

**ATTACHMENT #1**  
**ORDINANCE NO. 764**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA, ADOPTING THE FIRE HAZARD SEVERITY ZONES AS RECOMMENDED BY THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION PURSUANT TO GOVERNMENT CODE SECTION 51178; AND FINDING THE ACTION TO BE EXEMPT FROM CEQA UNDER CEQA GUIDELINES SECTIONS 15060, 15061, AND 15378.**

**WHEREAS**, the California Department of Forestry and Fire Protection (CAL FIRE), pursuant to Government Code Section 51178, has developed updated Fire Hazard Severity Zone (FHSZ) maps for areas within Local Responsibility Areas (LRAs); and

**WHEREAS**, Government Code Sections 51175 through 51189 require local jurisdictions to adopt the FHSZ maps by ordinance, and to enforce the building standards for new structures in Very High Fire Hazard Severity Zones as established in the California Building Code and California Fire Code; and

**WHEREAS**, adoption of the FHSZ map will help the City reduce the risk of wildfire through updated planning and building standards and enable better protection of life, property, and natural resources; and

**WHEREAS**, the City of Indian Wells desires to adopt the FHSZ map as recommended by CAL FIRE to comply with state law and to ensure the health, safety, and welfare of the community.

**WHEREAS**, notice of a public hearing of the City Council of the City of Indian Wells to consider this Ordinance was given in accordance with applicable law; and

**WHEREAS**, on May 15, 2025, a public hearing on this Ordinance was held by the City Council; and

**WHEREAS**, after careful consideration of the staff report and all the information, evidence, and testimony presented at its public hearing, the City Council finds that this Ordinance is consistent with General Plan goals and policies pertaining to public safety.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INDIAN WELLS, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. Designation of Fire Hazard Severity Zones.** The City of Indian Wells hereby adopts and designates the Fire Hazard Severity Zones within the City as recommended by the California Department of Forestry and Fire Protection and presented in the map titled:

**“City of Indian Wells Fire Hazard Severity Zones Map,”** as set forth in **“Exhibit A”**

as maintained and published by the California Department of Forestry and Fire Protection.

This map is incorporated by reference and shall serve as the official FHSZ designation within the Local Responsibility Area for the City of Indian Wells.

**SECTION 2. Custodian of Records.** The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at 44950 Eldorado Drive, Indian Wells, CA 92210. The custodian of these records is the City Clerk.

**SECTION 3. CEQA.** This ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (the "Guidelines"), and the environmental regulations of the City. The City Council hereby finds that this ordinance is not subject to CEQA because the adoption of this ordinance is not a "project" under Sections 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations.

Additionally, under Section 15061(b)(3) of the State CEQA Guidelines, this ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment.

Moreover, the adoption of the updated Fire Hazard Severity Zone map is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15308, as it constitutes an action taken by a regulatory agency for the protection of the environment.

**SECTION 4. Effective Date.** This Ordinance takes effect 30 days following its adoption.

**SECTION 5. Publication.** The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the Ordinance, or a summary thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City of Indian Wells.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Indian Wells, California, at a special meeting held on the 2nd day of July 2025.

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**BRUCE WHITMAN**  
**MAYOR**

**STATE OF CALIFORNIA     )**  
**COUNTY OF RIVERSIDE    )ss.**  
**CITY OF INDIAN WELLS    )**

**CERTIFICATION FOR ORDINANCE NO. 764**

I, Angelica Avila, City Clerk of the City Council of the City of Indian Wells, California, **DO HEREBY CERTIFY** that Ordinance No. 764, having been regularly introduced at the meeting of May 15, 2025, was again introduced, the reading in full thereof unanimously waived, and duly passed and adopted at a special meeting of the City Council held on the 2nd day of July, 2025 said ordinance was passed and adopted by the following stated vote, to wit:

and was thereafter on said day signed by the Mayor of the City of Indian Wells.

AYES:  
NOES:

**ATTEST:**

**APPROVED AS TO FORM:**

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**ANGELICA AVILA**  
**CITY CLERK**

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**TODD LEISHMAN FOR**  
**BEST BEST & KRIEGER LLP**  
**CITY ATTORNEY**

**Exhibit "A"**

**"City of Indian Wells Fire Hazard Severity Zones Map,"**

