

AGENDA ITEM 6

- Public Hearing
- Ordinance
- Consent Calendar
- Discussion/Transaction

WALNUT CITY COUNCIL

AGENDA DATE: MAY 28, 2025

TO: Mayor Freedman and Council Members

VIA: Tom Weiner, City Manager *TW*
Justin Carlson, Administrative Services Director

FROM: Alyssa Ramos, Administrative Services/ Human Resources Officer

SUBJECT: Ordinance No. 25 – 03 – Fire Hazard Severity Zones Map (First Reading)

RECOMMENDATION:

It is recommended that the City Council introduce, by title only, and waive further reading of Ordinance No. 25 – 03, adopting the City of Walnut's Local Responsibility Area Fire Hazard Severity Zones Map to designate Moderate, High, and Very High Fire Hazard Severity Zones and amending Title 2, Chapter 2.04.050(A) – (Designation and Amendments for Fire Zone) of the Walnut Municipal Code (WMC) in order to update the Fire Hazard Severity Zones regulations as required by California State Law.

BACKGROUND:

The Office of the State Fire Marshal (OSFM) is responsible for identifying Fire Hazard Severity Zones (FHSZ) throughout California. These Zones are categorized as Moderate, High, or Very High based on consistent Statewide criteria and the expected fire hazard levels in those areas, as required by Government Code 51178. These designations are based on long – term fire behavior projections over a fifty (50) year period, without considering short – term modifications.

Development of Fire Hazard Severity Zones

The establishment of FHSZs dates back to 1980 following the Panorama Fire. In response, Public Resource Code 4201 was enacted, which mandated that CAL FIRE develop FHSZ maps, with the first version released in 1985. The Tunnel Fire in Oakland Hills in 1991 led to further legislation known as the "Bates Bill" (AB 337), requiring CAL FIRE to identify Very High FHSZs within Local Responsibility Areas (LRA). In 2007, CAL FIRE finalized the Statewide FHSZ model, incorporating Very High FHSZ designations for LRAs, which the City of Walnut subsequently adopted by Ordinance.

Following the devastating Camp Fire in 2018, which burned over 153,000 acres, destroyed nearly 19,000 structures, and claimed 85 lives, additional legislation was introduced. SB 63, adopted in 2021, required the OSFM to identify Moderate and High FHSZ in LRAs. AB 211, passed in 2022, requires local agencies, such as Walnut, to formally designate Very High, High, and Moderate FHSZs by Ordinance.

Local Implementation

Title 2, Chapter 2.04.050(A) of the WMC governs the City's regulations for FHSZs. This Chapter was first adopted by Ordinance in 2011, following the requirements set forth in AB 337.

On March 24, 2025, the OSFM released an updated FHSZ Map in accordance with Government Code 51178. This Map divides the LRA into three (3) categories: Moderate, High, and Very High. The updated Map incorporates new scientific data, including ember spread patterns and localized climate information. The model evaluates the probability of fire occurrence and expected fire behavior under extreme fuel and weather conditions. Government Code Section 51179 requires the City to designate, by Ordinance, the Moderate, High, and Very High Fire Hazard Severity Zones within 120 days of receiving the updated FHSZ Map from the OSFM.

Under Government Code Section 51179(b)(3), the City is prohibited from reducing the hazard severity designations set by the OSFM. However, local agencies may increase hazard levels or add areas not identified by the OSFM as Moderate, High, or Very High FHSZ. The City of Walnut has **not** (and will not) propose any changes or additions to the OSFM recommendations as part of this adoption process.

Key Legislative Requirements

Senate Bill 63 (SB 63)

- Effective January 1, 2022, SB 63 requires local agencies to adopt all three (3) hazard levels (Moderate, High, and Very High) for LRAs, expanding beyond the previous requirement to adopt only Very High Zones.

