeal such denial to the local jurisdiction. The local jurisdiction may establish or utilize an appeal process consistent with existing local building or planning department appeal processes.
- (d) Before the local jurisdiction makes a determination on an appeal, the inspection authority shall be consulted and shall provide to that local jurisdiction documentation outlining the effects of the requested exception on wildfire protection.
- (e) If an appeal is granted, the local jurisdiction shall make findings that the decision meets the intent of providing defensible space consistent with these regulations. Such findings shall include a statement of reasons for the decision. A written copy of these findings shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in that local jurisdiction.

#### § 1271.00. Definitions

Agriculture: Land used for agricultural purposes as defined in a local jurisdiction's zoning ordinances.

Building: Any structure used or intended for supporting or sheltering any use or occupancy, except Utility and Miscellaneous Group U buildings.

CAL FIRE: California Department of Forestry and Fire Protection.

Dead-end road: A road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

Defensible space: The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and

maintenance of emergency vehicle access, emergency water reserves, road names and building identification, and fuel modification measures.

Development: As defined in section 66418.1 of the California Government Code.

Director: Director of the Department of Forestry and Fire Protection or their designee.

Driveway: A vehicular access that serves up to two (2) parcels with no more than two (2) residential units and any number of non-commercial or industrial buildings on each parcel.

**Note: Driveway standard includes up to a total of four (4) residential Units on one (1) parcel - Board of Forestry**

Distance Measurements: All specified or referenced distances are measured along the ground, unless otherwise stated.

Exception: An alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.

Fire valve: see hydrant.

Fuel modification area: An area where the volume of flammable vegetation has been reduced, providing reduced fire intensity and duration.

Greenbelts: A facility or land-use, designed for a use other than fire protection, which will slow or resist the spread of a wildfire. Includes parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards or annual crops that do not cure in the field.

Hammerhead/T: A road or driveway that provides a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road that serves it.

Hydrant: A valved connection on a water supply or storage system, having either one two and a half (2 1/2) inch or one four and a half (4 1/2) inch outlet, with male American National Fire Hose Screw Threads (NH), used to supply fire apparatus and hoses with water.

Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that issues or approves building permits, use permits, tentative maps or tentative parcel maps, or has authority to regulate development and construction activity.

Occupancy: The purpose for which a building, or part thereof, is used or intended to be used.

One-way road: A minimum of one traffic lane width designed for traffic flow in one direction only.

Residential unit: Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and/or sanitation for one or more persons.

Manufactured homes, mobilehomes, and factory-built housing are considered residential units for the purposes of mandatory measures required in 14 CCR § 1270.01(c), unless being sited or installed as an accessory or junior accessory dwelling unit in accordance with 14 CCR § 1270.02(d).

Road: Vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

Road or driveway structures: Bridges, culverts, and other appurtenant structures which supplement the traffic lane or shoulders.

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

- (a) access for emergency wildland fire equipment,
- (b) safe civilian evacuation,
- (c) signing that avoids delays in emergency equipment response,
- (d) available and accessible water to effectively attack wildfire or defend a structure from wildfire, and



(e) fuel modification sufficient for civilian and fire fighter safety.

Shoulder: Vehicular access adjacent to the traffic lane.

State Board of Forestry and Fire Protection (Board): As defined in Public Resources Code section 730.

State Responsibility Area (SRA): As defined in Public Resources Code sections 4126-4127; and the California Code of Regulations, title 14, division 1.5, chapter 7, article 1, sections 1220-1220.5.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Subdivision: As defined in section 66424 of the Government Code.

Traffic lane: The portion of a road or driveway that provides a single line of vehicle travel.

Turnaround: A road or driveway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be a hammerhead/T or terminus bulb.

Turnouts: A widening in a road or driveway to allow vehicles to pass.

Utility and Miscellaneous Group U building: A structure of an accessory character or a miscellaneous structure not classified in any specific occupancy permitted, constructed, equipped, and maintained to conform to the requirements of Title 24, California Building Standards Code.

Vertical clearance: The minimum specified height of a bridge or overhead projection above the road or driveway.

Wildfire: As defined in Public Resources Code Section 4103 and 4104.

## **Article 2 Emergency Access and Egress**

### **§ 1273.00. Intent**

Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

### **§ 1273.01. Width.**

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.

(b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.

