



ENVIRONMENTAL COMMISSION MOTION 20190918 007b

Date: September 18, 2019

Subject: Wildlands Urban Interface Proposed Ordinance

Motion by: Peggy Maceo

Seconded by: Pam Thompson

RATIONALE:

WHEREAS, the Wildlands-Urban Interface Code (WUI) will provide the Austin Fire Department (AFD) authority to enforce building construction and vegetative maintenance standards that will improve identified WUI areas; and

WHEREAS, Austin has 54,000 homes that are high risk for wildfires; and

WHEREAS, the trees and vegetation around these homes are also at risk; and

WHEREAS, a "hardened home" has reduced wildfire risk because it uses many non-combustible and ignition-resistant building materials and is maintained in a fire-resistant condition, and because the Firewise approach begins with a hardened home as the primary fire protection method and moves outward; and

WHEREAS, defensible space around a home done with Firewise principles is one of the most effective fire prevention tools; and

WHEREAS, Firewise principles should be applied to protect preserves, public land, and critical habitat from unnecessary vegetation and tree removal; and

WHEREAS, there are important unintended environmental consequences if trees and vegetation are removed without using Firewise principles in an attempt to reduce fire risk; and

WHEREAS, the WUI code will not require defensible space to be required throughout the WUI areas for existing structures unless there is a distinct hazard to life or property and the WUI code eliminates the ignition resistant construction table.

THEREFORE, the Environmental Commission recommends support of the proposed WUI Code with the following conditions:

- Within six months from Council approval of an ordinance, develop best management practices for the WUI Code that shall be added to the City's technical manual through the rules process. Include the public in several working group meetings prior to the standard rules meeting.
- Establish a proactive Firewise process where AFD assesses the fire risk on site for new construction or remodels, prior to doing any tree or vegetation work in defensible space. Do not allow tree or vegetation removal to create defensible space or creation of shaded fuel breaks without prior AFD Firewise assessment.
- Require hardening new or remodeled buildings and structures before removing trees or vegetation in the defensible space.
- Staff shall proactively review site plans and proposed remodels to avoid removing or damaging trees to provide water or access for emergency vehicles.
- AFD Wildfire Staff shall present to the Environmental Commission soon after completion of the citizens working group discussion, and prior to the recommendations being adopted into the Technical Manual.
- Staff shall ensure that Firewise principles are used prior to creating defensible space to protect preserves and public land from unnecessary removal of trees and vegetation.
- Educate the public so trees and other vegetation are not unnecessarily removed. Promote hardening the home as the primary fire protection method. Enforce the protective tree ordinances.
- Provide clear instructions on vegetation management.
- Clarify in Section 102.4.2 that heritage tree protections will have precedence over this ordinance
- In Section 604.4 Trees, add "Any tree work for native trees over 8" for the purpose of creating a defensible space shall be performed or overseen by a certified arborist trained by the Texas Forest Service in Firewise tree management (add to page 14, 604.4 Trees).
- In Section 604.4 Trees, "In accordance with industry standards for tree care," change to "In accordance with ANSI 300 tree pruning standards and COA Oak Will standards, including no pruning period, proper cuts, and tool cleaning."
- Clarify what "details for vegetation within 300 feet of the lot line" will need to be included in the Vicinity Plan. Clarify if a tree survey of any tree larger than 8 inches will be required. Clarify the process if portions, or all, of the 300 feet are in public land or in another homeowner property. (Page 5, 108.7 Vicinity Plan).
- Consolidate information, tables, and definitions for easy reference. Copy sections of the 2015 International WUI code into this WUI code.
- Define terms such as vegetation management plan, defensible space, hazard, 30 feet moderate hazard, 50 feet high hazard, 100 feet extreme hazard, findings of fact, undeveloped land, fuel reduction treatment, shaded fuel breaks, and ladder fuels. Be consistent with using these terms. Ex: Distinct hazard vs. hazard.

- Clarify that defensible space shall be required by this WUI Code only for structures (new or remodeled) located within 50 feet or closer from 40 acres of contiguous areas of light, medium and or heavy fuel; page 14, 603.2.3 Groundcover; and page 14, 604.4 Trees).
- Clarify that ignition resistant construction requirements also applies to remodels and not just to construction. Change from “buildings and structures located in the WUI shall be constructed in accordance to” to “buildings and structures located in the WUI within 50 feet or closer to a 40 acres or greater continuous area of light, medium and/or heavy fuels shall be constructed or remodeled in accordance to,” (Page 8, 501.1 Scope).
- In Table 502.1 Fire Hazard Severity, change 150 feet to 100 feet to be consistent with Firewise defensible space of 30 feet, 50 feet, and 100 feet.
- Map needs to clearly depict the fire risk in the 35-50-100 feet Firewise defensible space, not just the 150 feet arbitrary distance that was imposed by the fire model.
- Change requirement for one hour fire resistance rated construction (such as fire-retardant wood) of unenclosed structures attached to buildings (decks and fences) from 10 feet to 30 feet This is to avoid having to prune or remove trees that are close to decks and fences up to 30 feet from the home (Page 12, 504.7 Appendages and Structures).
- Promote defensible landscape design and educate the public against the misconception that creating a barren landscape, the stripping of trees and plants, is necessary.
- Retain some healthy young trees in the defensible space. Do not remove every tree less than 8 inches in diameter in the defensible space (Page 14, 604.4 Trees).
- Allow 1-2 inches of vegetative debris (dead leaves, fallen deadwood, mulch) on the ground in the defensible space to improve soil and tree health, and for invertebrates to live. Many trees will die if bare soil is exposed in the defensible space (Page 14, 604.4 Ground Cover).
- Explore opportunities for grants, rebates, and/or tax incentives to help homeowners with the additional expense for ignition-resistant construction and/or landscape and tree work in the defensible space.
- Provide extensive public education and outreach such as town hall meetings on the new code to assist the public in identifying fire hazards before they take action.

VOTE 8-0

For: Bedford, Creel, Thompson, Guerrero, Coyne, Ramberg, Neely, and Maceo

Against: None

Abstain: None

Recuse: None

Absent: Smith, Gordon

Approved By:

Linda H. Guerrero

Linda Guerrero, Environmental Commission Chair