



## Summary of Regulations and Permits for Fences and Walls

### Basic Fence Regulations—Location and Height

The maximum permitted height for a fence depends on where the fence is located on a property. Setbacks are minimum required distances between property lines and buildings. Fences may be located within setbacks, but their height is limited according to which setback they are within. The required setbacks for El Cerrito's residential districts are as follows:

Zoning District	MINIMUM SETBACK (FT) FROM PROPERTY LINES			
	<i>Front</i>	<i>Rear</i>	<i>Interior Side</i>	<i>Street Side of Corner Lot</i>
RS-5	10	15	5	8.5
RS-7.5	20	15	6	8.5
RS-10	20	20	6	8.5
RS-20	30	25	12	12
RD	10	15	5	8.5
RM	10	15	5	8.5

Notes:

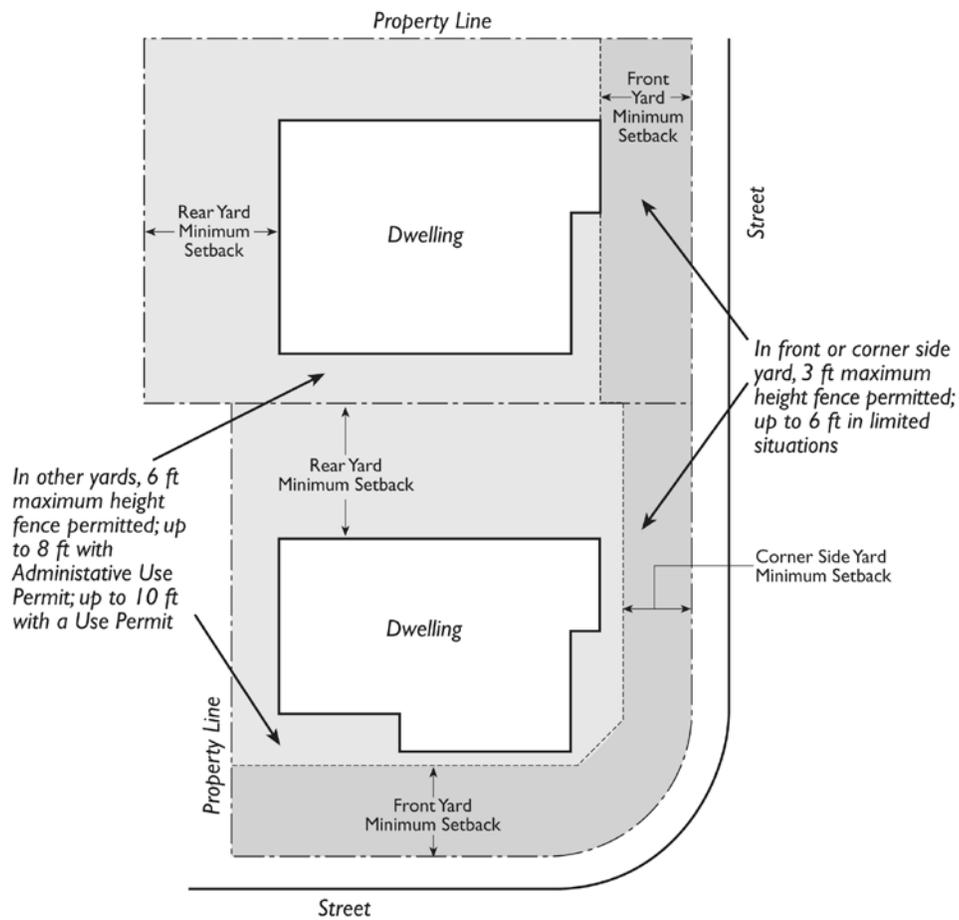
- See discussion of how to determine the location of your front property line in the "Fence Clearance" section of this document.
- On a corner lot, the "front" is considered to be the shorter of the two property lines, regardless of the street address and which street the house faces.

The following table summarizes the regulations for fences, walls, and overhead landscape features:

MAXIMUM HEIGHT OF FENCES, WALLS, AND OVERHEAD LANDSCAPE FEATURES, BY LOCATION				
	<i>Within front setback</i>	<i>Within street side setback on corner lot</i>	<i>Within interior side and rear setbacks</i>	<b>Additional Regulations</b>
Maximum height of fences (and decorative walls) allowed by right	3 ft.	3 ft. within 35 ft. of the street corner of any corner lot; thereafter 6 ft.	6 ft.	
Maximum height of fences that may be allowed with a Conditional Use Permit	6 ft.	8 ft.	10 ft.	Special circumstances must exist in order to qualify for the additional height. See the sections "Exceptions for Taller Fences" and "Conditional Use Permits" in this document.
Maximum height of retaining walls	4 ft.	4 ft.	6 ft.	Retaining walls on the same property must be separated from one another by at least 4 feet. Higher walls or less separation requires approval of a Conditional Use Permit.

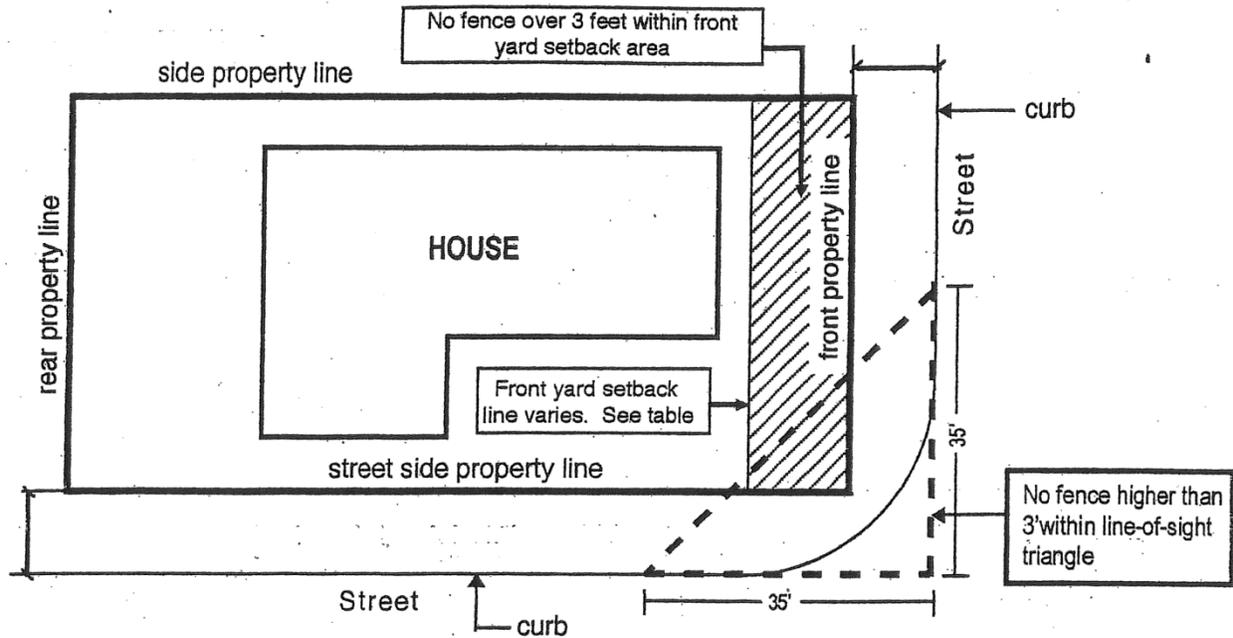
MAXIMUM HEIGHT OF FENCES, WALLS, AND OVERHEAD LANDSCAPE FEATURES, BY LOCATION				
	<i>Within front setback</i>	<i>Within street side setback on corner lot</i>	<i>Within interior side and rear setbacks</i>	<b>Additional Regulations</b>
Maximum height of arbors, pergolas, trellises and other overhead landscape features	8 ft.	8 ft.	15 ft.	Must be located at least 6 feet from any other structure on the property. See "Additional Regulations for Overhead Landscape Features" in this document.

The following figure illustrates how maximum fence heights vary according to location:



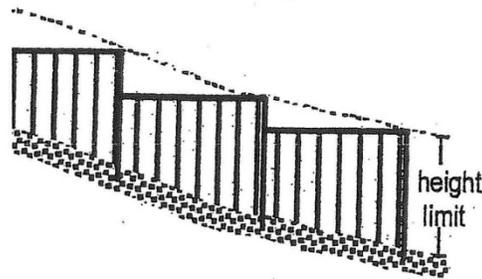
## Fence Height at Intersections

On corner lots, within 35 feet of the street intersection, fence height is limited to 3 feet. The following illustration shows how this area, intended to provide visibility at intersections, is determined.



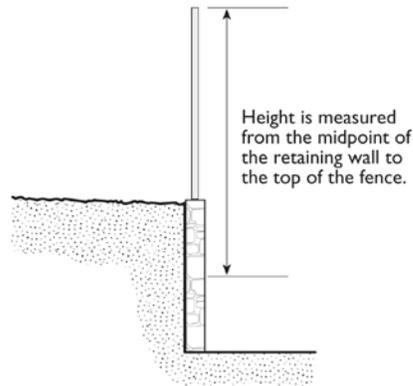
## How Fence Height is Measured

In general, the height of a fence is measured from any point at the top of the fence to the ground level directly below. The applicable height limit must be met at all points along the fence.



In cases in which a fence is located on top of or within one foot of a retaining wall, fence height is measured from the top of the fence to the midpoint height of the retaining wall.

FIGURE 19.03-E: FENCES ON TOP OF RETAINING WALLS



### Exceptions for Taller Fences

Property owners may apply for a Conditional Use Permit to construct a fence or decorative wall taller than 3 feet, up to a maximum of 6 feet, in front and street-facing side setbacks, if one or more of the following special circumstances applies to the property:

- a. Lots that front on major arterials as identified in the General Plan<sup>1</sup>.
- b. Lots that front on heavily used pedestrian routes and ways, including those on public streets.
- c. Lots where deer and other animals intrude into yards on a regular basis.

Such fences above 3 feet in height must also meet the following standards:

- At least 40% of the fence surface must be open and transparent.
- No solid portion of such fence above 3 feet in height may be within 10 feet of a driveway.

See the section "Conditional Use Permits" for an explanation of the process.

---

<sup>1</sup> Only the following streets are identified as major arterials in the General Plan: San Pablo Avenue, Central Avenue (west of San Pablo), Cutting Boulevard (west of San Pablo), Carlson Boulevard (from Central Avenue to Fairmount Avenue). Therefore, this is not a commonly used provision.

## Fence Design and Materials

The following regulations apply to the design of fences:

- a. Fences visible from a street, except fencing for single-family detached homes, shall be treated as an integral part of the architecture, with materials, colors and detailing drawn from the building they surround or adjoin.
- b. Fences for multifamily dwellings of 5 units or more shall be decorative masonry or stucco, subject to design review approval.
- c. Chain link fencing is not a permitted material for any fences fronting on a street.

## Additional Regulations for Overhead Landscape Features

Arbors, pergolas, trellises, and other overhead landscape features may be located in the front or street-facing side setback provided that:

- a. They are no higher than 8 feet measured from finished grade at any point.
- b. They are located least 6 feet from any other structure on the property.
- c. They do not obstruct visibility to vehicular and pedestrian traffic.
- d. No more than two such overhead landscape features are located in the front yard.  
Exceptions may be granted with an Administrative Use Permit.

In other locations on a property, outside of the front or street-facing side setbacks, overhead landscape features are allowed subject to the following standards:

- a. They must be no higher than 15 feet measured from finished grade at any point.
- b. They must be at least 6 feet from any structures on the property.

## Permits

### *Fence Clearance*

The City of El Cerrito requires a Fence Clearance through the Planning Division for any new or replacement fence. A Fence Clearance will only be approved if the proposed fence meets all applicable regulations. The drawings submitted along with the application should clearly demonstrate the location and height of the proposed fence in order to show it will meet the regulations. Fence Clearances are generally issued "over the counter," or the same day as the application.

In order to apply for a fence clearance, you will need:

- Application form (available at <http://www.el-cerrito.org/DocumentCenter/View/4759>) and fee;
- Site plan showing the entire property and where the fence will be located on the property; and
- Elevation drawing, showing a representative section of the fence, in order to demonstrate its height.

Please see the Fence Clearance application for examples of a site plan and elevation drawing.

In order to draw the site plan, it may be necessary to first determine where your property line is. You must make sure that any fence will be on your property, not in the public right-of-way. If you already have a survey of the property, the survey will be the best source of information.

If you don't have a survey, you can find out where your front property line (and street-facing side property line in the case of a corner lot) is in relation to the curb of the adjacent street. The City keeps a list of streets, with the distance between the curb and the nearest property line on each street. You can find out the distance from the curb to your property line by visiting the information counter at City Hall or calling the Public Works Department at 510-215-4382.

### ***Building Permit***

In most cases, the construction of a fence does not require a building permit. However, a building permit *is* needed for the following types of projects:

- Fences or other structures such as trellises and gateways that are over 6 feet in height.
- Fences or walls constructed of masonry materials (e.g., bricks, concrete, stucco) that are greater than 4 feet in height, measured from the bottom of the footing to the top of the fence or wall;
- Retaining walls.

Please discuss your project with Building Division staff (at City Hall or 510-215-4360) to determine if a building permit is needed for your project.

### ***Conditional Use Permits***

The Zoning Ordinance allows certain exceptions to fence and wall height to be considered under a Conditional Use Permit. A Conditional Use Permit requires notification of surrounding property owners and a public hearing before the Planning Commission. In order to approve an application for a Conditional Use Permit, the Planning Commission must make the findings in Section 19.34.040 of the Zoning Ordinance (viewable at [https://www.municode.com/library/ca/el\\_cerrito/codes/code\\_of\\_ordinances](https://www.municode.com/library/ca/el_cerrito/codes/code_of_ordinances)). An application for a Conditional Use Permit does not guarantee that it will be approved. The Planning Commission can approve, approve with conditions, or deny a permit.