(2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

## § 1273.02. Road Surfaces

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

## § 1273.03. Grades

- (a) At no point shall the grade for all roads and driveways exceed 16 percent.
- (b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect.

## 1273.04. Radius

- (a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet.
- (b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.

## § 1273.05. Turnarounds

- (a) Turnarounds are required on driveways and dead-end roads.
- (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.
- (c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.
- (d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.
- (d) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.
- (e) Figure A. Turnarounds on roads with two ten-foot traffic lanes.

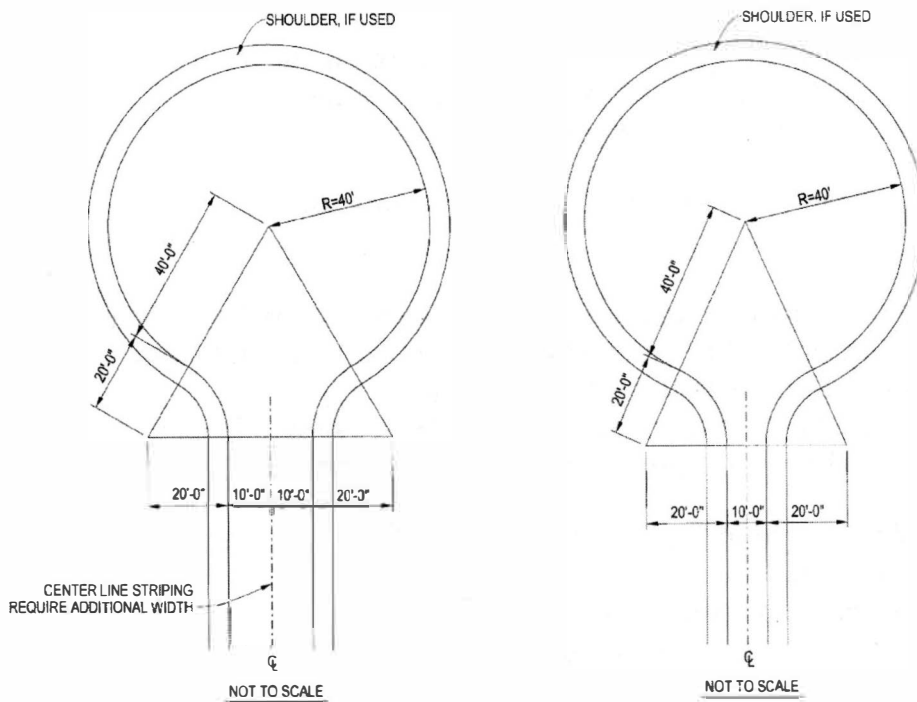


FIGURE FOR 14 CCR § 1273.05. TURNAROUND EXAMPLES

### § 1273.06. Turnouts

Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.

### § 1273.07. Road and Driveway Structures

(a) Appropriate signing, including but not limited to weight or vertical clearance limitations, one-way road or single traffic lane conditions, shall reflect the capability of each bridge.

(b) Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the American Association of State and Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition, published 2002 (known as AASHTO HB-17), hereby incorporated by reference. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the local authority having jurisdiction.

(c) Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, barriers, or signs, or both, as approved by the local authority having jurisdiction, shall be installed and maintained.

(d) A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

### § 1273.08. Dead-end Roads

(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

parcels zoned for less than one acre - 800 feet

parcels zoned for 1 acre to 4.99 acres - 1,320 feet  
parcels zoned for 5 acres to 19.99 acres - 2,640 feet  
parcels zoned for 20 acres or larger - 5,280 feet

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

(b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

### § 1273.09. Gate Entrances

(a) Gate entrances shall be at least two (2) feet wider than the width of the traffic lane(s) serving that gate and a minimum width of fourteen (14) feet unobstructed horizontal clearance and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

(b) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(c) Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used.

(d) Security gates shall not be installed without approval. Where security gates are installed, they shall have an approved means of emergency operation. Approval shall be by the local authority having jurisdiction. The security gates and the emergency operation shall be maintained operational at all times.

## Article 3 Signing and Building Numbering

### § 1274.00. Intent

To facilitate locating a fire and to avoid delays in response, all newly constructed or approved roads and buildings shall be designated by names or numbers posted on signs clearly visible and legible from the road. This section shall not restrict the size of letters or numbers appearing on road signs for other purposes.

