

Communication from Public

Name: Build with Strength Los Angeles SUPPORT Letter
Date Submitted: 06/02/2021 10:58 PM
Council File No: 19-0603
Comments for Public Posting: Build with Strength Los Angeles - SUPPORT Letter - City Building Code Fire District 1 Expansion_CF-19-0603_June 2, 2021



June 2, 2021
Los Angeles City Council
200 North Spring Street
Los Angeles, CA 90012

CF 19-0603 - City Building Code Fire District 1 Expansion - SUPPORT

Dear Councilmembers,

Build with Strength, a coalition consisting of local community-based organizations, affordable housing advocates, fire safety professionals, engineers, architects and industry experts is committed to strengthening the nation's building codes and ensuring greater access to secure housing.

The Los Angeles coalition is proud to reiterate our support for the "Building A Safer Los Angeles" motion that currently sits before the Los Angeles City Council, sponsored by City Councilmembers Bob Blumenfield and Monica Rodriguez. We respectfully urge you to advance the motion following the recent report by the Department of Building and Safety.

We appreciate the Department's analysis on some of the questions and requests from the most recent Committee hearing. However, particularly as it relates to cost and the implication for affordable housing, some of the findings are simply inaccurate.

According to all [reports](#), wood prices are at an all-time high and will continue to climb. The claim that a mid-rise apartment building would cost less to build with wood than other materials goes against the most recent [finding](#) that has wood up 374% over the last year. The construction and development industry are dealing with a once in a generation cost increase and anything that points to a different conclusion is failing to see the facts.

This same logic also applies to affordable housing in the City of Los Angeles. The report states that "an expansion of Fire District 1 would likely reduce the financial feasibility of affordable housing projects and may result in fewer affordable housing units in the City." Their method of coming to this conclusion is not used by the construction industry when estimating costs. There are more affordable and more resilient materials than wood that the City and its partners should consider for these projects.

Housing should not only be affordable, but designed and operated to keep residents safe and healthy for the long term. The City's mandate to encourage new housing for its growing population must also encourage housing that is safe by anticipating the impact of potential hazards and the fire risk we are experiencing year after year.

Moreover, the proponents of a new untested material outlined in the report neglected to mention that mass timber is the most expensive form of construction. Just one example is the Portland, OR Frameworks "affordable" housing project that was cancelled due to a financial shortfall even with a \$1.5 million grant from the USDA. The building, which was slated to include 60 affordable apartments, was projected to cost \$651.43 per square foot! More on that project can be found [here](#).

The bottom line is that the requirements in the motion will not have a dramatic impact on cost and in fact it is cheaper today to build with non-combustible materials.

Sincerely,

Build with Strength Los Angeles

Communication from Public

Name: Tien Peng and Shamim Rashid-Sumar
Date Submitted: 06/02/2021 10:53 PM
Council File No: 19-0603
Comments for Public Posting: Tien Peng, Assoc AIA, LEED AP BD+CPMP, National Ready Mixed Concrete Association, and Shamim Rashid-Sumar, PE, National Ready Mixed Concrete Association, submit their testimony before the Public Safety Committee Meeting held on June 2, 2021.

Tien Peng, Assoc AIA, LEED AP BD+CPMP, National Ready Mixed Concrete Association
Shamim Rashid-Sumar, PE, National Ready Mixed Concrete Association

Honorable Members of the Public Safety Committee, Los Angeles City Council
Testimony June 2, 2021

Report Relative to Expanding Fire District 1, OSAMA YOUNAN, P.E. GENERAL MANAGER
SUPERINTENDENT OF BUILDING

Thank you for the opportunity to speak on the motion to expand the fire district and I will be directing my comments on the Report published by the Department of Building and Safety. We appreciate the extensive work by the Department on the report, and certainly working with the Fire Department as a stakeholder in developing the updated Fire Protection Program, however, there are areas of concern:

1. ITEM 1 - While Item 1 extensively outlined the logistics and existing conditions to expand Fire District 1 to areas within the City, it misses the major point of the Motion. That is “Feasibility... to achieve greater life safety”.

While it may be true that fire district ordinances and building code adoption have significantly reduced the incidence of conflagrations in densely built or populated urbanized areas, continuing development of suburban and rural communities in areas where nearby wildlands are preserved or protected has spurred the increased incidence and severity of fires in urban/wildland interface and intermix areas, which often lie outside designated fire districts. Climate Change driving high temperatures and dry conditions which has occurred during times of those high-velocity winds. This combination of events creates an environment, which is conducive to rapidly spreading fires and thus justifies additional measure such as Fire District proposed by Councilmember Blumenfield.

