



PUBLIC SAFETY POLICY COMMITTEE

Friday, June 5, 2026

9:30 a.m. - 12:30 p.m.

Register for this meeting:

<https://us06web.zoom.us/join/HtMVkEtiSZOzJ2pgT1ssxw>

Immediately after registering, you will receive a link and confirmation email to join the meeting.

AGENDA

I. Welcome and Introductions

Chair Scott Nassif, Mayor, Apple Valley
Vice Chair Mark Kairis, Mayor, Hanford
Cal Cities President Gabe Quinto, Mayor, El Cerrito
Cal Cities Executive Director and CEO Carolyn Coleman

II. Public Comment

III. General Briefing

Informational

IV. Fire Insurance, Wildfire Mitigation and Zone 0 Update (Attachment)

Informational

Frank Bigelow, Deputy Director, Community Wildfire Preparedness & Mitigation, Cal FIRE
Julia Juarez, Deputy Insurance Commissioner, California Department of Insurance

V. Fireworks Prevention Presentation

Informational

Hannah Shin-Heydorn, City Manager, City of Stanton

VI. Jail Litigation Discussion

Informational

Assistant Sheriff Trevis Newport, San Bernardino County

VII. Legislative and Budget Update

Informational

Jolena Voorhis, Cal Cities

For a full list of public safety position bills, click [here](#)

VIII. Adjourn

Next Virtual Meeting: Staff will notify committee members by **August 7** if the policy committee meets in September. If you have any questions, please contact [Meg Desmond](#), Cal Cities Program Manager, Legislative Administration.

Brown Act Reminder: The League of California Cities' Board of Directors has a policy of complying with the spirit of open meeting laws. Generally, off-agenda items may be taken up only if:

1) Two-thirds of the policy committee members find a need for immediate action exists and the need to take action came to the attention of the policy committee after the agenda was prepared (Note: If fewer than two-thirds of policy committee members are present, taking up an off-agenda item requires a unanimous vote); or

2) A majority of the policy committee finds an emergency (for example: work stoppage or disaster) exists.

A majority of a city council may not, consistent with the Brown Act, discuss specific substantive issues among themselves at League meetings. Any such discussion is subject to the Brown Act and must occur in a meeting that complies with its requirements.

SUMMARY OF DRAFT ZONE 0 REGULATION LANGUAGE

April 2026

To watch more on what's included in this rule plead, [click here for a short video](#).

California is experiencing a wildfire crisis and its leaders, legislators, and the Governor have responded accordingly to protect homes, lives, and communities. In recent years, state leaders have launched a series of actions and investments to confront this reality head-on. Through emergency action to fast-track [nearly 400 wildfire resilience projects](#), billions in investments for wildfire [prevention and protection](#), and giving communities [the tools to be ready](#) for when the next catastrophic wildfire starts, California is taking action to protect communities, keep wildfires from growing larger and more destructive, and supporting our firefighters and first responders.

Now, one more critical tool is being added to this list of wildfire defense. Following the devastating Los Angeles fires in January 2025, state leadership tasked the California Board of Forestry and Fire Protection with strengthening defensible space standards by focusing on a new area, called Zone 0, that includes the first five feet around homes and structures. Research, fire science, and experience shows that this is the most critical area for protecting your home, your neighbors' homes, and the community around you. It's where wind-blown embers are most likely to land, and where homes are most vulnerable to ignition.

More specifically, Assembly Bill 3074 (2020), Senate Bill 504 (2024), Assembly Bill 1455 (2025), and Governor Newsom's Executive Order N-18-25 directed the California Board of Forestry and Fire Protection to develop new defensible space regulations for [Zone 0](#) in [certain fire-prone areas](#) of the state.

Over the past year, the Board has conducted extensive outreach, including nearly a dozen public workshops, numerous site visits and walking tours, research and academic reviews, and on-the-ground engagement with homeowners, fire professionals, environmental groups, and local governments in their neighborhoods.

The process has surfaced multiple perspectives from different regions on how to address flammable materials located in Zone 0—with particular attention to trees and other living vegetation commonly occupying this area, and flexibility for local communities. To facilitate this discussion, **the subcommittee gathered input and considered multiple approaches, with the goal of developing a regulation that meets complex statutory requirements while addressing implementation considerations such as affordability, enforcement, and local flexibility.**

WHAT THE ZONE ZERO REGULATION DOES

One key goal of the Zone 0 rulemaking process is to give California homeowners time, resources, and guidance to make changes effectively and affordably while improving fire safety for neighborhoods and communities. This happens through a phased-in timeline for different activities in different zones within Zone 0.

More specifically, the rule will require all property owners in [State Responsibility Areas \(SRAs\)](#) and [Very High Fire Hazard Severity Zones](#) in the Local Responsibility Area (LRA) to reduce combustible materials within the first 5 feet of homes and other structures. This draft seeks to balance fire mitigation with other property considerations, while allowing plants and trees in parts of Zone 0.

Implementation is also designed to take place in two phases, with education, outreach,

and progress towards compliance serving as the longer-term goal. The focus of inspections will be on helping homeowners identify issues at their homes, develop strategies over time, and prioritize actions for fire protection and mitigation. For homeowners, the goal is to begin making measurable progress and demonstrate effort over a five-year period.



The images above show Zone 0 compliant homes using the current draft recommendation.

