

TOWN OF WOODSIDE

TOWN COUNCIL SPECIAL MEETING AGENDA

June 9, 2008

Independence Hall, 2955 Woodside Road, Woodside

7:30 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMUNICATIONS

Persons wishing to address the Council on any matter not on the posted agenda are invited to do so. Please note, however, that the Council is not able to undertake extended discussion or to act on non-agendized items. Such items can be referred to staff for appropriate action, which may include placement on a future agenda. This communication period is limited to five persons, three minutes each. Any additional persons wishing to be heard will be scheduled at the end of Regular Business.

CONSENT CALENDAR

All items on the Consent Calendar are considered to be routine and will be approved by one roll call motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.

1. Approval of Waiver of Full Reading of Ordinances, per Government Code Section 36934 (**Allows Ordinances to be introduced or adopted by the Town Council without the full ordinance language being read into the record.**)

NEW BUSINESS

2. Introduction of an Ordinance Requiring the Designation of Very High Fire Hazard Severity Zones in the Town of Woodside.

REPORTS

3. Mayor and Councilmember Communications.

COMMUNICATIONS

ADJOURNMENT

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITY ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE TOWN CLERK AT (650) 851-6790. NOTIFICATION IN ADVANCE OF THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.

PLEASE NOTE THAT PURSUANT TO THE STATE OF CALIFORNIA'S OPEN MEETING RULES, THIS MEETING IS BEING AUDIO TAPED.

ANY WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE TOWN COUNCIL REGARDING ANY ITEM ON THIS AGENDA WILL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE ADMINISTRATION COUNTER AT TOWN HALL LOCATED AT 2955 WOODSIDE ROAD DURING NORMAL BUSINESS HOURS.

TOWN OF WOODSIDE

Report to Town Council

Agenda Item 2

From: Susan George, Town Manager

June 9, 2008

SUBJECT: INTRODUCTION OF AN ORDINANCE REQUIRING THE DESIGNATION OF VERY HIGH FIRE HAZARD SEVERITY ZONES IN THE TOWN OF WOODSIDE

RECOMMENDATION

It is recommended that the Town Council review this report and related attachments, accept public comment on the draft map, and, following Council deliberation, introduce the attached ordinance.

BACKGROUND

In November and December of 2007, the Town Council introduced and adopted an ordinance, which amended Chapter 150 of the Woodside Municipal Code. This chapter incorporates the Town's building regulations and the subject ordinance was related to the 2007 California Building Standards Code. Of special significance for the Town Council was the Wildland Urban Interface Building Standards (Chapter 7A). The regulations included in Chapter 7A will apply to new buildings in areas designated as "Very High Fire Hazard Severity Zones." Specific requirements and regulations included in Chapter 7A include:

- ☑ **Roofing:** Class A roofing will be required in the designated wildland urban interface zones. Additionally, the space between a roof covering and roof decking must be designed to prevent the intrusion of flames and embers. Chapter 7A calls out specifications for flashing, and requires that roof gutters are "provided with a means to prevent the accumulation of leaves and debris in the gutter." This will result in the construction plans calling out construction details, including flashing details and gutter details, and inspectors inspecting the same.
- ☑ **Attic ventilation:** Attic vents shall resist the intrusion of flame and embers into the attic area of the structure, or shall be protected by corrosion-resistant, noncombustible wire mesh with ¼ inch openings. Also, eaves and soffits shall be protected by ignition-resistant materials or noncombustible construction on the exposed underside.
- ☑ **Exterior walls:** Exterior walls are required to be noncombustible or ignition-resistant material, heavy timber, or log wall construction, and must provide protection from the intrusion of flames and embers. This regulation essentially precludes the use of wood siding on buildings. Exterior wall vents must resist the intrusion of flame and embers into the structure or vents shall be screened with a corrosion-resistant, noncombustible wire mesh with ¼ inch openings. Exterior windows, window walls, glazed doors, and glazed opening within exterior doors shall be insulating-glass units with a minimum of one tempered pane, or glass block units, or have a fire-resistance rating of not less than 20 minutes. This is a more substantial window than may typically be installed. Exterior doors are also required to utilize a noncombustible construction, or solid core wood with other design parameters. The exterior door requirements are fairly consistent with the doors typically utilized throughout Town.
- ☑ **Decking:** Decking within ten feet of the primary structure must be constructed of an ignition-resistant material, or of heavy timber, exterior fire-retardant treated wood, or

approved noncombustible materials. This regulation severely limits the allowable building materials when considering deck construction.

