

ORDINANCE NUMBER O- 19885 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 28 2009

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE 2, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 142.0412 RELATING TO ADDITIONAL BUILDING STANDARDS, AMENDING CHAPTER 14, ARTICLE 5, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING AND RENUMBERING SECTIONS 145.0105 AND 145.0106 BOTH RELATING TO MODIFICATIONS AND ADDITIONS TO THE 2007 BUILDING CODE ADOPTED BY THE CITY OF SAN DIEGO, AMENDING CHAPTER 14, ARTICLE 5, DIVISION 7 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 145.0701 AND ADDING SECTIONS 145.0702, 145.0703, 145.0704, 145.0705, AND 145.0706, AND AMENDING CHAPTER 14, ARTICLE 5, BY REPEALING DIVISION 38, ALL RELATED TO FIRE RESISTANCE RATED CONSTRUCTION OF THE 2007 CALIFORNIA BUILDING CODE.

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SAN DIEGO, CALIF.

WHEREAS, Chapter 7A of the 2007 California Building Code [Chapter 7A] imposes requirements for materials and construction methods for exterior wildfire exposure for certain buildings located within a Wildland-Urban Interface Fire Area; and

WHEREAS, the requirements contained in Chapter 7A are intended to provide ignition resistant construction standards for roofing, walls, decks, windows and other exterior building elements for certain buildings in the Wildland-Urban Interface Fire Area; and

WHEREAS, the Wildland-Urban Interface Fire Area is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with Public Resources Code Sections 4201 through 4204 and California Government Code sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires; and

WHEREAS, the Very High Fire Hazard Severity Zones determine where the requirements of Chapter 7A apply; and

WHEREAS, pursuant to Ordinance No. O 19884, the City Council has added section 55.5001 to the San Diego Municipal Code adopting the Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection, and adopting the Brush Management Zones, as defined in Municipal Code section 142.0412, as Very High Fire Hazard Severity Zones, as designated on a map titled, "Very High Fire Hazard Severity Zone Map -- Local Responsibility Areas", dated JUL 21 2009,
NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 14, Article 2, Division 4, of the San Diego Municipal Code is amended by amending section 142.0412, to read as follows:

§142.0412 Brush Management

Brush management is required in all base zones on publicly or privately owned *premises* that are within 100 feet of a *structure* and contain native or naturalized vegetation.

(a) through (g) [No change in text.]

(h) Zone Two Requirements

(1) through (4) [No change in text.]

(5) The following standards shall be used where Zone Two is in an area previously *graded* as part of legal *development* activity and is proposed to be planted with new plant material instead of *clearing* existing native or naturalized vegetation:

(A) All new plant material for Zone Two shall be native, low-fuel, and fire-resistive. No non-native plant material may be

planted in Zone Two either inside the MHPA or in the Coastal Overlay Zone, adjacent to areas containing *sensitive biological resources*.

(B) through (D) [No change in text.]

(6) [No change in text.]

(7) [No change in text.]

- (i) In consideration of the topography, existing and potential fuel load, and other characteristics of the site related to fire protection, the Fire Chief may modify the requirements of this Section, and where applicable with the approval of the Building Official, may require building features for fire protection in addition to those required in accordance with Chapter 14, Article 5, Division 7 (Chapter 7A of the California Building Code as adopted and amended) if the following conditions exist:

(1) through (3) [No change in text.]

(j) through (o) [No change in text.]

[Editors Note Section 142.0412. [No change in text.]]

Section 2. That Chapter 14, Article 5, Division 1 of the San Diego Municipal Code is amended by amending and renumbering sections 145.0105 and 145.0106, to read as follows:

§145.0105 Modifications to the 2007 California Building Code Adopted by the City of San Diego

The following sections or Sub-sections of the 2007 California Building Code have been modified by the City of San Diego:

- (a) Chapter 7A Section 701A.3.1, 702A, and 704A.1.5.

- (b) Chapter 15, Roofing and Roof Structures, Section 1505.1 General, Section 1505 Fire Classification, Section 1507.8 Wood Shingles, Section 1507.9 Wood Shakes, and Section 1510.1 General.
- (c) Chapter 33, Demolition, Section 3303.4.

