



**Siskiyou County  
Planning Commission Staff Report  
November 19, 2025**

**New Business Agenda Item No. 3:  
McCloud Partners Tentative Parcel Map (TPM-25-04)**

**Applicant:** Terry Curry, Curry Land Surveying  
PO BOX 151  
Montague, CA 96064

**Property Owner:** McCloud Partners LLC  
29 Shell Road  
Mill Valley, CA 94941

**Representatives:** Terry Curry, Curry Land Surveying  
PO BOX 151  
Montague, CA 96064

**Project Summary:** The subdivider is requesting approval of a Tentative Parcel Map to subdivide an existing 60.23-acre industrial site in McCloud, CA into three parcels and one remainder: Parcel 1 (7.44 acres), Parcel 2 (8.10 acres), Parcel 3 (13.41 acres), and a Remainder Parcel (31.28 acres), totaling 60.23 acres.

**Location:** The project site is located at 909 Mill Road, McCloud, CA 96057; on APNs 028-240-320, 028-440-430, 028-440-550, 028-530-010; Township 40N, Range 2W, Section 31, MDBM; 41°15'54.8"N 122°07'21.5"W.

**General Plan:** Soils: Erosion Hazard High; Building Foundation Limitations: Severe Pressure Limitations Soils; Wildfire Hazard: High; Woodland Productivity: High Suitability (site classes I & II).

**Zoning:** Heavy Industrial District (M-H)

**Exhibits:**

- A. Draft Resolution PC 2025-021  
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Conditionally Approving the McCloud Partners Tentative Parcel Map (TPM-25-04) and Determining the Project Exempt from the California Environmental Quality Act
  - A-1. Notations and Recommended Conditions of Approval
  - A-2. Recommended Findings
- B. Comments Received
- C. Tentative Parcel Map

## Background

The subdivider proposes to subdivide a 60.23-acre industrial site into three parcels and one remainder for future development consistent with existing zoning. The tentative parcel map (TPM-25-04) was prepared by Terry Curry, a California licensed land surveyor, and depicts proposed parcel boundaries, existing improvements, and site conditions.

The property is located in the unincorporated community of McCloud. It is bordered to the east by Haul Road and Mill Road to the south. The McCloud River Railroad line bisects the property to the north. The project site is comprised of multiple parcels historically associated with the former McCloud lumber mill complex. Existing development includes a mix of industrial and vacant lands.

Adjacent properties are zoned Heavy Industrial (M-H), Residential (Res-1), and Timber Production (TP), with parcel sizes varying from under one acre to roughly 446 acres.



Figure 1: Location Map

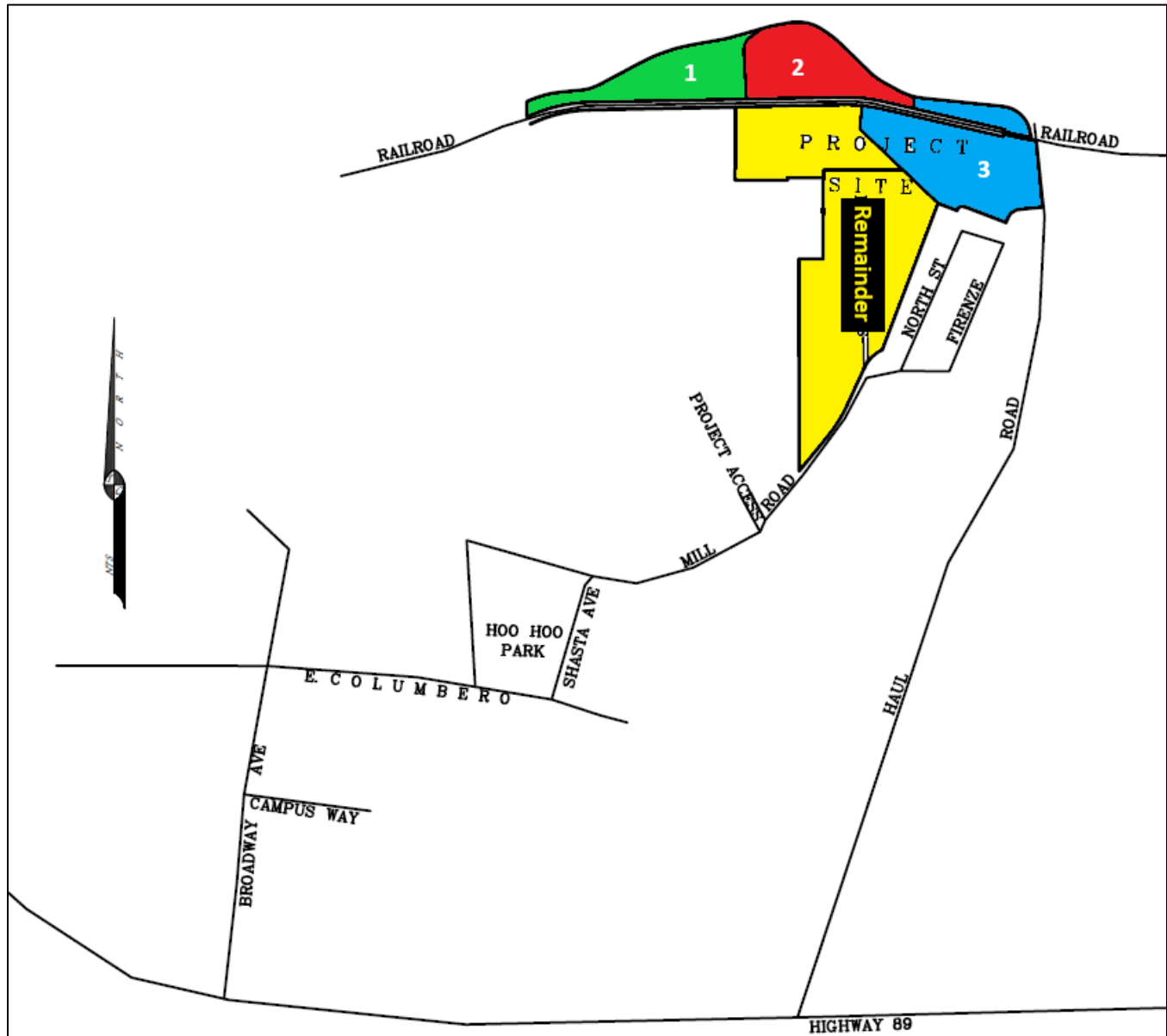


Figure 2: Vicinity Map

The project site is comprised of multiple APNs:

The existing 60.23-acre parcel was created through Boundary Line Adjustment BLA-98-05, which combined three parcels: APNs 028-530-010, 028-440-550, and 028-240-190. Following the adjustment, 028-240-190 was renumbered to 028-240-320 and 028-440-550 was renumbered to 028-440-430 and 028-440-550. The resulting 60.23-acre parcel was subsequently designated as Parcel III in a document recorded on June 30, 2014 (Document No. 14-0005367). Parcel III now consists of APNs 028-240-320, 028-440-430, 028-440-550, and 028-530-010.

**APN: 028-530-010**, is proposed to be the new remainder parcel (31.28 acres). It was legally created as Parcel 1 (31.28 acres) of Tract 1107, according to the Parcel Map Survey for Champion International Corporation, filed June 5, 1980, in Book 7 of Parcel Maps, Page 192, Siskiyou County Records.



**APNs 028-240-320** is proposed to be split into a new Parcel 1 (7.44 acres), a new Parcel 2 (8.10 acres), and the Easterly 1.93 acres is proposed to be attached to APN 028-440-550, to form a new Parcel 3.

**APN: 028-440-430** and **028-440-550**, are proposed to be merged, along with the Easterly 1.93 acres of APN 028-240-320 to create a new Parcel 3 (11.47 acres).

APNs 028-240-320, 028-440-430, and 028-440-550 were created as a portion of a grant deed (Volume 494 page 213) and subsequent quit claim deed (Volume 494 page 237) from McCloud River Lumber Company to United States Plywood Corporation. The parcels were subsequently modified as the Remainder Parcel for PMB-7-192, BLA-94-14 (1994-0016617), and ultimately merged with APN: 028-530-010 as the P&M Cedar Products Parcel with BLA-98-05 (1999-0006647).

