CITY OF BOULDER
CITY COUNCIL AGENDA ITEM

MEETING DATE: May 15, 2025

AGENDA TITLE

Second reading and consideration of a motion to adopt Ordinance 8695, amending Chapter 10-8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details; and

Consideration of a motion to declare the revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.

REQUESTING DEPARTMENT / PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Mark Woulf, Assistant City Manager
Pam Davis, Assistant City Manager

Planning & Development Services
Brad Mueller, Director of Planning & Development Services
Rob Adriaens, Chief Building Official
Charles Ferro, Senior Planning Manager
Karl Guiler, Senior Policy Advisor
Lisa Houde, Principal City Planner

Fire-Rescue
Mike Calderazzo, Fire Chief
David Lowrey, Division Chief - Fire Marshal

EXECUTIVE SUMMARY

City Council identified Wildfire Hardening & Waterwise Landscaping Policies & Regulation as one of its 2024-2025 work program priorities. The proposed changes in Ordinance 8695 represent the first step in changes for the wildfire hardening project.

There is already significant work being done throughout the city organization to mitigate wildfire risk, which is summarized in the Dec. 12, 2024 study session memo. This code change focuses solely on the building code regulatory changes that could further support wildfire hardening of buildings and properties in the Wildland-Urban Interface (WUI) area of the city.

For 11 years, Boulder has had special building regulations for the WUI area. To regulate this, Boulder has adopted the 2012 and 2018 International Wildland Urban Interface Codes with local amendments; the 2018 code is currently in effect. The International Code Council (ICC) updates the International Wildland Urban Interface Code (IWUIC) every three years through a collaborative and consensus-based process involving experts, stakeholders and public comment throughout the country. ICC's approach to code development ensures that building codes are robust, adaptable, and reflective of current safety and construction standards.

The proposed code change includes adoption of the ICC's 2024 edition of the IWUIC as well as new local amendments designed to address specific wildfire concerns in the City of Boulder. An annotated version of the IWUIC with the local amendments redlined is included in **Attachment A** at this link. The proposed ordinance is available in **Attachment B**.

This agenda item also includes a reevaluation and update to the WUI area map that identifies where the IWUIC requirements apply (see **Attachment D**). This second reading memo recommends a separate motion to officially declare the Wildland-Urban Interface area for Boulder as identified in the attached proposed WUI area map. The map significantly increases the number of properties included, though the vast majority of new WUI area properties are within the Class 3 ignition resistant zone, which has the simplest property management implications.

If the ordinance is adopted, the 2024 IWUIC would go into effect on August 1, 2025 along with the other ICC codes.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motions:

Motion to adopt Ordinance 8695, amending Chapter 10-8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details; and

Motion to declare a revised Wildland-Urban Interface area for Boulder, to which the Wildland Code applies, as recommended in the staff memorandum.

BOARD AND COMMISSION FEEDBACK

Planning Board – Planning Board reviewed the ordinance on April 15, 2025 and provided the following recommendation to City Council.:

K. Nordback made a motion seconded by L. Kaplan that Planning Board recommends that City Council adopt Ordinance 8695, amending Chapter 10- 8.5, "Wildland Code," B.R.C. 1981, to adopt by reference the 2024 edition of the International Wildland-Urban Interface Code of the International Code Council with certain amendments, and setting forth related details and Planning Board recommends that City Council update the Wildland-Urban Interface area to which the Wildland Code applies, as proposed in the staff memorandum. Planning Board voted 6-1 (C. Hanson Thiem dissenting). Motion passed.

C. Hanson Thiem made a motion seconded by K. Nordback that Planning Board recommend that City Council direct staff to research methods to protect opportunities for vegetation and green space in multi-unit housing, higher-density zones, and areas of the city with small lots and minimal setbacks. Planning Board voted 6-1 (J. Boone dissenting). Motion passed.

Since the Planning Board meeting, staff has completed additional research to provide statistics on housing types in the proposed WUI area. Based on city records, about 49 percent of dwelling units in the proposed WUI area are duplexes, triplexes, townhomes, condominiums, or apartments. The IWUIC does not differentiate fire safety requirements by housing type and Boulder Fire-Rescue does not recommend having separate requirements for multi-unit or higher density housing. In fact, the noncombustible zone may be even more vital for fire safety in areas with small lots and minimal setbacks. The Insurance Institute for Business & Home Safety (IBHS) notes the following in their Suburban Wildfire Adaptation Roadmaps document:

> "The zone within 0–5 ft from a home plays an important role in preventing deposited embers from transitioning into flames near the home…Having small shrubs or perennials increases the risk, depending on the home's level of fire resistance—keeping these maintained is key to managing the risk. Any type of combustible structural fuel or vehicles in this area creates a high risk. Additionally, embers can ignite a house directly if there are combustible building materials at ground level…
>
> Surface fuel management is extremely important at the base of vertical solid surfaces such as walls and fences. Having a 0–5 ft noncombustible zone prevents the conversion of embers to flames around the home."

Further, the document identifies recommendations for light commercial construction, including multifamily housing. Just like other use types, the IBHS recommends:

> "vegetation in the 0–5 ft ignition zone will need to remove those plants and/or trees to establish a noncombustible zone. This zone is an extremely important area to focus on. A routine maintenance plan for the building is necessary to keep fire or embers from igniting materials and spreading fire to your building."



Figure 11. Importance of 0–5 ft noncombustible zone (home ignition zone) for a home under ember attack.

COMMUNITY FEEDBACK

A *consult* level of engagement was used for this project. Relevant feedback on wildfire hardening efforts was also received during the recent update to the Community Wildfire Protection Plan in 2024. Since some of the proposed changes to the WUI area are based on the state's Wildfire Resiliency Code Board model code, elements of the map changes are limited to an *inform* level of engagement.

A postcard was mailed to all property owners, renters, and business owners at properties within the proposed WUI to let community members know about the proposed changes and opportunity to provide input at the City Council public hearing. In addition, notification of the upcoming changes has been announced in several editions of the Planning and Development Services monthly newsletter, which reaches over 5,000 people. Two community meetings were held in March, an in-person event attended by about 35 people and an online meeting with about 15 attendees. A presentation of the proposed updates was shared at both meetings and staff from both the Planning & Development Services and Fire-Rescue departments were available to answer questions.

Feedback received in the community meetings was generally positive regarding both the expansion of the WUI area and the proposed local amendments to the code. Some attendees were concerned about the limited applicability of the proposed changes, specifically that the requirements would not apply to properties until a building permit is sought and would only apply to the specific scope of work. Staff is continuing to analyze the staffing and resource implications of requiring a greater level of compliance, such as at the time of property sale or rental license; this will be addressed in later aspects of the Wildfire Hardening project. A summary of questions asked at the community meetings is provided in **Attachment D**.

An online engagement page was also developed on Be Heard Boulder to summarize the proposed changes, provide important documents and updates on engagement

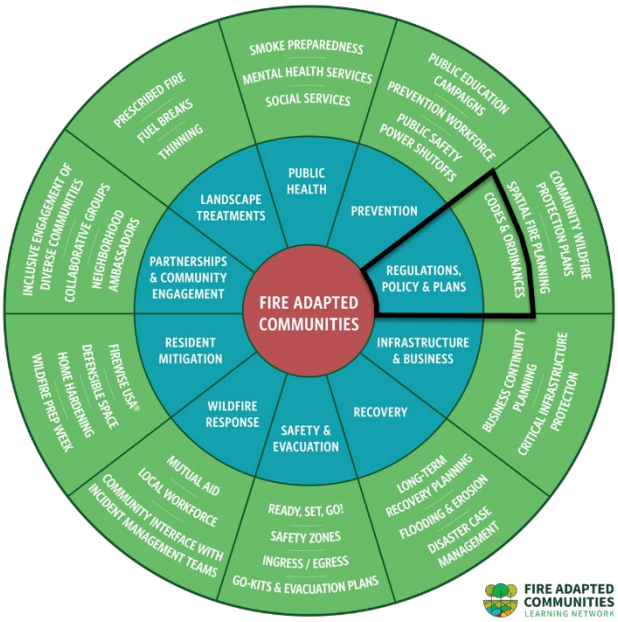
opportunities, and include an ideas wall for community members to leave comments. Comments received so far can be viewed on the Be Heard Boulder page linked above. Staff is also planning to hold office hours to answer resident questions on May 8 and 9 after the publication of this memorandum.

