SAN BERNARDINO COUNTY CODE OF ORDINANCE TITLE 2: DIVISION3: CHAPTER 3: ABATEMENT OF FIRE HAZARDS AND HAZARDOUS TREES

§ 23.0301 Duty to Abate Fire Hazards or Hazardous Trees.

Every owner, occupant and person in control of any land or interest therein in the unincorporated area of the County shall abate any hazardous tree and/or any fire or other hazardous tree from such land or from all sidewalks, parkways, and easements on such land. In road easements, combustible rubbish need not be abated unless flammable vegetation is also present. All such fire hazards or other hazards are declared to be a public nuisance for which the costs of abatement may be specially assessed pursuant to Government Code § 25845.

(Am. Ord. 3586, passed – 1985; Am. Ord. 3586, passed – 1994)
§ 23.0302 Valley Area Fire Hazard Abatement.

(a) Valley Area means that portion of the unincorporated area of the County of San Bernardino south and west of the Mountain Area.

(b) Flammable vegetation in the Valley area means:

(1) Plants, unless pruned to remove dead material;

(2) Grass over four inches in height;

(3) Tumbleweeds (Russian thistle).

(c) Fire Hazard in the Valley Area means:

(1) Flammable vegetation;

(2) Combustible rubbish;

(3) Limbs and undergrowth up to six feet off the ground in Eucalyptus windrows.

(Am. Ord. 3586, passed – 1994)
§ 23.0303 Alternative Abatement of Large Parcels.

In the case of any owner of contiguous land under the same ownership upon which exists one fire continuous acres of vegetation which constitutes a fire hazard, the requirements of the duty to abate fire hazards may be satisfied if there is cleared, and maintained cleared, a 40-foot wide strip of land at the boundaries of such land, provided that there is also cleared, and maintained cleared, a 40-foot wide strip of land two and one-half acres which is not enclosed by itself within such strip, which shall be firebreak, and all of the following conditions are also met:

(a) Firebreaks are not an approved abatement method for tumbleweeds (Russian thistle).

(b) It shall be the landowner's responsibility to notify the enforcing agency, in writing, if the landowner wants to use the firebreak provisions of this Section.

(c) All fire hazards must be removed within 30 feet of any structure. Landowners may remove fire hazards within 30 feet of a structure only within 30 feet of any structure, regardless of property line lines.

(d) Where neighboring persons or properties are especially vulnerable to the effects of a fire, including, but not limited to schools, hospitals, mobilehome parks, apartment buildings, condominium complexes, nursing or convalescent homes, flammable vegetation within 100 feet of all structures.

(e) Where neighboring persons or properties are especially vulnerable to the effects of fire, including, but not limited to schools, hospitals, mobilehome parks, apartment buildings, condominium complexes, nursing or convalescent homes, flammable vegetation within 100 feet of all structures.

(f) Where neighboring persons or properties are especially vulnerable to the effects of a fire, including, but not limited to schools, hospitals, mobilehome parks, apartment buildings, condominium complexes, nursing or convalescent homes, flammable vegetation within 100 feet of all structures.

(Am. Ord. 3586, passed – 1994)
§ 23.0304 Hazardous Tree Abatement Within Mountain Area.

(a) The Board of Supervisors finds that within the Mountain Area as defined in San Bernardino County Code § 23.0304(a) a unique problem arises from several hundred thousand dead trees which, because of precipitation, causing trees to become unstable and hazardous to those persons and property.

(b) Within the boundaries of the Mountain Area, the provisions of this Section shall apply to any tree which constitutes a fire, health, or safety hazard or which may endanger the safe movement of the following property, or the health, safety, or well-being of persons or property:

(1) Every owner, occupant or person in control of any land or interest in land within such areas of the County shall abate any hazardous tree therefrom and from all sidewalks, parkways and easements on such land.

(Am. Ord. 3586, passed – 1994)
§ 23.0305 Enforcement.

For the purpose of enforcing this Chapter, the County Fire Warden may designate any person as the fire warden to perform duties as the duties are defined upon him or her by this Chapter. In addition, each of the following officers within the County of San Bernardino is designated as an assistant fire warden to perform the duties required of the political subdivision which they serve. Whenever the COUNTY FIRE WARDEN is used in this Chapter, the following officers are included in the meaning of such phrase, except that the County Fire Warden shall coordinate all such officers in the performance of these duties:

(a) Chiefs, Deputy Chiefs and Inspectors of all Fire Protection Districts within the County of San Bernardino and their deputies.

(b) The San Bernardino County Agricultural Commissioner.

