



# Fire Hazards and Planning in CA

36<sup>th</sup> Annual Planning Commissioners Conference  
Sonoma State University

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# Office of Planning & Research (OPR)

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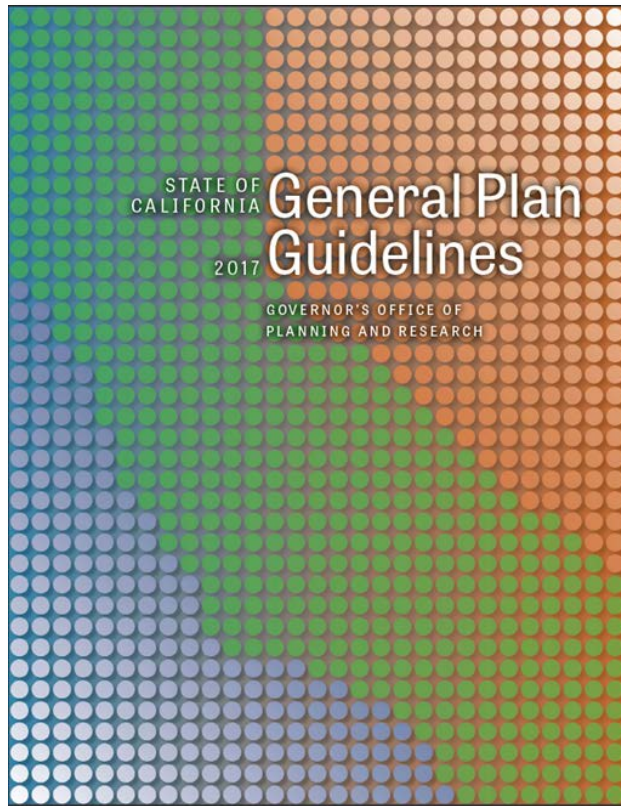
- State Land Use Policy
- General Plan Guidelines
- CEQA Guidelines and Clearinghouse
- Military Liaison
- Technical Advisories
- Interagency Coordination
- Executive Initiatives
- Also within OPR:
  - Strategic Growth Council
  - Integrated Climate Adaptation and Resiliency Program
    - Technical Advisory Council
    - Adaptation Clearinghouse





# General Plan Guidelines (2017)

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## Required Elements

- Land Use
- Circulation
- Housing
- Conservation
- Open Space
- Noise
- Safety
- Air Quality\*
- Environmental Justice\*

## Topical Considerations

- Climate Change
- Public Health
- Equity
- Resilience
- Economic Development



# Safety Element

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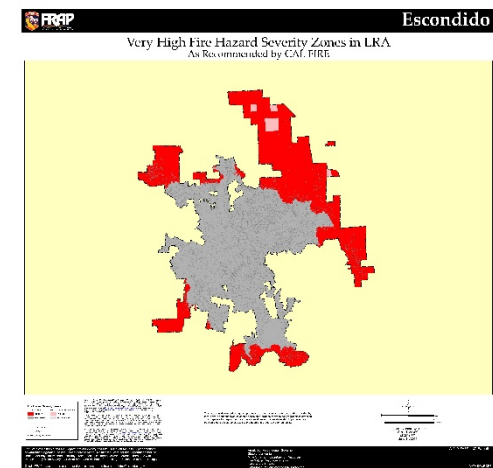
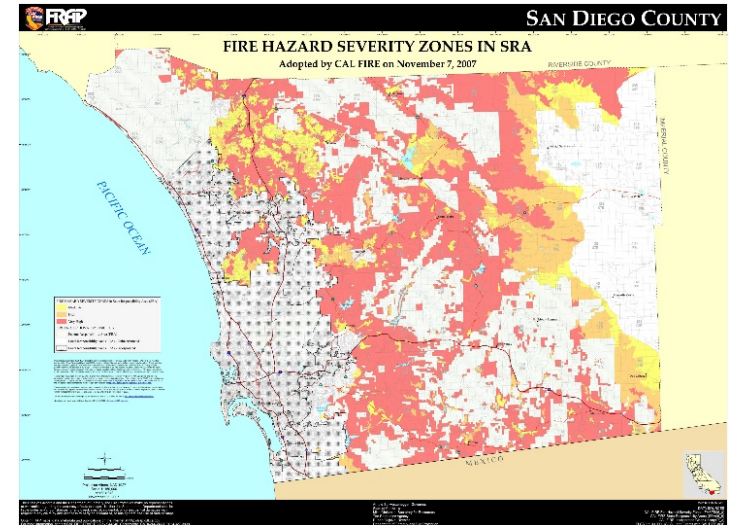
- Natural hazards: wildfire, flooding, earthquake, others
- Must identify “**unreasonable risks and policies for the protection of the community from such risks**” (Government Code [GC] 65302(g)(1))
- Linkages with other mandatory elements/topics
  - ▣ Land Use, Circulation, Conservation, Open Space, Environmental Justice, others
- Related Plans:
  - ▣ Local Hazard Mitigation Plans (LHMP), AB 2140 incentives
  - ▣ Community Wildfire Protection Plans
  - ▣ Climate Adaptation Plans



