

Pursuant to Subdivision (b) of Section 12956.1 of the Government Code, the following notice is printed in 14-point boldface type.

**NOTICE**

If this document contains any restriction based on race, color, religion, sex, familial status, marital status, disability, national origin, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.1 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

Covenants and restrictions, if any, based on race, color, religion, sex, handicap, familial status, or national origin are deleted unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.



2003-0116149

Recorded  
Official Records  
County Of  
Marin  
JOAN C. THAYER  
Recorder

REC FEE 112.00

08:00AM 19-Sep-2003 JB  
Page 1 of 36

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36  
RECORDED AT REQUEST  
OF CAL LAND TITLE

WHEN RECORDED, RETURN TO:

JEFFREY G. WAGNER  
Law Office of Jeffrey G. Wagner  
1777 N. California Blvd., Suite 200  
Walnut Creek, CA 94596-4180

**SECOND AMENDMENT  
TO THE  
POINTE MARIN  
DECLARATION OF RESTRICTIONS (CC&Rs)**

**THIS SECOND AMENDMENT** is executed by CENTEX HOMES, a Nevada general partnership, and SHEA HOMES LIMITED PARTNERSHIP, a California limited partnership (collectively the "Declarant") with reference to the following facts:

- A. Declarant is constructing a residential development in multiple phases located on certain real property in Novato, California. The initial phases consisted of the property shown on the subdivision map entitled "Map of Pointe Marin Phase One" filed in the records of Marin County, California, on December 28, 2001, in Book 2001 of Maps at page 238 (the "Phase One Map"). The lots in the first phase and the lots subsequently annexed are subject to the Pointe Marin Declaration of Restrictions (CC&Rs) recorded on October 17, 2002, as Series No. 2002-0092068 in the records of Marin County, California, and amended by a First Amendment recorded on November 18, 2002 as Series No. 2002-0104681 in the records of Marin County, California (collectively the "Declaration").
- B. Certain phases to be annexed into the Development are shown on the subdivision map entitled "Map of Pointe Marin Phase Two" filed for record on August 4, 2003 in Book 2003 of Maps at Page 179 in the records of Marin County, California (the "Phase Two Map") and the subdivision map entitled "Map of Pointe Marin Phase Three" filed for record on August 4, 2003 in Book 2003 of Maps at Page 180 in the records of Marin County, California (the "Phase Three Map").
- C. **Section 14.1** authorizes Declarant to add complementary additions, amendments and modifications to the Declaration applicable to lots that are being annexed into the Development. Declarant desires to amend the Declaration as part of the annexation of lots shown on the Phase Two and Phase Three Maps to: (i) describe the fuel modification plan applicable to the lots shown on the Phase Two Map and the Phase Three Map; (ii) record as an exhibit to this Second Amendment a plan that is a combination of the plans applicable to the lots within the Phase One Map and the lots within the Phase Two and the Phase Three Maps; (iii) describe the lots shown on the Phase Two and Phase Three Maps that are within fuel modification areas; (iv) describe the Association's and Lot Owners'

August 28, 2003

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obligation under the fuel modification plan; (iv) describe the monument easement over Lot 287 shown on the Phase Three Map and the Association's responsibility to maintain the monument; (v) describe the easements and restrictions applicable to certain lots that abut the Arroyo San Jose Creek and (vi) add Exhibit B-1 describing maintenance responsibilities applicable to certain properties within the Phase Two and Phase Three Maps to the Exhibit B recorded with the Declaration (as modified by the First Amendment) regarding properties within the Phase One Map.

**THE DECLARATION IS AMENDED AS FOLLOWS:**

1. The fuel modification plan, dated September 2001, prepared by Nuvis and described in **Section 1.11** of the Declaration applies to the fuel modification areas within the properties shown on the Phase One Map (the "Phase One Plan"). The Pointe Marin Novato California Vegetation Management and Fuel Modification Plan, dated January 27, 2003 applies to the fuel modification areas within the properties shown on the Phase Two Map and the Phase Three Map (the "Phase Two/Three Plan"). The Phase One Plan and the Phase Two/Three Plan are identical with the exception of the location and the depth of the fuel modification areas and certain information in Appendix E. In order to ensure reasonable access to the Phase One Plan and the Phase Two/Three Plan, the Plans have been combined into one plan and recorded with this Second Amendment as Exhibit A. The plans have been combined by using the Phase Two/Three Plan and adding to Appendices D, E and F the information specifically applicable to the lots within the Phase One Map.

**Section 1.11** is amended by deleting the Phase One Plan and substituting the following in its place:

The Pointe Marin Novato California Vegetation Management and Fuel Modification Plan, dated January 27, 2003, a copy of which is attached to this Second Amendment as Exhibit A.

2. **Section 1.15** is amended by adding the following thereto:

The subdivision map entitled "Map of Pointe Marin Phase Two" filed for record on August 4, 2003 in Book 2003 of Maps at Page 179 in the records of Marin County, California (the "Phase Two Map") and the subdivision map entitled "Map of Pointe Marin Phase Three" filed for record on August 4, 2003 in Book 2003 of Maps at Page 180 in the records of Marin County, California (the "Phase Three Map").

3. A new **Section 2.16** is added to read as follows:

**Monument Easement.** Declarant grants an easement to the Association in favor of the Common Area as the dominant tenement over a portion of Lot 287 shown on the Phase Three Map as the servient tenement for the installation, retention, inspection, maintenance, repair and/or replacement of the monument installed within Lot 287. The location of the easement shall be shown on the grant deed from Declarant to the first purchaser of Lot 287 or on another appropriately recorded document. The easement includes access rights from the abutting public right-of-way to the monument to inspect, maintain, repair or replace the monument. The Association shall maintain and repair the monument.

