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.

The regulations in this article 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: Sections 51182 and 51182.4, Government Code. Reference: Sections 51177, 51178, 51179, 51181, and 51184, Government Code.

§ 1298.02. Definitions.

The following definitions apply to this article:

(a) Combustible Material. Vegetative, wood, or other fuel (pursuant to Government Code section 51177(c)), that, after ignition, will continue to burn in air, including but not

limited to petroleum-based products, cultivated landscape plants, grasses and weeds, and wildland vegetation.

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

(c) Existing Occupied Structure. An Occupied Structure that was constructed, under construction, or for which the building permit application for initial construction had been submitted before [*OAL to insert hard date/effective date, which is date regulations are filed with the Secretary of State*].

(d) Ladder Fuels. Fuels that can transmit fire to other vegetation, structures, or Combustible Material.

(e) New Occupied Structure. An Occupied Structure for which the building permit application for initial construction was submitted after [*OAL to insert hard date/effective date, which is date regulations are filed with the Secretary of State*].

(f) Noncombustible Material. Material that passes the American Society for Testing and Materials (ASTM) E136-26 “Standard Test Method for Assessing Combustibility of Materials Using a Vertical Tube Furnace at 750 °C,” incorporated by reference herein.

(g) Non-Woody Plant. A plant that lacks dry, hardened, rigid stems or trunks that persist year to year and is not a Tree. This includes, but is not limited to, herbaceous plants with soft, green stems, such as annuals, perennials with soft stems, bulbs, grasses, ferns, mosses, and succulents.

(h) Occupied Structure. Any constructed building or structure that is intended or used 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. An Occupied Structure, for the purpose of determining 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 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, such as a wood shed or bike shed. For purposes of this Section, an Outbuilding is not an Occupied Structure as defined in subsection (h) above.

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

(k) Vegetation. All plants, including trees, shrubs, grass, and perennial or annual plants.

Note: Authority cited: Sections 51182 and 51182.4, Government Code. Reference: Sections 51177, 51178, 51179, 51181 and 51186 Government 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, pursuant to Government Code section 51177(e), responsible for fire protection in an LRA may 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 enacted by ordinance by the local agency responsible for fire protection and supported with a written finding, by the head of the local agency's department, division, or entity delegated to provide fire protection, that the alternative practices provide for, at a minimum, substantially similar practical effects as those stated in the regulations in this article. "Substantially similar practical effects," for the purposes of this Section 1298.03, means that the alternative practices will provide an Occupied Structure with substantially similar protection from ember ignition during a wildfire event and will provide substantially similar safety considerations for emergency personnel responding to a wildfire event as the regulations in this article. Such alternative practices may be more protective than the regulations in this article in order to meet local fire hazard conditions and other local variations listed in this Section 1298.03. A property owner in compliance with the applicable alternative practices described herein shall not be deemed to have violated Section 51182 of the Government Code.

Note: Authority cited: Sections 51182 and 51182.4, Government Code. Reference: Sections 50022.2, 51177, 51178, 51179, 51181, and 51183, Government Code; and Section 7, Article XI, California Constitution.

§ 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 horizontally, or to the property line, or to another Occupied Structure, whichever comes first. All distances described in this article shall be measured in such

way – the full distance described, or to the property line, or to another Occupied Structure, whichever comes first. For the purposes of compliance with the requirements in this article, 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 Material is permitted within Zone 0 whenever flammable vegetative conditions exist; this includes but is not limited to: vegetative debris, plastic and wood items, and mulches such as bark and woodchips.

(A) Defensible space inspectors shall allow temporary exceptions to limitations on mulches to prevent erosion during new or continuing construction and during an emergency, as defined in Public Resources Code section 21060.3, as determined by the Defensible Space inspector.

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

(3) The areas underneath decks, balconies, pergolas, and stairs shall be kept free of Vegetation and other Combustible Material.