### § 1274.01. Road Signs.

(a) Newly constructed or approved roads must be identified by a name or number through a consistent system that provides for sequenced or patterned numbering and/or non-duplicative naming within each local jurisdiction. This section does not require any entity to rename or renumber existing roads, nor shall a road providing access only to a single commercial or industrial occupancy require naming or numbering.

(b) The size of letters, numbers, and symbols for road signs shall be a minimum four (4) inch letter height, half inch (.5) inch stroke, reflectorized, contrasting with the background color of the sign.

### § 1274.02. Road Sign Installation, Location, and Visibility.

(a) Road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred (100) feet.

(b) Signs required by this article identifying intersecting roads shall be placed at the intersection of those roads.

(c) A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end roads, one-way roads, or single lane conditions, shall be placed:

(i) at the intersection preceding the traffic access limitation, and

- (ii) no more than one hundred (100) feet before such traffic access limitation.
- (d) Road signs required by this article shall be posted at the beginning of construction and shall be maintained thereafter.

### § 1274.03. Addresses for Buildings.

- (a) All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Utility and miscellaneous Group U buildings are not required to have a separate address; however, each residential unit within a building shall be separately identified.
- (b) The size of letters, numbers, and symbols for addresses shall conform to the standards in the California Fire Code, California Code of Regulations title 24, part 9.
- (c) Addresses for residential buildings shall be reflectorized.

### § 1274.04. Address Installation, Location, and Visibility.

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

## **Article 4 Emergency Water Standards**

### § 1275.00. Intent

Emergency water for wildfire protection shall be available, accessible, and maintained in quantities and locations specified in the statute and these regulations in order to attack a wildfire or defend property from a wildfire.

### § 1275.01. Application

The provisions of this article shall apply in the tentative and parcel map process when new parcels are approved by the local jurisdiction having authority.

### § 1275.02. Water Supply.

- (a) When a water supply for structure defense is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when alternative methods of protection are provided and approved by the local authority having jurisdiction.
- (b) Water systems equaling or exceeding the California Fire Code, California Code of Regulations title 24, part 9, or, where a municipal-type water supply is unavailable, National Fire Protection Association (NFPA) 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 2017 Edition, hereby incorporated by reference, shall be accepted as meeting the requirements of this article.

(c) Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man made containment structure, as long as the specified quantity is immediately available.

(d) Nothing in this article prohibits the combined storage of emergency wildfire and structural firefighting water supplies unless so prohibited by local ordinance or specified by the local fire agency.

(e) Where freeze or crash protection is required by local jurisdictions having authority, such protection measures shall be provided.

### § 1275.03. Hydrants and Fire Valves.

(a) The hydrant or fire valve shall be eighteen (18) inches above the finished surface. Its location in relation to the road or driveway and to the building(s) or structure(s) it serves shall comply with California Fire Code, California Code of Regulations title 24, part 9, Chapter 5, and Appendix C.

(b) The hydrant head shall be a two and half (2 1/2) inch National Hose male thread with cap for pressure and gravity flow systems and four and a half (4 1/2) inch for draft systems.

(c) Hydrants shall be wet or dry barrel and have suitable freeze or crash protection as required by the local jurisdiction.

### § 1275.04. Signing of Water Sources.

(a) Each hydrant, fire valve, or access to water shall be identified as follows:

(1) if located along a driveway, a reflectorized blue marker, with a minimum dimension of three (3) inches shall be located on the driveway address sign and mounted on a fire retardant post, or

(2) if located along a road,

(i) a reflectorized blue marker, with a minimum dimension of three (3) inches, shall be mounted on a fire retardant post. The sign post shall be within three (3) feet of said hydrant or fire valve, with the sign no less than three (3) feet nor greater than five (5) feet above ground, in a horizontal position and visible from the driveway, or

(ii) as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

## Article 5 Fuel Modification Standards

### § 1276.00 Intent

To reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation, the strategic siting of fuel modification and greenbelts shall provide for increased safety for emergency fire equipment and evacuating civilians by its utilization around structures and roads, including driveways, and a point of attack or defense from a wildfire.

### § 1276.01. Setback for Structure Defensible Space.

(a) All parcels shall provide a minimum thirty (30) foot setback for all buildings from all property lines and/or the center of a road.

(b) When a thirty (30) foot setback is not possible for practical reasons, which may include but are not limited to parcel dimensions or size, topographic limitations, or other easements, the local jurisdiction shall provide for same practical effect.

