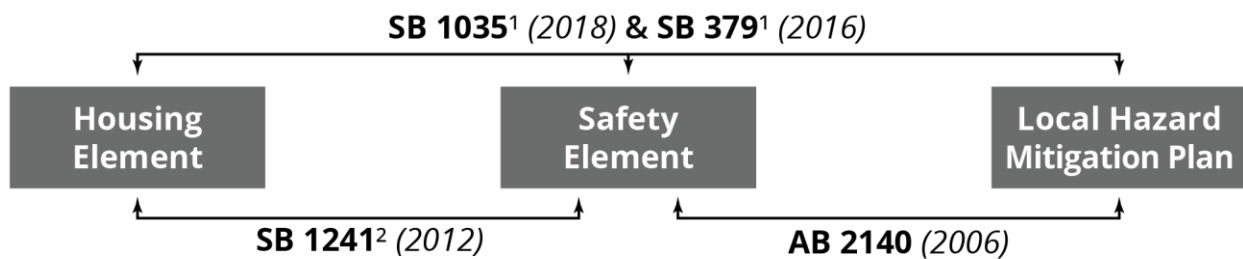


California Resilience Planning Legislation and Implications for Bay Area Cities

Over the past decade there have been numerous efforts to coordinate and align hazard mitigation and climate adaptation planning with other planning efforts. A suite of state legislation is increasingly requiring jurisdictions to use mitigation and adaptation planning efforts to inform their safety and housing elements. Figure 1 shows the relationship between four state laws that incentivize or require greater integration of resilience in local long-range planning. Many communities have other resilience related plans (e.g. community wildfire protection plans, climate adaptation plans) that can also inform the General Plan elements.

Figure 1: Key Local Fire Planning Documents and Carrot and Stick Consistency Laws.



¹ Bill that is required in all jurisdictions.

² Bill that is required in 44 Bay Area jurisdictions. See other page for impacted jurisdictions.

³ Bill that is not required but provides incentive for incorporation.

SB 1035 (Gov. Code § 65302) and **SB 379** (Gov. Code § 65302.g.4) require cities to address climate change adaptation and resilience in the safety element of all general plans. Originally, SB 379, signed into law in 2016, tied the requirement to the next update of a jurisdiction's local hazard mitigation plan (updated every 5 years). SB 1035 built off SB 379, requiring that the safety element be updated every eight years with the housing element. Both bills require that fire mitigation, climate adaptation, and climate resilience are addressed within the update.

SB 1241 (Gov. Code § 65302, 65302.5) applies to communities with *very high fire hazard severity* hazard or unincorporated communities in the *state responsibility areas*. Starting in 2014, communities subject to SB1241 need to ensure consistency between the housing and safety elements to address the risk of fire. SB 1241 requires that the draft safety element/ amendment be submitted to the State Board of Forestry and Fire Protection for review. In 2018 **AB 2911** strengthened the designation of local very high fire hazard severity zones.

For more information on communities affected by SB 1241, please see:

<https://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>

AB 2140 (Gov. Code § 65302.6, 8685.9) authorizes local governments to adopt the LHMP with the general plan safety element. Integration by reference or annexation is encouraged through a post-disaster financial incentive that authorizes the state to use available California Disaster Assistance Act funds to cover local shares of the 25% non-federal portion of grant-funded post-disaster projects when approved by the legislature.

Framing Upcoming Bay Area Resilience Planning

When do Local Hazard Mitigation Plans Expire and Which Cities/Towns are Subject to SB1241.