Council and Board Input

City Council

City Council identified Wildfire Hardening & Waterwise Landscaping Policies & Regulation as one of its 2024-2025 work program priorities. At its retreat, Council agreed to establish a priority that encompasses a review of policies and regulations focused on wildfire hardening strategies (building and properties) and waterwise landscaping (such as native plant use). The proposed changes in Ordinance 8695 represent the first step in changes for the wildfire hardening project.

The council priority project kicked off this fall and is a multi-departmental collaborative effort. There is already significant work being done throughout the city organization to mitigate wildfire risk and to implement the many recommendations of the Community Wildfire Protection Plan. This code change focuses on the building code regulatory changes that could further support wildfire hardening of buildings and properties.



The graphic at right from the Fire Adapted Communities Learning Network describes a set of components that make up community wildfire adaptation and gives examples of specific programs and activities that communities can undertake to reduce their wildfire risk and increase their resilience. Codes and ordinances, within the Regulations, Policies, and Plans, is one of many tools that cities like Boulder are currently implementing to adapt the community to wildfire risk.

City Council provided direction on the project at the December 12, 2024 study session (see summary of council comments). Notably, the City Council directed staff not to move forward with applying regulations retroactively to properties, but rather to apply requirements to properties at the time of building permits. Several council members also indicated interest in expanding the WUI area. Additionally, City Council asked that staff study opportunities to require compliance with wildfire hardening requirements upon property sale or rental license, as well as the staffing and resource implications of this work. This is still being studied and will be addressed separately, later in the project.

Planning Board

The Planning Board was introduced to the project at the December 17, 2024 meeting. The board expressed general support for staff's initial recommendations related to the IWUIC.

Several topics were discussed including the interaction of historic preservation review with wildfire requirements, how the WUI map and regulations are updated with new data or fire science understanding, how to incentivize neighborhood compliance, the importance of education and outreach, the classification of new WUI areas, concerns that complaint-based enforcement can be inequitable, and questions about whether identifying properties within the WUI affects insurance coverage.

BACKGROUND

International Wildland Urban Interface Code

The City of Boulder routinely adopts and enforces a full set of codes that regulate buildings and construction in the city (Title 10, B.R.C., 1981). Most of these codes are based on model building codes developed by the International Code Council (ICC), with local amendments to address issues specific to the Boulder community. For example, through local amendments, Boulder has prohibited wood roof coverings and required Class A (most restrictive) roofing to mitigate fire risk since 1994.

The IWUIC Boulder first adopted the IWUIC in 2013, and it was effective on January 31, 2014. In 2019, the 2018 version was adopted and is the version the city is currently enforcing. The ICC model codes are updated on a three-year cycle and the city typically adopts every other cycle of these codes. Boulder most recently adopted the 2024 set of codes but the IWUIC was set on a separate timeline to allow for more robust engagement.

The purpose of the IWUIC is to regulate the use, condition, and construction of structures within WUI areas to mitigate the risk to life and structures associated with the spread of wildland fires into the interface area and to minimize the potential spread of structure fires into wildland fuels. It establishes minimum regulations for the safeguarding of life and for property protection.

The IWUIC requires new construction and additions or remodels to homes within the identified WUI area to meet additional regulations beyond the standards found in the general construction requirements of the city's building code. These additional regulations include fire resistant materials, underfloor areas, roof coverings, eaves, rain gutters, windows, and ventilation openings.

The 2024 IWUIC update with proposed local amendments is intended to significantly reduce the wildfire risk of new construction within the city of Boulder. This code only applies to new construction, modifications, and relocated structures in the WUI area.

State of Colorado Wildfire Resiliency Code Board

SB23-166

In 2023, Senate Bill 23-166, a city-supported bill, was adopted and established a wildfire resiliency code board to adopt model codes, requiring governing bodies with jurisdiction in an area within the WUI to adopt codes that meet or exceed the model code standards.

By July 1, 2025, the board is required to adopt rules concerning the adoption of codes and standards for the hardening of structures and reducing fire risk in the defensible space surrounding structures in the wildland-urban interface in Colorado. The bill states that

jurisdictions like Boulder are required to adopt codes that meet or exceed the state's model codes and apply that to all properties identified by the state as located within the WUI. Drafts of the state model code and map have been released, but the public hearing process is still underway as of the publication of this memorandum and the state code has not been finalized. City staff ensured that the proposed code changes aligned with initial drafts of state requirements and has submitted comments to the state as part of the public comment process.

If any updates are provided between the publication of this memorandum and the City Council public hearing date, staff will provide those in the presentation. Should provisions be incorporated into the finally adopted state model code that are stricter than the code proposed in Ordinance 8695, staff will consider proposing additional code changes as part of a future phase of the wildfire hardening project. Generally, the proposed Boulder Wildland Code exceeds the requirements of the recent draft of the state model code.

SB25-142

Another wildfire related bill, SB25-142, Changes to Wildfire Resiliency Code Board, was introduced this legislative session. City staff is tracking the bill. As initially drafted, this bill would have established a different definition of the wildland-urban interface than SB23-166. The current draft no longer includes such a different definition. The bill also provides more time for local jurisdictions to adopt the minimum standards. The legislative session ends on May 7, and as of the publication of this memorandum, the revised bill had passed both the Senate and the House.

HB25-1302

Also relevant to this issue is HB25-1302, Increase Access Homeowner's Insurance Enterprises, which involves creation of a wildfire catastrophe reinsurance enterprise. The program would enable reinsurance payments to insurers that offer homeowner's insurance on properties to partially mitigate losses in the event of a wildfire-related disaster. The enterprise would be financed through a homeowner policy fee. The purpose is to stabilize the homeowner's insurance market in the state and to attract and retain homeowner's insurers. In exchange for access to the program, insurers are required to sell homeowner's insurance in areas of the state that are at high risk for wildfires. This bill passed the House but was postponed indefinitely at the Senate Committee on Finance on May 6.

HB25-1182

Another important bill related to this topic is HB25-1182, Risk Model Use in Property Insurance Policies which concerns the tools to assess risk for the purpose of underwriting property insurance policies. The bill requires insurers who use a wildfire risk model, a catastrophe model, a combination of models, or a scoring method to adhere to specific requirements that concern the sharing of information with the commissioner of insurance and the public, the inclusion of property-specific and community-led wildfire mitigation activities in the models, and providing notices to policyholders. If mitigation activities are not included in models, insurers must offer discounts for property-specific or community-level mitigation efforts. This bill has passed and awaits the Governor's signature.

SUMMARY OF PROPOSED CHANGES IN ORDINANCE 8695

The main changes proposed include adopting the 2024 IWUIC and local amendments to the IWUIC. Several local amendments have been carried forward from previous versions of the IWUIC. The local recommendations new for the 2024 code are summarized below and are available to review as redlined changes to the IWUIC in **Attachment A** at this link.

2024 IWUIC

The 2024 version of the IWUIC incorporates a few changes to note:

- Administrative formatting updates to align with the other I-Code format
- Updates what is considered "Ignition-resistant (IR) building material"
- Added a flashing requirement to Class 1 Ignition Resistant Construction
- Updated requirements for vents for both Class 1 and Class 2 Ignition Resistant Construction
- Added requirements for vents to Class 3 Ignition Resistant Construction

Proposed Local Amendments to the 2024 IWUIC

As with other ICC codes, the 2024 IWUIC is recommended to be adopted with several local amendments. Aside from local amendments being carried forward from the 2018 version, the following are new to highlight:

Chapter 2: Definitions

- Amends definition of "defensible space."
- Adds definition of "noncombustible zone" which establishes a five-foot area around a building or other structure where no vegetation and no combustible material is allowed

Chapter 5: Special Building Construction Requirements

- Requires noncombustible decking material and screening below new decks in the Class 3 zone.
- Requires all new fences and gates within 8 feet of a structure to be constructed of noncombustible material in the WUI area.

