

Good afternoon,

The Board of Forestry and Fire Protection adopted the 2021 State Minimum Fire Safe Regulations, which apply to lands designated as in the State Responsibility Area (SRA) and, since July 1, 2021, in the Local Responsibility Area (LRA) Very High Fire Hazard Severity Zone (VHFHSZ). The SRA and VHFHSZ cover approximately 73% of the county, including all the Vaca and Mayacamas Mountains as well as portions of the valley floor.

All California counties and cities must comply with the new State Minimum Fire Safe Regulations. On September 8, 2022, the Napa County Planning, Building and Environmental Services (PBES) Department and the County Fire Marshal's office held a community outreach meeting to provide information on preliminary regulatory changes in Napa County to comply with the State Minimum Fire Safe Regulations, and how development applications could be affected.

Staff has received a significant amount of public input on implementation of the Fire Safe Regulations since the September 8, 2022, outreach meeting. Staff has also consulted further with the State Board of Forestry and Fire Protection, state organizations, other counties and jurisdictions, and County departments in developing and refining its recommendations.

Based on our review of public input and our discussions with other agencies, staff will be making the following recommendations to the Board of Supervisors for consideration at their October 18, 2022, regular meeting.

Access Staff Recommendation: Access will be evaluated for each project on only the private driveway, from the nearest public right of way to the new building. This is consistent with the County's certified 2016 Ordinance, the adopted 2022 Fire Safe Regulations, and the California Fire Code. These same

standards would be applied to both ministerial and discretionary projects.

However, discretionary projects, such as Use Permits, are also subject to the California Environmental Quality Act (CEQA). In those cases, County Fire and Public Works Departments would determine whether access to the site (including both public and private roads) provides sufficient emergency evacuation for the proposed use. Where existing emergency evacuation is inadequate, Fire and Public Works would make recommendations for improvements to be included as conditions of approval.

Rebuilds

Staff Recommendation: Include a new provision in the Napa County Road and Street Standards to allow permitted residential structures destroyed or damaged by disaster to be rebuilt, provided all of the following provisions are met:

[if !supportLists]1. [endif]The replacement structure does not increase square footage of the structure that previously existed;

[if !supportLists]2. [endif]The replacement structure does not change the use of the building that had existed previously; and

[if !supportLists]3. [endif]Napa County Fire determines the access was not a contributing factor in delaying or prohibiting emergency responders from accessing the original structure or for safe evacuation during the disaster and ensures reasonable ingress, egress, and capacity for evacuation and emergency response during future emergencies.

This is consistent with the County's certified 2016 Ordinance, the adopted 2022 Fire Safe Regulations, and the California Building and Fire Codes. For homes where there is no record of a building permit and/or the above criteria could not be met, the rebuild would have to apply for an exception under the Fire Safe

Regulations, showing that the Same Overall Practical Effect standard is met.

For non-residential buildings, such as agricultural structures or wineries, the same three criteria cited above would apply, as would a fourth:

[if !supportLists]4. [endif]The replacement non-residential building could not increase in intensity or density from what was legally entitled before the disaster.

Any increase in intensity or density for non-residential structures rebuilt after a disaster would be subject to the 2022 Fire Safe Regulations.

Setbacks

Staff Recommendation: Include a new provision in the County Code to require a minimum 30-foot setback for all buildings from any property line and/or centerline of a public road, within the State Responsibility Area and Very High Fire Hazard Severity Zones. This is consistent with the adopted 2022 Fire Safe Regulations.

Undeveloped Strategic Ridgelines

Staff Recommendation: Assist the CalFire Sonoma-Lake-Napa Unit to define and identify strategic ridgelines within the region. Once the ridgelines, canyons, and widths have been identified, amend the County Code to create a new overlay zone prohibiting residential, commercial, and/or industrial construction within identified areas. This is consistent with the adopted 2022 Fire Safe Regulations.

Fuel Breaks

Staff Recommendation: Evaluate new parcel maps, zone changes, and/or use permits (where there is an increase in intensity or density) to determine the needs for fuel breaks, on a case-by-case basis. New planning applications that are in one of these categories will be routed to County Fire for their

recommended conditions of approval, if any, regarding required fuel breaks.

Addressing

Staff Recommendation: Create a standard countywide Addressing Manual, and amend the County Code to create a process for allowing owners to officially name private roads. The Fire Safe Regulations require that each new building (except storage buildings) be assigned a separate address, especially homes. In addition, the regulations require newly constructed or approved roads to be designated by names or numbers posted on signs clearly visible and legible from the road.

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