TIMING AND IMPLEMENTATION APPROACH

The current *draft* rule language for the Zone Zero Regulations Subcommittee's consideration recommends an implementation approach that prioritizes education and outreach. While Zone 0 requirements will apply to new construction upon adoption of the regulation, existing homes and structures can implement actions in phases over time within different areas of Zone 0:

- **PHASE 1 (Implemented within the first 3 years):** Includes removing combustible items such as firewood, dead leaves and branches, mulch, and wood chips within 5 feet of the structure. Cleaning gutters, removing dead and dying plants, trimming trees according to regulations, and implementing or adjusting for allowable vegetation during this time period.
- **PHASE 2 (Implemented within 5 years, with the exact timeline to be decided by the local jurisdiction):** Local jurisdictions will assign a timeline, within 5 years of the effective date of the regulations, for the creation of an under-eave safety zone, replacing combustible gates, and making any necessary adjustments to sheds and fencing.

Local fire agencies may authorize alternative practices based on local variations such as geography/topography, fire risk, lot size, response resources, or compliance with California Wildland Urban Interface Code building standards. These practices must provide substantially similar practical effects to the regulations. For example, some community-specific local flexibility options might include an inspector considering the existence of numerous evacuation routes, the use of fire-safe construction or building materials, an allowance of various vegetation types based on region, or applying logical discretion for unique architecture or design.

Phase 2 focuses on the area closest to the building, referred to as a non-combustible "safety zone." This phase is designed to protect the most vulnerable parts of a

structure—such as the base of the wall, windows, decks, and eaves—while still allowing for some flexibility based on the attributes of the home or structure. The separation of fuels from these vulnerable elements is reflected in this new draft.

The two areas—both the area closest to the structure under eaves, and the area comprising the remainder of Zone 0—are assigned based on the following (see also Figure 1 and accompanying images):

-A low-combustibility zone extending out from the safety zone, or the edge of an eave drip line, to the remaining portion of the five feet of Zone 0 (completed during Phase 1).

-A non-combustible immediate “safety zone” located directly next to the home and under eaves. This zone width flexes with the width of the eave. If the structure has 12-inch eaves, the safety zone is 12 inches in width. If the structure has 36-inch eaves, the safety zone is 36 inches in width (completed during Phase 2).

This proposed approach also accounts for variation in building design and aims to achieve fire safety while providing flexibility that is easy to interpret. At the end of this document are diagrams and visualizations to aid interpretation.

- The regulation applies to **new construction** immediately once adopted, and then to **existing homes** over a phased-in period from the effective date of the regulations.
- The following *draft* Zone 0 regulations would apply to both the Local Responsibility Areas (LRAs, per Gov. Code 51182) and State Responsibility Areas (SRAs, per PRC 4291):

TREES

Trees are permitted in Zone 0, but subject to the following maintenance (within 3 years of adoption of regulations):

- Branches should be ten feet from chimneys per existing statute. Branches should also be trimmed five feet above roofs and kept clear of eaves.
- Dead wood and lower branches or “ladder fuels” that could carry fire upward should be removed. Limbs should be removed from the bottom six feet for large trees, or from the lower third of the tree for smaller trees (whichever is less).
- The risk of transmission for each tree would be determined by the local defensible space inspector.

PLANTS/LANDSCAPING

- **No combustible materials shall be in Zone 0** (combustible mulches, fallen leaves and needles, woodchips, firewood, stored wood, etc.), on roofs, or in gutters (within 3 years of adoption of regulations).

- For the “safety zone,” to be established in Phase 2 (within 5 years), a vegetation-free buffer is required:
 - Within one foot of structures or out to the edge of the eave (or “drip line”)
 - Where the eaves are shallow, and the safety zone may not apply:
 - Safety zone still must be a minimum of one foot
 - Within two feet of windows, doors, and vents
 - Within five feet of attached decks and similar features
- **Well-maintained herbaceous plants and flowers are allowed outside these buffers** within Zone 0, with the following conditions (to be completed within Phase 1):
 - Non-woody smaller plants, such as bulbs, impatiens, begonias, petunias, poppies, yarrow and non-thatching succulents are allowed in spaced groupings
 - Low ground covers. Examples include blue-star creeper, beach strawberry, creeping thyme, and mosses.
 - Grass or lawn is allowed but must be maintained and mowed per requirements.
 - Potted plants in non-combustible pots that are easily moveable, no taller than 1.5 feet, and meet spacing requirements.

FENCES, GATES, AND SHEDS

- A five-foot non-combustible section is required where fences attach to a home, to be completed in Phase 2. Examples could include replacing a wooden gate with a non-combustible metal gate.
- No new combustible fences or gates are permitted within Zone 0. Repairs to existing fences permitted.
- Sheds and outbuildings within Zone 0 must have non-combustible exterior roofs and walls.

LOCAL ZONE 0 VARIATIONS PERMITTED IN LOCAL RESPONSIBILITY AREAS

- **Local fire agencies may authorize alternative practices based on local variations** such as geography/topography, fire risk, lot size, response resources, or compliance with California Wildland Urban Interface Code building standards. These practices must provide substantially similar practical effects to the regulations. For example, some community-specific local flexibility options might include an inspector considering the existence of numerous evacuation routes, the use of fire-safe construction or building materials, an allowance of various vegetation types based on region, or applying logical discretion for unique architecture or design.
- Local fire agencies must support with a finding that variations are equally effective as regulations. Defensible space standards for Zone 1 (5 to 30 feet from a home) and Zone 2 (30 to 100 feet from a home) are set by the local fire agency in compliance with statute.