Chapter 6: Fire Protection Requirements

- For new construction, requires fuel modification distance in accordance with level of hazard.
- For new construction, requires all new habitable buildings and structures to have a 5-foot noncombustible zone.
- For new construction, limits plants in defensible space (5-30 feet) to only low-flammability plants.
- For new construction, prohibits the planting of new junipers.

An annotated and redlined version of the IWUIC with the proposed local amendments is available in **Attachment A** and **Attachment B** contains the draft ordinance.

SUMMARY OF PROPOSED WUI AREA

Proposed WUI Area

The IWUIC requires the WUI to be identified and reviewed at least every three years. This project includes reevaluation and an update of the identified WUI area. This second reading memorandum includes a motion to officially identify the map area. The proposed map would increase the number of properties subject to the Wildland Code from 4,667 parcels, mostly located on the western side of town, to 16,391 properties, including areas on the eastern side of Boulder.

The map is delineated by the areas of the three tiers of ignition resistant construction required by the IWUIC. The vast majority (11,517 or 98%) of new WUI area properties are identified within the Class 3 ignition resistant zone, which has the least restrictive requirements. 207 properties are identified in the Class 2 ignition resistant zone, which has more restrictive requirements (see summary of varying class requirements in **Attachment C**).

The map in **Attachment D** identifies the current and proposed WUI area, as determined by Boulder Fire-Rescue staff (or view the interactive map). The degree of fire resistance required for construction in the WUI area depends on several factors, including available water supply for firefighting, the fuel hazard, and the number of days of critical fire weather. Most areas in the interface area in Boulder require 1-hour fire resistance materials. In addition to construction standards, the IWUIC requires vegetation management plans as a part of building permit applications in the interface areas.

Fire-Rescue staff also completed additional modeling based on fire behavior data and applied research about ember travel and home exposure to embers. This included areas where torching and crown fire could occur, combined with commonly cited research about home exposure to long range ember cast. This ember modeling informed the expansion of the WUI boundary east of Broadway in portions of north and South Boulder, and to Broadway in central Boulder.

The WUI area has also been updated to ensure that all parcels included in the state's draft Wildfire Resiliency Code Board WUI map, scheduled for adoption soon, are also incorporated in the city's WUI area.

Anticipated Building Permit Impact

Based on building permit history since 2014 when the IWUIC was first in effect in Boulder, staff anticipates the average number of building permits per year that would be subject to the WUI code requirements in the proposed WUI area are as follows:

- Total building permits (new construction, additions, alterations): 203 permits per year (based on 2014-2024 average)
- New construction: 131 permits per year (based on 2014-2024 average)
- Windows and siding permits: Unknown -- this requirement will go into effect on August 1 as part of the other 2024 building codes.

Findings of Fact for WUI Area

Per Section 302.1 of the IWUIC, the "legislative body shall declare the wildland-urban interface areas within the jurisdiction. The wildland-urban interface areas shall be based on the findings of fact. The wildland-urban interface area boundary shall correspond to natural or man-made features." The following findings of fact support the proposed WUI area:

> The City of Boulder has adopted the 2024 Edition of the International Wildland-Urban Interface Code (IWUIC) published by the International Code Council, Inc. with local amendments in Chapter 10-8.5, "Wildland Code," B.R.C. 1981. The territorial jurisdiction of this Wildland Code specifically includes the attached mapped area of wildland-urban interface within the City of Boulder. Pursuant to Section 302.1 of the IWUIC, the City Council shall declare the wildland-urban interface areas within the city and the declaration shall be based on the following findings of facts.
>
> *Finding 1:* Boulder experiences critical weather, including low humidity and high winds. Vegetation surrounds the city and there are natural vegetation areas within the city limits. Some areas surrounding the city, in particular to the west, contain steep terrain. These features and a dense built environment within the city create an increased wildfire risk within the community and, in particular, in the area identified as the Wildland-Urban Interface. Emergency services planning, response, and recovery will be impacted by these features. The adoption of the wildland-urban interface area and application of the Wildland Code to that area can facilitate mitigation and reduce the impact of wildfire to those features.
>
> *Finding 2:* The United States Forest Service considers the City of Boulder at a very high risk from wildfire – higher than 97% of other communities in the country.
>
> *Finding 3:* The City of Boulder previously adopted a Wildland-Urban Interface area map in 2013. Since the adoption of the previous Wildland Urban Interface area map, there has been additional risk analysis completed through the city's 2024 Community Wildfire Protection Plan, and updated fire science understanding of ember cast ignition.
>
> *Finding 4:* Several models were utilized to predict and evaluate potential ember cast threatening homes in the City of Boulder. The evaluation included custom fire behavior modeling and fire behavior models available through the Colorado State Forest Service. These models were assessed by city fire management professionals. The WUI boundaries are a realistic expectation of locations where potential ember cast could retain enough energy to ignite combustible materials and threaten homes in the City of Boulder.
>
> *Finding 5:* The WUI boundaries reflect the potential for spotting distances of up to 1,500 feet from natural areas and wildland fuels causing ignitions that could potentially damage or destroy residential property. The boundaries of the WUI area are delineated using logical natural and man-made features like public rights-of-way.

Finding 6: The WUI area is divided into three classifications according to the ignition-resistant construction requirements in the Wildland Code. Class 1 is associated with extreme fire hazard, Class 2 with high fire hazard, and Class 3 with moderate hazard. These fire hazard determinations have been made based on vegetative fuels, topography, critical fire weather frequency, and fire behavior modeling data. Specifically, proximity to wildland fuels, steep terrain, structure density, and potential for ember production were considered higher risk areas.

Finding 7: Conditions in the local fire environment support the implementation of fire protection requirements as set forth in the Wildland Code. The aforementioned conditions support the imposition of fire protection requirements greater than those set forth in the building code.

Finding 8: Use of fire adapted community practices for wildfire safety further support the implementation of fire protection requirements as set forth in the Wildland Code.

ANALYSIS

Staff has identified the following key issue for the City Council's consideration:

1. Does the City Council recommend any modifications to the draft ordinance or the proposed WUI area?

The following analysis is provided to demonstrate how the project objective is met through the proposed ordinance and accompanying change to the WUI area.

What is the reason for the ordinance and what public purpose will be served?

The purpose of the larger Wildfire Hardening project is to reduce Boulder's wildfire risk to homes by updating codes and policies, such as ignition-resistant building code requirements and landscaping codes, and by enhancing, expanding, and further operationalizing education and incentive programs that help residents reduce risk on their property. This ordinance will adopt the latest 2024 IWUIC with local amendments specific to Boulder that mitigate potential risk.

The project would also significantly expand the WUI area where the code will apply. This will serve the public purpose of contributing to Boulder's multifaceted approach at reducing wildfire risk.

How is the ordinance consistent with the purpose of the zoning districts or code chapters being amended?

The purpose of the city's WUI code is to "protect public health and safety by regulating the use, condition, construction, alteration, repair, and maintenance of buildings, structures, and premises within the wildland-urban interface areas in the city in order to prevent the spread of fire and risk of harm to persons and property from the intrusion of fire from wildland fire exposures and fire exposures from adjacent structures, as well as to prevent structure fires from spreading to wildland fuels." With this ordinance, the city would adopt the 2024 IWUIC update with local amendments.

The project will also expand the mapped WUI area to further reduce wildfire risk. The expanded map area is based on the soon-to-be adopted state requirements as well as ember modeling as described in the memorandum above.

Note that this agenda item focuses solely on changes to the building code regulations. Accompanying changes to the land use code are anticipated to be reviewed and adopted by the council in the early fall.

Are there consequences in denying this ordinance?

If this ordinance is not adopted, the 2018 IWUIC would remain in effect. While this provides significant protection, important new standards like the noncombustible zone, low-flammability plants, and others would not be regulated. Additionally, if the WUI is not updated, the WUI would remain limited to the far western edge of the city, despite ember modeling knowledge that indicates additional risk in other areas of the city.

What adverse effects may result with the adoption of this ordinance?

