

ORDINANCE NO. 25-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING CHAPTER 10.13 OF THE LAGUNA WOODS MUNICIPAL CODE PERTAINING TO FIRE HAZARD SEVERITY ZONES; DESIGNATING THE MODERATE, HIGH, AND VERY HIGH FIRE HAZARD SEVERITY ZONES IN ITS JURISDICTION AS RECOMMENDED BY THE STATE FIRE MARSHAL PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 51178; AND, DETERMINING AND CERTIFYING THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, California Government Code Section 51179 requires the City to 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 California Government Code Section 51178; and

WHEREAS, the City received the State Fire Marshal's recommendations pursuant to California Government Code Section 51178 on March 24, 2025; and

WHEREAS, within 30 days after receiving the State Fire Marshal's recommendations, the City is required to make the information available for public review and comment in a format that is understandable and accessible to the general public, including, but not limited to, maps; and

WHEREAS, the City made the State Fire Marshal's recommendations available for public review and comment beginning on March 24, 2025, on the City's website and at or from City Hall; and

WHEREAS, the information that was made available for public review and comment included, but was not limited to, the California Department of Forestry and Fire Protection's Local Responsibility Area Fire Hazard Severity Zones As Identified by the State Fire Marshal map for the City of Laguna Woods, Orange County, dated March 24, 2025 ("map exhibit"); and

WHEREAS, public noticing for the aforementioned public hearing included publication in the *Laguna Woods Globe* on May 8, 2025; and

WHEREAS, this Ordinance was made available to the public at and from

City Hall, and on the City’s website, beginning on May 9, 2025; and

WHEREAS, staff has recommended amending Chapter 10.13 of Title 10 (Buildings and Construction) of the Laguna Woods Municipal Code as set forth in this Ordinance (“Code Amendments”) in order to help satisfy the City’s obligations under California Government Code Section 51179 et seq.; and

WHEREAS, the Code Amendments are consistent with California Government Code Section 51176, which provides that the purpose of Chapter 6.8 (Moderate, High, and Very High Fire Hazard Severity Zones) of Part 1 of Division 1 of Title 5 of the California Government Code “is to classify lands in the state in accordance with whether a very high fire hazard is present so that public officials are able to identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken”; and

WHEREAS, on May 21, 2025, the City Council held a duly noticed public hearing on this Ordinance at which it considered all of the information, evidence, and testimony presented, both written and oral.

THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds and determines that (i) each of the recitals to this Ordinance are true and correct, and are adopted herein as findings; (ii) the Code Amendments comply with all applicable requirements of State law; (iii) the Code Amendments will not adversely affect the health, safety, or welfare of the residents within the community; (iv) the Code Amendments are in the public interest of the City of Laguna Woods; and, (v) the Code Amendments are consistent with the Laguna Woods General Plan and its various elements.

SECTION 2. After reviewing the entire project record, the City Council hereby determines and certifies that this Ordinance is not subject to the California Environmental Quality Act of 1970, Public Resources Code Section 21000, et. seq., as amended and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations (collectively “CEQA”) pursuant to sections 15060(c)(2) (the activities will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activities are not a project as defined in section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3. CEQA Guidelines Section 15378(b)(2) excludes

“[c]ontinuing administrative. . . activities, such as . . . general policy and procedure making” and Section 15378(b)(5) excludes “[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” from its definition of “project.”

After reviewing the entire project record, the City Council also hereby determines and certifies that that, even if this Ordinance were subject to CEQA, it would be exempt based on CEQA Guideline section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 3. Chapter 10.13 of Title 10 (Buildings and Construction) of the Laguna Woods Municipal Code is hereby amended to read as set forth in Exhibit A, attached to this Ordinance and incorporated herein by this reference.

SECTION 4. This Ordinance shall take effect and be in full force and operation thirty (30) calendar days after adoption.

SECTION 5. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity of effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 6. The Mayor shall sign this Ordinance.

SECTION 7. The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

SECTION 8. All of the above-referenced documents and information have been and are on file with the City Clerk of the City.

[SIGNATURES ON NEXT PAGE]

PASSED, APPROVED AND ADOPTED this 18th day of June 2025.

SHARI L. HORNE, Mayor

ATTEST:

YOLIE TRIPPY, CMC, City Clerk

APPROVED AS TO FORM:

ALISHA PATTERSON, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

I, YOLIE TRIPPY, City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 25-03** was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 21st day of May 2025, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 18th day of June 2025 by the following vote to wit:

AYES: COUNCILMEMBERS: Horne, McCary, Lee, Moore
NOES: COUNCILMEMBERS -
ABSTAIN: COUNCILMEMBERS -
ABSENT: COUNCILMEMBERS: Conners

YOLIE TRIPPY, CMC, City Clerk