(c) Other employees designated by the Board of Supervisors or the County Fire Warden.

(Am. Ord. 3586, passed – 1994)
§ 23.0306 Notice and Order to Abate.

It shall be the duty of the County Fire Warden or any designated person, whenever such officer deems it necessary to enforce the provisions of this Chapter, to issue a "notice and order to abate" to the owner of the following property:

(1) By mailing a notice to the owner at the address shown on the latest tax roll;

(2) By personal service to the owner as shown on the latest tax roll;

(3) By posting the property.

(b) The form "notice and order to abate fire hazard or hazardous trees" shall include, at a minimum, the following information:

(1) List of hazards;

(2) List of location;

(3) Due date by which abatement must be completed;

(4) Appeal rights;

(5) Landowner's name and address (o/as and assessor's);

(6) Parcel number of affected property.

(c) The notice and order to abate shall be placed in the mail by the issuing agency at least 30 days prior to the "due date" for abatement on the notice.

(d) A non-compliance notice and order to abate may be issued by the issuing agency at least ten days prior to the "due date" for abatement on the notice. A non-compliance notice and order to abate is sent the owner has previously received the fire hazard or notified the agency that the hazard has been abated, and the agency determines the hazard has not been abated.

(Am. Ord. 3764, passed – 1998; Am. Ord. 3586, passed – 1994)
§ 23.0308 Emergency Abatement.

When a fire hazard or hazardous tree constitutes an immediate hazard or threat of fire to persons or property, the fire warden may abate the hazard without issuing a written abatement notice, the enforcement officer listed in § 23.0307 may take or cause to be taken immediate steps to abate the hazard, and the costs thereof may be recovered, or without notice, the enforcement circumstances reasonably allow.

(Am. Ord. 3586, passed – 1994)
§ 23.0310 Appeal Procedures.

(a) Any person who is affected by the notice and order to abate may appeal to the Board of Appeals, as defined in Subdivision (c) of this Section, within the time for abatement specified in the notice and order to abate, by filing with the issuing officer or department supervisor of such officer.

(b) The written appeal must be accompanied by a fee for the cost of the appeal as established by the County Fee Schedule.

(c) The Board of Appeals shall consist of three persons: one member shall be a designee of the Director of Public Works; one member shall be a designee of the Director of Planning; and one member shall be a designee of the Director of Agriculture, a member of the public appointed by the Chairperson of the Board of Supervisors.

(d) A timely appeal shall stay any further action until the appeal is determined.

(e) The officer receiving the written appeal shall inform the issuing officer, shall set the matter for hearing before the Board of Appeals and shall notify the appellant of the date set for hearing at least 15 days prior to such date.

(f) The Board of Appeals shall act on the appeal and its determination shall be final.

(Am. Ord. 3586, passed – 1994)
§ 23.0311 Removal of Fire Hazard or Hazardous Tree by Private Contractor.

(a) If at the end of the time allowed for compliance in the original notice and order to abate, the owner has failed to comply with the order, the enforcement officer or agency issuing the notice and order to abate may cause the fire hazard or hazardous tree to be removed by a private contractor selected and approved by the enforcing agency, in the manner and under the terms provided by this enforcing agency.

(b) If a period of 90 days has elapsed since the due date for abatement of the hazard listed on the notice and order to abate, another notice and order to abate shall be issued, and the procedures set forth in § 23.0306 shall be required prior to any abatement.

(Am. Ord. 3586, passed – 1994)
§ 23.0312 Payment for Abatement of Fire Hazard or Hazardous Tree.

(a) Billing. When the abatement has been completed, the agency or officer so causing the abatement shall render to the County Auditor an itemized statement covering work necessary for such removal. The County Auditor shall pay the same from any funds in the County Treasury that may be set aside for such purpose. The agency shall present to the property owner a demand for payment by mailing a notice to the owner at the address shown on the latest tax roll.

(b) Tax Lien for Payment. If payment is not made by or on behalf of the owner within 60 days after mailing such bill, the agency shall certify to the County Auditor the demands remaining unpaid, together with the information required by law in such cases. The County Auditor shall cause the amount of the same to be entered upon the assessment roll as a special assessment against the property involved. The special assessment shall be included upon the next succeeding tax statement. Thereafter, the amounts of the assessment shall be collected at the same time and in the same manner as County taxes are collected, and are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary County taxes. All laws applicable to the levy, collection and enforcement of County taxes are incorporated by a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon prior to the date on which the first installment of such taxes would become delinquent. If the property is not otherwise be improved by this Section shall not attach to such real property and the costs of abatement, as confirmed, relating to such property shall be transferred to the unsecured roll and collected by the agency even, if the property is tax-exempt, collection may be made by any appropriate means.

