



From: [Sateur Ham](#)
To: [Mark Roberts](#); [Michelle Trace](#)
Subject: FW: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (IS 17-31)
Date: Tuesday, July 28, 2020 10:23:45 AM

FYI

From: Wink, Mike@CALFIRE [mailto:Mike.Wink@fire.ca.gov]
Sent: Friday, July 17, 2020 11:32 PM
To: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Cc: Beckman, Chase@CALFIRE <Chase.Beckman@fire.ca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Duncan, Paul@CALFIRE <Paul.Duncan@fire.ca.gov>; Hannan, Jake@CALFIRE <Jake.Hannan@fire.ca.gov>
Subject: [EXTERNAL] Re: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (IS 17-31)

Greetings Planner Ham.

These comments are from CAL FIRE.

This Use Permit is in the SRA (State Responsibility Area). The requires the application of all Fire Codes, which also apply Title 14, PRC 4290 et'al.

The delay of any Fire Safe Standards is not allowed per Title, Code, Regulation et'al, and CAL FIRE does not support any delayed application of minimum fire safe standards.

If the AHJ chooses to not enforce minimum fire safe standards during the permit process that is required by the State Fire Safe Regulations (Title 14, PRC 4290 et'al), they are accepting all responsibility for not requiring the applicant to follow minimum State Fire Safe Regulations required in the SRA.

The Lake County Chief Building Official is also the County Fire Marshall who shall ensure all Codes, Laws, Regulations and etcetera for this project shall be applied. This is also within the local Fire Protection Districts Boundary, where they are a cooperator in applying and enforcing all Codes, Laws, Regulations and etcetera for this project and they will also have comments.

While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

This location is within proximity and or surrounded by a "VERY HIGH Wildland Fire Hazard Severity Zone" area. This is the most extreme and hazardous area category for wildland fire risk. (see below)

Regulations for the AHJ to follow listed below to be , but not be limited to:

- Property line setbacks for structures shall be a minimum of 30 feet. A "Greenhouse" is a structure.
- Addressing that is reflective and of contrasting colors from the public roadway to the location and at every intersection.
- On site water storage for fire protection of each structure per NFPA 1142.
- Per NFPA 1142, fire suppression water storage tanks for commercial use shall be steel or fiberglass (not

plastic).

- All private property roads / access used for this project shall meet minimum Fire Safe standards for emergency vehicle ingress and egress
- A "One Way" loop road standard could be used, or a two lane road.
- A "Road" is two 10 foot lanes of travel for a total of 20 feet of derivable surface not including the shoulders.
- A "Driveway" is a 10 foot wide road with a turnout every 400 feet. This shall not be used for commercial applications, or access to more than three structures that are residences.
- A "Turnout" shall be a minimum 10 feet wide and 30 feet long, with a 25 foot taper at each end
- A "One Lane", "One Way" only loop road is 12 feet wide of derivable surface, plus shoulders. A one lane road must connect on both ends to a two lane road or County Road.
- A bridge can meet the "One Lane", "One Way" 12 feet wide road standard with appropriate signage. A bridge must be marked by the owner of the bridge that it is rated to support 75,000 pounds.
- A bridge shall not be less than 12 feet wide.
- A bridge can meet the "Road " 20 feet wide standard. A bridge must be marked by the owner of the bridge that is is rated to support 75,00 pounds.
- Existing roadways on private property shall meet, and or be improved to meet "Road" standards.
- All weather roadway surfaces shall be rated/engineered for 75,000 lb vehicles is the minimum (including bridges).
- All weather roadway surfaces do not ever have mud, standing or flowing water that vehicles have to travel through.
- Maximum roadway slope is 16%.
- Gate width is 14 foot minimum.
- Gate set backs are a minimum of 30 feet from a road to the gate.
- Gates shall have access criteria locks and alike that meet the local Fire Protection District standard "KNOX" (or similar) access program.
- Parking at the site shall allow for turnarounds, hammerhead T, or similar.
- Minimum fuels reduction of 100 feet of defensible space from all structures.
 - Some applications have mention that they may have a gasoline generator for backup power when solar is not available. If this is the case, the generator shall be placed on a minimum of a 10 foot radius of a non combustible surface. It shall have a minimum of a 3A-40B.C Fire Extinguisher within the 10 foot radius.