TIMING DETAILS

The Board has emphasized that implementation will prioritize education and outreach. For new
Board of Forestry and Fire Protection Draft Zone 0 Regulations / April 2026

construction, compliance with this regulation would be required upon adoption. Existing homes will then be phased in during two phases, with early adoption being recommended and support for a range of approaches based on community priorities and needs. These phases include:

- **PHASE 1 (Within 3 years):** Within three years following adoption, homeowners will remove combustible items like firewood, mulch, and wood chips near the structure. They will clean gutters, remove dead and dying plants, trim trees according to the regulation, and implement or adjust for allowable vegetation.
- **PHASE 2 (Maximum of two additional years, decided by local jurisdiction):** Local jurisdictions may assign a timeline of up to 5 years (from the effective date) for completing the remainder of Zone 0 regulations. This will include completing the under-eave safety zone, replacing combustible gates, and making any necessary adjustments to sheds and fencing.

The goal is to give homeowners time, resources, and guidance to make changes effectively and affordably. CAL FIRE inspectors will prioritize helping homeowners identify issues at their homes, develop strategies, and set in motion actions for fire protection and mitigation. For homeowners, the overall goal is to make measurable progress and demonstrate effort over time.

COMMUNITY ASSISTANCE AND RESOURCES

Legislative leaders, state and local government officials, local and state nonprofit organizations, fire departments, community service groups and many others are launching a series of resources, events, information, and funding to help support the implementation of Zone 0. This includes dedicated funding from the California Climate Bond, millions in grants from CAL FIRE and other state entities, support from local governments and fire organizations, organized community events providing Zone 0 assistance and yardwork, and committed service organizations and departments like the California Conservation Corps providing labor and support to help both underserved communities and those requiring hands-on assistance.

These are just a few of the community assistance efforts currently underway. The phase-in approach to these regulations provides more time and capacity to build this comprehensive list over time.

HOW TO ENGAGE AND PARTICIPATE

The Board welcomes public input on this draft rule. Comments help shape a final regulation that balances public safety and effectiveness for California communities. For more information, track the Board's [Zone 0 webpage](#), and/or submit your comment to PublicComments@bof.ca.gov.

Images continue on next page.

VISUAL EXAMPLES



Figure 1: This front view represents how Zone 0 can be divided into a non-combustible “safety zone” immediately near the building, surrounded by a low-combustibility zone out to the remaining 5 feet. A vegetation-free zone would be required at 1 foot from the occupied structure or to the edge of the eaves (whichever is greater); 2 feet from windows, glass doors, and vents; and 5 feet around attached decks, stairs, and pergolas.

This means that a one-foot eave triggers at least a one-foot safety zone, and a 2.5-foot eave triggers at least a 2.5-foot safety zone. Outside of this zone, to five feet, herbaceous plants are allowed up to 18 inches, lawn and other ground covers must be kept under 3 inches, and potted plants must be in noncombustible containers. This illustration shows two examples based on eave width and includes a mature, trimmed tree that provides shade, with lower branches removed to reduce fire risk. Note: Homeowners could have up to five years to phase this zone into their property.