The city currently has the 2018 IWUIC in effect with local amendments, which provides risk mitigation beyond what many other communities have, with extensive requirements for ignition-resistant building materials in particular. The proposed 2024 IWUIC with local amendments would further strengthen the code requirements by incorporating more of the defensible space protections like a noncombustible zone, low-flammability landscaping requirements, noncombustible fence connections, and ignition-resistant decking requirements in Class 3. The updated WUI area would also expand the applicability of these requirements.

The requirements that have been incorporated also ensure that the city is in alignment with the state model code – in many cases, the city's requirements even exceed the state model code requirements. In addition, the new WUI area map includes the same properties identified by the State Wildfire Resiliency Code Board in their draft maps.

Some concerns have been raised about the effect that classification within the WUI area may have on home insurance. Staff discussed this issue with the State Department of Regulatory Affairs Division of Insurance. The Deputy Commissioner of Property and Casualty Insurance confirmed that a local government's designation of a WUI area or risk mapping is not expected to affect underwriting or pricing decisions of insurance carriers. Insurance carriers rely upon their own risk mapping and modeling.

What factors are influencing the timing of the proposed ordinance? Why?

As noted previously, the city adopts the suite of ICC codes every six years. The other ICC codes were adopted on March 20th with an effective date of August 1, 2025. The intent is to adopt the IWUIC to have the same effective date of August 1, 2025 as the other codes. Additionally, the city is required to comply with the state's Wildfire Resiliency Code Board model codes within 3 months of the final adoption on July 1, 2025. Furthermore, this is an important step in the City Council 2024-2025 work program priority related to wildfire hardening.

How does the ordinance compare to practices in other cities?

To better understand the various approaches to regulating the WUI, staff researched 15 peer communities, primarily located in Colorado, with some additional communities out of state that are known to have strong fire mitigation efforts. This research found that there were generally a few different approaches to fire mitigation regulation.

- Austin, TX and Chaffee County, CO have adopted the IWUIC code without additional wildfire mitigation standards in their zoning code -- this is the current approach in the City of Boulder as well. In just the last few weeks, Austin adopted the 2024 IWUIC and adopted a new WUI map that identifies over 51% of the city's habitable land within the WUI.

Later steps in the wildfire hardening project may consider additional changes to the land use code, similar to those of the following communities:

- Ashland, OR and Boise, ID have established a WUI overlay district within their zoning or land use codes rather than incorporating specific requirements for the WUI in their building codes.
- Many Colorado communities such as Colorado Springs, Douglas County, Jefferson County, and Loveland have incorporated both building code and land use code requirements, often with a WUI overlay district established in the land use code.

In addition, staff spoke with Boulder County Wildfire Partners staff to better understand the County's requirements in their Wildfire Mitigation Code. Boulder County requires wildfire mitigation for all new buildings, additions, alterations, and repairs, including buildings designed and constructed in accordance with the International Building Code and the International Wildland Urban Interface Code. Every property in unincorporated Boulder County is designated within either Wildfire Zone 1 or Wildfire Zone 2. A five-foot noncombustible perimeter is required around structures for all properties for new construction. There are stricter requirements regarding defensible space for properties in Wildfire Zone 1, the western part of the county. Ignition resistant material requirements have applied to Wildfire Zone 2 since 2022.

In terms of applicability, wildfire requirements in building or zoning codes almost always only apply to new construction. Most communities recognize that while adopting regulations is a successful approach for new construction, there are inherent limitations and that additional efforts are critical to engaging residents and achieving mitigation goals. Educational outreach and voluntary mitigation work, in addition to programs and operations, are all vital for communities to also focus on to further mitigate risk. Boulder acknowledges this already through the city's multifaceted approach to wildfire mitigation underway daily through almost every city department and through the implementation of the Community Wildfire Protection Plan.

How will this ordinance implement the comprehensive plan?

The Boulder Valley Comprehensive Plan (BVCP) is the overarching policy document for the city. Several relevant policies are adopted within the BVCP, with the following most directly applicable to this project:

Natural Environment Policy 3.20: Wildfire Protection & Management

As Boulder County's climate changes, the intensity and frequency of wildfires is likely to increase. The city and county will require onsite and off-site measures to guard against the danger of fire in developments adjacent to natural lands and consistent with forest and grassland ecosystem management principles and practices. Recognizing that fire is a widely accepted means of managing ecosystems and wildfire risk, the city and county will integrate ecosystem management principles with wildfire hazard mitigation planning and urban design.

Natural Environment Policy 3.10 Climate Change Mitigation & Adaptation & Resilience

The city and county are working to help mitigate climate change globally and recognize that climate change adaptation is an important area for consideration.

Preserving large ecological reserves enhances the resilience of native ecosystems and reduces the loss of native biodiversity, ecological processes and ecosystems as the climate changes. Additionally, the city and county will use an adaptive management approach to assess potential impacts from changes in the local climate. Open space management plans guide other strategies related to climate change, such as changes to visitation rates or visitor experiences (e.g., heat exposure or scenic quality) on open space. Overall strategies may include:

1. Actively improve our understanding of the effect of climate change on local ecosystems and of actions that may help maintain or restore the ecological functions of natural systems under a changing climate;

2. Actively identify and monitor ecosystems most vulnerable to climate change using biological indicators of sensitivity and response;

3. Protect large reserves of open space land to support the long-term viability of native plants and animals;

4. Conduct restoration of degraded environments and management of natural ecosystems to enhance their resilience in the presence of climate change, using existing management plans and the best available science. In some cases, this may involve ecosystem transition to alternate states or novel ecosystems (e.g., to ecosystems now found at different elevations, to variations of current ecosystems, or ecosystems changing in other ways that cannot be forecast with certainty today);

5. On-going attention to the wildland urban interface environments to improve management of both natural resources and human-wildlife conflicts and to reduce the potential for catastrophic wildfire; and

6. Including specific management guidance and direction regarding climate change mitigation, adaptation and resilience when city and county agencies prepare master plans.

Community Well-Being & Safety Policy 8.09 Resilience in Public Safety & Risk Prevention

The city and county will provide focused efforts around public safety, risk prevention and early intervention. Working with the community, the city, and county will strive to prepare all segments of the community for uncertainty and disruptions by encouraging community and individual preparedness and creating a culture of risk awareness. The city and county will prepare for, respond to and manage wildfire hazards by implementing wildland-urban interface regulations and developing, updating and implementing multi-hazard mitigation programs and plans.

ATTACHMENTS

Attachment A: Redlined and Annotated IWUIC

Attachment B: Ordinance 8695

Attachment C: WUI Class Requirement Comparison

Attachment D: Proposed WUI Area Map

Attachment E: Summary of Community Meeting Questions

Attachment A: Redlined and Annotated IWUIC

Please view the document at this link.

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ORDINANCE 8695

AN ORDINANCE AMENDING CHAPTER 10-8.5, "WILDLAND CODE," B.R.C. 1981; TO ADOPT BY REFERENCE THE 2024 EDITION OF THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE OF THE INTERNATIONAL CODE COUNCIL WITH CERTAIN AMENDMENTS; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 10-8.5-1, "Legislative Intent," B.R.C. 1981, is amended to read as follows:

10-8.5-1. Legislative Intent.

The purpose of this chapter is to protect public health and safety by regulating the use, condition, construction, alteration, repair, and maintenance of buildings, structures, and premises within the defined wildland-urban interface areas in the city in order to prevent the spread of fire and risk of harm to persons and property from the intrusion of fire from wildland fire exposures and fire exposures from adjacent structures, as well as to prevent structure fires from spreading to wildland fuels. The city council hereby adopts the 2024~~2018~~ edition of the *International Wildland-Urban Interface Code* with certain amendments, additions, and deletions thereto found to be in the best interests of the city.

Section 2. Section 10-8.5-2, "Legislative Intent," B.R.C. 1981, is amended to read as follows:

10-8.5-2. Adoption of the International Wildland-Urban Interface Code With Modifications.