4. **Section 4.1** is amended by adding the following new paragraph thereto:

Fuel modification areas are situated on portions of Lots 188 through 193, 199, 203 through 206 and 220 through 224 shown on the Phase Two Map and Lots 248, 249, 253 through 257, 279 through 296, 304 through 308, 323 through 325, 329 through 336 and 341 through 345 shown on the Phase Three Map. The area on each Lot consists of a buffer zone that is 30 to 50 feet wide as measured from the rear or side of the residential structure situated on the Lot. The fuel modification area within each Lot is shown in the maps set forth in Appendix F to the Fuel Modification Plan attached as Exhibit A to this Second Amendment. Each Lot Owner shall maintain that portion of the fuel modification area situated within the Owner's Lot and the Association shall maintain any portion that extends beyond the rear or side boundary of the Owner's Lot. The fuel modification areas shall be maintained in accordance with the maintenance requirements set forth in the Fuel Modification Plan described in **Section 1.11**.

5. **Section 4.3** is amended by adding the following new paragraph thereto:

The Arroyo San Jose Creek traverses portions of Lots 195 through 198, 225 through 232 and 234 through 237 shown on the Phase Two Map and Lots 238 and 239 and 263 through 270, 274 and 333 through 338 shown on the Phase Three Map. The creek areas are subject to flood control and conservation easements in favor of the City of Novato as shown on the Phase Two Map and the Phase Three Map. No Improvements of any nature shall be constructed within these easement areas. No Owner shall dump any landscape cuttings or other debris within the easement areas. The Association shall be responsible for the periodic removal of any landscape cuttings or other debris within the easement areas.

6. Exhibit B-1 attached to this Second Amendment is added to Exhibit B to the Declaration as amended by the First Amendment and is made a part thereof.

Subject to the modifications contained in this Second Amendment, the Declaration remains in full force and effect in accordance with its terms. This Second Amendment shall be effective as of the date it is recorded in the records of Marin County, California.

**Centex Homes,**  
a Nevada general partnership

By: Centex Real Estate Corporation,  
a Nevada corporation, Its Managing General partner

By: [Signature]  
Its CHIEF FINANCIAL OFFICER

**Shea Homes Limited Partnership,**  
a California limited partnership

By: J. F. Shea LLC,  
a Delaware limited liability company,  
its General Partner

By: \_\_\_\_\_  
Its \_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_

*Signed in Counterpart*

Subject to the modifications contained in this Second Amendment, the Declaration remains in full force and effect in accordance with its terms. This Second Amendment shall be effective as of the date it is recorded in the records of Marin County, California.

**Centex Homes,**  
a Nevada general partnership

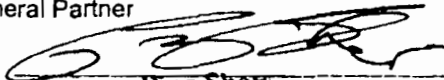
By: Centex Real Estate Corporation,  
a Nevada corporation, Its Managing General partner

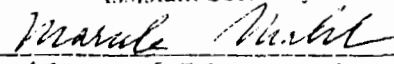
By: \_\_\_\_\_  
Its \_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_

**Shea Homes Limited Partnership,**  
a California limited partnership

By: J. F. Shea LLC,  
a Delaware limited liability company,  
its General Partner

By:   
Its Ping Shaw  
Assistant Secretary

By:   
Its ASST. SECRETARY

*Signed In Counterpart*

STATE OF CALIFORNIA )  
COUNTY OF Contra Costa )ss.

On 8/29/03, before me, Jackie A. Nelson,  
personally appeared Laurel A. Rochester, personally known to me (or  
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Jackie A. Nelson



STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ )ss.

On \_\_\_\_\_, before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_, personally known to me (or  
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

STATE OF CALIFORNIA )  
 )ss.  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_, personally known to me (or  
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

STATE OF CALIFORNIA )  
 )ss.  
COUNTY OF Alameda )

On August 29, 2003, before me, Mary-Jane Iverson,  
personally appeared Ping Shaw & Marcela Matek, personally known to me (or  
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

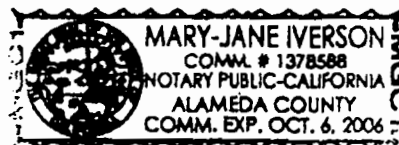




EXHIBIT B-1 - Maintenance District Ownership and Maintenance Obligations

Set forth below is a description of additional property that will be owned and/or maintained by the Maintenance District described in **Section 2.16** and a description of the maintenance requirements.

Parkway. The parkway situated within Parcel F shown on the Phase Two Map. The landscaping and irrigation system within the parkway shall be maintained in good condition and repair and in a healthy and weed-free condition. Maintenance shall include regular fertilization, mowing, irrigation, pruning and other customary prudent landscaping practices. The monuments within the parkway shall be maintained by the Association as described in **Section 4.3**.

Perimeter Walls. The perimeter walls on or about the common boundary between Lot 188 and Parcel F shown on the Phase Two Map and on or about the common boundary between Lots 290, 291, 295, 315, 316, 318, 319, 320 and 321 and Ignacio Boulevard shown on the Phase Three Map. The perimeter walls also include any perimeter walls installed on or about the common boundary lines between Lots 288 and 290 shown on the Phase Three Map. The perimeter walls shall be maintained in good condition and repair. Maintenance shall include repainting on an as-needed basis and graffiti removal in accordance with the City's graffiti ordinance.

