**TOWN OF LOS GATOS**
**GENERAL PLAN COMMITTEE**

MEETING DATE: 05/14/2025
ITEM NO: 2

DATE: May 9, 2025

TO: General Plan Committee

FROM: Joel Paulson, Community Development Director

SUBJECT: Consider Making a Recommendation to the Planning Commission and Town Council to Approve the Fire Hazard Severity Zones Map Ordinance and Resolution which will be to Comply with State Government Code Section 51178 and an Amendment of the General Plan Hazards and Safety Element to Incorporate the Fire Hazard Severity Zones Map. Adoption of this Ordinance and Resolution is Exempt Pursuant to CEQA, Section 15268, in that it is Required by the State. General Plan Amendment Application GP-25-01 and Town Code Amendment A-25-03. **Project Location: Town Wide**. Applicant: Town Of Los Gatos.

RECOMMENDATION:

Consider making a recommendation to the Planning Commission and Town Council to approve the Fire Hazard Severity Zones Map Ordinance and Resolution which will be to comply with State Government Code Section 51178 and an amendment of the General Plan Hazards and Safety Element to incorporate the Fire Hazard Severity Zones Map. Adoption of this Ordinance and Resolution is exempt pursuant to CEQA, Section 15268, in that it is required by the State.

BACKGROUND:

Prompted by the devastating Oakland Hills Fire of 1991, State Legislation called for the California Department of Forestry and Fire Protection (Cal Fire) to evaluate fire hazard severity in Local Responsibility Areas (LRA) and recommend to the local jurisdictions where Very High Fire Hazard Severity Zones exist. Cal Fire used an extension of the State Responsibility Area (SRA) Fire Hazard Severity Zone model to evaluate fire hazard in the LRA, which reflects the flame and ember intrusion from adjacent wildlands and flammable vegetation in the urban area.

PREPARED BY: Robert Gray
Chief Building Official

Reviewed by: Community Development Director

On October 16, 2008, the Town of Los Gatos received Cal Fire's final draft Fire Hazard Severity Zone map, which the Town Council adopted on February 2, 2009. This map has not been updated since its adoption and is still in effect today.

DISCUSSION:

Existing law requires the State Fire Marshal (SFM) to identify areas of the state as moderate, high, and very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather, and other relevant factors, including areas where winds have been identified by the SFM as a significant cause of wildfire spread. The SFM shall provide these identified areas to local agencies for review and adoption.

Existing law requires a local agency to designate, by ordinance, very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the SFM. A local agency may, at its discretion, include areas within the jurisdiction of the local agency that are not identified as very high fire hazard severity zones by the SFM, as very high fire hazard severity zones following a finding supported by substantial evidence that the increased designation is necessary for effective fire protection within the area. Additionally, a local agency must designate, by ordinance, moderate and high fire hazard severity zones within 120 days of receiving recommendations from the SFM. A local agency may, at its discretion, include areas within the jurisdiction of the local agency that are not identified as moderate and high fire hazard severity zones by the SFM, as moderate and high fire hazard severity zones, respectively. However, a local agency is prohibited from decreasing the level of fire hazard severity zone as identified by the SFM for any area within the jurisdiction of the local agency.

State law does not allow for a local jurisdiction to request changes or provide comments to the SFM on the fire hazard severity zone designations. However, a local agency may choose to increase the designation of a fire hazard severity zone from the zone identified by the SFM, or designate areas as having a severity zone that were not designated in a severity zone by the SFM. This may occur because severity zone edges in the maps and data from the SFM are not aligned with parcel boundaries or roads that may be considered for lines of convenience when adopting ordinances.

As required, the SFM provided the Town with an updated map (Attachment 1) of designated areas on February 24, 2025. Staff evaluated the map the SFM provided and created an updated map, including parcel and Town boundaries. This Los Gatos Fire Severity Zones Map is included with the Ordinance (Attachment 2, Exhibit A) and Resolution (Attachment 3, Exhibit A). Where parcels are split between two severity zones, the higher severity zone is assigned, pursuant to State law. This results in creating slight differences between the boundary lines that appear on the SFM Fire Severity Zones Map and the Los Gatos Fire Severity Zones Map. Staff recommends no changes to the map provided by the SFM except those required to include complete parcels within a zone.

