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ORDINANCE NO. XXXX

AN ORDINANCE AMENDING CHAPTER 8.08 – FIRE PREVENTION, OF THE EL DORADO COUNTY CODE TO ADOPT THE ~~2023~~ 2025 LOCAL RESPONSIBILITY AREA FIRE HAZARD SEVERITY ZONES MAP AND DESIGNATE ~~D~~ CERTAIN AREAS WITHIN THE COUNTY OF EL DORADO AS MODERATE, HIGH, AND VERY HIGH FIRE HAZARD SEVERITY ZONES

WHEREAS, the Wildland-Urban Interface Fire Area is a geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with Public Resources Code section 4201 through 4204 and Government Code sections 51175 through 51189, or other areas as designated by the enforcing agency to be at a significant risk from wildfires; and

WHEREAS, the State of California Natural Resources Agency, California Department of Forestry and Fire Protection (CAL FIRE) has issued a State Fire Hazard Rating Map for the County of El Dorado and the majority of the County is designated as Moderate, High, or Very High Fire Hazard Severity Zones;

WHEREAS, in accordance with Government Code section 51178, the Office of the State Fire Marshal in 2023 identified certain areas identified as “State Responsibility Area” within the jurisdiction of the County of El Dorado as Moderate, High, and Very High Fire Hazard Severity Zones; and

WHEREAS, pursuant to Government Code section 51179(a), local agencies shall designate by ordinance the Moderate, High, and Very High Fire Hazard Severity Zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal pursuant to Government Code section 51178; and

WHEREAS, the Board of Supervisors adopted Ordinance 5195 amending Chapter 8.08 – Fire Prevention, to adopt the 2007 State Responsibility Area Fire Hazard Severity Zone Maps in February 2024; and

WHEREAS, the Board of Supervisors adopted Ordinance ~~5195~~ 5201 ~~to~~ amending Chapter 8.08 – Fire Prevention, ~~and to~~ adopt the 2007-2023 State Responsibility Area Fire Hazard Severity Zone Maps in ~~February~~ May 2024; and

WHEREAS, as part of implementing Government Code 51178, CAL FIRE also identifies areas of moderate, high, and very high fire hazard severity zones within certain areas identified as “Local Responsibility Areas” where incorporation or other criteria excludes these areas from the State Responsibility Area; and

WHEREAS, the California Department of Forestry and Fire Protection, Office of the State Fire Marshal has issued a Local Responsibility Area Fire Hazard Severity Zone Map for the Local Responsibility Areas of the County of El Dorado, which includes both incorporated and certain unincorporated areas of the County; and

WHEREAS, pursuant to Government Code section 51179(b), the local agency:

- 1) 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 Government Code section 51182 are necessary for effective fire protection within the area;
- 2) 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
- 3) 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.

WHEREAS, pursuant to Government Code section 51179, the local agency shall transmit a copy of an ordinance adopting the Fire Hazard Severity Zones Maps to the State Board of Forestry and Fire Protection within 30 days of adoption; and

WHEREAS, the 2023 2025 Local Responsibility Area Fire Hazard Severity Zone Map issued by the State was ~~adopted by the State effective April 1, 2024~~ received on February 10, 2025; and

WHEREAS, the County of El Dorado is required to use Wildland-Urban Interface (WUI) found in the California Fire and Building Codes, including any amendments thereto, which increase fire safety and building standards for construction through addressing building materials such as roofing, siding, attic, and venting.

NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. Findings.

1. The Board of Supervisors finds and declares that the above recitals are true and correct and are incorporated herein.
2. This proposed Ordinance is in general conformance with the El Dorado County General Plan, including the Public Health, Safety, and Noise Element, Goal 6.2: Fire Hazards to “Minimize fire hazards and risks in both wildland and developed areas.”
3. The public health, safety, economic, and general welfare of the citizens of the County of El Dorado are adversely affected by the effects of wildfires and that the adoption of this Ordinance helps to reduce fire hazards and risks through special review of building and development applications.
4. The adoption of this Ordinance is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, section 15308, which includes exemptions for actions taken by a regulatory agency to improve the maintenance, restoration, or enhancement of the environment where the regulatory process involves procedures for protection of the environment and property.

Section 2. ~~The Board of Supervisors hereby adopts the 2023 Fire Hazard Severity Zones Map including the Moderate, High, and Very High Fire Hazard Severity Zones, as designated by the Office of the State Fire Marshal, and Section 8.08.100 – Fire Hazard Severity Zones Map, is hereby amended to read as follows:~~ Section 8.08.100 amended in 2024 is hereby further amended to specify the application of the 2023 State Responsibility Area Fire Hazard Severity Zone Map to the State Responsibility Area, and 8.08.100 – Fire Hazard Severity Zones Map is amended to read as follows:

Section 8.08.100 – State Responsibility Area Fire Hazard Severity Zones Map

In accordance with the 2023 State Responsibility Area Fire Hazard Severity Zones Map, as designated by the Office of the State Fire Marshal, certain areas within the County of El Dorado are designated as Moderate, High, and Very High Fire Hazard Severity Zones. This map is published and available through the Office of the State Fire Marshal.

Section 3. ~~The Board of Supervisors hereby adopts the 2025 Local Responsibility Area Fire Hazard Severity Zones Map including the Moderate, High, and Very High Fire Hazard Severity Zones for certain unincorporated areas in the County, as designated by the Office of the State Fire Marshal, and Section 8.08.200 – Local Responsibility Area Fire Hazard Severity Zones Map, is hereby added to read as follows:~~

Section 8.08.200 – Local Responsibility Area Fire Hazard Severity Zones Map

In accordance with the 2025 Local Responsibility Area Fire Hazard Severity Zones Map, as designated by the Office of the State Fire Marshal, certain unincorporated areas within the

County of El Dorado are designated as Moderate, High, and Very High Fire Hazard Severity Zones.
This map is published and available through the Office of the State Fire Marshal.

Section 34. Effective Date.

Pursuant to California Government Code section 25123, this Ordinance shall become effective thirty (30) days from the date of final passage by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____, ~~2024~~2025, by the following vote of said Board:

ATTEST

Kim Dawson

Clerk of the Board of Supervisors

Ayes:

By: _____
Deputy Clerk

Noes:

Absent:

Chair, Board of Supervisors

**APPROVED AS TO FORM
DAVID LIVINGSTON
COUNTY COUNSEL**

By: _____

Title: _____