# Safety Element: Wildfire

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- **SB 1241 (2012):** Added mandatory wildfire requirements for jurisdictions in State Responsibility Area (SRA) and Very High Fire Hazard Severity Zone (VHFHSZ)
- Applies to 189 cities and 52 counties
- Effective date: upon next housing element update on or after 1/1/2014
- GC 65302(g)(3)





# Safety Element: Wildfire

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- (1) “**Information regarding fire hazards**, including but not limited to, all of the following:
- ❑ **Fire hazard severity zone (FHSZ) maps** available from the Department of Forestry and Fire Protection [CAL FIRE].
  - ❑ **Any historical data on wildfires** available from local agencies or a reference to where the data can be found.
  - ❑ Information about wildfire hazard areas that may be available from the **United States Geological Survey**.
  - ❑ **General location and distribution of existing and planned uses of land** in very high fire hazard severity zones and in state responsibility areas, including **structures, roads, utilities, and essential public facilities**.
  - ❑ Local, state and Federal **agencies with responsibility for fire protection**, including special districts and local offices of emergency services.”



# Safety Element: Wildfire

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(2) “A set of goals, policies, and objectives based on the information identified in subparagraph (1) regarding fire hazards for the **protection of the community from the unreasonable risk of wildfire.**”



# Safety Element: Wildfire

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- (3) “A set of **feasible implementation measures** designed to carry out the goals, policies, and objectives based on the information identified in subparagraph (2) including, but not limited to, all of the following:
- ▣ **Avoiding or minimizing** the wildfire hazards associated with new uses of land.
  - ▣ **Locating, whenever feasible, new essential public facilities outside of high fire risk areas**, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communication facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in SRA or VHFHSZ.
  - ▣ **Designing adequate infrastructure** if a new development is located in SRA or VHFHSZ, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression..
  - ▣ **Working cooperatively** with public agencies with responsibility for fire protection”





# Safety Element: Wildfire

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- (4) “If a city or county has adopted **a fire safety plan or document separate from the general plan**, an attachment of, or reference to, a city or county’s adopted fire safety plan or document that fulfills commensurate goals and objectives and contains information required pursuant to this paragraph.”



# Safety Element: Wildfire

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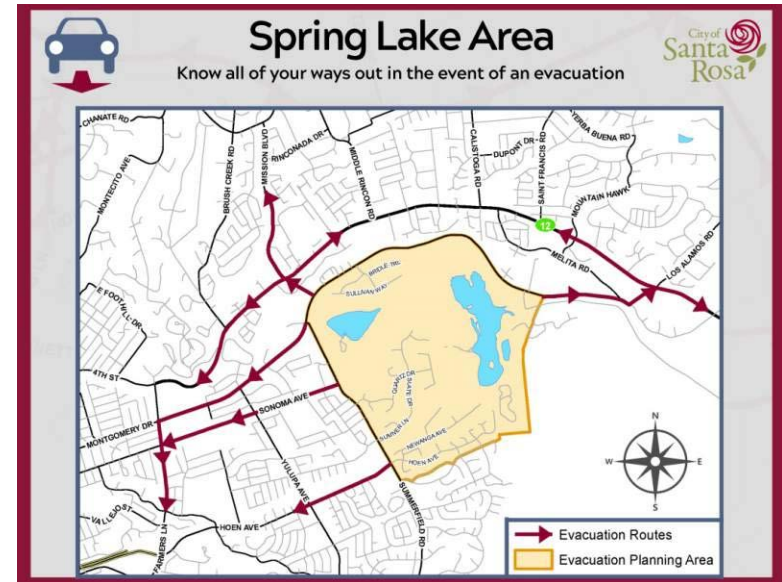
- **Mandatory Review by Board of Forestry and Fire Protection (BOF), per GC 65302.5**
  - ▣ Local agency must submit draft safety element update to Board no less than 90 days prior to adoption
  - ▣ Board must submit comments to local agency within 60 days
  - ▣ Local agency must consider Board comments and respond to Board in writing if some or all recommendations not included
  - ▣ Board may request consultation with local agency within 15 days
  - ▣ Lead agency must consult with Board within 30 days, if requested by Board.
  - ▣ Lead agency may not adopt safety element update until consultation has been completed.



# Safety Element: Evacuation Routes

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- AB 747 (Levine, 2019)
  - ▣ Requires local governments to identify **evacuation routes** and evaluate their capacity, safety, and viability under a range of emergency scenarios.
  
- SB 99 (Nielsen, 2019)
  - ▣ Requires local governments to identify residential developments in hazard areas that do not have **at least two** emergency evacuation routes.

