

September 30, 2011

Mr. Brett Petroff, Deputy Fire Marshal  
Orange County Fire Authority  
1 Fire Authority Road  
Irvine, CA 92602

Dear Mr. Petroff:

I am writing on behalf of the Building Industry Association of Southern California, Orange County Chapter (BIA/OC) Board of Directors to address the forth coming fire hazard map adoption process for Orange County. As you know, for the past several years, the BIA/OC has been meeting with the Orange County Fire Authority (OCFA) to review and refine the fire hazard zone maps being prepared for Orange County. While we have yet to see the finalized product from the California Department of Forestry and Fire Protection, we remain hopeful that the ultimate maps will be substantially more accurate than those initially proposed, due in large part to the detailed input of the municipalities' reviews.

*Pending our final review of the maps, we believe that the proposed implementation of additional fire protection measures as represented to us in September 2011, in the proposed Ember Zones 1 and 2, constitute a reasonable exercise of the **Local Agencies' jurisdictional prerogative, should they choose to adopt these regulations.** (Ember Zone I, Ember Zone II, 2010 California Building Code Chapter 7A proposed local amendments)*

While we are always concerned with any regulation that seeks to reach beyond any particular State mandate, the tailored circumstances under which these fire protection measures will be implemented appear to be a cost-effective means to advance the life safety goals that we all share. Our Board of Directors is not opposed to these additional measures based upon our understanding that:

- 1) The local agency would retain full control over their use and enforcement.
- 2) The measures would not lead to any extension of OCFA land-use planning authority.
- 3) The OCFA is not asking the cities to adopt the moderate and high fire hazard severity zones in any official manner that would change their state-mandated obligations.



## Orange County Chapter

Building Industry Association  
of Southern California

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4) The regulations would not cause any separate review or fee from the OCFA.

5) The OCFA commits to encouraging Alternative Means and Methods plans for the interiors of tracts in the very high fire hazard zones when the proposed measures in Ember Zones 1 and 2 are followed.

We appreciate your consideration in working with the BIA/OC to address this particular issue which is important to our membership, the cities, and the public at large.

