

**Comparison of
 (PROPOSED) TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS (14CCR), DIVISION 1.5, CHAPTER 7, SUBCHAPTER 2, ARTICLES 1-5
 "STATE MINIMUM FIRE SAFE REGULATIONS, 2021" DRAFT DATED MARCH 15, 2021
 versus
 (CURRENT) COUNTY OF TUOLUMNE ORDINANCE CODE, TITLE 11
 "ROAD STANDARDS"**

These are the most noteworthy areas where the proposed 2021 State Minimum Fire Safe Regulations differ from the current County Ordinances:

STATE MINIMUM FIRE SAFE REGULATIONS, 2021 DRAFT	COUNTY OF TUOLUMNE ORDINANCE CODE (CURRENT)
1270.01., "Definitions,"(l),"Driveway": "A vehicular access that serves up to two (2) parcels with no more than two (2) Residential Units and any number of of non-commercial or non-industrial Utility or Miscullaneous Group U buildings on each parcel. A Driveway shall not serve commedcial or industrtial uses at any size or scale. (gg), "Road": Vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial use. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane, and access roadway.	11.02.110, "Driveway": "Driveway" means a vehicular access that sercvces a single parcel with not more than three (3) dwelling units, and any number of accessory buildings. 11.02.120, "Driveway, Common": "Common Driveway" means a vehicular access that serves up to six (6) parcels with the common portion of the driveway being a minimum of 18 feet in width and does not provide access to more than six (6) dwelling units and any number of acesyory buildings, and for which easements have been established for use of the driveway by all parcels.
1270.02., "Purpose," (a): These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with Building Construction in the State Responsibility Area (SRA) and, after July 1, 2021, the Very High Fire Hazard Severity Zones... (d) By limiting Building construction in those areas where these minimum Wildfire protection standards ae not satisfied, this reduces the risk of wildfires in these areas, which among other things protects the health, safety and welfare of residents, and protects natural resources and the environment.	[SRA covers entirety of County; VHFHZ is essentially much of the populated area of County above Don Pedro and New Melones and below Clarks Fork on SR108 corridor, and above Don Pedro and below Yosemite NP on SR120 corridor.]
1270.03, "Scope,"(a): These regulations shall apply to: (1) the Perimeters and Access to all residential, commercial, and industrial Building Construction within the SRA approved after January 1, 1991 and those approved after July 1, 2021 within the VHFHSZ, except as set forth below in subsections (b), (c), (d), and (e) below; (2) the siting of newly installed commercial modulars, manufactured homes, mobilhomes, and factory-built housing... (3) all tentative and parcel maps of 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.	[Current Title 11 standards are in effect and apply to all new development projects; however, are not applied retroactively, unless CEQA review of a proposed development project identifies road improvements specific to the project's impacts as a reasonable mitigation for said impacts.]

<p>1270.04, "Local Regulations": (a) These regulations shall serve as the minimum Wildfire protection standards applies in SRA and VHFHSZ. However, these regulations do 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 that are not enumerated in this Subchapter... (g) 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.</p>	<p>[Titles 11 and 17.56 of the Tuolumne County Ordinance Code will need to be updated to meet or exceed the more stringent State Fire Safe Regulations, if adopted.]</p>
<p>Article 2, "Ingress and Egress," 1273.00, "Purpose and Applicaton," (b) The provisions of this Article... shall apply to all New Roads, Driveways, or Road or Driveway Structures. The provisions of this Article... shall further apply to all Existing Roads, Driveways, or Road or Driveway Structures within a perimeter. (c) The provisions of this Article...shall further apply to any existing Road, Driveway, or Road or Driveway Structure that provides Access to Building Construction which includes (1) the permitting or approval of three (3) or more new parcels, excluding lot line adjustments... or (2) an application for a change of zoning which proposes to increase zoning intensity or density; or (3) an application for a change in use permit which proposes to increase use intensity or density. (d) Notwithstanding any other provision in this Subchapter, Building construction is prohibited where Access is provided by a Road that does not meet the minimum requirements in 1273.12 (Standards for Existing Roads).</p>	<p>[Title 11 requirements do not force a project applicant to make all improvements to all roads in the path from their parcel being developed or where construction is happening to the nearest fully-compliant roadway. The proposed regulations would prohibit any building construction or permits where located on a road of substandard width or incapable of supporting a 36,000-pound fire apparatus.]</p>
<p>1273.01, "Horizontal and Vertical Curves/Curb Radii," (a) No road or road structure shall have a horizontal inside radius of curvature (measured from the centerline of the inside lane) of less than fifty (50) feet... (1) An additional four (4) feet of surface width shall be added to the required widths in 1273.05 (Road and Driveway Width and Horizontal Clearances) to curves of 50-100 feet radius. (2) one (1) foot shall be added to curves of 100-200 feet...</p>	<p>11.12.010, "Geometrics and roadbed design," (M.) Alignments. Alignment for horizontal curves shall be based upon the posted speed limit or minimum design speed, whichever is greater, and shall be no smaller than a fifty (50) foot interior curve radius with a minimum taper length of fifty (50) feet. Vertical curves shall provide for a sight distance consistent with the posted speed limit or the minimum design speed, whichever is greater, and shall have a minimum length of one hundred (100) feet. (E.) Curve Widening. Curve widening shall be added to the required shoulder width on curves having a radius less than two-hundred (200) feet. The widening shall be at least equal to four-hundred (400) divided by the radius of the curve. The widened area shall have a uniform surface with the adjacent road.</p>
<p>1273.02, "Road and Driveway Surfaces," (a) Roads shall support the imposed load of fire apparatus weighing 75,000 pounds. The surface material of the Road shall be non-erodible (including, but not limited to, a binding agent, gravel, lime slurry, or pavement) and designed to support the required weight at all times, including during saturated soil conditions. Roads with a grade of greater than 16% have additional surface treatment requirements specified in §1273.04 (Road and Driveway Grades). (b) Driveways and road and driveway structures shall be designed and maintained to support at least 36,000 pounds. (c) The project proponent shall provide certified engineered specifications to support the Road design, if requested by the Local Jurisdiction.</p>	<p>11.12.020, "Structural design standards," (A.) The structural section of the road surface shall be designed based on a twenty (20) year design life, or a thirty (30) year design life subject to approval by the County Engineer, and using stabilometer "R" value, and the expected traffic index, which are not less than those indicated below. In no event shall the structural section of a road include less than the following compacted depths of asphalt concrete and aggregate base <table> (B.) All road structures shall be capable of supporting a 40,000 pound axle load and shall be constructed to carry at least the maximum load and provide the minimum vertical clearance as required by AASHTO and Vehicle Code sections 35550, 35750 and 35250.</p>

