



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Robert Sapien, Jr.

SUBJECT: See Below

DATE: May 19, 2025

Approved

Date:

5/29/25

COUNCIL DISTRICT: Citywide

SUBJECT: Fire Hazard Severity Zone Map Ordinance and Community Wildfire Protection Plan

RECOMMENDATION

- (a) Approve an ordinance amending Section 17.12.875 of Chapter 17.12 of Title 17 of the San José Municipal Code to adopt the updated Fire Hazard Severity Zone maps as established by the California Department of Forestry and Fire Protection (CAL FIRE) State Fire Marshal, as mandated by Senate Bill 63.
- (b) Accept the 2024 Santa Clara County Community Wildfire Protection Plan: Annex 10 City of San José.

SUMMARY AND OUTCOME

Approval of this ordinance amendment with the updated Fire Hazard Severity Zone maps and acceptance of the 2024 Santa Clara County Community Wildfire Protection Plan: Annex 10 City of San José (Annex 10) will enhance the City of San José's wildfire mitigation, preparation, response, and recovery capabilities – ensuring continued protection of life, property, and the environment within the Fire Hazard Severity Zones of San José, particularly in the Almaden Valley and Eastern Foothills regions.

BACKGROUND

Wildfire Risk in San José

The City of San José (City) faces significant wildfire concerns across multiple Fire Hazard Severity Zones (FHSZs), particularly within the Wildland-Urban Interface (WUI), where residential development directly borders or intermixes with wildland areas containing vegetation that can fuel wildfires. Eight of the 10 largest fires in California history have occurred in the last five years, underscoring the intensifying frequency of extreme wildfires across the state. San José is designated as one of over 1,300 "Communities at Risk" by the California Office of the State Fire Marshal due to its proximity to fire-prone wildland areas.

In 2020, the Santa Clara Unit Lightning Complex Fire was recorded as the fifth largest wildfire in California history – burning nearly 400,000 acres just east of San José city limits, prompting evacuations in the eastern foothills. This event demonstrated the vulnerability of our region to wildfire threats, as the fire burned through the same vegetation types that are present annually along San José's populated hillsides.

Community Wildfire Protection Plans

The Healthy Forests Restoration Act of 2003 established the Community Wildfire Protection Plan (CWPP) framework to address community wildfire risk. A CWPP is a community-based plan developed collaboratively by multiple agencies with interest in reducing wildfire risk. The County of Santa Clara published its first countywide CWPP in 2016, with the City of San José included as Annex 10. The plan is pursuant to the County of Santa Clara's updated Annex 10 for the City, which has been developed in close coordination with the Santa Clara County Fire Safe Council (CAL FIRE) and various City departments.

Senate Bill 63 and Fire Hazard Severity Zones

Approved in September 2021, Senate Bill 63 expanded the areas where enhanced fire safety building standards apply and required local governments to identify moderate, high, and very high fire hazard severity zones within their jurisdictions based on maps provided by the state fire marshal. The legislation strengthened requirements for maintaining defensible space around structures and enhanced penalties for violations of fire safety regulations.

California Public Resources Code Sections 4201-4204 and Government Code Sections 51175-51189 mandate the mapping of FHSZs throughout California. The California Public Resources Code directs CAL FIRE to classify lands within State Responsibility Areas according to the severity of fire hazard. Similarly, Government Code Section

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51175 requires the identification of Very High Fire Hazard Severity Zones within Local Responsibility Areas.

In February 2025, the governor of California signed an executive order related to wildfire efforts, directing CAL FIRE to create "Zone 0" regulations by December 31, 2025. This order also directed the state fire marshal to provide local agencies with updated FHSZ maps and requires cities to adopt these maps as part of their wildfire prevention strategy.

Figure 1 and Table 1 below provide a visual depiction and statistics relative to the areas mapped and identified as FHSZ and statistics identifying the number of properties in the zones.