# EXHIBIT "A"

POINTE MARIN

NOVATO, CALIFORNIA

## VEGETATION MANAGEMENT and FUEL MODIFICATION PLAN

April 8, 2003

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## INTRODUCTION

The following information is a requirement of the "Novato Fire Protection District Fire Loss Management Division", Fire Protection Standard 220, "Vegetation Management Plan", DATED 2/22/01. The information and requirements contained in this document shall be incorporated into the Development CC & R's.

## EXISTING SITE DESCRIPTION

Pointe Marin is a Planned Development of over three hundred and forty Single Family Residential Units, and 100 Senior Housing Units, to be developed under the Army Reuse Plan. Proposed to be constructed in three phases. Located in Ignacio Valley and bisected by Ignacio Boulevard. The site is surrounded by existing residential development on the North (partially), South and West. See Appendix C.

The North portion of phase one is adjacent to sloping natural open space consisting of grasses with solitary and small groupings of native trees.

## VEGETATION MANAGEMENT AND FUEL MODIFICATION

A well-designed and properly maintained landscape is a visual delight, matches the needs of the homeowners desires and can be a major asset, both in property value and fire prevention.

Criteria contained within NFPD Standard 220 indicate that a "Defensible Space Zone" of 30' X 30' x 50' from proposed structures is required for Phase Two and Three of Pointe Marin. This zone was determined by the Fire Hazard Risk Assessment Matrix within NFPD Standard 220 and is found in Appendix F. When this zone is contained solely within a residential rear or side yard, residents shall be required to adhere to installing plant material as listed under the "Recommended Fire Resistant Plant Materials".

Pyrophytic plants are a classification of plant materials containing characteristics that ignite readily and burn intensely. Characteristics include blade-leaf or needle-leaf evergreens, typically stiff leaves, leathery leaves and wood containing volatile waxes, fats or oils, plants containing dry or dead materials, leaves that are pubescent or hair covered, loose or papery bark, plants that are water stressed or in poor condition, or plants that can be easily ignited with a match or spark.

Fire resistant plants are typically broad-leaf deciduous trees, leaves tend to be supple, moist and easily crushed, tend to be clean with little deadwood, low growing (shrubs) two feet, sap is water-like and lacks a strong odor.

Recommendations (key points) to minimize fire hazards:

- Minimize or eliminate highly flammable plants
- Reduce potential for a "fire ladder"
- Create a fuel break around structures
- Properly space and prune trees
- Remove flammable debris or build-up from site
- Remove trimmed or cut material from site
- Use Fire Resistant Plant Materials when ever possible
- Prohibit the use of "shredded redwood bark" or "monkey hair" as a mulch material

## DEFENSIBLE SPACE ZONES

ZONE ONE is the first thirty feet around a structure. This is the landscape zone for foundation plantings. It may contain traditional trees, shrubs, groundcovers, and lawn. Plants in this zone shall be the most fire-resistant, and not include Pyrophytes that are high in oils and resins. Regular maintenance and a regulated irrigation program are essential. Non-flammable landscape patios, walkway materials with rock and gravel mulch are useful in reducing fire hazard in this zone.

ZONE TWO is the middle area consisting of thirty to seventy feet from the structure. This zone should include low plants, up to eighteen inches high, such as fire resistant groundcovers, to act as a fuel break and prevent the spread of ground fires. Existing native plant material within this zone will require regular monitoring and pruning or trimming with removal of dead wood and debris.

ZONE THREE included fringe areas adjacent to open space. A native area, occasionally containing introduced vegetation, shall be trimmed or thinned within and immediately adjacent to residential lots. Fringe or the perimeter of large residential lots shall be maintained on a regular basis to eliminate a build-up of dry brush and other debris. This will greatly assist to prevent a fire in the open space from spreading to homes.

## FUEL MANAGEMENT and MAINTENANCE PROCEDURES

Landscape maintenance can be minimized with proper plant selection. Drought tolerant landscapes may cut water use by twenty to fifty percent when compared to more typical ornamental landscapes, and can save mowing, feeding, and pruning time. Regular monthly landscape inspection is important particularly during the summer and fall. Many of our commonly used landscape plant materials are either native, or come from the Mediterranean climatic region, which is similar to our own. Over time these plants have adapted to the cycles of winter rains and dry summers and will experience early dormancy, or entirely lose their leaves. Commonly, these plants are overwatered. A more desirable concept is to gradually cut back the amount of water given to plants after their initial establishment period. Deep watering at infrequent intervals results in sturdier, more drought tolerant plant material.

The purpose of the fuel management and maintenance procedures is to interrupt the "fuel ladder" and deny fire the means to endanger lives and property. A fire ladder may exist when flames can easily jump from shorter to higher vegetation, eventually reaching a structure. Flammable shrubs can allow flames to progress or be blown into a tree readily spreading a fire.

Avoid using "shredded redwood bark" or "monkey hair" as a mulch material. Remove any dry weeds or brush that have accumulated. Thin overgrown vegetation. Prune dry or dying branches and dispose of properly.

1. All mature and native tree limbs shall be trimmed to a minimum of six feet above ground level.
2. All dead trees, limbs, and wood shall be removed from trees and picked up from the ground during the month of May.
3. Brush and other vegetative materials shall be mulched and left to form organic compost.
4. Unirrigated grass and native brush shall be cut to less than one (1") inch and raked and removed for thirty feet around building sites, and trees shall be trimmed to preclude roof overhang or growth within ten feet of a chimney.

5. Landscape planting within thirty feet of neighboring properties shall consist of fire-resistant construction and plant materials. Unirrigated grasses within the thirty-foot strip shall be cut to a maximum of one-inch height at least once a year at the end of the rainy season, and prior to May 15<sup>th</sup>.

