

40. Recommendation of Supervisor Gorell to Adopt of a Resolution Urging Amendments to Assembly Bill 3074 and the State Board of Forestry's Draft Zone 0 Regulations to Restore Local Discretion, Funding, and Flexibility.



COUNTY OF VENTURA

BOARD OF SUPERVISORS

SUPERVISOR
Jeff Gorell
Second District

MEMBERS OF THE BOARD
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MATT LAVERE
JEFF GORELL
KELLY LONG
VIANEY LOPEZ

October 21, 2025

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: Adoption of a Resolution Urging Amendments to Assembly Bill 3074 and the State Board of Forestry's Draft Zone 0 Regulations to Restore Local Discretion, Funding and Flexibility

Recommendation(s):

1. Adopt a Resolution urging the State Legislature and the State Board of Forestry and Fire Protection to revise the state laws previously amended by AB 3074 (2020) and the draft Ember-Resistant Zone 0 Regulations to restore local discretion, provide state funding, and allow for regionally adaptable implementation.
2. Authorize the Chair to sign and transmit the Resolution to the Governor, State Fire Marshal, State Board of Forestry and Fire Protection, Ventura County's legislative delegation, and the California State Association of Counties (CSAC).
3. Direct the County Executive Office, in coordination with the Ventura County Fire Protection District, to advocate for local flexibility and funding in final rulemaking.

Fiscal Impact:

No direct fiscal impact to the County at this time. If implemented as drafted, the regulations would create a substantial unfunded mandate, requiring inspection and enforcement of an estimated 60,000 additional properties in Ventura County, with potential homeowner compliance costs in the thousands per property and secondary effects on insurance and housing affordability.

Executive Summary:

This item requests Board adoption of a Resolution urging the State Legislature and the State Board of Forestry and Fire Protection to make targeted amendments to the state laws previously amended by AB 3074 and refinements to the draft Ember-Resistant Zone 0 Defensible-Space Regulations currently under development.

The County supports the State's goal of improving wildfire resilience through stronger defensible-space standards. Yet, as AB 3074 and the draft Zone 0 regulations have

evolved, they have produced unintended consequences for communities, homeowners, and local agencies. The County seeks a balanced, funded, and locally adaptable framework that fulfills the intent of AB 3074 while ensuring practical, equitable, and science-based outcomes for residents and communities.

Discussion:

AB 3074 and its implementing “Zone 0” regulations require the five-foot area around structures to be maintained free of combustible vegetation or materials in the State Responsibility Area or the Very High Fire Hazard Severity Zone in the Local Responsibility Area. While well-intentioned, the draft rules and mapping process apply uniformly to diverse regions and ignore existing local success in fire prevention.

I concur with other jurisdictions that have urged the State to revise Zone 0 regulations to consider alternatives, and to allow for more local control. I support the addition of the following proposed amendment to the Zone 0 regulations:

California Code of Regulations section 1299.05 - Alternative Methods

The provisions of these regulations are not intended to exclude alternative methods not specifically prescribed by these regulations. A fire expert designated by the Director may approve alternative practices which provide for the same practical effects as those stated in these regulations within the State Responsibility Area. Within the Local Responsibility Area the authority having jurisdiction may choose to develop alternative practices for Zone 0 compliance that take into account local variation, including differences in geography, geology, ecology, city and county ordinances, and architecture.

Local fire inspectors should retain discretion to evaluate conditions and approve equivalent fire-safe alternatives. Equally important, the State’s Fire Hazard Severity Maps should be updated to allow for local review and modification based on current conditions, mitigation efforts, and site-specific data. Providing an appeals process and criteria for adjustments would ensure accuracy and transparency.

Finally, without dedicated State funding for implementation, local agencies and homeowners will bear significant costs, potentially exacerbating California’s insurance and housing crises. For that reason, I ask my colleagues to join me in urging the State to pair regulatory requirements with financial support and a phased, regionally adaptable approach that balances safety, environmental stewardship, and housing production.

Strategic Plan Alignment:

Supports the County’s goals of Public Safety, Resilient Communities, and Economic Vitality by advocating for wildfire policy that is locally adaptable, funded, and scientifically grounded.

This letter has been reviewed by the County Executive Office, the Auditor-Controller’s Office, and County Counsel.

Contact:

If you have any questions regarding this item, please contact Supervisor Jeff Gorell at jeff.gorell@countyofventura.gov.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "J.F. Gorell", followed by a horizontal line extending to the right.

Supervisor Jeff Gorell, District 2

Attachment: 1) Resolution

Resolution No. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA
URGING AMENDMENTS TO AB 3074 (2020) AND REVISIONS TO THE STATE BOARD
OF FORESTRY'S DRAFT EMBER-RESISTANT ZONE 0 REGULATIONS TO RESTORE
LOCAL CONTROL, FUNDING, AND FLEXIBLE IMPLEMENTATION

WHEREAS, the California Legislature enacted Assembly Bill No. 3074 (2020) amending Public Resources Code section 4291 and Government Code section 51182 to establish a mandatory ember-resistant "Zone 0" — the five-foot area surrounding structures in the State Responsibility Area or the Very High Fire Hazard Severity Zone in the Local Responsibility Area — and directed the State Board of Forestry and Fire Protection to adopt implementing regulations by December 31, 2025; and

WHEREAS, the County of Ventura supports science-based wildfire-risk-reduction strategies, including defensible space, home-hardening, and community preparedness programs proven to save lives and property; and

WHEREAS, the Ventura County Fire Protection District maintains one of the State's most comprehensive defensible-space enforcement and building-safety programs, with a 100-foot clearance requirement, progressive building codes, and active Firewise-community participation; and

WHEREAS, despite these achievements, the current draft Zone 0 regulations apply uniformly to all Fire Hazard Severity Zones in communities in State Responsibility Areas and to Local Responsibility Area Very High Fire Hazard Severity Zones without regard to local conditions, implementation capacity, or financial feasibility; and

WHEREAS, the proposed regulations would impose an unfunded mandate on local governments — requiring inspection, enforcement, and compliance monitoring of tens of thousands of properties — and would create significant costs for homeowners, many of whom would face expenses of several thousand to tens of thousands of dollars to retrofit properties; and

WHEREAS, the County of Ventura ("County") recognizes that effective wildfire resilience depends on local discretion and regional flexibility, not one-size-fits-all mandates; and

WHEREAS, the County therefore urges that provisions be included in the Zone zero regulations allowing for the development of alternative practices for Zone 0 compliance that take into account local variation, including differences in geography, geology, ecology, city and county ordinances, and architecture.

WHEREAS, the County further supports prioritizing, where feasible, the preservation of fire-adapted native plants, heritage and municipal street trees, and other living vegetation that provides ecological, shade, and soil-stability benefits while not increasing fire spread; and

WHEREAS, the County urges that Fire Hazard Severity Maps established under AB 3074 be subject to local review and refinement, allowing jurisdictions to correct mapping discrepancies and re-evaluate parcels where state designations conflict with verified site data or proven mitigation; and

WHEREAS, overlapping State fire, insurance, and housing regulations are producing unintended economic and housing consequences, including reduced insurance availability, rising premiums, and limits on multi-family or mixed-use redevelopment required to meet State housing mandates; and

WHEREAS, these conflicts underscore the need for coordinated, funded, and locally adaptable wildfire-resilience policy; and

WHEREAS, the County remains committed to collaborating with the State Board of Forestry, the Office of the State Fire Marshal, and the Legislature to develop wildfire-mitigation standards that are practical, equitable, and science-based;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Ventura hereby urges the California Legislature to amend AB 3074 (2020) and the State Board of Forestry and Fire Protection to revise the draft Ember-Resistant Zone 0 Defensible-Space Regulations prior to adoption to:

1. Restore local discretion and authority to tailor defensible-space standards and modify Fire Hazard Severity Map designations based on local conditions and verified mitigation; and
2. Ensure adequate State funding for inspection staffing, homeowner assistance, and public-education programs; and
3. Implement phased, regionally adaptable timelines for compliance that align with community capacity and available resources.

BE IT FURTHER RESOLVED that the Clerk of the Board shall transmit copies of this Resolution to the Governor of California, the State Fire Marshal, the State Board of Forestry and Fire Protection, Ventura County's state legislative delegation, and the California State Association of Counties (CSAC).

Upon motion of Supervisor _____, seconded by Supervisor _____, and duly carried, the Board hereby approves and adopts this resolution on the 21st day of October, 2025.

Chair, Board of Supervisors
County of Ventura

ATTEST:
DR. SEVET JOHNSON
Clerk of the Board of Supervisors
County of Ventura, State of California.

By: _____
Deputy Clerk of the Board