Sincerely,

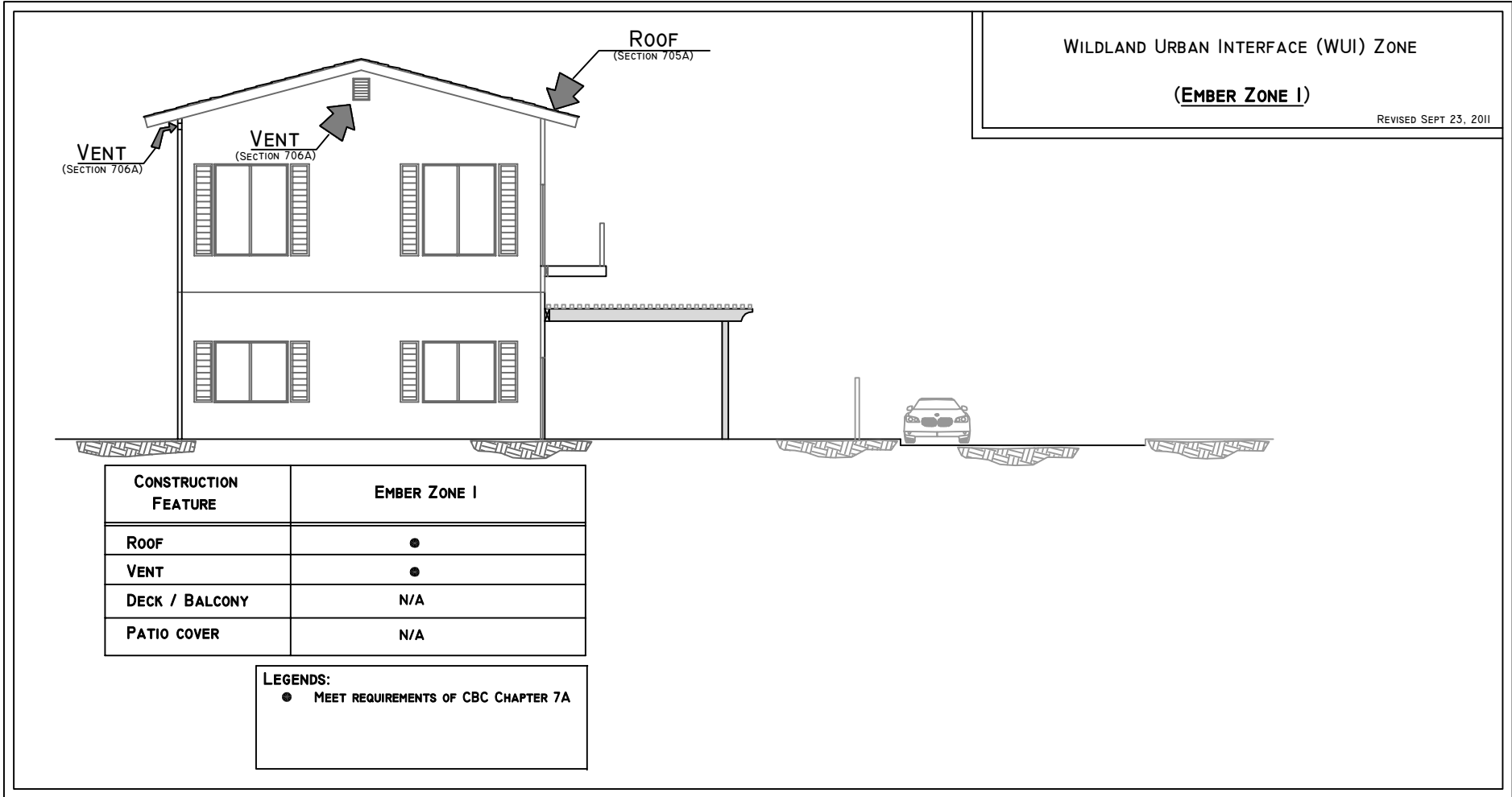
A handwritten signature in black ink, appearing to read 'Bryan Starr', written over a circular stamp or seal.

Bryan Starr

Chief Executive Officer

Cc: Laura Blaul, Deputy Chief/Fire Marshal, OCFA  
Michael Recupero, Recupero and Associates, Inc.

Enclosures: Ember Zone 1, Revised September 23, 2011  
Ember Zone 2, Revised September 23, 2001  
2010 California Building Code Chapter 7A proposed  
amendments