6. Original conformance to the above will be provided by the developer during the construction phase of the project. Thereafter, the property owner shall be responsible for his property.

#### **REFERENCES:**

The University of California – Cooperative Extension. "Hortscript" – No. 18, February 1996.

Novato Fire Protection District Standard 220: Vegetation/Fuels Management Plan. "Firescape Landscaping to Reduce Fire Hazard" – Second Edition, East Bay Municipal Utility District.



# APPENDIX A

## RECOMMENDED FIRE-RESISTANT PLANT MATERIALS

### TREES

Acer spp.  
Arbutus unedo  
Ceratonia siliqua  
Cercis occidentalis  
Cercocarpus betuloides  
Citrus spp.  
Fagus spp.  
Feijoa sellowiana  
Fraxinus spp.  
Gleditsia triacanthos  
Macadamia hybrids  
Metrosideros excelsus  
Myoporum spp.  
Pistacia chinensis  
Pittosporum spp.  
Quercus spp.  
Rhus lancea  
Robinia pseudoacacia  
Schinus molle  
Schinus terebinthifolius

Maple  
Strawberry Tree  
Carob  
Western Redbud  
Mountain Ironwood  
Citrus  
Beech  
Pineapple Guava  
Ash  
Honey Locust  
Macadamia Nut  
New Zealand Christmas Tree  
Myporum  
Chinese Pistache  
Mock Orange  
Oak  
African Sumac  
Locust, Black  
California Pepper Tree  
Brazilian Pepper

### SHRUBS

Aeonium spp.  
Achillea millefolium  
Agave spp.  
Aloe breviolia  
Aloe spp.  
Aquilegia formosa  
Arctostaphylos uva-ursi  
Artiplex semibaccata  
Asarum caudatum  
Aster chilensis  
Brugmansia spp.  
Buddlein spp.  
Carpantria californica  
Ceanothus griseus 'Ray Hartman'  
Ceanothus maritimus

Aeonium  
Yarrow  
Agave  
Shortleaf Aloe  
Aloe  
Western Columbine  
Bearberry  
Australian Saltbush  
Wild Ginger  
Wild Aster  
Angel's Trumpet  
Butterfly Bush  
Bush Anemone  
Ray Hartman Ceanothus  
Maritime Ceanothus

*Cera stium tomentosum*  
*Cistus crispus*  
*Cistus salvifolius*  
*Coleonema caka "Diosma"*  
*Convolvus cneorum*  
*Cotoneaster congestus*  
*Cotoneaster horizontalis*  
*Cotoneaster microphyllus*  
*Cotoneaster dammeri*  
*Cotyledon* spp.  
*Crassula* spp.  
*D. pulverulenta*  
*Dicentra formosa*  
*Digitalis* spp.  
*Dudleya farinosa*  
*Echeveria* spp.  
*Echium* spp.  
*Epipactis gigantea*  
*Erigeron glaucus*  
*Eriogonum* spp.  
*Eriophyllum confertiflorum*  
*Eriophyllum stachaedifolium* var. *artemisaefolium*  
*Erysimum capitatum*  
*Erysimum concinnum*  
*Escallonia* spp.  
*Gazania rigens leucolaena*  
*Grindelia stricta venulosa*  
*Heuchera micrantha*  
*Iris douglasiana*  
*Iris longipetala*  
*Iris macrosiphon*  
*Lavatera assurgentiflora*  
*Ligustrum japonicum*  
*Ligustrum lucidum*  
*Ligustrum texanum*  
*Mahonia repens*  
*Mimulus* spp.  
*Monardella vellosa*  
*Nerium oleander*  
*Nolino* spp.  
*Penstemon* spp.  
*Pittosporum crassifolium*  
*Pittosporum tobira*

Snow-in-Summer  
 Rockrose  
 Sageleaf Rockrose  
 Brush of Heaven  
 Bush Morning Glory  
 Likiano  
 Rock Cotoneaster  
 Rockspray Cotoneaster  
 Bearberry Cotoneaster  
 NCN  
 Crassula  
 Dudleya  
 Western Bleeding Heart  
 Foxglove  
 Dudleya or Cliff Lettuce  
 Hen and Chicks  
 Echium or Priderot  
 Stream Orchid  
 Beach Aster  
 Wild Buckwheat  
 Golden Yarrow  
 Lizard Tail  
 Foothill Wallflower  
 Fragrant Wallflower  
 Escallonia  
 Trailing Gazania  
 Coastal Wild Gum  
 Coral Bells  
 Douglas Iris  
 Long-petaled Iris  
 Ground Iris  
 Malva Rose (Tree Mallow)  
 Japanese Privet  
 Glossy Privet  
 Texas Privet  
 Creeping Mahonia  
 Monkey Flower  
 Coyote Mint  
 Oleander  
 Nolina (related to Yucca)  
 Bearded Tongue  
 Dwarf Karo  
 Mock Orange

*Polystichum munitum*  
*Portulacaria afra* 'Variegata'  
*Prunus lyonii*  
*Pteridium aquilinum*  
*Punica granatum*  
*Rhaphiolepis* spp.  
*Rhamnus alaternus*  
*Rhododendron* (Azalea) spp.  
*Rhus integrifolia*  
*Salvia sonomensis*  
*Satureja douglasii*  
*Sidalcea malvaeflora*  
*Simmondsia chinensis*  
*Solanum xanti*  
*Symphoricarpos mollis*  
*Trachelospermum jasminoides*  
*Yucca* spp.  
*Zigadenus fremontii*