To comply with state law, the Town must act and designate the updated fire hazard severity zones map by ordinance before June 23, 2025.

PUBLIC COMMENTS:

Staff conducted outreach through the following media and social media resources, for public input:

- The Town's website home page, What's New;
- The Town's Facebook page;
- The Town's Twitter account;
- The Town's Instagram account; and
- The Town's NextDoor page.

Public comments received by 11:00 a.m., Friday, May 9, 2025, are included as Attachment 4.

CONCLUSION:

Based on the requirements of State Law outlined above, staff recommends that the General Plan Committee recommend approval to the Planning Commission and Town Council regarding the adoption of an Ordinance (Attachment 2) and Resolution (Attachment 3) for the approval of an updated Local Responsibility Area Fire Hazard Severity Zones Map.

COORDINATION:

This report was prepared in coordination with Community Development, the Town Attorney's Office, and the Santa Clara County Fire Department.

ENVIRONMENTAL ASSESSMENT:

This project is exempt pursuant to CEQA, Section 15268 in that it is required by the State.

Attachments:

1. State Fire Marshal Fire Severity Zones Map
2. Draft Ordinance, Exhibit A, Los Gatos Fire Severity Zones Map
3. Draft Resolution, Exhibit A, Los Gatos Fire Severity Zones Map
4. Public Comments Received by 11:00 a.m., Friday, May 9, 2025

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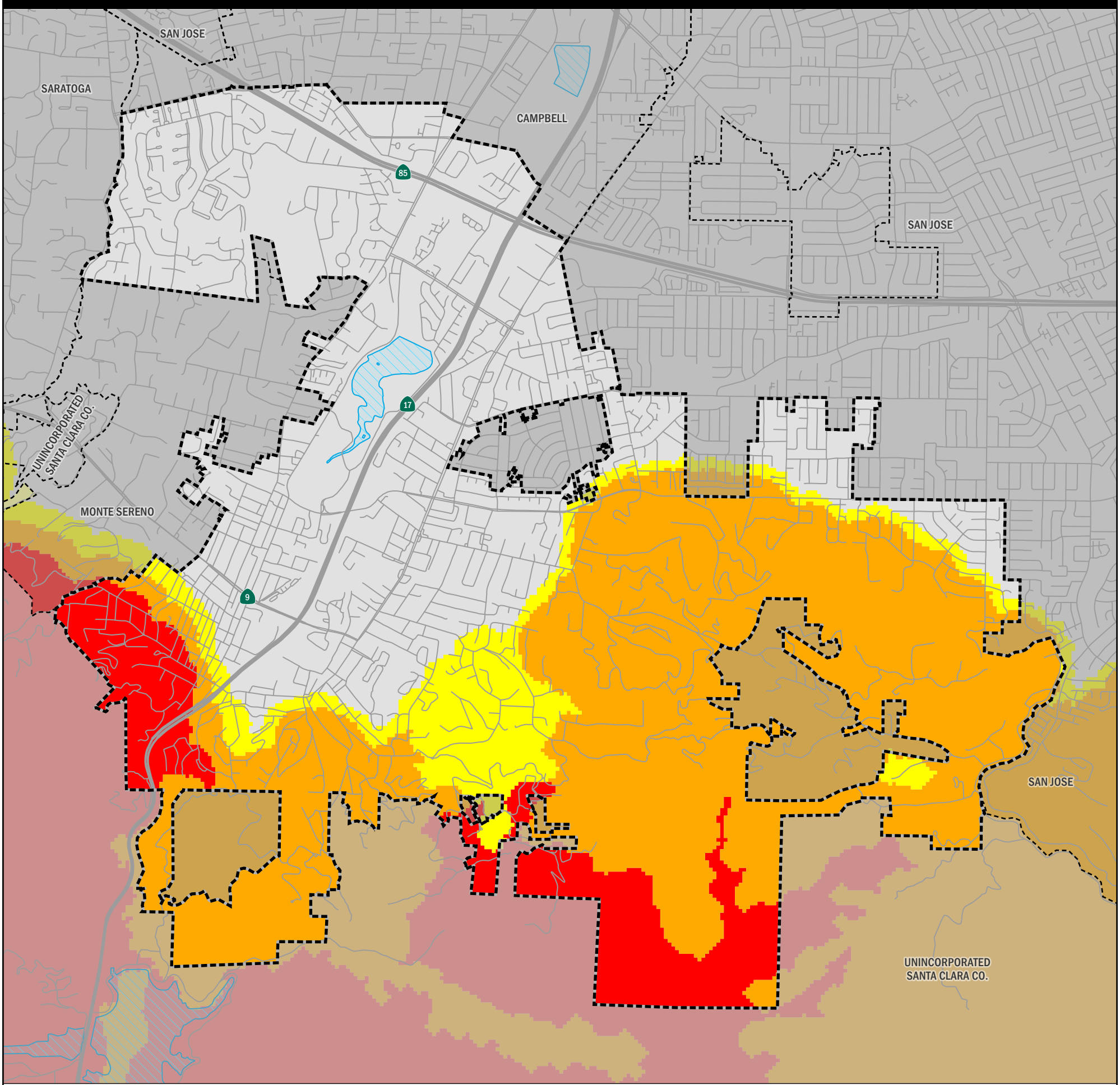
TOWN OF LOS GATOS – SANTA CLARA COUNTY

