



## AGENDA REPORT

**Meeting Date:** May 20, 2008  
**Item Number:** E-1  
**To:** Honorable Mayor & City Council  
**From:** Greg Barton, Deputy Fire Marshal  
**Subject:** AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
REQUIRING THE DESIGNATION OF VERY HIGH FIRE  
HAZARD SEVERITY ZONES, AMENDING THE 2007  
CALIFORNIA FIRE CODE, AND AMENDING PORTIONS OF  
TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE

**Attachments:**

1. Ordinance
2. Proposed Very High Fire Hazard Severity Zone Map
3. Existing Very High Fire Hazard Severity Zone Map

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### RECOMMENDATION

Staff respectfully recommends that the City Council waive full reading of the ordinance and the ordinance entitled "An Ordinance of the City of Beverly Hills Requiring the Designation of a Very High Fire Hazard Severity Zones, Amending the 2007 California Fire Code, and Amending Portions of Title 9 of the Beverly Hills Municipal Code" be introduced and read by title only. This ordinance adopts the Very High Fire Hazard Severity Zone Map presented by California Department of Forestry and Fire Protection (CAL FIRE) and the Office of the State Fire Marshal (OSFM).

### INTRODUCTION

In the mid 1990's Assembly Bill 337 of 1992 (the Bates Bill) was passed requiring the State of California and Local government to identify areas that meet the criteria as a Very High Fire Hazard Severity Zone. The "Bates Bill", at Government Code Section 51175, was prompted by the devastating Oakland Hills Fire of 1991. This mid-1990s legislation calls for the CAL FIRE Director to evaluate fire hazard severity in Local Responsibility Area (LRA) and to make a recommendation to the local jurisdiction where

Very High Fire Hazard Severity Zones (VHFHSZ) exist. The City of Beverly Hills Fire Department completed the survey and a Very High Fire Hazard Severity Zone map was created for the City of Beverly Hills. Ordinance number 95-0-2252. This area included the area of Sunset Blvd to the south, City limits to the East, West and North.

**DISCUSSION**

CAL FIRE has been conducting a review and update of fire hazard severity zones and has completed its process in making recommendations to local jurisdictions as to where those areas exist. Once the Director has designated an area as a Very High Fire Hazard Severity Zone, the local jurisdiction is required to designate, by ordinance, Very High Fire Hazard Severity Zones in its jurisdiction.

While, the City of Beverly Hills currently has a Very High Fire Hazard Severity Zone map on file designating the area North of Sunset, the proposed ordinance replaces the existing Very High Fire Hazard Severity Zone map with an updated map from the California Department of Forestry and Fire Protection (CAL FIRE) and the Office of the State Fire Marshal (OSFM). The new map is exactly the same as the existing map.

The basic authorities and responsibilities for the Local VHFHSZ are found in Government Code Sections 51175 – 51189. The purpose of this Government Code chapter is to classify lands in accordance with whether a very high fire hazard severity is present so that public officials are able to identify measures that will mitigate the rate of spread. This will reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken.

The California Department of Forestry and Fire Protection (CAL FIRE) and the Office of the State Fire Marshal (OSFM) set a mandatory effective date to adopt the VHFHSZ maps for those areas where local government has responsibility for wildland fire protection (LRA) to July 1, 2008.

**FISCAL IMPACT**

None

Vincent P. Bertoni, AICP *GC For VB*  
\_\_\_\_\_  
Approved By

Timothy J. Scramton *JH for T.S.*  
\_\_\_\_\_  
Approved By

# **Attachment 1**

## **Ordinance**

AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
REQUIRING THE DESIGNATION OF VERY HIGH FIRE  
HAZARD SEVERITY ZONES, AMENDING THE 2007  
CALIFORNIA FIRE CODE, AND AMENDING PORTIONS OF  
TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY  
ORDAINS AS FOLLOWS:

Section 1. Section 9-2-2 of Chapter 2 of Title 9 is hereby amended by adding the following:

**“Section 4704.3 Very High Fire Hazard Severity Zone Map.** The City of Beverly Hills City Council hereby designates Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection and as designated on a map titled Very High Fire Hazard Severity Zone, May 1, 2008 and retained on file at the Office of the Fire Marshal, 445 North Rexford Drive.”

