

October 11, 2009

ARCHITECTURE- 2009 STANDARDS AND REGULATIONS

Introduction

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Note: Unless otherwise noted, the specified Code Sections cited are the San Francisco Planning Codes.

The abbreviation FHA is used for the Forest Hill Association.

Pre-Application Process

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The outreach meeting can be combined with a full Architectural Review Committee meeting. The Committee can then facilitate the resolution of any negative comments the neighbors may have. After the meeting the FHA Board of Directors will review the plans for Association approval.

Zoning

The Zoning Map of the City and County of San Francisco, Sheet 6, indicates that Forest Hill is zoned as a RH-1(D) use district.

RH-1(D) is defined as residential, single-family houses with side yards.[Sec 201,206.1]

The Front Yard

Setback: The building shall be setback 15 feet from the property line. The setback is measured from the edge of the sidewalk closest to the house.[Sec 132(e)]

The FHA Agreement requires a 15 foot setback.

Landscaping: At least 20 percent of the setback area shall be devoted to plant material.[Sec 132(g)]

Street Trees: One 24 inch box tree is required for each 20 feet of frontage. Any remaining fraction of 10 feet or more requires an additional tree. The species of trees shall be suitable for the site.[Sec 143(a),(b),(c)]

The homeowner shall maintain the trees.[Public Works Code Sec 805]

Historically, and currently, the FHA maintains and replaces the trees, as needed. Contact the FHA Landscape and Trees Committee if you have questions.

Fences: Solid fences, piers, and walls cannot exceed three feet in height. The height may be up to six feet in height if 75 percent transparent. Concrete block walls require a stucco finish.[Sec 136(c)(16),(17)]

Garbage and Recycling Receptacles: The receptacles must be stored COMPLETELY out of sight from the street within 24 hours of collection. The Department of Public Works is authorized to levy fines after a warning note to violators.[Public Works Code Sec 170]

Parking: One off-street parking space is required and it shall be screened from view from the street. Parking is not allowed in the front setback.[Sec 151.1,142(a)]

Sidewalk and Parking Strip: The homeowner is required to maintain the sidewalk areas and parking strip in good repair and condition. The homeowner is liable for any injuries resulting from lack of maintenance. If the homeowner does not make the necessary repairs, the City can make the repairs and the cost shall become a lien on the property.

[Public Works Code Sec 706]

A 1/2 inch vertical displacement of the sidewalk is the maximum permitted.[Public Works Code Sec 724]

For concerns regarding the condition of the sidewalk, request an inspection by the City Department of Public Works.

The Rear Yard

Setback: The building shall be setback from the rear property line by a distance equal to at least 25 percent of the total depth of the lot, but no less than 15 feet.[Sec 134(a)(1)]

Fences: The FHA Agreement limits rear, property line fences to six feet in height. (San Francisco Planning Code Sec 136(c)(19) permits fences up to ten feet in height and require a San Francisco Building permit that the FHA may not approve).

Decks: On a level, or gently sloping lot (plus or minus 15 percent), decks no more than feet in height above grade are permitted in the rear setback-but not in the side setback. [Sec 136(c)(24)(A)]. Decks less than 2 feet above grade do not require a handrail.

On a steep down sloping lot (more than 15 percent and less than 70 percent), a deck below the first occupied floor is permitted in the rear setback, but shall not exceed seven feet in height above grade.[Sec 136(c)(24)(B)]

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Decks at or above the first level, on a level or gently sloping lot, cannot extend into the rear or side setbacks.

Decks on a lot with a slope of more than 70 percent, can cover up to 1/3 of the required open area ,may be built exceeding the heights specified above.But the light,air.view, and privacy of adjacent lots cannot be seriously affected.[Sec 136(c)(24)(C)]

Sheds:Sheds if no more than eight feet in height and covering no more than 100 square feet of land are permitted in the rear setback.[Sec136(c)(23)]

FHA requires they be at least two feet from the property line.

Garden Structures: Open garden structures such as gazebos are permitted in the rear setback if no more than eight feet in height and cover no more than 60 square feet of land.[Sec 136(c)(22)]

FHA requires they be at least two feet from the property line.

The Side Yard

Setback: For lots with a width of 31 feet but less than 40 feet:two side yards each of 3 feet are required. For lots with a width of 40 feet but less than 50 feet:two side yards each of 4 feet are required. For lots with a width of 50 feet or more;two side yards each of 5 feet are required.[Sec 133 }

Fences: The FHA Agreement limits side, property line fences to six feet in height.(San Francisco Planning Code Sec 136(c)(19) permits fences up to ten feet in height and require a San Francisco Building permit that the FHA may not approve).

Note: The side yard fence cannot extend into the 15 foot front setback.

Energy Producers

Solar Panels and Collectors: Solar equipment is environmentally desirable and permitted.

However, if the installation is unattractive it may cause a reduction in the value of the home, and create friction with neighbors. The equipment should be installed in a manner compatible with the architectural design of the house and in a location that is least visible from the street.