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

(5) Trees. No new Trees are permitted within Zone 0. Existing Trees meeting the requirements in this Section 1298.04(b)(5) may remain. Existing Trees within Zone 0 shall meet the following requirements:

(A) Be maintained to ensure that there are no dead or dying branches;

(B) Be maintained to ensure that live Tree branches are at least ten (10) feet away from chimney and stovepipe outlets;

(C) Be maintained to ensure that live Tree branches are not underneath eaves, or within one (1) foot of an Occupied Structure where there is no eave;

(D) Be maintained to ensure that Ladder Fuels have been removed, including those fuels in the first six (6) feet from the ground or to one third (1/3) of the Tree's total height, whichever is smaller;

(E) Be maintained to ensure that live Tree branches are at least five (5) feet above a roof; and

(F) Be maintained to ensure that live Tree branches are at least five (5) feet from a deck, stairs, or pergola that is attached to an Occupied Structure, and at least two (2) feet from windows, doors, or vents on an Occupied Structure.

(6) To protect areas on an Occupied Structure that are most vulnerable to ember accumulation, ignition by embers, and fire (e.g. edge of wall, base of wall, under eave, glass, vents, etc.):

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

(B) There shall be a minimum five (5) feet of Vegetation- and Combustible Material-free buffer spanning out from the edge of any attached deck, stairs, or pergola; and

(C) There shall be a minimum of two (2) feet of Vegetation- and Combustible Material-free buffer spanning out from any window, door, or vent on the Occupied Structure.

(7) Those parts of Zone 0 that are more than (1) foot from the Occupied Structure, not under eaves, more than five (5) feet from a deck, stairs, or a pergola that is attached to an Occupied Structure, or more than two (2) feet from windows, doors, or vents on the Occupied Structure may have Vegetation if any of the following conditions are met:

(A) Non-Woody Plants no more than three (3) inches tall free of dead or dying materials are permitted, including lawns and ground covers.

(B) Non-Woody Plants between three (3) and eighteen (18) inches tall free of dead or dying material are permitted if they are in plantings no more than one (1) square foot in area; and are set apart from each other, as measured from the plants' widest points, by at least two (2) feet.

(C) Non-Woody Plants in pots are permitted if they are in unaffixed pots or containers that are not made from Combustible Material (such as plastic or wood), no larger than five (5) gallon capacity, and the pots or containers are set apart from each other by at least two (2) feet. These plants shall be no greater than eighteen (18) inches in height, as measured from the base of the visible plant, and free of dead or dying material.

(D) Trees are permitted pursuant to the requirements in Section 1298.04(b)(5)(A)-(F).

(8) Fences and gates.

(A) Fences and gates shall not be attached to an Occupied Structure, unless they are constructed entirely from Noncombustible Material.

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

(C) No new fences or gates are permitted within five (5) feet of an Occupied Structure, unless they are constructed entirely from Noncombustible Material.

(D) This Section 1298.04(b)(8) does not apply to repairs of existing fences and gates.

(9) Outbuildings, including but not limited to wood sheds and bike sheds, are not permitted in Zone 0 unless they are constructed entirely of Noncombustible Materials.

(c)

(1) New Occupied Structures must comply with all requirements of subsection 1298.04(b) beginning [*OAL to insert hard date/effective date, which is date regulations are filed with the Secretary of State; required Guidance Document adopted and published August 19, 2026*].

(2) Existing Occupied Structures must comply with provisions 1298.04(b)(2), 1298.04(b)(5)(A) and (B), and 1298.04(b)(8)(C) and (D), beginning [*OAL to insert hard date/effective date, which is date regulations are filed with the Secretary of State; required Guidance Document adopted and published August 19, 2026*].

(3) Existing Occupied Structures must comply with provisions 1298.04(b)(1), (b)(3), and (b)(4), and 1298.04(b)(5)(C), (D), (E), and (F), beginning [*OAL to insert hard date / three years from effective date]*

(4) Existing Occupied Structures must comply with provisions 1298.04(b)(6) and (b)(7), 1298.04(b)(8)(A) and (B), and 1298.04(b)(9), beginning [*OAL to insert hard date / three years from effective date*] or beginning [*OAL to insert hard date / five years from effective date*], on a timeline set by local ordinance and supported with a written finding by the local agency responsible for fire protection.