- This property will meet the criteria to be, or will be a CERS / CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with PRC4291.3 requiring 300 feet of defensible space and fuels reduction around structures. In summary, any structure or location that stores hazardous, flammable or dangerous items shall establish and maintain 300 feet of defensible space / fuels reduction around its radius.
- While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes

[California's Wildland-Urban Interface Code Information - CAL FIRE - Home](http://www.fire.ca.gov)
www.fire.ca.gov

The law requires that homeowners do fuel modification to 100 feet (or the property line) around their buildings to create a defensible space for firefighters and to protect their homes from wildfires. New building codes will protect buildings from being ignited by flying embers which can travel as ...

http://www.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm
[Hazardous Materials Management \(CUPA\)](http://www.lakecountycalifornia.gov)
www.lakecountycalifornia.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

[Hazardous Materials Management \(CUPA\)](http://www.lakecountycalifornia.gov)
www.lakecountycalifornia.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

<https://www.nfpa.org/assets/files/AboutTheCodes/1142/1142-A2001-ROP.PDF>
[Report of the Committee on - NFPA](http://www.nfpa.org)
www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

[Report of the Committee on - NFPA](http://www.nfpa.org)
www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes

[California's Wildland-Urban Interface Code Information - CAL FIRE - Home](http://www.fire.ca.gov)
www.fire.ca.gov

The law requires that homeowners do fuel modification to 100 feet (or the property line) around their buildings to create a defensible space for firefighters and to protect their homes from wildfires. New building codes will protect buildings from being ignited by flying embers which can travel as ...

http://www.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm
[Hazardous Materials Management \(CUPA\)](http://www.lakecountycalifornia.gov)
www.lakecountycalifornia.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

<https://www.nfpa.org/assets/files/AboutTheCodes/1142/1142-A2001-ROP.PDF>
[Report of the Committee on - NFPA](http://www.nfpa.org)

www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE
2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

From: Sateur Ham <Sateur.Ham@lakecountyca.gov>

Sent: Thursday, July 16, 2020 1:44 PM

To: Mark Roberts <Mark.Roberts@lakecountyca.gov>

Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (IS 17-31)

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

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for General Plan Amendment (GPAP 17-01), Rezone (RZ 17-01), and Parcel Map (PM 17-01) located at 23987 and 24073 State Highway 29, Middletown, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comments. If you have any questions please contact me using the information provided below.

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 17-31 will begin on July 16, 2020 and end on August 20, 2020. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221**. Written comments may be submitted to the Planning Division or via email at mark.roberts@lakecountyca.gov.

Sateur Ham

Assistant Planner I

Department of Community Development

Planning Division

255 N. Forbes Street

Lakeport, CA 95453

E-mail: Sateur.ham@lakecountyca.gov

Phone: (707)263-2221 ext. 37102

DEPARTMENT OF TRANSPORTATION**DISTRICT 1**

P O BOX 3700
EUREKA, CA 95502-3700
PHONE (707) 441-2009
FAX (707) 441-6314
TTY 711
www.dot.ca.gov/dist1



*Making Conservation
a California Way of Life.*

August 20, 2020

Mark Roberts
Principal Planner
Lake Community Development Dept
255 N. Forbes Street
Lakeport, CA 95453

Brand Family GPA, RZ, Subdivision
1-LAK-29-1.927
GPAP, RZ, TPM 17-01

Dear Mr. Roberts:

Thank you for the opportunity to comment on the General Plan Amendment, Rezone and Tentative Parcel Map request to rezone the subject property and subdivide one parcel (APN 013-028-81) into four (4) residential parcels. The 75-acre, rural property consists of two parcels developed with single family homes and a vineyard. The property is located approximately 3.5 miles south of Middletown on State Route 29, at 23987 and 24073 Highway 29, Lake County (LAK-29-1.927).