§145.0106 Additions to the 2007 California Building Code Adopted by the City of San Diego

The following sections and Sub-sections have been added to the 2007 California Building Code by the City of San Diego:

- (a) Chapter 7A, Sections 710A.1.1, 701A.4, 701A.1.6, 702A, 704A.3.2.2.1, 704A.6, 704A.7, and 704A.8.
- (b) Chapter 15, Roofing and Roof Structures, Sub-Sections 1505.1.5 and 1505.1.6, Sections 1507.16 and Sub-sections 1510.1.1 through 1510.1.5 and have been added to Reroofing.
- (c) Chapter 16, Structural Design, Sub-sections 1613.6.3.1, 1613.6.3.2, 1613.6.3.3 and 1613.6.3.4.
- (d) Chapter 17, Structural Tests and Special Inspections, Section 1705.5.
- (e) Chapter 18, Soils and Foundations, Section 1802 Foundation and Soils Investigations, Sub-sections 1802.2.8 Required Geologic Investigation including 1802.2.8.1 through 1802.2.8.4, Sub-section 1805.2.4, and Table 145.1802.
- (f) Chapter 19, Concrete, Sub-section 1908.1.17.

- (g) Chapter 31, Special Construction, Section 3109 Swimming Pool Enclosures and Safety Devices, Sub-sections 3109.1.1, 3109.1.2, and 3109.4.1.10.
- (h) Chapter 32, Encroachments into the Public Right-of-Way, Section 3203 Entrance Canopies, Sections 3203.1 through 3203.6.
- (i) Chapter 33, Safeguards During Construction, Section 3303.7, Demolition and Removal Regulations.
- (j) Chapter 34, Existing Structures, Section 3403 Additions, Alterations or Repairs, Sections 3403.5 and 3403.6.
- (k) Chapter 37, Archaic Materials and Methods of Construction.

Section 3. That Chapter 14, Article 5, Division 7, of the San Diego Municipal Code is amended by amending section 145.0701 and adding sections 145.0702, 145.0703, 145.0704, 145.0705 and 145.0706, to read as follows:

§145.0701 Local Modifications and Additions to Chapter 7 “Fire-Resistance Rated Construction” of the 2007 California Building Code

- (a) Chapter 7 of the 2007 California Building Code has been adopted by reference without change pursuant to Section 145.0103 of the Land Development Code.
- (b) Chapter 7A of the 2007 California Building Code has been adopted by reference with modifications pursuant to Section 145.0105 and additions pursuant to Section 145.0106 of the Land Development Code.

§145.0702 Local Additions and Modifications to Section 701A “Scope, Purpose, and Application” of the 2007 California Building Code

Sub-sections 701A.1.1 and 701A.4 have been added as follows pursuant to Section 145.0106 of the Land Development Code and Section 701A.3.1 has been modified as follows pursuant to Section 145.0105 of the Land Development Code:

- (a) 701A.1.1 The building standards in this Chapter impose requirements additional to any other applicable building and fire regulations, including brush management regulations.
- (b) 701A.4 Exemptions. The regulations in this Section of this Division do not apply to the following:
 - (1) Fences, playhouses, gazebos, and palapas located outside of brush management zones as defined in Section 142.0412.
- (c) Section 701A.3.1 has been adopted by reference and is modified as follows:
 - (1) 701A.3.1 Alternates for materials, design, tests, and methods of construction. The Building Official may approve the use of alternative materials, designs or methods of construction pursuant to Section 129.0109 of the Land Development Code.
 - (2) 701A.3.1.2 Modifications. The Building Official may modify the provisions of Chapter 7A of the California Building Code for site-specific conditions in accordance with Section 129.0104(a)(5) of the Land Development Code. When required by the Building

Official, a fire protection plan shall be submitted in accordance
with the California Fire Code, Chapter 47.