- ☑ Underfloors: The underside of cantilevered and overhanging portions of the building must maintain the ignition-resistant integrity of the exterior walls. Buildings shall also have all underfloor areas enclosed to grade with exterior walls. Again, these provisions will limit the materials that can be utilized for construction.
- ☑ Landscape Maintenance Plans: Section 701.A.3.2.4 states "Prior to building permit final approval, the property shall be in compliance with the vegetation clearance requirements prescribed in Public Resources Code 4291 Government Code 51182." The referenced code section provides information regarding fuel reduction treatments around buildings, including creating horizontal and vertical spacing between vegetation, removing surface fuels greater than 4 inches in height, and pruning branches to at least 6 feet. Essentially, the Town and/or Fire District will be responsible for reviewing, approving, and inspecting vegetation maintenance plans. Presumably, inspections will be on-going well after final inspection of the structures. The staff has not yet prepared a plan for administration of this particular provision, and will work with the Fire District in determining enforcement responsibilities.
- ☑ Inspection and Certification: The building official will be required to certify that, at the time of final inspection, a site is compliant with the provisions of Chapter 7A. Given the requirements for preparation and maintenance of defensible space, this will need to be carefully coordinated with the Fire Marshall, as Town staff is not specifically trained in landscaping for fuel reduction.

At the time of the November, 2007 Town Council meeting, a significant task needed for the implementation of Chapter 7A was incomplete. California Public Resources Code Sections 4201-4204 and Government Code Sections 51175-51189 outline the responsibilities of the California Department of Forestry and Fire Protection (CAL FIRE). CAL FIRE is required to map all areas of the State to designate fire severity zones (moderate, high, or very high), based upon fuels, terrain, weather, and other relevant factors. These zones then define the application of various mitigation strategies to reduce risk associated with wildland fires. The maps cover State Responsibility Areas (SRA) and Local Responsibility Areas (LRA). SRA's cover the unincorporated regions of the State, while LRA's cover incorporated cities and towns. SRA's were originally mapped in 1985 and LRA's were originally mapped in 1996.

Starting in 2006, CAL FIRE undertook a map updating process, using Geographic Information System (GIS) data in conjunction with modeling techniques designed to describe potential fire behavior and fire probability. According to CAL FIRE's website:

"The project will run along two concurrent tracks: one designed to develop and refine the model itself regarding its scientific rigor, spatial accuracy, and data delivery mechanisms designed to facilitate end use by a wide variety of clients. The other track will focus on the roll-out and implementation process whereby local CDF units and local fire agencies review/comment and adjust the zones to conform to local knowledge not captured in the draft model."

The updated maps are to be provided to local agencies so that they can be used to implement the Chapter 7A Wildland-Urban Interface Zone building standards. Within the SRA's the provisions of Chapter 7A apply to all fire hazard categories. Within the LRA's, Chapter 7A applies only to those areas designated as "Very High." Chapter 7A was effective for lands

within the SRA's on January 1, 2008. It will become effective on July 1, 2008 for all lands within the LRA's, which includes the Town of Woodside.

The evening that the Town Council discussed Chapter 7A in November of 2007, a member of the audience had a draft of the map that CAL FIRE had prepared for the Woodside LRA. That map is included as **Attachment A**. The scale of the map makes it difficult to read. Its link on the CAL FIRE website is: ftp://frap.cdf.ca.gov/fhszlocalmaps/san_mateo/Woodside.pdf. The very high fire hazard severity zones on this map primarily include the western most lands in the Western foothills, a portion of Cañada College, and parts of Emerald Hills. The Fire Marshal, who was present that evening, indicated that CAL FIRE had solicited input from the Woodside Fire Protection District about the draft map and that the map was likely to change, based upon that input.

In early May, CAL FIRE released its revised draft map. The new map is included as **Attachment B**. The link to the CAL FIRE website for this new map is: ftp://frap.cdf.ca.gov/pub/outgoing/fhsz/ChangeMaps/San_Mateo/c41_Woodside.pdf. The new map reflects a number of changes. The Very High Fire Hazard Severity Zone has been expanded to incorporate all of Emerald Hills and the Western foothills. Notably, although requested by the Woodside Fire Protection District, the Glens were not accepted or designated as "very high" on this map. A large version of the revised map will be on display during the Town Council's June 9th Special Meeting.