<p>1273.03, "Bridge or Elevated Structures on Roads and Driveways," (b) Bridges and elevated structures shall be designed and constructed to accommodate a gross vehicle weight rating of 75,000 pounds. Vehicle load limits shall be posted at both entrances to bridges. (1) Bridges or elevated surfaces may support a maximum weight of less than 75,000 pounds if the Fire Authority verifies that the Fire Apparatus most likely to be used will be under the maximum load weight of the bridge. (2) If the bridge or elevated structure is designed for a lower weight, then it shall be identified through signage as required in Article 3. In no case shall the bridge be designed to support a weight below 36,000 pounds.</p>	<p>11.12.020, "Structural design standards," (B.) All road structures [to include bridge structures] shall be capable of supporting a 40,000 pound axle load and shall be constructed to carry at least the maximum load and provide the minimum vertical clearance as required by AASHTO and Vehicle Code sections 35550, 35750 and 35250.</p>
<p>1273.05, "Road and Driveway Width and Horizontal Clearances," (d) 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").</p>	<p>11.12.060, "Driveways," (A.) Driveways shall provide a minimum twelve (12) foot traffic lane with an all weather surface, have fifteen (15) feet of unobstructed vertical clearance and fourteen (14) feet unobstructed horizontal clearance...</p>
<p>1273.08, "Maximum Lengths of New Dead-End Roads," (a) The maximum length of a New Dead-end Road shall not exceed the following cumulative lengths: (1) For Roads with parcels zoned not to exceed one acre - 800 feet (2) For Roads with parcels zoned up to 4.99 acres - 1,320 feet (3) For Roads with parcels zoned for 5 acres or larger - 2,640 feet (b) All new Dead-end Road shall meet the Turnaround requirements in 1273.05.08 (Road and Driveway Turnarounds). (c) All new Dead-End Roads shall meet the width requirements in 1273.05 (Road and Driveway Width and Horizontal Clearances). (d) Each new Dead-End Road shall be connected directly to a through road (a road that is connected to other roads at both ends).</p>	<p>11.12.040, "Cul-de-sacs," (B.) The maximum length of a cul-de-sac road, including all cul-de-sac roads accessed from the cul-de-sac, 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 - 1320 feet Parcels zoned for 5 acres to 19.99 acres* - 2640 feet Parcels zoned for 20 acres or larger* - 5280 feet All lengths shall be measured from the edge of the roadway surface at its intersection with a through road to the end of the road surface at its farthest point. Where a cul-de-sac crosses areas of differing zoned parcel sizes, requiring different length limits, a turnaround bulb shall be required at each of the cumulative limits listed above for every zoning district it passes through. [There are existing de facto cul-de-sacs and functional cul-de-sacs (sub-network of roads with one connection to the greater road network; i.e., Lyons Bald Mountain Road and neighborhoods accessed via it) in the county greater than 1 mile in length; terrain often has dictated this. The new regulation would eliminate any possibility of obtaining a building permit or constructing anything on any parcel on one of those cul-de-sacs, until the road is linked to another through roadway.]</p>
<p>1273.09, "Road and Driveway Turnouts," (a) Turnouts shall be a minimum of twelve (12) feet wide from the shoulder stripe, twenty-two (22) feet long with a minimum twenty-five (25) foot taper on each end and be facilitated outside of the Traffic Lane to accommodate one passenger vehicle ...</p>	<p>11.12.010, "Geometrics and roadbed design," (B.) Turnouts. Turnouts shall be a minimum of ten (10) feet in width and a minimum of thirty (30) feet in length with a minimum twenty-five (25) foot taper at each end, and shall have a uniform surface with the adjacent road.</p>
<p>1273.11, "Gates," (d) All gates providing access from a Road to a Driveway shall be located at least thirty (30) feet from the Road and shall open in direction of travel ...</p>	<p>11.12.062, "Gates on driveways," (B.) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway edge and shall open away from the roadway.</p>