# Local Responsibility Area Fire Hazard Severity Zones

**As Identified by the State Fire Marshal**

**February 24, 2025**



**Fire Hazard Severity Zones (FHSZ) in Local Responsibility Area (LRA), as Identified by the State Fire Marshal**

Very High | High | Moderate

**Fire Hazard Severity Zones in State Responsibility Area (SRA), Effective April 1, 2024**

Very High | High | Moderate

Mi 0 1
Km 0 1 2

Projection: NAD 83 California Teale Albers
Scale: 1:34,000 at 11" x 17"

Incorporated City | Waterbody

Unzoned LRA

Government Code section 51178 requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread.

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Gavin Newsom, Governor, State of California

Wade Crowfoot, Secretary for Natural Resources, CA Natural Resources Agency

Joe Tyler, Director/Fire Chief, CA Department of Forestry and Fire Protection

Daniel Berlant, State Fire Marshal, CA Department of Forestry and Fire Protection

Data Sources:

CAL FIRE Fire Hazard Severity Zones (FHSZSRA23_3, FHSZLRA_25_1)

CAL FIRE State Responsibility Areas (SRA25_1)

City and County boundaries as of 10/22/24 (CA Board of Equalization)

ATTACHMENT 1

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**DRAFT ORDINANCE**

# AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS ADOPTING REVISED CAL FIRE REQUIREMENTS FOR LOCAL RESPONSIBILITY AREA FIRE HAZARD SEVERITY ZONES.

**WHEREAS,** the State's Government Code Section 51178 requires the local agency to designate moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 of receiving recommendations from the State Fire Marshal; and

**WHEREAS,** the local agency may, at its discretion, include areas within the jurisdiction of the local agency, not identified as very high fire hazard severity zones by the State Fire Marshal, as very high fire hazard severity zones following a finding supported by substantial evidence in the record that the requirements of Section 51182 are necessary for effective fire protection within the area; and

**WHEREAS,** the local agency may, at its discretion, include areas within the jurisdiction of the local agency, not identified as moderate and high fire hazard severity zones by the State Fire Marshal, as moderate and high fire hazard severity zones, respectively; and

**WHEREAS,** the local agency shall not decrease the level of fire hazard severity zone as identified by the State Fire Marshal for any area within the jurisdiction of the local agency, and, in exercising its discretion, may only increase the level of fire hazard severity zone as identified by the State Fire Marshal for any area within the jurisdiction of the local agency; and

**WHEREAS,** the local agency shall transmit a copy of an ordinance adopted to the State Board of Forestry and Fire Protection within 30 days of adoption.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Los Gatos as follows:

**SECTION I.**

The Local Responsibility Area Fire Hazard Severity Zones Map (Exhibit A) as designated by the Office of the State Fire Marshal is hereby adopted and designated as the map delineating fire hazard severity zones for the Town of Los Gatos.