(c) Appeals. Any appeal from these charges must be filed within 60 days from the date of billing by the enforcing agency. An appeal may also be filed within 60 days from the date of billing by the agency for the cost of abatement of a hazard that is not to be abated by the appellant. The appeal procedure shall be the same as § 23.0311 of this Chapter, and the Appeal Board's decision shall be final.

(d) Cancellation of Lien. All or any portion of any such special assessment, penalty, or costs heretofore entered, shall, with order of the Board of Appeals be cancelled by the Auditor if uncollected, or, except in the case provided for in Government Code § 25845, refunded if collected, if the Board of Appeals determines that they were entered, charged or paid:

(1) More than once;

(2) Through clerical error;

(3) Through error or mistake of the Board of Appeals or of the officer or board designated by the Board of Appeals to abate the hazard, in that no hazard existed, or in any material fact, including the case where the cost report method and conditional as hereinbefore provided shown the County abated the fire hazard or hazardous tree but such is not the actual fact.

(e) Illegality.

(1) On property acquired after the lien date by the State or by any county, city, school district, or other political subdivision, taxation and because of the property is subject to sale for delinquent taxes.

(e) Procedure for Refund of Payment. No refund or cancellation or refund under Subdivision (d) of this Section shall be made except on a claim:

(1) Verified by the person who paid the special assessment or his or her guardian, executor, or administrator;

(2) Filed within 60 days after the error was discovered by the property owner and no more than three years after making the payment sought to be refunded.

(Am. Ord. 3586, passed – 1994)
§ 23.0313 Penalty For Violation.

(a) Unless otherwise provided, any person, firm, partnership, corporation or association violating any provision of this Chapter shall be guilty of an infraction or misdemeanor as hereinafter specified.

(b) Each day or portion thereof such violation is in existence shall be a new and separate offense.

(c) Any person so convicted shall be:

(1) Guilty of an infraction offense and punished by a fine not exceeding $100.00 and not less than $50.00 for a first offense.

(2) Guilty of an infraction offense and punished by a fine not exceeding $200.00 and not less than $100.00 for a second offense.

(3) Guilty of a misdemeanor for the third and any additional offenses and punished by a fine not exceeding $1,000.00 and not less than $500.00 or six months in jail, or both.

(d) Notwithstanding the above, a first or second offense may be charged and prosecuted as a misdemeanor.

(e) Payment of any fine or service of a jail sentence shall not relieve a person, firm, partnership, corporation or other entity from the responsibility of correcting the condition resulting from the violation.

(f) In addition to the above penalties, the court may order that the guilty party reimburse the County for all or its costs of investigating, analyzing and prosecuting the enforcement action against the guilty party. The court shall fix the amount of any such reimbursement upon submission of proof of such costs by the County.

(Am. Ord. 3586, passed – 1994)

CITY OF SAN BERNARDINO MUNICIPAL CODE CHAPTER 15.24 PROPERTY MAINTENANCE

Chapter 15.24
PROPERTY MAINTENANCE
15.24.010 Findings.
15.24.020 Purpose.
15.24.030 Definitions.
15.24.040 Maintenance requirements for residences.
15.24.050 Maintenance requirements for multi-residential, commercial and industrial property.
15.24.060 Enforcement - Penalty.
15.24.070 Severability.

15.24.010 Findings.

The citizens of San Bernardino have become increasingly concerned with the overall appearance of their City. Many residential, commercial and industrial and commercial properties in their neighborhoods and have sought the help of City government in their effort to preserve their neighborhoods. Local governments have the authority to establish minimum requirements for property maintenance to protect the health, safety and appearance of neighborhoods. Enforcement of these minimum requirements is necessary to prevent the spread of blight and deterioration in neighborhoods, thereby protecting both property values and neighborhood quality of life. The Mayor and Common Council hereby find that the deterioration of residential, commercial and industrial properties has a significant effect on the health, safety, and welfare of the citizens of the City. (Ord. MC-976, 9-18-96).

15.24.020 Purpose.

The purpose of this Chapter is to establish and enforce minimum maintenance requirements for residential, commercial and industrial property in order to protect and preserve neighborhood integrity. (Ord. MC-976, 9-18-96.)

15.24.030 Definitions.

Except as otherwise defined in this Chapter, all terms used in this Chapter which are defined by applicable state law, the Uniform Building Code, or the Code are used in this Chapter as so defined, unless from the context it clearly appears that different meaning is intended.

