

**PROPOSED
HIGH DENSITY EXTREME / VACANT LOT
ADMINISTRATIVE RULE AMENDMENTS**

**OAR 629-044-1005
Definitions**

(Add the following new definition)

(a) “Community Wildfire Protection Plan” means a plan developed pursuant to the federal Healthy Forests Restoration Act of 2003 and which has been approved, within the past five years, by the appropriate city or county, by the appropriate structural fire service provider and by the Oregon Department of Forestry.

**OAR 629-044-1020
High Density Extreme Classification**

(1) **(a)** The purpose of the High Density Extreme classification is to identify those lands where ~~[the combination of an Extreme classification and a high density of dwellings poses an enhanced threat to life safety and where]~~ vegetation modification around structures alone may not be sufficient to help protect lives during a wildfire.

(b) Owners of lands classified High Density Extreme are required to provide fuel breaks adjacent to:

- (A) Property lines;**
- (B) Roads; or**
- (C) Both property lines and roads.**

(2) Lands may be classified by a committee as High Density Extreme ~~[only]~~ when a geographic area meets all of the following criteria:

- (a) The lands have been classified by a committee as Extreme based on the hazard factors;
- (b) The lands have a current zoning for residential development;
- (c) The lands contain fuels which, if not modified or treated, will result in a wildfire having a significant rate of spread and intensity;
- (d) The lands have:
 - (A) An average tax lot size of less than three acres; or
 - (B) A typical tax lot configuration which prevents the establishment of a 30 feet wide fuel break adjacent to structures;
- (e) The lands lack:
 - (A) Safety zones; or

(B) Effective vehicle egress which may hamper the safe evacuation of dwellings during a wildfire.

(3) Notwithstanding subsection (2) of this rule, lands may be classified by a committee as High Density Extreme when all of the following apply to a geographic area which has current zoning for residential development:

(a) The committee receives a written request for such classification from one or more of the following entities in which the lands are located:

(A) The county;

(B) The city;

(C) The structural fire service provider;

(D) The entity responsible for development of a Community Wildfire Protection Plan; or

(E) The homeowner's association.

(b) The written request contains:

(A) Certification that the request has been approved by the governing body of the entity;

(B) Justification for the requested classification, based upon:

(i) The existence of fuels which, if not modified or treated, will result in a wildfire having a significant rate of spread and intensity; or

(ii) A lack of effective vehicle egress which may hamper the safe evacuation of dwellings during a wildfire.

(4) When lands are classified by a committee as High Density Extreme, the committee shall also specify which of the following options shall apply to the lands:

(a) Option 1, where fuel breaks shall be provided adjacent to property lines pursuant to OAR 629-044-1075(1);

(b) Option 2, where fuel breaks shall be provided adjacent to roads pursuant to ORS 629-044-1075(2); or

(c) Option 3, where fuel breaks shall be provided adjacent to property lines and to roads pursuant to OAR 629-044-1075(1) and (2).

(5) Written requests received by a committee under subsection (3) of this rule automatically terminate after a period of five years.

OAR 629-044-1075

Additional Standards For Lands Classified As High Density Extreme

(1) On all lands classified by a committee as High Density Extreme with Option 1, owners shall provide fuel breaks which comply with the requirements of OAR 629-044-1085 and which are immediately

adjacent to all~~[-(1) Property]~~ **property** lines, for a distance of twenty feet or ~~[an]~~ **to the** adjacent property line, whichever is the shortest distance. The distance shall be measured along the slope~~[- and]~~.

(2) On all lands classified by a committee as High Density Extreme with Option 2, owners shall provide fuel breaks which comply with the requirements of OAR 629-044-1085 and which are immediately adjacent to all [Roads] road centerlines, for a distance of at least [twenty] thirty feet [from side of every road], or to the property line, whichever is the shortest distance. The distance shall be measured along the slope and from the [furthest extension] center of the driving surface.

(3) On all lands classified by a committee as High Density Extreme with Option 3, owners shall comply with subsections (1) and (2) of this rule.