

Communication from Public

Name: Simon Ha
Date Submitted: 03/19/2021 05:12 PM
Council File No: 19-0603
Comments for Public Posting: Submitting a letter of opposition to the proposed expansion

March 19, 2021

Re: Council File #19-0603

Dear Honorable Los Angeles City Council Members,

On behalf of Steinberg Hart, an architecture firm headquartered in downtown LA, I'm writing in opposition to the proposed expansion of Fire District 1 (FD1). While we agree with the intent to achieve more resilient structures as fire dangers increase in certain parts in our city due to climate change, I believe that expanding the current FD1 may not be the right tool or the best approach to create safer, more resilient buildings in wildfire prone areas or in our urban core.

Fire Districts originated in the early 1900's as a response to building insurability of tall and high-density infill projects due to dangers of possible fire spread in that era. With the advancement of building codes, fire protection, and equipment, the dangers of fire spread in our high-intensity development areas have dramatically decreased. Currently, there are 12 Fire District 1 areas from the valley down to the port. The twelve areas include portions of Downtown, Hollywood, Koreatown, Wilshire Corridor, Century City, Westwood, Van Nuys, Westwood, San Pedro, Venice, and Fairfax. (See Exhibit 1 and 6)

Fire District No.1

Last updated 4 years ago | 12 Records

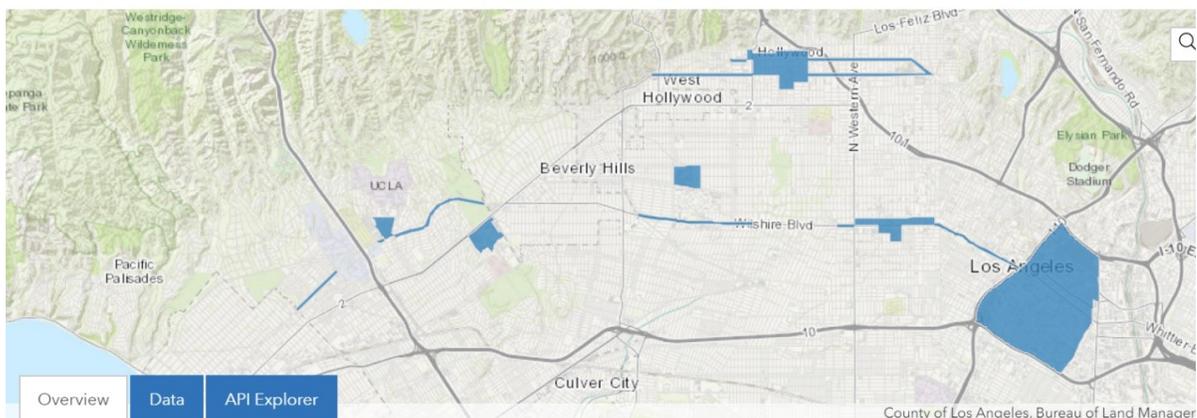


Exhibit 1 – Portions of Fire District 1 highlighted in blue (see Exhibit 6 for the full map)

The developments in these areas are subject to additional FD1 requirements and restriction. Some of these provisions are in conflict with the policies for Transit Oriented Development and building housing in transit rich areas which overlap with FD1 designated areas. In an effort to mitigate these conflicts, I would like to propose two potential modifications to the existing provisions:

1. Allow certain type of Type IV construction in Fire District 1.
 - Currently, Type IV construction is prohibited including Mass Timber, a high-density construction method that has the lowest carbon footprint.

