

**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**FENCE PROVISIONS**

Please note that fences of any type exceeding six (6) feet in height (as in Section 6412.1) and masonry fences of any height will require a building permit.

**SECTION 6412.** Fences, walls and hedges shall be subject to the following regulations, except as provided in Section 6412.1:

- (a) Fences, walls, and hedges not exceeding four (4) feet in height may occupy any front yard area.
- (b) Fences, walls, and hedges not exceeding six (6) feet in height may occupy any side or rear yard area, provided:
  - 1. That they do not extend into any required front yard.
  - 2. That, in the case of a corner lot, they do not extend into the side yard required along a side street or into that portion of the rear yard abutting such side street which is equal to the width of the side yard required on said side street.
- (c) On any parcel of land having a street frontage of one hundred (100) feet or more, and located in any "S" District requiring a minimum building site of twenty thousand (20,000) square feet or more, fences, hedges, or walls not exceeding six (6) feet in height may be erected in any part of the yard area, except as limited by Paragraph (d).
- (d) On any corner lot, the maximum height of fences, walls, hedges, and growth located within fifty (50) feet of the intersected street lines shall not exceed four (4) feet in height; provided that nothing in this section shall prevent any fence, wall, or hedge from occupying any portion of the lot area that a main residence may occupy under the terms of this Part.
- (e) Where trees are located within fifty (50) feet on the intersected street lines, the main trunks of such trees shall be trimmed free of branches to a height of seven and a half (7.5) feet above the curb grade.

**SECTION 6412.1.** With regard to the height limits set out in Section 6412, whenever there exists an abrupt shift in the height of the land at the boundary line between two different property owners, the lower owner may erect a fence, wall or hedge on the boundary to a height limit set out in Section 6412, and in no event more than twelve (12) feet high.

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**FENCE HEIGHT EXCEPTIONS**

**SECTION 6412.2. REGULATIONS FOR FENCE HEIGHT EXCEPTIONS.** The following regulations shall apply to those areas located outside the Coastal Zone.

**SECTION 6412.2. PURPOSES.**

On parcels located outside the Coastal Zone, the Planning Director may approve an exception to allow fences or hedges to exceed the height limits set forth in Section 6412 by up to two (2) feet, providing that:

- (1) Written notification of the exception request is sent to all owners of property located within 300 feet of the parcel where the fence or hedge is proposed to be placed, and to any member of the public requesting such notification, and
- (2) Written notification of the exception request is sent to all recognized organizations or associations that have been established to represent the property owners in the neighborhood surrounding the parcel where the fence or hedge is proposed to be placed, and to any organization or association requesting such notification. An organization or association shall be considered recognized if it has been in existence for at least six months, and has scheduled meetings, and
- (3) No member of public nor organization or association has submitted to the Planning Director written objection to the exception request, and
- (4) After consultation with the Director of Public Works, the Planning Director finds that approving the exception will not jeopardize public safety, and
- (5) After viewing the parcel where the fence or hedge is proposed, the Planning Director finds that approving the exception will be compatible with the neighborhood surrounding that parcel, and will not be detrimental to the public welfare, and
- (6) The Planning Director finds that the proposed fence or hedge promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.14. In order to make this determination, the Planning Director may condition the exception with certain requirements, including design, location, materials, colors, and landscaping requirements.

The Planning Director's decision on an exception authorized by this section shall not require a public hearing. The Planning Director's decision may be appealed to the

Planning Commission, accompanied by a fee, as set by resolution of the Board of Supervisors.

**APPEAL:** Upon appeal, the Planning Commission, at a public hearing, shall review the Planning Director's decision, and may approve an exception, providing all of the following findings can be made:

- (1) Approving the exception will not jeopardize public safety, and
- (2) Approving the exception will be compatible with the neighborhood surrounding the parcel where the fence or hedge would be placed and will not be detrimental to the public welfare, and
- (3) The proposed fence or hedge promotes or enhances good design, site relationships and other aesthetic considerations, in accordance with San Mateo County General Plan Policy 4.14. In order to make this determination, the Planning Commission may condition the exception with certain requirements, including design, location, materials, colors and landscaping requirements.

The decision of the Planning Commission may be appealed to the Board of Supervisors. Appeals to the Board of Supervisors shall be subject to the same procedures and requirements as appeals to the Planning Commission.

**APPLICATION:** Application for the exception authorized by this section shall be made in writing on a form provided by the Planning and Building Division, and accompanied by a fee, as set by resolution of the Board of Supervisors. At minimum, the application shall include a site plan and elevation identifying the location, height, design, material and color of the proposed fence or hedge.

**NOTICE OF ADMINISTRATIVE DECISION:** At least ten (10) days prior to the Planning Director acting on an exception request, written notice of the pending decision shall be sent by first class mail to all owners of property located within 300 feet of the parcel where the fence or hedge is proposed to be placed, and all recognized organizations or associations that have been established to represent the property owners in the neighborhood surrounding the parcel where the fence or hedge is proposed to be placed. Concurrently, written notice shall be prominently posted in the front yard of the parcel where the fence or hedge is proposed to be placed. Written notice shall contain at least the following information:

- (1) The date and time when the decision will be made.
- (2) The name of the property owner and applicant.
- (3) The location of the property where the proposed exception would occur.
- (4) A short, general description of the proposal, including the fence or hedge location, height, design, material and color.

- (5) A statement that any written objection to the request must be received by the Planning and Building Division before the date and time when the decision will be made.
- (6) The name and address of the staff person who may be contacted for additional information or to file an objection to the request.

**OBJECTION:** Any objection to the proposed exception shall be received by the Planning Director in writing before the date and time when the decision will occur.

**NOTICE OF HEARING ON APPEAL:** At least ten (10) days prior to the Planning Commission considering an exception request that is under appeal, written notice of the Planning Commission hearing shall be sent by first class mail to the same individuals and organizations who received notice before the Planning Director's decision on the proposed exception. Written notice shall contain at least the following information:

- (1) The date and time when the decision will be made.
- (2) The name of the property owner and applicant.
- (3) The location of the property where proposed exception would occur.
- (4) A short, general description of the proposal.
- (5) The name of the staff person who may be contacted for additional information.

(Section 6412.2 - Adopted by Ordinance No. 3891 - March 16, 1999)

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