## GROUNDCOVERS

*Achillea* spp.  
*Achillea tomentosa*  
*Agapanthus* spp.  
*Ajuga crispa*  
*Ajuga reptans*  
*Aloe aristata*  
*Armeria maritima*  
*Arctostaphylos hookeri*  
*Arctotheca calendula*  
*Bergenia* spp.  
*Brodiaea laxa*  
*Carpobrotus* spp.  
*Ceanothus gloriosus*  
*Ceanothus griseus* 'Anchor Bay'  
*Ceanothus griseus horizontalis*  
*Ceanothus griseus* 'Emily Brown'  
*Centaurea cineraria*  
*Centranthus ruber*  
*Cerastium tomentosum*  
*Coprosma kirkii*  
*Coreopsis* spp.  
*D. hispidum*

Sword Fern  
Elephant's Food  
Catalina Cherry  
Bracken Fern  
Pomegranate  
India Hawthorn  
Italian Buckthorn  
Rhododendrons and Azaleas  
Lemonade Berry  
Creeping Sage  
Yerba Buena  
Checkerbloom  
Jojoba  
Purple Nightshade  
Creeping Snowberry  
Star Jasmine  
Yucca  
Star Lily

Yarrow  
Woolly Yarrow  
Lily-of-the-Nile  
Giant Ajuga  
Carpet Bugle  
Dwarf Aloe  
Common Thrift  
Monterey Carpet (Manzanita)  
Silver Spreader  
Bergenia  
Grass Nut  
Ice Plant  
Point Reyes Ceanothus  
Anchor Bay Ceanothus  
Carmel Creeper  
Emily Brown Carmel Creeper  
Dusty Miller  
Red Valerian (Jupiter's Beard)  
Snow-In-Summer  
Creeping Coprosma  
Coreopsis  
Rosea Ice Plant

*Delosperma "Alba"*  
*Dietes bicolor*  
*Dietes vegeta*  
*Orosanthemum floribunda*  
*Duchesnea indica*  
*Eounymus Fortunei coloratus*  
*Erigeron karvinskianus*  
*Erysimum linifolium*  
*Eschscholzia* spp.  
*Festuca rubra*  
*Fragaria californica*  
*Fragaria chiloensis*  
*Gazania rigens leucolaena*  
*Geranium* spp.  
*Helichrysum petiolatum*  
*Hemerocallis* hybrids  
*Hesperaloe parviflora*  
*Heuchera maxima*  
*Hypericum calycinum*  
*Iberis sempervirens*  
*Iris* spp.  
*Kniphofia uvaria*  
*Lampranthus* spp.  
*Lantana montevidensis*  
*Lavandula* spp.  
*Limonium perzil*  
*Liriope gigantea*  
*Lupinus* spp.  
*Malephora crocea*  
*Malephora luteola*  
*Mimulus* spp.  
*Myoporum parvifolium*  
*Oenothera berlandieri*  
*Onicera hispidula*  
*Osteospermum fruiticosum*  
*Pelargonium peltatum*  
*Penstemon* spp.  
*Phyla nodiflora*  
*Potentilla tabernaemontanii*  
*Pyracantha "Santa Cruz"*  
*Ranunculus californica*  
*Romneya coulteri*  
*Santolina chamaecyparissus*

White Trailing Iceplant  
 African Iris  
 Fomight Lily  
 Rosea Ice Plant  
 Mock Strawberry  
 Winter Creeper  
 Fleabane (Mexican Daisy)  
 Wallflower  
 California Poppy  
 Creeping Red Fescue  
 Wood Strawberry  
 Beach Strawberry  
 Trailing Gazania  
 Geranium  
 Curry Plant  
 Daylily  
 Red Yucca  
 Island Alum Root  
 St. Johnswort  
 Evergreen Candytuft  
 Iris  
 Red Hot Poker (Torch Lily)  
 Bush Ice Plant  
 Lantana  
 Lavender  
 Sea Lavender  
 Giant Lily Turf  
 Lupine  
 Croceum Ice Plant  
 Yellow Trailing Ice Plant  
 Monkey Flower  
 Myoporum  
 Mexican Evening Primrose  
 Pink Honeysuckle  
 Trailing African Daisy  
 Ivy Geranium  
 Beard Tongue  
 Lippia  
 Spring Cinquefoil  
 Firethorn  
 Buttercup  
 Matilija Poppy  
 Lavender Cotton

Santolina virens  
Sedum confusum  
Sedum rubrotinctum  
Senecio serpens  
Sisyrinchium californicum  
Sisyrinchium spp.  
Stachys byzantia  
Strelitzia reginae  
Teucrium chamaedrys  
Thymus praecox arcticus  
Trifolium fragiferum  
Tulbaghia violacea  
Verbena peruviana  
Vinca spp.  
Zantedeschia aethiopica  
Zauschneria californica

#### VINES

Rosa banksiae  
Solanum jasminoides  
Tecomaria capensis  
Trachelospermum jasminoides  
Wisteria spp.