(i) Same practical effect requirements shall reduce the likelihood of home-to-home ignition.

(ii) Same practical effect options may include, but are not limited to, noncombustible block walls or fences; five (5) feet of noncombustible material horizontally around the

structure; installing hardscape landscaping or reducing exposed windows on the side of the structure with a less than thirty (30) foot setback; or additional structure hardening such as those required in the California Building Code, California Code of Regulations title 24, part 2, Chapter 7A.

(c) Structures constructed in the SRA are required to comply with the defensible space regulations in Title 14. Natural Resources Division 1.5. Department of Forestry and Fire Protection Chapter 7. Fire Protection Subchapter 3. Fire Hazard.

#### **§ 1276.02. Maintenance of Defensible Space Measures.**

To ensure continued maintenance of commonly owned properties in conformance with these standards and to assure continued availability, access, and utilization of the defensible space provided by these standards during a wildfire, provisions for annual maintenance shall be provided in emergency access covenants or similar binding agreements.

#### **§ 1276.03 Disposal of Flammable Vegetation and Fuels**

Disposal, including chipping, burying, burning or removal to a site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

#### **§ 1276.04 Greenbelts**

Subdivision and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the local authority having jurisdiction and may be consistent with the CAL FIRE Unit Fire Management Plan or Contract County Fire Plan.

SISKIYOU COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
LAND DEVELOPMENT REVIEW

OWNER BRUNNER, HOLLY

FILE # 021-500-360

LOCATION 2026 DEETZ RD, MT SHASTA T 41N , R 5W , SEC. 26 PD# UP2127

REQUIREMENTS:

Sewage Disposal Test/Information:

- None Required : Connection to Approved Sewage System
- Engineered Percolation Tests –  
Parcels # \_\_\_\_\_
- Wet Weather Testing
- Engineered Sewage Disposal System
- Other \_\_\_\_\_

Water Supply Tests/Information:

- None Required : Connection to Approved Water System
- Well Logs (Existing Wells) ( ) Well Logs for Adjoining Property
- Drilled Well – Parcels # \_\_\_\_\_ ( ) Spring Source-Verification
- Pump Test (Static Level) \_\_\_\_\_ Hours
- Bacteriological Analysis ( ) Chemical Analysis ( ) Physical Analysis
- Other \_\_\_\_\_

Project Information:

- Location Map ( ) Mark Project Area ( ) Contour Map
- Food Establishment Plans ( ) Swim Pool/Spa Plans
- Waste Information (Non-Sewage)
- Other \_\_\_\_\_

Comments/Conditions:

SEE ATTACHED COMMENTS

REHS *Da Wesley*

DATE 8/11/22

**ENVIRONMENTAL HEALTH ACTION**

Application Accepted ( ) Application Rejected as Incomplete (see comments)

Approved ( ) Recommended for Denial  
( ) Approved with conditions (see comments)

REHS *Da Wesley*

DATE 8/11/22

Date sent to Planning:



**VACATION RENTAL COMMENTS:  
BRUNNER / VACATION RENTAL  
UP2127**

1. Applicant shall provide adequate garbage receptacles and have trash removed every seven days from the premises, or as often as necessary to prevent nuisance or threat to Environmental Health.
2. Pool or spa facilities may not be added to the premises until approval from the Environmental Health Department and the appropriate Building Permit is obtained (included in Comments)
3. Water services are provided by (N/A)
4. Sewage back-ups and/or surfacing sewage in and around the septic system shall be reported telephonically to the Environmental Health Department as soon as possible. Owner/property management agency shall immediately report any signs of sewage disposal system failure. Septic system is designed to accommodate 3 bedrooms or 6 occupant's maximum. Occupancy shall be regulated so as not to overload existing on-site sewage disposal system. Contact Environmental Health at (530) 841-2100 for information on upgrading said system to accommodate an increased number of occupants. (included in Comments)
5. Failure to comply with all conditions will result in initiation of process to revoke Vacation Rental Use Permit or other appropriate enforcement remedies. (included in Comments)
6. Applicant shall report any water supply problems (i.e. outages, loss of pressure, pump failures etc.) to the Environmental Health Department. In the event repairs are made to the water distribution system the pump, applicant must disinfect system and perform a bacteriologic analysis. Results must indicate absence of total coliform prior to renting to general public N/A
7. Provide bacteriological results of dwelling water supply indicating absence of contamination good.
8. Property contains a non-commercial pool. Said pool **may not** be used by vacation rental occupants under any circumstances. The pool must be appropriately fenced pursuant to Building Department requirements. Owner/Property Management firm shall disclose and advise renters that pool is not to be utilized. The pool must be posted with a sign which is conspicuously placed, that reveals that pool is not to be used by guests. Any water contained in the pool must be maintained so that the bottom is clearly visible and does not facilitate vector propagation. Property is subject to an annual inspection to verify conditions are being met. Said inspection fee shall be as established in Siskiyou County Code (current fee is \$50.00). N/A
9. Property contains a non-commercial spa. Said spa **may not** be used by vacation rental occupants under any circumstances. The spa must be appropriately fenced pursuant to Building Department requirements. Owner/Property Management firm shall disclose and advise renters that spa is not to be utilized. The spa must be posted with a sign which is conspicuously placed, that reveals that spa is not to be used by guests. Any water contained in the spa must be maintained so that the bottom is clearly visible and does not facilitate vector propagation. Property is subject to an annual inspection to verify conditions are being met. Said inspection fee shall be as established in Siskiyou County Code (current fee is \$50.00). N/A