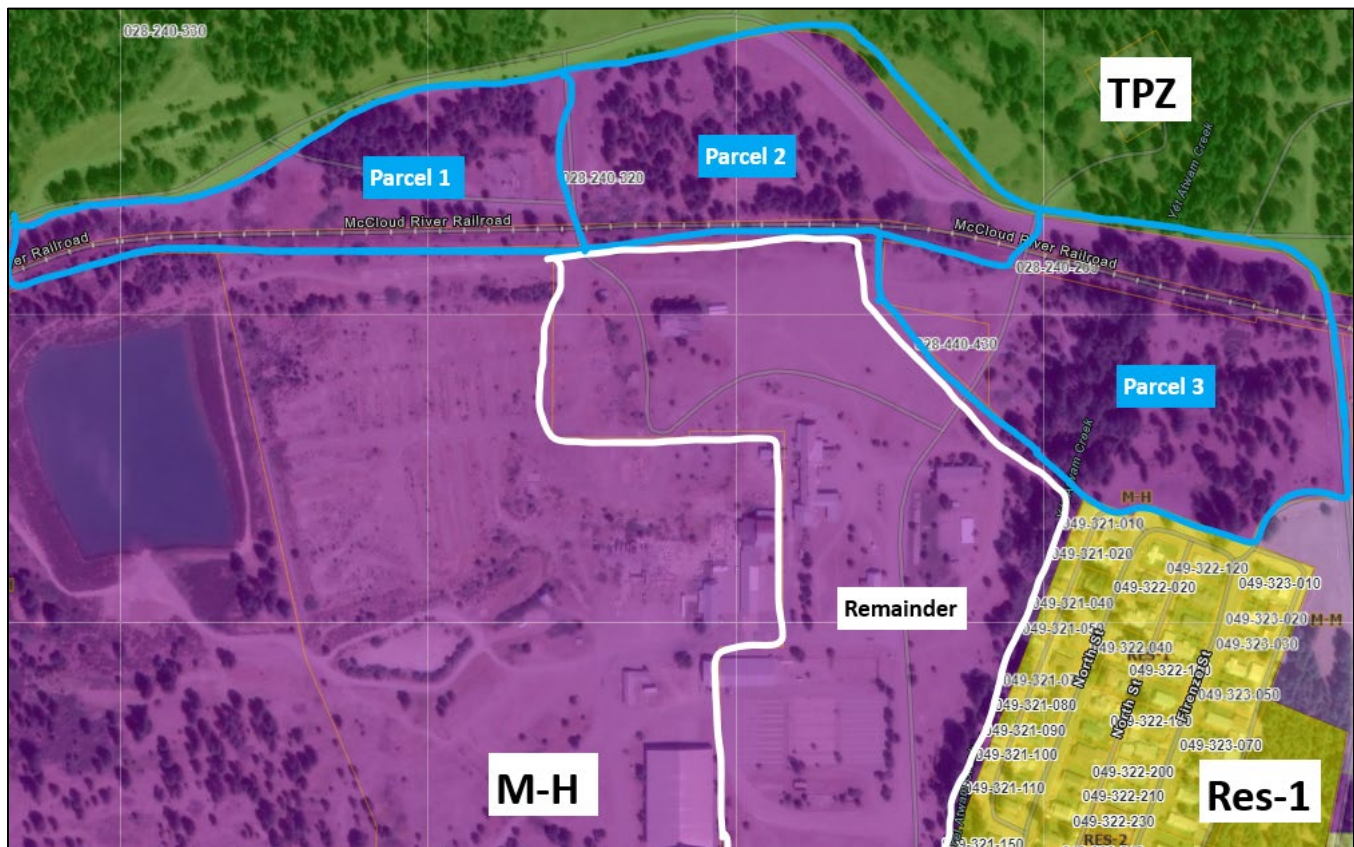


Figure 3: Zoning Map

The site is generally level to gently sloping, previously disturbed by mill uses, with mixed conifer/hardwood edge vegetation and weedy herbaceous cover in cleared areas. The area is not considered pristine habitat, but rather a mix of natural forest edge and disturbed groundcover.

According to the USDA Soil Survey Geographic Database, the property consists of Shastina loam, 0 to 5 percent slopes. Shastina loam is a stable, well-drained volcanic soil on flat terrain with good drainage

and low flood risk, but limited farming potential and moderate construction constraints due to frost and corrosion factors. The property is not designated as prime farmland.

## **Analysis**

### **General Plan Consistency**

The Land Use Element of the Siskiyou County General Plan identifies the project site as being with the mapped resource overlay areas for Soils: Erosion Hazard High; Building Foundation Limitations: Severe Pressure Limitations Soils; Wildfire Hazard: High; Woodland Productivity: High Suitability (site classes I & II). Planning staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.4–41.9, and 41.18 apply to the proposed project.

Staff has conducted a detailed analysis of each of the required findings and found that the proposed project is consistent with the applicable General Plan policies governing the project site. Additionally, the use of the property would be compatible with the surrounding land uses, would have 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-2 attached to this staff report and are submitted for the Commission's review, consideration, and approval.

### **Subdivision and Zoning Consistency**

Pursuant to Siskiyou County Code §§ 10-4.105.3 and 10-6.5501, the proposed lots are consistent with all County lot design standards.

Each parcel will exceed the minimum lot size requirements under SCC §10-4.105.3 (2.5 acre minimum for parcels with on-site septic) and SCC §10-6.5501 (2 acre minimum for parcels with on-site septic in the M-H district).

All proposed lot side lines are at approximate right angles or radial to street or road lines. No lot will have double frontage. No lot will be divided by a city, County, school district, or other taxing agency line.

Direct access to each parcel will be via Mill Road, Haul Road, and existing internal driveways. No new public road dedications are proposed or required.

### **McCloud Community Services District - Sphere of Influence**

The project site is located within the Sphere of Influence (SOI) of the McCloud Community Services District, indicating that the area is anticipated to receive district services in the future. Although the property remains under County jurisdiction and is not currently served by municipal water or sewer, future service provision may occur through a LAFCo-approved out-of-area service agreement or subsequent annexation to the District. Staff has reviewed and determined that the proposed project is not inconsistent with the McCloud Community Services District Strategic Plan.

Based on staff's analysis of the proposed project, staff believes that the necessary findings can be made for approval of this application.

## Environmental Review

Planning staff evaluated the proposal for potential environmental impacts using Appendix G – Environmental Checklist of the CEQA Guidelines, County GIS data, and review comments received from responsible and trustee agencies. Based on this review, it was determined that the subdivision of the property, as proposed, would not adversely impact the environment.

The project does not involve new development, grading, or vegetation removal. Any future development would be subject to separate ministerial or discretionary reviews under the County Code and California Building Standards Code. The site is relatively flat, with mixed conifer/hardwood edge vegetation and weedy herbaceous cover. No mapped wetlands, riparian corridors, or special-status species habitats have been identified within the proposed lot boundaries.

Because there is not substantial evidence, in light of the whole record before the County, that the proposed tentative parcel map may have a significant effect on the environment, staff recommends that the Planning Commission find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines. Section 15061(b)(3) states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

## Comments

A Preliminary Project Review was distributed to Siskiyou County Reviewing Agencies and State Responsible Agencies. A Notice of Public Hearing was published in the Siskiyou Daily News on November 5, 2025, and mailed to property owners within 300 feet of the subdivider's property.

### Agency Comments

#### **Siskiyou County Environmental Health Division – October 14, 2025**

Environmental Health has no objections to the proposed parcel map. Parcels 1, 2, and 3 have been evaluated for on-site sewage disposal. Individual lots may require alternative engineered leach fields depending on groundwater depth, which will be determined following well installation and groundwater observations conducted during the wet-weather testing season. The remainder parcel is developed with three industrial buildings; Building 1 is served by an existing on-site sewage disposal system (Permit No. 243-83). Water previously supplied by the former mill's system, sourced from the McCloud River, is not approved for human consumption. All lots conform to Environmental Health's density standards for consideration of alternative wastewater systems.

Planning Response: No response required. Future development is expected to connect to the McCloud Community Services District for sewer and possibly water. Alternatively, if a new well is required to be drilled, it must comply with all Environmental Health requirements.

#### **California Department of Forestry and Fire Protection (Cal Fire) – October 17, 2025**

Cal Fire provided comments regarding Public Resources Code 4290 as it relates to this project.

The comment specifically mentioned Road and Street Networks, Road Signing, Water Standards, and Fuel Modification. In addition, Cal Fire noted that if timber is to be commercially harvested as part of this subdivision creation, the conditions set forth in the Z'berg-Nejedly Forest Practice Act of 1973 must be adhered to.

Additional PRC §4290 requirements, including driveway design, address signage, and fuel-modification standards, shall be verified during subsequent building-permit review.

Planning Response: Condition of Approval number 4 states that the subdivider shall comply with all adopted rules and regulations of the Siskiyou County Public Works Department, Environmental Health Division of the Siskiyou County Community Development Department, and all other local and state regulatory agencies, which includes Cal Fire.

**California Department of Fish and Wildlife (CDFW) – October 29, 2025**

CDFW commented that because the project only proposes to subdivide the property and does not authorize construction or other ground-disturbing activities, they have no further comments at this time. However, they recommend establishing a minimum 50-foot no-disturbance buffer around all waters of the state to protect water quality.

Planning Response: Condition of Approval number 4 states that the subdivider shall comply with all adopted rules and regulations of the Siskiyou County Public Works Department, Environmental Health Division of the Siskiyou County Community Development Department, and all other local and state regulatory agencies, which includes CDFW.

## **Planning Staff Recommendations**

- Adopt Resolution PC 2025-021 taking the following actions:
  - Determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines; and
  - Approve the McCloud Partners Tentative Parcel Map (TPM-25-04) based on the recommended findings and subject to the recommended conditions of approval.

## **Suggested Motion**

I move that the Planning Commission adopt Resolution PC 2025-021, determining the project to be exempt from CEQA and approving the McCloud Partners Tentative Parcel Map (TPM-25-02), subject to the recommended findings and conditions of approval.