Section 2. The map titled Very High Fire Hazard Severity Zone, May 1, 2008 is hereby attached to this Ordinance as Exhibit A.

Section 3. CEQA Findings. The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption and implementation of this Ordinance may have a significant effect on the environment. The Ordinance does not authorize construction and, in fact, imposes greater restrictions on certain development in order to protect the public health, safety and general welfare. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

Section 4. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any

reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 5. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code; shall certify to the adoption of this Ordinance and shall cause this Ordinance and his certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 6. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted:  
Effective:

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BARRY BRUCKER  
Mayor of the City of Beverly Hills,  
California

ATTEST:

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(SEAL)  
BYRON POPE  
City Clerk

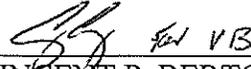
APPROVED AS TO FORM:



LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

RODERICK J. WOOD  
City Manager



VINCENT P. BERTONI, AICP  
Director of Community Development



TIMOTHY J. SCRANTON  
Fire Chief

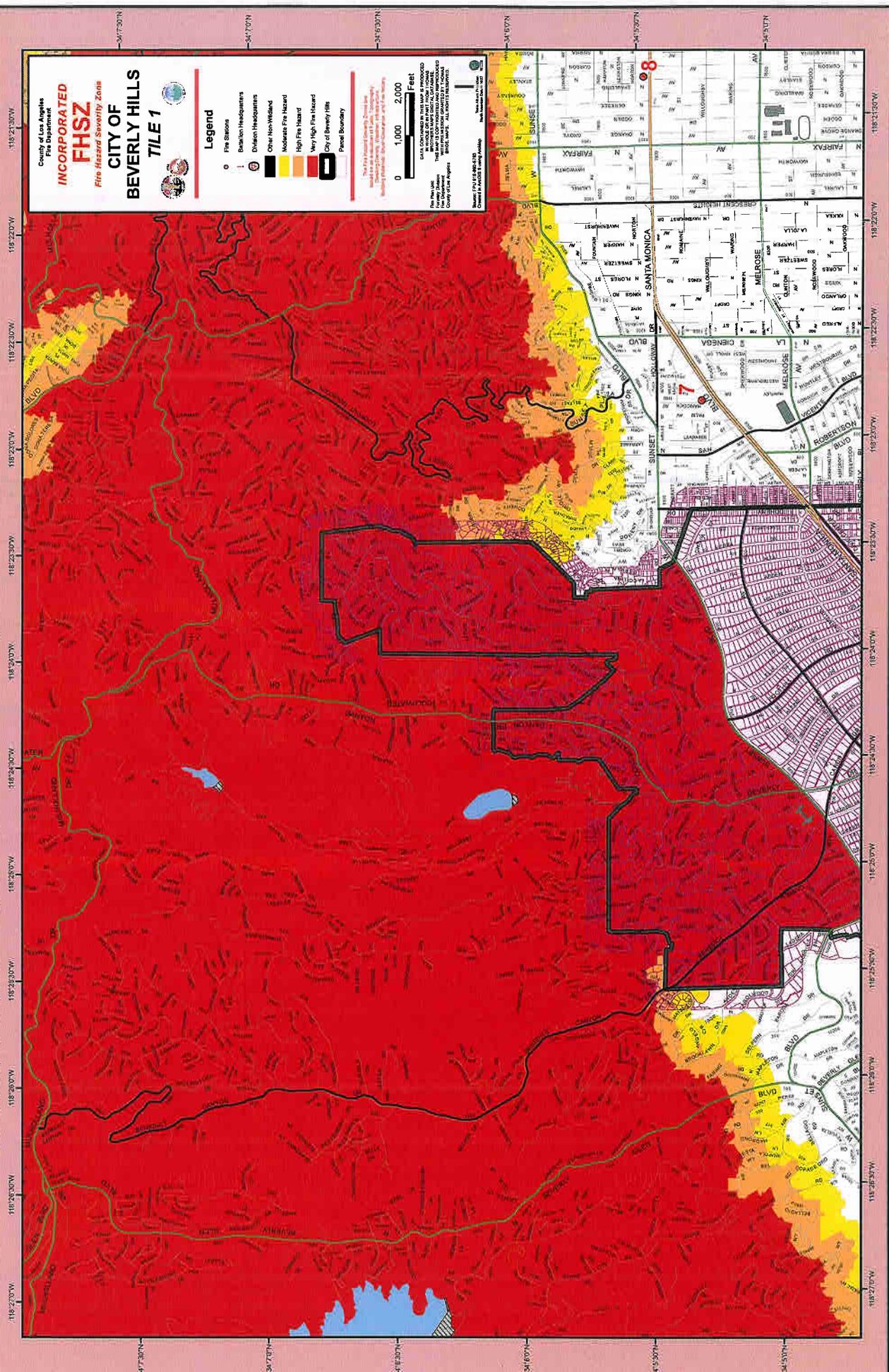
**EXHIBIT A-MAP**

**INCORPORATED**  
**FHSZ**  
 Fire Hazard Severity Zone  
**CITY OF BEVERLY HILLS**  
**TILE 1**

- Legend**
- Fire Stations
  - Battalion Headquarters
  - Division Headquarters
  - Other Non-Hazard
  - Moderate Fire Hazard
  - High Fire Hazard
  - Very High Fire Hazard
  - City of Beverly Hills
  - Parcel Boundary

The Fire Hazard Severity Zones for the City of Beverly Hills are shown on this map. The Fire Hazard Severity Zones are based on the Fire Hazard Severity Index (FHSI) developed by the National Fire Protection Association (NFPA). The FHSI is a numerical rating system that is based on the fire hazard potential of a given area. The FHSI is calculated based on the following factors:

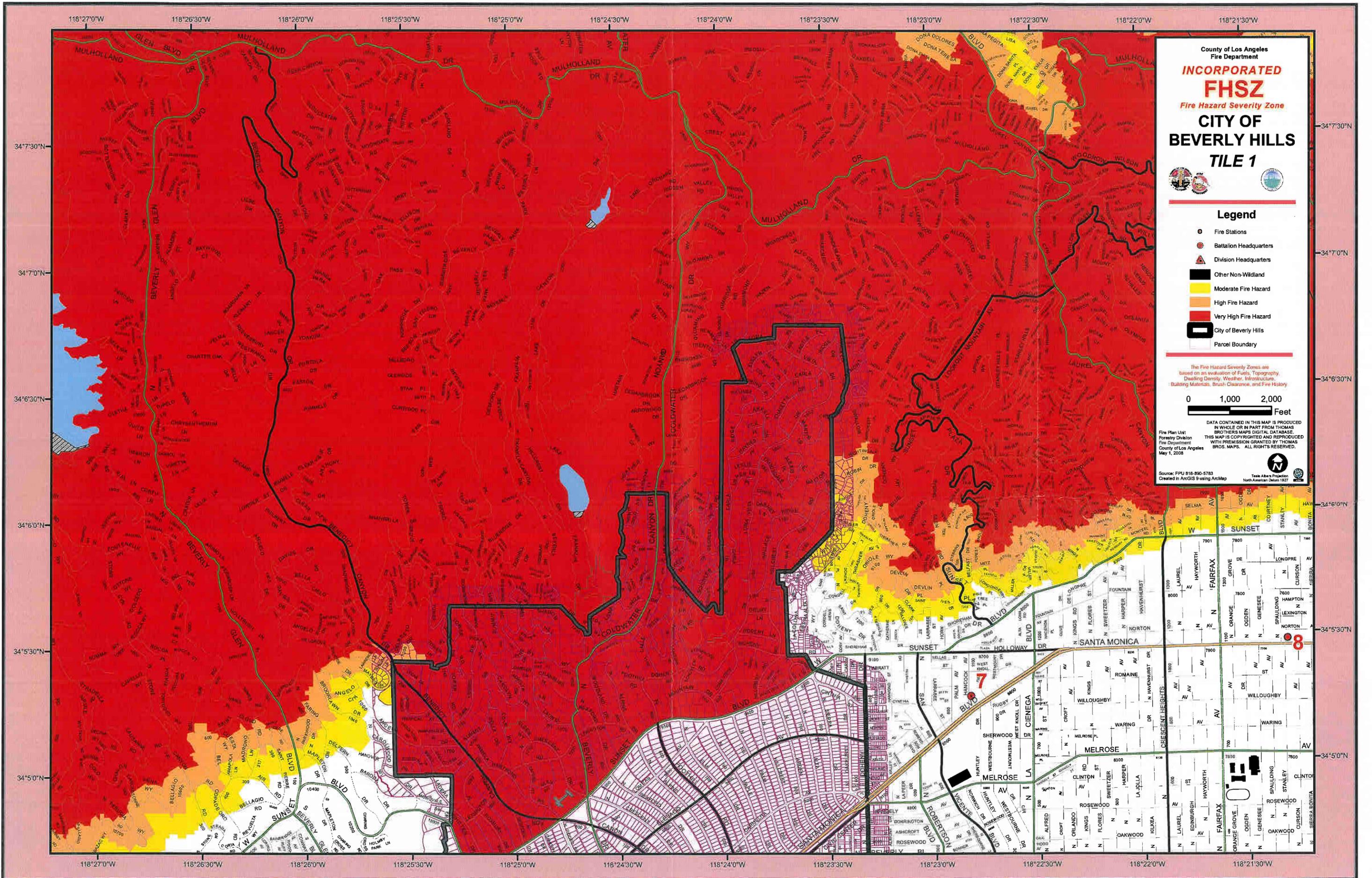
0 1,000 2,000 Feet  
 Scale Contained in this Map is Provided for Reference Only. It is Not to be Used for any Other Purpose.