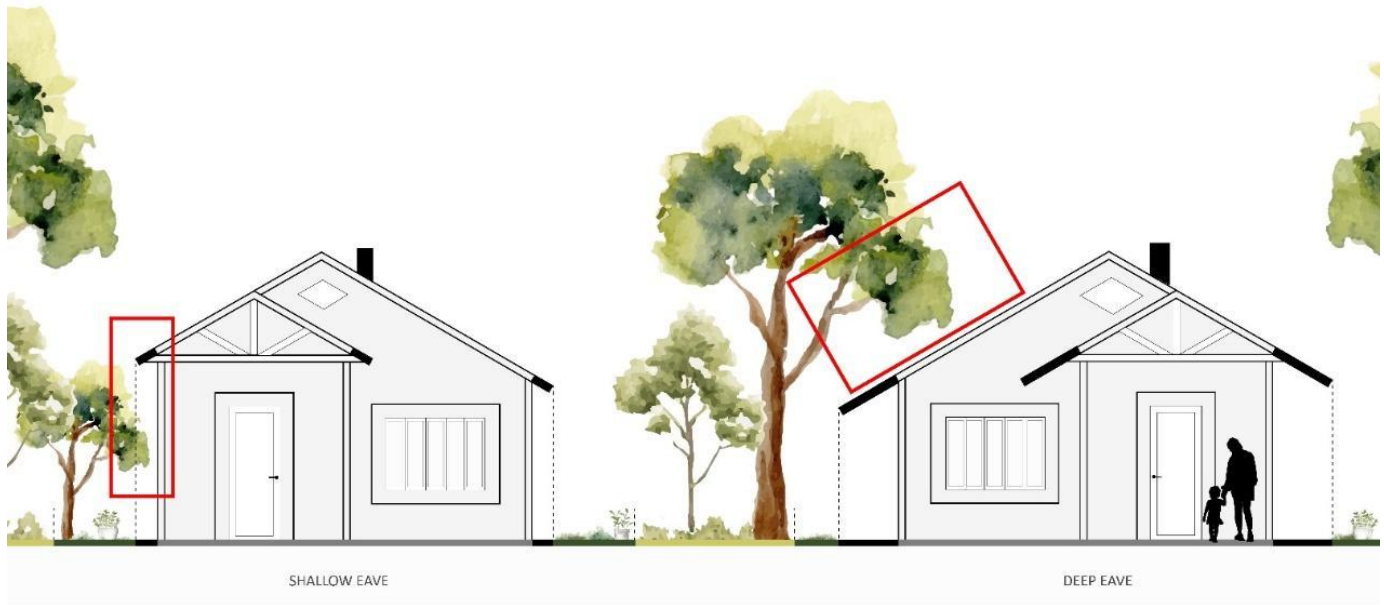


Figure 2: This illustration shows trees within Zone 0. On the left is a young tree with most of the ladder fuel removed, but a few smaller branches remain under the eaves and would need to be trimmed as indicated by the red box. On the right side, a larger tree is very close to the roof. While the lower ladder fuels are removed, an inspector might suggest removing one limb to provide 5 feet of clearance between tree limbs and the roof, reducing the risk of fire transmission to the roof. The recommended trimming area is indicated by the red box on both trees.



Figure 3. These six homes representing different regions of the state, shown in **street view**, have been edited in Adobe Photoshop to illustrate how the April 2026 draft of Zone 0 might look in practice over the phase-in period. Note that each house has a non-combustible zone immediately adjacent to the structure, as well as some herbaceous plantings outside the eave dripline. Note that trees are allowed in Zone 0. It is understood that the camera angle affects the perceived impact of Zone 0 on the look and feel of the fire mitigation.



Figure 4. These six example homes, shown in an **aerial view**, have been edited in Adobe Photoshop to illustrate how the April 2026 draft of Zone 0 might look in practice over the course of the phase-in period. Note that each house has a non-combustible zone immediately adjacent to the structure, as well as some herbaceous plantings outside the eave dripline.

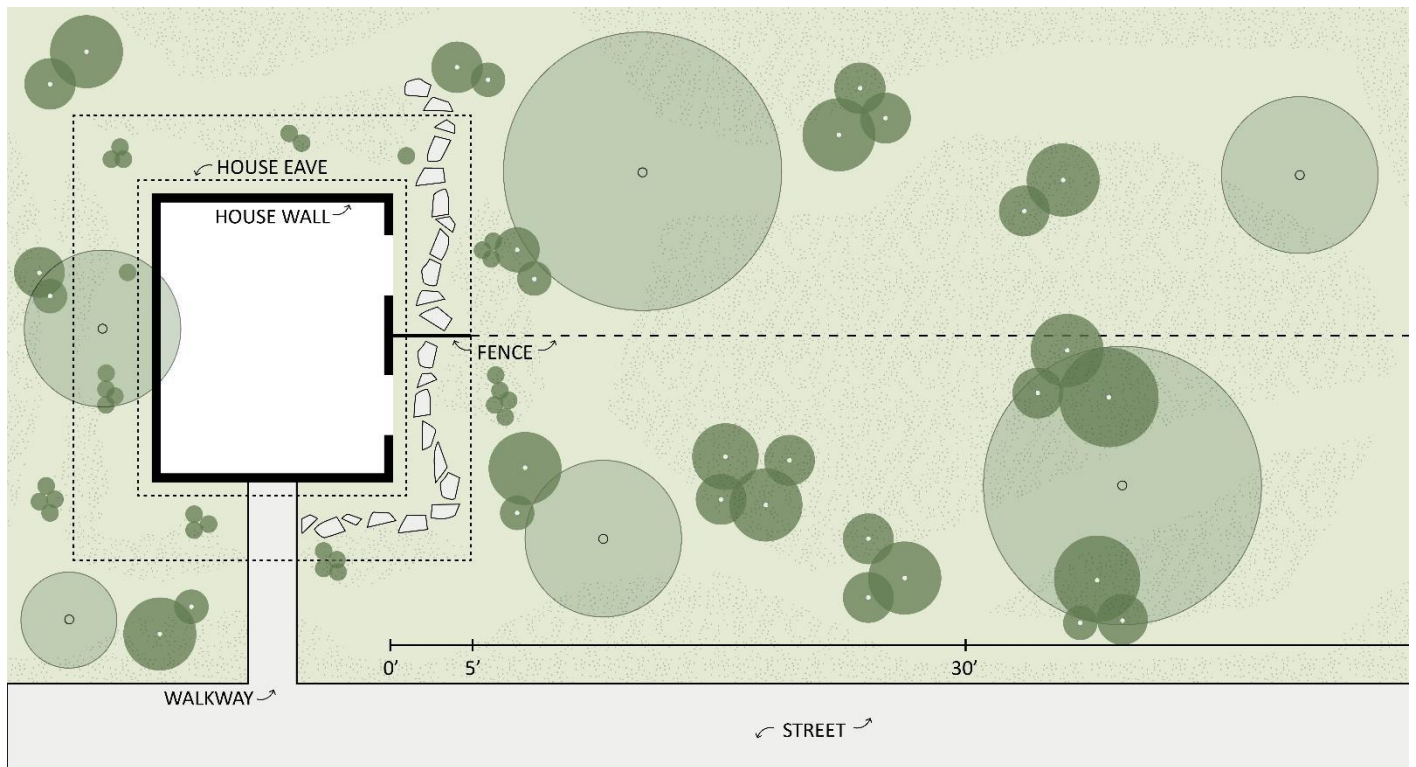


Figure 5. This illustrated aerial view demonstrates how trees (larger light green circles), smaller trees and shrubs (darker circles), plants, pavers, and a fence might be arranged under the April 2026 draft. Note that trees can be near homes if their branches are appropriately separated from the roof or chimney. Other details include an upgrade to the fence attachment, and some plants are present in Zone 0, but they are separated from vulnerable areas such as the base of the wall, under eaves, and near windows.