DISCUSSION

Government Code Sections 51175-51189 govern the actions that local agencies must take concerning the designation of "Very High Fire Hazard Severity" areas. Specifically, Section 51178.5 indicates that, "within 30 days after receiving a transmittal from the director (of CAL FIRE) that identifies very high fire hazard severity zones, a local agency shall make the information available for public review. The information shall be presented in a format that is understandable and accessible to the general public, including, but not limited to, maps." Section 51179 requires the local agency to designate, by ordinance, very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from CAL FIRE.

The Town has not received a formal transmission from CAL FIRE about the revised map, but because the implementation date for the provisions of Chapter 7A is almost upon the Town, subjecting the map to public review, accepting input, and conducting a public discussion of the very high severity zones is timely. A model ordinance has been made available by CAL FIRE and staff has attached it to this report for the Town Council's consideration.

Attached for further information are: (1) an October 24, 2007 memorandum from the Director of CAL FIRE about the mapping process (**Attachment C**); (2) a Wildland-Urban Interface Building Standards Information Bulletin about local agency adoption of very high fire hazard severity zones (**Attachment D**); (3) an ordinance adoption timeline from CAL FIRE (**Attachment E**); and (4) a summary of comments submitted to CAL FIRE during the map update process (**Attachment F**).

The Fire Marshal and the Fire Chief from Woodside Fire Protection District will be present at the June 9th meeting to assist the Town Council with its discussions and deliberations.

CONCLUSION

The provisions of Chapter 7A are intended to strengthen the regulations governing the construction of new buildings that are in very high fire risk areas. The designation of those areas subject to Chapter 7A is a critical step in the implementation of these new regulations. A revised map is available for public review and comment and a draft ordinance is available for introduction should the Town Council wish to move the designation process ahead.

Attachments

Memorandum

To: Region Chiefs
Assistant Region Chiefs
Unit Chiefs
Contract County Chiefs
Region FHSZ/WUIBS Project Coordinators

Date: October 24, 2007

Telephone: (916) 653-7772

Website: www.fire.ca.gov



for

From: Ruben Grijalva, Director
California Department of Forestry and Fire Protection (CAL FIRE)

Subject: Fire Hazard Severity Zone Mapping Building Standards Rollout

Thank you for completing the State Responsibility Area (SRA) Fire Hazard Severity Zone (FHSZ) public hearings. Comments have been received and responses to comments are being prepared. Updates have been made to the to the SRA fire hazard severity zones based on the public hearing comments and validation checks provided by your staff. The modeling team at the Fire and Resource Assessment Program (FRAP) has re-calculated the fire hazard ratings to reflect these SRA updates.

LRA Fire Hazard Severity Zone Map Review

The fire hazard severity zone mapping is now in the second phase of map review and validation focused in Local Responsibility Area (LRA). Your assistance is requested in facilitating the map review by local government officials. Please contact the local fire and building officials and request that every effort be made to complete the LRA FHSZ review and validation. A timely review will give the modeling team the month of December to incorporate the updates and prepare updated LRA Very High Fire Hazard Severity Zone (VH FHSZ) maps. The Department anticipates that local government agencies will request updated LRA Very High Fire Hazard Severity Zone maps between January and June, 2008, as they prepare for the new ignition resistant building codes.

Please notify city managers and county administrators of the timeline for the LRA VH FHSZ recommendation. Government Code Sections 51175 – 51182 define the rolls and responsibilities for LRA Very High Fire Hazard Severity Zone adoption. This code calls for the local jurisdiction to adopt an ordinance within 120 days of receipt of a Very High Fire Hazard Severity Zone recommendation from the Director. State Fire Marshal's Office has prepared a model ordinance and an information bulletin that provides additional information on local agency adoption of Very High Fire Hazard Severity Zones (attached). Please note that the Legislature, through the budget act, has suspended the mandates identified for the Very High Fire Hazard Severity Zones for the 2007/08 fiscal year.

The Project Team is developing training and support procedures to facilitate this LRA review. Regional GIS support workshops were conducted in September to train a regional geographic information system technical support group. The regional support group will be available to provide technical assistance if needed. Detailed review procedures have been developed and are available. Draft LRA Very High Fire Hazard Severity Hazard maps and the FHSZ geographic information system data sets are posted to the Cal Fire web site.

It is important to maintain good communication with the modeling team at FRAP during the review to make sure LRA change requests are received and processed. Please ask that Unit/County mapping contacts keep your region coordinator apprised of progress with the LRA review and validation, including those jurisdictions that are in agreement with the draft recommendation and have no change requests.