(a) The 2024~~2018~~ edition of the *International Wildland-Urban Interface Code* of the International Code Council is adopted by reference as the City of Boulder Wildland Code and has the same force and effect as though fully set forth in this chapter, except as specifically amended by the provisions of this chapter.

(b) Appendix B, "Vegetation Management Plan," and Appendix C, "Fire Hazard Severity Form," and sections contained therein are adopted.

(c) Section 101.1, "Title," is repealed and reenacted to read:

101.1 Title. These regulations shall be known as the City of Boulder Wildland Code or Wildland Code or wildland code, hereinafter referred to as "this code."

(d~~e~~) Section 102.4.1, "Conflicts," is amended to read:

102.4.1 Conflicts. Where conflicts exist between provisions of this code and the referenced standards or the building, residential, or fire code, the most restrictive provisions shall govern.

(e~~d~~) Section 103.1, "Creation of ~~an enforcement~~ agency," is repealed and reenacted to read:

103.1 Division of Building Safety. "Division of Building Safety" means the administrative unit established by the city manager or the manager's delegates, and the personnel assigned to the unit by the manager. The Division of Building Safety administers the City of Boulder Wildland Code assisted by ~~a~~ Community Risk Reduction, established within the fire department, under the direction of the manager.

(f~~e~~) Section 104.8~~3~~, "Liability ~~of the code official~~," is repealed and reenacted to read:

104.8~~3~~ Liability. The Wildland Code shall not be construed to hold the City of Boulder or any of its employees, officials, or agents responsible for any damage to persons or property by reason of inspection or reinspection or failure to inspect or reinspect as herein provided or by reason of the approval or disapproval of any equipment as herein provided. No employee,~~-~~ official, or agent of the city who enforces, attempts to enforce, or is authorized to enforce the Wildland Code renders him or herself or the city liable to third parties for any damage or injury to the person or property of such third parties as a result of enforcement or nonenforcement of the ~~fire code~~Wildland Code. The city assumes no duty of care by virtue of the adoption of the Wildland Code. No person is justified in relying upon the approval of a plan, the results of an inspection, or the issuance of a certificate of inspection or occupancy, and such approvals, inspections, and certificates are not a guarantee that the plan or work so approved, inspected, or certificated in fact complies with all requirements of the Wildland Code. It is the duty of the person owning, controlling, ~~or~~ constructing, altering, or maintaining any building,~~-or~~ structure, or premises to ensure that the work is done in accordance with the requirements of the ~~fire code~~Wildland Code, and it is such persons and not the city who are responsible for damages caused by negligent breach of such duty.

~~(f) Section 106, "Appeals," is repealed and reenacted to read:~~

~~**SECTION 106 APPEALS**~~

~~**106.1 Appeals.**~~

(a) ~~Any appeal under this section shall be heard by the Board of Building Appeals~~

~~established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the city manager determines, due to the nature of the issues in a particular appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.~~

~~(b) Any person directly affected by a decision of the code official or an order issued under this code may appeal the decision or order on the ground that:~~

~~1. The decision or order was based on an error of fact or an erroneous interpretation of this code or the rules legally adopted thereunder;~~

~~2. The code official erroneously failed to approve an alternative material or method pursuant to Section 105.3 prior to its installation or use. In determining such an appeal, the board shall apply the standards of Section 105.3, but the board shall have no jurisdiction to consider if a material or method expressly prohibited by this code is an acceptable alternative; or~~

~~3. The code official has erroneously failed to grant a modification pursuant to Section 105.1. In determining such an appeal, the board or hearing officer shall apply the standards of Section 105.1.~~

~~The code official has the burden of proof under paragraph 1. The appellant has the burden of proof on appeals brought pursuant to paragraphs 2 and 3. The board or hearing officer shall determine the appeal and decide whether the code official's interpretation or application of such code was correct or in error at a hearing under the procedures described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.~~

~~(a) An application for appeal must be filed in writing with the city manager within fourteen days after the date the decision or order was served.~~

~~(b) An applicant for an appeal shall pay the fee prescribed by Section 4-20-47, "Zoning Adjustment and Buildings Appeals Filing Fees," B.R.C. 1981. The fee for an appeal heard by a hearing officer shall be the same as the fee for an appeal heard by the Board of Building Appeals.~~

~~(c) The city manager may apply to the Board of Building Appeals, without fee, for an advisory opinion concerning alternative methods, applicability of specific requirements, approval of equipment and materials, and granting of special permission as contemplated in Section 105.1, Practical difficulties, or Section 105.3, Alternative materials or methods, of the Wildland Code.~~

~~(d)~~(b) ~~The board or hearing officer has no authority to interpret chapter 1 (the administrative requirements) of this code except as expressly provided in this section, nor, because this code sets minimum standards, to waive any requirement of this code.~~

(g) A new section 104.11, "Compliance with Federal and State Law," is added to read as follows:

104.11 Compliance with Federal and State Law.

The code official may modify for individual cases the provisions of this code to allow a design, installation, construction, use, or maintenance not in compliance with the provisions of this code, if otherwise the provisions of this code would result in a violation of federal or state law, legislation, or regulation, and the modification would be the minimum modification that provides relief.

(hg) Section 1057, "Permits," is repealed and reenacted to read as follows:

1057 Permits. The provisions of Section 105, "Permits," of the City of Boulder Building Code, Section 105, "Permits," of the City of Boulder Fire Code, and Section 105, "Permits," of the City of Boulder Residential Code, apply, as otherwise applicable to the work requiring the permit.

(ih) Section 1068.1, "General," is repealed and reenacted to read as follows:

1068.1 General. The requirements of Section 107.1, "General," of the City of Boulder Building Code apply.

(j) Section 106.2, "Information on plans and specifications," is repealed and reenacted to read as follows:

106.2. Information on plans and specifications. Plans and specifications shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed, and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules, and regulations.

(ki) Section 109.3.610.4.6, "Prosecution of violation," is repealed and reenacted to read as follows:

109.3.610.4.6 Violations.

(a) General Provisions.

(1) No person shall erect, construct, enlarge, alter, extend, repair, move, remove, improve, convert, demolish, equip, use, occupy, or maintain any building, or structure, or premises in the city or cause or permit the same to be done except in conformity with all of the provisions of this code and in conformity with the terms and conditions of approval issued under this code, or of any directive of the code official. No person shall violate the

provisions of this code, fail to comply with any requirements thereof, or fail to comply with any order issued by the code official under this code.

(2) In accordance with the provisions of Section 5-2-11, "Prosecution of Multiple Counts for Same Act," B.R.C. 1981, each day during which illegal construction, alteration, maintenance, occupancy, use, or violation continues constitutes a separate offense remediable through the enforcement provisions of this code.

(3) The owner, tenant, and occupant of a structure or land and the agents of each of them are jointly and severally liable for any violation of this code with respect to such structure or land.

(4) The remedies for any violation of any provision of this code or of any permit, certificate, or other approval issued under this code or other City of Boulder codes or of any directive of the code official may be pursued singly or in combination.

(5) If any person fails or refuses to pay when due any charge imposed under this section, the code official may, in addition to taking other collection remedies, certify due and unpaid charges to the Boulder County Treasurer for collection as provided by Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.

(6) The code official may charge the cost of any action taken to correct or abate a violation, as authorized by this code, plus up to fifteen percent of such cost for administration, to the property owner. If any property owner fails or refuses to pay when due any charge imposed under this section, the code official may, in addition to taking other collection remedies, certify due any unpaid charges, including interest, to the Boulder County Treasurer, to be levied against the person's property for collection by the county in the same manner as delinquent general taxes upon such property are collected, under the procedures described by Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.

(b) Administrative Procedures and Remedies.

(1) If the code official finds that a violation of any provision of this code or any approval granted under this code exists, the city manager, after notice and an opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981, may take any one or more of the following actions to remedy the violation:

(A) Impose a civil penalty according to the following schedule:

(i) For the first violation of the provision or approval, $100;
(ii) For the second violation of the same provision or approval, $300; and
(iii) For the third violation of the same provision or approval, $1,000;

(B) For a violation concerning the use of a residential building under a rental license, revoke such license;

(C) Require the filing of a declaration of use as provided in subsection (e); or

(D) Issue an order reasonably calculated to ensure compliance with the provisions of this code or any approval granted under this code.

