



MEMO TO FILE

September 3, 2025

Subject: Zoning Administrator Interpretations

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Background

Pursuant to Planning Code Section 307(a), the Zoning Administrator (ZA) issues rules, regulations, and interpretations they deem necessary to administer and enforce the provisions of the Code. Formal interpretations are listed within the Planning Code, and topical bulletins are issued separate from the Code (e.g., neighborhood notice, bicycle parking, affordable housing, etc.).

Interpretations

The attached document details numerous ZA interpretations to be deleted or amended due to various Planning Code amendments related primarily to the buildable area in residential zoning districts (e.g., Housing Production Ord. No. 248-23, various PermitSF ordinances, etc.). However, this update also includes various miscellaneous deletions and revisions that are necessary to respond to other legislative amendments over the years.

Appeals

Each individual ZA interpretation in the attached document is separately appealable to the Board of Appeals within 30 days of issuance. A single appeal may not be filed to encompass two or more separate interpretations.

Attachments:

Amendments to Zoning Administrator Interpretations of the Planning Code – Issued September 3, 2025

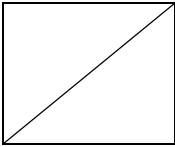
cc: Elizabeth Watty, Director of Current Planning
Planning Commission
Odaya Buta, Office of City Attorney
Citywide Neighborhood Groups

Amendments to Zoning Administrator Rules, Regulations, and Interpretations of the Planning Code – September 3, 2025

NOTE: Additions are single-underline italics Times New Roman;

Deletions are ~~strike-through italics Times New Roman~~.

Note to publisher: illustrations proposed for deletion are shown as follows.



INTERPRETATIONS BY CODE SECTION

Code Section: 121(e)

Subject: Minimum lot area, distance from corner

Effective Date: 7/15/86 Zoning Bulletin

Interpretation:

~~This Section states that a lot ENTIRELY within 125 feet of an intersection may be 1,750 square feet. The bulletin [Appendix 121(e)] states that a portion of a lot may be beyond the 125 foot distance if a 1,750-square foot portion of the lot, 25 feet in width is within the 125 foot distance.~~

Code Section: 121(f)

Subject: Conditional use for lot of lesser AREA

Effective Date: 11/87

Interpretation:

~~This subsection allows the approval of a lot with a width less than that normally required if the lot contains no less than 1,500 square feet and is developed only with a single-family dwelling. The wording of this Section places the width factor foremost with the density and area factors subordinate. Therefore, the Section allows the approval of a lot with less AREA than normally required ONLY in conjunction with approval of a lesser WIDTH.~~

Code Section: 121(f)

Subject: Lots of substandard size, approval procedure

Effective Date: 5/90

Interpretation:

—This Section allows a lot of substandard size to be approved as part of a conditional use to allow its substandard width. Two lots of substandard size were proposed to be split from one lot. One of the proposed lots qualified for approval through the conditional use process but the other did not since its width would not be substandard. Previous policy determinations indicated that the conditional use procedure should be used where available instead of the variance procedure. In the above case where one but not both related lots could be approved with a conditional use, both should be subject to the variance procedure rather than to two separate procedures.

Code Section: 130(d)

Subject: Triangular lot defined

Effective Date: 2/91

Interpretation:

—See Appendix

Code Section: 132

Subject: Front setback

Effective Date: 5/87

Interpretation:

—Three lots (2129/2C, 2D and 2E) used a third lot (Lot 2F) for common access to the street. Lots 2C and 2E have no frontage by themselves on a street. The question was how to determine the front setback on Lot 2C. Once proof of 1/3 ownership of Lot 2F was shown, the average of the setbacks from their own front property lines of the buildings on the two lots on either side would be applied to the subject lot relative to its front property line relative to the street. See Appendix, 132 and 134 for drawing and for an explanation of how lot depth and building depth and height under the NCIC were determined for another lot in this group.

Code Section: 132(b)

Subject: Front setbacks

Effective Date: 2/86

Interpretation:

—The averaging method can only be used to place the subject building no further forward than the front wall of the more forward adjacent building which wall is used to determine the setback.

Code Section: 132(b)

Subject: Alternative front setback averaging method

Effective Date: 3/88

Interpretation:

—In a zoning district where setbacks are determined by averaging, a portion of an existing building is already built to the street line for a width of more than 25 feet next to a building with a setback. A portion of the building is set back from the street line. This "notch" is adjacent to a building with no setback. This notch could be filled in since it was next to the building with no setback and the portion of the building with no setback was at least 25 feet wide width of a normal lot.

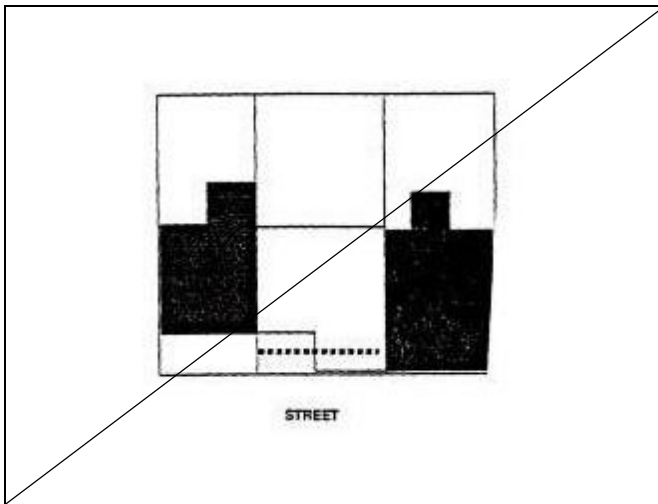
Code Section: 132(b)

Subject: Front setback, alternative method of averaging

Effective Date: 11/92

Interpretation:

—Subsection 132(a) imposes a front setback requirement for development in certain residential districts under most circumstances that is equal to the average setback of the adjacent buildings. Section 130 requires yards generally to extend the full width of a lot but Subsection 132(b) states that this setback may be provided in an irregular manner by providing the same amount of open area in a greater setback next to an adjacent building having the greater setback. In the case where a building was built with this alternative configuration before the setback requirement went into effect, a portion of its setback could be built upon up to the setback required by Section 132(a) (up to the dashed line in the illustration) without the alternative allowed by this Subsection even though the existing building conforms to current Code (using this subsection) and the result would not conform to the Code. Any addition built now must conform to current standards but any portion of the house legally built into what would now be a required front setback would be allowed to remain. The proposed addition conforms to the basic front setback required by Subsection 132(a). The configuration described by Subsection 132(b) is an alternative allowed as an option which cannot be RETROACTIVELY imposed on the owner simply because the house originally happened to conform to that option.



Code Section: 132(b)

Subject: Alternative front setback provision

Effective Date: 3/96

Interpretation:

—This subsection allows the required front setback on the subject lot based upon the setback of the adjacent buildings to be provided in an irregular manner by allowing a portion of the house next to the adjacent house having the lesser setback to also have a lesser setback as long as the portion next to the adjacent house with the greater setback is set back to average the amount of the required setback. If a house is built using this provision and a later addition is proposed not using this alternate setback provision, the purpose of the setback and the alternative method could be circumvented. Therefore, it will be the policy of the Planning Department when approving construction that relies upon this option to have a notice of special restriction (NSR) placed upon the property records indicating that such reliance was made. Also, upon reviewing proposals with this potential, the staff shall look for such NSR and deny any permit application that would build into a portion of the setback required by the utilized option.

Code Section: 132(be)

Subject: Front setback averaging

Effective Date: 9/87 & Revised 9/25

Interpretation:

For purposes of determining the required front setback, the wall of the adjacent building/s ~~which~~ that is structural with a foundation (touches the ground) is to be counted as the main building wall unless such wall conforms to the configuration of a permitted obstruction in the front setback.

~~Code Section: 132(c)~~

~~Subject: Front setback averaging~~

~~Effective Date: 7/88~~

~~Interpretation:~~

~~—This Section says that, when measuring the distance from the street to the building wall closest to the property line of an adjoining building, all projections, decks, garages and all other obstructions shall not be counted. It is established policy that bays and other projections not extending to the ground shall be an obstruction referenced by this Section as not being counted. Further, a bay falling within the FOOTPRINT described by Section 136(c)(2) and (3) would not be counted even if it extends to the ground and has a foundation.~~

Code Section: 132(be)

Subject: Front setback averaging

Effective Date: 9/88 & Revised 9/25

Interpretation:

An interpretation used since 1978 is that the setback of the adjacent building used to calculate the required setback of a particular building is itself averaged when its front wall is not parallel to the street line. Therefore, the setback of such adjacent building is not the closest point its wall comes to its front property line but the average distance its front wall exists from its front property line.

Code Section: 132(d)(2)

Subject: Front setbacks, special situations

Effective Date: 10/86

Interpretation:

—See this reference in the Appendix

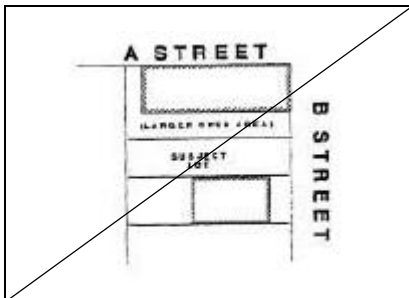
Code Section: 132(d)(2)

Subject: Front setbacks

Effective Date: 4/87

Interpretation:

—The subject lot fronts on B Street. The building on the adjacent corner lot is built to the street line of B Street and has most of its yard area next to the subject lot so that it would have to be considered as fronting on A Street for purposes of development on its own lot. The building on the other side of the subject lot is set back from the front property line. The subject Code section says that if the building on the corner lot fronts on a different street than the subject building, the subject building would need to have a setback equal to that of the one building fronting on the same street; whereas if the building on the corner lot fronts on the same street as the subject building, the subject building's setback is the average of the two adjacent buildings. In this case, the latter method would result in a lesser setback for the subject building so the applicant asked whether the building on the corner lot could be considered to be fronting on B Street for purposes of determining the setback for the subject property even though it would have to be considered as fronting on A Street for purposes of development on its own lot. The frontage of the corner building could not be considered to be different for purposes of determining setback of the adjacent lot just to allow a more liberal application for the adjacent owner. One reason a more restrictive rule exists for the case where the corner building fronts on another street is to recognize the likely presence of its rear yard next to the subject building and a greater setback for the subject building respects this open area.



Code Section: 132(d)(3)

Subject: Front setback measurement

Effective Date: 9/90

Interpretation:

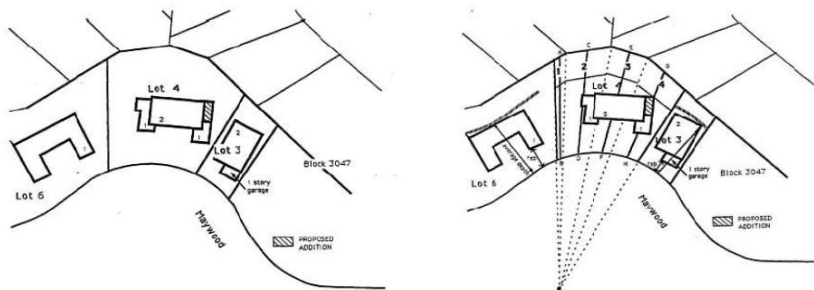
Section 132 deals with front setbacks required for RH and RM Districts and states that such required front setback shall be the average of the existing front setbacks of the two adjacent buildings. This paragraph deals with how to measure the front setback when the subject property adjoins an RC, C, M or P District and states that such properties shall be disregarded and the setback of the subject building shall be equal to the setback of the one residential building. Since this paragraph references all nonresidential districts extant at the time of its original adoption and does not reference any zoning districts created since then, the question arose whether such absence of a reference to newer districts was simply an oversight. It was concluded that it was not obvious that the existing Code language resulted from a legislative oversight. There was not found a logical reason to impose an exemption not stated in the Code. Therefore, in calculating the front setback of a proposal in an RH or RM District, one shall consider the location of a building in an NC or Mixed Use District fronting the same street as the subject building.

Code Section: 134

Subject: Average depth of irregular lot

Effective Date: Unknown; Moved & Revised 09/25

Interpretation:



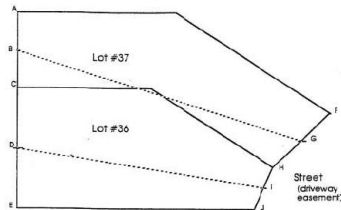
Average depth of subject lot: The rear property line consists of four straight lines defining back ends of four segments of the lot. The front ends of these segments are determined by extending the two side lines toward the street until they connect. Draw straight lines connecting this point to each of the ends of the straight lines that constitute the rear property line. Treat each of the resulting segments (1 on the drawing) as separate lots for computing average lot depth. Bisect the lines which define the rear and front ends of each segment and connect these bisection points. These connecting lines (A-C, etc.) constitute the average depth of each segment. The rear yard is the appropriate percentage of each of these segments.

Code Section: 134

Subject: Average depth of irregular lot

Effective Date: Unknown; Moved & Revised 09/25

Interpretation:



Several vacant lots (#36 and #37 in Assessor's Block 5934) existed at the end of a cul-de-sac. Neither were rectangular. In a scenario where a lot is not rectangular, as shown in the graphic. The question was how to calculate the average lot depth for Lot 37. It was determined that the average depth was expressed by a straight line drawn from the midpoint of the frontage to the midpoint of the rear property line even though this line would leave the confines of the lot at some point.

Code Section: 134~~(a)(1)(A)(d)(1)~~

Subject: NC-1 noncomplying, add residential

Effective Date: 8/91; Moved & Revised 9/25

Interpretation:

This Section requires a rear yard at ground level and above for the NC-1 District whether or not residential use exists on the lot. In the case where a nonresidential building zoned NC-1 existed in the required rear yard and a dwelling unit was proposed to be added to that building, a variance would be required for an exception from the rear yard requirements. This is consistent with the established practice of requiring a variance to introduce residential use to a noncomplying accessory building in the rear yard of a residential district. This is done on the basis that the introduction of residential use exacerbates the noncomplying situation since one reason for the rear yard requirement is to provide an amenity for the occupants of the noncomplying structure as well as providing open space to the block.

Code Section: 134~~(a)(1)(C)(d)(1)~~

Subject: Rear yard requirements

Effective Date: 6/200; Moved & Revised 9/25

Interpretation:

Addition of a dwelling above NCU or LCU with no rear yard in an R district

A long-standing interpretation of Subsection 172(b) (which states that no NCU may be altered in such a way as to increase a code discrepancy or create a new discrepancy) allowed, where an NCU with no rear yard was the sole use on a residentially zoned lot (with a rear yard requirement for all buildings), to be converted to residential use without a rear yard variance. Such a non-residential building without a rear yard is already noncomplying and would not be made noncomplying by adding a dwelling.

So, if a residence is added above an NCU or LCU with full lot coverage in an RH district, where a rear yard is proposed at the residential level, and the ground floor remains at full coverage with a nonconforming commercial use, there is no increase in the rear yard discrepancy, and thus no rear yard variance is required.

Please note that in districts where the commercial use does not require a rear yard, but the residential use does (such as NC-~~32~~ Districts), a rear yard or variance from such would be required since having a dwelling there with no rear yard creates a discrepancy.

Code Section: 134~~(a)(1)(d)(2-3)~~

Subject: Building below the rear yard

Effective Date: 3/88 & Revised 9/25

Interpretation:

This Paragraph requires a rear yard be provided either at the second story or above or at the level of the lowest dwelling and above in certain zoning districts. That portion of a building extending below what would be the required rear yard or setback at higher levels does not have to be developed with a deck on its roof unless such deck is needed to meet the usable open space requirement. Further, features permitted below the upper level rear yard need not be limited to an extension of the building but can be separate buildings and other structures not extending to the level where the rear yard requirement begins.

Code Section: 134(a)(1)(A)

Subject: NC-1 noncomplying, add residential

Effective Date: 8/91

Interpretation:

~~This Section requires a rear yard at ground level and above for the NC-1 District whether or not residential use exists on the lot. In the case where a nonresidential building zoned NC-1 existed in the required rear yard and a dwelling unit was proposed to be added to that building, a variance would be required for an exception from the rear yard requirements. This is consistent with the established practice of requiring a variance to introduce residential use to a noncomplying accessory building in the rear yard of a residential district. This is done on the basis that the introduction of residential use exacerbates the noncomplying situation since one reason for the rear yard requirement is to provide an amenity for the occupants of the noncomplying structure as well as providing open space to the block.~~

Code Section: 134~~(a)(1)(C)~~(d)(2-3)

Subject: Rear yard for NC Districts

Effective Date: 1/91 & Revised 9/25

Interpretation:

This Paragraph states that for certain ~~R~~-NC and Mixed Use Districts, the required rear setback shall be at the lowest level of residential occupancy and above. Therefore, the roof of that portion of the building below the lowest residential floor (or the roof of another building on the lot) would constitute the surface of the rear "yard." The roof of another building on the lot constituting such "yard" could extend up to but no higher than three feet above the floor level of the lowest residential floor because a deck can be three feet above grade anywhere in the rear yard.

Code Section: 134~~(a)(1)(C)(d)(2-3)~~

Subject: Rear yard requirements

Effective Date: 6/2001 & Revised 9/25

Interpretation:

Planning Code Section 134~~(a)(1)(C)(d)(2-3)~~ requires that the rear yard shall be provided at the lowest story containing a dwelling unit *in certain zoning districts*. If an ancillary room (within the same dwelling unit) is provided at a level below the primary portion of the dwelling unit, the rear yard is required beginning at the primary level of the dwelling unit but not necessarily required at the level of the ancillary room. The primary portion is defined as a fully functional dwelling unit, with kitchen and sleeping rooms. An ancillary room could not function or easily be converted to an independent unit.

The intent of this proposed interpretation is to encourage ground level pedestrian-oriented design. The alternative would be to not allow occupiable space on the ground floor or to reduce the number of parking spaces, and thus the number of dwelling units, since to require a rear yard at this level would impact the parking. These will be considered on a case by case basis by the Zoning Administrator to ~~assure~~ ensure that the intent of the Code is met.

Code Section: 134(a)(1)(C)

Subject: Rear yard requirements

Effective Date: 6/2001

Interpretation:

~~—Addition of a dwelling above NCU or LCU with no rear yard in an R district~~

~~—A long-standing interpretation of Subsection 172(b) (which states that no NCU may be altered in such a way as to increase a code discrepancy or create a new discrepancy) allowed, where an NCU with no rear yard was the sole use on a residentially zoned lot (with a rear yard requirement for all buildings), to be converted to residential use without a rear yard variance. Such a non-residential building without a rear yard is already noncomplying and would not be made noncomplying by adding a dwelling.~~

~~—So, if a residence is added above an NCU or LCU with full lot coverage in an RH district, where a rear yard is proposed at the residential level, and the ground floor remains at full coverage with a nonconforming commercial use, there is no increase in the rear yard discrepancy, and thus no rear yard variance is required.~~

~~—Please note that in districts where the commercial use does not require a rear yard, but the residential use does (such as NC-32 Districts), a rear yard or variance from such would be required since having a dwelling there with no rear yard creates a discrepancy.~~

Code Section: 134(c)

Subject: Rear yard reduction

Effective Date: 3/87

Interpretation:

—There was a proposal to expand the rear of a building in a residential district. There was an accessory building on an adjoining lot, under the same ownership which normally would have to be counted in determining the required rear yard. Since the accessory building was not deep, it would be to the owner's advantage to not consider it in rear yard averaging but rather consider the building beyond it. The accessory building could be ignored and the two adjoining lots could be considered as one lot only if they were merged or if a Notice of Special Restriction were placed on the properties' records, in effect merging them.

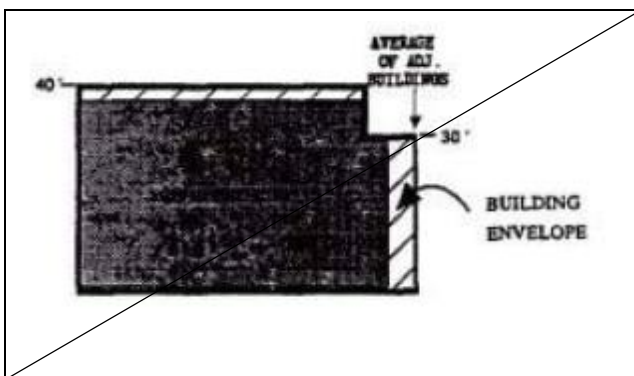
Code Section: 134(c)(1)

Subject: Height limit for rear 10 feet of building envelope

Effective Date: 9/82

Interpretation:

—This Section states that when the basic rear yard is 45 percent of lot depth, it may be reduced to the average of the rear walls of the adjacent buildings but that "last 10 feet of building depth thus permitted [emphasis added] shall be limited to 30 feet in height." It was confirmed that this height limit applies to the maximum building ENVELOPE described by this paragraph, not necessarily to any building within the rear 45 percent of lot depth. Where a residential building is expanded into the 45 percent rear yard area, but not as far as the average of adjacent rear building walls would permit, the 30-foot height limit does not apply for the last 10 feet of the building. The 30-foot height limit applies to the last 10 feet of the envelope allowed by averaging. How much applies to a specific building depends upon how far into the envelope the building projects.



Code Section: 134(c)(1)

Subject: Rear yard averaging

Effective Date: 3/88

Interpretation:

—This Section states that the last 10 feet of building depth permitted to extend into the rear 45 percent of the lot depth shall be limited in height to 30 feet. As this rule is located in Article 1 as part of the rear yard requirement, it is a variable provision and is not a height limit which cannot be varied.

Code Section: 134(c)(1)

Subject: Rear yard averaging

Effective Date: 4/88

Interpretation:

—This Section states that the last 10 feet of building depth permitted to extend into the rear 45 percent of the lot depth shall be limited in height to 30 feet. A bay window could be located in this 10-foot notch only if it provided the 7.5 feet of headroom required for bay windows in required open areas. Such headroom would be measured from the roof of the floor below this rather than from the grade. In a district with a height limit of 40 feet or less, a bay window could not be accommodated in this location unless the portion of the building below were built to a lower height than the 30 feet referenced.

Code Section: 134(c)(1)

Subject: Rear yard averaging

Effective Date: 4/88

Interpretation:

—It was confirmed that when rear yard averaging is used, it is the location of the rear walls of the adjacent buildings relative to the subject lot that determines the front line of the rear yard on the subject lot rather than applying to the subject lot the average of the distances from the rear walls of the adjacent buildings to their respective rear lot lines. (i.e., It is not the adjacent rear yards that are averaged but the depth of the adjacent building walls that are averaged.) If the front and rear property lines of all lots in question are in line as in most cases, this distinction will not matter but if the lots are of different depths or not aligned, the distinction is important.

Code Section: 134(c)(1)

Subject: Rear yard averaging

Effective Date: 8/88

Interpretation:

—It was confirmed that the rule stated in 134(c)(1) 4/88 above means that even when the adjacent building exceeds the depth of the subject lot, the location of that building's rear wall relative to the subject lot will still be considered. (Nevertheless, the minimum rear yard for subject lot remains 25 percent of the subject lot's depth.)

Code Section: 134(c)(1)

Subject: Rear yard averaging, adjacent building

Effective Date: 12/95

Interpretation:

—The Code requires a base rear yard of 45 percent of the lot depth for some zoning districts but this paragraph authorizes a reduction based upon the depth of "adjacent" buildings. However, a building on the same lot cannot be considered an "adjacent" building (which must be on a different lot).

Code Section: 134(c)(1)

Subject: Reduction of requirements in RH-2, RH-3, RM-1, and RM-2 Districts RE: 30 foot height measurements where the rear yard is averaged

Effective Date: 05/01

Interpretation:

—Section 134(c)(1) allows the reduction of the rear yard in certain districts based upon the adjacent properties. This Section further provides that "last 10 feet of building depth thus permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by Section 260 of this Code. Two clarifications are necessary:

1. The 30 is measured from the curb, as prescribed in Section 260 and, on a downsloping lot, may result in an actual building height greater than 30 feet above relevant grade for the rear portion of the building.

2. The limit is for the last 10 feet permitted under the Code, not the last 10 feet actually built. If the project does not go to the maximum permitted envelope based upon the averaging in this Section, then less than 10 feet of the actual building will be limited to the 30 foot height.

Code Section: 134(c)(2)

Subject: Rear yard, alternative averaging method

Effective Date: 3/86

Interpretation:

—When the rear yard is defined along an articulated or slanted line achieved pursuant to this paragraph, a deck or extension of a building allowed by Section 136(c)(25) would be permitted to extend beyond such line directly toward the rear property line only. It would not be permitted to extend more than the 12 feet beyond any part of this line nor to extend laterally.

Code Section: 134(c)(2)

Subject: Rear yard alternative method of averaging

Effective Date: 5/96

Interpretation:

—In districts where the basic rear yards is 45 percent of the lot depth, the rear yard may be reduced to the average of the rear walls of the two adjacent buildings. This paragraph allows this average to be expressed in an irregular manner. Rather than a straight line, it allows the forward edge of the rear yard to be further back next to a deeper adjacent building and further forward next to a shallower adjacent building. Under the authority granted by Section 311 to review permit applications against Residential Design Guidelines, this method of reduction will only be allowed when the deeper adjacent wall counted is blank and constructed to within four feet of the common property line.

Code Section: 134(c)(3)

Subject: Rear yard averaging, nature of adjacent building

Effective Date: 11/86, 9/88, 4/96, 5/96, 5/03

Interpretation:

—The provisions of Subsection 134(c) allow the required rear yard of the subject lot to be reduced from the basic rear yard depth based upon the location of rear walls of adjacent buildings which walls "qualify" by meeting height and width criteria and by not falling within the envelope of a permitted obstruction defined by Section 136. This paragraph states that, "the location of the rear building wall of an adjacent building shall be taken as the line of greatest depth of any portion of the adjacent building which [meets these qualifications]." [Emphasis added.] The fact that the language stated "portion" of a building rather than "wall" of a building, is taken to mean that, when no wall of the adjacent building qualifies, the rear-most CROSS SECTION of the building that qualifies will count. This paragraph defines "adjacent buildings" but did not cover the circumstances described below where interpretations were required to determine which building is to be considered the adjacent building.

4/96: If there are two buildings on an adjacent lot and both buildings are entirely within the buildable area, the rearmost building within 25 feet (or 44 feet for RH-1(D) Districts) of the subject lot is the one that will count as the adjacent building. If such building contains no qualifying wall, or if none of the buildings on the lot meet this distance requirement, the next closest building to the subject lot that has a qualifying wall will count. If neither building is within 25 feet (or 44 feet in RH-1(D)) the lot is considered vacant.

11/86: On a wide adjacent lot, where there is only one building whose rearmost wall is not one-half the width of its wide lot, but is wide enough to be more than one-half the width of a legal-sized lot that could be subdivided under it, such rearmost wall will be counted anyway provided it meets the remaining criteria.

11/86: If a noncomplying building is in the required rear yard of an adjacent lot, it may be counted if the building has LEGAL residential occupancy and a qualifying wall.

9/88: If such noncomplying building does not meet these two requirements and is the only building on that lot, it will not be counted and the lot will be considered to have a building on it covering the front 75 percent of the lot per Section 134(c)(3) for vacant lots.

11/86: If such noncomplying building does not meet these two requirements and there is another residential building in the buildable area, the other residential building will count whether or not it has a qualifying wall.

5/96: This paragraph says that an adjacent lot containing no dwelling unit shall be treated the same as a vacant lot. Therefore, in the case of a lot that contains two buildings, one of which contains no dwelling unit, the building containing no dwelling unit will be discounted and the lot will be treated as though it contained only the one residential building.

11/86: One of the criteria for a qualifying wall is that it be two stories or 20 feet in height. In situations where there is only one very small building on an adjacent lot, in the buildable area and no part of this sole adjacent building qualifies, it will be counted anyway except that if it extends further than 75 percent of its lot depth, it nevertheless will not be considered to be longer than 75 percent of its lot depth.

Code Section: 134(c)(3)

Subject: Rear yard averaging, features considered

Effective Date: 10/88

Interpretation:

—This Paragraph states that permitted obstructions shall not be counted when computing the average depth of an adjacent building. Any feature of an adjacent building that conforms to the envelope described for a permitted obstruction (per Section 136) will not be counted in the averaging even when such feature is not in the required rear yard.

Code Section: 134(c)(3)

Subject: Rear yard next to vacant lots

Effective Date: 6/90

Interpretation:

—This Paragraph states that when a subject lot abuts a vacant lot, the vacant lot is presumed to contain a building extending to 75 percent of the depth of the subject lot. This provision would be unaffected by the fact that an abutting lot is vacant due to a building being demolished illegally. It was noted that Building Code provisions require exact replacement of an illegally demolished building or prohibition of redevelopment for a period of five years.

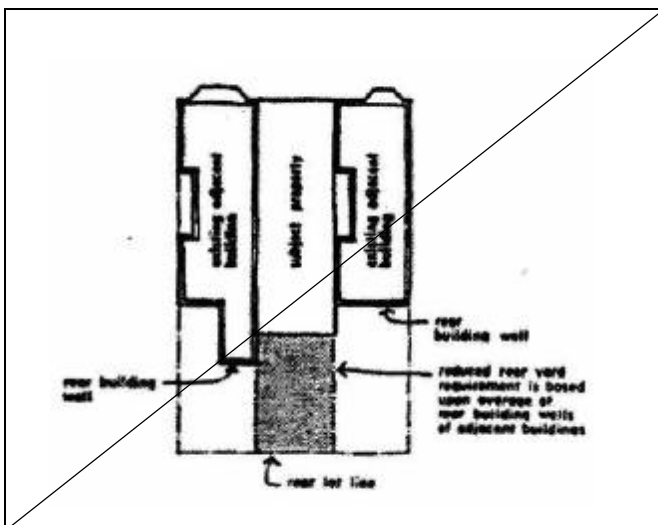
Code Section: 134(c)(4)(C)

Subject: Rear yard, through lot, abutting properties not through lots

Effective Date: 5/85

Interpretation:

—This Section says that a property can have two buildings built at either end of a through lot if the adjacent lots are through lots with buildings at their respective ends. A through lot can be developed according to provisions of this Section even though abutting properties are not through lots but rather a set of four lots each fronting the respective streets and developed with buildings conforming to pattern described by this Section save for the absence of a lot line. Because the nature of the development is the relevant issue rather than the presence or absence of a lot line, the intent of the section was met. The only difference between this situation and that described by this Section is the "paper" presence of lot lines.



4/85: A through lot facing streets A and B in an RH-3 District is adjoined on one side by two lots facing streets A and B respectively rather than a single through lot. On the other side is a through lot with houses at either end. The rest of the block is similarly developed. Two houses conforming to the arrangement described by this Section were permitted on the subject lot even though it is adjoined on one side by development that is not on a through lot.

Code Section: 134(c)(4)(C)

Subject: Location of yard on through lot

Effective Date: 2/88

Interpretation:

The lot on one side of a through lot contains a building covering its entire lot. The lot on the other side of this through lot is vacant. Such situation is not sufficiently analogous to the situation described by this Section to allow a building to be built at both ends of the subject lot.

Code Section: 134(c)(4)(C)

Subject: Rear yard required between buildings

Effective Date: 8/90

Interpretation:

This Section states that where the subject lot is a through lot having street or alley frontage at both ends and where the two adjacent lots are also through lots both having buildings at both ends, the subject lot may likewise have a building at either end with the required rear yard located between them. In the case where the subject lot met the above criteria except that it was a corner lot with only one adjacent lot a through lot with a building at each end, the subject lot could be developed in the manner allowed by this Section.

Code Section: 134(c)(4)(C)

Subject: Rear yard on through lot

Effective Date: 5/95

Interpretation:

~~A through lot (1254/7) fronted on two parallel streets. On one street, its frontage spanned four normal lots. On the other street frontage it had a panhandle that spanned one normal lot. Lots adjoining both sides of both frontages were developed with houses. The lot could be developed with separate buildings on each frontage in the manner described by this subparagraph. An earlier interpretation determined that the provisions of this Section would apply even though adjacent lots are not through lots but rather four (or fewer) independent lots developed as described in this subparagraph.~~

Code Section: 134(e)

Subject: Modification of rear yard requirement

Effective Date: 9/91

Interpretation:

~~This Paragraph states that the rear yard standards can be modified in NC and Mixed Use Districts. Subparagraph (1) titled, "General" states that a variance procedure (but not the normal variance findings) is required to modify the standards for mid-block lots. Subparagraph (2) states that yards on corner lots may be modified by the Zoning Administrator if certain stated conditions are met. Because Subparagraph (1) was titled, "General," the question arose as to whether the variance procedure required by it applied as well to Subparagraph (2). It was noted that both subparagraphs are on the same level in the outline of Paragraph (e) and neither subparagraph is subordinate to or part of the other subparagraph. The provisions contained in Subparagraph (1) do not apply to the procedures discussed in Subparagraph (2) so no variance procedure (i.e., public hearing, fee or notice) is required to modify a rear yard on a corner lot pursuant to Subparagraph (2).~~

Code Section: 134~~(e)(1) and 134(f)(i-k)~~

Subject: Rear yard waiver by Zoning Administrator

Effective Date: 1993 & Revised 09/25

Interpretation:

This Paragraph and Subsection states that the rear yard requirements for the Neighborhood Commercial, ~~and South of Market Districts~~ North of Market Residential Special Use District, and the Eastern Neighborhoods Mixed Use Districts may be waived by the Zoning Administrator pursuant to the procedure applicable to variances as set forth in several Code sections. The Code sections cited do not include the section that states the five findings required for normal variances. Rather, the sections cited contain the procedures for variance hearings. The waiver cited in this paragraph, therefore, requires the same application, fee, hearing notice, hearing procedure and appeal procedure as a variance but does not require the same findings as described in Section 305. Rather, the findings that need to be made are described in language subordinate to ~~this~~ these paragraphs. ~~and, for SOMA, in Section 307(g).~~

Code Section: 134~~(f)(j)~~

Subject: North of Market SUD, rear yard

Effective Date: 12/87 & Revised 09/25

Interpretation:

This Subsection states that the Zoning Administrator can allow an equivalent amount of open space to be substituted for the rear yard requirement in the North of Market Special Use District. The Code does NOT say that this open space needs to meet the criteria for USABLE open space. Therefore, one can apply to substitute a light well for the rear yard requirement under this Section even though the light well wouldn't conform to the minimum dimensions, area and exposure requirements of usable open space, provided the other criteria of this subsection are met.

Code Section: 136(c)(2)

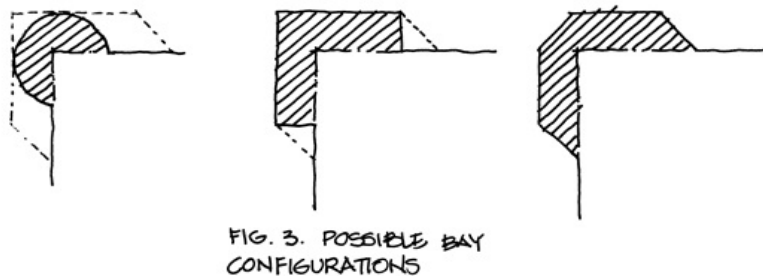
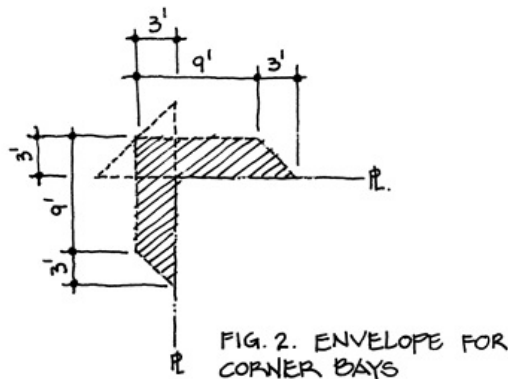
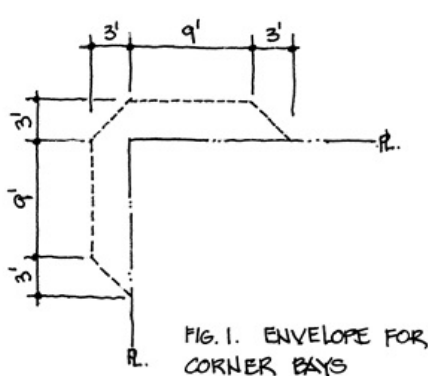
Subject: Corner Bay Windows

Effective Date: 1/14; Moved 09/25

Interpretation:

This Section allows a bay window to project over streets and other required open areas so long as it fits within a specific theoretical envelope. Such envelope begins at the "line establishing the required open area" and narrows along 45-degree angles drawn inward as projection increases. It was suggested that this Section did not address corner parcels where a bay window might extend over parts of a street corner not within a 90 degree projection of either of the parcel's street frontages.

While a "required open area" itself exists only within a parcel, the "line establishing" the required open area is a theoretical marker that extends beyond a parcel and, in the case of corner lots, onto a right-of-way. Therefore, bay window envelopes on corner lots may begin along any part of the line establishing the open area, including those parts of the line which are beyond the bounds of the lot. As such, bay windows may extend over parts of a street corner not within a 90 degree projection of either of the parcel's street frontages. Such bay windows must nonetheless comply with the three-foot restriction on projection applicable to both street frontages.



Code Section: 136(c)(2), (3)

Subject: Bays, not counted for front setback ~~averaging requirement~~

Effective Date: 7/88 & Revised 09/25

Interpretation:

See Interpretation 132~~(c)~~(b)

Code Section: 136(c)(20)

Subject: Permitted obstructions

Effective Date: 8/86 & Revised 09/25

Interpretation:

Play structures with features (such as solid walls or roofs) which have the effect of creating a solid plane of substantial dimension which could block views or create solid shade on neighboring yards must be limited in height to eight feet. Zoning Bulletin 86.2.

Code Section: 136(c)(23)

Subject: Permitted obstruction in rear yard

Effective Date: 1/88

Interpretation:

~~A large walk-in bird cage is a permitted obstruction in the rear yard pursuant to this paragraph if it conforms to size limitations of this paragraph.~~

Code Section: 136(c)(25)

Subject: Permitted obstructions

Effective Date: 3/86

Interpretation:

~~See Interpretation 134(c)(2)~~

Code Section: 136(c)(25)

Subject: Permitted obstructions

Effective Date: 10/88

Interpretation:

—See Interpretation 134(c)(3)

Code Section: 136(c)(25)

Subject: Permitted obstructions

Effective Date: 4/87 & Revised 09/25

Interpretation:

This Paragraph allows a portion of a building with limited dimensions to extend 12 feet into the required rear yard. The features included in Subsection 136(c) with the maximum dimensions stated represent envelopes. Any other architecture feature or portion of the building fitting into these envelopes are permitted. Therefore, a stairway would be allowed to extend above the ground floor if it fit totally within the envelope of the type of deck or extension permitted by this paragraph.

Code Section: 136(c)(25)(B)(ii)

Subject: Permitted obstructions, 12 foot extension

Effective Date: 8/89 & Revised 09/25

Interpretation:

This Section allows an 12 foot extension into the rear yard. It was confirmed that when a five-foot side yard is required for this feature, such side yard needs to be open from the ground up and the other obstructions allowed by Section 136 would not be permitted within such side yard. Therefore, any pre-existing obstruction into such side yard would have to be removed before the extension could be built. An exception is that a deck no higher than three feet above grade may be built in this required side yard. Since Because a three 3-foot-high deck could be built anywhere else in the required open area, there is no need to prohibit it here.

Code Section: 136(c)(25)(B)(ii)

Subject:

Effective Date:

Interpretation:

See Appendix

Code Section: 136(c)(25)(B)(ii)

Subject: Side yard for 12-foot extension

Effective Date: 12/90

Interpretation:

~~This Section states that a 12-foot extension can be built into the rear yard up to two stories if the extension has a five-foot side yard. It has previously been determined that such yard needs to be free from any other obstruction and any existing obstruction would have to be removed in order to allow this feature. An exception is that a deck no higher than three feet above grade may be built in this required side yard. Since a three-foot high deck could be built anywhere else in the required open area, there is no need to prohibit it here.~~

Code Section: 136(c)(25)(C)

Subject: Railings on 12-foot Obstructions

Effective Date: 3/21 & Revised 09/25

Interpretation:

This subsection regulates the height and location of fences and windscreens on top of certain permitted 12-foot obstructions. However, it does not provide standards for railings on top of such obstruction that may be required in order for that area to be used as usable open space. Therefore, any such railing may be solid, such as a firewall along a property line, but shall be no higher than 42 inches above the roof of such obstruction.

Code Section: 136(c)(26)

Subject: Rear yard—Underground garage

Effective Date: 12/00; Moved & Revised 09/25

Interpretation:

Section 136(c)(26) allows underground garages in the rear yard, except for the last 15 feet provided that the roof is developed as open space or a deck. Section 188(a) allows the expansion of noncomplying structures provided that there is no increase in any discrepancy with the Code. There have been proposals to allow an excavation of a garage under a non-complying structure that extends into the rear yard. This has not been permitted since the garage roof was not treated as open space or a deck, but under a structure. It is logical to allow excavation for a garage under a noncomplying building that extends into the rear yard by since because there is no increase in the discrepancy from the Code. The existing rear yard is not affected, since because the excavation is under an existing noncomplying building. These excavations are allowed to be up to 3 above grade, since because if the noncomplying above grade structure was demolished, the underground garage roof would be a permitted obstruction in the rear yard.

Code Section: 136(c)(27)

Subject: Garages in required front setbacks

Effective Date: 2/88

Interpretation:

See Interpretation 132(g)

Code Section: 136(c)(28)

Subject: Garages as permitted obstructions

Effective Date: 2/88

Interpretation:

—This Section allows garages to obstruct the required front setback only if they do not exceed either the height or extension into the required setback of the adjacent garages. The term, "extension into the required setback" shall refer to the width of the garages as well as their depth. Therefore, the subject garage could not exceed the average width of the adjacent garages.

Code Section: 136(c)(28)

Subject: 3/88

Effective Date: Garages in the front setback

Interpretation:

~~This Section says that when both adjacent lots contain garages in their required front setbacks that the subject building also can have a garage which does not exceed the average of the two adjacent garage structures in either height or extension into the required open area. In the situation where the subject lot was adjoined on one side by a separate garage in the setback and on the other side by a building built to the street line and containing garage space on the ground level, the subject lot could also have a garage not exceeding the height of the adjacent separate garage. Its width could be as great as that of the separate garage but not greater than the average of the widths of the separate garage and that of the garage door in the adjacent building.~~

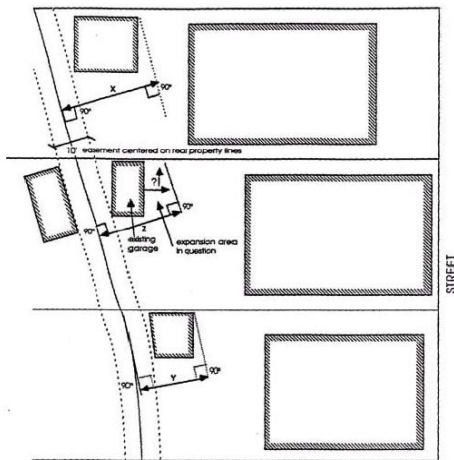
Code Section: 136(c)(29)

Subject: Garages as permitted obstruction

Effective Date: 9/89 & Revised 09/25

Interpretation:

This Section states that garages are permitted obstructions into the rear yard if both adjoining lots are through lots having both front and rear lot lines on streets or alleys as long as the subject garage exceeds neither the height above grade nor the amount of encroachment into the yard area of these adjoining garages. An existing garage was proposed to be expanded. It and adjoining garages were built along a curving alley and were not built perpendicular to the alley. In this case, the encroachment of the adjoining and subject garages should be the furthest distance of the garage to the alley measured along a line perpendicular to the alley. ~~Thus, in the appendix In the illustration below, the value of "Z" is the average of the values of "X" and "Y." (See Appendix, Interpretation 136(c)(29) 9/89)~~



Code Section: 136

Subject: Rear yard—Underground garage

Effective Date: 12/00

Interpretation:

Section 136 allows underground garages in the rear yard, provided that the roof is developed as open space or a deck. Section 188(a) allows the expansion of noncomplying structures provided that there is no increase in any discrepancy with the Code. There have been proposals to allow an excavation of a garage under a non-complying structure that extends into the rear yard. This has not been permitted since the garage roof was not treated as open space or a deck, but under a structure. It is logical to allow excavation for a garage under a noncomplying building that extends into the rear yard by since there is no increase in the discrepancy from the Code. The existing rear yard is not affected, since the excavation is under an existing noncomplying building. These excavations are allowed to be up to 3 above grade, since if the noncomplying above grade structure was demolished, the underground garage roof would be a permitted obstruction in the rear yard.

Code Section: 136(e)(2)

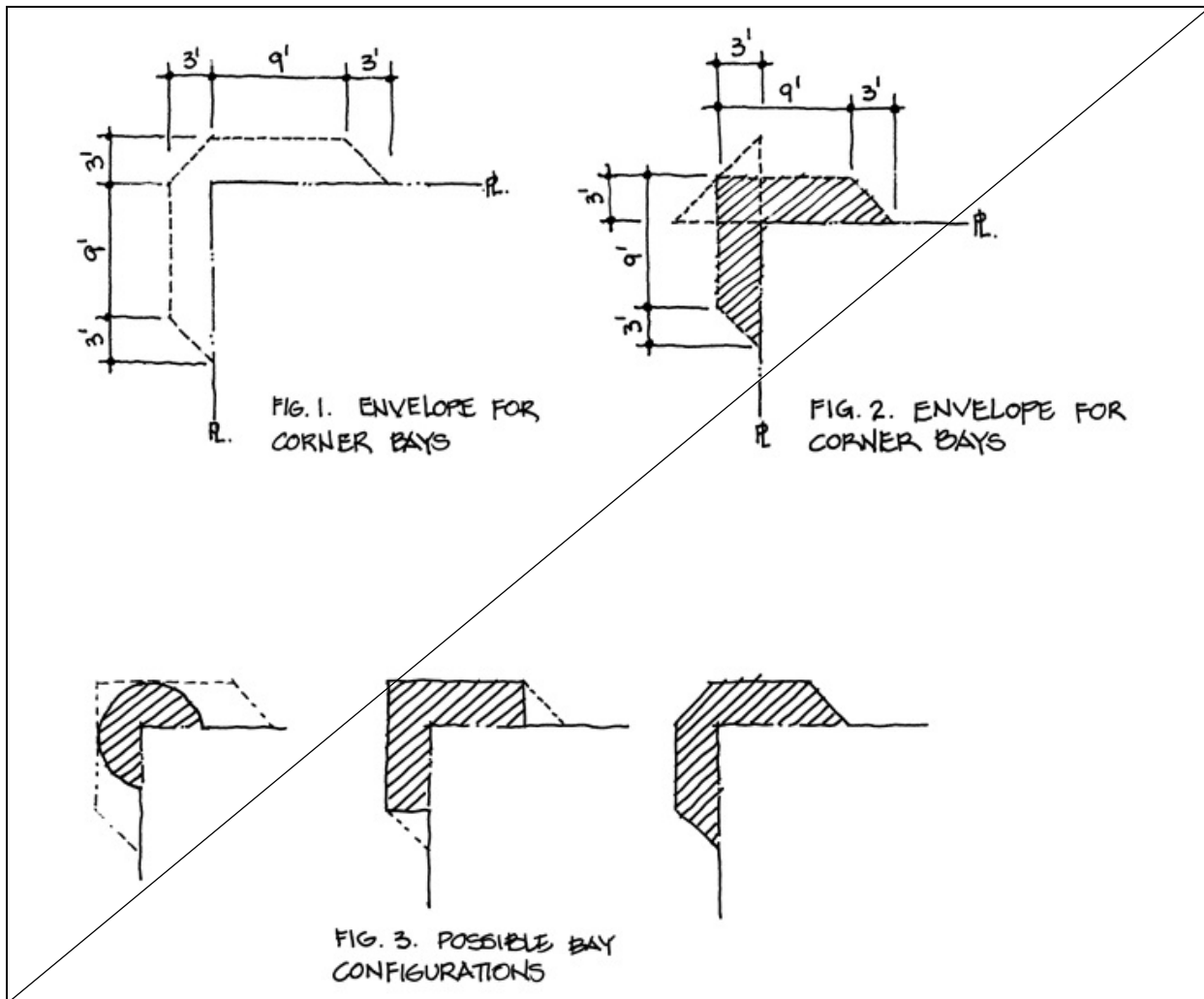
Subject: Corner Bay Windows

Effective Date: 1/14

Interpretation:

This Section allows a bay window to project over streets and other required open areas so long as it fits within a specific theoretical envelope. Such envelope begins at the "line establishing the required open area" and narrows along 45-degree angles drawn inward as projection increases. It was suggested that this Section did not address corner parcels where a bay window might extend over parts of a street corner not within a 90 degree projection of either of the parcel's street frontages.

While a "required open area" itself exists only within a parcel, the "line establishing" the required open area is a theoretical marker that extends beyond a parcel and, in the case of corner lots, onto a right-of-way. Therefore, bay window envelopes on corner lots may begin along any part of the line establishing the open area, including those parts of the line which are beyond the bounds of the lot. As such, bay windows may extend over parts of a street corner not within a 90 degree projection of either of the parcel's street frontages. Such bay windows must nonetheless comply with the three foot restriction on projection applicable to both street frontages.



Code Section: 241

Subject: Dolores Heights

Effective Date: 4/86 & Revised 09/25

Interpretation:

This Section states that the required rear yard shall be 45 percent of the lot depth in the Dolores Heights Special Use District (SUD). The ~~12-foot~~ extension permitted by Section 136(c)(25) is not permitted in the Dolores Heights SUD. (This is a fairly long-standing interpretation and is based upon the Zoning Administrator's understanding of the intent of the legislation and because the ordinance states that the standards of the RH-1 District apply except as stated.) The 12 foot extension does not apply in the RH-1 District since the rear yard is only 25 percent in the first place.

Code Section: ~~145.1(a)~~

Subject: ~~Window covers, NC Districts~~

Effective Date: ~~1/91~~

Interpretation:

~~This paragraph lists commercial uses that must provide windows and/or doors for at least half of their frontage which features cannot be covered except by decorative grillwork at least 75 percent open and no higher than six feet. Security roll-down grillwork, when 75 percent open would be permitted since it would normally be in place after regular working hours.~~

Code Section: ~~145.1(c)(6)~~

Subject: ~~Fenestration and Visibility~~

Effective Date: ~~3/21~~

Interpretation:

~~Section 145.1(c)(6) requires that "frontages with active uses that are not PDR must be fenestrated with transparent windows and doorways for no less than 60% of the street frontage at the ground level and allow visibility to the inside of the building."~~

Fenestration:

~~To ensure that the ground level fenestration is proportional to the façade, the required fenestration should be measured as a percentage of the area of the ground level façade and not as a percentage of the linear street frontage. In addition, only the portion of the façade with active uses must be so fenestrated.~~

Visibility:

~~To ensure visibility into active spaces, any fenestration of active uses provided at pedestrian eye level must have visibility to the inside of the building. The following definitions apply:~~

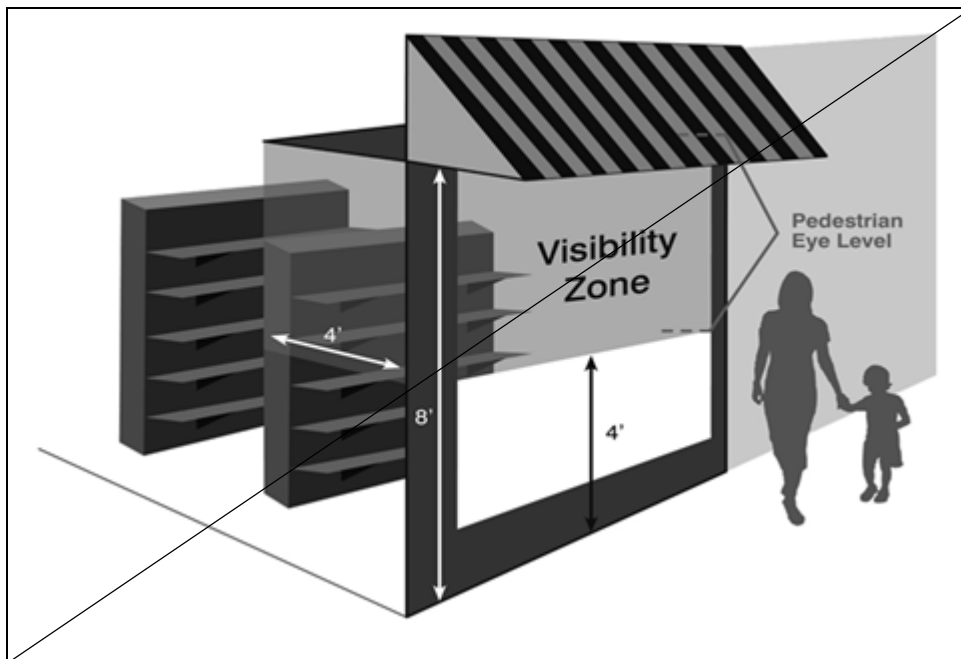
~~1) **Pedestrian Eye Level** means the space that is between 4 feet and 8 feet in height above the adjacent sidewalk level, following the slope if applicable.~~

~~2) **Visibility to the Inside of the Building** means that the area inside the building within 4 feet from the surface of the window glass at pedestrian eye level is at least 75% open to perpendicular view.~~

~~Therefore, any fenestration of frontages with active uses must have visibility to the inside of the building with at least 75% open to perpendicular view within a 4 foot by 4-foot "visibility zone" at pedestrian eye level.~~

~~This visibility zone is located between 4 feet and 8 feet in height above sidewalk level and extends 4 feet from the surface of the window glass inside the building.~~

~~Notwithstanding the above visibility requirement, individual products for sale or used in service and on display inside the building are not restricted; and window signs not exceeding 1/3 the area of the window on or in which the signs are located are not restricted if such signs are permitted by the Planning Code.~~



~~Code Section: 604(f)~~

~~Subject: Change of billboard copy~~

~~Effective Date: 9/89~~

~~Interpretation:~~

~~This Paragraph states that, "in the case of signs the customary use of which does not involve frequent and periodic changes of copy, a change of copy shall in itself constitute a new sign subject to the provisions of this Section 604 if the new copy concerns a different person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry."~~

Therefore, a billboard primarily visible from the freeway whose copy consisted of neon tubing which spelled the name of the advertised product would require a sign permit as a new sign unless it were replaced with copy advertising the same name brand product. A permit application to change the copy to another product would not be allowed since billboards visible from freeways are no longer permitted per Section 608.5.

Code Section: 205

Subject: Temporary uses, computation of time limit

Effective Date: 7/96

Interpretation:

—This Section and several subsequent sections regulate temporary uses. Temporary uses may be authorized for periods of 24 hours, 60 days, or for one or two years. The time periods referenced are consecutive hours, or consecutive calendar days the total number of hours or days that the use is in operation. Therefore, a 24-hour authorization that begins at 6:00 a.m. expires at 6:00 a.m. the following day, even if the use was in operation only eight hours of that period. Likewise, a 60-day authorization for a market expires after 60 calendar days even though the market was open only three days per week during that period. The hours or days of unused authorization cannot be credited.

Code Section: 205(b)

Subject: Temporary uses in other than C or M Districts

Effective Date: 6/90

Interpretation:

—This Section states that, "uses listed in Section 205.1 and uses listed in Section 205.2 if located in a C or M District may be authorized by the Zoning Administrator." The phrase, "located in a C or M District" modifies only the reference to Section 205.2, not Section 205.1. Therefore, the Zoning Administrator could authorize those uses listed in Section 205.1 even though not located in a C or M District.

Code Section: 604~~(h)~~(e)

Subject: Continuation of noncomplying signs

Effective Date: 2/91 & Revised 09/25

Interpretation:

This Section and Section 609 provide for the continuation or amortization of legal, noncomplying signs. It was affirmed that the mere change in use of the establishment with which the sign was associated does not require removal or conformance of a legally noncomplying sign. Further, removing certain segments of copy along with certain portions of the structure holding that copy does not change the legal status of the remaining portion of the sign or of a separate sign associated with the removed portion. (For example, the copy and structure of the sign, "Hotel" could be removed from the facade next to the sign, "Gotham City" without affecting the status of the "Gotham City" sign.)

Code Section: 703.4

Subject: Formula Retail

Effective Date: 09/07

Interpretation:

~~This paragraph requires Conditional Use authorization for all new formula retail uses (as defined by Section 703.3(c)) in any Neighborhood Commercial District. The Zoning Administrator has determined that a change from one formula retail use to another requires a new Conditional Use authorization in Neighborhood Commercial Districts, whether or not a Conditional Use authorization would otherwise be required by the particular change in use in question. This Conditional Use authorization requirement also applies in changes from one Formula Retail operator to another within the same Article 7 use category.~~

~~However, from time to time, corporations that operate formula retail outlets are purchased in whole or in part by other corporations, often resulting in a name change and necessity for new signage or minor exterior alterations, which require a valid signage or building permit approved by the Planning Department for a number of outlets. A situation arose where a number of outlets of an existing supermarket chain that met the definition of formula retail under the Planning Code were purchased by another supermarket chain that also met the definition of formula retail. The new corporate owner would continue what was considered by the Zoning Administrator to be essentially the same type of operation, with the only major change being the store name. The store size was to remain the same, and the merchandise offering, aside from store brands, would be very similar, providing essentially the same retail service as offered previously. It is hereby determined that the requirement for a new Conditional Use authorization in such cases shall not apply to a change in a formula retailer that meets both of the following criteria:~~

~~the formula use operation remains the same in terms of its size, function and general merchandise offering as determined by the Zoning Administrator, and~~

~~the change in the formula retail use operator is the result of multiple existing operations being purchased by another formula retail operator.~~

~~The new operator shall comply with all conditions of approval previously imposed on the existing operator, including but not limited to signage programs and hours of operation; and shall conduct the operation generally in the same manner and offer essentially the same services and/or type of merchandise; or seek and be granted a new Conditional Use authorization.~~

INTERPRETATIONS -- ALPHABETICAL

~~Subject: Bay window, front setback averaging~~

~~Effective Date: 7/88~~

~~Interpretation:~~

~~—See Interpretation 132(c)~~

~~As a permitted obstruction — See Interpretation 136(c)(3)~~

~~Subject: Decks~~

~~Effective Date:~~

~~Interpretation:~~

~~—See Interpretation 136(c)(25)~~

~~Subject: Demolition, replacement policy, Citywide application~~

~~Effective Date: 4/96~~

~~Interpretation:~~

~~—Pursuant to Planning Code provisions, demolition or conversion to another use of a dwelling unit (apartment) in some districts, is either prohibited or requires a conditional use authorization from the City Planning Commission. For Residential Districts, the Code states that a permit to demolish a residence cannot be issued until the replacement structure is approved. However, vacant lots anywhere in the City reduce the tax base, can harm the local economy by reducing the locations available for potential businesses, can be unsightly, can lower surrounding property values and can present a public health and safety hazard. Therefore, a permit to demolish a building anywhere in the City shall not be approved by the Planning Department until the replacement structure is also approved unless the Zoning Administrator finds that the public health, safety and welfare would be jeopardized if the building remained.~~

~~Subject: Dolores Heights, permitted obstructions~~

~~Effective Date:~~

~~Interpretation:~~

~~—See Interpretation 241~~

~~Subject: Driveways, in rear yard~~

~~Effective Date: 1/89 and 7/87~~

~~Interpretation:~~

~~—See Interpretations 136(c)(30)~~

~~Subject: Elevator, as permitted obstruction~~

~~Effective Date: 7/89~~

~~Interpretation:~~

~~—See Interpretation 132(f)~~

~~Subject: Frontage~~

~~Effective Date:~~

~~Interpretation:~~

~~—See Interpretations~~

~~130(c) 11/85;~~

~~134+~~

~~+More than one interpretation on this subject under this reference.~~

~~Subject: Garages~~

~~Effective Date: 2/88~~

~~Interpretation:~~

~~—See Interpretations 132(g); 136(c)(27); 136(c)(28); 136(c)(29), 136+; 790.80~~

~~+More than one interpretation on this subject under this reference.~~

~~Subject: Height~~

~~Effective Date:~~

~~Interpretation:~~

~~See Interpretations~~

~~134(c)(1) 3/88;~~

~~136(c)20+~~

~~Measurement Interpretation~~

~~260(a)(2)+~~

~~+More than one interpretation on this subject under this reference.~~

~~Subject: Noncomplying buildings and features~~

~~Effective Date:~~

~~Interpretation:~~

~~See Interpretations~~

~~134 (various);~~

~~140(a)(2)9/88;~~

~~188+; 604(h)+~~

~~+More than one interpretation on this subject under this reference.~~

~~Subject: Penthouse, stair~~

~~Effective Date:~~

~~Interpretation:~~

~~See Interpretation 260(b)(1)(B)~~

~~Subject: Rear yard~~

~~Effective Date:~~

~~Interpretation:~~

~~See Interpretations 130(e); 134+ 172(b)+; 188+ Averaging Interpretation 134(c)(1)+
Noncomplying structure in Interpre 188+~~

~~+More than one interpretation on this subject this reference.~~

~~Subject: Setback~~

~~Effective Date:~~

~~Interpretation:~~

~~See Interpretations~~

~~132(b)+;~~

~~132(g)2/88;~~

~~136(c)(28)+~~

~~+More than one interpretation on this subject under this reference.~~

~~Subject: Stairs~~

~~Effective Date: 8/88~~

~~Interpretation:~~

~~See Interpretation 136(c)(14)~~

~~Noncomplying Interpretation 1887/85~~

~~Penthouse Interpretation 260(b)(1)(B)+~~

~~+More than one interpretation on this subject this reference.~~

~~Subject: Through lot~~

~~Effective Date:~~

~~Interpretation:~~

~~See Interpretations 130(c)+; 134(c)(4)(C)+~~

~~+More than one interpretation on this subject under this reference.~~

~~Subject: Trellis, as permitted obstruction~~

~~Effective Date: 11/95~~

~~Interpretation:~~

~~See Interpretation 136(c)(21)~~

~~Subject: Variances~~

~~Effective Date:~~

~~Interpretation:~~

~~See Interpretations~~

~~134(e)(1)3/88;~~

~~136(e)10/88;~~

~~790.1183/89~~

~~Rounding up major density fraction In 207.1(a)~~

~~From FAR Interpretation 121(f)5/90~~

[Note to publisher: the entire appendix is proposed for deletion.]

APPENDIX

Appendix

Certain Interpretations do not lend themselves to being incorporated into the main document. These are Interpretations that contain graphics or extensive documents that are able to stand alone. Normally such documents will be referenced in the body of the Interpretation document and placed in the appendices which follow. In the appendix, entries are found in Planning Code Section order.

121(e) ZONING BULLETIN

TO: Interested Parties

FROM: Robert W. Passmore
Zoning Administrator

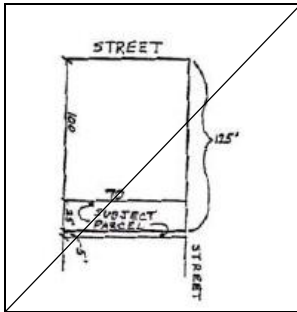
DATE: July 15, 1986

Subject: Minimum lot area within 125 feet of an intersection

Section 121(e) of the Planning Code permits lots in other than RH-1(D) districts to have a minimum lot size of 1,750 square feet provided the frontage of the lot is totally within 125 feet of an intersection of two streets that intersect at an angle of not more than 135 degrees. Section 121(a) prescribes a minimum frontage of 16 feet. Section 121(e) requires that the minimum area of the lot be provided within a portion of the lot that is not less than the minimum lot width.

This determination applies to cases where a parcel of land has frontage which is partially within the 125 feet of an intersection qualifying under Section 121(d) and partially beyond such distance and where a lot can be created from it which meets the standards of the Planning Code for lots of 1,750 square feet. In some such cases, the portion of the original parcel with frontage beyond 125 feet of an intersection may be of insufficient size to bring the 1,750-square-foot lot up to the minimum size required for lots not totally within 125 feet of an intersection. In such case, a literal interpretation of

the Planning Code would prohibit adding the extra, substandard portion to the legal 1,750 square foot lot. In such case, the owner could theoretically donate such substandard portion to the lot adjoining it and complete the subdivision within the literally-interpreted standards of the Planning Code. Such donation would not necessarily serve any public good or advance the intent of the Planning Code.

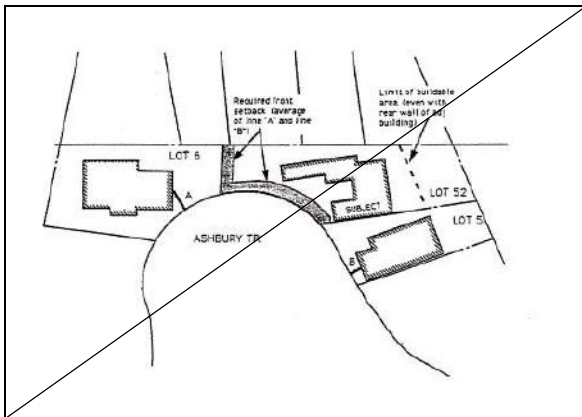
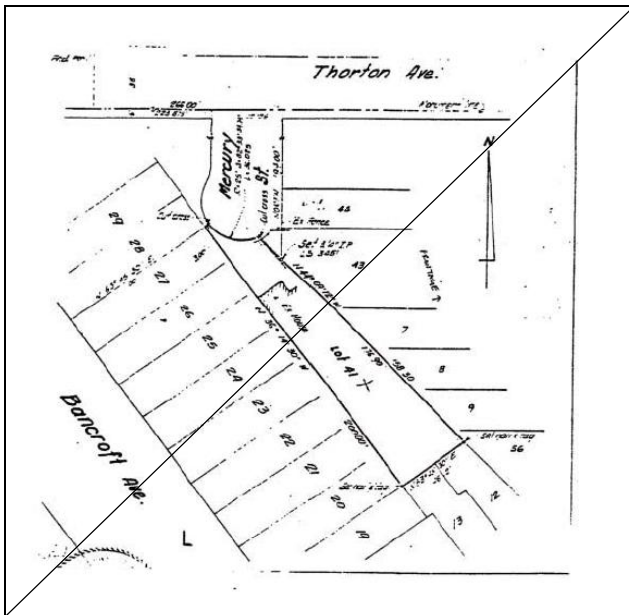


Therefore, it is determined that a lot can be created from a parcel as described in the second paragraph above which proposed lot is less than 2,500 square feet but more than 1,750 square feet provided said lot has a portion with a frontage within 125 feet of an intersection as described in Planning Code Section 121(d) and contains at least 1,750 square feet provided within the minimum width of such lot.

RWP/PR
PLR:ZA Interp.

132(d)(2) Front setback, special situations 10/86 RWP

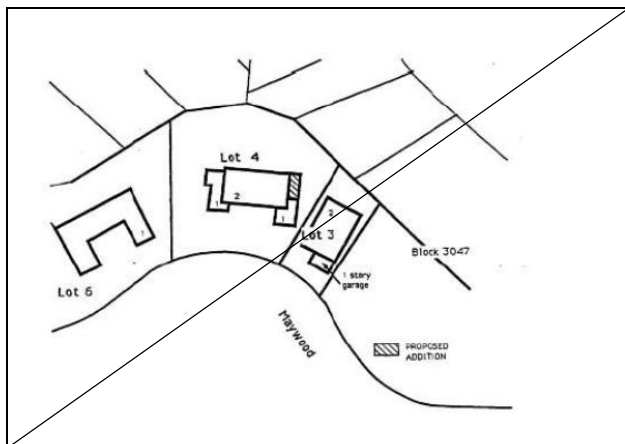
The owner of Lot 41 wanted to build a deck at the front of his house and needed to know what the front setback requirement is for this RH-1 lot. Lot 43 was vacant, being part of a parcel with development fronting on another street. Lots adjacent to the west also fronted on another street. Lot 44 had a house fronting on Mercury Street. This situation would be analogous to the subject section and therefore the setback shall be equal to the setback of the house on Lot 44, the nearest building within 50 feet [see Interpretation 132(a)] fronting on the same street. The resulting five foot setback would be drawn parallel to the curve of Mercury Street.