WILDLAND URBAN INTERFACE (WUI) ZONE  
**(EMBER ZONE I)**  
 REVISED SEPT 23, 2011

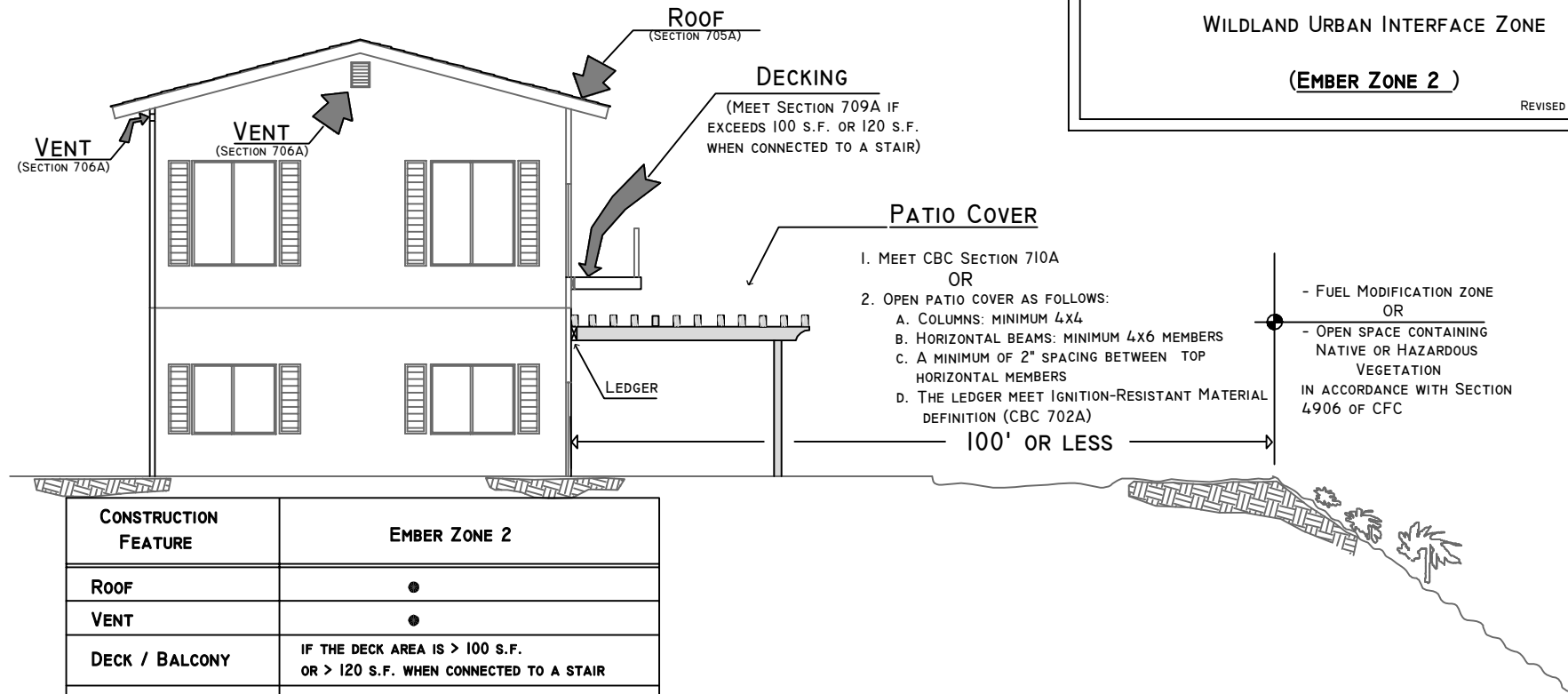
CONSTRUCTION FEATURE	EMBER ZONE I
ROOF	●
VENT	●
DECK / BALCONY	N/A
PATIO COVER	N/A

**LEGENDS:**  
 ● MEET REQUIREMENTS OF CBC CHAPTER 7A

WILDLAND URBAN INTERFACE ZONE

(EMBER ZONE 2)

REVISED SEPT 23, 2011



- PATIO COVER**
1. MEET CBC SECTION 710A  
OR
  2. OPEN PATIO COVER AS FOLLOWS:
    - A. COLUMNS: MINIMUM 4x4
    - B. HORIZONTAL BEAMS: MINIMUM 4x6 MEMBERS
    - C. A MINIMUM OF 2" SPACING BETWEEN TOP HORIZONTAL MEMBERS
    - D. THE LEDGER MEET IGNITION-RESISTANT MATERIAL DEFINITION (CBC 702A)
- 100' OR LESS

- FUEL MODIFICATION ZONE  
OR
- OPEN SPACE CONTAINING  
NATIVE OR HAZARDOUS  
VEGETATION  
IN ACCORDANCE WITH SECTION  
4906 OF CFC

CONSTRUCTION FEATURE	EMBER ZONE 2
ROOF	●
VENT	●
DECK / BALCONY	IF THE DECK AREA IS > 100 S.F. OR > 120 S.F. WHEN CONNECTED TO A STAIR
PATIO COVER	IF MEET CBC 710A OR OPEN PATIO COVER

