

SUMMARY OF DRAFT ZONE 0 REGULATION LANGUAGE

August 2026

To watch a video still applicable to the final August 2026 draft rule package, [click here](#).

California is experiencing a wildfire crisis. Its leaders, legislators, and the Governor have responded accordingly to protect homes, lives, and communities. In recent years, state leaders 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 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 (the Board) with strengthening defensible space standards by focusing on a new area, called Zone 0, which encompasses 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 Board to develop new defensible space regulations for [Zone 0](#) in [certain fire-prone areas](#) of the state.

Over the past 15 months, 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 Board's Zone 0 Advisory Committee gathered input and considered multiple approaches, with the goal of developing regulations that meet 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 over five years, 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 recommendation.

TIMING AND IMPLEMENTATION APPROACH

The proposed rule language for the Board'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. Removing dead and dying plants, trimming trees according to regulations, and implementing or adjusting for allowable vegetation during this time period. To ensure alignment with current state law, combustible debris on roofs and rain gutters, dead tree branches, and branches within 10 feet of chimneys would be required to be removed upon the effective date of the regulations.
- **PHASE 2 (Implemented within 5 years):** 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 for vegetation other than trees, replacing combustible gates, and making any necessary adjustments to sheds and fencing.

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 the proposed 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 (with a few requirements on tree maintenance and roof debris going into effect immediately to ensure alignment with state law and the California Wildland Urban Interface Code building standards (CWUI)).
- The following *draft* Zone 0 regulations would apply to both the Local Responsibility Areas (LRAs, per Gov. Code 51182) in Very High Fire Hazard Severity Zones and State Responsibility Areas (SRAs, per PRC 4291):

TREES

Existing trees are permitted to remain in Zone 0, but subject to the following maintenance (within 3 years, or immediately if indicated as such, of adoption of regulations):

- Branches should be ten feet from chimneys and kept clear of eaves per existing statute (effective immediately). Branches should also be trimmed five feet above roofs. .
- Dead wood should be removed (immediately).
- 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.
- To ensure alignment with the existing CWUI code overseen by the California Office of the State Fire Marshal, no new trees can be planted in Zone 0 upon the effective date of the regulations.

PLANTS/LANDSCAPING

- No combustible materials, unless otherwise permitted, shall be in Zone 0

(combustible mulches, fallen leaves and needles, woodchips, firewood, stored wood, etc.), on roofs, or in gutters..

- 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 to the three-inch requirement.
 - 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 noncombustible 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 are permitted.
- A definition of “Noncombustible” has been added to the draft regulations, based on language from the CWUI code.
- 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, structure composition, or compliance with the CWUI code. These practices must provide substantially similar practical effects to the regulations. For example, some community-specific local alternative options might include an inspector considering 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 and the variations would require approval by the governing body (city council or county board of supervisors, for example). 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 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 regulation, and implement or adjust for allowable vegetation. Note that certain tree maintenance requirements would take effect immediately to ensure alignment with state law.
- **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 FINANCIAL 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**.

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.



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 would 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 August 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 existing trees are allowed to remain 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 August 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.