Figure 6. Before-and-after representation of a single-family house that implemented Zone 0. Note the relocation of the plants away from the deck and the installation of a noncombustible gate. While not required, it is best practice to install metal screening around the deck base to keep embers and debris out. Once Zone 0 is finalized, the guidance document will provide tips and tricks for addressing issues like this.

Below is draft rule text of the Zone 0 Regulation that the Board of Forestry and Fire Protection's Zone 0 Advisory Committee will discuss at a public workshop on April 23, 2026. The Board invites comments on all provisions of the draft rule text.

Board of Forestry and Fire Protection

Defensible Space Zone 0

Title 14 of the California Code of Regulations

Division 1.5, Chapter 7,

Subchapter 3 Article 3

[14 CCR 1298 et seq. covers the Local Responsibility Area]

§ 1298.01. Purpose.

These regulations implement the defensible space requirements described in Government Code Section 51182 for the creation of an ember-resistant zone surrounding Occupied Structures in a Local Responsibility Area (LRA) within a Very High Fire Hazard Severity Zone (VHFHSZ). These regulations aim to improve public safety, improve safety for firefighters defending structures, and increase the likelihood an Occupied Structure will survive a wildfire event within those parts of the state where fire protection is managed by local agencies (the LRA) within a VHFHSZ, as designated under the process described in Government Code sections 51178, 51179, and 51181.

Note: Authority cited: Section 51182, Government Code. Reference: Section 51178, 51179, and 51181 Government Code and Section 4291, Public Resources Code. California Code of Regulations Title 14 Section 1220.

1
2 **§ 1298.02. Definitions.**

3 The following definitions apply to this article:

4 (a) Combustible. Vegetative, wood, or other materials that are likely to ignite and
5 transmit flames.

6 (b) Defensible Space. The buffer landowners are required to create on their property
7 between an Occupied Structure and the plants, brush and trees, or other Combustible
8 items surrounding the Occupied Structure.

9 (c) Existing Occupied Structure. An Occupied Structure that was constructed, under
10 construction, or for which the building permit application for initial construction had been
11 submitted before the effective date of the regulation that added this subsection.

12 (d) Ladder Fuels. Fuels that can transmit fire to other vegetation, structures, or
13 Combustible landscape features.

14 (e) New Occupied Structure. An Occupied Structure for which the building permit
15 application for initial construction was submitted after the effective date of the regulation
16 that added this subsection.

17 (f) Non-Woody Plant. A plant that does not have hardened stems or trunks. This
18 includes but is not limited to herbaceous plants with soft, green stems such as bulbs,
19 annuals, grasses, and mosses.

20 (g) Occupied Structure. Any constructed building or structure that is intended or used for
21 support, enclosure, shelter, or protection of persons, animals, or property, having a
22 permanent roof that is supported by walls or posts that connect to, or rest on the
23 ground. An Occupied Structure, for the purpose of determining an ember-resistant zone,
24 includes an attached deck, stairs, or pergola, but does not include patios made of non-
25 Combustible materials. For the purposes of these regulations, an attached deck, stairs,

or pergola includes those that are self-supporting and within one (1) foot of the
Occupied Structure.

(h) Outbuilding. Buildings or structures that are less than one hundred-twenty (120)
square feet in size and not used for human habitation. For purposes of this Section, an
Outbuilding is not an Occupied Structure as defined in subsection (g) above.

(j) Tree. A woody perennial plant with a well-defined stem or trunk, a diameter at four
and a half (4.5) feet above the ground of at least four (4) inches, and a height at
maturity of at least fifteen (15) feet.

Note: Authority cited: Section 51182, Government Code. Reference: Section 51178,
51179, 51181 and 51186 Government Code; Section 4291, Public Resources Code;
and Sections 18908 and 18917, Health and Safety Code.

**§ 1298.03. Provisions for the Local Agency Responsible for Fire Protection in
LRAs.**

A local agency responsible for fire protection in an LRA may choose to develop
alternative practices for Defensible Space compliance, based on the regulations in this
article, that account for local variations. These local variations may include location-
based fire risk, lot size, structure density, local fire hazards, potential response to
emergency conditions, geography/topography, and compliance with California Wildland-
Urban Interface Code building standards. The alternative practices shall be supported
with a finding by the local agency responsible for fire that the alternative practices
provide for, at a minimum, substantially similar practical effects as those stated in these
regulations, so long as those effects meet the requirements of Public Resources Code
section 4117 which requires any county, city, or district that adopts ordinances, rules, or

regulations to provide fire prevention restrictions or regulations as necessary to meet local conditions of weather, vegetation, or other fire hazards. Such ordinances, rules, or regulations shall be as protective or more protective than state statutes in order to meet local fire hazard conditions.

Note: Authority cited: Section 51182, Government Code. Reference: Sections 51178, 51179, and 51181 Government Code; Sections 4290, 4291 and 4291.3, Public Resources Code.

§ 1298.04. Zone 0 Requirements.

(a) Zone 0 is the area within five (5) feet around each Occupied Structure, beginning at the exterior surface of the exterior wall, attached deck, stairs, or pergola and extending five (5) feet out, or to the property line, whichever comes first. For the purposes of compliance with Defensible Space requirements, the addition of any Occupied Structure, including an accessory dwelling unit as defined in Government Code section 66313, on a neighboring property shall not require a landowner to create additional defensible space on their property and shall not result in that landowner being found to be out of compliance with defensible space regulations.