From Highway 29, West Hildebrand Road provides access to a gated, private road that extends through the property. Both access roads are unpaved, and it is unclear to the District if West Hildebrand Road is a County or private road. Sight distances exceed 1,000 feet in each direction of the SR 29/West Hildebrand Rd intersection.

The residential project will increase the volume of traffic using the intersection of SR 29 and West Hildebrand Road. While the project proposes limited residential development at this time, we note that state standards allow the four lots to potentially be developed in the future with up to eight residences. However, we expect the relatively small-scale project will have less than significant transportation impacts, with Caltrans recommended requirements identified below. We have the following comments.

Traffic Safety/Operations

The project is in an access-controlled segment of Route 29 and District right of way maps show a 20-foot deeded opening (agricultural field approach) in the project location. The driveway is approximately 14 feet wide at the throat, and the existing paved shoulder in this area is about 4 feet wide. Please note that this access was originally granted for the purpose of agricultural activities.

- We recommend the County require the applicant to improve the road approach to Highway 29 as a project condition. The current driveway does not meet Caltrans minimum standards and needs to be brought up to our current standards for a commercial/multi-family driveway, with a 20-foot width. Four (4)

August 20, 2020

Page 2

units would be the maximum appropriate use for this driveway opening. Since the 20-foot access was intended for agriculture, we request that any additional proposed future development/use include additional review by Caltrans. Such additional use would likely require development of an alternate access to a local facility (not SR 29).

- To assist the applicant in submitting a compliant design for the access point, please refer to the Caltrans Encroachment Permits Manual, Appendix J, Road Connections and Driveways. The Manual may be viewed here: <https://dot.ca.gov/-/media/dot-media/programs/traffic-operations/documents/encroachment-permits/appendix-j-ada.pdf>.
- Current mailboxes sited along Highway 29 do not meet Caltrans standards and will be required to be relocated as part of access improvements. Mailbox locations must be approved prior to relocation by the local postmaster.

Encroachment Permits

- Any work within Caltrans right of way will require an encroachment permit from Caltrans. Permits to construct, upgrade, own, and operate road approaches to the state highway system are issued to the individual or legal entity with ownership rights of that road approach. Proof of ownership/easement must be submitted with the application for a permit. If there is no ownership/easement rights, then the applicant may, with the property owner's written permission, apply for a permit on behalf of the owner as an authorized agent of the property owner.
- To streamline the process, we require the applicant arrange and participate in a pre-submittal meeting with the Caltrans encroachment permits staff in Ukiah, prior to application submittal. For more information or to request an encroachment permit, please contact the Ukiah permits office at 707-463-4743, and refer to this website: <https://dot.ca.gov/programs/traffic-operations/ep>.
- Please be advised that a permit application deposit of \$820 and performance bond of \$20,000 (due prior to permit issuance) will be required to process the permit application.

Please contact me with any questions about the comments in this letter at saskia.rymer-burnett@dot.ca.gov.

Saskia Rymer-Burnett

SASKIA RYMER-BURNETT
Caltrans District 1
Transportation Planning

4 Conditions of Approval we oppose

1. There is no mention to widen the encroachment to 20 feet from Roberts Road to Hwy 29 recommended in Mike Wink's email to Ham 7/28/2020 & from DOT memo of 8/2020. This recommendation must be a condition of approval of project. Note that these documents are not present in the submission to the Board as agency comments.

2. #12 references Brand Lane intersecting with Hwy 29 is an error. The correct name of the road leading from the south & curving east to intersect Highway 29 is Roberts Road. 5/18/93 The BOS named this road Roberts Road.

3. #13 The name Brand Lane be changed to Roberts Road for the section of the eastward road from the Brand property gate to Hwy 29.

4. The DOT letter 8/2020 states "we note that the state standards allow the four lots to potentially be developed in the future with up to eight residences." We oppose this possibility & ask as a condition of approval adding additional residences to these 4 lots be prohibited.

Hall & Dunbar