Assembly Bill 211 (AB 211)

- Effective September 27, 2022, AB 211 outlines the following requirements for local agencies:
 - Designate Moderate, High, and Very High FHSZ within 120 days of receiving OSFM recommendations.
 - Optionally increase the hazard level in areas where substantial evidence shows additional protection is needed.
 - Transmit a copy of the adopted Ordinance to the State Board of Forestry and Fire Protection within thirty (30) days.
 - Post a notice at the County recorder, assessor, and planning agency offices indicating the location of the OSFM – provided or locally amended Map.

AB 211 also confirms that any local amendments to OSFM recommendations are final and cannot be overturned by the OSFM. Additionally, the OSFM is required to prepare and adopt a model Ordinance to guide local agencies in establishing Very High FHSZs. Ordinances that align with this model are presumed to be in compliance with California State requirements.

ANALYSIS:

The attached Ordinance amends Title 2, Chapter 2.04.050(A) of the WMC and adopts the updated FHSZ map issued by the OSFM (dated March 24, 2025), designating Moderate, High, and Very High Fire Hazard Severity Zones within the City of Walnut. The proposed Map is provided in Attachment 2 for the Council's reference. The OSFM has also provided an interactive map for the Public on the Cal Fire website. It can be found at the following link:

<https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones>

FISCAL IMPACT:

The adoption of Ordinance 25 – 03 will not have a financial impact to the City.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a Project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to Projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The proposed action simply reinforces the Fire Hazard Severity Zones established and designated by OSFM, as mandated by Government Code Section 51179, and amends the WMC to update the regulations regarding the Fire Hazard Severity Zones to be consistent with the updated Map issued by the OSFM. Therefore, it is with certainty that the adoption of Ordinance 25 – 03 will not have an impact on the environment.

RELATION TO MISSION STATEMENT:

To enhance Civic Pride through advancement in Public Health policies.

Attachments:

1. Ordinance 25 – 03.
2. Local Responsibility Area – Fire Hazard Severity Zones Map (dated March 24, 2025).
3. Notice of Public Hearing (dated May 21, 2025)

Attachment 1
Ordinance 25 – 03.

ORDINANCE NO. 25 – 03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WALNUT, CALIFORNIA, AMENDING TITLE 2, CHAPTER 2.04.050(A) – (DESIGNATION AND AMENDMENTS FOR FIRE ZONE) OF THE WALNUT MUNICIPAL CODE PERTAINING TO FIRE HAZARD SEVERITY ZONES AND DESIGNATING THE MODERATE, HIGH, AND VERY HIGH FIRE HAZARD SEVERITY ZONES IN WALNUT, CONSISTENT WITH (AND AS MANDATED BY) THE STATE FIRE MARSHAL PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 51178; AND, DETERMINING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, Article XI, § 7 of the California Constitution authorizes cities to make and enforce within their limits all local, police, sanitary, and other Ordinances and regulations not in conflict with general Laws; and

WHEREAS, California Government Code §§ 51175 et seq. authorizes the State Fire Marshal to identify areas in the State as Moderate, High, and Very High Fire Hazard Severity Zones based on the severity of a fire hazard that is expected to prevail in those areas due to fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified as a major cause of wildfire spread; and

WHEREAS, California Government Code § 51178.5 provides that within thirty (30) days after receiving a transmittal from the State Fire Marshal that identifies Fire Hazard Severity Zones pursuant to Section 51178, a local agency shall make the information available for public review and comment; and

WHEREAS, the City of Walnut (“City”) received a transmittal from the State Fire Marshal that identifies Fire Hazard Severity Zones within the City around March 24, 2025; and

WHEREAS, the information from the State Fire Marshal identifying Fire Hazard Severity Zones within the City was made available for public review and comment through an interactive page on the City’s website, which allowed residents to view the Map and submit feedback or call directly. The City also shared multiple social media posts across various platforms; and