We are in unprecedented times with the number of wildfires throughout the region, yet Item 1 failed to address how the Land Use, Height and density characteristics of the neighborhoods would contribute to fire safety.

2. ITEM #5 - As the report itself noted the Building Valuation Data (BVD) is “is not intended to be used as a construction estimating guide” Yet the example does exactly that and uses it to make erroneous conclusions regarding construction costs and the impacts on Affordable Housing.

RS Means data is the most advanced estimating tool that construction industry leaders regularly use to determine cost. It's the best estimate because it is based on current pricing, localized and meticulously detailed with 92,000+ line items researched and verified every year. Previously referenced cost estimate using RS Means shows a noncombustible concrete project is 4% lower than a comparable wood project.

Moreover, it's hard to imagine that according to all reports, wood prices are at an all-time high according to the Producer Price Index of wood has seen a cost increase of nearly 90% during the past year and continue to rise. This is not the volatility we should consider as a viable solution to the affordable housing crisis.

Remember the structure of the material – wood, steel or concrete – is only 15-20% of the cost of the entire project. The simple fact is that any prohibition on the Construction Type is negligible as the total

project costs – from land development to acoustic mitigation, fire safety provisions to glazing to finishes to permitting - overwhelms the cost of just the structural material.

Finally, construction costs are not reflective of actual cost to rent an apartment. The cost to rent or sell a unit is what the market will bear irrespective of the cost to build it.

Housing should not only be affordable but designed and operated to keep residents safe and healthy for the long term. The City's mandate to encourage new housing for its growing population must also encourage housing that is safe by anticipating the impact of potential hazards and the fire risk we continue to experience year after year. The devastating 2018 Woolsey Fire that burned more than 96,000 acres in Los Angeles and Ventura Counties killed at least 3 people and destroyed more than 1,600 buildings and other structures. Which is worse - having unsafe housing that burns down (and rebuilt with taxpayer dollars) or resilient housing which will last the test of time? We should not sacrifice safety in any situation and should consider the availability of noncombustible resources that could positively impact our current housing crisis.

Although examining the cost of fires was not explicitly directed by the Council, the report also missed the cost of fires that taxpayers have to bear – the construction damage, water use, extensive damages to the adjoining Caltrans freeways and their infrastructure, as well as to the nearby City of Los Angeles' Dept Water Power headquarters and Department of Buildings and Safety, lawsuit filed by the City, and not to mention the cost of the families it displaced.

3. ITEM #6 - As the report itself noted, “mass timber is a relatively new wood building material”. The evangelical support for the use of the new combustible material should not dictate the safety of Los Angelenos. The report seems to be taking talking points from the wood industry’s claims of sustainability and low cost. Neither of which are supported facts.

COST: Mass timber is one of the most expensive forms of construction materials. Just one example is the Portland, OR Frameworks "affordable" housing project that was cancelled due to a financial shortfall even with a \$1.5 million grant from the USDA. The building, which was slated to include 60 affordable apartments, was projected to cost \$651.43 per square foot. This motion to expand the FD1 put forth does not ban the use of it. Fire District 1 limits its use. Mass timber Type IV use in the Fire District 1 should be addressed separately by the appropriate agencies. (In contrast at \$152/sf, the Meadowbrook Village Christian Retirement Community in Escondido, Calif is a 66,000-square-foot, \$10 million apartment building with 66 units and underground parking. The project provided its residences energy efficiency, superior acoustic performance, and most importantly all-hazard resilience.)

SUSTAINABILITY: Industrial logging such as clearcutting practices transfers most of the carbon in the forest to the atmosphere as logging slash, mill waste, and processing emissions. Only 15-30% of carbon stored in the tree actually get sequestered in the wood product itself. The rest goes immediately into the atmosphere as process emissions. Moreover, the most significant impacts of industrial forestry—harming to forest ecosystems, biodiversity, and soil and water quality—are not addressed, when advocates are promoting its sustainability values.

4. ITEM #7 - Finally, the ICC consensus technical committees that maintain the International Fire Code (IFC) continue to maintain IBC Appendix D “Fire Districts,” which is adopted and amended by the California Building Code (CBC) and the City of Los Angeles Building Code.

While it may be true that fire district ordinances and building code adoption have significantly reduced the incidence of conflagrations in densely built or populated urbanized areas, continuing development of suburban and rural communities in areas where nearby wildlands are preserved or protected has spurred the increased incidence and severity of fires in urban/wildland interface and intermix areas, which often lie outside the current designated Fire District 1.

In the Department's *Survey of Other Jurisdictions*, there is an obvious missed opportunity to consider other major cities that have enacted fire districts such as New York City Fire Districts or Chicago Fire Limits. These major cities have provided additional fire protections for its citizens and provided affordable housing.

