



## GUIDELINE 420 CHANGES IN DEFENSIBLE SPACE LAWS AND REGULATIONS

Changes in State Laws and Regulations over the past couple of years has resulted in how defensible space requirements are applied in Ventura County. New State and Local Fire Code regulations go into effect January 1, 2023. The following is a brief description of the changes.

### **VCFD Local Regulations:**

**Ordinance 32:** VCFPD Ordinance 32 adopts the 2023 Ventura County Fire Code (VCFC) which includes local amendments to both the California Fire Code (CFC) and International Fire Code (IFC). Ordinance 32 is effective January 1, 2023 and replaces current VCFD Ordinance 31 (2020 VCFC).

**VCFC Chapter 49:** CFC Chapter 49 has been modified by Ordinance 32 and is now VCFC Chapter 49. Previous VCFC Appendix W: Vegetation Management / Defensible Space, has been relocated into Chapter 49. Highlights of new provisions in VCFD Chapter 49:

**Section 4902 Definitions:** All definitions related to defensible space have been relocated to this section.

**Section 4903 Fire Protection Plans:** Fire Protection Plans are now required for all new development except single family dwellings on an existing legal parcel.

**Section 4905.4 Fencing:** This section prohibits some new combustible fencing located within 5-feet of a building located in a Wildland-Urban Interface (WUI) area. Also specifies when retrofit of existing combustible fencing is required. Note: Wood, wood composite, and vinyl fencing is considered combustible fencing.

**Section 4905.5 Building Setbacks:** This section carries forward the existing California Code of Regulations, Title 14, Section 1276.01 regulations currently in effect.

**Section 4906 Vegetation Management Requirements for New Landscaping:** All new landscaping, and major revisions to existing landscape, requires formal plans to be submitted and approved by the Fire Department in addition to any other agency requirements. See VCFD Guideline 416 for information on landscape plans.

**Section 4907 Defensible Space:** Incorporates State Regulations with local VCFC requirements. This section containing the requirements by zone within the 100-foot defensible area around all buildings. This includes previous Ordinance 31, Appendix W and portions of VCFD Standard 515.

**Section 4911 Fire Safety Provisions for WUI Areas:** Previous Ordinance 31, Appendix V has been relocated to Section 4911.

**VCFD Defensible Space Standard 515:** [VCFD Standard 515 – Defensible Space and Fuel Modification Zones](#) has been updated to reflect changes in State and Local Laws and Regulations. This standard provides more detailed requirements for defensible space zones based upon State Laws and Regulations and VCFPD Ordinance. It also includes Zone 0, 0-5 feet from structures, to address vegetation and combustible materials subject to ignition from embers adjacent to buildings.

**Defensible Space Retrofit:** Also contained within Standard 515 are provisions for retrofit of existing landscape areas to bring them into reasonable compliance with the new standard and existing State Laws and Regulations. There is no grandfathering of existing landscape installations. Please see VCFD Administrative Ruling 23-804 for more discussion regarding retrofit of defensible space zones.

Standard 515 will be reviewed and updated (if needed) to meet State minimum regulations after they are adopted by the Board of Forestry. See **New Zone 0** below.

**Accessory Storage Buildings.** New accessory buildings install after January 1, 2023, and located within 50-feet of an applicable building on the same parcel, shall be constructed of non-combustible materials or of ignition-resistant materials as required in CBC Section 704A.2.

**VCFD Standards and Guidelines:** Standard 517, Guidelines 412, 416, 418 have also been updated. Please see [vcfd.org](http://vcfd.org) for the most current standards, guidelines and forms.

#### **State Law Changes:**

**Residential Real Estate Disclosures: Assembly Bill 38** (Chaptered October 2019) Requires the seller residential properties located in a High or Very High Fire Hazard Severity Zone (FHSZ), to provide the buyer with a report from the fire department indicating the property is in compliance with State defensible space laws or a local vegetation management ordinance. For more information about these disclosures and to request the inspection, please visit [vcfd.org/ab38](http://vcfd.org/ab38).

**New Zone 0:** VCFD has local Zone 0 requirements currently in effect for new buildings and additions to existing buildings. As required by State Law, Assembly Bill 3074 (Chaptered September 2020), new State regulations for Zone 0, currently under development by the State Board of Forestry and Fire Protection, are scheduled to take effect in late 2023 for all new buildings, and one (1) year thereafter, for all existing buildings. Any State regulation more restrictive than VCFPD ordinance or the requirements of Standard 515-Defensible Space and Fuel Modification Standards, will apply. This may require thinning and or removal of plants, trees, and vegetation, to meet State Law.

**Fire Hazard Severity Zone Maps:** Effective January 1, 2022, Assembly Bill 63 requires the State Fire Marshal to now map the Moderate and High FHSZ within the Local Responsibility Areas (LRA) to match the same three FHSZ within the State Responsibility Areas (SRA). The draft SRA FHSZ maps are currently under review with adoption by the State Fire Marshall expected in Spring 2023. The Draft recommended LRA FHSZ maps are scheduled for release in late Spring or Summer 2023. There will be a public comment period when we receive the draft maps from the State. More information regarding the review process and notice of available maps will be provided once we receive the draft LRA maps.

Please contact the FHRP unit at [fhrrp@ventura.org](mailto:fhrrp@ventura.org) or (805) 389-9759 if you have any questions regarding these items or visit our website [vcfd.org](http://vcfd.org) or [vcfhrrp.org](http://vcfhrrp.org) for additional information regarding fire hazard clearance requirements.