



AGENDA COVER MEMO

Memorandum Date: May 5, 2023

Agenda Date: May 23, 2023

TO: Board of County Commissioners

DEPARTMENT: Public Works / Land Management Division (LMD)

PRESENTED BY: Jared Bauder, Associate Planner
Keir Miller, Land Management Division Manager

AGENDA ITEM TITLE: ORDER 23-05-23-__ / In the Matter of Amending Lane Manual Chapter 4 to Revise the Defensible Space Irrigation System Financial Incentive (LM 4.040.305).

I. MOTION

Move to approve Order 23-05-23-__ as presented;

II. AGENDA ITEM SUMMARY

The Board is being asked to consider and adopt amendments to Chapter 4 of the Lane Manual. The proposed amendment would make a minor modification to the Lane County Firewise Incentives Program to expand an available financial incentive for qualifying projects. Specifically, the proposed amendment will increase the incentive to install an irrigation system to serve the 30 feet of defensible space buffer established around a dwelling from 25% of costs up to \$500 to 80% of costs up to \$500.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

On December 12, 2008, the Land Management Division (LMD) submitted an application to the Board of Commissioners for Title III funding to establish a County Firewise incentives program.

On February 18, 2009, the Board unanimously approved funding for the proposal under Order No. 09-2-18-5.

On April 15, 2009, the Board adopted official policy language for the program, under Order No. 09-3-31-4. Adopted policies are codified in Lane Manual 4.040

(Formerly LM 4.300-325).

At the close of the April 15th meeting, LMD was directed to return to the Board on November 4, 2009, and present a report back on the status of the new program.

On November 4, 2009, the Board approved an Order that increased the amount of money a property owner could qualify for related to creating defensible space around their home and added a new incentive to install a water catchment tank to maintain a green defensible space.

B. Policy Considerations

It is necessary to monitor and periodically refine program policies and financial incentives offered to residents so that the Firewise program can be effectively administered.

C. Board Goals

The amendment supports the following Lane County Strategic Priority:

Strategic Priority #2:

Goal 2: Invest in Lane County residents by fostering engaged communities with affordable housing options, equitable opportunities, economic vitality and a healthy environment.

B. Focus on the intersection of economic development, equity and the environment as we look to achieve a viable, fair and livable community.

By establishing the proper types of financial incentives that County residents may use to protect their homes from wildfires, the proposed amendment generally supports Strategic Priority #2, healthy environment.

One aspect of the landscaping and construction incentives offered through this program (and the Lane Manual language that guides their administration) is that they are designed to stimulate growth in the local landscaping and construction industries, by requiring most of the work be completed by licensed contractors and landscapers.

D. Financial and/or Resource Considerations

No adjustments to the Firewise Program budget are being proposed. The recommended Lane Manual amendments will simply enable the County to reimburse a property owner a larger percentage of what they spend on installing irrigation but does not increase the maximum amount that can be reimbursed.

E. Health Implications

The proposed amendments will have no health implications.

F. Analysis

The Lane County Firewise Incentive Program provides reimbursement-based grants to rural Lane County homeowners to assist in Defensible Space fuels-reduction and home-hardening projects. There is a list of 11 total incentives available through the program, with a maximum possible reimbursement among all incentives of \$15,500. Many of the grants reimburse a percentage, generally 80% and up to a set maximum amount, for homeowners to hire licensed contractors do the prescribed work. The exception is the Defensible Space Irrigation System Incentive, which only reimburses 25% of the cost of irrigation installations up to a maximum of \$500.

Firewise Program staff propose to increase the percentage of reimbursement for this incentive to 80%, to bring the reimbursement percentage rate of this Incentive in line with the others for consistency and additional access to resources.

Experience suggests that these changes will encourage more program participants to take advantage of the irrigation system incentive. Further, most participants only use the irrigation incentive if they are also pursuing the water catchment tank incentive. Increasing the reimbursement percentage will also benefit those who do not have capacity to maintain a water catchment system, but would like to take advantage of the incentive to help them irrigate the vegetation surrounding their homes during the summer months.

An examination of rates for 2021 applicants, finds 23 out of 71 (approximately 32%) program participants who were offered the Irrigation Incentive took advantage and used the grant. By comparison, out of the 69 participants who were offered the Water Catchment Tank Incentive, which reimburses 80% of cost up to \$2500, 36 participants (approximately 52%) took advantage of the grant.

We believe that a higher rate of reimbursement will encourage more homeowners to take advantage of the Irrigation Incentive, both to accompany water catchment systems and as a stand-alone defensible space measure for hydrating their landscaping.

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G. Alternatives/Options

- 1) Adopt the proposed order amending Chapter 4 of the Lane Manual as presented.
- 2) Do not adopt the Order and direct staff to revise the proposed amendments to Lane Manual.

IV. RECOMMENDATION

Staff recommends Option 1.

V. TIMING/IMPLEMENTATION

If the Board proceeds with Option 1 above, the Lane Manual changes become effective and the increased incentive will become available to residents during the next Firewise grant application cycle.

