Staff Overview: Revisions to Proposed Rule Text Defensible Space Zone 0 for May 12, 2025

# Overview

The Legislature has passed AB [3074](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB3074) (2020) and SB [504](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB504) (2024), making changes to PRC § [4291](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4291.&lawCode=PRC). These changes require the Board 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 Governor’s Executive Order [N-18-25](https://bof.fire.ca.gov/media/pugiju54/eo-_urban-conflagration-n-18-25-final.pdf) directs the Board complete rulemaking for Zone Zero by January 1, 2026.

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 Board welcomes comments on the proposed rule text at PublicComments@bof.ca.gov or at their May 12, 2025 workshop at the Natural Resources Building in Sacramento. Information on the workshop can be found [here](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.

**Page 2, Lines 14-15, Amendments and Adoption of New Text for § 1299.02. Definitions.** These changes in the rule text cover defined terms used elsewhere in the rule text. This includes:

* **Line 14** Adoption of the definition for “Attached” to clarify how the word is used for attached decks, gates, fences, window boxes and trellises.
* **Line 15** Adoption of the definition for “Roof Ridgeline” for clarity on tree trimming requirements.

**Page 2-5, 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 per Board direction from the April workshop. This includes the items below:

* **Page 3, Lines 16-23. § 1299.03(b)(1):** The following updates were made to regulations concerning landscaping material limitations within Zone 0.

Requirements for potted plants were amended as follows:

* + - The number of potted plants is limited to ten or fewer pots to aid in relocating the pots during wildfire events.
		- The requirements for pot locations are amended to clarify that pots should not be in front of glass doors and vents to prevent potted plants from being located adjacent to weak points in the building.
		- The potted plants must be moved outside of Zone 0 on red flag warning days to protect the building or structure.
* **Page 3, Lines 23- Page 4, Line 14. § 1299.03(b)(2):** This subsection amends regulations concerning trees within Zone 0 to clarify that trees permitted in that Zone must meet the following requirements to prevent home ignition:
	+ - For buildings or structures shorter than three stories trees must be taller than the adjacent Building or Structure’s roof ridgeline, potentially dangerous fuels such as dead or dying branches must be removed, and living branches must be kept ten feet above the adjacent roof ridgeline and ten feet away from chimneys and stovepipe outlets to prevent roof ignition, all branches must be kept five feet away from the sides of the building or structure.
		- For buildings or structures taller than three stories without balconies or decks, a tree within Zone 0 must not have potentially dangerous fuels such as dead or dying branches, and living branches must be kept ten feet above the adjacent roof ridgeline and ten feet away from chimneys and stovepipe outlets to prevent roof ignition, all branches must be kept five feet away from the sides of the building or structure.
* **Page 5, Lines 1-5. § 1299.03(b)(6):** This subsection prohibits Outbuildings in Zone Zero as there is no clear path to evaluate whether Outbuildings within five feet of a Building or Structure meet minimum fire-resistance standards and are less likely to create a future radiant heat exposure to the other structures.
* **Page 5, Lines 10-13. § 1299.03(b)(8):** This subsection addresses circumstances where the Department may exercise discretion. It includes but is not limited to:
	+ - Work in stages as needed to support implementation of Zone 0.
		- The cost of compliance of implementing Zone 0.

**Page 5, Line 24. § 1299.03(c):** Conforming changes to Zone 1. Changes requirements that firewood be ”covered” to “enclosed” to clarify required protections.