Local government officials may express concern that earlier LRA recommendations have not been incorporated into the September 2007 release of the LRA FHSZ maps. The FHSZ model considers the production and distribution of burning embers that flow from one zone and influence the hazard rating in adjacent zones. This means that changes to the SRA portion of the map may impact adjacent LRA zones. The modeling team received many validation requests for LRA portions of the FHSZ maps during the SRA validation effort last spring and the public hearing process this summer. These LRA updates have been held pending the results of the SRA update process. The modeling team decided that it wasn't prudent to spend time changing the LRA data only to have changes in nearby SRA overwrite the LRA updates. It will be important for local officials to review the new draft maps and confirm if previous validation updates are still warranted or if additional edits are needed.

Wildland Urban Interface Building Standards

This map update corresponds to actions taken by the California Building Standards Commission to adopt Wildland-Urban Interface building codes in late 2005. The new CBC Chapter 7A goes into effect January 1, 2008 for SRA and July 1, 2008 for LRA Very High Fire Hazard Severity Zones. These new codes include construction methods and materials to protect buildings from ignition during wildland fire events. Enforcement of these new requirements rests with local building officials. The previously identified Unit code support representative is a key player in providing accurate and consistent responses to questions from local officials. An issue log system has been developed to collect and share responses to questions. Questions from industry and building product manufacturers should be directed to the Wildland Fire Prevention Engineering Program in the Office of the State Fire Marshal.

Be advised that CBC Chapter 7A requires certification of defensible space compliance prior to building permit final approval. This requirement applies to SRA, LRA VH FHSZ, and to other wildland urban interface areas adopted by the local jurisdiction. Unit and Contract County Chiefs are expected to develop a plan with the building department and local fire service to meet the inspection requirement associated with this code.

The VH FHSZ will also be used by property owners to comply with natural hazards disclosure requirements at time of property sale and to identify areas requiring on going defensible space clearance. Further, it is likely that the fire hazard severity zones will be used by local government as they update the safety element of general plans.

Thank you for your continued attention to this project. Additional information on the maps and the wildland urban interface building standards is available on the Cal Fire web site <http://www.fire.ca.gov/wildland.php>. Please request that Unit/Contract County personnel direct questions through Sass Barton, Southern Region Coordinator, (559) 243-4130, or Kathleen Schori, Northern Region Coordinator (530) 224-2473.

Attachments:

- Wildland-Urban Interface Building Standards Information Bulletin
- VHFHSZ model ordinance (draft)
- LRA VHFHSZ Ordinance Adoption Timeline
- Unit Chief to Local Government sample correspondence
- Government Code 51175 – 51182

cc: State Fire Marshal
Assistant State Fire Marshal
Chief Deputy Director
Deputy Directors
Program Manager, Fire and Resource Assessment Program
Staff Chief, Wildland Fire Prevention Engineering
Staff Chief, Fire Plan



Department of Forestry & Fire Protection
Office of the State Fire Marshal

WILDLAND-URBAN INTERFACE BUILDING STANDARDS INFORMATION BULLETIN

October 1, 2007

LOCAL AGENCY ADOPTION OF VERY HIGH FIRE HAZARD SEVERITY ZONES

The purpose of this Information Bulletin is to provide clarification regarding the adoption of the Very High Fire Hazard Severity Zones in those areas where local government has responsibility for wildland fire protection (Local Responsibility Area or LRA).

California Department of Forestry and Fire Protection (CAL FIRE), is conducting a review and update of fire hazard severity zones pursuant to Public Resources Code Sections 4201 – 4204 and Government Code Sections 51175 – 51189. CAL FIRE has completed the initial public hearings for the adoption of Fire Hazard Severity Zones (FHSZ) for those areas of California where the state has fiscal responsibility for wildland fire protection, known as State Responsibility Areas (SRA). CAL FIRE's intent is to complete the SRA FHSZ adoption by December, 2007. CAL FIRE is also preparing recommendations for Very High Fire Hazard Severity Zones (VHFHSZ) in those areas where local government has the responsibility for wildland fire protection (LRA) and to transmit those recommendations to local agencies in early 2008.

Basic authorities and responsibilities for the LRA VHFHSZ are found in Government Code Sections 51175 – 51189. The purpose of this Government Code chapter is to "classify lands in accordance with whether a very high fire hazard severity is present so that public officials are able to identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken".