(b) Zone 0 Requirements are as follows:

(1) No Combustible materials are permitted within Zone 0. This includes but is not limited to: fallen leaves and tree needles; Combustible mulches, including bark and woodchips; and other Combustible debris.

(A) Inspectors may allow temporary exceptions to limitations on mulches to prevent erosion during new or continuing construction, and during emergencies.

1 (2) The roof and rain gutters of an Occupied Structure shall be kept clear of
2 leaves, needles, and other Combustible debris.

3 (3) The areas under decks, balconies, pergolas, and stairs shall be kept free of
4 vegetation and Combustible items.

5 (4) No firewood shall be stored in Zone 0.

6 (5) Trees within Zone 0 shall be maintained as follows:

7 (A) To ensure that there are no dead or dying branches;

8 (B) To ensure that all Ladder Fuels have been removed, including those
9 fuels in the first six (6) feet from the ground or to one third (1/3) of the
10 tree's total height, whichever is smaller, and those fuels within five (5) feet
11 above a roof that create a high risk of fire transmission;

12 (C) To ensure that all live tree branches are at least ten (10) feet away
13 from chimneys and stovepipe outlets, at least five (5) feet above a roof
14 and at least one (1) foot from the walls of an Occupied Structure; and

15 (D) To ensure that live tree branches are not underneath eaves.

16 (6) To protect areas on an Occupied Structure that are most vulnerable to fire, no
17 plants or vegetation are permitted in those parts of Zone 0 that are: under eaves;
18 less than one (1) foot from an Occupied Structure or less than five (5) feet from a
19 deck, stairs, or pergola that is attached to an Occupied Structure; or within two
20 (2) feet of windows, doors, or vents. This means that:

21 (A) There shall be a minimum one (1) foot vegetation-free buffer spanning
22 from the edge of the wall out at least one (1) foot or to the eave
23 (whichever is farthest, up to five (5) feet); and

24 (B) There shall be a minimum five (5) feet of vegetation-free buffer
25 spanning out from the edge of any attached deck, stairs, or pergola.

1 (7) Those parts of Zone 0 that are at least one (1) foot from the Occupied
2 Structure, not under eaves, and at least two (2) feet from windows, doors, or
3 vents may have vegetation and plants if any of the following conditions are met:

4 (A) Well-maintained Non-Woody Plants less than three (3) inches tall that
5 are free of dead or dying materials are permitted, including lawns and
6 ground covers.

7 (B) Well-maintained Non-Woody Plants between three (3) and eighteen
8 (18) inches tall free of dead or dying material are permitted if they are in
9 plantings no more than one (1) square foot in area; and are set apart from
10 each other by one and a half (1.5) times the height of the tallest plant.

11 (C) Well-maintained Non-Woody Plants in pots are permitted if they are in
12 unaffixed, non-Combustible pots or containers that are no larger than five
13 (5) gallon capacity and are set apart by one and a half (1.5) times the
14 height of the plant from each other. These plants shall be no greater than
15 eighteen (18) inches in height.

16 (8) Combustible fences and gates shall not be attached to an Occupied
17 Structure.

18 (9) All fences and gates that are attached to an Occupied Structure, or come
19 within one (1) foot of contact with an Occupied Structure, shall have a five (5)
20 foot non-Combustible span from the point of attachment or the point closest to
21 the Occupied Structure. After the effective date of this regulation, no new
22 Combustible fences or gates are permitted within five (5) feet of an Occupied
23 Structure. Fence repairs to an existing Combustible fence may be made using
24 Combustible replacement materials.

1 (10) Outbuildings are not permitted in Zone 0 unless they are constructed entirely
2 of non-Combustible materials.

3 (c)

4 (1) New Occupied Structures must comply with all requirements of subsection
5 1298.04 (b) upon the effective date of these regulations.

6 (2) Existing Occupied Structures must comply with provisions 1298.04(b)(1)-(5)
7 within three (3) years from the effective date of these regulations.

8 (3) Existing Occupied Structures must comply with provisions 1298.04(b)(6)-(10)
9 within three (3) years of the effective date of these regulations, or within five (5)
10 years from the effective date of these regulations, on a timeline set by the local
11 agency responsible for fire protection.

12
13 Note: Authority cited: Section 51182, Government Code. Reference: Section 4290 and
14 4291, Public Resources Code; and Gov Code section 66313.

15
16 **[14 CCR 1299 et seq. covers the State Responsibility Area]**

17 **§ 1299.01. Purpose.**

18 The intent of this regulation is to provide guidance for implementation of Public
19 Resources Code Section 4291 to improve safety for fire-fighters defending a home, as
20 well as increase the survivability of a "Building or Structure" as defined, ~~that exists in~~
21 ~~grass, brush, and forest covered lands~~ within the designated State Responsibility Area
22 (SRA) of California.

23
24 Note: Authority cited: Sections 4290 and 4291, Public Resources Code. Reference:
25 Section 4291, Public Resources Code.

1
2 **§ 1299.02. Definitions.**

3 The following definitions apply to this article:

4 (a) Building or Structure. Anything constructed that is designed or intended for support,
5 enclosure, shelter, or protection of persons, animals, or property, having a permanent
6 roof that is supported by walls or posts that connect to, or rest on the ground. A Building
7 or Structure, for the purpose of an ember-resistant zone, includes an attached deck,
8 stairs, or pergola but, does not include patios made of non-Combustible material. For
9 the purposes of these regulations, an attached deck, stairs, or pergola includes those
10 that are self-supporting and within one (1) foot of the Building or Structure.