## **Preparation**

Prepared By: Siskiyou County Planning Division  
Staff Planner: James Phelps, Senior Planner  
Email: [planning@co.siskiyou.ca.us](mailto:planning@co.siskiyou.ca.us)  
Address: 806 S. Main Street, Yreka, CA 96097

## **Resolution PC 2025-021**

### **A Resolution of the Planning Commission of the County of Siskiyou, State of California, Conditionally Approving the McCloud Partners Tentative Parcel Map (TPM-25-04) and Determining the Project Exempt from the California Environmental Quality Act**

**Whereas**, an application has been submitted for a Tentative Parcel Map (TPM-25-04) to subdivide a 60.23-acre industrial property located within the community of McCloud, identified as APNs 028-240-320, 028-440-430, 028-440-550, 028-530-010, into three parcels of 7.44, 8.10, and 13.41 acres each, with a remainder parcel of 31.28 acres; and

**Whereas**, a tentative parcel map was prepared for the project as required by Section 10-4.501.1 of the Siskiyou County Code; and

**Whereas**, the project site is part of the former McCloud Lumber Mill complex and is presently developed with industrial buildings, on-site well, and septic system, and is proposed to be connected to the McCloud Community Services District through an out-of-area service agreement; and

**Whereas**, a Notice of Public Hearing was published in the Siskiyou Daily News on or about November 5, 2025; and

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

**Whereas**, comments received on the project resulted in conditions of approval being recommended by staff; and

**Whereas**, the Planning Division presented its oral and written staff report on Tentative Parcel Map (TPM-25-04) at a regular meeting of the Planning Commission on November 19, 2025; and

**Whereas**, the Planning Division recommended that the project be determined exempt from the California Environmental Quality Act (CEQA) based on the “common sense” that CEQA only applies to projects with the potential to result in a significant impact on the environment in accordance with CEQA Guidelines Section 15061(b)(3); and

**Whereas**, the Planning Division recommended approval of Tentative Parcel Map (TPM-25-04) subject to the conditions of approval included in Exhibit A-1 to this resolution; and



**Whereas**, on November 19, 2025, the Chair of the Planning Commission opened the duly noticed public hearing on Tentative Parcel Map (TPM-25-04) to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the project; and

**Whereas**, there is not substantial evidence, in light of the whole record before the County, that the proposed tentative parcel map would have a significant effect on the environment; and

**Whereas**, on November 19, 2025, the Commission discussed TPM-25-04 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; and

**Be It Further Resolved** that the Planning Commission, based on the evidence in the record and the findings set forth in Exhibit A-2, hereby takes the following actions on Tentative Parcel Map (TPM-25-04):

1. Conditionally approves Tentative Parcel Map (TPM-25-04), subject to the notations and conditions of approval contained in Exhibit A-1 to this resolution referenced hereto and incorporated herein; and
2. Determines the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3).

**It is Hereby Certified** that the foregoing Resolution PC 2025-21 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 19<sup>th</sup> day of November 2025 by the following roll call vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

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

Witness, my hand and seal this 19<sup>th</sup> day of November 2025

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

**Exhibit A-1 to Resolution PC 2025-021**  
**Notations and Recommended Conditions of Approval**

**Notations**

1. Within ten (10) days following the date of the decision of the Siskiyou County Planning Commission, the decision may be appealed to the Siskiyou County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
2. Upon adoption of the categorical exemption, a check in the amount of \$50 made payable to the Siskiyou County Clerk and submitted to the Siskiyou County Planning Division is necessary to file the Notice of Exemption. Failure to file the Notice of Exemption extends the statute of limitations for legal challenges to the categorical exemption from 35 days to 180 days.
3. If any timber operations (as defined by PRC Section 4527) are involved with a project, they may require approval by CAL FIRE prior to undertaking operations. A Timber Harvesting Plan (THP) may be required. A Timberland Conversion Permit (TCP) may also be required. The County does not regulate THPs or TCPs. For further information please contact CAL FIRE.
4. If a proposed project will result in the conversion of greater than three (3) acres of timberland to non-timber use, a TCP may be required prior to undertaking any conversion operations. Provisions and procedures for filing an application for a TCP are found in Article 9, Division 4, Chapter 8 of the Public Resources Code. If the area to be converted is less than three acres, the project may qualify for a "Less Than 3-Acre Conversion Exemption" under 14CCR 1104. The County does not regulate THPs or TCPs. For further information please contact CAL FIRE.

## Conditions of Approval

1. The subdivider shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding (collectively, "Action") against the County, its agents (including consultants), officers or employees to attack, set aside, void, or annul the approvals, or any part thereof, or any decision, determination, or Action, made or taken approving, supplementing, or sustaining, the project or any part thereof, or any related approvals or project conditions imposed by the County or any of its agencies, departments, commissions, agents (including consultants), officers or employees, concerning the project, or to impose personal liability against such agents (including consultants), officer or employees resulting from their non-negligent involvement in the project, which action is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party from the County. Said responsibilities shall be pursuant to the County's standard Agreement for Indemnification in effect at the time of application approval or Agreement for Indemnification if signed and effective prior to the date the application is approved. In the event that the subdivider fails to comply with the terms of the applicable agreement, the subdivider does hereby consent and agree to all remedies in said agreement and does hereby agree and consent to the County rescinding all applicable project approvals.
2. The project shall substantially conform to the project description and exhibit map reviewed and conditionally approved by the Planning Commission on November 19, 2025. Any proposed amendment(s) shall be submitted for consideration to the Deputy Director of Planning to determine the review process pursuant to the Siskiyou County Code. Minor amendments shall be considered by the Community Development Director. Major amendments shall be considered by the Planning Commission.
3. A Taxes and Assessments Certificate shall be obtained from the County Assessor's Office, signed by the County Tax Collector, and submitted with the legal descriptions for recording.
4. The engineer or surveyor for the subdivider shall submit two copies of the Parcel Map to the County Surveyor for review and processing, together with applicable review fees required by the adopted fee schedule.
5. The subdivider shall comply with all applicable rules and regulations of the Siskiyou County Public Works Department, Environmental Health Division of the Community Development Department, and all other local, state, and federal agencies having jurisdiction.
6. The following notations shall be placed on the face of the additional Notation and Disclosure Map for the Parcel Map:



- *Pursuant to Siskiyou County Ordinance (No. 90-28), this land division is subject to an Agricultural Operations Notice Policy (Right to Farm Ordinance).*
  - *If any potential prehistoric, ethnographic, and/or historic cultural resource(s) or material(s) be discovered on or below the surface during any phase of future development, all work shall stop, archaeological consultation shall be sought immediately, and the Siskiyou County Planning Division shall be notified. If the findings are deemed significant by the Siskiyou County Planning Division, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the project.*
  - *Encroachment Permits are required for any work or encroachment within the County Road right-of-way. Work may include, but is not limited to: driveways, mailboxes, underground utilities, culverts, maintenance of existing improvements, and removal of vegetation adjacent to driveways.*
  - *All future development is subject to compliance with all applicable statutory requirements of Public Resources Code §4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of the California Department of Forestry and Fire Protection (CAL FIRE). If future development is contemplated, CAL FIRE should be consulted at the earliest possible opportunity as future development may be prohibited due to the aforementioned regulations.*
  - *The Remainder Parcel shall not be considered a parcel on which development can occur unless a certificate of compliance or conditional certificate of compliance is recorded.*
7. All Conditions of Approval must be completed, and the Parcel Map shall be recorded within 24 months of the date of approval, unless a request for a time extension is made prior to the expiration date pursuant to Section 10-4.401.8.2 of the Siskiyou County Code and Government Code §66463.5.

# Findings

## **Tentative Parcel Map / Subdivision Map Act**

In accordance with Government Code Section 66473.5, the Planning Commission finds:

1. The subdivision is consistent with the General Plan.

*The subdivision is consistent with all General Plan policies as set forth in the section titled General Plan Consistency Findings below.*

In accordance with Government Code Section 66412.3, the Planning Commission finds:

1. Local agencies shall consider the effect of the approval or denial on the housing needs of the region in which the local jurisdiction is situated and balance these needs against the public service needs of its residents and available fiscal and environmental resources.

*The project is a tentative parcel map for land zoned Heavy Industrial (M-H). Workforce housing may potentially be developed in the future. Should workforce housing be constructed, this would have a positive net effect on the local housing supply by creating additional dwelling units. Adequate groundwater exists in the area, and parcels are expected to be served by the McCloud Community Services District (MCSD). Fire and police services are located within five miles of the project site, and the project will not detrimentally impact available fiscal resources.*

In accordance with Government Code Section 66473.1, the Planning Commission finds:

1. The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

*The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision. The parcel configuration, lot orientation, and topography do not preclude the reasonable future use of solar energy systems or other passive heating and cooling techniques. This finding is consistent with the intent of Government Code Section 66473.1.*

In accordance with Government Code Section 66474, the Planning Commission finds:

1. That the proposed map is consistent with applicable general and specific plans.

*The map and project are consistent with the General Plan as set forth in the section titled General Plan Consistency Findings below. It is additionally consistent with the McCloud Community Services District Strategic Plan as set forth in the section titled McCloud Community Services District – Sphere of Influence Consistency Findings below.*

2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*The subdivision does not include new improvements inconsistent with the General Plan or the McCloud Community Services District Strategic Plan.*

3. That the site is physically suitable for the type of development.

*No new development is proposed as part of this tentative parcel map. The project site is zoned Heavy Industrial (M-H) and is generally level, with average slopes of less than five percent. Portions of the property are located within mapped FEMA flood hazard areas (Zone AO1 and Zone AE), as shown on the Tentative Parcel Map (Exhibit C). However, each proposed parcel contains adequate buildable area outside of the regulatory floodway, and no parcel would be located entirely within a floodway. Safe access can be provided during flood events, and any future development can implement FEMA-recognized mitigation measures—such as elevation above the Base Flood Elevation (BFE), flood-resistant construction, and placement of utilities and septic systems outside hazardous areas—in accordance with Siskiyou County Floodplain Management Regulations (Title 10, Chapter 10).*

