

**45-DAY PUBLIC COMMENT EXPRESS TERMS**  
**BY THE**  
**CALIFORNIA DEPARTMENT OF FORESTRY (CDF) & FIRE PROTECTION**  
**OFFICE OF THE STATE FIRE MARSHAL (SFM)**

**REGARDING THE PROPOSED AMENDMENTS TO THE**  
**CALIFORNIA FIRE CODE (CFC)**  
**CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9**

**ON THE SUBJECT OF BUILDING MATERIALS, SYSTEMS AND OR ASSEMBLIES**  
**USED IN THE EXTERIOR DESIGN AND CONSTRUCTION OF NEW BUILDINGS**  
**LOCATED WITHIN WILDLAND-URBAN INTERFACE FIRE AREAS**

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***Legend for Express Terms:***

1. The proposed SFM amendments are shown as *Italic font and underlined*.
  2. The text that is shown in *{brackets and is above each code section in Arial font 12 & italic is an explanation as to the intent of the amendment.}*
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*{The SFM is adding Wildland-Urban Interface Fire Area and the applicable statues to the listing of SFM regulated occupancies.*

*By this amendment a code user and the enforcing agency will be able to determine that the SFM has the statutory authority over building standards relating to regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area.}*

**GENERAL**

**ARTICLE 1 – ADMINISTRATION**

**SECTION 101-GENERAL**

***101.2.2 Applications and Enforcing Agency. SFM-California State Fire Marshal***

***101.2.2.1 Application.***

***Flammable and combustible Liquids***

## **Wildland-Urban Interface Fire Area**

**Authority Cited** – Health and Safety Code Section 13143, 13108.5 (a) and 18949.2 (b) and (c) and Government Code Section 51189

**Reference** – Health and Safety Code (H&SC) Section 13143 and Government Code (GC) Section 51176, 51177, 51178, and 51179 and Public Resource Code Section 4201 through 4204

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### **ARTICLE 86 – FIRE PROTECTION PLAN URBAN-WILDLAND INTERFACE-(UWI) AREAS**

*{Note to the reader; the SFM is not proposing to adopt the existing Article 86. The heading is shown for clarity purposes for the correct placement of the SFM's proposed Articles 86A & 86B.}*

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*{Within the new Article 86A, the SFM is proposing a section that addresses the mitigation of conditions resulting from a wildfire.*

*By this amendment a code user and the enforcing agency will learn that the intent of Article 86A is mitigate the conditions of a wildfire burning in vegetative fuels that may cause buildings to catch fire and thus threaten to destroy life, overwhelm fire fighting and suppression capabilities that can result in large property losses in any Wildland-Urban Interface Fire Area.}*

### **ARTICLE 86A - REQUIRMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS**

#### **SECTION 8601A — GENERAL**

**8601A.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 Article 86A and Article 86B.*

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*{Within the new Article 86A, the SFM is proposing a section that identifies the minimum standards to increase the ability of a building to resist the intrusion of flame and burning embers.*

*By this amendment a code user and the enforcing agency will learn that the intent of Article 86A is to identify the minimum standards to increase the ability of a building to resist the intrusion of*

flame and burning embers which contributes to the systematic reduction in conflagration losses in any Wildland-Urban Interface Fire Area.}

**8601A.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.

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{Within Article 86A, the SFM is proposing a definitions section for commonly used terms relating to the Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that the proposed definitions are common terms used to describe aspects of the Wildland-Urban Interface Fire Areas. These definitions provide cross references to other code provisions and the enabling statutes from which they may have been derived from. These proposed definitions will help the code user to understand the intent of the regulations.}

## **SECTION 8602A. DEFINITIONS.**

**8602A.1 General.** For the purpose of Article 86A and Article 86B, certain terms are defined as follows:

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

**FIRE PROTECTION PLAN** is 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** are 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** means 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.

**STATE RESPONSIBILITY AREA** means 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** is 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** is 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.

**WILDLAND-URBAN INTERFACE FIRE AREA** is 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. See Article 86B for the applicable referenced Sections of the Government Code and the Public Resources Code.

Specific statutes being implemented for this adoption and or amendment:

Authority Cited - Health and Safety Code Sections 13143, 13108.5 (a) and 18949.2 (b) and (c) and Government Code Section 51189

Reference - Health and Safety Code Sections 13143 and Government Code Sections 51176, 51177, 51178 and 51179, and Public Resources Code Sections 4201 through 4204

*{This section number is reserved for future use in the regulatory development regarding the submittal of plans to the enforcing agency relating to the design, materials and construction methods in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86A.}*

### **SECTION 8603A – PLANS [RESERVED]**

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*{Within Article 86A, the SFM is proposing a section that identifies that lands are classified by the Director of the Department of Forestry and Fire Protection based on the severity of the wildfire hazard.*

*By this amendment a code user and the enforcing agency will learn that the classification of lands is made in accordance with the severity of the wildfire hazard. Once this classification is established, standards practices can be identified and appropriate measures can be taken to reduce the potential for losses to life and property and natural resources in Wildland-Urban Interface Fire Areas.}*

### **SECTION 8604A — FIRE HAZARD SEVERITY ZONES**

**8604A.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.*

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*{Within Article 86A, the SFM is proposing a section that identifies that lands are classified by the Director of the Department of Forestry and Fire Protection based on the severity of the wildfire hazard.*

*By this amendment a code user and the enforcing agency will learn that the classification of lands is made in accordance with the severity of the wildfire hazard for both State responsibility Lands and local agency responsible areas. Once this classification is established, standards practices can be identified and appropriate measures can be taken to reduce the potential for losses to life and property and natural resources in Wildland-Urban Interface Fire Areas.}*

**8604A.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 5117 through 51189 for areas where a local agency is responsible for fire protection.*

Specific statutes being implemented for this adoption and or amendment:

Authority Cited - Health and Safety Code Sections 13143, 13108.5 (a) and 18949.2 (b) and (c) and Government Code Section 51189

Reference - Health and Safety Code Sections 13143 and Government Code Sections 51176, 51177, 51178 and 51179, and Public Resources Code Sections 4201 through 4204

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*{Within Article 86A, the SFM is proposing a section that identifies the construction methods and requirements to mitigate wildfire exposure within a geographical area that threatens to destroy life, overwhelm fire fighting and suppression capabilities that can result in large property losses in any Wildland-Urban Interface Fire Area.}*

### **SECTION 8605A – WILDLAND-URBAN INTERFACE FIRE AREA**

**8605A.1 General.** *Construction methods and requirements to mitigate wildfire exposure 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.*

**8605A.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 California Building Code Chapter 7A, Article 86A, and Article 86B.*

**8605A.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.*

Specific statutes being implemented for this adoption and or amendment:

Authority Cited - Health and Safety Code Sections 13143, 13108.5 (a) and 18949.2 (b) and (c) and Government Code Section 51189

Reference - Health and Safety Code Sections 13143 and Government Code Sections 51176, 51177, 51178 and 51179, and Public Resources Code Sections 4201 through 4204

*{Section number 8606A is reserved for future use in the regulatory development of requirements for the vegetation management in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86A.}*

## **SECTION 8606A – VEGETATION MANAGEMENT [RESERVED]**

*{Section number 8607A is reserved for future use in the regulatory development of requirements for defensible space in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86A.}*

## **SECTION 8607A – DEFENSIBLE SPACE [RESERVED]**

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*{Within Article 86B the SFM is proposing a new section that specifically addresses the minimum standards for building materials, systems and or assemblies used in the exterior design of new buildings located in a Wildland-Urban Interface Fire Area.*

*By these amendments a code user and the enforcing agency will learn that the regulations for the exterior design and construction of new roofs, roof coverings, roof assemblies, attic, eave and cornice vents in any Wildland-Urban Interface Fire Area shall be enforced.}*

## **ARTTICLE 86B**

### **MATERIALS AND CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE EXPOSURE**

#### **SECTION 8601B SCOPE, PURPOSE AND APPLICATION**

**8601B.1 Scope.** *This Article applies to building materials, systems and or assemblies used in the exterior design and construction of new buildings located within a Wildland-Urban Interface Fire Area as defined in Article 86A.*

**8601B.2 Purpose.** *The purpose of this Article is to establish minimum standards for the protection of life and property by increasing the ability of a building located in any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland-Urban Interface Fire Area to resist the intrusion of flame or burning embers projected by a vegetation fire and contributes to a systematic reduction in conflagration losses.*

**8601B.3 Application.** *New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland-Urban Interface Fire Area designated by the enforcing agency for which an application for a building permit is submitted on or after December 1, 2005, shall comply with the following Sections:*

1. **8604B.1 Roofing**
2. **8604B.2 Attic Ventilation**

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*{Within Article 86B, the SFM is proposing a new section that provides that the enforcing agency may modify the provisions of the Chapter for site-specific conditions. When the agency grants such modifications a fire protection plan shall be submitted.}*

**8601B.4 Alternates for materials, design, tests, and methods of construction.** *The enforcing agency is permitted to modify the provisions of this chapter for site-specific conditions in accordance with the California Building Code Section 104.2.7. When required by the enforcing agency for the purposes of granting modifications, a fire protection plan shall be submitted in accordance with the Articles 86A and 86B.*

Specific statutes being implemented for this adoption and or amendment:

Authority Cited - Health and Safety Code Sections 13143, 13108.5 (a) and 18949.2 (b) and (c) and Government Code Section 51189

Reference - Health and Safety Code Sections 13143 and Government Code Sections 51176, 51177, 51178 and 51179, and Public Resources Code Sections 4201 through 4204

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*{Within Article 86B, the SFM is proposing a definitions section for commonly used terms relating to the Wildland-Urban Interface Fire Areas.*

*By this amendment a code user and the enforcing agency will learn that the proposed definitions are located in Article 86A. These definitions are common terms used to describe aspects of the Wildland-Urban Interface Fire Areas.}*

## **SECTION 8602B – DEFINITIONS**

**8602B.1** *For the purposes of this Article, certain terms are defined in Article 86A.*

Specific statutes being implemented for this adoption and or amendment:

Authority Cited - Health and Safety Code Sections 13143, 13108.5 (a) and 18949.2 (b) and (c) and Government Code Section 51189

Reference - Health and Safety Code Sections 13143 and Government Code Sections 51176, 51177, 51178 and 51179, and Public Resources Code Sections 4201 through 4204

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*{Section number 8603B is reserved for future use for the test standards addressing the design, materials and construction methods for new structures in a Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86B.}*

### **SECTION 8603B – STANDARDS OF QUALITY [RESERVED]**

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*{Within Article 86B, the SFM is proposing a section that identifies the requirements for new roofing in Wildland-Urban Interface Fire Areas.*

*By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of new roof coverings and roofing assemblies in any Wildland-Urban Interface Fire Area shall be in accordance with the manufacture's installation instructions and shall also comply with the California Building Code, Chapter 15 and Article 86B.}*

### **SECTION – 8604B - MATERIALS, SYSTEMS AND METHODS OF CONSTRUCTION**

#### **8604B.1 ROOFING**

**8604B.1.1 General.** *Roofs shall comply with the requirements of Article 86B and the California Building Code, Chapter 15. Roofs shall have a roofing assembly installed in accordance with its listing and the manufacturer's installation instructions.*

**8604B.1.2 Roof Coverings.** *Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be fire-stopped with approved materials or have one layer of No. 72 ASTM cap sheet installed over the combustible decking.*

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*{Within Article 86B, the SFM is proposing a section that identifies the requirements for roof valleys on a new roof in Wildland-Urban Interface Fire Areas.*

*By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of roof valleys require flashings of not less than 0.016 inch; No. 28*

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*gauge galvanized sheet metal installed over a minimum 36 inches wide underlayment of No. 72 cap sheet that runs the full length of the roof valley in Wildland-Urban Interface Fire Areas.}*

**8604B1.3 Roof Valleys.** *When provided, valley flashings shall be not less than 0.016-inch (0.41 mm) (No. 28 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36 inches (914 mm) wide underlayment consisting of one layer of No. 72 ASTM cap sheet running the full length of the valley.*

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*{Within Article 86B, the SFM is proposing a section that identifies the requirements for roof gutters in Wildland-Urban Interface Fire Areas.*

*By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of construction and the placement of roof gutters shall prevent the accumulation of leaves and debris in the gutter in Wildland-Urban Interface Fire Areas.}*

**8604B.1.4 Roof Gutters.** *Roof gutters shall be provided with the means to prevent the accumulation of leaves and debris in the gutter.*

Specific statutes being implemented for this adoption and or amendment:

Authority Cited - Health and Safety Code Sections 13143, 13108.5 (a) and 18949.2 (b) and (c) and Government Code Section 51189

Reference - Health and Safety Code Sections 13143 and Government Code Sections 51176, 51177, 51178 and 51179, and Public Resources Code Sections 4201 through 4204

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*{Within Article 86B, the SFM is proposing a section that addresses the requirements for attic vents in Wildland-Urban Interface Fire Areas.*

*By this amendment a code user and the enforcing agency will learn that the design, materials and construction methods of roof and attic vents shall be constructed in a manner that resists the intrusion of flame and burning embers into the attic area, or shall be protected by corrosion resistant, non-combustible wire mesh with ¼ inch (6 mm) openings or an equivalent in Wildland-Urban Interface Fire Areas.}*

**8604B.2 Attic Ventilation.**

**8604B2.1 General.** *When required by the California Building Code, Chapter 15, roof and attic vents shall resist the intrusion of flame and embers into the attic area of the*

structure, or shall be protected by corrosion resistant, non-combustible wire mesh with ¼ inch (6 mm) openings or its equivalent.

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{Within Article 86B, the SFM is proposing a section that addresses the requirements for eave and cornice vents in Wildland-Urban Interface Fire Areas.

By this amendment a code user and the enforcing agency will learn that when used, the design, materials and construction methods of eave and cornice vents are to resist the intrusion of flame and burning embers into the attic area of the structure in Wildland-Urban Interface Fire Areas.}

**8604B.2.2 Eave or Cornice Vents.** Vents shall not be installed in eaves and cornices.

**Exception:** Eave and cornice vents may be used provided they resist the intrusion of flame and burning embers into the attic area of the structure.

Specific statutes being implemented for this adoption and or amendment:

Authority Cited - Health and Safety Code Sections 13143, 13108.5 (a) and 18949.2 (b) and (c) and Government Code Section 51189

Reference - Health and Safety Code Sections 13143 and Government Code Sections 51176, 51177, 51178 and 51179, and Public Resources Code Sections 4201 through 4204

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{This section number is reserved for future use in the regulatory development of requirements for exterior wall design and construction in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86B.}

**8604B.3 – Exterior Walls. [RESERVED]**

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{This section number is reserved for future use in the regulatory development regarding the protection requirements for decking, floors and underfloor construction in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86B.}

**8604B.4 – Decking, Floors and Underfloor Protection. [RESERVED]**

*{This section number is reserved for future use in the regulatory development of requirements for the exterior design and construction of ancillary buildings and structures in Wildland-Urban Interface Fire Areas. This section number is being shown for clarity purposes to show the reader the future intent of Article 86B.}*

**8605B – ANCILLARY BUILDINGS AND STRUCTURES [RESERVED]**

Specific statutes being implemented for this adoption and or amendment:

Authority Cited - Health and Safety Code Sections 13143, 13108.5 (a) and 18949.2 (b) and (c) and Government Code Section 51189

Reference - Health and Safety Code Sections 13143 and Government Code Sections 51176, 51177, 51178 and 51179, and Public Resources Code Sections 4201 through 4204