Green Lavender Cotton  
Stonecrop  
Brown Bean (Pork and Beans)  
NCN  
Yellow-Eyed Grass  
Blue-Eyed Grasses  
Lamb's Ears  
Bird of Paradise  
Prostrate Germander  
Creeping Thyme  
O'Connor's Legume  
Society Garlic  
Perennial Verbena  
Periwinkle  
Common Calla  
California Fuschia

Lady Bank's Rose  
Potato Vine  
Cape Honeysuckle  
Star Jasmine  
Wisteria

# APPENDIX B

# PYROPHYTIC PLANT MATERIALS

(Prohibited High Fire Hazard Plants)

## TREES

*Abies* spp.  
*Cedrus* spp.  
*Chamaecyparis* spp.  
*Cupressus sargentii*  
*Eucalyptus* spp.  
*Lithocarpus densiflora*  
Palms  
*Picea* spp.  
*Pinus attenuata*  
*Pinus coulteri*  
*Pinus radiata*  
*Pinus* spp.  
*Pseudotsuga menziesii*  
*Taxus* spp.  
*Umbellularia californica*

Firs  
Cedars  
False  
Sargent Cypress  
Eucalyptus  
Tan Oak, Tanbark Oak  
Palm (if dry fronds)  
Spruces  
Knobcone Pine  
Coulter Pine  
Monterey Pine  
Pines  
Douglas Fir  
Yew  
California Bay

## SHRUBS

*Acacia* spp.  
*Adenostoma fasciculatum*  
*Arctostaphylos* spp.  
*Artemisia californica*  
*Baccharis* spp.  
*Bambusa* spp.  
*C. Selbana*  
*Castanopsis chrysophylla*  
*Cortaderia jubata*  
*Cytisus monspessulanus*  
*Cytisus scoparius*  
*Erigonum fasciculatum*  
*Juniperus* spp.  
*Larix* spp.  
*Lonicera japonica*  
*Pennisetum* spp.  
*Pickeringia montana*  
*Quercus* spp.  
*Rosmarinus officinalis*  
*Salvia mellifera*  
*Spartium junceum*

*Acacia* species  
Chamise, Greasewood  
Manzanitas  
Sagebrush (California)  
Coyote Brush  
Bamboo  
Pampas Grass  
Chinquapin, Giant  
Jubata Grass  
French Broom  
Scotch Broom  
California Buckwheat  
Junipers  
Larch  
Japanese Honeysuckle  
Fountain Grass  
Chaparral Pea  
Scrub Oak (brushy oaks)  
Rosemary  
Black Sage  
Spanish Broom



Thuja spp.  
Tsuga spp.  
Ulex europea  
Vaccinium

Arborvitae  
Hemlock  
Gorse  
Huckleberry

# APPENDIX C

## VEGETATION MANAGEMENT LOTS

The lot numbers listed below are within Point Marin and are located on the North boundary line of the project adjacent to the existing Open Space. Their specific location and relationship to the existing Open Space applies to the criteria listed in the "Novato Fire Protection District Standard 220 - Vegetation/Fuels Management Plan" dated 2/22/01

These lots are further delineated and their relationship to the Open Space shown on the Vegetation Management and Fuel Modification Plan (1"=80'-0") that can be found in Appendix F.

A.P. Number:

#160-015-70

LOT NUMBERS:

#188, 189, 190, 191, 192, 193, 199, 203, 204  
#205, 206, 220, 221, 222, 223, 224, 248, 249  
#253, 254, 255, 256, 257, 279, 280, 281, 282  
#283, 284, 285, 286, 287, 288, 289, 290, 292  
#293, 294, 295, 296, 304, 305, 306, 307, 308  
#323, 324, 325, 329, 330, 331, 332, 334, 335  
#336, 341, 342, 343, 344, 345

# APPENDIX D

# NOVATO FIRE PROTECTION DISTRICT FIRE LOSS MANAGEMENT DIVISION



Developed by John M. Craig  
 District M. Craig, Fire Marshal  
 Approved by Jeffery A. Nelson  
 Jeffery A. Nelson, Fire Chief

Fire Protection Standard 220

## VEGETATION/FUELS MANAGEMENT PLAN

Date 2/22/08  
 Revision: \_\_\_\_\_  
 Page 1 of 4

This Standard has been developed pursuant to Appendix II A of the Uniform Fire Code, adopted by local Ordinance and Section 4290 and 4291 of the Public Resources Code. Clearance distances, type of vegetation and topographic features influence factors in determining adequate green belts and fire fuel breaks around structures. This methodology is implemented for the primary purpose of providing time for fire suppression personnel and equipment to respond and establish operational tactics and strategies during an ensuing wildland fire.

### I. General

- A. The Vegetation Management Plan referred to hereinafter as the VMP shall be submitted to the Fire Marshal for Review prior to implementation. The VMP shall be submitted in two forms, blue line drawings and text format describing specific and applicable contributing factors in the selection and design of the plan.
- B. The VPM shall include at the minimum; the entire "plan content" elements described in this Standard. Not less than three (3) complete plan sets should be submitted to the Fire District for review. Landscape plans only, will be rejected unless they include a specific outline of the information required by this Standard.

### II. VMP Content

- A. Using the Hazard Assessment Matrix in the back of this standard, determine the hazard points of the specific property.
- B. Aspect. This is the direction in which the face of the slope is situated.
- C. Slope. This is the degree of angle on the site that the structure is to be placed.
- D. Fuel. 0-30 feet. Identify from the fuel type list on the hazard assessment matrix what vegetation is mostly represented in the 0 to 30 ft. zone from the proposed structure.
- E. Fuel. 31-100 feet. Identify the fuel type list on the hazard assessment matrix what vegetation type is most represented in the 31 to 100 ft. zone from the proposed structure.
- F. Total the hazard assessment points for each category. This will provide a set of distances that clearance is required around the proposed structure.