*The site is not located within an earthquake fault zone or a known landslide hazard area, and prior industrial use of the property demonstrates its physical suitability for industrial and related uses. Based on the site's topography and existing development pattern, the site is physically suitable for the type of development permitted by the M-H zoning district.*

4. That the site is physically suitable for the proposed density of development.

*No new development or change in density is proposed as part of this tentative parcel map. The project site is part of the former McCloud Lumber Mill complex and is already developed with existing industrial uses.*

5. That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*No new development is proposed as part of this tentative parcel map. The project site is generally level to gently sloping and has been substantially disturbed by historic lumber mill operations. Vegetation consists primarily of mixed conifer/hardwood edge habitat and ruderal (weedy) herbaceous cover within previously cleared and developed areas. The site does not appear to contain intact or sensitive biological communities. Access to all proposed parcels is provided by existing roads, and routine wildfire hazard mitigation practices already occur on the property. Given the site's long-standing industrial use, existing Heavy Industrial (M-H) zoning, and absence of sensitive habitat features, subdivision of the property is not expected to result in substantial environmental damage or to substantially and avoidably injure fish, wildlife, or their habitat.*

6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

*Future development on the proposed parcels will be served by private wells and by sewer service provided through the McCloud Community Services District. Access to all parcels will comply with applicable Cal Fire and County road standards, and any new construction will be required to meet the California Building Code, Fire Safe Regulations, and Environmental Health requirements governing water supply and wastewater systems. Based on these regulatory safeguards and the absence of identified health hazards on the site, the design of the subdivision and any anticipated improvements are not likely to cause serious public health problems.*

7. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

*No new improvements are proposed as part of this tentative parcel map. Review of the tentative map and County records indicates no public access easements or other public rights-of-way that would conflict with the proposed parcel configuration. Therefore, the subdivision design will not interfere with any easements acquired by the public at large for access or use of the property.*

In accordance with Government Code Section 66474.02, the Planning Commission finds:

1. That the subdivision is consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4290 and 4291 of the Public Resources Code or consistent with local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations.

*As a condition of approval (Condition of Approval No. 6), the recorded map shall include a note stating that any future development on the resultant parcels is subject to compliance with all applicable requirements of Public Resources Code Sections 4290 and 4291 and the California*

*Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of CAL FIRE. This condition ensures that the subdivision remains consistent with state fire safety standards.*

2. That structural fire protection and suppression will be available for the subdivision from an entity organized solely to provide fire protection services that is monitored and funded by a public entity.

*Structural fire protection for the subdivision is provided by the McCloud Fire Department, a publicly funded and organized fire protection entity located approximately 1.4 miles from the project site (approximately a 3–5 minute response time under normal conditions). Fire hydrants are located nearby within the R-1 zoning district to the east of the site, ensuring adequate suppression capability for future development.*

In accordance with Siskiyou County Code Section 10-4.105.3 and Section 10-6.5501, the Planning Commission finds:

1. That the minimum lot size shall be two and one-half acres when water from an approved system is provided and on-site sewage disposal systems are required.

*Each proposed parcel exceeds the applicable minimum lot size. Parcel 1 will be 7.44 acres, Parcel 2 will be 8.10 acres, Parcel 3 will be 13.41 acres, and the Remainder Parcel will be 31.28 acres. Although Section 10-4.105.3 addresses situations where community water and on-site sewage disposal are used, the proposed parcels will connect to community sewer; regardless, all parcels exceed the 2.5-acre minimum lot size requirement.*

2. That the depth of any lot shall not exceed three (3) times the width on lots of 300 feet or less in width nor exceed four (4) times the width on lots exceeding 300 feet in width.

*All proposed parcels comply with the required depth-to-width ratio.*

3. That the lot side lines shall be at approximately right angles or radial to street or road lines.

*All proposed lot side lines are at approximately right angles or radial to adjacent street or road lines.*

4. That no lot shall have double frontage unless otherwise approved by the Planning Commission.

*No lot will have double frontage as a result of this subdivision.*

5. That no lot shall be divided by city, County, school district, or other taxing agency lines.

*No proposed parcel will be divided by city, county, school district, or other taxing agency boundaries.*

### **Zoning Consistency Findings**

1. The proposed tentative parcel map, as recommended for approval, exceeds the applicable minimum lot size requirements under Siskiyou County Code §10-4.105.3 (2.5-acre minimum where community water and on-site sewage disposal are used) and §10-6.5501 (2-acre minimum for parcels with on-site septic in the M-H district). Although the M-H (Heavy Industrial) zoning district does not establish a fixed minimum parcel size, all proposed parcels exceed the relevant minimum sizes contained elsewhere in the Code.
2. The Planning Commission has considered all written and oral comments received. Based on the public testimony and staff's analysis, the Commission finds that the project, as designed and conditioned, is compatible with existing and planned uses in the surrounding area.



## **McCloud Community Services District – Sphere of Influence Consistency Findings**

1. The proposed tentative parcel map does not conflict with, and is consistent with, the goals and service planning framework outlined in the McCloud Community Services District Strategic Plan.

## **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.

*No new land uses are proposed as part of this tentative parcel map. The project site has historically been used as part of the McCloud Lumber Mill complex and continues to support industrial activities consistent with its Heavy Industrial (M-H) zoning. These existing uses are compatible with the surrounding and planned land uses in the area. Adjacent properties include Timber Production to the north, Heavy Industrial to the south, and Residential (Res-1) to the southeast. The site also has direct access to major thoroughfares capable of accommodating associated traffic. Future proposed workforce housing in the vicinity is consistent with the intended mix of industrial and residential uses planned for the area and does not create a conflict with the subdivision as proposed. Accordingly, the project is consistent with General Plan Policy 41.3(e).*

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

*No new land uses are proposed as part of this tentative parcel map. The primary use of the property will remain industrial, consistent with historic and existing conditions. The subdivision will not disrupt or impair the intent of protecting any mapped natural, cultural, or environmental resources identified in the General Plan. Accordingly, the project is consistent with Policy 41.3(f).*

Policy 41.4 Policy conflict with city or special district General Plan – in areas within a city's or special district's sphere of influence, the adopted General Plan of the applicable city or special district shall be considered in relation to the County's General Plan Policies, except in cases where the applicable city's General Plan clearly does away with the intent of any applicable resource map.

*The project site is located within the McCloud Community Services District's sphere of influence. Although the District's Strategic Plan is not titled a "General Plan," it functions as the District's primary long-range planning document. Planning staff reviewed the project for consistency with the Strategic Plan and determined that the subdivision does not conflict with its goals or service planning framework. Accordingly, the project is consistent with Policy 41.4.*

Policy 41.5 All development will be designed so that every proposed use and every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, fire hazard or any other resource or environmentally related problems.

*The proposed parcels are generally undeveloped, except for the existing PacifiCorp substation located on Parcel 1. Sewer service will be provided by the McCloud Community Services District, and water will be supplied by private wells through existing use agreements. Any future development will be required to comply with applicable Building Code standards related to grading, erosion control, and stormwater runoff. Access roads will be required to comply with*

*Public Resources Code §4290 and the California Code of Regulations, Title 14, Fire Safe Regulations, as verified by CAL FIRE and County Planning.*

*Each resultant parcel contains adequate buildable area and is expected to meet all development standards. The subdivision is not anticipated to create erosion, runoff, access, fire hazard, or any other resource- or environmentally related problems and is therefore consistent with Policy 41.5.*

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

*Sewer service to the proposed parcels will be provided by the McCloud Community Services District (MCSD) through an Out-of-Area Service Agreement approved by Siskiyou County LAFCO. No on-site septic systems are proposed at this time. Future connection to the MCSD sewer system will ensure proper treatment and disposal of wastewater, thereby preventing groundwater contamination and maintaining consistency with Policy 41.6.*

*In the event that on-site septic systems are required, proposed Parcels 1, 2, and 3 have already been evaluated for on-site sewage disposal by the Siskiyou County Environmental Health Division. All parcels meet Environmental Health's density standards for consideration of alternative engineered systems, demonstrating that adequate wastewater disposal options exist if needed.*

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

*Adjacent wells demonstrate adequate water quantity and quality in the immediate area, and the site's historical use as a lumber mill further indicates the presence of a reliable water supply. Evidence of water availability and potability, in a form acceptable to the Siskiyou County Environmental Health Division, will be provided prior to approval of any new development, ensuring consistency with Policy 41.7.*

Policy 41.8 All proposed development shall be accompanied by evidence acceptable to the Siskiyou County Environmental Health Department as to the adequacy of on-site sewage disposal or the ability to connect to an existing city or community services district with adequate capacity to accommodate the proposed development. In these cases, the minimum parcel sizes and uses of land permitted for all development will be the maximum density and land uses permitted that will meet minimum water quality and quantity requirements, and requirements of the County's Flood plain Management Ordinance.