**SECTION II.** Severability.

In the event that a court of competent jurisdiction holds any Section, subsection, paragraph, sentence, clause, or phrase in this Ordinance unconstitutional, preempted, or otherwise invalid, the invalid portion shall be severed from this Section and shall not affect the validity of the remaining portions of this Section. The Town hereby declares that it would have adopted each Section, subsection, paragraph, sentence, clause, or phrase in this Section

irrespective of the fact that any one or more Sections, subsections, paragraphs, sentences, clauses or phrases in this Section might be declared unconstitutional, preempted, or otherwise invalid.

**SECTION III.** CEQA.

Adoption of this ordinance is exempt pursuant to CEQA, Section 15268 in that it is required by the State.

**SECTION IV.** Publication.

In accordance with Section 63937 of the Government Code of the State of California, this Ordinance takes effect 30 days from the date of its passage. The Town Council hereby directs the Town Clerk to cause this Ordinance or a summary thereof to be published or posted in accordance with Section 36933 of the Government Code of the State of California.

**SECTION V.** Effective Date.

This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on the ___ day of _____ 2025, and adopted by the Town Council of the Town of Los Gatos at its regular meeting on the ____ day of _____ 2025, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

_____
MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

ATTEST:

_____
TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

**RESOLUTION 2025-__**

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF LOS GATOS
ADOPTING A GENERAL PLAN AMENDMENT TO UPDATE FIRE SEVERITY ZONES IN ACCORDANCE WITH REVISED CAL FIRE REQUIREMENTS FOR LOCAL RESPONSIBILITY AREA FIRE HAZARD SEVERITY ZONES.**

**GENERAL PLAN AMENDMENT APPLICATION: GP-25-001**

**WHEREAS**, the State's Government Code Section 51178 requires the local agency to designate moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 of receiving recommendations from the State Fire Marshal; and

**WHEREAS**, the local agency may, at its discretion, include areas within the jurisdiction of the local agency, not identified as very high fire hazard severity zones by the State Fire Marshal, as very high fire hazard severity zones following a finding supported by substantial evidence in the record that the requirements of Section 51182 are necessary for effective fire protection within the area; and

**WHEREAS,** the local agency may, at its discretion, include areas within the jurisdiction of the local agency, not identified as moderate and high fire hazard severity zones by the State Fire Marshal, as moderate and high fire hazard severity zones, respectively; and

**WHEREAS**, the local agency shall not decrease the level of fire hazard severity zone as identified by the State Fire Marshal for any area within the jurisdiction of the local agency, and, in exercising its discretion, may only increase the level of fire hazard severity zone as identified by the State Fire Marshal for any area within the jurisdiction of the local agency; and

**WHEREAS,** the local agency shall transmit a copy of an ordinance adopted to the State Board of Forestry and Fire Protection within 30 days of adoption.

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Council of the Town of Los Gatos hereby approves an amendment of the General Plan, Hazards and Safety Element to update the Fire Hazard Severity Zones Map (Exhibit A) as designated by the Office of the State Fire Marshal.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the XX$^{th}$ day of June 2025, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

**From:** noreply@civicplus.com <noreply@civicplus.com>
**Sent:** Monday, March 17, 2025 11:31 AM
**To:** Planning <Planning@losgatosca.gov>
**Subject:** Online Form Submission #15701 for Local Responsibility Fire Hazard Severity Zone Comment Form: Please provide your public comments regarding the Office of State Fire Marshall revised fire hazard severity map. Public comments will not be responded to at...

[EXTERNAL SENDER]

# Local Responsibility Fire Hazard Severity Zone Comment Form: Please provide your public comments regarding the Office of State Fire Marshall revised fire hazard severity map. Public comments will not be responded to at this time, but will be collected and considered during the implementation process.

| | |
|---|---|
| First Name | John |
| Last Name | Cleveland |
| Email Address (Required) | [redacted] |
| Phone Number | [redacted] |
| Message (Required) | There needs to be a balance between maintaining properties for fire safety and we need clear simple inexpensive/no cost services/solutions and the cost of insurance. |
| Add An Attachment if applicable | *Field not completed.* |

Email not displaying correctly? View it in your browser.

