



COUNTY OF LAKE COMMUNITY DEVELOPMENT DEPARTMENT

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Interpretation of Retaining Walls and Fences

2013 California Building Code (CBC) Section 105.2

NOTE: Check with your Homeowner's Association and Architectural Review Committee for Conditions, Covenants & Restrictions(CC&R's). The County of Lake has no regulatory authority to enforce or notify permit applicants of CC&R Requirements, nor deny permits for non-compliance.

WHEN IS A PERMIT NOT REQUIRED ?

A Building Permit is not required for the following types of Fences/Retaining Walls (Per 2013 California Building Code, Section 105.2):

- Masonry and Concrete Fences not over 3 feet in height; will need to speak with the Planning Division regarding the Zoning Ordinance requirements and this may need a Planning Clearance.
- All other Fences not over 7 feet in height (See Planning for Zoning Requirements – as to Set backs and Height restrictions.)
- Retaining Walls not over 4 feet in height, measured from the bottom of the Footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.
Note: If the Retaining wall utilizes intermittent wood post supports in lieu of a continuous wall footing, the vertical height measurement of the retaining wall shall begin at the lower grade level with the maximum height of the wall to be 24 inches (retaining earth or not).
To avoid a surcharge, a level grade (less than 6 horizontal to 1 vertical without footings or driveways) must be maintained a distance away from the wall equal to or greater than its overall retained height. (See Figure 2B)



WHEN IS A PERMIT NEEDED?

A Building Permit is required for any of the following:

- Concrete or masonry fences that measure more than 3 feet from grade to the top of the fence. Structural calculations and drawings showing details of the wall and footings are required. Engineered calculations must be signed and stamped by a licensed architect or engineer.
- Retaining Walls that:
 - a) Measure more than 4 feet from the bottom of the footing to the top of the retaining wall; and/or
 - b) Support a surcharge or impound Class I, II, or III-A liquids
- See Page 2 for General Definitions

Retaining walls must be approved by the Planning and Building & Safety Divisions. Structural calculations and drawings showing details of the wall and footings are required, stamped and signed by a licensed architect or engineer, and must demonstrate that the subject wall will resist the lateral pressure of the retained material as specified in Section 1610 of the 2013 CBC; as well as a Site Plan showing location of wall and setbacks, and an elevation of the wall.

General Definitions

- Retaining Wall** – A *Retaining Wall* is a wall designed to resist lateral earth and/or fluid pressures, including any *surcharge*, in accordance with accepted engineering practice. This definition also applies to freestanding pool walls. The County of Lake adopts, by reference, the *2013 California Residential Code Section 105.2 Item 3* which states: *“Retaining walls that are not over 4 feet (1219mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.”*

It is a common misconception by builders, designers, landscape contractors, pool contractors, and homeowners that this section of the *CBC* allows retaining walls of up to 4 feet in *exposed wall height* to be constructed without a permit, regardless of the back slope conditions.

In order to interpret this Building Code Section correctly, a clear understanding of the following terms is essential:

- Retained Wall Height** is the vertical distance measured from the bottom of the footing to the finish grade at the top of the wall (i.e. upper soil grade). This is the height referred to in *CBC §105.2, item 3* and it includes the wall and depth of footing below grade.
- Exposed Wall Height** is the vertical distance measured from the finish grade at the bottom of the wall (i.e. lower soil grade) to the finish grade at the top of the wall (i.e. upper soil grade). This height does not include the wall and depth of footing below grade.
- Tiered Retaining Walls** Use of *tiered walls* is a special condition where 2 or more short walls, horizontally offset from one another, are used in lieu of a single tall retaining wall. When tiered walls are not properly offset from each other, the upper wall may impose a surcharge condition on the lower wall. In order for the walls to be treated as separate retaining walls, a general rule of thumb is that the tiered walls be horizontally offset by a minimum distance of two times the *exposed wall height* of the lower wall.

As an example, two tiered retaining walls each with an exposed wall height of 3 feet, and level back fill that are horizontally offset by a distance of 2 feet would be treated as a single 6 foot tall wall and as a result, a building permit would be required.