*All proposed parcels will be served by the McCloud Community Services District (MCSD) sewer system, which has adequate capacity to accommodate development. Minimum parcel size and density requirements are met. Any future development on the parcels will be required to demonstrate compliance with Environmental Health standards for sewage disposal, water quality, and floodplain management, consistent with Policy 41.8.*

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.

*All proposed parcels have direct access to Haul Road and Mill Road. These roads will be maintained or upgraded as necessary to meet Fire Safe Regulations, ensuring safe ingress and*

*egress for future development. The existing roadway network is adequate to accommodate both immediate and cumulative traffic associated with the project, consistent with Policy 41.9.*

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 review confirms that the project is fully consistent with the Siskiyou County General Plan Land Use Element, satisfying Policy 41.18.*

## **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 timing (where feasible) to lessen the effect of seasonal factors (rainfall and wind).

*No new development is proposed as part of this project. Any future construction will be required to comply with applicable Building Code and Public Works standards, including implementation of erosion-control measures such as grading best practices, stormwater management, and revegetation, consistent with Policy 7.*

## **Map 3 Building Foundation Limitations**

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

*All future construction will be subject to and must comply with current Building Code requirements and Public Works standards, consistent with Policy 8.*

## **Map 10 Wildfire Hazard**

Policy 30 – All development proposed within a wildfire hazard area shall be designed to provide safe ingress, egress and have adequate water supply for suppression purposes in accordance with the degree of wildfire hazard.

*No new development is proposed at this time. All future development is subject to compliance with all applicable statutory requirements of Public Resources Code §4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of the California Department of Forestry and Fire Protection (CAL FIRE).*

*A variable-width (minimum 60-foot) easement for ingress, egress, and utilities is provided along Haul Road. The site is approximately one mile (2–3 minutes) from the McCloud Fire Department.*

## **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.

*All proposed parcels have slopes less than 5% and exceed the one-acre minimum, consistent with Policy 31.*

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.

*The proposed uses are consistent with the land uses permitted under Policy 32 and will not result in erosion or sedimentation impacts.*

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.)

*The project site is part of the former McCloud Lumber Mill complex and does not contain high-suitability woodland soils. Although adjacent to areas with Class I and II timber productivity, the subdivision will not diminish timber productivity on nearby lands, consistent with Policy 33.*

### **California Environmental Quality Act (CEQA) Findings**

1. Common Sense Exemption. Pursuant to CEQA Guidelines, Section 15061(b)(3), because there is not substantial evidence, in light of the whole record before the County, that the project would have a significant effect on the environment, this tentative parcel map project is exempt pursuant to the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines.
2. In making its recommendation, the Planning Commission has reviewed and considered the proposed project and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
3. 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.



SISKIYOU COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
LAND DEVELOPMENT REVIEW

OWNER MCCLOUD PARTNERS, LLC FILE # 028-240-320, -330, -550,028-530-010

LOCATION 909 MILL ROAD T 39, 40N , R 2W , SEC. 6, 31 PD# TPM-25-04  
MCCLOUD


REQUIREMENTS:  
Sewage Disposal Test/Information:  
( ) None Required: Connection to Approved Sewage System  
(x) Engineered Percolation Tests – #Proposed parcels 1, 2 and 3  
Parcels  
(x) Wet Weather Testing  
( ) Engineered Sewage Disposal System  
(x) Other Note: soils are satisfactory on proposed parcels 1,2 and 3 and remainder parcel.  
Final system design is subject to we weather ground water table observation.

Water Supply Tests/Information:  
( ) None Required: Connection to Approved Water System  
( ) Well Logs (Existing Wells) ( ) Well Logs for Adjoining Property  
(x) Drilled Well – Parcels # TBD ( ) Spring Source-Verification  
( ) Pump Test (Static Level) \_\_\_\_\_ Hours  
(x) Bacteriological Analysis (x) Chemical Analysis (x) Physical Analysis  
(x) Other Note: well water analysis will be required upon completion of proposed well.

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

Comments/Conditions:  
Environmental Health has no objections to this parcel map.  
  
Proposed Parcels 1, 2, and 3 have been evaluated for onsite sewage disposal. Individual lots may require alternative Engineered leach fields depending on depth of ground water which will be determined after the time the well is drilled and Groundwater observations are made during wet weather testing season.  
  
The remainder parcel is developed with three industrial buildings. Building 1 has onsite sewage disposal (PN 243-83). Water supplied by the former mill's water system is from McCloud River is not approved for human consumption.  
  
All lots conform to Environmental Health's density standard regarding alternative system consideration.

REHS \_\_\_\_\_ DATE 10/14/25

**ENVIRONMENTAL HEALTH ACTION**  
( x ) Application Accepted ( ) Application Rejected as Incomplete (see comments)  
\*\*\*\*\*  
( x ) Approved ( ) Recommended for Denial  
( ) Approved with conditions (see comments)  
REHS  DATE 10/14/25  
Date sent to Planning:



DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
1809 Fairlane Road  
P. O. Box 128  
Yreka, CA 96097  
(530) 842-3516  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)



10/17/2025

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

Attention: Dianne Johnson,

Subject: Tentative Parcel Map (TMP-25-04)

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):

**ROAD AND STREET NETWORKS**

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

**ROAD SIGNING**

1274.01, 1274.02, 1274.03, 1274.04

**WATER STANDARDS**

1275.02

**FUEL MODIFICATION**

1276.01, 1276.02, 1276.03, 1276.04

**SEE THE ATTACHED “4290 CHECKLIST” FOR SPECIFIC CODE REQUIREMENTS.**

In addition to the Public Resources Code 4290 requirements, if timber is to be commercially harvested as part of this subdivision creation, the conditions set forth in the Z'berg-Nejedly Forest Practice Act of 1973 (California Code of Regulations Title 14, Division 1.5) must be adhered to.

TPM-25-04

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

**EXHIBIT B - COMMENTS**

10/17/2025

Page 2

Additional Public Resources Code 4290 requirements that must be met during subsequent building permit applications are as follows:

**DRIVEWAY DESIGN AND SURFACE REQUIREMENTS**

1273.02, 1273.03, 1273.04, 1273.05, 1273.06, 1273.07, 1273.10, 1273.11

**ADDRESSES FOR BUILDING**

1274.01, 1274.02, 1274.03, 1274.04

**FUEL MODIFICATION AND STANDARDS**

1276.01, 1276.02, 1274.03, 1274.04, 1276.05, 1276.06

SEE THE ATTACHED "4290 CHECKLIST" FOR SPECIFIC CODE REQUIREMENTS.

If you have any questions, please call Heather Tharp or Lilly Rivera at 530-842-3516.

Heather Tharp  
Forestry Technician  
Prevention

For: Greg Roath  
Siskiyou Unit Chief

Attachment

cc: file

# State Minimum 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 April 1, 2023

California Code of Regulations

Title 14 Natural Resources

Division 1.5 Department of Forestry

Chapter 7 - Fire Protection

Subchapter 2 State Minimum Fire Safe Regulations

Articles 1-5

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## Article 1 Administration

### § 1270.00. Title

Subchapter 2 shall be known as the "State Minimum Fire Safe Regulations," and shall constitute the minimum Wildfire protection standards of the California Board of Forestry and Fire Protection.

### § 1270.01. Definitions

The following definitions are applicable to Subchapter 2.

- (a) Agriculture: Land used for agricultural purposes as defined in a Local Jurisdiction's zoning ordinances.
- (b) Board: California Board of Forestry and Fire Protection.
- (c) Building: Any Structure used or intended for supporting or sheltering any use or Occupancy, except those classified as Utility and Miscellaneous Group U.
- (d) CAL FIRE: California Department of Forestry and Fire Protection.
- (e) Dead-end Road: A Road that has only one point of vehicular ingress/egress, including cul-de-sacs and Roads that loop back on themselves
- (f) 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.
- (g) Development: As defined in section 66418.1 of the California Government Code.
- (h) Director: Director of the Department of Forestry and Fire Protection or their designee.
- (i) Driveway: A vehicular pathway that serves no more than four (4) Residential Units and any number of non-commercial or non-industrial Utility or Miscellaneous Group U Buildings on each parcel. A Driveway shall not serve commercial or industrial uses at any size or scale.
- (j) 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.
- (k) Fire Apparatus: A vehicle designed to be used under emergency conditions to transport personnel and equipment or to support emergency response, including but not limited to the suppression of fires.
- (l) Fire Authority: A fire department, agency, division, district, or other governmental body responsible for regulating and/or enforcing minimum fire safety standards in the Local Jurisdiction.
- (m) Fire Hydrant: A valved connection on a water supply or storage system for the purpose of providing water for fire protection and suppression operations.
- (n) Fuel Break: A strategically located area where the volume and arrangement of vegetation has been managed to limit fire intensity, fire severity, rate of spread, crown fire potential, and/or ember production.
- (o) Greenbelts: open space, parks, wildlands, other areas, or a combination thereof, as designated by Local Jurisdictions, which are in, surround, or are adjacent to a city or urbanized area, that may function as Fuel Breaks and where Building construction is restricted or prohibited.
- (p) Greenways: Linear open spaces or corridors that link parks and neighborhoods within a community through natural or manmade trails and paths.