# NOVATO FIRE PROTECTION DISTRICT FIRE LOSS MANAGEMENT DIVISION



Developed by Jeffrey A. Newton  
 Forrest M. Craig, Fire Marshal

Approved by \_\_\_\_\_  
 Jeffrey A. Newton, Fire Chief

Fire Protection Standard 220

## VEGETATION/FUELS MANAGEMENT PLAN

Date: 1/27/01

Revision: \_\_\_\_\_

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### III. Plant List and Selection

- ^ By using the Firescape Plant selection list on the University of California Cooperative Extension Phytophytic vs. Fire Resistant Plants brochure, select use of native, domestic or combination thereof that best suits the architectural and planning design of the proposed project. Slope, soil type, drought resistance should be considered when selecting plant types.

### IV. Plant Spacing and Crown Separation

- Regardless of plant selection, shrubs should be spaced so that no continuity exists between the ground fuels and tree crowns.
- Tree crowns should be separated by at least 10 feet. Add an additional five feet for every ten (10%) per cent increase in slope.
- Separate individual shrub crowns by at least two times the height or clump shrubs into islands of no greater than 11-ft. diameter. Separate the islands by a distance of no less than two times the canopy height.
- Chipped wood and mulch can provide an excellent thermal barrier, which will help prevent, lost moisture in ground fuels. However, shredded bark, sometimes referred to as "monkey hair" is prohibited from use because its high flammability and fire spread characteristics.

### HAZARD ASSESSMENT MATRIX

Hazard Points	1	2	3	4	5	6	7	8	Points
Aspect	NE	NW	SE	SW					
Slope		0-10		11-20		21-30		31+	
Fuel 0-30	Specimen Garden	Hardwood	Grass	Mostly Grass	Mostly Brush	Pyrophoric Hardwoods Chaparral	Conifer	Conifer w/brush under story	
Fuel 31-100	Mostly Grass	Mostly Brush		Pyrophoric Hardwoods Chaparral	Conifer with brush under story				

Total Hazard Points \_\_\_\_\_

Minimum Horizontal Clearance Requirement in feet \_\_\_\_\_

Hazard Points:

1 2 3 4 5 6 7	8 9 10 11 12 13 14	15 16 17 18 19 20 21 22 23 24 25 >
30x30x30 ft.	30x30x50 ft.	50x50x100 ft.

# NOVATO FIRE PROTECTION DISTRICT FIRE LOSS MANAGEMENT DIVISION



Developed by Jeffrey A. Martin  
 Patrick H. Craig, Fire Marshal

Approved by \_\_\_\_\_  
 Jeffrey A. Martin, Fire Chief

Fire Protection Standard 220

## VEGETATION/FUELS MANAGEMENT PLAN

Date: 1/22/01

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### V. Fuel Types:

- A. Specimen Garden: a well-maintained ornamental garden, usually irrigated. Trees and shrubs are well spaced or clustered, thinned and free of deadwood. The lawn is mowed and clean. No pyrophytic plants within 10 ft. of house.
- B. Hardwood (Model 9): Broadleaf (non-pyrophytic) trees such as oaks, maples, ash, etc.
- C. Grass (Model 1): Wild field grass dominates, trees and shrubs occupy less than 1/3 of the area.
- D. Mostly Grass (Model 2): Brush and tree reproduction occupy more than 1/3 and less than 2/3 of the area.
- E. Mostly Brush (Model 5): Brush and tree reproduction occupies 2/3 of the area. Includes young chaparral, coastal scrub and broom stands.
- F. Pyrophytic Hardwoods (Model 12): Broadleaf trees that are high in volatile oils, that produce heavy debris and burn intensely. May have some conifers mixed in but the flammable hardwoods dominate the fire behavior.
- G. Chaparral (Model 4): Six foot and taller old, pyrophytic brush with excessive deadwood. Includes mixed chaparral of manzanita, scrub oak, chaparral pea, tall ceanothus, chamise, etc. Often has some young Douglas fir or pines.
- H. Conifer (Model 8): Needleleaf trees typically with heavy litter, low branches and plentiful deadwood. Often mixed with some hardwoods or even pyrophytic hardwoods, but conifers dominated and carry the fire.
- I. Conifer with Brush Understory (Model 10): Pine and Douglas Fir with heavy brush and down & dead branches and suppressed trees in the understory.

### VI. Slope Influence on Minimum Defensible Space Clearances

Increasing slopes require increased defensible space clearances to be equally effective. For example, to be equally effective upslope, cross slope, and down slope clearances, around each structure must be increased as percentage of slope increases when compared to level terrain.

Rate of spread, flame length, convective and radiant heat, increase in relation to fuel type, aspect, and percentage of slope factors. Increased defensible space zone radiuses in relation to slope are required around structures through fuel modification and reduction.

Note increased upslope and cross slope defensible space clearance requirements related to increase in slope. Minimum recommended cross slope and upslope increases are shown. Specific terrain may require adjustment:

