

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

**TRACY CITY COUNCIL**

**ORDINANCE 1355**

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**ADDING SECTION 9.06.080 – STATE FIRE MAPS – TO CHAPTER 9.06 – FIRE PROTECTION AND PREVENTION OF TITLE 9 – BUILDING REGULATIONS, OF THE TRACY MUNICIPAL CODE, THEREBY ADOPTING THE FIRE MAPS ISSUED BY THE STATE FIRE MARSHAL.**

**WHEREAS**, California Government Code Section 51179(a) requires a local agency to designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendation from the State Fire Marshal pursuant to Section 51178; and

**WHEREAS**, the City of Tracy received recommended fire maps from the State Fire Marshal on February 24, 2025 and published a public-accessible webpage on March 17, 2025 (<https://www.cityoftracy.org/departments/departments/building-safety-division/fire-maps>), with a copy of the map attached hereto as Exhibit 1; and

**WHEREAS**, the website contained copies of the maps, provided a dedicated email address to receive public comments, and included links to informative websites; and

**WHEREAS**, the City received public comments during an open comment period, following the publication of the webpage on March 17, 2025; and

**WHEREAS**, on May 6, 2025, the City Council held a duly noticed public hearing to review and consider public comments and the proposed ordinance; and

**WHEREAS**, Section 51179 (c) requires the local agency to transmit a copy of an adopted ordinance adopted Pursuant to subdivision (a) of the section to the State Board of Forestry and Fire Protection within 30 days of its adoption

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRACY AS FOLLOWS:**

**SECTION 1. Incorporation of Recitals/Findings.** The City Council of the City of Tracy hereby finds and determines the foregoing recitals are true and correct and are hereby incorporated herein as findings and determinations of the City.

**SECTION 2. CEQA Exemption.** The City Council hereby determines that this ordinance is not a project within the meaning of section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change in the environment, either

directly or ultimately. If this ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment.

**SECTION 3. Municipal Code Amendment.** The City Council hereby amends Chapter 9.06 – Fire Protection and Prevention, by adding the following section:

**9.06.080 – State Fire Maps**

The City of Tracy adopts the Local Responsibility Area Fire Hazard Severity Zones map for the City of Tracy – San Joaquin County as identified by the State Fire Marshal, dated February 24, 2025. A copy of the adopted map can be obtained from the City Clerk's office during regular business hours.

**SECTION 4. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

**SECTION 5. Effective Date.** This Ordinance shall become effective upon the thirtieth (30th) day after final adoption.

**SECTION 6. Publication.** The City Clerk is directed to publish this Ordinance in a manner required by law.

**SECTION 7. Codification.** This Ordinance shall be codified in the Tracy Municipal Code.

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The foregoing Ordinance 1355 was introduced at a regular meeting of the Tracy City Council on the 6<sup>th</sup> day of May 2025, and finally adopted on the 3<sup>rd</sup> day of June, 2025, by the following vote:

|             |                                                               |
|-------------|---------------------------------------------------------------|
| AYES:       | COUNCIL MEMBERS: BEDOLLA, EVANS, NYGARD, ABERCROMBIE, ARRIOLA |
| NOES:       | COUNCIL MEMBERS: NONE                                         |
| ABSENT:     | COUNCIL MEMBERS: NONE                                         |
| ABSTENTION: | COUNCIL MEMBERS: NONE                                         |

Signed: Dan Arriola, Mayor

Attested: April B. A. Quintanilla, City Clerk

Exhibit 1 – Map of Fire Hazard Severity Zones

CITY OF TRACY – SAN JOAQUIN COUNTY





The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data on maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Gavin Newsom, Governor, State of California

Wade Crowfoot, Secretary for Natural Resources, CA Natural Resources Agency  
Joe Tyler, Director/Fire Chief, CA Department of Forestry and Fire Protection  
Daniel Berlant, State Fire Marshal, CA Department of Forestry and Fire Protection

Data Sources:

CAL FIRE Fire Hazard Severity Zones (FHSZSRA23\_3, FHSZLRA\_25\_1)  
CAL FIRE State Responsibility Areas (SRA25\_1)  
City and County boundaries as of 10/22/24 (CA Board of Equalization)