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- (q) Hammerhead/T: A "T" shaped, three-point Turnaround space for Fire Apparatus on a Road or Driveway, being no narrower than the Road or Driveway that serves it.
- (r) Hazardous Land Use: A land use that presents a significantly elevated potential for the ignition, prolonged duration, or increased intensity of a Wildfire due to the presence of flammable materials, liquids, or gasses, or other features that initiate or sustain combustion. Such uses are determined by the Local Jurisdiction and may include, but are not limited to, power-generation and distribution facilities; wood processing or storage sites; flammable gas or liquids processing or storage sites; or shooting ranges.
- (s) Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that approves or has the authority to regulate Development.
- (t) Municipal-Type Water System: A system having water pipes servicing Fire Hydrants and designed to furnish, over and above domestic consumption, a minimum of 250 gpm (950 L/min) at 20 psi (138 kPa) residual pressure for a two (2) hour duration.
- (u) Occupancy: The purpose for which a Building, or part thereof, is used or intended to be used.
- (v) One-way Road: A Road that provides a minimum of one Traffic Lane width designed for traffic flow in one direction only.
- (w) 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, mobile homes, and factory-built housing are considered Residential Units.
- (x) Ridgeline: The line of intersection of two opposing slope aspects running parallel to the long axis of the highest elevation of land; or an area of higher ground separating two adjacent streams or watersheds.
- (y) Road: A public or private vehicular pathway to more than four (4) Residential Units, or to any industrial or commercial Occupancy.
- (z) Road or Driveway Structures: Bridges, culverts, and other appurtenant Structures which supplement the Traffic Lane or Shoulders.
- (aa) 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:
- (1) access for emergency wildland fire equipment,
  - (2) safe civilian evacuation,
  - (3) signing that avoids delays in emergency equipment response,
  - (4) available and accessible water to effectively attack Wildfire or defend a Structure from Wildfire, and
  - (5) fuel modification sufficient for civilian and fire fighter safety.
- (bb) Shoulder: A vehicular pathway adjacent to the Traffic Lane.
- (cc) 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.
- (dd) Strategic Ridgeline: a Ridgeline identified pursuant to § 1276.02(a) that may support fire suppression activities or where the preservation of the Ridgeline as an Undeveloped Ridgeline would reduce fire risk and improve fire protection.
- (ee) Structure: That which is built or constructed or any piece of work artificially built up or composed of parts joined together in some definite manner.
- (ff) Traffic Lane: The portion of a Road or Driveway that provides a single line of vehicle travel.
- (gg) Turnaround: An area which allows for a safe opposite change of direction for Fire Apparatus at the end of a Road or Driveway.
- (hh) Turnout: A widening in a Road or Driveway to allow vehicles to pass.



- (ii) Undeveloped Ridgeline: A Ridgeline with no Buildings.
- (jj) Utility and Miscellaneous Group U: 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.
- (kk) Vertical Clearance: The minimum specified height of a bridge, overhead projection, or vegetation clearance above the Road or Driveway.
- (ll) Vertical Curve: A curve at a high or low point of a Road that provides a gradual transition between two Road grades or slopes.
- (mm) Very High Fire Hazard Severity Zone (VHFHSZ): As defined in Government Code section 51177(i).
- (nn) Wildfire: Has the same meaning as "forest fire" in Public Resources Code Section 4103.

## § 1270.02. Purpose

- (a) Subchapter 2 has been prepared and adopted for the purpose of establishing state minimum Wildfire protection standards in conjunction with Building, construction, and Development in the State Responsibility Area (SRA) and, after July 1, 2021, the Very High Fire Hazard Severity Zones, as defined in Government Code § 51177(i) (VHFHSZ).
- (b) The future design and construction of Structures, subdivisions and Developments in the SRA and, after July 1, 2021, the VHFHSZ shall provide for basic emergency access and perimeter Wildfire protection measures as specified in the following articles.
- (c) These standards shall provide for emergency access; signing and Building numbering; private water supply reserves for emergency fire use; vegetation modification, Fuel Breaks, Greenbelts, and measures to preserve Undeveloped Ridgelines. Subchapter 2 specifies the minimums for such measures.

## § 1270.03. Scope

- (a) Subchapter 2 shall apply to:
  - (1) the perimeters and access to all residential, commercial, and industrial Building construction within the SRA approved after January 1, 1991, and those approved after July 1, 2021 within the VHFHSZ, except as set forth below in subsection (b).
  - (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;
  - (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) Subchapter 2 does 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) 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 construction not relating to an existing Structure;

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- (3) application for a use permit;
- (4) Road construction including construction of a Road that does not currently exist, or extension of an existing Road.
- (d) The standards in Subchapter 2 applicable to Roads shall not apply to Roads used solely for Agriculture; mining; or the management of timberland or harvesting of forest products.

#### § 1270.04. 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, or if after July, 1 2021, the VHFHSZ.
- (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.

#### § 1270.05. Local Regulations

- (a) Subchapter 2 shall serve as the minimum Wildfire protection standards applied in SRA and VHFHSZ. However, Subchapter 2 does not supersede local regulations which equal or exceed the standards of this Subchapter.
- (b) A local regulation equals or exceeds a minimum standard of this Subchapter only if, at a minimum, the local regulation also fully complies with the corresponding minimum standard in this Subchapter.
- (c) A Local Jurisdiction shall not apply exemptions to Subchapter 2 that are not enumerated in Subchapter 2. Exceptions requested and approved in conformance with § 1270.07 (Exceptions to Standards) may be granted on a case-by-case basis.
- (d) Notwithstanding a local regulation that equals or exceeds the State Minimum Fire Safe Regulations, Building construction shall comply with the State Minimum Fire Safe Regulations.

#### § 1270.06. Inspections

Inspections shall conform to the following requirements:

- (a) Inspections in the SRA 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 the Director to the Local Jurisdictions, pursuant to subsection (b).
- (b) The Director may delegate inspection authority to a Local Jurisdiction subject to all of the following criteria:
  - (1) The Local Jurisdiction represents that they have appropriate resources to perform the delegated inspection authority.
  - (2) The Local Jurisdiction acknowledges that CAL FIRE's authority under subsection (d) shall not be waived or restricted.
  - (3) The Local Jurisdiction consents to the delegation of inspection authority.
  - (4) The Director may revoke the delegation at any time.
  - (5) The delegation of inspection authority, and any subsequent revocation of the delegation, shall be documented in writing, and retained on file at the CAL FIRE Unit headquarters that administers SRA fire protection in the area.
- (c) Inspections in the VHFHSZ shall be made by the Local Jurisdiction.

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- (d) Nothing in this section abrogates CAL FIRE's authority to inspect and enforce state forest and fire laws in the SRA even when the inspection duties have been delegated pursuant to this section.
- (e) Reports of violations within the SRA shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in the Local Jurisdiction.
- (f) 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.

**§ 1270.07. Exceptions to Standards**

- (a) Upon request by the applicant, an Exception to standards within this Subchapter may be allowed by the Inspection entity in accordance with 14 CCR § 1270.06 (Inspections) where the Exceptions provide the Same Practical Effect as these regulations towards providing Defensible Space. Exceptions granted by the Local Jurisdiction listed in 14 CCR § 1270.06, shall be made on a case-by-case basis only. Exceptions granted by the Local Jurisdiction listed in 14 CCR § 1270.06 shall be forwarded to the appropriate CAL FIRE unit headquarters that administers SRA fire protection in that Local Jurisdiction, or the county in which the Local Jurisdiction is located and shall be retained on file at the Unit Office.
- (b) Requests for an Exception shall be made in writing to the Local Jurisdiction listed in 14 CCR § 1270.06 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 § 1270.06 (Inspections) 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 inspector 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.

**§ 1270.08. Distance Measurements**

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



## **Article 2 Ingress and Egress**

### **§ 1273.00. Intent**

Roads, and Driveways, whether public or private, unless exempted under 14 CCR § 1270.03(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 Surface**

(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) 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 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 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 A/Image 1 on the left is a visual representation of paragraph (b).
- (f) Figure B. Turnarounds on driveways with one ten-foot traffic lane.
- Figure B/Image 2 on the right is a visual representation of paragraph (b).

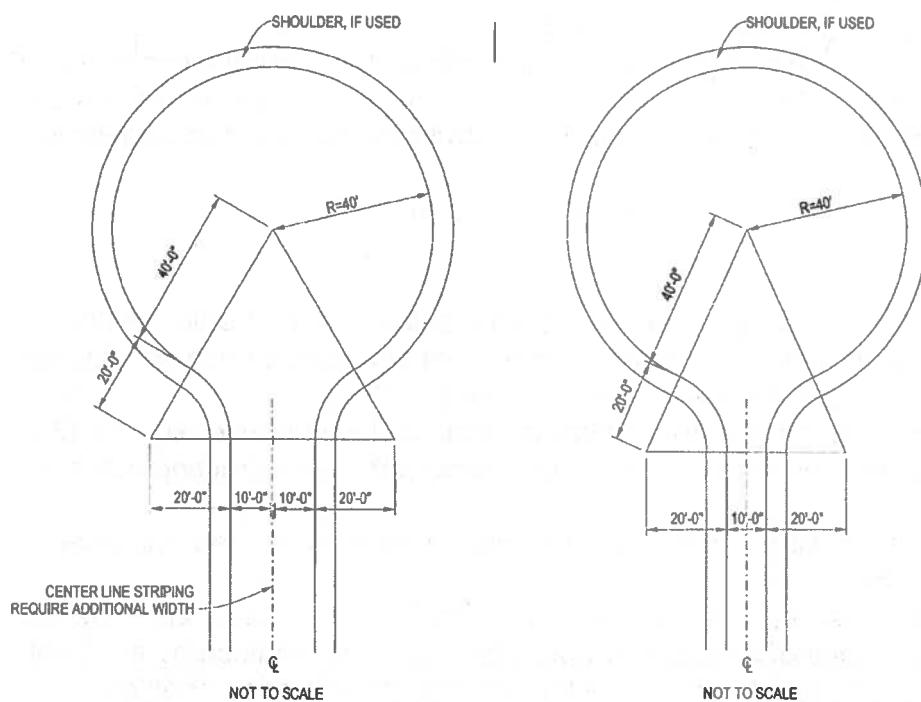


FIGURE FOR 14 CCR § 1273.05. TURNAROUND EXAMPLES

## § 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

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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:

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

(2) 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.

