



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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(707) 459-7414
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May 11th, 2021

Juliana Cherry
Mendocino County Planning and
Building Services
120 Fir Street
Fort Bragg, CA 95437

Subject: CDP_2019-0027 & CDP_2021-0002
45380 Caspar Point Road
APN:118-010-27
State Fire Safe Regulations- CAL FIRE #90-19 & 137-20

Ms. Cherry,

This letter is a follow up from the joint meeting held on May 7th, 2021 with representatives from the Mendocino County Department of Transportation (MCDOT), Mendocino County Planning and Building Department and CAL FIRE Mendocino Unit participating.

The focal point of the meeting was the prospective projects at 45380 Caspar Point Road in Caspar, California (APN: 118-010-27). At issue was the need for clarification on the Mendocino Unit's part of what constitutes a road and a driveway. Additionally, there was clarification as to the application of the State Fire Safe Regulations when conflicting with local ordinances and codes.

First, the State Fire Safe Regulations define "driveway" and "road" separately, they are not one in the same, nor are the definitions interchangeable. These definitions can be found in Title 14 of the California Code of Regulations, Division 1.5, Chapter 7, Subchapter 2, Article 1, §1271.00 (Hereafter known as 14 CCR, or State Fire Safe Regulations).

14 CCR makes the definitions as follows:

- Driveway: A vehicular access that serves up to two (2) parcels with no more than two (2) residential units and any number of non-commercial or industrial buildings on each parcel.
- Road: Vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

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When applying these definitions to these two projects, Caspar Point Road falls under the category of being a "road." Conversely, the existing vehicle access to 45380 Caspar Point Road would constitute a "driveway" per §1271.00.

This brings up the last point of contention, the State Fire Safe Regulations versus local codes and ordinances. As stated in the meeting, the State Fire Safe Regulations are a minimum standard; they do not supersede any local ordinance or code that are equal to, more restrictive or stringent than the State Fire Safe Regulations.

In this instance, the State Fire Safe Regulations and MCDOT requirements are conflicting over the term driveway versus road as it relates to vehicular access to these prospective parcels. In this case, the MCDOT requirements would apply as they are the local Authority Having Jurisdiction with a more stringent requirement than the State Fire Safe Regulations.

With this clarification, it is hoped that the correspondence to Ms. Carson dated February 3rd, 2021 and May 5th, 2021 can be put into better context.

If there are any other questions, please feel free to contact me at (707) 459-7423.



Chris A. Vallerga
Fire Captain/ Pre-Fire Planning
Mendocino Unit

Cc: MEU PRC 4290 File
Julianna Cherry, Mendocino County Planning and Building Department

From: "Vallerga, Chris@CALFIRE" <Chris.Vallerga@fire.ca.gov>
To: Juliana Cherry <cherryj@mendocinocounty.org>
Date: 5/11/2021 2:28 PM
Subject: RE: CDP_2019-0027 & CDP_2021-0002 Post Meeting Letter-Clarification
Attachments: 90-19_Carson.pdf; 137-20_Carson.pdf

Juliana,

I do not think it is necessary. On both of the Conditions of Approval (CAL FIRE #137-20 & 90-19) that the Unit provided to Ms. Carson, the requirement for the Hammerhead T/ turnaround to be within 50-feet of the structure on driveways 330-feet or more is a noted requirement for these two projects. As for adding the Hammerhead to the easement, that should be left to the discretion of the respective county agencies. There is no mechanism for that in the State Fire Safe Regulations.

I have added a copy of the original Conditions of Approval. The turnaround requirement is under the "driveway" section.

Chris A. Vallerga
Fire Captain/ Pre-Fire Planning
California Department of Forestry and Fire Protection
Mendocino Unit
(707) 459-7423- Office
(707) 391-6723- Cell
Chris.vallerga@fire.ca.gov

-----Original Message-----

From: Juliana Cherry <cherryj@mendocinocounty.org>
Sent: Tuesday, May 11, 2021 2:20 PM
To: Vallerga, Chris@CALFIRE <Chris.Vallerga@fire.ca.gov>
Subject: Re: CDP_2019-0027 & CDP_2021-0002 Post Meeting Letter-Clarification

Warning: this message is from an external user and should be treated with caution.

Chris, thank you for the letter. It is helpful and I appreciate your taking the time to prepare the letter.

Do you want to add that CalFire would prefer the hammerhead to be located within 50-feet of the structure (and not adjacent to the proposed boundary between Parcel 1 and Parcel 2)? What about extending the easement to include the hammerhead?

-- J.
Juliana Cherry Direct Line 707-234-2888
Planning and Building Services - Fort Bragg Office

>>> "Vallerga, Chris@CALFIRE" <Chris.Vallerga@fire.ca.gov> 5/11/2021
>>> 2:08 PM >>>
Good afternoon Juliana,

I have attached a letter for your records following up on our meeting last Friday from the Unit's perspective. I hope this will clarify the terms used in the State Fire Safe Regulations and how they relate to local codes.

Please let me know if there is anything else I can help you with.

Best Regards,

Chris A. Vallerga
Fire Captain/ Pre-Fire Planning
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