<p>1273.12, "Standards for Existing Roads," (a) Except as provided in subsections (b) and (d), Existing Roads shall meet the following minimum requirements: (1) One (1) fourteen foot Traffic Lane; (2) Native-surfacing for more than 50% of the Road's length; and (3) Turnouts in compliance with 1273.09 (Road and Driveway Turnouts), or maintain a twenty (20) foot Clear Width suitable to serve as a Traffic Lane for the length of the Road. ... (d) An Existing Road with a secondary route in conformance with 1273.12 (Secondary Routes for Existing Roads) need not comply with subsection (a).</p>	<p>[Title 11 requirements do not force a project applicant to make all improvements to all roads in the path from their parcel being developed or where construction permits are being applied for, to the nearest fully-compliant roadway.]</p>
<p>1273.13, "Secondary Routes for Existing Roads," (a) Secondary routes shall meet the standards for New Roads in this Subchapter and shall provide for legal and deeded Access that serves as a typical travel way to and from the Building construction... (b) Secondary routes shall connect a user to an alternative route that would not be affected by a closure to the primary route, to the extent practicable.</p>	<p>[Title 11 does not speak to mandating secondary routes or access to parcels. In many situations throughout the County, terrain and lack of additional surface streets to link to would physically preclude opportunities to provide secondary access. Engineering and Fire Protection staff do look for opportunities to suggest secondary points of access on projects wherever possible. However, if this detail were mandated, it could eliminate the possibility of developing numerous parcels where providing secondary access routes, either on- or off-site, is economically or physically unfeasible.]</p>

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"STATE MINIMUM FIRE SAFE REGULATIONS, 2021" DRAFT DATED MARCH 15, 2021
versus
(CURRENT) COUNTY OF TUOLUMNE ORDINANCE CODE, TITLE 17.56
"PARCEL, YARD AND SPACE REGULATIONS"

STATE MINIMUM FIRE SAFE REGULATIONS, 2021 DRAFT	COUNTY OF TUOLUMNE ORDINANCE CODE (CURRENT)
<p>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.</p>	<p>17.56.020, "Setbacks," (A.) Within any zoning district, no building shall be located closer than thirty-five feet to the centerline of any street or right-of-way, excluding alleys, except as otherwise provided herein. Existing buildings within any zoning district which are nonconforming only because they encroach within thirty-five feet of the centerline of a street right-of-way, may not be structurally altered and enlarged unless a use permit is first obtained except a use permit is not required for new construction which meets or exceeds setback requirements in effect as of the date of issuance of the building permit for new construction. (B.) In all districts except C-K, C-O, C-1, C-2, C-S, BP, M-1 and M-2, no building shall be located closer to the parcel boundary lines by the following distances: fifteen feet from the front boundary, fifteen feet from the rear boundary and six feet from the side boundaries. (C.) In the C-K, C-O, C-1,c-2, C-S, BP, M-1 and M-2 districts, no building shall be located closer than thirty-five feet to the centerline of any public street or right-of-way and where such districts abut an R district, no building shall be located closer to the parcel boundary lines than the same distances required from the contiguous property lines. (D.) In historic design preservation (HDP) districts, buildings shall be exempt from the building setbacks established herein. The building setbacks shall be the same as that established by the historic buildings within the historic preservation district. [30 foot setbacks on higher-density parcel lines, especially off side property lines, is not practicable on smaller parcels.]</p>

<p>1276.01, "Building and Parcel Siting and Setbacks," (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 reduce Structure-to Structure ignition by incorporating features such as, but not limited to: (1) non-combustible block walls or fences; or (2) five (5) feet of non-combustible material extending five (5) feet horizontally from the further extent of the building; or (3) installing hardscape landscaping or reducing exposed windows on the side of the Structure with a less than thirty (30) foot setback; or (4) additional structure hardening that exceeds the requirements in the California Building Code, California Code of Regulations Title 24, Part 2, Chapter 7A.</p>	<p>[Title 17.56 does not speak to requirement of "mini firebreaks" or "hardening " measures on lot setbacks. The addition of these countermeasures will add cost to building projects and limit the options of what can be constructed on many lots, and may not be compatible to other development requirements in a jurisdiction with many environmental and historic considerations.]</p>
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