



CITY OF SAN LEANDRO

Community Development Department · Planning Services

835 East 14th Street · San Leandro, CA 94577

(510) 577 – 3325 · www.sanleandro.org

Hours: Monday – Thursday 8:30 am – 3:00 pm; Friday by appointment

FENCE MODIFICATIONS

How tall can I build my fence and where can I put it on my property?

Section 4-1682 of the City's Zoning Code indicates that for Residential Districts (all but the RO District), the maximum height of a fence, wall, or hedge shall be seven (7) feet, inclusive of lattice work, except in required front or corner side yards abutting a street, where the maximum height shall be three (3) feet. (All fences, walls, and hedges shall be also be subject to the driveway visibility requirements of Article 17, Off-Street Parking and Loading Requirements). In the RO District, the maximum height shall be six (6) feet except in required front or corner side yards abutting a street, where the maximum height shall be three (3) feet.

For Commercial and Industrial Districts, the maximum height of a fence, wall or hedge shall be eight (8) feet except in required front or corner side yards where the maximum height shall be (3) feet. Walls adjoining residential uses are subject to Section 4-1642, which states, "A solid masonry or concrete wall at least six feet high and no more than eight feet high shall adjoin the property line of a new nonresidential use abutting an existing ground-floor residential use. However, where the portion of the site within 10 feet of the property line is occupied by planting area or by a building having no openings except for openings opposite a street property line, the Zoning Enforcement Official may grant an exception to this requirement. A wall within 15 feet of a street property line shall not exceed 3 feet in height."

How do I determine where my front property line is?

The street right-of-way (ROW), or that portion of the roadway that is owned by the City, varies from street to street. In very few cases, your front property line may extend out to the back of sidewalk. However, more often, your front property line is several feet behind the back of sidewalk, located somewhere in your front yard. City staff has maps that indicate the ROW of each roadway, and from that we can tell you where your front property line is. Setback measurement for placement of fences is taken from your property line, which again is most likely not the back of sidewalk. The City ROW is administered by the Engineering & Transportation Department. It is this Department's policy to not allow any fences/walls to be located within the ROW, regardless of height, except under extraordinary circumstances. Locating a fence within the City's ROW requires issuance of an Encroachment Permit from the City Engineer, which must be acquired prior to any application for a Building Permit or Fence Modification. For information on property lines and setbacks, the Planning Services Division can be reached at 577-3371 M-F, 7:30 AM to 5:00 PM. Public counter hours are M-F 7:30 AM to 4:00 PM, and by appointment after 4:00 PM (closed Tuesdays from 12-2 and the first Wednesday of the month, from 2:30-4).

Do I need a Building Permit?

Typically, block/brick, stucco or masonry walls that are 4 feet in height or less (measured from the bottom of the footing), and wooden fences 6 feet in height or less do not require building permits. Block/brick, stucco and masonry walls in excess of 4 feet in height and 7-foot tall fences (including a 6-foot tall fence with 1-foot of lattice) may require a building permit. For questions on Building Permits, please contact the Building Services Division at 577-3405.

What if I've already built my fence and it is taller than allowed?

Staff often receives calls from concerned citizens regarding new fences that appear non-conforming. Even though your fence may already be in place, if it exceeds the height allowed by the Zoning Code, you will be required to apply for a Fence Modification as described below. Please be aware that you may be required to modify your fence (i.e. shorten it or move it) if it is determined by staff that it creates a site distance hazard for cars, if it doesn't conform with other legal fences in your area, or if it is located within the City ROW and an Encroachment Permit is not issued by the City Engineer.

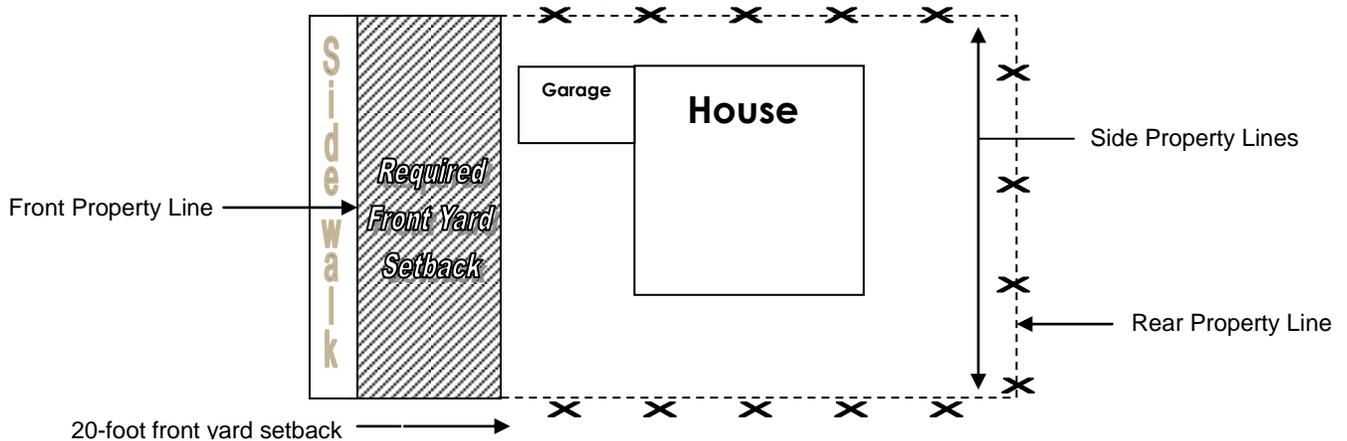
What do I do if I want to build a fence/wall taller than is allowed?

You may apply at the Planning Services Division for a **Fence Modification**. In addition to filling out an Application Form and paying the required fee, you must include 3 sets of plans. The plans *must be drawn to scale* and should include a Site Plan, similar to the diagram shown below, which shows the property lines, the required setbacks, and where the fence/wall is to be located. In addition, an elevation of the proposed fence/wall should be included, indicating the proposed materials and height of the fence/wall (a manufacturer’s ‘cut sheet’ may be substituted for the elevation). Most decisions on a fence modification will be made by the Zoning Enforcement Official (ZEO) at an informal public hearing. Adjacent/nearby neighbors are notified of this meeting via a mailed notice. The ZEO also has the right to refer the matter to the Board of Zoning Adjustments if he feels the matter is extremely controversial. The process of applying and holding the ZEO meeting typically takes approximately 4 weeks. After the ZEO makes a determination on your application, there is a 15-day appeal period.

Please contact the City before you start construction on your fence!

Even if you are simply replacing an old fence that is falling down, it may be that the old fence is located within the ROW and/or is taller than is allowed under current regulations. If that is the case, you must get approval of a Fence Modification permit before you start work. Another common comment we hear is, “I built a fence exactly like my neighbor did, so why do I need to get approval?” It may be that your neighbor does not know the City’s fence regulations, and his/her fence is not considered legal.

Interior Residential Lot – Schematic Diagram of Allowed Fence Heights and Locations



- X : 7-foot tall fence allowed without a fence modification (inclusive of any lattice work)
- ▨ : Foot tall fence allowed without permit (up to seven feet tall *with an approved fence modification*)

Corner Residential Lot – Schematic Diagram of Allowed Fence Heights and Locations