**From:** noreply@civicplus.com <noreply@civicplus.com>
**Sent:** Friday, April 11, 2025 4:38 PM
**To:** Planning <Planning@losgatosca.gov>
**Subject:** Online Form Submission #15808 for Local Responsibility Fire Hazard Severity Zone Comment Form: Please provide your public comments regarding the Office of State Fire Marshall revised fire hazard severity map. Public comments will not be responded to at...

[EXTERNAL SENDER]

# Local Responsibility Fire Hazard Severity Zone Comment Form: Please provide your public comments regarding the Office of State Fire Marshall revised fire hazard severity map. Public comments will not be responded to at this time, but will be collected and considered during the implementation process.

| | |
|---|---|
| First Name | William |
| Last Name | Weiner |
| Email Address (Required) | [redacted] |
| Phone Number | [redacted] |
| Message (Required) | Fairview plaza water service including fncluding fire hydrants test yearly at UNDER 30 lbs.Fairview ave has water pressure above 80lbs. Residents have been asking SJC water co to remedy this deficiency for more than 25 years. How will the town stop a fire if and when with so little pressure. This is why the Pacific Palisades was completely lost.the city of San Jose is not enforcing the water service equally to all. I will appreciate how this will be remedied? |
| Add An Attachment if applicable | *Field not completed.* |

Email not displaying correctly? View it in your browser.

**From:** noreply@civicplus.com <noreply@civicplus.com>
**Sent:** Saturday, April 26, 2025 4:31 PM
**To:** Planning <Planning@losgatosca.gov>
**Subject:** Online Form Submission #15847 for Local Responsibility Fire Hazard Severity Zone Comment Form: Please provide your public comments regarding the Office of State Fire Marshall revised fire hazard severity map. Public comments will not be responded to at...

[EXTERNAL SENDER]

# Local Responsibility Fire Hazard Severity Zone Comment Form: Please provide your public comments regarding the Office of State Fire Marshall revised fire hazard severity map. Public comments will not be responded to at this time, but will be collected and considered during the implementation process.

| | |
|---|---|
| First Name | Jeff |
| Last Name | Siegel |
| Email Address (Required) | [redacted] |
| Phone Number | *Field not completed.* |
| Message (Required) | Given the strong winds and even stronger gusts that blow through the glenridge neighborhood during the peak fire season, the state, the town of Los Gatos needs to take a far more serious approach than in the past, and Marin is a good model, where fire safety is front and center. Given the close proximity of homes in the historic sections of town, particularly where those homes fall into the high or extremely high severity zones, it is insufficient to focus only on vegetation mgmt. In many cases, wood fences are within just a few out or two of homes, providing the fuel ladder that allows flames to get under the eaves of homes. The town should create an ordinance that allows only deer fencing when fencing is dangerously close to adjoining homes. Likewise, there are certain types of plants, that Marin County and CalFire have identified, such as juniper trees, that are extremely flammable, nicknamed roman candles by Marin Fire. These are frequently found on property perimeters dangerously close to neighboring homes in historic residential areas. Santa Clara Fire is a laggard, not a leader, and the town needs to use Marin as the model to more proactively get ahead in order to mitigate the dangers before it's too late. |

| | |
|---|---|
| Add An Attachment if applicable | *Field not completed.* |

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**From:** noreply@civicplus.com <noreply@civicplus.com>
**Sent:** Tuesday, April 29, 2025 12:03 PM
**To:** Planning <Planning@losgatosca.gov>
**Subject:** Online Form Submission #15856 for Local Responsibility Fire Hazard Severity Zone Comment Form: Please provide your public comments regarding the Office of State Fire Marshall revised fire hazard severity map. Public comments will not be responded to at...

