



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 06/16/2026

ITEM NO: 20

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DATE: June 16, 2026  
TO: Mayor and Town Council  
FROM: Chris Constantin, Town Manager  
SUBJECT: **Conduct a Brush Abatement Program Public Hearing to Consider Objections to the Proposed Removal of Brush on Parcels Listed on the 2026 Wildland Urban Interface (WUI) Area Non-Compliant Parcel List and Order Abatement**

RECOMMENDATION: Conduct a Brush Abatement Program Public Hearing to Consider Objections to the Proposed Removal of Brush on Parcels Listed on the 2026 Wildland Urban Interface (WUI) Area Non-Compliant Parcel List and Order Abatement

FISCAL IMPACT:

The costs associated with abatement work are placed on the property tax bill for that parcel. Funds are provided in the FY 2025-26 Budget (Program 5101) to cover the cost of publishing the legal notice for the June public hearing and for the associated staff time required to administer the program in partnership with the County of Santa Clara.

STRATEGIC PRIORITY:

This item addresses the Town's Strategic Priority to further the Town's emergency preparedness, resiliency, and response capabilities, particularly in the area of wildfire risk, and aligns with the Core Goal of Public Safety. Property owners are reminded that they must remove native brush and vegetation from around their homes to create defensible space to reduce the risk of wildfire.

PREPARED BY: Paul Gonia  
Project Analyst

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Administrative Services Director

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SUBJECT: Brush Abatement Program Public Hearing to Consider Objections to the Proposed Removal of Brush on Parcels Listed on the 2026 Wildland Urban Interface (WUI) Area Non-Compliant Parcel List and Order Abate

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BACKGROUND:

The Brush Abatement Program is a different and complementary program to the Weed Abatement Program. Both programs work to protect the Town from wildfire risk by reducing potential fuel, such as brush, in hillside areas.

The Santa Clara County Fire Department (County Fire) administers the brush abatement program. County Fire uses the procedure set forth in Government Code Sections 39560 *et seq.* for “weed abatement.” Government Code Section 39561.5(b) defines “weeds” to include brush which will attain such a large growth as to become a fire menace when dry, or which is otherwise noxious or dangerous.

The Town of Los Gatos Municipal Code Section 9.20.025 *et seq.* authorizes the Fire Chief to abate fire hazards. This includes requiring property owners in the locally adopted Wildland Urban Interface (WUI) Area (Attachment 2) to maintain effective defensible space by removing brush, flammable vegetation, and combustible growth, based on the locally adopted Fire Codes. Government Code Section 39560 *et seq.*, authorizes County Fire, through a contract for services with the Town, to remove brush from non-compliant properties, and to recover administrative service and abatement costs through assessments on the non-compliant properties’ tax bills.

The WUI Area is the part of the Town at greatest risk for wildfire, and primarily consists of the hillsides and immediately adjacent neighborhoods. The Town has over 1,800 parcels in the WUI Fire Area. County Fire categorizes the parcels into zones and conducts inspections of each zone every three (3) years within a five-to-six-week inspection time frame (April-June). Through this approach, each parcel in the WUI Area is inspected every three years.

Early each year, property owners are reminded that they must remove flammable vegetation from around their home and other structures on their property to create defensible space. The Town annually adopts the Hazardous Vegetation Abatement Program and works with the Santa Clara County Fire Prevention Division, which serves as the enforcement agent and conducts the inspections.

DISCUSSION:

On May 5, 2026, the Town Council passed Resolution 2026-22 (Attachment 3) declaring hazardous vegetation (brush) a public nuisance, ordering abatement, and setting June 16, 2026, as a public hearing date to consider objections to the proposed removal of brush from private property.

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The following is a timeline of the program:

<b><u>FEBRUARY/ MARCH</u></b>	<p>The Santa Clara County Fire Prevention Division notifies property owners located within the designated WUI Area of the requirements and timeline to comply with the safety regulations of the adopted California Fire Code.</p> <p>At the time of the notice, property owners are given the option to complete the required work themselves, hire their own contractor, or elect to schedule the Town of Los Gatos' authorized contractor (which is the County of Santa Clara Weed Abatement Program) to perform the work.</p>
<b><u>APRIL</u></b>	<p>County Fire conducts the first inspections of the properties identified in February/March. Letters and door-hangers are provided for those who are still not in compliance with the program requirements.</p>
<b><u>MAY</u></b>	<p>Town Council adopts a Resolution declaring hazardous vegetation (brush) a public nuisance and sets a June public hearing to consider objections to the proposed removal of brush on the non-compliant private properties by the Town contractor. County Fire re-inspects the properties that were non-compliant during the Spring property inspection. County Fire provides the Town with a list of properties that continue to be non-compliant. The Town then schedules a Public Hearing (to be held in June) to direct the removal of brush from the non-compliant properties.</p>
<b><u>JUNE</u></b>	<p>At the start of June, property owners who are not in compliance are charged administrative fees associated with the various inspections and to cover the direct cost of bringing the property into compliance. The administrative fees are adjusted each year and are set by Santa Clara County; the clean-up fees are based on the actual cost charged by the contractor.</p> <p>The Town Council conducts a public hearing regarding properties not in compliance (this public hearing is the subject of this agenda item). At this public hearing, property owners are provided with the right to object to the removal of hazardous vegetation (brush) on their non-compliant parcels. County Fire provides notice of the public hearing to the property owners at least 10 days prior (Attachment 4). The Town publishes notices at least 10 days prior to the public hearing. As a result of the hearing, the Town contractor (which is the County Weed Abatement Division) is authorized to perform the necessary abatement on private property and charge the</p>

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	property owner for this service. After the June public hearing but prior to abatement, County Fire performs an inspection of the properties that were the subject of the hearing. If the property owner has completed the abatement after June 1 but before the contractor arrives, the property owner will only be charged the County's administrative fee. These properties are then monitored through the County of Santa Clara Weed Abatement Program (which works in partnership with County Fire) until such time as the property demonstrates three consecutive years of voluntary compliance.
<b><u>June/July</u></b>	An additional inspection of the violators listed at the public hearing is conducted. If a property is found to be non-compliant at the time of re-inspection, the violator is referred to the County of Santa Clara Weed Abatement Program. In 2026 there are no Los Gatos properties that will require the additional June or July inspection as all properties have been deemed compliant.

The timeline for the final inspections runs very close to the date of the June public hearing, which means that non-compliant properties in the WUI Area, List of Properties Still Needing Inspection (Attachment 1) may ultimately be found compliant prior to the date of the public hearing. As of May 29, 2026, when noticing for the hearing was required, nine properties remained non-compliant; on June 1, 2026 staff was notified that all Los Gatos properties are in compliance. Since public notice was already completed staff will present the current state of compliance at the June 16, 2026 public hearing.

**CONCLUSION:**

The Brush Abatement program supports a key town priority by ensuring residents abate wildfire risks on private property.

**COORDINATION:**

This program is coordinated with the Santa Clara County Fire Department and the Santa Clara County Weed Abatement Program.

**ENVIRONMENTAL ASSESSMENT:**

This is not a project defined under CEQA, and no further action is required.

**Attachments:**

1. 2026 Wildland Urban Interface (WUI) Area, List of Properties Needing Inspection

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2. Wildland Urban Interface (WUI) Map
3. Resolution 2026-022 – Resolution Declaring Hazardous Vegetation, Ordering Abatement and Setting Public Hearing
4. Letter to Property Owners