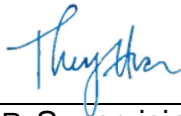


**SUPPLEMENTAL
REPORT TO THE REGIONAL PLANNING COMMISSION**

DATE ISSUED: June 8, 2023
HEARING DATE: June 14, 2023 AGENDA ITEM: 7
PROJECT NUMBER: PRJ2020-002395 -(1-5)
PROJECT NAME: Community Wildfire Protection Ordinance
PERMIT NUMBER(S): Advance Planning Case No. RPPL2020007456
SUPERVISORIAL DISTRICT: 1-5
PROJECT LOCATION: Countywide
CASE PLANNER: Cameron Robertson, Senior Regional Planner
crobertson@planning.lacounty.gov

Item No. 7 is a request to consider the Community Wildfire Protection Ordinance, which will amend Title 21 (Subdivisions) and Title 22 (Planning and Zoning) of the Los Angeles County Code to reduce and manage wildfire and disaster risks to people, property, and environmental resources located in the Very High Fire Hazard Severity Zone and Hillside Management Areas; address adequate evacuation egress during disasters; and improve public safety.

On June 7, 2023, Staff received a comment letter submitted on behalf of the Newhall Land and Farming Company, a wholly owned subsidiary of FivePoint, regarding the Community Wildfire Protection Ordinance. The letter is enclosed as part of this Supplemental Report.

Report
Reviewed By: 
Thuy Hua, AICP, Supervising Planner

Report
Approved By: 
Connie Chung, AICP, Deputy Director

Enclosed: Public Comment Letter



June 6, 2023

Sent Via E-Mail

Los Angeles County Department of Regional Planning
safety@planning.lacounty.gov

RE: Comments on Community Wildfire Protection Ordinance

Dear Los Angeles County Department of Regional Planning:

The Newhall Land and Farming Company, a wholly owned subsidiary of FivePoint, thanks you for the opportunity to provide comments on the Los Angeles County Department of Regional Planning's proposed Community Wildfire Protection Ordinance ("Wildfire Ordinance"). We applaud the County for its efforts to identify and reduce wildfire risks in the region, and we appreciate the opportunity to work with the County to ensure our communities are protected from wildfire hazards with appropriate mitigation measures and project design features.

Newhall is currently developing Valencia—a mixed-use development consisting of 21,500 residential units and 11.5 million square feet of planned commercial space. Valencia is designed to offer a mix of homes, including affordable units, offices, retail, and entertainment options, while also devoting 10,000 acres of open space to protect native habitat. Valencia is among the first communities of its size to commit to net zero greenhouse gas emissions, and is poised to become one of the most sustainable developments of its kind in the nation.

Newhall is currently developing the first phase—Mission Village—with state-of-the-art fire protection measures and compliance with the latest Fire and Building Code standards, including fuel modification zones and fire breaks around the project boundary in accordance with local fire authority requirements (minimum 150 feet wide), Chapter 7A-compliant buildings, fire-resistant landscaping, and many more measures. The fuel modification zones, community landscaping and other applicable measures will be maintained and funded in perpetuity through the Mission Village Homeowners Association. As part of Mission Village, Newhall includes a fire station, a modern street network with appropriately sized roadways with multiple access points for evacuation and emergency vehicle access, a dedicated water supply, and new infrastructure to ensure adequate water deliveries during an emergency.

County staff indicated during a meeting with Newhall on February 6, 2023, that Mission Village would not be subject to the Wildfire Ordinance because the Board of Supervisors previously approved a Vesting Tentative Tract Map for Mission Village in July 2017.¹ Even though the Wildfire Ordinance does not apply to Mission Village, this letter provides implementation details about the project's wildfire protection designs, measures, and long-term

¹ The Board of Supervisors also approved a Vesting Tentative Tract Map for Landmark Village in July 2017, therefore, the Wildfire Ordinance would not apply to Landmark Village.

commitments because Newhall will apply similar techniques to the remaining master-planned communities at Valencia.

The Board of Supervisors' motion to update the Wildfire Ordinance following the Woolsey fire focused on *extreme* fire hazards:²

This motion calls for the development of land use solutions that reduce the economic, air quality, and health impacts from wildfires by limiting new development within areas of *extreme* fire risk.

Ruben Grijalva, former CAL FIRE Chief and State Fire Marshal, cites the State Fire Marshal's data as evidence that properly designed master-planned communities dramatically reduce wildfire risk and appropriately balance the need for fire protection *and* providing housing:³

Master-planned communities built to modern standards offer a tremendous opportunity to deliver critical, resilient and fire safe housing to Californians. The State Fire Marshal's statistics and our detailed analysis demonstrate that homes built to California Building Code standards adopted in Chapter 7A effectively reduce fire risks to homes built in the wildland urban interface (WUI). Remarkably, when those homes are built as part of a properly planned and mitigated master-planned community, *the risk of significant structural loss is extremely low...no master-planned community built after the adoption of California Building Code Chapter 7A has suffered extensive structural losses*. (Emphasis added.)

As noted above, Mission Village is a model example of a master-planned community that satisfies Los Angeles County Fire's stringent standards and the latest Fire Code and Building Code requirements. This letter describes Mission Village's wildfire-protection attributes as illustrative of the wildfire designs, measures and long-term commitments that Newhall will make when implementing its other villages at Valencia. Mission Village includes a new fire station and provides fire-fighting equipment to serve the project and surrounding area. Newhall will provide for two additional fire stations for the adjoining villages within the Newhall Ranch Specific Plan as they are developed.

Mission Village includes a modern street system with appropriately sized roadways for the community needs, offering multiple access points for evacuation and emergency vehicle access. The street system connects to regional arterials, including the I-5 freeway and SR-126. The County's Area Plan for the Santa Clarita area planned for the full buildout of Valencia and accounts for regional circulation and evacuation during emergencies.

² Motion by Supervisor Sheila Kuehl, February 11, 2020 (emphasis added).

³ A comment letter from Ruben Grijalva to CAL FIRE explaining the fire resiliency of master-planned communities built to modern standards is attached hereto as **Exhibit A**.

Mission Village's fuel modification zones provide vegetation buffers that gradually reduce fire intensity and flame lengths from advancing fire by strategically placing thinning zones and irrigated zones adjacent to each other on the perimeter of structures that are exposed to the wildland-urban interface. The fuel modification zones protect Mission Village and its structures from external wildfire risks and also reduce the risk of fire originating from the community spreading to neighboring wildland. Research reinforces that fuel modification zones, like those at Mission Village, provide extensive dual benefits of buffering communities and structures from encroaching wildfires while separating the new community and structures from surrounding open space, fuel sources, or habitat areas.

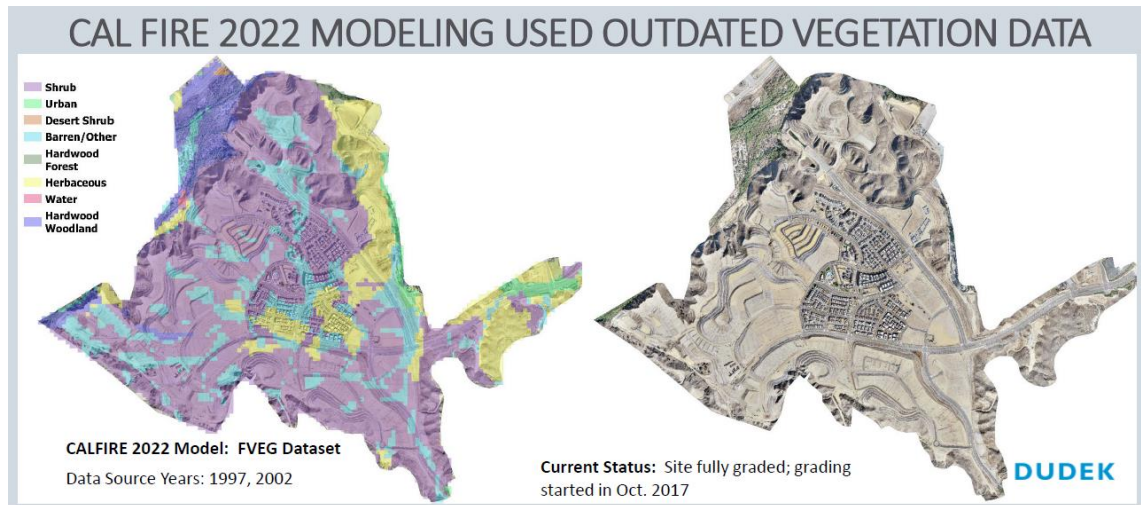
Mission Village's wildfire risk is further reduced by constructing consistent with the stringent requirements of the California Building Code's Chapter 7A and LA County Fire standards. Building to these standards has been demonstrated to perform exceedingly well at separating wildfire from community structures and providing robust defense against airborne burning embers, which in buildings not built to these standards, has been the primary reason for damage and loss.

To quantify the fire-prevention benefits of these mitigation measures, Dudek modeled Mission Village's post-development condition compared to predevelopment conditions (see **Exhibit B**). Based on Dudek's analysis, the conversion of the existing project site to an ignition-resistant landscape will substantially reduce estimated flame lengths at Mission Village's perimeter areas, creating defensible space and reduced wildfire intensity that would not produce enough heat nor have enough length to materially threaten the ignition-resistant structures.

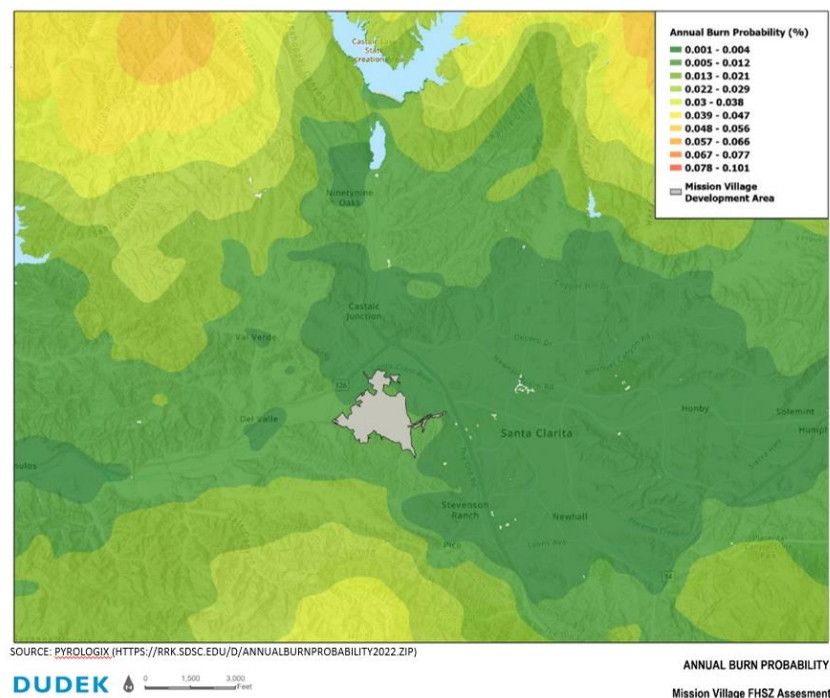
With this context in mind, we prepared technical comments in **Exhibit C** on specific sections of the Wildfire Ordinance, with input from our technical team of engineers, fire code experts, and forestry professionals. A reoccurring theme in our comments is to encourage the County to avoid overreliance on CAL FIRE's coarse hazard maps, which would have the unintended consequence of restricting County discretion and impairing innovative housing designs, as discussed more below.

CAL FIRE's Modeling Data Inputs Do Not Reflect Current Conditions at Mission Village

To highlight potential concerns with CAL FIRE's hazards maps, we assessed the application of the maps to the Mission Village construction and development. Notably, CAL FIRE's 2022 modeling does not account for recent grading and project development at Mission Village. The vegetation data depicted in the 2015 CAL FIRE Forest Resource Assessment Program appears to be based on data sources from 1997 and 2002. The figure below compares the outdated vegetation data to the current site, which is fully graded and occupied by over 1,000 residents.



The Southern California Regional Resource Kit, developed in conjunction with CAL FIRE, depicts burn probability, ember risk and fire severity predictions as a planning and fire prevention tool. Mission Village is surrounded by areas with relatively low burn probability, ember load, fire hazard severity and damage potential compared to the region. The following graphic shows the local burn probability (see **Exhibit B** for more details):



Dudek’s modeling of Mission Village is based on more precise and site-specific data than what was available to CAL FIRE’s 2022 modeling effort:

- ***Refined Slope Inputs*** – Dudek accounts for slope on a continuous scale based on the site’s surveyed terrain, whereas CAL FIRE broadly assigned slope as either greater or less than 20%. While a general slope assumption may be appropriate for regional modeling, it fails to account for important site-specific differences. Dudek’s modelling incorporates more precise slope data that offers a more accurate representation of wildfire behavior at the site.
- ***More Detailed Burn Probability*** – Dudek incorporated a “pixel” level assessment of burn probability, whereas CAL FIRE assigns the same burn probability to a given vegetation strata (ex. Southern California Annual Grasslands). Unlike CAL FIRE’s model, Dudek’s methodology accounts for key factors that influence wildfire frequency, such as wildland landscape conversion to ignition resistant, developed landscape, vegetation management, infrastructure and roadways, rapid wildfire detection, and timely emergency response, among other factors. Again, while the strata-level assumptions are reasonable for a regional analysis, critical site-specific distinctions are lost compared to Dudek’s more focused analysis.
- ***Current Land Use Mix*** – CAL FIRE relied on 2010 census data to classify urban and non-urban areas for the model and WUI. This data does not reflect on-the-ground conditions in 2023. Dudek’s modeling accounts for recent land uses in the relevant area.
- ***Site-Specific Modeling Boundaries*** – CAL FIRE relies on watershed boundaries in conjunction with vegetation and slope to define FHSZ boundaries. CAL FIRE assumes that wildfire hazard is similar for the entirety of an identified watershed. A watershed scale reflects regional patterns but not site-specific details. In contrast, Dudek’s project-specific fire behavior modeling provides a more granular depiction of the hazard zones based on biological vegetation and land cover mapping.

The above information is illustrative of concerns over the accuracy of the CAL FIRE hazard maps and similar issues have been raised for projects throughout the state. While use of the CAL FIRE hazard maps is appropriate for coarse planning efforts and statewide statistics, CAL FIRE has stated in meetings that the hazard maps are not intended to drive local decision making on particular projects. As such, the CAL FIRE maps should not be applied through the Wildfire Ordinance to particular parcels and development plans, even if the maps have continued utility in other contexts (e.g., long-range planning).

Relying on CAL FIRE’s Hazard Maps Results in Unintended Consequences

California is in the midst of a multi-decade housing crises that is being exacerbated by the wildfire crises. Given the urgent need to expand housing production, regulatory programs should be designed to avoid impacting housing wherever possible. Unfortunately, overreliance

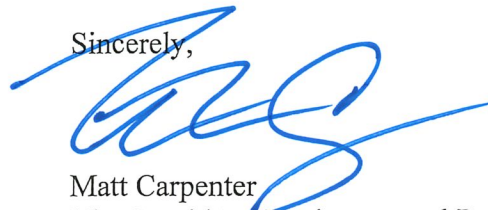
on the CAL FIRE maps leads to the opposite result, limiting the County's control and causing unintended consequences.

- Currently, there is *no* mechanism to remove a property from a VHFHSZ, even if risks have been mitigated, until at least the next map cycle (7-12 years).
- Tying County subdivision standards to the CAL FIRE maps limits the County's flexibility based on a State-driven process that the County does not control. County Fire has the knowledge and expertise to assess risk and make nuanced decisions about individual projects.
- Notably, CAL FIRE does not take into account reductions in wildfire risk from mitigation measures and project design features. Thus, hypothetically, the maps would not distinguish between a pre-1950s home built on an isolated ridgeline in a heavily vegetated area and a home within a state-of-the-art master-planned community approved by the County if both are located within a VHFHSZ.

As explained in our comments, applying the CAL FIRE maps to new, properly designed master-planned communities would have unintended consequences of reducing "clustering" of development, contrary to local and state fire guidance, which would increase environmental impacts and costs. It would also impede designing walkable, urban-like communities with access to mixed-uses, parks and alternative modes of transit within master-planned communities, which is also contrary to local, regional and state guidance. Further, restrictions on staff discretion for master-planned communities within a VHFHSZ would invite litigation challenges to Board actions on variance requests. As such, we respectfully request the County to reduce reliance on the CAL FIRE hazard maps in the Wildfire Ordinance.