Figure 1: City of San José Incorporated Area and Fire Hazard Severity Zone Map

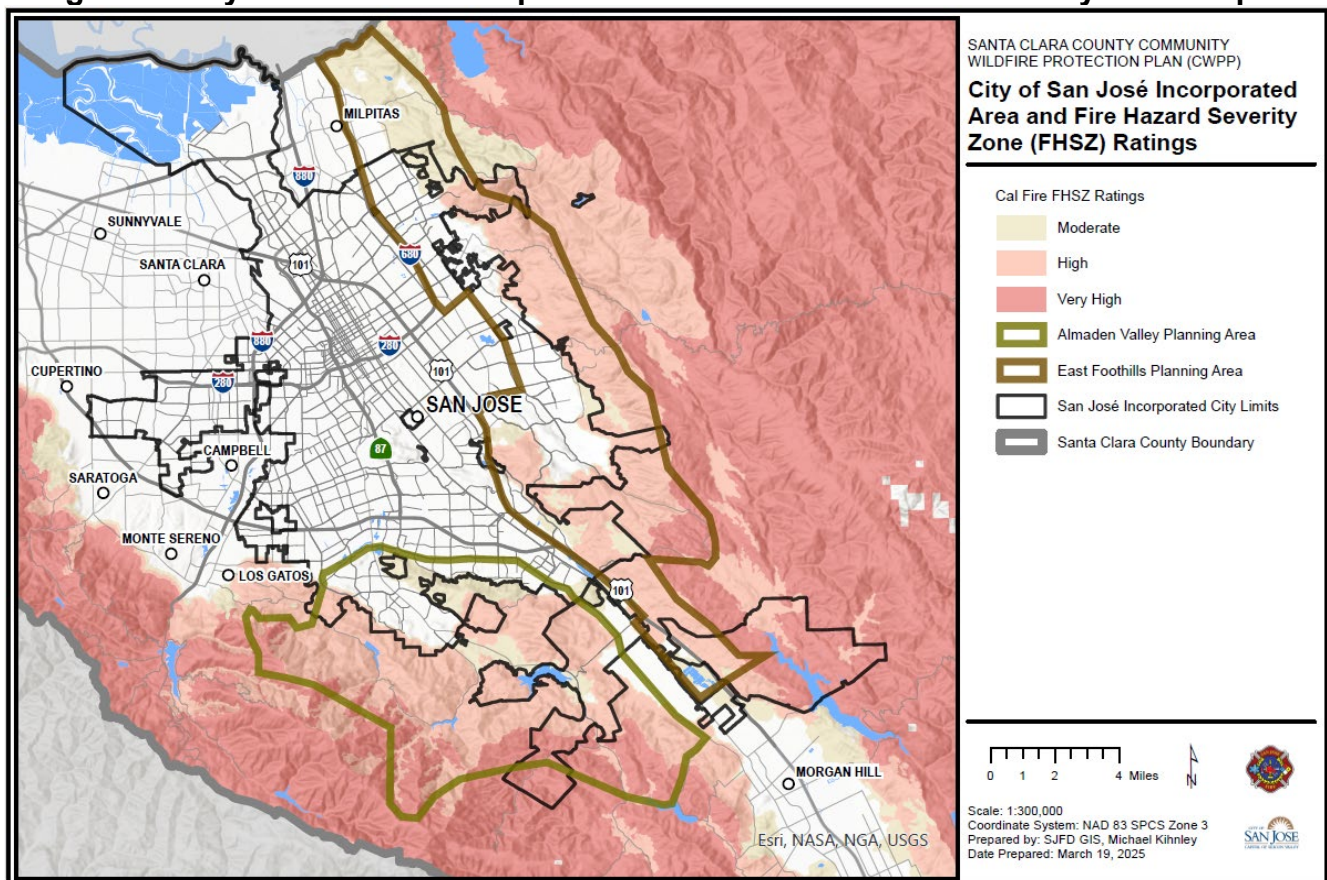


Table 1: San José Fire Hazard Severity Zone Statistics

Fire Hazard Concerns		Hazard Zone		
		Moderate	High	Very High
Number of Addresses within the Local Responsibility Area by Hazard Zone within the City of San José	Address Count	5,175	5,039	1
Total number of Acreage by Fire Hazard Severity Zone	Acreage in the City of San Jose	5,492	15,688	7,067
	Acreage in the Zone 1 Area	721	613	0
City of San José Weed Abatement Properties in the WUI	Parks, Recreation and Neighborhood Services Weed Abatement Acreage	40	42	0
	Department of Transportation Weed Abatement Acreage	22	38	0

ANALYSIS*San José Community Wildfire Protection Plan: Annex 10*

The 2024 CWFPP Annex 10 identifies San José's wildfire risks and lays out a comprehensive strategy for addressing these risks. This plan has been developed with input from the Fire Department, Parks, Recreation and Neighborhood Services Department, Department of Transportation, and the Planning, Building and Code Enforcement Department. Key components of the plan include:

1. **Risk-Hazard Assessment:** The plan identifies that the southwestern areas of the City and east foothills are very high FHSZ WUI areas with a history of serious wildfires. The plan includes a detailed assessment of fire hazards, risks, and vulnerabilities within the Almaden Valley and east foothills planning areas.
2. **Wildland-Urban Interface Areas:** The plan defines and maps San José's WUI areas, where human development meets or intermixes with wildland vegetation. Approximately 9,348 addresses within City limits and an additional 898 addresses in unincorporated areas served by the San José Fire Department under the Zone 1 Fire Service Agreement are located within the WUI.
3. **Fuel Characteristics:** The plan details the varied vegetation composition in the City's WUI areas, including coastal coniferous forest, chaparral, oak woodland, and grasslands, each presenting different wildfire behavior challenges.