### **§ 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 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, 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,



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- (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.

**§ 1275.04. Signing of Water Sources.**

(a) Each Fire Hydrant 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 Fire Hydrant 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 Building Siting, Setbacks, and Fuel Modification**

**§ 1276.00 Intent**

To reduce the intensity of a Wildfire, reducing the volume and density of flammable vegetation around Development through strategic fuel modification, parcel siting and Building setbacks, and the protection of Undeveloped Ridgelines shall provide for increased safety for emergency fire equipment, including evacuating civilians, and a point of attack or defense from a Wildfire.

**§ 1276.01. Building and Parcel Siting and Setbacks**

- (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, except as provided for in subsection (b).
- (b) A reduction in the minimum setback shall be based upon practical reasons, which may include but are not limited to, parcel dimensions or size, topographic limitations, Development density requirements or other Development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints , and shall provide for an alternative method to reduce Structure-to-Structure ignition by incorporating features such as, but not limited to:
  - (1) non-combustible block walls or fences; or
  - (2) non-combustible material extending five (5) feet horizontally from the furthest extent of the Building; or
  - (3) hardscape landscaping; or
  - (4) a reduction of exposed windows on the side of the Structure with a less than thirty (30) foot setback; or
  - (5) the most protective requirements in the California Building Code, California Code of Regulations Title 24, Part 2, Chapter 7A, as required by the Local Jurisdiction.

## § 1276.02. Ridgelines

(a) The Local Jurisdiction shall identify Strategic Ridgelines, if any, to reduce fire risk and improve fire protection through an assessment of the following factors:

- (1) Topography;
- (2) Vegetation;
- (3) Proximity to any existing or proposed residential, commercial, or industrial land uses;
- (4) Construction where mass grading may significantly alter the topography resulting in the elimination of Ridgeline fire risks;
- (5) Ability to support effective fire suppression; and
- (6) Other factors, if any, deemed relevant by the Local Jurisdiction.

(b) Preservation of Undeveloped Ridgelines identified as strategically important shall be required pursuant to this section.

(c) New Buildings on Undeveloped Ridgelines identified as strategically important are prohibited, as described in subsections (c)(1), (c)(2), and (c)(3).

(1) New Residential Units are prohibited within or at the top of drainages or other topographic features common to Ridgelines that act as chimneys to funnel convective heat from Wildfires.

(2) Nothing in this subsection shall be construed to alter the extent to which utility infrastructure, including but not limited to wireless telecommunications facilities, as defined in Government Code section 65850.6, subdivision (d)(2), or Storage Group S or Utility and Miscellaneous Group U Structures, may be constructed on Undeveloped Ridgelines.

(3) Local Jurisdictions may approve Buildings on Strategic Ridgelines where Development activities such as mass grading will significantly alter the topography that results in the elimination of Ridgeline fire risks.

(d) The Local Jurisdiction may implement further specific requirements to preserve Undeveloped Ridgelines.

## § 1276.03. Fuel Breaks

(a) When Building construction meets the following criteria, the Local Jurisdiction shall determine the need and location for Fuel Breaks in consultation with the Fire Authority:

- (1) the permitting or approval of three (3) or more new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d); or
- (2) an application for a change of zoning increasing zoning intensity or density; or
- (3) an application for a change in use permit increasing use intensity or density.

(b) Fuel Breaks required by the Local Jurisdiction, in consultation with the Fire Authority, shall be located, designed, and maintained in a condition that reduces the potential of damaging radiant and convective heat or ember exposure to Access routes, Buildings, or infrastructure within the Development.

(c) Fuel Breaks shall have, at a minimum, one point of entry for fire fighters and any Fire Apparatus. The specific number of entry points and entry requirements shall be determined by the Local Jurisdiction, in consultation with the Fire Authority.

(d) Fuel Breaks may be required at locations such as, but not limited to:

- (1) Directly adjacent to defensible space as defined by 14 CCR § 1299.02 to reduce radiant and convective heat exposure, ember impacts, or support fire suppression tactics;
- (2) Directly adjacent to Roads to manage radiant and convective heat exposure or ember impacts, increase evacuation safety, or support fire suppression tactics;
- (3) Directly adjacent to a Hazardous Land Use to limit the spread of fire from such uses, reduce radiant and convective heat exposure, or support fire suppression tactics;

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(4) Strategically located along Ridgelines, in Greenbelts, or other locations to reduce radiant and convective heat exposure, ember impacts, or support community level fire suppression tactics.

- (e) Fuel Breaks shall be completed prior to the commencement of any permitted construction.
- (f) Fuel Breaks shall be constructed using the most ecologically and site appropriate treatment option, such as, but not limited to, prescribed burning, manual treatment, mechanical treatment, prescribed herbivory, and targeted ground application of herbicides.
- (g) Where a Local Jurisdiction requires Fuel Breaks, maintenance mechanisms shall be established to ensure the fire behavior objectives and thresholds are maintained over time.
- (h) The mechanisms required shall be binding upon the property for which the Fuel Break is established, shall ensure adequate maintenance levels, and may include written legal agreements; permanent fees, taxes, or assessments; assessments through a homeowners' association; or other funding mechanisms.

**§ 1276.04 Greenbelts, Greenways, Open Spaces and Parks**

(a) Where a Greenbelt, Greenway, open space, park, landscaped or natural area, or portions thereof, is intended to serve as a Fuel Break, the space or relevant portion thereof shall conform with the requirements in § 1276.03 (Fuel Breaks).

**§ 1276.05 Disposal of Flammable Vegetation and Fuels**

The disposal, including burning or removal to a site approved by the Local Jurisdiction, in consultation with the Fire Authority, of flammable vegetation and fuels caused by site construction, Road, and Driveway construction shall be in accordance with all applicable laws and regulations.

\*\*\*

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



# Defensible Space and the Law

## CAL FIRE's Guide to Defensible Space Requirements

If you live in the State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone in the Local Responsibility Area (LRA) you are responsible for ensuring that your property complies with California's building and fire codes that call for homeowners to take proactive steps to protect their property from a wildfire. A person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, shall maintain 100 feet of Defensible Space as required by law.

Requirements can be found in Public Resource Code (PRC) § 4291, 14 California Code of Regulations (CCR) § 1299.03, Board of Forestry (BOF) General Guidelines, California Fire Code (CFC) § 505.1, California Building Code (CBC) § 2113.9.2. CBC Chapter 7A requires certain construction materials and methods for homes in wildland areas.

Contact your local fire department for additional requirements to ensure your home complies with the state and local requirements. For more information on laws and codes, go to: <https://readyforwildfire.org/fire-safety-laws/>.

### **Zone 1 Requirements / Within 30 feet of all structures or to the property line:**

- Remove all branches within 10 feet of any chimney or stovepipe outlet, **PRC § 4291(a)(2) and 14 CCR § 1299.03(a)(2).**
- Remove leaves, pine needles, or other vegetation on roofs, gutters, decks, porches, stairways, etc. **PRC § 4291 (a)(4) and 14 CCR § 1299.03(a)(1).**
- Remove dead tree or shrub branches that overhang roofs, below or adjacent to windows, or which are adjacent to wall surfaces, **PRC § 4291 (a)(3) and 14 CCR § 1299.03(a)(2).**
- Remove all dead and dying grass, plants, shrubs, trees, branches, leaves, weeds, and pine needles, **14 CCR § 1299.03(a)(1).**
- Remove or separate fuels to maintain spacing between vegetation to interrupt the fire's path. Prune limbs; separate plants and ground cover, **PRC § 4291(a)(1) and BOF General Guidelines item 1.**
- Remove flammable vegetation and items that could catch fire which are adjacent to, or under, combustible decks, balconies, and stairs, **14 CCR § 1299.03(a)(4).**
- Relocate exposed wood piles outside of Zone 1 unless completely covered in a fire-resistant material, **14 CCR § 1299.03(a)(3).**

### **Zone 2 Requirements / Within 30–100 feet of all structures or to the property line:**

- Cut annual grasses and forbs down to a maximum height of 4 inches, **14 CCR § 1299.03(b)(2)(B).**
- Remove fuels to create proper horizontal and vertical spacing among shrubs and trees, and remove lower tree limbs, **BOF General Guidelines item 4.**
- All exposed woodpiles must have a minimum of 10 feet clearance, down to bare mineral soil, in all directions, **14 CCR § 1299.03(b)(2)(C).**
- Remove all dead and dying trees, branches, shrubs, or other plants, and surface debris. Loose surface litter, normally consisting of fallen leaves or needles, twigs, bark, and cones, shall be permitted to a depth of 3 inches, **14 CCR § 1299.03(b)(2)(A).**

### **Other Requirements / Within 100 feet of all structures or to the property line:**

- Logs or stumps embedded in the soil must be removed or isolated from other vegetation, **BOF General Guidelines item 3.**

For more information visit [www.readyforwildfire.org/fire-safety-laws](http://www.readyforwildfire.org/fire-safety-laws)



- Outbuildings and Liquid Propane Gas (LPG) storage tanks shall have 10 feet of clearance to bare mineral soil and no flammable vegetation for an additional 10 feet around their exterior, **14 CCR § 1299.03(c)(1)**.
- Address numbers shall be displayed in contrasting colors (4" min. size) and readable from the street or access road, **CFC § 505.1**.
- Equip chimney or stovepipe openings with a metal screen having openings between 3/8 inch and 1/2 inch, **CBC § 2113.9.2**.

