



**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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