

ORDINANCE NO. 1580

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA, ADDING SECTION 3200 TO DESIGNATE FIRE HAZARD SEVERITY ZONES TO CHAPTER 1, FIRE PREVENTION AND FIRE PROTECTION, OF TITLE III, PUBLIC SAFETY, OF THE ARCATA MUNICIPAL CODE

WHEREAS, California Government Code 51178 states the State Fire Marshal shall 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; and

WHEREAS, the Fire Hazard Severity Zone (FHSZ) maps developed by the California Department of Forestry and Fire Protection (CalFire) evaluate hazard based on physical conditions of landscapes that create expected fire behavior over a 50-year period; and

WHEREAS, a significant portion of eastern Arcata has been designated as a Moderate Fire Hazard Severity Zone and a small portion of the City's Jacoby Creek Forest Tract of the Arcata Community Forest has been designated as a High Fire Hazard Severity Zone; and

WHEREAS, adoption of an ordinance designating moderate and high fire hazard severity zones is necessary for the City of Arcata to comply with Senate Bill 63 (Stern, 2011), which requires the adoption of all three Fire Hazard Severity Zones classes within Local Responsibility Areas (LRAs), when previously only Very High Fire Hazard Severity Zones were required for adoption in LRAs; and

WHEREAS, the City of Arcata seeks to increase resiliency and preparedness of the community for a range of natural disasters and climate driven emergencies; and

WHEREAS, adopting the Fire Hazard Severity Zone map for Arcata with areas of Moderate FHSZ within a LRA also provides an opportunity to encourage property owners to follow best management practices for home and business fire hardening, including encouraging Arcata property owners to consider utilizing elements of the California Building Code Chapter 7A focused on exterior improvements around homes/structures to decrease fire spread potential; and

WHEREAS, the map, included as Exhibit A, is hereby incorporated by reference, and entitled "City of Arcata Local Responsibility Area Fire Hazard Severity Zones," dated April 14, 2025. The map is also located electronically on the following website: <https://www.cityofarcata.org/322/MapsGIS>.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARCATA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 3200 is hereby added to Chapter 1 (Fire Prevention and Fire Protection), Title III (Public Safety) of the Arcata Municipal Code as shown below by double underscore. (unchanged text is omitted and is shown by “* * *”):

* * *

SEC. 3200. Designation of Fire Hazard Severity Zones.

The City of Arcata hereby designates the Fire Hazard Severity Zones as recommended by the California Department of Forestry and Fire Protection pursuant to Government Code Section 51178. The map is hereby incorporated by reference and entitled "City of Arcata Local Responsibility Area Fire Hazard Severity Zones," dated April 14, 2025.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 3. California Environmental Quality Act (CEQA). The adoption of the Fire Hazard Severity Zone Map is not considered a "Project" under CEQA. Pursuant to Public Resources Code Section 21065, a "project" is defined as a "whole action" subject to a public agency's discretionary funding or approval that has the potential to either (1) cause a direct physical change in the environment or (2) cause a reasonably foreseeable indirect physical change in the environment. The adoption of the Fire Hazard Severity Zone Map is therefore not subject to CEQA.

SECTION 4. LIMITATION OF ACTIONS. Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within thirty (30) days of the date of adoption of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days from and after its final passage, provided it is published pursuant to Government Code section 36933 in a newspaper of general circulation within fifteen (15) days after its adoption.

DATE: August 6, 2025

ATTEST:

/s/Rhea Varley
City Clerk, City of Arcata

APPROVED:

/s/Alexandra Stillman
Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1580**, passed and adopted at a regular meeting of the City Council of the City of Arcata, Humboldt County, California on the 6th day of August, 2025, by the following vote:

AYES: STILLMAN, WHITE, ATKINS-SALAZAR, MATTHEWS, SCHAEFER

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

/s/Rhea Varley
City Clerk, City of Arcata