1. Owner means any person having a legal or equitable interest in the property.
2. Person means an individual, partnership, corporation, association or organization, or the agent of any of the foregoing.
3. Visible means viewable from the public right-of-way or from any neighboring property. (Ord. MC-1167, 10-6-04; Ord. MC-976, 9-18-96.)

15.24.040 Maintenance requirements for residences.

Any person owning, renting, occupying or having charge of any single family residence shall maintain the property in a safe and sanitary condition and in accordance with the following minimum standards. Failure to comply with these minimum standards shall constitute a violation of this Code.

A. Exterior Requirements.

1. Front and visible side yards shall be landscaped (except for improved surfaces including but not limited to driveways and walkways) with trees, shrubs, ground cover, decorative rock, redwood bark and/or fences.
2. Trees, shrubs, lawns and other plantings shall be maintained, including regular irrigating, pruning of trees, trimming of shrubs and cutting of lawns.
3. Property shall be free of overgrown or dead vegetation, including but not limited to weeds, trees or limbs, threats include sage brush, dry grass, dead trees, dead limbs, dead shrubs, rubbish, garbage, debris, and/or front yards, and any other personal property causing an unsightly appearance or nuisance.
4. All operable vehicles, recreational vehicles, motor homes, trailers, campers or camper shells and boats shall be parked or stored in a garage, carport or on an improved surface. Vehicles shall not be occupied.
5. Property shall be free of inoperable or abandoned vehicles and parts of vehicles unless they are safely stored in a garage or enclosed storage area.
6. All improvements on the property, including but not limited to fences, walls, signs, roofs, chimneys, porches, foundations, windows, roofs and gutters shall be painted/preserved and maintained in good repair and condition. Paint or preservatives shall not be worn, chalking or peeling.
7. Walkways on private property, driveways and other improved surfaces shall be maintained in good and safe condition.
8. Buildings, structures, sidewalks and driveways and parking lots shall be free of graffiti.
9. Property shall be free from infestation of termites, insects, vermin or rodents.
10. Improved property shall be properly connected to sewage disposal systems or septic tanks and shall be kept in working order.
12. Pools shall be securely fenced and adequately maintained as required by Code.

B. Interior Requirements.

The interiors of all buildings and structures on the property, both existing and those hereafter erected, shall be maintained in a safe and sanitary condition in conformance with the building code under which it was constructed and/or maintained. (Ord. MC-976, 9-18-96.)

15.24.050 Maintenance requirements for multi-residential, commercial and industrial property.

Any person owning, renting, occupying, managing or otherwise having charge of any multi-residential, commercial and industrial property shall maintain the property in a safe and sanitary condition and in accordance with the following minimum standards. Failure to comply with these minimum standards shall constitute a violation of this Code.

A. Exterior Requirements.

1. All required setbacks abutting a public right-of-way, all side yards, all rear yards and all open spaces on the property shall be landscaped with trees, shrubs and improved surfaces with trees, shrubs, ground cover, decorative rock, redwood bark, and or lawn. Where applicable, landscaping shall be in accordance with an approved plan.
2. Trees, shrubs, ground covers, lawn and other plantings shall be maintained, including regular irrigating, pruning of trees, trimming of shrubs and cutting of lawns.
3. Property shall be free of overgrown or dead vegetation, including but not limited to weeds, trees or limbs. Weeds include weed seedlings, grass, dry grass, dead trees, dead limbs, dead shrubs, rubbish, garbage, debris, and/or front yards, and any other personal property causing an unsightly appearance or nuisance. Landscaping shall be maintained in a manner that prevents it from becoming overgrown or unsightly.
4. All improvements on the property, including but not limited to fences, walls, signs, roofs, chimneys, porches, foundations, windows, roofs and gutters shall be painted/preserved and maintained in good repair and condition. Paint or preservatives shall not be worn, chalking or peeling.
5. Walkways on private property, driveways and other improved surfaces shall be maintained in good and safe condition.
6. Buildings, structures, sidewalks, driveways and parking lots shall be free of graffiti.
7. Property shall be free from infestation of termites, insects, vermin or rodents.
8. Improved property shall be properly connected to sewage disposal systems or septic tanks and shall be kept in working order.
9. Pools shall be securely fenced and adequately maintained as required by Code.

B. Interior Requirements.

The interiors of all buildings and structures on the property, both existing and those hereafter erected, shall be maintained in a safe and sanitary condition in conformance with the building code under which it was constructed and/or maintained. (Ord. MC-976, 9-18-96.)