132 and 134

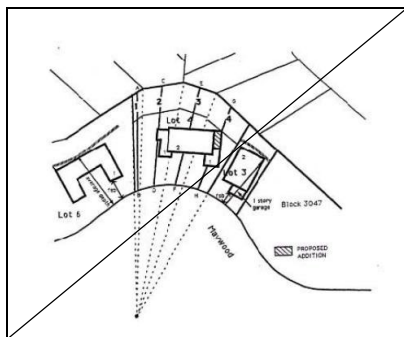
The required front setback for the subject building on Lot 52 is the average of the lengths of Lines "A" and "B" which are drawn from the center of the main walls of the buildings on Lots 6 and 5 to be perpendicular with their respective frontages.

To determine the required rear yard, the building on Lot 6 was ignored and the buildable area of the subject lot extended to a point which is even with the rear wall of the building on Lot 5 with the usual 25 percent/15-foot minimum.



132 and 134

This shows the lot lines and the buildings of the Interpretation illustrated on the other side.



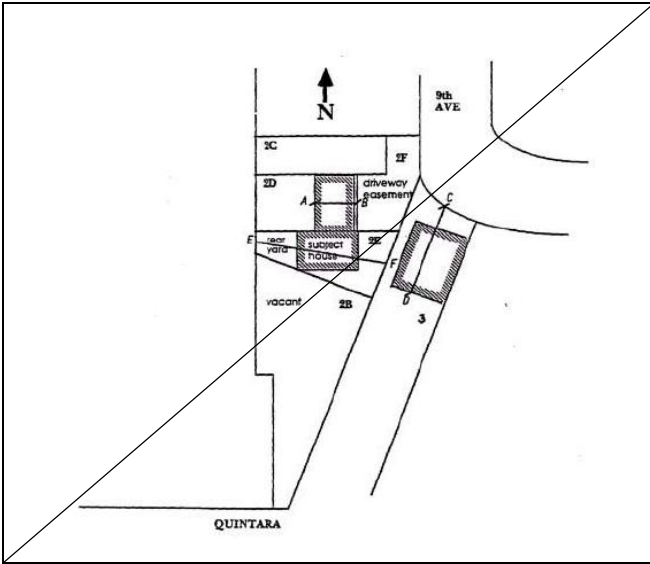
132 and 134

Front setback: Measure shortest distance from adjacent buildings to their respective street lines. Add these values and divide by two. Apply this average to a distance consistently parallel to the front property line of the subject lot. The distance to the adjacent house with integrated garage will be measured from that garage.

Average depth of subject lot: The rear property line consists of four straight lines defining back ends of four segments of the lot. The front ends of these segments are determined by extending the two side lines toward the street until they connect. Draw straight lines connecting this point to each of the ends of the straight lines that constitute the rear property line. Treat each of the resulting segments (1 on the drawing) as separate lots for computing average lot depth. Bisect the lines which define the rear and front ends of each segment and connect these bisection points. These connecting lines (AC etc.) constitute the average depth of each segment. The rear yard is the appropriate percentage of each of these segments.

Average depth of adjacent buildings: Extend a line parallel to the frontage of the respective lots of each adjacent building until the line reaches the furthest extent of the building. Connect this point to

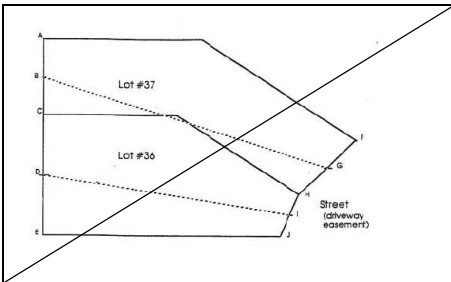
the front property line along a line that is perpendicular to the frontage. Measure this line for each lot, add the two lines and divide by two. Apply this average to the depth of each segment of the subject lot.



132 and 134

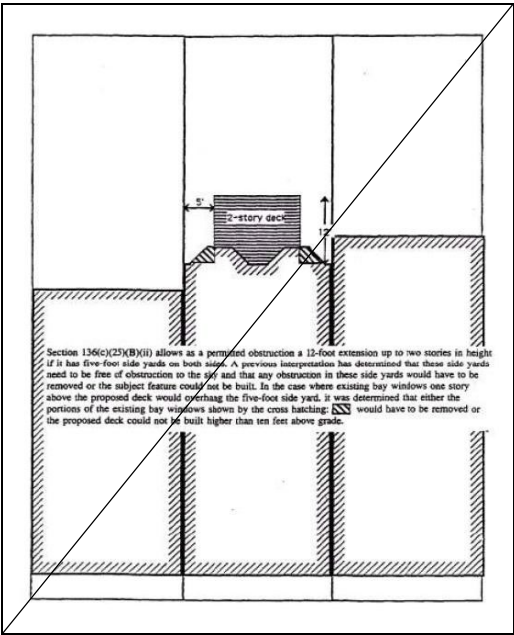
A lot (Lot 2E in Assessor's Block 2129) had access to 9th Avenue only via a common easement (Lot 2F) which it shared with Lots 2C and 2D. The questions were: (1) Where was the subject lot's rear yard requirement? (2) How is the subject lot's rear yard depth computed? (3) How is the height limit determined under averaging? It was determined that the rear yard was west of the house; that the rear building wall of the subject house could go back to the average of the building depths of the houses on Lots 2D and 3 (Lines $(AB + CD)/2$) and applied to Line EF which is the average depth of the subject lot.

The height limit would be the average of the heights of the same buildings which determined the building depth of the subject lot.



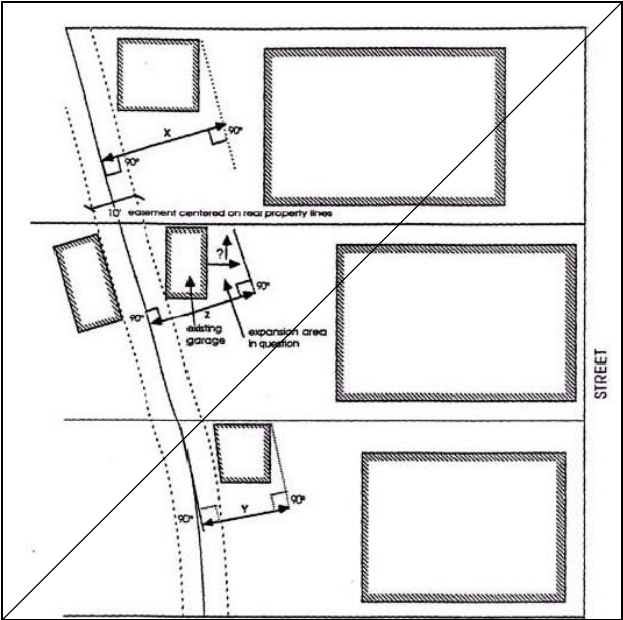
~~*Several vacant lots (#36 and #37 in Assessor's Block 5934) existed at the end of a cul-de-sac. Neither were rectangular. The question was how to calculate the average lot depth. It was determined that the average depth was expressed by a straight line drawn from the midpoint of the frontage to the midpoint of the rear property line even though this line would leave the confines of the lot at some point.*~~

136(c)(25)(B)(ii)



136(c)(29) Garages as permitted obstructions

9/89 RWP



~~201 Classes of Use Districts, pre- versus post 1978 3/97~~

~~ZONING DISTRICT CONCORDANCE BETWEEN PLANNING AND POLICE CODES~~

~~(See Police Code Sections 2909 and 2914)~~

~~February 29, 1996~~

<u>Police Code</u>	<u>Current Planning Code Districts</u>
<u>Zoning District</u>	

<u>Police Code</u>	<u>Current Planning Code Districts</u>
<u>Zoning District</u>	

<u>R-1-D</u>	<u>RH-1-D</u>
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<u>R-1</u>	<u>RH-1</u>
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<u>R-2</u>	<u>RH-2</u>
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<u>R-3</u>	<u>RM-1</u>
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<u>R-3.5</u>	<u>RM-2</u>
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<u>R-4</u>	<u>RM-3</u>
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<u>R-5</u>	<u>RM-4</u>
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<u>R-3-C</u>	<u>RC-1, NC-1, NC-2, NC-S, Sacramento NCD, West Portal NCD</u>
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<u>R-3.5-C</u>	<u>RC-2, NC-3, Castro NCD, Inner Clement NCD, Outer Clement NCD, Upper Fillmore NCD, Haight NCD, Union NCD, Valencia NCD, 24th Mission NCD, 24th Noe NCD</u>
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<u>R-4-C</u>	<u>RC-3, RED, Broadway NCD, Hayes-Gough NCD, Upper Market NCD, North Beach NCD, Polk NCD</u>
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<u>R-5-C</u>	<u>RC-4, CCB, CVR, CRNC, RSD, SLR</u>
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<u>C-1</u>	<u>C-1</u>
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<u>C-2</u>	<u>C-2</u>
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~~C-3-O~~ ~~C-3-O, C-3-0(SD), SSQ~~

~~C-3-R~~ ~~C-3-R~~

~~C-3-G~~ ~~C-3-G~~

~~C-3-S~~ ~~C-3-S~~

~~C-M~~ ~~C-M, SPD~~

~~M-1~~ ~~M-1, SLI, all MB Districts~~

~~M-2~~ ~~M-2~~