

CITY COUNCIL ORDINANCE NO. 12-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRVINE REPEALING ORDINANCE NO. 95-14 IN ITS ENTIRETY AND ADOPTING AN UPDATED WILDLAND FIRE HAZARD MAP FOR THE CITY OF IRVINE AND AMENDING AFFECTED PROVISIONS OF CHAPTER 4 OF DIVISION 9 OF SECTION 5 OF THE IRVINE MUNICIPAL CODE PERTAINING TO BUILDING AND FIRE CODE TECHNICAL PROVISIONS

WHEREAS, the Legislature has declared in Government Code Section 51175 (a): 1) that fires are extremely costly, not only to property owners and residents, but also to local agencies; 2) that fires pose a serious threat to the preservation of public peace, health, and safety; 3) that it is necessary that cities, counties, special districts, state agencies, and federal agencies work together to bring raging fires under control; and 4) that preventative measures are needed to ensure the preservation of the public peace, health, and safety; and

WHEREAS, the Legislature has declared in Government Code Section 51175(b), that the prevention of fires is not a municipal affair, but is, instead, a matter of statewide concern; and

WHEREAS, on July 31, 1995, pursuant to Government Code Section 51178, the Director of Forestry and Fire Protection ("Director") identified areas within the County of Orange as Very High Fire Hazard Severity Zones; and

WHEREAS, THE City of Irvine adopted Ordinance 95-14 on October 10, 1995 to establish the Very High Fire Severity Zones within the City consistent with the Director's findings; and

WHEREAS, pursuant to Government Code Section 51181, the Director periodically reviews the areas in the state identified as Very High Fire Hazard Severity Zones and as necessary makes recommendations about any appropriate modifications to the geographic alignment of said zones; and

WHEREAS, the Director completed a review of the designated Very High Fire Severity Zones and made updated recommendations based upon the use of current scientific methods which assessed, vegetation, slope, fire history, weather patterns and significantly improved accuracy by establishing the impact of flames, heat, and flying fire embers; and

WHEREAS, pursuant to Government Code Section 51179, the Director has published a new map depicting areas designated as a Very High Fire Hazard Severity Zone, and has recommended that local agencies adopt these zones through local

ordinances; and, Government Code Section 51179(a) requires the City of Irvine to designate by ordinance Very High Fire Hazard Severity Zones in its jurisdiction within 120 days after receiving the recommendations from the Director; and

WHEREAS, the Director has also published maps depicting High and Moderate Fire Severity Zones for local use in deciding planning and fire protection issues; and

WHEREAS, the City and the Orange County Fire Authority have utilized the maps depicting High and Moderate Fire Severity Zones to define 100 foot buffer zones along existing development areas adjoining fuel modification zones and/or open spaces containing native or hazardous vegetation; and

WHEREAS, the City and the Orange County Fire Authority have reviewed the Very High Fire Severity Zone maps and believe, in consideration of the City's adopted development standards that with the addition of 100 foot buffer zones, the fire hazards within the City are accurately represented.

NOW, THEREFORE, *the City Council of the City of Irvine DOES HEREBY ORDAIN as follows:*

SECTION 1. Repeal of Ordinance No. 95-14 adopting previously designated Very High Fire Hazard Severity Zones in its entirety.

SECTION 2. Designation of Replacement Very High Fire Hazard Severity Zones and 100 foot buffer zones.

The City of Irvine designates Very High Fire Severity Zones in accordance with Section 51179(a) of the California Government Code, and 100 foot buffer zones pursuant to its authority under Sections 13143.5 and 17958.7 of the Health and Safety Code. These zones are identified on Exhibit "A" attached hereto and known as The 2012 Wildland Fire Hazard Map for the City of Irvine.

SECTION 3. Chapter 4 of Section 5 of Division 9 of the Irvine Municipal Code, AMENDMENTS TO BUILDING AND FIRE CODE TECHNICAL REGULATIONS is hereby amended as follows:

Section 5-9-401. Building Code.

1. New Item G. is added as follows and existing items G. through O. are relabeled as H. through P.

G. Materials and Construction Methods for Exterior Wildfire Exposure. Chapter 7A of the California Building Code is hereby modified as follows:

1. Section 701A.3 Application is amended to read:

701A.3 Application. New buildings, structures, additions, and alterations pursuant to 701A.3.1.1 located in any Very High Fire Hazard Severity Zone,

or within a *100 Foot Buffer Zone* so designated on the currently adopted Wildland Fire Hazard Map for the City of Irvine constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
2. Buildings of an accessory character classified as Group U occupancy of any size located least 50 feet from an applicable building.
3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C - Group U Agricultural Buildings), when located at least 50 feet from an applicable building.
4. Additions to and remodels of buildings shall comply with the provisions of this chapter, or an approved *Fire Protection Plan*.
5. Within a *100 Foot Buffer Zone*; only decks, porches, balconies, exterior stairs, and patio covers need comply with the specific provisions contained in Section 701A3.2.

