



# INFORMATIONAL BULLETIN

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Chief Building Official

## WALL AND FENCE REQUIREMENTS

**References:** California Building Code section 105.2, Building- items 2 and 4, City of Irvine Zoning Code Chapter 3-35.

**Introduction:** A fence, wall or retaining wall, depending on its height, location and configuration, may be subject to a permit under the California Building Code (CBC) as well as limitations under the City of Irvine Zoning Code (ZC).

**Purpose:** The purpose of this information bulletin is to:

- Assist property owners of existing developed properties by defining when a permit is required and the applicable Zoning Code limitations for fences, walls and retaining walls for residential and non-residential properties.
- Establish plan requirements for tract developments.

### **CALIFORNIA BUILDING CODE (CBC)**

The CBC **exempts** from a permit fences and walls **up to seven feet high**. Retaining walls supporting earth **four feet or less** as measured from the bottom of the footing are also exempt provided there is no superimposed load, for example an ascending slope, or a structure such as another wall, building or driveway.

All other fences, walls and retaining walls require a building permit and plan based on an engineered design. For questions as to whether a permit is required, please call (949) 724-6313. **Note: all material, construction standards and zoning rules apply regardless of whether a permit is required.**

For permit exemption considerations:

- The height of a fence shall be measured from lowest finish grade from either side of the fence to the top of the fence.
- The height of the retained earth shall be measured from underside of the footing (any key included in the footing design shall not be considered for this measurement).

## **PLAN REQUIREMENTS FOR TRACT DEVELOPMENTS**

Fencing and retaining wall plans for residential tract home developments are permitted under a single permit. Because a majority of fences and retaining walls, while subject to a Zoning Code compliance review, are not subject to a permit, the following plan presentation shall be required:

- Plan views shall clearly show, using distinct symbols along with their linear lengths, which fence and retaining wall segments are subject to a permit.
- Each such segment shall be distinctly labeled, e.g. segment F1, RW1, etc.
- Tables for fences and retaining walls shall be provided listing all segments and their corresponding lengths, average heights, maximum heights and wall areas. Sums for total lengths and areas for walls and retaining walls **subject to a permit** shall be included for each table.
- Construction details and structural calculations shall be provided for each retaining wall and fence condition subject to permit.
- The following construction note shall be provided: "Only fences and retaining wall segments identified as subject to a permit wall require inspection. **Contractor shall request inspections for those sections only.** Those segments not subject to a permit and inspections, however, shall meet all applicable California Building Standards."

## **CITY OF IRVINE ZONING CODE**

For new developments, fence, wall and retaining wall conformance to the ZC is determined in accordance to procedures for review of Master Plans as defined in Chapter 2-17. For fences, walls and retaining walls installed at existing developed sites, however, when no building permit is required or when subject to a ministerial building permit, i.e. not subject to a discretionary planning action, the following standards apply.

These standards are taken from ZC Chapter 3-35, Walls and Fence Standards. Please use this link to view the complete standards in their published form.

Questions relating to their interpretation and use or to determine whether your property use is considered *residential, institutional, industrial or agricultural*, please contact the Development Assistance Center (DAC) at (949) 724-6308.

### Residential and institutional uses:

- Front: Fences and walls in the front setback area shall be no higher than two and one half feet above grade at the property line. The fence or wall may be one foot higher for every three feet the fence or wall is set back from the property line, up to a maximum of six feet above grade.

- Streetside: Fences and walls in the streetside setback area shall meet the requirements above unless there is no vehicular access (driveway) from the streetside. In such case, the height of the fence or wall may be six feet above grade at the property line.
- Other: Fences and walls in rear or non-streetside setback areas shall be no higher than six feet above grade.

Industrial uses:

- Front and streetside: Fences and walls in the front setback and streetside setback areas shall be no higher than three and one-half feet above grade. However, security fencing may be approved by the Director of Community Development if there is a demonstrated need for security. The maximum height of this fencing shall be six feet above grade. The fence shall be constructed of wrought iron or similar materials and shall transmit a minimum of ninety percent light. The fence shall not obstruct views of landscaping nor create a visibility problem for motorists.
- Other: Fences and walls in rear and interior side setback areas shall be no higher than twelve feet above grade.

All other uses:

- Front: Fences and walls shall be no higher than three and one-half feet above grade in the front setback area.
- Streetside: Fences and walls shall be no higher than three and one-half feet above grade in the streetside setback area. If there is no vehicular access from the streetside setback area, the fence or wall may be six feet above grade at the property line.
- Other: Fences and walls in rear or interior side setback areas shall be no higher than six feet above grade.

Exceptions to wall and fence heights:

- If a retaining wall is combined with a fence or wall, the total combine height may reach a maximum of ten feet above grade along the streetside and twelve feet above grade along the rear property lines.
- The maximum height of a fence or wall shall be two and one-half feet above grade within the sight triangle of any street intersection.

General material restrictions:

Barbed wire, wire, electrically charged fences, plain exposed concrete block, plastic materials, chain link and grape stake are prohibited.

Exceptions:

1. Vinyl-coated chain link and plain wire fences with posts may be used in *agricultural* uses.
2. Plain exposed concrete block, electro-galvanized steel mesh fence coated in polyester plastic and chain link fences with battens of metal, redwood, plastic or equivalent material, may be used in *industrial and institutional* uses where not visible from any street.