11 (b) Combustible. Vegetative, wood, or other materials that are likely to ignite and
12 transmit flames.

13 ~~(a)~~ (c) Defensible Space. The buffer that landowners are required to create on their
14 property between a “Building or Structure” and the plants, brush and trees or other
15 items surrounding the “Building or Structure” that could ignite in the event of a fire.

16 (d) Existing Building or Structure. A Building or Structure that was constructed, under
17 construction, or for which the building permit application for initial construction had been
18 submitted before the effective date of the regulation that added this subsection.

19 (e) Ladder Fuels. Fuels that can transmit fire to other vegetation, structures, or
20 Combustible landscape features.

21 (f) New Building or Structure. A Building or Structure for which an application for a
22 building permit for initial construction was submitted after the effective date of the
23 regulation that added this subsection.

(g) Non-Woody Plant. A plant that does not have hardened stems or trunks. This includes but is not limited to herbaceous plants with soft, green stems such as bulbs, annuals, grasses, and mosses.

(h) Outbuilding. Buildings or structures that are less than one hundred-twenty (120) square feet in size and not used for human habitation. For purposes of this Section, an “Outbuilding” is not a “Building or Structure” as defined in subsection (b) above.

(i) Tree. A woody perennial plant with a well-defined stem or trunk, a diameter at four and a half (4.5) feet above the ground of at least four (4) inches, and a height at maturity of at least fifteen (15) feet..

Note: Authority cited: Sections 4290 and 4291, Public Resources Code. Reference: Section 4291, Public Resources Code; and Sections 18908 and 18917, Health and Safety Code.

§ 1299.03. Requirements.

Defensible space is required to be maintained at all times per these regulations.
~~whenever flammable vegetative conditions exist.~~

(a) One hundred ~~feet~~ (100ft.) feet of defensible space clearance shall be maintained in ~~two~~ three (3) distinct “~~Z~~zones” as follows:

(i) Zone 0 is the area within five (5) feet around each Building or Structure, beginning at the exterior surface of the exterior wall, attached deck, stairs, or pergola, and extending five (5) feet out, or to the property line, whichever comes first.

(ii) “Zone 1” extends from five (5) to thirty (30) feet (30 ft.) out from each “Building or Structure,” or to the property line, whichever comes first.

(iii) "Zone 2" extends from thirty (30) feet ~~(30 ft.)~~ to one hundred (100) feet ~~(100 ft.)~~ from each "Building or Structure," but not beyond the property line.

(b) The vegetation treatment requirements for Zone 0 are more restrictive than for Zone 1; the requirements for Zone 1 are more restrictive than for Zone 2; as provided in this section (a) and (b) below. The Department of Forestry and Fire Protection's "Property Inspection Guide, 2000 version, April 2000," provides additional guidance on vegetation treatment within Zone 1 and Zone 2, but is not mandatory and is not intended as a substitute for these regulations.

(c) For the purposes of compliance with Defensible Space requirements, the addition of any Building or Structure, including an accessory dwelling unit as defined in Gov Code section 66313, on a neighboring property shall not require a landowner to create additional defensible space on their property and shall not result in that landowner being found to be out of compliance with defensible space regulations.

(d) Zone 0 Requirements are as follows:

(1) No Combustible materials are permitted within Zone 0. This includes, but is not limited to: fallen leaves and tree needles; Combustible mulches, including bark and woodchips; and other Combustible debris.

(A) Inspectors may allow temporary exceptions to limitations on mulches to prevent erosion during new or continuing construction and during emergencies.

(2) The roof and rain gutters of a Building or Structure shall be kept clear of leaves, needles, and other Combustible debris.

(3) The areas under decks, balconies, pergolas, and stairs shall be kept free of vegetation and Combustible items.

(4) No firewood shall be stored in Zone 0.

1 (5) Trees within Zone 0 shall be maintained as follows:

2 (A) To ensure that there are no dead or dying branches;

3 (B) To ensure that all Ladder Fuels have been removed, including those
4 fuels in the first six (6) feet from the ground or to one third (1/3) of the
5 tree's total height, whichever is smaller, and those within five (5) feet
6 above a roof as to create a high risk of fire transmission;

7 (C) To ensure that all live tree branches are at least ten (10) feet away
8 from chimneys and stovepipe outlets, at least five (5) feet above a roof,
9 and at least one (1) foot from the walls of a Building or Structure; and

10 (D) To ensure that live tree branches are not underneath eaves.

11 (6) To protect areas on Buildings and Structures that are most vulnerable to fire,
12 no plants or vegetation are permitted in those parts of Zone 0 that are: under
13 eaves; less than one (1) foot from a Building or Structure or less than five (5) feet
14 from a deck, stairs, or pergola that is attached to a Building or Structure; or within
15 two (2) feet of windows, doors, and vents. This means that:

16 (A) There shall be a minimum one (1) foot vegetation-free buffer spanning
17 from the edge of the wall out at least one (1) foot or to the eave (whichever is
18 farthest, up to five (5) feet); and

19 (B) There shall be a minimum five (5) feet of vegetation-free buffer spanning
20 out from the edge of any attached deck, stairs, or pergola.