Note: Authority cited: Section 51182, 51182.4, and 51186, Government Code. Reference: Section 66313, Government Code.

[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 and to implement the defensible space requirements described in Public Resources Code section 4291 for the creation of an ember-resistant zone surrounding Buildings and Structures in the SRA.

Note: Authority cited: Sections 4290 and 4291, Public Resources Code; and Section 51182.4, Government 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 Material. Vegetative, wood, or other fuel (pursuant to Government Code section 51177(c)), that, after ignition, will continue to burn in air, including but not limited to petroleum-based products, cultivated landscape plants, grasses and weeds, and wildland vegetation.

~~(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.~~

(~~a~~c) Defensible S~~s~~pace. 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 [*OAL to insert hard date/effective date, which is date regulations are filed with the Secretary of State*].

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

(f) New Building or Structure. A Building or Structure for which the building permit application for initial construction was submitted after [*OAL to insert hard date/effective date, which is date regulations are filed with the Secretary of State*].

(g) Noncombustible Material. Material that passes the American Society for Testing and Materials (ASTM) E136-26 "Standard Test Method for Assessing Combustibility of Materials Using a Vertical Tube Furnace at 750 °C," incorporated by reference herein.

(h) Non-Woody Plant. A plant that lacks dry, hardened, rigid stems or trunks that persist year to year and is not a Tree. This includes, but is not limited to, herbaceous plants with soft, green stems, such as annuals, perennials with soft stems, bulbs, grasses, ferns, mosses, and succulents.

(i~~e~~) Outbuilding. Buildings or structures that are less than one hundred-twenty (120) square feet in size and not used for human habitation, such as a wood shed or bike shed. For purposes of this Section, an "Outbuilding" is not a "Building or Structure" as defined in subsection (~~b~~a) above.

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

(k) Vegetation. All plants, including trees, shrubs, grass, and perennial or annual plants.

Note: Authority cited: Sections 4290 and 4291, Public Resources Code; and Section 51182.4, Government 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 Section 1299.01 through 1299.05, 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:

(1) 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 horizontally, or to the property line, or to another Building or Structure, whichever comes first. All distances described in Section 1299.03(d) shall be measured in such way — the full distance described, or to the property line, or to another Building or Structure, whichever comes first.

(2) ~~"~~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.

(3) ~~"~~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 the requirements of Section 1299.03(d), the addition of any Building or 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.

(d) Zone 0 Requirements are as follows:

(1) Except as set forth herein, no Combustible Material is permitted within Zone 0 whenever flammable vegetative conditions exist; this includes but is not limited to: vegetative debris, plastic and wood items, and mulches such as bark and woodchips.

(A) Defensible space inspectors shall allow temporary exceptions to limitations on mulches to prevent erosion during new or continuing construction and during an emergency, as defined in Public Resources Code section 21060.3, as determined by the Defensible Space inspector.

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

(3) The areas underneath decks, balconies, pergolas, and stairs shall be kept free of Vegetation and other Combustible Material.

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

(5) Trees. No new Trees are permitted within Zone 0. Existing Trees meeting the requirements of this Section 1299.03(d)(5) may remain. Existing Trees within Zone 0 shall meet the following requirements:

(A) Be maintained to ensure that there are no dead or dying branches;

(B) Be maintained to ensure that live Tree branches are at least ten (10) feet away from chimney and stovepipe outlets;

(C) Be maintained to ensure that live Tree branches are not underneath eaves, or within one (1) foot of a Building or Structure where there is no eave;

(D) Be maintained to ensure that Ladder Fuels have been removed, including those fuels in the first six (6) feet from the ground or to one third (1/3) of the Tree's total height, whichever is smaller;

(E) Be maintained to ensure that live Tree branches are at least five (5) feet above a roof; and

(F) Be maintained to ensure that live Tree branches are at least five (5) feet from a deck, stairs, or pergola that is attached to a Building or Structure, and at least two (2) feet from windows, doors, or vents on a Building or Structure.