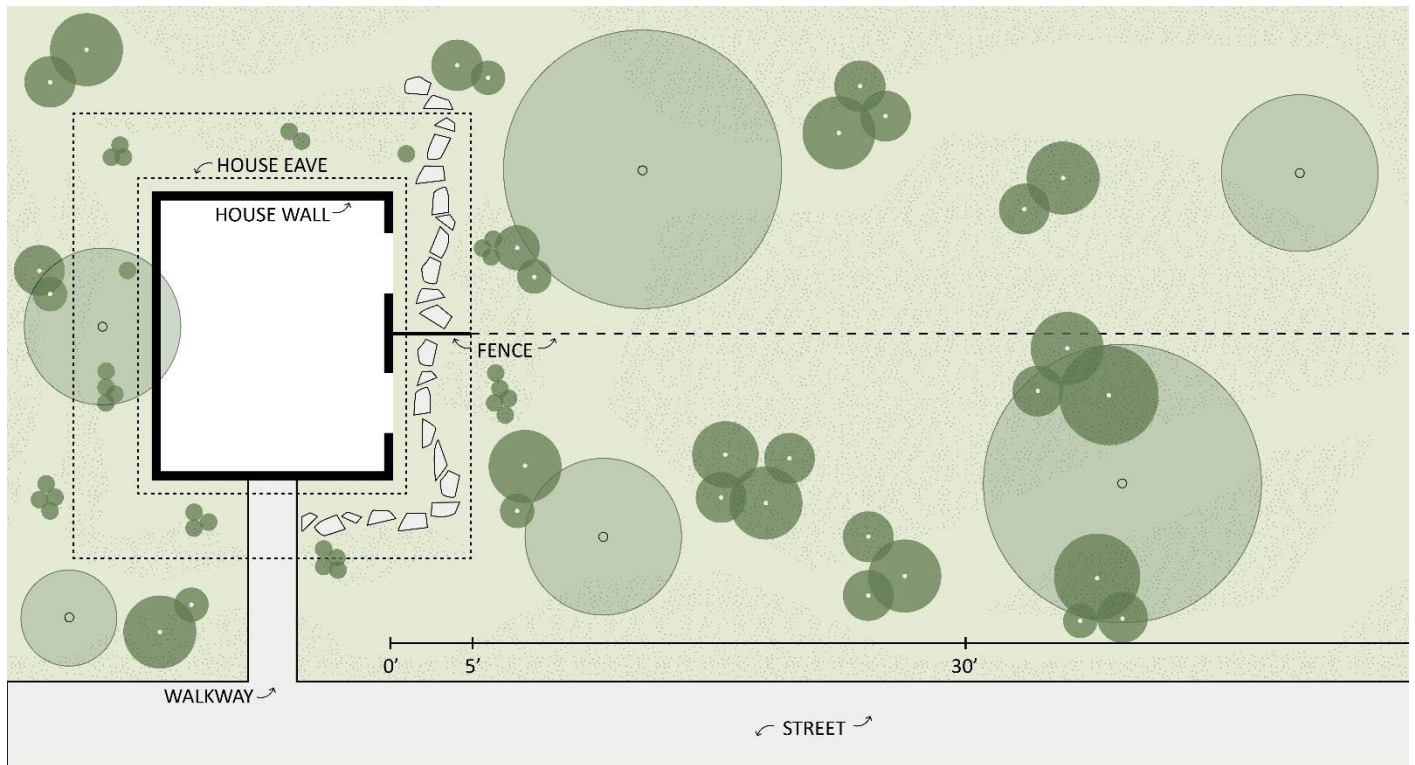


Figure 5. This illustrated aerial view demonstrates how trees (larger light green circles), smaller trees and shrubs (darker circles), plants, pavers, and a fence might be arranged under the August 2026 draft. Note that trees can be near homes if their branches are appropriately separated from the roof or chimney and dead branches and ladder fuels are removed. Other details include an upgrade to the fence attachment, and some plants within 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 for addressing issues like this.

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: Sections 51178, 51179, and 51181 Government Code and Section 4291, Public Resources Code. California Code of Regulations Title 14 Section 1220.

§ 1298.02. Definitions.

The following definitions apply to this article:

1 (a) Combustible. Vegetative, wood, or other materials that are likely to ignite and
2 transmit flames in a wildfire.

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

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

9 (d) Ladder Fuels. Fuels that can transmit fire vertically to other vegetation, structures, or
10 Combustible landscape features.

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

14 (f) Noncombustible. Materials that pass the American Society for Testing and Materials
15 (ASTM) E136 test, thus meeting the standard for “noncombustible materials” described
16 in Section 501.4.1 (and any amendments thereto) of Title 24, Part 7 of the California
17 Wildland-Urban Interface Code.

18 (g) Non-Woody Plant. A plant that lacks hardened stems or trunks. This includes, but is
19 not limited to, herbaceous plants with soft, green stems, such as annuals, perennials,
20 bulbs, grasses, ferns, mosses, and some succulents.

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

Noncombustible 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.

(i) 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: Sections 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, composition of the structure exterior pursuant to Government Code section 51183, local fire hazards, potential response to emergency conditions, geography/topography, and/or compliance with California Wildland-Urban Interface Code building standards (or a combination thereof). The alternative practices shall be approved by the city council, board of supervisors, or appropriate governing body and supported with a finding by the local agency responsible for fire protection 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, roof, 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 own 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) Except as set forth herein, no Combustible materials are permitted within the full 5 feet of Zone 0. This includes but is not limited to: fallen leaves and tree

1 needles; Combustible mulches, including bark and woodchips; and other
2 Combustible debris.

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

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

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

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

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

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

13 (B) To ensure that all live tree branches are at least ten (10) feet away
14 from chimneys and stovepipe outlets;

15 (C) To ensure that live tree branches are not underneath eaves;

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

20 (E) To ensure that all live tree branches are at least five (5) feet above a
21 roof and at least one (1) foot from the walls of an Occupied Structure
22 where there is no eave.