## **Attachment 2**

# Proposed Very High Fire Hazard Severity Zone Map



County of Los Angeles  
Fire Department

# INCORPORATED FHSZ

Fire Hazard Severity Zone

## CITY OF BEVERLY HILLS

### TILE 1

**Legend**

- Fire Stations
- Battalion Headquarters
- Division Headquarters
- Other Non-Wildland
- Moderate Fire Hazard
- High Fire Hazard
- Very High Fire Hazard
- City of Beverly Hills
- Parcel Boundary

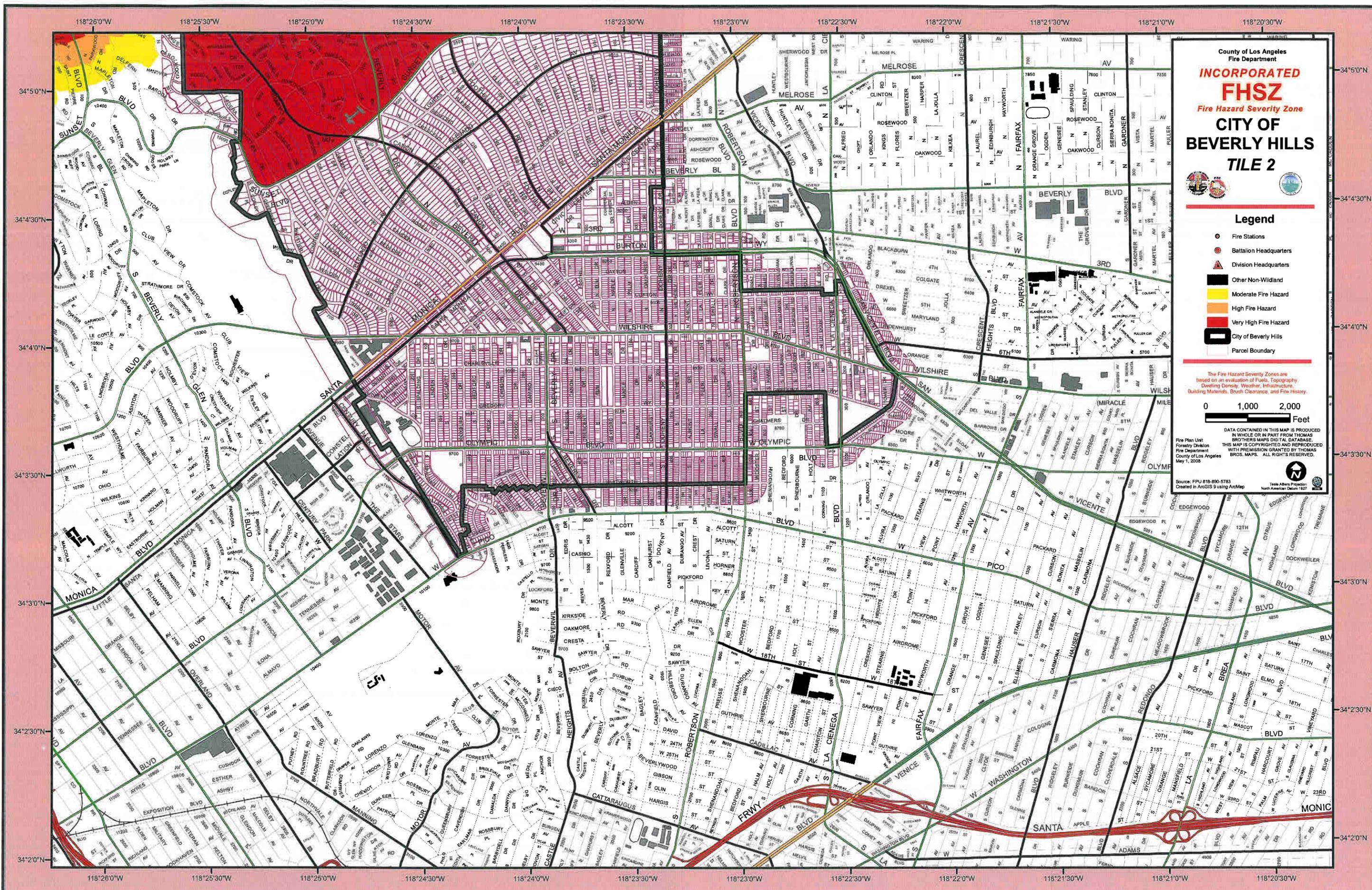
The Fire Hazard Severity Zones are based on an evaluation of Fuels, Topography, Dwelling Density, Weather, Infrastructure, Building Materials, Brush Clearance, and Fire History.

0 1,000 2,000 Feet

DATA CONTAINED IN THIS MAP IS PRODUCED IN WHOLE OR IN PART FROM THOMAS BROTHERS MAPS DIGITAL DATABASE. THIS MAP IS COPYRIGHTED AND REPRODUCED WITH PERMISSION GRANTED BY THOMAS BROS. MAPS. ALL RIGHTS RESERVED. May 1, 2008

Source: FPU 818-800-5783  
Created in ArcGIS 9 using ArcMap

North American Datum 1983



County of Los Angeles  
Fire Department  
**INCORPORATED**  
**FHSZ**  
Fire Hazard Severity Zone  
**CITY OF BEVERLY HILLS**  
**TILE 2**

- Legend**
- Fire Stations
  - Battalion Headquarters
  - Division Headquarters
  - Other Non-Wildland
  - Moderate Fire Hazard
  - High Fire Hazard
  - Very High Fire Hazard
  - City of Beverly Hills
  - Parcel Boundary

The Fire Hazard Severity Zones are based on an evaluation of Fuels, Topography, Dwelling Density, Weather, Infrastructure, Building Materials, Brush Clearance, and Fire History.