We look forward to continued collaboration with the County on these important issues. We respectfully request a meeting with Regional Planning and County Fire Staff to discuss our comments. Please feel free to reach out to me with any questions or comments.

Sincerely,



Matt Carpenter
Vice President, Environmental Resources
The Newhall Land and Farming Company

Exhibit A

Comments from Ruben Grijalva, former CAL FIRE Chief and State Fire Marshal

Office of the State Fire Marshal
C/O: FHSZ Comments
California Department of Forestry and Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

RE: Comments on Updated Fire Hazard Severity Zone Map

Office of the State Fire Marshal:

As a former State Fire Marshal and Director of the California Department of Forestry and Fire Protection, I stand behind CAL FIRE's efforts to improve the health and safety of Californians given the unprecedented wildfires we have witnessed in recent years and the growing threat of climate change. As California remains in the midst of a deepening housing crisis, I recognize the critical need to provide fire safe housing. To this end, I appreciate CAL FIRE's efforts to consider and review my comments.

I am concerned, however, that the proposed FHSZ maps may hinder the State's efforts to solve the housing crisis by inadvertently restricting the construction of new ignition resistant homes. The unintended consequences of the FHSZ maps could harm housing production without a commensurate fire safety benefit.

Unfortunately, FHSZ maps are being misapplied by at least some in the insurance industry to increase insurance rates beyond what is reasonable and affordable, even in master planned communities which have proven that the State Fire Marshal's code related mitigation measures are working. Additionally, I am aware of various groups misusing FHSZ maps to slow or stop development of ignition resistant housing by suggesting that the maps prohibit or restrict development potential when, in contrast, new ignition resistant housing could actually improve safety in many portions of the state by replacing hazardous terrain and fuels with new fire stations, fire access, better evacuation routes, better water supply, ignition resistant structures, and areas of refuge.

Master-planned communities built to modern standards offer an opportunity to deliver critical, resilient and fire safe housing to Californians. The State Fire Marshal's statistics and the detailed analysis attached¹ demonstrate that homes built to California Building Code standards adopted in Chapter 7A effectively reduce fire risks to homes built in the wildland urban interface (WUI). When those homes are built as part of a properly planned and mitigated master-planned community, the risk of significant structural loss is extremely low.² I am not aware of any properly designed master-planned community built after the adoption of California Building Code Chapter 7A that has suffered extensive structural losses.

The evidence demonstrates that California's wildland fire problem comes from the existing home stock built before modern Chapter 7A standards or poorly planned developments located in high-risk areas. These are homes commonly built in the WUI that are overgrown by many drought-

¹ **Attachment 1 (State Fire Marshal Housing Data Analysis).** Analyzed State Fire Marshal data regarding recent impacts from California's mega-fires and the data shows that over 98.5% of structural damage or loss occurs with homes built before modern Chapter 7A standards, and even of those new homes that were damaged, most involved isolated new construction surrounded by existing, high-risk homes.

² See **Attachment 2 (Master-Planned Community Case Studies).**

ridden fuel types (brush, shrubs, trees, etc.) that are ready to burn rapidly. Many have narrow roads, inadequate fire access and evacuation routes, and inadequate water supplies.

In contrast, a properly designed new master-planned communities must go through a strenuous environmental review under the California Environmental Quality Act and are typically planned, approved, and implemented with numerous fire-safety features and measures, such as:

- Fire-hardened homes built to the latest Chapter 7A standards
- Community-wide fuel breaks, fire-resistant landscaping, and green belting
- Perpetual funding, maintenance, and enforcement through an HOA
- Appropriate and reliable fire access and evacuation routes
- Adequate water supplies (studied pursuant to SB 610)
- Residential fire sprinklers
- Undergrounded project utilities
- Community design and siting to minimize fire risks (e.g., slope setbacks)
- New fire stations, fire equipment and/or funding for firefighters to provide for a rapid initial fire attack where it did not previously exist.

New, fire safe, master-planned communities may convert wildland areas into non-wildland areas (urban and suburban communities). If they are inappropriately included in Very High or High FHSZs without a review and update of the mapping criteria the unintended consequences may significantly impact new fire safe housing throughout the state of California.

The California wildfire problem and housing crisis did not happen overnight. These entrenched problems will not be resolved quickly. But master-planned communities present a unique opportunity for critical, resilient and fire safe housing. I once again thank CAL FIRE for this opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Ruben Grijalva", with a stylized flourish at the end.

Ruben Grijalva

Former State Fire Marshal/Cal Fire Director

Exhibit A, Attachment 1
State Fire Marshal Housing Data Analysis



Office of the State Fire Marshal Property Loss Data Summary

The Office of the State Fire Marshal maintains an extensive data retrieval service of fire incidents across the state, including those related to fires occurring in the Wildland-Urban Interface (WUI).

Regarding the ten worst property-loss fires dating back to 2017, CBIA requested residential data that identified:

- whether the dwelling was single-family or multifamily
- damage assessment (destroyed, major damage, affected, no damage)
- valuation of the structure
- **year the structure was built**

Among other things, we wanted to see whether the regulatory rules that applied to newer units and development were faring any better than older dwellings/development. These regulatory rules included:

- The State Fire Marshal's "fire hardening" building standards
- Defensible space mandates
- Cal Fire's Fire Safe Development Standards

We used a demarcation point of 1/1/10 as that is when all three of these rules were being consistently implemented in new construction in the WUI areas of California.

On average, only 1% of the homes and apartments which were destroyed, damaged, or affected were new dwellings (built after 1/1/10) even though new dwellings make up roughly 7% of the states total housing stock.

For all these fires, there is evidence that significant, initial residential development took place in the period of 1945-1980, decades before these critical rules were put in place.

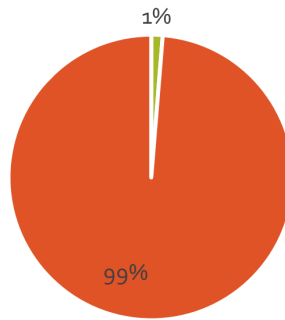
New, production-style development has fared extremely well compared with older neighborhoods. Of the 31,000 data points retrieved from the SFM, it was extremely rare to see more than two new homes on the same street destroyed or affected by the fires, while entire neighborhoods of older dwellings being destroyed was commonplace.

This seems to make the case that the state should place major focus on fire-hardening existing neighborhoods in ways similar to those required of all new construction.

Simply put: California's existing rules for new construction appear to be working very well.

Camp Fire

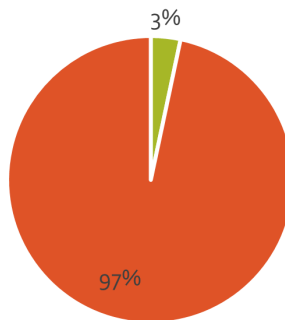
Total Structures Affected or Destroyed: 10,582



■ Homes Built After 2010: 136 ■ Homes Built Before 2010: 10,446

Carr Fire

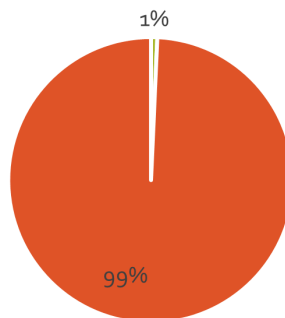
Total Structures Affected or Destroyed: 1,082



■ Homes Built After 2010: 36 ■ Homes Built Before 2010: 1,046

CZU Lightning Fire

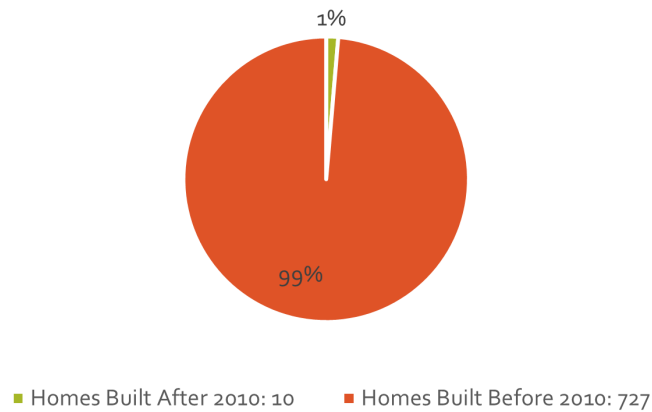
Total Structures Affected or Destroyed: 998



■ Homes Built After 2010: 7 ■ Homes Built Before 2010: 992

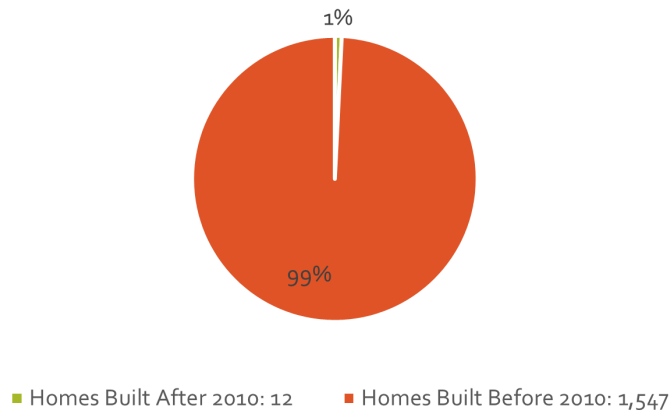
Glass Fire

Total Structures Affected or Destroyed: 737



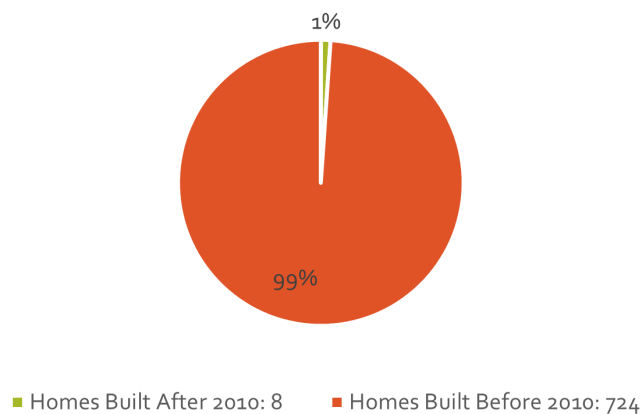
LNU Lightning Fire

Total Structures Affected or Destroyed: 1,559



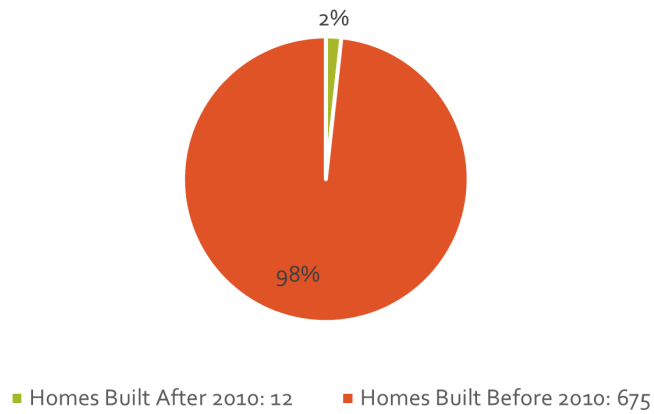
North Complex Fire

Total Structures Affected or Destroyed: 732



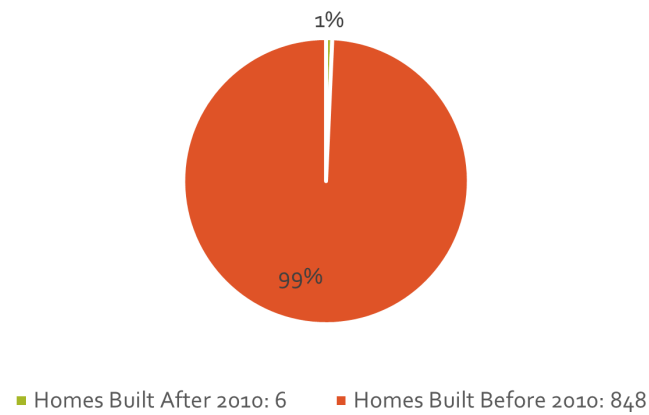
Nuns Fire

Total Structures Affected or Destroyed: 687



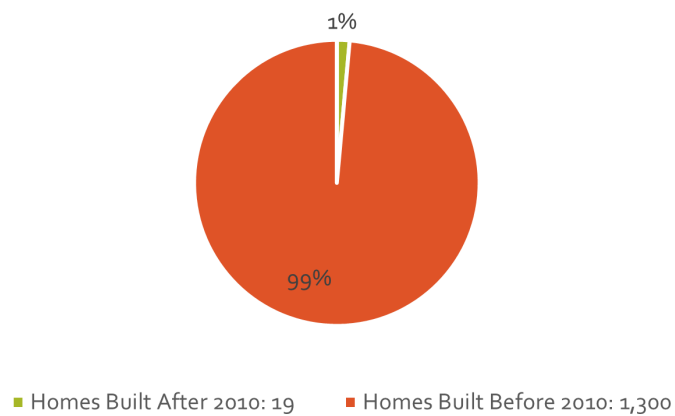
Thomas Fire

Total Structures Affected or Destroyed: 855

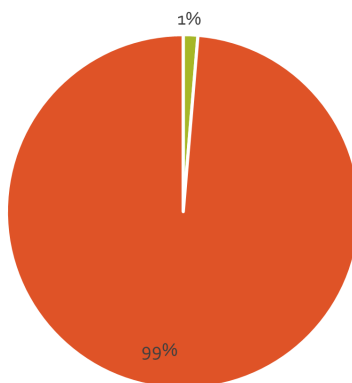


Woolsey Fire

Total Structures Affected or Destroyed: 1,319



Affected or Destroyed Homes That Were Built Before 2010 vs Built After 2010



■ Affected or Destroyed Homes Built After 2010 ■ Affected or Destroyed Homes Built Before 2010

Exhibit A, Attachment 2
Master-Planned Community Case Studies



Defensible space, roads and vegetation-management areas (i.e., thinning zones and irrigated zones) create fire buffers around homes and defensible line for fire fighters.