**§145.0703 Local Additions and Modifications to Section 702A “Definitions” of the 2007
California Building Code**

Section 702A has been adopted by reference with modifications pursuant to
Section 145.0105, and additions pursuant to Section 145.0106 of the Land
Development Code as follows:

- (a) Ancillary building shall mean *accessory building* and ancillary structure shall mean *accessory structure* as defined in Section 113.0103 of the Land Development Code.
- (b) Local Agency Very High Fire Hazard Severity Zone shall mean the Very High Fire Hazard Severity Zones as designated on the Very High Fire Hazard Severity Zone Map – Local Responsibility Areas adopted pursuant to Section 55.5001 of the Municipal Code.

**§145.0704 Local Additions and Modifications to Section 704A.1 “Roofing” of the 2007
California Building Code**

Sub-section 704A.1.5 has been adopted by reference with modifications and Sub-section 701A.1.6 has been added pursuant to Section 145.0105 of the Land Development Code.

- (a) 704A.1.5 Roof Gutters and Downspouts. Roof gutters. Roof gutters shall be provided with the means to prevent the accumulation of leaves and debris in the gutter. All roof gutters and downspouts shall be constructed of non-combustible materials.

- (b) 701A.1.6 Drip edge flashing. When drip edge flashing is used at the free edges of roofing materials, it shall be non-combustible.

§145.0705 Local Additions and Modifications to Section 704A.3 “Exterior Walls” of the 2007 California Building Code

- (a) Sub-section 704A.3.2.2.1 has been added as follows pursuant to Section 145.0106 of the Land Development Code.
- (1) 704A.3.2.2.1 Vinyl window reinforcing. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to the most current edition of ANSI/AAMA/NWDA 101/I.S.2 structural requirements.

§145.0706 Local Additions and Modifications to Section 704A.4 “Materials, systems, and Methods of Construction” of the 2007 California Building Code

Sub-section 704A.6, 704A.7 and 704A.8 have been added as follows pursuant to Section 145.0106 of the Land Development Code.

- (a) 704A.6 Additional exterior wall, roof, and foundation ventilation opening requirements.
- (1) Individual ventilation openings shall not exceed 144 square inches.
- (2) All ventilation openings shall be covered with non-combustible corrosion-resistant mesh. Mesh openings shall be ¼-inch.
- (3) Ventilation openings on structures located immediately adjacent to Brush Management Zone One, as defined in Section 142.0142 of the Land Development Code, shall not be directed toward Brush

Management Zones as defined in Section 142.0142 of the Land Development Code.


- (4) Roof vents, dormer vents, gable vents, foundation ventilation openings, ventilation openings in vertical walls, or other similar ventilation openings shall be louvered and covered with ¼-inch, noncombustible, corrosion-resistant metal mesh, or other approved material that offers equivalent protection.
 - (5) Turbine attic vents shall be equipped to allow one-way direction rotation only and shall not free spin in both directions.
 - (6) Ventilation openings protected with vent openings that resists the intrusion of flame and embers, and which are listed by the State Fire Marshall, are exempt from complying with Sub-sections 1 and 3 of Section 145.0706(b).
- (b) 704A.7 Spark arrester. All structures having any chimney, flue, or stovepipe shall be equipped with an approved spark arrester if the chimney, flue, or stovepipe is attached to any fireplace, stove, barbecue, or other solid or liquid fuel burning equipment or device.
- (c) 704A.8 Skylights. Glazing materials used in skylights, roofs, and sloped walls on buildings located within 300 feet, in any direction, of the boundary between Brush Management Zones One and Two as defined in Section 142.0412 of the Land Development Code, shall be tempered glass or multilayered glass.

Section 4. That Chapter 14, Article 5, of the San Diego Municipal Code is amended by repealing Division 38.

Section 5. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

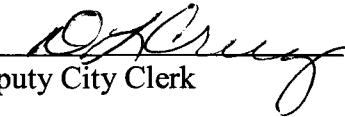
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Elisa A. Cusato
Deputy City Attorney

EAC:nda
06/04/09
07/15/09 Cor.Copy
08/19/09 Cor.Copy 2
Or.Dept:Fire-Rescue Dept.
O-2009-165
MMS#9433

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 21 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7-28-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

***See the following page for approval signature after corrections were made.

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 21 2009.

ELIZABETH S. MALAND
City Clerk

By *Jana Richards*
Deputy City Clerk

Approved: 11.19.09
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor