

**CHAPTER 9  
FIRE PROTECTION AND LIFE SAFETY SYSTEMS**

Chapter 9 of the 2019 California Fire Code and 2018 International Fire Code is adopted with the following amendments:

**CHAPTER 49  
REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS**

Chapter 49 of the 2019 California Fire Code is adopted with the following amendments:

**Section 4901 General**

**4901.1 Scope**

The mitigation of conditions where a wildfire burning in vegetative fuels may readily transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities, or result in large property losses shall comply with this chapter.

**4901.2 Purpose**

The purpose of this code is to provide minimum standards to increase the ability of a building to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in conflagration losses through the use of performance and prescriptive requirements.

**Section 4902 Definitions**

**4902.1 General**

For the purpose of this chapter, certain terms are defined as follows:

**CDF DIRECTOR.** Director of the California Department of Forestry and Fire Protection.

The following definition is added as follows:

**DEFENSIBLE SPACE.** An area around the perimeter of a structure in which vegetation, debris, and other types of combustible fuels are treated, cleared, or reduced to slow the rate and intensity of potentially approaching wildfire or fire escaping from structure(s).

**FIRE PROTECTION PLAN.** A document prepared for a specific project or development proposed for a Wildland-Urban Interface Fire Area. It describes ways to minimize and mitigate potential for loss from wildfire exposure.

The Fire Protection Plan shall be in accordance with this Article. When required by the enforcing agency for the purposes of granting modifications, a fire protection plan shall be submitted. Only locally adopted ordinances that have been filed with the California Building Standards Commission in accordance with Section 101.14 or the Department of Housing and Community Development in accordance with Section 101.15 shall apply.

**FIRE HAZARD SEVERITY ZONES.** Geographical areas designated pursuant to *California Public Resources Codes*, Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to *California Government Code*, Sections 51175 through 51189.

The California Code of Regulations, Title 14, Section 1280 entitles the maps of these geographical areas as "Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California."

**LOCAL AGENCY VERY HIGH FIRE HAZARD SEVERITY ZONE.** An area designated by a local agency upon the recommendation of the *CDF Director pursuant to Government Code*, Sections 51177(c), 51178 and 5118, that is not a state responsibility area and where a local agency, city, county, city and county, or district is responsible for fire protection.

The following definition is added as follows:

**REDUCED FUEL ZONE.** In this area of the defensible space, efforts are placed on ensuring fuels/vegetation are separated vertically and horizontally depending on the vegetation type.

**STATE RESPONSIBILITY AREA.** Lands that are classified by the Board of Forestry pursuant to *Public Resources Code* Section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the state.

**WILDFIRE.** Any uncontrolled fire spreading through vegetative fuels that threatens to destroy life, property, or resources as defined in *Public Resources Code*, Sections 4103 and 4104.

**WILDFIRE EXPOSURE.** One or a combination of radiant heat, convective heat, direct flame contact and burning embers being projected by vegetation fire to a structure and its immediate environment.

Amend the following definition as follows:

**Wildland-Urban Interface Fire Area.** A geographical area identified by the state as a " Fire Hazard Severity Zone" in accordance with the *Public Resources Code*, Sections 4201

through 4204, and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires—The Wildland-Urban Interface Fire Area is defined as all areas within the Town of Los Gatos as set forth and delineated on the map entitled "Wildland-Urban Interface Fire Area" which map and all notations, references, data, and other information shown thereon are hereby adopted and made a part of this chapter. The map properly attested, shall be on file in the Office of the Town Clerk of the Town of Los Gatos.

## **Section 4903 Plans (Reserved)**

## **Section 4904 Fire Hazard Severity Zones**

### **4904.1 General**

Lands in the state are classified by the CDF Director in accordance with the severity of wildfire hazard expected to prevail in those areas and the responsibility for fire protection, so that measures may be identified which will reduce the potential for losses to life, property, and resources from wildfire.

### **4904.2 Classifications**

The CDF Director classifies lands into fire hazard severity zones in accordance with *California Public Resources Code*, Sections 4201 through 4204 for State Responsibility Areas and accordance with Government Code, Sections 51175 through 51189 for areas where a local agency is responsible for fire protection.

## **Section 4905 Wildfire Protection Building Construction**

### **4905.1 General**

Materials and construction methods for exterior wildfire exposure protection shall be applied within geographical areas where a wildfire burning in vegetative fuels may readily transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities, or result in large property losses

### **4905.2 Construction methods and requirements within established limits**

Within the limits established by law, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code, including the following:

1. California Building Code, Chapter 7A,
2. California Residential Code, Section R327,
3. California Referenced Standards Code, Chapter 12-7A.

