Decks

Introduction

The construction of decks, including roof decks, requires a building permit application with plans if any part of the deck surface is more than 30 inches above grade. Some decks may be approved over-the-counter (OTC) by the Planning Department. Others require neighborhood notification as described below.

Neighborhood Notification

Notification is required for any building expansion in an RH, RM, RTO, Neighborhood Commercial (NC), or Eastern Neighborhoods Mixed Use district per Section 311 of the Planning Code. If the project meets certain thresholds, it also requires a mandatory Pre-Application Meeting. Please see our handout on Pre-Application Meetings. Under the Planning Code and associated Zoning Administrator interpretations, some minor projects listed below have been deemed exempt from the notification requirement:

- Decks that are cantilevered (i.e. entirely supported by the walls to which they are attached, without any additional posts or other external support),
- Decks that are supported by posts but no more than 10 feet above grade and within the “buildable area”.
  - The “buildable area” of a lot means the area that is not part of a required yard or setback under the Planning Code and within the applicable height limit (see Zoning Administrator Bulletin No. 5).
  - Railings above these decks are allowed without triggering notice. If a firewall is required for a proposed deck and the firewall exceeds 10’ in height, both a Pre-Application Meeting and notice would be required.

The Planning Code allows limited projections into yards and setbacks for specified extensions of buildings. These are known as ‘permitted obstructions’ and include certain decks. Specifically, there is an allowable projection into the rear yard for districts with a rear yard requirement of 45% of lot depth (typically in RH-2, RH-3, RM-1, RM-2, and RTO districts). One- or two-story projections of up to 12 feet in depth into the rear yard are allowed by the Planning Code, subject to other limitations, per Section 136(c)(25). A deck that fits within the area allowed by this section is a ‘permitted obstruction’. However, if you must utilize this section of the Code for your deck to be allowed, then both a Pre-Application Meeting and neighborhood notification will be required.

The Planning Code provides exceptions from rear yard restrictions for decks in certain situations.

Decks that are 3 feet above grade or less are permitted anywhere in the required rear yard. If a rear yard has a slope greater than 15 %, decks higher than 3 feet may be permitted in the required rear yard and approvable over the counter, subject to limits described and illustrated in Planning Code Section 136(c)(24). More information can be found at the Planning Information Center on the 1st Floor at 1660 Mission Street, by phone at (415) 558-6377 or via email at pic@sfgov.org.
Roof Decks

All decks greater than 30 inches above grade, including roof decks, require building permits. Roof decks accessed by internalized staircases or roof hatches that meet the following parameters may be approved over-the-counter:

- Are less than 500 square feet (measured cumulatively including all other decks, balconies or terraces 10 feet above grade or higher); and
- Inclusive of minimum-height railings and means of access, are set back at least 5 feet from all shared lot lines, light wells, and front building walls.

Permit applications for roof decks exceeding these parameters will not be approved at the Planning Information Center (PIC) and will be assigned to a staff planner for review by the Residential Design Advisory Team (RDAT). Such projects may be approved as-proposed or required to be modified to ensure:

- Adequate separation of uses, privacy screens and parapets to buffer roof decks from adjacent windows and outdoor spaces;
- The existing pattern, size, location and prevalence of open space is respected; and
- Parapets and windscreens are designed to be minimally visible from the street and compatible with neighborhood character while minimizing the effects of additional building mass on adjacent properties.

If a proposed roof deck or access to it is on a portion of the structure that encroaches into a required yard or setback, or a ‘non-complying’ structure under the Planning Code, then all railings must be of an open design and are limited to 42 inches in height. In these cases, the Planning Department will notify owners and occupants of all properties which border the subject property, who will be given a 10-day period to raise any concerns they might have regarding the project.

Deck Replacement

If you are replacing a deck, do not assume that it may be fully replaced in-kind. Many decks that were legally constructed with a building permit may now protrude into the required side or rear yards as a result of pre-dating current zoning controls. These decks are now partly or wholly ‘non-complying’ under the Planning Code. If a noncomplying feature is removed, it may only be reconstructed if it is in full compliance with current Codes; alternatively, a Variance from the Planning Code may be sought. A Variance requires a separate application and a public hearing before the Zoning Administrator subject to public notification. If a legal, complying deck is replaced in-kind or with a smaller deck within the same footprint and envelope as the original deck, it would not require notice.