Affordable case studies for non-combustible construction are abundant where Fire Districts are used. The Bluestone Organization has built roughly 10,000 of units, owns/manages 1,000, and has another 2,000 under construction in New York City. A city not known for being "affordable". Yet, the majority of Bluestone projects are residential with people who are regular working folks. Majority of their projects are affordable (below median income) and ALL are built with noncombustible construction.

Thank you for your consideration.

Contact:

Tien Peng, Assoc AIA, LEED AP BD+CPMP
Senior Vice President, Codes and Standards
Phone: 206-913-8535
Email: tpeng@nrmca.org

Shamim Rashid-Sumar, PE
Vice President, Fire Codes and Standards
Phone: 917-484-1960
Email: ssumar@nrmca.org

Communication from Public

Name: J. Keith Gilless

Date Submitted: 06/02/2021 04:21 PM

Council File No: 19-0603

Comments for Public Posting: I was unable to make these comments at the Public Safety Committee's hearing on 6/2/21 due to the large number of individuals seeking to comment. I am agnostic with respect to the need to expand the fire district, but I would urge the committee to carefully consider the impact of the proposed changes on efforts to expand the use innovative construction materials such as mass timber beams and panels. California is playing catchup to Europe and to Canada in this regard, including their use in medium-height buildings. The emerging body of research on the seismic and fire safety performance of buildings employing modern engineered wood products is extremely positive, and they can certainly play a role in meeting the State's objectives with respect to carbon sequestration, energy conservation, improving housing affordability, and providing a market-based solution to reduce overstocking in California's forests. Objections to the current cost of mass timber construction overlook the rapid drop in such costs that would occur with growth in domestic manufacturing capacity. I know that the Committee understands that it is important to consider vested interests in its evaluation of the claims made by advocates for and against the treatment of different building materials in code, and I feel that it is worth pointing out that in my own research I have pointed out instances in which fire safety considerations make the use of some wood products such as wood shake/shingle roofs untenable. I commend the Committee for many of the measures discussed in the report under consideration today to improve the fire resilience and public safety of the communities you serve. Respectfully, J. Keith Gilless Professor Emeritus of Forest Economics, UC Berkeley Chair, California Board of Forestry and Fire Protection

Communication from Public

Name: Anne Bickerton

Date Submitted: 06/02/2021 06:20 PM

Council File No: 19-0603

Comments for Public Posting: While concern about safety from fires is legitimate, the concrete industry should not be determining LA's housing future. Los Angeles is in the midst of a housing crisis, and this ban on wood construction will make housing construction more expensive and even more challenging to pull off. Furthermore, concrete is not environmentally friendly at all and this will not support LA's climate goals. There are other ways to achieve climate resilience and safety from wildfires than to further restrict home construction in the areas that most need to add housing.

Communication from Public

Name: Southern California Association of Nonprofit Housing

Date Submitted: 06/02/2021 09:47 AM

Council File No: 19-0603

Comments for Public Posting: June 2, 2021 Los Angeles City Council Public Safety Committee
200 N Spring Street Los Angeles, CA 90012 Re: Expansion of
Fire District 1, Council File 19-0603, Item 2, Hearing on 6/2/21
Dear members of the Public Safety Committee: SCANPH is a nonprofit membership association representing dozens of affordable housing developers throughout the City of Los Angeles and the greater Southern California region. Our members develop permanent, high quality, below market rate homes for low and extremely low income residents. Our organization wishes to voice respectful opposition to the motion to explore the expansion of Fire District 1, on which the Public Safety Committee is hearing a report on Wednesday, June 2nd. The report submitted to the committee from the Fire Department (LAFD) and Department of Building and Safety (LADBS) details the harm the expansion of Fire District 1 would have on affordable housing production. Cost analyses from LADBS data show that buildings constructed in Type I, II, and III (the only permitted in Fire District 1) cost 15-47% more than those constructed in Type IV and V. A survey of 84 properties funded by HCIDLA showed that the majority were constructed in the buildings types disallowed by Fire District 1. The report also argues that because of these limitations “there are very few HCIDLA-financed projects located in Fire District 1 areas” and that an expansion of the district would “likely reduce the financial feasibility of affordable housing projects.” SCANPH corroborated this information by polling its own members, the majority of which rely heavily on Type IV and Type V construction to produce the affordable housing our city so desperately needs. The report also argues that the California Building Code, along with Los Angeles’ own fire code, provide ample protection for our City’s residents as is. When clad in fire retardant material such as stucco, wood framing used in Type IV is a safe building material. Additionally, mass timber is also a new building material which offers an efficient and sustainable building approach for developers of affordable housing. These developers rely on these buildings methods throughout the City outside of Fire District 1 without trouble. It is also important to note that out of ten other jurisdictions surveyed in the report (including San Diego, San Francisco, and cities in Los Angeles and Orange Counties) none used fire districts in addition to the