- The next California Building Code update in 2022 (updates every 3 years) will allow mass timber or cross laminated timber (CLT) construction in California. Mass timber is a construction type that can significantly reduce CO2 in construction and a good construction type for multi-family and office.
2. Reduce the spacing requirement for expensive fire ratings to 5' in lieu of 10' so the requirement can be aligned with the TOC yard reduction incentive.
- Currently, FD1 requires all openings within 10' of the property line to be ¾ hour fire rated. These windows cost 10x the normal windows and adds significant cost to housing.
 - City of LA's Affordable Housing Program and Transit Oriented Communities (TOC) provide incentives for housing projects including affordable units. One of them is the reduction in yard setbacks. For example, a 7-story building requires 11' side yard setback and 20' rear yard setback. TOC incentives allow that to be reduced up to 35% (11' reduced to 7.15'), or if the lot is zoned commercial (which is typically around transit nodes where we are targeting housing to be built) the setbacks are same as RAS 3 and reduced to 5'. (See Exhibit 3 & 4)
 - Developments in Fire District 1 are finding themselves with the requirement to put ¾ hour fire-rated windows which are about 10X more expensive than normal windows or set the building 10' from the property line instead of the 5' allowed. This negates the incentive to build more housing.
 - The California Building Code already has strict provisions for protecting the exterior wall through limiting the openings and requiring ratings based on the distance to the adjacent property line. That is applicable to all buildings in all parts of the state. There is no need for an additional requirement by LAFD that is unique to Los Angeles.

Wildfire prone areas in City of LA are designated Very High Fire Hazard Severity Zone (VHFHSZ). These areas already have additional safeguards in place for resilient structures that are appropriate for natural hillside conditions. Fire District 1 was created for urban core areas for insurability reasons about a century ago and should not be applied to this area. (See Exhibit 8 map and Exhibit 9 LADBS Supplemental Plan Check Requirements)

To conclude, the question that needs to be raised is this: Does City of Los Angeles have areas that are at higher risk of fire than any other parts of the city, county, or state? Is there a higher risk on same stretch of Wilshire Blvd in City of LA than in Beverly Hills or Santa Monica? Is there a higher risk in Century City than Downtown Long Beach or Old Pasadena? While the zoning code may vary from city to city, when it comes to building codes, the majority of cities and counties follow the same California Building Code that is reviewed and updated every three years. Rather than legislate particular provisions piecemeal, we need to embrace the more holistic statewide code update process.

We know how important it is to have fire/life safety policies in place so that the buildings we build in the city that are resilient and can withstand impacts of climate change. We need a resiliency policy for buildings in high fire risk areas, but Fire District 1 is not the right tool or best approach. We must consider the real cost impact and the significant impediment to much-needed housing production that antiquated Fire District 1 requirements continue to cause. We need tailored approaches for the wildfire regions and for our urban core areas. These are two separate issues and they must be addressed separately.

We are in a housing crisis; RHNA has identified a deficit of 450k+ housing units in the city of LA. We believe that expanding FD1 into wildfire prone areas is not appropriate, and expanding FD1 in our urban areas will hinder housing production. We strongly recommend that the council votes against the expansion. However, if we must move forward with an expanded FD1 zone, we believe that these proposed modifications to the FD1 provisions will help mitigate the potential negative affects and align the public safety regulations with the housing and sustainability goals of the city. We need pro-housing policies that are going to produce results while enhancing resiliency in our built community.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Simon Ha', with a stylized, flowing script.

Simon Ha, AIA
Steinberg Hart

CC: Marie Rumsey, Central City Association
Will Wright, American Institute of Architects Los Angeles
Nick Maricich, Office of LA Mayor Eric Garcetti
Chief Kristin Crowley, LAFD
Hani Malki, LAFD
Osama Younan, LADBS
Kevin Keller, LADCP

to said Fourth Street and distant 155 feet southerly of the center line of said Fourth Street; thence along the northerly line of said alley to a point 498 feet from the easterly line of said Mesa Street; thence south 10 feet and thence easterly to the westerly line of Centre Street; thence northerly along said westerly line to the southerly line of said Fourth Street; thence westerly along said southerly line to the point of beginning.

7201.2 Very high fire hazard severity zone. The Very High Fire Hazard Severity Zone shall be considered a Fire District. The Very High Fire Hazard Severity Zone shall be all of the territory so designated by the boundaries shown on the Very High Fire Hazard Severity Zone Map as established in LAMC Subsection 57.4908 and adopted by the City Council.

7201.3 Buildings overlapping fire district boundaries. Every building or structure having any part of the building within a fire district shall be deemed to be entirely in that fire district.

A building or structure located partly within two or more fire districts shall comply throughout with the more restrictive provisions of each fire district.

**SECTION 7202
ADDITIONS TO BUILDINGS**

An addition may be made to any building in a fire district if the added portion conforms to this division, and also if the entire building, including the addition, is within the height and area limits of CBC Section 503 for building of like type and occupancy.

Exception: An addition to a provisional structure shall not be permitted.

**SECTION 7203
GENERAL REQUIREMENTS**

7203.1 General. In addition to the general requirements of this Code every building located in a fire district shall conform to the requirements of this chapter.

7203.2 Nonconforming buildings. Alterations and repairs to a nonconforming building in a fire district shall conform to the provisions of Chapters 81 and 86.

The provisions of this subsection are subject to the roofing requirements of CBC Section 1503.

7203.3 Construction sheds and canopies. Construction sheds and protection canopies may be erected in a fire district if there is compliance with the other provisions of this code.

7203.4 Projections from buildings. Projections from buildings conforming to the regulations of Chapter 32 of this Code may be constructed in any fire district.

7203.5 Sprinklers. In every building in Fire District No. 1, every story or basement with a floor surface elevation more than four feet lower than the highest elevation of the floor landing or tread of any required exit from that story shall be sprinklered.

Exception: Sprinklers need not be installed in locations expressly excepted in Article 4, Chapter IX of the LAMC

(Plumbing Code), provided other approved fire-protection equipment is installed.

7203.6 Miscellaneous structures. In Fire District No. 1, isolated structures constructed of noncombustible materials may be unprotected if used for other than human occupancy.

Loading platforms having no roof and not over 48 inches (1219.2 mm) above the ground may be of wood.

Loading platforms shall be enclosed and shall be firestopped into areas not exceeding 2,500 square feet (232.25 m²).

**SECTION 7204
SPECIAL REQUIREMENTS FOR FIRE DISTRICT
NUMBER 1**

7204.1 Types of construction permitted. Every building in Fire District No. 1 shall be one of the following types:

Type I; Type II; Type III; or provisional structures as provided in Section 7205 of this Code. **ADD TYPE IV**

7204.2 Type IIB buildings. Every building of Type IIB construction in Fire District No. 1, except provisional structures allowed by this section, shall have at least two hour fire-resistive construction for exterior walls within 10 feet (3048 mm) of and facing a property line and shall have at least one hour fire-resistive construction for exterior walls facing a property line and less than 30 feet (9.14 m) distance from the property line.

Exception: These walls may be one hour less fire-resistive than specified here if the building is not more than one story in height or more than 2500 square feet (232.25 m²) in area.

7204.3 Openings in exterior walls. In the following cases, all openings in the exterior walls of buildings in Fire District No. 1, other than provisional structures, shall be protected by a fire assembly having a three-fourths-hour fire-resistive rating when the exterior wall is within 10 feet (3048 mm) of a fire separation distance. **REDUCE TO 5'**

7204.4 Roof covering. Section D102.2.4 of Appendix D of the CBC is adopted by reference.

7204.5 Structural fire rating. Walls, floors, roofs and their supporting structural members shall be a minimum of one-hour fire-resistance-rated constructions.

Exceptions:

1. Buildings equipped throughout with an automatic sprinkler system in accordance with CBC Section 903.3.1.1.
2. Automobile parking structures.
3. Buildings surrounded on all sides by a permanently open space of not less than 30 feet (9144 mm).
4. Partitions complying with CBC Section 603.1.2 Exception 11.

7204.6 Exterior walls. Section D102.2.6 of Appendix D of the CBC is adopted by reference.

- a. **Yard/Setback.** Eligible Housing Developments may request a reduction in the otherwise required yards/setbacks as follows:
- i. **Commercial Zones.** In any Commercial zone, Eligible Housing Developments may utilize any or all of the yard requirements for the **RAS3 zone** per LAMC 12.10.5.
 - ii. **Residential Zones:** Eligible Housing Developments in Residential zones may utilize a reduction in the front, rear or side yards as follows:
 1. **Front Yards:** Front yard reductions are limited to no more than the average of the front yards of adjoining buildings along the same street frontage. Or, if located on a corner lot or adjacent to a vacant lot, the front yard setback may align with the façade of the adjoining building along the same front lot line. If there are no adjoining buildings, no reduction is permitted. In Tier 3 and Tier 4, the front yard reduction may be paired with one other individual yard reduction, per subsection 2 below, which will require the use of only one incentive.
 2. **Side and Rear Yards:**
 - a. Tier 1 - Up to a **25%** decrease in the required width or depth of one individual yard or setback.
 - b. Tier 2 - Up to a **30%** decrease in the required width or depth of one individual yard or setback.
 - c. Tier 3 - Up to a **30%** decrease in the required width or depth of two individual yards or setbacks.
 - d. Tier 4 - Up to a **35%** decrease in the required width or depth of two individual yards or setbacks.
 - iii. **Exception.** Yard reductions may not be applied along any property line that abuts an R1 or more restrictive residential zoned property.

C. **Area.** No building or structure nor the enlargement of any building or structure shall be erected or maintained unless the following yards and lot areas are provided and maintained in connection with the building, structure or enlargement.

1. **Front Yard.** There shall be a front yard of not less than five feet in depth, except that where the adjoining building on each side maintains a front yard of less than five feet in depth, the required front yard shall be the average of the front yards of the existing building or buildings.
2. **Side Yard.** Not required for the ground floor portion of buildings, when the ground floor is used exclusively for commercial purposes. **For all portions of buildings erected and used for residential purposes, there shall be side yards of not less than five feet in width along the residential portion of the perimeter of the building**
3. **Rear Yard.** There shall be a rear yard of not less than 15 feet in depth when the subject property is located adjacent to property zoned RD or more restrictive, otherwise there **shall be a rear yard of not less than five feet** in depth.

Exhibit 4 - RAS3 Zone Yard Requirement

(f) **Menu of Incentives.** Housing Development Projects that meet the qualifications of Paragraph (e) of this subdivision may request one or more of the following Incentives, as applicable:

- (1) **Yard/Setback.** **Up to 20% decrease in the required width or depth of any individual yard or setback except along any property line that abuts an R1 or more restrictively zoned property provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines "O."**

Exhibit 5 - LAMC 12.22.A25 Affordable Housing incentive

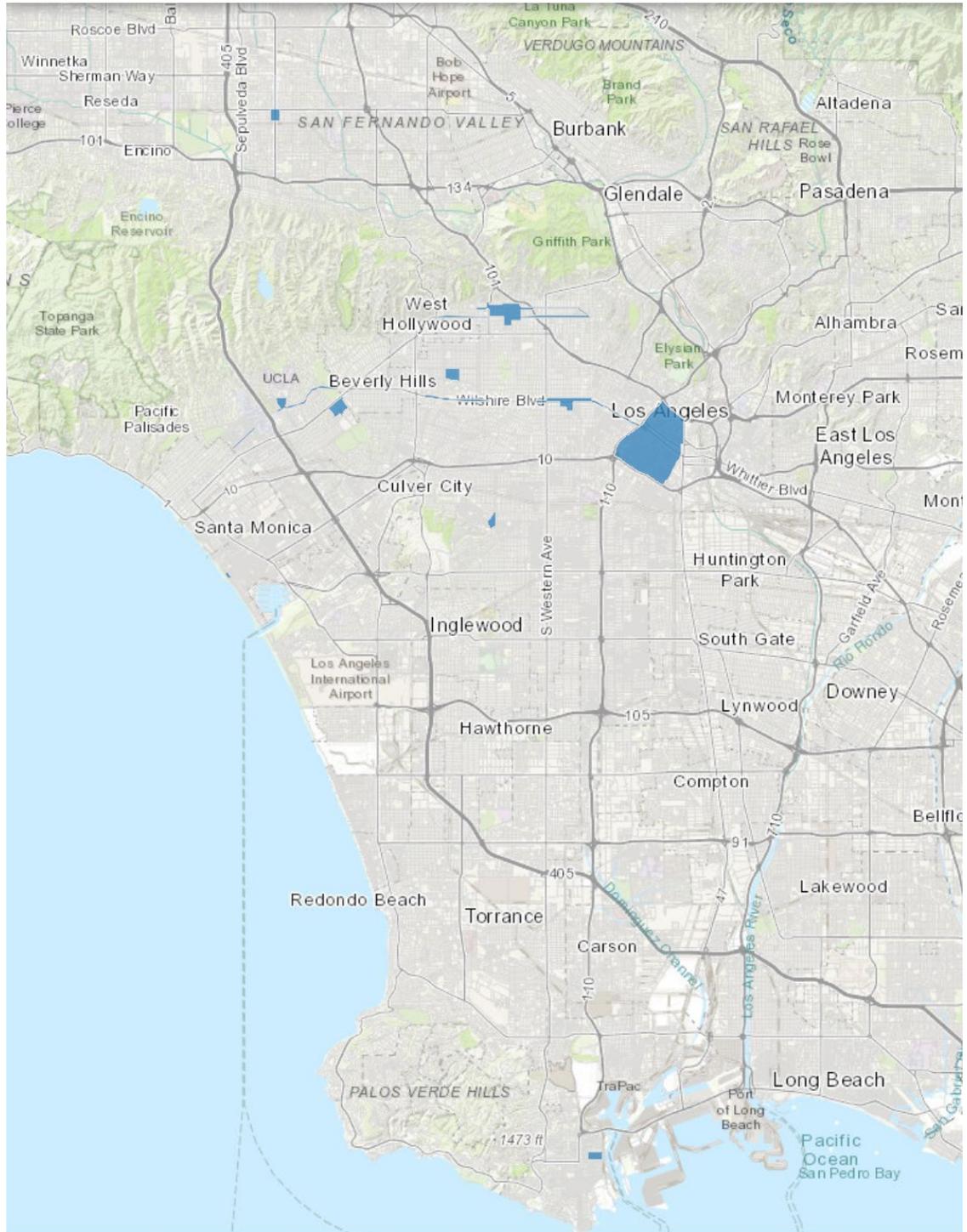


Exhibit 6 - Fire District 1 map



Supplemental Plan Check Corrections Sheet for Fire District 1 and Very High Fire Hazard Severity Zone (2017 LABC)

Plan Check / PCIS Application No:
Job Address: Date:
P.C. Engineer: Phone:
E-mail:
firstname.lastname@lacity.org

For instruction and other information, read the master plan check list attached.

Obtain the following Information Bulletins, Affidavits or forms from our web site (www.ladbs.org)

Information Bulletin No. P/BC 2017-023

A. FIRE DISTRICT 1

1. Type (IV) (V) building is not permitted in Fire District No 1. (7204.1)
2. Type IIB construction shall have at least : (7204.2)
 - 2 hour fire-resistive construction for exterior walls within 10 feet of and facing a property line.
 - 1 hour fire-resistive construction for exterior walls within 30 feet of and facing a property line or as required by Table 601, whichever is higher.
3. Type II buildings shall have at least:
 - Exterior Load bearing walls located within 30 feet of common property line or an assumed property line shall be of 2 hour fire-resistive. (7204.6)
 - Exterior non-bearing walls located within 30 feet of a common property line or an assumed property line shall as required by Table 601, but not less than 1 hour. (7204.6)
 - Exterior walls located more than 30 feet from common property line or an assumed property line shall comply with Table 601 requirements. (7204.6)
4. Provide 1-hour fire-resistance-rated construction in non-sprinklered building (7204.5), other than automobile parking structures and buildings surrounded on all sides by a permanently open space of 30 feet or more, for:
 - Walls & supporting members
 - Floors & supporting members
 - Roof and supporting members
5. Openings shall be protected by a fire assembly having a 3/4 hour fire resistive rating when the exterior wall is within 10' of a fire separation distance. (7204.3)
6. Exterior plastic veneer is not permitted. (7204.11)
 - a. Architectural trims shall be of approved noncombustible materials or fire-treated wood. (7204.7)
 - b. Permanent canopies shall comply with Section (7204.8)
7. Every story or basement with a floor surface elevation more than 4 ft lower than the highest elevation of the floor landing or tread of any required exit from that story shall be sprinklered. (7203.5)
8. Loading platform shall be enclosed and shall be firestopped into areas not exceeding 2,500 square feet. (7203.6)
9. Loading platform over 48 inches above the ground shall be of noncombustible material. (7203.6)
10. Roofed platform shall be of noncombustible material. (7203.6)
11. Provide Class A or B roofing. (7204.4, 1505.1)

