Staff Overview: Revisions to Proposed Rule Text Defensible Space Zone 0

# Overview

Home and building loss during wildfires occur because of some part of the building igniting from one or more of the three basic wildfire exposures: 1) embers, 2) radiant heat, and 3) direct flame contact. Embers are small pieces of plants, trees, or buildings that are light enough to be blown through the air and can result in the rapid spread of wildfire when blown ahead of the main fire, especially during high winds. Data shows the majority of homes lost to wildfire are ignited by flying embers that can travel miles ahead of an active front of a wildfire.

Zone 0 is an area of defensible space within the first five feet of a home or other building. It is considered the most important area to keep clear of combustible items such as woody mulch and plants to reduce the risk of a structure igniting during an ember-driven wildfire.

The Legislature has passed AB 3074 (2020) and SB 504 (2024), making changes to PRC § 4291. These changes resulted in the Board’s proposal to amend the existing regulations to incorporate an ember-resistant zone, referred to herein as “Zone 0”. Board staff have prepared this draft rule text to meet the requirements of the statute, address the requirements of the Administrative Procedures Act (APA), and incorporate suggestions of the prior working groups to the extent consistent with the statute and APA.

The Board welcomes comments on the proposed rule text at PublicComments@bof.ca.gov or at their June 16, 2025 workshop at the Natural Resources Building in Sacramento. Information on the workshop can be found at <https://bof.fire.ca.gov/projects-and-programs/defensible-space-zones-0-1-2/>

# Summary of Revisions

The following represents a summary of significant organizational and substantive revisions made to the rule text.

Underlined text identifies proposed additions to the rule text. Text with ~~strikethrough~~ is proposed for removal from the rule text. Changes from the May rule text are highlighted in red.

**Page 2, Lines 1-16, Amendments for § 1299.02. Definitions.** These changes in rule text covers defined terms used elsewhere in the rule text. The defined terms used in this section have been alphabetized. These changes have not been highlighted in red, due to their non-substantiative nature.

**Page 2-4, Amendments and Adoption of New Text for § 1299.03. Requirements.**

These changes in the rule text address the implementation of Zone 0 and make conforming changes to Zone 1. This includes the items below:

* **Page 3, Line 13. § 1299.03(b):** These changes in the rule text address the requirements of Zone 0.This includes the items below:
* **Page 3, Lines 14-23. § 1299.03(b)(1):** This adopts regulations concerning landscaping material limitations within Zone 0.

For the allowed exception for potted plants, the following changes have been made:

* + - The limitation on the number of pots has been removed: the total number of pots is already limited by limitations on placement near windows and other weak points, and by requirements that pots be set apart from one another.
		- The requirement that plants be moved during Red Flag Warning Days is removed due to difficulties with enforcement.
* **Page 4, Lines 16-21. § 1299.03(b)(3):** Non-substantiative changes for consistent phrasing.
* **Page 4, Lines 22-23. § 1299.03(b)(4):** Non-substantiative changes for consistent phrasing.
* **Page 5, Lines 1-3. § 1299.03(b)(5):** Non-substantiative changes for consistent phrasing.