



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
950 MAIDU AVENUE, P.O. BOX 59902
NEVADA CITY, CA 95959-7902

Mali LaGoe
Acting Community Development Agency Director

Trisha Tillotson
Director of Public Works

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: June 8, 2021
TO: Board of Supervisors
FROM: Trisha Tillotson, Director of Public Works
SUBJECT: Approval to Submit a Letter to the California Board of Forestry and Fire Protection Regarding Draft State Minimum Fire Safe Regulations, 2021 - All Districts

RECOMMENDATION: Approve and authorize the Chair of the Board to sign the attached letter regarding Draft State Minimum Fire Safe Regulations, 2021

FUNDING: There is no fiscal impact with the recommended action. There will be fiscal impacts to future development if the proposed regulations are passed.

BACKGROUND: The attached letter and attachment consolidate comments from County of Nevada staff with input from the Nevada County Contractors Association in response to the California Board of Forestry and Fire Protection's (BOF) Notice of Proposed Action titled "State Minimum Fire Safe Regulations, 2021." In addition, staff have met with BOF staff and Board members along with representatives from the Rural County Representatives of California, the California State Association of Counties and other counties over the last year and have provided comments on several renditions of the proposed revisions to the State Minimum Fire Safe Regulations. While many of our comments have been appreciatively addressed by the BOF, remaining concerns will have a significant impact on future development in Nevada County and include:

1. Definition of Access is from a new building to a collector road. The issue is that this definition is too restrictive as most roads in Nevada County are not collectors but rather local roads. This could result in significant costs to improve local roads from a property to a Collector road.
2. Definition of Dead-end Road defines all loop roads as dead-ends and this is not correct as some looped roads connect to different roads on each end. As proposed, this definition could result in increased costs to develop and/or inability to develop certain parcels off of looped roads.
3. Definition of Driveway that does not include commercial and industrial sites. As proposed, commercial and industrial buildings could only be served by a Road which is more costly to construct and requires more property than a driveway.
4. Under Scope, only buildings lost to wildfire are exempt from the standards. This would mean that buildings lost to other disasters such as earthquake, wind damage, etc. would have to comply with the standards in order to rebuild.

5. Lowering of acceptable road and driveway grades to a 20% slope, versus the current 25% slope. This could result in several parcels in Nevada County being unbuildable since we currently allow 25% slope driveways where an exception is necessary.
6. Other minor changes/clarifications are requested.

Item Initiated and Approved by: Trisha Tillotson, Director of Public Works

Submittal Date: May 18, 2021
Revision Date: