

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA REPEALING
EXISTING CHAPTER 8.32 OF THE CHULA VISTA MUNICIPAL
CODE AND ADOPTING A NEW CHAPTER 8.32 OF THE CHULA
VISTA MUNICIPAL CODE SETTING FORTH THE CITY OF
CHULA VISTA DEFENSIBLE SPACE AND VEGETATION
MANAGEMENT REQUIREMENTS.

WHEREAS, the city has certain climatic, geologic, and topographic features that can have a deleterious effect on emergency services such as fire protection and emergency medical services; and

WHEREAS, the city is partially bordered by wildland urban interface areas to the east, south, and southeast; and

WHEREAS, the topography within the city includes rolling hills, valleys, and open space canyons; and

WHEREAS, California law mandates the implementation of vegetation management practices to reduce wildfire hazards, providing a legal foundation for local ordinances; and.

WHEREAS, substandard public safety concerns are posed by the presence of overgrown hazardous vegetation, which can serve as fuel for vegetation fires, endangering lives, and property; and

WHEREAS, keeping the city free of hazardous vegetation will improve the quality of life for residents and promote overall community well-being; and

WHEREAS, aligning local vegetation management requirements with State guidelines ensures consistency and enhances the effectiveness of wildfire mitigation efforts; and

WHEREAS, the Cedar Fire of 2003, which originated in the Cleveland National Forest, became one of the largest and most destructive wildfires in California's history, burning over 270,000 acres, destroying more than 2,800 buildings, and resulting in 15 fatalities, thereby highlighting the region's vulnerability to catastrophic wildfires; and

WHEREAS, the proximity of Chula Vista to wildfire-prone areas has led to significant threats to the community, as evidenced by the Harris Fire in October 2007, which burnt into the northeastern portions of the city, necessitating evacuations; and

WHEREAS, the Border 2 Fire, which ignited on January 23, 2025, in the Otay Mountain wilderness, rapidly burned approximately 6,625 acres, prompting evacuations and school closures in nearby communities, highlighting the ongoing wildfire threat to the region; and

WHEREAS, from 2005 to 2023, the Chula Vista Fire Department responded to 713 vegetation fires within the city, impacting more 13,000 acres and highlighting the need for vegetation management; and,

NOW, THEREFORE the City Council of the City of Chula Vista does ordain as follows:

Section I. Repeal Chapter 8.32

That existing Chapter 8.32 of the Chula Vista Municipal Code is repealed in its entirety.

Section II. New Chapter 8.32

That new Chapter 8.32 of the Chula Vista Municipal Code is adopted to read as follows:

**Chapter 8.32
DEFENSIBLE SPACE AND VEGETATION MANAGEMENT**

Sections:

- 8.32.005 Vegetation Management - Notice to remove when given.
- 8.32.010 Vegetation Management - Requirements.
- 8.32.015 Vegetation Management - Serving of notice to remove - Contents.
- 8.32.020 Vegetation Management - Notice to remove - Appeal procedure.
- 8.32.025 Vegetation Management - Owner or occupant duty to remove - Time limit.
- 8.32.030 Vegetation Management - Removal by City authorized when.
- 8.32.035 Assessment of charges - Method of determination.
- 8.32.040 Assessment of charges - Appeal of determination.
- 8.32.045 Charges to be lien on property - Collection.

8.32.005 Vegetation Management - Notice to remove when given.

Whenever the Fire Chief finds weeds, vegetation, vegetation rubbish, trees, or portions of trees upon any street, parkway, sidewalk, property, lands or lot located in the city, which are deemed a fire hazard, and / or when the Fire Chief finds vegetation upon any street, parkway, sidewalk, property, lands or lot located in the city not in conformance with 8.32.010 CVMC and is deemed a fire hazard, he shall give, or cause to be given, notice to remove such weeds, vegetation, vegetation rubbish, trees, or portions of trees in the manner hereinafter provided.

8.32.010 Vegetation Management - Requirements.

DEFENSIBLE SPACE / VEGETATION MANAGEMENT REQUIREMENTS: VERY HIGH FIRE HAZARD SEVERITY ZONES:

The City of Chula Vista does hereby recognize and adopt the defensible space requirements as set forth by the California Government Code, California Public Resource Code, and Board of Forestry and Fire Protection, for California Office of the State Fire Marshal designated Very High Fire Hazard Severity Zones, as adopted by the City, which may change from time to time.

The City of Chula Vista requires that owners of properties, located within the Very High Fire Hazard Severity Zone, as identified by the Director of Forestry and Fire Protection on the “City of Chula Vista – San Diego County Local Responsibility Area Fire Hazard Severity Zones” map, maintain their properties in accordance with this adopted standard. The City of Chula Vista sets forth a 100-foot defensible space requirement. The 100-foot defensible space standard is implemented across three Defensible Space Zones: Zone 0, Zone 1, and Zone 2. Zone 0 is the first 5 feet from the structure, Zone 1 is a total of 25 feet, which extends from 5 to 30 feet, and Zone 2 is from 30 to 100 feet from the structure.

Defensible Space Zone 0. Zone 0 is the horizontal area within the first five feet around the structure, any outbuildings, and attached decks, and stairs. Zone 0 is measured from the edge of a

structure, attached decks, patio covers, balconies, and floor projections above grade. The zone also includes the area under attached decks and stair landings.

Zone 0 vegetation management requirements shall be in accordance with the explicit vegetation requirements as set forth in Government Code 51182 and the State Board of Forestry and Fire Protection's guidance document.

Defensible Space Zone 1. Zone 1 is the lean, clean, and green zone that reduces the likelihood of fire burning directly to the structure. Zone 1 extends from 5 to 30 feet from buildings / structures, or to your property line, whichever is closer. This is accomplished by modifying fuels and creating a discontinuity between planting groups that limits the pathways for fire to burn to the structure.

1. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
2. Remove all dead plants, shrubs, and weeds.
3. Remove dead or dry leaves and / or pine needles.
4. Trim / remove tree branches within 10 feet of chimneys and stovepipes.
5. Remove all tree branches at least six feet from the ground.

Defensible Space Zone 2. Zone 2 is a reduced fuel zone and is designed to reduce the potential behavior of an oncoming fire in such a way as to drop an approaching fire from the crown of trees to the ground, reducing the flame heights, and the potential for ember generation and radiant heat exposure to structures. Zone 2 extends 30 to 100-feet from buildings / structures, or to your property line, whichever is closer.

1. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
2. Remove all dead plants, shrubs, and weeds.
3. Remove dead or dry leaves and / or pine needles.
4. Trim / remove tree branches within 10 feet of chimneys and stovepipes.
5. Remove all tree branches at least six feet from the ground.
6. Create and maintain horizontal and vertical spacing in accordance with Figure 1.

Figure 1. Spacing Guidelines		
Trees	Minimum horizontal space from edge of one tree canopy to the edge of the next:	
	Slope	Spacing
	0% to 20%	10 feet
	20% to 40%	20 feet
	Greater than 40%	30 feet
	<i>Trees shall be planted and maintained so that the drip line at maturity is a minimum of 10 feet from any combustible structure and chimney / stove pipe outlets.</i>	
Shrubs (Single)	Minimum horizontal space between edges of shrub:	
	Slope	Spacing
	0% to 20%	2 times the height of the shrub
	20% to 40%	4 times the height of the shrub
	Greater than 40%	6 times the height of the shrub
	<i>Shrubs shall not exceed 4 feet in height. Shrubs shall not exceed 4 feet in diameter.</i>	
Shrubs (Grouping)	Minimum horizontal space between edges of shrub grouping:	
	Slope	Spacing
	0% to 20%	15 feet
	20% to 40%	30 feet
	Greater than 40%	50 feet
	<i>Shrub grouping shall not exceed 4 feet in height. Shrub grouping shall be separated from structures a minimum of 30 feet. Shrub grouping shall not exceed 10 feet in diameter.</i>	

Vertical Spacing	Minimum vertical space between top of shrub and bottom of lower tree branches: greater of 3 times the height of the shrub or 10 feet.
-------------------------	--

DEFENSIBLE SPACE / VEGETATION MANAGEMENT REQUIREMENTS: HIGH AND MODERATE FIRE HAZARD SEVERITY ZONES:

The City of Chula Vista requires that owners of properties, located within the High and Moderate Fire Hazard Severity Zone, as identified by the Director of Forestry and Fire Protection on the “City of Chula Vista – San Diego County Local Responsibility Area Fire Hazard Severity Zones” map, maintain their properties in accordance with this adopted standard. The City of Chula Vista sets forth a 100-foot defensible space requirement. The 100-foot defensible space standard is implemented across three Defensible Space Zones: Zone 0, Zone 1, and Zone 2. Zone 0 is the first 5 feet from the structure, Zone 1 is a total of 25 feet, which extends from 5 to 30 feet, and Zone 2 is from 30 to 100 feet from the structure.

Defensible Space Zone 0. Zone 0 is the horizontal area within the first five feet around the structure, any outbuildings, and attached decks, and stairs. Zone 0 is measured from the edge of a structure, attached decks, patio covers, balconies, and floor projections above grade. The zone also includes the area under attached decks and stair landings.

Zone 0 vegetation management requirements shall be in accordance with the explicit vegetation requirements as set forth in Government Code 51182 and the State Board of Forestry and Fire Protection’s guidance document.

Defensible Space Zone 1. Zone 1 is the lean, clean, and green zone that reduces the likelihood of fire burning directly to the structure. Zone 1 extends from 5 to 30 feet from buildings / structures, or to your property line, whichever is closer. This is accomplished by modifying fuels and creating a discontinuity between planting groups that limits the pathways for fire to burn to the structure.

6. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
7. Remove all dead plants, shrubs, and weeds.
8. Remove dead or dry leaves and / or pine needles.
9. Trim / remove tree branches within 10 feet of chimneys and stovepipes.
10. Remove all tree branches at least six feet from the ground.

Defensible Space Zone 2. Zone 2 is a reduced fuel zone and is designed to reduce the potential behavior of an oncoming fire in such a way as to drop an approaching fire from the crown of trees to the ground, reducing the flame heights, and the potential for ember generation and radiant heat exposure to structures. Zone 2 extends 30 to 100-feet from buildings / structures, or to your property line, whichever is closer.

7. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
8. Remove all dead plants, shrubs, and weeds.
9. Remove dead or dry leaves and / or pine needles.
10. Trim / remove tree branches within 10 feet of chimneys and stovepipes.
11. Remove all tree branches at least six feet from the ground.
12. Create and maintain horizontal and vertical spacing in accordance with Figure 1.

Figure 1. Spacing Guidelines		
Trees	Minimum horizontal space from edge of one tree canopy to the edge of the next:	
	Slope	Spacing
	0% to 20%	10 feet
	20% to 40%	20 feet
	Greater than 40%	30 feet
	<i>Trees shall be planted and maintained so that the drip line at maturity is a minimum of 10 feet from any combustible structure and chimney / stove pipe outlets.</i>	
Shrubs (Single)	Minimum horizontal space between edges of shrub:	
	Slope	Spacing
	0% to 20%	2 times the height of the shrub
	20% to 40%	4 times the height of the shrub
	Greater than 40%	6 times the height of the shrub
	<i>Shrubs shall not exceed 4 feet in height. Shrubs shall not exceed 4 feet in diameter.</i>	
Shrubs (Grouping)	Minimum horizontal space between edges of shrub grouping:	
	Slope	Spacing
	0% to 20%	15 feet
	20% to 40%	30 feet
	Greater than 40%	50 feet
	<i>Shrub grouping shall not exceed 4 feet in height. Shrub grouping shall be separated from structures a minimum of 30 feet. Shrub grouping shall not exceed 10 feet in diameter.</i>	
Vertical Spacing	Minimum vertical space between top of shrub and bottom of lower tree branches: greater of 3 times the height of the shrub or 10 feet.	

Exception to Defensible Space Zones 1 and 2: Where a Sectional Planning Area, Parcel, and / or other has a City approved Fire Protection Plan, the vegetation management requirements set forth therein shall be in effect.

DEFENSIBLE SPACE / VEGETATION MANAGEMENT REQUIREMENTS: SPECIAL DESIGNATED VEGETATION MANAGEMENT AREA:

The City of Chula Vista requires that owners of properties, located within City designated Special Vegetation Management Areas, as identified on the “City of Chula Vista Special Vegetation Management Area” map, maintain their properties in accordance with this adopted standard. The City of Chula Vista sets forth a 100-foot defensible space requirement. The 100-foot defensible space standard is implemented across three Defensible Space Zones: Zone 0, Zone 1, and Zone 2. Zone 0 is the first 5 feet from the structure, Zone 1 is a total of 25 feet, which extends from 5 to 30 feet, and Zone 2 is from 30 to 100 feet from the structure.

Defensible Space Zone 0. Zone 0 is the horizontal area within the first five feet around the structure, any outbuildings, and attached decks, and stairs. Zone 0 is measured from the edge of a structure, attached decks, patio covers, balconies, and floor projections above grade. The zone also includes the area under attached decks and stair landings.

Zone 0 vegetation management requirements shall be in accordance with the explicit vegetation requirements as set forth in Government Code 51182 and the State Board of Forestry and Fire Protection’s guidance document.

Defensible Space Zone 1. Zone 1 is the lean, clean, and green zone that reduces the likelihood of fire burning directly to the structure. Zone 1 extends from 5 to 30 feet from buildings / structures,

or to your property line, whichever is closer. This is accomplished by modifying fuels and creating a discontinuity between planting groups that limits the pathways for fire to burn to the structure.

1. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
2. Remove all dead plants, shrubs, and weeds.
3. Remove dead or dry leaves and / or pine needles.
4. Trim/remove tree branches within 10 feet of chimneys and stovepipes.
5. Remove all tree branches at least six feet from the ground.

Defensible Space Zone 2. Zone 2 is a reduced fuel zone and is designed to reduce the potential behavior of an oncoming fire in such a way as to drop an approaching fire from the crown of trees to the ground, reducing the flame heights, and the potential for ember generation and radiant heat exposure to structures. Zone 2 extends 30 to 100-feet from buildings / structures, or to your property line, whichever is closer.

1. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
2. Remove all dead plants, shrubs, and weeds.
3. Remove dead or dry leaves and / or pine needles.
4. Trim / remove tree branches within 10 feet of chimneys and stovepipes.
5. Remove all tree branches at least six feet from the ground.
6. Create and maintain horizontal and vertical spacing in accordance with Figure 1.

Figure 1. Spacing Guidelines		
Trees	Minimum horizontal space from edge of one tree canopy to the edge of the next:	
	Slope	Spacing
	0% to 20%	10 feet
	20% to 40%	20 feet
	Greater than 40%	30 feet
	<i>Trees shall be planted and maintained so that the drip line at maturity is a minimum of 10 feet from any combustible structure and chimney / stove pipe outlets.</i>	
Shrubs (Single)	Minimum horizontal space between edges of shrub:	
	Slope	Spacing
	0% to 20%	2 times the height of the shrub
	20% to 40%	4 times the height of the shrub
	Greater than 40%	6 times the height of the shrub
	<i>Shrubs shall not exceed 4 feet in height. Shrubs shall not exceed 4 feet in diameter.</i>	
Shrubs (Grouping)	Minimum horizontal space between edges of shrub grouping:	
	Slope	Spacing
	0% to 20%	15 feet
	20% to 40%	30 feet
	Greater than 40%	50 feet
	<i>Shrub grouping shall not exceed 4 feet in height. Shrub grouping shall be separated from structures a minimum of 30 feet. Shrub grouping shall not exceed 10 feet in diameter.</i>	
Vertical Spacing	Minimum vertical space between top of shrub and bottom of lower tree branches: greater of 3 times the height of the shrub or 10 feet.	

Exception to Defensible Space Zones 1 and 2: Where a Sectional Planning Area, Parcel, and / or other has a City approved Fire Protection Plan, the vegetation management requirements set forth therein shall be in effect.

DEFENSIBLE SPACE / VEGETATION MANAGEMENT REQUIREMENTS: NON-VERY HIGH, NON-HIGH, AND NON-MODERATE FIRE HAZARD SEVERITY ZONES, AND NON-

SPECIAL DESIGNATED VEGETATION MANAGEMENT AREAS:

The City of Chula Vista requires that owners of properties, located outside of designated very high, non-high, and non-moderate fire hazard severity zones, and non-special designated vegetation management areas, maintain their properties in accordance with this adopted standard. The City of Chula Vista sets forth a 100-foot defensible space requirement. The 100-foot defensible space standard is implemented across two Defensible Space Zones, Zone 1 and Zone 2. Zone 1 is a total of 30 feet, which extends from the structure outward for 30 feet, and Zone 2 is from 30 to 100 feet from the structure.

Defensible Space Zone 1. Zone 1 is the lean, clean, and green zone that reduces the likelihood of fire burning directly to the structure. Zone 1 extends 30 feet from buildings / structures, or to your property line, whichever is closer. This is accomplished by modifying fuels and creating a discontinuity between planting groups that limits the pathways for fire to burn to the structure.

1. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
2. Remove all dead plants, shrubs, and weeds.
3. Remove dead or dry leaves and / or pine needles.
4. Trim/remove tree branches within 10 feet of chimneys and stovepipes.
5. Remove all tree branches at least six feet from the ground.

Defensible Space Zone 2. Zone 2 is a reduced fuel zone and is designed to reduce the potential behavior of an oncoming fire in such a way as to drop an approaching fire from the crown of trees to the ground, reducing the flame heights, and the potential for ember generation and radiant heat exposure to structures. Zone 2 extends 30 to 100-feet from buildings / structures, or to your property line, whichever is closer.

1. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
2. Remove all dead plants, shrubs, and weeds.
3. Remove dead or dry leaves and / or pine needles.
4. Trim / remove tree branches within 10 feet of chimneys and stovepipes.
5. Remove all tree branches at least six feet from the ground.

Exception to Defensible Space Zones 1 and 2: Where a Sectional Planning Area, Parcel, and / or other has a City approved Fire Protection Plan, the vegetation management requirements set forth therein shall be in effect.

DEFENSIBLE SPACE / VEGETATION MANAGEMENT REQUIREMENTS: CITY-OWNED PROPERTY

When City-owned property is adjacent to areas designated as fire hazard severity zones or within the special designated vegetation management area, and any portion of the required 100 feet of defensible space extends onto City property, the City of Chula Vista shall be responsible for performing vegetation management on its portion of that defensible space. This requirement ensures that, in coordination with adjacent property owners, the full 100 feet of defensible space is maintained to reduce wildfire risk and enhance public safety.

DEFENSIBLE SPACE / VEGETATION MANAGEMENT REQUIREMENTS: VACANT PARCELS

The City of Chula Vista requires that vegetation management be provided for residentially or

commerciality zoned vacant parcels. Vegetation management shall consist of owners of property complying with this standard.

1 Acre or less: *requirements for the entire parcel / site include*

1. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
2. Remove all dead plants, shrubs, and weeds.
3. Remove dead or dry leaves and / or pine needles.
4. Remove all tree branches at least six feet from the ground.
5. Minimum vertical space between the top of shrubs and the bottom of lower tree branches shall be three times the height of the shrub (branches shall be no less than six feet above the ground).

Greater than 1 acre: *requirements for fifty feet along the parcel / lot perimeters*

1. When deemed a hazard, cut or mow annual grass down to a maximum height of six inches.
2. Remove all dead plants, shrubs, and weeds.
3. Remove dead or dry leaves and / or pine needles.
4. Remove all tree branches at least six feet from the ground.
5. Minimum vertical space between the top of shrubs and the bottom of lower tree branches shall be three times the height of the shrub (branches shall be no less than six feet above the ground).

DEFENSIBLE SPACE / VEGETATION MANAGEMENT REQUIREMENTS: DESIGNATED EVACUATION ROADWAYS

The City of Chula Vista requires that vegetation management be provided along City or Fire Chief designated evacuation roadways, and / or along the primary, alternate, contingency, and emergency (PACE) evacuation roadways as identified on the “Chula Vista PACE Evacuation Route Map as adopted in City of Chula Vista (Community Wildfire Protection Plan) CWPP.” Vegetation management shall consist of owners of property removing and/or clearing 30 feet on each side of designated roadways.

1. Cut or mow annual grass down to a maximum height of six inches.
2. Remove all flammable / non-Fire Smart vegetation.
3. Remove invasive species.
4. Remove all dead plants, shrubs, and weeds.
5. Remove dead or dry leaves and / or pine needles.
6. Tree canopy and branches shall not extend over any portion of the roadway.
7. Remove all tree branches at least six feet from the ground.
8. Minimum vertical space between the top of shrubs and the bottom of lower tree branches shall be three times the height of the shrub (branches shall be no less than six feet above the ground).

8.32.015 Vegetation Management - Serving of notice to remove - Contents.

The notice required pursuant to CVMC 8.32.010 shall be given by posting in a conspicuous place upon the property, land or lot located in the City, upon which, or upon the street, parkway or sidewalk in front of which such hazardous weeds, vegetation, vegetation rubbish or other

designated material may be, a notice headed: "Notice to Clean Premises," in letters not less than one inch in height, and which shall be in legible characters, and which directs the removal of the hazardous weeds, vegetation, vegetation rubbish or other designated material, as the case may be, and refers to this chapter for further particulars. Personal service of a notice similar in substance upon the owner, occupant or agent in charge of such property, land or lot shall dispense with the posting of the notice herein provided for.

8.32.020 Vegetation Management - Notice to remove - Appeal procedure.

Within 10 days from the date of posting of such notice, or in case of personal service of notice, within 10 days from the date of such personal service thereof, the owner of or any person interested in such property, land or lot affected by such notice may appeal to the City Manager pursuant to Chapter 1.40 CVMC for the requirements thereof.

8.32.025 Vegetation Management - Owner or occupant duty to remove - Time limit.

It shall be the duty of the owner, the agent of the owner or the person in possession of any lot in the City within 30 days from the date of posting of the notice provided for in CVMC 8.32.010, or in case a personal notice is given, within 30 days from the date of such personal service thereof, or in case of an appeal to the City Manager, within 20 days from the determination thereof, unless the same is sustained, to clean and remove therefrom, any street, parkway, sidewalk, property, lands or lot located in the City, all hazardous weeds, vegetation, vegetation rubbish, trees, or portions of trees.

8.32.030 Vegetation Management - Removal by City authorized when.

If such owner, agent or person in possession of such property fails to remove such hazardous weeds, vegetation, vegetation rubbish, trees, or portions of trees, from such property within the time specified in this chapter for the removal of the same, the Fire Chief has the authority to cause the removal of such hazardous weeds, vegetation, vegetation rubbish, trees, or portions of trees therefrom.

8.32.035 Assessment of charges - Method of determination.

The Fire Chief shall determine the charge to be made for the removal of such materials and assess the same upon each lot or subdivision of land separately, which assessment shall include the cost of removal and of collecting therefor, together with 25 percent thereof to be added thereto to cover interest on the cost thereof and incidental expenses.

8.32.040 Assessment of charges - Appeal of determination.

The determination of such charges by the Fire Chief as to the amount so assessed may be appealed to the City Manager pursuant to Chapter 1.40 CVMC. If, upon appeal, the requirements of the original notice are modified or the amount so assessed by the Fire Chief is modified, the Fire Chief, in removing, or causing to be removed, such hazardous weeds, vegetation, vegetation rubbish, trees, or portions of trees, or in making such assessment as hereinabove provided for, shall be governed by the determination so made.

8.32.045 Charges to be lien on property - Collection.

Such assessment or tax shall be entered by the City Clerk upon the real property tax assessment rolls upon certification by the Fire Chief as to such amount, and when so entered, shall become a lien upon the real property involved, and the tax shall be collected by the Director of Finance in the manner and form provided for the collection of other City taxes.

Section III. Findings and Declarations

The City Council of the City of Chula Vista specifically and expressly finds and declares as follows:

- A. Pursuant to Article XI, section 7 of the California Constitution, the City has the authority to enact local ordinances and regulations to protect the public health, safety, and welfare of their residents through its police power; and
- B. Pursuant to Government Code section 50022.2, the City has the authority to enact any ordinance, which adopts any code by reference, in whole or in part; and
- C. Pursuant to Health and Safety Code section 17958.5, the City has the authority to make local amendments that are reasonably necessary because of local conditions; and
- D. Pursuant to Article II, Powers and Structure of the Charter of the City of Chula Vista, the City of Chula Vista has the full power and authority to make and enforce all laws and regulations with respect to municipal affairs; has the power to exercise, or act pursuant to, any and all rights, powers, privileges or procedures, heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter, or by other lawful authority, or which a municipal corporation might or could exercise, or act pursuant to, under the Constitution of the State or federal law; and
- E. Wildfires present a significant risk to life, property, critical infrastructure, environmental resources, and the public health and safety of the community; and
- F. Local climatic conditions. Climate is one of the most significant factors influencing fire behavior and the severity of other emergency events due to its uncontrollable nature. During the summer and fall, Chula Vista experiences seasonal climatic conditions that pose heightened fire risks, including prolonged hot, dry weather and Santa Ana winds that frequently contribute to fast-moving vegetation fires. Extended periods of local and statewide drought continue to reduce vegetation fuel moisture, creating an environment where fires ignite easily and spread rapidly under wind-driven conditions. To address these local hazards, the establishment of defensible space and vegetation management requirements are necessary to reduce fire risk and protect life and property.
- G. Local geological conditions. Chula Vista lies within a seismically active region, intersected by the La Nacion and Chula Vista fault zones and is in close proximity to the Rose Canyon fault. Earthquakes in this region can cause significant disruptions, including damaged infrastructure, ruptured gas lines, electrical fires, and overloaded emergency services. These hazards intensify the potential for multiple, simultaneous fire incidents and compromise the effectiveness of private and public fire protection systems. To enhance the city's resilience and limit structural damage and fire ignition during seismic events, defensible space and vegetation management requirements are being implemented within areas of elevated risk, including but not limited to the high and moderate fire hazard severity zones and the special designated vegetation management area.
- H. Local topographical conditions. Chula Vista has several topographical features, including

bordering by a bay, a lake, Otay River Valley and Sweetwater river, and parkways, narrow streets, open space, varying elevations, bridges, overpasses, freeways, and railroad tracks including light rail. These conditions can impede the rapid deployment and effectiveness of emergency resources; further, these conditions and increasing populations can slow evacuation. Additionally, the varying elevations across the city increase wind effect and can have significant negative impacts during vegetation and other fires. These defensible space and vegetation management requirements are reasonably necessary to mitigate to the extent possible the respective deleterious effects and for community health and safety.

Section IV. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section V. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section VI. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

Section VII. Publication

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by

Harry Muns
Fire Chief

Marco A. Verdugo
City Attorney