0 1,000 2,000 Feet

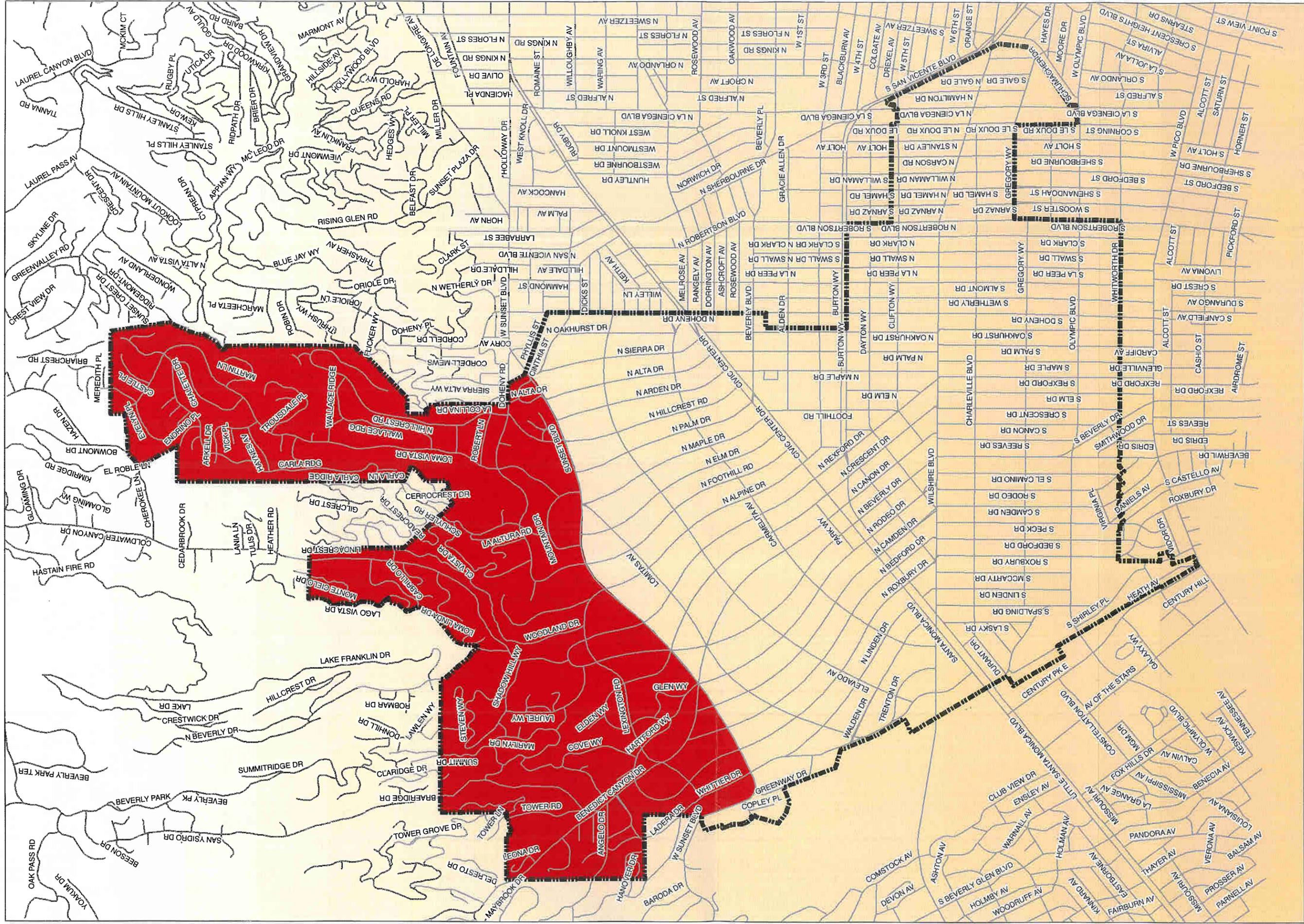
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Source: FPU 618-890-5783  
Created in ArcGIS 9 using ArcMap

Task Above Projection  
North American Datum 1983

## **Attachment 3**

### Existing Very High Fire Hazard Severity Zone Map



# City of Beverly Hills- Very High Fire Hazard Severity Zone



Very High Fire Severity Zone



Map produced by:  
 City of Beverly Hills - Information Technology - GIS  
 455 N. Rexford Dr. Beverly Hills, CA 90210  
 May 2008  
 (Per 1997 Bates Bill)