(2) Prior to the hearing, the code official may issue an order that no person shall perform any work on any structure or land, except to correct any violation found by the code official to exist with respect to such structure or land.

(3) If notice is given to the code official at least forty-eight hours before the time and date set forth in the notice of hearing on any violation that the violation has been corrected, the code official will reinspect the structure or land. If the code official finds that the violation has been corrected, the manager may cancel the hearing.

(4) No person shall fail to comply with any action taken by the code official under this section.

(c) Criminal Penalties. Violations of this code are punishable as provided in Section 5-2-4, "General Penalties," B.R.C. 1981.

(d) Other Remedies. The city attorney may maintain an action for damages, declaratory relief, specific performance, injunction, or any other appropriate relief in the District Court in and for the County of Boulder for any violation of any provision of this code or any approval granted under this code.

(e) Declaration of Use. If the code official determines that a person is using a structure in a way that might mislead a reasonable person to believe that such use is a use by right or otherwise authorized by this title, the code official may require such person to sign under oath a declaration of use that defines the limited nature of the use and to record such declaration in the office of the Boulder County Clerk and Recorder against the title to the land. In addition to all other remedies and actions that the code official is authorized to use under the Boulder Revised Code or other applicable federal, state, or local laws to enforce the provisions of this

code, the code official is authorized to withhold any approval affecting such structure or land, including, without limitation, a building permit, use review, site review, subdivision, floodplain development permit, or wetland permit, until such time as the person submits a declaration of use that is in a form acceptable to the code official.

(l~~j~~) Section 109.34.7, "Violation penalties," is repealed and reserved.

109.3.7 Reserved.

(m) Section 112, "Means of Appeals," is repealed and reenacted to read as follows:

SECTION 112- MEANS OF APPEALS

112.1 Appeals.

(a) Any appeal under this section shall be heard by the Board of Building Appeals established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the city manager determines, due to the nature of the issues in a particular appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.

(b) Any person directly affected by a decision of the code official or an order issued under this code may appeal the decision or order on the ground that:

(1) The decision or order was based on an error of fact or an erroneous interpretation of this code or the rules legally adopted thereunder;

(2) The code official erroneously failed to approve an alternative material, design, or method pursuant to Section 104.2.2, Alternative materials, design and methods, prior to its installation or use. In determining such an appeal, the board or hearing officer shall apply the standards of Section 104.2.2, but the board or hearing officer shall have no jurisdiction to consider if a material, design, or method expressly prohibited by this code is an acceptable alternative; or

(3) The code official has erroneously failed to grant a modification pursuant to Section 104.2.3, Modifications. In determining such an appeal, the board or hearing officer shall apply the standards of Section 104.2.3, Modifications.

The code official has the burden of proof under paragraph 1. The appellant has the burden of proof on appeals brought pursuant to paragraphs 2 and 3. The board or hearing officer shall determine the appeal and decide whether the code official's interpretation or application of such code was correct or in error at a hearing under the procedures described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

(c) An application for appeal must be filed in writing with the city manager within fourteen days after the date the decision or order was served.

(d) An applicant for an appeal shall pay the fee prescribed by Section 4-20-47, "Zoning Adjustment and Buildings Appeals Filing Fees," B.R.C. 1981. The fee for an appeal heard by a hearing officer shall be the same as the fee for an appeal heard by the Board of Building Appeals.

(e) The city manager may apply to the Board of Building Appeals, without fee, for an advisory opinion concerning alternative methods, applicability of specific requirements, approval of equipment and materials, and granting of special permission as contemplated in Section 104.2.2, Alternative materials, designs and methods, or Section 104.2.3, Modifications, of the Wildland Code.

(f) The board or hearing officer has no authority to interpret Chapter 1 (the administrative requirements) of this code except as expressly provided in this section, nor, because this code sets minimum standards, to waive any requirement of this code.

(nk) ~~The definition of "Code Official" in~~ Section 202, "Definitions," is amended in that the definition of "Code Official" and "Defensible Space" are repealed and reenacted and in that a definition for "Noncombustible Zone" is added to read:

CODE OFFICIAL. Code official means the city manager or the city manager's delegate.

DEFENSIBLE SPACE. An area that has been modified and is maintained to reduce fire risk, intensity, and spreading by disconnecting fuel loads both vertically and horizontally. In this area, natural and manmade fuels are treated, removed, and reduced to slow the spread of wildfire and alter fire behavior.

NONCOMBUSTIBLE ZONE. A five-foot area around a building or other structure having no vegetation and no combustible material.

(ol) Section 403.2, "Driveways," is repealed and reenacted to read as follows:

403.2 Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 100 feet (30,480 mm) from a fire apparatus access road.

(pm) Section 403.2.1, "Dimensions," is repealed and reenacted to read as follows:

403.2.1 Dimensions. Driveways shall be provided as defined in ~~Section 503.2.1, "Dimensions," of~~ the City of Boulder Fire Code, as locally amended in Paragraph 10-8-2(b)(11~~6~~), B.R.C. 1981, for an "accessible private drive" and with a minimum unobstructed height of 15 feet (4572 mm).

(qn) Section 403.2.4, "Turnarounds," is repeated and reenacted to read as follows:

403.2.4 Turnarounds. Driveway turnarounds shall have a turning radius to accommodate an SU-30 vehicle. Driveways that connect with a road or roads at more than one point shall be considered as having a turnaround if all changes in direction meet the radii requirements for driveway turnaround.

(ro) Section 403.3, "Fire apparatus access road," is repealed and reenacted to read as follows:

403.3 Fire apparatus access road. When required, fire apparatus access roads shall meet the requirements of the City of Boulder Design and Construction Standards.

(sp) Section 404.2, "Water sources," is repealed and reenacted to read as follows:

404.2 Water sources. Water sources shall be designed and installed in accordance with the City of Boulder Design and Construction Standards.

(tq) ~~503.2 Ignition-resistant building material. Add the following, as option 5:~~

~~5. Deck surface. Approved wood thermoplastic composite lumber with an ASTM E84 flame-spread index no greater than 200, or any approved Class A roof assembly.~~

A new section 503.2.4.4, "Decks, appendages, and projections," is added to read as follows:

503.2.4.4 Decks, appendages, and projections. Decks and other unenclosed structures attached to buildings shall be constructed of a material meeting the following:

503.2.4.4.1 Surface. The surface shall be constructed of approved wood thermoplastic composite lumber with a flame-spread index no greater than 200 or any approved Class A roof assembly.

503.2.4.4.2 Framing. Framing shall be constructed with one of the following methods:

1. 1-hour fire resistance-rated construction.
2. Heavy timber construction.
3. Approved noncombustible materials.
4. Fire-retardant-treated wood labeled for exterior use.

(u) Section 504.2, "Roof assembly," but not including, Section 504.2.1, "Roof valleys," is repealed and reenacted to read as follows:

504.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Code, as applicable.

(v~~r~~) Section 505.2, "Roof ~~covering~~ assembly," but not including Section 505.2.1, "Roof valleys," is repealed and reenacted to read as follows:

505.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Building Code, as applicable.

(w~~s~~) Section 506.2, "Roof ~~covering~~ assembly," but not including Section 506.2.1, "Roof valleys," is repealed and reenacted to read as follows:

506.2 Roof covering. Roofs shall be installed in accordance with the requirements of the City of Boulder Building Code and the City of Boulder Residential Building Code, as applicable.

(x) A new Section 506.6, "Appendages and projections," is added to read as follows:

506.6 Appendages and projections. The surface of decks, projections, and unenclosed structures attached to buildings with habitable space shall be constructed of material that complies with Section 503.2.4.4.1 "Surface".

(y) A new Section 506.6.1, "Screening," is added to read as follows:

506.6.1 Screening. Appendages and projections shall have a noncombustible corrosion-resistant mesh with openings not to exceed 1/8 inch around the perimeter or shall be designed and approved to prevent flame or ember penetration under the appendage or projection.

Exception: The framing material meets the ignition-resistant building material requirements of Section 503.2, "Ignition-resistant building material."