WHEREAS, California Government Code § 51179 requires that the City, within 120 days of receiving a transmittal from the State Fire Marshal that identifies Fire Hazard Severity Zones within the City, to designate, by Ordinance, Moderate, High, and Very High Fire Hazard Severity Zones in the City; and

WHEREAS, as required by Government Code Section 51179, the City Council of the City of Walnut desires to designate the Fire Hazard Severity Zones as identified by the State Fire Marshal as required by Government Code Section 51179; and

WHEREAS, the City Council also desires to amend Walnut Municipal Code (“WMC”) Title 2, Chapter 2.04.050(A) to update the regulations pertaining to Fire Hazard Severity Zones to be consistent with California State Law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WALNUT, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council finds and determines that the foregoing Recitals are true and correct and incorporates the Recitals herein.

SECTION 2. CEQA Findings. This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a Project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to Projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action simply designates Fire Hazard Severity Zones as recommended by the California State Fire Marshal pursuant to Government Code Section 51178, as mandated by Government Code Section 51179, and there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no environmental analysis is required.

SECTION 3. Adoption of Fire Hazard Severity Zones Map. The City Council hereby adopts the City of Walnut Local Responsibility Area Fire Hazard Severity Zones Map from the Office of the State Fire Marshal (dated March 24, 2025) for the incorporated area of the City of Walnut.

SECTION 4. Amendment of Title 2, Chapter 2.04.050(A). Title 2, Chapter 2.04.050(A) - (Designation and Amendments for Fire Zone) of the WMC is hereby amended in its entirety to read as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 5. Severability. If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 6. Conflicting Ordinances. This Ordinance shall supersede all other previous City Council Resolutions and Ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 7. Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Walnut. This Ordinance shall take effect and be in force on the thirtieth (30th) day after its adoption.

PASSED, APPROVED AND ADOPTED this 28th day of May 2025.

Linda Freedman, Mayor

ATTEST:

Teresa De Dios, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF WALNUT)

I, Teresa De Dios, City Clerk of the City of Walnut, do hereby certify that the foregoing Ordinance No. 25 – 03 being:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WALNUT, CALIFORNIA, AMENDING TITLE 2, CHAPTER 2.04.050(A) – (DESIGNATION AND AMENDMENTS FOR FIRE ZONE) OF THE WALNUT MUNICIPAL CODE PERTAINING TO FIRE HAZARD SEVERITY ZONES AND DESIGNATING THE MODERATE, HIGH, AND VERY HIGH FIRE HAZARD SEVERITY ZONES IN WALNUT, CONSISTENT WITH (AND AS MANDATED BY) THE STATE FIRE MARSHAL PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 51178; AND, DETERMINING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

was duly introduced and adopted and passed at a regular meeting of the City Council on the 28th day of May, 2025, by the following vote to wit:

AYES: COUNCILMEMBER(S):
NOES: COUNCILMEMBER(S):
ABSTAIN: COUNCILMEMBER(S):
ABSENT: COUNCILMEMBER(S):

ATTEST:

Teresa De Dios, City Clerk

Exhibits:

- A – Chapter 2.04.050(A) Designation and Amendments for Fire Zone
- B – Walnut Local Responsibility Area Fire Hazard Severity Zones Map (dated March 24, 2025).