2. Section 701A.3.1.1 Existing Buildings is added to read:

701A.3.1.1 Existing Buildings. When an existing building undergoes alterations or additions, only those construction elements altered or added to the original structure must be made to comply with this chapter.

3. Section 701A3.2 Construction Features for decks, porches, balconies, exterior stairs, and patio covers within a 100 Foot Buffer Zone is added to read:

701A3.2 Construction Features for decks, porches, balconies, exterior stairs, and patio covers within a designated *100 Foot Buffer Zone*.

701A3.2.1 Decks, porches, balconies, and stairs within a designated *100 Foot Buffer Zone* shall comply with the provisions of Section 709A when the walking surface of a single porch, deck, or balcony is greater than 100 square feet, or 120 square feet when connected to stairs.

701A3.2.2 Patio covers shall be of non-combustible or ignition-resistant materials.

Exception: When the construction features meet all of the following:

- A. Columns consist of lumber having 4x4, minimum, nominal dimensions.
  - B. Horizontal beams consist of lumber having 4x6, minimum, nominal dimensions.
  - C. Roof shall be open lattice with framing having a minimum of two inches of clear spacing, or may have solid roofing having a Class A minimum rating.
4. Section 702A Definitions is amended to include the term 100 Foot Buffer Zone and after the term it's definition to read as follows:

***100 Foot Buffer Zone*** is that area on private property within 100 feet of a fuel modification or open space area containing native or hazardous vegetation, and which is designated on the currently adopted Wildland Fire Hazard Map for the City of Irvine.

Section 5-9-402. Residential Code.

1. New Item C. is added as follows and existing items C. through F are relabeled as D. through G.

C. Materials and Construction Methods for Exterior Wildfire Exposure. Section R327 of the California Residential Code is hereby modified as follows:

1. Section R327.1.3 Application is amended to read:

R327.1.3 Application. New buildings, structures, additions, and alterations pursuant to R327.1.3.1.1 located in any Very High Fire Hazard Severity Zone, or within a *100 Foot Buffer Zone* so designated on the currently adopted Wildland Fire Hazard Map for the City of Irvine constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

- 1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
- 2. Buildings of an accessory character classified as Group U occupancy of any size located least 50 feet from an applicable building.

3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C - Group U Agricultural Buildings), when located at least 50 feet from an applicable building.
  4. Additions to and remodels of buildings shall comply with the provisions of this chapter, or an approved *Fire Protection Plan*.
  5. Within a *100 Foot Buffer Zone*, only decks, porches, balconies, exterior stairs, and patio covers need comply with the specific provisions contained in Section R327.1.3.2.
2. Section R327.1.3.1.1 Existing Buildings is added to read:

Section R327.1.3.1.1 Existing Buildings. When an existing building undergoes alterations or additions, only those construction elements altered or added to the original structure must be made to comply with this chapter.

3. Section R327.1.3.2 Construction Features for decks, porches, balconies, exterior stairs, and patio covers within a designated 100 Foot Buffer Zone is added to read:

Section R327.1.3.2 Construction Features for decks, porches, balconies, exterior stairs, and patio covers within a designated *100 Foot Buffer Zone*.

R327.1.3.2.1 Decks, porches, balconies, and stairs within a designated *100 Foot Buffer Zone* shall comply with the provisions of Section R327.9 when the walking surface of a single porch, deck, or balcony is greater than 100 square feet or 120 square feet when connected to stairs.

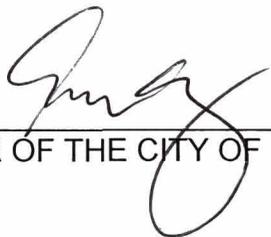
R327.1.3.2.2 Patio covers shall be of non-combustible or ignition-resistant materials.

Exception: When the construction features meet all of the following:

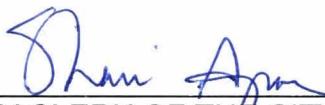
- A. Columns consist of lumber having 4x4, minimum, nominal dimensions.
  - B. Horizontal beams consist of lumber having 4x6, minimum, nominal dimensions.
  - C. Roof shall be open lattice with framing having a minimum of two inches of clear spacing, or may have solid roofing having a Class A minimum rating.
4. Section R327.2 Definitions is amended to include the term 100 Foot Buffer Zone and after the term its definition to read as follows:

**100 Foot Buffer Zone** is that area on private property within 100 feet of a fuel modification or open space area containing native or hazardous vegetation, and which is designated on the currently adopted Wildland Fire Hazard Map for the City of Irvine.

PASSED AND ADOPTED by the City Council of the City of Irvine at an adjourned regular meeting held on the 7<sup>th</sup> day of February, 2012.

