

FILE NO. 030999

ORDINANCE NO. 248-03

1 [Lot Line Selection for Vacant Lots Abutting Two or More Streets.]
 2

3 **Ordinance amending Planning Code section 130 to require that before a lot owner may**
 4 **elect which lot line is to be the front lot line of the lot for purposes of the yard and**
 5 **setback requirements the lot must not only abut on two or more streets, but must also**
 6 **be vacant, and making findings of consistency with the priority policies of Planning**
 7 **Code Section 101.1 and the General Plan.**

8 Note: Additions are *single-underline italics Times New Roman*;
 9 deletions are ~~*strikethrough italics Times New Roman*~~.
 10 Board amendment additions are double underlined.
 Board amendment deletions are ~~strikethrough normal~~.

11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
 13 hereby finds and determines that:

14 (a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
 15 ordinance will serve the public necessity, convenience and welfare ~~for the reasons set forth in~~
 16 ~~Planning Commission Resolution No. _____ recommending approval of this Planning Code~~
 17 ~~Amendment, and incorporates such reasons by this reference thereto. A copy of said~~
 18 ~~resolution is on file with the Clerk of the Board of Supervisors in File No. _____.~~

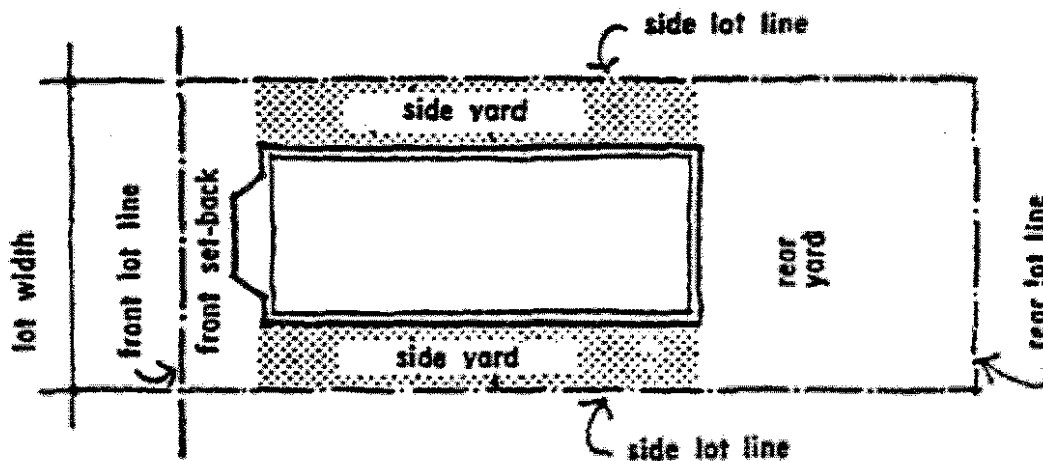
19 (b) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that this
 20 ordinance is in consistent with the Priority Policies of Section 101.1(b) of the Planning Code
 21 and, ~~when effective,~~ with the General Plan as ~~proposed to be amended~~ and hereby
 22 incorporates a report containing those findings as if fully set forth herein. A copy of said report
 23 is on file with the Clerk of the Board of Supervisors in File No. 030999 _____, adopts the
 24 ~~adopts the findings of the Planning Commission, as set forth in Planning Commission~~
 25 ~~Resolution No. _____, and incorporates said findings by this reference thereto.~~

SUPERVISOR MCGOLDRICK
 BOARD OF SUPERVISORS

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2 Section 2. The San Francisco Planning Code is hereby amended by amending Section
3 130, to read as follows:

4 (a) Except as provided in Sections 172 and 188 of this Code, every building and
5 addition shall have yards and setbacks as required by Sections 131 through 134 for the
6 district in which the building is located.

7 (b) Every such front setback and rear yard shall extend along a lot line the full width
8 of the lot. Every such side yard shall extend along a lot line from the front setback or the front
9 lot line to the rear yard. The required minimum depth or width of any yard or setback shall be
10 measured generally at right angles to the lot line. All required yards and setbacks shall be
11 located on the lot on which the building is situated.



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20 (c) Where a vacant lot abuts on two or more streets, any street lot line may be
21 elected by the owner as the front lot line for purposes of the yard and setback requirements,
22 and in general the lot line opposite and most nearly parallel thereto shall be the rear lot line.
23 Any street lot line that is not a front lot line shall be a rear lot line or a side lot line.

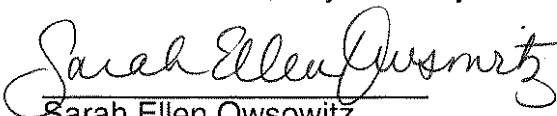
1 (d) Where the side lot lines converge to a point, a line five feet long within the lot
2 parallel to and at a maximum distance from the front lot line shall be deemed to be the rear lot
3 line for the purposes of determining the depth of the rear yard.

4 (e) Where the building wall is not parallel to a side or a rear lot line, the required
5 least dimension of the side yard or the rear yard along such line may be applied to the
6 average, provided that no such side yard shall be less than three feet in width at any point,
7 and no such rear yard shall be less than five feet in depth at any point.

8 (f) Obstructions in any required yard or setback shall be limited to those specified in
9 Section 136 of this Code.

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11 Section 3. The Planning Department concluded environmental review of this ordinance
12 pursuant to the California Environmental Quality Act. Documentation of that review is on file
13 with the Clerk of the Board of Supervisors in File No. 030999.
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15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By: 
19 Sarah Ellen Owsowitz
20 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 030999

Date Passed:

Ordinance amending Planning Code Section 130 to require that before a lot owner may elect which lot line is to be the front lot line of the lot for purposes of the yard and setback requirements the lot must not only abut on two or more streets, but must also be vacant, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

October 7, 2003 Board of Supervisors — PASSED ON FIRST READING

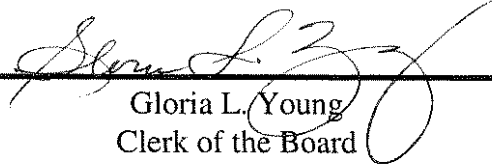
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval

October 21, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Absent: 1 - Newsom

File No. 030999

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on October 21, 2003
by the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

October 22, 2003

Date Approved



Mayor Willie L. Brown Jr.