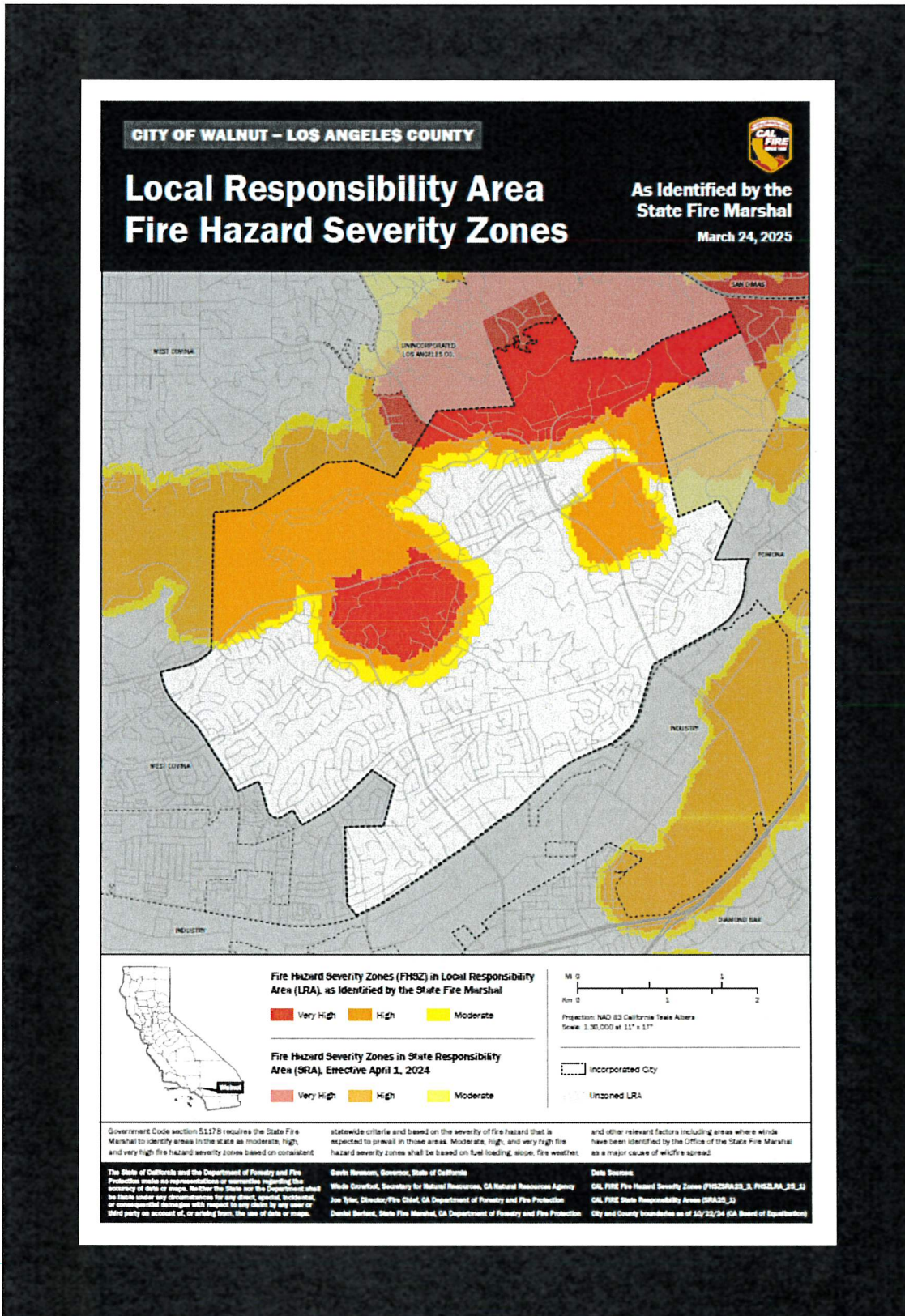
EXHIBIT "A"
CHAPTER 2.04.050(A)
Designation and Amendments for Fire Zone

Sections 2.04.050. Designation and Amendments for Fire Zone.