23 (6) To protect areas on an Occupied Structure that are most vulnerable to fire
24 (e.g. edge of wall, under eave, glass, vents, posts, etc.), no vegetation is
25 permitted in those parts of Zone 0 that are: under eaves; less than one (1) foot

1 from an Occupied Structure where there is no eave; or less than five (5) feet from
2 a deck, stairs, or pergola that is attached to an Occupied Structure; or within two
3 (2) feet of windows, doors, posts, or vents. This means that:

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

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

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

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

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

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

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

1 (9) Fences.

2 (A) All fences and gates that are attached to an Occupied Structure, or
3 come within one (1) foot of contact with an Occupied Structure, shall have
4 a five (5) foot Noncombustible span from the point of attachment or the
5 point closest to the Occupied Structure.

6 (B) After the effective date of this regulation, no new Combustible fences
7 or gates (whether attached or parallel to the Occupied Structure) are
8 permitted within five (5) feet of an Occupied Structure.

9 (C) Fence repairs to an existing Combustible fence may be made using
10 Combustible replacement materials.

11 (10) Outbuildings are not permitted in Zone 0 unless they are constructed entirely
12 of Noncombustible materials.

13 (c)

14 (1) New Occupied Structures must comply with all requirements of subsection
15 1298.04(b) upon the effective date of these regulations.

16 (2) Existing Occupied Structures must comply with provisions 1298.04(b)(2) and
17 (b)(5)(A), (B), and (C) upon the effective date of these regulations.

18 (3) Existing Occupied Structures must comply with provisions 1298.04(b)(1) and
19 (b)(3)-(4) and 1298.04(b)(5)(D) and (E) within three (3) years from the effective
20 date of these regulations.

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

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

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

§ 1299.01. Purpose.

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

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

§ 1299.02. Definitions.

The following definitions apply to this article:

(a) Building or Structure. Anything constructed that is designed or intended for support, enclosure, shelter, or protection of persons, animals, or property, having a permanent roof that is supported by walls or posts that connect to, or rest on the ground. A Building or Structure, for the purpose of an ember-resistant zone, includes an attached deck, stairs, or pergola but, does not include patios made of Noncombustible material. 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 Building or Structure.

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

~~(b) Building or Structure. Anything constructed that is designed or intended for support, enclosure, shelter, or protection of persons, animals, or property, having a permanent roof that is supported by walls or posts that connect to, or rest on the ground.~~

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

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

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

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

~~(g) Noncombustible. Materials that pass the American Society for Testing and Materials (ASTM) E136 test, thus meeting the standard for “noncombustible materials” described in Section 501.4.1 (and any amendments thereto) of Title 24, Part 7 of the California Wildland-Urban Interface Code (CWUI).~~

~~(h) 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.~~

(ie) 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~~ (100~~ft.~~) 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, roof, 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

1 treatment within Zone 1 and Zone 2, but is not mandatory and is not intended as a
2 substitute for these regulations.

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

9 (d) Zone 0 Requirements are as follows:

10 (1) Except as set forth herein, no Combustible materials are permitted within
11 Zone 0. This includes but is not limited to: fallen leaves and tree needles;
12 Combustible mulches, including bark and woodchips; and other Combustible
13 debris.

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

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

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

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

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

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

24 (B) To ensure that all live tree branches are at least ten (10) feet away
25 from chimneys and stovepipe outlets;

1 (C) To ensure that live tree branches are not underneath eaves;

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

6 (E) To ensure that all live tree branches are at least five (5) feet above a
7 roof, and at least one (1) foot from the walls of a Building or Structure.

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

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

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

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

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

24 (B) Well-maintained Non-Woody Plants between three (3) and eighteen
25 (18) inches tall free of dead or dying material are permitted if they are in

1 plantings no more than one (1) square foot in area; and are set apart from
2 each other by one and a half (1.5) times the height of the tallest plant.

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

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

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

17 (10) Outbuildings are not permitted in Zone 0 unless they are constructed entirely
18 of Noncombustible materials.

19 (e)

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

22 (2) Existing Buildings or Structures must comply with provisions 1299.03(d)(2)
23 and (d)(5)(A), (B), and (C) upon the effective date of these regulations.

1 (3) Existing Buildings or Structures must comply with provisions 1299.03(d)(1)
2 and (d)(3)-(4) and 1299(d)(5)(D) and (E) within three (3) years from the effective
3 date of these regulations.

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

8 (af) Zone 1 Requirements:

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

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

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

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

20 (bg) Zone 2 Requirements:

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

February 8, 2006,” incorporated herein by reference, and the “Property Inspection Guide” referenced elsewhere in this regulation.

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

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

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

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

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

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

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

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