

Pine Meadow Ranch HOA
NOTICE OF PROPOSED RULE CHANGE
Defensible Space Rule - New Construction

March 9, 2022

Dear Owners:

The Pine Meadow Ranch Fire Safety Committee has drafted and proposed a Fire Mitigation Rule for new construction (see next page).

At the February Board meeting, the Board voted to present the proposed rule to the community for comment.

Your opinion is important and we welcome your feedback! Please indicate whether or not you are in favor of the rule and provide your written comments [here](#).

You will have another opportunity to comment at the March 15, 2022, Board meeting. The Board's vote on the rule change is tentatively scheduled for April 19, 2022, which will also allow time for comment.

Sincerely,

John Adams, VP
vp@pinemeadowranch.org

DRAFT RULE PROPOSAL
Open for Community Comment
Version 1.0 - 3/9/2022

Defensible Space Rule - New Construction

1. History and Current Condition:

The potential for fire within the Pine Meadow Ranch has increased significantly over the past decade due to changing climate trends and new construction.

Warm drought conditions, for example, have led to a decline in the health of conifer and aspen forests. Stands of heat-stressed conifers are now more susceptible to bark-beetle attacks and disease. Aspen groves are at greater risk of Sudden Aspen Decline (SAD) due to fungal and insect damage. Collectively, these conditions are increasing the supply of dry, dead fuel.

In addition, disturbed soil from new home construction has allowed aggressive, non-native plant species to take hold. The spread of Cheatgrass, for instance, has increased the availability of fine textured fuels that increase fire intensity and the ability of a fire to spread quickly and uncontrollably.

These conditions are altering our mountain landscape and increasing the risk of fire within our community. Therefore, the HOA Board, through the work of the Fire Safety Committee, is introducing “Fire Mitigation Rules” for all new construction on the Ranch.

2. Objective:

The objective of these rules is to create defensible space that will slow the spread of fire and prevent surface-level fires from quickly climbing trees and tall brush.

3. Timing:

The fire mitigation steps outlined in **Section 5 - Instructions** are to be completed within the first 12-months of occupancy.

4. Enforcement:

A. Lot Improvement Plan Surety Bond:

- A \$1,000 defensible space bond shall be secured when submitting a Lot Improvement Plan (LIP) for new construction.
- This bond may be redeemed by the owner after demonstrating compliance through photos or an on-site inspection by a Fire Safety Committee member or an HOA Board Member.
- The Fire Safety Committee member or HOA Board Member reviewing the lot owner’s work, will email the HOA Administrator and lot owner, acknowledging that the defensible space criteria has been met.
- The HOA Administrator will return the Surety Bond deposit to the owner within 30 days of receiving this acknowledgement.

B. Noncompliance:

- In the event a property owner fails to comply within the first 12-months of occupancy and within 60 days of receiving a written deficiency notice, the lot owner forfeits the surety bond.
- Additionally, the HOA and its contractors, may enter upon the land and apply the measures outlined in **Section 5 - Instructions** to create defensible space at the expense of the owner (due and payable immediately or through a property lien until paid in full). **Note:** Such entry onto the land will not be considered a trespass. Billable expenses for removal of fuel to create defensible space will be deducted by the amount of the forfeited surety bond.
- Privacy Exception:** Privacy Zones will be allowed on a case-by-case basis for homes, decks, patios, saunas, and garages when the procedures outlined in **Section 5 - Instructions** are shown to create a direct line of sight between neighboring homes that would, otherwise, not exist.

5. Instructions:

A. Identify and Mark Your Home’s “30-foot, Intermediate Ignition Zone” and Complete the Following Action Items within this Zone:

- How:** Measure 30 feet from the outermost part of any structure, deck, carport, or exterior wall. The area inside this measurement is your property’s **Intermediate Ignition Zone**. **Note:** This Zone stops at your property line.
- Remove Small Conifers:** Remove conifer trees with a trunk diameter under six inches. Measure trunk diameter, four feet from the ground’s surface. **Exception:** If the tree’s outermost branch-tip is at least ten feet from the outermost branch-tip of surrounding trees or structures, it can remain.
- Limb Large Trees.** Remove all lateral, side-growth that originated above ground to a height of six feet from the ground’s surface. This applies to trees with a trunk diameter of at least six inches. Measure trunk diameter, four feet from the ground’s surface.
- Remove Dead Trees:** Remove all dead trees.
- Limit Brush Diameter:** Trim all clumps of brush to a diameter of ten feet or less.
- Maintain Brush Spacing:** Brush clumps must be separated by ten feet of open space.
- Limb Tall Brush over eight feet in height:** Remove all limbs and branches from ground level to a height of six feet.
- Clear Drip Lines:** Clear all brush from underneath the drip lines of conifers and aspen.
- Remove Deadfall:** Remove all downed branches, stacked wood, and dead brush piles. **Exception:** Wood cut and properly isolated for wood burning appliances and fireplaces.

B. Identify and Mark Your Home’s “80-Foot, Extended Ignition Zone” and Complete the Following Action Items within this Zone:

- How:** Measure 80 feet from the outermost part of any structure, deck, carport, or exterior wall. The area inside this measurement is your property’s **Extended Ignition Zone**. **Note:** This Zone stops at your property line.

- Limb Large Trees.** Remove all lateral, side-growth that originated above ground to a height of six feet from the ground's surface. This applies to trees with a trunk diameter of at least six inches. Measure trunk diameter, four feet from the ground's surface.
 - Dead Standing Trees:** Cut and remove all dead standing trees. **Exception:** A single, dead standing tree may be left every 50 feet for wildlife habitat if not deemed to be a hazard to structures or roads.
 - Remove Deadfall and Downed Trees:** Remove all downed branches, stacked wood, dead brush piles, and downed trees. **Exception:** A single log may be left every 50 feet for wildlife habitat if it is at least 12 inches in diameter and at least ten feet long.
- C. Protect Community Roads:**
- When Property Lines are adjacent to Community Roads:** Cut and remove all dying and dead standing trees within 30 feet of community roads.
- D. Protect Neighboring Homes:**
- If the "30-foot, Intermediate Ignition Zone" of a neighboring home or structure extends across your property line:** Complete the Action Items outlined in **Section 5.A.** on your side of the property line within this Zone. Do not cross over onto your neighbor's property.
- E. Removal Options:**
- Hauling:** Haul brush, limbs and logs off site.
 - Burning:** Create burn piles for winter burning within or outside of the **Extended Ignition Zone**, that meet state, county, and HOA requirements.
 - Broadcasting:** Broadcast wood chips less than four inches deep either within or outside of the **Extended Ignition Zone**.
 - Piling:** Establish isolated wood chip piles within or outside of the **Extended Ignition Zone**.

6. Basis:

These rules were developed from decades of research and direct experience in the Wildland Urban Interface (WUI) across the country, but are adapted to the vegetation, conditions, and expected fire behavior in our local area.

*** End of Rule ***

Procedural References:

Utah Title 57. Real Estate, Chapter 8a, Community Association Act ([view here](#)):

57-8a-217. Association rules ([view here](#)):

57-8a-214. Fair and reasonable notice ([view here](#)):

16-6a-103. Notice ([view here](#)):