15.24.060 Enforcement - Penalty.

A. Nothing in this Chapter shall be deemed to prevent the City Attorney from prosecuting any violation of this Chapter as a misdemeanor or infraction or in conjunction with the procedures set forth in this Chapter, or other ordinance, statute or state law.

B. Any person who violates the provisions for the violation of any provision of the abandoned graffiti of an infraction, which upon conviction thereof is punishable in accordance with the provisions of Section 1.32.010 of this Code.

C. Payment of any fine or service of a jail sentence herein provided shall not relieve a person, firm, partnership, corporation, or other entity from the responsibility of correcting the condition caused or permitted to exist in addition to the above penalties the Court may order that the guilty party reimburse the City for all of its costs of investigating, analyzing, and prosecuting the enforcement action against the guilty party. The Court shall fix the amount of any such reimbursement upon submission of proof of such costs by the City.
(Ord. MC-1029, 9-07-99; Ord. MC-976, 9-18-96)

15.24.070 Severability.

The provisions of this Chapter are severable, and if any sentence, section, or other part of this Chapter should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect. (Ord. MC-976, 9-18-96.)

SCALE: 1" = 20'

SECTION: 1 - 1

SCALE: 1" = 20'

SECTION: 2 - 2

SCALE: 1" = 20'

SECTION: 3 - 3

SCALE: 1" = 20'

SECTION: 4 - 4

SCALE: 1" = 20'

SECTION: 5 - 5

SCALE: 1" = 20'

SECTION: 6 - 6

SCALE: 1" = 20'

SECTION: 7 - 7

CONSTRUCTION FEATURE LEGEND

FOOTHILL FIRE ZONE BUILDING CODE STANDARDS
ALL STRUCTURES ON LOTS WITHIN 200' OF THE FUEL MODIFICATION EDGE SHALL RECEIVE "ENHANCED CONSTRUCTION" ON ALL FOUR SIDES PER SAN BERNARDINO MUNICIPAL CODE CHAPTER 15.10 AND 15.10 OF 2007 CALIFORNIA BUILDING CODE CHAPTER 7A AND 2007 CALIFORNIA RESIDENTIAL CODE SECTION R327 AND CHAPTER 7A AND 2007 CALIFORNIA FIRE CODE CHAPTER 49 AND VENTURA COUNTY FIRE DEPARTMENT STANDARDS.
ALL STRUCTURES ON LOTS WITHIN IN THE PROJECT BEYOND THE 200' FOOTHILL FIRE ZONE SHALL RECEIVE "ENHANCED CONSTRUCTION" ON THE SIDE FACING THE FUEL MODIFICATION ZONE COVER CONSTRUCTION STANDARDS INCLUDING ROOFING, VENTING AND RAIN GUTTERS.
LOT WITH LESS THAN 170' OF FUEL MODIFICATION ON SITE, 0.07 30 AND 233.
LOT 30 AND 233 ARE CURRENTLY NON - BUILDABLE AND NO DEVELOPMENT ON THESE LOTS SHALL OCCUR UNLESS EITHER THE OFF-SITE FUEL MODIFICATION IS PROVIDED WITH EASEMENTS FOR MAINTENANCE OR THE SIZE OF THE ADJOINING PROPERTY IS INCREASED AND THE OFF-SITE FUEL MODIFICATION ZONE IS NOT REQUIRED.

FUEL MODIFICATION LEGEND

ZONE A (FLAT) - NON-COMBUSTIBLE CONSTRUCTION
20'-0" - 30'-0" SETBACK ZONE FOR NON-COMBUSTIBLE CONSTRUCTION ONLY. ZONE A SHALL BE MAINTAINED AS FUEL MODIFICATION ZONE A.

ZONE B - WET ZONE (100% REMOVAL OF COMBUSTIBLE PLANT SPECIES AS SHOWN ON THIS PLAN.
SHRUBS SHALL BE SPACED WITH PROPER SEPARATION AS SHOWN ON THIS PLAN AND PLANTED WITH APPROVED DROUGHT TOLERANT, DEEP ROOTED, MOISTURE RETENTIVE MATERIAL AS CONTAINER SHRUB MATERIAL OR HYDROSEED PER SBFD APPROVED PLANT LIST AS SHOWN ON THIS PLAN. HANDSEEDING OF BARE AREAS MAY NEED TO BE PERFORMED SIX MONTHS AFTER HYDROSEEDING ESTABLISHMENT PERIOD. ZONE B SHALL BE MAINTAINED AT THE LIMIT.

ZONE C - DRY ZONE (50% THINNING ACCEPTABLE EXISTING)
50'-0" - 100'-0" FUEL MODIFICATION ZONE C THINNING, REMOVAL OF ALL FLAMMABLE UNDESIRABLE SPECIES AS LISTED ON THIS PLAN. SPECIMEN AND TREES SHALL BE RETAINED AS DIRECTED BY THE LANDSCAPE ARCHITECT AND APPROVED BY THE FIRE MARSHAL. ZONE C SHALL BE MAINTAINED AT THE LIMIT MANAGING FLAMMABLE SPECIES AND TAKING THE HEIGHT OF THE UNDERSTORY SHRUBS OR ITS TEN FEET WHICHEVER IS GREATER, ALONG WITH DEAD OR BROKEN BRANCHES. ALL ACCUMULATED PLANT DEBRIS ON THE GROUND SHALL BE REMOVED. ADDITIONAL THINNING MAY BE REQUIRED BY THE LAND. NOTE THIS PROJECT DOES NOT CONTAIN ANY 30% THINNING ZONES.

Fuel Modification Plan Guidelines, Thinning Acceptable Existing:
THIS OFF-SITE FUEL MODIFICATION FOR LOTS 30 AND 233 SHALL BE PROVIDED TO MEET THE REQUIRED 170 FEET OF FUEL MODIFICATION FOR THE PROJECT. THE OFF-SITE FUEL MODIFICATION ZONE C THINNING SHALL BE REQUIRED FOR MAINTENANCE OF THE AREA. IF NO ADJOINING PROPERTY IS DEVELOPED PRIOR TO THE DEVELOPMENT OF THIS PROJECT THEN THE OFF-SITE FUEL MODIFICATION WILL NOT BE REQUIRED.

ROADSIDE CLEARANCE
15' - 22', AS SHOWN ON THIS PLAN. REMOVAL OF ALL UNDESIRED PLANT SPECIES AND THINNING OF AT LEAST 50% OF ALL EXISTING NATIVE TREES AND SHRUBS. ALL PLANT MATERIAL INSTALLED MUST BE FULLY IRRIGATED AND FROM THE SBFD APPROVED PLANT LIST. TO BE MAINTAINED BY EXISTING HOMEOWNERS ASSOCIATION.

FUEL MODIFICATION PLANT PALETTE ZONE
ALL PLANT MATERIAL SHALL BE FROM AN APPROVED PLANT PALETTE. NO PLANT MATERIAL FROM THE REMOVAL PLANT LIST SHALL BE INSTALLED IN THIS ZONE. AREA SHALL BE IRRIGATED. THIS ZONE MUST BE MAINTAINED PER THE MAINTENANCE STANDARDS SET FORTH ON THIS PLAN.

BRUSH CLEARANCE
BRUSH CLEARANCE SHALL CONSIST OF REMOVAL OF ALL DEAD, DYING SHRUBS AND ALL PLANT MATERIAL FROM THE UNDESIRABLE PLANT LIST AROUND WATER TANKS, MAINTAINED BY THE LAND.

IRRIGATED MANUFACTURED SLOPE
IRRIGATED MANUFACTURED SLOPE, MAINTAINED ON YEAR ROUND BASIS.

BUILDING SET BACK
20' - 50' BUILDING SETBACK NO COMBUSTIBLE CONSTRUCTION ALLOWED. PLANTING MATERIAL MUST BE FROM THE APPROVED PLANT LIST. MODIFICATION PLANT PALETTE ONLY AND MAINTAINED PER PLAN.

* MAINTENANCE OF ALL ZONES WITHIN THIS LEGEND SHALL BE PER MAINTENANCE REQUIREMENTS ON SHEET 2

FUEL MODIFICATION PLANS AND MAINTENANCE

FUEL MODIFICATION PLANS AND MAINTENANCE

ENFORCEMENT BY SBFD. SBFD IS HEREBY DESIGNATED AS AN INTENDED THIRD PARTY BENEFICIARY OF THE LLMD DUTIES TO PERFORM FIRE PREVENTION MAINTENANCE FOR ALL PORTIONS OF THE INTERIOR / MANUFACTURED SLOPES AND PARKWAYS, AND ALL PORTIONS OF THE EXTERIOR / NATURAL SLOPES WITHIN THE FUEL MODIFICATION ZONE OR DESIGNATED FIRE/MAINTENANCE ACCESS RESTRICTIVE APPLICABLE TO LOT AS SET FORTH IN THE FUEL MODIFICATION PLAN IN FURTHERANCE THEREOF, SBFD SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER THE HOMEOWNERS' PROPERTY TO PERFORM FIRE PREVENTION MAINTENANCE, INCLUDING BUT NOT LIMITED TO, ABATEMENT OF FIRE HAZARDS AND/OR VIOLATIONS AS DEFINED BY SBFD OR ITS DESIGNEE, FOR THE DEVELOPMENT (e.g., PROHIBITION OF PARKING IN FIRE LANES, MAINTENANCE OF THE BLUE REFLECTIVE MARKERS INDICATING FIRE HYDRANTS, ETC.) AND ENFORCEMENT OF CALIFORNIA FIRE CODE AND SBFD REGULATIONS. TO ENFORCE COMPLIANCE BY ANY OWNER WITH ANY FUEL MODIFICATION ZONE OR DESIGNATED INTERIOR / EXTERIOR FIRE/MAINTENANCE ACCESS RESTRICTIVE APPLICABLE TO LOT (OR CONDOMINIUM) IN THE PROJECT, SBFD SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER THE OWNER'S PROPERTY TO PERFORM FIRE PREVENTION MAINTENANCE, AND PREVAILS IN SUCH ACTION. SBFD SHALL BE ENTITLED TO RECOVER THE FULL COSTS OF SUCH ENTRY AND ABATEMENT, INCLUDING ATTORNEYS' FEES AND COSTS AGAINST THE PROPERTY, OR AN OWNER'S LOT AS THE CASE MAY BE. UNITS, SAID COSTS ARE PAID IN FULL.

THE FOLLOWING LANGUAGE MUST BE INCLUDED IN THE RECORDED CC&RS:
THE DUTY OF THE HOMEOWNER TO PERFORM "FIRE PREVENTION MAINTENANCE" (AS DEFINED BELOW) FOR ALL FUEL MODIFICATION ZONES OR DESIGNATED INTERIOR / EXTERIOR FIRE/MAINTENANCE ACCESS RESTRICTIVE APPLICABLE TO LOT (OR CONDOMINIUM) IS SUBJECT TO FUEL MODIFICATION ZONE RESTRICTIONS (e.g., NON-COMBUSTIBLE FENCE, GATES, ETC.) AND MUST COMPLY WITH SUCH RESTRICTIONS.

1. SBFD WILL BE DESIGNATED AS A THIRD PARTY BENEFICIARY OF A HOMEOWNERS' DUTY TO PERFORM "FIRE PREVENTION MAINTENANCE" (AS DEFINED BELOW) FOR ALL PORTIONS OF THE PROPERTY (OR COMMON AREA) THAT CONSTITUTE FUEL MODIFICATION ZONES AND DESIGNATED INTERIOR/MANUFACTURED SLOPES AND PARKWAYS, AND ALL PORTIONS OF THE EXTERIOR / NATURAL SLOPES WITHIN THE FUEL MODIFICATION ZONE RESTRICTIVE APPLICABLE TO ANY LOT (OR CONDOMINIUM). SBFD SHALL HAVE RIGHT, BUT NOT THE OBLIGATION, TO ENFORCE THE HOMEOWNERS' DUTY TO PERFORM SUCH FIRE PREVENTION MAINTENANCE, AND PREVAILS IN SUCH ACTION. SBFD SHALL BE ENTITLED TO RECOVER THE FULL COSTS OF SUCH ENTRY AND ABATEMENT, INCLUDING ATTORNEYS' FEES AND COSTS AGAINST THE PROPERTY OR AN OWNER'S LOT AS THE CASE MAY BE. UNITS, SAID COSTS ARE PAID IN FULL.
2. AS USED HEREIN, "FIRE PREVENTION MAINTENANCE" SHALL MEAN THE FOLLOWING:
(i) ALL PORTIONS OF THE PROPERTY (OR COMMON AREA) THAT CONSTITUTE FUEL MODIFICATION ZONES OR DESIGNATED INTERIOR/MANUFACTURED SLOPES AND PARKWAYS SHALL BE MAINTAINED BY THE HOMEOWNER ON A YEAR ROUND BASIS IN ACCORDANCE WITH THE FUEL MODIFICATION PLAN AND THE LANDSCAPE PLAN APPROVED BY SBFD AND THE CITY.
(ii) THE IRRIGATION SYSTEM FOR ALL FUEL MODIFICATION ZONES AND DESIGNATED INTERIOR / MANUFACTURED SLOPES SHALL BE KEPT IN GOOD CONDITION AND PROPER WORKING ORDER AT ALL TIMES. THE IRRIGATION SYSTEM SHALL NOT BE TURNED OFF EXCEPT FOR NECESSARY REPAIRS AND MAINTENANCE.