VI. ATTACHMENTS

Attachment 1. Board Order 23-05-23-____
Exhibit A – Proposed amendments to Lane Manual Chapter 4

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 23-05-23-08

IN THE MATTER OF AMENDING LANE
MANUAL CHAPTER 4 TO REVISE THE
DEFENSIBLE SPACE IRRIGATION
SYSTEM FINANCIAL INCENTIVE
(LM 4.040.305)

WHEREAS, certain changes to Lane Manual Chapter 4 are required to revised the Defensible Space Irrigation System Financial Incentive;

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

Lane Manual Chapter 4 is amended by removing, substituting and adding the following sections:

REMOVE THIS SECTION

4.040.305

INSERT THIS SECTION

4.040.305

If any section, subsection, sentence, clause, phrase, or portion of this Order or the referenced Lane Manual provisions are for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion is deemed a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions.

Said sections are attached hereto and incorporated herein by reference. The purpose of this addition is to update Financial Incentives.

ADOPTED this 23rd day of May 2023.

Pat Farr, Chair
Lane County Board of Commissioners

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4.040.305 – Financial Incentives.

In an effort to reduce the catastrophic loss of life, property and natural resources from a wildland urban interface disaster Lane County promotes home design, construction, landscaping and maintenance activities that follow the national Firewise Communities program guidelines. To this end, the following incentives are available to qualifying homeowners within Lane County but outside the Urban Growth Boundary of an incorporated city, to the extent consistent with LM 4.040.310:

- A. **Building Permit Fee Waivers.** Building permit fees may be waived for property owners and supplanted with Title III funds for those qualifying improvements listed under LM 4.040.305B that are made to lawfully established dwellings and that meet applicable standards found in the 2009 International Urban-Wildland Interface Code. These waivers shall cover one hundred percent (100%) of building permit fees, when permits are required for said improvements, up to a maximum amount of two thousand five hundred dollars (\$2,500). However, no more than twenty percent (20%) of the total annual Title III incentive funding available each fiscal year shall be applied towards fee waivers. Fees for planning actions, septic permits, and other approvals separate from the building permit are not covered by this waiver. The County may require a deposit for these permits not to exceed the lesser of either twenty-five percent (25%) of the permit fee, or one thousand dollars (\$1,000). The purpose of such deposits is to ensure that applicants bring projects to a satisfactory conclusion while their eligible funds are being held in abeyance from other projects. If a project is not completed in a timely manner this deposit will be retained only to the extent necessary to compensate Lane County for costs incurred in review of the project. Deposits will be refunded in full upon the completion of all work required on the project, if done within one (1) year of eligibility being determined and approved.
- B. **Building Improvement Incentives.** Financial incentives to pay licensed contractors and landscapers are available to eligible County homeowners who satisfactorily complete the following types of building improvements:

Improvement	Available Financial Incentive
1. Roof Covering (Shake to approved Class A non-combustible roof covering or Class B roof assembly).	80% of construction cost up to \$4,000 maximum, if a defensible space exists or is developed, consistent with LM 4.040.305C.1.
2. Noncombustible Exterior Siding.	80% of construction cost up to \$4,000 maximum, if a defensible space exists or is developed, consistent with LM 4.040.305C.1.
3. Fire Resistant Glazing for Windows, Skylights and Other Exterior Glass Applications.	80% of construction cost up to \$1,500 maximum, if a defensible space exists or is developed, consistent with LM 4.040.305C.1.
4. Exterior Doors.	80% of construction cost up to \$300 maximum, if a defensible space exists or is developed, consistent with LM 4.040.305C.1.
5. Spark Arrestor Installation.	\$100
6. Vent Protection.	\$100

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- C. Landscaping Improvements. Financial incentives to complete the following types of landscaping improvements are available as follows:

Improvement	Available Financial Incentive
1. Defensible Space Development.	\$500 (base) and up to \$2,000 when warranted by specific site conditions.
2. Driveway Access.	\$200 when warranted by site conditions and performed in conjunction with LM 4.040.305C.1.
3. Fire Resistant Plants & Hardscaping.	\$300, maximum, in conjunction with LM 4.040.305C.1.
4. Defensible Space Irrigation System.	25 80 % of installation and system costs up to \$500, in conjunction with LM 4.040.305C.1.
5. Water-Catchment Storage Tanks Supplying Water to a Defensible Space Irrigation System (maximum individual tank size not to exceed 5,000 gallons).	80% of installation and equipment costs up to \$2,500 when performed in conjunction with LM 4.040.305C.1 and LM 4.040.305C.4.

- D. Applicants pursuing incentives provided for in LM 4.040.305A through LM 4.040.305C must address specific qualifying standards and criteria as the Public Works Director may reasonably require. These standards and criteria are set forth on the Lane County Firewise Incentives Grant Application form. This application must be completed by the applicant or his or her authorized agent and submitted to the Land Management Division prior to the start of any project where county Firewise Incentive Program funds will be sought.
- E. No person, entity, or affiliation shall be eligible for Firewise financial incentives for more than two (2) residences annually.

(Order 09-3-31-4, 4.15.09; Order 10-3-17-8, 3.17.10; Order 18-05-01-06, 5.1.18)

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