  
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MAYOR OF THE CITY OF IRVINE

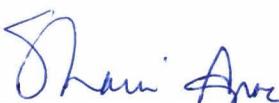
ATTEST:

  
\_\_\_\_\_  
CITY CLERK OF THE CITY OF IRVINE

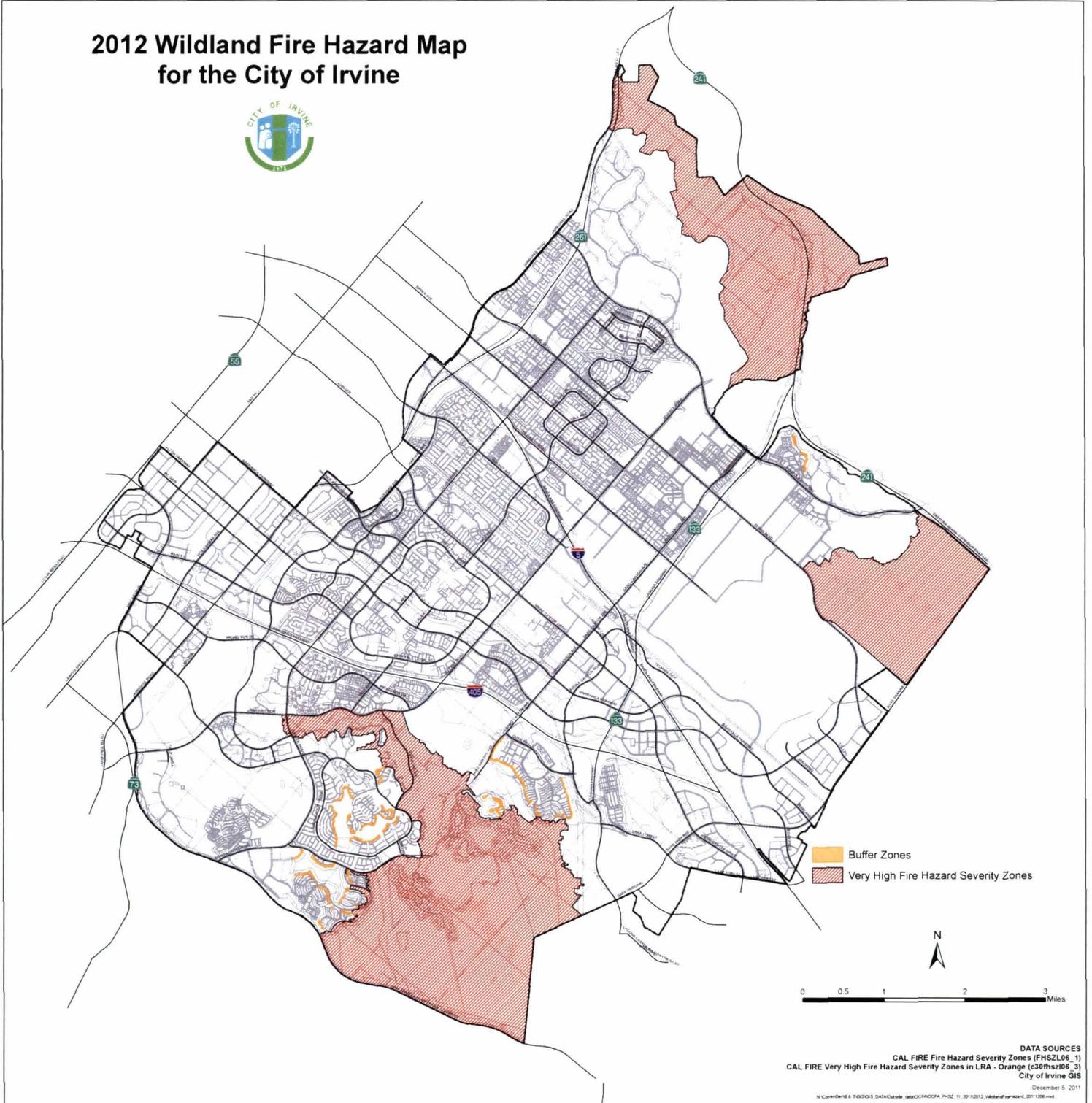
STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF IRVINE )

I, SHARIE APODACA, City Clerk of the City of Irvine, HEREBY DO CERTIFY that the foregoing Ordinance was introduced for first reading on January 24, 2012 and duly adopted at an adjourned regular meeting of the City Council of the City of Irvine held on the 7<sup>th</sup> day of February, 2012, by the following vote:

AYES: 5 COUNCILMEMBERS: Agran, Choi, Krom, Lalloway and Kang  
NOES: 0 COUNCILMEMBERS: None  
ABSENT: 0 COUNCILMEMBERS: None

  
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CITY CLERK OF THE CITY OF IRVINE

# 2012 Wildland Fire Hazard Map for the City of Irvine



Buffer Zones  
Very High Fire Hazard Severity Zones



0 0.5 1 2 3 Miles

DATA SOURCES  
CAL FIRE Fire Hazard Severity Zones (FHSZ106\_1)  
CAL FIRE Very High Fire Hazard Severity Zones in LRA - Orange (c30fhsz106\_3)  
City of Irvine GIS  
December 5, 2011  
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## EXHIBIT A