### **4905.3 Establishment of limits**

The establishment of limits for the Wildland-Urban Interface Fire Area's required construction methods shall be designated pursuant to the California Public Resources Code for State Responsibility areas or by a local agency following a finding supported by substantial evidence in the record that the requirements of this section are necessary for effective fire protection within the area.

## **Section 4906 Hazardous Vegetation and Fuel Management**

### **4906.1 General**

Hazardous vegetation and fuels shall be managed to reduce the severity of potential exterior wildfire exposure to buildings and to reduce the risk of fire spreading to buildings as required by applicable laws and regulations.

### **4906.2 Application.**

Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Areas (SRA) including:
  - 1.1 Moderate Fire Hazard Severity Zones
  - 1.2 High Fire Hazard Severity Zones
  - 1.3 Very-high Fire Hazard Severity Zones

### **4906.2 is amended as follows:**

2. Land designated as a Very-high Fire Hazard Severity Zone ~~by cities or other local agencies, or as~~ a Wildland Urban Interface Fire Area by the Town of Los Gatos.

### **4906.3 Requirements**

Hazardous vegetation and fuels around all applicable buildings and structures shall be maintained in accordance with the following laws and regulations:

1. *Public Resources Code*, Section 4291.
2. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3, Section 1299 (see guidance for implementation "General Guideline to Create Defensible Space").
3. *California Government Code*, Section 51182.
4. California Code of Regulations, Title 19, Division 1, Chapter 7, Subchapter 1, Section 3.07.

## **Section 4907 Defensible Space**

### **4907.1 General.**

Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270.

Buildings and structures within the Very-High Fire Hazard Severity Zones of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in Government Code 51175 - 51189 and any local ordinance of the authority having jurisdiction.

**Section 4907.2** is added as follows:

### **4907.2 Defensible Space Fuel Modification.**

Persons owning, leasing, controlling, operating, or maintaining buildings or structures, and/or lands in, upon, or adjoining the locally adopted Wildland-Urban Interface Fire Area, shall at all times comply with the following:

1. Maintain defensible space of 100 feet from each side and from the front and rear of any building or structure, but not beyond the property line except as provided by law. The 100 feet of defensible space should be segregated into the following zones:
  - a. Maintain an effective defensible space by removing and clearing away flammable vegetation and other combustible materials from areas within 30 feet of such buildings or structures.

**Exception:** When approved by the Fire Chief or his/her designee, single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.
  - b. Maintain an additional reduced fuel zone of 70 feet from all buildings and structures with an emphasis on vertical and horizontal separation of fuels/vegetation. Distances beyond an additional 70 feet may be required when the Fire Chief or his/her designee, determines that due to steepness of terrain or other conditions, 70 additional feet is insufficient.

**Exception:** When approved by the Fire Chief or his/her designee grass and other vegetation located more than 30 feet from buildings or structures and less than 18 inches in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.
  - c. New construction must create a noncombustible area a minimum of 5 feet

from structures.

2. Remove portions of trees, which extend within 10 feet of the outlet of any chimney or stovepipe.
3. Maintain any tree, shrub, or other plant adjacent to or overhanging any building or structure free of dead limbs, branches or other combustible material.
4. Maintain the roof of any structure and roof gutters free of leaves, needles, or other combustible materials.
5. Maintain defensible space as determined by the Fire Chief or his/her designee around water tank structures, water supply pumps, and pump houses.
6. Remove flammable vegetation a minimum of 10 feet around liquefied petroleum gas tanks/containers.
7. Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. The storage of firewood and combustible material within the defensible space shall be located a minimum of 30 feet from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet.

**Exception:** Firewood and combustible materials not for consumption on the premises shall be stored as approved by the Fire Chief or his/her designee.
8. Clear areas within 10 feet of fire apparatus access roads and driveways of non- fire-resistant vegetation growth.

**Exception:** Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents, or similar plants used as ground cover, provided they do not form a means of readily transmitting fire.

**Section 4907.3** is added as follows:

**4907.3 Defensible space along property lines.** Pursuant to Government Code Section 51182 and Public Resources Code Section 4291(a)(2):

1. When an occupied building is less than 100 feet from a property line and combustible vegetation on an adjacent parcel presents a fire hazard for the occupied building as determined by the Fire Chief or his/her designee then the owner of the adjacent parcel where the hazard exists shall be responsible for fuel management, including removal to the satisfaction of the Fire Chief or his/her designee.

**Section 4907.4** is added as follows:

**4907.4 Corrective actions.** When the Fire Chief or his/her designee determines defensible space to be inadequate the Town Council is authorized to instruct the Fire Chief or his/her

designee to give notice to the owner of the property upon which conditions regulated by Sections 4907.2 and 4907.3 exist to correct such conditions. If the owner fails to correct such conditions, the Town Council is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such conditions exist.