- ~~A. The City Council hereby designates Very High Fire Hazard Severity Zones as recommended by the Director of the California Department of Forestry and Fire Protection (Cal Fire) and as designated on a map titled Very High Fire Hazard Severity Zones in Local Responsibility Area (LRA) for Walnut by Cal Fire Fire and Resource Assessment Program (FRAP), dated September 2011 and retained on file at the office of the Building Official.~~
- A. The Map entitled "Local Responsibility Area - Fire Hazard Severity Zones" dated March 24, 2025 as recommended by the State Fire Marshal pursuant to Government Code §§ 51175 et seq., which identifies areas within the City that are within the Moderate, High and Very High Fire Hazard Severity Zones ("FHSZ Map"), is hereby adopted and incorporated in this Chapter by this reference. The Fire Hazard Severity Zones ("FHSZ") are hereby established and declared to be those areas included within the boundary described and set forth in the FHSZ Map (dated March 24, 2025). The Map shall also be kept on file within the Office of the City Clerk.

EXHIBIT "B"

Local Responsibility Area - Fire Hazard Severity Zones Map (dated March 24, 2025)



Attachment 2

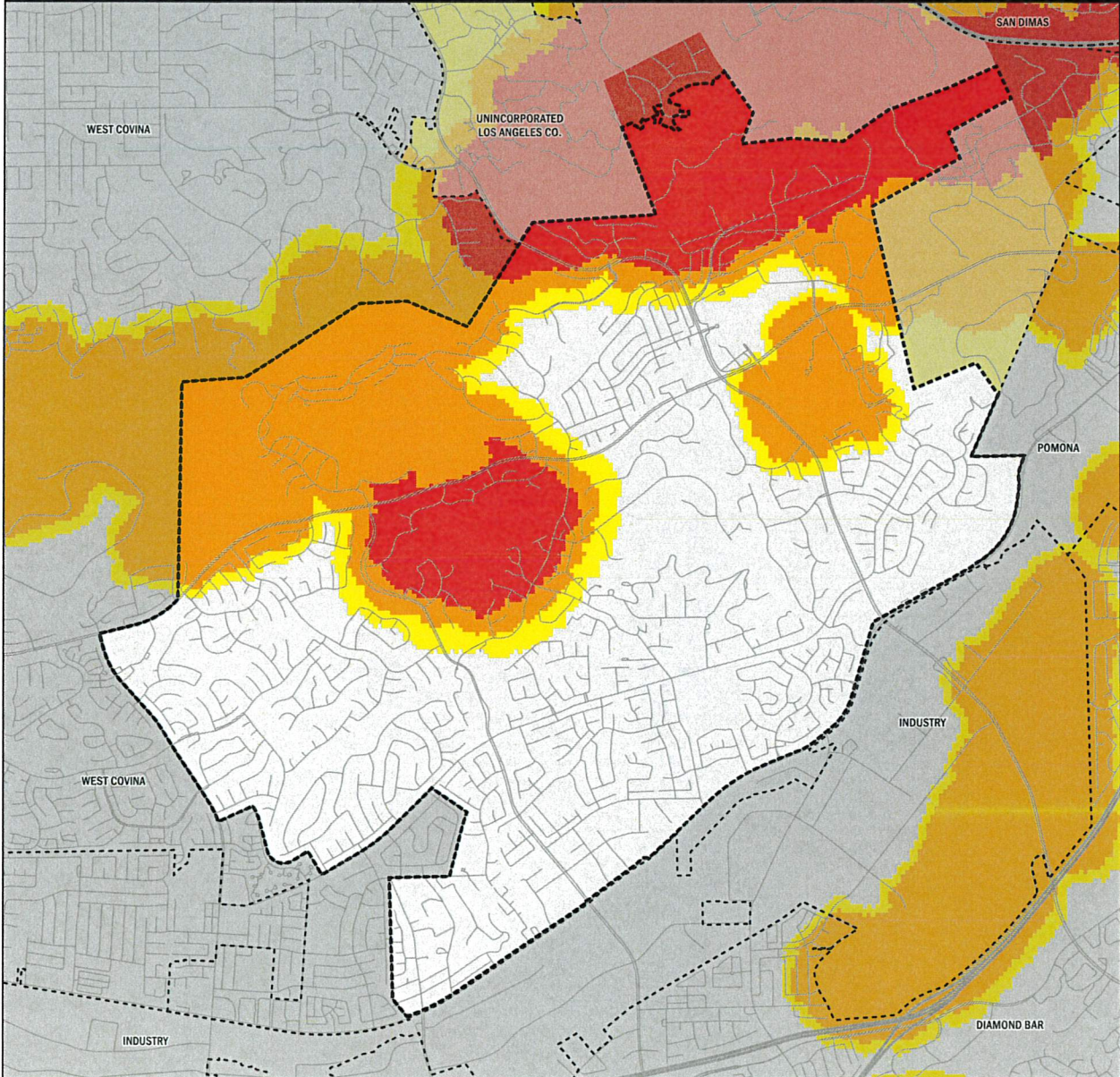
Local Responsibility Area – Fire Hazard Severity
Zones Map (dated March 24, 2025).