Defensible space laws and building codes in California outline the minimum standards. The requirements may vary depending on factors such as proximity to wildland areas, slope steepness, the presence of combustible materials on the property, home hardening measures, and local defensible space ordinances.

#### **Links to Codes and Regulations:**

##### **Public Resource Code § 4291**

[leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PRC&division=4.&title=&part=2.&chapter=3.&article=](https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=4.&title=&part=2.&chapter=3.&article=4291)

##### **14 California Code of Regulations § 1299.03**

[https://govt.westlaw.com/calregs/Document/I47E4A92E5B4D11EC976B000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I47E4A92E5B4D11EC976B000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))

##### **Board of Forestry General Guidelines**

[https://bof.fire.ca.gov/media/4mwdav3l/rpc-2-c-defensible-space-guidance-document\\_ada.pdf](https://bof.fire.ca.gov/media/4mwdav3l/rpc-2-c-defensible-space-guidance-document_ada.pdf)

#### **Defensible Space - Related Codes:**

##### **14 CCR § 1299.02 - Definitions**

a) Defensible space. The buffer that landowners are required to create on their property between a "Building or Structure" and the plants, brush and trees or other items surrounding the "Building or Structure" that could ignite in the event of a fire.

(b) Building or Structure. Anything constructed that is designed or intended for support, enclosure, shelter, or protection of persons, animals, or property, having a permanent roof that is supported by walls or posts that connect to, or rest on the ground.

(c) Outbuilding. Buildings or structures that are less than one hundred-twenty (120) square feet in size and not used for human habitation. For purposes of this Section, an "Outbuilding" is not a "Building or Structure" as defined in subsection (b) above.

**PRC 4119** - The department, or its duly authorized agent, shall enforce the state forest and fire laws. The department may inspect all properties, except the interior of dwellings, subject to the state forest and fire laws, for the purpose of ascertaining compliance with such laws.

**PRC 4117** - Any county, city, or district may adopt ordinances, rules, or regulations to provide fire prevention restrictions or regulations that are necessary to meet local conditions of weather, vegetation, or other fire hazards. Such ordinances, rules, or regulations may be more restrictive than state statutes in order to meet local fire hazard conditions.

**California Civil Code (CVC) 1102.19** - On and after July 1, 2021, a seller of a real property located in a high or very high fire hazard severity zone, shall provide to the buyer documentation stating that the property is in compliance with Section 4291 of the PRC. Real Estate Inspection request: <https://www.fire.ca.gov/dspace>

**Government Code (GOV) 51182** - A person who owns, leases, controls, operates, or maintains an **occupied dwelling or occupied structure** in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high fire hazard severity zone designated by the local agency pursuant to Section 51179, shall at all times maintain defensible space of 100 feet.

**CBC 701A.2 (Chapter 7A)** – The purpose of this chapter is to establish minimum standards for the protection of life and property by increasing the ability of a building located in any Fire Hazard Severity Zone within state responsibility areas or any wildland urban interface to resist the end treatment of flames or brand and burn projected by a vegetation fire and contributes to a systematic reduction in conflagration losses.

**From:** Terry E. Smith <[tesmith@co.siskiyou.ca.us](mailto:tesmith@co.siskiyou.ca.us)>  
**Sent:** Tuesday, October 21, 2025 8:59 AM  
**To:** Dianne Johnson <[dmjohnson@co.siskiyou.ca.us](mailto:dmjohnson@co.siskiyou.ca.us)>  
**Cc:** Jeremy Lipke <[jlipke@co.siskiyou.ca.us](mailto:jlipke@co.siskiyou.ca.us)>  
**Subject:** RE: TPM-25-04 15 DAY REVIEW

Dianne,

We have reviewed the attached TPM and have discussed recommended changes to the map with the Surveyor. He indicated that the plan for the parcel map has changed. They are proposing three (3) parcels at 7.44 acres, 8.10 acres, and 13.41 acres respectively with a remainder of 31.28 acres.

**Terry E. Smith P.E.**

Senior Engineer

County of Siskiyou

Department of Public Works

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[tesmith@co.siskiyou.ca.us](mailto:tesmith@co.siskiyou.ca.us)

**From:** Houtman, Stephanie@Wildlife  
**Sent:** Wednesday, October 29, 2025 10:06 AM  
**To:** 'Dianne Johnson' <[dmjohnson@co.siskiyou.ca.us](mailto:dmjohnson@co.siskiyou.ca.us)>; 'jvphelps@co.siskiyou' <[jvphelps@co.siskiyou](mailto:jvphelps@co.siskiyou)>  
**Subject:** RE: Z-24-03 15 DAY REVIEW

Hello,

The California Department of Fish and Wildlife (CDFW) has reviewed the Request for Comment for Tentative Parcel Map (TPM-25-04) which proposes to sub-divide 60.23 acres into four parcels and a remainder parcel off Mill Road, in the city of McCloud, Siskiyou County (Project). As a trustee for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, CDFW administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources.

Since the Project only includes subdividing the parcel and does not include the approval of construction activities associated with subdivision development or potential impacts to biological resources, CDFW has no comments at this time.

CDFW recommends a minimum 50-foot no development/disturbance buffer to preserve water quality around all waters of the state.

**Please send all future consultation requests to [R1CEQARedding@wildlife.ca.gov](mailto:R1CEQARedding@wildlife.ca.gov).**

Stephanie Houtman  
Klamath Watershed Program  
California Department of Fish and Wildlife  
Northern Region  
1625 South Main Street  
Yreka, CA 96097  
530-806-1522 (No Text Messaging Ability)  
[Stephanie.Houtman@wildlife.ca.gov](mailto:Stephanie.Houtman@wildlife.ca.gov)

**UNINCORPORATED AREA OF SISKIYOU COUNTY, CALIFORNIA**

**LOCATED IN A PORTIONS OF SECTION 31, T. 40 N., R. 2 W. & SECTION 6, T. 39 N., R. 2 W., M.D.M. IN THE UNINCORPORATED AREA OF SISKIYOU COUNTY, CALIFORNIA**

**TENTATIVE PARCEL MAP**

**FOR: McCLOUD PARTNERS LLC**

**PROJECT PROPOSANTS:**  
 McCLOUD PARTNERS LLC  
 29 SHELL ROAD  
 MILL VALLEY, CA 94841

**SEWAGE DISPOSAL BY INDIVIDUAL SEPTIC SYSTEMS**  
 DOMESTIC WATER BY THE HISTORICAL MILL WATER SYSTEM

**ZONING:**  
 EXISTING ZONING IS M-H

**REVISIONS**

NO.	DATE	DESCRIPTION
1	9/26/2025	ELIMINATE PROPOSED PARCEL 4 RESULTING IN ALL OF PARCEL 1 PER PMB 7 PG 132 BECOMING THE REMAINDER PARCEL.
2	10/14/2025	ADD THE EXISTING SEPTIC SYSTEM THAT IS ON THE REMAINDER PARCEL

**PARCEL ACREAGE TABLE**

ORIGINAL PARCEL III PER DOC-14-0005367	60.23 ACRES
PARCEL 1 7.44 ACRES	
PARCEL 2 8.10 ACRES	
PARCEL 3 13.41 ACRES	
REMAINDER PARCEL 31.28 ACRES	

**CURVE TABLE**

LINE	DELTA ANGLE	RADIUS	LENGTH
C1	05°35'12"E	400.00'	39.00'
C2	05°10'11"E	400.00'	36.09'
C3	57°26'47"E	105.00'	105.28'
C4	64°03'02"E	95.00'	106.60'
C5	90°00'00"E	40.00'	62.83'

**McCLOUD PARTNERS LLC**  
 APN 028-530-020

**INDUSTRIAL WATER SYSTEM EASEMENT**  
 921 OR 325-338

**HEARST FORESTS LLC**  
 APN 028-240-330

**PARCEL 1**  
 ±7.44 Acres

**PARCEL 2**  
 ±8.10 Acres

**REMAINDER PARCEL**  
 ±31.28 Acres  
 APN 028-530-010  
 PARCEL 1 PER PMB 7 PG. 192

**LEGEND**

- CALCULATED POSITION
- OVERHEAD UTILITY LINES
- EXISTING INDUSTRIAL WATER SYSTEM
- EXISTING SEPTIC SYSTEM
- EXISTING SEWAGE DISPOSAL SEPTIC TANK
- EXISTING SEWAGE DISPOSAL SEPTIC TANK

**SCALE: 1" = 200'**

**NORTH**