state building code. This demonstrates that this district is an outdated tool for fire control, and an expansion of its boundaries is not a viable approach for increasing safety in the City of Los Angeles. To be clear, SCANPH does not stand against public safety and is thankful that the committee is interested in responding to our area's increasingly deadly wildfire seasons. However, we believe that the report submitted to the Committee clearly demonstrates that the expansion of Fire District 1 is not the best way to keep Angelinos safe. This expansion will limit access to land and increase building costs for the builders of affordable housing in our region. SCANPH implores the committee members to send a "no" recommendation to Council regarding this motion, and explore other options for increasing fire safety in our city without exacerbating our housing crisis. We thank you for the work you do to keep members of the public safe. Sincerely, Francisco Martinez Policy Director Southern California Association of NonProfit Housing (SCANPH)

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EAH Housing



June 2, 2021

Los Angeles City Council
Public Safety Committee
200 N Spring Street
Los Angeles, CA 90012

Re: Expansion of Fire District 1, Council File 19-0603, Item 2, Hearing on 6/2/21

Dear members of the Public Safety Committee:

SCANPH is a nonprofit membership association representing dozens of affordable housing developers throughout the City of Los Angeles and the greater Southern California region. Our members develop permanent, high quality, below market rate homes for low and extremely low income residents. **Our organization wishes to voice respectful opposition to the motion to explore the expansion of Fire District 1**, on which the Public Safety Committee is hearing a report on Wednesday, June 2nd.

The report submitted to the committee from the Fire Department (LAFD) and Department of Building and Safety (LADBS) details the harm the expansion of Fire District 1 would have on affordable housing production. Cost analyses from LADBS data show that buildings constructed in Type I, II, and III (the only permitted in Fire District 1) cost 15-47% more than those constructed in Type IV and V.

A survey of 84 properties funded by HCIDLA showed that the majority were constructed in the buildings types disallowed by Fire District 1. The report also argues that because of these limitations “there are very few HCIDLA-financed projects located in Fire District 1 areas” and that an expansion of the district would “likely reduce the financial feasibility of affordable housing projects.” SCANPH corroborated this information by polling its own members, the majority of which rely heavily on Type IV and Type V construction to produce the affordable housing our city so desperately needs.

The report also argues that the California Building Code, along with Los Angeles’ own fire code, provide ample protection for our City’s residents as is. When clad in fire retardant material such as stucco, wood framing used in Type IV is a safe building material. Additionally, mass timber is also a new building material which offers an efficient and sustainable building approach for developers of affordable housing. These developers rely on these buildings methods throughout the City outside of Fire District 1 without trouble.

It is also important to note that out of ten other jurisdictions surveyed in the report (including San Diego, San Francisco, and cities in Los Angeles and Orange Counties) none used fire districts in addition to the state building code. This demonstrates that this district is an outdated tool for fire control, and an expansion of its boundaries is not a viable approach for increasing safety in the City of Los Angeles.

To be clear, SCANPH does not stand against public safety and is thankful that the committee is interested in responding to our area's increasingly deadly wildfire seasons. However, we believe that the report submitted to the Committee clearly demonstrates that the expansion of Fire District 1 is not the best way to keep Angelinos safe.

This expansion will limit access to land and increase building costs for the builders of affordable housing in our region. SCANPH implores the committee members to send a "no" recommendation to Council regarding this motion, and explore other options for increasing fire safety in our city without exacerbating our housing crisis.

We thank you for the work you do to keep members of the public safe.

Sincerely,

A handwritten signature in cursive script that reads "Francisco Martinez".

Francisco Martinez

Policy Director

Southern California Association of NonProfit Housing (SCANPH)

Communication from Public

Name: Isaac Resnikoff
Date Submitted: 06/02/2021 08:20 AM
Council File No: 19-0603
Comments for Public Posting: I'm writing to beg the council not to expand Fire District 1. Wood frame construction is cheaper and more environmentally friendly than concrete. We should not be making housing more expensive in the middle of a historic housing crisis. We should both be making construction more carbon intensive in the middle of a existential climate crisis.

Communication from Public

Name: Tarzana Neighborhood Council, Tarzana Property Owners Association

Date Submitted: 06/02/2021 08:56 AM

Council File No: 19-0603

Comments for Public Posting: David Garfinkle submits a Letter of Support for Building A Safer Los Angeles from the Tarzana Neighborhood Council and the Tarzana Property Owners Association.