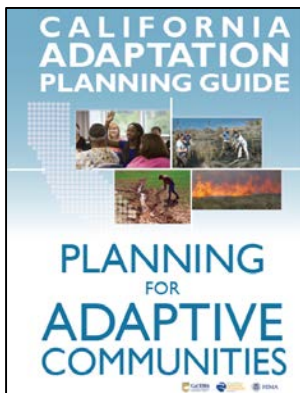
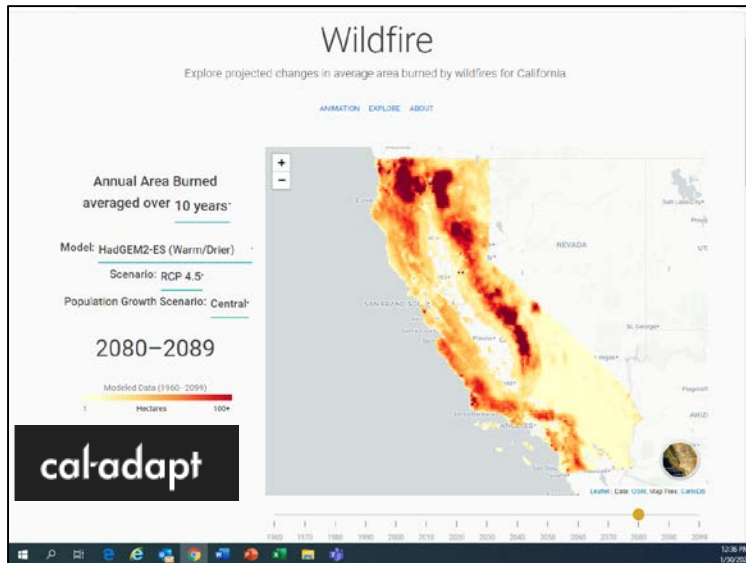


Source: [www.srcity.org](http://www.srcity.org)



# Safety Element: Climate Adaptation

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- **Climate change adaptation** is now required in Safety Elements (SB 379, 2015):
  - Assess community vulnerability to climate change
  - Develop adaptation/resilience goals, policies, and implementation measures
- Timing and triggers:
  - Upon next LHMP update, OR by 1/1/2022 if no LHMP;
  - Housing Element update trigger to align updates every 8 years (SB 1035, 2018)
- Cal-Adapt.org: Wildfire Analysis Tool
- California Adaptation Planning Guide



# Regulatory Requirements

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- Defensible Space Regs (Public Resources Code [PRC] 4191)
- Fire Safety Regs for Subdivisions (PRC 4290)
- Tentative subdivision maps (GC 66474.02) – mandatory local findings of compliance
- WUI Building Code (Chapter 7A, CA Building Code)
  
- AB 2911 (2018)
  - Eliminated exemption pathway for VHFHSZ local ordinance requirement
  - OSFM to develop model ordinance for defensible space and risk reduction measures in VHFHSZ communities
  - Board and OSFM must identify all subdivisions without secondary egress that are at significant fire risk



# BOF and CAL FIRE Outreach

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- BOF and CAL FIRE Land Use Planning Program
  - Proactive outreach to local planning agencies in SRA and VHFHSZ
  - Ongoing work to support safety elements, local ordinances, compliance, and enforcement
  - 70+ safety elements reviewed since 2014
- OPR, Board, and CAL FIRE collaborating on guidance updates and WUI Best Practices Inventory

## General Plan Safety Element Assessment

Board of Forestry and Fire Protection



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# CEQA: Wildfire

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Wildfire topic added to the **Appendix G** environmental checklist (Dec 2018):

If located **in or near lands classified as SRA or VHFHZs**, would the project:

- ❑ “Substantially impair an adopted emergency response plan or emergency evacuation plan?”
- ❑ “Due to slope, prevailing winds, and other factors, **exacerbate wildfire risks**, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?”
- ❑ “Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment:
- ❑ “Expose people or structures to significant risks, including **downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability**, or drainage changes”?”



# Fire Hazard Planning TA

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- **AB 2911 (2018):**
  - ▣ Requires OPR to update the *Fire Hazard Planning General Plan Technical Advice Series (TA)* by July 1, 2020
  - ▣ Land use strategies to protect buildings, infrastructure, and communities
  - ▣ Alignment with LHMPs, CWPPs, and climate plans
  - ▣ More examples, best practices and case studies, tools, and resources







# TA Update Concepts

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- Early and ongoing engagement
- Begin with robust fire hazard and risk assessment. Identify values and assets at risk, factor in other plans/requirements (e.g., climate change)
- Land use element (not just the safety element) - avoidance, smarter project siting, resilient design
- Increase emphasis on implementation: local codes, ordinances, enforcement... but also programs, partnerships, and incentives
- Reduce risk in both existing and new development
- Harmonize conservation and fuels management to reduce hazard severity
- Access, evacuation, and shelter-in-place
- Prioritize needs of vulnerable communities
- Disaster response and recovery
- **Ultimate goal: Fire-adapted and resilient communities**



Source: [www.planningforwildfire.org](http://www.planningforwildfire.org)



# Thank You

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