

Katherine Douglas

*Public Comment*

A-21



**From:** Jana Zimmer <zimmerccc@gmail.com>  
**Sent:** Tuesday, June 10, 2025 11:57 AM  
**To:** sbcob  
**Cc:** Solomon Richard  
**Subject:** Re-send of Safety Element comment 7.11.2023  
**Attachments:** Resend Safety element memo 78.11.2023\_001.jpg; Resend Safety element memo 78.11.2023\_001.jpg

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Ms. Alexander,

Please distribute and file this additional document, first sent on 7.11.2023, and which was also meant to be attached to my correspondence of June 9. Thank you.

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Jana Zimmer

(805)705-3784

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The Board letter recites that Staff has “changed the language of Policy 1.2 to eliminate concerns that it could be interpreted as potentially reducing the number, or burden development of, housing opportunity sites within the 2023-2031 Housing Element as a result of a need to comply with Government Code §65302.8. This Government Code provision states that if the County’s Comprehensive Plan policies (e.g. Safety Element wildfire policies) operate to limit the number of housing units constructed on an annual basis, certain findings must be made to do so. The language has been changed from:

*“The County shall discourage land uses that could put people at unreasonable risk in High or Very High Fire Hazard Severity Zones”, to*

*“The County will consider risks from hazards when reviewing plans for development and occupancies in High or Very High Fire Hazard Severity Zones and take action to minimize risks to occupants to the greatest extent feasible”*

While on their face policies applicable to discretionary applications for subdivisions do not mandate denial, but rather compliance to the greatest extent feasible, See, e.g. Fire 1.5 Subdivision Access<sup>[1]</sup>, or “reasonable measures, in the case of the Mission Canyon Plan, my specific concern is that Proposed Policy Fire 8.1 appears to require that “All new development in the Very High Fire Hazard Severity Zone VHFHSZ will comply with ingress/egress requirements found in applicable wildfire Development Standards, Fire Code, and the State Fire Safe Regulations.” Depending on which ingress/egress requirements are determined to apply, this could mandate denial in a given case. As County Counsel will no doubt advise, “Shall” or “Will” is mandatory. Thus, the policy as written appears to be a change from current policy, which authorizes the Fire Marshal to find “same practical effect” for alternative measures.

Therefore, I request that the Board direct staff to revise the policy to change the word “will” to “should”, or provide a footnote in the plan to specify that the Fire Marshal clearly retains their current authority to make appropriate decisions on a case by case basis.

Jana Zimmer  
(805)705-3784

<sup>[1]</sup> For example, “Subdivision projects shall site access roads between new homes and wildland areas, *to the greatest extent feasible*, while also minimizing disturbance to sensitive environmental resources, in order to maximize defensible space, access for fire suppression, egress for affected residents, and to reduce wildfire risk to new homes and structures.”

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