TREE AND TREE-FORM SHRUB PRUNING AND SPACING
FOR NEW PLANTINGS AND THINNING ZONES

NOT TO SCALE

1. UNDERSTORY CLEARANCE, WHICH ARE EXISTING TREES AND TREE-FORM SHRUBS NATURALLY REACHING 18' AND TALLER), WHICH ARE BEING RETAINED WITH THE APPROVAL OF THE AGENCY HAVING JURISDICTION, SHALL BE PRUNED TO PROVIDE A MINIMUM OF 3' OF CLEAR HEIGHT OF THE UNDERSTORY PLANT MATERIAL OR 10 FEET, WHICHEVER IS GREATER (SEE "FIGURE ABOVE). NEW TREES AND TREE-FORM SHRUBS MAY COMPLY WITH THE LESSER IF SUFFICIENT SPACING IS PROVIDED (SEE "FIGURE ABOVE). DEAD AND DISEASED WOOD SHALL BE REMOVED.
2. PLANT GROUP SPACING:
A. TREES AND TREE-FORM SHRUBS SHALL BE SINGLE SPECIMENS OR IN A MAXIMUM GROUPING OF THREE PLANTS, GROUPINGS SHALL BE SEPARATE BY A DISTANCE OF THREE TIMES THE DIAMETER OF THE LARGEST INDIVIDUAL CROWN, OR 20 FEET, WHICHEVER IS GREATER (SEE FIGURE ABOVE).
B. THESE SHALL BE SINGLE SPECIMENS OR IN A MAXIMUM GROUPING OF THREE PLANTS. GROUPINGS SHALL OTHER LIMITED GROUPING ARRANGEMENTS AND SPACING MAY BE ACCEPTABLE WITH APPROVAL BY THE AGENCY HAVING JURISDICTION. THE AVERAGE DIAMETER OF THE LARGEST INDIVIDUAL CROWN, OR 30 FEET, WHICHEVER IS GREATER (SEE FIGURE ABOVE). OTHER LIMITED GROUPING ARRANGEMENTS AND SPACING MAY BE ACCEPTABLE WITH APPROVED BY SBFD.
C. PLANT SPECIMENS LISTED IN THE SBFD "APPROVED PLANT PALETTE-QUALIFICATION STATEMENTS FOR DROUGHT PLANT SPECIES" SHALL COMPLY WITH PLANT GROUPINGS AND SPACING REQUIREMENTS SPECIFIED IN THOSE RESTRICTIONS.

SYMBOL LEGEND

STREET MAINTENANCE ACCESS POINT
FUEL MODIFICATION MAINTENANCE ACCESS POINT IN SIDEYARD/S OF HOME OWNERS' LOT 7' IN WIDTH (4. NON-COMBUSTIBLE GATE TO BACKYARD OF HOME OWNERS' LOT 4' IN WIDTH (5. NON-COMBUSTIBLE GATE WITH A LETTER 'B' OR 'C' ENTRIE PIPE 2" FOR ACCESS VEGETATION MINIMUM.

SIDE YARD MAINTENANCE ACCESS POINT
FUEL MODIFICATION MAINTENANCE ACCESS POINT IN SIDEYARD/S OF HOME OWNERS' LOT 7' IN WIDTH (4. NON-COMBUSTIBLE GATE TO BACKYARD OF HOME OWNERS' LOT 4' IN WIDTH (5. NON-COMBUSTIBLE GATE WITH A LETTER 'B' OR 'C' ENTRIE PIPE 2" FOR ACCESS VEGETATION MINIMUM.

IDENTIFICATION MARKER
PERMANENT IDENTIFICATION MARKERS SHALL BE CONSTRUCTED OF NON-COMBUSTIBLE MATERIAL (CONCRETE OR METAL) AND SHALL BE CONSPICUOUSLY POSTED AT EACH ENTRANCE TO EACH LOT WITHIN THE ZONE(S). MARKER DESIGN SHALL BE 3" DIA. X 6-0" LONG GALVANIZED PIPE, EMBED MINIMUM 2'-0" INTO SOLID GROUND. STENCIL TOP 9" WITH A LETTER 'B' OR 'C' ENTRIE PIPE 2" FOR ACCESS VEGETATION MINIMUM.

NON-COMBUSTIBLE WALL LOCATIONS:
WALLS SHOWN TO BE NON