(z~~t~~) Section 507.1, "Replacement or repair of roof coverings," is repealed and reenacted to read as follows:

507.1 **Replacement or repair of roof coverings.** Replacement or repair of any ~~wood~~ roof shall meet the requirements of Section 10-5-5, "Wood Roof Covering Materials Prohibited," B.R.C. 1981.

(aa) A new Section "508 - FENCING" is added to read as follows:

SECTION 508 – FENCING

508.1 Installation and replacement of fences. All fence and gate sections within 8 feet (2.4 m) of buildings with habitable spaces or within any structure within 10 feet of a building with habitable spaces shall be constructed of noncombustible materials in accordance with Section 503.2.1, "Noncombustible material."

~~(u) Section 601.1, "Scope," is repealed and reenacted to read:~~

~~**601.1 Scope.** The provisions of this chapter establish general requirements for new buildings, structures, and premises located within wildland-urban interface areas. Only the requirements of Sections 607.1, "General," and 607.2, "Storage for off-site use," shall apply to new and existing buildings, structures, and premises located within wildland-urban interface areas.~~

(bb~~v~~) Section 603.2, "Fuel modification," is repealed and reenacted to read as follows:

603.2 Fuel modification. Buildings and structures constructed in compliance with the conforming defensible space category (moderate hazard, high hazard, or extreme hazard) as identified within the wildland urban interface area by the code official shall comply with the applicable fuel modification distance established in Table 603.2 or with fuel modification to the lot line, whichever is less. The distances specified in Table 603.2 shall be measured on a horizontal plane from the perimeter or projection of the building or structure as shown in Figure 603.2

(cc) A new Section 603.2.4, "Noncombustible Zone," is added to read as follows:

603.2.4 Noncombustible Zone. All new buildings with habitable space and all new structures shall have a noncombustible zone.

(dd) A new Section 603.2.5, "Fuels planted within defensible space," is added to read as follows:

603.2.5 Fuels planted within defensible space. Fuels planted within the defensible space, in the area that is between 5 feet (1.5 m) from the building or structure and the property lot line, but not to exceed 30 feet (9.1 m) in width, shall be low-flammability plants with a rating score between 7.5 and 10 as identified by the Colorado State Forest Service.

(ee) A new Section 603.2.6, "Junipers," is added to read as follows:

603.2.6 Junipers. No species of Junipers (Juniperus spp) shall be planted.

(ff) The first sentence of Appendix C, "Fire Hazard Severity Form," is repealed and reenacted to read as follows:

The appendix may be used in place of Table 502.1 to determine the fire hazard severity.

Section 3. The city council deems it appropriate to repeal the adoption of the 2018 edition of the International Wildland-Urban Interface Code and adopt by reference the 2024 edition of the International Wildland-Urban Interface Code. The International Wildland-Urban Interface

Code prescribes standards of construction, alternation, movement, repair, maintenance, and use of any building, structure, and premises within the wildland-urban interface areas of the City of Boulder. The city council orders that at least one copy of the International Wildland-Urban Interface Code being considered for adoption by reference in this ordinance be on file with the city clerk, Municipal Building, 1777 Broadway, City of Boulder, County of Boulder, State of Colorado, and open for public inspection during the business hours of the city. Such copy shall be certified to be true by the mayor and the clerk.

Section 4. Unless expressly provided otherwise, any violation of the provisions of the code adopted by reference herein shall be punishable as provided in Section 5-4-2, "General Penalties," B.R.C. 1981.

Section 5. The city council orders and directs the city manager to make any additional citation and reference changes not included in this ordinance that are necessary to properly implement the adoption of the 2024 edition of the International Wildland-Urban Interface Code and all related local amendments.

Section 6. This ordinance shall take effect on August 1, 2025. It shall be applied to building permit applications submitted on or after the effective date. Building permits applied for before the effective date shall be considered under the code in effect at the time of application.

Section 7. The city council intends that the sections, paragraphs, clauses, phrases, items, and compliance options of this ordinance and the code adopted herein by reference be severable. If any compliance option, item, phrase, clause, sentence, paragraph or section of this ordinance or the code adopted herein by reference is declared unconstitutional or invalid by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality or invalidity

does not affect any of the remaining compliance options, items, phrases, clauses, sentences, paragraphs and sections of this ordinance or the code adopted herein, unless it appears to the court that the valid provisions of the section or ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed the council would have enacted the valid provisions without the void one; or unless the court determines that the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent. If the provision of an exception invalidates a prohibition, but the prohibition without the exception would be valid, then it is council's intent in such cases that the exception be severed, and the prohibition upheld.

Section 8. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city and covers matters of local concern.

Section 9. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 17th day of April 2025.

_____
Aaron Brockett,
Mayor

Attest:

_____
Elesha Johnson,
City Clerk

READ ON SECOND READING, PASSED AND ADOPTED this 15th day of May 2025.

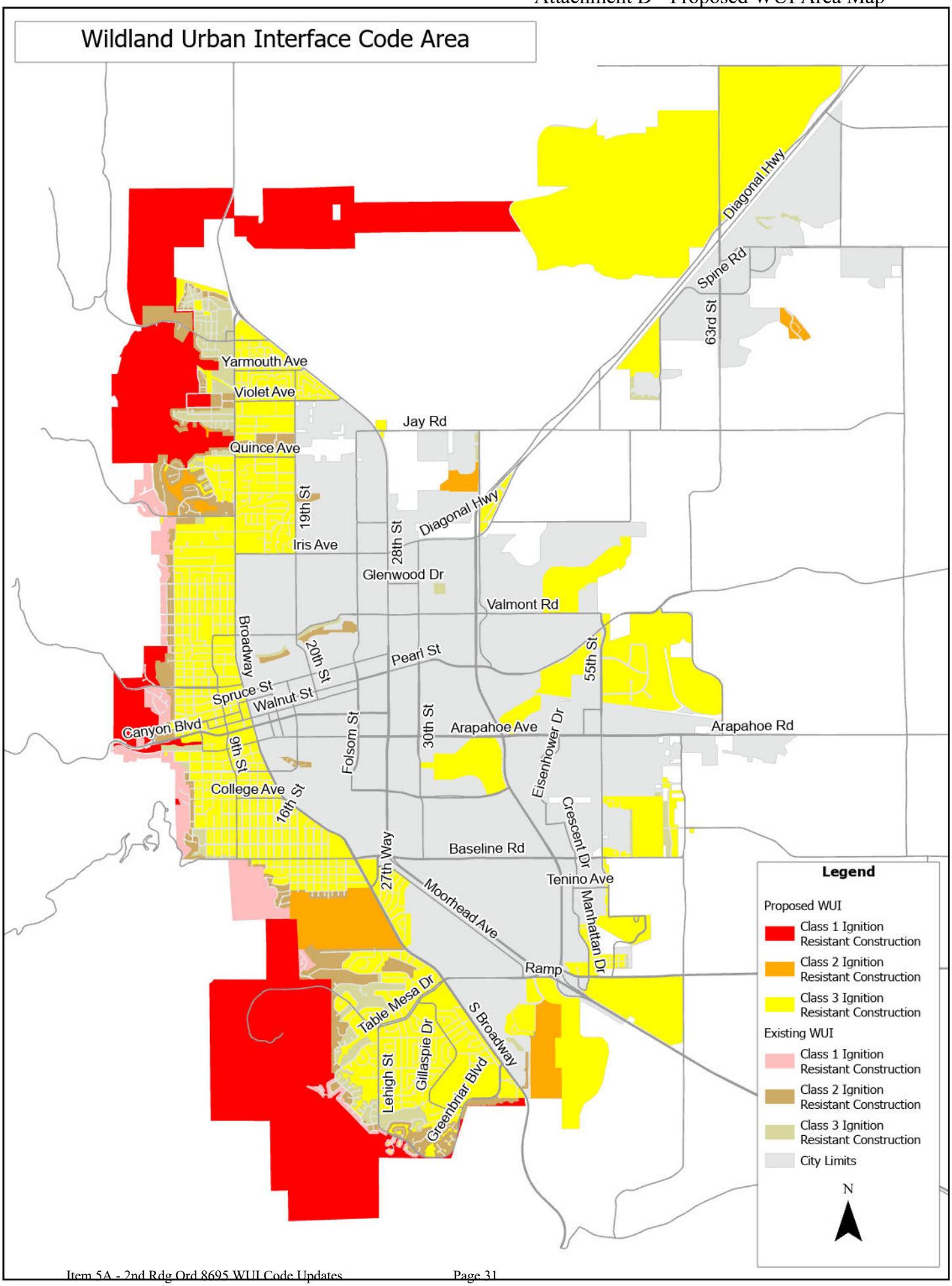
_____
Aaron Brockett,
Mayor

Attest:

_____
Elesha Johnson,
City Clerk

2024 IWUIC Requirements – Ignition Resistant Class Comparison

REQUIREMENT	IGNITION-RESISTANT CONSTRUCTION		
	CLASS 1	CLASS 2	CLASS 3
Roofs	x	x	x
Eaves– ignition resistant enclosure	x		
Eaves – Solid enclosure no exposed rafter tails		x	
Gutters and downspouts	x	x	x
Exterior walls	x	x	
Flashing	x		
Underfloor enclosure	x	x	x
Appendages and projections	x	x	x (local amendment)
Underfloor enclosure of appendages and projections	x	x	x (local amendment)
Exterior glazing	x	x	
Exterior doors	x	x	
Vents	x	x	x
Vents: Performance requirements	x	x	
Vents: Prescriptive requirements	x	x	
Vent locations	x	x	
Detached accessory structures	x	x	
Underfloor enclosure of detached accessory structure	x	x	
Fencing – noncombustible connection	x (local amendment)	x (local amendment)	x (local amendment)


Wildland Urban Interface Code Area
Diagonal Hwy
Spine Rd
63rd St
Yarmouth Ave
Violet Ave
Jay Rd
Quince Ave
19th St
Diagonal Hwy
Iris Ave
28th St
Glenwood Dr
Valmont Rd
Broadway
20th St
Pearl St
55th St
Spruce St
Walnut St
Canyon Blvd
Folsom St
30th St
Arapahoe Ave
Arapahoe Rd
Eisenhower Dr
9th St
College Ave
16th St
Crescent Dr
27th Way
Baseline Rd
Tenino Ave
Moorhead Ave
Manhattan Dr
Ramp
Table Mesa Dr
S Broadway
Gillaspie Dr
Lehigh St
Greenbriar Blvd
Legend
Proposed WUI
Class 1 Ignition Resistant Construction
Class 2 Ignition Resistant Construction
Class 3 Ignition Resistant Construction
Existing WUI
Class 1 Ignition Resistant Construction
Class 2 Ignition Resistant Construction
Class 3 Ignition Resistant Construction
City Limits
N

WUI Code Community Meeting

03/19/2025

6-8 pm

Penfield Tate II Municipal Building, Conference Room N101

Approximately 30 attendees

Introduction

Lisa Houde (Planning & Development Services) introduced the item. Chief David Lowrey (Boulder Fire-Rescue) presented the WUI code and the proposed changes.

Discussion

Retroactive Enforcement

- Are there parts of this that should be applied retroactively? Phase over a time frame. Can it be enforced retroactively?
- Could we just apply code retroactively and deal with enforcement staffing later?
- A certain percentage of population will follow the law so make the rules mandatory on a retroactive basis. Focus on lower cost things?

General Comments and Questions

- What constitutes non-combustible?
- Concern that 0-5 foot distance around houses will exacerbate urban heat island effect.
- Concerns expressed about vegetation around 311 Mapleton and that new rules won't be retroactive. The right-of-way people aren't doing their job. Sidewalks are being covered with pine trees/ADA issues.
- In the newly defined WUI area, how many homes fall into the area? How many permits have been pulled in the WUI? We need this data to be pulled and shared.
- City Council does not have the relevant info about how important these changes are and the positive impacts of doing the changes even on existing properties. City Council did not have a full idea of these topics when they provided direction.
- Sorry to not see more design professionals here tonight. Communities need to get together. If your neighbors don't make changes then it makes no difference. We need to get groups together to get buy in.
- Would be good to get together with insurance companies to help lower insurance rates if there is more compliance.
- You have to meet fire mitigation requirements in Boulder County, right? Defensible space. Within the WUI, you should be able to do that. Not everyone pulls permits, but many will and it will make a

difference. With neighborhoods and people caring, hopefully we help monitor that (low hanging fruit).

- Decks and porches – (appendages and projections) – a porch would have the same requirement as a deck. What about with the Landmarks Board?
- How are conflicts between departments reconciled?
- What's happening in the wildland areas?
- Many landmarks cases where they can't get a metal roof. Metal roofs should be required.
- Most of the people will not be compelled to meet the requirements. We would like a list of all the things that we should do (low hanging fruit). I did a search for fire resistant fencing, couldn't find anything. Get it out now and people will start paying attention.
- Get people together at the library to teach them these things.
- What plans do you have for outreach to the design build community?
- Real Estate professionals- would like Fire-Rescue staff to come speak to our group.
- Are taller, denser buildings more at risk for spreading fire?
- Do you have examples of renovations, alterations to existing houses that would trigger the new code? What about roofing permits?
- In regard to the LA fires, are you aware of what caused the extensive range of the spread?

What's Next?

Lisa Houde summarized the next steps, upcoming meetings, Planning Board and City Council dates, Be Heard Boulder, and discussed waterwise landscaping as the next phase. Also discussed the detailed home assessment program.

Final Questions and Comments

- Is the detailed home assessment program run by city staff?
- Very surprised when a condenser was installed along side yard – dangerous – how could this have happened? Need to be able to get around my house.
- Are the city and county coordinating on grants in the same timeframe? Are HOAs in this new cycle?

WUI Code Virtual Community Meeting

03/20/2025

2-3:30 pm

Zoom Meeting

Approximately 15 attendees

Introduction

Welcomed community members. Use the chat for any clarifications, it will be monitored throughout the presentation. Take questions after the presentation.

Discussion

During Presentation

- Are there ANY requirements for properties in the WUI that are not making changes to their home people need to follow? It sounds like there are not but I just wanted to be sure I have the information correctly or if I am missing something?
- I assume these are required for remodel - is there a percentage of remodel where these are triggered, or it is it any change?
- It appears State WUIC will have a map only showing two color zone - red and orange will be high and will probably also extend out from map limit 1 mile - will you be following that final map?
- Will you require new decking that needs to be ignition resistant to be Class A or Class B - Trex decking is rated Class B?
- How will you deal with landscaping being installed at any time by homeowners not part of building permits?
- Will a permit for new windows then need to follow WUIC - especially in Class 1 zone which required the fire rated or tempered glass?

After Presentation

- I understand the results of the straw poll council took back in Dec about considering required measures for existing parcels. Since then, the L.A. fires have occurred. Has this topic been reconsidered by the council or do you expect it will be?
- What about those who aren't educatable, but would be amenable to a menu of foliage? Not worth the expense?
- Can you do a gallery view for these zoom meetings? Is that too expensive? I would like to know who I am present with and their questions in the audio.

- (Re: Insurability) Will conforming to these amendments enable a building designation as a "WILDFIRE PREPARED HOME" from the Insurance Institute for Business and Home Safety or similar, pursuant to proposed house bill “hb25-1182”?
- Why is a condenser that completely obstructs my sideboard setback acceptable? This causes tunneling alterations.
- How will a homeowner know they are in the WUI area? Is there a map online can they refer to?
- What about accessibility? The 311 project is going to be driving the demand for evacuation, and I am going to need to access my own place to defend it myself. The condenser blocks me from my house.
- What does defensible space mean for low flammability?
- Can anyone just block their side yard setbacks? How could this possibly be the case with all the new anti-gas utilities improvements demanding large condensers?
- It’s not the 5 ft. combustible zone I am concerned about. The condenser is obviously not combustible unless the power was not cut and wind ripped out the 220 current serving as ignition. This is why it needs to be dialogue.