21 (7) Those parts of Zone 0 that are at least one (1) foot from the Building or
22 Structure, not under eaves, and at least two (2) feet from windows, doors, or
23 vents may have plants if any of the following conditions is met:

1 (A) Well-maintained Non-Woody Plants less than three (3) inches tall that
2 are free of dead or dying materials are permitted, including lawns and
3 ground covers.

4 (B) Well-maintained Non-Woody Plants between three (3) and eighteen
5 (18) inches tall free of dead or dying material are permitted if they are in
6 plantings no more than one (1) square foot in area; and are set apart from
7 each other by one and a half (1.5) times the height of the tallest plant.

8 (C) Well-maintained Non-Woody Plants in pots are permitted if they are in
9 unaffixed, non-Combustible pots or containers that are no larger than five
10 (5) gallon capacity and are set apart by one and a half (1.5) times the
11 height of the plant from each other. These plants shall be no greater than
12 eighteen (18) inches in height.

13 (8) Combustible fences and gates shall not be attached to a Building or
14 Structure.

15 (9) All fences and gates that are attached to a Building or Structure, or come
16 within one (1) foot of contact with a Building or Structure, shall have a five (5) foot
17 non-Combustible span from the point of attachment or the point closest to the
18 Building or Structure. After the effective date of this regulation, no new
19 Combustible fences or gates are permitted within five (5) feet of a Building or
20 Structure. Fence repairs to an existing Combustible fence may be made using
21 Combustible replacement materials.

22 (10) Outbuildings are not permitted in Zone 0 unless they are constructed entirely
23 of non-Combustible materials.

24 (e)

1 (1) New Buildings or Structures must comply with all of the requirements of
2 subsection 1299.03 (d) upon the effective date of these regulations.

3 (2) Existing Buildings or Structures must comply with provisions 1299.03(d)(1)-(5)
4 within three (3) years from the effective date of these regulations.

5 (3) Existing Buildings or Structures must comply with provisions 1299.03(d)(6)-
6 (10) within five (5) years from the effective date of these regulations, or on a
7 timeline set by the Director, which shall not be less than three (3) years from the
8 effective date of these regulations.

9 (af) Zone 1 Requirements:

10 (1) Remove all dead or dying grass, plants, shrubs, trees, branches, leaves,
11 weeds, and pine needles from the Zone whether such vegetation occurs in yard
12 areas around the "Building or Structure," ~~on the roof or rain gutters of the~~
13 ~~"Building or Structure,"~~ or on any other location within the Zone.

14 (2) Remove dead tree or shrub branches ~~that overhang roofs, below or adjacent~~
15 ~~to windows, or which are adjacent to wall surfaces,~~ and keep all branches a
16 minimum of ten (10) feet away from chimney and stovepipe outlets.

17 (3) Relocate exposed firewood piles unless they are completely enclosed
18 ~~covered~~ in a fire-resistant material.

19 (4) Remove flammable vegetation and items that could catch fire which are
20 adjacent to or under Combustible decks, balconies, pergolas, and stairs.

21 (bg) Zone 2 Requirements:

22 (1) In this zone, create horizontal and vertical spacing among shrubs and trees
23 using the "Fuel Separation" method, the "Continuous Tree Canopy" method, or a
24 combination of both to achieve defensible space clearance requirements. Further
25 guidance regarding these methods is contained in ~~the State Board of Forestry~~

1 ~~and Fire Protection's, "General Guidelines for Creating Defensible Space,~~
2 ~~February 8, 2006," incorporated herein by reference, and~~ the "Property
3 Inspection Guide" referenced elsewhere in this regulation.

4 (2) In both the Fuel Separation and Continuous Tree Canopy methods the
5 following standards apply:

6 (A) Dead and dying woody surface fuels and aerial fuels shall be removed.

7 Loose surface litter, normally consisting of fallen leaves or needles, twigs,
8 bark, cones, and small branches, shall be permitted to a maximum depth
9 of three (3) inches ~~(3 in.)~~.

10 (B) Cut annual grasses and forbs down to a maximum height of four (4)
11 inches ~~(4 in.)~~.

12 (C) All exposed wood piles must have a minimum of ten (10) feet ~~(40 ft.)~~ of
13 clearance, down to bare mineral soil, in all directions.

14 ~~(e)~~ For both Zones 1 and 2:

15 (1) "Outbuildings" and Liquid Propane Gas (LPG) storage tanks shall have the
16 following minimum clearance: ten (10) feet ~~(40 ft.)~~ of clearance to bare mineral
17 soil and no flammable vegetation for an additional ten (10) feet ~~(40 ft.)~~ around
18 their exterior.

19 (2) Protect water quality. Do not clear vegetation to bare mineral soil and avoid
20 the use of heavy equipment in and around streams and seasonal
21 drainages. Vegetation removal can cause soil erosion, especially on steep
22 slopes. Keep soil disturbance to a minimum on steep slopes.

Note: Authority cited: Sections 4290 and 4291, Public Resources Code. Reference:
Section 4291, Public Resources Code; and Sections 18908 and 18917, Health and
Safety Code.

§ 1299.05. Alternative Methods.

The provisions of these regulations are not intended to exclude alternative methods not
specifically prescribed by these regulations. A fire expert designated by the Director
may approve alternative practices which provide for the same practical effects as those
stated in these regulations.

Note: Authority cited: Sections 4290 and 4291, Public Resources Code. Reference:
Sections 4291 and 4291.3, Public Resources Code.