4. **Emergency Response Capacity:** The plan outlines the Fire Department's response capabilities, station locations, and mutual aid agreements that support wildfire response.
5. **Evacuation Information:** The plan describes evacuation protocols and public notification systems including Genasys, Alert SCC, and Wireless Emergency Alerts.
6. **Mitigation Projects:** The plan identifies prioritized projects for:
 - Creating resilient landscapes through fuel reduction
 - Raising community awareness through education and outreach
 - Preparing for safe and effective wildfire response

Fire Hazard Severity Zone Maps

CAL FIRE has developed updated Fire Hazard Severity Zone maps for San José based on the latest fire science and improved modeling techniques. These maps identify areas of moderate, high, and very high fire hazard based on factors such as fuel, terrain, and weather. The following findings were identified from the updated maps:

1. Over 40,000 acres of designated FHSZs exist within the City jurisdiction and Zone 1 service area.
2. Among these, roughly 20% is designated as "Moderate," 55% as "High," and 25% as "Very High" fire hazard severity.
3. The updated maps identify 10,215 addresses within state designated FHSZs in the City's Local Responsibility Area, with 5,175 in "Moderate" zones, 5,039 in "High" zones, and a single uninhabited structure in a "Very High" zone.
4. Of these addresses, roughly 75% are single-family addresses, 15% are multi-family addresses, and the remaining 10% are other property types.

The adoption of these updated maps has important implications for the City:

1. Properties within designated "Very High" FHSZs must comply with the California Building Code Chapter 7A requirements for materials and construction methods for exterior wildfire exposure. These requirements apply to new construction submitted after July 1, 2008.
2. Properties in these zones must also comply with vegetation management requirements listed in California Fire Code Section 4906 and Public Resources Code 4291.
3. The City's wildfire prevention planning, vegetation management priorities, and emergency response preparation will be guided by these designations.

Anticipated Outcomes

Adopting the updated FHSZ maps and accepting the CWPP Annex 10 will provide several benefits to the City:

1. Enhanced Public Safety: Improved wildfire risk reduction and emergency preparedness will better protect San José residents.
2. Funding Eligibility: Adoption of the CWPP makes the City eligible for federal and state grants for wildfire mitigation and preparation, including funds from California's Proposition 4, which allocates \$1.5 billion for state-level resilience spending across various wildfire-related categories.
3. Regulatory Compliance: Adoption of the FHSZ maps fulfills the City's obligations under Senate Bill 63 and related state legislation.
4. Coordinated Approach: The CWPP establishes a framework for collaboration between City departments, regional partners, and community members to address wildfire risks.
5. Data-Driven Decision Making: The plans provide detailed risk assessments that allow for targeted and efficient deployment of resources.

COST SUMMARY/IMPLICATIONS

The adoption of the FHSZ maps and acceptance of the CWPP Annex 10 themselves do not directly create fiscal impacts for the City. However, implementation of the priority projects identified in the CWPP will require additional resources. Many of these projects are already budgeted within existing department workplans, while others may be eligible for external grant funding, including:

- California's Proposition 4 wildfire resilience funding.
- Federal Inflation Reduction Act grants.
- Federal Emergency Management Agency Building Resilient Infrastructure and Communities grants.
- CAL FIRE Fire Prevention grants.

Allocation of any new General Fund budget resources for this item will be evaluated through the budget process, in the context of the City's overall fiscal condition, other Departmental program needs and City Council priority focus areas.

Additionally, property owners within the designated FHSZs may face costs associated with meeting building code requirements for new construction and maintaining defensible space around their properties. The Fire Department will continue to provide education and resources to help property owners meet these requirements.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office and Planning, Building, and Code Enforcement Department.

PUBLIC OUTREACH

In preparation for bringing forward this recommendation, the Fire Department conducted outreach to community stakeholders, including:

1. Presentations at community meetings in the Almaden Valley and east foothills areas.
2. Coordination with the Santa Clara County Fire Safe Council.
3. A 30-day public comment period.
4. Social media and website information campaigns.
5. Collaboration with partner agencies including CAL FIRE, Santa Clara County, and water retailers.

This memorandum, along with the proposed ordinance, will be posted on the City's Council Agenda website for the June 10, 2025 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

A handwritten signature in black ink, appearing to read "Robert Sapien, Jr.", with a stylized, cursive script.

ROBERT SAPIEN, JR.

For questions, please contact Robert Sapien, Jr., Fire Chief, at (408) 794-6952.