Exhibit 7 – Fire District 1 supplemental plan check list

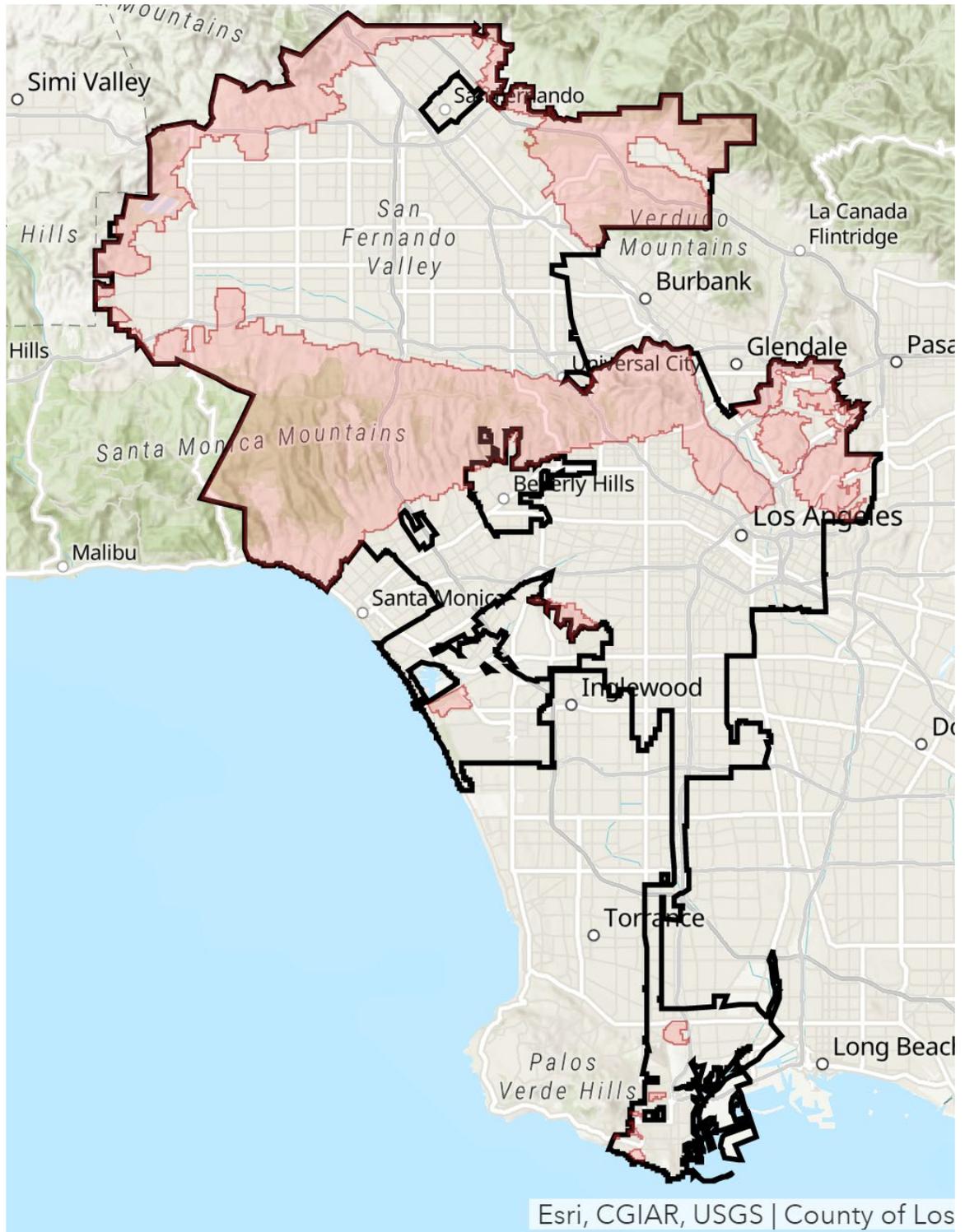


Exhibit 8 – Very High Fire Hazard Severity Zone Map

B. VERY HIGH FIRE HAZARD SEVERITY ZONE (VHFHSZ) (701A.3, 7201.2, 7207)

1. Based on City maps, this project is located within Very High Fire Hazard Severity Zone (VHFHSZ). It shall Comply with requirements of Materials, systems & construction methods of Chapter 7A and Chapter 72. Add the following material specifications and/or notes/ details to plans:

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities

PC/STR/Corr.Lst.109 (revised 1/1/17)

Page 1 of 3

<http://www.ladbs.org>

- a. Class A roof covering is required for all buildings. Wood shakes and shingles are not permitted. (7207.4, 1505)
- b. Valley flashings shall be not less than 0.019-inch (0.48 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide (914mm) underlayment consisting of one layer of No. 72 ASTM cap sheet running the full length of the valley (705A.3)
- c. Roof gutters shall be provided with the means to prevent the accumulation of leaves and debris in the gutter (705A.4)
- d. (Roof) (Attic)(Exterior wall) 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 1/4 Binch (6 mm) openings or its equivalent. Vents shall not be installed in eaves and cornices (706A.1, 706A.2, 706A.3, 7207.3)
- e. Eaves and soffits shall meet the requirements of SFM 12-7A-3 or shall be protected by ignition-resistant materials or noncombustible construction on the exposed underside (707A.5.5)
- f. Exterior walls shall be approved noncombustible or ignition-resistant material, heavy timber, or log wall construction or shall provide protection from the intrusion of flames and embers in accordance with standard SFM 12-7A-1 (707A.3.1)
- g. Exterior wall coverings shall extend from the top of foundation to the roof, and terminate at 2-inch (50.8 mm) nominal solid wood blocking between rafters at all roof overhangs, or in the case of enclosed eaves, terminate at the enclosure (704A.3.1)
- h. Exterior windows, window walls, glaze doors, and glazed openings 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, when tested according to NFPA 257, or conform to the performance requirements of SFM 12-7A-2 (708A.2.1)
- i. Exterior door assemblies shall conform to the performance requirements of standard SFM 12-7A-1 or shall be approved noncombustible construction, or solid core wood having stiles and rails not less than 1 3/8 inches thick with interior field panel thickness no less than 1 3 inches thick, or shall have a fire-resistance rating of not less than 20 minutes when tested according to ASNFPA 252. (Exception: Noncombustible or exterior fire-retardant treated wood vehicle access doors) (708A.3)
- j. Decking, surfaces, stair treads, risers, and landings of decks, porches, and balconies where any portion of such surface is within 10 feet (3048 mm) of the primary structure shall be constructed of heavy timber, non-combustible or other approved materials per Sec.709A.3
- k. The underside of cantilevered and overhanging appendages and floor projections shall maintain the ignition-resistant integrity of exterior walls, or the projection shall be enclosed to the grade (707A.8)
- l. Buildings shall have all underfloor areas completely enclosed to the grade with construction as required for exterior walls (707A.8, 7207.1)
- m. All utilities, pipes, furnances, water heaters or other mechanical devices located in an exposed under-floor area of a residential building shall be enclosed with materials as required for 1-hour fire-resistive construction.(7207.2)
- n. The space between the roof covering and roof decking shall be constructed to prevent the intrusion of flames and embers and be fire stopped per 705A.2.
- o. No trellis is permitted within 10 feet of the primary structure.
- p. Trellis more than 10 feet from the primary structure shall be constructed of heavy timber or non-combustible materials. Minimum of 4 inches spacing is required between the members. (Information Bulletin No. P/BC 2017-023).

Note: Visit <http://osfm.fire.ca.gov/strucfireengineer/pdf/bml/wuiproducts.pdf> for the list of products that meet SFM 12-7A-3 and SFM 12-7A-1 for eaves and exterior walls of projects in VHFHSZ.

Exhibit 9 – Very High Fire Severity Zone supplemental plan check list