Fire protection plan took predominate wind directions into account

Wind

perimeter roads used in Fuel Modification

Streets provide emergency access and evacuation routes

Non-combustible roofs

Heat damage to orchards not homes

No structures lost or damaged



Silverado Fire 2020

- Irrigated Fuel Modification (Zone B)
- Thinning Fuel Modification (Zone C)

Fire burned on all side
of development without
loss or damage

In framing stage

Fuel modification installed prior to construction

-  Irrigated Fuel Modification (Zone B)
-  Thinning Fuel Modification (Zone C)

No structures lost or damaged

Silverado Fire 2020



Streets provide emergency access and evacuation routes



Topography used to advantage



Fire protection plan took predominate wind directions into account

Multiple options for evacuation routes

Orchards used to advantage

-  Irrigated Fuel Modification (Zone B)
-  Thinning Fuel Modification (Zone C)

No structures lost or damaged

Silverado Fire 2020



Heat damage to orchards not homes

Fire-resistant homes with non-combustible roofs

In framing stage

Fuel modification distance used to advantage

Wind

Fire protection plan took predominate wind directions into account

- Irrigated Fuel Modification (Zone B)
- Thinning Fuel Modification (Zone C)

No structures lost or damaged

Silverado Fire 2020

Fuel modification
worked as designed

Fire protection plan
took predominate
wind directions into
account

Fire-resistant homes with non-
combustible roofs

Streets provide
emergency access and
evacuation routes

Buffer zone: Low
growth, irrigated,
properly spaced,
maintained

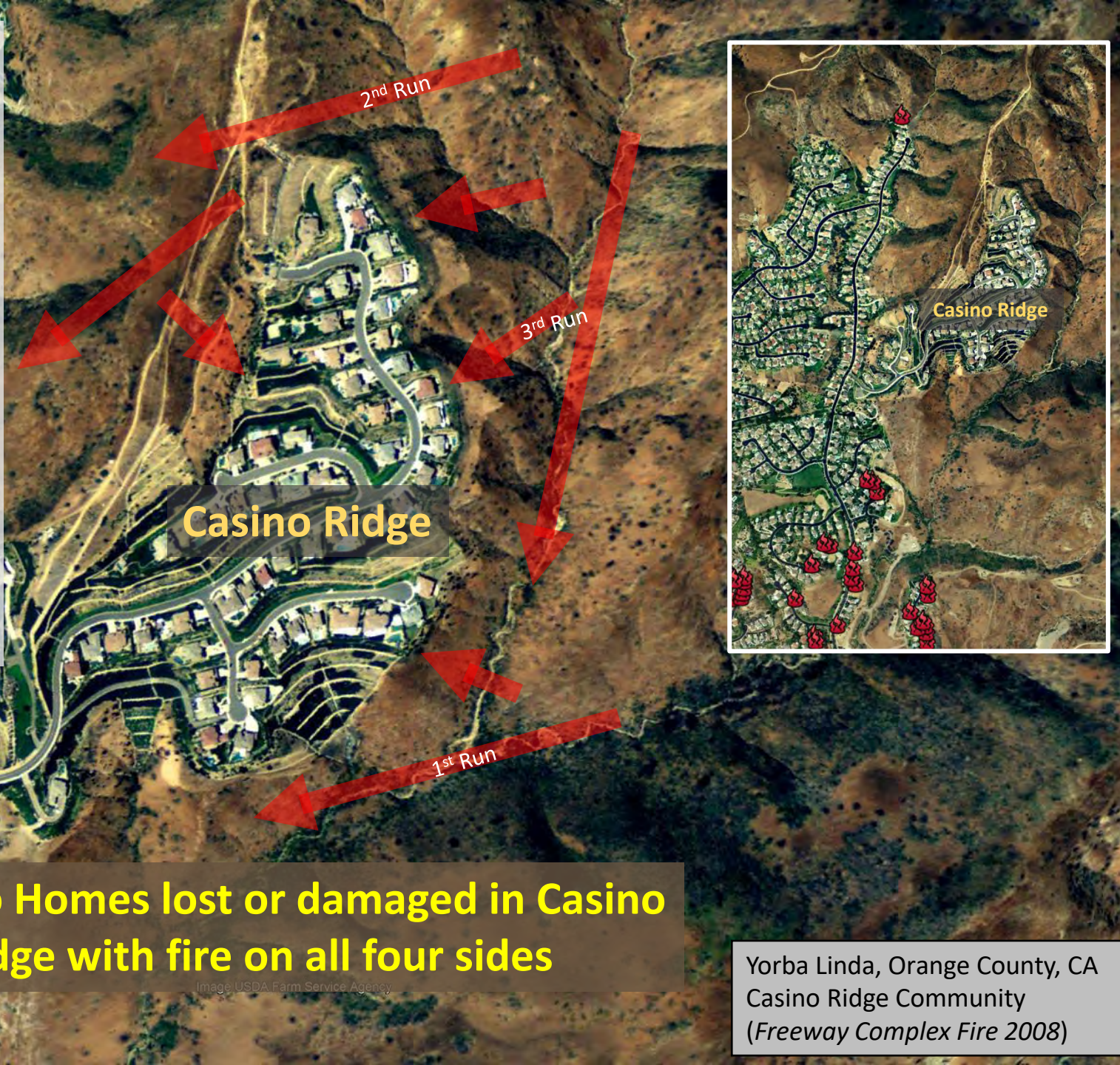
Wind

No structures lost or damaged

Silverado Fire 2020

“Notably, all the homes damaged or destroyed in the Freeway Complex Fire were constructed prior to 1996. Thus, they were not protected by the CFC provisions required by the City’s ordinance for WUI areas. However, the homes in Casino Ridge met the requirements of the 1996 ordinance. They were also protected by a relatively new fuel modification program. Firefighters stated they were able to focus resources and efforts on other areas of the city as this community was developed to withstand a wildfire with little firefighting intervention.” (OCFA After Action Report – Freeway Complex Fire 2008)

NOTE: Current Codes provides even more protection



Fire front approaching the Casino Ridge community

No Homes lost or damaged in Casino Ridge with fire on all four sides

Yorba Linda, Orange County, CA
Casino Ridge Community
(Freeway Complex Fire 2008)



2002

LA County - Stevenson Ranch



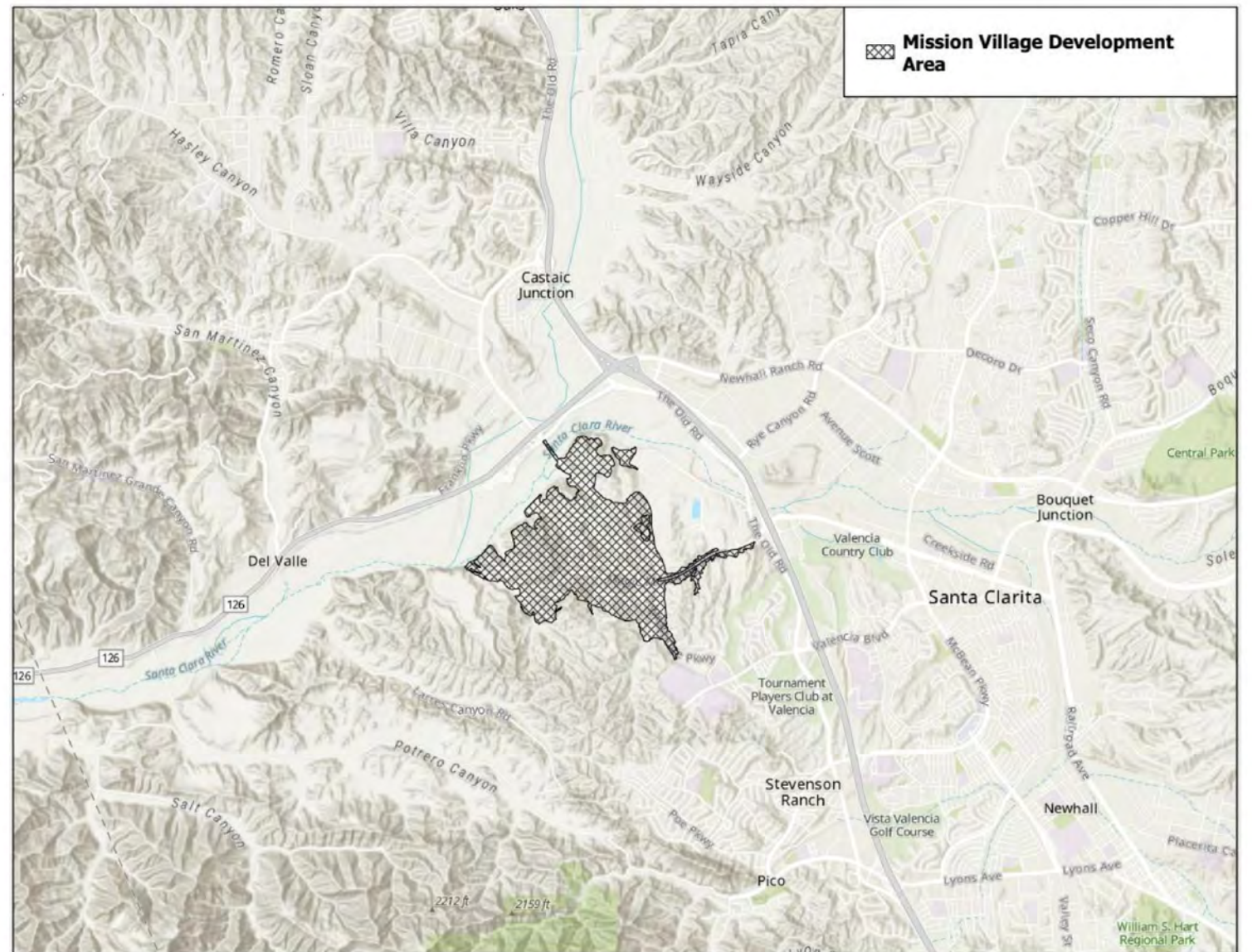
2004

Exhibit B

Wildfire Modeling Results for Mission Village - Summary

Mission Village VHFHZ Assessment

PROJECT LOCATION



PROJECT LOCATION

Mission Village FHSZ Assessment

CAL FIRE FHSZ 2022 MODEL DATASETS

1. Vegetation. CAL FIRE FRAP. 2015.

<https://map.dfg.ca.gov/metadata/ds1327.html>

2. Fire history (firep20_1). CAL FIRE FRAP. 2020.

<https://frap.fire.ca.gov/frap-projects/fire-perimeters/>

3. Climate data. Desert Research Institute, California and Nevada Smoke and Air Committee. 2018.

<https://cansac.dri.edu/cofframe.php?page=reanalysis.php>

4. Climatic regions. CAL FIRE FRAP. 2017. [In] California's Forests and Rangelands 2017 Assessment.

<https://frap.fire.ca.gov/media/4babn5pw/assessment2017.pdf>

5. Urbanized Areas. US Census. 2010.

<https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html>

6. Canopy Cover (source 1). Earth Define LLC. 2020. Tree Map.

<https://www.earthdefine.com/treemap/>

7. Canopy Cover (source 2). Salo Sciences. 2020. California Forest Observatory Canopy Cover.

<https://salo.ai/blog/2020/04/observatory-documents>

8. State Responsibility Area. CAL FIRE. 2020.

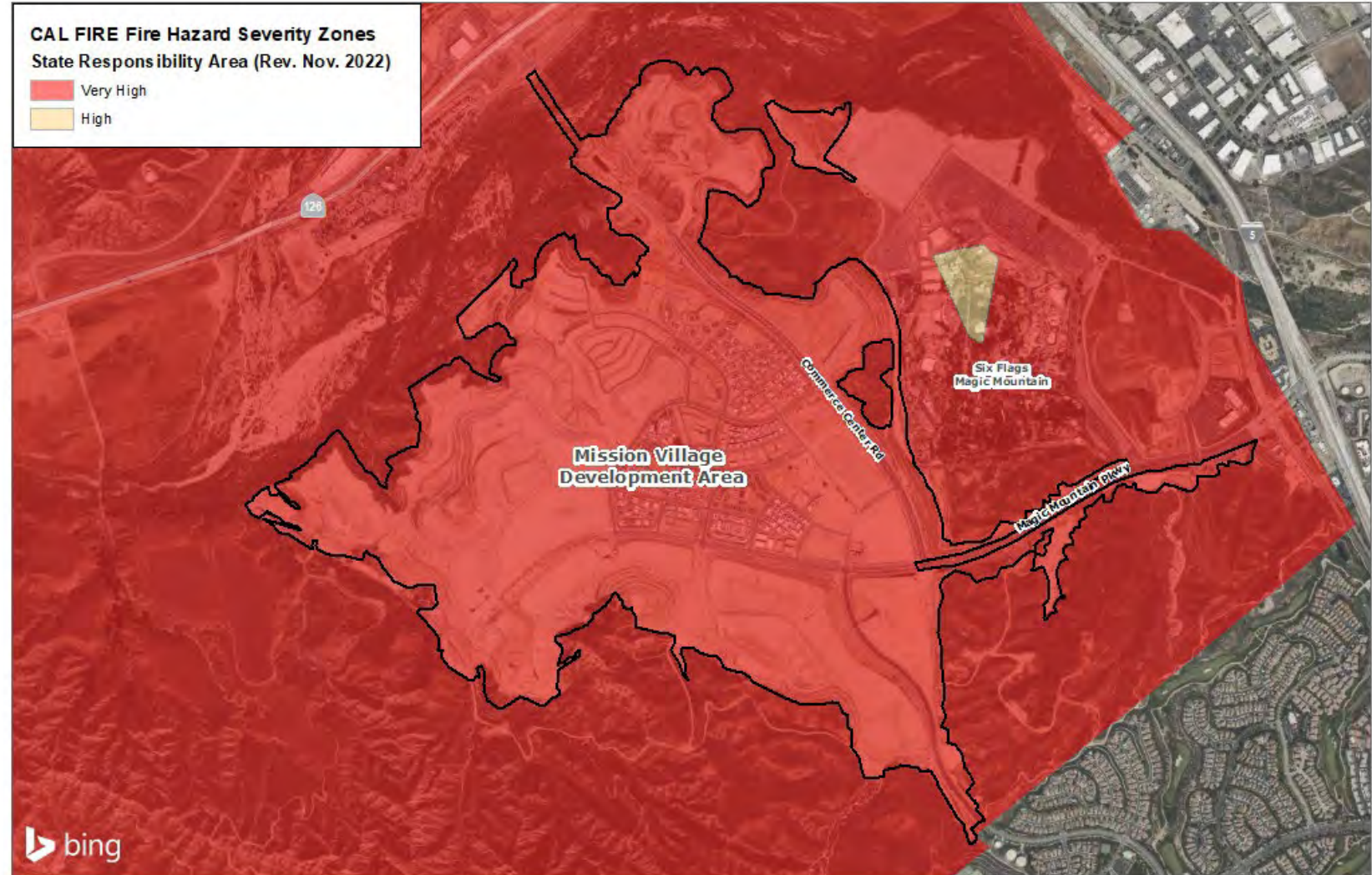
<https://bof.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer/>

9. Slope. US Geologic Survey. 2019. 1 arc-second (30 m) DEM.

<https://apps.nationalmap.gov/downloader/>

10. Watershed boundaries. California Interagency Watershed Mapping Committee. 2018. Calwater 2.2.1.

https://gispublic.waterboards.ca.gov/portal/home/item.html?id=be2e-df6d62f54e7a82594ad7f546_4209



SOURCE: AERIAL-BING MAPPING SERVICE 2022; VHFHSZ-CAL FIRE; DEVELOPMENTS- HUNSAKER 2023

DUDEK 0 0.25 0.5 Miles

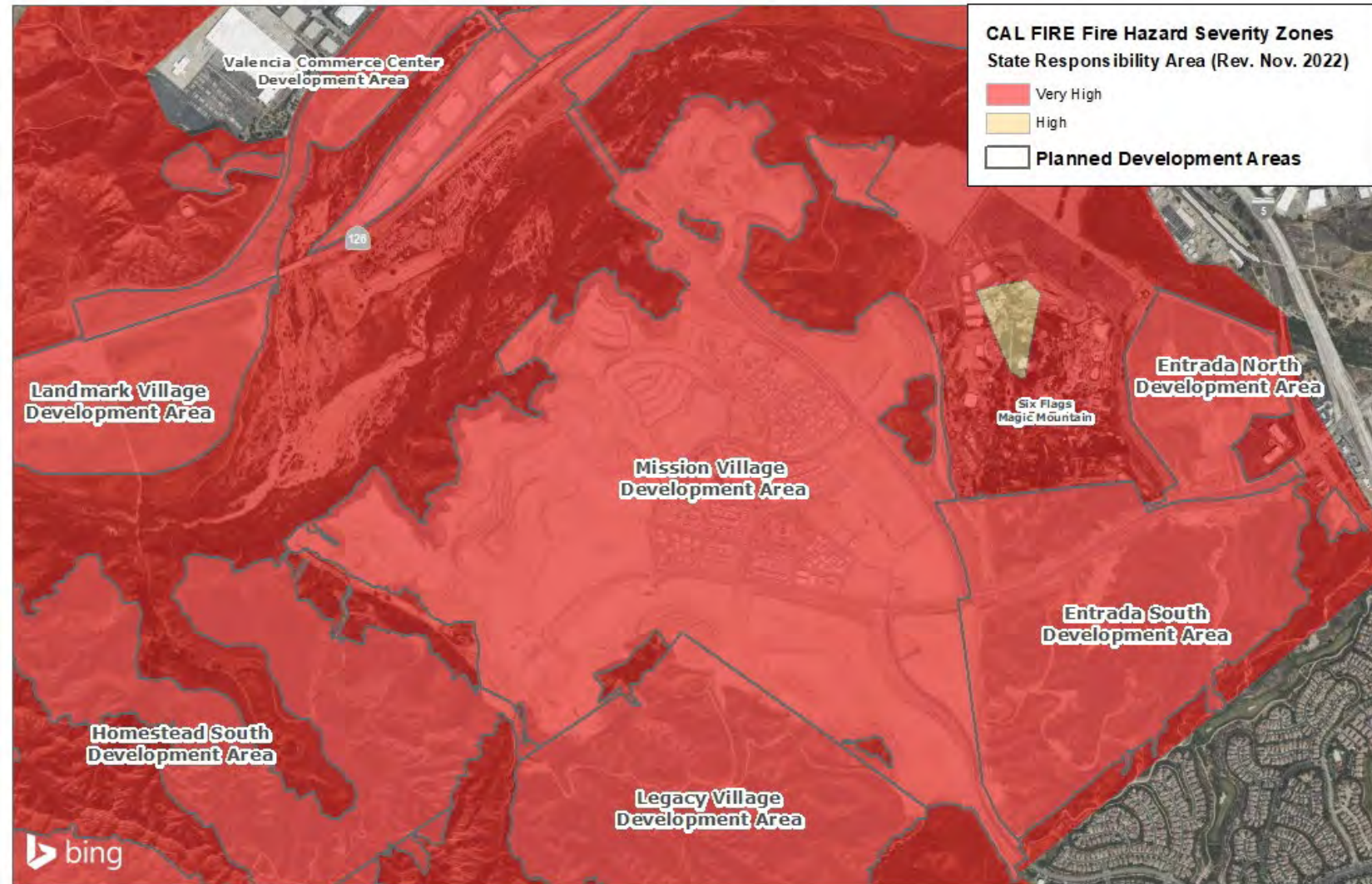
CAL FIRE DRAFT FHSZ MAPS

2022

Released for public review in Nov. 2022

MISSION VILLAGE SURROUNDED BY PLANNED DEVELOPMENT

1. Valencia Commerce Center (Partially constructed)
2. Entrada South (entitlements under review)
3. Proposed Entrada North
4. Proposed Legacy Village
5. Proposed Homestead South
6. Proposed Landmark Village



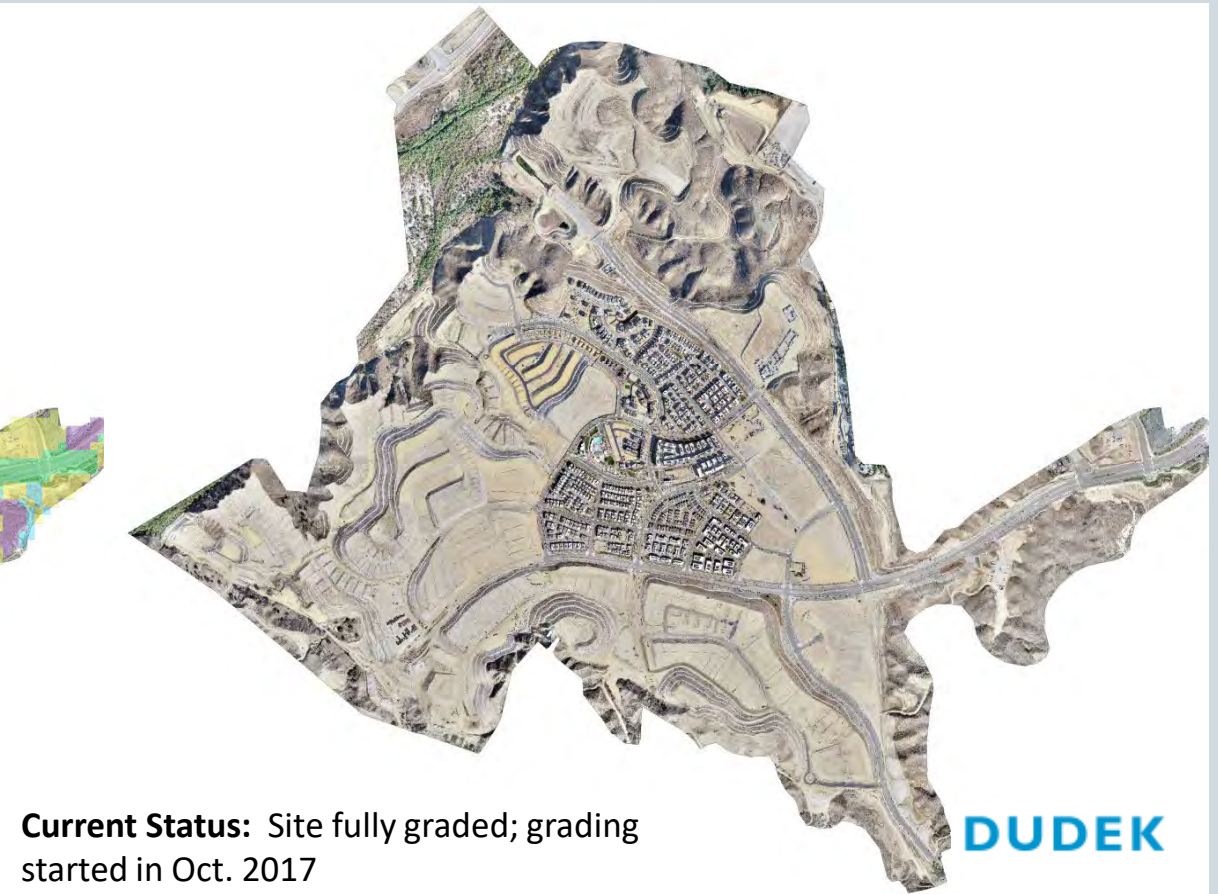
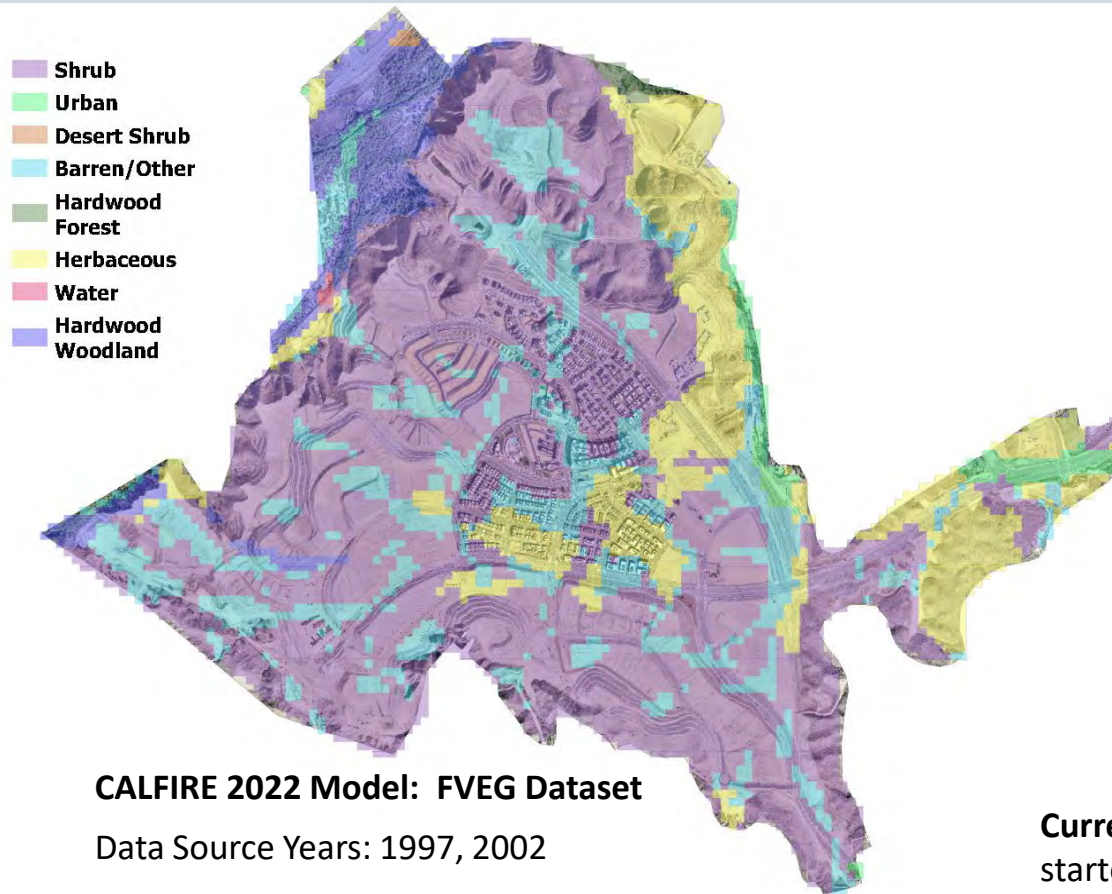
SOURCE: AERIAL-BING MAPPING SERVICE 2022; VHTHSZ-CAL FIRE; DEVELOPMENTS- HUNSAKER 2023

DUDEK 0 0.25 0.5 Miles

**CAL FIRE DRAFT FHSZ MAPS
2022**

Released for public review in Nov. 2022

CAL FIRE 2022 MODELING USED OUTDATED VEGETATION DATA



Dudek's Model Has More Precise and Site-Specific Data than CAL FIRE 2022 Modelling

- ***Refined Slope Inputs*** - Dudek accounts for slope on a continuous scale based on the site's surveyed terrain, whereas CAL FIRE broadly assigned slope as either > or < than 20%.
- ***Burn Probability*** - CAL FIRE assigns the same burn probability value to a given vegetation strata and does not sufficiently account for other landscape features such as terrain, adjacent fuels, and proximity to urban areas which greatly influence the burn probability of a specific area.
- ***Current Land Use Mix*** - While the source of CAL FIRE's urban area data for determining non-wildland areas is unclear, the data relied upon is outdated and does not reflect on-the-ground conditions in 2023. Dudek's modeling accounts for recent land uses in the relevant area including mass grading and the removal of natural vegetation.
- ***Site-Specific Modeling Boundaries*** - CAL FIRE relies on watershed boundaries in conjunction with vegetation and slope to define FHSZ boundaries. Dudek's project-specific fire behavior modeling provides a more granular depiction of the wildfire hazard based on vegetation and land cover mapping.

CAL FIRE, USDA, UC Berkeley and CWI: Southern California Regional Resource Kit



Purpose:

- “Reduce the risk of large, high intensity fire (and other mega-disturbances) ...”
- “Development of a comprehensive set of mapped data layers needed to accomplish large-scale landscape planning ...”
- “Assist land managers in assessing their current landscape and plan for treatments to enhance resilience to human and natural disturbances.”

Relevant Datasets:

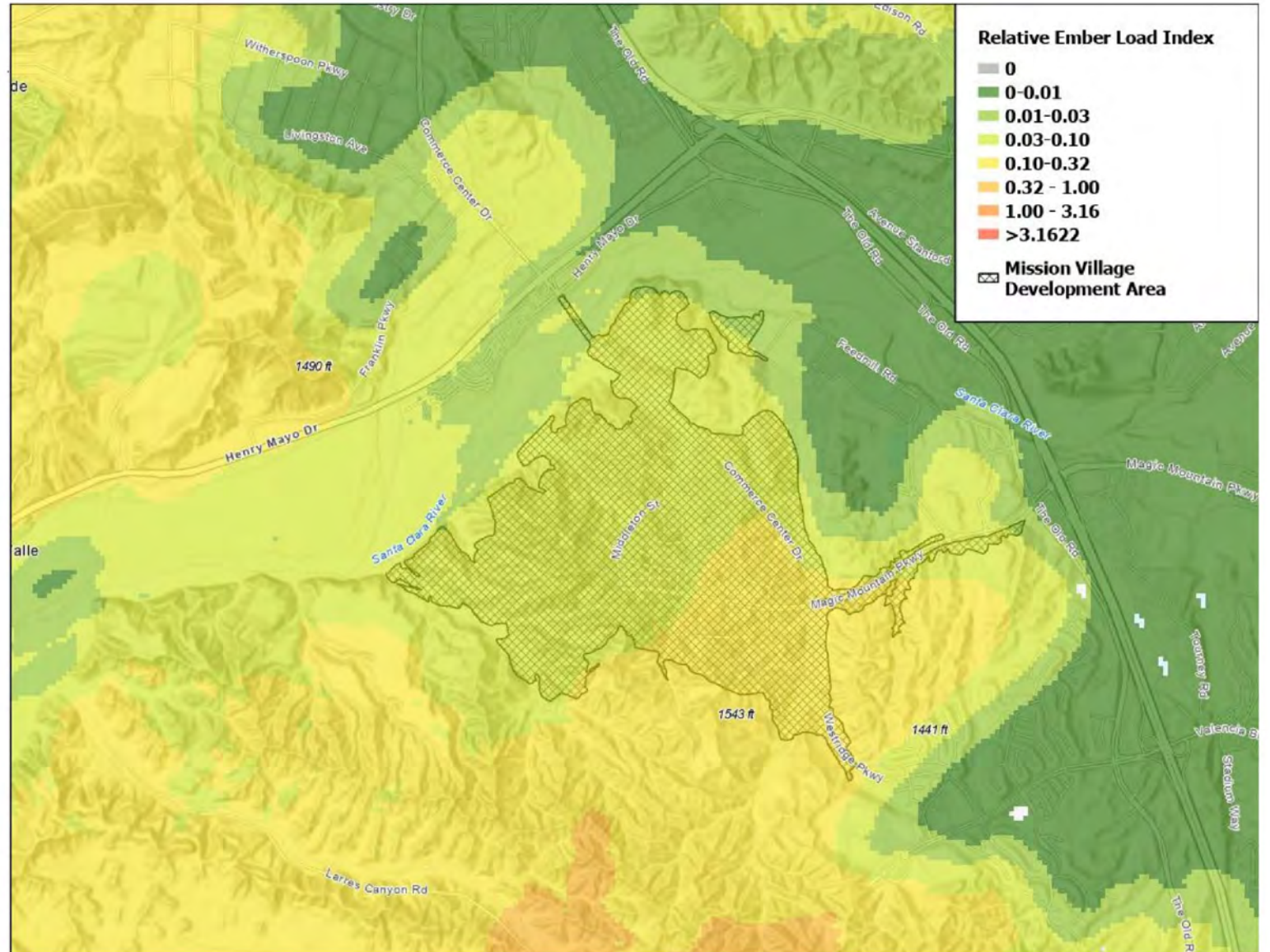
- Annual Burn Probability
- Ember Load Index
- Probability of High Severity Fire
- Damage Potential

**SOUTHERN CALIFORNIA
REGIONAL RESOURCE KIT**



SOUTHERN CALIFORNIA REGIONAL RESOURCE KIT: LOW EMBER LOAD ON REGIONAL BASIS

- Represents the ember load index (ELI) per pixel, for a given pixel, based on surface and canopy fuel characteristics, climate, and topography within the pixel. This highlights where embers are likely to land. The Ember Load Index (ELI) incorporates burn probability (BP).
- Mission Village has a relatively very low ember load on a regional basis.



SOURCE: PYROLOGIX ([HTTPS://RRK.SDSC.EDU/D/EMBERLOADINDEX_2022.ZIP](https://rrk.sdsc.edu/d/emberloadindex_2022.zip))

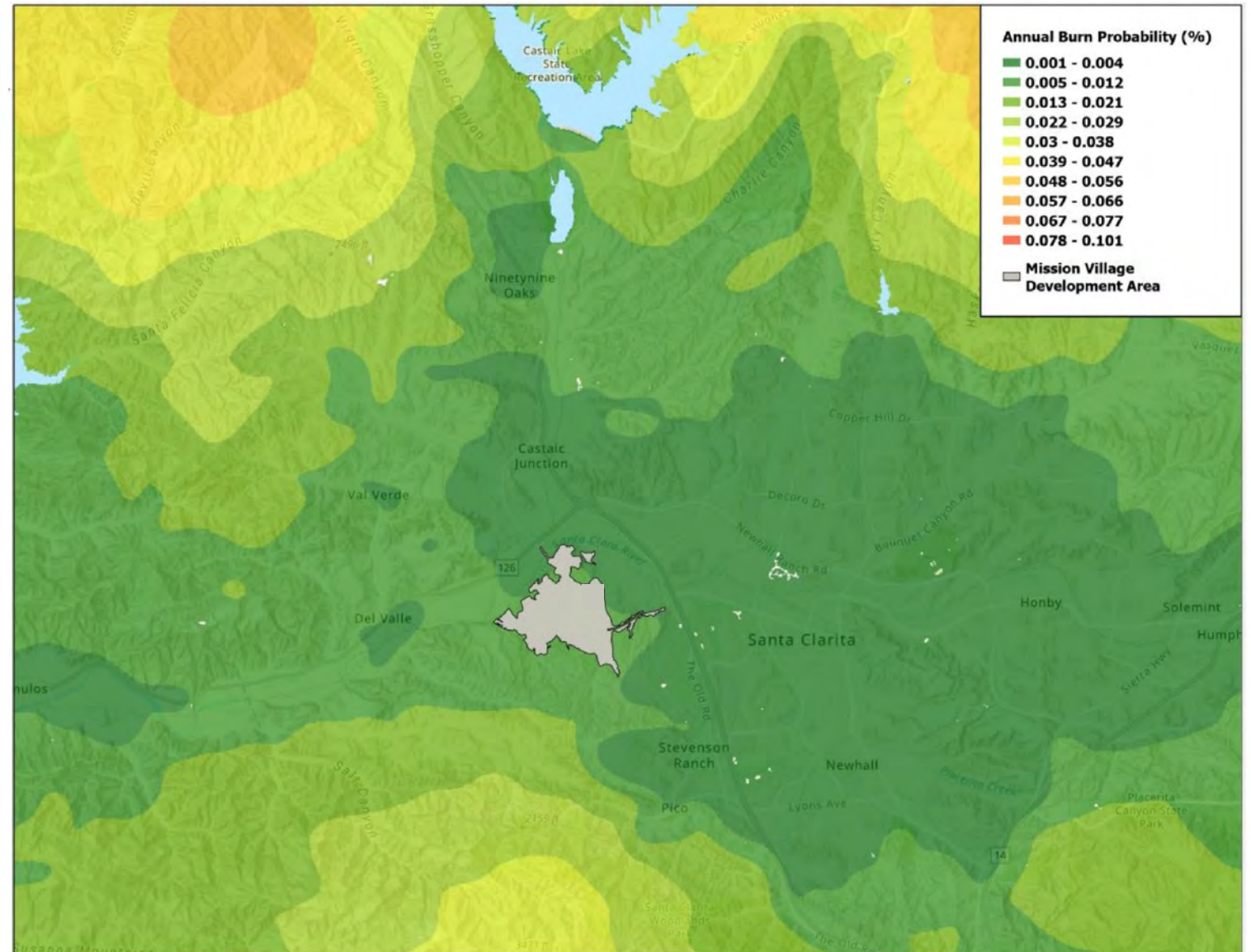
DUDEK 0 1,000 2,000 Feet

EMBER LOAD INDEX

Mission Village FHSZ Assessment

SOUTHERN CALIFORNIA REGIONAL RESOURCE KIT: LOW ANNUAL BURN PROBABILITY ON REGIONAL BASIS

- Represents the likelihood of a wildfire of any intensity occurring at a given location (pixel) in a single fire season.
- Average Annual Burn Probability is low relative to the greater region
- Mission Village has a relatively very low burn probability on a regional basis.



SOURCE: PYROLOGIX ([HTTPS://RRK.SDSC.EDU/D/ANNUALBURNPROBABILITY2022.ZIP](https://rrk.sdsc.edu/d/ANNUALBURNPROBABILITY2022.ZIP))

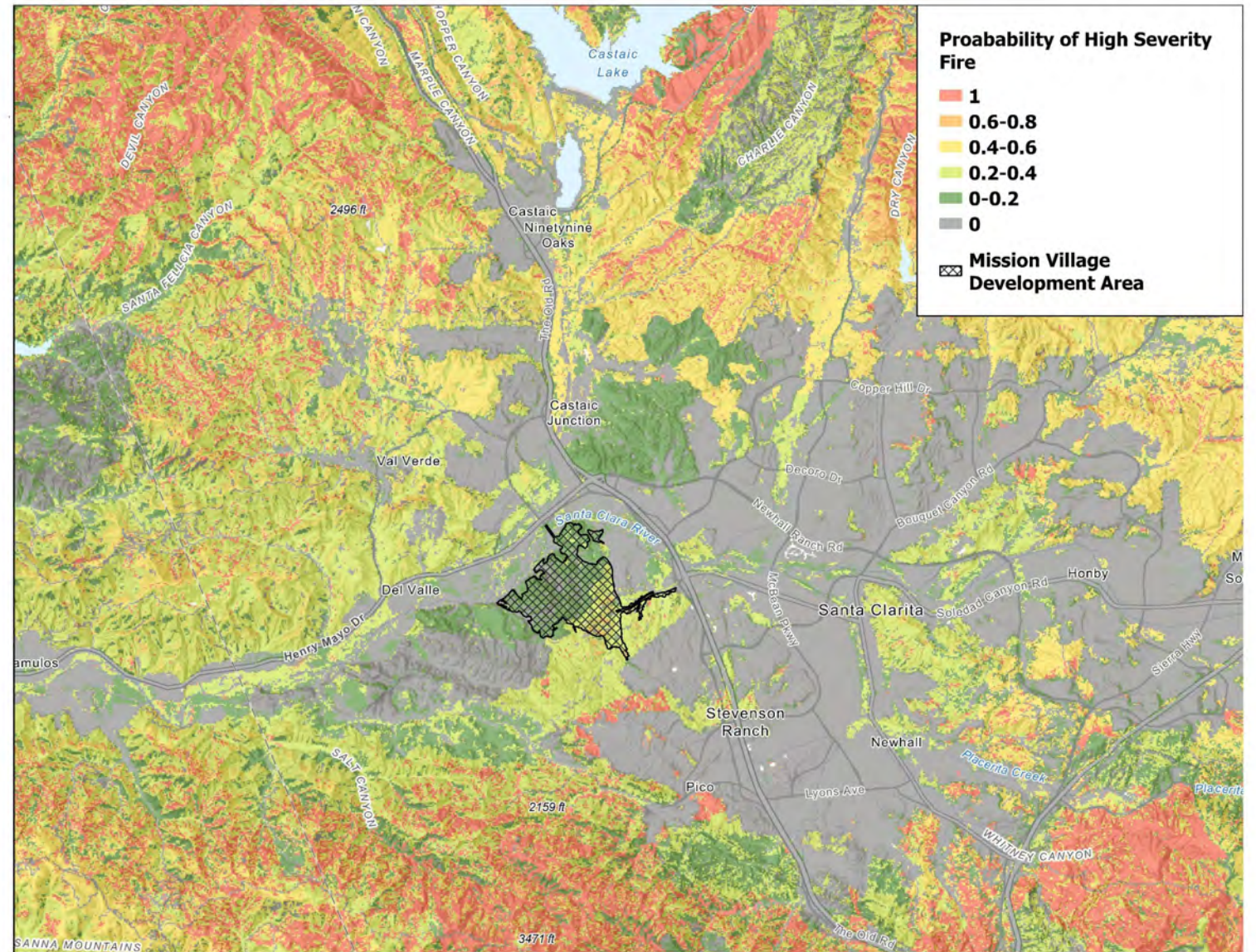
DUDEK 0 1,500 3,000 Feet

ANNUAL BURN PROBABILITY

Mission Village FHSZ Assessment

SOUTHERN CALIFORNIA REGIONAL RESOURCE KIT: LOW PROBABILITY OF HIGH FIRE SEVERITY ON REGIONAL BASIS

- Indicates the probability that the headfire flame length in each pixel will exceed 8-foot flame lengths, the threshold that defines fires that would exceed manual control.
- Mission Village has a relatively low probability of high fire severity on a regional basis.

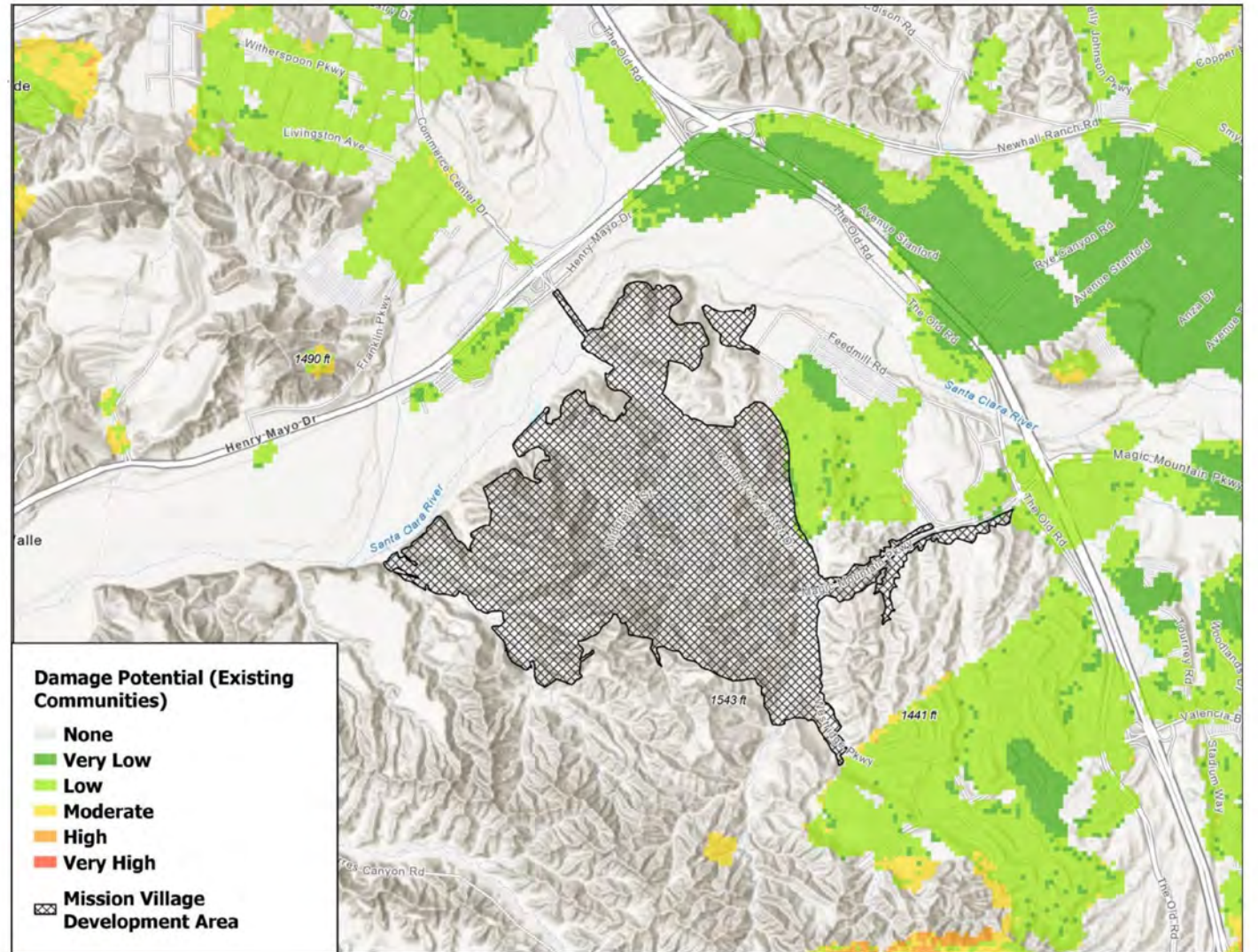


PROBABILITY OF HIGH SEVERITY FIRE

Mission Village FHSZ Assessment

SOUTHERN CALIFORNIA REGIONAL RESOURCE KIT: LOW DAMAGE POTENTIAL ON REGIONAL BASIS

- Represents a relative measure of wildfire's potential to damage a home or other structure if one were present at a given pixel, and if a wildfire were to occur (conditional exposure). It is a function of ember load to a given pixel, and fire intensity at that pixel, and considers the generalized consequences to a home from fires of a given intensity (flame length)
- Proximal communities have a relatively low damage potential, with Mission Village not likely to be an exception.

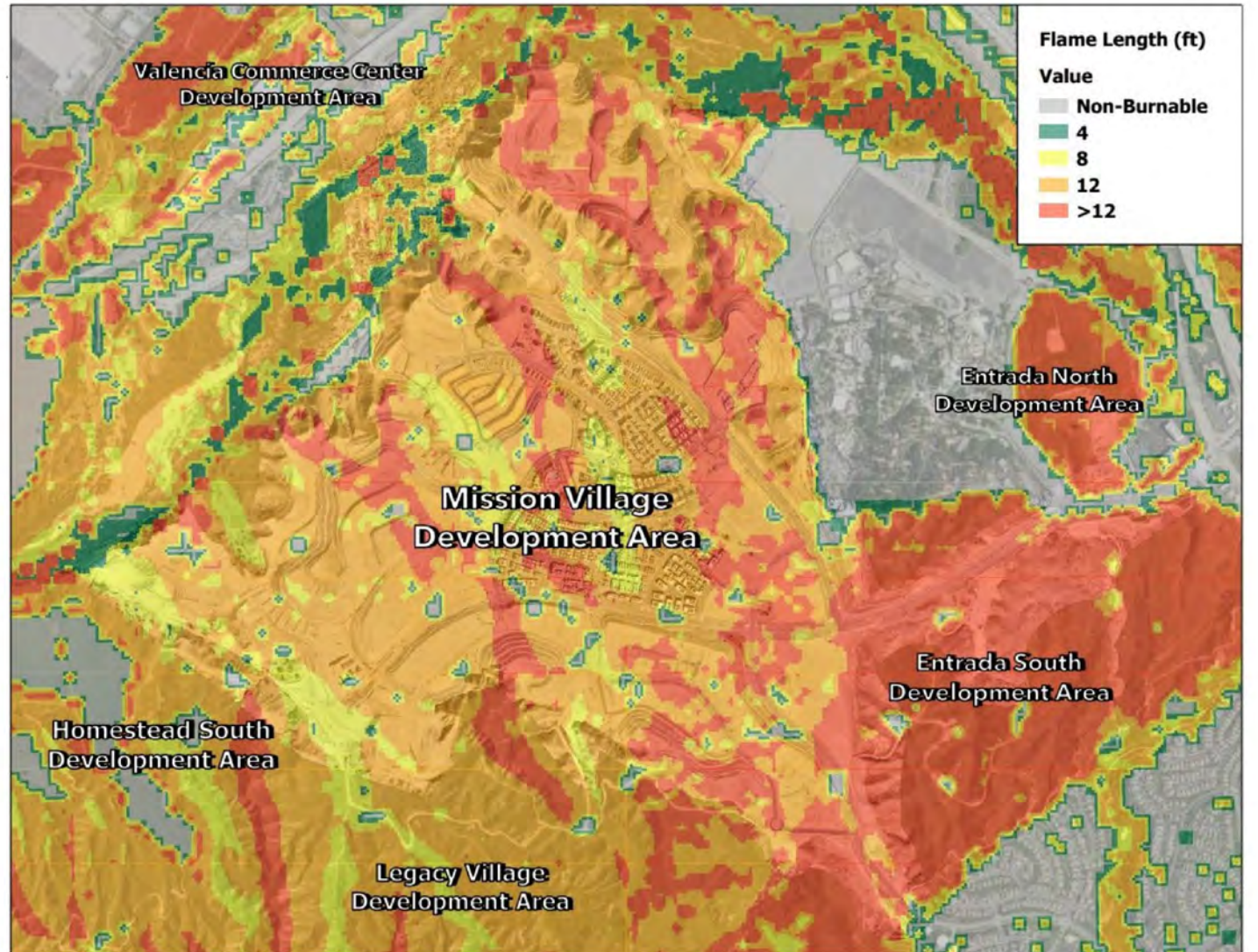


DAMAGE POTENTIAL

Mission Village FHSZ Assessment

CAL FIRE'S 2022 FIRE HAZARD MODELLING DOES NOT INCLUDE MORE RECENT AND SITE-SPECIFIC DATA

- CAL FIRE's 2022 modelling effort does not include recent vegetation data and therefore not accounting for widespread **grading** and the **conversion of natural vegetation**.



SOURCE: FRAP, FVEG_15 DATASET

DUDEK 0 750 1,500 Feet

FLAME LENGTH (1997 & 2002 VEGETATION)

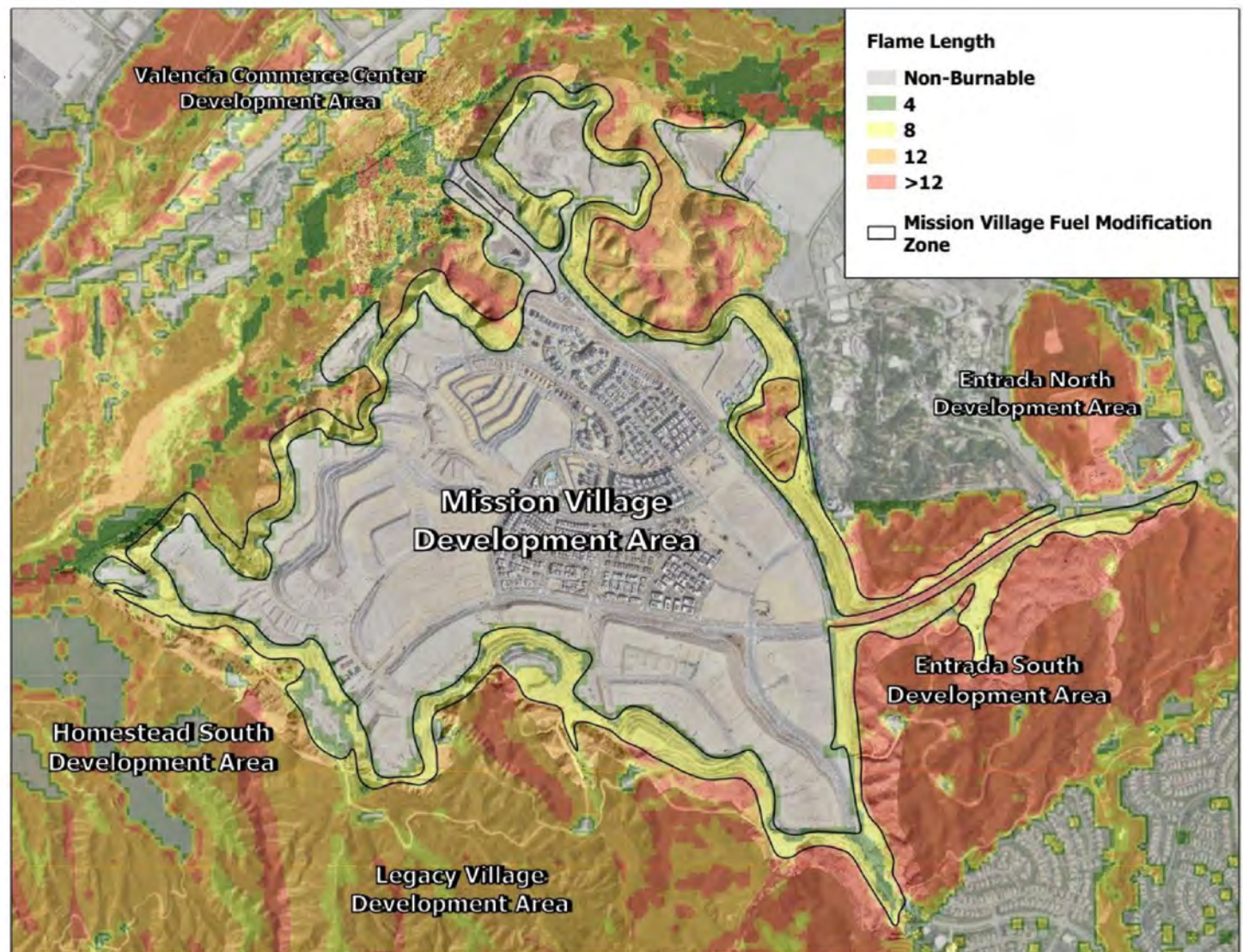
Mission Village FHSZ Assessment

**Based on 1997 & 2002 Vegetation
Data (FVEG_15 Dataset)**

Wind Speed: 45 mph
Wind Direction: 70 degrees
Fuel Moisture: 2, 3, 5, 30, 60

MISSION VILLAGE: DUDEK'S SITE- SPECIFIC FIRE BEHAVIOR MODELLING

- This assessment considers **graded areas** and **Fuel Modification Zones**.
- Flame Lengths in urbanized areas are reduced to **0 feet**.
- Flame Lengths in Fuel Modification Zones are reduced to under **4 feet** in landscaped areas and under 8 feet in thinned natural vegetation, which would not present material fire risk to fire-hardened structures within Mission Village.



SOURCE: FRAP, FVEG_15 DATASET, EDITED TO REFLECT GRADED AREAS

DUDEK 0 750 1,500 Feet

FLAME LENGTH (2023 VEGETATION)

Mission Village FHSZ Assessment

Based on 2022 Vegetation Data

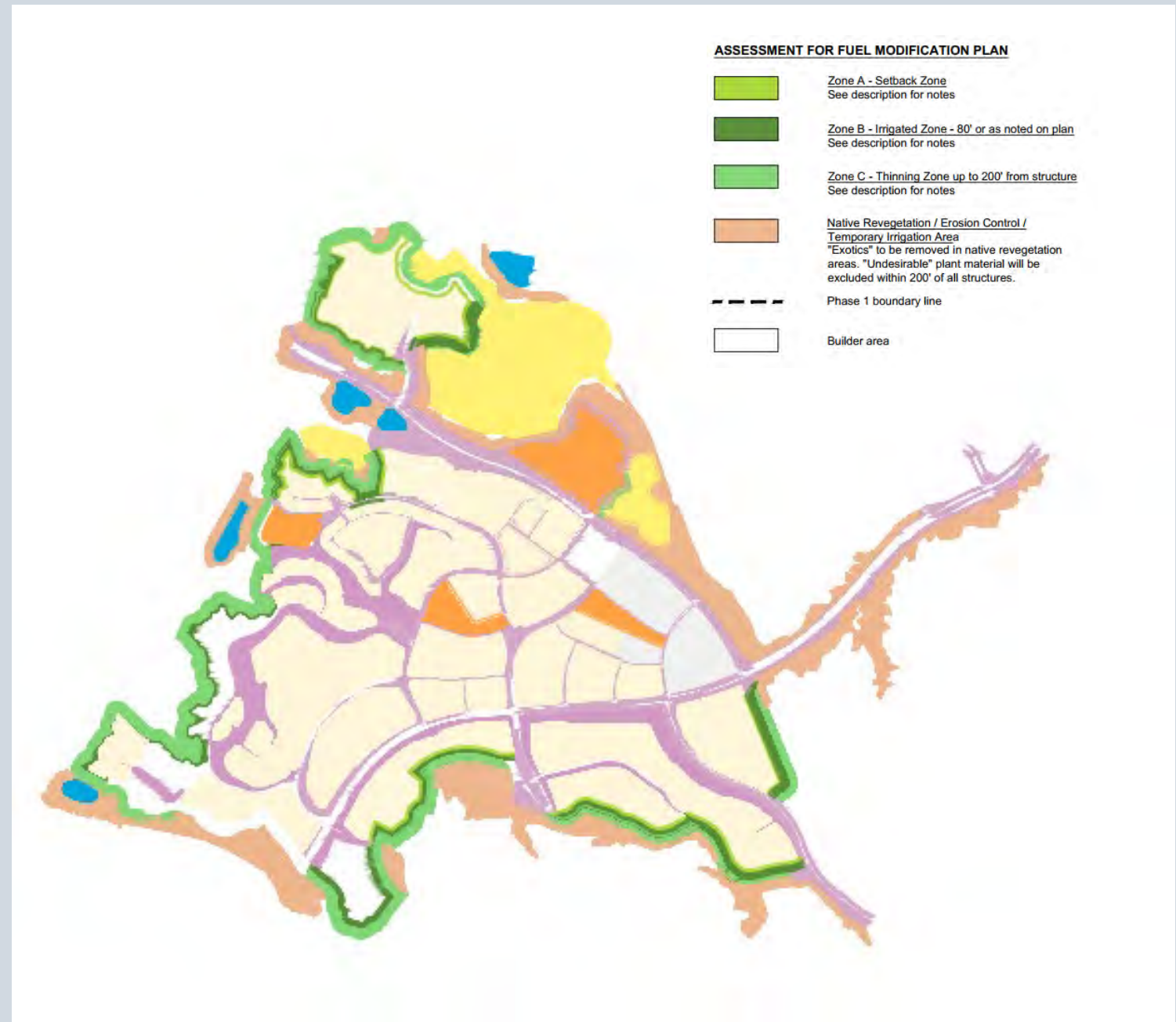
Wind Speed: 45 mph
Wind Direction: 70 degrees
Fuel Moisture: 2, 3, 5, 30, 60

MISSION VILLAGE FIRE PROTECTION FEATURES

1. Fuel Modification Zones
2. Ignition Resistant Structures
3. Ignition Resistant Landscaping
4. Fuels Reduction
5. Multiple Means of Access
6. Proposed Onsite Fire Station

MISSION VILLAGE FUEL MODIFICATION ZONES

- Minimum 150-foot Fuel Modification Zones around the entirety of the Project
- Maintained annually by the Project's HOA for the entire life of the Project
- Adjacent grazing in planned Entrada South development area provides additional fuel modification



Mission Village: Ignition Resistant Housing

- All homes and other structures built to most stringent state and local fire codes for ignition-resistant construction



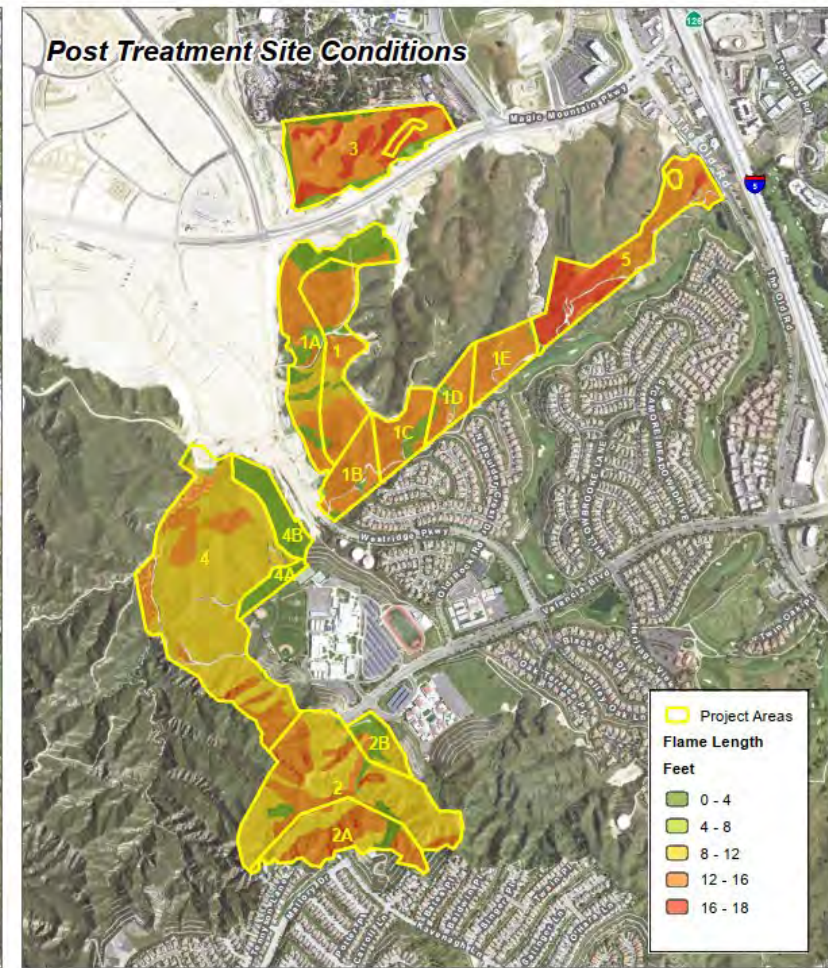
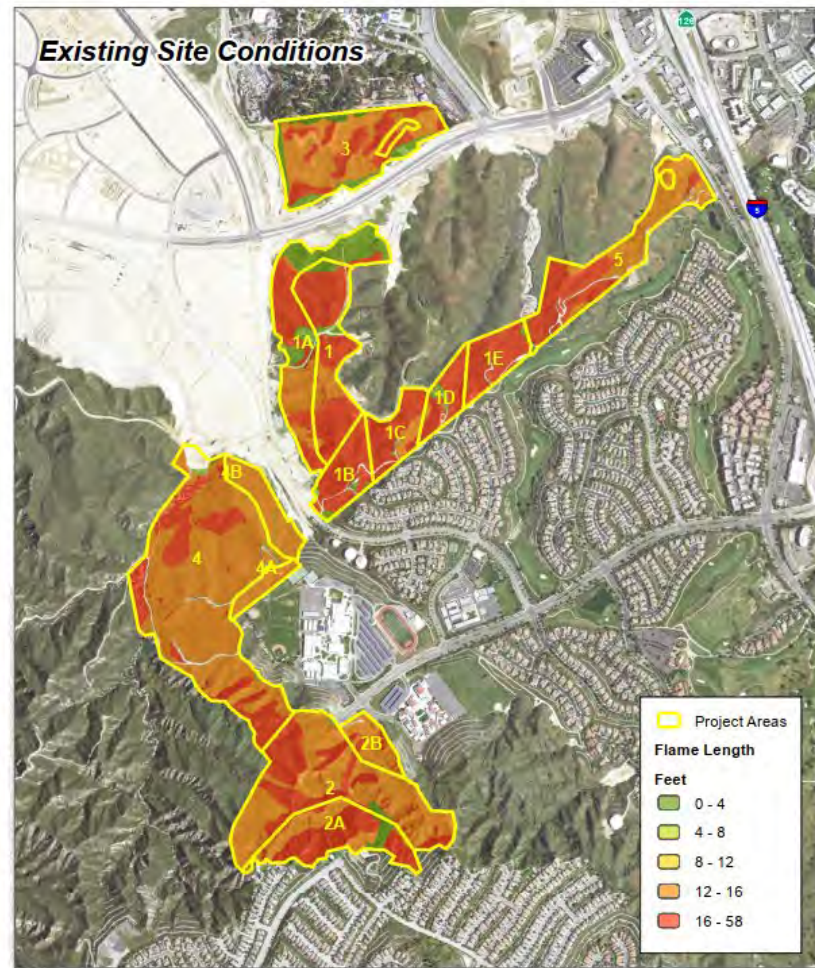
Mission Village: Ignition Resistant Landscaping

- Project specific approved plant list – restricts the use of highly flammable plant species



VOLUNTARY FUELS REDUCTION: NEWHALL VOLUNTARY LIVESTOCK FUELS MANAGEMENT PROGRAM

- Fuels reduction on adjacent Entrada South to reduce wildfire hazard.



Pre-Grazing vs Post-Grazing Fire Behavior

Fire Behavior Characteristic	Pre-Grazing Measurement	Post-Grazing Measurement
Flame Length	Up to 58 feet	Up to 18 feet
Rate of Spread	Up to 1,114 feet per minute	Up to 210 feet per minute
Fire Line Intensity	Up to 37,810 Btu/ft/s	Up to 2,975 Btu/ft/s

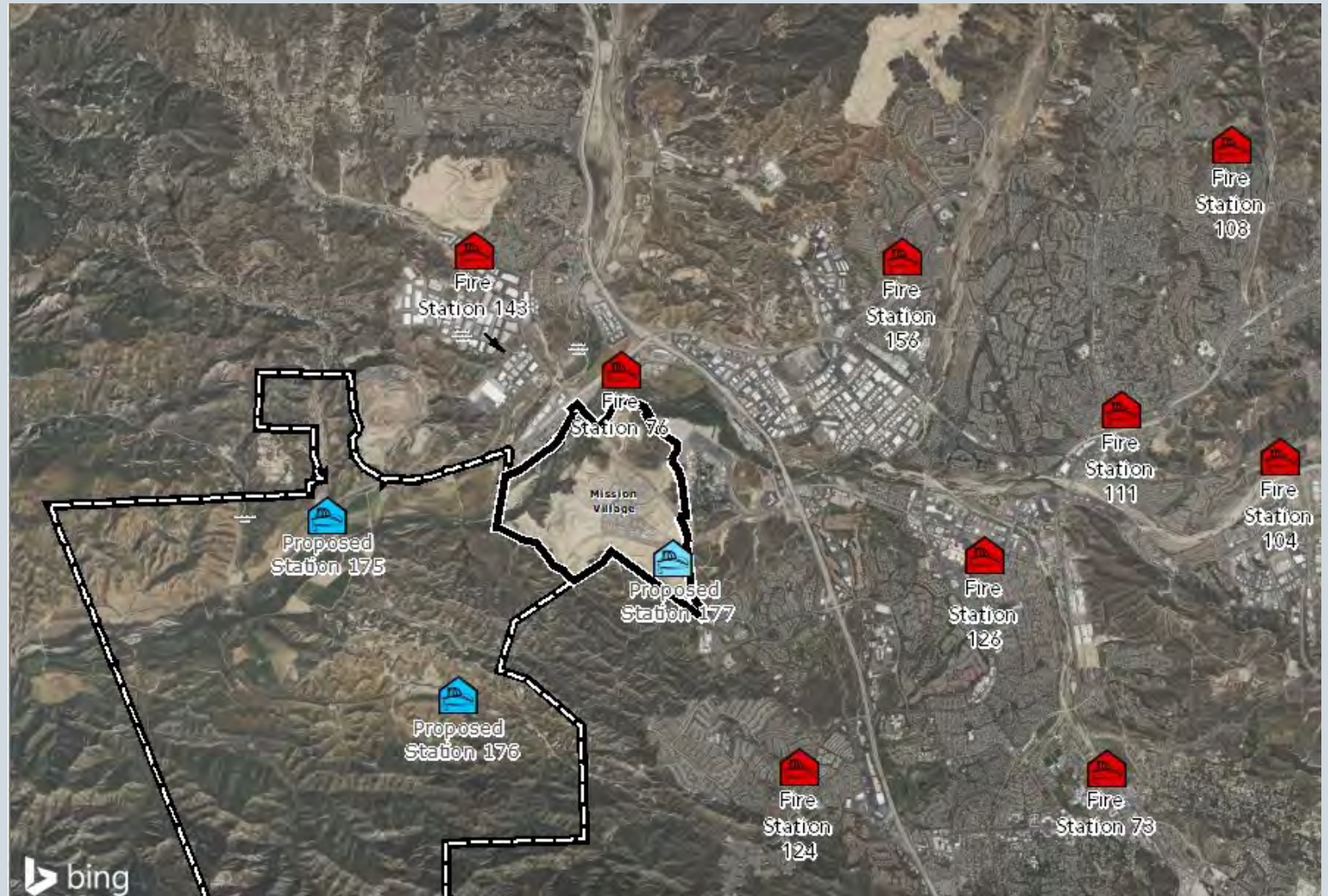
Source: Dudek 2021.