Local Responsibility Area Fire Hazard Severity Zones

As Identified by the
State Fire Marshal

March 24, 2025

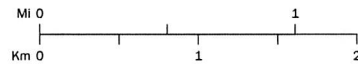


Fire Hazard Severity Zones (FHSZ) in Local Responsibility Area (LRA), as Identified by the State Fire Marshal

Very High High Moderate

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

Very High High Moderate



Projection: NAD 83 California Teale Albers
Scale: 1:30,000 at 11" x 17"

--- Incorporated City

--- 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.

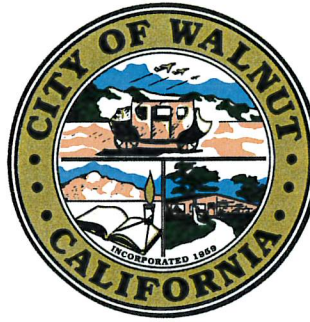
Gavin Newsom, Governor, State of California
Wade Crowfoot, Secretary for Natural Resources, CA Natural Resources Agency
Joe Tyler, Director, Fire Chief, CA Department of Forestry and Fire Protection
Daniel Berlant, State Fire Marshal, CA Department of Forestry and Fire Protection

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 3

Notice of Public Hearing (dated May 21, 2025)

P.O. Box 682, Walnut, CA 91788-0682
21201 La Puente Road
Walnut, CA 91789-2018
Telephone (909) 595-7543
FAX (909) 595-6095
www.cityofwalnut.org



CITY OF WALNUT

NOTICE OF PUBLIC HEARING

May 28, 2025

NOTICE IS HEREBY GIVEN to the general public that the Walnut City Council will conduct a Public Hearing at 7:00 p.m., on Wednesday, May 28, 2025, at the Walnut City Hall Council Chambers, 21201 La Puente Road, Walnut, California to receive testimony on the following item:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WALNUT, CALIFORNIA, TO AMEND THE WALNUT MUNICIPAL CODE BY AMENDING TITLE 2, CHAPTER 2.04.050(A) – (DESIGNATION AND AMENDMENTS FOR FIRE ZONE) PERTAINING TO FIRE HAZARD SEVERITY ZONES; DESIGNATING THE MODERATE, HIGH, AND VERY HIGH FIRE HAZARD SEVERITY ZONES IN WALNUT AS MANDATED BY THE STATE FIRE MARSHAL PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 51178; AND, DETERMINING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Any interested party(s) is invited to provide either written or oral comments relative to this request. All written comments should be directed to City Council, and addressed to Walnut City Hall at 21201 La Puente Rd., Walnut, California 91789.

Should this Project be challenged in court, issues may be limited to only those issues raised at the scheduled Public Hearing(s), or in written correspondence delivered to the City Council at, or prior to, the Hearing.

Information on this project is available by calling Alyssa Ramos (Senior Management Analyst) at (909) 595-7543 or email at aramos@cityofwalnut.org

Dated: April 3, 2025

A handwritten signature in black ink that reads "Teresa De Dios".

Teresa De Dios
City Clerk, City of Walnut