
MENLO PARK FIRE PROTECTION DISTRICT

STAFF REPORT

TO: Board of Directors

MEETING DATE: May 20, 2025

**FROM: Bureau of Fire Prevention
and Life Safety**

PREPARED BY: Fire Marshal Schlice

APPROVED BY: Chief Lorenzen

**ITEM: WAIVE THE SECOND READING AND ADOPT THE ORDINANCE OF THE
MENLO PARK FIRE PROTECTION DISTRICT TO DESIGNATE FIRE
HAZARD SEVERITY ZONES**

RECOMMENDATION

It is recommended that the Board of Directors:

1. Accept the report as presented; and
2. Waive the second reading and adopt the ordinance.

BACKGROUND

The State of California has been experiencing climate change resulting in more extreme weather, more extreme droughts, heavier seasonal winds, and heavier rainfalls. Along with the population growing, we also have a greater human presence in rural areas, which increases the chances of ignition of flammable vegetation, causing extreme danger, loss of life, loss of structures, infrastructure and natural resources. Through California Governor Newsom's Executive Order N-18-25, and several Assembly Bills, the state of California Wildfire Severity Zone maps have been updated to recognize this change. Local Agencies, which are agencies responsible for fire protection within a very high fire hazard severity zone, are required to adopt the maps, make them available to the public, and designate any additional fire severity areas if they wish to do so.

Title 14, California Code of Regulations April 1, 2020, requires that within 30 days of adopting a local ordinance designating a Very High Fire Hazard Severity Zone (VHFHSZ), the agency must transmit a copy of the ordinance to the Board of Forestry and Fire Protection. The Menlo Park Fire Protection District does not have VHFHSZ.

California Government Code 51178 Amended by SB 63 effective January 1, 2022.

51178.

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. 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.

California Government Code 51178.5 Amended by SB 63 effective January 1, 2022.

51178.5.

Within 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. The information shall be presented in a format that is understandable and accessible to the general public, including, but not limited to, maps.

California Government Code 51179 Amended by AB 211 effective September 27, 2022.

51179.

- (a) A local agency shall designate, by ordinance, 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 Section 51178.
- (b) (1) A local agency 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 Section 51182 are necessary for effective fire protection within the area.
- (2) A local agency 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.
- (3) A local agency 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 pursuant to paragraph (2), 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.
- (c) The local agency shall transmit a copy of an ordinance adopted pursuant to subdivision (a) to the State Board of Forestry and Fire Protection within 30 days of adoption.
- (d) Changes made by a local agency to the recommendations made by the State Fire Marshal shall be final and shall not be rebuttable by the State Fire Marshal.
- (e) The State Fire Marshal shall prepare and adopt a model ordinance that provides for the establishment of very high fire hazard severity zones.
- (f) Any ordinance adopted by a local agency pursuant to this section that substantially conforms to the model ordinance of the State Fire Marshal shall be presumed to be in compliance with the requirements of this section.
- (g) A local agency shall post a notice at the office of the county recorder, county assessor, and county planning agency identifying the location of the map provided by the State Fire Marshal pursuant to Section 51178. If the agency amends the map, pursuant to subdivision (b) or (c) of this section, the notice shall instead identify the location of the amended map.

DISCUSSION

The Menlo Park Fire Protection District (the District) does not have a history of regularly reoccurring wildfires and does not have severe weather conditions that contribute to severe wildfires. However, we do recognize that the District is adjacent to moderate and high fire hazard severity zones.

It is the recommendation of staff to recognize and adopt the maps as published by the California Department of Forestry and California State Fire Marshal. However, discussions of preventative measures to be placed as voluntary or required building and maintenance standards or guidelines is highly encouraged. This will allow for a continuous change of prevention measures to allow for future climate change and reduce the chance of ignitions within the District by following best practices.

The ordinance was introduced, and the first reading waived, at the April 15, 2025 regular meeting of the Board of Directors. Notice of the proposed ordinance was published on May 7, 2025, in the San Mateo County Times. A certified copy of the full text of the proposed ordinance was made available to the public at least five days prior to this meeting. Additionally, a full copy of the proposed ordinance was posted on the District's website at least five days prior to this meeting.

Following adoption of the ordinance, the Board Clerk will publish and post the ordinance as required by law.

FISCAL IMPACT

The District will not experience any fiscal impact because of the adoption of the ordinance. No code impact is required, no mandatory inspections are required.

ATTACHMENTS

- A. Ordinance
- B. Map of Menlo Park Fire Protection District – Fire Hazard Severity Zones
- C. Map of Weekend Acres Menlo Park Fire District responsibility - Moderate