**LEGENDS:**

- MEET REQUIREMENTS OF CBC CHAPTER 7A
- \* **OPEN PATIO COVER:** SEE THE REQUIREMENTS ON PATIO COVER ON THE SKETCH ABOVE

## **2010 California Building Code Chapter 7A proposed amendments**

**701A.3 Application.** *New buildings and qualifying alterations/additions (as defined in 701A.3.1.1 below) located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area designated by the enforcing agency 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 and located at least 50 feet from an applicable building.*
- 3. Buildings classified as Group 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 constructed prior to the applicable application date.*~~

**701A.3.1 Application date and where required.** *New buildings for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area identified below shall comply with this chapter:*

- 1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
  - 1.1.1 Moderate Fire Hazard Severity Zones*
  - 1.1.2 High Fire Hazard Severity Zones*
  - 1.1.3 Very-High Fire Hazard Severity Zones**

*Land designated as Very-High Fire Hazard Severity Zone by cities and other local entities.*

~~*3.2. Land designated as a Wildland Urban Interface Fire Area by cities and other local agencies.*~~

~~*4.3. Land designated by the City of [INSERT NAME] as defined in Fig 701A-1 (Ember Zones 1 & 2) shall comply only with section 701A.3.2 and 701A.3.3. These requirements shall be applicable to building permits submitted on or after the effective date of the local ordinance. Ember zones 1 & 2 shall not be considered Wildland Urban Interface Fire Area.*~~

*Exceptions:*

- 1. New buildings located in any Fire Hazard Zone within State Responsibility Areas for which an application for a building permit is submitted on or after January 1, 2008 shall comply with all sections of this chapter.*

2. *New buildings located in any Fire Hazard Zone within State Responsibility Areas or any Wildland Interface Fire Area designated by cities and other local agencies for which for which an application for a building permit is submitted on or after December 1, 2005 but prior to July 1, 2008 shall only comply with the following sections of this chapter:*

2.1 *Section 705A – Roofing*

2.2 *Section 706A – Vents*

**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 shall comply with this chapter.*

**701A.3.2 Construction Features in Wildland Urban Interface Area Designated by the Enforcing Agency: Ember Zone 1.**

*New buildings located within Ember Zone 1 for which an application for a building permit is submitted on or after the effective date of this ordinance shall comply only with the following sections of this chapter:*

1. *- Standards of Quality, as applicable* 703A
2. *- Ignition Resistant Construction, as applicable* 704A
3. *- Roofing* 705A
4. *- Vents* 706A

**701A.3.3 Construction Features in Wildland Urban Interface Area Designated by the Enforcing Agency: Ember Zone 2.**

*New buildings located within Ember Zone 2 for which an application for a building permit is submitted on or after the effective date of this ordinance shall comply only with the following sections of this chapter:*

1. *- Standards of Quality, as applicable* 703A
2. *- Ignition Resistant Construction, as applicable* 704A
3. *- Roofing* 705A
4. *- Vents* 706A
5. *709A - Decking*

*709A.1 General. Decks, porches, balconies and stairs shall comply with the requirements of this section only when a) the walking surface area of a single deck or balcony is greater than 100 square feet (increased to 120 square feet when connected to a stair), and b) located within 100 feet of fuel modification or open*

space containing ~~unmanaged, non-irrigated native or hazardous~~ vegetation. ~~as defined in Section 4906 of the CBC.~~

709A.2. ~~Decking.~~ *Decking* Within a Fuel Modification Zone.

*Decking located within any portion of a fuel modification zone shall be entirely non-combustible.*

6. Accessory Structures

710A.2 Applicability. The provision of this section shall apply to patio covers located closer than 100 feet from fuel modification or open space containing ~~unmanaged non, non-irrigated native or hazardous~~ vegetation.

710A.4 Requirements. The patio covers shall be constructed of noncombustible or ignition-resistant materials.

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

- A. Columns: Minimum dimension of 4x4 (nominal dimension in inches)
- B. Horizontal beams: Minimum 4x6 (nominal dimension in inches)
- C. Top horizontal members: A minimum of 2-inch spacing is provided between the members.
- D. The ledger meets the ignition-resistant material definition as prescribed in CBC Section 702A.