NOVATO FIRE PROTECTION DISTRICT FIRE LOSS MANAGEMENT DIVISION



Developed by James M. Craig, Fire Marshal

Approved by Jeffrey A. Norton, Fire Chief

Fire Protection Standard 220

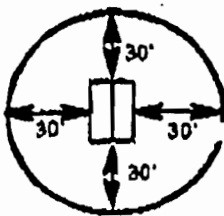
**VEGETATION/FUELS  
MANAGEMENT PLAN**

Date: 2/21/01

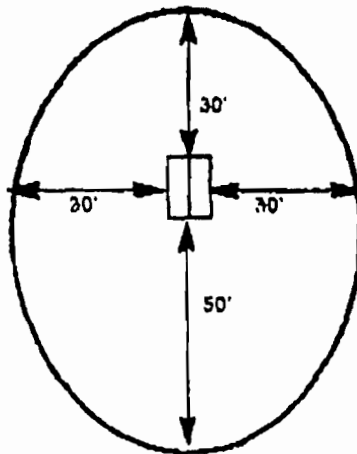
Revision: \_\_\_\_\_

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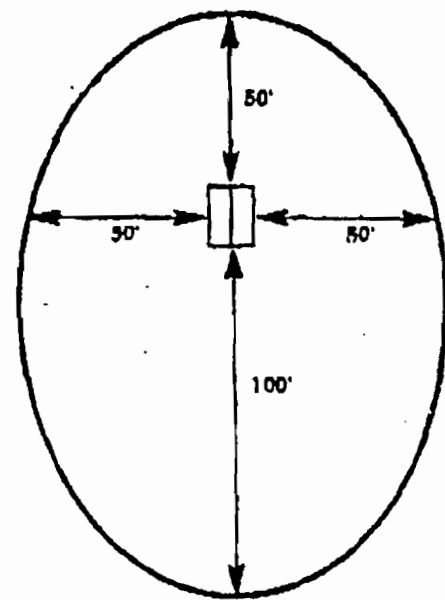
Minimum  
30'X30'X30'X30'



Minimum  
30'X30'X30'X50'



Minimum  
50'X50'X50'X100'



Level  
0-10%

Moderate Slope  
11-30%

Steep Slope  
Greater than 30%

**VII. References:**



# APPENDIX E

# PHASE I

## NOVATO FIRE PROTECTION DISTRICT FIRE LOSS MANAGEMENT DIVISION



Developed by Jeffrey A. Mason  
District Fire Chief

Approved by \_\_\_\_\_  
District Fire Chief

Fire Protection Standard 220

### VEGETATION/FUELS MANAGEMENT PLAN

Date: 1/22/01

Revised: \_\_\_\_\_

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### III. Plant List and Selection

- By using the Firescape Plant selection list on the University of California Cooperative Extension Phytophytic vs. Fire Resistant Plants brochure, select use of native, domestic or combination thereof that best suits the architectural and planning design of the proposed project. Slope, soil type, drought resistance should be considered when selecting plant types.

### IV. Plant Spacing and Crown Separation

- A. Regardless of plant selection, shrubs should be spaced so that no continuity exists between the ground fuels and tree crowns.
- B. Tree crowns should be separated by at least 10 feet. Add an additional five feet for every ten (10%) per cent increase in slope.
- C. Separate individual shrub crowns by at least two times the height or clump shrubs into islands of no greater than 18-ft. diameter. Separate the islands by a distance of no less than two times the canopy height.
- D. Chipped wood and mulch can provide an excellent thermal barrier, which will help prevent, lost moisture in ground fuels. However, shredded bark, sometimes referred to as "monkey hair" is prohibited from use because its high flammability and fire spread characteristics.

### HAZARD ASSESSMENT MATRIX

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Aspect	NE	NW	SE	SW					
Slope		0-10		11-20		21-30		31+	
Fuel 0-30	Specimen Garden	Hardwood	Grass	Mostly Grass	Mostly Brush	Pyrophoric Hardwoods Chaparral	Conifer	Conifer w/brush under story	
Fuel 31-100	Mostly Grass	Mostly Brush		Pyrophoric Hardwoods Chaparral	Conifer with brush under story				

Total Hazard Points 7

Minimum Horizontal Clearance Requirement in feet \_\_\_\_\_

Hazard Points:

1 2 3 4 5 6 7	8 9 10 11 12 13 14	15 16 17 18 19 20 21 22 23 24 25 >
30x30x30 ft.	30x30x50 ft.	50x50x100 ft.

# PHASE II AND III

## NOVATO FIRE PROTECTION DISTRICT FIRE LOSS MANAGEMENT DIVISION



Developed by \_\_\_\_\_  
Forrest M. Craig, Fire Marshal

Approved by \_\_\_\_\_  
Jeffrey A. Weston, Fire Chief

Fire Protection Standard 220

### VEGETATION/FUELS MANAGEMENT PLAN

Date: 2/22/001

Revision: \_\_\_\_\_

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### III. Plant List and Selection

- A. By using the Firescape Plant selection list on the University of California Cooperative Extension Phytophytic vs. Fire Resistant Plants brochure, select use of native, domestic or combination thereof that best suits the architectural and planning design of the proposed project. Slope, soil type, drought resistance should be considered when selecting plant types.

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### HAZARD ASSESSMENT MATRIX

Hazard Points	1	2	3	4	5	6	7	8	Points
Aspect	NE	NW	SE	SW					
Slope		0-10		11-20		21-30		31+	
Fuel 0-30	Specimen Garden	Hardwood	Grass	Mostly Grass	Mostly Brush	Pyrophoric Hardwoods Chaparral	Conifer	Conifer w/brush under story	
Fuel 31-100	Mostly Grass	Mostly Brush		Pyrophoric Hardwoods Chaparral	Conifer with brush under story				

Total Hazard Points 11

Minimum Horizontal Clearance Requirement in feet \_\_\_\_\_

Hazard Points:

<u>1 2 3 4 5 6 7</u>	<u>8 9 10 11 12 13 14</u>	<u>15 16 17 18 19 20 21 22 23 24 25 &gt;</u>
<u>30x30x30 ft.</u>	<u>30x30x50 ft</u>	<u>50x50x100 ft.</u>

# APPENDIX F

## Appendix F

**The Vegetation Management and Fuel Modification Plan could not be reproduced in a Recordable Form.**

**A copy of the Plan is on file with the Novato Fire Protection District.**