The FHA recommends that you coordinate with the Architectural Review Committee and neighbors so that the panels and collectors integrate into the overall design of the house. They should follow the roof line, lie flat on flat roofs, and at no time be raised so that their undersides are visible from the street.

Wind Turbines: Similar to solar equipment, wind turbines can be unattractive and increase noise levels as well. The FHA recommends that you coordinate with the Architectural Review

Committee and the neighbors. The top most point of the turbine cannot exceed 10 feet over the maximum permitted building height.[Zoning Administrator's Interpretation of Sec 260(b)(1)(B)]

TV Antennas and Dishes

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Locate TV antennas and dishes in a manner that minimizes their visibility from the street and reduces the effect of rooftop clutter.[Planning Department Residential Design Guidelines]

Building Height

Basic Requirement: The height limit is 30 feet at the front setback line and may increase at an angle of 45 degrees from the horizontal toward the rear of the lot until a maximum 35 feet in height is reached.[Sec 261)(c)(1)]

The FHA Agreement limits height to no greater than two(2) stories and garage.

Up Sloping Lot: The permitted height may be increased to 40 feet maximum at the front lot line where the average ground elevation at the rear line of the lot is higher by 20 feet or more than at the front line. The 40 feet maximum above grade cannot be exceeded at any point of the building.[Sec 261(b)(1)(A)]

Down Sloping Lot: The permitted height shall be reduced to 30 feet at the front lot line where the average ground elevation at the rear line of the lot is lower by 20 feet or more than at the front line. The permitted height shall be reduced to 25 feet at the front lot line where the average ground elevation at the rear line of the lot is lower by 40 feet or more than at the front line.[Sec 261(b)(1)(B)]

The FHA Agreement limits the height at the rear end of the building to two(2) stories.

Measurement of Height: The height measurement shall be at curb level at the centerline of the building.[Sec 102.12(b),(c)]

Method of Measurement: The upper point to which measurement shall be taken shall be the highest point on the finished roof in the case of a flat roof, and the average height of the rise in the case of a pitched or stepped roof.[Sec 260(a)(2)]

Garages

Parking Stall Dimensions: For a single car, the parking space shall have a minimum area of 144 square feet and 112.5 for a compact space.[Sec 154(a)(1)]

Up Sloping Lots: On steep upsloping lots (a slope more than 50 percent), the garage front can be at the lot line. The height is limited to ten feet above grade, or to the first floor level of the house, whichever is less.[Sec 136(c)(27)]. If both the adjoining lots have garages within the front

setback, the garage on the subject property shall not exceed the average in either height above grade or extension into the setback[Sec 136(c)(28)].

The garage cannot extend into the side setback.

Doors: Doors are to be 8' or 12' in width. For side by side parking two 8' wide doors are permitted.[Planning Department Residential Design Guidelines]

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Curb Cut: New curb cuts are to be 10'. [Sec 155(1)]

In-Law Units: Boarders: Groups: Commercial Use: Household Employees

In-Law Units; Second units are precluded in a RH-1(D) district such as Forest Hill.[Sec 207.2(a)]. Only one kitchen is permitted in a single family house.[Sec 102.7]

The FHA Agreement states that homes in Forest Hill are to be designed for, and occupied by only one family.

Boarders: Up to three boarders are permitted but access is to be only from within the dwelling unit.[Sec 204.1,102.8]

The FHA Agreement only permits family members to occupy the house.

Groups: A group of not more than five unrelated persons is permitted and access is to be only from within the dwelling unit.[Sec 204.1,102.8]

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The FHA Agreement prohibits all commercial uses.

Household Employees: Household employees may live in the home.[Sec 204.1]

Window Replacement

Windows are an integral part of the design and character of most buildings. Choosing appropriate replacement windows is frequently a critical aspect of any rehabilitation project. The new windows visible from the street should be compatible with both the character of the neighborhood and the building in terms of size, glazing, operation, finish, exterior profile and arrangement.

All window replacements require a building permit. It would be wise not to purchase replacement windows before confirming with the City Planning Department that the windows can be approved.[Planning Department Residential Design Guidelines, and Window Replacement Standards]

Windows in a new opening within 5' of the side property line may be required to be fire rated.[San Francisco Building Code AB-009]

Contracting

Hiring a California Licensed Contractor provides one the benefit of protection from poor workmanship, failure to finish the job and from financial risk due to worker injury. The permit is in the contractor's name.

The homeowner needs a permit if he or she:

- 1) is going to personally perform the work
- 2) acts as the general contractor (only California licensed sub-contractors are permitted).

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- 3) pays any unlicensed individual to perform any construction work valued at more than \$500

[California Health and Safety Code, Section 19825]

Caveat

This is an advisory opinion, not a legal opinion. It does not establish an attorney-client relationship with the Forest Hill Association. The guidelines and suggestions set forth in this recitation of architectural standards and regulations are only partial in nature.

The San Francisco Planning and Building Codes, homeowners' agreement, and all the laws of the State of California govern. All statements made herein should be confirmed with the reader's own attorney and should not be relied upon.

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