The Government Code Section 51178 and 51181 defines the CAL FIRE Director's responsibility to identify very high fire hazard severity zones, transmit this information to local agencies, and to periodically review the recommendations. Government Code Sections 51178.5 and 51179 define the local agency's responsibilities to make the recommendation available for public review and to designate, by ordinance, very high fire hazard severity zones in its jurisdiction.

Specific questions have been raised concerning the GC Section 51179 (a) language that "A local agency shall designate, by ordinance, very high fire hazard severity zones ...". Several local agencies have asked if the CAL FIRE Director's recommendation can be modified by the local agency. The Legislature did not include language giving the local agency the authority to decrease the Director's recommendation. However, GC Section 51179 (c) does give the local agency authority to "include areas within the jurisdiction of the local agency not identified as very high fire hazard severity zones by the Director..." and Section 51179 (d) restricted the authority of the Director to rebut the local agency decision. Local agencies can use this authority to adopt high and/or moderate fire hazard severity areas or other wildland urban interface areas within the local jurisdiction. CAL FIRE mapped fire hazards for all lands in California to maintain a consistent science based model. The information on high and moderate fire hazard severity in LRA is available to local agencies as part of the draft data. Local agencies may request that this additional information be included as part of the Director's final recommendation.

CAL FIRE is taking additional steps to ensure that the very high fire hazard severity zones are as accurate as possible. Draft copies of the proposed VH FHSZ have been under field review and validation since January, 2007. Updated draft LRA maps are available at <http://www.fire.ca.gov/wildland.php>. These updated draft LRA maps reflect the comments received and updates made during the SRA FHSZ public hearings as some of the changes made to the SRA impact LRA zones. CAL FIRE unit level staffs are available to assist local agencies in the review of the draft recommendations.

CAL FIRE is also developing CCR Title 14 regulations to clarify an update and maintenance process for the fire hazard maps, both in the SRA and in the LRA. CAL FIRE is including a model ordinance as a component of a proposed Title 14 regulation. It is anticipated that this regulation will include update "triggers" that can be initiated by local agencies or by CAL FIRE. Such triggers may be based on changes in land use of significant size to influence fire hazard, improvements in hazard mapping data or associated fire science, changes in land ownership (specifically conversions of federal land to private ownership), or other significant factors.

The VHFHSZ maps define where to implement ignition resistant building standards, maintain defensible space, and disclose natural hazard at the time of sale. Health and Safety Code 13108.5 (c) and GC 51179 (b) provide insight on flexibility local agencies have to exclude the fire protection building standards and defensible space requirements once VHFHSZs are adopted. While these sections of law do not provide exemptions for adopting the maps, they may provide authority to exclude fire protection requirements otherwise triggered by the map designations.

Questions and information regarding this Information Bulletin should be directed to the local Unit Chief. Please visit the CAL FIRE web site at www.fire.ca.gov for contact information.

Local Responsibility Area
Very High Fire Hazard Severity Zone
Ordinance Adoption Timeline

October – December, 2007	Review and validate draft LRA fire hazard severity zones
January 1, 2008	CBC Chapter 7A effective in SRA
January – February, 2008	Update fire hazard severity model at FRAP and prepare LRA Very High Fire Hazard Severity Zone maps
March – June, 2008	120 day window for LRA VH FHSZ ordinance adoption
July 1, 2008	CBC Chapter 7A effective in LRA Very High FHSZ

ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE
REQUIRING THE DESIGNATION OF VERY HIGH FIRE HAZARD SEVERITY ZONES**

THE TOWN COUNCIL OF THE TOWN OF WOODSIDE DOES ORDAIN AS FOLLOWS:

Section 1: The Town Council hereby designates a Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection and as designated on a map titled Very High Fire Hazard Severity Zones in LRA - Woodside, dated May 2, 2008, and retained on file at Woodside Town Hall, 2955 Woodside Road, Woodside, CA 94062.

Section 2: If any provision, section, paragraph, sentence or word of this Ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and to that end the provisions of this ordinance are severable.

Section 3: Pursuant to Section 36937 of the Government Code of the State of California, this Ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

Section 4: The Town Clerk shall cause this Ordinance to be published and posted in accordance with the requirements of Section 36933 of the Government Code of the State of California.

* * * * *

Introduced this ___ day of _____, 2008.

PASSED AND ADOPTED as an Ordinance of the Town of Woodside on the ___ day of _____, 2008, by the following vote.

AYES, Councilmembers:
NOES, Councilmembers:
ABSENT, Councilmembers:
ABSTAIN, Councilmembers:

Mayor of the Town of Woodside

ATTEST:

Town Clerk of the Town of Woodside
HighFireHazard