Tarzana Property Owners Association, Inc.



TARZANA
NEIGHBORHOOD
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TARZANANC.ORG

June 2, 2021

Los Angeles City Council
Public Safety Committee
Los Angeles City Hall
200 N. Spring Street
Los Angeles, CA 90012

Dear Chairwoman Rodriguez, and Councilmembers O'Farrell, Buscaino, De Leon, and Harris-Dawson:

The Tarzana Neighborhood Council and the Tarzana Property Owners Association (TPOA) sent our first letter of support in 2018 for the proposed motion ***Building A Safer Los Angeles***. We join the efforts of *Build with Strength Los Angeles*, a coalition representing community-based organizations, small businesses, and labor unions throughout Los Angeles to encourage the Los Angeles City Council to strengthen fire life-safety standards by enacting a stronger code for the use of non-combustible building materials in the construction of low to mid-rise multi-family structures and the expansion of Fire District 1.

As President of the Tarzana Property Owners Association, and a Member of the Board of Directors and Chair of the Land Use Committee of the Tarzana Neighborhood Council, I write to express our continued support for the ***Building A Safer Los Angeles*** amended motion brought forward today by Councilmember's Rodriguez and Blumenfield is necessary and critical as we enter another destructive fire season. This measure will work to protect high-density construction that is at risk of fire and will increase the fire life safety elements of the city's building code. Furthermore, this proposed motion ensures that affordable housing can be built with resiliency and safety.

What the Tarzana Neighborhood Council was impressed with about the proposed motion ***Building A Safer Los Angeles*** is that this does not eliminate building materials and will allow developers to build much needed housing with resilience to make our multi-family structures safer across Los Angeles. This will afford developers the ability to continue to build safe and affordable housing across Los Angeles using non-combustible building materials like concrete, steel, and fire resistant treated wood.

The Tarzana Neighborhood Council and the Tarzana Property Owners Association both voted

unanimously to support Councilmember Blumenfield's and Chairwoman Rodriguez's proposed motion, *Building A Safer Los Angeles*. The LA City Council's Planning & Land Use Management Committee (PLUM) voted unanimously in favor of the motion on December 3, 2019; we respectfully urge the Public Safety Committee to do the same.

We encourage the Los Angeles City Council to enact safer, more sustainable standards for low-rise and mid-rise throughout our city. Thank you in advance for your leadership and hopeful support in protecting the citizens of Los Angeles.

Sincerely,



David R. Garfinkle

President, Tarzana Property Owners Association
Tarzana Neighborhood Council, Chair, Land Use Committee,
Member of the Board of Directors

Communication from Public

Name: Logan O'Phelan
Date Submitted: 06/02/2021 02:58 PM
Council File No: 19-0603

Comments for Public Posting: Hello, my name is Logan O'Phelan and I work for Clifford Beers Housing, a nonprofit housing developer here in the City of Los Angeles. I would like to speak on item 2 (19-0603) and urge the committee not to expand Fire District 1 across more of the City. First and foremost, I think we can all agree that the greatest public safety crisis facing this city is a tremendous lack of affordable housing, causing a growing number of Angelenos to experience homelessness and the dangers associated with it. This year 5 people are dying on the streets in Los Angeles every day. Homelessness is a far greater threat to public safety than fire in most of Los Angeles. In fact, according to recent LA Times coverage, homelessness itself is a greater fire risk than construction typology. The report from LAFD and LADBS confirms what I can tell you as a developer, expanding Fire Zone 1 will cause unbearable financial consequences to affordable housing development, making it entirely unfeasible in many of the few areas of the City where the land use allows dense multifamily development. The Fire Zone 1 expansion would also drive up construction costs and therefore housing costs of market rate housing, making the affordability crisis even worse and driving more people into the streets. Please do not make our job of housing Los Angeles any more difficult than it already is. Secondly, the expansion of Fire Zone 1 is irresponsible from a climate perspective. By prohibiting nearly all wood frame construction the Fire Zone would demand greater utilization of concrete and steel, two industries that combined account for nearly a quarter of CO2 emissions in the United States. This mandate is counter to the City of Los Angeles' position as a climate leader in our nation and global community. I fully support exploring ways to protect our City from the growing threat of fires as a result of climate change, but this proposal causes more harm than good and exacerbates the very crises that pose the greatest threats to the City. There are so many more tools in our tool belt (such as fire resistant landscaping, the smart use of open space, and the use of fire retardant materials on all construction types) that can be explored before considering this blanket code change. Thank you