Below is draft rule text that the Zone 0 Regulation Advisory Committee will discuss at a public workshop on Monday, April 7, 2025. The Board invites comments on all provisions of the draft rule text but is especially interested in robust public discussion around the highlighted 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**

§ 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) 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.

(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 structure for the purpose of an ember-resistant zone includes an attached deck.

(c) Outbuilding. Buildings or S~~s~~tructures 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.

(d) Existing Building or Structure. An Existing Building or Structure is a Building or Structure other than a New Building or Structure.

(e) New Building or Structure. A New Building or Structure is a Building or Structure that did not exist prior to the effective date of the regulation that added this subsection.

(f) Combustible: Vegetative, wood, or petroleum-based materials that are likely to ignite and transmit flames.

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~~, whenever flammable vegetative conditions exist~~.

(a) One hundred feet (100 ft.) of defensible space clearance shall be maintained in ~~two~~ three distinct ~~“Z~~zones~~”~~ as follows: Zone 0 is the area within five feet (5 ft.) around each Building or Structure or to the property line, whichever comes first. ~~“~~Zone 1~~”~~ extends from five (5ft.) to thirty feet (30 ft.) out from each ~~“~~Building or Structure,” or to the property line, whichever comes first; ~~“~~Zone 2~~”~~ extends from thirty feet (30 ft.) to one hundred feet (100 ft.) from each ~~“~~Building or Structure,~~”~~ but not beyond the property line.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.

(b) Zone 0 Requirements:

(1) No landscaping materials that are likely to be ignited by embers are permitted within Zone 0. This includes, but is not limited to grass, ornamental or native plants, shrubs, branches, fallen leaves and tree needles, weeds, and combustible mulches including bark and woodchips.

(A) Exception: Plants in pots are allowable if they are in areas that are not directly beneath, above, or adjacent to a window; are kept in an unaffixed, not combustible pot or container that is no larger than 5-gallon capacity; and set apart by 1.5 times the height of the plant or 12 inches, whichever is greater, from the structure and each other. These plants shall be no greater than 18 inches in height. Dead or dying material on the plants shall be removed.

(2) No trees are permitted in Zone 0.

(A) Exception: If the bole of a tree is present within Zone 0, that tree is permitted if it is taller than the adjacent Building or Structure’s roof ridgeline, does not have any dead and dying branches; and all live tree branches shall be kept ten feet (10’) above the adjacent Building or Structure’s roof ridgeline, ten feet (10’) away from chimneys and stovepipe outlets, and five feet (5’) away from the sides of any Building or Structure.

(3) No items that are likely to be ignited by embers are permitted within Zone 0, including but not limited to combustible boards, timbers, firewood, synthetic lawn, attached window boxes, and trellises. The roof and rain gutters of a Building or Structure shall be kept clear of leaves and needles.

(4) Combustible gates that are directly attached to a Building or Structure are not permitted in Zone 0.

(5) Fences that are directly attached to a Building or Structure shall have a five foot (5 ft) non-combustible span at the point of attachment. After the effective date of this regulation, no new sections of combustible fence are permitted within 5 feet of a Building or Structure including an attached deck.

(6) Outbuildings are not permitted in Zone 0, unless constructed according to the standards in Chapter 7A (commencing with Section 701A.1) of Part 2 of Title 24 of the California Code of Regulations. Outbuildings that meet these standards shall be considered part of the Building or Structure for purposes of determining Zones 0, 1, and 2.

(7) The requirements for Zone 0 shall take effect for New Buildings or Structures upon the date that the guidance document, as described in PRC § 4291(e), is updated and for existing Buildings or Structures three years thereafter. Upon updating the guidance document, the Board shall post it on its website.

(8) The Department may allow for the staging of work for existing structures and take into account the scope of work necessary to achieve compliance.

(~~a~~c) 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 any other location within the Zone.

*[Consideration of additional measures for the protection and best function of Zone 0, including potentially limiting the height of vegetation in Zone 1 to less than two feet in a perimeter around Zone 0 for five additional feet.]*

(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 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 combustible decks, balconies and stairs.~~

(~~b~~d) 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 inches (3 in.).

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

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

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

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