MISSION VILLAGE: MULTIPLE MEANS OF ACCESS



3 TOTAL ACCESS POINTS

MISSION VILLAGE: PROPOSED FIRE STATION 177



**MISSION VILLAGE STATION 177 PLANNED TO BE
OPERATIONAL IN 2023**

MISSION VILLAGE: EFFECTIVENESS OF FUEL MODIFICATION ZONES



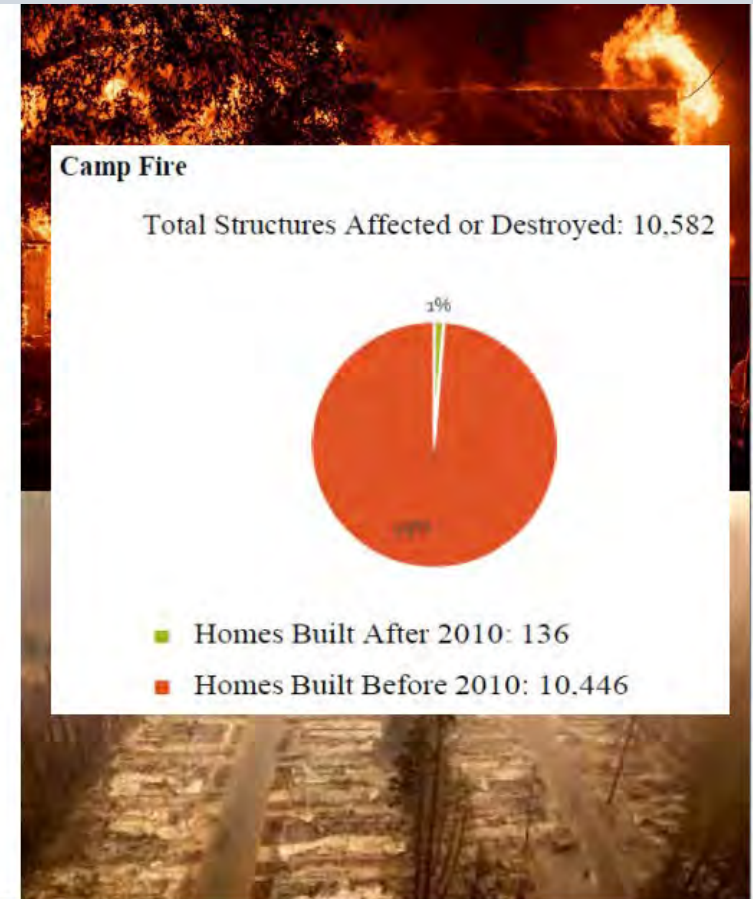
Defensible space, roads and vegetation-management areas (i.e., thinning zones and irrigated zones) create fire buffers around homes and defensible line for fire fighters.

WILDFIRE PERFORMANCE OF MODERN MASTER PLANNED COMMUNITIES

Wildfires are a Growing Danger ... especially for older homes

- We've all seen the news reports, pictures, and video highlighting the increased risk to homes and neighborhoods in California, and throughout the West ...
- ... but, no master-planned community in California constructed after 2010 has suffered significant structural loss - even during the most extreme fire events

The Ten worst wildfire incidents since 2017, which have damaged or destroyed 18,551 homes



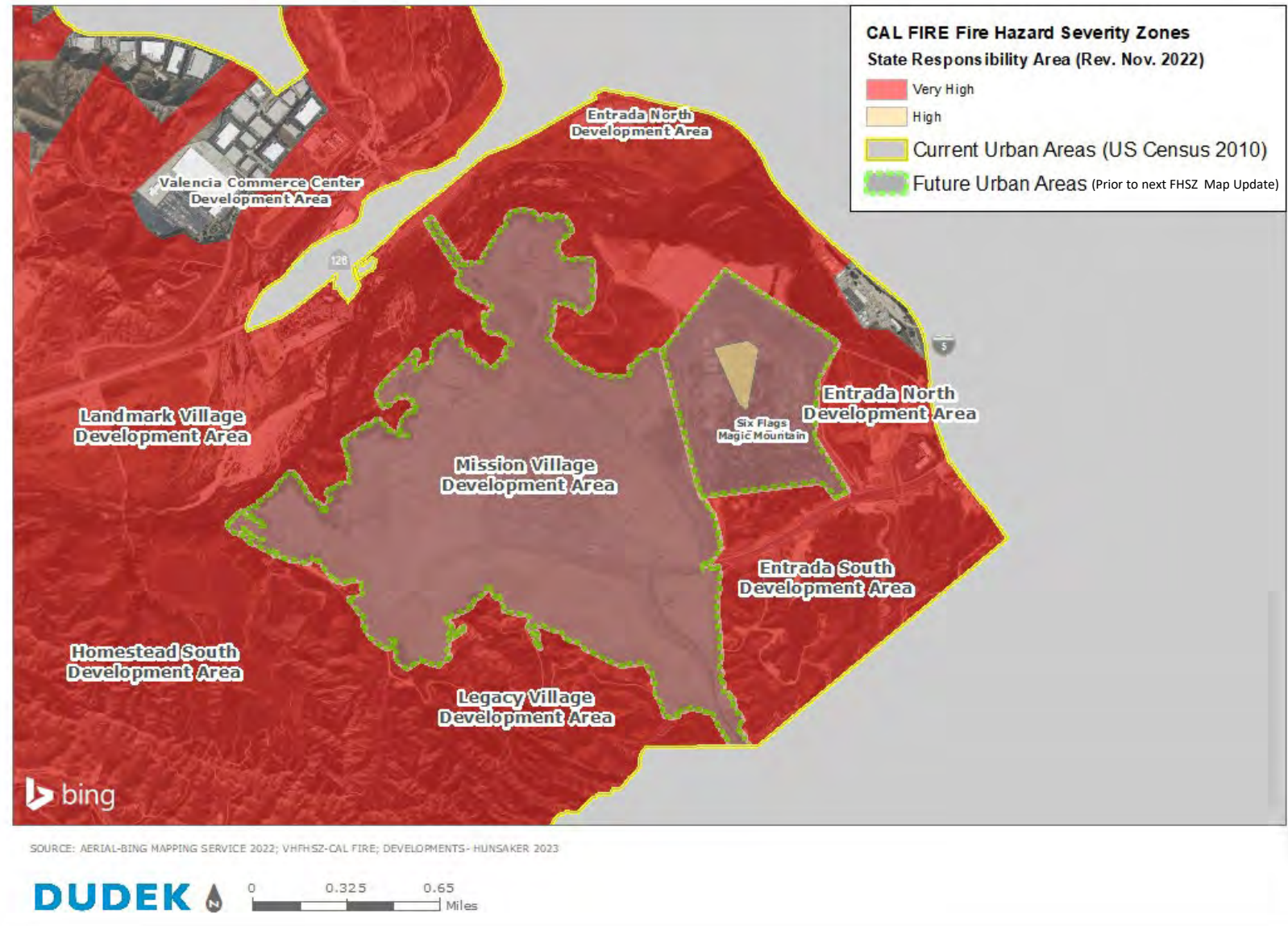
**New Master Planned Communities With Fuel Modification
Zones Are Extremely Resistant to Fire Damage**



Requirements per State Law		Very High Fire Hazard Severity Zone	High Fire Hazard Severity Zone	Moderate Fire Hazard Severity Zone	Required by MV Fire Protection Program Regardless of FHSZ Mapping
Building Code Chapter 7A	WUI Building Standards	✓	✓	✓	✓
Residential Code R337	WUI Building Standards	✓	✓	✓	✓
Public Resources Code Section 4291	Defensible Space Clearance	✓	✓	✓	✓
Civil Code Section 1102.6f	Natural hazard disclosure as part of real estate transfer	✓	✓	✓	✓
Board of Forestry Regulations	Minimum Fire Safe Regulations	✓	✓	✓	✓
Senate Bill 571	Evacuation Planning	✓	✓		✓
Assembly Bill 38	Defensible Space Real Estate Compliance	✓	✓		✓
Public Resources Code Section 4290.5	Existing Subdivision Review	✓			✓
Fire Code Chapter 49	Tree & Shrub Planting Limitations	✓	✓	✓	✓

MISSION VILLAGE PROPOSED FHSZ MAPPING

- Include Mission Village as an Urbanized area prior to next FHSZ Map update and classify as a non-wildland area or as a “Moderate” hazard area.*




*Determination of hazard severity level will depend on updated modeling

UNINTENDED CONSEQUENCES OF INACCURATE VHFHSZ CLASSIFICATION


- Fire Hazard Severity Zone maps have been misapplied as identifying areas inherently unsafe for new housing development.
- Multiple bills have been introduced that would prohibit, impair, or otherwise effect new housing in VHFHSZs without a regard to site-specific wildfire mitigation or the actual degree of risk.
- Opposing groups use a project's location within a VHFHSZ as a basis for a challenge, even if the CEQA document appropriately analyzes the project's wildfire risks.
- The threats of prolonged litigation and the potential for an adverse judicial outcome function to chill housing production.

SURGICAL MAP REVISIONS FOR NEW DEVELOPMENT

Currently, no mechanism to change a site's FHSZ designation, even after project grading and implementation of wildfire mitigation measures.



CAL FIRE should develop a mechanism to allow developers of new projects to request that a community be removed from a VHFHSZ if evidence demonstrates that “as built” grading, fuel modification zones, building construction, adequately reduce the project's wildfire risks.



Without such a mechanism, the FHSZ maps will grow increasingly outdated and inaccurate through failing to account for new development and the conversion of natural vegetation to urban areas.

Exhibit C

Technical Comments on Draft Community Wildfire Protection Ordinance

Technical Comments on LA County Draft Community Wildfire Protection Ordinance

The following technical comments are organized by code section and topic. The code sections are copied from the draft ordinance, with the County's changes shown in underline and strikethrough text and Newhall's edits in bold.

I. Section 21.24.020(A)(1)-(2) (Restricted Residential Access)

Issue: Sections 21.24.020(A)(1)-(2) would impose restrictions on residential access across all VHFHSZs, regardless of whether fire risk has been minimized by County-approved mitigation and fire code compliance. The proposed changes also do not reflect the wildfire reduction benefits of master planned communities, which balance the need for wildfire protection with providing new housing. For purposes of these comments, a master-planned community is considered a planned subdivision, built after January 1, 2020, to modern Fire Code, Building Code, and County Fire standards, with a master home-owner association or similar organization that will maintain and fund ongoing fuel zone and wildfire reduction measures for the life of the project.

CAL FIRE has recognized that the CAL FIRE maps are not intended for subdivision-level planning decisions. The CAL FIRE maps contain multiple serious shortcomings and are, at best, a coarse snapshot in time, and do not incorporate scientifically proven techniques to effectively reduce or eliminate risks, particularly in master-planned communities.

Newhall/Valencia provides a stark example of the shortcomings of CAL FIRE maps. The maps do not distinguish between two different types of homes that are technically located within the VHFHSZ. Hypothetically, the maps do not distinguish between a pre-1950s home built on an isolated ridgeline in a heavily vegetated area and another home within a new, properly designed master-planned community if both homes are located within a VHFHSZ.

Sections 21.24.020(A)(1)-(2) would run counter to County and State guidelines to encourage clustered development, walkable communities and mixed uses while minimizing environmental impacts and new roadway development by:

- Decreasing the ability to densify development areas even if determined safe by County Fire.
- Increasing grading to construct additional roadway access points, which limits the flexibility for siting and design compact communities.
- Expanding roadway networks.

Newhall requests that this section be revised to retain County Fire's discretion to determine whether a project is subject to hazard from brush or forest fire and to account for the fire-safety benefits of master-planned communities.

Newhall's Proposed Text Changes (shown in bold):

1. 150 dwelling units or 50 residential lots, whichever is less, where ~~the restriction is designed to be permanent, and the street or street system does not traverse a wildland area which is subject to hazard from brush or forest fire~~ **as determined by the forester or fire warden or where the street or street system is located within a master-planned community with units constructed after January 1, 2020 is not located in and does not pass through a VHFHSZ.**

2. 75 dwelling units or 25 residential lots, whichever is less, where ~~the restriction is designed to be permanent, and the street or street system traverses a wildland area which is subject to hazard from brush or forest fire~~ **as determined by the forester or fire warden is located in or passes through a VHFHSZ.**

[*Note, original Code text in italics is proposed to be retained.*]

II. Section 21.24.020(B) (Restricted Residential Access)

Issue: Section 21.24.020(B) restricts future development if the roadway portion of the street or street system forming the restriction is located in and passes through a VHFHSZ, even if the street is 64 feet or more in width.

This section, as currently drafted, places a permanent restriction on areas that are in an approved master-planned development because of their current location within a VHFHSZ. There is no allowance for the fact that oftentimes the current edge of the development will be an interior non-WUI area in the future. The prior qualification, "that the restriction is subject to removal through future development," has been deleted from this section, creating an unnecessary permanent restriction. While Newhall accepts that the number of approved dwelling units should be reduced when street widths are less than 36 feet, a permanent reduction on the number of dwelling units just because a road passes through or is located in what is currently labeled VHFHSZ, is not reasonable. Newhall suggests that the County remove the reference to the VHFHSZ and retain the prior language that allows the restriction to be removed through future development.

Newhall's Proposed Text Changes (shown in bold):

B. If the roadway paving on that portion of the street or street system forming the restriction is less than 36 feet in width and is not widened to 36 feet or more as part of a development of the division of land, the permitted number of dwelling units shall be reduced by 25 percent if the pavement is more than 28 feet in width, and by 50 percent if the pavement is less than 28 feet in width. If the roadway paving on that portion of the street or street system forming the restriction is 64 feet in width **and is not located or does not pass through a VHFHSZ,** *and the restriction is subject to removal through future development,* the permitted number of dwelling units may be increased to ~~600~~ 300, or the permitted number of residential lots may be increased to 150 whichever is less. In no event shall the pavement width be less than 20 feet. The provision of this section shall

not apply to divisions of land referred to in Section 21.32.040 to divisions of land pursuant to Section 21.32.080, or to minor land divisions.