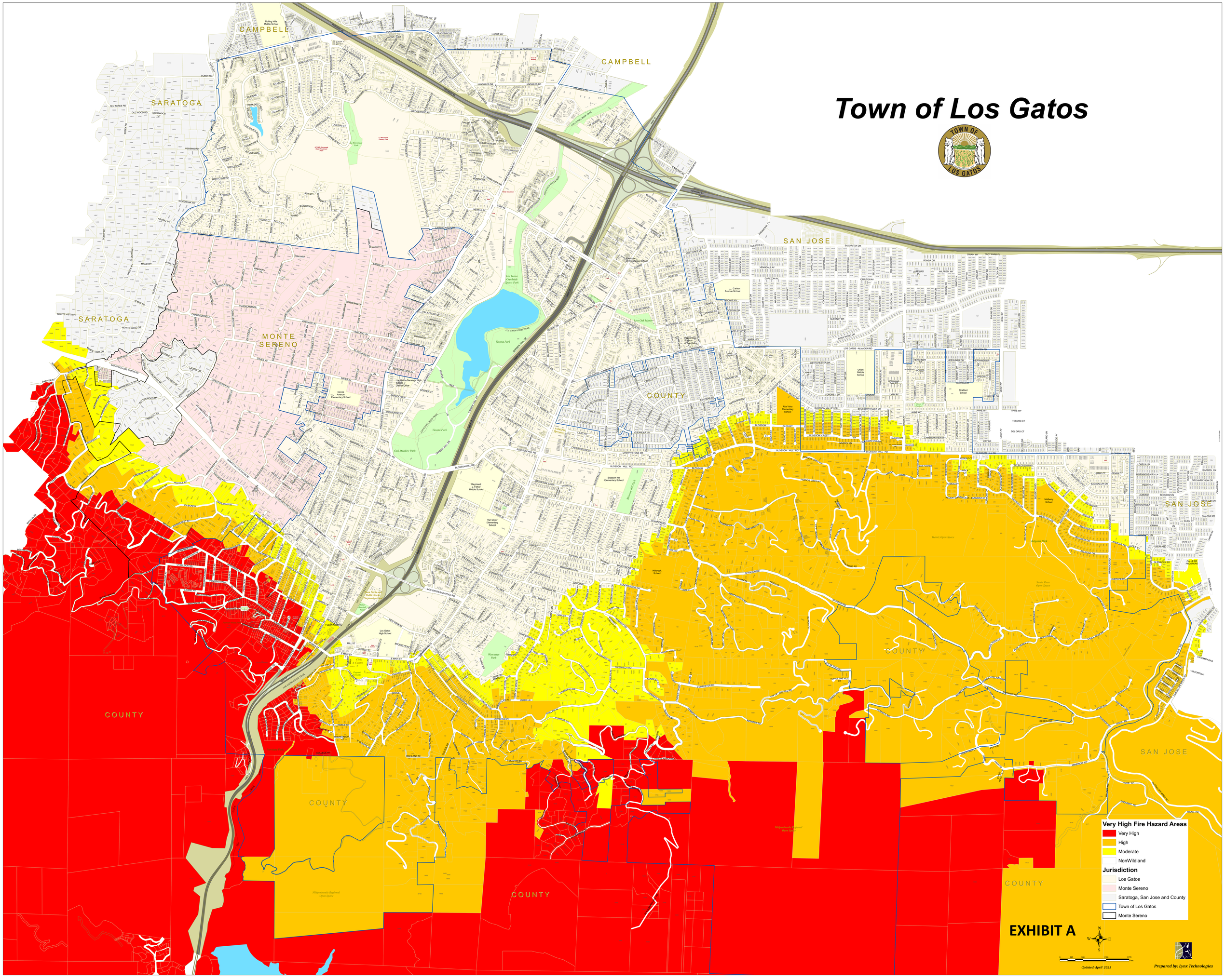
[EXTERNAL SENDER]

## Local Responsibility Fire Hazard Severity Zone Comment Form: Please provide your public comments regarding the Office of State Fire Marshall revised fire hazard severity map. Public comments will not be responded to at this time, but will be collected and considered during the implementation process.

| | |
|---|---|
| First Name | alan |
| Last Name | young |
| Email Address (Required) | [redacted] |
| Phone Number | [redacted] |
| Message (Required) | I looked up my fire hazzard ratting and it was mild on one rating but high on another My next door neighbor did a lot split and built a second house and his ratting is low the lot is up hill from Foster road 17 feet wide but stream right next to it I can trim off all vigitation. |
| Add An Attachment if applicable | *Field not completed.* |

Email not displaying correctly? View it in your browser.

# Town of Los Gatos



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