## Project Timeline

**September 5, 2019:** Ordinance 19-09 went into effect requiring 2.5-acre minimum parcel size for short-term rentals within the Mt. Shasta city sphere of influence.

**September 2, 2021:** Brunner application (UP-21-27) was received by the Planning Division.

**October 18, 2021:** Property was inspected by the Siskiyou County Building Division and did not pass.

**November 2, 2021:** Applicant was emailed reminding them that a microbiological examination of the well water was required.

**November 5, 2021:** Project placed on hold pending signing of Right to Farm and Indemnification Agreement.

**November 16, 2021:** Indemnification Agreement signed by all parties.

**December 9, 2021:** Right to Farm recorded (Document No. 2021-0012778).

**December 17, 2021:** Applicant was emailed regarding if well bleaching had occurred subsequent to a failed water test.

**January 18, 2021:** Applicant was again contacted regarding well bleaching.

**June 17, 2022:** 60-day cancellation notice sent to applicant due to lack of required submittals.

**August 11, 2022:** Well water passed microbiological examination.

**October 26, 2022:** Code Enforcement officer noted unpermitted construction work of deck while in the neighborhood. The applicant informed the officer that only a few rotten or worn boards were being replaced. However, the Code Enforcement officer noted that structural members had been replaced.

**November 23, 2022:** A Notice to Comply was sent to the applicant regarding the unpermitted rebuilding of the deck.

**December 12, 2022:** Applicant was emailed by Code Enforcement officer regarding the Building Inspection Report only noting that guard rails needed repair, which does not require a permit. It was reiterated that the structural changes done to the deck require a permit.

**March 21, 2023:** Applicant was emailed by a Code Enforcement officer noting that the Notice to Comply was sent on November 23, 2022, no building permits had been submitted thus far, and that no updates had been received from the applicant.

**October 3, 2023:** Second 60-day cancellation notice sent to applicant due to lack of progress with submitting a building permit application for the unpermitted deck remodel.

**October 11, 2023:** Building permit application received for unpermitted deck remodel.

**December 12, 2023:** Building permit issued.

**March 19, 2024:** Ordinance 24-04 approved, repealing Section 10-6.1502(h) and establishing Article 61. – Vacation Rentals, in Siskiyou County Code Section 10-6-6101 through 10-6.6111.

**May 8, 2024:** Applicant notified Planning staff that the deck had passed inspection.

**July 8, 2024:** Staff started to work on the staff report for this project and noticed that the parcel does not meet the minimum parcel size. Applicant was notified by both phone call and email that parcel does not meet the 2.5-acre minimum parcel size requirement. Options given were to have the project heard during Planning Commission at which time staff would recommend denial, request cancellation of the project and request a refund should any monies remain from the original application fee, or request continuance of the project to allow time to decide.

**July 17, 2024:** Project continued to a date uncertain due to lack of communication from the applicant.

**September 27, 2024:** 30-day cancellation notice sent to applicant due to lack of communication from the applicant.

**October 22, 2024:** Applicant communicated that they would like to speak with the Planning Commission regarding this project.

**November 2024:** Public Hearing Noticed published in the Siskiyou Daily News and mailed to property owners within 300 feet of the subject property regarding November 20, 2024, public hearing date.