[*Note, original Code text in italics is proposed to be retained.*]

III. Section 21.24.030(A)(1) (Adequate Wildland Access)

Issue: Section 21.24.030 would discourage designs in a VHFHSZ that include a cul-de-sac or branching street system, or other single-access street or street system. This requirement, if strictly applied, will reduce the flexibility to design a new community in a fire safe manner by reduce the use of “clustering.” *State wildfire guidance and OVOV encourage clustering development to enhance wildfire defense and to reduce development impacts, respectively.* For example, utilizing a “cul-de-sac or branching street system or other single-access street system or street system as the sole of principal means of access to lots within the division” in a master-planned community built to the most stringent fire safety standards, allows clustering of communities away from flood and wildland areas. Clustering minimizes impacts on surrounding natural environments and requires less habitat impacts associated with fuel modification zones and defensible space.

Again, use of the word “shall” instead of the word “may,” and use of CAL FIRE’s VHFHSZ designation, removes discretion from County planning and fire officials, which harms housing without a commensurate public benefit within new master-planned communities.

Newhall’s Proposed Text Changes (shown in bold):

- A. Notwithstanding the provisions of Section 21.24.020 and 21.24.190, the advisory agency *may* **shall** disapprove a design of a division of land which utilizes a cul-de-sac or branching street system or other single-access street system or street system as the sole of principal means of access to lots within the division, **unless located in a master-planned community with units constructed after January 1, 2020**, where the forester and fire warden advises:
1. That the street or street system *will traverse a wildland area which is subject to extreme hazard from brush or forest fires* **as determined by the forester or fire warden is located in or passes through a VHFHSZ**; and
 2. That the lack of a second route of access would unduly hinder public evacuation and deployment of fire-fighting and other emergency equipment of in the event of a wildfire, **or other type of natural or manmade disaster**.

[*Note, original Code text in italics is proposed to be retained.*]

IV. Section 21.24.040 (Modification to Access and Frontage Requirements)

Issue: Section 21.24.040 would prohibit *all* modifications to access and frontage requirements in a VHFHSZ unless explicitly authorized by the Board. Modifications to access and frontage requirements are critical to Newhall’s community design, including for fire-safety purposes and as a net-zero GHG community. For example, many of Newhall’s lots front private drives, which allows Newhall to cluster development and minimize impact to surrounding natural resources. If access standards cannot be modified, then development may only front public roads, which will potentially expand the future development in a linear instead of block fashion. This contradicts policies to limit pavement and the overall development footprint, *and is inconsistent with state-level guidance on clustering development for wildfire defensibility.*

Moreover, many private drives function in an equivalent manner as public roadways and are indistinguishable from public roadways for members of the public. Thus, from a fire safety perspective, there is no difference between private drives and public roadways in this case. Once again, requiring Board approval for every modification request would be onerous and would require unprecedented effort at the tentative map stage. It would also invite litigation challenges to Board actions on variance requests. In sum, a “one size fits all” prohibition on modifications to access standards in the VHFHSZ will limit development on private roads, which will increase environmental impacts and costs without a commensurate fire safety benefit.

Newhall’s Proposed Text Changes: (shown in bold)

A. The advisory agency may modify the requirements of Sections 21.24.010, 21.24.020, 21.24.190 and 21.24.290 where it finds that topographic conditions, title limitations, or the pattern of ownership or the state of development of parcels in the immediate vicinity of a division of land make the strict application of the provisions of these sections impossible or impractical and the public health, safety and general welfare will not be adversely affected thereby.

B. **This Section shall not apply to access or frontage requirements in a wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden VHFHSZ, unless explicitly authorized by the Board of Supervisors or unless located within a master-planned community with units constructed after January 1, 2020.**

V. Section 21.24.090 (Right-Of-Way and Roadway Width Requirements—Cross Section Diagrams)

Issue: Under Section 21.24.090, streets must have a width of right-of-way, vehicular pavement and sidewalk that conform to certain cross-sections provided by the County. For many of these cross-sections, the County provides an “alternate” with slightly different requirements. The Wildfire Ordinance would prohibit the use of these alternate cross-sections in VHFHSZ, but it is not clear that the prohibition against the use of the alternate cross-section in the VHFHSZ actually provides an additional safety benefit in new, master-planned communities. Both the standard and alternate cross-sections require the same width of paved roads, and the only change is the configuration

of the shoulder and the sidewalk, which would not affect fire safety within new master-planned communities.

Newhall's Proposed Text Changes (shown in bold):

6. The alternate cross-section shall not be located in or pass through a **wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden-VHFHSZ unless located within a master-planned community with units constructed after January 1, 2020.**

VI. Section 21.24.100 (Street Grades)

Issue: Section 21.24.100 states that the grade for a street or highway in VHFHSZ cannot exceed 8%, except where sufficient evidence shows that a lower grade is not possible and states that in no event shall the grade of a highway or street exceed 10%. These requirements are overly restrictive without conferring commensurate fire protection benefits when applied to smaller streets and segments of roads within new master-planned communities. In fact, the California Board of Forestry and Fire Protection's own Minimum Fire Safe Regulations limit roads and driveways in VHFHSZ to 16% and in some cases 20% grades. (14 CCR § 1273.03.) Because state firefighting apparatus are capable of traversing streets at a much higher grade than allowed for under the Wildfire Ordinance, Newhall does not believe that these stricter requirements will confer an additional benefit within new master-planned communities.

Newhall's Proposed Text Changes (shown in bold):

No highway or street shall have a grade of more than six percent, except for short stretches where the topography makes it impracticable to keep within such grade, and in no event shall the grade of a highway or street that is located in or passes through a **wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden VHFHSZ** exceed eight percent, except where evidence, which is deemed satisfactory to the advisory agency is given that a lower grade is not possible.,-and in In no event shall the grade of a highway or street exceed 10 percent except where evidence, which is deemed satisfactory to the advisory agency, is given that a lower grade is not possible. **For streets systems located within a master-planned community with units constructed after January 1, 2020, a street may not exceed an average grade of 10%.**

VII. Section 21.24.320 (Flag Lots)

Issue: Section 21.24.320 prohibits the use of flag lots in VHFHSZ. Flag lots assist in clustering development and limiting impacts to development footprint and adjacent natural resources. As noted above, state wildfire guidance and OVOV encourage clustering development to enhance wildfire defense and to reduce development impacts, respectively.

The use of flag lots in master-planned communities is particularly important, and prohibiting the use of these types of lots could result in an expanded development footprint and

create the need for larger fuel modification zones, unnecessarily increasing habitat impacts. Newhall requests that the provision allow exceptions based on forester and fire warden review if the applicant can demonstrate a flag lot does not result in unreasonable fire safety risks within new master-planned communities. Newhall agrees that each vehicular access strip shall comply with all applicable requirements of Title 32, and that it be located so that, when improved as a driveway, the finished grade will not exceed 20 percent.

Newhall's Proposed Text Changes (shown in bold):

- A. The advisory agency may disapprove of the platting of flag lots where this design is not justified by topographic conditions or the size and shape of the division of land, ~~or where this design is in conflict with the pattern of neighborhood development,~~ **unless located in a master-planned community with units constructed after January 1, 2020, or where any portion of the proposed flag lot is located in a VHFHSZ.** If flag lots are approved, the access strip shall be provided as follows, unless the subdivision committee recommends the approval of lesser widths because of topographic conditions or the size and shape of a division of land.

VIII. Section 21.24.350(E)(4) (Residential Subdivisions—Provision of Local Park Sites) and Chapter 22, Appendix I, Section 1.21 (Parks and Open Space)

Issue: Section 21.24.350(E)(4) creates a mandate that parks and open space within new subdivisions in VHFHSZ need to be located on the exterior perimeter of the development area. Additionally, Chapter 22, Appendix I, Section 1.21 applies this mandate to each new structure, rather than the exterior perimeter of the subdivision. These provisions do not differentiate between *exterior* fuel modification zones and the importance of walkable, neighborhood scale urban designs that include parks and open space within the *interior* development perimeter, which helps facilitate clustering and higher density urbanized area. In master-planned communities, internal parks and open space can provide substantial fire resiliency benefits, which the current Wildfire Ordinance does not acknowledge.

Additionally, Section 24.350(E)(4) requires a new financial assurance for both publicly and privately owned park sites within VHFHSZ, which must be done “in a manner prescribed by and acceptable to the County, and secured in a form acceptable to the County.” However, the Wildfire Ordinance does not differentiate between mitigation open space lands, fuel modification zones, recreational parks and trails, and stormwater or other open space management areas within new communities.

Newhall's Proposed Text Changes (shown in bold):

Section 21.24.350(E)(4)

If located in a wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden VHFHSZ, park sites shall be located between development and wildlands to serve as a fuel break, where feasible. Continuous routine vegetation management and long-term maintenance of both publicly and privately owned park sites shall be provided by the owner, in a manner prescribed by and

acceptable to the County, and secured in a form acceptable to the County. **This subsection (4) does not apply to parks and open space located within a master-planned community with units constructed after January 1, 2020.**

Chapter 22, Appendix I, Section 1.21

Provide 200-foot minimum setback from structures and designated open space or public parkland areas to ensure that all required fuel modification is located within the project site boundaries and no brush clearance is required within the public parkland, to prevent impacts to the habitat and recreational resources. This section does not apply to subdivision systems located within a master-planned community with units constructed after January 1, 2020.

IX. 21.40.040 – Contents-Information and documents required

Issue: Section 21.40.040 has added requirements for submission of documents that are duplicative and add unnecessary steps to the process. Comments on items 27, 28, and 29 follow:

27. For reasons that have been detailed throughout this letter, providing a CAL FIRE map that shows the nearest VHFHSZ has proven to be an unreliable tool when making local land use decisions.

28. While a Fuel Modification Plan can be depicted at the tentative map phase, it will not provide all final Fuel Modification Plan detail.

29. An evacuation analysis is a CEQA requirement for all development in the VHFHSZ. This new section states that “an evacuation analysis shall be provided for review by the County.” Does this imply that the evacuation analysis completed as part of the CEQA requirements may not be adequate?

Newhall’s Proposed Text Changes (shown in bold):

A. The tentative map shall show and contain, or be accompanied by, the following as an aid to the advisory agency in its consideration of the design of the division of land:

...

27. A vicinity map showing the location of the division in relating to the nearest Fire Hazard Severity Zone (FHSZ);

28. If located in a wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden VHFHSZ, a Fuel Modification Plan identifying proposed defensible space and fuel modification activities;

29. If located in a VHFHSZ, an evacuation analysis shall be provided for review by the County that includes, but may not be limited to, the following:

i. Roadway plan demonstrating adequate emergency vehicle access to an from the proposed division, on public and private roads, consistent with Chapter 21.24 (Design Standards) and Chapter 503.1.2 of Title 32 (Fire Code);

- ~~ii. Mapped evacuation routes from the proposed division to nearest highway shown on the Highway Plan, consistent with Section 21.24.010;~~
- ~~iii. Evaluations of mapped evacuation routes for traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end, one-way, gated, or single lane conditions in a range of emergency scenarios as determined by the County; and~~

X. Section 21.44.320 (Land Subject to Flood Hazard, Inundation, Geological Hazard, Or Wildfire Hazard)

Issue: Section 21.44.320 adds “VHFHSZ” to the types of areas (e.g., flood hazard, inundation, geological hazard) where the County may disapprove a tentative map or require protective improvements to be constructed as a condition precedent to approval of the map. For final maps, the section now states that a dedication of building restriction rights over the VHFHSZ may be required. Notably, sites can be removed from flood hazard or geologic hazard maps based on evidence that the hazard has been addressed by engineering solutions (e.g., FEMA’s “Letter of Map Revision” process). Conversely, CAL FIRE does not currently have any mechanism to remove a property from the VHFHSZ map, even if the wildfire risks have been mitigated to less than significant.

Newhall’s Proposed Text Changes (shown in bold):

- A. If any portion of the land within the boundaries shown on a tentative map of a division of land is subject to flood hazard, inundation, ~~or~~ geological hazard, or is located within a **wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden** ~~VHFHSZ~~ and the probable use of the property will require structures thereon, the advisory agency may disapprove the map of the portion of the map so affected and require protective improvements to be constructed as a condition precedent to approval on the map.
- B. ...
- C. If any portion of a lot or parcel of a division of land is subject to flood hazard, inundation, ~~or~~ geological hazards, or is located within a **wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden** ~~VHFHSZ~~, such fact and portion shall be clearly shown on the final map or parcel map be a prominent note on each sheet of such map whereon any such portion is shown. A dedication of building restriction rights over flood hazard, inundation, geological hazard, ~~or VHFHSZ~~ may be required.

XI. Section 21.52.010 (Modifications or Waiver of Provisions)

Issue: Section 21.52.010 states that provisions of Title 21 regulating development in VHFHSZ cannot be modified or waived, unless explicitly authorized by the Board of Supervisors. In other words, proposed Section 21.52.010(E)(3) would eliminate any discretion

below the Board level *even if* County Fire finds that the modification or waiver has no meaningful wildfire risk. This would limit the County’s flexibility based on a state process over which the County has limited or no control. Moreover, requiring Board approval for every modification request is onerous and would invite litigation against Board actions on variances. This limitation on staff discretion is certainly not needed in new ignition-resistant, master-planned communities built utilizing rigorous Chapter 7A building standards.

Newhall’s Proposed Text Changes (shown in bold):

...

E. Notwithstanding any contrary provisions of this Section:

...

3. In no event shall provisions of Title 21 regulating development in a **wildland area subject to hazard from brush or forest fire as determined by the forester or fire warden VHFHSZ** be modified or waived unless explicitly authorized by the Board of Supervisors **or unless located within a master-planned community with units constructed after January 1, 2020.**

XII. Hillside Design Guidelines

A. Design Measure 1.18

Issue: Design Measure 1.18, which establishes minimum setbacks for particularly steep slopes, does not distinguish between natural or graded slopes. However, the Hillside Design Guidelines are clear that Hillside Management Areas (“HMAs”) are areas that have 25% or greater *natural* slopes.

Newhall’s Proposed Text Changes (shown in bold):

1.18. Locate development of buildings away from mid-slope locations. Provide a minimum 15-foot setback from terrain with **natural** slopes between 25 percent to 49 percent.

B. Design Measure 1.20

Issue: Design Measure 1.20 should not apply to new master-planned communities where land uses, project layout, open space, parks, roads and other features are taken into account when designing the overall community and fuel zone modifications.

Newhall’s Proposed Text Changes (shown in bold):

1.20. Locate all buildings on site to consolidate Fuel Modification Zones A and B. This provision applies to structures subject to Section 4908.1 of Title 32 (Fire Code) and exempt if in conflict with applicable Community Standards District requirements. Development may also comply through: (1) shared Fuel Modification Zone B with

structures on adjacent parcels, or by (2) locating the structures within 100 feet of public road access. **This measure does not apply to structures within a master-planned community with units constructed after January 1, 2020.**

C. Design Measure 1.21

Issue: The Los Angeles County Fire Code (Title 32) can require brush clearance to a maximum of 200 feet in areas designated as high hazard. Section 1.21 requires a 200-foot minimum setback from structures and designated open space or public parkland areas. But public parkland areas and designated open space can often be used to serve as or complement fuel modification zones. Requiring fuel modification zones, designated open space, and public parkland all to be counted separately will increase impacts to surrounding natural resources and will do little to further enhance the fire safety of residents and structures within new, master-planned communities where land uses, project layout, open space, parks, roads and other features are taken into account when designing the overall community and fuel zone modifications.

Newhall's Proposed Text Changes (shown in bold):

1.21. Provide 200-foot minimum setback from structures and designated open space or public parkland areas to ensure that all required fuel modification is located within the project site boundaries and no brush clearance is required within the public parkland, to prevent impacts to the habitat and recreational resources. **This measure does not apply within a master-planned community with units constructed after January 1, 2020.**

D. Design Measure 3.9

Issue: Design Measure 3.9 now states that roadways and paved driveways should not be placed “mid-slope” whenever possible. However, Design Measure 3.9 does not state if it is applicable only to natural slopes or if it also applies to graded slopes. Because graded slopes have already been significantly modified and landslide potential and fire behavior has been mitigated, we believe that Design Measure 3.9 should not apply to graded or manufactured slopes within new master-planned communities because the overall design of the community addresses potential geological and wildfire risks related to mid-slope construction.

Newhall's Proposed Text Changes (shown in bold):

3.9. Place all new roadways and paved driveways at least 100 feet below the crest of the tallest hilltop or ridgeline located onsite, or offsite within 500 feet of the project boundary. Avoid mid-slope locations wherever possible. **Graded and manufactured slopes are exempt from this requirement for locations within a master-planned community with units constructed after January 1, 2020.**