(6) To protect areas on Buildings and Structures that are most vulnerable to ember accumulation, ignition by embers, and fire (e.g. edge of wall, base of wall, under eave, glass, vents, etc.):

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

(B) There shall be a minimum five (5) feet of Vegetation- and Combustible Material-free buffer spanning out from the edge of any attached deck, stairs, or pergola; and

(C) There shall be a minimum of two (2) feet of Vegetation- and Combustible Material-free buffer spanning out from the edge of any window, door, or vent on the Building or Structure.

(7) Those parts of Zone 0 that are more than one (1) foot from the Building or Structure, not under eaves, more than five (5) feet from a deck, stairs, or pergola that is attached to a Building or Structure, or more than two (2) feet from windows, doors, or vents on the Building or Structure may have Vegetation if any of the following conditions are met:

(A) Non-Woody Plants no more than three (3) inches tall free of dead or dying materials are permitted, including lawns and ground covers.

(B) Non-Woody Plants between three (3) and eighteen (18) inches tall free of dead or dying material are permitted if they are in plantings no more than one (1) square foot in area; and are set apart from each other, as measured from the plants' widest points, by at least two (2) feet.

(C) Non-Woody Plants in pots are permitted if they are in unaffixed pots or containers that are not made from Combustible Material (such as plastic or wood), no larger than five (5) gallon capacity, and the pots or containers are set apart from each other by at least two (2) feet. These plants shall be no greater than eighteen (18) inches in height, as measured from the base of the visible plant, and free of dead or dying material.

(D) Trees are permitted pursuant to the requirements in Section 1299.03(d)(5)(A)-(F).

(8) Fences and gates.

(A) Fences and gates shall not be attached to a Building or Structure, unless they are constructed entirely from Noncombustible Material.

(B) All fences and gates that are attached to a Building or Structure, or that come within one (1) foot of contact with a Building or Structure, shall

have a five (5) foot span of Noncombustible Material from the point of attachment or the point closest to the Building or Structure.

(C) No new fences or gates are permitted within five (5) feet of a Building or Structure, unless they are constructed entirely from Noncombustible Material.

(D) This Section 1299.03(d)(8) does not apply to repairs of existing fences and gates.

(9) Outbuildings, including but not limited to wood sheds and bike sheds, are not permitted in Zone 0 unless they are constructed entirely of Noncombustible materials.

(e)

(1) New Buildings or Structures must comply with all requirements of subsection 1299.03(d) beginning [*OAL to insert hard date/effective date, which is date regulations are filed with the Secretary of State; required Guidance Document adopted and published August 19, 2026*].

(2) Existing Buildings or Structures must comply with provisions 1299.03(d)(2), and (d)(5)(A) and (B), and 1299.03(d)(8)(C) and (D), beginning [*OAL to insert hard date / effective date / date regulations are filed with the Secretary of State*].

(3) Existing Buildings or Structures must comply with provisions 1299.03(d)(1) (d)(3), and (d)(4), and 1299.03(d)(5)(C), (D), (E), and (F), beginning [*OAL to insert hard date / three years from effective date*].

(4) Existing Buildings or Structures must comply with provisions 1299.03(d)(6) and (d)(7), 1299.03(d)(8)(A) and (B), and 1299.03(b)(9), beginning [*OAL to insert hard date / three years from effective date*], or beginning [*OAL to insert hard date*

/ *five years from effective date*], on a timeline set by the Director, which shall not be less than three (3) years from the effective date of these regulations.

(~~a~~f) Zone 1 Requirements:

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

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

(3) Relocate exposed firewood piles outside of Zone 1 unless they are completely covered in a fire-resistant material.

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

(~~b~~g) Zone 2 Requirements:

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

(~~c~~h) 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; and Section 51182.4, Government Code. Reference: Section 4291, Public Resources Code; and Sections 18908 and 18917, Health and Safety Code.